

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

45th Legislative Day

Friday, February 26, 2010

Prayer	By the chaplain, Reverend John Thompson, Park Hill United Methodist Church, Denver.	11
Call to Order	By the President at 9:00 a.m.	13
Pledge	By Senator Tapia.	16
Roll Call	Present--33. Excused--2, Renfro, Schwartz. Present later--1, Schwartz.	18 19 20
Quorum	The President announced a quorum present.	22
Reading of Journal	On motion of Senator Carroll, reading of the Journal of Thursday, February 25, 2010, was dispensed with and the Journal was approved as corrected by the Secretary.	24 25 26

MESSAGE FROM THE HOUSE

February 25, 2010

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB10-1275, 1255, 1105.

The House has passed on Third Reading and transmitted to the Revisor of Statutes
HB10-1122, amended as printed in House Journal, February 24, pages 507-509.
HB10-1026, amended as printed in House Journal, February 24, pages 509-510.
HB10-1114, amended as printed in House Journal, February 24, page 510.
HB10-1148, amended as printed in House Journal, February 24, page 510.
HB10-1213, amended as printed in House Journal, February 24, pages 510-511.
HB10-1229, amended as printed in House Journal, February 24, page 511.

The House has adopted and returns herewith SJR10-013.

MESSAGE FROM THE REVISOR OF STATUTES

February 25, 2010

We herewith transmit:

Without comment, HB10-1105, 1255, and 1275.

Without comment, as amended, HB10-1026, 1114, 1122, 1148, 1213, and 1229.

INTRODUCTION OF MEMORIALS

The following memorial was read by title:

SJM10-001 by Senator(s) Sandoval; also Representative(s) Roberts--Concerning nationwide availability of 2-1-1 telephone service for information and referral on human services and volunteer services.

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Laid over one day under Senate Rule 30(d).

INTRODUCTION OF BILLS -- FIRST READING

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

- SB10-172** by Senator(s) Steadman, Foster, Hudak, Johnston, Kester, Newell, Sandoval; also Representative(s) Primavera--Concerning the continuation of voluntary contribution designation lines on state individual income tax forms for certain funds set to expire January 1, 2011.
Finance
- SB10-173** by Senator(s) Gibbs; also Representative(s) Scanlan--Concerning the effect of commercial vehicles on traffic flow.
Transportation
- SB10-174** by Senator(s) Schwartz, Gibbs, Whitehead; --Concerning the regulation of the development of geothermal resources.
Local Government and Energy
- SB10-175** by Senator(s) Boyd; --Concerning the relocation of provisions relating to behavioral health.
Health and Human Services
- HB10-1021** by Representative(s) Frangas and McCann; also Senator(s) Foster, Boyd--Concerning required coverages for reproductive services for health insurance policies.
Business, Labor and Technology
- HB10-1089** by Representative(s) Waller; also Senator(s) Newell--Concerning placement after a parole revocation of a parolee who is a sexually violent predator.
Judiciary
- HB10-1133** by Representative(s) Massey; also Senator(s) Tochtrop--Concerning amendments to the "Colorado Foreclosure Protection Act".
Judiciary
- HB10-1211** by Representative(s) Tyler; also Senator(s) Williams--Concerning a reduction in the amount of the penalty for late vehicle registration of a vehicle without motive power that weighs two thousand pounds or less.
State, Veterans & Military Affairs
- HB10-1212** by Representative(s) Rice; also Senator(s) Schwartz--Concerning a requirement that the executive director of the department of revenue promulgate rules that establish circumstances in which a vehicle owner shall be exempted from paying the late fee for late registration of a vehicle.
State, Veterans & Military Affairs

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

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

- 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.

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

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	E	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	E		

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

Co-sponsors added: Boyd, Newell, Schultheis and Williams.

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.

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

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	E	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	E		

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

Co-sponsors added: Newell

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

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

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	E	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	E		

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

Co-sponsors added: Foster, Hodge, Newell, Romer, Sandoval, Steadman, Tapia, Tochtrop, Whitehead and Williams.

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

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

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	E	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	E		

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

Co-sponsors added: Boyd, Brophy, Kester, Kopp, Steadman, Tapia and Whitehead.

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:

HB10-1316 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White--
Concerning a supplemental appropriation to the department of transportation.

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

YES	32	NO	1	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	E	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	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	E		

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

HB10-1307 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White--
Concerning supplemental appropriation to the department of local affairs.

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

YES	24	NO	9	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	N	Keller	Y	Renfroe	E	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	E		

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

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.

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

YES	25	NO	8	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	N	Tapia	Y
Cadman	Y	Keller	Y	Renfroe	E	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	Y	Schwartz	E		

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

HB10-1306 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White--
Concerning a supplemental appropriation to the department of legislature.

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

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	E	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	E		

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

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.

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

YES	32	NO	1	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	N	Keller	Y	Renfroe	E	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	E		

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

HB10-1315 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White-- Concerning a supplemental appropriation to the department of state.

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

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	E	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	E		

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

HB10-1297 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White-- Concerning a supplemental appropriation to the department of agriculture.

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

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	E	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	E		

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

IMMEDIATE RECONSIDERATION OF HB10-1297

HB10-1297 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White-- Concerning a supplemental appropriation to the department of agriculture.

Having voted on the prevailing side, Senator Keller moved for immediate reconsideration of the last Senate action, Third Reading of Bills -- Final Passage, on HB10-1297.

Table with 8 columns: YES, NO, EXCUSED, ABSENT and corresponding member names and counts.

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

THIRD READING OF BILLS -- FINAL PASSAGE

HB10-1297 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White-- Concerning a supplemental appropriation to the department of agriculture.

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 corresponding member names and counts.

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

HB10-1309 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White-- Concerning a supplemental appropriation to the department of natural resources.

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 corresponding member names and counts.

