

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

28th Legislative Day Tuesday, February 9, 2010

Prayer By Senator Harvey. 10
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Call to Order By the President at 1:00 p.m. 13
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Pledge By Senator Schultheis. 16
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Roll Call Present--30. 18
Excused--5, Bacon, Brophy, Kopp, Penry, Romer. 19
Present later--5, Bacon, Brophy, Kopp, Penry, Romer. 20
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Quorum The President announced a quorum present. 22
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Reading of Journal On motion of Senator Johnston, reading of the Journal of Monday, February 8, 2010, was 24
dispensed with and the Journal was approved as corrected by the Secretary. 25
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CONSIDERATION OF RESOLUTIONS

SJR10-011 by Senator(s) Boyd; also Representative(s) Stephens--Concerning opposition to the 32
recommendations issued by the United States Preventive Services Task Force regarding 33
breast cancer screening. 34
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On motion of Senator Boyd, the resolution was **adopted** by the following roll call vote: 36
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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, Brophy, Cadman, Carroll M., Foster, Gibbs, Harvey, Heath, 50
Hodge, Hudak, Johnston, Keller, Kester, King K., Kopp, Lundberg, Mitchell, Morse, 51
Newell, Penry, Renfroe, Romer, Sandoval, Scheffel, Schultheis, Schwartz, Shaffer B., 52
Spence, Steadman, Tapia, Tochtrop, White, Whitehead and Williams. 53
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MESSAGE FROM THE HOUSE

February 9, 2010 55
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The House has passed on Third Reading and transmitted to the Revisor of Statutes HB10- 60
1203, 1137, 1134. 61
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The House has passed on Third Reading and returns herewith SB10-035. 63
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The House has passed on Third Reading and transmitted to the Revisor of Statutes 65
HB10-1170, amended as printed in House Journal, February 8, page 229. 66
HB10-1076, amended as printed in House Journal, February 8, page 229. 67

HB10-1185, amended as printed in House Journal, February 8, page 230.
 HB10-1047, amended as printed in House Journal, February 8, pages 230-231.
 HB10-1175, amended as printed in House Journal, February 8, pages 231-232.

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MESSAGE FROM THE REVISOR OF STATUTES

February 9, 2010

We herewith transmit:

Without comment, HB10-1203, 1137, and 1134.
 Without comment, as amended, HB10-1170, 1076, 1185, 1047, and 1175.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

HJR10-1010 by Representative(s) Massey and Benefield; also Senator(s) Johnston, Hudak--Concerning civility in the Colorado General Assembly.

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:

SB10-166 by Senator(s) Bacon, Schwartz; also Representative(s) Riesberg and Sonnenberg, McFadyen--Concerning the authority of the executive director of the department of personnel to enter into lease-purchase agreements.
 State, Veterans & Military Affairs

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".
 Health and Human Services

SB10-168 by Senator(s) Penry, Cadman, Brophy, Harvey, Kester, Kopp, Lundberg, Mitchell, Scheffel, Schultheis, Spence; also Representative(s) Lambert, Bradford, DelGrosso, Gardner C., King S., McNulty, Murray, Nikkel, Priola, Sonnenberg, Stephens, Vaad, Waller--Concerning a reduction in state expenditures, and, in connection therewith, enacting the "Taxpayer Protection Act of 2010".
 State, Veterans & Military Affairs

HB10-1003 by Representative(s) McNulty, Kerr J., Miklosi, Primavera; also Senator(s) Tochtrop, Mitchell--Concerning the extension of the deadline for the review of grievance petitions filed with the state personnel board.
 Business, Labor and Technology

HB10-1004 by Representative(s) Massey, Apuan, Frangas, Kerr J.; also Senator(s) Foster, Boyd, Schwartz--Concerning standardization of health insurance information provided to consumers.
 Health and Human Services

HB10-1014 by Representative(s) McFadyen, Baumgardner, Fischer, Frangas, King S., Looper, Primavera, Tyler; also Senator(s) Spence, Gibbs, Romer, Williams--Concerning annual reporting to the general assembly of fatal accidents in state highway work areas.
 Transportation

HB10-1016 by Representative(s) Waller, Benefield, Gardner B., King S., Labuda, Liston, Peniston, Riesberg, Schafer S.; also Senator(s) Tochtrop, Lundberg, Morse, Williams--Concerning the extension of the term of the retired member of the board of directors of the fire and police pension association.
 Business, Labor and Technology

