

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

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97th Legislative Day Monday, April 19, 2010

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- Prayer 11  
 By the chaplain, Reverend Bill Calhoun, Retired, Montview Blvd. Presbyterian Church, Denver. 12
- Call to Order 14  
 By the President at 10:00 a.m. 15
- Pledge 17  
 By Senator Renfroe. 18
- Roll Call 19  
 Present--31. 20  
 Absent--3, Boyd, Foster, King. 21  
 Excused--1, Williams. 22  
 Present later-- 3, Boyd, Foster, King. 23
- Quorum 24  
 The President announced a quorum present. 25
- Reading of Journal 26  
 On motion of Senator Johnston, reading of the Journal of Friday, April 16, 2010, was dispensed with and the Journal was approved as corrected by the Secretary. 27

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**RECALL OF HB10-1133**

Senator Tochtrop moved for recall of **HB10-1133** from the House for purpose of reconsideration. The motion was **adopted** by the following roll call vote and the bill was ordered recalled.

YES	32	NO	0	EXCUSED	1	ABSENT	2
Bacon	Y	Hodge	Y	Morse	Y	Spence	Y
Boyd	A	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	A	King K.	Y	Sandoval	Y	Whitehead	Y
Gibbs	Y	Kopp	Y	Scheffel	Y	Williams	E
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

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**COMMITTEE OF REFERENCE REPORTS**

- Agriculture and Natural Resources 52  
 After consideration on the merits, the Committee recommends that **HB10-1214** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation. 53
- Amend reengrossed bill, page 3, line 15, strike "HUMANE" and substitute "OVERPOPULATION". 56
- Page 7, line 7, strike "This" and substitute "(1) Except as provided in subsection (2) of this section, this". 59
- Page 7, after line 16 insert: 62
- "(2) Sections 3 and 4 of this act shall not take effect if Senate Bill 10-172 is enacted at the Second Regular Session of the Sixty-seventh General Assembly and becomes law." 64

Agriculture and Natural Resources

After consideration on the merits, the Committee recommends that **HB10-1250** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 5, after line 7 insert:

"**SECTION 7.** 39-29-109 (2) (a), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

**39-29-109. Severance tax trust fund - created - administration - distribution of moneys - repeal.** (2) State severance tax receipts shall be credited to the severance tax trust fund as provided in section 39-29-108. Except as otherwise set forth in section 39-29-109.5, all income derived from the deposit and investment of the moneys in the fund shall be credited to the fund. At the end of any fiscal year, all unexpended and unencumbered moneys in the fund shall remain therein and shall not be credited or transferred to the general fund or any other fund. All moneys in the fund shall be subject to appropriation by the general assembly for the following purposes:

(a) **The perpetual base account.** (VI) (A) NOTWITHSTANDING ANY PROVISION OF THIS PARAGRAPH (a) TO THE CONTRARY, THE STATE TREASURER SHALL TRANSFER TO THE COLORADO WATER CONSERVATION BOARD, ALSO REFERRED TO IN THIS SUBPARAGRAPH (VI) AS THE "BOARD", THIRTY-SIX MILLION DOLLARS FOR THE PURCHASE OF ALL OR A PORTION OF COLORADO'S ALLOTMENT OF ANIMAS-LA PLATA PROJECT WATER. THE STATE TREASURER SHALL MAKE THE TRANSFER MANDATED BY THIS SUB-SUBPARAGRAPH (A) IN THREE CONSECUTIVE ANNUAL INSTALLMENTS OF TWELVE MILLION DOLLARS ON JUNE 30 OF EACH YEAR, COMMENCING JUNE 30, 2011.

(B) NOTWITHSTANDING ANY OTHER LAW, INCLUDING SECTION 24-30-1303, C.R.S., ONCE SUFFICIENT FUNDS HAVE BEEN APPROPRIATED TO THE BOARD FOR SUCH PURPOSES, THE DEPARTMENT OF NATURAL RESOURCES, ACTING THROUGH THE BOARD, IS AUTHORIZED TO ENTER INTO A CONTRACT OR OTHER AGREEMENT WITH THE UNITED STATES BUREAU OF RECLAMATION TO ACQUIRE ALL OR A PORTION OF COLORADO'S ALLOCATION OF WATER IN THE ANIMAS-LA PLATA PROJECT. THE AUTHORITY TO ACQUIRE SUCH WATER INCLUDES THE ABILITY TO CONTRACT WITH AND ALLOCATE WATER TO LOCAL ENTITIES AND WATER PROVIDERS; TO RECEIVE AND EXPEND MONEYS FROM ENTITIES IN REPAYMENT; TO UNDERTAKE OPERATIONS, MAINTENANCE, AND REPLACEMENT COSTS; TO PAY THE COSTS OF STORAGE OR OTHER NECESSARY EXPENSES; AND TO OTHERWISE IMPLEMENT THE PURPOSES OF THIS SUB-SUBPARAGRAPH (B) AND UTILIZE THE WATER ACQUIRED. THE BOARD IS ALSO AUTHORIZED TO UNDERTAKE SUCH ACTION AS IS NECESSARY TO LEASE, SUBLEASE, EXCHANGE, SELL, ASSIGN, OR OTHERWISE EFFECTUATE THE USE OF PROJECT WATER ACQUIRED UNDER THIS SUBPARAGRAPH (VI). IN THE EVENT OF A CONFLICT BETWEEN THE APPLICATION OF STATE OR FEDERAL LAW OR RULES, INCLUDING CHAPTER 3 OF THE STATE FISCAL RULES IN EXISTENCE AS OF THE EFFECTIVE DATE OF THIS SUBPARAGRAPH (VI), FEDERAL LAWS AND RULES SHALL APPLY.

(C) EXCEPT AS PROVIDED IN SUB-SUBPARAGRAPH (D) OF THIS SUBPARAGRAPH (VI), THE MONEYS TRANSFERRED TO THE BOARD PURSUANT TO SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (VI) SHALL REMAIN AVAILABLE TO THE BOARD UNTIL EXPENDED.

(D) IF, ON JUNE 30, 2015, ANY MONEYS APPROPRIATED UNDER SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (VI) HAVE NOT BEEN FULLY EXPENDED, THE UNEXPENDED MONEYS ARE DEAUTHORIZED AND SHALL REVERT TO THE PERPETUAL BASE ACCOUNT.

(E) THIS SUBPARAGRAPH (VI) IS REPEALED, EFFECTIVE JULY 1, 2015."

Renumber succeeding section accordingly.

Agriculture and Natural Resources

After consideration on the merits, the Committee recommends that **HB10-1221** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

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	Amend reengrossed bill, page 4, line 26, strike "OVERSEE" and substitute "MONITOR".	3
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	Page 5, line 16, after "MAY" insert "OFFER LICENSES THAT DIFFER IN THE LENGTH OF THEIR TERMS AND MAY".	6
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	Page 6, line 4, after "card," insert "BE TRAINED IN CARDIOPULMONARY RESUSCITATION,".	9
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	Page 6, line 14, after "card," insert "BE TRAINED IN CARDIOPULMONARY RESUSCITATION,".	12
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	Page 7, line 16, strike "SECTION".	15
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	Page 7, strike line 17 and substitute "THIS ARTICLE.".	17
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Appropriations	After consideration on the merits, the Committee recommends that <b>SB10-190</b> be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	20
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	Amend printed bill, page 2, after line 24 insert:	24
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	<b>"SECTION 3. Appropriation - adjustments in 2010 long bill.</b>	26
	For the implementation of this act, appropriations made in the annual general appropriation act to the department of treasury for the fiscal year beginning July 1, 2010, shall be adjusted as follows: the general fund appropriation for special purpose, senior citizen and disabled veteran property tax exemption is decreased by ninety-one million seven hundred twenty-nine thousand one hundred ninety-eight dollars (\$91,729,198) .".	27
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	Renumber succeeding section accordingly.	34
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	Page 1, line 102, strike "YEARS." and substitute "YEARS, AND MAKING AN APPROPRIATION THEREFOR.".	36
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Appropriations	After consideration on the merits, the Committee recommends that <b>SB10-187</b> be referred to the Committee of the Whole with favorable recommendation.	39
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Appropriations	After consideration on the merits, the Committee recommends that <b>SB10-186</b> be referred to the Committee of the Whole with favorable recommendation.	43
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Appropriations	After consideration on the merits, the Committee recommends that <b>SB10-180</b> be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	46
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	Amend printed bill, page 7, after line 17 insert:	50
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	<b>"SECTION 2. Appropriation.</b> The general assembly anticipates that, for the fiscal year beginning July 1, 2010, the department of governor-lieutenant governor-state planning and budgeting, office of the governor, governor's energy office, will receive the sum of twenty thousand dollars (\$20,000) in federal funds and 0.4 FTE for the implementation of this act. Said sum shall be from federal State Energy Planning funds received through the American Recovery and Reinvestment Act of 2009. Although these funds are not appropriated in this act, they are noted for the purpose of indicating the assumptions used relative to these funds.".	52
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	Renumber succeeding section accordingly.	63
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Appropriations	After consideration on the merits, the Committee recommends that <b>SB10-179</b> be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	66
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	Amend printed bill, page 15, after line 5 insert:	70
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	<b>"SECTION 12. Appropriation.</b> In addition to any other	72