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

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.

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	E	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.

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.

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

YES	24	NO	10	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	N	Tapia	Y
Cadman	N	Keller	Y	Renfroe	E	Tochtrop	N
Carroll M.	Y	Kester	Y	Romer	Y	White	Y
Foster	Y	King K.	N	Sandoval	Y	Whitehead	N
Gibbs	Y	Kopp	Y	Scheffel	N	Williams	Y
Harvey	Y	Lundberg	N	Schultheis	Y	President	Y
Heath	Y	Mitchell	N	Schwartz	N		

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

HB10-1314 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White-- Concerning a supplemental appropriation to the department of revenue.

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	E	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.

HB10-1317 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White-- Concerning a supplemental appropriation to the department of the treasury.

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

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

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.

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

YES	26	NO	8	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	N	Tapia	Y
Cadman	N	Keller	Y	Renfroe	E	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	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.

HB10-1310 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White-- Concerning a supplemental appropriation to the department of personnel and administration.

The question being "Shall the bill 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	N
Boyd	Y	Hudak	Y	Newell	Y	Steadman	Y
Brophy	N	Johnston	Y	Penry	N	Tapia	Y
Cadman	N	Keller	Y	Renfroe	E	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	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.

HB10-1313 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White-- Concerning a supplemental appropriation to the department of regulatory agencies.

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	E	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.

HB10-1301 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White-- Concerning a supplemental appropriation to the department of higher education.

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	Y	Penry	N	Tapia	Y
Cadman	N	Keller	Y	Renfroe	E	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	N		

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

HB10-1318 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Tapia, Keller, White-- Concerning circumstances under which the requirement that each school district receive a minimum amount of state funding for total program funding as calculated through the "Public School Finance Act of 1994" shall not apply to any district.

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

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

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

Co-sponsors added: Hudak, Penry and Steadman.

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

The question being "Shall the bill 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	Y
Cadman	N	Keller	Y	Renfroe	E	Tochtrop	Y
Carroll M.	Y	Kester	N	Romer	Y	White	Y
Foster	Y	King K.	N	Sandoval	Y	Whitehead	Y
Gibbs	Y	Kopp	N	Scheffel	N	Williams	Y
Harvey	Y	Lundberg	N	Schultheis	N	President	Y
Heath	Y	Mitchell	N	Schwartz	Y		

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

HB10-1303 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White-- Concerning a supplemental appropriation to the judicial 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	Y	Penry	Y	Tapia	Y
Cadman	Y	Keller	Y	Renfroe	E	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.

HB10-1305 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White-- Concerning a supplemental appropriation to the department of law.

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	E	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.

HB10-1312 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White-- Concerning a supplemental appropriation to the department of public safety.

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	E	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: Penry and Schultheis.

HB10-1300 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White-- Concerning a supplemental appropriation to the department of health care policy and financing.

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

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

HB10-1302 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White--
Concerning a supplemental appropriation to the department of human services.

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

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

HB10-1311 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White--
Concerning a supplemental appropriation to the department of public health and environment.

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

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

HB10-1339 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) White, Keller, Tapia--
Concerning the distribution of limited gaming fund moneys for the 2009-10 state fiscal year,
and making an appropriation in connection therewith.

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

Third Reading Amendment No. 1,(L.008), by Senator King.

Amend revised bill, page 5, line 27, strike "ONE" and substitute "TWO".

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	E	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 question being "Shall the bill, as amended, 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	E	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	White	Y
Foster	Y	King K.	Y	Sandoval	Y	Whitehead	Y
Gibbs	Y	Kopp	Y	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	N	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

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

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.

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	E	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.

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.

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

YES	24	NO	10	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	N	Tapia	Y
Cadman	N	Keller	Y	Renfroe	E	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.

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

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	Y
Boyd	Y	Hudak	Y	Newell	Y	Steadman	Y
Brophy	N	Johnston	Y	Penry	Y	Tapia	Y
Cadman	N	Keller	Y	Renfroe	E	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	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**.

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.

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	E	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	White	Y
Foster	Y	King K.	Y	Sandoval	Y	Whitehead	N
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**.

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.

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

YES	26	NO	8	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	N	Keller	Y	Renfroe	E	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**.

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.

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

YES	27	NO	7	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	Y
Cadman	N	Keller	Y	Renfroe	E	Tochtrop	Y
Carroll M.	Y	Kester	N	Romer	Y	White	Y
Foster	Y	King K.	N	Sandoval	Y	Whitehead	Y
Gibbs	Y	Kopp	Y	Scheffel	N	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**.

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.

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

YES	19	NO	15	EXCUSED	1	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Spence	N
Boyd	Y	Hudak	Y	Newell	Y	Steadman	Y
Brophy	N	Johnston	Y	Penry	N	Tapia	Y
Cadman	N	Keller	Y	Renfroe	E	Tochtrop	Y
Carroll M.	Y	Kester	N	Romer	Y	White	Y
Foster	Y	King K.	N	Sandoval	N	Whitehead	N
Gibbs	Y	Kopp	N	Scheffel	N	Williams	Y
Harvey	N	Lundberg	N	Schultheis	N	President	Y
Heath	Y	Mitchell	N	Schwartz	N		

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 Monday, March 1, 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.

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	E	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, Carroll M., Foster, Gibbs, Heath, Morse, Penry, Sandoval, Shaffer B., Spence, Steadman, Tochtrop and White.

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.

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	E	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: Heath, Kester, Schwartz, Steadman, Tapia and Whitehead.

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

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	E	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	N
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: King K. and Sandoval.

SB10-116 by Senator(s) Kopp, Tochtrop, Carroll M., Scheffel, Tapia, Whitehead, Williams; also Representative(s) Rice and Priola, Benefield, Casso, Gagliardi, Gerou, Kefalas, Kerr J., Liston, Middleton, Pommer, Riesberg, Soper, Vaad--Concerning the reimbursement of costs incurred on change orders in public works contracts.