- HB10-1023** by Representative(s) Waller, Gagliardi, Kagan, Kefalas, Summers; also Senator(s) Hudak, Boyd, Sandoval, Scheffel, White--Concerning clarifying civil liability regarding negligent hiring practices for an employer that hires a person with a criminal record.
Judiciary
- HB10-1059** by Representative(s) Gagliardi; also Senator(s) Newell--Concerning allowing a minor who is in the foster care system to register for a driver education course prior to applying for an instruction permit without a signed affidavit of liability.
Transportation
- HB10-1064** by Representative(s) Schafer S., Todd; also Senator(s) Spence, Hodge, King K.--Concerning a requirement that a student complete an appeal process before filing a complaint with a group of neutral arbitrators concerning the student's participation in extracurricular activities.
Education
- HB10-1065** by Representative(s) McCann; also Senator(s) Tochtrop--Concerning a prohibition against counting any time a juvenile spends on escape status toward completion of the juvenile's commitment.
Judiciary
- HB10-1085** by Representative(s) Kerr J.; also Senator(s) Tapia--Concerning land surveying, and, in connection therewith, altering licensure criteria for land surveyor applicants and specifying procedures for issuance of a surveyor's affidavit of correction.
Business, Labor and Technology
- HB10-1090** by Representative(s) Waller; also Senator(s) Morse--Concerning the punishment for a person who is convicted of driving a motor vehicle with knowledge that his or her driver's license is under restraint.
Judiciary
- 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.
Agriculture and Natural Resources
- HB10-1112** by Representative(s) Miklosi; also Senator(s) Newell--Concerning the "Correctional Education Program Act of 1990".
Judiciary
- HB10-1116** by Representative(s) Todd; also Senator(s) Newell--Concerning the revision of certain administrative provisions relating to the conduct of elections, and, in connection therewith, amending or repealing obsolete, inconsistent, and conflicting provisions of law.
State, Veterans & Military Affairs
- HB10-1117** by Representative(s) Benefield, Primavera, Solano; also Senator(s) Johnston, Hudak, Newell, Tochtrop--Concerning certain procedures regarding the levying of taxes by county officers, and, in connection therewith, raising the amount of abatement or refund that may be approved by a board of county commissioners and allowing for the electronic transmission of notices of valuation sent by the county assessor and tax statements sent by the county treasurer.
Local Government and Energy
- 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.
Business, Labor and Technology
- HB10-1202** by Representative(s) Primavera and McNulty, Pace, Gerou, Summers, Benefield, Casso, Court, Ferrandino, Fischer, Frangas, Gagliardi, Hullinghorst, Kagan, Kefalas, Levy, Looper, Merrifield, Miklosi, Peniston, Pommer, Solano, Soper, Todd, Tyler, Vigil, Weissmann; also Senator(s) Tochtrop, Penry, Heath, Hudak, Newell--Concerning health benefit coverage for chemotherapy treatment.
Health and Human Services

SENATE SERVICES REPORT

Correctly Printed: SB10-165; SJR10-011.

Correctly Revised: HB10-1189, 1190, 1191, 1192, 1193, 1194, 1195, 1196 and 1199.

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, February 9 was laid over until Wednesday, February 10 retaining its place on the calendar.

- Third Reading of Bills -- Final Passage: HB10-1189, HB10-1191, HB10-1194, HB10-1196, HB10-1199, HB10-1195, HB10-1192, HB10-1190, HB10-1193, SB10-019.
- General Orders -- Second Reading of Bills -- Consent Calendar: SB10-082.
- General Orders -- Second Reading of Bills: SB10-016, SB10-100, SB10-099, SB10-114, SB10-040, SB10-097, SB10-056, SB10-027, SB10-008, SB10-058.
- Consideration of Governor's Appointments:
- Members of the Board of Governors of the Colorado State University System
- Executive Director of the Colorado commission on Higher Education and the Executive Director of the Department of Higher Education
- Member of the Higher Education Competitive Research Authority Board of Directors
- Members of the Board of Real Estate Appraisers
- Members of the Colorado Lottery Commission
- Members of the Ground Water Commission

On motion of Senator Morse, the Senate adjourned until 9:00 a.m., Wednesday, February 10, 2010.

Approved:

Brandon C. Shaffer
President of the Senate

Attest:

Karen Goldman
Secretary of the Senate

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