

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

98th Legislative Day

Tuesday, April 17, 2012

Prayer	By the chaplain, Reverend Cynthia James, Mile Hi Church, Lakewood.	1
Call to Order	By the President at 9:00 a.m.	2
Pledge	By Senator Jahn.	3
Roll Call	Present--34 Excused--1, Boyd. Present later--1, Boyd.	4 5 6
Quorum	The President announced a quorum present.	7
Reading of Journal	On motion of Senator Steadman, reading of the Journal of Monday, April 16, 2012, was dispensed with and the Journal was approved as corrected by the Secretary.	8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26

COMMITTEE OF REFERENCE REPORTS

Appropriations	After consideration on the merits, the Committee recommends that HB12-1335 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	27 28 29 30 31 32 33 34 35
----------------	--	--

Amend reengrossed bill, page 2, after line 18 insert:

"(e) The controlled maintenance trust fund, created in section 34-75-302.5, Colorado Revised Statutes, up to a maximum of \$13,000,000;"

Reletter succeeding paragraphs accordingly.

Page 2, line 25, strike "\$100,500,000" and substitute "\$87,500,000".

Page 471, strike lines 3 and 4.

Adjust affected totals accordingly.

Page 546, after line 18 insert:

SECTION 18. Appropriation. In addition to any other appropriation, for the fiscal year beginning July 1, 2012, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the controlled maintenance trust fund created in section 24-75-302.5, Colorado Revised Statutes, the sum of \$13,000,000, for the purpose of increasing the principal in the fund."

Renumber succeeding section accordingly.

Page 20, line 8, in the ITEM & SUBTOTAL column strike "42,287,905" and substitute "42,363,061" and in the GENERAL FUND column strike "41,017,064" and substitute "41,092,220".

Page 20, line 9, in the ITEM & SUBTOTAL column strike "535,860" and substitute "537,151" and in the GENERAL FUND column strike "520,359" and substitute "521,650".

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67

Page 20, line 11, in the ITEM & SUBTOTAL column strike "9,745,013" and substitute "9,768,352" and in the GENERAL FUND column strike "9,446,431" and substitute "9,469,770".

1
2
3
4

Page 20, line 14, in the ITEM & SUBTOTAL column strike "8,320,697" and substitute "8,340,754" and in the GENERAL FUND column strike "8,064,103" and substitute "8,084,160".

5
6
7
8

Adjust affected totals accordingly.

9

Page 26, line 3, in the ITEM & SUBTOTAL column strike "16,730,205" and substitute "16,774,485".

10
11
12

Page 26, line 4, in the ITEM & SUBTOTAL column strike "(279.4 FTE)" and substitute "(280.3 FTE)".

13
14
15

Page 26, line 5, in the ITEM & SUBTOTAL column strike "4,961,740" and substitute "5,034,085".

16
17
18

Page 26, line 7, in the ITEM & SUBTOTAL column strike "23,159,765" and substitute "23,276,390" and in the GENERAL FUND column strike "23,159,765" and substitute "23,276,390".

19
20
21
22

Page 26, line 10, in the ITEM & SUBTOTAL column strike "159,930,305^{aa}" and substitute "160,469,421^{aa}" and in the GENERAL FUND column strike "159,927,358" and substitute "160,466,474".

23
24
25
26

Page 26, line 11, in the GENERAL FUND column strike "(3,031.9 FTE)" and substitute "(3,052.1 FTE)".

27
28
29

Page 26, line 12, in the ITEM & SUBTOTAL column strike "1,807,249" and substitute "1,829,858" and in the GENERAL FUND column strike "1,807,249" and substitute "1,829,858".

30
31
32
33

Adjust affected totals accordingly.

34
35

Page 27, line 8, in the ITEM & SUBTOTAL column strike "15,347,897" and substitute "15,590,439" and in the GENERAL FUND column strike "15,267,897" and substitute "15,510,439".

36
37
38
39

Adjust affected totals accordingly.

40
41

Page 28, line 2, in the ITEM & SUBTOTAL column strike "2,581,364" and substitute "2,590,939" and in the GENERAL FUND column strike "2,581,364" and substitute "2,590,939".

42
43
44
45

Adjust affected totals accordingly.

46
47

Page 29, line 2, in the ITEM & SUBTOTAL column strike "2,099,960" and substitute "2,118,511".

