

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

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43rd Legislative Day

Wednesday, February 24, 2010

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Prayer	By the chaplain, Reverend Dr. Louise B. Barger, Retired Executive Minister, American Baptist Churches of the Rocky Mountains.	11
Call to Order	By the President at 9:00 a.m.	14
Pledge	By Senator Tapia.	17
Roll Call	Present--32. Absent--3, Heath, King, Penry. Present later--3, Heath, King, Penry.	19
Quorum	The President announced a quorum present.	23
Reading of Journal	On motion of Senator Carroll, reading of the Journal of Tuesday, February 23, 2010, was dispensed with and the Journal was approved as corrected by the Secretary.	25

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**COMMITTEE OF REFERENCE REPORTS**

Appropriations	After consideration on the merits, the Committee recommends that <b>HB10-1298</b> be referred to the Committee of the Whole with favorable recommendation.	33
Appropriations	After consideration on the merits, the Committee recommends that <b>HB10-1300</b> be referred to the Committee of the Whole with favorable recommendation.	36
Appropriations	After consideration on the merits, the Committee recommends that <b>HB10-1301</b> be referred to the Committee of the Whole with favorable recommendation.	39
Appropriations	After consideration on the merits, the Committee recommends that <b>HB10-1302</b> be referred to the Committee of the Whole with favorable recommendation.	42
Appropriations	After consideration on the merits, the Committee recommends that <b>HB10-1303</b> be referred to the Committee of the Whole with favorable recommendation.	45
Appropriations	After consideration on the merits, the Committee recommends that <b>HB10-1304</b> be referred to the Committee of the Whole with favorable recommendation.	48
Appropriations	After consideration on the merits, the Committee recommends that <b>HB10-1305</b> be referred to the Committee of the Whole with favorable recommendation.	51
Appropriations	After consideration on the merits, the Committee recommends that <b>HB10-1310</b> be referred to the Committee of the Whole with favorable recommendation.	54
Appropriations	After consideration on the merits, the Committee recommends that <b>HB10-1311</b> be referred to the Committee of the Whole with favorable recommendation.	57
Appropriations	After consideration on the merits, the Committee recommends that <b>HB10-1312</b> be referred to the Committee of the Whole with favorable recommendation.	60
Appropriations	After consideration on the merits, the Committee recommends that <b>HB10-1313</b> be referred to the Committee of the Whole with favorable recommendation.	63
Appropriations	After consideration on the merits, the Committee recommends that <b>HB10-1318</b> be amended as follows, and as so amended, be referred to the Committee of the Whole with	66

favorable recommendation.

Amend reengrossed bill, page 5, strike lines 18 through 24.

Renumber succeeding section accordingly.

Page 1, line 105, strike "DISTRICT, AND MAKING AN APPROPRIATION" and substitute "DISTRICT."

Page 1, strike line 106.

Appropriations

After consideration on the merits, the Committee recommends that **HB10-1319** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **HB10-1320** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 8, line 8, in the GENERAL FUND column strike "1,146,705,890(M)" and substitute "1,147,705,890(M)" and in the REAPPROPRIATED FUNDS column strike "4,746,329<sup>b</sup>" and substitute "3,746,329<sup>b</sup>".

Page 9, line 1, strike "\$2,000,000" and substitute "\$1,000,000".

Page 9, line 9, in the GENERAL FUND column strike "\$1,631,029,855" and substitute "\$1,632,029,855" and in the REAPPROPRIATED FUNDS column strike "\$30,706,139" and substitute "\$29,706,139".

Page 10, line 11, in the ITEM & SUBTOTAL column strike "6,463,419" and substitute "7,463,419" and in the REAPPROPRIATED FUNDS column strike "6,463,419<sup>a</sup>" and substitute "7,463,419<sup>a</sup>".

Page 10, line 13, in the ITEM & SUBTOTAL column strike "6,942,240" and substitute "7,942,240".

Page 11, line 4, in the TOTAL column strike "36,875,315" and substitute "37,875,315".

Page 11, line 9, in the TOTAL column strike "\$444,325,693" and substitute "\$445,325,693" and in the REAPPROPRIATED FUNDS column strike "\$32,469,429" and substitute "\$33,469,429".

PURPOSE: Department of Health Care Policy and Financing, Medical Services Premiums and Department of Public Health and Environment, Administration and Support, Special Health Programs, Health Disparities Program, Health Disparities Grants -- Reverses an amendment adopted by the House. Reduces the appropriation to the Department of Health Care Policy and Financing from the Health Disparities Grant Program Fund for Medical Services Premiums by \$1.0 million reappropriated funds. Increases the appropriation to the Department of Health Care Policy and Financing for Medical Services Premiums by \$1.0 million General Fund. Increases the appropriation for Health Disparities Grants from the Health Disparities Grant Program Fund to the Department of Public Health and Environment by \$1.0 million reappropriated funds.

G.F. \$1,000,000  
R.F. -0-

G.F.E. -0-  
F.F. -0-

C.F. -0-  
F.T.E. -0-

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Appropriations

After consideration on the merits, the Committee recommends that **HB10-1321** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **HB10-1322** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **HB10-1323** be referred to the Committee of the Whole with favorable recommendation.

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Appropriations

After consideration on the merits, the Committee recommends that **HB10-1324** be referred to the Committee of the Whole with favorable recommendation.

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**MESSAGE FROM THE HOUSE**

February 23, 2010

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB10-1211.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB10-1212, amended as printed in House Journal, February 22, page 485.  
HB10-1089, amended as printed in House Journal, February 22, page 486.  
HB10-1021, amended as printed in House Journal, February 22, page 486.  
HB10-1133, amended as printed in House Journal, February 22, page 486-488, and amended on Third Reading as printed in House Journal, February 23.

The House has passed on Third Reading and returns herewith SB10-046.

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**MESSAGE FROM THE REVISOR OF STATUTES**

February 23, 2010

We herewith transmit:

Without comment, HB10-1211.

Without comment, as amended, HB10-1021, 1089, 1133, and 1212.

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

The President has signed: HB10-1189, 1190, 1191, 1193, 1194, 1195, 1196, 1199.

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**MESSAGE FROM THE GOVERNOR**

February 23, 2010

To the Honorable Senate  
Sixty-eighth General Assembly  
First Regular Session  
State Capitol  
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

**SB10-001** CONCERNING MODIFICATION TO THE PUBLIC EMPLOYEES' RETIREMENT ASSOCIATION NECESSARY TO REACH A ONE HUNDRED PERCENT FUNDED RATIO WITHIN THE NEXT THIRTY YEARS.

