

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

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58th Legislative Day Thursday, March 8, 2012

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Prayer	By the chaplain, Reverend Cynthia James, Mile Hi Church, Lakewood.	11
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Call to Order	By the President at 9:00 a.m.	13
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Pledge	By Senator Renfroe.	15
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Roll Call	Present--34	17
	Excused--1, Roberts.	18
	Present later--1, Roberts.	19
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Quorum	The President announced a quorum present.	21
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Reading of Journal	On motion of Senator Neville, reading of the Journal of Wednesday, March 7, 2012, was dispensed with and the Journal was approved as corrected by the Secretary.	23
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**COMMITTEE OF REFERENCE REPORTS**

Business, Labor, & Technology	After consideration on the merits, the Committee recommends that <b>HB12-1288</b> be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	30
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State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that <b>SB12-019</b> be amended as follows, and as so amended, be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	37
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Amend printed bill, page 3, after line 10 insert:

**"SECTION 4.** In Colorado Revised Statutes, **add 2-3-208** as follows:

**2-3-208. Colorado on-time budget advisory committee - definitions - repeal.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "ADVISORY COMMITTEE" MEANS THE COLORADO ON-TIME BUDGET ADVISORY COMMITTEE CREATED IN SUBSECTION (2) OF THIS SECTION.

(b) "CRITICAL BUDGET BILLS" MEANS THE ANNUAL GENERAL APPROPRIATION ACT, THE ANNUAL PUBLIC SCHOOL FINANCE ACT, OR SIMILAR BILLS FROM OTHER STATES.

(c) "STATE BUDGET PROCESS" MEANS THE MANNER IN WHICH THE GENERAL ASSEMBLY OR OTHER STATE LEGISLATURE PASSES CRITICAL BUDGET BILLS OR OTHER SIMILAR BILLS.

(2) THERE IS HEREBY CREATED THE COLORADO ON-TIME BUDGET ADVISORY COMMITTEE FOR THE PURPOSE OF PROVIDING GUIDANCE RELATED TO THE STATE BUDGET PROCESS AND MEASURES TO ENSURE THE TIMELY PASSAGE OF CRITICAL BUDGET BILLS.

(3) (a) THE ADVISORY COMMITTEE CONSISTS OF TWELVE MEMBERS APPOINTED NO LATER THAN JUNE 1, 2012, FOR A TERM ENDING JUNE 30, 2013, AS FOLLOWS:

(I) FOUR MEMBERS OF THE HOUSE OF REPRESENTATIVES, TWO OF WHOM ARE APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND TWO OF WHOM ARE APPOINTED BY THE MINORITY

LEADER OF THE HOUSE OF REPRESENTATIVES;

(II) FOUR MEMBERS OF THE SENATE, TWO OF WHOM ARE APPOINTED BY THE PRESIDENT OF THE SENATE AND TWO OF WHOM ARE APPOINTED BY THE MINORITY LEADER OF THE SENATE; AND

(III) FOUR PERSONS APPOINTED BY THE GOVERNOR WHO HAVE EXPERTISE IN THE STATE BUDGET PROCESS.

(b) THE ADVISORY COMMITTEE IS REQUIRED TO MEET AT LEAST SIX TIMES IN ORDER TO UNDERTAKE ITS DUTIES.

(4) THE ADVISORY COMMITTEE SHALL:

(a) REVIEW THE CURRENT STATE BUDGET PROCESS;

(b) ANALYZE THE STATE BUDGET PROCESS IN OTHER STATES;

(c) ANALYZE METHODS FROM OTHER STATES TO ENSURE THE TIMELY PASSAGE OF CRITICAL BUDGET BILLS, INCLUDING THE SUSPENSION OF PAYMENTS TO MEMBERS OF A STATE LEGISLATURE;

(d) CONSIDER ALTERNATIVES TO THE CURRENT STATE BUDGET PROCESS;

(e) CONSIDER ALTERNATIVES TO ENSURE THE TIMELY PASSAGE OF CRITICAL BUDGET BILLS; AND

(f) MAKE RECOMMENDATIONS REGARDING THE BEST STATE BUDGET PROCESS AND METHODS TO ENSURE THE TIMELY PASSAGE OF CRITICAL BUDGET BILLS.