48
49
50

Page 29, line 3, in the ITEM & SUBTOTAL column strike "4,338,153" and substitute "4,356,704" and in the GENERAL FUND column strike "4,338,153" and substitute "4,356,704".

51
52
53
54

Page 29, line 8, in the ITEM & SUBTOTAL column strike "3,312,490" and substitute "3,347,725".

55
56
57

Page 29, line 10, in the ITEM & SUBTOTAL column strike "13,942,895" and substitute "13,978,130" and in the GENERAL FUND column strike "13,942,895" and substitute "13,978,130".

58
59
60
61

Page 30, line 6, in the ITEM & SUBTOTAL column strike "15,158,111" and substitute "15,280,425".

62
63
64

Page 30, line 7, in the ITEM & SUBTOTAL column strike "(212.2 FTE)" and substitute "(214.9 FTE)".

65
66
67

Page 30, line 8, in the ITEM & SUBTOTAL column strike "159,018" and substitute "159,680".

Page 30, line 9, in the ITEM & SUBTOTAL column strike "15,317,129" and substitute "15,440,105" and in the GENERAL FUND column strike "15,317,129" and substitute "15,440,105".

Page 30, line 14, in the ITEM & SUBTOTAL column strike "259,477" and substitute "260,123" and in the GENERAL FUND column strike "259,477" and substitute "260,123".

Adjust affected totals accordingly.

Page 31, line 6, in the ITEM & SUBTOTAL column strike "1,470,396" and substitute "1,498,362" and in the GENERAL FUND column strike "1,470,396" and substitute "1,498,362".

Adjust affected totals accordingly.

Page 35, line 4, in the ITEM & SUBTOTAL column strike "276,430" and substitute "277,405".

Page 35, line 5, in the ITEM & SUBTOTAL column strike "2,132,112" and substitute "2,133,087" and in the GENERAL FUND column strike "2,132,112" and substitute "2,133,087".

Adjust affected totals accordingly.

Page 37, line 1, in the ITEM & SUBTOTAL column strike "85,764" and substitute "88,052".

Page 37, line 2, in the ITEM & SUBTOTAL column strike "5,371,931" and substitute "5,374,219" and in the GENERAL FUND column strike "5,371,931" and substitute "5,374,219".

Page 37, line 5, in the ITEM & SUBTOTAL column strike "11,434,266" and substitute "11,542,516" and in the GENERAL FUND column strike "10,520,005" and substitute "10,628,255".

Page 37, line 6, in the GENERAL FUND column strike "(172.4 FTE)" and substitute "(174.2 FTE)".

Page 37, line 7, in the ITEM & SUBTOTAL column strike "2,444,298" and substitute "2,450,962" and in the CASH FUNDS column strike "1,833,283^{aa}" and substitute "1,839,947^{aa}".

Adjust affected totals accordingly.

Page 37, line 14, strike "\$1,321,815" and substitute "\$1,328,479".

Page 38, line 8, in the ITEM & SUBTOTAL column strike "69,276" and substitute "71,200" and in the CASH FUNDS column strike "69,276^{aa}" and substitute "71,200^{aa}".

Adjust affected totals accordingly.

Page 208, line 9, in the ITEM & SUBTOTAL column strike "3,703,167" and substitute "2,335,970" and in the GENERAL FUND column strike "1,367,197".

Adjust affected totals accordingly.

Page 23, line 13, in the ITEM & SUBTOTAL column strike "62,927,488" and substitute "63,927,488" and in the GENERAL FUND column strike "60,568,781" and substitute "61,568,781".

Adjust affected totals accordingly.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67

Page 25, line 12, in the ITEM & SUBTOTAL column strike "18,525,190" and substitute "20,025,190" and in the GENERAL FUND strike "17,474,356" and substitute "18,974,356".

Adjust affected totals accordingly.

Page 26, line 3, in the ITEM & SUBTOTAL column strike "16,730,205" and substitute "17,930,205".

Page 26, line 4, in the ITEM & SUBTOTAL column strike "(279.4 FTE)" and substitute "(299.5 FTE)".

Page 26, line 5, in the ITEM & SUBTOTAL column strike "4,961,740" and substitute "5,261,740".