appropriation, there is hereby appropriated, out of any moneys in the department of state cash fund created in section 24-21-104 (3) (b), Colorado Revised Statutes, not otherwise appropriated, to the department of state, for allocation to the special purpose division, for the fiscal year beginning July 1, 2010, the sum of thirteen thousand six hundred dollars (\$13,600) cash funds, or so much thereof as may be necessary, for the implementation of this act."

Renumber succeeding sections accordingly

Page 1, line 102 strike "SYSTEM." and substitute "SYSTEM, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH."

Appropriations

After consideration on the merits, the Committee recommends that **SB10-144** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **SB10-141** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 8, after line 10 insert:

**"SECTION 9. Appropriation.** (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the department of state cash fund created in section 24-21-104 (3) (b), Colorado Revised Statutes, not otherwise appropriated, to the department of state, for allocation to the administration division, for operating expenses, for the fiscal year beginning July 1, 2010, the sum of ninety-two thousand twenty dollars (\$92,020) cash funds, or so much thereof as may be necessary, for the implementation of this act.

(2) In addition to any other appropriation, there is hereby appropriated to the department of revenue, executive director's office, for operating expenses, for the fiscal year beginning July 1, 2010, the sum of ninety-two thousand twenty dollars (\$92,020), or so much thereof as may be necessary, for the implementation of this act. Said sum shall be from reappropriated funds received from the department of state out of the appropriation made in subsection (1) of this section."

Renumber succeeding section accordingly.

Page 1, line 104, strike "**09-1003.**" and substitute "**09-1003, AND MAKING AN APPROPRIATION THEREFOR.**"

Appropriations

After consideration on the merits, the Committee recommends that **SB10-084** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **SB10-054** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 4, line 9, after "JUVENILE" insert "FOR MORE THAN FOUR HOURS PER WEEK OR".

Page 7, after line 9 insert:

"(d) (I) IN ADDITION TO ANY MONEYS RECEIVED PURSUANT TO PARAGRAPH (a), (b), OR (c) OF THIS SUBSECTION (4), A SCHOOL DISTRICT THAT PROVIDES EDUCATIONAL SERVICES PURSUANT TO THIS SECTION SHALL RECEIVE FROM THE DEPARTMENT OF EDUCATION AN AMOUNT EQUAL TO THE DAILY RATE ESTABLISHED PURSUANT TO SECTION 22-54-129 FOR EDUCATIONAL SERVICES PROVIDED BY APPROVED FACILITY SCHOOLS, MULTIPLIED BY THE NUMBER OF DAYS, EXCLUDING SATURDAYS AND SUNDAYS, THAT THE JUVENILE IS HELD IN A JAIL OR FACILITY, SO LONG AS THE JUVENILE IS RECEIVING AT LEAST FOUR HOURS OF EDUCATIONAL SERVICES PER WEEK.

(II) ON OR BEFORE THE FIFTEENTH DAY OF EACH MONTH IN WHICH A JUVENILE IS HELD IN A JAIL OR FACILITY, THE OFFICIAL IN CHARGE OF THE JAIL OR FACILITY IN WHICH A JUVENILE IS HELD, OR HIS OR HER DESIGNEE, SHALL REPORT TO THE DEPARTMENT OF EDUCATION IN A

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MANNER TO BE DETERMINED BY THE DEPARTMENT, THE ACTUAL NUMBER OF JUVENILES WHO RECEIVED EDUCATIONAL SERVICES AT THE JAIL OR FACILITY DURING THE PRIOR CALENDAR MONTH TO WHOM THE SCHOOL DISTRICT PROVIDED EDUCATIONAL SERVICES AT THE JAIL OR FACILITY. THE DEPARTMENT OF EDUCATION MAY ACCEPT AMENDED MONTHLY REPORTS FROM THE JAIL OR FACILITY PRIOR TO MAKING THE DISTRIBUTION OF FUNDING FOR THE APPLICABLE MONTH PURSUANT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH (d).

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(III) ON OR BEFORE THE FIFTEENTH DAY OF THE MONTH FOLLOWING THE MONTH IN WHICH A JAIL OR FACILITY REPORTED THE NUMBER OF JUVENILES WHO RECEIVED EDUCATIONAL SERVICES AT THE JAIL OR FACILITY, THE DEPARTMENT OF EDUCATION SHALL PAY THE SCHOOL DISTRICT THAT PROVIDED THE EDUCATIONAL SERVICES THE APPROPRIATE AMOUNT BASED ON THE DAILY RATE ESTABLISHED FOR APPROVED FACILITY SCHOOLS PURSUANT TO SECTION 22-54-129 AND THE NUMBER OF JUVENILES WHO RECEIVED EDUCATIONAL SERVICES.

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(IV) IN EACH APPLICABLE BUDGET YEAR, THE GENERAL ASSEMBLY SHALL APPROPRIATE TO THE DEPARTMENT OF EDUCATION THE AMOUNT REQUIRED TO REIMBURSE SCHOOL DISTRICTS PURSUANT TO THIS PARAGRAPH (d) FOR EDUCATIONAL SERVICES PROVIDED PURSUANT TO THIS SECTION. IN ANY YEAR IN WHICH THE AMOUNT APPROPRIATED IS INSUFFICIENT TO FULLY REIMBURSE SCHOOL DISTRICTS PURSUANT TO THIS SECTION, THE DEPARTMENT OF EDUCATION MAY PRORATE THE PAYMENTS MADE PURSUANT TO THIS PARAGRAPH (d).

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(V) NOTWITHSTANDING ANY PROVISION OF THIS PARAGRAPH (d) TO THE CONTRARY, A SCHOOL DISTRICT SHALL NOT RECEIVE REIMBURSEMENT PURSUANT TO THIS PARAGRAPH (d) FOR ANY PERIOD DURING WHICH THE SCHOOL DISTRICT WAS NOT PROVIDING EDUCATIONAL SERVICES DUE TO THE CIRCUMSTANCES DESCRIBED IN ANY OF PARAGRAPHS (c) TO (g) OF SUBSECTION (2) OF THIS SECTION. THE OFFICIAL IN CHARGE OF THE JAIL OR FACILITY, OR HIS OR HER DESIGNEE, SHALL NOTE ANY SUCH PERIOD IN THE REPORT SUBMITTED TO THE DEPARTMENT OF EDUCATION PURSUANT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH (d), AND THE DEPARTMENT SHALL REDUCE THE AMOUNT OF REIMBURSEMENT TO THE SCHOOL DISTRICT ACCORDINGLY."

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Reletter succeeding paragraph accordingly.

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Page 7, line 11, strike "OR (c)" and substitute "(c), OR (d)".

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Page 8, strike lines 13 through 15 and substitute "PURSUANT TO SECTION 22-32-140 FROM MONEYS APPROPRIATED FOR SAID PURPOSE."

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Page 11, after line 3 insert:

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"SECTION 5. 22-7-908 (1), Colorado Revised Statutes, is amended to read:

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**22-7-908. Read-to-achieve cash fund - created.** (1) There is hereby established in the state treasury the read-to-achieve cash fund, referred to in this section as the "cash fund". The cash fund shall consist of moneys transferred thereto pursuant to subsection (3) of this section and any other moneys that may be made available by the general assembly. Subject to appropriation by the general assembly, moneys in the cash fund shall be used to provide grants pursuant to this part 9, and to the reading assistance grant program created pursuant to section 22-88-102, AND FOR REIMBURSEMENTS TO SCHOOL DISTRICTS FOR EDUCATIONAL SERVICES PROVIDED PURSUANT TO SECTION 22-32-140 TO JUVENILES HELD IN JAILS OR OTHER FACILITIES FOR THE DETENTION OF ADULT OFFENDERS. Any moneys not provided as grants may be invested by the state treasurer as provided in section 24-36-113, C.R.S. All interest derived from the deposit and investment of moneys in the cash fund shall be credited to the cash fund. Any amount remaining in the cash fund at the end of any fiscal year shall remain in the cash fund and shall not be credited or transferred to the general fund or to any other fund.