(5) (a) ON OR BEFORE JANUARY 1, 2013, THE ADVISORY COMMITTEE SHALL PREPARE A REPORT REGARDING ITS FINDINGS AND RECOMMENDATIONS AND DISTRIBUTE THE REPORT TO ALL MEMBERS OF THE GENERAL ASSEMBLY. NO LATER THAN JANUARY 15, 2013, THE ADVISORY COMMITTEE SHALL PRESENT THE REPORT TO THE JOINT BUDGET COMMITTEE AND THE FINANCE COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES.

(b) (I) PRIOR TO FINALIZING THE REPORT, THE ADVISORY COMMITTEE SHALL PRESENT ITS PROPOSED FINDINGS AT AT LEAST THREE PUBLIC MEETINGS AT LOCATIONS THROUGHOUT THE STATE AND TAKE PUBLIC COMMENT ON THE PROPOSED FINDINGS. THE ADVISORY COMMITTEE SHALL CONSIDER THE PUBLIC COMMENTS WHEN FINALIZING THE REPORT.

(II) THE MEETINGS REQUIRED PURSUANT TO SUBPARAGRAPH (I) OF THIS PARAGRAPH (b) ARE IN ADDITION TO THE MEETINGS REQUIRED PURSUANT TO PARAGRAPH (b) OF SUBSECTION (3) OF THIS SECTION.

(6) NONLEGISLATIVE MEMBERS OF THE ADVISORY COMMITTEE MAY BE REIMBURSED FOR ALL NECESSARY AND ACTUAL EXPENSES INCURRED IN THE PERFORMANCE OF THEIR DUTIES.

(7) THE LEGISLATIVE COUNCIL STAFF AND THE OFFICE OF LEGISLATIVE LEGAL SERVICES MAY PROVIDE STAFF SUPPORT TO THE ADVISORY COMMITTEE.

(8) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2013. PRIOR TO THE REPEAL OF THIS SECTION, THE ADVISORY COMMITTEE IS REQUIRED TO BE REVIEWED AS PROVIDED IN SECTION 2-3-1203 (3), C.R.S.

**SECTION 5.** In Colorado Revised Statutes, 2-3-1203, **add** (3) (z) (VIII) as follows:

**2-3-1203. Sunset review of advisory committees.** (3) The following dates are the dates for which the statutory authorization for the designated advisory committees is scheduled for repeal:

(z) July 1, 2013:

(VIII) THE COLORADO ON-TIME BUDGET ADVISORY COMMITTEE CREATED IN SECTION 2-3-208 (2), C.R.S."

Renumber succeeding section accordingly.

State,  
Veterans, &  
Military  
Affairs

After consideration on the merits, the Committee recommends that **HB12-1040** be postponed indefinitely.

