

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

119th Legislative Day Tuesday, May 11, 2010

Prayer	By the chaplain, Rabbi Eliot J. Baskin, Jewish Family Services of Colorado, Denver.	10
Call to Order	By the President at 9:00 a.m.	12
Pledge	By Senator Schultheis.	15
Roll Call	Present--23. Excused--12, Bacon, Boyd, Harvey, Heath, Hodge, Keller, King, Kopp, Romer, Tapia, White, Williams. Present later---11, Bacon, Boyd, Harvey, Heath, Hodge, Keller, King, Romer, Tapia, White, Williams.	17 18 19 20 21
Quorum	The President announced a quorum present.	23
Reading of Journal	On motion of Senator Whitehead, reading of the Journal of Monday, May 10, 2010, was dispensed with and the Journal was approved as corrected by the Secretary.	25 26

COMMITTEE OF REFERENCE REPORTS

Appropriations After consideration on the merits, the Committee recommends that **HB10-1357** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 46, before line 3, insert:

"SECTION 5. Legislative Intent. It is the intent of the general assembly that the general fund appropriations in sections 3 and 4 shall be derived from savings generated from the implementation of the provisions of Senate Bill 10-167, as enacted during the Second Regular Session of the Sixty-seventh General Assembly.

SECTION 6. Effective date. (1) This act shall take effect July 1, 2010, only if:

(a) The final fiscal estimate for Senate Bill 10-167, as determined from the appropriations enacted in said bill, shows a net reduction in the amount of general fund revenues appropriated for the state fiscal year 2010-11, that is equal to or greater than the sum of general fund appropriations made for the implementation of this act for the state fiscal year 2010-11, as reflected in sections 3 and 4 of this act; and

(b) Senate Bill 10-167 is enacted at the Second Regular Session of the Sixty-seventh General Assembly 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 (1) has been met."

Re-number succeeding section accordingly.

Appropriations After consideration on the merits, the Committee recommends that **HB10-1411** 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 3, strike lines 9 through 17 and substitute:

"SECTION 2. No appropriation. The general assembly has determined that this act can be implemented within existing appropriations, and therefore no separate appropriation of state moneys is necessary to carry out the purposes of this act."

Page 1, line 105, strike "**DISPOSITION, AND MAKING AN APPROPRIATION THEREFOR.**" and substitute "**DISPOSITION.**".

Appropriations After consideration on the merits, the Committee recommends that **HB10-1428** be referred to the Committee of the Whole with favorable recommendation.

Appropriations After consideration on the merits, the Committee recommends that **HB10-1281** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 4, line 18, strike "two hundred thirteen".

Page 4, strike line 19 and substitute "one hundred eighty-four thousand four hundred forty-four dollars (\$184,444) cash funds and 1.9 FTE, or".

Appropriations After consideration on the merits, the Committee recommends that **HB10-1415** be referred to the Committee of the Whole with favorable recommendation.

Appropriations After consideration on the merits, the Committee recommends that **HB10-1426** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 5, strike lines 20 through 27.

Page 6, strike line 1.

Renumber succeeding sections.

Finance After consideration on the merits, the Committee recommends that **HCR10-1005** be referred to the Committee on Appropriations with favorable recommendation.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB10-114 by Senator(s) Carroll M.; also Representative(s) Weissmann--Concerning the "Colorado Taxpayer Transparency Act of 2010".

Senator Carroll moved that the Senate not concur in House amendments to **SB10-114**, as printed in House journal, May 5, pages 1634-1635, and that a conference committee be appointed.

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

YES	23	NO	0	EXCUSED	12	ABSENT	0
Bacon	E	Hodge	E	Morse	Y	Spence	Y
Boyd	E	Hudak	Y	Newell	Y	Steadman	Y
Brophy	Y	Johnston	Y	Penry	Y	Tapia	E
Cadman	Y	Keller	E	Renfroe	Y	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	E	White	E
Foster	Y	King K.	E	Sandoval	Y	Whitehead	Y
Gibbs	Y	Kopp	E	Scheffel	Y	Williams	E
Harvey	E	Lundberg	Y	Schultheis	Y	President	Y
Heath	E	Mitchell	Y	Schwartz	Y		

The President appointed Senators Carroll, Chair, Steadman, and Brophy as Senate conferees on the first conference committee on **SB10-114**.

SENATE SERVICES REPORT

Correctly Printed: SJR10-050.
Correctly Engrossed: SB10-207; SCR10-001 and 003.
Correctly Revised: HB10-1009, 1019, 1271, 1285, 1345, 1347, 1349, 1400, 1402, 1405, 1408, 1412, 1417, 1418 and 1422.
Correctly Rerevised: HB10-1022, 1027, 1032, 1081, 1113, 1131, 1146, 1209, 1214, 1238, 1250, 1264, 1274, 1277, 1278, 1352, 1364, 1370, 1373, 1393, 1394, 1404, 1414 and 1425.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB10-1051, 1228, 1355; SJR10--025, 033, 040, 041 and 048; SR10-009.

Senate in recess. Senate reconvened.

Call of the Senate. Call raised.

THIRD READING OF BILLS -- FINAL PASSAGE

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

SB10-207 by Senator(s) Johnston and Romer; also Representative(s) Tyler--Concerning authorization for the state treasurer to enter into lease-purchase agreements on behalf of the state to finance capital construction projects proposed by the governor's energy office that improve the energy efficiency of state capital facilities, and making an appropriation in connection therewith.

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

YES	22	NO	12	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	N	Keller	Y	Renfroe	N	Tochtrop	Y
Carroll M.	Y	Kester	N	Romer	Y	White	N
Foster	Y	King K.	N	Sandoval	Y	Whitehead	Y
Gibbs	Y	Kopp	E	Scheffel	N	Williams	Y
Harvey	N	Lundberg	N	Schultheis	N	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

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

Co-sponsors added: Hudak, Steadman, Whitehead and Williams.

IMMEDIATE RECONSIDERATION OF SB10-207

SB10-207 by Senator(s) Johnston and Romer; also Representative(s) Tyler--Concerning authorization for the state treasurer to enter into lease-purchase agreements on behalf of the state to finance capital construction projects proposed by the governor's energy office that improve the energy efficiency of state capital facilities, and making an appropriation in connection therewith.

Having voted on the prevailing side, Senator Mitchell moved for immediate reconsideration of the last Senate action, Third Reading of Bills -- Final Passage, on **SB10-207**. 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	E	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

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

THIRD READING OF BILLS -- FINAL PASSAGE

SB10-207 by Senator(s) Johnston and Romer; also Representative(s) Tyler--Concerning authorization for the state treasurer to enter into lease-purchase agreements on behalf of the state to finance capital construction projects proposed by the governor's energy office that improve the energy efficiency of state capital facilities, and making an appropriation in connection therewith.

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

YES	21	NO	13	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	N	Keller	Y	Renfroe	N	Tochtrop	Y
Carroll M.	Y	Kester	N	Romer	Y	White	N
Foster	Y	King K.	N	Sandoval	Y	Whitehead	Y
Gibbs	Y	Kopp	E	Scheffel	N	Williams	Y
Harvey	N	Lundberg	N	Schultheis	N	President	Y
Heath	Y	Mitchell	N	Schwartz	Y		

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

Co-sponsors added: Foster, Gibbs, Schwartz.

On motion of Senator Morse, and with a majority of those elected to the Senate having voted in the affirmative, the Third Reading of Bills -- Final Passage Calendar (HB10-1338, HB10-1200, HB10-1009, HB10-1402, SCR10-001, SCR10-003, HB10-1045, HB10-1418, HB10-1400, HB10-1417, HB10-1019, HB10-1347, HB10-1271, HB10-1349, HB10-1345, HB10-1412, HB10-1408, HB10-1285, HB10-1422) of Tuesday, May 11 was laid over until later in the day.

Committee of the Whole On motion of Senator Carroll, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar and Senator Carroll was called to the Chair to act as Chairman.

GENERAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

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:

HB10-1403 by Representative(s) Kerr A.; also Senator(s) Whitehead--Concerning commercial notifications with regard to the secretary of state, and making an appropriation therefor. 1
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Amendment No. 1, State, Veterans & Military Affairs Committee Amendment. 4
(Printed in Senate Journal, May 6, page 1252 and placed in members' bill files.) 5
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As amended, ordered revised and placed on the calendar for third reading and final 7
passage. 8
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HB10-1431 by Representative(s) McKinley; also Senator(s) Penry--Concerning the methodology used to value renewable energy facilities for purposes of property taxation. 11
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Ordered revised and placed on the calendar for third reading and final passage. 14
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HB10-1427 by Representative(s) Todd, Hulinghorst, Kerr A., Levy, Primavera, Solano, Summers, Ryden; also Senator(s) Heath, Bacon, Hodge, Hudak, King K., Williams--Concerning the authority of institutions of higher education to offer group benefit coverage to employees of the institution who are in the state personnel system. 16
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Ordered revised and placed on the calendar for third reading and final passage. 21
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HCR10-1004 by Representative(s) Lambert; also Senator(s) Sandoval--Submitting to the registered electors of the state of Colorado an amendment to section 3 of article VIII of the constitution of the state of Colorado, concerning a process for temporarily moving the seat of government in a disaster emergency that substantially affects the ability of the state government to operate in the city and county of Denver, and, in connection therewith, requiring the general assembly to convene in a temporary meeting location designated by the governor and authorizing the general assembly to determine by law a temporary location for the seat of government of the state. 24
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Ordered revised and placed on the calendar for third reading and final passage. 33
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HB10-1401 by Representative(s) Ferrandino; also Senator(s) Carroll M.--Concerning the management of information technology in state agencies. 36
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Amendment No. 1, State, Veterans & Military Affairs Committee Amendment. 39
(Printed in Senate Journal, May 7, page 1286 and placed in members' bill files.) 40
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As amended, ordered revised and placed on the calendar for third reading and final passage. 42
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**ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE --
CONSENT CALENDAR**

On motion of Senator Carroll, the report of the Committee of the Whole was **adopted** on the following roll call vote: 49
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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	E	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

The Committee of the Whole took the following action: 62
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Passed on second reading: HB10-1403 as amended, HB10-1431, HB10-1427, HCR10-1004, HB10-1401 as amended. 65
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Committee of the Whole On motion of Senator Carroll, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills and Senator Carroll 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:

HB10-1181 by Representative(s) Todd; also Senator(s) Bacon--Concerning adjustments to the administration of the department of personnel, and making an appropriation therefor.

Amendment No. 1(L.025), by Senators Morse and Penry.

Amend reengrossed bill, page 8, line 4, strike "A".

Page 8, line 5, strike "HIGHER EDUCATION INSTITUTION" and substitute "AN INSTITUTION OF HIGHER EDUCATION".

Page 8, line 6, strike "WILL" and substitute "SHALL".

Page 8, strike lines 7 through 9 and substitute "DEPARTMENT IN ANY SOLICITATION OR VENDOR QUALIFICATION PROCESS FOR THE SERVICE. WHENEVER PRACTICABLE, INSTITUTIONS OF HIGHER EDUCATION SHALL SEEK PARTNERSHIPS WITH THE".

Page 8, line 11, strike "SAVING" and substitute "SAVINGS".

Page 19, after line 5 insert:

SECTION 17. 24-50-135 (2) (a) and (2) (b), Colorado Revised Statutes, are amended to read:

24-50-135. Exemptions from personnel system. (2) (a) The president of each educational institution or a person designated by the president shall determine which administrative positions in that institution are exempt from the state personnel system under subsection (1) of this section, subject to an appeal to the board. ~~and subject to postaudit review by the state personnel director.~~

(b) The executive director of the Colorado commission on higher education shall determine which administrative positions in the department of higher education other than administrative positions in educational institutions are exempt from the state personnel system under subsection (1) of this section, subject to an appeal to the board. ~~and subject to postaudit review by the state personnel director.~~

Renumber succeeding sections accordingly.

Page 21, strike line 10 and substitute "PROGRAM. ALL GOVERNMENTAL BODIES".

Page 21, line 11, strike "EDUCATION".

Page 21, strike lines 16 through 18 and substitute "OFFICIALS.

(2) GOVERNMENTAL BODIES THAT ARE NOT".

