

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

36th Legislative Day

Wednesday, February 15, 2012

Prayer	By the chaplain, Pastor Vern Rempel, First Mennonite Church, Denver.	10
Call to Order	By the President at 9:00 a.m.	11
Pledge	By LeAnne Miller, Fort Collins.	12
Roll Call	Present--34 Excused--1, White.	13
Quorum	The President announced a quorum present.	14
Reading of Journal	On motion of Senator Jahn, reading of the Journal of Tuesday, February 14, 2012, was dispensed with and the Journal was approved as corrected by the Secretary.	15

COMMITTEE OF REFERENCE REPORTS

Business, Labor, & Technology	After consideration on the merits, the Committee recommends that SB12-038 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	16
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Amend printed bill, page 3, line 3, strike "CUSTOMERS" and substitute "PROPERTY OWNERS".

Page 3, line 6, strike "CONSUMERS" and substitute "PROPERTY OWNERS".

Page 3, line 12, strike "A" and substitute "AN INSURANCE".

Page 3, line 13, strike "CUSTOMER'S" and substitute "PROPERTY OWNER'S".

Page 3, after line 17 insert:

"(1) "PROPERTY OWNER" MEANS THE OWNER OF RESIDENTIAL PROPERTY OR THE OWNER'S LEGAL REPRESENTATIVE.".

Page 3, line 18, strike "(1)" and substitute "(2) (a)".

Page 3, line 19, strike "(a)" and substitute "(I)".

Page 3, line 20, strike "(b)" and substitute "(II)".

Page 3, after line 22 insert:

"(b) "RESIDENTIAL PROPERTY" DOES NOT INCLUDE:
(I) A MULTIPLE ATTACHED SINGLE-FAMILY DWELLING CONTROLLED BY A HOMEOWNERS' ASSOCIATION; OR
(II) NEW CONSTRUCTION.".

Page 3, line 23, strike "(2)" and substitute "(3)".

Re-number succeeding subsection accordingly.

Page 4, line 10, strike "AND REGULATIONS" and substitute "REGULATIONS,"

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AND ROOFING INDUSTRY STANDARDS FOR WORKMANLIKE PERFORMANCE".

Page 4, line 19, strike "CLIENT," and substitute "PROPERTY OWNER,".

Page 4, line 20, strike "CLIENT," and substitute "PROPERTY OWNER,".

Page 4, line 24, before "COSTS" insert "APPROXIMATE" and strike "SERVICES;" and substitute "SERVICES BASED ON DAMAGES KNOWN AT THE TIME THE CONTRACT IS ENTERED;".

Page 5, line 7, strike "CLIENT" and substitute "PROPERTY OWNER".

Page 5, line 10, strike "CLIENT MAY CANCEL" and substitute "PROPERTY OWNER MAY RESCIND".

Page 5, line 12, strike "CLIENT" and substitute "PROPERTY OWNER".

Page 5, line 13, strike "OR" and substitute "AND".

Page 5, line 18, before "CLAIM" insert "INSURANCE".

Page 5, after line 19 insert:

"(2) IN ADDITION TO THE CONTRACT TERMS REQUIRED IN SUBSECTION (1) OF THIS SECTION, A ROOFING CONTRACTOR SHALL INCLUDE, ON THE FACE OF THE CONTRACT, IN BOLD-FACED TYPE, A STATEMENT INDICATING THAT THE ROOFING CONTRACTOR SHALL HOLD IN TRUST ANY PAYMENT FROM THE PROPERTY OWNER UNTIL THE ROOFING CONTRACTOR HAS DELIVERED ROOFING MATERIALS AT THE RESIDENTIAL PROPERTY SITE OR HAS PERFORMED A MAJORITY OF THE ROOFING WORK ON THE RESIDENTIAL PROPERTY."

Page 5, line 21, strike "cancel" and substitute "rescind".

Page 5, line 22, strike "PERSON" and substitute "PROPERTY OWNER".

Page 5, line 23, strike "PERSON'S" and substitute "PROPERTY OWNER'S".

Page 5, line 26, strike "CANCEL" and substitute "RESCIND".

Page 5, line 27, strike "PERSON" and substitute "PROPERTY OWNER".

Page 6, line 3, strike "PERSON" and substitute "PROPERTY OWNER".

Page 6, line 4, strike "CANCELLATION" and substitute "RESCISSION".

Page 6, line 7, strike "PERSON" and substitute "PROPERTY OWNER" and strike "CANCELLATION" and substitute "RESCISSION".

Page 6, line 15, strike "CANCELLATION" and substitute "RESCISSION".

Page 6, line 17, strike "PERSON" and substitute "PROPERTY OWNER".

Page 6, line 18, strike "PERSON" and substitute "PROPERTY OWNER".

Page 6, line 22, strike "PERSON" and substitute "PROPERTY OWNER".

Page 6, line 23, strike "PROPERTY," and substitute "PROPERTY IN A WORKMANLIKE MANNER CONSISTENT WITH STANDARD ROOFING INDUSTRY PRACTICES,".

Page 6, after line 26 insert:

"(4) NOTHING IN THIS SECTION ABROGATES THE ROOFING CONTRACTOR'S RIGHT TO PURSUE COMMON LAW REMEDIES FOR THE REASONABLE VALUE OF ROOFING MATERIALS ORDERED AND ACTUALLY INSTALLED ON THE RESIDENTIAL PROPERTY PURSUANT TO A CONTRACT

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FOR ROOFING WORK BEFORE THE PROPERTY OWNER RESCINDED THE CONTRACT, AS LONG AS THE ROOFING CONTRACTOR PERFORMED THE ROOFING SERVICES CONSISTENT WITH ROOFING INDUSTRY STANDARDS FOR WORKMANLIKE PERFORMANCE OF ROOFING SERVICES.

(5) NOTHING IN THIS SECTION ABROGATES A PROPERTY AND CASUALTY INSURER'S DUTIES, RESPONSIBILITIES, OR LIABILITY UNDER SECTIONS 10-3-1115 AND 10-3-1116, C.R.S."

Page 7, line 2, strike "OR" and substitute "AND".

Page 7, line 10, strike "INSURED" and substitute "PROPERTY OWNER".

Page 7, line 14, strike "PERSON" and substitute "PROPERTY OWNER WHOSE RESIDENTIAL PROPERTY IS" and strike "OR" and substitute "AND".

Page 7, line 18, strike "INSURED" and substitute "PROPERTY OWNER".

Page 7, line 24, after "ADJUSTER." add "NOTHING IN THIS SUBSECTION (3) PRECLUDES A ROOFING CONTRACTOR FROM DISCUSSING, ON BEHALF OF THE PROPERTY OWNER, THE SCOPE OF REPAIRS WITH A PROPERTY AND CASUALTY INSURER WHEN THE ROOFING CONTRACTOR HAS A VALID CONTRACT WITH THE PROPERTY OWNER OF THE RESIDENTIAL PROPERTY ON WHICH THE ROOFING CONTRACTOR HAS CONTRACTED TO PERFORM ROOFING WORK."

Finance After consideration on the merits, the Committee recommends that **SB12-075** be postponed indefinitely.

Finance After consideration on the merits, the Committee recommends that **SB12-084** be postponed indefinitely.

Finance After consideration on the merits, the Committee recommends that **SB12-136** be postponed indefinitely.

Finance After consideration on the merits, the Committee recommends that **SB12-137** be referred to the Committee of the Whole with favorable recommendation.

Judiciary After consideration on the merits, the Committee recommends that **SB12-104** be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation.

