

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

---

93rd Legislative Day

Thursday, April 15, 2010

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Prayer	By the chaplain, Rabbi Mitch Delcau, Congregation Temple Emanuel, Denver.	11
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Call to Order	By the President at 9:00 a.m.	13
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Pledge	By Senator Romer.	15
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Roll Call	Present--33.	17
	Absent--1, Brophy.	18
	Excused--1, Mitchell.	19
	Present later--2, Brophy, Mitchell.	20
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Quorum	The President announced a quorum present.	23
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Reading of Journal	On motion of Senator Lundberg, reading of the Journal of Wednesday, April 14, 2010, was dispensed with and the Journal was approved as corrected by the Secretary.	25
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**COMMITTEE OF REFERENCE REPORTS**

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State, Veterans, & Military Affairs	The Committee on <u>State, Veterans, and Military Affairs</u> has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:	32
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**MEMBERS OF THE  
COLORADO BOARD OF VETERANS AFFAIRS**

for a term expiring June 30, 2013:

Jason A. Crow of Denver, Colorado, a Democrat and a veteran who has been honorably released or separated from the armed forces of the United States, appointed;

effective June 30, 2010, for a term expiring June 30, 2014:

William L. Robinson of Castle Rock, Colorado, to serve as a veteran and as an Unaffiliated, appointed.

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Health & Human Services	After consideration on the merits, the Committee recommends that <b>SB10-189</b> be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	50
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Amend printed bill, page 4, line 3, after "ORGANIZATIONS," insert "HEPATITIS C AND HIV ADVOCACY ORGANIZATIONS,".

Page 5, line 8, strike "REAUTHORIZED" and substitute "RENEWED".

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Business, Labor, & Technology	After consideration on the merits, the Committee recommends that <b>SB10-188</b> be referred to the Committee of the Whole with favorable recommendation.	60
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Business, Labor, & Technology	After consideration on the merits, the Committee recommends that <b>HB10-1160</b> be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	64
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Amend reengrossed bill, page 2, line 2, strike "(5)" and substitute "(5),".

Page 2, line 3, strike "(b),".

Page 2, line 8, strike "declaration." and substitute "declaration - repeal."

Page 4, line 8, strike "ONLY PURSUANT" and substitute "ONLY: PURSUANT".

Page 4, line 9, strike "PROGRAM" and substitute "PROGRAM; IF THE CARRIER OFFERS THE INCENTIVE OR REWARD TO ALL PERSONS, INCLUDING DEPENDENTS, COVERED BY AN INDIVIDUAL HEALTH COVERAGE PLAN OR SMALL GROUP PLAN ISSUED BY THE CARRIER;"

Page 5, line 6, after "PLAN." add "THE CARRIER SHALL ENSURE, AND PROVIDE APPROPRIATE DOCUMENTATION TO THE COMMISSIONER PURSUANT TO SUBPARAGRAPH (V) OF PARAGRAPH (a) OF SUBSECTION (5) OF THIS SECTION, THAT THE INCENTIVES ARE PAID FROM THE COST SAVINGS REALIZED AS A RESULT OF COVERED PERSONS ATTAINING A STANDARD RELATED TO A HEALTH RISK FACTOR."

Page 5, line 11, strike "AND".

Page 5, after line 11 insert:

"(III) CONTAINS CULTURALLY AND LINGUISTICALLY APPROPRIATE PROGRAMS AND MATERIALS; AND"

Renumber succeeding subparagraph accordingly.

Page 6, line 3, strike "AND" and substitute "OR".

Page 7, strike lines 9 through 16 and substitute "A NATIONALLY RECOGNIZED NONPROFIT ENTITY THAT ACCREDITS WELLNESS PROGRAMS FOR REVIEW AND DETERMINATION AS TO WHETHER THE PROPOSED PROGRAM AND INCENTIVE OR REWARD SATISFY THE REQUIREMENTS OF SUBSECTION (3.5) OF THIS SECTION. A CARRIER SHALL NOT OFFER THE PROPOSED PROGRAM OR THE INCENTIVES OR REWARDS UNLESS THE ACCREDITING ENTITY DETERMINES THAT THE PROGRAM AND INCENTIVES OR REWARDS SATISFY THOSE REQUIREMENTS AND ACCREDITS THE CARRIER'S WELLNESS AND PREVENTION PROGRAM."