Page 21, line 20, strike "SECTION." and substitute "SECTION; EXCEPT THAT THIS SECTION SHALL NOT APPLY TO AN INSTITUTION OF HIGHER EDUCATION THAT HAS ELECTED TO BE EXCLUDED FROM THE MEANING OF "GOVERNMENTAL BODY" PURSUANT TO SECTION 24-101-301 (10) (a)."

Page 22, strike lines 3 and 4.

Page 22, line 5, strike "EDUCATION'S" and substitute "GOVERNMENTAL

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BODIES ON A BASIS PROPORTIONAL TO EACH GOVERNMENTAL BODY'S".

Page 22, line 10, strike "STATE AGENCY OR".

Page 22, line 11, strike "INSTITUTION OF HIGHER EDUCATION," and substitute "GOVERNMENTAL BODY,".

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

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.

Amendment No. 1(L.024), by Senator Romer.

Amend reengrossed bill, page 6, after line 18 insert:

SECTION 4. 22-42-102 (6) (a), Colorado Revised Statutes, is amended to read:

22-42-102. Bonded indebtedness - elections. (6) (a) The board of education of any school district, having received approval at an election to issue bonds and having determined that the limitations of the original election question are too restrictive to permit the advantageous sale of the bonds so authorized, may submit at another regular or special election THE QUESTION OF ISSUING THE BONDS, OR ANY PORTION THEREOF, AT A HIGHER PRINCIPAL AMOUNT OR HIGHER REPAYMENT COST THAN APPROVED AT THE ORIGINAL ELECTION.

~~(I) The question of issuing the bonds, or any portion thereof, at a higher maximum net effective interest rate than the maximum interest rate or maximum net effective interest rate approved at the original election; or~~

~~(H) The question of issuing the bonds, or any portion thereof, to mature over a longer period of time than the maximum period of maturity approved at the original election.~~

SECTION 5. 22-42-114, Colorado Revised Statutes, is amended to read:

22-42-114. Board may issue bonds - exemption from Colorado income tax. When approved at an election held pursuant to section 22-42-102, the board of education, from time to time, as the proceeds thereof shall be needed for the purposes specified in the notice of said bond election, shall issue bonds of the district in denominations of one thousand dollars or any multiple of one thousand dollars, in its discretion, bearing interest at a rate such that the ~~net effective interest rate of the bond issue does not exceed the maximum net effective interest rate specified in the notice of said bond election~~ ANNUAL AND TOTAL REPAYMENT COSTS DO NOT EXCEED THE LIMITS SET FORTH IN THE NOTICE OF THE BOND ELECTION and payable at such time determined in the discretion of the board, which bonds shall mature serially, commencing not later than five years and extending not more than twenty-five years after the date thereof. Principal and interest thereon shall be payable at such place as shall be determined by said board and designated in said bonds. Said bonds shall be made callable for redemption, commencing no later than eleven years after their date, in such manner, with or without premium, as may be determined by the board. Interest on bonds issued on or after July 1, 1973, pursuant to this article shall be exempt from Colorado income tax.

SECTION 6. 22-42-116, Colorado Revised Statutes, is amended to read:

22-42-116. Sale at less than par - discount. If it is found to be

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in the best interest of the school district, the board of education of the school district may issue such bonds and accept therefor less than their face value. ~~but such bonds shall be sold at a price such that the net effective interest rate for the issue of bonds does not exceed the maximum net effective interest rate approved by the voters in the election authorizing such bonds."~~

Renumber succeeding sections accordingly.

Amendment No. 2(L.025), by Senator Romer.

Amend reengrossed bill, page 11, after line 8 insert:

"**SECTION 7.** 22-54-115, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

22-54-115. Distribution from state public school fund - repeal.

(6) (a) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE CONTRARY, FOR THE 2010-11 BUDGET YEAR, THE DEPARTMENT OF EDUCATION SHALL PAY IN INSTALLMENTS TO EACH DISTRICT THE AMOUNT OF THE STATE'S SHARE OF THE DISTRICT'S TOTAL PROGRAM FOR THE BUDGET YEAR AS ADJUSTED PURSUANT TO PARAGRAPH (a) OF SUBSECTION (1) OF THIS SECTION AND SHALL PAY IN INSTALLMENTS TO THE STATE CHARTER SCHOOL INSTITUTE THE TOTAL AMOUNT WITHHELD FROM ANY ACCOUNTING DISTRICT PURSUANT TO PARAGRAPH (a) OF SUBSECTION (1.3) OF THIS SECTION FOR THE BUDGET YEAR; EXCEPT THAT THE TIMING AND AMOUNT OF EACH INSTALLMENT PAYMENT TO EACH DISTRICT AND THE STATE CHARTER SCHOOL INSTITUTE SHALL BE DETERMINED BY THE DEPARTMENT.

(b) (I) THIS SUBSECTION (6) IS REPEALED IF AMENDMENT 61 DOES NOT RECEIVE A MAJORITY OF THE VOTES CAST THEREON BY THE ELECTORS OF THE STATE AT THE GENERAL ELECTION HELD ON NOVEMBER 2, 2010. SUCH REPEAL SHALL BE EFFECTIVE UPON THE SECRETARY OF STATE'S CERTIFICATION OF THE OFFICIAL STATEWIDE ABSTRACT OF VOTES CAST FOR ALL CANDIDATES, BALLOT ISSUES, AND BALLOT QUESTIONS THAT THE SECRETARY OF STATE CERTIFIED FOR THE BALLOT OR DECEMBER 15, 2010, WHICHEVER IS LATER.

(II) THIS PARAGRAPH (b) IS REPEALED, EFFECTIVE FEBRUARY 1, 2011."

Renumber succeeding sections accordingly.

Amendment No. 3(L.027), by Senator Romer.

Amend reengrossed bill, page 6, after line 18 insert:

"**SECTION 4.** The introductory portion to 22-45-103 (1) (c) (I) and 22-45-103 (1) (e), Colorado Revised Statutes, are amended to read:

22-45-103. Funds. (1) The following funds are created for each school district for purposes specified in this article:

(c) **Capital reserve fund.** (I) Moneys allocated pursuant to the provisions of section 22-54-105 (2) shall be transferred from the general fund and recorded in the capital reserve fund along with the revenues received pursuant to section 39-5-132, C.R.S. Such revenues may be supplemented by gifts, GRANTS, AND donations. ~~and tuition receipts.~~ Unencumbered moneys in the fund may be transferred to a fund or an account within the general fund established in accordance with generally accepted accounting principles solely for the management of risk-related activities as identified in section 24-10-115, C.R.S., and article 13 of title 29, C.R.S., by resolution of the board of education when such transfer is deemed necessary by the board; EXCEPT THAT A LOCAL BOARD OF EDUCATION MAY, IN ITS DISCRETION, TRANSFER ANY UNRESTRICTED MONEYS INTO OR OUT OF THE CAPITAL RESERVE FUND IN THE 2009-10

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BUDGET YEAR OR ANY BUDGET YEAR THEREAFTER. NOTHING IN THIS SUBPARAGRAPH (I) SHALL BE CONSTRUED TO PROHIBIT A LOCAL BOARD OF EDUCATION FROM TRANSFERRING UNRESTRICTED MONEYS FROM THE GENERAL FUND OR ANY OTHER FUND TO THE CAPITAL RESERVE FUND IN THE 2009-10 BUDGET YEAR OR ANY BUDGET YEAR THEREAFTER. Except as provided in subparagraph (V) of this paragraph (c), expenditures from the fund shall be limited to long-range capital outlay expenditures and shall be made only for the following purposes:

(e) **Risk management reserves.** Moneys allocated pursuant to the provisions of section 22-54-105 (2) shall be recorded in a fund or in an account within the general fund established in accordance with generally accepted accounting principles solely for the management of risk-related activities as identified in section 24-10-115, C.R.S., and article 13 of title 29, C.R.S. Unencumbered moneys in such fund or account may be transferred to the capital reserve fund or to any other fund or account established solely for the management of risk-related activities by resolution of the board of education when such transfer is deemed necessary by the board; EXCEPT THAT A LOCAL BOARD OF EDUCATION MAY, IN ITS DISCRETION, TRANSFER ANY UNRESTRICTED MONEYS INTO OR OUT OF SUCH FUND OR ACCOUNT IN THE 2009-10 BUDGET YEAR OR ANY BUDGET YEAR THEREAFTER. Expenditures from any such fund or account shall be limited to the purposes set forth in section 24-10-115, C.R.S., and article 13 of title 29, C.R.S. NOTHING IN THIS PARAGRAPH (e) SHALL BE CONSTRUED TO PROHIBIT A LOCAL BOARD OF EDUCATION FROM TRANSFERRING UNRESTRICTED MONEYS FROM THE GENERAL FUND OR ANY OTHER FUND TO A FUND OR ACCOUNT FOR THE MANAGEMENT OF RISK-RELATED ACTIVITIES IN THE 2009-10 BUDGET YEAR OR ANY BUDGET YEAR THEREAFTER."

Renumber succeeding sections accordingly.

Amendment No. 4(L.028), by Senator Romer.

Amend reengrossed bill, page 6, after line 18 insert:

"SECTION 4. 22-44-105 (1), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

22-44-105. Budget - contents - mandatory. (1) The budget shall be presented in the standard budget report format established by the state board of education by rule pursuant to subsection (5) of this section. The standard budget report format established by the state board shall be substantially consistent from year to year and shall adhere to the following guidelines:

(d.5) THE BUDGET SHALL INCLUDE A UNIFORM SUMMARY SHEET FOR EACH FUND ADMINISTERED BY THE DISTRICT THAT DETAILS THE FOLLOWING FOR EACH FUND:

(I) THE BEGINNING FUND BALANCE AND THE ANTICIPATED ENDING FUND BALANCE FOR THE BUDGET YEAR;

(II) THE ANTICIPATED FUND REVENUES FOR THE BUDGET YEAR, DELINEATED BY THE PROGRAM AND SOURCE CODES IDENTIFIED IN THE CHART OF ACCOUNTS CREATED PURSUANT TO SUBSECTION (4) OF THIS SECTION;

(III) THE ANTICIPATED TRANSFERS AND ALLOCATIONS THAT WILL OCCUR TO AND FROM THE FUND DURING THE BUDGET YEAR;

(IV) THE ANTICIPATED EXPENDITURES THAT WILL BE MADE FROM THE FUND DURING THE BUDGET YEAR, DELINEATED BY THE PROGRAM AND OBJECT CODES IDENTIFIED IN THE CHART OF ACCOUNTS CREATED PURSUANT TO SUBSECTION (4) OF THIS SECTION; AND

(V) THE AMOUNT OF RESERVES IN THE FUND."

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Renumber succeeding sections accordingly.

Amendment No. 5(L.022), by Senator Romer.

Amend reengrossed bill, page 6, after line 18 insert:

"SECTION 4. 22-32-120 (6) and (7) (b) (V), Colorado Revised Statutes, are amended to read:

22-32-120. Food services - facilities - school food authorities - rules. (6) (a) On and after May 4, 2009, ~~but before October 1, 2009,~~ a district charter school or an institute charter school may submit a written request to the department of education for provisional authorization as a school food authority.