Amend printed bill, page 2, line 15, strike "Each fiscal year, the" and substitute "~~Each fiscal year, The~~".

Page 2, line 17, strike "the savings generated by" and substitute "~~the savings generated by~~ AT LEAST THIRTEEN MILLION SIX HUNDRED FORTY-NINE THOUSAND ONE HUNDRED FORTY-NINE DOLLARS IN FISCAL YEAR 2012-13, AT LEAST SIXTEEN MILLION FIVE HUNDRED SEVENTY-SIX THOUSAND FIVE HUNDRED EIGHTY-ONE DOLLARS IN FISCAL YEAR 2013-14, AND AT LEAST SIXTEEN MILLION EIGHT HUNDRED TWENTY-FIVE THOUSAND SIX HUNDRED SIXTY-FIVE DOLLARS IN FISCAL YEAR 2014-15 AND EACH YEAR THEREAFTER GENERATED FROM ESTIMATED SAVINGS FROM".

Page 2, line 18, strike "The appropriation shall be made" and substitute "~~The appropriation shall be made~~".

Page 2, strike line 19 and substitute "~~after consideration of the division of criminal justice's annual report~~".

Page 3, strike line 1 and substitute "~~required pursuant to section 24-33.5-503 (1) (u), C.R.S.~~".

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Page 4, line 25, after "DESIGNEE;" insert "AND".

Page 4, line 27, strike "DESIGNEE; AND" and substitute "DESIGNEE."

Page 5, strike lines 1 and 2.

Page 6, strike lines 3 through 11 and substitute:

"(f) THE BOARD SHALL DETERMINE THE SCOPE, METHOD, AND FREQUENCY OF THE DATA COLLECTION AND THE PARTIES RESPONSIBLE FOR DATA COLLECTION, ANALYSIS, AND REPORTING. THE DATA SHALL BE ORGANIZED BY".

Page 8, after line 10 insert:

"(f) A REPRESENTATIVE OF A DRUG COURT OR SIMILAR PROBLEM-SOLVING COURT IF SUCH A COURT EXISTS IN THE JUDICIAL DISTRICT CHOSEN BY THE CHIEF JUDGE OF THE JUDICIAL DISTRICT;"

Reletter succeeding paragraphs accordingly.

Page 12, after line 14 insert:

"SECTION 4. In Colorado Revised Statutes, repeal 24-33.5-503 (1) (u)."

Renumber succeeding section accordingly.

Judiciary

After consideration on the merits, the Committee recommends that **SB12-102** be referred to the Committee of the Whole with favorable recommendation.

Judiciary

After consideration on the merits, the Committee recommends that **SB12-027** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 2, line 3, strike "portion, (8) (d), and (11) (a);" and substitute "portion".

Page 3, strike lines 15 through 27.

Strike page 4.

Page 5, strike lines 1 through 22.

Page 5, line 23, strike "(e) (I)" and substitute "(8) (e)".

Page 6, strike lines 2 through 27 and substitute "ON LEGAL SERVICES SHALL NOTIFY IN WRITING THE PRIME SPONSORS AND COSPONSORS OF THE ENACTED LEGISLATION AND THE MEMBERS OF THE COMMITTEES OF REFERENCE IN THE SENATE AND HOUSE OF REPRESENTATIVES FOR THAT ENACTED LEGISLATION THAT A RULE HAS BEEN ADOPTED AS A RESULT OF THE LEGISLATION."

Strike page 7.

Page 8, strike lines 1 through 14.

Page 1, line 101, strike "AN ADDITIONAL REVIEW" and substitute "NOTICE TO CERTAIN MEMBERS OF THE GENERAL ASSEMBLY".

Page 1, strike line 103 and substitute "AS A RESULT OF AN ENACTED LEGISLATIVE MEASURE."

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Finance	After consideration on the merits, the Committee recommends that SB12-062 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	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
	Strike the State, Veterans, and Military Affairs report, dated February 6, 2012.	5 6 7
	Amend printed bill, page 3, strike lines 2 through 20 and substitute:	8 9
	"(4) There is hereby created in the state treasury the internet-based voting pilot program fund to provide for the direct and indirect costs associated with implementing this article. The fund shall consist of CONSISTS OF ANY MONEYS APPROPRIATED BY THE GENERAL ASSEMBLY TO THE FUND AND ANY gifts, grants, and donations to the fund from private or public sources for the purposes of this article. All private and public funds received through gifts, grants, and donations shall be transmitted to the state treasurer, who shall credit the same to the fund. Moneys in the fund shall be subject to annual appropriation by the general assembly to the department of state for the purposes specified in this article. Any unexpended and unencumbered moneys remaining in the fund at the end of any fiscal year shall remain in the fund and shall not be transferred to the general fund or any other fund."	10 11 12 13 14 15 16 17 18 19 20 21 22 23
	Page 4, strike lines 12 through 20.	24 25
	Renumber succeeding section accordingly.	26 27
Trans- portation	After consideration on the merits, the Committee recommends that SB12-126 be amended as follows, and as so amended, be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	29 30 31 32
	Amend printed bill, page 2, line 11, strike "EIGHTH" and substitute "SIXTH".	33 34 35
	Page 2, line 23, strike "EIGHTH" and substitute "SIXTH".	36 37
	Page 3, strike lines 1 through 9 and substitute:	38 39
	"takes effect August 8, 2013; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within the ninety-day period after final adjournment of the general assembly, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2012 and, in such case, will take effect on August 8, 2013."	40 41 42 43 44 45 46 47 48
Trans- portation	After consideration on the merits, the Committee recommends that SB12-092 be referred to the Committee of the Whole with favorable recommendation.	49 50 51 52
Trans- portation	After consideration on the merits, the Committee recommends that SB12-044 be amended as follows, and as so amended, be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	53 54 55 56
	Amend printed bill, page 2, line 17, after the period, add "NOTWITHSTANDING ANY OTHER PROVISION OF LAW, FINES FOR A VIOLATION OF SUBSECTION (1) OF THIS SECTION SHALL BE RETAINED BY THE CLERK OF THE COURT IN THE CITY AND COUNTY OF DENVER UPON RECEIPT BY THE CLERK FOR A VIOLATION OCCURRING WITHIN THAT JURISDICTION, OR TRANSMITTED TO THE STATE JUDICIAL DEPARTMENT IF THE FINE IS RECEIPTED BY THE CLERK OF THE COURT OF ANY OTHER COUNTY."	57 58 59 60 61 62 63 64 65
	Page 2, line 20, after the period, add "THE EMPLOYING PUBLIC TRANSPORTATION ENTITY SHALL DETERMINE THE REQUIREMENTS FOR	66 67

EMPLOYMENT AS A FARE INSPECTOR."

Page 2, strike lines 21 through 27.

Page 3, strike lines 1 through 4.

Reletter succeeding paragraph accordingly.

Page 7, after line 1, insert:

"SECTION 6. In Colorado Revised Statutes, add 24-72-308.8 as follows:

24-72-308.8. Sealing of criminal conviction records information for offenses involving theft of public transportation services. (1) IF A PERSON WAS CONVICTED OF THEFT OF PUBLIC TRANSPORTATION SERVICES BY FARE EVASION AS DESCRIBED IN SECTION 18-4-802, C.R.S., AS IT EXISTED PRIOR TO THE EFFECTIVE DATE OF THIS SECTION, AND THE PERSON HAS COMPLETED THE SENTENCE, INCLUDING PAYMENT OF THE FINE AND SURCHARGE, FOR THE CONVICTION AS OF THE EFFECTIVE DATE OF THIS SECTION, THE COURT THAT ENTERED THE CONVICTION SHALL SEAL THE CONVICTION BY JANUARY 1, 2013.

