

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

---

50th Legislative Day

Wednesday, February 29, 2012

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Prayer	By the chaplain, Pastor Vern Rempel, First Mennonite Church, Denver.	11
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Call to Order	By the President at 9:00 a.m.	13
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Pledge	By Senator Roberts.	15
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Roll Call	Present--32	17
	Excused--3, Heath, King K., Renfroe.	18
	Present later--2, Heath, King K.	19
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Quorum	The President announced a quorum present.	21
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Reading of Journal	On motion of Senator Aguilar, reading of the Journal of Tuesday, February 28, 2012, was dispensed with and the Journal was approved as corrected by the Secretary.	23
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**COMMITTEE OF REFERENCE REPORTS**

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Local Government	After consideration on the merits, the Committee recommends that <b>HB12-1157</b> be postponed indefinitely.	32
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Local Government	After consideration on the merits, the Committee recommends that <b>HB12-1117</b> be referred to the Committee of the Whole with favorable recommendation.	36
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Local Government	After consideration on the merits, the Committee recommends that <b>SB12-118</b> be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	40
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	Amend printed bill, page 2, strike lines 11 through 13 and substitute "and regularly served and provide not less than twenty-five percent of the gross income from sales of food and drink of the business of the license premises OVER ANY PERIOD OF TIME OF AT LEAST ONE YEAR."	45
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	Page 2, line 16, strike "served. and" and substitute "served and".	50
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	Page 2, strike lines 17 and 18 and substitute "provide not less than twenty-five percent of the gross income from sales of food and drink of the business of the licensed premises OVER ANY PERIOD OF TIME OF AT LEAST ONE YEAR."	52
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Trans- portation	After consideration on the merits, the Committee recommends that <b>HB12-1034</b> be amended as follows, and as so amended, be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	58
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	Amend reengrossed bill, page 3, line 13, strike "THE STATE" and substitute "NOTWITHSTANDING SECTION 25-17-202.9, THE".	62
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	Page 3, line 18, strike "2015." and substitute "2020."	65
		66
	Page 3, strike lines 19 and 20 and substitute:	67

"SECTION 3. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the processors and end users fund created in section 25-17-202.5, Colorado Revised Statutes, not otherwise appropriated, to the department of public health and environment, for the fiscal year beginning July 1, 2011, the sum of \$700,000, or so much thereof as may be necessary, for the implementation of this act."

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

Trans-  
portation

After consideration on the merits, the Committee recommends that SB12-095 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend printed bill, page 2, after line 1 insert:

"SECTION 1. Legislative declaration. (1) The general assembly finds, determines, and declares that:

(a) The purpose of Senate Bill 12-095, enacted in 2012, is to modernize and make more consistent the provisions of Colorado's motor vehicle registration statutes that deal with documents evidencing ownership of used motor vehicles;

(b) With the advent of computerized vehicle identification number inspections, it is appropriate to ease the requirement for the buyer to post a bond in cases in which a paper certificate of title to a motor vehicle cannot readily be obtained; and

(c) Nothing in Senate Bill 12-095, enacted in 2012, is intended to, nor shall it be construed to, affect the marketability of antique and collector vehicles nor diminish the security of titles to such vehicles."

Renumber succeeding sections accordingly.

Page 3, strike lines 4 and 5 and substitute:

"transferred to ~~such~~ THE applicant ~~a bill of sale~~, or other evidence of ownership ~~that satisfies~~ SATISFACTORY TO the director ~~that the applicant owns the vehicle~~ AS SPECIFIED IN RULES ESTABLISHED PURSUANT TO SECTION 42-6-104,".

Page 4, strike lines 20 and 21 and substitute:

"(b) If the vehicle for which the certificate is filed is twenty-five years old or older, the applicant has had a certified vehicle identification".

Page 4, line 23, strike "notarized" and substitute "notarized".

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**MESSAGE FROM THE REVISOR OF STATUTES**

February 28, 2012

We herewith transmit:

Without comment, HB12-1095, 1206, and 1222.

Without comment, as amended, HB12-1007, 1115, 1160, 1224, and 1244.

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**CHANGE IN SPONSORSHIP**

Upon announcement of President Shaffer, Senator Roberts replaced Senator Nicholson as the Senate prime sponsor on HB12-1159.

