

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

91st Legislative Day Tuesday, April 13, 2010

Prayer By Senator Tapia. 10
Call to Order By the President at 9:00 a.m. 12
Pledge By Senator Romer. 15
Roll Call Present--33. 17
Absent--1, King. 18
Excused--1, Brophy. 19
Present later--2, Brophy, King. 20
Quorum The President announced a quorum present. 22
Reading of Journal On motion of Senator Lundberg, reading of the Journal of Monday, April 12, 2010, was dispensed with and the Journal was approved as corrected by the Secretary. 24

On motion of Senator Morse, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for consideration of memorials.

CONSIDERATION OF MEMORIALS

SJM10-003 by Senator(s) Kester; also Representative(s) Massey--Memorializing former Senator Harold L. McCormick. 36

On motion of Senator Kester, the memorial was read at length and **adopted** by the following roll call vote: 39

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

Co-sponsors added: Bacon, Boyd, Brophy, Cadman, Carroll M., Foster, Gibbs, Harvey, Heath, Hodge, Hudak, Johnston, Keller, King K., Kopp, Lundberg, Mitchell, Morse, Newell, Penry, Renfroe, Romer, Sandoval, Scheffel, Schultheis, Schwartz, Shaffer B., Spence, Steadman, Tapia, Tochtrop, White, Whitehead and Williams.

**THIRD READING OF BILLS -- FINAL PASSAGE --
CONSENT CALENDAR**

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent: 63

HB10-1220 by Representative(s) Priola, Liston, Rice, Stephens; also Senator(s) Schwartz--Concerning the sunset review of the functions of the division of insurance related to the regulation of 66

specified lines of insurance, and, in connection therewith, continuing the functions of the division related to the regulation of property and casualty, automobile, and other insurers that do not offer health, life, property, casualty, or automobile insurance through July 1, 2017; consolidating the sunset review of all functions of the division of insurance other than those related to the licensing of bail bonding agents; and implementing other recommendations contained in the sunset report.

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

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

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

SB10-181

by Senator(s) Kester; also Representative(s) McKinley--Concerning the authority of a municipality in the state to lease lands owned by the municipality.

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

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

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

Co-sponsors added: Schwartz and Whitehead.

HB10-1205

by Representative(s) Ryden, Todd; also Senator(s) Spence, Williams--Concerning land use planning by local governments to address the impacts of land use development upon military installations in close proximity to such governments.

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

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

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

HB10-1229

by Representative(s) Pace, Riesberg; also Senator(s) Newell--Concerning authentication requirements for verbal orders in a hospital.

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

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

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

THIRD READING OF BILLS -- FINAL PASSAGE

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

HB10-1387 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) White, Keller, Tapia-- Concerning the financing of the division of motor vehicles in the department of revenue, and making appropriations therefor.

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

YES	21	NO	14	EXCUSED	0	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Spence	N
Boyd	Y	Hudak	Y	Newell	Y	Steadman	Y
Brophy	N	Johnston	Y	Penry	N	Tapia	Y
Cadman	N	Keller	Y	Renfroe	N	Tochtrop	N
Carroll M.	Y	Kester	Y	Romer	Y	White	Y
Foster	Y	King K.	N	Sandoval	Y	Whitehead	N
Gibbs	Y	Kopp	N	Scheffel	N	Williams	Y
Harvey	N	Lundberg	N	Schultheis	N	President	Y
Heath	Y	Mitchell	N	Schwartz	Y		

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

SB10-156 by Senator(s) Heath; also Representative(s) Hullinghorst--Concerning increased protections for mobile home owners who lease space in mobile home parks.

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

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

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

Co-sponsors added: Boyd, Carroll M., Steadman and Tochtrop.

HB10-1293 by Representative(s) Massey; also Senator(s) Whitehead--Concerning the creation of a task force to study property tax assessment issues related to the use of land for agricultural purposes.

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

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

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

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

HB10-1138 by Representative(s) Gagliardi, Massey, Apuan, Casso, Ferrandino, Fischer, Frangas, Hullinghorst, Kefalas, Labuda, McFadyen, Middleton, Pace, Rice, Scanlan, Todd, Tyler; also Senator(s) Morse, Newell--Concerning the program to repay educational loans of health care professionals.

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

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

Laid over until Wednesday, April 14, retaining its place on the calendar.

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

Laid over until Wednesday, April 14, retaining its place on the calendar.

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

Laid over until Wednesday, April 14, retaining its place on the calendar.

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

Laid over until Wednesday, April 14, retaining its place on the calendar.

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

Laid over until Wednesday, April 14, retaining its place on the calendar.