Approved February 23 , 2010 at 3:14pm.

Sincerely,  
(signed)  
Bill Ritter, Jr.  
Governor  
Rec'd 2/24/10, 4:00 p.m.  
Karen Goldman, Secretary of the Senate

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**INTRODUCTION OF BILLS -- FIRST READING**

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

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| <b>HB10-1029</b>  | 7  |
| by Representative(s) Acree, Looper, Primavera, Todd; also Senator(s) Keller, Steadman--       | 8  |
| Concerning agreements for the purchase of medical goods.                                      | 9  |
| Health and Human Services   | 10 |
| <b>HB10-1038</b>  | 11 |
| by Representative(s) Miklosi, Pace, Ryden; also Senator(s) Carroll M., Hodge, Tochtrop--      | 12 |
| Concerning a brochure to describe the process for workers' compensation claims, and           | 13 |
| making adjustments to appropriations in connection therewith.                                 | 14 |
| Judiciary   | 15 |
| <b>HB10-1042</b>  | 16 |
| by Representative(s) Peniston; also Senator(s) Hodge--Concerning administration of the        | 17 |
| stationary sources air quality permitting program.  | 18 |
| Health and Human Services   | 19 |
| <b>HB10-1045</b>  | 20 |
| by Representative(s) Miklosi; also Senator(s) Romer--Concerning the address of a person on    | 21 |
| file with specified state agencies, and making an appropriation therefor.                     | 22 |
| State, Veterans & Military Affairs  | 23 |
| <b>HB10-1050</b>  | 24 |
| by Representative(s) Tyler, Riesberg, Soper; also Senator(s) Tochtrop, Williams--             | 25 |
| Concerning a central on-line registry of medical orders for scope of treatment forms.         | 26 |
| Health and Human Services   | 27 |
| <b>HB10-1054</b>  | 28 |
| by Representative(s) King S.; also Senator(s) Carroll M.--Concerning presenting school        | 29 |
| safety information at institutions of higher education.                                       | 30 |
| Education   | 31 |
| <b>HB10-1057</b>  | 32 |
| by Representative(s) Ryden; also Senator(s) Spence--Concerning fees charged by county         | 33 |
| sheriffs relating to the service of process.  | 34 |
| Judiciary   | 35 |
| <b>HB10-1106</b>  | 36 |
| by Representative(s) Casso; also Senator(s) Sandoval--Concerning bringing certain statutory   | 37 |
| provisions concerning child welfare into compliance with federal law, and making an           | 38 |
| appropriation therefor.   | 39 |
| Health and Human Services   | 40 |
| <b>HB10-1118</b>  | 41 |
| by Representative(s) Kerr J.; also Senator(s) Hudak--Concerning the regulation of distressed  | 42 |
| real property by a board of county commissioners.   | 43 |
| Local Government and Energy   | 44 |
| <b>HB10-1132</b>  | 45 |
| by Representative(s) Gardner B., McNulty, Nikkel, Waller; also Senator(s) Hodge--             | 46 |
| Concerning the production of records by a business in a criminal matter.                      | 47 |
| Judiciary   | 48 |
| <b>HB10-1135</b>  | 49 |
| by Representative(s) Ryden, Benefield, Court, Gagliardi, Hullinghorst, Labuda, Looper,        | 50 |
| McCann, Middleton, Peniston, Primavera, Schafer S., Solano, Todd; also Senator(s) Hudak       | 51 |
| and Newell, Boyd, Spence, Williams--Concerning the definition of domestic violence when       | 52 |
| determining the best interests of a child.  | 53 |
| Judiciary   | 54 |
| <b>HB10-1143</b>  | 55 |
| by Representative(s) McNulty; also Senator(s) Johnston--Concerning the authority of the       | 56 |
| regional transportation district to enter into agreements permitting specified uses at its    | 57 |
| transfer facilities.  | 58 |
| Local Government and Energy   | 59 |
| <b>HB10-1165</b>  | 60 |
| by Representative(s) Merrifield; also Senator(s) Tapia--Concerning the authority of the state | 61 |
| board of land commissioners regarding state land.   | 62 |
| Local Government and Energy   | 63 |
| <b>HB10-1178</b>  | 64 |
| by Representative(s) Stephens; also Senator(s) Scheffel--Concerning increasing the            | 65 |
| transparency in the use of gifts, grants, and donations to fund programs by state agencies.   | 66 |
| State, Veterans & Military Affairs  | 67 |
| <b>HB10-1183</b>  | 68 |
| by Representative(s) Middleton; also Senator(s) Johnston--Concerning authorization of a       | 69 |
| pilot program to collect data concerning alternative school finance funding models.           | 70 |
| Education   | 71 |
| <b>HB10-1208</b>  | 72 |
| by Representative(s) Todd and Murray, Massey, Baumgardner, Benefield, Carroll T., Casso,      | 72 |

