

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

---

105th Legislative Day

Tuesday, April 27, 2010

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Prayer By the chaplain, Rabbi Eliot J. Baskin, Jewish Family Service of Colorado, Denver.

Call to Order By the President at 9:00 a.m.

Pledge By Senator Spence.

Roll Call Present-- 32.  
Absent-- 2, Johnston, Romer.  
Excused-- 1, Mitchell.  
Present later-- 3, Johnston, Mitchell, Romer.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Carroll, reading of the Journal of Monday, April 26, 2010, was dispensed with and the Journal was approved as corrected by the Secretary.

**COMMITTEE OF REFERENCE REPORTS**

Appropriations After consideration on the merits, the Committee recommends that **SB10-167** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

**CORRECTED**

Amend the Health and Human Services Committee Report, dated March 4, 2010, page 1, strike line 1, and substitute:

"Amend printed bill, page 3, after line 1, insert:

**"SECTION 1. Legislative declaration.** It is the intent of the general assembly that the implementation of this act shall result in significant reduction in the general fund expenditures for public medical benefits as is shown by the appropriations in the act and in the final general fund fiscal estimate for the act."

Re-number succeeding sections accordingly.

Page 6, line 5, strike "~~inequitable~~," and substitute "inequitable,"."

Page 1 of the Committee Report, strike lines 15 and 16 and substitute:

"Page 12, strike lines 20 through 27.

Strike pages 13 through 17.

Page 18, strike lines 1 through 25.

Page 18, line 26, strike "(a)".

Re-number succeeding subsections accordingly.

Page 19, strike lines 4 through 8.

Page 19, strike lines 9 through 27.

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Strike pages 20 through 23." 1

Page 2 of the Committee Report, strike lines 1 through 16. 2

Page 2 of the Committee Report, after line 17, insert: 3

"Page 24, line 25, strike "OR (2)". 4

Page 25, strike lines 8 through 18. 5

Renumber succeeding subsections accordingly. 6

Page 25, line 20, strike "OR RELATOR". 7

Page 26, line 19, strike "OR MAKING AN". 8

Page 26, line 20, strike "ELECTION UNDER SECTION 25.5-4-306 (2) (d)". 9

Page 3 of the Committee Report, after line 22, insert: 10

"Page 46, before line 25, insert: 11

**SECTION 14. Accountability.** Five years after this act 12

becomes law and in accordance with section 2-2-1201, Colorado Revised 13

Statutes, the legislative service agencies of the Colorado General 14

Assembly shall conduct a post-enactment review of the implementation 15

of this act utilizing the information contained in the legislative 16

declaration set forth in section 1 of this act. 17

**SECTION 15. Appropriation - adjustments to the 2010 long 18**

**bill.** (1) For the implementation of this act, appropriations made in the 19

annual general appropriation act for the fiscal year beginning July 1, 20

2010, to the department of health care policy and financing shall be 21

adjusted as follows: 22

(a) The appropriation to the executive director's office is 23

increased by one million three hundred twenty-eight thousand three 24

hundred sixty-one dollars (\$1,328,361) and 7.0 FTE. Of said sum, five 25

hundred three thousand seven hundred five dollars (\$503,705) shall be 26

from the general fund and eight hundred twenty-four thousand six 27

hundred fifty-six dollars (\$824,656) shall be from federal funds. 28

(b) The appropriation to the medical services premiums division 29

is decreased by two million three hundred ninety thousand five hundred 30

seventy dollars (\$2,390,570). Of said sum, nine hundred eighteen 31

thousand two hundred eighteen dollars (\$918,218) shall be from the 32

general fund and one million four hundred seventy-two thousand three 33

hundred fifty-two dollars (\$1,472,352) shall be from federal funds." 34

Renumber succeeding section accordingly. 35

Page 1, line 104, strike "ACT"." and substitute, "ACT", **REQUIRING A 36**

**POST-ENACTMENT REVIEW OF THE IMPLEMENTATION OF THIS ACT, 37**

**AND MAKING AN APPROPRIATION.**" 38

Appropriations After consideration on the merits, the Committee recommends that **HB10-1336** be referred 39

to the Committee on with favorable recommendation. 40

Appropriations After consideration on the merits, the Committee recommends that **SB10-191** be referred 41

to the Committee of the Whole with favorable recommendation. 42

Judiciary After consideration on the merits, the Committee recommends that **HB10-1277** be referred 43

to the Committee on Finance with favorable recommendation. 44

Judiciary After consideration on the merits, the Committee recommends that **HB10-1081** be 45

amended as follows, and as so amended, be referred to the Committee on Finance with 46

favorable recommendation.

Amend reengrossed bill, page 6, after line 24 insert:

"SECTION 5. 12-52-203 (1), Colorado Revised Statutes, as it will become effective July 1, 2010, is amended to read:

**12-52-203. Notice of laws.** (1) The banking board shall promulgate rules to create a form containing a notice of the contents of ~~section 18-18-408, C.R.S.~~ SECTION 18-5-309, C.R.S., and other state and federal laws concerning money laundering.