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	E	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, Cadman, Gibbs, Heath, Kester and Newell.

SB10-158 by Senator(s) Newell, Bacon, Carroll M., Gibbs, Heath, Hodge, Hudak, Johnston, Keller, Kester, Lundberg, Morse, Romer, Sandoval, Schwartz, Spence, Steadman, Tapia, Tochtrop, White, Whitehead, Williams; also Representative(s) Rice, Ryden--Concerning the creation of the creative industries division within the Colorado office of economic development, and in connection therewith, recodifying the statutory provisions that create the Colorado office of film, television, and media, the council on creative industries, and the art in public places program.

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

YES	27	NO	7	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	N	Tapia	Y
Cadman	N	Keller	Y	Renfroe	E	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	Y	Schwartz	Y		

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

Co-sponsors added: Boyd and Shaffer B.

SB10-155 by Senator(s) Tochtrop; also Representative(s) Benefield--Concerning limitations on the issuance of gift cards.

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	Y	Penry	N	Tapia	Y
Cadman	N	Keller	Y	Renfroe	E	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.

Co-sponsors added: Bacon, Carroll M., Foster, Heath, Hodge, Sandoval and Williams.

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.

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	E	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.

SB10-006

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

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

YES	22	NO	12	EXCUSED	1	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Spence	N
Boyd	Y	Hudak	Y	Newell	Y	Steadman	Y
Brophy	N	Johnston	Y	Penry	N	Tapia	Y
Cadman	N	Keller	Y	Renfroe	E	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.

Co-sponsors added: Bacon, Foster, Heath, Newell, Steadman, Tapia, Tochtrop and Williams.

SB10-072

by Senator(s) Schwartz; also Representative(s) Vigil--Concerning creation of the "Colorado Seed Potato Act", and making an appropriation therefor.

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	Y	Penry	Y	Tapia	Y
Cadman	Y	Keller	Y	Renfroe	E	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: Heath, Newell, Sandoval, Tapia and Whitehead.

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.

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	E	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, Foster, Gibbs, Keller, Kester, Newell, Sandoval, Shaffer B., Tapia and Williams.

SB10-068 by Senator(s) Boyd; also Representative(s) Massey--Concerning streamlining eligibility requirements for the Colorado works program, and making an appropriation in connection therewith.

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

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

Co-sponsors added: Bacon, Foster, Heath, Hudak, Morse, Newell, Sandoval and Tochtrop.

SB10-098 by Senator(s) Tochtrop; also Representative(s) Sonnenberg--Concerning the allocation of moneys to promote conservation of the state's natural resources.

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	E	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, Brophy, Gibbs, Johnston, Morse, Penry, Schwartz, White, Whitehead and Williams.

RECONSIDERATION OF HB10-1339

HB10-1339 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) White, Keller, Tapia-- Concerning the distribution of limited gaming fund moneys for the 2009-10 state fiscal year, and making an appropriation in connection therewith.

Having voted on the prevailing side, Senator Cadman moved for reconsideration of the last Senate action, Third Reading of Bills -- Final Passage, on HB10-1339.

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	E	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

HB10-1339 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) White, Keller, Tapia-- Concerning the distribution of limited gaming fund moneys for the 2009-10 state fiscal year, and making an appropriation in connection therewith.

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

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

RECONSIDERATION OF HB10-1318

HB10-1318 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Tapia, Keller, White-- Concerning circumstances under which the requirement that each school district receive a minimum amount of state funding for total program funding as calculated through the

"Public School Finance Act of 1994" shall not apply to any district.

Having voted on the prevailing side, Senator Morse moved for reconsideration of the last Senate action, Third Reading of Bills -- Final Passage, on HB10-1318.

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	E	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

HB10-1318 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Tapia, Keller, White-- Concerning circumstances under which the requirement that each school district receive a minimum amount of state funding for total program funding as calculated through the "Public School Finance Act of 1994" shall not apply to any district.

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

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

Co-sponsors added: Williams

On motion of Senator Morse, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for consideration of governor's appointments.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS

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

MEMBER OF THE
COLORADO RACING COMMISSION

for a term expiring July 1, 2013:

Daniel J. Kester of Denver, Colorado, a Democrat and resident of the 1st Congressional District, who has been engaged in business in a management-level capacity for at least five years, appointed.

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	E	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		

NOTICE OF INTENT TO RECONSIDER

Senator Cadman moved a notice of intent to reconsider the appointment of a member of the Colorado Racing Commission.

SENATE SERVICES REPORT

Correctly Printed: SB10-171.
Correctly Enrolled: SJR10-013.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB10-021, 022, 023, 024, 046, 049, and 053; SJR10-013 and 014.

COMMITTEE OF REFERENCE REPORTS

Appropriations

After consideration on the merits, the Committee recommends that **SB10-119** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **SB10-071** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 3, after line 25 insert:

"SECTION 2. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the parks and outdoor recreation cash fund created in section 33-10-111 (1), Colorado Revised Statutes, not otherwise appropriated, to the department of natural resources, parks and outdoor recreation division, for state park operations, for the fiscal year beginning July 1, 2010, the sum of eight thousand eight hundred dollars (\$8,800), or so much thereof as may be necessary, for the implementation of this act."

Renumber succeeding section accordingly.

Page 1, line 103, strike "AGE." and substitute "AGE, AND MAKING AN APPROPRIATION THEREFOR."

Appropriations

After consideration on the merits, the Committee recommends that **SB10-028** be referred to the Committee of the Whole with favorable recommendation.

Health & Human Services

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

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MEMBER OF THE
STATE HOUSING BOARD

for a term expiring January 31, 2013:

David L. Zucker of Evergreen, Colorado, a Democrat and resident of the 6th Congressional District, appointed.