(2) A PERSON DESCRIBED IN SUBSECTION (1) OF THIS SECTION THAT WANTS HIS OR HER CONVICTION SEALED PRIOR TO JANUARY 1, 2013, MAY PETITION THE COURT IN WHICH THE CONVICTION WAS ENTERED FOR AN ORDER SEALING THE RECORD OF THE CONVICTION. THE PERSON SHALL PROVIDE ALL INFORMATION AS REQUIRED BY THE COURT IN THE PETITION. UPON RECEIPT OF THE PETITION THE COURT SHALL VERIFY THAT THE PERSON HAS COMPLETED HIS OR HER SENTENCE, INCLUDING PAYMENT OF THE FINE AND SURCHARGE, AND IF THE SENTENCE HAS BEEN COMPLETED, THE COURT SHALL ENTER AN ORDER SEALING THE CONVICTION.

(3) A PERSON CONVICTED OF THEFT OF PUBLIC TRANSPORTATION SERVICES BY FARE EVASION AS DESCRIBED IN SECTION 18-4-802, C.R.S., AS IT EXISTED PRIOR TO THE EFFECTIVE DATE OF THIS SECTION, WHO DID NOT COMPLETE THE SENTENCE FOR THE CONVICTION PRIOR TO THE EFFECTIVE DATE OF THIS SECTION MAY PETITION THE COURT IN WHICH THE CONVICTION WAS ENTERED FOR AN ORDER SEALING THE RECORD OF THE CONVICTION AFTER HE OR SHE COMPLETES THE SENTENCE, INCLUDING PAYMENT OF THE FINE AND SURCHARGE, FOR THE CONVICTION. THE PERSON SHALL PROVIDE ALL INFORMATION AS REQUIRED BY THE COURT IN THE PETITION. UPON RECEIPT OF THE PETITION, THE COURT SHALL VERIFY THAT THE PERSON HAS COMPLETED HIS OR HER SENTENCE AND IF THE SENTENCE HAS BEEN COMPLETED, THE COURT SHALL ENTER AN ORDER SEALING THE CONVICTION.

(4) UPON THE ENTRY OF AN ORDER TO SEAL CONVICTION RECORDS PURSUANT TO THIS SECTION, THE DEFENDANT AND ALL CRIMINAL JUSTICE AGENCIES MAY PROPERLY REPLY, UPON AN INQUIRY IN THE MATTER, THAT PUBLIC CONVICTION RECORDS DO NOT EXIST WITH RESPECT TO THE DEFENDANT. INSPECTION OF THE RECORDS INCLUDED IN AN ORDER SEALING CONVICTION RECORDS MAY THEREAFTER BE PERMITTED BY THE COURT ONLY UPON PETITION BY THE DEFENDANT. EMPLOYERS, STATE AND LOCAL GOVERNMENT AGENCIES, OFFICIALS, LANDLORDS, AND EMPLOYEES SHALL NOT, IN ANY APPLICATION OR INTERVIEW OR IN ANY OTHER WAY, REQUIRE AN APPLICANT TO DISCLOSE ANY INFORMATION CONTAINED IN SEALED CONVICTION RECORDS. AN APPLICANT NEED NOT, IN ANSWER TO ANY QUESTION CONCERNING CONVICTION RECORDS THAT HAVE BEEN SEALED, INCLUDE A REFERENCE TO OR INFORMATION CONCERNING THE SEALED CONVICTION RECORDS AND MAY STATE THAT THE APPLICANT HAS NOT BEEN CRIMINALLY CONVICTED. NOTWITHSTANDING THE PROVISIONS OF THIS SECTION, THE COLORADO STATE BOARD OF LAW EXAMINERS MAY MAKE FURTHER INQUIRIES INTO THE FACT OF A CONVICTION THAT COMES TO THE ATTENTION OF THE BAR COMMITTEE THROUGH OTHER MEANS. THE BAR COMMITTEE OF THE COLORADO STATE BOARD OF LAW EXAMINERS HAS A RIGHT TO INQUIRE INTO THE MORAL AND ETHICAL QUALIFICATIONS OF AN APPLICANT, AND THE APPLICANT DOES NOT HAVE A RIGHT TO PRIVACY OR PRIVILEGE THAT JUSTIFIES HIS OR HER REFUSAL TO ANSWER A QUESTION CONCERNING SEALED CONVICTION RECORDS THAT HAVE COME TO THE ATTENTION OF THE BAR COMMITTEE THROUGH OTHER MEANS."

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Page 7, strike lines 2 through 11 and substitute:

"SECTION 7. 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."

Trans-
portation

After consideration on the merits, the Committee recommends that **SB12-059** 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 the following:

"SECTION 1. In Colorado Revised Statutes, 42-4-235, **add** (2) (b) (IV) as follows:

42-4-235. Minimum standards for commercial vehicles - rules - repeal. (2) (b) Notwithstanding paragraph (a) of this subsection (2):

(IV) THIS SECTION DOES NOT APPLY TO A MOTOR VEHICLE OR MOTOR VEHICLE AND TRAILER COMBINATION:

(A) WITH A GROSS VEHICLE WEIGHT, GROSS VEHICLE WEIGHT RATING, OR GROSS COMBINATION RATING OF LESS THAN TWENTY-SIX THOUSAND ONE POUNDS;

(B) NOT OPERATED IN INTERSTATE COMMERCE;

(C) NOT TRANSPORTING HAZARDOUS MATERIALS REQUIRING PLACARDING;

(D) NOT TRANSPORTING EITHER SIXTEEN OR MORE PASSENGERS INCLUDING THE DRIVER OR EIGHT OR MORE PASSENGERS FOR COMPENSATION; AND

(E) THE MOTOR VEHICLE OR COMBINATION IS BEING USED SOLELY FOR AGRICULTURAL PURPOSES.

SECTION 2. Act subject to petition - effective date - applicability. (1) This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 7, 2012, if adjournment sine die is on May 9, 2012); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2012 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

(2) The provisions of this act apply to offenses committed on or after the applicable effective date of this act."

Local
Government

After consideration on the merits, the Committee recommends that **SB12-001** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 5, after line 26 insert:

"(6) IF THE PROCUREMENT OFFICER DETERMINES THAT COMPLIANCE WITH THIS SECTION WILL CAUSE DENIAL OF FEDERAL MONEYS OR PRECLUDE THE ABILITY TO ACCESS FEDERAL MONEYS THAT WOULD OTHERWISE BE AVAILABLE OR WILL OTHERWISE BE INCONSISTENT WITH FEDERAL LAW, THIS SECTION SHALL BE SUSPENDED, BUT ONLY TO THE EXTENT NECESSARY TO PREVENT DENIAL OF THE MONEYS OR TO ELIMINATE THE INCONSISTENCY WITH FEDERAL LAW."

Page 6, strike lines 15 through 17.

Reletter succeeding paragraphs accordingly.

Page 7, line 22, after "RESIDENTS;" add "AND".

Page 7, line 25, strike "ONE" and substitute "TWO".

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Page 8, strike line 2 and substitute "CONTRACT."

Page 8, strike lines 3 through 8.

