

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

50th Legislative Day Wednesday, March 3, 2010

- Prayer 10
 By the chaplain, Reverend Dr. Louise B. Barger, Retired Executive Minister, American Baptist Churches of the Rocky Mountains. 11
- Call to Order 13
 By the President at 9:00 a.m. 14
- Pledge 16
 By Senator Brophy. 17
- Roll Call 18
 Present--32. 19
 Absent--1, Renfroe. 20
 Excused--2, Romer. Scheffel. 21
 Present later--2, Renfroe, Scheffel. 22
- Quorum 23
 The President announced a quorum present. 24
- Reading of Journal 25
 On motion of Senator Foster, reading of the Journal of Tuesday, March 2, 2010, was dispensed with and the Journal was approved as corrected by the Secretary. 26

On motion of Senator Morse, the rules were suspended for Reconsideration of HB10-1321 by the following roll call vote: 30

YES	33	NO	0	EXCUSED	2	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Spence	Y
Boyd	Y	Hudak	Y	Newell	Y	Steadman	Y
Brophy	Y	Johnston	Y	Penry	Y	Tapia	Y
Cadman	Y	Keller	Y	Renfroe	Y	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	E	White	Y
Foster	Y	King K.	Y	Sandoval	Y	Whitehead	Y
Gibbs	Y	Kopp	Y	Scheffel	E	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

RECALL OF HB10-1321

Senator Morse moved for recall of **HB10-1321** from the House for purpose of reconsideration. The motion was **adopted** and the bill was ordered recalled by the following roll call vote: 50

YES	33	NO	0	EXCUSED	2	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Spence	Y
Boyd	Y	Hudak	Y	Newell	Y	Steadman	Y
Brophy	Y	Johnston	Y	Penry	Y	Tapia	Y
Cadman	Y	Keller	Y	Renfroe	Y	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	E	White	Y
Foster	Y	King K.	Y	Sandoval	Y	Whitehead	Y
Gibbs	Y	Kopp	Y	Scheffel	E	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

Committee of the Whole

On motion of Senator Schwartz, the Senate resolved itself into the Committee of the Whole for consideration of Special Orders--Second Reading of Bills and Senator Schwartz was called to the chair to act as Chairman.

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SPECIAL ORDERS -- SECOND READING OF BILLS

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The Committee of the Whole having risen, the Chairman reported that the following bill, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

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SB10-028

by Senator(s) Heath; --Concerning the establishment of the Colorado "Work Share Program" to allow payment of unemployment compensation benefits to eligible employees who have received a reduction in work hours.

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Amendment No. 1, Special Orders Amendment.

(Printed in Senate Journal, March 1, page 387 and placed in members' bill files.)

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

Amend the Business, Labor, and Technology Committee Report, dated February 17, 2010, page 6, line 18, after "article." insert "(1)".

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Page 6, after line 21 insert:

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"(2) IF THE DIRECTOR FINDS THAT THE PROVISIONS OF THIS PART

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2 CAUSE THE INSOLVENCY OF THE UNEMPLOYMENT INSURANCE CASH FUND TO ACCELERATE, THE DIRECTOR SHALL NOTIFY THE REVISOR OF STATUTES IN WRITING AND THIS PART 2 SHALL BE REPEALED."

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Amendment No. 3(L.006), by Senator Heath.

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Amend the Business, Labor and Technology Committee Report, dated February 17, 2010, page 2, strike lines 18 through 20.

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Page 2, line 30, strike "AND".

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Page 2, line 32, strike "UNIT." and substitute "UNIT; AND

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(e) THE PLAN INCLUDES A STRATEGY THAT RESTORES THE TOTAL NUMBER OF WORK HOURS TO EACH PARTICIPATING EMPLOYEE TO THE AMOUNT OF HOURS WORKED PRIOR TO PARTICIPATION IN THE PROGRAM."