(5) (a) The division of insurance shall determine which carriers are offering wellness and prevention programs in Colorado and collect the following information from those carriers:

(I) The types of wellness and prevention programs offered;

(II) The types and nature of incentives or rewards the carrier provides for participation;

(III) The total number of small groups in the small group market participating in programs offered by the carrier; and

(IV) The number of individuals insured through an individual health coverage plan that are participating in programs offered by the carrier;

(V) DOCUMENTATION REQUIRED BY SUBPARAGRAPH (III) OF PARAGRAPH (a) OF SUBSECTION (3.5) OF THIS SECTION, DEMONSTRATING THAT THE INCENTIVES PROVIDED BY THE CARRIER BASED ON SATISFACTION OF A STANDARD RELATED TO A HEALTH RISK FACTOR ARE PAID FROM THE COST SAVINGS REALIZED AS A RESULT OF COVERED PERSONS ATTAINING THE STANDARD;

(VI) THE DOLLAR AMOUNT OF DISCOUNTS PROVIDED TO THE TOTAL NUMBER OF SMALL GROUPS, AS IDENTIFIED PURSUANT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH (a); AND

(VII) THE DOLLAR AMOUNT OF DISCOUNTS PROVIDED TO THE TOTAL NUMBER OF INDIVIDUALS, AS IDENTIFIED PURSUANT TO

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SUBPARAGRAPH (IV) OF THIS PARAGRAPH (a)."

Page 7, line 17, strike "(5)".

Page 7, line 26, strike "JULY 1, 2015." and substitute "JANUARY 1, 2012, AND BY EACH JANUARY 1 THEREAFTER UNTIL JANUARY 1, 2015. THE DIVISION SHALL ALSO MAKE THE INFORMATION AVAILABLE TO THE PUBLIC BY THAT DATE.

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

MESSAGE FROM THE HOUSE

April 14, 2010

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB10-1005, amended as printed in House Journal, April 13, page 1200. HB10-1033, amended as printed in House Journal, April 13, page 1200. HB10-1027, amended as printed in House Journal, April 13, page 1200. HB10-1073, amended as printed in House Journal, April 13, page 1200. HB10-1081, amended as printed in House Journal, April 13, pages 1200-1201. HB10-1139, amended as printed in House Journal, April 13, page 1201. HB10-1176, amended as printed in House Journal, April 13, pages 1202-1210. HB10-1238, amended as printed in House Journal, April 13, page 1210.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB10-020, amended as printed in House Journal, April 13, pages 1198-1199.

The House has adopted and returns herewith SJR10-031.

MESSAGE FROM THE REVISOR OF STATUTES

April 14, 2010

We herewith transmit:

Without comment, as amended, HB10-1005, 1027, 1033, 1073, 1081, 1139, 1176, and 1238.

Without comment, as amended, SB10-020.

INTRODUCTION OF RESOLUTIONS

The following resolutions were read by title:

SJR10-032 by Senator(s) Williams, Gibbs, Heath, Hodge, Morse, Schwartz, Whitehead; also Representative(s) Todd, Fischer, Kerr A., Levy, Miklosi, Ryden, Solano, Tyler--Concerning the acknowledgment of April 22, 2010, as Earth Day.

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

SJR10-033 by Senator(s) Keller; also Representative(s) Frangas--Concerning the month of May as Foster Care Month in Colorado.

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

CONSIDERATION OF RESOLUTIONS

HJR10-1017 by Representative(s) Weissmann; also Senator(s) Spence--Concerning amendments to the Joint Rules of the Senate and the House of Representatives regarding certain rules of procedure during a declared disaster emergency.

On motion of Senator Spence, the resolution was read at length and adopted by 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	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	E	Schwartz	Y		

Co-sponsors added: Gibbs, Newell, Sandoval and Schwartz.

**CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS**

**SB10-071** by Senator(s) Morse; also Representative(s) Riesberg--Concerning creation of a lifetime pass to state parks and recreation areas that shall be available for purchase by Colorado residents who are of eligible age, and making an appropriation therefor.

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

**SB10-143** by Senator(s) Morse; also Representative(s) Scanlan and Massey--Concerning the refund of moneys erroneously collected by the Colorado department of state on or after a certain date, and, in connection therewith, authorizing the state controller to issue warrants to refund such moneys to the proper persons, and making an appropriation.