**SECTION 6.** 12-52-205 (1) and (2), Colorado Revised Statutes, as they will become effective July 1, 2010, are amended to read:

**12-52-205. Agent requirements.** (1) No money transmitter licensed pursuant to part 1 of this article shall knowingly contract with an agent or owner of an agent holding more than a ten percent interest in the business who has been convicted of or pleaded guilty or nolo contendere to the offenses in article 5 of title 18, C.R.S., or in ~~section 18-18-408, C.R.S.~~ SECTION 18-5-309, C.R.S.; a felony in the selling or issuing of exchange or in money transmission; a felony involving a financial institution; or an equivalent crime outside Colorado.

(2) No agent of a money transmitter licensed pursuant to this article shall knowingly employ a person to perform money transmission services who has been convicted of or pleaded guilty or nolo contendere to the offenses in article 5 of title 18, C.R.S., or in ~~section 18-18-408, C.R.S.~~ SECTION 18-5-309, C.R.S.; a felony in the selling or issuing of exchange or in money transmission; a felony involving a financial institution; or an equivalent crime outside Colorado."

Re-number succeeding sections accordingly.

Page 9, line 23, strike "and".

Page 9, strike lines 25 through 27 and substitute:

"(I) The final fiscal estimate for House Bill 10-1338, as determined from the appropriations enacted in said bill, shows a net reduction in the amount of general fund revenues appropriated for state fiscal year 2010-11, that is equal to or greater than the amount of the general fund transfer made for the implementation of this act for state fiscal year 2010-11, as reflected in section 8 of this act; and".

Page 10, strike line 1.

Page 10, line 6, strike "met." and substitute "met; and

(c) Sections 5 and 6 of this act shall take effect only if House Bill 10-1114 is enacted and becomes law."

Judiciary

After consideration on the merits, the Committee recommends that **HB10-1352** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 8, line 27, after "PERSON" insert "WHO".

Page 9, line 7, after "FOR" insert "A".

Page 9, strike line 10 and substitute "18-1.3-401 (10)".

Judiciary

After consideration on the merits, the Committee recommends that **HB10-1395** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

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Judiciary After consideration on the merits, the Committee recommends that **HB10-1399** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

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

**MEMBERS OF THE  
BOARD OF ASSESSMENT APPEALS**

for terms expiring July 1, 2011:

James R. Meurer of Golden, Colorado, reappointed;

MaryKay Kelley of Silverthorne, Colorado, reappointed;

Diane M. DeVries of Wheat Ridge, Colorado, reappointed;

Lyle D. Hansen of Denver, Colorado, reappointed;

A. Louesa Maricle of Denver, reappointed.

Business, Labor, & Technology After consideration on the merits, the Committee recommends that **HB10-1241** be referred to the Committee on Appropriations with favorable recommendation.

**MESSAGE FROM THE HOUSE**

April 26, 2010

The Speaker has appointed Representatives Curry, chairman, Scanlan, and Sonnenberg as House conferees on the First Conference Committee on HB10-1188.

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 resolutions.

**CONSIDERATION OF RESOLUTIONS**

**SJR10-040** by Senator(s) Scheffel, Gibbs, Kopp; also Representative(s) Scanlan--Concerning the designation of a portion of State Highway 91 as the "Fallen Heroes Highway".

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Spence	Y
Boyd	Y	Hudak	Y	Newell	Y	Steadman	Y
Brophy	Y	Johnston	Y	Penry	Y	Tapia	Y
Cadman	Y	Keller	Y	Renfroe	Y	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	White	Y
Foster	Y	King K.	Y	Sandoval	Y	Whitehead	Y
Gibbs	Y	Kopp	Y	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	E	Schwartz	Y		

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

**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:

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

Laid over until Wednesday, April 28, retaining its place on the calendar.

**SB10-179** by Senator(s) Steadman; also Representative(s) Weissmann and Casso--Concerning the voting rights of persons involved in the criminal justice system.

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

YES	20	NO	15	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	N	Romer	Y	White	N
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.

Co-sponsors added: Hodge and Sandoval.

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

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

YES	22	NO	13	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	Y	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	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: Foster, Shaffer B. and Steadman.

**SB10-161** by Senator(s) King K.; also Representative(s) Massey--Concerning authorizing charter schools to enter into contractual agreements.

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

Third Reading Amendment No. 1,(L.005) , by Senator Hudak.

Amend engrossed bill, page 5, line 12, strike "NEED NOT" and substitute "SHALL".

Page 5, line 13, strike "COLLABORATIVE, EXCEPT AS" and substitute "COLLABORATIVE".

Page 5, strike line 14.

Page 5, line 20, strike "NEED NOT" and substitute "SHALL".

Page 6, line 3, strike "IF THE AUTHORIZER".