SB10-185 by Senator(s) Shaffer B., Bacon, Boyd, Carroll M., Foster, Heath, Hudak, Johnston, Keller, Morse, Sandoval, Schwartz, Steadman, Tapia, Tochtrop, Whitehead, Williams; also Representative(s) Merrifield, Apuan, Benefield, Casso, Ferrandino, Fischer, Gagliardi, Hullinghorst, Kagan, Kefalas, Kerr A., Labuda, Levy, McCann, Miklosi, Pace, Peniston, Pommer, Schafer S., Solano, Soper, Todd, Tyler, Vigil, Weissmann--Concerning modifications to the residential warranty of habitability for the purpose of protecting renters.

Amendment No. 1, Judiciary Committee Amendment.

(Printed in Senate Journal, March 18, page 598 and placed in members' bill files.)

Amendment No. 2(L.007), by Senator Newell.

Amend printed bill, page 3, line 3, strike "(2) (c), and (4),".

Page 3, line 4, strike "are" and substitute "is".

Page 3, strike lines 10 through 18.

Amendment No. 3(L.014), by Senator Shaffer.

Amend printed bill, page 4, line 24, strike "AN AMOUNT NOT".

Page 4, strike lines 25 and 26 and substitute "REASONABLE ATTORNEY".

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

HB10-1208 by Representative(s) Todd and Murray, Massey, Baumgardner, Benefield, Carroll T., Casso, Frangas, Gardner C., Looper, May, McFadyen, McKinley, McNulty, Merrifield, Middleton, Peniston, Priola, Ryden, Scanlan, Schafer S., Solano, Sonnenberg, Summers, Tipton; also Senator(s) Shaffer B. and King K., Cadman, Carroll M., Foster, Hodge, Johnston, Keller, Kester, Kopp, Lundberg, Newell, Penry, Renfroe, Romer, Scheffel, Schultheis, Spence, Steadman, White, Whitehead, Williams--Concerning requiring statewide agreements for the transfer of two-year degrees among all state institutions of higher education in Colorado.

Amendment No. 1, Education Committee Amendment.

(Printed in Senate Journal, March 12, page 521-522 and placed in members' bill files.)

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

HB10-1252 by Representative(s) Primavera, Massey; also Senator(s) Boyd and Schwartz--Concerning health care services for breast cancer screening.

Amendment No. 1(L.004), by Senators Romer and Mitchell.

Amend reengrossed bill, page 2, line 13, strike "RISK." and substitute "RISK OR OVER FORTY YEARS OLD.".

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

HB10-1042 by Representative(s) Peniston; also Senator(s) Hodge--Concerning administration of the stationary sources air quality permitting program.

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

SB10-183 by Senator(s) Morse and Tochtrop, Boyd, Penry, Steadman, Williams; also Representative(s) Gagliardi, Balmer, Kagan, Primavera, Riesberg--Concerning the continuation of a statutory prohibition on balance billing of certain charges for health care services.

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

HB10-1273 by Representative(s) Merrifield, Rice, Ryden, Apuan, Benefield, Carroll T., Casso, Gagliardi, Gerou, Kerr A., May, McKinley, Middleton, Nikkel, Peniston, Primavera, Roberts, Scanlan, Schafer S., Solano, Todd, Tyler; also Senator(s) Spence and Steadman, Newell, Hudak, Bacon, Boyd, Foster, Gibbs, Heath, Johnston, Romer, Tapia, Williams--Concerning improved workforce development through increased participation in arts education in public schools.

Amendment No. 1, Education Committee Amendment.

(Printed in Senate Journal, April 6, pages 783-784 and placed in members' bill files.)

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

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HB10-1147 by Representative(s) Kefalas, Fischer, Gagliardi, Hullinghorst, Kerr A., McFadyen, Merrifield, Primavera, Vigil; also Senator(s) Bacon--Concerning safer use of nonmotorized wheeled transportation by minors, and, in connection therewith, codifying into law the existing bike and pedestrian policy directive of the department of transportation, requiring the department of transportation, in collaboration with the departments of education and public safety and appropriate nonprofit organizations and advocacy groups, to notify schools of the availability of and make available to schools existing educational curriculum for minors regarding the safe use of public streets and premises open to the public, and requiring that a minor wear a protective helmet while using nonmotorized wheeled transportation on such streets and premises.

Laid over until Wednesday, April 14, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

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

The Committee of the Whole took the following action:

Passed on second reading: SB10-185 as amended, SB10-183, HB10-1138, HB10-1208 as amended, HB10-1252 as amended, HB10-1042, HB10-1273 as amended.
Laid over until Wednesday, April 14: HB10-1271, HB10-1038, HB10-1009, SB10-012, SB10-011, HB10-1147.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE RESOLUTIONS

SJR10-010 by Senator(s) White, Keller, Tapia; also Representative(s) Ferrandino, Pommer, Lambert--Concerning the declaration of a state fiscal emergency pursuant to section 21 (7) of article X of the state constitution.

Senator White moved that the Senate concur in House amendments to **SJR10-010**, as printed in House Journal, April 1, page 1064.