Senator Morse moved that the Senate concur in House amendments to **SB10-143**, as printed in House journal, April 5, pages 1090-1091. The motion was **adopted** by 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	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	E	Schwartz	Y		

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

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	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	E	Schwartz	Y		

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

**SB10-094** by Senator(s) Steadman, Bacon, Newell, Schwartz, Boyd, Carroll M., Foster, Heath, Hudak, Johnston, Romer, Spence, Tapia, Tochtrop, Whitehead, Williams; also Representative(s) Rice, Benefield, Ferrandino, Fischer, Frangas, Gagliardi, Hullinghorst, Kerr A., Labuda, Massey, McFadyen, Merrifield, Middleton, Miklosi, Peniston, Ryden, Scanlan, Schafer S., Solano, Todd, Vigil--Concerning the definition of capital construction appropriation for purposes of the art in public places program administered by the state council on the arts.

Senator Steadman moved that the Senate concur in House amendments to **SB10-094**, as printed in House journal, April 9, page 1158. The motion was **adopted** by the following roll call vote:

YES	29	NO	5	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	Y
Foster	Y	King K.	N	Sandoval	Y	Whitehead	Y
Gibbs	Y	Kopp	N	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	N	Schultheis	Y	President	Y
Heath	Y	Mitchell	E	Schwartz	Y		

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

YES	23	NO	11	EXCUSED	1	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Spence	Y
Boyd	Y	Hudak	Y	Newell	Y	Steadman	Y
Brophy	N	Johnston	Y	Penry	N	Tapia	Y
Cadman	N	Keller	Y	Renfroe	N	Tochtrop	Y
Carroll M.	Y	Kester	N	Romer	Y	White	Y
Foster	Y	King K.	N	Sandoval	Y	Whitehead	Y
Gibbs	Y	Kopp	N	Scheffel	N	Williams	Y
Harvey	N	Lundberg	N	Schultheis	N	President	Y
Heath	Y	Mitchell	E	Schwartz	Y		

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

**SB10-100**

by Senator(s) Schwartz, Carroll M., Foster, Gibbs, Heath, Newell, Romer; also Representative(s) Miklosi--Concerning greater financing flexibility for local districts organized for purposes related to energy.

Senator Schwartz moved that the Senate concur in House amendments to **SB10-100**, as printed in House journal, April 7, pages 1120-1121. The motion was **adopted** by 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	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	E	Schwartz	Y		

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

YES	24	NO	10	EXCUSED	1	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Spence	N
Boyd	Y	Hudak	Y	Newell	Y	Steadman	Y
Brophy	N	Johnston	Y	Penry	N	Tapia	Y
Cadman	Y	Keller	Y	Renfroe	N	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	White	Y
Foster	Y	King K.	N	Sandoval	Y	Whitehead	Y
Gibbs	Y	Kopp	N	Scheffel	N	Williams	Y
Harvey	N	Lundberg	N	Schultheis	N	President	Y
Heath	Y	Mitchell	E	Schwartz	Y		

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

Co-sponsors added: Boyd and Whitehead.

**SB10-166**

by Senator(s) Bacon, Schwartz; also Representative(s) Riesberg and Sonnenberg, McFadyen--Concerning the authority of the state treasurer to enter into lease-purchase agreements for the department of personnel.

Senator Bacon moved that the Senate concur in House amendments to **SB10-166**, as printed in House journal, April 12, page 1185. The motion was **adopted** by 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	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	E	Schwartz	Y		

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

YES	33	NO	1	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	Y
Harvey	Y	Lundberg	Y	Schultheis	N	President	Y
Heath	Y	Mitchell	E	Schwartz	Y		

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

**CONSIDERATION OF HOUSE ADHERENCE**

**HB10-1211**

by Representative(s) Tyler; also Senator(s) Williams--Concerning a reduction in the amount of the penalty for late vehicle registration of a vehicle without motive power that weighs two thousand pounds or less.

Senator Cadman withdrew his motion to adhere to the senate's position.

Laid over until Friday, April 16, retaining its place on the calendar.