Page 26, line 7, in the ITEM & SUBTOTAL column strike "23,159,765" and substitute "24,659,765" and in the GENERAL FUND column strike "23,159,765" and substitute "24,659,765".

Adjust affected totals accordingly.

Page 34, line 11, in the ITEM & SUBTOTAL column strike "2,566,619" and substitute "2,766,619" and in the GENERAL FUND column strike "2,182,278" and substitute "2,382,278".

Adjust affected totals accordingly.

Page 60, line 2, in the ITEM & SUBTOTAL column strike "3,313,657,170" and substitute "3,309,457,170" and in the GENERAL FUND column strike "2,487,067,253" and substitute "2,482,867,253".

Adjust affected totals accordingly.

Page 23, line 13, in the ITEM & SUBTOTAL column strike "62,927,488" and substitute "63,027,488" and in the GENERAL FUND column strike "60,568,781" and substitute "60,668,781".

Adjust affected total accordingly.

Page 293, line 8, in the ITEM & SUBTOTAL column strike "1,530,824" and substitute "1,430,824" and in the GENERAL FUND column strike "1,091,316" and substitute "991,316".

Adjust affected totals accordingly.

Page 255, line 3, in the ITEM & SUBTOTAL column strike "2,200,000" and substitute "2,000,000" and in the GENERAL FUND column strike "2,200,000" and substitute "2,000,000".

Adjust affected totals accordingly.

Page 327, line 5, in the ITEM & SUBTOTAL column strike "1,628,784" and substitute "1,619,588" and in the CASH FUNDS column strike "1,162,400^b" and substitute "1,153,204^b".

Adjust affected totals accordingly.

Page 327, line 13, strike "\$217,271" and substitute "\$208,075".

Page 329, line 11, in the ITEM & SUBTOTAL column strike "2,920,400" and substitute "2,976,008" and in the CASH FUNDS column strike "2,444,865^b" and substitute "2,500,473^b".

Adjust affected totals accordingly.

Page 330, line 4, strike "\$1,194,392" and substitute "\$1,250,000".

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67

Page 330, line 10, in the ITEM & SUBTOTAL column strike "3,027,267" and substitute "3,086,715" and in the CASH FUNDS column strike "1,922,003^a" and substitute "1,981,451^a".

1
2
3
4

Page 330, line 11, in the CASH FUNDS column strike "(22.9 FTE)" and substitute "(23.9 FTE)".

5
6
7

Page 330, line 12, in the ITEM & SUBTOTAL column strike "409,989" and substitute "414,659" and in the CASH FUNDS column strike "316,431^a" and substitute "321,101^a".

8
9
10

Adjust affected totals accordingly.

11
12

Page 331, line 2, strike "\$821,787" and substitute "\$885,905".

13
14

Page 332, line 12, in the ITEM & SUBTOTAL column strike "7,002,410" and substitute "7,420,896" and in the CASH FUNDS column strike "5,505,905^a" and substitute "5,924,391^a".

15
16
17
18

Page 332, line 13, in the CASH FUNDS column strike "(71.9 FTE)" and substitute "(77.9 FTE)".

19
20
21

Page 332, line 14, in the ITEM & SUBTOTAL column strike "433,520" and substitute "461,540" and in the CASH FUNDS column strike "416,167^a" and substitute "444,187^a".

22
23
24
25

Adjust affected totals accordingly.

26
27

Page 333, line 6, strike "\$5,874,967" and substitute "\$6,321,473".

28
29

Page 334, line 5, in the ITEM & SUBTOTAL column strike "2,066,244" and substitute "2,049,741" and in the CASH FUNDS column strike "928,391^b" and substitute "911,888^b".

30
31
32
33

Adjust affected totals accordingly.

34
35

Page 334, line 11, strike "\$66,503" and substitute "\$50,000".

36
37

Page 349, line 4, in the ITEM & SUBTOTAL column strike "3,607,548" and substitute "3,598,339" and in the CASH FUNDS column strike "994,865^a" and substitute "985,656^a".

38
39
40
41

Adjust affected totals accordingly.

42
43

Page 361, line 9, in the ITEM & SUBTOTAL column strike "2,443,597" and substitute "2,422,897" and in the CASH FUNDS column strike "1,120,115^a" and substitute "1,099,415^a".