Upon announcement of President Shaffer, Senators Guzman and White will be the Senate joint prime sponsors on HB12-1012.

Call of the Senate. Call raised.

**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:

**HB12-1015** by Representative(s) Holbert; also Senator(s) Neville--Concerning the procedure for the review of a proposal to regulate an unregulated profession or occupation.

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	E	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.

**HB12-1212** by Representative(s) Becker, Gerou, Levy; also Senator(s) Hodge, Steadman, Lambert--Concerning the designation of an on-line education program as a multi-district program if the program is authorized by a board of cooperative 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	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	E	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-sponsors added: Heath, Hudak, Newell and Schwartz.

**SB12-148** by Senator(s) Guzman, Newell, Nicholson, King S.; also Representative(s) Duran, Hamner, Hullinghorst, Kerr A., Massey, Scott, Summers, Todd--Concerning changing the name of Metropolitan state college of Denver to Metropolitan state university of Denver.

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

YES	33	NO	1	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Lambert	Y	Scheffel	Y
Bacon	Y	Harvey	N	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	E	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-sponsors added: Aguilar, Carroll, Foster, Giron, Heath, Jahn, Johnston and Tochtrop.

**HB12-1177** by Representative(s) Gerou, Becker, Levy; also Senator(s) Hodge, Steadman, Lambert--Concerning a grant program to provide home care allowance benefits to certain eligible individuals, 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	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	E	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-sponsors added: Aguilar, Boyd, Carroll, Foster, Giron, Heath, Hudak, Jahn, Morse, Newell, Nicholson, Schwartz, Tochtrop, White and Williams S.

**HB12-1054** by Representative(s) Fields, Summers; also Senator(s) Boyd--Concerning simplification of the procurement process for providers who have previously been approved to participate in health care programs administered by the department of health care policy and financing.

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

YES	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	E	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-sponsors added: Guzman, Newell, Tochtrop and Williams S.

**SB12-041** by Senator(s) Spence; also Representative(s) Priola--Concerning the continuous appropriation of the moneys in the commercial vehicle enterprise tax fund to the department of revenue for sales and use tax refunds.

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	E	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.

**HB12-1158** by Representative(s) Baumgardner, Scott, Brown, Joshi; also Senator(s) Giron and Grantham--Concerning the regulation of producers of materials that may be used in commercial livestock feed, and, in connection therewith, repealing the "Colorado Inedible Meat Rendering and Processing Act of 1967" and relocating some of its provisions to the "Colorado Feed 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	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	E	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-sponsors added: Mitchell, Neville and White.

**HB12-1022** by Representative(s) Sonnenberg, Baumgardner, Swerdfeger, Vigil, Wilson; also Senator(s) Schwartz, Brophy, Giron, Hodge, Roberts--Concerning the amount of water that permitted mining operations that construct impermeable areas that eliminate preexisting natural evapotranspiration are required to replace.

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	E	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-sponsors added: Guzman and King S.

**HB12-1010** by Representative(s) Baumgardner, Sonnenberg, Swerdfeger, Vigil, Wilson; also Senator(s) Giron, Brophy, Hodge, Roberts, Schwartz--Concerning the reissuance of a lost share certificate of a mutual ditch company.

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	E	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.

**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:

**SB12-133** by Senator(s) Schwartz, Aguilar, King S., Newell, White; also Representative(s) Coram-- Concerning the diversion of electronic devices from landfills.

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	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.	N	Renfroe	E	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-sponsors added: Bacon, Boyd, Carroll, Foster, Giron, Guzman, Heath, Hodge, Hudak, Jahn, Johnston, Morse, Nicholson, Roberts, Shaffer B., Spence, Steadman, Tochtrop and Williams S.

**SB12-022** by Senator(s) Williams S., Boyd, Hudak; also Representative(s) Massey, Fields, Kefalas-- Concerning maintaining child care assistance for working families.

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	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	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	E	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.

Co-sponsors added: Aguilar, Bacon, Foster, Giron, Guzman, Heath, Jahn, Johnston, Morse, Newell, Nicholson, Roberts, Schwartz, Shaffer B., Spence, Steadman, Tochtrop and White.