**CONSIDERATION OF GOVERNOR'S APPOINTMENTS**

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

**MEMBER OF THE  
COLORADO LIMITED GAMING CONTROL COMMISSION**

for a term expiring July 1, 2013:

Chief Philip J. Baca of Commerce City, Colorado, an Unaffiliated from the seventh Congressional District, to serve as a representative of law enforcement, appointed.

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

**REPORT OF CONFERENCE COMMITTEES**

**FIRST REPORT OF FIRST CONFERENCE COMMITTEE  
ON HB10-1376**

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**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 HB10-1376,  
concerning the provision for payment of the expenses of the executive,  
legislative, and judicial departments of the state of Colorado, and of its  
agencies and institutions, for and during the fiscal year beginning July 1,  
2010, except as otherwise noted, has met and reports that it has agreed  
upon the following:

1. That the House accede to the Senate amendments made to the  
bill, as said amendments appear in the rerevised bill, with the following  
changes:

Page 29, line 7, strike "**Subprogram**<sup>4a,4b</sup>" and substitute "**Subprogram**<sup>4a,  
4b, 4c</sup>".

Page 48, after line 11 insert:

"4c Department of Corrections, Institutions, Mental Health  
Subprogram – It is the intent of the General Assembly that the  
Department of Corrections submit a plan to the House Judiciary  
Committee and the Senate Judiciary Committee before offenders  
with mental illness (OMIs) are placed in the beds at Colorado  
State Penitentiary (CSP) being converted for use by OMIs.  
Without limiting the scope of the report, the report shall include,  
at a minimum, plans in the following areas: (1) the basic purpose  
of the OMI beds at CSP in terms of the role those beds serve  
relative to the offender’s mental health status; (2) the criteria the  
DOC will use to place offenders in the beds; (3) the services that  
will be provided to the offenders; (4) the classification levels that  
will be used and an explanation of the characteristics of those  
levels; (5) whether and, if so, how offenders will transition from  
CSP to the general population; and (6) a description of the  
conditions of confinement, such as the amount of time offenders  
will be out of their cells, the amount of time in solitary  
confinement, the availability of recreational, visitation,  
educational, therapeutic and other programming opportunities and  
conditions for participating in those opportunities."

Page 114, line 3, in the ITEM & SUBTOTAL column strike "14,363,146"  
and substitute "14,218,063", in the GENERAL FUND column strike  
"5,516,885(M)" and substitute "5,461,158(M)", and in the FEDERAL  
FUNDS column strike "8,846,261" and substitute "8,756,905".

Adjust affected totals accordingly.

Page 156, line 15, in the ITEM & SUBTOTAL column strike  
"341,325,694<sup>e</sup>" and substitute "338,008,114<sup>e</sup>", in the GENERAL FUND  
column strike "158,854,181" and substitute "156,940,714", in the CASH  
FUNDS column strike "64,813,042(L)<sup>c</sup>" and substitute "64,149,526(L)<sup>c</sup>",  
in the REAPPROPRIATED FUNDS column strike "14,363,146<sup>a</sup>" and  
substitute "14,218,063<sup>a</sup>", and in the FEDERAL FUNDS column strike  
"103,295,325<sup>f</sup>" and substitute "102,699,811<sup>f</sup>".

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Page 157, line 4, in the ITEM & SUBTOTAL column strike "45,232,952" and substitute "44,776,053", in the GENERAL FUND column strike "28,507,899" and substitute "28,132,328", in the CASH FUNDS column strike "5,163,696(L)<sup>c</sup>" and substitute "5,113,437(L)<sup>c</sup>", and in the FEDERAL FUNDS column strike "11,561,357<sup>f</sup>" and substitute "11,530,288<sup>f</sup>".

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Adjust affected totals and affected (L) notation totals accordingly.

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Page 158, line 11, strike "\$336,720,683" and substitute "\$333,403,103" and strike "\$257,544,495" and substitute "\$255,035,514".

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Page 158, line 12, strike "\$64,813,042" and substitute "\$64,149,526".

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Page 158, line 13, strike "\$14,363,146" and substitute "\$14,218,063".

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Page 159, line 1, strike "\$67,746,820" and substitute "\$67,120,237".

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2. That, under the authority granted the committee to consider matters not at issue between the two houses, the following amendments be recommended:

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Page 79, line 14, in the ITEM & SUBTOTAL column strike "50,944" and substitute "75,944" and in the GENERAL FUND column insert "25,000".