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State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that <b>HB12-1169</b> be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	1 2 3 4 5 6
Health & Human Services	After consideration on the merits, the Committee recommends that <b>HB12-1207</b> be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	7 8 9 10
Education	After consideration on the merits, the Committee recommends that <b>HB12-1124</b> 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.	11 12 13 14 15 16
	Amend reengrossed bill, page 4, after line 3, insert:	17 18
	"e) "SUPPLEMENTAL ON-LINE COURSE" MEANS AN EDUCATION COURSE THAT IS:	19 20 21
	(I) DELIVERED VIA AN INTERNET FORMAT TO ONE OR MORE STUDENTS AT A LOCATION THAT IS REMOTE FROM THE DELIVERY POINT; AND	22 23 24
	(II) PURCHASED BY A SCHOOL DISTRICT, BOARD OF COOPERATIVE SERVICES, OR PUBLIC SCHOOL FROM A PROVIDER TO AUGMENT THE EDUCATION PROGRAM PROVIDED BY THE SCHOOL DISTRICT, BOARD OF COOPERATIVE SERVICES, OR PUBLIC SCHOOL."	25 26 27 28 29
	Page 5, line 17, strike "ON-LINE LEARNING," and substitute "DIGITAL LEARNING;"	30 31 32
	Page 5, strike lines 18 and 19.	33 34 35
Judiciary	After consideration on the merits, the Committee recommends that <b>SB12-070</b> be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	36 37 38 39
	Amend printed bill, strike everything below the enacting clause and substitute:	40 41 42
	<b>"SECTION 1.</b> In Colorado Revised Statutes, 38-12-507, amend (2) as follows:	43 44 45
	<b>38-12-507. Breach of warranty of habitability - tenant's remedies.</b> (2) <del>If a rental agreement contains a provision for either party in an action related to the rental agreement to obtain attorney fees and costs, then</del> The prevailing party in any action brought under this part 5 shall be entitled to recover reasonable attorney fees and costs.	46 47 48 49 50
	<b>SECTION 2.</b> In Colorado Revised Statutes, add 38-12-512 and 38-12-513 as follows:	51 52
	<b>38-12-512. Copy of rental agreement - disclosure.</b> (1) A LANDLORD OR ANY PERSON AUTHORIZED TO ENTER INTO A RENTAL AGREEMENT ON HIS OR HER BEHALF SHALL PROVIDE EACH TENANT WITH A WRITTEN OR ELECTRONIC COPY OF THE RENTAL AGREEMENT.	53 54 55 56
	(2) A LANDLORD OR ANY PERSON AUTHORIZED TO ENTER INTO A RENTAL AGREEMENT ON HIS OR HER BEHALF SHALL DISCLOSE TO THE TENANT IN WRITING AT OR BEFORE THE COMMENCEMENT OF THE TENANCY THE NAME AND ADDRESS OF:	57 58 59 60
	(a) THE TITLE OF THE PERSON AUTHORIZED TO MANAGE THE PREMISES; AND	61 62
	(b) AN OWNER OF THE PREMISES OR A PERSON AUTHORIZED TO ACT FOR AND ON BEHALF OF THE OWNER FOR THE PURPOSE OF SERVICE OF PROCESS AND RECEIVING AND RECEIPTING FOR NOTICES AND DEMANDS.	63 64 65
	(3) IF THE INFORMATION REQUIRED TO BE FURNISHED BY THIS SECTION CHANGES, THE LANDLORD OR PERSON AUTHORIZED TO ENTER	66 67

INTO A RENTAL AGREEMENT ON HIS OR HER BEHALF SHALL PROVIDE NOTICE OF THE CHANGE ON THE LANDLORD'S OR AUTHORIZED PERSON'S WEB SITE OR AT A PUBLIC AREA OF THE RESIDENTIAL PREMISES. THIS SECTION EXTENDS TO AND IS ENFORCEABLE AGAINST ANY SUCCESSOR LANDLORD, OWNER, OR MANAGER.

**38-12-513. Access.** (1) A TENANT SHALL NOT UNREASONABLY WITHHOLD CONSENT TO THE LANDLORD TO ENTER INTO THE DWELLING UNIT IN ORDER TO INSPECT THE PREMISES, MAKE NECESSARY OR AGREED REPAIRS, DECORATIONS, ALTERATIONS, OR IMPROVEMENTS, SUPPLY NECESSARY OR AGREED SERVICES, OR EXHIBIT THE DWELLING UNIT TO PROSPECTIVE OR ACTUAL PURCHASERS, MORTGAGEES, TENANTS, WORKMEN, OR CONTRACTORS.

(2) A LANDLORD MAY ENTER THE DWELLING UNIT WITHOUT CONSENT OF THE TENANT IN CASE OF EMERGENCY IF SUCH CONDUCT IS REASONABLE UNDER THE CIRCUMSTANCES.

(3) A LANDLORD SHALL NOT ABUSE THE RIGHT OF ACCESS OR USE IT TO HARASS THE TENANT. EXCEPT IN CASE OF EMERGENCY AS SPECIFIED IN SUBSECTION (2) OF THIS SECTION OR IF THE TENANT EXPRESSLY CONSENTS TO A SHORTER NOTICE WITH RESPECT TO A PARTICULAR ENTRY, THE LANDLORD SHALL GIVE THE TENANT AT LEAST FORTY-EIGHT HOURS' WRITTEN OR OTHER VERIFIABLE FORM OF NOTICE OF HIS OR HER INTENT TO ENTER AND MAY ENTER ONLY AT REASONABLE TIMES.