Page 6, strike lines 4 through 7.

Page 6, line 8, strike "THIS SUBSECTION (1)".

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

YES	10	NO	25	EXCUSED	0	ABSENT	0
Bacon	N	Hodge	N	Morse	N	Spence	N
Boyd	Y	Hudak	Y	Newell	Y	Steadman	N
Brophy	N	Johnston	N	Penry	N	Tapia	N
Cadman	N	Keller	Y	Renfroe	N	Tochtrop	N
Carroll M.	Y	Kester	N	Romer	N	White	N
Foster	Y	King K.	N	Sandoval	Y	Whitehead	N
Gibbs	N	Kopp	N	Scheffel	N	Williams	Y
Harvey	N	Lundberg	N	Schultheis	N	President	Y
Heath	Y	Mitchell	N	Schwartz	N		

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

YES	30	NO	5	EXCUSED	0	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Spence	Y
Boyd	N	Hudak	N	Newell	Y	Steadman	Y
Brophy	Y	Johnston	Y	Penry	Y	Tapia	Y
Cadman	Y	Keller	Y	Renfroe	Y	Tochtrop	Y
Carroll M.	N	Kester	Y	Romer	Y	White	Y
Foster	Y	King K.	Y	Sandoval	Y	Whitehead	Y
Gibbs	Y	Kopp	Y	Scheffel	Y	Williams	N
Harvey	Y	Lundberg	Y	Schultheis	Y	President	N
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, Cadman, Harvey, Kopp, Lundberg, Mitchell, Penry, Renfroe, Scheffel, Schultheis, Spence and White.

**HB10-1355** by Representative(s) Gagliardi, Merrifield; also Senator(s) Kopp--Concerning the off-label use of a prescription drug for a specific type of cancer for which the drug is recognized for treatment in the reference compendia as identified by the secretary of the United States department of health and human services.

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

YES	32	NO	3	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	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	Y	Scheffel	Y	Williams	Y
Harvey	N	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: Foster, Hodge, Kester and Tochtrop.

**HB10-1221** by Representative(s) Curry; also Senator(s) Schwartz--Concerning the continuation of the licensing of river outfitters by the board of parks and outdoor recreation, and, in connection therewith, implementing the sunset review recommendations of the department of regulatory agencies.

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

YES	34	NO	1	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	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: Gibbs and Williams.

**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, Hunninghorst, 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.

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

YES	25	NO	10	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	N	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	White	Y
Foster	Y	King K.	N	Sandoval	Y	Whitehead	Y
Gibbs	Y	Kopp	N	Scheffel	N	Williams	Y
Harvey	N	Lundberg	N	Schultheis	N	President	Y
Heath	Y	Mitchell	N	Schwartz	Y		

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

**SB10-144** by Senator(s) Scheffel; also Representative(s) Rice--Concerning the registration of equipment mounted on a motor vehicle.

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: Cadman, Gibbs, Harvey, Kester, King K., Kopp, Lundberg, Schultheis, Schwartz, White, Whitehead and Williams.

**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.

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

YES	20	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	Y
Carroll M.	Y	Kester	N	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	*	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 passed.

Co-sponsors added: Boyd and Hudak.

**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 and establishing a long-term care ombudsman office.

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

YES	34	NO	1	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	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: Boyd, Foster, Hodge, Mitchell, Newell, Romer, Tochtrop and Williams.



**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.

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

YES	25	NO	10	EXCUSED	0	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Spence	N
Boyd	Y	Hudak	Y	Newell	Y	Steadman	Y
Brophy	Y	Johnston	Y	Penry	Y	Tapia	Y
Cadman	N	Keller	Y	Renfroe	N	Tochtrop	Y
Carroll M.	Y	Kester	N	Romer	Y	White	Y
Foster	Y	King K.	N	Sandoval	Y	Whitehead	Y
Gibbs	Y	Kopp	N	Scheffel	N	Williams	Y
Harvey	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.

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

**HB10-1362** by Representative(s) Vigil; also Senator(s) Schwartz--Concerning the inactive status of a special district.

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

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

**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.

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

**SB10-194** by Senator(s) Boyd; also Representative(s) Riesberg--Concerning the requirement that entities operating pursuant to certain federal waivers that provide certain services to persons with developmental disabilities obtain licensure as home care agencies.

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

**HB10-1267** by Representative(s) Kerr A., Fischer, Gardner C., Looper, McNulty, Merrifield, Miklosi; also Senator(s) Romer, Penry--Concerning the property tax treatment of an independently owned residential solar electric generation facility.

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

**HB10-1260** by Representative(s) Riesberg and Acree, Gerou, Kefalas, Roberts, Tyler; also Senator(s) Boyd and Newell--Concerning the sunset review of the Colorado state board of medical examiners, and, in connection therewith, continuing the board and the regulation of physicians and physician assistants until July 1, 2019, and implementing the

recommendations contained in the sunset review and report of the board, and making an appropriation therefor.