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

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

YES	29	NO	6	EXCUSED	0	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Spence	Y
Boyd	Y	Hudak	Y	Newell	Y	Steadman	Y
Brophy	N	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.	N	Sandoval	Y	Whitehead	Y
Gibbs	Y	Kopp	Y	Scheffel	N	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 resolution, as amended, was **repassed**.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS

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

**MEMBERS OF THE
STATE BOARD OF HUMAN SERVICES**

for a term expiring March 1, 2011:

Hon. Samuel Pace of Crestone, Colorado, a county commissioner, to fill the vacancy occasioned by the resignation of Arn M. Menconi of Eagle, Colorado, appointed;

for terms expiring March 1, 2013:

Karen M. Studen of Pueblo, Colorado, a member of the public, appointed;

Bruce B. Bass of Brush, Colorado, a member of the public, reappointed;

Arnulfo T. Zamora of Denver, Colorado, a member of the public, reappointed;

Regina D. Richards of Aurora, Colorado, a member of the public, appointed.

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

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

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

Senator Tapia moved for the adoption of the first report of the first conference committee on **HB10-1099**, as printed in Senate journal, April 1, pages 762-763. The motion was **adopted** by the following roll call vote:

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

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

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

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

CONSIDERATION OF RESOLUTIONS

HJR10-1015 by Representative(s) Roberts, Tipton; also Senator(s) Whitehead--Concerning the removal of FCC broadcasting restrictions to allow access to Denver television stations in southwestern Colorado.

Amendment No. 1,(L.001) , by Senator Whitehead.

Amend engrossed joint resolution, page 3, line 18, strike "and".

Page 3, after line 18 insert:

"(2) That we encourage the Colorado Broadcasters Association to publicly support the passage of H.R. 1860 and S. 771 and to lobby the major broadcast networks to support their passage as well; and".

Page 3, line 19, strike "(2)" and substitute "(3)".

Page 3, line 33, strike "and".

Page 3, line 34, change the period to a semicolon and add "and Marilyn Hogan, President and CEO of the Colorado Broadcasters Association."

The amendment was **passed** on the following roll call vote:

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

On motion of Senator Whitehead, the resolution, as amended, was **adopted** by the following roll call vote:

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

Co-sponsors added: Bacon, Boyd, Brophy, Cadman, Carroll M., Foster, Gibbs, Harvey, Heath, Hodge, Hudak, Johnston, Keller, Kester, King K., Kopp, Lundberg, Mitchell, Morse,

Newell, Penry, Renfroe, Romer, Sandoval, Scheffel, Schultheis, Schwartz, Shaffer B., Spence, Steadman, Tapia, Tochtrop, White and Williams.

SJR10-025 by Senator(s) Kester; also Representative(s) Gardner C.--Concerning the designation of the portion of State Highway 96 located in Crowley County as the "All Veterans Memorial Highway".

On motion of Senator Kester, the resolution was **adopted** by the following roll call vote:

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

Co-sponsors added: Bacon, Boyd, Brophy, Cadman, Carroll M., Foster, Gibbs, Harvey, Heath, Hodge, Hudak, Johnston, Keller, King K., Kopp, Lundberg, Mitchell, Morse, Newell, Penry, Renfroe, Romer, Sandoval, Scheffel, Schultheis, Schwartz, Shaffer B., Spence, Steadman, Tapia, Tochtrop, White, Whitehead and Williams.

SJR10-027 by Senator(s) Bacon; also Representative(s) Primavera--Concerning the role of the Colorado developmental disabilities council in facilitating collaboration among stakeholders in the system for persons with developmental disabilities.

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

HJR10-1016 by Representative(s) Weissmann; also Senator(s) Morse--Concerning the convening date for the 2011 First Regular Session of the Sixty-eighth General Assembly.

On motion of Senator Morse, the resolution was **adopted** by the following roll call vote:

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

Co-sponsors added: Brophy

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

Laid over until Wednesday, April 14, retaining its place on the calendar.

RECALL OF HB10-1096

Senator Morse moved for recall of **HB10-1096** from the House for purpose of reconsideration. A majority of all members elected to the Senate having voted in the affirmative, the motion was declared **adopted**. The bill was ordered recalled.

COMMITTEE OF REFERENCE REPORTS

Business, Labor, & Technology

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

MEMBER OF THE COLORADO LIMITED GAMING CONTROL COMMISSION

for a term expiring July 1, 2013:

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

Judiciary

After consideration on the merits, the Committee recommends that **SB10-084** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

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

"SECTION 1. Article 2.5 of title 16, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PART to read:

PART 3 COLORADO PEACE OFFICERS' BILL OF RIGHTS

16-2.5-301. Legislative declaration. THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT THE RIGHTS AND PROTECTIONS TO PEACE OFFICERS AFFORDED IN THIS PART 3 CONSTITUTE A MATTER OF STATEWIDE CONCERN.