**HB12-1096** by Representative(s) Kerr A., Acree, Beezley, Conti, DeGrosso, Hulinghorst, Joshi, Kagan, Kefalas, Labuda, McCann, Pabon, Swalm, Swerdfeger; also Senator(s) Brophy-- Concerning an extension of the period for which the voluntary contribution designation line benefiting the Make-A-Wish Foundation of Colorado fund appears on state individual income tax return forms.

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

YES	33	NO	1	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Lambert	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lundberg	N	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	E	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-sponsors added: Aguilar, Bacon, Foster, Guzman, Heath, Johnston, King S., Morse, Newell, Nicholson, Roberts, Schwartz, Shaffer B., Steadman, Tochtrop, White and Williams S.

**IMMEDIATE RECONSIDERATION OF HB12-1096**

**HB12-1096** by Representative(s) Kerr A., Acree, Beezley, Conti, DelGrosso, Hullinghorst, Joshi, Kagan, Kefalas, Labuda, McCann, Pabon, Swalm, Swerdfeger; also Senator(s) Brophy-- Concerning an extension of the period for which the voluntary contribution designation line benefiting the Make-A-Wish Foundation of Colorado fund appears on state individual income tax return forms.

Having voted on the prevailing side, Senator Morse moved for immediate reconsideration of the last Senate action, Third Reading of Bills -- Final Passage, on **HB12-1096**.

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

**THIRD READING OF BILLS -- FINAL PASSAGE - cont'd**

**HB12-1096** by Representative(s) Kerr A., Acree, Beezley, Conti, DelGrosso, Hullinghorst, Joshi, Kagan, Kefalas, Labuda, McCann, Pabon, Swalm, Swerdfeger; also Senator(s) Brophy-- Concerning an extension of the period for which the voluntary contribution designation line benefiting the Make-A-Wish Foundation of Colorado fund appears on state individual income tax return forms.

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

YES	30	NO	4	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Lambert	N	Scheffel	Y
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	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	E	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-sponsors added: Aguilar, Bacon, Foster, Guzman, Heath, Johnston, King S., Morse, Newell, Nicholson, Roberts, Schwartz, Shaffer B., Steadman, Tochtrop, White and Williams S.



**RECONSIDERATION OF SB12-022**

**SB12-022** by Senator(s) Williams S., Boyd, Hudak; also Representative(s) Massey, Fields, Kefalas--  
Concerning maintaining child care assistance for working families.

Having voted on the prevailing side, Senator Morse moved for reconsideration of the last Senate action, Third Reading of Bills -- Final Passage, on SB12-022.

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

**THIRD READING OF BILLS -- FINAL PASSAGE - cont'd**

**SB12-022** by Senator(s) Williams S., Boyd, Hudak; also Representative(s) Massey, Fields, Kefalas--  
Concerning maintaining child care assistance for working families.

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	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	N	Renfroe	E	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**.

Co-sponsors added: Aguilar, Bacon, Foster, Giron, Guzman, Heath, Jahn, Johnston, Morse, Newell, Nicholson, Roberts, Schwartz, Shaffer B., Spence, Steadman, Tochtrop and White.

**HB12-1301** by Representative(s) McNulty, Ferrandino; also Senator(s) Morse, Shaffer B., Cadman--  
Concerning payment of expenses of the legislative department.

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

YES	21	NO	13	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	N	Lambert	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lundberg	N	Schwartz	Y
Boyd	Y	Heath	Y	Mitchell	Y	Spence	Y
Brophy	Y	Hodge	Y	Morse	Y	Steadman	Y
Cadman	Y	Hudak	N	Neville	N	Tochtrop	Y
Carroll	N	Jahn	N	Newell	N	White	N
Foster	Y	Johnston	N	Nicholson	N	Williams S.	N
Giron	N	King K.	Y	Renfroe	E	President	N
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**.

Senator Shaffer B. requested his name be removed as sponsor on HB12-1301.

**SB12-091** by Senator(s) Tochtrop; also Representative(s) Bradford--Concerning modifications to provisions governing the practice of nursing home administration, and, in connection therewith, modifying the criteria for nursing home administrators to qualify to serve on the board of examiners of nursing home administrators, modifying the experience requirements for persons applying to take the nursing home administrator licensure examination or to participate in the administrator-in-training program, and permitting a nursing home administrator who has passed a national examination and an examination in another state to sit for the Colorado licensure examination.