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Adjust affected totals accordingly.

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Page 204, line 15, strike "**Technology**" and substitute "**Technology**<sup>27a</sup>".

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Page 220, after line 10 insert:

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27a Judicial Department, Courts Administration, Administration and Technology -- In the event that the Judicial Department determines that the in-house public access system is not operational on July 1, 2010, it is the intent of the General Assembly that the Department extend the existing contract for operation of a public access system for up to three months."

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Page 590, line 1, after "(9) (B)," insert "(13) (B)".

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Page 594, line 11, in the ITEM & SUBTOTAL column strike "30,000,000" and substitute "~~30,000,000~~" and in the CASH FUNDS column strike "30,000,000<sup>a</sup>" and substitute "~~30,000,000<sup>a</sup>~~".

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Page 594, after line 11, in the ITEM & SUBTOTAL column insert "40,500,000" and in the CASH FUNDS column insert "40,500,000<sup>a</sup>".

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Page 594, line 13, in the ITEM & SUBTOTAL column strike "58,762,603" and substitute "69,262,603".

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Page 595, line 5, in the TOTAL column strike "59,512,253" and substitute "70,012,253".

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Page 596, after line 14 insert:

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM			
			CAPITAL CONSTRUCTION FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$
1	<b>"(13) COLORADO NORTHWESTERN COMMUNITY</b>					
2	<b>COLLEGE</b>					
3	<b>(B) Capital Construction</b>					
4	Craig Campus, Academic					
5	Building	2,153,842	1,990,056	163,786 <sup>a</sup>		
6	Craig Campus, Career and					
7	Technical Center	2,646,918		2,646,918 <sup>a</sup>		
8		<u>3,251,080</u>		3,251,080 <sup>a</sup>		
9		<u>4,800,760</u>				
10		5,404,922				
11						
12	<sup>a</sup> These amounts shall be from exempt institutional sources.					
13						
14			5,482,760			
15			6,086,922			"
16						

17 Page 597, line 2, in the TOTAL column strike "\$769,857,552" and substitute "\$780,961,714" and in the CASH FUNDS column strike "\$657,586,458" and substitute "\$668,690,620".

18  
19 Page 599, line 14, in the TOTAL column strike "\$905,741,076" and substitute "\$916,845,238" and in the CASH FUNDS column strike "\$702,601,226" and substitute "\$713,705,388".

Page 113, line 6, in the ITEM & SUBTOTAL column strike "496,298" and substitute "540,940", in the GENERAL FUND column strike "198,376(M)" and substitute "216,220(M)", and in the FEDERAL FUNDS column strike "297,922" and substitute "324,720".

Adjust affected totals accordingly.

Page 122, line 4, strike "a This amount" and substitute "a Of this amount, \$175,745" and strike "Assist." and substitute "Assist and \$31,500 shall be from private college and university fees paid pursuant to Section 23-2-104.5, C.R.S.".

Page 122, line 5, strike "b This amount" and substitute "b Of this amount, \$2,100,810" and strike "recoveries." and substitute "recoveries and \$105,180 shall be from the Department of Education for assistance in aligning public education with postsecondary and workforce readiness standards.".

Page 130, line 14, strike "2009 calendar" and substitute "2010 calendar" and strike "2009," and substitute "2010,".

Page 130, line 15, strike "2010." and substitute "2011.".

Page 131, line 11, strike "2009 calendar" and substitute "2010 calendar" and strike "2009," and substitute "2010,".

Page 131, line 12, strike "2010." and substitute "2011.".

Page 132, line 10, strike "2009 calendar" and substitute "2010 calendar" and strike "2009," and substitute "2010,".

Page 132, line 11, strike "2010." and substitute "2011.".

Page 156, line 15, strike "Services" and substitute "Services<sup>21a</sup>".

Page 157, line 4, strike "Programs" and substitute "Programs<sup>21b, 21c</sup>".

Page 157, line 7, strike "Incentives" and substitute "Incentives<sup>21d</sup>".

Page 162, line 5, strike "Grants<sup>20,22</sup>" and substitute "Grants<sup>20, 22, 22a</sup>".