16-2.5-302. Colorado peace officers' bill of rights - minimum rights established. (1) NOTWITHSTANDING ANY PROVISION OF STATE OR LOCAL LAW TO THE CONTRARY, AND NOTWITHSTANDING ANY APPLICABLE CIVIL SERVICE SYSTEM OR COLLECTIVE BARGAINING AGREEMENT ALREADY IN PLACE THROUGH THE APPLICABLE EMPLOYING AGENCY, ALL PEACE OFFICERS SHALL HAVE AS A MINIMUM THE RIGHTS SET FORTH IN THIS PART 3.

(2) THIS PART 3 SHALL NOT DIMINISH OR IMPAIR ANY LEGAL RIGHTS POSSESSED BY INDIVIDUAL PEACE OFFICERS BY LAW OR UNDER AN EXISTING CIVIL SERVICE SYSTEM OF THE PEACE OFFICER'S EMPLOYING AGENCY OR ANY APPLICABLE COLLECTIVE BARGAINING AGREEMENT.

16-2.5-303. Definitions. AS USED IN THIS PART 3, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "DECIDING AUTHORITY" MEANS THE PERSON WHO DECIDES ON DISCIPLINARY ACTION FOR A PEACE OFFICER AND MAY INCLUDE, BUT IS NOT LIMITED TO, THE PEACE OFFICER'S IMMEDIATE SUPERVISOR OR THE CHIEF LAW ENFORCEMENT OFFICER OF THE EMPLOYING AGENCY.

(2) "EMPLOYING AGENCY" MEANS THE STATE OR THE GOVERNING BODY OF ANY STATUTORY OR HOME RULE MUNICIPALITY OR COUNTY EMPLOYING A PEACE OFFICER FOR LAW ENFORCEMENT DUTIES, OR ANY AUTHORIZED REPRESENTATIVE THEREOF.

(3) "MAJOR DISCIPLINARY ACTION" MEANS ANY ACTION BY AN EMPLOYING AGENCY THAT WOULD RESULT IN A SUSPENSION WITHOUT PAY OF MORE THAN FORTY HOURS, A DEMOTION, OR TERMINATION.

(4) "PEACE OFFICER" MEANS ANY PEACE OFFICER AS DESCRIBED IN SECTION 16-2.5-101.

(5) "REPRESENTATIVE" MEANS EITHER AN ATTORNEY LICENSED IN

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THE STATE OR A PERSON WHO ADVISES OR COUNSELS A PEACE OFFICER WHO IS EITHER FROM A POLICE ASSOCIATION, THE FRATERNAL ORDER OF POLICE, OR A LEGAL DEFENSE PLAN OF WHICH THE PEACE OFFICER IS A MEMBER.

16-2.5-304. Entry of adverse comment in personnel records.

NO EMPLOYING AGENCY MAY INSERT INTO A PEACE OFFICER'S PERSONNEL FILE OR ANY FILE USED FOR PERSONNEL PURPOSES BY THE EMPLOYING AGENCY ANY ADVERSE COMMENT OR MATERIAL UNLESS THE PEACE OFFICER HAS AN OPPORTUNITY TO REVIEW THE COMMENT OR MATERIAL, TO RECEIVE A COPY THEREOF, TO RESPOND TO THE COMMENT OR MATERIAL IN WRITING, AND TO HAVE SUCH RESPONSE PLACED IN THE PEACE OFFICER'S PERSONNEL FILE. THE PEACE OFFICER SHALL ACKNOWLEDGE SUCH REVIEW BY SIGNING THE COMMENT OR MATERIAL. THE PEACE OFFICER'S SIGNATURE ONLY INDICATES THAT THE PEACE OFFICER IS AWARE OF SUCH COMMENT. THE INSERTION OF SUCH ADVERSE COMMENT OR MATERIAL INTO THE PEACE OFFICER'S FILE MAY BE MADE IF THE PEACE OFFICER, AFTER REVIEWING THE COMMENT OR MATERIAL, REFUSES TO SIGN THE COMMENT OR MATERIAL. THE REFUSAL SHALL BE NOTED ON THE SUBJECT DOCUMENT AND ACKNOWLEDGED BY THE PEACE OFFICER. A PEACE OFFICER SHALL HAVE THIRTY DAYS AFTER THE DATE OF HIS OR HER SIGNATURE TO FILE A WRITTEN RESPONSE TO ANY ADVERSE COMMENT OR MATERIAL ENTERED INTO HIS OR HER PERSONNEL FILE. SUCH WRITTEN RESPONSE SHALL BE ATTACHED TO AND ACCOMPANY THE ADVERSE COMMENT OR MATERIAL.

16-2.5-305. Right to participate in employee organizations.