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	E	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-sponsors added: Boyd, Grantham, Jahn, Lundberg, Mitchell, Newell, White and Williams S.

**SB12-060** by Senator(s) Roberts; also Representative(s) Gerou--Concerning improving medicaid fraud prosecution, 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	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	E	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-sponsors added: Boyd, Brophy, Cadman, Carroll, Grantham, Heath, Jahn, King K., King S., Lambert, Lundberg, Mitchell, Morse, Neville, Scheffel, Schwartz, Shaffer B., Steadman, Tochtrop, White and Williams S.

**SB12-021** by Senator(s) Nicholson; also Representative(s) Lee--Concerning the creation of a financial literacy pilot program for residents of counties, and, in connection therewith, making an appropriation.

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

YES	20	NO	14	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	N
Brophy	N	Hodge	Y	Morse	Y	Steadman	Y
Cadman	N	Hudak	Y	Neville	N	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	N
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	N	Renfroe	E	President	Y
Grantham	N	King S.	N	Roberts	N		

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

Co-sponsors added: Bacon, Boyd, Carroll, Foster, Giron, Guzman, Heath, Hodge, Johnston, Morse, Newell, Schwartz, Shaffer B., Tochtrop and Williams S.

**HB12-1147** by Representative(s) Williams A., Court, Fields, Hullinghorst, Kerr A., McCann, Schafer S., Solano, Todd, Wilson, Brown, Casso, Fischer, Hamner, Kagan, Labuda, Miklosi, Pabon, Ryden, Szabo, Tyler, Vigil, Young; also Senator(s) Foster, Guzman, Johnston, Spence, Tochtrop--Concerning the designation of the western tiger salamander as the state amphibian.

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	E	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-sponsors added: Aguilar, Bacon, Boyd, Carroll, Giron, Grantham, Heath, King S., Morse, Roberts, Schwartz, White and Williams S.

**SB12-038** by Senator(s) Tochtrop; also Representative(s) Vaad--Concerning measures to protect consumers who engage a roofing contractor to perform roofing services on residential property.

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	N	Scheffel	N
Bacon	Y	Harvey	Y	Lundberg	N	Schwartz	Y
Boyd	Y	Heath	Y	Mitchell	N	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	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	E	President	Y
Grantham	Y	King S.	N	Roberts	Y		

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

Co-sponsors added: Aguilar, Bacon and Newell.

**SB12-093**

by Senator(s) Carroll, Boyd; also Representative(s) Duran--Concerning a requirement that a licensed hospital provide notice to patients of any service not provided by the hospital because of moral convictions based on religious beliefs.

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

YES	20	NO	14	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	N
Brophy	N	Hodge	Y	Morse	Y	Steadman	Y
Cadman	N	Hudak	Y	Neville	N	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	N
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	N	Renfroe	E	President	Y
Grantham	N	King S.	N	Roberts	N		

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

Co-sponsors added: Aguilar, Bacon, Foster, Guzman, Hudak and Nicholson.

**MESSAGE FROM THE HOUSE**

February 29, 2012

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB12-1006.

- The House has passed on Third Reading and transmitted to the Revisor of Statutes HB12-1040, amended as printed in House Journal, January 31, page 117.
- HB12-1172, amended as printed in House Journal, February 27, page 399.
- HB12-1210, amended as printed in House Journal, February 28, pages 412-413.
- HB12-1144, amended as printed in House Journal, February 28, page 413.
- HB12-1123, amended as printed in House Journal, February 28, page 413.
- HB12-1168, amended as printed in House Journal, February 28, pages 413-414.
- HB12-1023, amended as printed in House Journal, February 28, page 414.
- HB12-1041, amended as printed in House Journal, February 28, pages 414-415.
- HB12-1052, amended as printed in House Journal, February 28, page 415.

**SENATE SERVICES REPORT**

- Correctly Engrossed: SB12-021, 022, 038, 041, 060, 091, 133, and 148.
- Correctly Revised: HB12-1010, 1015, 1022, 1054, 1096, 1147, 1158, 1177, 1212 and 1301.
- Correctly Enrolled: SB12-094.