Amendment No. 1, Health & Human Services Committee Amendment.  
(Printed in Senate Journal, April 4, pages 771-772 and placed in members' bill files.)

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

**HB10-1045** by Representative(s) Miklosi; also Senator(s) Romer--Concerning the address of a person on file with specified state agencies, and making an appropriation therefor.

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

**HB10-1291** by Representative(s) Priola, Acree, Apuan, Balmer, Bradford, Kerr J., King S., Labuda, Levy, Liston, Looper, Massey, McCann, McFadyen, McNulty, Middleton, Murray, Nikkel, Sonnenberg, Stephens, Swalm, Waller; also Senator(s) Newell, Hodge, Mitchell--Concerning the elimination of certain witness fees, and making an appropriation therefor.

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

**SB10-064** by Senator(s) Bacon; --Concerning authorization for an institution of higher education to apply for stipends from the college opportunity fund.

Amendment No. 1, Appropriations Committee Amendment.  
(Printed in Senate Journal, April 23, pages 991-992 and placed in members' bill files.)

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

**HB10-1224** by Representative(s) Gerou and Gagliardi, Primavera, Riesberg, Tyler; also Senator(s) Boyd--Concerning the continuation of the Colorado podiatry board.

Amendment No. 1, Appropriations Committee Amendment.  
(Printed in Senate Journal, April 23, pages 992-993 and placed in members' bill files.)

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

**ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE --  
CONSENT CALENDAR**

On motion of Senator Tochtrop, 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: SB10-194, SB10-064 as amended, HB10-1362 as amended, HB10-1359, HB10-1267, HB10-1260 as amended, HB10-1045, HB10-1291, HB10-1224 as amended.

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

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

Laid over until Friday, April 30, retaining its place on the calendar.

**HB10-1334** by Representative(s) King S.; also Senator(s) Steadman--Concerning changes to indecency crimes.

Laid over until Friday, April 30, retaining its place on the calendar.

**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.

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

**HB10-1348** by Representative(s) McFadyen, Massey; also Senator(s) Kester and Bacon--Concerning increased regulatory authority regarding radioactive materials.

Amendment No. 1, General Orders Amendment.

(Printed in Senate Journal, April 26, page 1020 and placed in members' bill files.)

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

**HB10-1351** by Representative(s) Ferrandino, Apuan, Curry, Gagliardi, Hulinghorst, Kerr A., McCann, Merrifield, Miklosi, Pace, Pommer, Ryden, Scanlan, Solano, Tyler, Vigil; also Senator(s) Romer, Carroll M., Foster, Keller, Morse--Concerning the maximum authorized interest rate for a payday loan.

Laid over until Wednesday, April 28, retaining its place on the calendar.

**SB10-184** by Senator(s) Romer and Gibbs, Penry, Schwartz, Hodge, Kopp, Williams, Bacon, Boyd, Carroll M., Foster, Heath, Hudak, Johnston, Kester, Lundberg, Mitchell, Morse, Newell, Renfro, Scheffel, Schultheis, Shaffer B., Spence, Steadman, Tapia, Tochtrop, Whitehead; also Representative(s) Scanlan and King S., Casso, Court, Curry, Ferrandino, Fischer, Frangas, Kerr A., Kerr J., Levy, Looper, Massey, McCann, McFadyen, Miklosi, Pace, Peniston, Pommer, Primavera, Rice, Schafer S., Soper, Swalm, Todd, Tyler--Concerning transportation demand management solutions for traffic congestion in the interstate 70 mountain corridor, and, in connection therewith, authorizing the high-performance transportation enterprise to contract with the department of transportation to provide and operate reversible highway lanes within a specified portion of the corridor.

Amendment No. 1, Transportation Committee Amendment.

(Printed in Senate Journal, April 23, page 990 and placed in members' bill files.)

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

**HB10-1051** by Representative(s) Pommer; also Senator(s) Whitehead--Concerning additional information regarding covered entities' water efficiency plans.

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

**HB10-1035** by Representative(s) Massey and Solano, Benefield, Peniston; also Senator(s) Steadman, Hodge, Hudak, Williams--Concerning eligibility determinations for the Colorado child care assistance program to promote stability in early childhood care, and making an appropriation therefor.

Amendment No. 1,(L.012), by Senator Steadman.

Amend reengrossed bill, page 6, line 12, strike "SERVICES." and substitute "SERVICES AND THERE IS NO NEED TO PLACE THE FAMILY ON A WAITING LIST."

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

**HB10-1363** by Representative(s) Scanlan, Liston, McFadyen; also Senator(s) White, Boyd, Gibbs, Hodge, Johnston--Concerning incentives for the production of biogenic gas that was created as a result of human intervention.

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

**HB10-1125** by Representative(s) Hullinghorst; also Senator(s) Schwartz--Concerning the authority of the department of public health and environment to regulate certain activities with respect to waste grease derived from food preparation.