(b) On and after May 4, 2009, ~~but before October 1, 2009,~~ the commissioner of education or his or her designee may grant or deny provisional authorization as a school food authority to a district charter school or institute charter school that submits a written request for such authorization to the department of education. ~~A provisional authorization granted pursuant to this subsection (6) shall expire on April 1, 2010.~~

(c) (I) SUBJECT TO THE PROVISIONS OF SUBPARAGRAPH (II) OF THIS PARAGRAPH (c), if the commissioner of education or his or her designee grants provisional authorization to a district charter school or an institute charter school as a school food authority pursuant to this subsection (6), the department of education shall review the provisional authorization and, using the standards established by rules promulgated by the state board of education pursuant to paragraph (b) of subsection (7) of this section, grant or deny authorization as a school food authority to the district charter school or institute charter school. ~~on or before April 1, 2010.~~

(II) BEFORE GRANTING AUTHORIZATION AS A SCHOOL FOOD AUTHORITY TO A DISTRICT CHARTER SCHOOL OR AN INSTITUTE CHARTER SCHOOL THAT WAS GRANTED PROVISIONAL AUTHORIZATION AS A SCHOOL FOOD AUTHORITY PURSUANT TO THIS SUBSECTION (6), THE DEPARTMENT OF EDUCATION SHALL ENSURE THAT THE DISTRICT CHARTER SCHOOL OR INSTITUTE CHARTER SCHOOL HAS COMPLETED ONE FULL FISCAL YEAR OF OPERATION AS A SCHOOL FOOD AUTHORITY UNDER THE PROVISIONAL AUTHORIZATION GRANTED PURSUANT TO THIS SUBSECTION (6), THAT THE DISTRICT CHARTER SCHOOL OR INSTITUTE CHARTER SCHOOL HAS SUBMITTED ITS GOVERNMENTAL AUDIT REQUIRED PURSUANT TO SECTION 22-30.5-112 (7) TO THE DEPARTMENT, AND THAT THE DISTRICT CHARTER SCHOOL OR INSTITUTE CHARTER SCHOOL HAS SUCCESSFULLY COMPLIED WITH THE REQUIREMENTS OF THE "NATIONAL SCHOOL LUNCH ACT", 42 U.S.C. SEC. 1751 ET SEQ., AS DETERMINED BY THE DEPARTMENT'S COMPLIANCE REVIEW EVALUATION PROCESS AND HAS TAKEN ANY NECESSARY CORRECTIVE ACTIONS IDENTIFIED BY THE DEPARTMENT. THE DEPARTMENT SHALL GRANT OR DENY AUTHORIZATION AS A SCHOOL FOOD AUTHORITY TO A DISTRICT CHARTER SCHOOL OR INSTITUTE CHARTER SCHOOL WITHIN FORTY-FIVE DAYS AFTER THE SCHOOL HAS SATISFIED THE REQUIREMENTS OF THIS SUBPARAGRAPH (II).

(d) Notwithstanding any provision of this subsection (6) to the contrary, the commissioner of education or his or her designee shall not grant provisional authorization as a school food authority to more than ~~four~~ SIX applicant district charter schools or institute charter schools.

(e) ~~This subsection (6) is repealed, effective July 1, 2010.~~

(7) On or before October 1, 2009, the state board of education shall promulgate rules establishing:

(b) A timeline, standards, and procedures for the department of education to use in granting or denying authorization as a school food

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authority to a district charter school or an institute charter school. The standards shall include, at a minimum, the following requirements:

(V) The department shall not grant authorization as a school food authority to more than ~~four~~ SIX applicant district charter schools or institute charter schools until July 1, 2011, including any district charter schools or institute charter schools that have been granted provisional authorization pursuant to subsection (6) of this section."

Renumber succeeding sections accordingly.

Amendment No. 6(L.023), by Senator Romer.

Amend reengrossed bill, page 6, after line 18 insert:

"**SECTION 4.** 22-40-102 (1.7) (b), Colorado Revised Statutes, is amended to read:

22-40-102. Certification - tax revenues. (1.7) (b) For the purposes of this subsection (1.7), "excess transportation costs" means the ~~annual~~ CURRENT operating expenditures for pupil transportation, as defined in section 22-51-102 (1), minus the total AMOUNT OF THE MOST RECENT payment actually received by the district under article 51 of this title, and annual expenditures for the purchase or lease of pupil transportation vehicles or other capital outlays related to pupil transportation. The calculation of excess transportation costs shall be based upon amounts expended and amounts received for the twelve-month period ending on June 30 prior to the certification of the mill levy."

Renumber succeeding sections accordingly.

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

HB10-1287 by Representative(s) Lambert, Acree, Baumgardner, Bradford, DelGrosso, Ferrandino, Gardner C., Gerou, Kerr J., Looper, May, McNulty, Murray, Nikkel, Pommer, Priola, Sonnenberg, Stephens, Summers, Tipton; also Senator(s) Cadman, Renfroe, Harvey, Mitchell, Keller, King K., Kopp, Lundberg, Schultheis, Spence, Tapia, White--Concerning the use of a state-owned motor vehicle for commuting purposes.

Amendment No. 1, Transportation Committee Amendment.

(Printed in Senate Journal, April 29, page 1090 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.

(Printed in Senate Journal, May 4, pages 1190-1191 and placed in members' bill files.)

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

HB10-1360 by Representative(s) Pace, Apuan, Casso, Court, Ferrandino, Fischer, Kagan, Kefalas, Levy, Looper, McCann, McFadyen, Merrifield, Miklosi, Ryden, Vigil, Weissmann; also Senator(s) Steadman, Carroll M., Foster, Hudak, Morse, Newell, Romer, Tapia--Concerning changes to certain parole-related statutes to reduce the number of parolees who return to the department of corrections, and making an appropriation in connection therewith.

Amendment No. 1, Judiciary Committee Amendment.

(Printed in Senate Journal, May 6, page 1252 and placed in members' bill files.)

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

HB10-1413 by Representative(s) Levy and May, Carroll T.; also Senator(s) Newell and Lundberg--Concerning juveniles who are tried as adults, and making an appropriation in connection therewith.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, May 6, page 1248 and placed in members' bill files.)

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

HB10-1176 by Representative(s) Vaad; also Senator(s) Mitchell--Concerning recovery audits for government overpayments of tax dollars.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, April 29, pages 1087-1090 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, May 7, pages 1285-1286 and placed in members' bill files.)

Amendment No. 3(L.013), by Senator Mitchell.

Amend the Finance Committee Report, dated April 29, 2010, page 3, line 6, after the period add "STATE AGENCY" DOES NOT INCLUDE A STATE INSTITUTION OF HIGHER EDUCATION."

Page 5, after line 29 insert:

"(7) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO LIMIT THE AUTHORITY OF A GOVERNING BOARD OF A STATE INSTITUTION OF HIGHER EDUCATION TO CONTRACT FOR A RECOVERY AUDIT FOR THE INSTITUTION IT GOVERNS."

Amendment No. 4(L.014), by Senator Mitchell.

Amend the Finance Committee Report, dated April 29, 2010, page 3, line 19, strike "AND".

Page 3, line 26, strike "PROTECTED." and substitute "PROTECTED; AND

(III) REQUIRE ANY DATA OR INFORMATION DETERMINED BY THE STATE AGENCY BEING AUDITED TO BE CONFIDENTIAL TO BE SECURELY TRANSMITTED AND MAINTAINED BY THE CONSULTANT IN ACCORDANCE WITH THE SECURITY POLICIES, STANDARDS, AND GUIDELINES ESTABLISHED BY THE STATE CHIEF INFORMATION SECURITY OFFICER OR THE STATE CHIEF INFORMATION OFFICER PURSUANT TO SECTION 24-37.5-403."

Amendment No. 5(L.017), by Senator Mitchell.

Amend the Finance Committee Report, dated April 29, 2010, page 1, line 14, strike "AN INDIVIDUAL, VENDOR," and substitute "A VENDOR".

Page 1, line 16, strike "INDIVIDUAL, VENDOR," and substitute "VENDOR".

Page 2, line 18, strike "AN INDIVIDUAL, VENDOR," and substitute "A VENDOR".

Page 3, line 12, strike "(2)" and substitute "(3)".

Page 4, line 13, strike "INDIVIDUALS, VENDORS," and substitute "VENDORS".

Amendment No. 6(L.018), by Senator Mitchell.

Amend the Finance Committee Report, dated April 29, 2010, page 3, line 7, strike "JANUARY" and substitute "JULY".

Page 4, line 31, strike "OCTOBER 1, 2010," and substitute "MARCH 1, 2011,".

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Page 4, line 36, strike "DECEMBER 1, 2010." and substitute "MAY 1, 2011."

Page 5, line 24, strike "DECEMBER 31, 2011," and substitute "JUNE 30, 2012,".

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

HB10-1374 by Representative(s) Ferrandino, Levy, Waller; also Senator(s) Penry, Morse, Steadman-- Concerning parole.

Amendment No. 1(L.008), by Senator Scheffel.

Amend reengrossed bill, page 12, line 1, strike "SAFETY." and substitute "SAFETY AND THE WELFARE OF SOCIETY."

Page 14, line 6, before "OFFENSE." insert "CRIMINAL".

Amendment No. 2(L.009), by Senator Penry.

Amend reengrossed bill, page 15, after line 7 insert:

"SECTION 9. 17-2-201, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

17-2-201. State board of parole. (3.5) THE CHAIRPERSON SHALL ANNUALLY MAKE A PRESENTATION TO JUDICIARY COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES, REGARDING THE OPERATIONS OF THE BOARD."

Renumber succeeding sections accordingly.

Page 16, line 11, strike "11" and substitute "12".

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

HB10-1421 by Representative(s) May and Weissmann, Ferrandino, Pommer, Lambert, Gardner B., Waller; also Senator(s) King K. and Tochtrop--Concerning the decommission of a correctional facility operated by the department of corrections.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, May 7, pages 1286-1287 and placed in members' bill files.)

Amendment No. 2(L.017), by Senators Kester and Tochtrop.

Amend the State, Veterans & Military Affairs Committee Report, dated May 7, 2010, page 1, line 10, after the period insert "IF THE DEPARTMENT DECIDES TO ACHIEVE THE REDUCTION REQUIRED BY THIS PARAGRAPH (a) BY REDUCING PRIVATE CONTRACT BEDS, THE DEPARTMENT SHALL ALSO REDUCE THE NUMBER OF BEDS AT STATE-OPERATED CORRECTIONAL FACILITIES TO ACHIEVE THE NECESSARY SAVINGS. THE REDUCTION OF BEDS AT PRIVATE CONTRACT PRISONS AND STATE-OPERATED CORRECTIONAL FACILITY BEDS SHALL BE IN THE SAME PROPORTION AS THE PROPORTION OF STATE-OPERATED CORRECTIONAL FACILITY BEDS TO PRIVATE CONTRACT PRISON BEDS IN THE STATE ON NOVEMBER 1, 2010."

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

SCR10-002 by Senator(s) Williams and Romer, Bacon, Hudak, Shaffer B.; also Representative(s) Benefield, Frangas, McKinley, Merrifield, Middleton, Peniston, Rice, Scanlan, Schafer S., Solano, Todd, Apuan, Casso, Fischer, Gagliardi, Kagan, Labuda, Levy, McCann, Miklosi,

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Pace, Pommer, Primavera, Ryden, Soper, Tyler, Vigil, Weissmann--Submitting to the registered electors of the state of Colorado an amendment to article IX of the constitution of the state of Colorado, concerning the authority of the general assembly to generate additional state revenues for funding preschool through postsecondary public education without prior voter approval, and, in connection therewith, notwithstanding the prior voter approval requirement of section 20 (4) (a) of article X of the state constitution, allowing the general assembly to enact statutes that result in additional state revenues to be used to fund preschool through postsecondary public education and exempting any additional state revenues raised for this purpose from the constitutional limitations on fiscal year spending.

Laid over until Wednesday, May 12, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

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

The Committee of the Whole took the following action:

Passed on second reading: HB10-1181 as amended, HB10-1013 as amended, HB10-1287 as amended, HB10-1360 as amended, HB10-1413 as amended, HB10-1176 as amended, HB10-1374 as amended, HB10-1421 as amended.
Laid over until Wednesday, May 12: SCR10-002.

MESSAGE FROM THE GOVERNOR

May 5, 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:

SB10-100 CONCERNING GREATER FINANCING FLEXIBILITY FOR LOCAL DISTRICTS ORGANIZED FOR PURPOSES RELATED TO ENERGY.

Approved May 5, 2010 at 6:00 p.m.

Sincerely,
(signed)
Bill Ritter, Jr.
Governor
Rec'd 10:04 a.m., 05/11/10
Karen Goldman, Secretary of the Senate

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

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 performance programs to be transparent, include objective and standardized criteria that are applied consistently, and provide minimum due process to providers.