## INTRODUCTION OF BILLS -- FIRST READING

The following bill was read by title and referred to the committee indicated:

**SB12-154** by Senator(s) Tochtrop; --Concerning standards for responsible medical marijuana vendors.  
Business, Labor and Technology

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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 Wednesday, February 29 was laid over until Thursday, March 1, retaining its place on the calendar.

General Orders -- Second Reading of Bills: SB12-137, SB12-143.  
Consideration of Resolutions: SJR12-006, SJR12-015, SJR12-017, HJR12-1004.  
Consideration of Memorials: SJM12-001, SM12-002.

## TRIBUTES

Honoring:

Eagle Scout Brandon Allen Ott -- by Senator Scheffel.  
Eagle Scout Ryan Joseph Bougan -- by Senator Scheffel.  
Eagle Scout Kelby Grant Gatrell -- by Senator Scheffel.  
Eagle Scout Addison Taylor Sexton -- by Senator Scheffel.  
Eagle Scout Brady Michael Wirkus -- by Senator Scheffel.  
Eagle Scout Preston McKay Blanch -- by Senator Scheffel.  
Eagle Scout Brian Christopher Hall -- by Senator Scheffel.  
Eagle Scout Riley Johnson -- by Senator Scheffel.  
Eagle Scout Christopher David Speights -- by Senator Scheffel.  
Eagle Scout Skyler Michael Bunch -- by Senator Scheffel.  
Eagle Scout David Anson Cherneski -- by Senator Scheffel.  
Eagle Scout Brandon Donald Bulmer -- by Senator Scheffel.  
Eagle Scout William Fridtjof Stopps -- by Senator Scheffel.  
Eagle Scout Tyler L Bahr -- by Senator Scheffel.  
Eagle Scout VanDross Vincent Meno -- by Senator Scheffel.  
Eagle Scout Nicklaus Anthony Vescio -- by Senator Scheffel.  
Eagle Scout Benjamin G. Price -- by Senator Scheffel.  
Eagle Scout Erik Arthur Nshuti Arndt -- by Senator Scheffel.  
Eagle Scout Wyatt Austin Hicken -- by Senator Scheffel.  
Eagle Scout James Patrick Neely -- by Senator Scheffel.  
Eagle Scout Ryan Kioni Gilbert -- by Senator Scheffel.  
Eagle Scout Steven Kawika Gilbert -- by Senator Scheffel.  
Eagle Scout Tanner Anthony Westlake -- by Senator Scheffel.  
Eagle Scout Zachary Steven Zahorik -- by Senator Scheffel.  
Eagle Scout Connor Nikolai Baker -- by Senator Scheffel.  
Eagle Scout Joseph James Castellano -- by Senator Scheffel.  
Eagle Scout Devin Ray Johanson -- by Senator Scheffel.  
Eagle Scout Garrett Ian Shreffler -- by Senator Scheffel.  
Eagle Scout Jacob Matthew Rolfson -- by Senator Scheffel.  
Eagle Scout Shane Jacob Hamill Benjamin -- by Senator Scheffel.  
Eagle Scout David Marston Grigory Tweed -- by Senator Scheffel.  
Eagle Scout Brian Nathaniel Crowley -- by Senator Scheffel.  
Eagle Scout Matthew Barr -- by Senator Scheffel.  
Eagle Scout David Stapley Hess -- by Senator Scheffel.  
Eagle Scout Jacob William Naylor -- by Senator Scheffel.  
Eagle Scout Connor James Newell -- by Senator Scheffel.  
Eagle Scout Christian Whiting Olson -- by Senator Scheffel.  
Eagle Scout Bevan Kraft Haycock -- by Senator Scheffel.  
Eagle Scout Joshua Scott Kumpf -- by Senator Scheffel.  
Eagle Scout Hayden Vaughn Jones -- by Senator Scheffel.  
Eagle Scout Preston Davis Malenke -- by Senator Scheffel.