(4) A LANDLORD HAS NO OTHER RIGHT OF ACCESS EXCEPT:

(a) PURSUANT TO COURT ORDER; OR

(b) UNLESS THE TENANT HAS ABANDONED OR SURRENDERED THE PREMISES.

(5) IF THE TENANT REFUSES TO ALLOW LAWFUL ACCESS, THE LANDLORD MAY OBTAIN INJUNCTIVE RELIEF TO COMPEL ACCESS, OR TERMINATE THE RENTAL AGREEMENT. IN EITHER CASE THE LANDLORD MAY RECOVER ACTUAL DAMAGES AND REASONABLE ATTORNEY FEES AND COSTS.

(6) IF THE LANDLORD MAKES AN UNLAWFUL ENTRY OR A LAWFUL ENTRY IN AN UNREASONABLE MANNER, THE TENANT MAY OBTAIN INJUNCTIVE RELIEF TO PREVENT THE RECURRENCE OF THE CONDUCT OR TERMINATE THE RENTAL AGREEMENT. IN EITHER CASE THE TENANT MAY RECOVER ACTUAL DAMAGES NOT LESS THAN AN AMOUNT EQUAL TO ONE MONTH'S RENT AND REASONABLE ATTORNEY FEES AND COSTS.

**SECTION 3. Act subject to petition - effective date - applicability.** (1) This act takes effect September 1, 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 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 the date of the official declaration of the vote thereon by the governor.

(2) The provisions of this act apply to rental agreements entered into or extended or renewed on and after the applicable effective date of this act."

Page 1, line 101, strike "**TENANTS, AND, IN**" and substitute "**TENANTS**".

Page 1, strike lines 102 and 103.

Judiciary

After consideration on the merits, the Committee recommends that **HB12-1095** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Judiciary

After consideration on the merits, the Committee recommends that **HB12-1114** 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 4, strike "(8)" and substitute "(8)(a)".

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Page 2, after line 8 insert:

"(b) THIS SUBSECTION (8) SHALL BE KNOWN AND MAY BE CITED AS "VONNIE'S LAW".".

Judiciary

After consideration on the merits, the Committee recommends that **HB12-1151** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 8, after line 15 insert:

"(V) A DEFENDANT MAY PETITION THE COURT FOR THE SEALING OF CONVICTION RECORDS PURSUANT TO THIS SECTION ONLY ONCE DURING ANY TWELVE-MONTH PERIOD. THE COURT SHALL DISMISS A SECOND OR SUBSEQUENT PETITION FILED WITHIN ANY TWELVE-MONTH PERIOD.".

**SENATE SERVICES REPORT**

Correctly Revised: HB12-1058, 1247, 1248 and 1249.  
Correctly Rerevised: HB12-1005.

**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:

**HB12-1058** by Representative(s) Joshi; also Senator(s) Nicholson--Concerning the requirement that the department of public health and environment provide infant eye prophylaxis.

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	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	E		

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

Co-sponsors added: Boyd, Tochtrop and Williams S.

**HB12-1247** by Representative(s) Gerou, Becker, Levy; also Senator(s) Steadman, Hodge, Lambert-- Concerning annual reductions in the amount of tobacco litigation settlement moneys that are allocated in the fiscal year in which the state receives them, and, in connection therewith, offsetting the reductions with tobacco litigation settlement cash fund moneys made available by the repeal of the short-term innovative health program grant fund.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
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	E		

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

**HB12-1248** by Representative(s) Gerou, Becker, Levy; also Senator(s) Lambert, Hodge, Steadman-- Concerning the receipt of certain moneys by the department of law.

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	Y	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	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	N	President	Y
Grantham	N	King S.	Y	Roberts	E		

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

**HB12-1249** by Representative(s) Gerou, Becker, Levy; also Senator(s) Steadman, Hodge, Lambert-- Concerning the manner in which tobacco litigation settlement moneys are allocated to the state auditor's office for the costs of conducting program reviews and evaluations of the performance of tobacco settlement programs.