Senator Hodge moved that the Senate concur in House amendments to **SB10-178**, as printed in House journal, May 5, page 1633. The motion was **adopted** by the following roll call vote:

YES	32	NO	2	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	N	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	White	Y
Foster	Y	King K.	Y	Sandoval	Y	Whitehead	Y
Gibbs	Y	Kopp	E	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	N	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	E	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

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

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

Senator Kester moved that the Senate concur in House amendments to **SB10-139**, as printed in House journal, May 5, page 1635. The motion was **adopted** by the following roll call vote:

YES	32	NO	2	EXCUSED	1	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Spence	Y
Boyd	Y	Hudak	Y	Newell	N	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	E	Scheffel	Y	Williams	N
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

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

YES	25	NO	9	EXCUSED	1	ABSENT	0
Bacon	Y	Hodge	N	Morse	Y	Spence	Y
Boyd	N	Hudak	Y	Newell	N	Steadman	N
Brophy	Y	Johnston	Y	Penry	Y	Tapia	Y
Cadman	Y	Keller	N	Renfroe	N	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	White	Y
Foster	Y	King K.	Y	Sandoval	Y	Whitehead	Y
Gibbs	Y	Kopp	E	Scheffel	Y	Williams	N
Harvey	Y	Lundberg	N	Schultheis	N	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

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

Co-sponsors added: Schwartz and Whitehead.

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

Senator Steadman moved that the Senate concur in House amendments to **SB10-087**, as printed in House journal, May 6, pages 1659-1660. 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	E	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

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

YES	27	NO	7	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	N	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	White	Y
Foster	Y	King K.	N	Sandoval	Y	Whitehead	Y
Gibbs	Y	Kopp	E	Scheffel	N	Williams	Y
Harvey	N	Lundberg	N	Schultheis	N	President	Y
Heath	Y	Mitchell	N	Schwartz	Y		

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

Co-sponsors added: Carroll M.

SB10-076 by Senator(s) Carroll M.; also Representative(s) Primavera--Concerning unreasonable insurance claims settlement practices.

Senator Carroll moved that the Senate concur in House amendments to **SB10-076**, as printed in House journal, May 6, page 1660. The motion was **adopted** by the following roll call vote:

YES	33	NO	0	EXCUSED	1	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Spence	Y
Boyd	Y	Hudak	Y	Newell	Y	Steadman	Y
Brophy	Y	Johnston	Y	Penry	Y	Tapia	Y
Cadman	Y	Keller	Y	Renfroe	Y	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	White	Y
Foster	Y	King K.	Y	Sandoval	Y	Whitehead	Y
Gibbs	Y	Kopp	E	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	*	Mitchell	Y	Schwartz	Y		

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

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

YES	22	NO	11	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	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	E	Scheffel	N	Williams	Y
Harvey	N	Lundberg	N	Schultheis	N	President	Y
Heath	*	Mitchell	N	Schwartz	Y		

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

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

Co-sponsors added: Boyd

SB10-141 by Senator(s) King K.; also Representative(s) Lambert--Concerning the transfer of responsibility for the regulation of games of chance from the secretary of state to the department of revenue in accordance with House Concurrent Resolution 09-1003, and making an appropriation therefor.

Senator King moved that the Senate concur in House amendments to **SB10-141**, as printed in House journal, May 6, page 1661. 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	E	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

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

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

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

SB10-128

by Senator(s) Hudak, Newell, Carroll M., Steadman; also Representative(s) Rice-- Concerning invasion of privacy, and making an appropriation in connection therewith.

Senator Hudak moved that the Senate concur in House amendments to **SB10-128**, as printed in House journal, May 6, page 1661 and May 7. 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	E	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

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

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

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

SB10-180

by Senator(s) Williams, Penry, Schwartz, Kester, Boyd, Carroll M., Hudak, Johnston, Morse, Romer, Bacon, Heath, Hodge, Keller, Newell, Shaffer B., Tapia; also Representative(s) Kerr A., Casso, Court, Curry, Fischer, Hulinghorst, Miklosi, Solano-- Concerning the development of a smart grid for Colorado, and, in connection therewith, convening a task force to recommend legislative and administrative measures to encourage the orderly implementation of smart grid technology in Colorado.

Senator Williams moved that the Senate concur in House amendments to **SB10-180**, as printed in House journal, May 6, page 1665. 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	E	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

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

YES	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	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	E	Scheffel	N	Williams	Y
Harvey	N	Lundberg	N	Schultheis	N	President	Y
Heath	Y	Mitchell	N	Schwartz	Y		

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

SB10-003

by Senator(s) Morse and Penry, Heath; also Representative(s) Middleton and May, Court-- Concerning higher education flexibility to improve the financial position of state institutions of higher education.

Senator moved Morse that the Senate concur in House amendments to **SB10-003**, as printed in House journal, May 7, page 1703 and May 10. 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	E	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

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

YES	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	N	Whitehead	Y
Gibbs	Y	Kopp	E	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

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

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.

Senator Tochtrop moved that the Senate concur in House amendments to **SB10-012**, as printed in House journal, May 7, page 1704. 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	E	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

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

YES	22	NO	12	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	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	E	Scheffel	N	Williams	Y
Harvey	N	Lundberg	N	Schultheis	N	President	Y
Heath	Y	Mitchell	N	Schwartz	Y		

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

Co-sponsors added: Boyd

SB10-013 by Senator(s) Hodge, Carroll M., Tochtrop; also Representative(s) Ryden, Miklosi, Pace--
Concerning accountability for workers' compensation insurers, and making an appropriation therefor.

Senator Hodge moved that the Senate concur in House amendments to **SB10-013**, as printed in House journal, May 7, page 1704. 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	E	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

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

YES	22	NO	12	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	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	E	Scheffel	N	Williams	Y
Harvey	N	Lundberg	N	Schultheis	N	President	Y
Heath	Y	Mitchell	N	Schwartz	Y		

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

SB10-124 by Senator(s) Carroll M.; also Representative(s) Ryden--Concerning a requirement that certain health care providers disclose information about their practice history, and making an appropriation therefor.

Senator Carroll moved that the Senate concur in House amendments to **SB10-124**, as printed in House journal, May 7, page 1705. 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	E	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

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

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

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

SB10-199 by Senator(s) Carroll M.; also Representative(s) Court--Concerning clarifying revisions to certain provisions of the Colorado probate code.

Senator Carroll moved that the Senate concur in House amendments to **SB10-199**, as printed in House journal, May 7, page 1705. 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	E	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

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

YES	31	NO	3	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	Y	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	White	Y
Foster	Y	King K.	Y	Sandoval	Y	Whitehead	Y
Gibbs	Y	Kopp	E	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	N	Schultheis	Y	President	Y
Heath	Y	Mitchell	N	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: Steadman

RECONSIDERATION OF SB10-012

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.

Having voted on the prevailing side, Senator Morse moved for reconsideration of the last Senate action, Repassage of **SB10-012**.

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

REPASSAGE OF SB10-012

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.

YES	20	NO	13	EXCUSED	1	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Spence	N
Boyd	Y	Hudak	Y	Newell	Y	Steadman	Y
Brophy	N	Johnston	Y	Penry	N	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	N	Whitehead	Y
Gibbs	Y	Kopp	E	Scheffel	N	Williams	Y
Harvey	N	Lundberg	N	Schultheis	N	President	Y
Heath	*	Mitchell	N	Schwartz	Y		

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

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

RECONSIDERATION OF SB10-139

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

Having voted on the prevailing side, Senator Cadman moved for reconsideration of the last Senate action, Repassage of **SB10-139**.

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

REPASSAGE OF SB10-139

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

YES	25	NO	9	EXCUSED	1	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Spence	Y
Boyd	N	Hudak	Y	Newell	N	Steadman	Y
Brophy	Y	Johnston	Y	Penry	Y	Tapia	Y
Cadman	N	Keller	N	Renfroe	N	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	White	Y
Foster	Y	King K.	Y	Sandoval	Y	Whitehead	Y
Gibbs	Y	Kopp	E	Scheffel	Y	Williams	N
Harvey	Y	Lundberg	N	Schultheis	N	President	Y
Heath	Y	Mitchell	N	Schwartz	Y		

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

Co-sponsors added: Schwartz

CONSIDERATION OF GOVERNOR'S APPOINTMENTS

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

MEMBERS OF THE STATE BOARD OF PAROLE

effective May 1, 2010 for a term expiring July 1, 2012:

John M. O'Dell of Loveland, Colorado, to fill the vacancy occasioned by the resignation of David L. Michaud of Pueblo West, Colorado, and to serve as a law enforcement representative, appointed;

for terms expiring July 1, 2013:

Michael E. Anderson of Denver, Colorado, to serve as a law enforcement representative, reappointed;

Rebecca L. Oakes of Denver, Colorado, to serve as a citizen representative, reappointed;

Becky R. Lucero of Pueblo, Colorado, to serve as a citizen representative, reappointed;

further, effective May 1, 2010 for a term expiring at the pleasure of the Governor:

Becky R. Lucero of Pueblo, Colorado, to serve as Chairperson of the State Board of Parole, appointed.

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	N	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	E	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

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

**MEMBERS OF THE
PINNACOL ASSURANCE BOARD OF DIRECTORS**

for terms expiring January 1, 2012:

Gary O. Johnson of Lakewood, Colorado, who has experience in the management and operation of insurance companies, not competing with Pinnacol Assurance, reappointed;

Ryan L. Hettich of Colorado Springs, Colorado, an employer whose liability is insured by Pinnacol Assurance, reappointed;

for terms expiring January 1, 2013:

Robert C. McDaniel of Denver, Colorado, who has experience in finance or investments, but is not an employer whose liability is insured by Pinnacol Assurance, appointed;

Holman F. Carter of Boulder, Colorado, an employee of an employer whose liability is insured by Pinnacol Assurance, appointed;

Nonie Rivale Willisich of Evergreen, Colorado, an employee of an employer whose liability is insured by Pinnacol Assurance, appointed;

for a term expiring January 1, 2015:

Dr. Richard Rivera of Pueblo, Colorado, an employer whose liability is insured by Pinnacol Assurance, appointed.

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

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:

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

The question being "Shall the bill 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	Y	Romer	Y	White	Y
Foster	Y	King K.	N	Sandoval	N	Whitehead	Y
Gibbs	Y	Kopp	E	Scheffel	N	Williams	Y
Harvey	N	Lundberg	N	Schultheis	N	President	Y
Heath	Y	Mitchell	N	Schwartz	Y		

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

HB10-1402 by Representative(s) Riesberg, McFadyen; also Senator(s) Bacon, Schwartz--Concerning legislative authorization of a privately run fund-raising campaign using cause-related marketing for the essential restoration of the cast iron structure of the Colorado state capitol dome.

The question being "Shall the bill 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	Y
Boyd	Y	Hudak	Y	Newell	N	Steadman	Y
Brophy	N	Johnston	Y	Penry	N	Tapia	Y
Cadman	N	Keller	Y	Renfroe	N	Tochtrop	Y
Carroll M.	N	Kester	Y	Romer	Y	White	Y
Foster	Y	King K.	Y	Sandoval	Y	Whitehead	Y
Gibbs	Y	Kopp	E	Scheffel	Y	Williams	Y
Harvey	N	Lundberg	N	Schultheis	N	President	Y
Heath	Y	Mitchell	N	Schwartz	Y		

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

Co-sponsors added: Boyd, Sandoval and Williams.

SCR10-001 by Senator(s) Heath, Morse; also Representative(s) Ferrandino, Court--Submitting to the registered electors of the state of Colorado an amendment to article XIX of the constitution of the state of Colorado, concerning the creation of the fiscal policy constitutional commission, and, in connection therewith, establishing a commission consisting of nineteen members appointed by various state officials for the purpose of reviewing the fiscal policy set forth in the state constitution and, if appropriate, submitting to the voters in 2012 one or more measures to amend the fiscal policy set forth in the constitution; permitting a measure to include more than one subject; exempting a measure from existing constitutional election requirements; requiring the general assembly to conduct public hearings related to a measure and make a recommendation to voters about the measure; and requiring each measure to be published prior to the election and included in the ballot information booklet.

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

YES	22	NO	12	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	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	E	Scheffel	N	Williams	Y
Harvey	N	Lundberg	N	Schultheis	N	President	Y
Heath	Y	Mitchell	N	Schwartz	Y		

Less than a two-third majority of all members elected to the Senate having voted in the affirmative, the concurrent resolution was lost.

Senate in recess. Senate reconvened.

RECALL OF HB10-1274

Senator Johnston moved for recall of HB10-1274 from the House for purpose of reconsideration. A majority of all members elected to the Senate having voted in the affirmative, the motion was adopted. The bill was ordered recalled.

COMMITTEE OF REFERENCE REPORTS

Appropriations

After consideration on the merits, the Committee recommends that HCR10-1005 be referred to the Committee of the Whole with favorable recommendation.