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SECTION 6. 19-2-212 (1) (a), Colorado Revised Statutes, is amended to read:

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**19-2-212. Working group for criteria for placement of juvenile offenders - establishment of formula - review of criteria.**

(1) The executive director of the department of human services and the state court administrator of the judicial department, or any designees of such persons, in consultation with the division of criminal justice of the department of public safety, the office of state planning and budgeting, the Colorado district attorneys council, law enforcement representatives, and representatives of local and county governments, shall form a working group that shall carry out the following duties:

(a) To establish a set of criteria for both detention and commitment for the purposes of determining which juvenile offenders are appropriate for placement in the physical or legal custody of the department of human services. Such criteria shall conform with section 19-2-508. This set of criteria, when adopted by the department of human services and the judicial department, shall be used to promote a more uniform system of determining which juveniles should be placed in the physical custody of the department of human services or in the legal custody of the department of human services so that decisions for such placement of a juvenile are made based upon a uniform set of criteria throughout the state. In developing such set of criteria, the working group shall utilize any existing risk scale devised by the department of human services or any other measures to determine when it is appropriate to place a juvenile in the physical custody of the department of human services or in the legal custody of the department of human services. IN ADDITION, THE CRITERIA SHALL SPECIFICALLY TAKE INTO ACCOUNT THE EDUCATIONAL NEEDS OF THE JUVENILE AND ENSURE THE JUVENILE'S ACCESS TO APPROPRIATE EDUCATIONAL SERVICES. The working group established pursuant to this subsection (1) shall hold a meeting once each year to review and propose revision to the criteria established pursuant to this paragraph (a) and the formula created pursuant to paragraph (b) of this subsection (1).

**SECTION 7.** 19-2-508 (3) (c) (II) (F), Colorado Revised Statutes, is amended to read:

**19-2-508. Detention and shelter - hearing - time limits - findings - review - confinement with adult offenders - restrictions - repeal.**

(3) (c) (II) Following a detention hearing held in accordance with subparagraph (I) of this paragraph (c), a juvenile who is to be tried as an adult for criminal proceedings pursuant to a direct filing or transfer shall not be held at any facility intended to be utilized by juvenile offenders, unless the district attorney and the defense counsel agree otherwise. In determining whether jail is the appropriate place of confinement, the district attorney and defense counsel shall consider the following factors:

(F) The relative ability of the available adult and juvenile detention facilities to meet the needs of the juvenile, INCLUDING THE JUVENILE'S NEED FOR EDUCATIONAL SERVICES, and protect the public;

**SECTION 8. Appropriation - adjustments to the 2010 long bill.**

(1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the read-to-achieve cash fund established in section 22-7-908 (1), Colorado Revised Statutes, not otherwise appropriated, to the department of education, assistance to public schools, grant programs, distributions, and other assistance, for the fiscal year beginning July 1, 2010, the sum of two hundred nine thousand two hundred eighty-seven dollars (\$209,287) and 0.2 FTE, or so much thereof as may be necessary, for the implementation of this act.

(2) For the implementation of this act, appropriations made in the annual general appropriation act for the fiscal year beginning July 1, 2010, shall be adjusted as follows: the cash funds appropriation to the department of education, assistance to public schools, grant programs, distributions, and other assistance, reading and literacy, for the read-to-achieve grant program, is decreased by two hundred nine thousand two hundred eighty-seven dollars (\$209,287). Said sum shall be from the read-to-achieve cash fund established in section 22-7-908 (1), Colorado Revised Statutes."

Renumber succeeding section accordingly.

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Page 1, line 103, strike "COURT." and substitute "COURT, AND MAKING AN APPROPRIATION THEREFOR."

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Appropriations

After consideration on the merits, the Committee recommends that **SB10-039** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

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Amend the Education Committee Report, dated February 25, 2010, page 3, strike line 11 and substitute:

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"(5) IN THE 2010-2011 FISCAL YEAR, THE AUTHORITY SHALL AWARD AND PAY ONE".

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Page 3, line 13, after the period insert "IN THE 2011-12 AND 2012-13 FISCAL YEARS, THE AUTHORITY IS AUTHORIZED TO ANNUALLY USE ONE MILLION DOLLARS FROM THE COLORADO COLLEGEINVEST SCHOLARSHIP TRUST FUND TO ADMINISTER THE SCHOLARSHIP PROGRAM AND TO AWARD SCHOLARSHIPS PURSUANT TO THAT PROGRAM."

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Page 3, line 22, strike "THEREAFTER," and substitute "THEREAFTER IN WHICH A SCHOLARSHIP IS AWARDED PURSUANT TO THE SCHOLARSHIP PROGRAM,".

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Page 4, strike lines 11 through 14 and substitute:

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"(5) (a) (I) NOTWITHSTANDING ANY PROVISIONS OF SUBSECTION (2) OF THIS SECTION TO THE CONTRARY, IN THE 2010-11 FISCAL YEAR, THE AUTHORITY SHALL USE ONE MILLION DOLLARS OF THE MONEYS IN THE".

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Page 4, after line 19 insert:

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"(II) IN THE 2011-12 AND 2012-13 FISCAL YEARS, THE AUTHORITY IS AUTHORIZED TO ANNUALLY USE ONE MILLION DOLLARS FROM THE COLORADO COLLEGEINVEST SCHOLARSHIP TRUST FUND TO ADMINISTER THE COLORADO JOB RETRAINING SCHOLARSHIP PROGRAM CREATED IN SECTION 23-3.1-206.6 AND TO AWARD SCHOLARSHIPS PURSUANT TO THAT PROGRAM."

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Page 6, after line 9 insert:

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**"SECTION 5. Adjustment to the 2010 long bill.** For the implementation of this act, the appropriation made in the annual general appropriation act for the fiscal year beginning July 1, 2010, as adjusted by House Bill 10-1383, for the department of higher education, Colorado commission on higher education financial aid, for the need-based student financial assistance program established pursuant to section 23-3.3-102, Colorado Revised Statutes, shall be reduced by one million dollars (\$1,000,000) cash funds. Said sum shall be from the Colorado collegeinvest scholarship trust fund created in section 23-3.1-206.9 (2) (a), Colorado Revised Statutes, out of moneys transferred to the trust fund from the student loan guarantee fund created in section 23-3.1-107 (1) (a), Colorado Revised Statutes."

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Renumber succeeding section accordingly.

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Page 6, strike lines 13 through 15.

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Appropriations

After consideration on the merits, the Committee recommends that **SB10-013** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

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Amend printed bill, page 4, after line 15 insert:

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**"SECTION 4. Appropriation.** In addition to any other appropriation, there is hereby appropriated, out of any moneys in the workers' compensation cash fund created in section 8-44-112 (7) (a), Colorado Revised Statutes, not otherwise appropriated, to the department of labor and employment, for allocation to the division of workers' compensation, for the fiscal year beginning July 1, 2010, the sum of three

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thousand seven hundred fifty-six dollars (\$3,756) cash funds and 0.1 FTE, or so much thereof as may be necessary, for the implementation of this act."

Renumber succeeding sections accordingly.

Page 1, line 102, strike "INSURERS." and substitute "INSURERS, AND MAKING AN APPROPRIATION THEREFOR."

Appropriations

After consideration on the merits, the Committee recommends that SB10-128 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 6, before line 17 insert:

"SECTION 9. Article 18 of title 17, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

**17-18-105. Appropriation to comply with section 2-2-703 - SB 10-128 - repeal.** (1) PURSUANT TO SECTION 2-2-703, C.R.S., THE FOLLOWING STATUTORY APPROPRIATIONS, OR SO MUCH THEREOF AS MAY BE NECESSARY, ARE MADE IN ORDER TO IMPLEMENT SENATE BILL 10-128, ENACTED AT THE SECOND REGULAR SESSION OF THE SIXTY-SEVENTH GENERAL ASSEMBLY:

(a) FOR THE FISCAL YEAR BEGINNING JULY 1, 2012, IN ADDITION TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED FROM THE CAPITAL CONSTRUCTION FUND CREATED IN SECTION 24-75-302, C.R.S., TO THE CORRECTIONS EXPANSION RESERVE FUND CREATED IN SECTION 17-1-116, C.R.S., THE SUM OF EIGHTY-THREE THOUSAND EIGHT HUNDRED SIXTY-ONE DOLLARS (\$83,861).

