

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

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41st Legislative Day Monday, February 22, 2010

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- Prayer 11  
 By the chaplain, Reverend Bill Calhoun, Retired, Montview Blvd. Presbyterian Church, Denver. 12
- Call to Order 14  
 By the President at 10:00 a.m. 15
- Pledge 17  
 By Senator Tapia. 18
- Roll Call 19  
 Present--35. 20
- Quorum 21  
 The President announced a quorum present. 22
- Reading of Journal 23  
 On motion of Senator Carroll, reading of the Journal of Friday, February 19, 2010, was dispensed with and the Journal was approved as corrected by the Secretary. 24

**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:

**SB10-102** by Senator(s) Gibbs; also Representative(s) Fischer--Concerning the certification of users of prescribed fire according to standards established by the Colorado state forest service.

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: Kopp, Schwartz, Whitehead and Williams.

**SB10-123** by Senator(s) Morse, Brophy, Carroll M., Mitchell, Schwartz; also Representative(s) Labuda, Gardner B., Kagan, Levy, Roberts--Concerning on-line publications of the secretary of state published pursuant to the "State Administrative Procedure Act".

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: Williams

**SB10-163** by Senator(s) Tochtrop; also Representative(s) Kerr A.--Concerning workers' compensation procedures.

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: Boyd and Hudak.

**SB10-142** by Senator(s) Foster; also Representative(s) Gerou--Concerning the process of resolving disputes related to sales and use tax paid to a local government.

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: Newell and Williams.

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

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

**SB10-165** by Senator(s) Hodge; also Representative(s) Hullinghorst--Concerning implementation of the incorporation of oil and gas wells into the prior appropriation system.

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: Brophy, Harvey, Johnston, Kester, King K., Penry, Renfroe, Romer, Schultheis, Schwartz, Shaffer B., Tochtrop and Whitehead.

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**

**SJR10-015** by Senator(s) Newell, Carroll M.; also Representative(s) Rice--Concerning the general assembly's support and encouragement for Colorado's businesses to add a Renewable Energy Fund to every 401(k) and other defined contribution plan in the state.

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

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	Y	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	Y	Mitchell	N	Schwartz	Y		

Co-sponsors added: Boyd, Foster, Gibbs, Heath, Hudak, Johnston, Keller, Morse, Romer, Schwartz, Shaffer B., Tochtrop and Williams.

**SENATE SERVICES REPORT**

**Correctly Printed:** SB10-170; SJR10-015.  
**Correctly Engrossed:** SB10-007, 048, 059, 063, 066, 075, 080, 081, 102, 103, 112, 114, 118, 122, 123, 142, 146, 149, 150, 151, 163 and 165; SJR10-013.  
**Correctly Revised:** HB10-1055, 1095 and 1110.

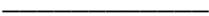
**SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS**

The President has signed: HB10-1192.

On motion of Senator Morse, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Monday, February 22 was laid over until Tuesday, February 23, retaining its place on the calendar.

Third Reading of Bills -- Final Passage: SB10-081, SB10-118, SB10-150, HB10-1110, SB10-149, SB10-151, SB10-146, SB10-103, SB10-075, SB10-066, SB10-063, HB10-1095, SB10-122, SB10-048, SB10-080, HB10-1055, SB10-114, SB10-007, SB10-059,

SB10-112, SB10-060. 1  
 General Orders -- Second Reading of Bills -- Consent Calendar: HB10-1065, SB10-111, 2  
 SB10-088. 3  
 General Orders -- Second Reading of Bills: SB10-076, SB10-093, SB10-129, SB10- 4  
 152, HB10-1063, SB10-140, SB10-147, SB10-101, SB10-094, SB10-116, SB10-158, 5  
 SB10-155. 6  
 Consideration of Resolutions: SJR10-010. 7  
 Consideration of Governor's Appointments: 8  
 Members of the Securities Board 9  
 Executive Director of the Department of Regulatory Agencies 10  
 Member of the Colorado Racing Commission 11



On motion of Senator Morse, the Senate adjourned until 9:00 a.m., Tuesday, February 23, 16  
 2010. 17

Approved: 18  
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Brandon C. Shaffer 20  
 President of the Senate 21  
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Attest: 24  
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Karen Goldman 26  
 Secretary of the Senate 27  
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