Health &
Human
Services

After consideration on the merits, the Committee recommends that **HB10-1041** be referred to the Committee of the Whole with favorable recommendation.

Education

After consideration on the merits, the Committee recommends that **SB10-131** be postponed indefinitely.

Education

After consideration on the merits, the Committee recommends that **SB10-026** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, strike everything below the enacting clause and substitute:

"SECTION 1. Title 23, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW ARTICLE to read:

ARTICLE 1.7

College in Colorado

23-1.7-101. Definitions. AS USED IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "DEPARTMENT" MEANS THE DEPARTMENT OF HIGHER EDUCATION CREATED AND EXISTING PURSUANT TO SECTION 24-1-114, C.R.S.

(2) "EXECUTIVE DIRECTOR" MEANS THE OFFICE OF THE EXECUTIVE DIRECTOR OF THE COLORADO COMMISSION ON HIGHER EDUCATION CREATED AND EXISTING PURSUANT TO SECTION 24-1-114, C.R.S.

(3) "INDIVIDUAL CAREER AND ACADEMIC PLAN" MEANS THE PLAN DESCRIBED IN SECTION 22-2-136, C.R.S., AND BY RULE OF THE STATE BOARD OF EDUCATION AND REQUIRED PURSUANT TO SECTIONS 22-30.5-505 (2) (f) AND 22-32-109 (1) (nn), C.R.S., FOR EACH STUDENT ENROLLED IN A PUBLIC HIGH SCHOOL.

(4) "OFFICE" MEANS THE COLLEGE IN COLORADO OFFICE CREATED PURSUANT TO SECTION 23-1.7-103 IN THE DEPARTMENT OF HIGHER EDUCATION.

(5) "UNIQUE STUDENT IDENTIFIER" MEANS THE IDENTIFIER ASSIGNED IN ACCORDANCE WITH RULES ADOPTED BY THE STATE BOARD OF EDUCATION PURSUANT TO SECTION 22-11-104, C.R.S., TO EACH STUDENT WHILE HE OR SHE IS ENROLLED IN THE ELEMENTARY TO SECONDARY PUBLIC EDUCATION SYSTEM.

(6) "WEB SITE" MEANS THE WEB SITE MAINTAINED BY THE OFFICE PURSUANT TO SECTION 23-1.7-103 (1) (a), ACCESSIBLE AT "COLLEGEINCOLORADO.ORG".

23-1.7-102. College in Colorado office - created. (1) THERE IS HEREBY CREATED WITHIN THE DEPARTMENT THE COLLEGE IN COLORADO OFFICE. THE HEAD OF THE OFFICE SHALL BE THE DIRECTOR OF COLLEGE IN COLORADO AND SHALL BE APPOINTED BY THE EXECUTIVE DIRECTOR IN ACCORDANCE WITH SECTION 13 OF ARTICLE XII OF THE STATE CONSTITUTION.

(2) THE COLLEGE IN COLORADO OFFICE AND THE OFFICE OF THE

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DIRECTOR OF COLLEGE IN COLORADO SHALL EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT AND THE EXECUTIVE DIRECTOR AS IF THE SAME WERE TRANSFERRED TO THE DEPARTMENT BY A **TYPE 2** TRANSFER AS DEFINED IN THE "ADMINISTRATIVE ORGANIZATION ACT OF 1968", ARTICLE 1 OF TITLE 24, C.R.S.

23-1.7-103. College in Colorado office - duties. (1) IN ADDITION TO ANY OTHER DUTIES THAT MAY BE REQUIRED BY LAW, THE COLLEGE IN COLORADO OFFICE SHALL HAVE THE FOLLOWING DUTIES:

(a) TO MAINTAIN A FREE, COMPREHENSIVE WEB SITE ACCESSIBLE AT "COLLEGEINCOLORADO.ORG" TO PROVIDE STUDENTS AND THEIR PARENTS WITH THE RESOURCES AND TECHNICAL SUPPORT NECESSARY TO CREATE AND IMPLEMENT INDIVIDUAL CAREER AND ACADEMIC PLANS. THE OFFICE SHALL MAINTAIN THE WEB SITE IN CONSULTATION WITH THE DEPARTMENT OF EDUCATION AND SHALL ENSURE THAT THE WEB SITE IS INTEROPERABLE WITH THE DATA PORTAL MAINTAINED BY THE DEPARTMENT OF EDUCATION PURSUANT TO SECTION 22-11-502, C.R.S. AT A MINIMUM, THE RESOURCES AND TECHNICAL SUPPORT PROVIDED BY THE OFFICE SHALL INCLUDE ASSISTANCE IN:

- (I) EXPLORING AND PLANNING CAREERS;
 - (II) SELECTING APPROPRIATE HIGH SCHOOL COURSES;
 - (III) ACCESSING REMEDIAL AND CONCURRENT ENROLLMENT COURSES;
 - (IV) ACCESSING CONTEXTUAL AND SERVICE LEARNING EXPERIENCES;
 - (V) DEVELOPING RESUMES AND SELECTING AND APPLYING TO INSTITUTIONS OF HIGHER EDUCATION;
 - (VI) OBTAINING FINANCIAL AID AND SCHOLARSHIPS; AND
 - (VII) PREPARING FOR COLLEGE ENTRANCE EXAMINATIONS;
- (b) TO PROVIDE TRAINING FOR EDUCATORS, PARENTS, AND OTHER INTERESTED PERSONS CONCERNING THE RESOURCES AND TOOLS AVAILABLE FROM THE OFFICE AND THE WEB SITE;
- (c) TO PROVIDE INFORMATIONAL MATERIALS, INCLUDING BUT NOT LIMITED TO BROCHURES, POSTERS, GUIDES, AND DIRECTORIES, TO SCHOOL DISTRICTS, SCHOOLS, AND MEMBERS OF THE PUBLIC;
- (d) TO COLLABORATE WITH STATE AND LOCAL GOVERNMENTAL AGENCIES, NONPROFIT ORGANIZATIONS, EDUCATORS, SCHOOL DISTRICTS, SCHOOLS, PARENTS, STUDENTS, AND COMMUNITY ORGANIZATIONS THROUGHOUT THE STATE TO COORDINATE AND DISSEMINATE INFORMATION CONCERNING POSTSECONDARY EDUCATION; AND
- (e) TO PROVIDE TO SCHOOL DISTRICTS, SCHOOLS, STUDENTS, AND PARENTS ADDITIONAL TECHNICAL SUPPORT AND INFORMATION CONCERNING EACH STUDENT'S INDIVIDUAL CAREER AND ACADEMIC PLAN, COLLEGE PREPARATION, ADMISSIONS, FINANCIAL AID, AND OTHER ISSUES PERTAINING TO SUCCESSFUL ENROLLMENT IN AND COMPLETION OF POSTSECONDARY EDUCATION.