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Page 3, strike lines 12 through 15 and substitute:

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"(c) CERTIFIES THAT THE IMPLEMENTATION OF A SHARED WORK PLAN AND THE RESULTING REDUCTION IN WORK HOURS IS IN LIEU OF TEMPORARY LAYOFFS THAT WOULD AFFECT AT LEAST TEN PERCENT OF THE EMPLOYEES IN THE AFFECTED UNIT AND THAT WOULD RESULT IN AN EQUIVALENT REDUCTION IN WORK HOURS;".

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Page 3, line 21, after "BENEFITS;" add "AND".

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Page 3, strike lines 22 through 26.

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Page 3, line 27, strike "(g)" and substitute "(f)".

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

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ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

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YES	33	NO	0	EXCUSED	2	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Spence	Y
Boyd	Y	Hudak	Y	Newell	Y	Steadman	Y
Brophy	Y	Johnston	Y	Penry	Y	Tapia	Y
Cadman	Y	Keller	Y	Renfroe	Y	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	E	White	Y
Foster	Y	King K.	Y	Sandoval	Y	Whitehead	Y
Gibbs	Y	Kopp	Y	Scheffel	E	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: SB10-028, as amended.

MESSAGE FROM THE HOUSE

March 3, 2010

In response to the request of the Senate for the recall of HB10-1321, the bill is transmitted herewith.

RECONSIDERATION OF HB10-1321

HB10-1321 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Tapia, Keller, White-- Concerning moneys appropriated for health clinics.

Having voted on the prevailing side, Senator Morse moved for reconsideration of the last Senate action, Third Reading of Bills Final Passage, on HB10-1321.

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	E	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, reconsideration was granted.

THIRD READING OF BILLS -- FINAL PASSAGE

HB10-1321 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Tapia, Keller, White-- Concerning moneys appropriated for health clinics.

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

Third Reading Amendment No. 1,(L.001) , by Senator Tapia.

Amend rerevised bill, page 5, line 6, strike "10-____," and substitute "10-1321,".

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Spence	Y
Boyd	Y	Hudak	Y	Newell	Y	Steadman	Y
Brophy	Y	Johnston	Y	Penry	Y	Tapia	Y
Cadman	Y	Keller	Y	Renfroe	Y	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	E	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	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	E	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:

SB10-060 by Senator(s) Morse, Carroll M., Mitchell, Schwartz; also Representative(s) Labuda, Gardner B., Kagan, Levy, Roberts--Concerning implementation of recommendations of the committee on legal services in connection with legislative review of rules and regulations of state agencies.

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

YES	23	NO	11	EXCUSED	1	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Spence	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	E	White	N
Foster	Y	King K.	N	Sandoval	Y	Whitehead	Y
Gibbs	Y	Kopp	Y	Scheffel	N	Williams	Y
Harvey	N	Lundberg	N	Schultheis	N	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

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

NOTICE OF INTENT TO RECONSIDER

Senator Kopp gave notice of intent to reconsider SB10-060.

SB10-093 by Senator(s) Lundberg; --Concerning the orderly resolution of claims in foreclosures

involving junior liens.

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

YES	30	NO	4	EXCUSED	1	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Spence	N
Boyd	Y	Hudak	N	Newell	Y	Steadman	N
Brophy	Y	Johnston	Y	Penry	Y	Tapia	Y
Cadman	Y	Keller	Y	Renfroe	Y	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	E	White	Y
Foster	Y	King K.	Y	Sandoval	Y	Whitehead	Y
Gibbs	Y	Kopp	N	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, Johnston and Penry.

SB10-140 by Senator(s) Mitchell, Shaffer B., Carroll M., Spence; --Concerning human trafficking.

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

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

SB10-101 by Senator(s) Gibbs, Schwartz, Romer, Bacon, Cadman, Hudak, Johnston, Kester, Sandoval, Scheffel, Steadman, Tapia, White; also Representative(s) Scanlan and Massey, Balmer, Baumgardner, Curry, Frangas, Liston, Merrifield, Pace--Concerning authorizing Colorado mountain college to offer baccalaureate degrees.