MESSAGE FROM THE HOUSE

May 11, 2010

The House has passed on Third Reading and returns herewith SB10-144, 064 209, 200, 208, 198, 211, 202, 216 .

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB10-193, amended as printed in House Journal, May 10, pages 1723-1725, and amended on Third Reading, May 11.

SB10-204, amended on Third Reading as printed in House Journal May 11.

SB10-212, amended as printed in House Journal, May 10, page 1730.

SB10-217, amended as printed in House Journal, May 10, page 1730.

SB10-002, amended as printed in House Journal, May 10, page 1731.

SB10-192, amended as printed in House Journal, May 10, page 1730.

SB10-195, amended as printed in House Journal, May 10, pages 1732-1733, and amended on Third Reading May 11.

SB10-161, amended as printed in House Journal, May 10, page 1733.

SB10-167, amended as printed in House Journal, May 10, pages 1733-1734.

SB10-213, amended as printed in House Journal, May 10, page 1734.

SB10-011, amended as printed in House Journal, May 10, pages 1734-1735.

SB10-203, amended as printed in House Journal, May 10, page 1735-1736, and amended on Third Reading, May 11.

The Speaker has appointed Representatives Weissmann, chairman, Primavera, and B. Gardner as House conferees on the First Conference Committee on SB10-114.

The House has voted to concur in the Senate amendments to HB10-1172, 1358, HJR10-1029, HB10-1113, 1131, 1214, 1250, and has repassed the bills as so amended.

The House has voted not to concur in the Senate amendments to HB10-1284 and requests that a conference committee be appointed. The bill is transmitted herewith.

MESSAGE FROM THE REVISOR OF STATUTES

May 11, 2010

We herewith transmit:

Without comment, as amended, SB10-193, 204, 212, 217, 002, 192, 195, 161, 167, 213, 011, and 203.

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Call of the Senate. Call raised.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB10-217 by Senator(s) Boyd; also Representative(s) Riesberg--Concerning a modification to the nursing-sensitive quality measures required to be included in the comprehensive hospital information system.

Senator Boyd moved that the Senate concur in House amendments to **SB10-217**, as printed in House journal, May 10, page 1730. 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	E	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

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

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

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

Co-sponsors added: Tochtrop

SB10-167 by Senator(s) Boyd; also Representative(s) Riesberg--Concerning increased efficiency in the administration of the "Colorado Medical Assistance Act", and, in connection therewith, creating the "Colorado Medicaid False Claims Act", requiring a post-enactment review of the implementation of this act, and making an appropriation.

Senator Boyd moved that the Senate concur in House amendments to **SB10-167**, as printed in House journal, May 10, pages 1733-1734. 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	E	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

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

YES	19	NO	15	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	N	Keller	Y	Renfroe	N	Tochtrop	N
Carroll M.	Y	Kester	N	Romer	Y	White	N
Foster	Y	King K.	N	Sandoval	Y	Whitehead	N
Gibbs	Y	Kopp	E	Scheffel	N	Williams	Y
Harvey	N	Lundberg	N	Schultheis	N	President	Y
Heath	Y	Mitchell	N	Schwartz	Y		

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

SB10-192

by Senator(s) Kopp, Hodge, Harvey, Renfroe, Johnston, Romer, Morse, Scheffel, Spence, Gibbs, Mitchell, Kester, Schultheis, Cadman, Foster, King K., Lundberg, Penry, Tochtrop, White, Whitehead, Williams; also Representative(s) Sonnenberg, Acree, Baumgardner, Bradford, Casso, Curry, Gardner B., Gerou, Kerr A., Kerr J., King S., Lambert, Liston, Looper, Massey, May, Murray, Nikkel, Priola, Summers, Swalm, Tipton, Vaad, Waller-- Concerning the use of revenues derived from limited gaming activity to fund restoration work on the state capitol building, and, in connection therewith, creating the capitol dome restoration fund and redirecting moneys from the portion of limited gaming revenue constitutionally allocated to historic preservation to the capitol dome restoration fund.

Senator Brophy moved that the Senate concur in House amendments to **SB10-192**, as printed in House journal, May 10, page 1730. 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	E	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

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

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

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

SB10-193 by Senator(s) Hudak; also Representative(s) Levy--Concerning the safe treatment of pregnant persons in custody.

Senator Hudak moved that the Senate concur in House amendments to **SB10-193**, as printed in House journal, May 10, pages 1723-1725. 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	E	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

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

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

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

SB10-161 by Senator(s) King K.; also Representative(s) Massey--Concerning authorizing charter schools to enter into contractual agreements, and making an appropriation therefor.

Senator King moved that the Senate concur in House amendments to **SB10-161**, as printed in House journal, May 10, page 1733. 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	E	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

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

YES	33	NO	1	EXCUSED	1	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Spence	Y
Boyd	Y	Hudak	N	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	E	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

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

SB10-002

by Senator(s) Steadman and Keller; also Representative(s) Looper and Primavera, Acree, Todd--Concerning the denial of benefits by health coverage plans, and, in connection therewith, increasing recoveries to the medicaid program, providing additional assistance to families eligible for certain benefits, and making an appropriation in connection therewith.

Senator Steadman moved that the Senate concur in House amendments to **SB10-002**, as printed in House journal, May 10, page 1731. 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	E	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

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

YES	30	NO	4	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.	Y	Sandoval	Y	Whitehead	Y
Gibbs	Y	Kopp	E	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	N	Schultheis	N	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

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

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.

Senator Carroll moved that the Senate concur in House amendments to **SB10-011**, as printed in House journal, May 10, pages 1734-1735. 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	E	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

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

YES	20	NO	13	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	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	E	Scheffel	N	Williams	Y
Harvey	N	Lundberg	N	Schultheis	N	President	Y
Heath	*	Mitchell	N	Schwartz	N		

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

SB10-195 by Senator(s) Newell; also Representative(s) Solano--Concerning creation of the early childhood leadership commission.

Senator Newell moved that the Senate concur in House amendments to **SB10-195**, as printed in House journal, May 10, pages 1732-1733 and May 11. 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	E	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

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

YES	23	NO	11	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	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	E	Scheffel	N	Williams	Y
Harvey	N	Lundberg	N	Schultheis	Y	President	Y
Heath	Y	Mitchell	N	Schwartz	Y		

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

SB10-203 by Senator(s) Carroll M., Morse, Shaffer B.; also Representative(s) Weissmann and Middleton--Concerning independent expenditures in Colorado elections after the United States supreme court case of Citizens United v. Federal Election Comm'n, and making an

appropriation therefor.

Senator Carroll moved that the Senate concur in House amendments to **SB10-203**, as printed in House journal, May 10, pages 1735-1736 and May 11. 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	E	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

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

YES	21	NO	13	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	N	Keller	Y	Renfroe	N	Tochtrop	Y
Carroll M.	Y	Kester	N	Romer	Y	White	N
Foster	Y	King K.	N	Sandoval	Y	Whitehead	Y
Gibbs	Y	Kopp	E	Scheffel	N	Williams	Y
Harvey	N	Lundberg	N	Schultheis	N	President	Y
Heath	Y	Mitchell	N	Schwartz	Y		

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

RECONSIDERATION OF SB10-199

SB10-199 by Senator(s) Carroll M.; also Representative(s) Court--Concerning clarifying revisions to certain provisions of the Colorado probate code.

Having voted on the prevailing side, Senator Morse moved for reconsideration of the last Senate action, Repassage of SB10-199.

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

REPASSAGE OF SB10-199

SB10-199 by Senator(s) Carroll M.; also Representative(s) Court--Concerning clarifying revisions to certain provisions of the Colorado probate code.

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

YES	30	NO	4	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.	Y	Sandoval	Y	Whitehead	Y
Gibbs	Y	Kopp	E	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	N	Schultheis	N	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as

amended, was **passed**.

RECONSIDERATION OF SB10-195

SB10-195 by Senator(s) Newell; also Representative(s) Solano--Concerning creation of the early childhood leadership commission.

Having voted on the prevailing side, Senator Morse moved for reconsideration of the last Senate action, Repassage of SB10-195.

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

REPASSAGE OF SB10-195

SB10-195 by Senator(s) Newell; also Representative(s) Solano--Concerning creation of the early childhood leadership commission.

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

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

MESSAGE FROM THE HOUSE

May 11, 2010

In response to the request of the Senate for the recall of HB10-1274, the bill is transmitted herewith.

Senate in recess. Senate reconvened.

RECONSIDERATION OF HB10-1274

HB10-1274 by Representative(s) Schafer S., Massey, Benefield, Merrifield, Middleton, Miklosi, Murray, Peniston, Priola, Solano, Stephens, Tipton, Todd; also Senator(s) Johnston, Carroll M., Keller, King K., Newell, Penry, Spence, Steadman--Concerning successful transitions back to the public school system for students in out-of-home placement who have demonstrated behavior that is detrimental to the safety or welfare of themselves or others during the previous twelve months.

Having voted on the prevailing side, Senator Johnston moved for reconsideration of the last Senate action, Third Reading of Bills -- Final Passage, on HB10-1274.

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

THIRD READING OF BILLS -- FINAL PASSAGE

HB10-1274 by Representative(s) Schafer S., Massey, Benefield, Merrifield, Middleton, Miklosi, Murray, Peniston, Priola, Solano, Stephens, Tipton, Todd; also Senator(s) Johnston, Carroll M., Keller, King K., Newell, Penry, Spence, Steadman--Concerning successful transitions back to the public school system for students in out-of-home placement who have demonstrated behavior that is detrimental to the safety or welfare of themselves or others during the previous twelve months.

A majority of those elected to the Senate having voted in the affirmative, Senator Johnston was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.017) , by Senator Johnston.

Amend the revised bill, page 4, line 5, strike "C.R.S., PURSUANT TO" and substitute "C.R.S.".

Page 4, line 6, strike "SECTION 22-2-409.".

Page 6, line 16, strike "HOSPITAL;" and substitute "HOSPITAL, LICENSED OR CERTIFIED PURSUANT TO SECTION 25-3-101, C.R.S.;".

Page 6, after line 21 insert:

"(3) THIS SECTION SHALL APPLY ONLY TO A HOSPITAL LICENSED OR CERTIFIED PURSUANT TO SECTION 25-3-301, C.R.S., THAT IS PROVIDING INPATIENT ACUTE CARE OR PSYCHIATRIC SERVICES FOR A STUDENT FOR MORE THAN TEN DAYS AND IF THERE IS ACTUAL KNOWLEDGE THAT THE STUDENT WILL ATTEND AN IDENTIFIED PUBLIC SCHOOL WITHIN SIXTY DAYS AFTER DISCHARGE FROM THE HOSPITAL. FOR PURPOSES OF THIS SUBSECTION (3), INFORMATION SHARED WITH THE DEPARTMENT OF HUMAN SERVICES, COUNTY DEPARTMENT OF SOCIAL SERVICES, OR CHILD EDUCATION WELFARE LIAISON SHALL BE SHARED ONLY FOR A STUDENT WHO HAS BEEN DEEMED TO BE A RISK TO HIMSELF OR HERSELF OR THE COMMUNITY WITHIN THE TWELVE MONTHS PRIOR TO DISCHARGE.".

Renumber succeeding subsections accordingly.

Page 15, strike lines 1 and 2 and substitute "FACILITY SCHOOL, OR HOSPITAL LICENSED OR CERTIFIED PURSUANT TO SECTION 25-3-101, C.R.S.".

The amendment was passed 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	E	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

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

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

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

On motion of Senator Morse, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, HB10-1430, HB10-1391, HB10-1411, HB10-1409, HB10-1357, HB10-1415, HB10-1426, HB10-1281, HB10-1428, HCR10-1005 were made Special Orders at 2:47 p.m.

Committee of the Whole

The hour of 2:47 p.m. having arrived, Senator Carroll moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders -- Second Reading of Bills and Senator Carroll was called to the chair to act as Chairman.

SPECIAL 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:

HB10-1430 by Representative(s) Solano and Scanlan, Benefield, Ferrandino, Fischer, Massey, Merrifield, Middleton, Peniston, Ryden, Schafer S., Todd, Vigil; also Senator(s) Hudak-- Concerning assessments in the elementary and secondary education system, and making an appropriation in connection therewith.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, May 10, pages 1314-1320 and placed in members' bill files.)