23-1.7-104. Data analysis - collaboration with department of education - reporting. (1) THE OFFICE SHALL COLLABORATE WITH THE DEPARTMENT OF EDUCATION IN ANALYZING DATA COLLECTED THROUGH THE WEB SITE. TO ASSIST IN THE COLLABORATION, THE OFFICE SHALL PROVIDE TO PERSONS IN THE DEPARTMENT OF EDUCATION ACCESS TO STUDENT-LEVEL INFORMATION CONCERNING THE INDIVIDUAL CAREER AND ACADEMIC PLANS AND RELATED DATA COLLECTED THROUGH THE WEB SITE. THE OFFICE SHALL USE THE UNIQUE STUDENT IDENTIFIERS IN PROVIDING ALL STUDENT-LEVEL INFORMATION. THE OFFICE AND THE

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DEPARTMENT OF EDUCATION SHALL ENSURE THAT ALL DATA-SHARING ACTIVITIES REQUIRED IN THIS SECTION ARE PERFORMED IN COMPLIANCE WITH THE FEDERAL "FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974", 20 U.S.C. SEC. 1232g.

(2) THE OFFICE AND THE DEPARTMENT OF EDUCATION SHALL ANALYZE THE DATA COLLECTED FROM STUDENTS' INDIVIDUAL CAREER AND ACADEMIC PLANS AND OTHER DATA COLLECTED THROUGH THE WEB SITE TO DETERMINE, AT A MINIMUM, THE FOLLOWING ISSUES:

(a) WHETHER STUDENTS IN THE STATE ARE MAKING SUFFICIENT ACADEMIC AND NONACADEMIC PROGRESS TO SUGGEST THAT, AT GRADUATION, THE STUDENTS WILL BE READY FOR POSTSECONDARY AND WORKFORCE SUCCESS;

(b) THE DEGREE TO WHICH STUDENTS IN THE STATE ACCESS AND USE THE RESOURCES AVAILABLE THROUGH THE WEB SITE; AND

(c) THE DEGREE TO WHICH STUDENTS' USE OF THE INDIVIDUAL CAREER AND ACADEMIC PLANS INCREASES THEIR SUCCESS IN ENTERING AND PROGRESSING THROUGH INSTITUTIONS OF HIGHER EDUCATION.

(3) ON OR BEFORE FEBRUARY 15, 2011, AND ON OR BEFORE FEBRUARY 15 EACH YEAR THEREAFTER, THE DEPARTMENT OF EDUCATION AND THE OFFICE SHALL PREPARE AND PRESENT TO THE EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES, A REPORT OF THE ANALYSIS CONDUCTED PURSUANT TO THIS SECTION. THE DEPARTMENT OF EDUCATION AND THE OFFICE SHALL ALSO POST THE REPORT ON THEIR RESPECTIVE WEB SITES.

SECTION 2. 22-2-112 (1), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

22-2-112. Commissioner - duties. (1) Subject to the supervision of the state board, the commissioner has the following duties:

(p) TO ENSURE THAT THE DEPARTMENT COLLABORATES WITH THE COLLEGE IN COLORADO OFFICE IN THE DEPARTMENT OF HIGHER EDUCATION TO ANALYZE THE STUDENT DATA COLLECTED THROUGH THE "COLLEGEINCOLORADO.ORG" WEB SITE AND PREPARE THE ANNUAL ANALYSIS REPORT AS REQUIRED IN SECTION 23-1.7-104, C.R.S.

SECTION 3. 22-30.5-505 (3) (f), Colorado Revised Statutes, is amended to read:

22-30.5-505. State charter school institute - institute board - appointment - powers and duties - rules. (3) The mission of the institute board shall be to foster high-quality public school choices offered through institute charter schools, including particularly schools that are focused on closing the achievement gap for at-risk students. In discharging its duties pursuant to this part 5, the institute shall:

(f) Ensure that each student who enrolls in the sixth grade in an institute charter school, on the day of enrollment, is registered with the state-provided, free on-line college planning and preparation resource, commonly referred to as "CollegeInColorado.org". AN INSTITUTE CHARTER SCHOOL SHALL ENSURE THAT EACH STUDENT WHO ENROLLS IN THE SCHOOL AFTER SIXTH GRADE IS REGISTERED WITH "COLLEGEINCOLORADO.ORG" WITHIN THIRTY DAYS AFTER ENROLLMENT. The institute, the department, and the COLLEGE IN COLORADO OFFICE IN THE department of higher education shall collaborate to monitor the implementation of this paragraph (f) and to ensure optimal interactivity between the various data bases and student record systems employed by institute charter schools and THE college in Colorado OFFICE IN THE DEPARTMENT OF HIGHER EDUCATION, INCLUDING, WHEN POSSIBLE, THE AUTOMATED CREATION OF STUDENT ACCOUNTS. Each institute charter school shall assist each student and his or her parent or legal guardian to develop and maintain the student's individual career and academic plan no later than the beginning of ninth grade but may assist the student and

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his or her parent or legal guardian to develop and maintain the student's individual career and academic plan in any grade prior to ninth grade. EACH INSTITUTE CHARTER SCHOOL SHALL SELECT THE ELECTRONIC FORMAT IT WILL USE IN COMPLYING WITH THE REQUIREMENTS SPECIFIED IN RULE FOR THE INDIVIDUAL CAREER AND ACADEMIC PLANS. EACH INSTITUTE CHARTER SCHOOL SHALL MAKE DATA CONCERNING EACH STUDENT'S INDIVIDUAL CAREER AND ACADEMIC PLAN AVAILABLE TO THE DEPARTMENT.