	Frangas, Gardner C., Looper, May, McFadyen, McKinley, McNulty, Merrifield, Middleton, Peniston, Priola, Ryden, Scanlan, Schafer S., Solano, Sonnenberg, Summers, Tipton; also Senator(s) Shaffer B. and King K., Cadman, Carroll M., Foster, Hodge, Johnston, Keller, Kester, Kopp, Lundberg, Newell, Penry, Renfroe, Romer, Scheffel, Schultheis, Spence, Steadman, White, Whitehead, Williams--Concerning requiring statewide agreements for the transfer of two-year degrees among all state institutions of higher education in Colorado.	1
	Education	2
<b>HB10-1225</b>	by Representative(s) Soper; also Senator(s) Tochtrop--Concerning continuation of the regulation of electrical work by the state electrical board.	3
	Business, Labor and Technology	4
<b>HB10-1231</b>	by Representative(s) Sonnenberg; also Senator(s) Tochtrop--Concerning the regulation of conveyances.	5
	Business, Labor and Technology	6
<b>HB10-1233</b>	by Representative(s) Ryden; also Senator(s) Newell--Concerning the relocation of the crime of stalking in the Colorado Revised Statutes.	7
	Judiciary	8
<b>HB10-1235</b>	by Representative(s) Levy, Gardner B., Kagan, Labuda, Roberts; also Senator(s) Brophy, Carroll M., Mitchell, Morse, Schwartz--Concerning the requirements in the "State Administrative Procedure Act" for incorporation by reference of rule-making materials by executive branch agencies.	9
	Judiciary	10
<b>HB10-1244</b>	by Representative(s) Labuda, Apuan, Casso, Curry, Frangas, Gagliardi, Murray, Riesberg, Scanlan, Schafer S., Soper; also Senator(s) Mitchell--Concerning allowing an heir of a deceased physician shareholder of a professional service corporation to become a shareholder of the corporation.	11
	Judiciary	12
<b>HB10-1245</b>	by Representative(s) Liston, Balmer; also Senator(s) Johnston--Concerning the continuation of the regulation of boxing by the boxing commission.	13
	Business, Labor and Technology	14
<b>HB10-1247</b>	by Representative(s) Gagliardi, Bradford, Soper; also Senator(s) Carroll M.--Concerning the continuation of the workers' compensation classification appeals board.	15
	Judiciary	16
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	On motion of Senator Morse, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, HB10-1316, HB10-1307, HB10-1299, HB10-1306, HB10-1308, HB10-1315, HB10-1297, HB10-1309, HB10-1325, HB10-1326, HB10-1314, HB10-1317, HB10-1327, HB10-1339, HB10-1304, HB10-1310, HB10-1313, HB10-1301, HB10-1318, HB10-1298, HB10-1303, HB10-1305, HB10-1312, HB10-1300, HB10-1302, HB10-1311, HB10-1319, HB10-1320, HB10-1321, HB10-1322, HB10-1323, HB10-1324 were made Special Orders at 9:25 a.m.	43
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Committee of the Whole	The hour of 9:25 a.m. having arrived, Senator Hodge moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders -- Second Reading of Bills and Senator Hodge was called to the chair to act as Chairman.	52
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	<b>SPECIAL ORDERS -- SECOND READING OF BILLS</b>	56
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	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:	58
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<b>HB10-1316</b>	by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White--Concerning a supplemental appropriation to the department of transportation.	62
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	Ordered revised and placed on the calendar for third reading and final passage.	65
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<b>HB10-1307</b>	by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White--Concerning supplemental appropriation to the department of local affairs.	68
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	Ordered revised and placed on the calendar for third reading and final passage.	71
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- HB10-1299** by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White--  
Concerning a supplemental appropriation to the offices of the governor, lieutenant governor,  
and state planning and budgeting. 1  
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Ordered revised and placed on the calendar for third reading and final passage. 5  
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- HB10-1306** by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White--  
Concerning a supplemental appropriation to the department of legislature. 7  
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Amendment No. 1, Appropriations Committee Amendment. 10  
(Printed in Senate Journal, February 23, page 324 and placed in members' bill files.) 11  
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As amended, ordered revised and placed on the calendar for third reading and final  
passage. 13  
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- HB10-1308** by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White--  
Concerning a supplemental appropriation to the department of military and veterans affairs. 17  
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Ordered revised and placed on the calendar for third reading and final passage. 20  
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- HB10-1315** by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White--  
Concerning a supplemental appropriation to the department of state. 23  
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Ordered revised and placed on the calendar for third reading and final passage. 26  
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- HB10-1297** by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White--  
Concerning a supplemental appropriation to the department of agriculture. 28  
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Ordered revised and placed on the calendar for third reading and final passage. 31  
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- HB10-1309** by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White--  
Concerning a supplemental appropriation to the department of natural resources. 33  
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Ordered revised and placed on the calendar for third reading and final passage. 36  
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- HB10-1325** by Representative(s) Lambert, Pommer, Ferrandino; also Senator(s) White, Keller, Tapia--  
Concerning the transfer of interest earned by certain settlement moneys in the natural  
resource damage recovery fund. 38  
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Ordered revised and placed on the calendar for third reading and final passage. 42  
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- HB10-1326** by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Tapia, Keller, White--  
Concerning an increase in the amount of authorized appropriations from the operational  
account of the severance tax trust fund to the division of parks and outdoor recreation, and,  
in connection therewith, adjusting the 2009 long bill. 44  
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Ordered revised and placed on the calendar for third reading and final passage. 49  
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- HB10-1314** by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White--  
Concerning a supplemental appropriation to the department of revenue. 51  
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Ordered revised and placed on the calendar for third reading and final passage. 54  
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- HB10-1317** by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White--  
Concerning a supplemental appropriation to the department of the treasury. 56  
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Ordered revised and placed on the calendar for third reading and final passage. 59  
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- HB10-1304** by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White--  
Concerning a supplemental appropriation to the department of labor and employment. 61  
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Ordered revised and placed on the calendar for third reading and final passage 64  
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- HB10-1310** by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White--  
Concerning a supplemental appropriation to the department of personnel and administration. 66  
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Ordered revised and placed on the calendar for third reading and final passage. 69  
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- HB10-1313** by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White--  
Concerning a supplemental appropriation to the department of regulatory agencies. 71  
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- Ordered revised and placed on the calendar for third reading and final passage. 1
- HB10-1301** by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White-- 2  
Concerning a supplemental appropriation to the department of higher education. 3  
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Ordered revised and placed on the calendar for third reading and final passage. 6  
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- HB10-1318** by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Tapia, Keller, White-- 8  
Concerning circumstances under which the requirement that each school district receive a 9  
minimum amount of state funding for total program funding as calculated through the 10  
"Public School Finance Act of 1994" shall not apply to any district, and making an 11  
appropriation in connection therewith. 12  
13  
Amendment No. 1, Appropriations Committee Amendment. 14  
(Printed in Senate Journal, February 24, and placed in members' bill files.) 15  
16  
As amended, ordered revised and placed on the calendar for third reading and final passage. 17  
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- HB10-1298** by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White-- 19  
Concerning a supplemental appropriation to the department of corrections. 20  
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Ordered revised and placed on the calendar for third reading and final passage. 23  
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(For further action, see amendments to the report of the Committee of the Whole.) 25  
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- HB10-1303** by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White-- 28  
Concerning a supplemental appropriation to the judicial department. 29  
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Ordered revised and placed on the calendar for third reading and final passage. 31  
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- HB10-1305** by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White-- 34  
Concerning a supplemental appropriation to the department of law. 35  
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Ordered revised and placed on the calendar for third reading and final passage. 37  
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- HB10-1312** by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White-- 39  
Concerning a supplemental appropriation to the department of public safety. 40  
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Ordered revised and placed on the calendar for third reading and final passage. 42  
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- HB10-1300** by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White-- 44  
Concerning a supplemental appropriation to the department of health care policy and 45  
financing. 46  
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Ordered revised and placed on the calendar for third reading and final passage. 48  
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- HB10-1302** by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White-- 50  
Concerning a supplemental appropriation to the department of human services. 51  
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Ordered revised and placed on the calendar for third reading and final passage. 53  
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- HB10-1311** by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White-- 55  
Concerning a supplemental appropriation to the department of public health and 56  
environment. 57  
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Ordered revised and placed on the calendar for third reading and final passage. 59  
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- HB10-1339** by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) White, Keller, Tapia-- 62  
Concerning the distribution of limited gaming fund moneys for the 2009-10 state fiscal year, 63  
and making an appropriation in connection therewith. 64  
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Amendment No. 1(L.005), by Senator King. 66  
67  
Amend reengrossed bill, page 5, line 4, strike "FOURTEEN" and substitute 68  
"FIFTEEN". 69  
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Page 5, line 27, strike "TWO" and substitute "ONE". 71  
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Page 8, after line 20 insert:

"SECTION 2. 12-47.1-1601, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**12-47.1-1601. Local government limited gaming impact fund - repeal.** (8) NOTWITHSTANDING ANY PROVISIONS OF THIS SECTION TO THE CONTRARY, ON JUNE 30, 2010, THE STATE TREASURER SHALL DEDUCT TWO MILLION DOLLARS FROM THE FUND AND TRANSFER SUCH SUM TO THE GENERAL FUND."

Renumber succeeding sections accordingly.

Amendment No. 2(L.007), by Senators Scheffel and Sandoval.

Amend reengrossed bill, page 8, after line 20 insert:

"SECTION 2. 12-47.1-1601 (4) (a), Colorado Revised Statutes, is amended to read:

**12-47.1-1601. Local government limited gaming impact fund - repeal.** (4) (a) (I) After considering the recommendations of the local government limited gaming impact advisory committee created in section 12-47.1-1602, the moneys from the limited gaming impact account shall be distributed at the authority of the executive director of the department of local affairs to eligible local governmental entities upon their application for grants to finance planning, construction, and maintenance of public facilities and the provision of public services related to the documented gaming impacts. At the end of any fiscal year, all unexpended and unencumbered moneys in the limited gaming impact account shall remain available for expenditure in any subsequent fiscal year without further appropriation by the general assembly.

(II) NOTWITHSTANDING ANY PROVISION OF THIS PARAGRAPH (a) TO THE CONTRARY, ON THE EFFECTIVE DATE OF THIS SUBPARAGRAPH (II), THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS SHALL DISTRIBUTE THE MONEYS FROM THE LIMITED GAMING IMPACT ACCOUNT THAT WERE TRANSFERRED IN THE 2008-09 STATE FISCAL YEAR FOR USE IN THE 2009-10 STATE FISCAL YEAR."

Renumber succeeding sections accordingly.

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

**HB10-1319** by Representative(s) Ferrandino, Pommer, Lambert; also Senator(s) Tapia, Keller, White-- Concerning modifications to statutory transfers for energy-related assistance to low-income households from the operational account of the severance tax trust fund for three particular state fiscal years.

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

**HB10-1320** by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Tapia, Keller, White-- Concerning the use of tobacco revenues generated under section 21 of article X of the state constitution in a state fiscal emergency, and making an appropriation therefor.

Amendment No. 1, Appropriations Committee Amendment.  
(Printed in Senate Journal, February 24, and placed in members' bill files.)

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

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

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

**HB10-1322** by Representative(s) Lambert, Ferrandino, Pommer; also Senator(s) White, Keller, Tapia-- Concerning the repeal of the pilot programs on the use of telemedicine, and making an appropriation therefor.

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

**HB10-1323** by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Tapia, Keller, White--  
Concerning the use of tobacco litigation funds for health care programs, and making an  
appropriation therefor.

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

**HB10-1324** by Representative(s) Ferrandino, Pommer, Lambert; also Senator(s) White, Keller, Tapia--  
Concerning a reduction in the general fund portion of the per diem rates paid to nursing  
facilities, and making an appropriation therefor.

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

**HB10-1327** by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) White, Keller, Tapia--  
Concerning the augmentation of the general fund through transfers of certain moneys.

Amendment No. 1(L.008), by Senators King and Sandoval.

Amend reengrossed bill, page 2, strike lines 2 through 9.

Page 5, after line 21 insert:

"**SECTION 9.** 37-60-121, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**37-60-121. Colorado water conservation board construction fund - creation of - nature of fund - funds for investigations - contributions - use for augmenting the general fund - funds created.**

(10) NOTWITHSTANDING ANY PROVISION OF THIS SECTION OR OF SECTION 37-60-122 TO THE CONTRARY, ON THE EFFECTIVE DATE OF THIS SUBSECTION (10), THE STATE TREASURER SHALL DEDUCT TWO MILLION DOLLARS FROM THE COLORADO WATER CONSERVATION BOARD CONSTRUCTION FUND AND TRANSFER SUCH SUM TO THE GENERAL FUND."

Renumber succeeding sections accordingly.

Amendment No. 2(L.012), by Senator Whitehead and Schwartz.

Amend the King K. floor amendment (HB1327\_L.008), page 1, strike lines 3 through 12 and substitute:

"**SECTION 9.** 39-29-109 (1) (a), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

**39-29-109. Severance tax trust fund - created - administration - distribution of moneys - repeal.** (1) (a) **The perpetual base account.**

(VI) NOTWITHSTANDING ANY PROVISION OF SUBPARAGRAPH (I) OF THIS PARAGRAPH (a) TO THE CONTRARY, ON THE EFFECTIVE DATE OF THIS SUBPARAGRAPH (VI), THE STATE TREASURER SHALL DEDUCT TWO MILLION DOLLARS FROM THE PERPETUAL BASE ACCOUNT OF THE FUND AND TRANSFER SUCH SUM TO THE GENERAL FUND."

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

(For further action, see amendments to the report of the Committee of the Whole.)

Call of the Senate.

Call raised.

**AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE**

**HB10-1327** by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) White, Keller, Tapia--  
Concerning the augmentation of the general fund through transfers of certain moneys.

Senator Kopp moved to amend the Report of the Committee of the Whole to show that the following Kopp floor amendment, (L.010) to HB 10-1327, did pass.

Amend reengrossed bill, page 3, strike lines 12 through 20.

Renumber succeeding sections accordingly.

Page 4, strike lines 12 through 20.

Renumber succeeding sections accordingly.