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

YES	33	NO	1	EXCUSED	1	ABSENT	0
Bacon	Y	Hodge	Y	Morse	N	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	E	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, Heath, Hodge, Penry, Spence, Tochtrop, Whitehead and Williams.

SB10-071 by Senator(s) Morse; also Representative(s) Riesberg--Concerning creation of a lifetime pass to state parks and recreation areas that shall be available for purchase by Colorado residents who are of eligible age, and making an appropriation therefor.

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

Third Reading Amendment No. 1,(L.003), by Senator Morse.

Amend engrossed bill, page 3, line 27, strike "OR ASPEN LEAF LIFETIME".

Page 4, line 1, strike "PASS".

Page 4, line 2, after the period add "EACH ASPEN LEAF LIFETIME PASS SHALL BE DISPLAYED BY THE PERSON TO WHOM IT WAS ISSUED, IN THE MANNER PRESCRIBED BY THE BOARD BY RULE, WHEN THE PERSON ENTERS A STATE PARK OR STATE RECREATION AREA.".

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Spence	Y
Boyd	Y	Hudak	Y	Newell	Y	Steadman	Y
Brophy	Y	Johnston	Y	Penry	Y	Tapia	Y
Cadman	Y	Keller	Y	Renfroe	Y	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	E	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	25	NO	9	EXCUSED	1	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Spence	Y
Boyd	Y	Hudak	Y	Newell	Y	Steadman	Y
Brophy	N	Johnston	Y	Penry	Y	Tapia	N
Cadman	N	Keller	N	Renfroe	N	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	E	White	Y
Foster	Y	King K.	Y	Sandoval	Y	Whitehead	Y
Gibbs	Y	Kopp	Y	Scheffel	Y	Williams	Y
Harvey	N	Lundberg	N	Schultheis	N	President	Y
Heath	Y	Mitchell	N	Schwartz	Y		

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

Co-sponsors added: Carroll M., Foster, Johnston, Tochtrop and Williams.

HB10-1041 by Representative(s) Acree, Looper, Primavera, Todd; also Senator(s) Mitchell, Keller-- Concerning applications for home- and community-based services waivers for children as part of the medicaid eligibility modernization.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Spence	Y
Boyd	Y	Hudak	Y	Newell	Y	Steadman	Y
Brophy	Y	Johnston	Y	Penry	Y	Tapia	Y
Cadman	Y	Keller	Y	Renfroe	Y	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	E	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, Gibbs, Heath, Hodge, Hudak, Kester, Morse, Newell, Shaffer B., Spence, Steadman, Tapia and Tochtrop.

SB10-154 by Senator(s) Sandoval; also Representative(s) Middleton--Concerning adding categories to the definition of a "high-risk student" for purposes of determining whether a public school qualifies for designation as an alternative education campus.

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

YES	33	NO	1	EXCUSED	1	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Spence	Y
Boyd	Y	Hudak	Y	Newell	Y	Steadman	Y
Brophy	Y	Johnston	Y	Penry	Y	Tapia	Y
Cadman	Y	Keller	Y	Renfroe	Y	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	E	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: Bacon, Boyd, Gibbs, Hodge, Hudak, Johnston, Morse, Newell, Schwartz, Shaffer B., Spence, Steadman, Tapia, Tochtrop and Williams.

SB10-079 by Senator(s) Penry; also Representative(s) Bradford and King S.--Concerning authority to offer additional programs at Mesa state college.

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

YES	33	NO	1	EXCUSED	1	ABSENT	0
Bacon	Y	Hodge	Y	Morse	N	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	E	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, Foster, Gibbs, Heath, Hodge, Johnston, Kester, Kopp, Scheffel, Schwartz, Spence, Tochtrop, White, Whitehead and Williams.

SB10-152 by Senator(s) Newell, Bacon, Boyd, Foster, Hodge, Keller, Sandoval, Schwartz, Steadman, Tochtrop; also Representative(s) Gagliardi, Apuan, May, Merrifield, Peniston, Primavera, Todd--Concerning information relating to a referral of suspected child abuse by certain mandatory reporters.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Spence	Y
Boyd	Y	Hudak	Y	Newell	Y	Steadman	Y
Brophy	Y	Johnston	Y	Penry	Y	Tapia	Y
Cadman	Y	Keller	Y	Renfroe	Y	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	E	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, Hudak, Johnston, Morse, Tapia and Williams.