(b) FOR THE FISCAL YEAR BEGINNING JULY 1, 2013, IN ADDITION TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE DEPARTMENT OF CORRECTIONS, OUT OF ANY MONEYS IN THE GENERAL FUND NOT OTHERWISE APPROPRIATED, THE SUM OF TWENTY-EIGHT THOUSAND FOURTEEN DOLLARS (\$28,014).

(c) FOR THE FISCAL YEAR BEGINNING JULY 1, 2014, IN ADDITION TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE DEPARTMENT OF CORRECTIONS, OUT OF ANY MONEYS IN THE GENERAL FUND NOT OTHERWISE APPROPRIATED, THE SUM OF FOUR THOUSAND FOUR HUNDRED EIGHTY-TWO DOLLARS (\$4,482).

(2) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2015.

SECTION 10. 24-75-302 (2) (y), Colorado Revised Statutes, is amended to read:

**24-75-302. Capital construction fund - capital assessment fees - calculation.** (2) As of July 1, 1988, and July 1 of each year thereafter through July 1, 2012, a sum as specified in this subsection (2) shall accrue to the capital construction fund. The state treasurer and the controller shall transfer such sum out of the general fund and into the capital construction fund as moneys become available in the general fund during the fiscal year beginning on said July 1. Transfers between funds pursuant to this subsection (2) shall not be deemed to be appropriations subject to the limitations of section 24-75-201.1. The amount that shall accrue pursuant to this subsection (2) shall be as follows:

(y) On July 1, 2012, one hundred twelve thousand six hundred forty-nine dollars pursuant to H.B. 08-1115, enacted at the second regular session of the sixty-sixth general assembly; plus three hundred seventy-five thousand four hundred ninety-five dollars pursuant to S.B. 08-239, enacted at the second regular session of the sixty-sixth general assembly; ASSEMBLY; PLUS EIGHTY-THREE THOUSAND EIGHT HUNDRED SIXTY-ONE DOLLARS PURSUANT TO S.B. 10-128, ENACTED AT THE SECOND REGULAR SESSION OF THE SIXTY-SEVENTH GENERAL ASSEMBLY."

Renumber succeeding sections accordingly.

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Page 6, line 17, strike "This act" and substitute "(1) Sections 3, 4, 9, and 10 of this act"

Page 6, after line 19, insert:

"(2) The remaining sections of this act shall take effect on July 1, 2012, and shall apply to offenses committed on or after said date."

Page 1, line 101 strike "PRIVACY." and substitute "PRIVACY, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH."

Appropriations

After consideration on the merits, the Committee recommends that SB10-126 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Strike the Health and Human Services Committee Report, dated February 18, 2010.

Amend printed bill, strike everything below the enacting clause and substitute:

"SECTION 1. Part 1 of article 34 of title 24, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

**24-34-110. Posting summary transparency reports required by federal law.** UPON RECEIPT BY THE STATE FROM THE SECRETARY OF THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, THE DEPARTMENT OF REGULATORY AGENCIES SHALL POST ON ITS WEB SITE THE REPORT REQUIRED BY SECTION 6002 OF THE FEDERAL "PATIENT PROTECTION AND AFFORDABLE CARE ACT", H.R. 3590, PUB.L. 111-148, CONTAINING A SUMMARY OF INFORMATION SUBMITTED BY MANUFACTURERS AND GROUP PURCHASING ORGANIZATIONS TO THE SECRETARY PURSUANT TO SAID LAW. THE DEPARTMENT SHALL POST THE REPORT BY SEPTEMBER 30, 2013, AND BY JUNE 30 OF EACH CALENDAR YEAR THEREAFTER, OR AS SOON AS POSSIBLE AFTER THE STATE RECEIVES THE REPORT FROM THE SECRETARY, WHICHEVER OCCURS FIRST.

**SECTION 2. Act subject to petition - effective date.** This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 11, 2010, if adjournment sine die is on May 12, 2010); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part shall not take effect unless approved by the people at the general election to be held in November 2010 and shall take effect on the date of the official declaration of the vote thereon by the governor."

Appropriations

After consideration on the merits, the Committee recommends that SB10-160 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 3, line 18, strike "cost recovery -".

Page 4, line 7, strike "AND IN EXCHANGE FOR THE STATE".

Page 4, strike line 8.

Page 4, line 9, strike "PAID TO OR ON BEHALF OF THE PARTICIPANT".

Page 5, line 3, strike "PROGRAM; AND" and substitute "PROGRAM."

Page 5, strike lines 4 through 8.

Page 7, after line 5 insert:

**"SECTION 3. Appropriation.** In addition to any other appropriation, there is hereby appropriated, to the department of health care policy and financing, for allocation to the executive director's office, for general professional services and special projects, for the fiscal year

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beginning July 1, 2010, the sum of thirty-one thousand six hundred ninety-two dollars (\$31,692), or so much thereof as may be necessary, for the implementation of this act. Of said sum, fifteen thousand eight hundred forty-six dollars (\$15,846) shall be from the general fund and fifteen thousand eight hundred forty-six dollars (\$15,846) shall be from federal funds."

Renumber succeeding section accordingly.

Page 1, line 102, strike "ELDERLY." and substitute, "ELDERLY, AND MAKING AN APPROPRIATION THEREFOR."

Appropriations

After consideration on the merits, the Committee recommends that SB10-005 be postponed indefinitely.

Appropriations

After consideration on the merits, the Committee recommends that SB10-002 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend the Health and Human Services Committee Report dated March 3, 2010, page 2, after line 24 insert:

"Page 8, after line 26 insert:

"SECTION 8. Appropriation. In addition to any other appropriation, there is hereby appropriated, to the department of health care policy and financing, for allocation to the executive director's office, for the fiscal year beginning July 1, 2010, the sum of one hundred eighty-four thousand seventy-two dollars (\$184,072), or so much thereof as may be necessary, for the implementation of this act. Of said sum, ninety-two thousand thirty-six dollars (\$92,036) shall be from the general fund, and ninety-two thousand thirty-six dollars (\$92,036) shall be from federal funds.

SECTION 9. Effective date. (1) Except as otherwise provided in subsection (2) of this section, this act shall take effect upon passage.

(2) Sections 2 through 8 of this act shall take effect July 1, 2010, only if:

(a) The final fiscal estimate for Senate Bill 10-167, as reflected in the appropriations clause for said act, shows a net general fund savings that is equal to or greater than the final general fund fiscal estimate for this act, as reflected in section 8 of this act;

(b) Senate Bill 10-167 is enacted and becomes law; and

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

Renumber succeeding section accordingly."

Page 2 of the committee report, strike lines 25 through 27 and substitute:

"Page 1, strike lines 103 and 104 and substitute "THE MEDICAID PROGRAM, PROVIDING ADDITIONAL ASSISTANCE TO FAMILIES ELIGIBLE FOR CERTAIN BENEFITS, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH."."

REPORT OF CONFERENCE COMMITTEES

FIRST REPORT OF FIRST CONFERENCE COMMITTEE ON HB10-1171

\*\*\*\*\* THIS REPORT AMENDS 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 HB10-1171,  
concerning education-related data reporting requirements, 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 4, strike lines 16 through 27 and substitute:

**"SECTION 3. Repeal.** 22-44-111 (3), Colorado Revised  
Statutes, is repealed as follows:

**22-44-111. Budget - filing.** (3) ~~Each board of education shall  
submit its adopted annual budget to the department of education on or  
before January 31, 2009, and on or before January 31 each year  
thereafter. The budget shall include data available to the board of  
education as of December 31 of the immediately preceding calendar  
year."~~

Page 5, strike line 1.

Respectfully submitted,

House Committee:  
(signed)  
Debbie Benefield, Chairman  
Tom Massey  
Judy Solano

Senate Committee:  
(signed)  
Pat Steadman, Chairman  
Keith King

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### MESSAGE FROM THE HOUSE

April 16, 2010

The House has adopted the First Report of the First Conference Committee on  
HB10-1376, as printed in House Journal, April 16, and has repassed the bill as  
amended.