Page 9, after line 1 insert:

"(6) IF THE PROCUREMENT OFFICER DETERMINES THAT COMPLIANCE WITH THIS SECTION WILL CAUSE DENIAL OF FEDERAL MONEYS OR PRECLUDE THE ABILITY TO ACCESS FEDERAL MONEYS THAT WOULD OTHERWISE BE AVAILABLE OR WILL OTHERWISE BE INCONSISTENT WITH FEDERAL LAW, THIS SECTION SHALL BE SUSPENDED, BUT ONLY TO THE EXTENT NECESSARY TO PREVENT DENIAL OF THE MONEYS OR TO ELIMINATE THE INCONSISTENCY WITH FEDERAL LAW."

Page 12, after line 7 insert:

"(7) IF THE PROCUREMENT OFFICER DETERMINES THAT COMPLIANCE WITH THIS SECTION WILL CAUSE DENIAL OF FEDERAL MONEYS OR PRECLUDE THE ABILITY TO ACCESS FEDERAL MONEYS THAT WOULD OTHERWISE BE AVAILABLE OR WILL OTHERWISE BE INCONSISTENT WITH FEDERAL LAW, THIS SECTION SHALL BE SUSPENDED, BUT ONLY TO THE EXTENT NECESSARY TO PREVENT DENIAL OF THE MONEYS OR TO ELIMINATE THE INCONSISTENCY WITH FEDERAL LAW."

Local Government

After consideration on the merits, the Committee recommends that **SB12-004** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 3, line 19, strike "ONE MILLION" and substitute "TWO HUNDRED FIFTY THOUSAND".

Page 4, line 4, strike "ONE MILLION" and substitute "TWO HUNDRED FIFTY THOUSAND".

Page 5, line 4, strike "FIVE" and substitute "FIFTEEN".

Local Government

After consideration on the merits, the Committee recommends that **SB12-021** 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 the following:

SECTION 1. In Colorado Revised Statutes, **add** part 34 to article 32 of title 24 as follows:

PART 34

FINANCIAL LITERACY PILOT PROGRAM

24-32-3401. Financial literacy pilot program - legislative declaration. (1) THE GENERAL ASSEMBLY DECLARES THAT THE PURPOSE OF THE FINANCIAL LITERACY PILOT PROGRAM IS TO INCREASE THE ABILITY OF PARTICIPANTS IN THE PILOT PROGRAM TO MANAGE THEIR PERSONAL FINANCES BY PROVIDING ACCESS TO CLASSES ON FINANCIAL LITERACY. THE GOALS OF THE PILOT PROGRAM ARE TO:

(a) PROVIDE ACCESS TO FINANCIAL EDUCATION AND RESOURCES SO THAT PARTICIPANTS CAN OBTAIN PERSONAL FINANCIAL KNOWLEDGE AND SKILLS THAT THEY CAN EMPLOY AT VARIOUS LIFE STAGES AND FOR PARTICULAR LIFE EVENTS TO MAKE INFORMED FINANCIAL DECISIONS;

(b) DECREASE THE NUMBER OF PERSONS IN THE STATE WHO ARE EVICTED, LOSE THEIR HOMES DUE TO FORECLOSURE, OR LOSE THEIR TRANSPORTATION DUE TO REPOSSESSION OF A MOTOR VEHICLE;

(c) DECREASE THE NUMBER OF PERSONS IN THE STATE WHO RELY ON COLORADO WORKS OR OTHER FORMS OF PUBLIC ASSISTANCE; AND

(d) INCREASE THE NUMBER OF PERSONS IN THE STATE WHO ARE FINANCIALLY SELF-SUFFICIENT.

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24-32-3402. Definitions. AS USED IN THIS PART 34, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "COMMUNITY PARTNER" MEANS A NONPROFIT ORGANIZATION THAT PARTNERS WITH A COUNTY TO PROVIDE VOLUNTEERS OR FINANCIAL RESOURCES OR BOTH TO ASSIST A COUNTY IN OPERATING A FINANCIAL LITERACY PILOT PROGRAM IN THE COUNTY.

(2) "CSU EXTENSION SERVICE" MEANS THE COLORADO STATE UNIVERSITY COOPERATIVE EXTENSION SERVICE AS PROVIDED FOR IN PART 7 OF ARTICLE 31 OF TITLE 23, C.R.S.

(3) "DEPARTMENT" MEANS THE DEPARTMENT OF LOCAL AFFAIRS CREATED IN SECTION 24-1-125.

(4) "FINANCIAL LITERACY" MEANS KNOWLEDGE OF PERSONAL FINANCES THAT IS SUFFICIENT TO ENABLE A PERSON TO CREATE AND MAINTAIN A HOUSEHOLD BUDGET, MANAGE PERSONAL DEBT, SAVE TO MEET HIS OR HER FINANCIAL GOALS, UNDERSTAND CONSUMER CREDIT AND FINANCE, KNOW THE IMPORTANCE OF SEEKING INFORMATION AND ASKING QUESTIONS BEFORE ENTERING INTO FINANCIAL TRANSACTIONS, AND UNDERSTAND AND SELECT FROM AMONG SHORT-TERM AND LONG-TERM INVESTMENT OPTIONS.

(5) "PILOT PROGRAM" MEANS THE FINANCIAL LITERACY PILOT PROGRAM CREATED IN SECTION 24-32-3404.

(6) "PARTICIPANT" MEANS A PERSON WHO ATTENDS FINANCIAL LITERACY CLASSES OFFERED IN HIS OR HER COUNTY OF RESIDENCE BY A COUNTY SELECTED TO PARTICIPATE IN THE FINANCIAL LITERACY PILOT PROGRAM.

24-32-3403. Department of local affairs - oversight and administration. AS OUTLINED IN SECTION 24-32-3404, THE DEPARTMENT OF LOCAL AFFAIRS SHALL OVERSEE AND ADMINISTER THE FINANCIAL LITERACY PILOT PROGRAM AND SHALL AWARD GRANTS TO COUNTIES SELECTED TO PARTICIPATE IN THE PILOT PROGRAM.

24-32-3404. Financial literacy pilot program - fund - notice of funding through gifts, grants, and donations. (1) THE CSU EXTENSION SERVICE SHALL DESIGN A FINANCIAL LITERACY PILOT PROGRAM TO TEST THE EFFICACY OF TWO TEACHING METHODS OF PROVIDING FINANCIAL LITERACY CLASSES TO PARTICIPANTS, USING THE CURRICULUM DESCRIBED IN SUBSECTION (5) OF THIS SECTION, AS FOLLOWS:

(a) UNDER ONE METHOD, THE CSU EXTENSION SERVICE TEACHES THE FINANCIAL LITERACY CLASSES TO PARTICIPANTS; AND

(b) UNDER THE OTHER METHOD, THE CSU EXTENSION SERVICE TRAINS STAFF FROM A COUNTY OR VOLUNTEERS FROM A COMMUNITY PARTNER WORKING WITH A COUNTY TO TEACH FINANCIAL LITERACY CLASSES TO PARTICIPANTS. IN THE METHOD DESCRIBED IN THIS PARAGRAPH (b), THE CSU EXTENSION SERVICE EMPHASIZES HOW TO WORK EFFECTIVELY AND SENSITIVELY WITH LOW-INCOME POPULATIONS. THE TRAINING MAY ALSO INCLUDE HOW TO DELIVER FINANCIAL LITERACY INSTRUCTION TO AN INDIVIDUAL PARTICIPANT OR TO GROUPS IN A CLASSROOM SETTING.