A PEACE OFFICER MAY FORM, JOIN, SUPPORT, OR PARTICIPATE IN ANY EMPLOYEE ORGANIZATION OR ITS LAWFUL ACTIVITIES. THE EMPLOYING AGENCY MAY NOT RETALIATE OR DISCRIMINATE IN ANY MANNER AGAINST A PEACE OFFICER WHO JOINS OR ADVOCATES FOR ANY EMPLOYEE ORGANIZATION OR FORMATION THEREOF. THE EMPLOYING AGENCY SHALL HONOR A SIGNED DUES PAYROLL DEDUCTION OF AN INDIVIDUAL PEACE OFFICER FOR PAYMENT OF DUES TO AN EMPLOYEE ORGANIZATION DESIGNATED THEREON.

16-2.5-306. Right to a predisciplinary administrative meeting.

PRIOR TO ARRIVING AT A DECISION TO IMPOSE MAJOR DISCIPLINARY ACTION, THE DECIDING AUTHORITY, OR HIS OR HER DESIGNEE, SHALL PROVIDE THE PEACE OFFICER WITH AN OPPORTUNITY TO BE HEARD BY THE DECIDING AUTHORITY REGARDING THE CONDUCT OR INCIDENT THAT FORMS THE BASIS OF THE CONTEMPLATED DISCIPLINE AND TO OFFER THE PEACE OFFICER'S PERSPECTIVE ON THE APPROPRIATE LEVEL OF DISCIPLINE, IF ANY, TO BE IMPOSED. THE PEACE OFFICER SHALL BE PROVIDED WRITTEN NOTIFICATION OF THE MEETING, WHICH SHALL INCLUDE A SUMMARY DESCRIPTION OF THE ALLEGED CONDUCT THAT FORMS THE BASIS OF THE CONTEMPLATED DISCIPLINE AND THAT IDENTIFIES THE POLICIES OF THE EMPLOYER THAT ARE ALLEGED TO HAVE BEEN VIOLATED. IN THE EVENT THAT RECOMMENDATIONS HAVE BEEN RECEIVED BY THE DECIDING AUTHORITY THAT ADDRESS WHETHER CERTAIN ALLEGED POLICY VIOLATIONS SHOULD BE SUSTAINED OR THAT SUGGEST THE APPROPRIATE DISCIPLINE TO BE IMPOSED FOR SUCH SUSTAINED VIOLATIONS, THE DECIDING AUTHORITY SHALL PROVIDE A COPY OF ALL SUCH RECOMMENDATIONS TO THE PEACE OFFICER. BOTH THE WRITTEN NOTICE AND COPIES OF ANY AND ALL RECOMMENDATIONS MADE IN CONNECTION THEREWITH SHALL BE PROVIDED TO THE PEACE OFFICER NO LESS THAN TWENTY-FOUR HOURS PRIOR TO THE MEETING.

16-2.5-307. Right to appeal major disciplinary action through a due process hearing - minimum standards for due process hearing.

(1) (a) EACH EMPLOYING AGENCY SHALL ESTABLISH A FAIR AND IMPARTIAL SYSTEM THAT PERMITS APPEAL OF MAJOR DISCIPLINARY ACTION THROUGH A HEARING PROCESS THAT, AT A MINIMUM, COMPORTS WITH THE DUE PROCESS PROCEDURES DESCRIBED IN SECTION 24-4-105, C.R.S.

(b) THE DUE PROCESS HEARING SHALL BE CONDUCTED BY A HEARING OFFICIAL. FOR PURPOSES OF THIS SECTION, "HEARING OFFICIAL" MEANS A PERSON OR A GROUP OF PERSONS MUTUALLY AGREED UPON BY

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THE EMPLOYING AGENCY AND PEACE OFFICER. "HEARING OFFICIAL" INCLUDES AN ARBITRATOR, ADMINISTRATIVE LAW JUDGE, OR OTHER INDEPENDENT, UNBIASED, AND IMPARTIAL PERSON OR, WHERE APPLICABLE, THE STATE PERSONNEL BOARD.

(c) THE PEACE OFFICER SHALL HAVE THE RIGHT TO A REPRESENTATIVE DURING THE DUE PROCESS HEARING AND SHALL BE ENTITLED TO ALL DUE PROCESS RIGHTS INHERENT IN A FAIR HEARING.

(d) THE HEARING OFFICIAL MAY SUSTAIN, MODIFY, OR REVERSE THE IMPOSITION OF MAJOR DISCIPLINARY ACTION OR ANY CHARGES AGAINST A PEACE OFFICER. THE HEARING OFFICIAL MAY NOT IMPOSE GREATER MAJOR DISCIPLINARY ACTION AGAINST A PEACE OFFICER THAN THE MAJOR DISCIPLINARY ACTION ORIGINALLY IMPOSED.

(e) (I) ANY DECISION, ORDER, OR ACTION BY THE HEARING OFFICIAL AS RESULT OF THE DUE PROCESS HEARING SHALL BE IN WRITING AND SHALL BE ACCOMPANIED BY FINDINGS OF FACT AND CONCLUSIONS OF LAW. THE FINDINGS OF FACT AND CONCLUSIONS OF LAW SHALL CONSIST OF A CONCISE STATEMENT CONCERNING EACH ISSUE PRESENTED IN THE HEARING.