The House has voted to reject the Conference Committee Report on SB10-109, and  
requests the Conferees be discharged and that a second Conference Committee be  
appointed. The Speaker has appointed Representative Massey, Chairman, McCann,  
Weissmann as House Conferees on the Second Conference Committee on SB10-109.  
The House has granted authorization to go beyond the scope of the differences. The bill  
is transmitted herewith.

The House has voted to concur in the Senate amendments to HB10-1378, 1379,  
1381, 1384, and has repassed the bills as so amended.

The House has voted not to concur in the Senate amendments to HB10-1383 and requests  
that a conference committee be appointed. The Speaker has appointed Representatives  
Pommer, chairman, Ferrandino, and Lambert as House conferees on the First Conference  
Committee on HB10-1383. The bill is transmitted herewith.

The House has voted not to concur in the Senate amendments to HB10-1388 and requests  
that a conference committee be appointed. The Speaker has appointed Representatives  
Ferrandino, chairman, Lambert, and Pommer as House conferees on the First Conference  
Committee on HB10-1388. The bill is transmitted herewith.

The House has voted not to concur in the Senate amendments to HB10-1252 and requests  
that a conference committee be appointed. The Speaker has appointed Representatives  
Primavera, chairman, Gagliardi, and Massey as House conferees on the First Conference  
Committee on HB10-1252. The bill is transmitted herewith.

The House has voted not to concur in the Senate amendments to HB10-1273 and requests  
that a conference committee be appointed. The Speaker has appointed Representatives  
Merrifield, chairman, Solano, and McNulty as House conferees on the First Conference

Committee on HB10-1273. The bill is transmitted herewith.

The House has adopted and returns herewith SJR10-026, and SJR10-027.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB10-1013, amended as printed in House Journal, April 15, pages 1235-1246. HB10-1399, amended as printed in House Journal, April 15, page 1248.

The House has passed on Third Reading and returns herewith SB10-073.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB10-117, amended as printed in House Journal, April 15, page 1248.

MESSAGE FROM THE REVISOR OF STATUTES

April 16, 2010

We herewith transmit:

Without comment, as amended, HB10-1013 and 1399.  
Without comment, as amended, SB10-117.

INTRODUCTION OF BILLS -- FIRST READING

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

- SB10-194** by Senator(s) Boyd; also Representative(s) Riesberg--Concerning the requirement that entities operating pursuant to certain federal waivers that provide certain services to persons with developmental disabilities obtain licensure as home care agencies.  
Health and Human Services
- SB10-195** by Senator(s) Newell; also Representative(s) Solano--Concerning creation of the early childhood leadership commission.  
Health and Human Services
- HB10-1005** by Representative(s) Massey, Frangas, Kerr J., McCann; also Senator(s) Foster, Boyd, Lundberg, Schwartz--Concerning home health care through telemedicine pursuant to the "Colorado Medical Assistance Act", and making an appropriation therefor.  
Health and Human Services
- HB10-1013** by Representative(s) Middleton, Massey, Merrifield, Scanlan, Stephens; also Senator(s) Romer, King K., Spence, Steadman--Concerning the modification of certain provisions related to the administration of public schools from kindergarten through the twelfth grade.  
Education
- HB10-1027** by Representative(s) Roberts and Tyler, Soper; also Senator(s) Williams, Newell--Concerning the requirement for a certain life expectancy prognosis for persons receiving hospice care through medicaid, and making an appropriation therefor.  
Health and Human Services
- HB10-1033** by Representative(s) Massey, Frangas, Kerr J., McCann; also Senator(s) Boyd and Schwartz, Foster--Concerning the provision of services through the medicaid program that are related to substance abuse, and making an appropriation therefor.  
Health and Human Services
- HB10-1051** by Representative(s) Pommer; also Senator(s) Whitehead--Concerning additional information regarding covered entities' water efficiency plans.  
Agriculture and Natural Resources
- HB10-1073** by Representative(s) Roberts; also Senator(s) Sandoval--Concerning the addition of a line to Colorado state individual income tax return forms whereby individual taxpayers may make a voluntary contribution benefitting the Colorado 2-1-1 first call for help fund, and making an appropriation therefor.  
Finance
- HB10-1081** by Representative(s) Priola; also Senator(s) Steadman--Concerning money laundering, and making an appropriation therefor.  
Judiciary

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- HB10-1139** by Representative(s) Apuan; also Senator(s) Heath--Concerning the creation of special license plates for military veterans of the conflicts occurring after September 11, 2001, and making an appropriation therefor. 1  
Transportation 2  
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- HB10-1176** by Representative(s) Vaad; also Senator(s) Mitchell--Concerning recovery audits for government overpayments of tax dollars. 6  
Finance 7  
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- HB10-1238** by Representative(s) Curry; also Senator(s) Schwartz--Concerning wildlife crossing zones. 10  
Transportation 11  
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- HB10-1277** by Representative(s) DelGrosso, Waller; also Senator(s) Steadman--Concerning an extension of the prohibition against sexual conduct in correctional institutions, and making an appropriation therefor. 13  
Judiciary 14  
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- HB10-1352** by Representative(s) Waller, Pace, Court, Gardner B., Gerou, Kagan, King S., Levy, Looper, Massey, May, McCann, Miklosi, Nikkel, Roberts, Ryden, Stephens; also Senator(s) Steadman and Mitchell, Carroll M., Hudak, Morse, Newell, Penry, White--Concerning changes to crimes involving controlled substances, and making an appropriation in connection therewith. 18  
Judiciary 19  
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- HB10-1358** by Representative(s) Fischer, Apuan, Court, Frangas, Gagliardi, Hulinghorst, Kagan, Kefalas, Kerr A., Labuda, Levy, Merrifield, Middleton, Pace, Peniston, Primavera, Ryden, Solano, Todd, Tyler, Vigil, Weissmann; also Senator(s) Johnston, Bacon, Hodge, Steadman, Tapia, Williams--Concerning a requirement for new home builders to offer home buyers water efficiency options. 25  
Local Government and Energy 26  
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- HB10-1363** by Representative(s) Scanlan, Liston, McFadyen; also Senator(s) White, Boyd, Gibbs, Hodge, Johnston--Concerning incentives for the production of biogenic gas that was created as a result of human intervention. 32  
Agriculture and Natural Resources 33  
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- HB10-1375** by Representative(s) Riesberg, McFadyen; also Senator(s) Bacon, Schwartz--Concerning the necessary authority for Metropolitan state college of Denver to access favorable financing. 37  
Education 38  
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- HB10-1392** by Representative(s) Benefield; also Senator(s) Johnston--Concerning the membership of the government data advisory board. 42  
State, Veterans & Military Affairs 43  
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45
- HB10-1399** by Representative(s) Weissmann; also Senator(s) Gibbs--Concerning the authority of the Colorado bureau of investigation to assist a chief of a fire department in the investigation of a fire related to the crime of arson. 46  
Judiciary 47  
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**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:

- HB10-1118** by Representative(s) Kerr J.; also Senator(s) Hudak--Concerning the regulation of distressed real property by a board of county commissioners. 54  
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The question being "Shall the bill pass?", the roll call was taken with the following result: 60

YES	24	NO	10	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	N	Keller	Y	Renfroe	N	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	White	N
Foster	Y	King K.	N	Sandoval	Y	Whitehead	Y
Gibbs	Y	Kopp	N	Scheffel	N	Williams	E
Harvey	N	Lundberg	N	Schultheis	N	President	Y
Heath	Y	Mitchell	N	Schwartz	Y		

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

**SB10-185** 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 Tuesday, April 20, retaining its place on the calendar.

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

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

Laid over until Thursday, April 29, retaining its place on the calendar.

**HB10-1038** by Representative(s) Miklosi, Pace, Ryden; also Senator(s) Carroll M., Hodge, Tochtrop--Concerning a brochure to describe the process for workers' compensation claims, and making adjustments to appropriations in connection therewith.

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

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

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

**SB10-012** by Senator(s) Tochtrop, Carroll M., Hodge; also Representative(s) Pace, Miklosi, Ryden--Concerning increased penalties for violations of the workers' compensation laws.

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

**SB10-011** by Senator(s) Carroll M., Hodge, Tochtrop; also Representative(s) Miklosi, Pace, Ryden--Concerning measures to reduce conflicts of interest in workers' compensation cases.