Amendment No. 1, Local Government & Energy Committee Amendment.  
(Printed in Senate Journal, March 31, page 733 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.  
(Printed in Senate Journal, April 23, page 990 and placed in members' bill files.)

Amendment No. 3(L.010), by Senators Schwartz and Brophy.

Amend reengrossed bill, page 9, line 2, strike "A" and substitute "(I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH (a), A".

Page 9, after line 3 insert:

"(II) A PERSON COLLECTING, TRANSPORTING, USING, OR STORING GREASE FOR CONVERSION TO, AND USE BY THE PERSON AS, BIOFUEL IS EXEMPT FROM PARAGRAPHS (b) AND (c) OF THIS SUBSECTION (7)."

Page 12, line 7, after "C.R.S.," insert "OR A PERSON STORING GREASE FOR BIOFUEL WHO IS EXEMPT FROM REGISTERING PURSUANT TO SECTION 30-20-123 (7) (a) (II), C.R.S.,"

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

**HB10-1335** by Representative(s) Massey and Scanlan; also Senator(s) Sandoval--Concerning the authorization of boards of cooperative services as school food authorities, and, in connection therewith, creating the BOCES healthy food grant program.

Amendment No. 1, Education Committee Amendment.  
(Printed in Senate Journal, April 1, page 748-749 and placed in members' bill files.)

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

**HB10-1341** by Representative(s) Judd; also Senator(s) Keller--Concerning the transfer of moneys from the motorist insurance identification account in the highway users tax fund to the Colorado state titling and registration account in the highway users tax fund.

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

**HB10-1330** by Representative(s) Kefalas and Kagan, Apuan, Court, Fischer, Gagliardi, Levy, Miklosi, Pace, Primavera, Rice, Riesberg, Solano, Tyler, Vigil; also Senator(s) Morse--Concerning the creation of an advisory committee to make recommendations regarding the creation of a Colorado all-payer health claims database for the purpose of transparent public reporting of health care information.

Amendment No. 1, Health & Human Services Committee Amendment.  
(Printed in Senate Journal, March 26, page 680 and placed in members' bill files.)

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

Amend reengrossed bill, page 5, strike lines 9 and 10 and substitute "HEALTH OUTCOMES, AND COST;"

Page 6, strike line 15 and substitute "ELEMENTS;"

Page 6, line 19, strike "REQUESTS." and substitute "REQUESTS; AND

(m) DISCUSS COMPLIANCE WITH THE "HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996, PUB. L. 104-191, AS AMENDED, AND OTHER PROPRIETARY INFORMATION RELATED TO COLLECTION AND RELEASE OF DATA."

Page 7, line 2, after the period, insert "THE REPORT SHALL INCLUDE THE FINAL DATA ELEMENTS RECOMMENDED BY THE ADVISORY COMMITTEE, THE FINAL PROVISIONS CONTEMPLATED TO COMPLY WITH THE "HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996", PUB.L. 104-191, AS AMENDED, AND ANY OTHER FINAL RECOMMENDATIONS THAT ARE READY AT THE TIME OF THE REPORT."

Amendment No. 3(L.012), by Senator Morse.

Amend reengrossed bill, page 4, line 9, strike "AND".

Page 4, line 12, strike "COLORADANS." and substitute "COLORADANS; AND

(XVIII) A REPRESENTATIVE FROM AN AMBULATORY SURGICAL FACILITY OR AN ASSOCIATION THAT REPRESENTS AMBULATORY SURGERY CENTERS."

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

**HB10-1141** by Representative(s) Carroll T.; also Senator(s) Tochtrop--Concerning a requirement for mortgage companies to be registered by the division of real estate.

Laid over until Wednesday, April 28, retaining its place on the calendar.

**HB10-1210** by Representative(s) Weissmann, Carroll T., May; also Senator(s) Morse, Shaffer B., Penry--Concerning the redistricting process.

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

**HB10-1106** by Representative(s) Casso; also Senator(s) Sandoval--Concerning bringing certain statutory provisions concerning child welfare into compliance with federal law, and making an appropriation therefor.

Amendment No. 1,(L.005), by Senator Sandoval.

Amend reengrossed bill, page 6, strike lines 21 and 22 and substitute "only living parent, the court, after taking into account the racial, cultural, and religious background of the child, shall order guardianship".

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

**HB10-1161** by Representative(s) Nikkel; also Senator(s) Spence--Concerning the creation of a livery license plate for certain motor vehicles used to transport people for hire, and making an appropriation therefor.

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

**HB10-1228** by Representative(s) Benefield, Ferrandino, Primavera; also Senator(s) Hudak, Romer-- Concerning the responsibility of the state personnel director to remove ineligible dependents from group benefit plans, and making an appropriation therefor.

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

**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".

Laid over until Wednesday, April 28, retaining its place on the calendar.

**HB10-1053** by Representative(s) Riesberg, Kefalas; also Senator(s) Boyd--Concerning community long-term care savings, and making an appropriation therefor.