(II) A DECISION BY THE HEARING OFFICIAL THAT THE MAJOR DISCIPLINARY ACTION IS NOT SUSTAINED SHALL SERVE TO TERMINATE THE DISCIPLINARY PROCEEDING.

(III) IF THE HEARING OFFICIAL DECIDES THAT THE MAJOR DISCIPLINARY ACTION IS SUSTAINED, THE HEARING OFFICIAL SHALL THEN REVIEW THE EVIDENCE RECEIVED CONCERNING THE PEACE OFFICER'S PAST JOB PERFORMANCE AND OTHER RELEVANT INFORMATION, AS DETERMINED BY THE HEARING OFFICIAL, AND CONSIDER THIS INFORMATION IN DETERMINING THE APPROPRIATENESS OF THE DISCIPLINE IMPOSED.

(f) DECISIONS OF THE HEARING OFFICIAL SHALL BE BINDING UPON THE EMPLOYING AGENCY AND THE PEACE OFFICER UNLESS MODIFIED OR REVERSED BY A COURT OF COMPETENT JURISDICTION.

(g) AFTER A DUE PROCESS HEARING, A COPY OF A WRITTEN DECISION, ORDER, OR ACTION AND THE ACCOMPANYING FINDINGS SHALL BE DELIVERED TO THE PEACE OFFICER OR THE PEACE OFFICER'S REPRESENTATIVE.

(h) THE COST OF THE DUE PROCESS HEARING AND ANY FEES OF THE HEARING OFFICIAL SHALL BE BORNE EQUALLY BY THE PEACE OFFICER AND THE EMPLOYING AGENCY.

(2) ANY PEACE OFFICER WHO HAS COMPLETED A REASONABLE INITIAL NEW HIRE PROBATIONARY PERIOD, AS DEFINED BY THE EMPLOYING AGENCY, SHALL HAVE THE RIGHT TO APPEAL ANY DECISION TO IMPOSE MAJOR DISCIPLINARY ACTION AGAINST THE PEACE OFFICER THROUGH A DUE PROCESS HEARING ESTABLISHED PURSUANT TO SUBSECTION (1) OF THIS SECTION.

16-2.5-308. Discipline. NO DISCIPLINARY ACTION SHALL BE TAKEN WITHOUT JUST CAUSE.

SECTION 2. Applicability. This act shall apply to all peace officers employed or hired on or after the effective date of this act.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety."

Judiciary

After consideration on the merits, the Committee recommends that **HB10-1122** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

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	Strike the Senate Health and Human Services Committee report dated March 25, 2010.	1 2 3 4 5
Judiciary	After consideration on the merits, the Committee recommends that SB10-178 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	6 7 8 9
	Amend printed bill, page 2, line 8, strike "(1)".	10
	Page 3, strike lines 3 through 9.	11 12
	Page 3, strike lines 12 through 17.	13 14
	Renumber succeeding subsections accordingly.	15 16
	Page 4, line 5, strike "CHARACTERIZATION, OR REPRESENTATION." and substitute "OR CHARACTERIZATION OR REPRESENTATION THAT IS DISCLOSED TO PATIENTS, OTHER PROVIDERS, EMPLOYERS, OR THE PUBLIC."	17 18 19 20 21 22
	Page 4, line 22, strike "CLAIMANT" and substitute "PATIENT".	23 24
	Page 5, line 14, after "DISCLOSURE" insert "TO PATIENTS, OTHER PROVIDERS, EMPLOYERS, OR THE PUBLIC".	25 26 27
	Page 5, strike lines 23 through 27.	28 29
	Page 6, strike lines 1 through 5.	30 31
	Renumber succeeding C.R.S. sections accordingly.	32 33
	Page 6, line 7, strike everything before "DISCLOSING".	34 35
	Page 6, strike lines 8 and 9 and substitute "INITIATIVE,".	36 37
	Page 6, line 10, after "THE" insert "AVAILABILITY OF THE".	38 39
	Page 6, line 11, strike "RESULT" and substitute "RESULT, SPECIFIC INSTRUCTIONS ON HOW THE PROVIDER CAN ACCESS THE RESULT,".	40 41 42
	Page 6, line 18, strike "SEVEN" and substitute "TEN BUSINESS".	43 44
	Page 6, line 21, strike "RECORDS:" and substitute "RECORDS, THE METHODOLOGY AND ALL DATA UPON WHICH A PROVIDER'S".	45 46 47
	Page 6, strike line 22.	48
	Page 6, line 25, strike "REVIEWED; AND" and substitute "REVIEWED.".	49 50
	Page 6, strike lines 26 and 27.	51 52
	Page 7, strike lines 1 through 6.	53 54
	Page 7, line 11, strike "REVIEW OR".	55 56
	Page 7, strike line 21 and substitute "PART 6;".	57 58
	Page 7, strike line 25 and substitute "REQUESTED, A PROVIDER MAY APPEAR AT A".	59 60 61 62
	Page 8, line 1, after the period add "THE PROVIDER SHALL SUBMIT IN WRITING ANY CORRECTED DATA OR INFORMATION IN ADVANCE OF THE MEETING.".	63 64 65
	Page 8, strike lines 2 through 8.	66 67
	Reletter succeeding paragraphs accordingly.	68 69

Page 8, line 18, before "RESULTS" insert "INDIVIDUAL" and strike "REVIEW OR".