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	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	E		

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

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

**HB12-1163** by Representative(s) Waller; also Senator(s) Morse--Concerning limited peace officer authority designations.

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

**HB12-1233** by Representative(s) Labuda, Barker, Casso, Gardner B., Pabon; also Senator(s) Carroll--Concerning the ability of a court to enter a decree of legal separation in certain circumstances without the appearance of the parties.

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

**HB12-1217** by Representative(s) Tyler; also Senator(s) Aguilar--Concerning the authority of an organization that maintains a regularly established inspection department to conduct inspections of its own pressure-retaining items.

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

**SB12-152** by Senator(s) Cadman, Morse, Shaffer B.; also Representative(s) Ferrandino, McNulty, Stephens--Concerning changes to the procedures for filing reports with the general assembly under the "Information Coordination Act".

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.  
(Printed in Senate Journal, March 6, page 384 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 Aguilar, 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	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	E		

The Committee of the Whole took the following action:

Passed on second reading: SB12-152 as amended, HB12-1163, HB12-1233, HB12-1217.

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

**HB12-1181** by Representative(s) Gerou, Becker, Levy; also Senator(s) Hodge, Steadman, Lambert-- Concerning a supplemental appropriation to the department of corrections.

Laid over until Monday, March 12, retaining its place on the calendar.

**HB12-1031** by Representative(s) Peniston, Labuda, Duran, Ramirez, Schafer S.; also Senator(s) Tochtrop, King S., Morse--Concerning the authority of the board of the fire and police pension association to make amendments to plans for the administration of benefits.

Amendment No. 1, Finance Committee Amendment.  
(Printed in Senate Journal, March 1, page 341 and placed in members' bill files.)

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

**SB12-129** by Senator(s) Schwartz, Aguilar, Bacon, Grantham, Harvey, Heath, Hodge, Hudak, Johnston, King S., Lundberg, Newell, Roberts, Steadman, Tochtrop, White, Williams S.; also Representative(s) Coram--Concerning access to affordable broadband internet connectivity in noncompetitive rural areas.

Laid over until Friday, March 9, retaining its place on the calendar.

**HB12-1089** by Representative(s) Court; also Senator(s) Steadman--Concerning the specific wording related to a statewide ballot title.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.  
(Printed in Senate Journal, March 2, page 348 and placed in members' bill files.)

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

**HB12-1090** by Representative(s) Pace; also Senator(s) Newell--Concerning the annual date for establishing the total pupil enrollment of each public school.

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

**SB12-130** by Senator(s) Newell and Hodge, Steadman; also Representative(s) Massey and Hamner, Peniston--Concerning governance of child development programs, and, in connection therewith, requiring a post-enactment review of the implementation of this act.

Laid over until Monday, March 12, retaining its place on the calendar.

**HB12-1008** by Representative(s) Acree; also Senator(s) Jahn--Concerning additional methods for providing input to executive branch agencies about proposed rules, and, in connection therewith, directing agencies to establish representative groups to evaluate and comment on proposed rules, requiring agencies to notify the general assembly of any rule-making that results in increases in fees or fines, and requiring agencies to submit departmental regulatory agendas to the general assembly.