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **lost** on the following roll call vote:

YES	15	NO	20	EXCUSED	0	ABSENT	0
Bacon	N	Hodge	N	Morse	N	Spence	Y
Boyd	N	Hudak	Y	Newell	N	Steadman	N
Brophy	Y	Johnston	N	Penry	Y	Tapia	N
Cadman	Y	Keller	N	Renfroe	Y	Tochtrop	N
Carroll M.	N	Kester	Y	Romer	N	White	N
Foster	N	King K.	Y	Sandoval	N	Whitehead	N
Gibbs	N	Kopp	Y	Scheffel	Y	Williams	N
Harvey	Y	Lundberg	Y	Schultheis	Y	President	N
Heath	Y	Mitchell	Y	Schwartz	N		

**HB10-1298** by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White-- Concerning a supplemental appropriation to the department of corrections.

Senator Lundberg moved to amend the Report of the Committee of the Whole to show that the following Lundberg floor amendment, (J.009) to HB 10-1298, did pass.

Amend reengrossed bill, page 7, line 8, in the ITEM & SUBTOTAL column strike "87,531,859" and substitute "92,505,775" and in the GENERAL FUND column strike "83,482,237" and substitute "88,456,153".

Page 8, line 2, in the ITEM & SUBTOTAL column strike "114,275,999" and substitute "119,249,915".

Page 9, line 11, in the TOTAL column strike "190,562,472" and substitute "195,536,388".

Page 14, line 4, in the ITEM & SUBTOTAL column strike "22,442,929" and substitute "22,554,947" and in the GENERAL FUND column strike "22,442,929" and substitute "22,554,947".

Page 14, line 10, in the ITEM & SUBTOTAL column strike "8,012,349" and substitute "8,250,439" and in the GENERAL FUND column strike "8,012,349" and substitute "8,250,439".

Page 14, line 14, in the ITEM & SUBTOTAL column strike "73,522,021" and substitute "73,872,129".

Page 16, line 2, in the ITEM & SUBTOTAL column strike "~~1,046,627~~" and substitute "1,046,627".

Page 16, strike line 3.

Page 16, line 5, in the ITEM & SUBTOTAL column strike "14,121,817" and substitute "14,088,617" and in the GENERAL FUND column strike "14,121,817" and substitute "14,088,617".

Page 19, line 14, in the TOTAL column strike "370,557,613" and substitute "370,874,521".

Page 32, line 10, in the ITEM & SUBTOTAL column strike "1,447,278" and substitute "951,338" and in the GENERAL FUND column strike "1,372,278" and substitute "876,338".

Page 32, line 15, in the ITEM & SUBTOTAL column strike "13,169,235" and

substitute "12,673,295".

Page 35, line 9, in the ITEM & SUBTOTAL column strike "282,953" and substitute "253,893" and in the GENERAL FUND column strike "282,953" and substitute "253,893".

Page 35, line 15, in the ITEM & SUBTOTAL column strike "4,444,121" and substitute "4,415,061".

Page 38, line 4, in the TOTAL column strike "38,606,339" and substitute "38,081,339".

Page 38, line 10, in the ITEM & SUBTOTAL column strike "~~106,890~~" and substitute "106,890".

Page 38, strike line 11.

Page 38, line 14, in the TOTAL column strike "1,755,165" and substitute "1,633,105" and in the GENERAL FUND column strike "1,755,165" and substitute "1,633,105".

Page 41, line 2, strike "~~(CORRECTIONS)~~" and substitute "~~(CORRECTIONS)~~ (CORRECTIONS)<sup>3b</sup>".

Page 41, line 3, in the TOTAL column strike "\$741,708,796" and substitute "\$746,352,560" and in the GENERAL FUND column strike "\$565,329,509" and substitute "\$569,973,273".

Page 42, after line 16 insert:

3b DEPARTMENT OF CORRECTIONS, TOTALS – IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE DEPARTMENT OF CORRECTIONS REDUCE ALL PERSONAL SERVICES LINE ITEMS BY 1.6 PERCENT TO ACHIEVE A SAVINGS OF \$5,724,954 GENERAL FUND, \$110,399 CASH FUNDS, AND \$117,741 REAPPROPRIATED FUNDS IN FISCAL YEAR 2009-10."

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **lost** on the following roll call vote:

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

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

On motion of Senator Hodge, 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: HB10-1316, HB10-1307, HB10-1299, HB10-1306 as amended,

HB10-1308, HB10-1315, HB10-1297, HB10-1309, HB10-1325, HB10-1326, HB10-1314, HB10-1317, HB10-1304, HB10-1310, HB10-1313, HB10-1301, HB10-1318 as amended, HB10-1298, HB10-1303, HB10-1305, HB10-1312, HB10-1300, HB10-1302, HB10-1311, HB10-1339 as amended, HB10-1319, HB10-1320 as amended, HB10-1321, HB10-1322, HB10-1323, HB10-1324, HB10-1327 as amended.

Senate in recess. Senate reconvened.

Call of the Senate. Call raised.

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:

SB10-081 by Senator(s) Sandoval; also Representative(s) Solano--Concerning creation of the "Farm-to-School Healthy Kids Act", and, in connection therewith, establishing an interagency task force to develop farm-to-school program policies.

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

Table with 8 columns: YES, NO, EXCUSED, ABSENT and 8 rows of member names and their votes.

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

Co-sponsors added: Boyd, Carroll M. and Hudak.

SB10-118 by Senator(s) Tochtrop, Carroll M.; also Representative(s) Miklosi, Primavera--Concerning authorizing the department of human services to obtain a fingerprint-based criminal history record check on an individual who cares for a related child whose care is funded in whole or in part with moneys received from the Colorado child care assistance program.

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

Table with 8 columns: YES, NO, EXCUSED, ABSENT and 8 rows of member names and their votes.

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

Co-sponsors added: Boyd, Hodge, Hudak and Williams.

SB10-150 by Senator(s) Tapia, Keller, White; also Representative(s) Pommer, Ferrandino, Lambert--Concerning the transfer in state fiscal year 2010-11 of all moneys not otherwise allocated from state public school lands to the state public school fund instead of the permanent school fund.

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	N	Johnston	E	Penry	N	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	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.

**HB10-1110** by Representative(s) Weissmann; also Senator(s) Morse--Concerning payment of expenses of the legislative department.

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	Y
Boyd	Y	Hudak	Y	Newell	Y	Steadman	Y
Brophy	N	Johnston	E	Penry	N	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.

**SB10-149** by Senator(s) Tapia, Keller, White; also Representative(s) Ferrandino, Pommer, Lambert--Concerning advancements to counties from the county tax base relief fund.

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	E	Penry	Y	Tapia	Y
Cadman	Y	Keller	Y	Renfroe	Y	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	White	Y
Foster	Y	King K.	Y	Sandoval	Y	Whitehead	Y
Gibbs	Y	Kopp	Y	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

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

**SB10-151** by Senator(s) White, Keller, Tapia; also Representative(s) Pommer, Ferrandino, Lambert--Concerning the repeal of the Colorado comprehensive health fund.