Page 8, line 19, strike "APPEAL, INCLUDING ANY" and substitute "APPEAL AND ANY SUBSEQUENT".

Page 8, line 24, after "ENFORCED" insert "THROUGH A HEARING PURSUANT TO SECTION 8-43-207 OR".

Page 9, after line 1 insert:

"8-43-607. Filing with director. AT LEAST THIRTY DAYS BEFORE IMPLEMENTING ANY NEW OR AMENDED PERFORMANCE INITIATIVE, AN INSURER SHALL FILE A DETAILED DESCRIPTION OF THE PERFORMANCE INITIATIVE WITH THE DIRECTOR.

SECTION 2. 10-3-1104 (1), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

10-3-1104. Unfair methods of competition and unfair or deceptive acts or practices. (1) The following are defined as unfair methods of competition and unfair or deceptive acts or practices in the business of insurance:

(hh) VIOLATION OF PART 6 OF ARTICLE 43 OF TITLE 8, C.R.S."

Renumber succeeding sections accordingly.

Page 9, line 4, strike "and reviews".

Page 1, line 103, strike everything after "REQUIRING".

Page 1, line 104, strike everything before "PERFORMANCE".

MESSAGE FROM THE HOUSE

April 12, 2010

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB10-1392.

The House has passed on Third Reading and returns herewith SB10-175, 172, 174.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB10-094, amended as printed in House Journal, April 9, page 1158.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB10-100, amended as printed in House Journal, April 7, pages 1120-1121, and amended on Third Reading as printed in House Journal, April 12.

The House has adopted and returns herewith SJR10-030 and SJR10-029.

April 13, 2010

The House has adopted and returns herewith SJM10-003.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB10-1051, amended as printed in House Journal, April 12, page 1184. HB10-1358, amended as printed in House Journal, April 12, page 1185.

The House has passed on Third Reading and returns herewith SB10-176.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB10-166, amended as printed in House Journal, April 12, page 1185.

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MESSAGE FROM THE REVISOR OF STATUTES

April 12, 2010

We herewith transmit:

Without comment, HB10-1392.
Without comment, as amended, SB10-094 and 100.

April 13, 2010

We herewith transmit:

Without comment, as amended, HB10-1051 and 1358.
Without comment, as amended, SB10-166.

MESSAGE FROM THE GOVERNOR

March 31, 2010

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint, and submit for your consideration, the following:

**MEMBER OF THE
TRANSPORTATION COMMISSION**

for a term expiring July 1, 2013:

Thomas M. Rogers III of Denver, Colorado, to fill the vacancy occasioned by the resignation of Michael L. Cheroutes Sr. of Denver, Colorado, and to serve as a commissioner from the 1st Transportation District, appointed.

Sincerely,
(signed)
Bill Ritter, Jr.
Governor
Rec'd: 4/1/10
Karen Goldman, Secretary of the Senate

Committee on Transportation

March 26, 2010

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint, and submit to your consideration, the following:

**MEMBER OF THE
HOSPITAL PROVIDER FEE OVERSIGHT AND ADVISORY BOARD**

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for a term expiring May 15, 2012:

Karl B. Gills of Steamboat Springs, Colorado, an employee of a rural hospital in Colorado, to fill the vacancy occasioned by the resignation of Robert W. Omer of Meeker, Colorado, appointed.

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

Committee on Health and Human Services

March 25, 2010

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint, reappoint and submit to your consideration, the following:

MEMBERS OF THE
WORKERS' COMPENSATION COST
CONTAINMENT BOARD

for a term expiring December 13, 2011:

Michael W. Mitchell of Windsor, Colorado, to serve as an executive with good risk management experience in the insurance industry, appointed;

for terms expiring December 13, 2012:

Richard C. Zellen, Jr. of Arvada, Colorado, to serve as an employer with good risk management experience with respect to their workers' compensation insurance, appointed;

Jerry L. Mosley of Golden, Colorado, to serve as an employer with good risk management experience with respect to their workers' compensation insurance, reappointed.

Sincerely,
(signed)
Bill Ritter, Jr.
Governor
Rec'd: 3/30/10
Karen Goldman, Secretary of the Senate

Committee on Business, Labor and Technology

SENATE SERVICES REPORT

Correctly Printed: SB10-191.

Correctly Engrossed: SB10-156 and 181; SJR10-029 and 030; SM10-002.