44
45
46
47

Adjust affected totals accordingly.

48
49

Appropriations

After consideration on the merits, the Committee recommends that **HB12-1336** be referred to the Committee of the Whole with favorable recommendation.

50
51
52
53

Amend reengrossed bill, page 2, line 9, after the period add "THE OFFICE SHALL NOT SELECT A VENDOR TO PERFORM THE CONTRACT IF THE VENDOR HAS A KNOWN CONFLICT OF INTEREST THAT MAY INTERFERE WITH ITS ABILITY TO PRODUCE AN OBJECTIVE REPORT."

54
55
56
57
58
59

Page 3, line 6, after the period, insert "IN ADDITION, THE OFFICE SHALL PROVIDE AN OPPORTUNITY FOR PUBLIC COMMENT REGARDING DEVELOPING THE OPTIONS REQUIRED BY PARAGRAPH (b) OF THIS SUBSECTION (1)."

60
61
62
63

Page 3, line 16, after "FACILITIES," insert "OPTIMIZING STAFFING LEVELS,".

64
65

Page 3, after line 21, insert:

66
67

"(d) THE OFFICE SHALL PROVIDE A STATUS REPORT TO THE JUDICIARY COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND SENATE BY JANUARY 31, 2013."

Page 4, after line 8, insert:

"(h) IMPACT OF STAFFING LEVELS ON SAFETY, OUTCOMES, TURNOVER RATES, AND PAYROLL PRACTICES, INCLUDING OVERTIME AND COMPENSATION POLICIES;"

Reletter succeeding paragraphs accordingly.

Page 4, line 10, strike "EFFICIENCY" and substitute "EFFECTIVENESS" and strike "AND".

Page 4, after line 10, insert:

"(k) STATE CONSTITUTIONAL ISSUES RELATED TO THE STATE PERSONNEL SYSTEM; AND"

Reletter succeeding paragraphs accordingly.

Appropriations

After consideration on the merits, the Committee recommends that **HB12-1337** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **HB12-1338** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 2, line 10, after "CONSTITUTION" insert "FIFTY-NINE MILLION DOLLARS FROM".

Page 2, strike lines 14 through 20 and substitute "PURSUANT TO SECTION 24-75-201.1 (1) (d)".

Appropriations

After consideration on the merits, the Committee recommends that **HB12-1339** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 5, line 19, strike "health and medical care".

Page 7, line 22, strike "health and medical care".

Appropriations

After consideration on the merits, the Committee recommends that **HB12-1344** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 3, strike lines 2 and 3 and substitute:

"(y) ON JULY 1, 2012, FIFTY-NINE MILLION NINE HUNDRED NINETEEN THOUSAND THREE HUNDRED NINE DOLLARS, PLUS one hundred"

Appropriations

After consideration on the merits, the Committee recommends that **SB12-002** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 35, after line 10 insert:

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67

"SECTION 27. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the vital statistics records cash fund created in section 25-2-121 (2) (b) (I), Colorado Revised Statutes, not otherwise appropriated, to the department of public health and environment, for the fiscal year beginning July 1, 2012, the sum of \$10,978 cash funds and 0.2 FTE, or so much thereof as may be necessary, to be allocated to the health statistics and vital records subdivision, for implementation of this act as follows:

- (a) \$7,760 and 0.2 FTE for personal services expenses; and
- (b) \$3,218 for operating expenses.

(2) In addition to any other appropriation, there is hereby appropriated to the governor - lieutenant governor - state planning and budgeting, for the fiscal year beginning July 1, 2012, the sum of \$7,082, or so much thereof as may be necessary, for allocation to the Colorado benefits management system, for operating and contract expenses for the department of human services related to the implementation of this act. Said sum is from reappropriated funds received from the department of human services out of the appropriation made in subsection (2) of section 28.

SECTION 28. Appropriation - adjustments in 2012 long bill.

(1) For the implementation of this act, appropriations made in the annual general appropriation act to the department of health care policy and financing, for allocation to department of human services medicaid-funded programs for the fiscal year beginning July 1, 2012, are adjusted as follows:

- (a) The general fund appropriation for Colorado benefits management system is increased by \$1,302.
- (b) The cash funds appropriation for Colorado benefits management system is increased by \$10. Of said sum, \$6 is from the old age pension fund created in section 1 of article XXIV of the state constitution, and \$4 is from the children's basic health plan trust created in section 25.5-8-105 (1), Colorado Revised Statutes.
- (c) The federal funds appropriation for Colorado benefits management system is increased by \$1,311.