Page 200, after line 9 insert:

21a Department of Human Services, Division of Child Welfare, Child Welfare Services -- Pursuant to Section 26-5-104 (6), C.R.S., subject to Department rules, counties are authorized to negotiate rates, services, and outcomes with child welfare services providers and are thus not required to provide a specific rate decrease for any individual provider. This provision does not apply, however, to Medicaid treatment rates. The funding appropriated for this line item includes a decrease of \$6,635,156 based on a 2.0 percent decrease in funding for county staff salaries and benefits, community provider rates including subsidized adoption rates, and Medicaid treatment rates.

21b Department of Human Services, Division of Child Welfare, Family and Children's Programs -- Pursuant to Section 26-5-104 (6), C.R.S., subject to Department rules, counties are authorized to negotiate rates, services, and outcomes with child welfare services providers and are thus not required to provide a specific rate decrease for any individual provider. The funding appropriated for this line item includes a decrease of \$913,797 based on a 2.0 percent decrease in funding for community provider rates.

21c Department of Human Services, Division of Child Welfare, Family and Children's Programs -- It is the intent of the General Assembly that \$4,006,949 of the funds appropriated for this line item be used to assist county

departments of social services in implementing and expanding family- and community-based services for adolescents. It is the intent of the General Assembly that such services be based on a program or programs that have been demonstrated to be effective in reducing the need for higher cost residential services.

21d Department of Human Services, Division of Child Welfare, Performance-based Collaborative Management Incentives -- The total appropriation in this line item exceeds the projected ongoing revenue stream for the Collaborative Management Incentives Cash Fund. Therefore, appropriations at the current level may not be available when reserves are exhausted."

Page 200, after line 17 insert:

"22a Department of Human Services, Office of Self Sufficiency, Colorado Works Program, County Block Grants -- It is the intent of the General Assembly that the appropriation of local funds for Colorado Works program county block grants may be decreased by a maximum of \$500,000 to reduce one or more small counties' fiscal year 2010-11 targeted or actual spending level pursuant to Section 26-2-714 (8), C.R.S."

Page 156, line 15, in the ITEM & SUBTOTAL column strike "341,325,694<sup>e</sup>" and substitute "340,792,680<sup>e</sup>", in the CASH FUNDS column strike "64,813,042(L)<sup>c</sup>" and substitute "64,316,926(L)<sup>c</sup>", and in the FEDERAL FUNDS column strike "103,295,325<sup>f</sup>" and substitute "103,258,427<sup>f</sup>".

Adjust affected totals and affected (L) notation totals accordingly.

Page 158, line 11, strike "\$336,720,683" and substitute "\$336,187,669" and strike "\$257,544,495" and substitute "\$257,507,597".

Page 158, line 12, strike "\$64,813,042" and substitute "\$64,316,926".

Page 159, line 1, strike "\$67,746,820" and substitute "\$67,709,922".

Page 203, line 8, strike "Committees".

Page 203, line 12, strike "Law Examiner Board" and substitute "State Board of Law Examiners".

Page 204, strike lines 3 through 9 and substitute:

<sup>b</sup> This amount shall be from annual attorney registration fees established by the Colorado Supreme Court pursuant to the Colorado Rules of Civil Procedure, Chapter 18, Rule 227 for the Attorney Regulation Committee, the Attorney Regulation Counsel, and the Presiding Disciplinary Judge established by the Colorado Rules of Civil Procedure, Chapter 20, Rules 251.2, 251.3, and 251.16. These moneys are included for informational purposes as they are continuously appropriated under the Judicial Branch's constitutional authority.

<sup>c</sup> This amount shall be from annual attorney registration fees established by the Colorado Supreme Court pursuant to the Colorado Rules of Civil Procedure, Chapter 18, Rule 227 for the Board of Continuing Legal and Judicial Education established by the Colorado Rules of Civil Procedure, Chapter 20, Rule 260.3. These moneys are included for informational purposes as they are continuously appropriated under the Judicial Branch's constitutional authority.

<sup>d</sup> This amount shall be from law examination application fees established by the Colorado Supreme Court pursuant to the Colorado Rules of Civil Procedure, Chapter 18, Rules 201.2 and 201.4. These moneys are included for informational purposes as they are continuously appropriated under the Judicial Branch's constitutional authority."

Page 320, line 11, strike "Program<sup>43</sup>" and substitute "Program<sup>42</sup>".