Amendment No. 1, Health & Human Services Committee Amendment.  
(Printed in Senate Journal, April 1, pages 749-751 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.  
(Printed in Senate Journal, April 23, page 994 and placed in members' bill files.)

Amendment No. 3(L.011), by Senator Boyd.

Amend the Appropriations Committee Report, dated April 23, 2010,  
page 1, strike line 7.

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

**HB10-1333** by Representative(s) Vigil, Todd, Apuan, Court, Curry, Ferrandino, Fischer, Frangas, Gagliardi, Hullinghorst, Kagan, Kefalas, Levy, Massey, McFadyen, McKinley, Middleton, Miklosi, Pace, Peniston, Pommer, Riesberg, Ryden, Scanlan, Schafer S., Solano, Soper, Tyler; also Senator(s) Schwartz and Newell--Concerning the creation of the green jobs Colorado training program in the office of the governor, and, in connection therewith, creating the green jobs Colorado advisory council and the green jobs Colorado training fund.

Amendment No. 1, Local Government & Energy Committee Amendment.  
(Printed in Senate Journal, March 25, page 662-663 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.  
(Printed in Senate Journal, April 23, page 994 and placed in members' bill files.)

Amendment No. 3(L.016), by Senator Schwartz.

Amend reengrossed bill, page 4, line 6, strike "FOURTEEN" and substitute "SEVENTEEN".

Page 4, line 10, strike "A WORKFORCE TRAINING ORGANIZATION,".

Page 4, line 12, after "ORGANIZATION," insert "AN INVESTOR-OWNED UTILITY, A RURAL ELECTRIC ASSOCIATION,".

Page 4, line 21, strike "THREE" and substitute "SIX".

Page 4, line 23, after "DEVELOPMENT," insert "THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HUMAN SERVICES, THE EXECUTIVE DIRECTOR OF

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THE DEPARTMENT OF LOCAL AFFAIRS, THE CHAIR OF THE COLORADO WORKFORCE DEVELOPMENT COUNCIL OR ITS SUCCESSOR,".

Page 4, line 24, strike "EMPLOYMENT." and substitute "EMPLOYMENT, OR THEIR RESPECTIVE DESIGNEES.".

Page 4, line 26, after "INITIAL" insert "NONLEGISLATIVE".

Page 5, line 2, before "MEMBERS" insert "NONLEGISLATIVE".

Page 5, strike line 5 and substitute "NONLEGISLATIVE COUNCIL MEMBER'S TERM, THE MEMBER SHALL CONTINUE TO".

Page 5, line 10, strike "TERM." and substitute "TERM OF A NONLEGISLATIVE MEMBER.".

Page 6, after line 11 insert:

"(2) (a) IN ADDITION TO THE POWERS, FUNCTIONS, AND DUTIES SPECIFIED IN SUBSECTION (1) OF THIS SECTION, THE COUNCIL MAY COORDINATE THE ACTIVITIES OF ANY STATE DEPARTMENT, OFFICE, OR AGENCY IN SO FAR AS THOSE ACTIVITIES RELATE TO GREEN JOBS. THE COUNCIL MAY ALSO ACCUMULATE DATA RELATING TO SUCH ACTIVITIES FOR THE PURPOSE OF COORDINATION AND EFFICIENCY.

(b) UPON COMPLETION OF THE PILOT PROGRAM, THE COLORADO WORKFORCE DEVELOPMENT COUNCIL OR ITS SUCCESSOR SHALL CARRY OUT THE COORDINATION POWERS SPECIFIED IN PARAGRAPH (a) OF THIS SUBSECTION (2).".

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

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

On motion of Senator Tochtrop, 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: SB10-184 as amended, HB10-1243, HB10-1348 as amended, HB10-1051, HB10-1035 as amended, HB10-1363, HB10-1125 as amended, HB10-1335 as amended, HB10-1341, HB10-1330 as amended, HB10-1210, HB10-1106 as amended, HB10-1161, HB10-1228, HB10-1053 as amended, HB10-1333 as amended.

Laid over until Wednesday, April 28: HB10-1351, HB10-1141, SB10-167.

Laid over until Friday, April 30: HB10-1009, HB10-1334.

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 House amendments to Senate bills.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB10-110 by Senator(s) Williams; also Representative(s) Ryden, Court, Hullinghorst, Judd, Levy, Middleton, Rice--Concerning the enforcement of offenses involving failure of certain persons to properly restrain a child in a vehicle.

Senator Williams moved that the Senate concur in House amendments to SB10-110, as printed in House journal, April 16, pages 1272-1273.

On a substitute motion, Senator Carroll moved that the Senate adhere on SB10-110. The motion was lost by the following roll call vote:

Table with 8 columns: YES (16), NO (19), EXCUSED (0), ABSENT (0). Rows list names and their corresponding votes (Y/N).