(2) For the implementation of this act, appropriations made in the annual general appropriation act to the department of human services for the fiscal year beginning July 1, 2012, are adjusted as follows:

- (a) The general fund appropriation for Colorado benefits management system, operating expenses, is increased by \$1,738.
- (b) The cash funds appropriation for Colorado benefits management system, operating expenses, is increased by \$329. Said sum shall be from the old age pension fund created in section 1 of article XXIV of the state constitution.
- (c) The reappropriated funds appropriation for Colorado benefits management system, operating expenses, is increased by \$2,623. Said sum is from reappropriated funds received from the department of health care policy and financing out of the appropriations made in subsection (1) of this section.
- (d) The federal funds appropriation for Colorado benefits management system, operating expenses, is increased by \$2,392."

Renumber succeeding sections accordingly.

Page 1, line 101, strike "UNIONS." and substitute "UNIONS, AND IN CONNECTION THEREWITH, MAKING AN APPROPRIATION."

Appropriations

After consideration on the merits, the Committee recommends that **SB12-159** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 8, before line 11, insert:

"SECTION 5. Appropriation. In addition to any other appropriation, there is hereby appropriated, to the department of health care policy and financing, for the fiscal year beginning July 1, 2012, the

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67

sum of \$6,925, or so much thereof as may be necessary, for allocation to medical service premiums, medical and long-term care services for medicaid eligible individuals, for the implementation of this act. Of said sum, \$3,463 is from the Colorado autism treatment fund created in section 25.5-6-805 (1), Colorado Revised Statutes, and \$3,462 is anticipated to be received from federal funds. Although the federal funds are not appropriated in this act, they are noted for the purpose of indicating the assumptions used relative to these funds."

Renumber succeeding sections accordingly.

Page 1, line 103, strike "**PROGRAM.**" and substitute "**PROGRAM, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appropriations

After consideration on the merits, the Committee recommends that **SB12-164** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 36, after line 4 insert:

"SECTION 15. Appropriation. In addition to any other appropriation, there is hereby appropriated, to the department of higher education, for the fiscal year beginning July 1, 2012, the sum of \$75,500 cash funds, from fees paid by private colleges and universities pursuant to section 23-2-104.5, Colorado Revised Statutes, or so much thereof as may be necessary, for the implementation of this act."

Renumber succeeding section accordingly.

Page 1, line 102, strike "**COLORADO.**" and substitute "**COLORADO, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appropriations

After consideration on the merits, the Committee recommends that **SB12-165** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 11, line 7, strike "CONTRIBUTIONS" and substitute "GRANTS AND DISTRIBUTIONS".

Page 11, line 11, strike "CONTRIBUTIONS" and substitute "GRANTS AND DISTRIBUTIONS".

Appropriations

After consideration on the merits, the Committee recommends that **HB12-1131** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **HB12-1162** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **HB12-1275** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 5, line 21 strike "68,080" and substitute "\$68,080".

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65

Appropriations After consideration on the merits, the Committee recommends that **HB12-1340** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend reengrossed bill, page 2, line 17, strike "medical service".

Page 2, line 18, strike "premiums," and substitute "medical and long-term care services for medicaid eligible individuals,".

Appropriations After consideration on the merits, the Committee recommends that **HB12-1341** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Appropriations After consideration on the merits, the Committee recommends that **HB12-1342** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Appropriations After consideration on the merits, the Committee recommends that **HB12-1343** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

SENATE SERVICES REPORT

Correctly Printed: SJR12-034, 035 and 036.
 Correctly Engrossed: SJR12-029.
 Correctly Reengrossed: SB12-004.
 Correctly Revised: HJR12-1004.

MESSAGE FROM THE HOUSE

April 16, 2012

The House has laid over SB12-087 until May 10, deeming it lost. The bill is returned herewith.

The Speaker has announced a change of sponsorship on SB12-038. Representative Priola replaces Representative Vaad as prime sponsor.

**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:

SB12-026 by Senator(s) Cadman; also Representative(s) Vaad--Concerning a state agency rule that creates a state mandate on a local government.