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

**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.

Amendment No. 1, Education Committee Amendment.  
(Printed in Senate Journal, April 6, pages 784-785 and placed in members' bill files.)

Amendment No. 2(L.013), by Senator Bacon.

Strike the Education Committee Report, dated April 1, 2010.

Amend reengrossed bill, page 4, line 22, after "law;" add "and".

- Page 4, line 24, strike "curriculum; and" and substitute "curriculum." 1
- Page 4, strike lines 25 through 27. 2
- Page 5, strike line 1. 3
- Page 6, line 4, before "USE" insert "EDUCATION REGARDING" 4
- Page 6, strike lines 24 through 27. 5
- Strike pages 7 through 9. 6
- Renumber succeeding sections accordingly. 7
- Page 10, line 1, strike "**date - applicability.**" and substitute "**date.**". 8
- Page 10, strike lines 2 through 4 and substitute "shall take effect July 1, 2010.". 9
- Page 1, line 105, strike "TRANSPORTATION," and substitute "TRANSPORTATION AND". 10
- Page 1, line 112, strike "**PUBLIC, AND REQUIRING THAT A MINOR**". 11
- Page 2, strike lines 101 and 102 and substitute "**PUBLIC.**". 12
- As amended, ordered revised and placed on the calendar for third reading and final passage. 13
- HB10-1122** by Representative(s) Roberts and Merrifield, Gagliardi, Kefalas, Tyler; also Senator(s) Williams, Morse--Concerning medical orders determining the scope of treatment an adult wishes to receive under certain circumstances. 14
- Laid over until Wednesday, April 21, retaining its place on the calendar. 15
- SB10-178** by Senator(s) Hodge and Mitchell; also Representative(s) Gerou and Miklosi--Concerning fairness in workers' compensation health care provider review processes, and, in connection therewith, requiring credentialing, quality, and service review and performance initiative programs to be transparent, include objective and standardized criteria that are applied consistently, and provide minimum due process to providers. 16
- Amendment No. 1, Judiciary Committee Amendment. 17  
(Printed in Senate Journal, April 13, page 865-866 and placed in members' bill files.) 18
- Amendment No. 2(L.004), by Senator Mitchell. 19
- Amend the Judiciary Committee Report, dated April 12, 2010, page 1, after line 1 insert: 20
- "Page 2 of the bill, line 10, strike "INITIATIVES" and substitute "PROGRAMS". 21
- Page 2 of the bill, line 14, strike "INITIATIVES" and substitute "PROGRAMS". 22
- Page 2 of the bill, line 16, strike "INITIATIVES" and substitute "PROGRAMS". 23
- Page 2 of the bill, line 19, strike "INITIATIVE" and substitute "PROGRAM". 24
- Page 1 of the report, after line 4 insert: 25
- "Page 4 of the bill, line 1, strike "INITIATIVE"" and substitute "PROGRAM"". 26
- Page 1 of the report, after line 8 insert: 27
- "Page 4 of the bill, line 10, strike "**initiatives.**" and substitute "**programs.**" 28
- Page 4 of the bill, line 11, strike "INITIATIVES" and substitute 29

"PROGRAMS".

Page 4 of the bill, line 21, strike "INITIATIVE" and substitute "PROGRAM".

Page 1 of the report, after line 9 insert:

"Page 5 of the bill, line 1, strike "INITIATIVE," and substitute "PROGRAM,".

Page 5 of the bill, line 10, strike "INITIATIVE" and substitute "PROGRAM".

Page 5 of the bill, line 11, strike "INITIATIVE" and substitute "PROGRAM".

Page 1 of the report, after line 11 insert:

"Page 5 of the bill, line 15, strike "INITIATIVE" and substitute "PROGRAM".

Page 1 of the report, line 12, strike "23" and substitute "20".

Page 2 of the report, line 2, strike "INITIATIVE," and substitute "PROGRAM,".

Page 2 of the report, after line 9 insert:

"Page 6 of the bill, line 23, strike "INITIATIVE" and substitute "PROGRAM".

Page 2 of the report, line 13, strike "OR" and substitute "OR" and strike "INITIATIVE." and substitute "PROGRAM".

Page 2 of the report, strike line 24 and substitute "Page 8 of the bill, line 19, strike "INITIATIVE UNTIL THE APPEAL, INCLUDING ANY" and substitute "PROGRAM UNTIL THE APPEAL".

Page 3 of the report, line 6, strike "INITIATIVE," and substitute "PROGRAM,".

Page 3 of the report, line 8, strike "INITIATIVE" and substitute "PROGRAM".

Page 3 of the report, after line 16 insert:

"Page 9 of the bill, line 3, strike "initiatives" and substitute "programs".

Page 3 of the report, line 19, strike ""PERFORMANCE" and substitute ""PERFORMANCE" and strike "INITIATIVE" and substitute "PROGRAM".

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

**HB10-1149** by Representative(s) Hullinghorst; also Senator(s) Foster--Concerning the regulation prior to disposal of sources that emit radiation.

Amendment No. 1, Health & Human Services Committee Amendment.  
(Printed in Senate Journal, April 5, page 770-771 and placed in members' bill files.)

Amendment No. 2(L.005), by Senator Foster.

Amend reengrossed bill, page 14, line 27, before "(2)," insert "(1),".

Page 15, strike line 4 and substitute:

**"cease-and-desist orders.** (1) EXCEPT AS ALLOWED BY RULE OF THE STATE BOARD:

(a) No person shall acquire, own, possess, or use any radioactive material occurring naturally or produced artificially without having been granted a license therefor from the department; ~~nor shall he~~ OR

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(b) Transfer to another or dispose of such material without first having been granted approval of the department therefor.

(2) EXCEPT AS ALLOWED BY RULE OF THE STATE BOARD, no person shall knowingly use, "

Page 15, line 7, after the period add "THE EXCEPTIONS PROMULGATED BY THE STATE BOARD SHALL INCLUDE USE OF DOMESTIC TELEVISION RECEIVERS, COMPUTER MONITORS, HOUSEHOLD MICROWAVE OVENS, RADIANT HEAT DEVICES, CELLULAR TELEPHONES, INCANDESCENT GAS MANTLES, AND VACUUM TUBES."

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

**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.

Amendment No. 1, Local Government and Energy Committee Amendment.  
(Printed in Senate Journal, April 14, pages 883-884 and placed in members' bill files.)

Amendment No. 2(L.035), by Senator Romer.

Amend reengrossed bill, page 38, after line 16 insert:

**"SECTION 3.** Article 38.5 of title 24, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

**24-38.5-104. Clean energy improvement debt reserve fund - authorization - use.** (1) THE CLEAN ENERGY IMPROVEMENT DEBT RESERVE FUND IS HEREBY CREATED IN THE STATE TREASURY. THE GOVERNOR'S ENERGY OFFICE MAY INSTRUCT THE STATE TREASURER IN WRITING TO CREDIT UP TO TEN MILLION DOLLARS OF LEGALLY AVAILABLE MONEYS FROM NONSTATE SOURCES UNDER THE CONTROL OF THE GOVERNOR'S ENERGY OFFICE TO THE FUND. ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEYS IN THE FUND SHALL BE CREDITED TO THE FUND, AND ALL UNEXPENDED AND UNENCUMBERED MONEYS IN THE FUND AT THE END OF ANY FISCAL YEAR SHALL REMAIN IN THE FUND.

(2) THE GOVERNOR'S ENERGY OFFICE, WITH THE APPROVAL OF THE STATE TREASURER, MAY AUTHORIZE 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, SUBJECT TO SUCH CONDITIONS AS MAY BE AGREED TO BY THE OFFICE AND THE DISTRICT, 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 ITS BONDS. THE MONEYS IN THE FUND ARE 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 FOR WHICH THE DISTRICT CANNOT MAKE A PAYMENT AND DEFRAYING ANY RELATED DIRECT AND INDIRECT COSTS INCURRED BY THE STATE TREASURER.

(3) THIS SECTION SHALL NOT BE CONSTRUED TO CREATE ANY STATE DEBT, TO REQUIRE THE STATE TO MAKE ANY BOND PAYMENTS ON BEHALF OF ANY LOCAL IMPROVEMENT DISTRICT OR OTHER SPECIAL DISTRICT FROM ANY SOURCE OF MONEYS OTHER THAN THE CLEAN ENERGY

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IMPROVEMENT DEBT RESERVE FUND, OR TO REQUIRE THE STATE TO FULLY PAY OFF ANY OUTSTANDING BONDS OF A DISTRICT THAT CANNOT MAKE SCHEDULED BOND PAYMENTS.