Amendment No. 2(L.011), by Senator Hudak.

Amend the Education Committee Report, dated May 10, 2010, page 2, line 16, strike "in between;" and substitute "through the elementary and secondary education system;".

Page 6, line 32, strike "IN BETWEEN" and substitute "WITHIN THE ELEMENTARY AND SECONDARY EDUCATION SYSTEM".

Amendment No. 3(L.013), by Senator Bacon.

Amend the Education Committee Report, dated May 10, 2010, page 2, line 1, strike "arts" and substitute "arts, including writing,".

Page 4, line 19, strike "ARTS" and substitute "ARTS, INCLUDING WRITING,".

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

HB10-1391 by Representative(s) Rice, Court, Levy, McCann, Ryden; also Senator(s) Boyd, Hudak, Newell, Steadman--Concerning the elimination of the repeal of certain provisions requiring that the Colorado bureau of investigation deny the transfer of a firearm to a person if the bureau receives certain information about the person's criminal history in response to a search of a criminal history records database.

Ordered revised and placed on the calendar for third reading and final passage.

HB10-1411 by Representative(s) Waller, Liston, Pace; also Senator(s) Tochtrop--Concerning the process for resolving a denial of a transfer of a firearm when the denial is based on a prospective transferee's criminal record, which criminal record includes a case for which there appears to be no final disposition, and making an appropriation therefor.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, May 11, and placed in members' bill files.)

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

HB10-1409 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Tapia, Keller, White--Concerning the process by which annual salary increases may be awarded to employees in the state personnel system based on performance, job core competencies, and years of service.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, May 10, pages 1340-1341 and placed in members' bill files.)

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

HB10-1357 by Representative(s) McFadyen and Judd, Carroll T.; also Senator(s) Romer and Boyd, Mitchell--Concerning creation of a false claims act, and making an appropriation in connection therewith.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, May 6, pages 1248-1250 and placed in members' bill files.)

Amendment No. 2, Finance Committee Amendment.
(Printed in Senate Journal, May 10, pages 1320-1324 and placed in members' bill files.)

Amendment No. 3, Appropriations Committee Amendment.
(Printed in Senate Journal, May 11, and placed in members' bill files.)

Amendment No. 4(L.014), by Senator Boyd.

Amend reengrossed bill, page 10, line 5, strike "OR POLITICAL".

Page 10, line 6, strike "SUBDIVISION".

Page 10, line 11, strike "STATE OR".

Page 10, line 12, strike "POLITICAL SUBDIVISION".

Page 10, line 15, strike "OR POLITICAL SUBDIVISION".

Page 10, line 17, strike "OR POLITICAL SUBDIVISION".

Page 11, line 2, strike "OR".

Page 11, line 3, strike "POLITICAL SUBDIVISION".

Page 11, line 4, strike "OR".

Page 11, line 5, strike "POLITICAL SUBDIVISION".

Page 11, line 11, strike "OR POLITICAL SUBDIVISION".

Page 13, line 20, strike "OR POLITICAL SUBDIVISION".

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Amendment No. 5(L.013), by Senator Boyd.

Amend reengrossed bill, page 4, line 8, strike "PAYMENT" and substitute "PROPERTY".

Page 17, line 24, strike "RETALIATED AGAINST OR".

Page 19, line 20, strike "INCLUDE, BUT NEED NOT BE LIMITED TO:" and substitute "INCLUDE:".

As amended, **lost** on second reading.

HB10-1415 by Representative(s) Gagliardi; also Senator(s) Morse--Concerning the registration of persons who assist surgeons, and making an appropriation therefor.

Ordered revised and placed on the calendar for third reading and final passage.

HB10-1426 by Representative(s) Riesberg and Todd; also Senator(s) Williams and Spence--Concerning creation of a separate fund for the Trinidad state nursing home, and making an appropriation in connection therewith.

Amendment No. 1, Appropriations Committee Amendment.

(Printed in Senate Journal, May 11, and placed in members' bill files.)

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

HB10-1281 by Representative(s) Casso; also Senator(s) Spence--Concerning the deregulation of telecommunications service in areas where sufficient market competition exists, and making an appropriation therefor.

Amendment No. 1, Appropriations Committee Amendment.

(Printed in Senate Journal, May 11, and placed in members' bill files.)

As amended, **lost** on second reading.

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

HCR10-1005 by Representative(s) Baumgardner; also Senator(s) Kopp--Submitting to the registered electors of the state of Colorado an amendment to section 3 (1) (b) of article X of the constitution of the state of Colorado, concerning an exemption from property taxation for possessory interests in real property with specified actual values.

Amendment No. 1(L.003), by Senator Steadman.

Amend reengrossed concurrent resolution, page 3, after line 22 insert:

"(II) (A) FOR THE PROPERTY TAX YEAR COMMENCING ON JANUARY 1, 2012, A POSSESSORY INTEREST IN REAL PROPERTY SHALL BE EXEMPT FROM THE LEVY AND COLLECTION OF PROPERTY TAX IF THE ACTUAL VALUE OF SUCH POSSESSORY INTEREST IN REAL PROPERTY IS LESS THAN OR EQUAL TO SIX THOUSAND DOLLARS."

Page 3, line 23, strike "(II)" and substitute "(B)".

Page 3, line 24, strike "2012," and substitute "2013,".

Page 3, line 27, strike "THE APPLICABLE AMOUNT SET FORTH IN" and substitute "SIX THOUSAND DOLLARS ADJUSTED BIENNIALY TO ACCOUNT FOR INFLATION AS DEFINED IN SECTION 20 (2) (f) OF ARTICLE X OF THIS CONSTITUTION."

Page 4, strike lines 1 through 19.

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Page 4, line 20, strike "SUBPARAGRAPH (IV)." and strike "2018," and substitute "2012,".

Page 5, strike lines 3 through 7.

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

HB10-1428 by Representative(s) Middleton; also Senator(s) Romer--Concerning student loans.

Amendment No. 1(L.007), by Senator Spence.

Amend reengrossed bill, page 4, strike line 14 and substitute "23-3.1-206.2".

Page 4, line 25, strike "23-3.3-502." and substitute "23-3.1-206.2".

Page 5, line 3, strike "23-3.3-502" and substitute "23-3.1-206.2".

Page 5, line 9, strike "23-3.3-502" and substitute "23-3.1-206.2".

Page 5, line 12, strike "Part 5 of article 3.3" and substitute "Part 2 of article 3.1".

Page 5, line 15, strike "**23-3.3-502.**" and substitute "**23-3.1-206.2.**".

Page 5, line 16, after "THE" insert "AUTHORITY AND THE" and strike "IS" and substitute "ARE".

Page 5, line 20, after "THE" insert "AUTHORITY OR THE".

Page 5, line 23, after "THE" insert "AUTHORITY AND THE".

Page 6, strike lines 5 and 6 and substitute "IN THE FUND SHALL BE CONTINUOUSLY APPROPRIATED TO THE AUTHORITY AND THE DEPARTMENT OF HIGHER EDUCATION FOR THE".

Page 8, strike lines 3 through 15.

Re-number succeeding sections accordingly.

Page 8, line 23, strike "(1) (o) and (1) (w)," and substitute "(1) (o),".

Page 8, line 24, strike "are" and substitute "is".

Page 9, strike lines 7 through 12.

Page 9, strike lines 19 and 20.

Re-number succeeding sections accordingly.

Page 10, strike lines 2 through 27.

Strike pages 11 and 12.

Page 13, strike lines 1 through 4.

Re-number succeeding sections accordingly.

Page 13, line 26, strike "23-3.3-502" and substitute "23-3.1-206.2".

Page 14, line 4, strike "7" and substitute "6".

Page 14, line 5, strike "13" and substitute "10".

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As amended, laid over until later in the day.

Call of the Senate. Call raised.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

HB10-1281 by Representative(s) Casso; also Senator(s) Spence--Concerning the deregulation of telecommunications service in areas where sufficient market competition exists, and making an appropriation therefor.

Senators Spence, Tapia, and Romer moved to amend the Report of the Committee of the Whole to show that HB 10-1281, as amended, did pass.

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

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

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

The Committee of the Whole took the following action:

Passed on second reading: HB10-1430 as amended, HB10-1391, HB10-1411 as amended, HB10-1409 as amended, HB10-1415, HB10-1426 as amended, HB10-1281 as amended HCR10-1005 as amended.

Lost on second reading: HB10-1357 as amended.

Laid over until later in the day: HB10-1428 as amended.

REPORT OF CONFERENCE COMMITTEES

**FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON SB10-114**

 THIS REPORT AMENDS THE
 REREVISED BILL

To the President of the Senate and the
 Speaker of the House of Representatives:

Your first conference committee appointed on SB10-114,
 concerning the "Colorado Taxpayer Transparency Act of 2010", has met
 and reports that it has agreed upon the following:

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

Amend rerevised bill, page 3, line 20, strike "BODY." and substitute
 "BODY PURSUANT TO THE GOVERNMENTAL BODY'S RETENTION
 REQUIREMENTS."

Page 3, line 26, strike "PARAGRAPH (b)" and substitute "SUBSECTION (2)".

Page 4, line 9, strike "REQUEST." and substitute "REQUEST WITHIN THREE
 BUSINESS DAYS AFTER RECEIVING SUCH REQUEST. THE GOVERNMENTAL
 BODY SHALL FURTHER NOTIFY THE PERSON MAKING THE RECORDS
 REQUEST WITHIN THREE BUSINESS DAYS AFTER RECEIVING SUCH REQUEST
 OF THE APPLICABILITY OF AN EXEMPTION AND THE TWENTY-ONE DAY
 RESPONSE PERIOD SPECIFIED IN THIS PARAGRAPH (d) TO THE RECORDS
 BEING REQUESTED."

Page 4, line 10, strike "24-72-204 (3) (b)," and substitute "24-72-203 (3)
 (b),".

Page 4, line 11, after "RECORDS" insert "IN ITS POSSESSION".

Page 4, line 15, after "NOTIFICATION." insert "THE GOVERNMENTAL BODY
 SHALL NOTIFY THE REQUESTOR WITHIN THREE BUSINESS DAYS AFTER
 RECEIVING THE GOVERNMENT CONTRACTOR'S DESIGNATION AND
 ATTESTATION OF THE RECORDS EXEMPT FROM DISCLOSURE."

Respectfully submitted,

Senate Committee:
 (signed)
 Morgan Carroll, Chairman
 Pat Steadman
 Greg Brophy

House Committee:
 (signed)
 Paul Weissmann, Chairman
 Bob Gardner
 Dianne Primavera

MESSAGE FROM THE HOUSE

May 11, 2010

Upon reconsideration, the House has voted to concur in Senate amendments on HB10-
 1284 and has repassed the bill. The House requests return of the bill

The House has voted to concur in the Senate amendments to HB10-1352, 1404,
 1032, 1081, 1238, 1264, 1277, 1394, 1278, 1330, and has repassed the bills as so
 amended.

The House has voted not to concur in the Senate amendments to HB10-1364 and requests
 that a conference committee be appointed. The Speaker has appointed Representatives
 Ryden, chairman, Levy, and Nikkel as House conferees on the First Conference
 Committee on HB10-1364. The bill is transmitted herewith.

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INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

SR10-010 by Senator(s) Morse; --Concerning amendments to the Rules of the Senate regarding appointments to certain legislative committees.

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

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB10-204 by Senator(s) Shaffer B.; also Representative(s) Solano--Concerning the penalty for careless driving resulting in death.

Senator Shaffer moved to reject the house amendments on **SB10-204** and that the Senate adhere to its position. 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	E	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

SB10-213 by Senator(s) Shaffer B., Morse, Penry; also Representative(s) Weissmann, Carroll T., May--Concerning committees created by the Colorado general assembly that operate during the interim.

Senator Shaffer moved to reject the house amendments on **SB10-213** and that the Senate adhere to its position. 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	N	Hudak	N	Newell	N	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	N	Whitehead	Y
Gibbs	Y	Kopp	E	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	N	Schwartz	Y		

SB10-212 by Senator(s) Cadman, Shaffer B., Penry, Tapia, Romer, Boyd; also Representative(s) Weissmann--Concerning the repeal of mechanisms to refund excess state revenues.