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Lambert	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lundberg	Y	Schwartz	Y
Boyd	E	Heath	Y	Mitchell	Y	Spence	Y
Brophy	Y	Hodge	Y	Morse	Y	Steadman	Y
Cadman	Y	Hudak	Y	Neville	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

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

Co-sponsor added: Aguilar, Brophy, Grantham, Jahn, King K., King S., Lambert, Lundberg, Mitchell, Neville, Renfroe, Roberts, Scheffel, Spence and White.

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:

HCR12-1001 by Representative(s) Ferrandino and Vaad; also Senator(s) Johnston and King K.-- Submitting to the registered electors of the state of Colorado amendments to the Colorado constitution concerning the state personnel system, and, in connection therewith, expanding the veterans' preference; increasing the number of candidates eligible to be appointed to a position; adjusting the duration of allowable temporary employment; allowing the flexibility to remove a limited number of positions from the system; modifying the residency requirement; adjusting the terms of service for members of the state personnel board; and requiring merit-based appointments to be made through a comparative analysis process.

Laid over until Wednesday, April 18, retaining its place on the calendar.

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

CONSIDERATION OF RESOLUTIONS

SJR12-035 by Senator(s) Giron and Aguilar, Bacon, Carroll, Foster, Guzman, Hodge, Hudak, Jahn, Johnston, Morse, Nicholson, Schwartz, Steadman, Tochtrop, Williams S.; also Representative(s) Bradford and Peniston, Acree, Fields, Hamner, Jones, Kerr A., Labuda, Levy, Massey, Nikkel, Ryden, Schafer S., Summers, Todd, Williams A., Wilson, Young-- Concerning the designation of April 17, 2012, as "Equal Pay Day" in Colorado, and, in connection therewith, acknowledging the persisting problem of wage disparity among various groups.

On motion of Senator Aguilar, the resolution was read at length.

Amendment No. 1(L.001), by Senator Brophy.

Amend printed joint resolution, page 2, before line 1 insert:

"WHEREAS, Women that work in the White House earn 18% less than men who work in the White House; and".

Page 3, after line 6 add:

"Be It Further Resolved, That a copy of this Joint Resolution be sent to the White House at 1600 Pennsylvania Avenue, Washington, D.C.".

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

YES	24	NO	11	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	N	Lambert	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lundberg	Y	Schwartz	N
Boyd	N	Heath	Y	Mitchell	Y	Spence	Y
Brophy	Y	Hodge	N	Morse	Y	Steadman	N
Cadman	Y	Hudak	N	Neville	Y	Tochtrop	N
Carroll	Y	Jahn	Y	Newell	N	White	Y
Foster	N	Johnston	Y	Nicholson	N	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	N
Grantham	Y	King S.	Y	Roberts	Y		

On motion of Senator Aguilar, the memorial, as amended, was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Lambert	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lundberg	Y	Schwartz	Y
Boyd	Y	Heath	Y	Mitchell	Y	Spence	Y
Brophy	Y	Hodge	Y	Morse	Y	Steadman	Y
Cadman	Y	Hudak	Y	Neville	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

Co-sponsor added: Boyd, Brophy, Cadman, Grantham, Harvey, Heath, King K., King S., Lambert, Lundberg, Mitchell, Neville, Newell, Renfroe, Roberts, Scheffel, Shaffer B., Spence and White.

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 Memorials.

CONSIDERATION OF MEMORIALS

SJM12-002 by Senator(s) Hudak; also Representative(s) Szabo and Pabon--Memorializing former Senator Jim Congrove.

On motion of Senator Hudak, the memorial was read at length and **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Lambert	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lundberg	Y	Schwartz	Y
Boyd	Y	Heath	Y	Mitchell	Y	Spence	Y
Brophy	Y	Hodge	Y	Morse	Y	Steadman	Y
Cadman	Y	Hudak	Y	Neville	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

Co-sponsor added: Aguilar, Bacon, Boyd, Brophy, Cadman, Carroll, Foster, Giron, Grantham, Guzman, Harvey, Heath, Hodge, Jahn, Johnston, King K., King S., Lambert, Lundberg, Mitchell, Morse, Neville, Newell, Nicholson, Renfroe, Roberts, Scheffel, Schwartz, Shaffer B., Spence, Steadman, Tochtrop, White and Williams S.