(4) IN ACCORDANCE WITH SECTION 11 OF ARTICLE II OF THE STATE CONSTITUTION, THE STATE HEREBY COVENANTS WITH THE PURCHASERS OF ANY OUTSTANDING BONDS ISSUED IN RELIANCE UPON THE EXISTENCE OF THE CLEAN ENERGY IMPROVEMENT DEBT RESERVE FUND THAT THE STATE WILL NOT REPEAL, REVOKE, OR RESCIND THE PROVISIONS OF THIS SECTION CONCERNING THE FUND OR MODIFY OR RESCIND THE SAME SO AS TO LIMIT OR IMPAIR THE RIGHTS AND REMEDIES GRANTED BY THIS SECTION TO THE PURCHASERS OF SUCH BONDS AND THAT ANY MONEYS IN THE FUND SHALL NOT REVERT TO THE GENERAL FUND."

Renumber succeeding sections accordingly.

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

**HB10-1342** by Representative(s) Levy, Benefield, Court, Ferrandino, Fischer, Gagliardi, Hullinghorst, Kagan, Merrifield, Peniston, Pommer, Primavera, Solano, Tyler; also Senator(s) Williams, Newell--Concerning measures to encourage additional investment in solar energy generation facilities, and, in connection therewith, authorizing the creation of community solar gardens.

Laid over until Wednesday, April 21, retaining its place on the calendar.

**SB10-189** by Senator(s) Steadman, Boyd, Carroll M., Heath, Romer, Tochtrop; also Representative(s) Weissmann, Levy, Riesberg--Concerning authorization for government agencies to approve clean syringe exchange programs to reduce the spread of blood-borne disease.

Amendment No. 1, Health & Human Services Committee Amendment.  
(Printed in Senate Journal, April 15, page 887 and placed in members' bill files.)

As amended, ordered engrossed 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.)

**SB10-188** by Senator(s) Penry and Morse; also Representative(s) Ferrandino--Concerning a prohibition against the imposition of a surcharge for a debit card transaction.

Amendment No. 2(L.002), by Senator King.

Amend printed bill, page 5, line 9, strike "means." and substitute "means, NOR SHALL ANY FINANCIAL INSTITUTION OR CARD ISSUER IMPOSE A SURCHARGE FOR THE USE OF A DEBIT CARD FOR AN AUTOMATED CASH WITHDRAWAL. A TRANSACTION PROCESSING FEE SHALL BE ALLOWED BY THE OWNER OF THE MACHINE AT THE TIME OF THE TRANSACTION."

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

**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 Tuesday, April 20, retaining its place on the calendar.

**AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE**

**SB10-189** by Senator(s) Steadman, Boyd, Carroll M., Heath, Romer, Tochtrop; also Representative(s) Weissmann, Levy, Riesberg--Concerning authorization for government agencies to approve clean syringe exchange programs to reduce the spread of blood-borne disease.

Senator Penry moved to amend the Report of the Committee of the Whole to show that the following amendment to SB 10-189 did pass.

Amend printed bill, page 5, after line 26 insert:

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"(7) NO STATE MONEYS SHALL BE USED TO FUND, DIRECTLY OR INDIRECTLY, ANY CLEAN SYRINGE EXCHANGE PROGRAM APPROVED PURSUANT TO THIS SECTION."

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	21	EXCUSED	1	ABSENT	0
Bacon	N	Hodge	N	Morse	N	Spence	N
Boyd	N	Hudak	N	Newell	N	Steadman	N
Brophy	Y	Johnston	N	Penry	Y	Tapia	N
Cadman	Y	Keller	N	Renfroe	Y	Tochtrop	N
Carroll M.	N	Kester	N	Romer	N	White	Y
Foster	N	King K.	Y	Sandoval	N	Whitehead	Y
Gibbs	N	Kopp	Y	Scheffel	Y	Williams	E
Harvey	Y	Lundberg	Y	Schultheis	Y	President	N
Heath	N	Mitchell	N	Schwartz	Y		

**ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE**

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Spence	Y
Boyd	Y	Hudak	Y	Newell	Y	Steadman	Y
Brophy	Y	Johnston	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	E
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: SB10-178 as amended, SB10-189 as amended, SB10-188 as amended, HB10-1147 as amended, HB10-1149 as amended, HB10-1328 as amended.
- Laid over until Tuesday, April 20: HB10-1160.
- Laid over until Wednesday, April 21: HB10-1122, HB10-1342.
- Laid over until Thursday, April 22: HB10-1038, HB10-1009, SB10-012, SB10-011.
- Laid over until Thursday, April 29: HB10-1271.

**MESSAGE FROM THE GOVERNOR**

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

April 5, 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, appoint and submit to your consideration, the following:

MEMBER OF THE  
BOARD OF TRUSTEES FOR  
ADAMS STATE COLLEGE

for a term expiring December 31, 2011:

LeRoy J. Salazar of Manassa, Colorado, to fill the vacancy occasioned by the resignation of Bruce J. Oreck of Boulder, Colorado, appointed.

Sincerely,  
(signed)  
Bill Ritter, Jr.  
Governor  
Rec'd: 4/6.10  
Karen Goldman, Secretary of the Senate

Committee on Education

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  
COLORADO LOTTERY COMMISSION

for terms expiring July 1, 2014:

Dana M. Franzen of Monument, Colorado, a Republican and certified public accountant who has practiced accountancy in Colorado for at least five years, reappointed;

Robin H. Wise of Denver, Colorado, a Republican, reappointed.

Sincerely,  
(signed)  
Bill Ritter, Jr.  
Governor  
Rec'd: 3/31/10  
Karen Goldman, Secretary of the Senate

Committee on Finance

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;

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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 Local Government and Energy

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**MESSAGE FROM THE GOVERNOR**

April 14, 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:

**SB10-027** CONCERNING A FINE FOR THE UNAUTHORIZED DIVERSION OF SURFACE WATER.

Approved April 14, 2010 at 2:15 p.m.

Sincerely,  
 (signed)  
 Bill Ritter, Jr.  
 Governor  
 Rec'd: 04/19/2010, 9:40 a .m.  
 Karen Goldman, Secretary of the Senate

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:

**SB10-009** CONCERNING THE DUTIES OF THE ECONOMIC OPPORTUNITY POVERTY REDUCTION TASK FORCE.

Approved April 15, 2010 at 3:41 p.m.

**SB10-032** CONCERNING THE AUTHORIZATION OF AMENDMENTS TO EXISTING STATE INFORMATION TECHNOLOGY CONTRACTS FOR PURPOSES OF FURTHERING CONSOLIDATION OF THE MANAGEMENT OF STATE AGENCY INFORMATION TECHNOLOGY RESOURCES IN THE OFFICE OF INFORMATION TECHNOLOGY.

Approved April 15, 2010 at 3:42 p.m.

**SB10-063** CONCERNING LIMITING CIVIL LIABILITY FOR ATTORNEYS WHO CONTRACT TO PROVIDE CERTAIN SERVICES FOR THE OFFICE OF ALTERNATE DEFENSE COUNSEL.

Approved April 15, 2010 at 3:43 p.m.

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**SB10-081** CONCERNING CREATION OF THE "FARM-TO-SCHOOL HEALTHY KIDS ACT", AND, IN CONNECTION THEREWITH, ESTABLISHING AN INTERAGENCY TASK FORCE TO DEVELOP FARM-TO-SCHOOL PROGRAM POLICIES.

Approved April 15, 2010 at 3:40 p.m.

**SB10-083** CONCERNING THE ENFORCEMENT OF FEDERAL LAW PERTAINING TO THE EXTENSION OF CREDIT FOR THE SALE OFF ALCOHOL BEVERAGES.

Approved April 15, 2010 at 3:44 p.m.

**SB10-102** CONCERNING THE CERTIFICATION OF USERS OF PRESCRIBED FIRE ACCORDING TO STANDARDS ESTABLISHED BY THE COLORADO STATE FOREST SERVICE.

Approved April 15, 2010 at 3:44 p.m.