(2) ON OR BEFORE OCTOBER 1, 2012, THE DEPARTMENT SHALL DEVELOP AND ANNOUNCE THE REQUIREMENTS FOR THE PILOT PROGRAM, THE APPLICATION PROCESS, AND THE CRITERIA FOR SELECTING COUNTIES TO PARTICIPATE IN THE PILOT PROGRAM. IN DEVELOPING THE CRITERIA FOR THE PILOT PROGRAM, THE DEPARTMENT SHALL INCLUDE A REQUIREMENT THAT PARTICIPATION BY PARTICIPANTS IS VOLUNTARY. BASED ON THE CRITERIA FOR THE PILOT PROGRAM AND THE STRENGTH OF THE APPLICATION, THE DEPARTMENT SHALL SELECT NO MORE THAN FOUR COUNTIES TO PARTICIPATE IN THE PILOT PROGRAM. ONE OF THE COUNTIES SHALL HAVE A POPULATION OF LESS THAN TWENTY-FIVE THOUSAND, ONE OF THE COUNTIES SHALL HAVE A POPULATION OF MORE THAN TWENTY-FIVE THOUSAND BUT LESS THAN ONE HUNDRED THOUSAND, AND TWO OF THE COUNTIES SHALL HAVE A POPULATION OF MORE THAN ONE HUNDRED THOUSAND. THE PILOT PROGRAM SHALL COMMENCE ON OR AFTER JANUARY 1, 2013, AND END ON DECEMBER 31, 2015.

(3) THE DEPARTMENT, IN CONSULTATION WITH THE CSU EXTENSION SERVICE, SHALL ESTABLISH FEES FOR FINANCIAL LITERACY CLASSES. THE FEES PAID BY PARTICIPANTS SHALL BE REASONABLE AND ESTABLISHED ON A SLIDING SCALE BASED ON INCOME OR ABILITY TO PAY, INCLUDING THE WAIVER OF FEES BASED ON HARDSHIP. ANY FEES PAID BY

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PARTICIPANTS SHALL BE PAID TO THE DEPARTMENT, WHICH SHALL TRANSMIT THE FEES TO THE STATE TREASURER TO BE CREDITED TO THE FINANCIAL LITERACY PILOT PROGRAM FUND CREATED IN SUBSECTION (6) OF THIS SECTION. THE DEPARTMENT AND CSU EXTENSION SERVICE SHALL ALSO SET A FEE THAT THE COUNTIES SHALL PAY TO COVER THE DIRECT COSTS TO THE CSU EXTENSION SERVICE OF TEACHING CLASSES TO PARTICIPANTS AND OF TRAINING STAFF AND VOLUNTEERS TO TEACH FINANCIAL LITERACY CLASSES. THE COUNTY SHALL PAY THOSE FEES TO THE DEPARTMENT, WHICH SHALL TRANSMIT THE FEES TO THE STATE TREASURER TO BE CREDITED TO THE FINANCIAL LITERACY PILOT PROGRAM FUND CREATED IN SUBSECTION (6) OF THIS SECTION.

(4) (a) ON OR BEFORE NOVEMBER 1, 2012, A COUNTY MAY APPLY TO THE DEPARTMENT TO PARTICIPATE IN THE PILOT PROGRAM. THE APPLYING COUNTY DETERMINES THE APPROPRIATE COUNTY AGENCY TO ADMINISTER THE PILOT PROGRAM IN THAT COUNTY, WHICH AGENCY MAY INCLUDE THE COUNTY LIBRARY, THE COUNTY DEPARTMENT OF SOCIAL SERVICES, THE COUNTY DEPARTMENT OF PUBLIC HEALTH, ANOTHER COUNTY AGENCY, OR A COMMUNITY PARTNER. EACH APPLICATION SHALL SPECIFY, AT A MINIMUM:

- (I) WHICH OF THE TWO TEACHING METHODS DESCRIBED IN SUBSECTION (1) OF THIS SECTION THAT THE COUNTY INTENDS TO USE;
- (II) HOW THE COUNTY WOULD NOTIFY ITS RESIDENTS OF THE FINANCIAL LITERACY CLASSES, INCLUDING RADIO AND NEWSPAPER ANNOUNCEMENTS, PRESS RELEASES, POSTERS, AND BROCHURES;
- (III) THE NUMBER OF PARTICIPANTS THE COUNTY EXPECTS TO SERVE;
- (IV) THE AGENCY THAT WILL ADMINISTER THE PROGRAM IN THE COUNTY AND WHETHER THE COUNTY IS PARTNERING WITH A COMMUNITY PARTNER;
- (V) WHETHER THE COUNTY WOULD PROVIDE COUNTY FUNDS FOR THE PILOT PROGRAM, AND, IF SO, THE PROJECTED AMOUNT;
- (VI) THE PROJECTED BUDGET FOR THE PILOT PROGRAM; AND
- (VII) ANY OTHER INFORMATION THE CSU EXTENSION SERVICE OR THE DEPARTMENT DEEMS NECESSARY TO THE APPLICATION.

(b) THE COUNTY MAY APPLY WITH A COMMUNITY PARTNER. IF THE COUNTY APPLIES WITH A COMMUNITY PARTNER, THE COUNTY SHALL INDICATE THE ROLE OF THE COMMUNITY PARTNER AND WHETHER THE COMMUNITY PARTNER IS PROVIDING ADDITIONAL FUNDING TO SUPPORT THE COSTS OF THE PILOT PROGRAM IN THAT COUNTY.

(5) (a) THE CSU EXTENSION SERVICE SHALL DESIGN THE CURRICULUM FOR THE FINANCIAL LITERACY CLASSES BASED UPON CURRICULUM THE SERVICE HAS ALREADY DEVELOPED THAT EMPHASIZES THE FIVE CORE COMPETENCIES THAT HELP CONSUMERS TO MAKE INFORMED DECISIONS ABOUT THEIR PERSONAL FINANCES: EARNING, SPENDING, SAVING AND INVESTING, BORROWING, AND PROTECTING AGAINST RISK. THE CSU EXTENSION SERVICE WILL DETERMINE THE FREQUENCY AND DURATION OF THE CLASSES AND HOW TO MEASURE THE PARTICIPANTS' IMPROVED KNOWLEDGE AND APPLICATION OF THE INSTRUCTION TO THEIR LIVES. THE CSU EXTENSION SERVICE SHALL ALSO DESIGN THE FINANCIAL LITERACY CURRICULUM TO TEACH A PARTICIPANT, AT A MINIMUM, TO:

- (I) ASSESS HIS OR HER EARNING CAPABILITIES AND INCOME, INCLUDING INCREASED EARNING POTENTIAL;
- (II) ASSESS HIS OR HER CURRENT SPENDING PRACTICES OR ASSESS THE SPENDING PRACTICES OF HIS OR HER HOUSEHOLD;
- (III) DEVELOP A BUDGET, INCLUDING HOW TO DETERMINE HOW MUCH OF THE HOUSEHOLD'S INCOME CAN BE SPENT ON RENT OR HOUSING, GROCERIES, CHILD CARE, TRANSPORTATION, INCIDENTALS, OR OTHER ITEMS;
- (IV) FIND WAYS TO SAVE MONEY AND TO DETERMINE HOW MUCH TO SAVE;
- (V) UNDERSTAND CONSUMER CREDIT AND FINANCE, INCLUDING HOW TO UNDERSTAND AND OBTAIN A CONSUMER CREDIT REPORT, HOW TO AVOID PITFALLS AND RISKS FROM DIFFERENT FINANCIAL CREDIT PRODUCTS, AND WHERE TO OBTAIN HELP AND INFORMATION ON CONSUMER CREDIT AND FINANCE;
- (VI) MANAGE PERSONAL DEBT AND EVALUATE CREDIT OPTIONS;

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AND

(VII) UNDERSTAND AND EVALUATE PERSONAL INVESTMENT OPTIONS.