SECTION 4. 22-32-109 (1) (nn), Colorado Revised Statutes, is amended to read:

22-32-109. Board of education - specific duties. (1) In addition to any other duty required to be performed by law, each board of education shall have and perform the following specific duties:

(nn) To ensure that each student who enrolls in the sixth grade in a public school of the school district, including but not limited to a district charter school, on the day of enrollment is registered with the state-provided, free on-line college planning and preparation resource, commonly referred to as "CollegeInColorado.org". THE SCHOOL DISTRICT SHALL ENSURE THAT EACH STUDENT WHO ENROLLS IN THE SCHOOL DISTRICT AFTER SIXTH GRADE IS REGISTERED WITH "COLLEGEINCOLORADO.ORG" WITHIN THIRTY DAYS AFTER ENROLLMENT. The school district, the department of education, and the COLLEGE IN COLORADO OFFICE IN THE department of higher education shall collaborate to monitor the implementation of this paragraph (nn) and to ensure optimal interactivity between the various data bases and student record systems employed by school districts and THE college in Colorado OFFICE, INCLUDING, WHEN POSSIBLE, THE AUTOMATED CREATION OF STUDENT ACCOUNTS. Each public school shall assist each student and his or her parent or legal guardian to develop and maintain the student's individual career and academic plan no later than the beginning of ninth grade but may assist the student and his or her parent or legal guardian to develop and maintain the student's individual career and academic plan in any grade prior to ninth grade. EACH SCHOOL DISTRICT SHALL SELECT THE ELECTRONIC FORMAT IT WILL USE IN COMPLYING WITH THE REQUIREMENTS SPECIFIED IN RULE FOR THE INDIVIDUAL CAREER AND ACADEMIC PLANS. EACH SCHOOL DISTRICT SHALL MAKE AVAILABLE TO THE DEPARTMENT DATA CONCERNING THE INDIVIDUAL CAREER AND ACADEMIC PLANS OF THE STUDENTS ENROLLED IN THE DISTRICT.

SECTION 5. 24-1-114 (3), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

24-1-114. Department of higher education - creation. (3) The department of higher education shall include the following divisions:

(e) THE COLLEGE IN COLORADO OFFICE, CREATED BY ARTICLE 1.7 OF TITLE 23, C.R.S. THE COLLEGE IN COLORADO OFFICE AND THE DIRECTOR THEREOF SHALL EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS AS IF TRANSFERRED TO THE DEPARTMENT BY A **TYPE 2** TRANSFER.

SECTION 6. 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."

Page 1, line 102, strike "EDUCATION," and substitute "EDUCATION."

Page 1, strike lines 103 and 104.

Education

After consideration on the merits, the Committee recommends that **SB10-154** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, strike lines 10 and 11.

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Reletter succeeding paragraphs accordingly.

Page 2, line 14, after "(a);" add "OR".

Page 2, line 17, strike "INJURY;" and substitute "INJURY.".

Page 2, strike lines 18 through 21.

Page 3, strike line 1.

Education

After consideration on the merits, the Committee recommends that **SB10-039** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, strike everything below the enacting clause and substitute:

"SECTION 1. Part 2 of article 3.1 of title 23, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

23-3.1-206.6. Scholarships for education and job retraining - legislative declaration - administration - repeal. (1) (a) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT:

(I) A NUMBER OF COLORADANS HAVE RECENTLY EXPERIENCED LOSS OF EMPLOYMENT AS A RESULT OF A SIGNIFICANT DOWNTURN IN THE ECONOMY AND A CONTRACTION IN THE JOB MARKET. AS A RESULT, MANY COLORADANS HAVE APPLIED FOR UNEMPLOYMENT INSURANCE BENEFITS AND ARE LOOKING FOR WORK.

(II) SOME UNEMPLOYED COLORADANS WILL BE UNABLE TO FIND WORK IN THEIR CURRENT FIELD OR WITH THEIR CURRENT LEVEL OF EDUCATION OR TRAINING.

(III) THE GENERAL ASSEMBLY THEREFORE FINDS AND DECLARES THAT IT IS APPROPRIATE TO USE COLORADO COLLEGEINVEST SCHOLARSHIP TRUST FUND MONEYS PURSUANT TO SECTION 23-3.1-206.9 (5), TO AWARD SCHOLARSHIPS TO PERSONS WHO ARE RECEIVING UNEMPLOYMENT INSURANCE BENEFITS FROM THE DEPARTMENT OF LABOR AND EMPLOYMENT TO ASSIST THESE PERSONS IN OBTAINING THE ADDITIONAL JOB RETRAINING OR EDUCATION NECESSARY TO BE REEMPLOYED.

(2) AS USED IN THIS SECTION, "INSTITUTION OF HIGHER EDUCATION" MEANS:

(a) A STATE INSTITUTION OF HIGHER EDUCATION AS DEFINED IN SECTION 23-18-102 (10);

(b) A JUNIOR COLLEGE THAT IS PART OF A JUNIOR COLLEGE DISTRICT ORGANIZED PURSUANT TO ARTICLE 71 OF THIS TITLE; AND

(c) A NONPUBLIC INSTITUTION OF HIGHER EDUCATION AS DEFINED IN SECTION 23-3.7-102 (3).