Correctly Revised: HB10-1205, 1220, 1229, 1293 and 1387.

Correctly Enrolled: SJR10-029 and 030; SM10-002.

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SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB10-066.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Monday, April 12, 2010, at 2:54 p.m.:
SB10-007, 008, 016, 041, 043, 055, 068, 079, 088, 138, 140, 147 and 154.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

SJR10-031 by Senator(s) Newell; also Representative(s) Rice--Concerning recognition of the Freedom Service Dogs program.

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

INTRODUCTION OF BILLS -- FIRST READING

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

- SB10-192** by Senator(s) Kopp, Hodge, Harvey, Renfroe, Johnston, Romer, Carroll M., 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.
Finance
- SB10-193** by Senator(s) Hudak; also Representative(s) Levy--Concerning the safe treatment of pregnant persons in custody.
Judiciary
- HB10-1060** by Representative(s) Kagan; also Senator(s) Steadman--Concerning the creation of a penalty for the failure to comply with severance tax withholding requirements.
Agriculture and Natural Resources
- HB10-1209** by Representative(s) Balmer; also Senator(s) Gibbs--Concerning authorization to place voluntarily an identifier of a branch of the United States armed forces on certain identification documents issued by the department of revenue, and making an appropriation therefor.
Finance
- HB10-1243** by Representative(s) McFadyen, Massey, May, Scanlan; also Senator(s) Gibbs, Tapia, Williams--Concerning the powers of a special district that provides transportation-related services, and, in connection therewith, authorizing a special district that provides such services to levy a voter-approved sales tax and to join a regional transportation authority.
Transportation
- HB10-1278** by Representative(s) Ryden; also Senator(s) Carroll M.--Concerning the creation of an ombudsman for matters arising under the "Colorado Common Interest Ownership Act", and making an appropriation therefor.
State, Veterans & Military Affairs
- HB10-1334** by Representative(s) King S.; also Senator(s) Steadman--Concerning changes to indecency crimes.
Judiciary

- HB10-1348** by Representative(s) McFadyen, Massey; also Senator(s) Kester and Bacon--Concerning increased regulatory authority regarding radioactive materials.
Business, Labor and Technology
- HB10-1354** by Representative(s) Benefield and Looper, Weissmann, Acree, Apuan, Balmer, Casso, Curry, DelGrosso, Ferrandino, Frangas, Gagliardi, Gardner C., Gerou, Hullinghorst, Labuda, McFadyen, Merrifield, Middleton, Miklosi, Murray, Rice, Roberts, Scanlan, Schafer S., Solano, Summers, Swalm, Tipton, Todd, Vaad, Vigil; also Senator(s) Morse, Hodge, Newell, Penry, Spence, Steadman--Concerning policy studies conducted by the general assembly during the legislative interim.
State, Veterans & Military Affairs
- HB10-1359** by Representative(s) McCann; also Senator(s) Steadman--Concerning change of venue in dependency and neglect proceedings, and, in connection therewith, clarifying the role of the county departments of social or human services when jurisdiction over a case is transferred between counties.
Judiciary

**MEMORANDUM
REPORT FROM THE HOUSE AND SENATE
COMMITTEES ON DELAYED BILLS**

Pursuant to Joint Rule 23 (c), the House and Senate Committees on Delayed Bills, acting jointly, extend the following deadline for House Bill 10-1369, Concerning the Financing of Public Schools:

The Friday, March 19 deadline (the 66th legislative day) for final passage, including any conference committee report, for any bill prescribing all or a substantial portion of the total funding for public schools pursuant to the "Public School Finance Act of 1994", article 54 of title 22, Colorado Revised Statutes, as previously extended until Monday, April 5, 2010 (the 83rd legislative day) and subsequently extended until Tuesday, April 13, 2010 (the 91st legislative day), is further extended until Friday, April 23, 2010 (the 101st legislative day).

This memorandum shall be printed in the journal of each house as is required by said Joint Rule 23 (c).

(signed) Representative T. Carroll Speaker of the House of Representatives	(signed) Senator Shaffer President of the Senate
(signed) Representative Weissmann House Majority Leader	(signed) Senator Morse Senate Majority Leader
(signed) Representative May House Minority Leader	(signed) Senator Penry Senate Minority Leader

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, April 13 was laid over until Wednesday, April 14, retaining its place on the calendar.

- Consideration of Memorials: SJM10-002.
- Consideration of House Amendments to Senate Bills: SB10-071, SB10-143.
- Consideration of House Adherence: HB10-1211.
- Consideration of Conference Committee Reports: SB10-109.
- Conference Committees to Report: HB10-1021, HB10-1376, HB10-1171, HB10-1369.
- Requests for Conference Committee: HB10-1098.

On motion of Senator Morse, the Senate adjourned until 9:00 a.m., Wednesday, April 13, 2010.

Approved:

Brandon C. Shaffer
President of the Senate

Attest:

Karen Goldman
Secretary of the Senate

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