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	E	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, Penry, Romer and Steadman.

**SB10-146** by Senator(s) Keller, Tapia, White; also Representative(s) Pommer, Ferrandino, Lambert-- Concerning a temporary modification to the contribution rates for certain divisions of the public employees' retirement association, and making an appropriation therefor.

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	E	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: Harvey and Penry.

**SB10-103** by Senator(s) Sandoval, Schwartz, Gibbs, Harvey, Hudak, Kester, Morse, Romer, Tochtrop, White, Williams; also Representative(s) Baumgardner, Bradford, Fischer, Frangas, Gardner B., Kerr A., McFadyen, McNulty, Miklosi, Murray, Nikkel, Primavera, Priola, Solano, Tyler--Concerning the creation of a Colorado state parks special license plate.

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

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

Amend engrossed bill, page 3, line 3, strike "(a)".

Page 3, strike lines 11 through 20.

The amendment was passed on the following roll call vote:

YES	28	NO	6	EXCUSED	1	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Spence	Y
Boyd	Y	Hudak	Y	Newell	Y	Steadman	Y
Brophy	N	Johnston	E	Penry	Y	Tapia	Y
Cadman	Y	Keller	Y	Renfroe	N	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	White	Y
Foster	Y	King K.	Y	Sandoval	Y	Whitehead	Y
Gibbs	Y	Kopp	N	Scheffel	N	Williams	Y
Harvey	N	Lundberg	N	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 passed.

YES	33	NO	1	EXCUSED	1	ABSENT	0
Bacon	Y	Hodge	N	Morse	Y	Spence	Y
Boyd	Y	Hudak	Y	Newell	Y	Steadman	Y
Brophy	Y	Johnston	E	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: Spence

**SB10-075** by Senator(s) White; also Representative(s) Baumgardner--Concerning the requirement that military vehicles valued for historical purposes bear a license plate.

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	E	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, Heath, Hodge, Kester, King K., Kopp, Newell, Romer, Sandoval, Schwartz, Spence, Tapia, Tochtrop, Whitehead and Williams..

**SB10-066** by Senator(s) Hudak, Carroll M., Steadman; also Representative(s) Levy--Concerning the requirement that certain persons report child abuse or neglect.

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	E	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: Bacon, Boyd, Foster, Gibbs, Heath, Hodge, Kester, King K., Mitchell, Morse, Newell, Romer, Shaffer B., Spence, Tochtrop, Whitehead and Williams.

**SB10-063** by Senator(s) White; also Representative(s) Waller--Concerning limiting civil liability for attorneys who contract to provide certain services for the office of alternate defense counsel.

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	E	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, Heath, Newell and Schultheis.

**HB10-1095** by Representative(s) Gerou; also Senator(s) Kopp--Concerning a limitation on the authority of a fire protection district to charge fees for providing certain rescue services to those services provided at the scene of a motor vehicle accident.

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	E	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, Hodge, Kester, Lundberg, Mitchell, Schwartz, Shaffer B. and Whitehead.

**SB10-122** by Senator(s) Morse; also Representative(s) Weissmann--Concerning the elimination of the nonprofit corporation organized to be a lessor in the master lease program of the state, and, in connection therewith, specifying the types of entities that can be a lessor in the master lease program and authorizing the executive director of the department of personnel to execute documents regarding lease-purchase agreements for which said nonprofit corporation was the lessor.

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	E	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

**SB10-048** by Senator(s) Heath; also Representative(s) Levy--Concerning the regulation of the purchase of commodity scrap metals.

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

YES	21	NO	13	EXCUSED	1	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Spence	N
Boyd	Y	Hudak	Y	Newell	Y	Steadman	Y
Brophy	N	Johnston	E	Penry	N	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	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.

**SB10-080** by Senator(s) Newell, Steadman, Bacon, Gibbs, Hudak, Johnston, Morse, Romer, Sandoval, Tapia, Tochtrop, Williams; also Representative(s) Frangas, Todd--Concerning allowing court-entered civil protection orders to include directives concerning animals.

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

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YES	31	NO	3	EXCUSED	1	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Spence	N
Boyd	Y	Hudak	Y	Newell	Y	Steadman	Y
Brophy	Y	Johnston	E	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	N	Schwartz	Y		

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

Co-sponsors added: Heath, Schwartz and Shaffer B.

**HB10-1055** by Representative(s) Kefalas; also Senator(s) Steadman--Concerning the requirement that fees for services rendered by a third party for collection of delinquent taxes be added to the total amount collected by the third party.

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

YES	21	NO	13	EXCUSED	1	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Spence	Y
Boyd	Y	Hudak	Y	Newell	N	Steadman	Y
Brophy	N	Johnston	E	Penry	N	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	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**.

**SB10-114** by Senator(s) Carroll M.; also Representative(s) Weissmann--Concerning the "Colorado Taxpayer Transparency Act of 2010".

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	E	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

**SB10-007** by Senator(s) Hudak; also Representative(s) Gagliardi--Concerning collaboration in the provision of multi-agency services.

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

YES	32	NO	2	EXCUSED	1	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Spence	Y
Boyd	Y	Hudak	Y	Newell	Y	Steadman	Y
Brophy	Y	Johnston	E	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	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**.

Co-sponsors added: Whitehead and Williams.

**SB10-059** by Senator(s) Williams; also Representative(s) Ryden--Concerning the addition of a line to Colorado state individual income tax return forms whereby individual taxpayers may make a voluntary contribution benefiting the Colorado D.A.R.E. fund, 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	1	ABSENT	0
Bacon	Y	Hodge	N	Morse	N	Spence	Y
Boyd	N	Hudak	N	Newell	N	Steadman	N
Brophy	Y	Johnston	E	Penry	Y	Tapia	Y
Cadman	N	Keller	Y	Renfroe	N	Tochtrop	N
Carroll M.	Y	Kester	Y	Romer	Y	White	Y
Foster	N	King K.	Y	Sandoval	N	Whitehead	N
Gibbs	Y	Kopp	Y	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	N	Schultheis	Y	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**.

**SB10-112** by Senator(s) Kopp, Carroll M.; --Concerning rate setting for workers' compensation insurance.

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	N	Newell	Y	Steadman	Y
Brophy	Y	Johnston	E	Penry	Y	Tapia	Y
Cadman	Y	Keller	Y	Renfroe	Y	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	White	Y
Foster	Y	King K.	Y	Sandoval	Y	Whitehead	Y
Gibbs	Y	Kopp	Y	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

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

**SB10-060** 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.

Laid over until Thursday, February 25, retaining its place on the calendar.