(b) THE CLASS INSTRUCTOR SHALL PREPARE A REPORT AND SUBMIT IT TO THE CSU EXTENSION SERVICE, INCLUDING THE NAME OF THE PARTICIPATING COUNTY, THE NUMBER OF PARTICIPANTS, AND AN EVALUATION TOOL COMPLETED BY EACH PARTICIPANT INDICATING THE PARTICIPANT'S KNOWLEDGE OF HIS OR HER CREDIT SCORE AND THAT THE PARTICIPANT PREPARED A WRITTEN FINANCIAL PLAN FOR THE PERSONAL USE OF THE PARTICIPANT AND NOT SHARED WITH THE EVALUATOR.

(6) (a) THE DEPARTMENT IS AUTHORIZED TO SEEK AND ACCEPT GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF AWARDING GRANTS TO COUNTIES SELECTED TO PARTICIPATE IN THE PILOT PROGRAM; EXCEPT THAT THE DEPARTMENT MAY NOT ACCEPT A GIFT, GRANT, OR DONATION THAT IS SUBJECT TO CONDITIONS THAT ARE INCONSISTENT WITH THIS PART 34 OR ANY OTHER LAW OF THE STATE. THE DEPARTMENT SHALL TRANSMIT ALL PRIVATE AND PUBLIC MONEYS RECEIVED THROUGH GIFTS, GRANTS, OR DONATIONS TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME TO THE FINANCIAL LITERACY PILOT PROGRAM FUND, WHICH FUND IS HEREBY CREATED AND REFERRED TO IN THIS SECTION AS THE "FUND". THE FUND SHALL CONSIST OF MONEYS RECEIVED FROM GIFTS, GRANTS, AND DONATIONS, FEES COLLECTED FROM PARTICIPANTS WHO ATTEND FINANCIAL LITERACY CLASSES AS DESCRIBED IN SUBSECTION (4) OF THIS SECTION, FEES PAID BY COUNTIES FOR TRAINING CLASSES AS DESCRIBED IN SUBSECTION (4) OF THIS SECTION, AND ANY MONEYS THAT MAY BE APPROPRIATED TO THE FUND BY THE GENERAL ASSEMBLY. THE MONEYS IN THE FUND ARE SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY TO THE DEPARTMENT TO MAKE GRANTS AND TO THE CSU EXTENSION SERVICE FOR THE DIRECT AND INDIRECT COSTS ASSOCIATED WITH IMPLEMENTING THIS PART 34.

(b) THE STATE TREASURER MAY INVEST ANY MONEYS IN THE FUND NOT EXPENDED FOR THE PURPOSE OF THIS PART 34 AS PROVIDED BY LAW. THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE INVESTMENT AND DEPOSIT OF MONEYS IN THE FUND TO THE FUND. ANY UNEXPENDED AND UNENCUMBERED MONEYS REMAINING IN THE FUND AT THE END OF A FISCAL YEAR REMAIN IN THE FUND AND SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANOTHER FUND. THE STATE TREASURER SHALL TRANSFER ALL UNEXPENDED AND UNENCUMBERED MONEYS REMAINING IN THE FUND AS OF JUNE 30, 2016, TO THE GENERAL FUND.

(c) (I) IN SEEKING OR ACCEPTING A GIFT, GRANT, OR DONATION, THE DEPARTMENT SHALL NOTIFY THE LEGISLATIVE COUNCIL STAFF WHEN THE DEPARTMENT HAS RECEIVED ADEQUATE FUNDING THROUGH GIFTS, GRANTS, OR DONATIONS FOR THE PILOT PROGRAM AND SHALL INCLUDE IN THE NOTIFICATION THE INFORMATION SPECIFIED IN SECTION 24-75-1303 (3).

(II) THIS PARAGRAPH (c) IS REPEALED, EFFECTIVE JULY 1, 2016.

(7) (a) SUBJECT TO AVAILABLE APPROPRIATIONS FROM THE FUND CREATED IN SUBSECTION (8) OF THIS SECTION, THE DEPARTMENT SHALL AWARD A GRANT TO EACH OF THE COUNTIES SELECTED TO PARTICIPATE IN THE PILOT PROGRAM. THE PURPOSE OF THE GRANT IS TO COVER THE COSTS OF ADMINISTERING THE PILOT PROGRAM IN A SELECTED COUNTY. NOTHING IN THIS SECTION PRECLUDES A COUNTY OR A COMMUNITY PARTNER FROM PROVIDING ADDITIONAL FUNDS TO SUPPORT THE PILOT PROGRAM.

(b) AS A CONDITION OF ACCEPTING A GRANT, EACH COUNTY SHALL AGREE TO PARTICIPATE IN ANY SURVEYS FROM AND SUBMIT ANY DATA OR EVALUATIONS REQUESTED BY THE CSU EXTENSION SERVICE.

(8) (a) THE CSU EXTENSION SERVICE SHALL CONTRACT WITH AN OUTSIDE EVALUATION SPECIALIST TO EVALUATE THE RESULTS OF THE PILOT PROGRAM. THE EVALUATION SPECIALIST SHALL SUBMIT A REPORT TO THE DEPARTMENT AND TO THE FINANCE COMMITTEES AND LOCAL GOVERNMENT COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES, ON OR BEFORE FEBRUARY 1, 2015.

(b) THE REPORT SUBMITTED PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (8) SHALL INCLUDE:

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(I) THE NUMBER OF COUNTIES THAT PARTICIPATED IN THE PILOT PROGRAM;

(II) THE NUMBER OF PARTICIPANTS THAT PARTICIPATED IN AND COMPLETED FINANCIAL LITERACY CLASSES;

(III) EVALUATION MEASURES SUCH AS THE NUMBER OF PARTICIPANTS WHO KNOW THEIR ACTUAL CREDIT SCORES, THE NUMBER OF PARTICIPANTS WHO KNOW HOW TO DEVELOP BUDGETS AND FINANCIAL PLANS, WHETHER PARTICIPANTS HAVE BECOME MORE SELF-SUFFICIENT OR FINANCIALLY KNOWLEDGEABLE THROUGH PARTICIPATING IN THE FINANCIAL LITERACY CLASSES, AND WHETHER THE GOALS STATED IN SECTION 24-32-3401 WERE MET;

(IV) A COMPARISON OF THE TWO TEACHING METHODS DESCRIBED IN SUBSECTION (1) OF THIS SECTION AND A CONSIDERATION OF WHETHER ONE METHOD WAS MORE EFFECTIVE THAN THE OTHER; AND

(V) RECOMMENDATIONS FOR FUTURE FINANCIAL LITERACY TRAINING.

24-32-3405. Repeal of part. THIS PART 34 IS REPEALED, EFFECTIVE JULY 1, 2016, UNLESS EXTENDED BY THE GENERAL ASSEMBLY ACTING BY BILL.

SECTION 2. In Colorado Revised Statutes, 23-31-704, **add** (5) as follows:

23-31-704. Organization - cooperative relationships - repeal.

(5) (a) THE SERVICE SHALL COOPERATE WITH THE DEPARTMENT OF LOCAL AFFAIRS AND WITH ANY PARTICIPATING COUNTIES TO CARRY OUT THE PURPOSES OF THE FINANCIAL LITERACY PILOT PROGRAM CREATED IN PART 34 OF ARTICLE 32 OF TITLE 24, C.R.S., AND TO CARRY OUT DUTIES ASSIGNED TO THE SERVICE IN SECTION 24-32-3404, C.R.S.