(3) (a) THERE IS HEREBY CREATED THE COLORADO JOB RETRAINING SCHOLARSHIP PROGRAM, REFERRED TO IN THIS SECTION AS THE "SCHOLARSHIP PROGRAM", FOR THE PURPOSE OF PROVIDING JOB TRAINING AND RETRAINING OPPORTUNITIES AND INCREASED ACCESS TO HIGHER EDUCATION FOR INDIVIDUALS WHO ARE UNEMPLOYED.

(b) THE AUTHORITY SHALL IMPLEMENT AND ADMINISTER THE SCHOLARSHIP PROGRAM. SUBJECT TO THE APPROVAL OF THE EXECUTIVE DIRECTOR, THE BOARD SHALL ADOPT ANY POLICIES NECESSARY TO IMPLEMENT THE SCHOLARSHIP PROGRAM. THE BOARD SHALL ENSURE THAT THE POLICIES ADOPTED BY THE BOARD DO NOT POSE SIGNIFICANT BARRIERS TO PARTICIPATION FOR APPLICANTS OR ADD INEFFICIENT

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ADMINISTRATIVE BURDENS FOR THE AUTHORITY OR PARTICIPATING INSTITUTIONS OF HIGHER EDUCATION.

(c) THE AUTHORITY SHALL REVIEW EACH SCHOLARSHIP APPLICATION WHEN RECEIVED, APPLYING THE FOLLOWING ELIGIBILITY CRITERIA:

(I) AT ANY TIME ON OR AFTER JULY 1, 2008, THE DEPARTMENT OF LABOR AND EMPLOYMENT HAS DETERMINED THE APPLICANT FOR THE SCHOLARSHIP PROGRAM TO BE ELIGIBLE TO RECEIVE UNEMPLOYMENT BENEFITS PURSUANT TO THE "COLORADO EMPLOYMENT SECURITY ACT", ARTICLES 70 TO 82 OF TITLE 8, C.R.S.; AND

(II) THE APPLICANT CERTIFIES THAT THE JOB TRAINING OR EDUCATION COURSES OR PROGRAM FOR WHICH THE APPLICANT SEEKS A SCHOLARSHIP WILL ASSIST THE APPLICANT TO ACHIEVE GAINFUL EMPLOYMENT, INCLUDING SELF-EMPLOYMENT, IN A RECOGNIZED OCCUPATION OR A HIGH-NEED EMPLOYMENT AREA.

(4) A PERSON WHO RECEIVES A SCHOLARSHIP AWARDED PURSUANT TO THIS SECTION MAY APPLY THE SCHOLARSHIP TO A SKILLED TRADES APPRENTICESHIP PROGRAM, ONE OR MORE HIGHER EDUCATION COURSES, OR A CERTIFICATE OR DEGREE PROGRAM AT AN INSTITUTION OF HIGHER EDUCATION.

(5) THE AUTHORITY SHALL ANNUALLY AWARD AND PAY ONE MILLION DOLLARS IN SCHOLARSHIPS PURSUANT TO THIS SECTION FROM MONEYS IN THE COLORADO COLLEGEINVEST SCHOLARSHIP TRUST FUND. THE AUTHORITY SHALL NOT USE GENERAL FUND APPROPRIATIONS TO PAY SCHOLARSHIPS AWARDED PURSUANT TO THIS SECTION. IF ANY PORTION OF THE ONE MILLION DOLLARS IN ANNUAL SCHOLARSHIP PROGRAM MONEYS REMAINS UNCOMMITTED AT THE END OF A FISCAL YEAR, SAID AMOUNT SHALL BE TRANSFERRED, PURSUANT TO THE PROVISIONS OF SECTION 23-3.1-206.9 (5), TO THE TEACH COLORADO GRANT INITIATIVE FUND CREATED IN SECTION 23-3.3-901.

(6) ON OR BEFORE FEBRUARY 1, 2011, AND ON OR BEFORE FEBRUARY 1 EACH YEAR THEREAFTER, THE AUTHORITY SHALL REPORT TO THE EDUCATION COMMITTEES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES, CONCERNING THE STATUS OF THE SCHOLARSHIP PROGRAM. THE REPORT SHALL INCLUDE, BUT NEED NOT BE LIMITED TO, THE AMOUNT OF MONEY AVAILABLE TO AWARD SCHOLARSHIPS, THE AMOUNT OF MONEY ANNUALLY SPENT IN ADMINISTERING THE SCHOLARSHIP PROGRAM, THE TOTAL AMOUNT AWARDED IN SCHOLARSHIPS, THE AVERAGE SCHOLARSHIP AWARD AMOUNT, THE NUMBER OF STUDENTS PARTICIPATING IN THE SCHOLARSHIP PROGRAM, AND A GENERAL DESCRIPTION OF THE PARTICIPANTS' CAREER GOALS.

(7) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2013.

SECTION 2. 23-3.1-206.9 (4), Colorado Revised Statutes, is amended, and the said 23-3.1-206.9 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

23-3.1-206.9. Colorado collegeinvest scholarship program - administration - fund - policies - repeal. (4) On or before February 1 of each year, the ~~board~~ AUTHORITY shall report to the education committees of the senate and the house of representatives, or any successor committees, on the status of the Colorado collegeinvest scholarship program. The report shall include, but need not be limited to, the financial status of the Colorado collegeinvest scholarship trust fund, the amount of money annually spent on administration, the average scholarship award amount, and the number of students participating in the Colorado collegeinvest scholarship program.