**RECONSIDERATION OF HB10-1110**

**HB10-1110** by Representative(s) Weissmann; also Senator(s) Morse--Concerning payment of expenses of the legislative department.

Having voted on the prevailing side, Senator Morse moved for reconsideration of the last

Senate action, third reading of bills, on HB10-1110.

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	E	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, reconsideration was granted.

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

**HB10-1110** by Representative(s) Weissmann; also Senator(s) Morse--Concerning payment of expenses of the legislative department.

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	E	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: Schultheis

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

**HB10-1065** 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.

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

**SB10-111** by Senator(s) King K., Bacon, Johnston, Scheffel, Schultheis, Spence, Steadman; also Representative(s) Massey, Summers, Gardner B., King S., McNulty, Middleton, Murray--Concerning public schools that are authorized by the state charter school institute.

Amendment No. 1, Education Committee Amendment.  
(Printed in Senate Journal, February 18, pages 272-273 and placed in members' bill files.)

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

**SB10-088** by Senator(s) Johnston; also Representative(s) Massey--Concerning authorization of two-year degrees with academic designation.

Amendment No. 1, Education Committee Amendment.  
(Printed in Senate Journal, February 18, page 273 and placed in members' bill files.)

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

**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.

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 Hodge, the report of the Committee of the Whole was **adopted** 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	E	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: SB10-111 as amended, SB10-088 as amended, HB10-1065, HB10-1014.

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

**SB10-076** by Senator(s) Carroll M.; --Concerning unreasonable insurance claims settlement practices.

Laid over until Thursday, February 25, retaining its place on the calendar.

**SB10-093** by Senator(s) Lundberg; --Concerning the orderly resolution of claims in foreclosures involving junior liens.

Laid over until Thursday, February 25, retaining its place on the calendar.

**SB10-129** by Senator(s) Hudak, Bacon, Johnston, Keller, Kester; also Representative(s) Rice--Concerning care coordination services for children with autism.

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

**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.

Laid over until Thursday, February 25, retaining its place on the calendar.

**HB10-1063** by Representative(s) Todd; also Senator(s) Gibbs--Concerning the authority for the publication of a legal notice in a newspaper without United States periodicals mailing privileges within a municipality where no newspaper that has such privileges is published

- within the municipality. 1
- Ordered revised and placed on the calendar for third reading and final passage. 2
- SB10-140** by Senator(s) Mitchell, Shaffer B., Carroll M., Spence; --Concerning human trafficking. 3
- Laid over until Thursday, February 25, retaining its place on the calendar. 4
- SB10-147** by Senator(s) Lundberg, Penry; also Representative(s) DelGrosso--Concerning exempting 5
- from execution by creditors certain assets that are payable upon death. 6
- Amendment No. 1, Judiciary Committee Amendment. 7
- (Printed in Senate Journal, February 18, page 271 and placed in members' bill files.) 8
- As amended, ordered engrossed and placed on the calendar for third reading and final 9
- passage. 10
- (For further action, see amendments to the report of the Committee of the Whole.) 11
- SB10-101** by Senator(s) Gibbs, Schwartz, Romer, Bacon, Cadman, Hudak, Johnston, Kester, 12
- Sandoval, Scheffel, Steadman, Tapia, White; also Representative(s) Scanlan and Massey, 13
- Balmer, Baumgardner, Curry, Frangas, Liston, Merrifield, Pace--Concerning authorizing 14
- Colorado mountain college to offer baccalaureate degrees. 15
- Laid over until Thursday, February 25, retaining its place on the calendar. 16
- SB10-094** by Senator(s) Steadman, Bacon, Newell, Schwartz, Boyd, Carroll M., Foster, Heath, Hudak, 17
- Johnston, Romer, Spence, Tapia, Tochtrop, Whitehead, Williams; also Representative(s) 18
- Rice, Benefield, Ferrandino, Fischer, Frangas, Gagliardi, Hullinghorst, Kerr A., Labuda, 19
- Massey, McFadyen, Merrifield, Middleton, Miklosi, Peniston, Ryden, Scanlan, Schafer S., 20
- Solano, Todd, Vigil--Concerning the definition of capital construction appropriation for 21
- purposes of the art in public places program administered by the state council on the arts. 22
- Laid over until Thursday, February 25, retaining its place on the calendar. 23
- SB10-116** by Senator(s) Kopp, Tochtrop, Carroll M., Scheffel, Tapia, Whitehead, Williams; also 24
- Representative(s) Rice and Priola, Benefield, Casso, Gagliardi, Gerou, Kefalas, Kerr J., 25
- Liston, Middleton, Pommer, Riesberg, Soper, Vaad--Concerning the reimbursement of costs 26
- incurred on change orders in public works contracts. 27
- Amendment No. 1, Business, Labor & Technology Committee Amendment. 28
- (Printed in Senate Journal, February 18, page 276 and placed in members' bill files.) 29
- As amended, ordered engrossed and placed on the calendar for third reading and final 30
- passage. 31
- SB10-158** by Senator(s) Newell, Bacon, Carroll M., Gibbs, Heath, Hodge, Hudak, Johnston, Keller, 32
- Kester, Lundberg, Morse, Romer, Sandoval, Schwartz, Spence, Steadman, Tapia, Tochtrop, 33
- White, Whitehead, Williams; also Representative(s) Rice, Ryden--Concerning the creation 34
- of the creative industries division within the Colorado office of economic development, and, 35
- in connection therewith, recodifying the statutory provisions that create the Colorado office 36
- of film, television, and media, the council on creative industries, and the art in public places 37
- program. 38
- Ordered engrossed and placed on the calendar for third reading and final passage. 39
- SB10-155** by Senator(s) Tochtrop; also Representative(s) Benefield--Concerning limitations on the 40
- issuance of gift cards. 41
- Amendment No. 1(L.006), by Senator Tochtrop. 42
- Amend printed bill, page 2, line 16, strike "AGENCY."and substitute 43
- "AGENCY; A GIFT CERTIFICATE THAT IS ISSUED ONLY ON PAPER; A CARD 44
- OR CERTIFICATE ISSUED TO A CONSUMER PURSUANT TO AN AWARDS, 45
- LOYALTY, OR PROMOTIONAL PROGRAM FOR WHICH NO MONEY OR OTHER 46
- ITEM OF MONETARY VALUE WAS EXCHANGED; OR A CARD THAT IS 47
- DONATED OR SOLD BELOW FACE VALUE AT A VOLUME DISCOUNT TO AN 48
- EMPLOYER OR CHARITABLE ORGANIZATION FOR FUNDRAISING 49
- PURPOSES." 50
- As amended, ordered engrossed and placed on the calendar for third reading and final 51
- passage. 52
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- 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 in a vehicle to use an appropriate restraining device.