SB10-119 by Senator(s) Shaffer B.; also Representative(s) May--Concerning payments made to members of the general assembly in connection with the performance of their legislative duties.

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

YES	33	NO	1	EXCUSED	1	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Spence	Y
Boyd	Y	Hudak	Y	Newell	Y	Steadman	Y
Brophy	Y	Johnston	Y	Penry	Y	Tapia	Y
Cadman	Y	Keller	Y	Renfroe	Y	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	E	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: Johnston, Kester, Kopp, Lundberg, Penry and Whitehead.

SB10-026 by Senator(s) Romer; --Concerning providing to the public information to facilitate successful participation in postsecondary education, and, in connection therewith, transferring the college in Colorado division to the department of education.

Laid over until Friday, March 5, retaining its place on the calendar.

COMMITTEE OF REFERENCE REPORTS

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

**MEMBER OF THE
PUBLIC EMPLOYEES' RETIREMENT BENEFIT PLANS**

for a term expiring July 10, 2013:

Susan G. Murphy of Denver, Colorado, to serve as a representative with experience and competence in investment, management, finance, banking, economics, accounting, pension administration, or actuarial analysis, and as a Democrat, reappointed.

Finance The Committee on Finance has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

**MEMBER OF THE
COLORADO BANKING BOARD**

for terms expiring July 1, 2013:

Mary S. Reisher of Cherry Hills Village, Colorado, an executive officer of a state bank, with not less than five years' practical experience as an active executive officer of a bank, reappointed;

Joseph Cachey III of Denver, Colorado, a representative of a money transmitter organization licensed pursuant to Article 52 of Title 12, appointed;

Thomas L. Goding of Fort Collins, Colorado, to fill the vacancy occasioned by the resignation of William A. Mitchell of Superior, Colorado, and to serve as an executive officer of a state bank, with not less than five years' practical experience as an active executive officer of a bank, appointed.

Finance After consideration on the merits, the Committee recommends that **HB10-1002** be referred to the Committee of the Whole with favorable recommendation.

State,
Veterans, &
Military
Affairs

After consideration on the merits, the Committee recommends that **HB10-1010** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 6, line 7, strike "PROPOSALS, PURSUANT TO RULES."

Page 6, strike lines 8 through 10 and substitute "PROPOSALS THROUGH ANY REASONABLE METHOD, WHICH MAY INCLUDE PUBLICATION ON THE AGENCY'S INTERNET WEB SITE, POSTING ON THE STATE'S BID INFORMATION AND DISTRIBUTION SYSTEM, OR PUBLICATION IN A NEWSPAPER OF GENERAL CIRCULATION."

Page 6, line 11, strike "PERSON OR" and substitute "NONPROFIT".

Page 6, line 14, after "OUTLINE" insert "IN SUMMARY FORM".

Page 7, line 13, after "PROPOSALS." add "IN MAKING THE DETERMINATION, THE AGENCY SHALL USE ONLY THE PROPOSAL EVALUATION CRITERIA SPECIFIED IN THIS SECTION AND SHALL NOT USE THE METHODS OF SOURCE SELECTION SET FORTH IN PART 2 OF ARTICLE 103 OF THIS TITLE."

Page 7, strike lines 21 through 25 and substitute "THE AGENCY DETERMINES THAT AN UNSOLICITED PROPOSAL IS AN ACCEPTABLE BASIS FOR NEGOTIATION OF AN AGREEMENT PURSUANT TO THIS SECTION, THE AGENCY'S PROCUREMENT OFFICER SHALL BE RESPONSIBLE FOR TAKING THE ACTION REQUIRED BY SUBSECTION (10) OF THIS SECTION."