Senator Williams moved that the Senate concur in House amendments to SB10-110, as printed in House journal, April 16, pages 1272-1273. The motion was adopted by the following roll call vote:

Table with 8 columns: YES (20), NO (15), EXCUSED (0), ABSENT (0). Rows list names and their corresponding votes (Y/N).

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

Table with 8 columns: YES (20), NO (15), EXCUSED (0), ABSENT (0). Rows list names and their corresponding votes (Y/N).

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

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 conference committee reports.

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

HB10-1171 by Representative(s) Benefield, Scanlan; also Senator(s) Steadman--Concerning education-related data reporting requirements.



Senator Steadman moved for the adoption of the first report of the first conference committee on **HB10-1171**, as printed in Senate journal, April 19, pages 922-923. The motion was **adopted** by the following roll call vote:

YES	33	NO	2	EXCUSED	0	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	N	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**.

Co-sponsors added: King K., Kopp and Penry.

Senate in recess.                      Senate reconvened.

### COMMITTEE OF REFERENCE REPORTS

State,  
Veterans, &  
Military  
Affairs

After consideration on the merits, the Committee recommends that **SJM10-004** be postponed indefinitely.

State,  
Veterans, &  
Military  
Affairs

After consideration on the merits, the Committee recommends that **HB10-1354** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 4, strike lines 26 and 27 and substitute:

"(5) (a) FOR THE SOLE PURPOSE OF PARTICIPATING IN AN INTERIM STUDY, AN APPOINTING AUTHORITY, AS DESCRIBED IN PARAGRAPH (b) OF THIS SUBSECTION (5), MAY, IF THE APPOINTING AUTHORITY DEEMS IT NECESSARY, APPOINT A SUBSTITUTE FOR A REGULARLY APPOINTED MEMBER OF A JOINT COMMITTEE OF REFERENCE THAT IS AUTHORIZED TO CONDUCT AN INTERIM STUDY PURSUANT TO THIS SECTION. A SUBSTITUTE APPOINTMENT MADE PURSUANT TO THIS SUBSECTION (5) SHALL NOT BE CONSTRUED AS A CHANGE TO THE MEMBERSHIP OF THE COMMITTEE OF REFERENCE AS CONSTITUTED PURSUANT TO LEGISLATIVE RULES AT THE BEGINNING OF THE FIRST REGULAR SESSION OF THE GENERAL ASSEMBLY SITTING AT THE TIME OF THE SUBSTITUTE APPOINTMENT. A

REPRESENTATIVE OR SENATOR APPOINTED AS A SUBSTITUTE PURSUANT TO THIS SUBSECTION (5) SHALL BE CONSIDERED A MEMBER OF THE JOINT COMMITTEE OF REFERENCE AS SAID TERM IS USED IN THIS SECTION.

(b) (I) THE SPEAKER AND THE MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES SHALL BE THE APPOINTING AUTHORITIES FOR REPRESENTATIVES SERVING ON A JOINT COMMITTEE OF REFERENCE AND MAY APPOINT SUBSTITUTES FOR REPRESENTATIVES FROM THE MAJORITY PARTY AND MINORITY PARTY, RESPECTIVELY.

(II) THE MAJORITY LEADER AND THE MINORITY LEADER OF THE SENATE SHALL BE THE APPOINTING AUTHORITIES FOR SENATORS SERVING ON A JOINT COMMITTEE OF REFERENCE AND MAY APPOINT SUBSTITUTES PURSUANT TO THIS SUBSECTION (5) FOR SENATORS FROM THE MAJORITY PARTY AND MINORITY PARTY, RESPECTIVELY."

Page 5, strike lines 1 through 6.

Page 8, line 21, strike "IN-KIND".

Page 8, strike lines 22 through 24 and substitute "DONATIONS."

Page 9, line 15, strike "Part 14 of article 2 of title 2,".

Page 9, after line 18 insert:

**"SECTION 3. Repeal.** Part 14 of article 2 of title 2, Colorado Revised Statutes, as amended by Senate Bill 10-009, is repealed."

Renumber succeeding sections accordingly.

Page 10, line 2, after "THE" insert "SENATE AND".

Page 10, line 3, strike "REPRESENTATIVES AND THE SENATE," and substitute "REPRESENTATIVES,".

Page 13, line 4, strike "thereafter," and substitute "thereafter THROUGH JULY 1, 2009, AND ON OR BEFORE FEBRUARY 1, 2011, AND ON OR BEFORE FEBRUARY 1 EACH YEAR THEREAFTER,".

Page 18, line 15, strike "thereafter," and substitute "thereafter THROUGH OCTOBER 15, 2009, AND ON OR BEFORE FEBRUARY 1, 2011, AND ON OR BEFORE FEBRUARY 1 EACH YEAR THEREAFTER,".