Laid over until Thursday, February 25, retaining its place on the calendar.

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- SB10-148**

by Senator(s) White, Keller, Tapia; also Representative(s) Lambert, Ferrandino, Pommer--Concerning the transfer of the enterprise facility for operational recovery, readiness, response, and transition services from the department of state to the office of information technology in the office of the governor, and, in connection therewith, developing a timeline to transfer funding of the facility from the department of state cash fund to the information technology revolving fund over a period of four years.

Amendment No. 1, Appropriations Committee Amendment.  
(Printed in Senate Journal, February 23, pages 301-302 and placed in members' bill files.)

Amendment No. 2(L.002), by Senator White.

Amend the Appropriations Committee Report, dated February 19, 2010, page 1, line 11, strike "GOVERNMENT COUNTY," and substitute "GOVERNMENT OF ANY COUNTY,".

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

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- SB10-006**

by Senator(s) Boyd, Hudak, Sandoval, White; also Representative(s) Summers, Gagliardi, Kefalas, Waller--Concerning reductions in barriers to obtaining identity-related documents.

Amendment No. 1, Health & Human Services Committee Amendment.  
(Printed in Senate Journal, February 5, pages 174-175 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.  
(Printed in Senate Journal, February 23, page 302-303 and placed in members' bill files.)

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

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- SB10-072**

by Senator(s) Schwartz; also Representative(s) Vigil--Concerning creation of the "Colorado Seed Potato Act".

Amendment No. 1, Appropriations Committee Amendment.  
(Printed in Senate Journal, February 19, pages 303-304 and placed in members' bill files.)

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

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- SB10-025**

by Senator(s) Whitehead, Brophy, Hodge, Schwartz, White; also Representative(s) Baumgardner, Curry, Fischer, Gardner C., McKinley--Concerning the long-term funding of the water efficiency grant program.

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

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- SB10-068**

by Senator(s) Boyd; also Representative(s) Massey--Concerning streamlining eligibility requirements for the Colorado works program.

Amendment No. 1, Health & Human Services Committee Amendment.  
(Printed in Senate Journal, February 5, page 175 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.  
(Printed in Senate Journal, February 19, page 304 and placed in members' bill files.)

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

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- SB10-098**

by Senator(s) Tochtrop; also Representative(s) Sonnenberg--Concerning the allocation of moneys to promote conservation of the state's natural resources.

Amendment No. 1, Agriculture & Natural Resources Committee Amendment.  
(Printed in Senate Journal, February 19, pages 304-306 and placed in members' bill files.)

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(Printed in Senate Journal, February 19, page 304 and placed in members' bill files.)

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

**AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE**

**SB10-147** by Senator(s) Lundberg, Penry; also Representative(s) DelGrosso--Concerning exempting from execution by creditors certain assets that are payable upon death.

Senator Hudak moved to amend the Report of the Committee of the Whole to show that the following amendment to SB 10-147 did pass.

Amend the Judiciary Committee Report, dated February 17, 2010, page 1, line 4, strike "ONE HUNDRED" and substitute "SEVENTY-FIVE".

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **lost** on the following roll call vote:

YES	3	NO	28	EXCUSED	4	ABSENT	0
Bacon	N	Hodge	N	Morse	N	Spence	N
Boyd	N	Hudak	Y	Newell	N	Steadman	Y
Brophy	N	Johnston	E	Penry	E	Tapia	N
Cadman	N	Keller	N	Renfroe	N	Tochtrop	N
Carroll M.	N	Kester	E	Romer	N	White	N
Foster	N	King K.	N	Sandoval	N	Whitehead	N
Gibbs	N	Kopp	N	Scheffel	N	Williams	N
Harvey	N	Lundberg	N	Schultheis	N	President	N
Heath	N	Mitchell	E	Schwartz	Y		

Call of the Senate.

Call raised.

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

On motion of Senator Hodge, the report of the Committee of the Whole was **adopted** 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	E	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: SB10-129, SB10-147 as amended, SB10-116 as amended, SB10-158, SB10-155 as amended, SB10-148 as amended, SB10-006 as amended, SB10-072 as amended, SB10-025, SB10-068 as amended, SB10-098 as amended, HB10-1063. Laid over until Thursday, February 25 retaining their place on the Calendar: SB10-076, SB10-093, SB10-152, SB10-140, SB10-101, SB10-094, SB10-110.

**CONSIDERATION OF GOVERNOR'S APPOINTMENTS**

On motion of Senator Sandoval, the following Governor's appointment was confirmed by a roll call vote:

MEMBER OF THE  
SECURITIES BOARD

for terms expiring July 1, 2012:

E. Lee Reichert of Denver, Colorado, who is licensed by the state supreme court to practice law in the state of Colorado and who is conversant in securities law, reappointed;

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	E	Penry	Y	Tapia	Y
Cadman	Y	Keller	Y	Renfroe	Y	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	White	Y
Foster	Y	King K.	Y	Sandoval	Y	Whitehead	Y
Gibbs	Y	Kopp	Y	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

On motion of Senator Tochtrop, the following Governor's appointment was confirmed by a roll call vote:

EXECUTIVE DIRECTOR OF THE  
DEPARTMENT OF REGULATORY AGENCIES

for a term expiring at the pleasure of the Governor:

Barbara J. Kelley, Esq., of Denver, Colorado

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	E	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		

**SENATE SERVICES REPORT**

**Correctly Enrolled:** SB10-049 and 053.

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 24 was laid over until Thursday, February 25, retaining its place on the calendar.

Third Reading of Bills -- Final Passage: SB10-060.

General Orders -- Second Reading of Bills: SB10-076, SB10-093, SB10-152, SB10-140, SB10-101, SB10-094, SB10-110.

Consideration of Resolutions: SJR10-010.

Consideration of Governor's Appointments:

Member of the Colorado Racing Commission

**TRIBUTES**

Honoring:

Nicholas Farina - - By Senator Penry.

Tim Jackson - - By Senator Brophy.



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On motion of Senator Morse, the Senate adjourned until 1:15 p.m., Thursday, February 25, 2010.

Approved:

Brandon C. Shaffer  
President of the Senate

Attest:

Karen Goldman  
Secretary of the Senate

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