Page 9, after line 14 insert:

"SECTION 3. 24-103-201 (1), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

24-103-201. Methods of source selection. (1) Unless otherwise authorized by law, all state contracts shall be awarded by competitive sealed bidding pursuant to section 24-103-202, except as provided in:

(g) PART 2 OF ARTICLE 38 OF THIS TITLE, CONCERNING PUBLIC-PRIVATE INITIATIVES."

Renumber succeeding section accordingly.

State,
Veterans, &
Military
Affairs

After consideration on the merits, the Committee recommends that **HB10-1080** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend reengrossed bill, page 4, strike lines 15 through 24 and substitute:

"SECTION 4. 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."

State,
Veterans, &
Military
Affairs

After consideration on the merits, the Committee recommends that **SB10-134** be postponed indefinitely.

State,
Veterans, &
Military
Affairs

After consideration on the merits, the Committee recommends that **SB10-166** be referred to the Committee of the Whole with favorable recommendation.

Trans-
portation

After consideration on the merits, the Committee recommends that **HB10-1059** be referred to the Committee of the Whole with favorable recommendation.

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Local
Government
and Energy
Business,
Labor, &
Technology

After consideration on the merits, the Committee recommends that **HB10-1001** be referred to the Committee on Appropriations with favorable recommendation.

After consideration on the merits, the Committee recommends that **HB10-1141** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 10, strike lines 2 through 27.

Page 11, strike lines 1 through 5.

Renumber succeeding section accordingly.

INTRODUCTION OF BILLS -- FIRST READING

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

SB10-178 by Senator(s) Hodge and Mitchell; also Representative(s) Gerou and Miklosi--Concerning fairness in workers' compensation health care provider review processes, and, in connection therewith, requiring credentialing, quality, and service review and performance initiative programs to be transparent, include objective and standardized criteria that are applied consistently, and provide minimum due process to providers.
Judiciary

SB10-179 by Senator(s) Steadman; --Concerning the voting rights of persons involved in the criminal justice system.
Judiciary

HB10-1201 by Representative(s) Middleton, Carroll T., Ferrandino, McFadyen, Miklosi, Pace, Vigil, Weissmann; also Senator(s) Steadman--Concerning duties related to peace officer contacts.
Judiciary

HB10-1222 by Representative(s) Middleton; also Senator(s) Carroll M.--Concerning continuation of the requirement that a collection agency maintain an office in Colorado.
Business, Labor and Technology

HB10-1227 by Representative(s) DelGrosso; also Senator(s) Tochtrop--Concerning compliance with financial responsibility requirements of the "Health Care Availability Act" by maintaining insurance through approved nonadmitted insurers authorized by law to insure in Colorado.
Business, Labor and Technology

HB10-1236 by Representative(s) Kerr A.; also Senator(s) Tochtrop--Concerning the continuation of the regulation of certified public accountants by the state board of accountancy.
Business, Labor and Technology

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, Hullinghorst, 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.
Local Government and Energy

SENATE SERVICES REPORT

Correctly Engrossed: SB10-026, 079, 119, 152 and 154.
Correctly Revised: HB10-1041.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SJR10-004; HB10-1095.

TRIBUTES

Honoring:

- Modern Music Masters Honor Society - - By Senator Carroll.
- Jose Silva - - By Senator Penry and Representative King.
- Almer R. and Tina Combs - - By Senator Hodge.
- Greg and Helen Hutton - - By Senator Shaffer.
- The Colorado Lions and The Denver Lions Foundation - - By Senator Shaffer.

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 Wednesday, March 3 was laid over until Thursday, March 4, retaining its place on the calendar.

- General Orders -- Second Reading of Bills: SB10-076, SB10-062, SB10-094, SB10-110.
- Consideration of Resolutions: SJR10-010.
- Consideration of Memorials: SJM10-001.
- Consideration of Governor's Appointments:
Member of the State Housing Board

On motion of Senator Morse, the Senate adjourned until 9:00 a.m., Thursday, March 4, 2010.

Approved:

Brandon C. Shaffer
President of the Senate

Attest:

Karen Goldman
Secretary of the Senate

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