(b) THIS SUBSECTION (5) IS REPEALED, EFFECTIVE JULY 1, 2016, UNLESS PART 34 OF ARTICLE 32 OF TITLE 24, C.R.S., IS EXTENDED BY THE GENERAL ASSEMBLY ACTING BY BILL.

SECTION 3. 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."

MESSAGE FROM THE REVISOR OF STATUTES

February 14, 2012

We herewith transmit:

Without comment, HB12-1079.

Without comment, as amended, HB12-1070, 1072, and 1086.

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:

SB12-058 by Senator(s) Heath; --Concerning the creation of the venture capital advisory board.

Laid over until Thursday, February 16, retaining its place on the calendar.

HB12-1180 by Representative(s) Gerou, Becker, Levy; also Senator(s) Hodge, Steadman, Lambert-- 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:

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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	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	E
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.

HB12-1182 by Representative(s) Gerou, Becker, Levy; also Senator(s) Hodge, Steadman, Lambert-- Concerning a supplemental appropriation to the department of education.

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

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	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	E
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.

HB12-1183 by Representative(s) Gerou, Becker, Levy; also Senator(s) Hodge, Steadman, Lambert-- 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	34	NO	0	EXCUSED	1	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	E
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.

HB12-1184 by Representative(s) Gerou, Becker, Levy; also Senator(s) Hodge, Steadman, Lambert-- Concerning a supplemental appropriation to the department of health care policy and financing.

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

YES	32	NO	2	EXCUSED	1	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	N	Hodge	Y	Morse	Y	Steadman	Y
Cadman	Y	Hudak	Y	Neville	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	E
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	N	King S.	Y	Roberts	Y		

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

HB12-1185 by Representative(s) Gerou, Becker, Levy; also Senator(s) Hodge, Steadman, Lambert-- 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	34	NO	0	EXCUSED	1	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	E
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: Brophy

HB12-1186 by Representative(s) Gerou, Becker, Levy; also Senator(s) Hodge, Steadman, Lambert-- 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	34	NO	0	EXCUSED	1	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	E
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: Newell

HB12-1187 by Representative(s) Gerou, Becker, Levy; also Senator(s) Hodge, Steadman, Lambert--
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
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	E
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.

HB12-1188 by Representative(s) Gerou, Becker, Levy; also Senator(s) Hodge, Steadman, Lambert--
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	34	NO	0	EXCUSED	1	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	E
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.

HB12-1189 by Representative(s) Gerou, Becker, Levy; also Senator(s) Hodge, Steadman, Lambert--
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
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	E
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.

HB12-1190 by Representative(s) Gerou, Becker, Levy; also Senator(s) Hodge, Steadman, Lambert--
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	34	NO	0	EXCUSED	1	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	E
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.

HB12-1191 by Representative(s) Gerou, Becker, Levy; also Senator(s) Hodge, Steadman, Lambert--
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	34	NO	0	EXCUSED	1	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	E
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.

HB12-1192 by Representative(s) Gerou, Becker, Levy; also Senator(s) Hodge, Steadman, Lambert--
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:

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	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	E
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.

HB12-1193 by Representative(s) Gerou, Becker, Levy; also Senator(s) Hodge, Steadman, Lambert--
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	34	NO	0	EXCUSED	1	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	E
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**.

HB12-1194 by Representative(s) Gerou, Becker, Levy; also Senator(s) Hodge, Steadman, Lambert--
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	24	NO	10	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Lambert	Y	Scheffel	N
Bacon	Y	Harvey	N	Lundberg	N	Schwartz	Y
Boyd	Y	Heath	Y	Mitchell	N	Spence	Y
Brophy	N	Hodge	Y	Morse	Y	Steadman	Y
Cadman	N	Hudak	Y	Neville	N	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	E
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	N	President	Y
Grantham	N	King S.	N	Roberts	Y		

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

HB12-1195 by Representative(s) Gerou, Becker, Levy; also Senator(s) Hodge, Steadman, Lambert--
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	27	NO	7	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Lambert	Y	Scheffel	N
Bacon	Y	Harvey	N	Lundberg	Y	Schwartz	Y
Boyd	Y	Heath	Y	Mitchell	N	Spence	Y
Brophy	Y	Hodge	Y	Morse	Y	Steadman	Y
Cadman	N	Hudak	Y	Neville	N	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	E
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	N	Renfroe	N	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**.

HB12-1196 by Representative(s) Gerou, Becker, Levy; also Senator(s) Hodge, Steadman, Lambert--
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	27	NO	7	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Lambert	Y	Scheffel	N
Bacon	Y	Harvey	Y	Lundberg	N	Schwartz	Y
Boyd	Y	Heath	Y	Mitchell	N	Spence	Y
Brophy	Y	Hodge	Y	Morse	Y	Steadman	Y
Cadman	N	Hudak	Y	Neville	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	E
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	N	Renfroe	N	President	Y
Grantham	N	King S.	Y	Roberts	Y		

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

HB12-1197 by Representative(s) Gerou, Becker, Levy; also Senator(s) Hodge, Steadman, Lambert--
Concerning a supplemental appropriation to the department of revenue. Appropriations

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

YES	28	NO	6	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Lambert	Y	Scheffel	N
Bacon	Y	Harvey	Y	Lundberg	N	Schwartz	Y
Boyd	Y	Heath	Y	Mitchell	N	Spence	Y
Brophy	Y	Hodge	Y	Morse	Y	Steadman	Y
Cadman	Y	Hudak	Y	Neville	N	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	E
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	N	President	Y
Grantham	N	King S.	Y	Roberts	Y		

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

HB12-1199 by Representative(s) Gerou, Becker, Levy; also Senator(s) Hodge, Steadman, Lambert--
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	34	NO	0	EXCUSED	1	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	E
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.

HB12-1200 by Representative(s) Gerou, Becker, Levy; also Senator(s) Hodge, Steadman, Lambert--
Concerning funding for capital construction, and making supplemental appropriations in
connection therewith.

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

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	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	E
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**.

HB12-1201 by Representative(s) Gerou, Becker, Levy; also Senator(s) Steadman, Hodge, Lambert--
Concerning adjustments in the amount of total program funding for public schools for the
2011-12 budget year, and, in connection therewith, making and reducing appropriations.

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

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	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	E
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: Cadman

HB12-1202 by Representative(s) Levy, Becker, Gerou; also Senator(s) Lambert, Hodge, Steadman--
Concerning authorization for the appropriation of tobacco education program fund moneys
to the department of health care policy and financing in order to obtain federal matching
funds for the Colorado quitline program, and, in connection therewith, making and reducing
appropriations.

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

YES	23	NO	11	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Lambert	N	Scheffel	N
Bacon	Y	Harvey	N	Lundberg	N	Schwartz	Y
Boyd	Y	Heath	Y	Mitchell	N	Spence	Y
Brophy	N	Hodge	Y	Morse	Y	Steadman	Y
Cadman	N	Hudak	Y	Neville	N	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	E
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	N	Renfroe	N	President	Y
Grantham	N	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: Newell

HB12-1203 by Representative(s) Gerou, Becker, Levy; also Senator(s) Steadman, Hodge, Lambert-- Concerning the reenactment of the statutes that authorize grants from the primary care fund for comprehensive primary care services.