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- Laid over until Friday, March 9, retaining its place on the calendar. 1
- SB12-116** by Senator(s) Foster, Carroll, Johnston, Mitchell, Scheffel; also Representative(s) Brown, 2  
Levy, Beezley, Kagan--Concerning penalties associated with cathinones, and, in connection 3  
therewith, establishing a misdemeanor penalty for possession of a cathinone. 4  
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Amendment No. 1, Local Government Committee Amendment. 7  
(Printed in Senate Journal, February 23, pages 233-234 and placed in members' bill files.) 8  
9  
Amendment No. 2, Appropriations Committee Amendment. 10  
(Printed in Senate Journal, March 2, page 364 and placed in members' bill files.) 11  
12  
As amended, ordered engrossed and placed on the calendar for third reading and final 13  
passage. 14  
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16
- HB12-1047** by Representative(s) Kefalas, Gardner B.; also Senator(s) Newell--Concerning the waiver of 17  
non-safety licensing standards for kinship foster care. 18  
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Ordered revised and placed on the calendar for third reading and final passage. 20  
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22
- SB12-134** by Senator(s) Aguilar, Boyd, Carroll, Foster, Nicholson; --Concerning financial assistance 23  
in Colorado hospitals. 24  
25  
Laid over until Friday, March 9, retaining its place on the calendar. 26  
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28
- SB12-059** by Senator(s) Brophy; also Representative(s) Sonnenberg--Concerning commercial vehicle 29  
standards applied to certain vehicles under twenty-six thousand one pounds. 30  
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Amendment No. 1, Transportation Committee Amendment. 32  
(Printed in Senate Journal, February 15, page 167 and placed in members' bill files.) 33  
34  
Ordered engrossed and placed on the calendar for third reading and final passage. 35  
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- HB12-1032** by Representative(s) Hamner; also Senator(s) Nicholson--Concerning continuation of 38  
forestry-related programs, and, in connection therewith, making an appropriation. 39  
40  
Amendment No. 1, Agriculture, Natural Resources, and Energy Committee Amendment. 41  
(Printed in Senate Journal, February 24, page 278 and placed in members' bill files.) 42  
43  
As amended, ordered revised and placed on the calendar for third reading and final 44  
passage. 45  
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47
- HB12-1033** by Representative(s) Swalm; also Senator(s) Newell--Concerning conditions on the 48  
authority of the director of the division of workers' compensation to impose administrative 49  
fines as a result of compliance audits finding instances of late reporting of injuries under the 50  
"Workers' Compensation Act of Colorado". 51  
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Laid over until Friday, March 9, retaining its place on the calendar. 53  
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- On motion of Senator Morse, and with a majority of those elected to the Senate having 58  
voted in the affirmative, the balance of the General Orders -- Second Reading of Bills 59  
Calendar (SB12-127, SB12-128) of Thursday, March 8, was laid over until Friday, March 60  
9, retaining its place on the calendar. 61  
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**ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE**

On motion of Senator Aguilar, 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	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	E		

The Committee of the Whole took the following action:

Passed on second reading: SB12-116 as amended, SB12-059 as amended, HB12-1031, HB12-1089, HB12-1090, HB12-1047, HB12-1032 as amended.  
 Laid over until Friday, March 9: SB12-129, HB12-1008, SB12-134, HB12-1033, SB12-127, SB12-128.  
 Laid over until Monday, March 12: HB12-1181, SB12-130.

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

The President has signed: HB12-1005, 1010, 1015, 1022, 1050, 1054, 1096, 1147, 1158; SB12-029, 042 and 048.

**MESSAGE FROM THE HOUSE**

March 8, 2012

The House has adopted and transmits herewith HJR12-1015.

**INTRODUCTION AND CONSIDERATION OF RESOLUTIONS**

**HJR12-1015** by Representative(s) Sonnenberg; also Senator(s) Schwartz--Concerning recognition of March 8, 2012, as "National Agriculture Day".

On motion of Senator Schwartz, the resolution 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-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, Newell, Nicholson, Renfroe, Roberts, Scheffel, Shaffer B., Spence, Steadman, Tochtrop, White and Williams S.

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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 Thursday, March 8 was laid over until Friday, March 9, retaining its place on the calendar.

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Consideration of Resolutions: SJR12-006, SJR12-015, HJR12-1004.  
Consideration of Memorials: SJM12-001, SM12-002.

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Senate in recess. Senate reconvened.

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**INTRODUCTION OF BILLS -- FIRST READING**

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

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**SB12-156** by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Gerou, Becker, Levy--  
Concerning the authority of the department of personnel to expend gifts, grants, and donations.  
Appropriations

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**SB12-157** by Senator(s) Scheffel and Tochtrop; also Representative(s) Williams A. and Murray--  
Concerning the regulation of telecommunications service, and, in connection therewith, enacting the "Telecommunications Modernization Act of 2012".  
Business, Labor and Technology

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On motion of Senator Morse, the Senate adjourned until 9:00 a.m., Friday, March 9, 2012.

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Approved:

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Brandon C. Shaffer  
President of the Senate

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Attest:

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Cindi L. Markwell  
Secretary of the Senate

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