Page 18, strike lines 26 and 27 and substitute:

**"SECTION 20. Repeal.** 42-7-602, Colorado Revised statutes, is repealed as follows:

**42-7-602. Uninsured motorist identification database program - creation.** ~~The general assembly hereby directs the transportation legislation review committee to conduct an examination of the problem of uninsured motorists in this state and to propose legislation which shall alleviate if not eliminate the problem. The general assembly further directs the transportation legislation review committee to examine Colorado's compulsory motor vehicle insurance system. Such examination shall include a review of whether such system should be maintained or repealed and whether there are more effective enforcement mechanisms that might be employed. The committee shall also study the effectiveness of other enforcement mechanisms including, but not limited to, uninsured motorist database programs that have been employed in other compulsory insurance states."~~

Page 19, strike lines 1 through 17.

Page 21, line 26, strike "year," and substitute "year THROUGH OCTOBER 1, 2009, AND ON OR BEFORE FEBRUARY 1, 2011, AND ON OR BEFORE

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FEBRUARY 1 EACH YEAR THEREAFTER,".

Page 22, line 8, strike "as it determines" and substitute "as it determines DURING THE LEGISLATIVE SESSION AS".

Page 25, line 3, strike "annually in the month of August" and substitute "annually THROUGH 2009 in the month of August AND ANNUALLY THEREAFTER, BEGINNING IN 2011, IN THE MONTH OF FEBRUARY".

**MESSAGE FROM THE HOUSE**

April 27, 2010

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB10-1200.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB10-1357, amended as printed in House Journal, April 26, page 1421.

HB10-1285, amended as printed in House Journal, April 26, page 1422.

HB10-1402, amended as printed in House Journal, April 26, pages 1422-1223.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB10-162, amended as printed in House Journal, April 26, pages 1421-1422.

The House has adopted and returns herewith SJR10-040, amended as printed in House Journal, April 27.

The House has adopted and transmits herewith HJR10-1021.

**MESSAGE FROM THE REVISOR OF STATUTES**

April 27, 2010

We herewith transmit:

Without comment, HB10-1200.

Without comment, as amended, HB10-1285, 1357, and 1402.

Without comment, as amended, SB10-162.

**INTRODUCTION OF RESOLUTIONS**

The following resolution was read by title:

**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.

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:

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

**SB10-205** by Senator(s) Bacon, Scheffel; also Representative(s) Scanlan and Murray--Concerning the authority of a school district to submit to the eligible electors of the district the question of contracting a bonded indebtedness for the purpose of paying costs that may be paid from the general fund of the school district.

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Education

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- Education
- 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.  
 Transportation
- HB10-1032** by Representative(s) Frangas, Apuan, Massey; also Senator(s) Boyd, Foster, Schwartz--  
 Concerning behavioral health crisis response services.  
 Health and Human Services
- HB10-1103** by Representative(s) Todd; also Senator(s) Steadman--Concerning the creation of the relief  
 fund for children with a catastrophic medical condition, and making an appropriation  
 therefor.  
 Finance
- 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.  
 State, Veterans & Military Affairs
- HB10-1373** by Representative(s) Carroll T.; also Senator(s) Hudak--Concerning changes to sentencing  
 provisions for escape crimes.  
 Judiciary
- HB10-1393** by Representative(s) Nikkel; also Senator(s) Kopp--Concerning the information included in  
 the web-based system that provides the public access to state financial information.  
 State, Veterans & Military Affairs
- 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.  
 Business, Labor and Technology

APPOINTMENTS TO CONFERENCE COMMITTEE

The President appointed Senators Whitehead, Chair, Steadman, and White as Senate conferees on the first conference committee on **HJR10-1015**.

SENATE SERVICES REPORT

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- Correctly Printed:** SB10-202 and 203; SJR10-046.  
**Correctly Engrossed:** SB10-002, 013, 144, 161, 179 and 180.  
**Correctly Reengrossed:** SB10-011 and 012.  
**Correctly Revised:** HB10-1060, 1221, 1342 and 1355.  
**Correctly Rerevised:** HB10-1038 and 1122.

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 27 was laid over until Wednesday, April 28, retaining its place on the calendar.

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- Consideration of Resolutions: SJR10-033, SJR10-039, SJR10-041, SJR10-042, SJR10-043, SR10-009, SJR10-046.  
 Consideration of House Amendments to Senate Bills: SB10-071, SB10-153, SB10-159.  
 Consideration of Governor's Appointments:  
 Board of Directors of Denver Metropolitan Major League Stadium District  
 Members of the Colorado Channel Authority Board of Directors  
 Consideration of Conference Committee Reports: HB10-1383, HB10-1388, HB10-1098, SB10-109.  
 Conference Committees to Report: HB10-1273, HB10-1252.  
 Requests for Conference Committee: HB10-1188.

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On motion of Senator Morse, the Senate adjourned until 9:00 a.m., Wednesday, April 28, 2010.

Approved:

Brandon C. Shaffer  
President of the Senate

Attest:

Karen Goldman  
Secretary of the Senate

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