Senator Cadman moved that the Senate concur in House amendments to **SB10-212**, as printed in House journal, May 10, page 1730. The motion was **adopted** by 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	E	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

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

YES	31	NO	3	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	N	Whitehead	N
Gibbs	Y	Kopp	E	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	N		

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

APPOINTMENTS TO CONFERENCE COMMITTEE

The President appointed Senators Hudak, Chair, Steadman, and King as Senate conferees on the first conference committee on **HB10-1364**.

THIRD READING OF BILLS -- FINAL PASSAGE -- con't

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

SCR10-003 by Senator(s) Tapia and White, Heath, Penry, Boyd, Hodge, Keller, Kester, Romer, Shaffer B.; also Representative(s) Court--Submitting to the registered electors of the state of Colorado an amendment to section 1 of article V of the constitution of the state of Colorado, concerning initiated constitutional amendments, and, in connection therewith, requiring at least five percent of the minimum total number of signatures for a petition for an initiated constitutional amendment to be gathered from residents of each state congressional district and, with certain specified exceptions, requiring at least sixty percent voter approval for a proposed initiated constitutional amendment to become part of the constitution.

On a substitute motion, Senator Tapia moved that the Senate lay over **SCR10-003** until Thursday, May 13. The motion was **lost** by the following roll call vote:

YES	13	NO	20	EXCUSED	2	ABSENT	0
Bacon	N	Hodge	N	Morse	N	Spence	N
Boyd	N	Hudak	N	Newell	N	Steadman	N
Brophy	Y	Johnston	N	Penry	E	Tapia	Y
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	E	Scheffel	Y	Williams	N
Harvey	Y	Lundberg	Y	Schultheis	Y	President	N
Heath	N	Mitchell	Y	Schwartz	Y		

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

YES	24	NO	9	EXCUSED	2	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Spence	Y
Boyd	Y	Hudak	Y	Newell	Y	Steadman	Y
Brophy	Y	Johnston	Y	Penry	E	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	E	Scheffel	N	Williams	Y
Harvey	N	Lundberg	N	Schultheis	N	President	Y
Heath	Y	Mitchell	N	Schwartz	Y		

More than a two-third majority of all members elected to the Senate having voted in the affirmative, the concurrent resolution was **passed**.

Co-sponsors added: Bacon, Foster, Gibbs, Johnston, Morse, Newell, Sandoval, Schwartz, Steadman, Tochtrop, Whitehead and Williams.

Senator White requested his name be removed as joint prime sponsor on SCR10-003.

HB10-1405 by Representative(s) Vaad and Pommer, Baumgardner, King S., Liston, Looper, May, McKinley, McNulty, Primavera, Swalm; also Senator(s) Spence and Tochtrop--Concerning a study of the options for devolution of state highways that are commuter highways to local governments.

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

YES	20	NO	14	EXCUSED	1	ABSENT	0
Bacon	N	Hodge	Y	Morse	Y	Spence	Y
Boyd	Y	Hudak	N	Newell	N	Steadman	N
Brophy	Y	Johnston	N	Penry	Y	Tapia	N
Cadman	Y	Keller	N	Renfroe	Y	Tochtrop	Y
Carroll M.	Y	Kester	N	Romer	Y	White	Y
Foster	N	King K.	Y	Sandoval	N	Whitehead	N
Gibbs	N	Kopp	E	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	N	Mitchell	Y	Schwartz	N		

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

HB10-1418 by Representative(s) McFadyen and Sonnenberg; also Senator(s) Bacon--Concerning requirements applicable to community-based projects that qualify for special treatment under the renewable energy portfolio standard.

The question being "Shall the bill 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	E	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

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

Co-sponsors added: Brophy, Heath, Schwartz and Whitehead.

HB10-1400 by Representative(s) Apuan, Ferrandino; also Senator(s) Johnston, Steadman--Concerning refund anticipation loan facilitators, and, in connection therewith, requiring refund anticipation loan facilitators to be registered as electronic return originators with the federal internal revenue service and to make certain disclosures when facilitating refund anticipation loans.

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

YES	25	NO	9	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	Y	Romer	Y	White	Y
Foster	Y	King K.	N	Sandoval	Y	Whitehead	Y
Gibbs	Y	Kopp	E	Scheffel	N	Williams	Y
Harvey	Y	Lundberg	N	Schultheis	N	President	Y
Heath	Y	Mitchell	N	Schwartz	Y		

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

HB10-1408 by Representative(s) Weissmann; also Senator(s) Morse--Concerning statutory directions concerning congressional districts.

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

YES	21	NO	13	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	N	Keller	Y	Renfroe	N	Tochtrop	Y
Carroll M.	Y	Kester	N	Romer	Y	White	N
Foster	Y	King K.	N	Sandoval	Y	Whitehead	Y
Gibbs	Y	Kopp	E	Scheffel	N	Williams	Y
Harvey	N	Lundberg	N	Schultheis	N	President	Y
Heath	Y	Mitchell	N	Schwartz	Y		

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

Co-sponsors added: Carroll M. and Steadman.

HB10-1019 by Representative(s) Frangas, Fischer, McFadyen, Merrifield, Primavera, Tyler; also Senator(s) Williams, Gibbs, Romer--Concerning parking privileges for people with disabilities, and making an appropriation therefor.

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

YES	21	NO	13	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	N	Keller	Y	Renfroe	N	Tochtrop	Y
Carroll M.	Y	Kester	N	Romer	Y	White	Y
Foster	N	King K.	N	Sandoval	Y	Whitehead	Y
Gibbs	Y	Kopp	E	Scheffel	N	Williams	Y
Harvey	N	Lundberg	N	Schultheis	N	President	Y
Heath	Y	Mitchell	N	Schwartz	Y		

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

Co-sponsors added: Bacon, Carroll M., Hodge, Newell and Tochtrop.

HB10-1417 by Representative(s) Peniston, Casso, Court, Frangas, Gagliardi, Kefalas, Kerr A., Levy, Merrifield, Middleton, Pace, Primavera, Ryden, Schafer S., Todd; also Senator(s) Williams, Bacon, Boyd, Carroll M., Foster, Heath, Hudak, Keller, Morse, Newell, Romer, Sandoval, Steadman, Tapia, Tochtrop--Concerning the creation of the pay equity commission within the department of labor and employment.

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

YES	21	NO	13	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	N	Keller	Y	Renfroe	N	Tochtrop	Y
Carroll M.	Y	Kester	N	Romer	Y	White	N
Foster	Y	King K.	N	Sandoval	Y	Whitehead	Y
Gibbs	Y	Kopp	E	Scheffel	N	Williams	Y
Harvey	N	Lundberg	N	Schultheis	N	President	Y
Heath	Y	Mitchell	N	Schwartz	Y		

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

HB10-1347 by Representative(s) Levy; also Senator(s) Morse--Concerning misdemeanor penalties for persons who are convicted of multiple traffic offenses involving alcohol or drugs, and making an appropriation therefor.

A majority of those elected to the Senate having voted in the affirmative, Senator Morse was given permission to offer a third reading amendment.

Third Reading Amendment No.1(L.018), by Senator Morse.

Amend revised bill, page 4, line 25, strike "CONSECUTIVE".

Page 5, line 25, strike "CONSECUTIVE".

Page 16, line 12, after "OF" insert "ANY SENTENCE TO".

The amendment was passed 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	E	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

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

YES	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	E	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	N	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

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

Co-sponsors added: Newell

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.

A majority of those elected to the Senate having voted in the affirmative, Senator Romer was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.004), by Senator Romer.

Amend revised bill, page 7, line 5, strike "2010" and substitute "2012".

The amendment was passed on the following roll call vote:

YES	29	NO	5	EXCUSED	1	ABSENT	0
Bacon		N Hodge		N Morse		N Spence	Y
Boyd	Y	Hudak	Y	Newell		Y Steadman	Y
Brophy	N	Johnston	Y	Penry		Y Tapia	Y
Cadman	Y	Keller	Y	Renfroe		Y Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer		Y White	Y
Foster	N	King K.	Y	Sandoval		Y Whitehead	Y
Gibbs	Y	Kopp	E	Scheffel		Y Williams	Y
Harvey	Y	Lundberg	Y	Schultheis		Y President	Y
Heath	Y	Mitchell	Y	Schwartz		Y	

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

YES	25	NO	9	EXCUSED	1	ABSENT	0
Bacon	Y	Hodge	Y	Morse		Y Spence	Y
Boyd	Y	Hudak	N	Newell		Y Steadman	Y
Brophy	Y	Johnston	Y	Penry		Y Tapia	Y
Cadman	N	Keller	Y	Renfroe		Y Tochtrop	Y
Carroll M.	Y	Kester	N	Romer		Y White	Y
Foster	Y	King K.	N	Sandoval		N Whitehead	Y
Gibbs	Y	Kopp	E	Scheffel		N Williams	Y
Harvey	Y	Lundberg	N	Schultheis		N President	Y
Heath	Y	Mitchell	N	Schwartz		Y	

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

HB10-1349 by Representative(s) Fischer and Pace; also Senator(s) Schwartz and Tapia--Concerning the use of renewable energy resources to supply the energy needs of state government, and, in connection therewith, commissioning the creation of a statewide map of available renewable energy generation areas on state lands and establishing the "Re-energize Colorado" program in the division of parks and outdoor recreation in the department of natural resources, and making an appropriation therefor.

The question being "Shall the bill 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	Y
Boyd	Y	Hudak	Y	Newell		Y Steadman	Y
Brophy	N	Johnston	Y	Penry		N Tapia	Y
Cadman	N	Keller	Y	Renfroe		N Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer		Y White	Y
Foster	Y	King K.	N	Sandoval		Y Whitehead	Y
Gibbs	Y	Kopp	E	Scheffel		N Williams	Y
Harvey	N	Lundberg	N	Schultheis		N President	Y
Heath	Y	Mitchell	N	Schwartz		Y	

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

Co-sponsors added: Boyd, Heath, Newell, Shaffer B. and Whitehead.

HB10-1345 by Representative(s) Carroll T.; also Senator(s) Steadman and King K.--Concerning the granting of emergency powers during emergency situations at charter schools.

The question being "Shall the bill 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	E	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

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

HB10-1412 by Representative(s) Carroll T.; also Senator(s) Johnston and Spence--Concerning the creation of the charter school and charter authorizer standards review committee.

The question being "Shall the bill 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	E	Scheffel	N	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

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

Co-sponsors added: Bacon

HB10-1285 by Representative(s) Priola, Casso, Kefalas, Looper, McFadyen, Rice, Acree, Apuan, Bradford, Frangas, Kerr A., Kerr J., Lambert, Liston, Massey, Middleton, Nikkel, Schafer S., Stephens, Summers, Vaad, Waller; also Senator(s) Tapia, Hudak, Hodge--Concerning an increase in fines to fund tax incentives for commercial vehicles, and making an appropriation in connection therewith.

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

YES	22	NO	12	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	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	E	Scheffel	N	Williams	Y
Harvey	N	Lundberg	N	Schultheis	N	President	Y
Heath	Y	Mitchell	N	Schwartz	Y		

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

Co-sponsors added: Gibbs

HB10-1422 by Representative(s) Gardner B., Kagan, Labuda, Levy, Roberts; also Senator(s) Brophy, Carroll M., Mitchell, Morse, Schwartz--Concerning the revision of statutes in the Colorado Revised Statutes, as amended, and, in connection therewith, amending or repealing obsolete, inconsistent, and conflicting provisions of law and clarifying the language to reflect the legislative intent of the laws.

A majority of those elected to the Senate having voted in the affirmative, Senator Shaffer was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.007) , by Senator Shaffer.

Amend revised bill, page 119, after line 18, insert:

"**SECTION 195.** 24-51-216, Colorado Revised Statutes, is amended to read:

24-51-216. Legal adviser. The attorney general shall be the legal adviser to the board AS REQUESTED BY THE BOARD. THE BOARD SHALL HAVE THE AUTHORITY TO SELECT AND RETAIN LEGAL COUNSEL."

Renumber the succeeding section accordingly.