**SB10-118** CONCERNING AUTHORIZING THE DEPARTMENT OF HUMAN SERVICES TO OBTAIN A FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK ON AN INDIVIDUAL WHO CARES FOR A RELATED CHILD WHOSE CARE IS FUNDED IN WHOLE OR IN PART WITH MONEYS RECEIVED FROM THE COLORADO CHILD CARE ASSISTANCE PROGRAM.

Approved April 15, 2010 at 3:45 p.m.

**SB10-119** CONCERNING PAYMENTS MADE TO MEMBERS OF THE GENERAL ASSEMBLY IN CONNECTION WITH THE PERFORMANCE OF THEIR LEGISLATIVE DUTIES.

Approved April 15, 2010 at 3:46 p.m.

**SB10-123** CONCERNING ON-LINE PUBLICATIONS OF THE SECRETARY OF STATE PUBLISHED PURSUANT TO THE "STATE ADMINISTRATIVE PROCEDURE ACT".

Approved April 15, 2010 at 3:46 p.m.

**SB10-129** CONCERNING CARE COORDINATION SERVICES FOR CHILDREN WITH AUTISM.

Approved April 15, 2010 at 3:47 p.m.

**SB10-130** CONCERNING THE ALLOCATION OF POWERS WITHIN THE DEPARTMENT OF CORRECTIONS.

Approved April 15, 2010 at 3:48 p.m.

**SB10-148** CONCERNING THE TRANSFER OF THE ENTERPRISE FACILITY FOR OPERATIONAL RECOVERY, READINESS, RESPONSE, AND TRANSITION SERVICES FROM THE DEPARTMENT OF STATE TO THE OFFICE OF INFORMATION TECHNOLOGY IN THE OFFICE OF THE GOVERNOR, AND, IN CONNECTION THEREWITH, DEVELOPING A TIMELINE TO TRANSFER FUNDING OF THE FACILITY FROM THE DEPARTMENT OF STATE CASH FUND TO THE COMPUTER SERVICES REVOLVING FUND OVER A PERIOD OF FOUR YEARS.

Approved April 15, 2010 at 3:48 p.m.

**SB10-149** CONCERNING ADVANCEMENTS TO COUNTIES FROM THE COUNTY TAX BASE RELIEF FUND.

Approved April 15, 2010 at 3:36 p.m.

**SB10-150** CONCERNING THE TRANSFER IN STATE FISCAL YEAR 2010-11 OF ALL MONEYS NOT OTHERWISE ALLOCATED FROM STATE PUBLIC SCHOOL LANDS TO THE STATE PUBLIC SCHOOL FUND INSTEAD OF THE PERMANENT SCHOOL FUND.

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

**SB10-151** CONCERNING THE REPEAL OF THE COLORADO COMPREHENSIVE

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HEALTH FUND.

Approved April 15, 2010 at 3:39 p.m.

Sincerely,  
(signed)  
Bill Ritter, Jr.  
Governor  
Rec'd: 04/19/2010, 9:40 a .m.  
Karen Goldman, Secretary of the Senate

### LETTERS OF APPOINTMENT

April 2, 2009

The Honorable Brandon Shaffer  
President of the Colorado State Senate  
Colorado State Capitol  
200 East Colfax, Room 346  
Denver, Colorado 80203

Dear President Shaffer:

On behalf of the Board of Regents of the University of Colorado, I am pleased to forward to you the following appointment to the University of Colorado Hospital Authority Board of Directors:

From the Sixth Congressional District: Mary K. Rhinehart, for a term effective June 1, 2009, and continuing until May 31, 2013 (or until her successor is appointed by the Board of Regents).

This appointment was approved by the Board of Regents at its June 22, 2009, meeting. A copy of the resolution to this effect and biographical information are attached.

Per C.R.S. §23-21-503(2), appointments to the Hospital Authority Board of Directors from the congressional districts are subject to the advice and consent of the Senate.

Sincerely,  
(signed)  
Cheryl Espinoza  
Assistant Secretary of the Board of Regents  
Rec'd: 4/16/10  
Karen Goldman, Secretary of the Senate

Committee on Health and Human Services

April 2, 2009

The Honorable Brandon Shaffer  
President of the Colorado State Senate  
Colorado State Capitol  
200 East Colfax, Room 346  
Denver, Colorado 80203

Dear President Shaffer:

On Behalf of the Board of Regents of the University of Colorado, I am pleased to forward to you the following appointment to the University of Colorado Hospital Authority Board of Directors:

From the Third Congressional District: Steven Dawes, for a term effective August 1, 2009, and continuing until July 31, 2013 (or until his successor is appointed by the Board of Regents).

This appointment was approved by the Board of Regents at its November 12, 2009, meeting. A copy of the resolution to this effect and biographical information are attached.

Per C.R.S. §23-21-503(2), appointments to the Hospital Authority Board of Directors from the congressional districts are subject to the advice and consent of the Senate.

Sincerely,

(signed)  
 Cheryl Espinoza  
 Assistant Secretary of the Board of Regents  
 Rec'd: 4/16/10  
 Karen Goldman, Secretary of the Senate  
 Committee on Health and Human Services

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**INTRODUCTION OF RESOLUTIONS**

The following resolution was read by title:

**SJR10-034** by Senator(s) Hudak, Carroll M., Newell, Steadman, Tapia, Tochtrop; also Representative(s) Gagliardi, Apuan, Carroll T., Ferrandino, Fischer, Kagan, Kefalas, Kerr A., Labuda, Levy, McCann, Middleton, Miklosi, Pace, Peniston, Primavera, Schafer S.-- Concerning the designation of April 20, 2010, as "Equal Pay Day" in Colorado, and, in connection therewith, acknowledging the persisting problem of wage disparity among various groups.

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

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**SENATE SERVICES REPORT**

**Correctly Engrossed:** SJR10-026 and 027.  
**Correctly Enrolled:** SB10-094, 166 and 176.

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**SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS**

The President has signed: HB10-1004, 1076, 1109, 1128, 1138, 1166, 1168, 1178, 1183, 1197, 1201, 1218, 1232, 1249, 1265, 1288; SB10-058.

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**APPOINTMENTS TO CONFERENCE COMMITTEE**

The President appointed Senators Spence , Chair, Steadman, and Hudak as Senate conferees on the first conference committee on **HB10-1273**.

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The President appointed Senators Tapia, Chair, Keller, and White as Senate conferees on the first conference committee on **HB10-1388**.

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The President appointed Senators White, Chair, Tapia, and Keller as Senate conferees on the first conference committee on **HB10-1383**.

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The President appointed Senators Boyd, Chair, Schwartz, and Mitchell as Senate conferees on the first conference committee on **HB10-1252**.

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**CONSIDERATION OF CONFERENCE COMMITTEE REPORTS**

**SB10-109** by Senator(s) Romer and Spence, Boyd, Bacon, Hodge, Hudak, Johnston, Tapia, Tochtrop; also Representative(s) Massey and McCann, Rice, Frangas, McFadyen--Concerning regulation of the physician-patient relationship for medical marijuana patients, and making appropriations in connection therewith.

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Senator Romer moved to reject the first report of the first conference committee on **SB10-109**, that the conference committee be dissolved, that the Senate conferees be discharged, and that a second conference committee be formed.

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A majority of all members elected to the Senate having voted in the affirmative, the motion was **adopted** on the following roll call vote:

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YES	34	NO	0	EXCUSED	1	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Spence	Y
Boyd	Y	Hudak	Y	Newell	Y	Steadman	Y
Brophy	Y	Johnston	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	E
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

Senator Spence moved that the Senate conferees on the second conference committee on **SB10-109** be granted permission to go beyond the scope of the differences between the two houses.

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

The President appointed Senators Romer, Chair, Spence, and Steadman as Senate conferees on the second conference committee on **SB10-109**.

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, April 19 was laid over until Tuesday, April 20, retaining its place on the calendar.

- General Orders -- Second Reading of Bills -- Consent Calendar: HB10-1362.
- Consideration of Resolutions: SJR10-033.
- Consideration of Memorials: SJM10-002.
- Consideration of House Amendments to Senate Bills: SB10-070.
- Consideration of Governor's Appointments:
  - Members of the Colorado Board of Veterans Affairs
- Conference Committees to Report: HB10-1021, HB10-1369, HB10-1098.

On motion of Senator Morse, the Senate adjourned until 9:00 a.m., Tuesday, April 20, , 2010.

Approved:

Brandon C. Shaffer  
President of the Senate

Attest:

Karen Goldman  
Secretary of the Senate

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