(5) (a) NOTWITHSTANDING ANY PROVISIONS OF SUBSECTION (2) OF THIS SECTION TO THE CONTRARY, BEGINNING IN THE 2010-11 FISCAL YEAR AND CONTINUING THROUGH THE 2012-13 FISCAL YEAR, THE AUTHORITY SHALL ANNUALLY USE ONE MILLION DOLLARS OF THE

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MONEYS IN THE COLORADO COLLEGEINVEST SCHOLARSHIP TRUST FUND CREATED IN SUBSECTION (2) OF THIS SECTION, OTHER THAN MONEYS APPROPRIATED FROM THE GENERAL FUND, TO ADMINISTER THE COLORADO JOB RETRAINING SCHOLARSHIP PROGRAM CREATED IN SECTION 23-3.1-206.6 AND TO AWARD SCHOLARSHIPS PURSUANT TO THAT PROGRAM.

(b) ANY PORTION OF THE ONE MILLION DOLLARS IN ANNUAL COLORADO JOB RETRAINING SCHOLARSHIP PROGRAM MONEYS THAT REMAINS UNCOMMITTED AT THE END OF EACH FISCAL YEAR SHALL BE TRANSFERRED TO THE TEACH COLORADO GRANT INITIATIVE FUND CREATED IN SECTION 23-3.3-901 TO IMPLEMENT THE TEACH COLORADO GRANT INITIATIVE.

(c) THIS SUBSECTION (5) IS REPEALED, EFFECTIVE JULY 1, 2013.

SECTION 3. 23-3.1-206 (1) (x) and (1) (y), Colorado Revised Statutes, are amended, and the said 23-3.1-206 (1) is further amended BY THE ADDITION OF A NEW PARAGRAPH, to read:

23-3.1-206. General powers and duties of the authority - repeal. (1) In addition to any other powers and duties specifically granted to the authority in this part 2, the authority has the following powers:

(x) To organize entities pursuant to title 7, C.R.S., and transfer funds to the entities for the purpose of investing the moneys in the Colorado collegeinvest scholarship trust fund and any other trusts and funds under the authority's control; and

(y) To develop and administer loan forgiveness programs, including those established under article 3.6 of this title; AND

(z) (I) TO IMPLEMENT AND ADMINISTER THE COLORADO JOB RETRAINING SCHOLARSHIP PROGRAM CREATED IN SECTION 23-3.1-206.6.

(II) THIS PARAGRAPH (z) IS REPEALED, EFFECTIVE JULY 1, 2013.

SECTION 4. 23-3.3-901 (7), Colorado Revised Statutes, is amended to read:

23-3.3-901. Teach Colorado grant initiative created - award of grants - legislative declaration - fund. (7) (a) ~~In addition to any general funds appropriated by the general assembly to the department for the implementation of the teach Colorado grant initiative;~~ The department is authorized to seek and accept gifts, grants, and donations from private and public sources for the implementation of the teach Colorado grant initiative; EXCEPT THAT THE DEPARTMENT MAY NOT ACCEPT A GIFT, GRANT, OR DONATION THAT IS SUBJECT TO CONDITIONS THAT ARE INCONSISTENT WITH THIS SECTION OR ANY OTHER LAW OF THE STATE. THE DEPARTMENT SHALL TRANSFER ALL MONEYS RECEIVED THROUGH GIFTS, GRANTS, OR DONATIONS TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME TO THE TEACH COLORADO GRANT INITIATIVE FUND CREATED IN PARAGRAPH (b) OF THIS SUBSECTION (7).

(b) (I) THERE IS HEREBY CREATED IN THE STATE TREASURY THE TEACH COLORADO GRANT INITIATIVE FUND, REFERRED TO IN THIS SUBSECTION (7) AS THE "FUND". THE FUND SHALL CONSIST OF MONEYS CREDITED TO THE FUND PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (7), MONEYS TRANSFERRED TO THE FUND PURSUANT TO SECTION 23-3.1-206.9 (5), AND SUCH ADDITIONAL MONEYS AS THE GENERAL ASSEMBLY MAY APPROPRIATE TO THE FUND. THE MONEYS IN THE FUND SHALL BE SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY TO THE DEPARTMENT FOR THE DIRECT AND INDIRECT COSTS ASSOCIATED WITH IMPLEMENTING THIS SECTION; EXCEPT THAT ANY MONEYS TRANSFERRED TO THE FUND PURSUANT TO SECTION 23-3.1-206.9 (5) ARE CONTINUOUSLY APPROPRIATED TO THE DEPARTMENT FOR THE DIRECT AND INDIRECT COSTS ASSOCIATED WITH IMPLEMENTING THIS SECTION.

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(II) ANY MONEYS IN THE FUND NOT EXPENDED FOR THE PURPOSE OF THIS SECTION MAY BE INVESTED BY THE STATE TREASURER AS PROVIDED BY LAW. ALL INTEREST AND INCOME DERIVED FROM THE INVESTMENT AND DEPOSIT OF MONEYS IN THE FUND SHALL BE CREDITED TO THE FUND.

(III) ANY UNEXPENDED AND UNENCUMBERED MONEYS REMAINING IN THE FUND AT THE END OF A FISCAL YEAR SHALL REMAIN IN THE FUND AND SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANOTHER FUND.

SECTION 5. 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."

Page 1, line 101, strike "TRAINING, AND MAKING AN" and substitute "TRAINING."

Page 1, strike line 102.

Education

After consideration on the merits, the Committee recommends that **SB10-079** be referred to the Committee of the Whole with favorable recommendation.

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 Friday, February 26 was laid over until Monday, March 1, retaining its place on the calendar.

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.

On motion of Senator Morse, the Senate adjourned until 10:00 a.m., Monday, March 1, 2010.

Approved:

Brandon C. Shaffer
 President of the Senate

Attest:

Karen Goldman
 Secretary of the Senate

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