The amendment was passed on the following roll call vote:

YES	21	NO	13	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	N	Keller	Y	Renfroe	N	Tochtrop	Y
Carroll M.	Y	Kester	N	Romer	Y	White	N
Foster	Y	King K.	N	Sandoval	Y	Whitehead	Y
Gibbs	Y	Kopp	E	Scheffel	N	Williams	Y
Harvey	N	Lundberg	N	Schultheis	N	President	Y
Heath	Y	Mitchell	N	Schwartz	Y		

A majority of those elected to the Senate having voted in the affirmative, Senator Brophy was given permission to offer a third reading amendment.

Third Reading Amendment No. 2(L.008) , by Senator Brophy.

Amend revised bill, page 119, before line 19, insert:

"**SECTION 195.** Section 9 (1) (b) (III) of House Bill 10-1081 is amended to read:

SECTION 9. Act subject to petition - effective date - applicability. (1) 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:

(b) This act shall only take effect if:

(III) 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 THIS paragraph (a) of this subsection (1) (b) has been met; and

Renumber the succeeding section accordingly.

The amendment was passed 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	E	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

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

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

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

HB10-1338 by Representative(s) McCann; also Senator(s) Steadman--Concerning the eligibility for probation of a person who has two or more felony convictions, and making appropriations in connection therewith.

Laid over until Wednesday, May 12, retaining its place on the calendar.

HB10-1200 by Representative(s) Hullinghorst; also Senator(s) Heath--Concerning a temporary requirement that a taxpayer defer claiming any amount of an enterprise zone investment income tax credit that exceeds two hundred fifty thousand dollars.

Laid over until Wednesday, May 12, retaining its place on the calendar.

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

HB10-1428 by Representative(s) Middleton; also Senator(s) Romer--Concerning student loans.

Amendment No. 1(L.008), by Senator Romer.

Amend reengrossed bill, page 14, after 1, insert:

"SECTION 11. 23-3.1-205.4 (1) (c) (III), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

23-3.1-205.4. Collegeinvest fund - creation - control - use.

(1) (c) Notwithstanding any provision of paragraph (a) of this subsection (1) to the contrary, if the authority or any other division of the department sells, transfers, or enters into a contract with another entity concerning all or any portion of the authority's or division's interest in any student loans or student obligations, the authority or the division shall deposit the net proceeds of the sale, transfer, or contract as follows:

(III) After the retention of the amounts required in subparagraphs (I) and (II) of this paragraph (c), up to ~~fifteen~~ TEN million dollars of the remaining proceeds shall be transferred to the financial need scholarship fund created in section 23-3.3-502 to increase the availability of financial need scholarships.

(III.3) AFTER THE RETENTION OF THE AMOUNTS REQUIRED IN SUBPARAGRAPHS (I) AND (II) OF THIS PARAGRAPH (c) AND THE TRANSFER REQUIRED BY SUBPARAGRAPH (III) OF THIS PARAGRAPH (c), UP TO FIVE MILLION DOLLARS OF THE REMAINING PROCEEDS SHALL BE TRANSFERRED TO THE TEACHER AND PRINCIPAL PROFESSIONAL DEVELOPMENT AND CAREER LADDER GRANT FUND, CREATED IN SECTION 22-9-105.9.

SECTION 12. Article 9 of title 22, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

22-9-105.9. Teacher and professional development and career ladder grant program - rules - fund. (1) THERE IS HEREBY ESTABLISHED IN THE DEPARTMENT THE TEACHER AND PRINCIPAL PROFESSIONAL DEVELOPMENT AND CAREER LADDER GRANT PROGRAM, REFERRED TO IN THIS SECTION AS THE "PROGRAM", TO PROVIDE GRANTS TO TEACHERS AND PRINCIPALS FOR PROFESSIONAL DEVELOPMENT AND FOR ADVANCING ON THE CAREER LADDER. THE STATE BOARD IS AUTHORIZED TO ADOPT RULES ON THE PROCESS FOR APPLYING FOR GRANTS AND THE CRITERIA TO BE USED BY THE DEPARTMENT IN AWARDING GRANTS TO TEACHERS AND PRINCIPALS.

(2) (a) THERE IS HEREBY CREATED IN THE STATE TREASURY THE TEACHER AND PRINCIPAL PROFESSIONAL DEVELOPMENT AND CAREER LADDER FUND, REFERRED TO IN THIS SECTION AS THE "FUND", THAT SHALL CONSIST OF MONEYS TRANSFERRED TO THE FUND PURSUANT TO SECTION 23-3.1-205.4 (1) (c) (III.3) AND ANY MONEYS THAT MAY BE APPROPRIATED TO THE FUND BY THE GENERAL ASSEMBLY. THE MONEYS IN THE FUND ARE CONTINUOUSLY APPROPRIATED TO THE DEPARTMENT FOR THE DIRECT AND INDIRECT COSTS ASSOCIATED WITH IMPLEMENTING THIS SECTION.

(b) ANY MONEYS IN THE FUND NOT EXPENDED FOR THE PURPOSE OF THIS SECTION MAY BE INVESTED BY THE STATE TREASURER AS PROVIDED BY LAW. ALL INTEREST AND INCOME DERIVED FROM THE INVESTMENT AND DEPOSIT OF MONEYS IN THE FUND SHALL BE CREDITED TO THE FUND. ANY UNEXPENDED AND UNENCUMBERED MONEYS REMAINING IN THE FUND AT THE END OF A FISCAL YEAR SHALL REMAIN IN THE FUND AND SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANOTHER FUND."

Renumber succeeding sections accordingly.

Page 14, after line 6, insert:

"(c) Sections 11 and 12 of this act shall only take effect if Senate Bill10-191 is enacted and becomes law."

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

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

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AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

HB10-1428 by Representative(s) Middleton; also Senator(s) Romer--Concerning student loans.

Senators Bacon, Steadman, and King moved to amend the Report of the Committee of the Whole to show that the following Romer floor amendment, (L.008) to HB 10-1428, did not pass.

Amend reengrossed bill, page 14, after 1, insert:

"SECTION 11. 23-3.1-205.4 (1) (c) (III), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

23-3.1-205.4. Collegeinvest fund - creation - control - use.

(1) (c) Notwithstanding any provision of paragraph (a) of this subsection (1) to the contrary, if the authority or any other division of the department sells, transfers, or enters into a contract with another entity concerning all or any portion of the authority's or division's interest in any student loans or student obligations, the authority or the division shall deposit the net proceeds of the sale, transfer, or contract as follows:

(III) After the retention of the amounts required in subparagraphs (I) and (II) of this paragraph (c), up to ~~fifteen~~ TEN million dollars of the remaining proceeds shall be transferred to the financial need scholarship fund created in section 23-3.3-502 to increase the availability of financial need scholarships.

(III.3) AFTER THE RETENTION OF THE AMOUNTS REQUIRED IN SUBPARAGRAPHS (I) AND (II) OF THIS PARAGRAPH (c) AND THE TRANSFER REQUIRED BY SUBPARAGRAPH (III) OF THIS PARAGRAPH (c), UP TO FIVE MILLION DOLLARS OF THE REMAINING PROCEEDS SHALL BE TRANSFERRED TO THE TEACHER AND PRINCIPAL PROFESSIONAL DEVELOPMENT AND CAREER LADDER GRANT FUND, CREATED IN SECTION 22-9-105.9.

SECTION 12. Article 9 of title 22, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

22-9-105.9. Teacher and professional development and career ladder grant program - rules - fund. (1) THERE IS HEREBY ESTABLISHED IN THE DEPARTMENT THE TEACHER AND PRINCIPAL PROFESSIONAL DEVELOPMENT AND CAREER LADDER GRANT PROGRAM, REFERRED TO IN THIS SECTION AS THE "PROGRAM", TO PROVIDE GRANTS TO TEACHERS AND PRINCIPALS FOR PROFESSIONAL DEVELOPMENT AND FOR ADVANCING ON THE CAREER LADDER. THE STATE BOARD IS AUTHORIZED TO ADOPT RULES ON THE PROCESS FOR APPLYING FOR GRANTS AND THE CRITERIA TO BE USED BY THE DEPARTMENT IN AWARDDING GRANTS TO TEACHERS AND PRINCIPALS.

(2) (a) THERE IS HEREBY CREATED IN THE STATE TREASURY THE TEACHER AND PRINCIPAL PROFESSIONAL DEVELOPMENT AND CAREER LADDER FUND, REFERRED TO IN THIS SECTION AS THE "FUND", THAT SHALL CONSIST OF MONEYS TRANSFERRED TO THE FUND PURSUANT TO SECTION 23-3.1-205.4(1)(c)(III.3) AND ANY MONEYS THAT MAY BE APPROPRIATED TO THE FUND BY THE GENERAL ASSEMBLY. THE MONEYS IN THE FUND ARE CONTINUOUSLY APPROPRIATED TO THE DEPARTMENT FOR THE DIRECT AND INDIRECT COSTS ASSOCIATED WITH IMPLEMENTING THIS SECTION.

(b) ANY MONEYS IN THE FUND NOT EXPENDED FOR THE PURPOSE OF THIS SECTION MAY BE INVESTED BY THE STATE TREASURER AS PROVIDED BY LAW. ALL INTEREST AND INCOME DERIVED FROM THE INVESTMENT AND DEPOSIT OF MONEYS IN THE FUND SHALL BE CREDITED TO THE FUND. ANY UNEXPENDED AND UNENCUMBERED MONEYS REMAINING IN THE FUND AT THE END OF A FISCAL YEAR SHALL REMAIN IN THE FUND AND SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANOTHER FUND."

Renumber succeeding sections accordingly.

Page 14, after line 6, insert:

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"(c) Sections 11 and 12 of this act shall only take effect if Senate Bill10-191 is enacted and becomes law.".

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

YES	31	NO	3	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	Y	Tapia	Y
Cadman	N	Keller	Y	Renfroe	N	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	White	Y
Foster	Y	King K.	Y	Sandoval	Y	Whitehead	Y
Gibbs	Y	Kopp	E	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

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

The Committee of the Whole took the following action:

Passed on second reading: HB10-1428 as amended.

Senate in recess. Senate reconvened.

CONSIDERATION OF RESOLUTIONS

SJR10-047 by Senator(s) Hudak and Shaffer B., Bacon, Foster, Heath, Hodge, Johnston, Newell, Sandoval, Steadman, Tochtrop; also Representative(s) Benefield and Solano--Concerning the importance of maintaining quality services for public school kindergarten students who were enrolled in high-quality preschool programs.

Senator Morse moved that the Senate limit debate on **SJR10-047** pursuant to Senate rules (9)(b). With a majority of all members elected having voted in the affirmative, the motion was adopted on the following roll call vote:

YES	27	NO	6	EXCUSED	2	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Spence	Y
Boyd	Y	Hudak	N	Newell	Y	Steadman	N
Brophy	Y	Johnston	Y	Penry	Y	Tapia	Y
Cadman	Y	Keller	Y	Renfroe	Y	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	White	E
Foster	Y	King K.	Y	Sandoval	Y	Whitehead	N
Gibbs	Y	Kopp	E	Scheffel	N	Williams	Y
Harvey	Y	Lundberg	N	Schultheis	N	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

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

YES	25	NO	9	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	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	E	Scheffel	N	Williams	Y
Harvey	N	Lundberg	N	Schultheis	N	President	Y
Heath	Y	Mitchell	N	Schwartz	Y		

Co-sponsors added: Boyd, Carroll M., Gibbs, Keller, Morse, Romer, Schwartz, Tapia, Whitehead and Williams.

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

Consideration of Resolutions: SJR10-042, HJR10-1028, HJR10-1027, HJR10-1028, HJR10-1027, HJR10-1019, HJR10-1024, HJR10-1025.
 Consideration of Conference Committee Reports: SB10-114.
 Conference Committees to Report: HB10-1188, HB10-1364.

TRIBUTES

Honoring:

- The Northglenn Percussion Theatre - - By Senator Tochtrop.
- Harvey E. Baer - - By Senator Foster.
- Molly Perroni - - By Senator Schultheis.
- Sarah McClernan - - By Senator Schultheis.
- Jennifer Eltringham - - By Senator Schultheis.
- Michelle Shu - - By Senator Shaffer.
- Indian Ridge Elementary School - - By Senator Spence.
- George Bacon - - By Senator Bacon.

On motion of Senator Morse, the Senate adjourned until 10:30 a.m., Wednesday, May 12, 2010.

Approved:

Brandon C. Shaffer
 President of the Senate

Attest:

Karen Goldman
 Secretary of the Senate

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