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Page 320, line 14, strike "Grants<sup>44</sup>" and substitute "Grants<sup>43</sup>".

Page 349, line 1, strike "**Planning<sup>45</sup>**" and substitute "**Planning<sup>44</sup>**".

Page 361, line 2, strike "43" and substitute "42".

Page 361, line 6, strike "44" and substitute "43".

Page 361, line 10, strike "45" and substitute "44".

Page 376, line 4, strike "**Corrections<sup>42</sup>**" and substitute "**Corrections<sup>45</sup>**".

Page 387, line 11, strike "42" and substitute "45".

Page 336, strike line 9 and substitute "-Related".

Page 341, line 8, strike "Disease," and substitute "Infections,".

Page 342, line 8, strike "This amount" and substitute "Of these amounts, \$3,361,116" and strike "which is received as a damage award and, as such, does" and substitute "and \$261,040 shall be from the AIDS and HIV Prevention Fund created in Section 25-4-1415 (1), C.R.S. These amounts are received as damage awards and, as such, do".

Page 398, line 12, in the ITEM & SUBTOTAL column strike "(181.6 FTE)" and substitute "(181.8 FTE)".

Page 444, line 11, strike "\$105,548,809" and substitute "\$106,548,809".

Page 454, strike lines 4 through 9.

Page 455, after line 7 insert:

	TOTAL	CASH FUNDS
	\$	\$
<b>"(5) UNIVERSITY OF COLORADO AT COLORADO SPRINGS</b>		
<b>(A) Controlled Maintenance</b>		
Upgrade Fire Sprinkler System, University Hall	497,152	497,152 <sup>a</sup>

<sup>a</sup>This amount shall be from revenues from land for public buildings pursuant to section 8 of the enabling act of Colorado."

Re-number succeeding subsections accordingly.

Page 458, line 9, strike "\$3,000,000" and substitute "\$2,000,000" and strike "\$2,000,000" and substitute "\$3,000,000".

Page 470, line 5, in the TOTAL column strike "8,318,127" and substitute "8,877,550" and in the CASH FUNDS column strike "8,318,127<sup>a</sup>" and substitute "8,877,550<sup>a</sup>".

Adjust affected totals accordingly.

Page 588, line 9, in the REAPPROPRIATED FUNDS column insert "2,700,000<sup>a</sup>" and in the FEDERAL FUNDS column strike "2,700,000<sup>a</sup>" and substitute "24,300,000".

Page 588, line 15, before "Substance" insert "Hazardous".

Page 613, line 15, in the TOTAL column strike "15,671,117" and substitute "15,820,365" and in the CASH FUNDS column strike "15,671,117<sup>a</sup>" and substitute "15,820,365<sup>a</sup>".

Page 614, line 6, in the TOTAL column strike "\$15,671,117" and substitute "\$15,820,365" and in the CASH FUNDS column strike "\$15,671,117" and substitute "\$15,820,365".

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Page 614, line 10, in the TOTAL column strike "\$829,719,768" and substitute "\$829,869,016" and in the CASH FUNDS column strike "\$716,239,078" and substitute "\$716,388,326".

Respectfully submitted,

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

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

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**SENATE SERVICES REPORT**

**Correctly Engrossed:** SJR10-031.  
**Correctly Reengrossed:** SB10-183.  
**Correctly Rerevised:** HB10-1042, 1096, 1138, 1208, 1252 and 1273.  
**Correctly Enrolled:** SB10-038, 047, 060, 062, 075, 099, 111, 152 and 155; SJM10-003; SJR10-010 and 031.

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On motion of Senator Morse, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Thursday, April 15 was laid over until Friday, April 16, retaining its place on the calendar.

Third Reading of Bills -- Final Passage: SB10-185  
General Orders -- Second Reading of Bills: HB10-1271, HB10-1038, HB10-1009, SB10-012, SB10-011, HB10-1147, HB10-1122, SB10-178.  
Consideration of Memorials: SJM10-002  
Consideration of Conference Committee Reports: SB10-109.  
Conference Committees to Report: HB10-1021, HB10-1171, HB10-1369, HB10-1098.

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

Approved:

Brandon C. Shaffer  
President of the Senate

Attest:

Karen Goldman  
Secretary of the Senate

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