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

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	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	E
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

MESSAGE FROM THE HOUSE

February 14, 2012

The House has adopted and returns herewith SJR12-007.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB12-1079.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB12-1070, amended as printed in House Journal, February 13, page 240.
 HB12-1072, amended as printed in House Journal, February 13, page 240.
 HB12-1086, amended as printed in House Journal, February 13, page 240.

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

SJR12-014 by Senator(s) Aguilar, Steadman, Boyd, Foster, Guzman, Johnston, Mitchell, Nicholson, Roberts, Spence, White; also Representative(s) Gardner B., Swalm, Szabo, Jones, Kefalas, Kerr A., Todd--Concerning Colorado's community health centers.

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

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	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	E
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-sponsors added: Bacon, Brophy, Cadman, Carroll, Giron, Grantham, Harvey, Heath, Hodge, Hudak, Jahn, King K., King S., Lambert, Lundberg, Morse, Neville, Newell, Renfroe, Scheffel, Schwartz, Tochtrop, Williams S. and Shaffer B.

Committee of the Whole On motion of Senator Tochtrop, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar and Senator Tochtrop was called to the Chair to act as Chairman.

**GENERAL ORDERS -- SECOND READING OF BILLS --
CONSENT CALENDAR**

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

HB12-1078 by Representative(s) Vigil, Baumgardner, Sonnenberg, Swerdfeger, Wilson; also Senator(s) Schwartz, Brophy, Giron, Hodge, Roberts--Concerning the exemption of drinking water treatment facilities from the requirement to obtain a certificate of designation.

Amendment No. 1, Agriculture, Natural Resources, and Energy Committee Amendment.
(Printed in Senate Journal, February 10, page 117 and placed in members' bill files.)

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

SB12-067 by Senator(s) Hudak, Bacon, Johnston, King K., Spence; also Representative(s) Holbert--Concerning requirements pertaining to the corporate status of charter schools.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, February 10, page 115 and placed in members' bill files.)

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

**ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE --
CONSENT CALENDAR**

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

The Committee of the Whole took the following action:

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	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	E
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		

Passed on second reading: SB11-067 as amended, HB12-1078 as amended.

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

GENERAL ORDERS -- SECOND READING OF BILLS

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

SB12-011 by Senator(s) Spence; also Representative(s) Summers--Concerning the differential response pilot program for child abuse or neglect cases of low or moderate risk.

Laid over until Thursday, February 16, retaining its place on the calendar.

SB12-051 by Senator(s) Bacon; also Representative(s) Massey--Concerning requirements for contracts executed by local education providers.

Laid over until Thursday, February 16, retaining its place on the calendar.

SB12-072 by Senator(s) Lambert, Newell, Grantham, Scheffel, Cadman, Aguilar, King K., Lundberg, Neville, Renfroe; also Representative(s) Stephens, Holbert, Joshi, Looper, DelGrosso, Gerou--Concerning the Colorado mounted rangers.

Laid over until Thursday, February 16, retaining its place on the calendar.

SB12-122 by Senator(s) Williams S., Aguilar, Foster, Giron, Jahn, Lundberg, Newell, Nicholson, Roberts, Steadman; also Representative(s) DelGrosso--Concerning avoiding potential conflicts of interest in the provision of services to a person on probation.

Laid over until Thursday, February 16, retaining its place on the calendar.

SB12-131 by Senator(s) Guzman, Steadman; --Concerning the responsibilities of a fiduciary with regard to the estate of a person who may have executed a designated beneficiary agreement.

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

- SB12-061** by Senator(s) King K.; also Representative(s) Massey--Concerning procedures relating to the authorization of charter schools. 1
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Amendment No. 1, Education Committee Amendment. 5
(Printed in Senate Journal, February 9, pages 108-111 and placed in members' bill files.) 6
7
As amended, ordered engrossed and placed on the calendar for third reading and final 8
passage. 9
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(For further action, see amendments to the report of the Committee of the Whole.) 11
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13
- SB12-146** by Senator(s) Hodge; also Representative(s) Peniston--Concerning limitations on the 14
acceptance of certain benefits by specified governmental actors who are in a position to 15
reward persons offering such benefits with official action. 16
17
Ordered engrossed and placed on the calendar for third reading and final passage. 18
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- SB12-099** by Senator(s) Spence; also Representative(s) Todd--Concerning expansion of access to 21
services for juveniles at the academic model juvenile facility. 22
23
Laid over until Thursday, February 16, retaining its place on the calendar. 24
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26
- SB12-045** by Senator(s) Hudak and King K., Bacon; also Representative(s) Massey and Fields, 27
Holbert--Concerning granting associate degrees to students who transfer from a two-year 28
institution. 29
30
Amendment No. 1, Education Committee Amendment. 31
(Printed in Senate Journal, February 10, pages 114-115 and placed in members' bill files.) 32
33
As amended, ordered engrossed and placed on the calendar for third reading and final 34
passage. 35
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- SB12-036** by Senator(s) Mitchell; --Concerning parental consent for the collection of information from 38
students in schools. 39
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Amendment No. 1, Education Committee Amendment. 41
(Printed in Senate Journal, February 10, page 116 and placed in members' bill files.) 42
43
As amended, ordered engrossed and placed on the calendar for third reading and final 44
passage. 45
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- On motion of Senator Morse, and with a majority of those elected to the Senate having 51
voted in the affirmative, the balance of the General Orders -- Second Reading of Bills 52
Calendar (SB12-022, HB12-1181, HB12-1198) of Wednesday, February 15 was laid over 53
until Thursday, February 16, retaining its place on the calendar. 54
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- AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE** 58
- SB12-061** by Senator(s) King K.; also Representative(s) Massey--Concerning procedures relating to 59
the authorization of charter schools. 60
61
Senator King K. moved to amend the Report of the Committee of the Whole to show that the 62
following amendment to SB 12-061 did pass. 63
64
Amend printed bill, page 14, line 25, strike "22-30.5-104 (3)" and 65
substitute "22-30.5-517 (3)". 66
67

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

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	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	E
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		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

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	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	E
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		

The Committee of the Whole took the following action:

Passed on second reading: SB12-131, SB12-061 as amended, SB12-146, SB12-045 as amended, SB12-036 as amended.

Laid over until February 16: SB12-011, SB12-051, SB11-072, SB12-122, SB12-099, SB12-022, HB12-1181, SB12-1198.

SENATE SERVICES REPORT

Correctly Printed: SB12-149; SJR12-014.

Correctly Engrossed: SJR12-007.

Correctly Reengrossed: SB12-020, 035, 042, 079, 097, 110, 115 and 145.

Correctly Revised: HB12-1180, 1182, 1183, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1192, 1193, 1194, 1195, 1196, 1197, 1199, 1200, 1201, 1202 and 1203.

Correctly Rerevised: HB12-1001.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB12-1001.

MESSAGE FROM THE HOUSE

February 15, 2012

The House has adopted and transmits herewith HJR12-1013.

CONSIDERATION OF RESOLUTIONS

HJR12-1013 by Representative(s) Gardner B.; also Senator(s) Newell--Concerning Awareness Day for Individuals with Developmental Disabilities.

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

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

On motion of Senator Morse, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Wednesday, February 15 was laid over until Thursday, February 16, retaining its place on the calendar.

Consideration of Resolutions: SJR12-006, HJR12-1010.

TRIBUTES

Honoring:

Galen Mansor Elisha, Eagle Scout -- by Senator Hudak.

On motion of Senator Morse, the Senate adjourned until 9:00 a.m., Thursday, February 16, 2012.

Approved:

Brandon C. Shaffer
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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