On motion of Senator Morse, and with a majority of those elected to the Senate having voted in the affirmative, the Consideration of the following Governor's Appointments for Tuesday, April 17 (Members of the Colorado School of Mines, Board of Trustees, Members of the Board of Assessment Appeals, Member of the State Electrical Board, Members of the Colorado Commission on Judicial Discipline, Members of the State Board of the Great Outdoors Colorado Trust Fund, Members of the Energy and Mineral Impact Assistance Advisory Committee, Members of the Colorado Channel Authority Board of Directors, Members of the Ground Water Commission, Members of the State Board of Land Commissioners, Members of the Colorado Tourism Office Board of Directors, Members of the Board of Trustees for the University of Northern Colorado, Member of the Board of Governors of the Colorado State University System, Members of the Air Quality Control Commission, Member of the Hospital Provider Fee Oversight and Advisory Board) were laid over until Wednesday, April 18, retaining their place on the calendar.

MESSAGE FROM THE GOVERNOR

April 16, 2012

To the Honorable Senate
 Sixty-Eighth General Assembly
 Second 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 Act:

SB12-040: CONCERNING THE QUALIFICATION OF CERTAIN STATE HIGHER EDUCATION FACILITIES FOR STATE CONTROLLED MAINTENANCE FUNDING.

Approved April 16, 2012 at 2:11 p.m.

SB12-055: CONCERNING THE VOLUNTARY CONTRIBUTION DESIGNATION BENEFITING THE 9HEALTH FAIR FUND TO APPEAR ON THE STATE INDIVIDUAL INCOME TAX RETURN FORMS.

Approved April 16, 2012 at 2:13 p.m.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67

SB12-057: CONCERNING NATIVE AMERICAN LANGUAGE INSTRUCTION.

Approved April 16, 2012 at 2:17 p.m.

SB12-059: CONCERNING COMMERCIAL VEHICLE STANDARDS APPLIED TO CERTAIN VEHICLES UNDER TWENTY-SIX THOUSAND ONE POUNDS.

Approved April 16, 2012 at 2:04 p.m.

SB12-091: CONCERNING MODIFICATIONS TO PROVISIONS GOVERNING THE PRACTICE OF NURSING HOME ADMINISTRATION, AND, IN CONNECTION THEREWITH, MODIFYING THE CRITERIA FOR NURSING HOME ADMINISTRATORS TO QUALIFY TO SERVE ON THE BOARD OF EXAMINERS OF NURSING HOME ADMINISTRATORS, MODIFYING THE EXPERIENCE REQUIREMENTS FOR PERSONS APPLYING TO TAKE THE NURSING HOME ADMINISTRATOR LICENSURE EXAMINATION OR TO PARTICIPATE IN THE ADMINISTRATOR-IN-TRAINING PROGRAM, AND PERMITTING A NURSING HOME ADMINISTRATOR WHO HAS PASSED A NATIONAL EXAMINATION AND AN EXAMINATION IN ANOTHER STATE TO SIT FOR THE COLORADO LICENSURE EXAMINATION.

Approved April 16, 2012 at 2:24 p.m.

Sincerely,
(signed)
John W. Hickenlooper
Governor

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, April 17 was laid over until Wednesday, April 18, retaining its place on the calendar.

- General Orders -- Second Reading of Bills -- Consent Calendar: HB12-1258, SB12-166.
- General Orders -- Second Reading of Bills: SB12-155, SB12-070, SB12-086, SB12-132, HB12-1160, SCR12-001, HB12-1237, SB12-144, SB12-005, HB12-1041, HB12-1304, HB12-1081, HB12-1059, SB12-101, SB12-139, SB12-047, SB12-027, SB12-028, HB12-1153, SB12-106, HB12-1140.
- Consideration of Resolutions: SJR12-023, SJR12-032, SJR12-034, SJR12-036, HJR12-1017.
- Consideration of Memorials: SM12-003.
- Conference Committees to Report: SB12-020, HB12-1053, HB12-1002.
- Requests for Conference Committee: HB12-1168.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53

On motion of Senator Morse, the Senate adjourned until 9:00 a.m., Wednesday, April 18, 2012.

Approved:

Brandon C. Shaffer
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16