Eagle Scout Julien Jean Bouquet -- by Senator Scheffel.	1
Eagle Scout Trevor Lynn Ellis -- by Senator Scheffel.	2
Eagle Scout Markus Adam DaBell -- by Senator Scheffel.	3
Eagle Scout Zachary Todd McPerson -- by Senator Scheffel.	4
Eagle Scout Bradley Hunter Schramm -- by Senator Scheffel.	5
Eagle Scout Corey Donald Nilsen -- by Senator Scheffel.	6
Eagle Scout Max Alexander Orgill -- by Senator Scheffel.	7
Eagle Scout Taylor Robert Fittje -- by Senator Scheffel.	8
Eagle Scout Carson Ted Telford -- by Senator Scheffel.	9
Rick Brianard -- by Senator Steve King.	10
Mary and Jerome Gonzoles -- by Senator Steve King.	11
Denny Granum -- by Senator Steve King.	12
Brooke Blainey -- by Senator Steve King.	13
Alexander Bobroske -- by Senator Hudak.	14
Eagle Scout Brian Larson -- by Senator Steve King.	15
Eagle Scout Joshua Holyoak -- by Senator Steve King.	16
Eagle Scout Matthew Bishop -- by Senator Steve King.	17
Eagle Scout Benjamin Steele -- by Senator Steve King.	18
Eagle Scout Landon Wardell -- by Senator Steve King.	19
Eagle Scout Taylor Russell -- by Senator Steve King.	20
Eagle Scout Landen Mertz -- by Senator Steve King.	21
Eagle Scout Mason Day -- by Senator Steve King.	22
Eagle Scout Aaron Gilleece -- by Senator Steve King.	23
Eagle Scout Acer Rogers -- by Senator Steve King.	24
Eagle Scout Collin Cochran -- by Senator Steve King.	25
Eagle Scout Travis Ketelsleger -- by Senator Steve King.	26
Eagle Scout Jacob Bullock -- by Senator Steve King.	27
Eagle Scout John Coombs -- by Senator Steve King.	28
Eagle Scout Tanner Collins -- by Senator Steve King.	29
Eagle Scout Cody Madigan -- by Senator Steve King.	30
Eagle Scout Thaddeus Conley -- by Senator Steve King.	31
Eagle Scout Seth Green -- by Senator Steve King.	32
Eagle Scout William Eager -- by Senator Steve King.	33
Eagle Scout Randall Tousley -- by Senator Steve King.	34
Eagle Scout Tyler Drayton -- by Senator Steve King.	35
Eagle Scout Nathan Barrett -- by Senator Steve King.	36
Eagle Scout Tanner Stone -- by Senator Steve King.	37
Eagle Scout Marshall Murphy -- by Senator Steve King.	38
Eagle Scout John Kirk -- by Senator Steve King.	39
Eagle Scout Dylan Weber -- by Senator Steve King.	40
Eagle Scout Trevan Gardner -- by Senator Steve King.	41
Eagle Scout Jared Clark -- by Senator Steve King.	42
Eagle Scout Dylan Barney -- by Senator Steve King.	43
Eagle Scout Andrew Bair -- by Senator Steve King.	44
Eagle Scout Abraham Almond -- by Senator Steve King.	45
Eagle Scout Jordan Jones -- by Senator Steve King.	46
Eagle Scout Jack Duryea -- by Senator Steve King.	47
Eagle Scout Jordan Harrison -- by Senator Steve King.	48
Eagle Scout Erick Pedersen -- by Senator Steve King.	49
Eagle Scout Sean Smock -- by Senator Steve King.	50
Eagle Scout Logan Eaton -- by Senator Steve King.	51
Eagle Scout Nicholas Hill -- by Senator Steve King.	52
Eagle Scout Taylor Smock -- by Senator Steve King.	53
Eagle Scout Christopher Klene -- by Senator Steve King.	54
Eagle Scout Cameron Leavitt -- by Senator Steve King.	55
Eagle Scout Liam Kelly -- by Senator Steve King.	56
Eagle Scout Landon Myers -- by Senator Steve King.	57
Eagle Scout Javier Rosas -- by Senator Steve King.	58
Eagle Scout Kaden Weller -- by Senator Steve King.	59
Eagle Scout Dillon Giles -- by Senator Steve King.	60
Eagle Scout Marcus Boyce -- by Senator Steve King.	61
Eagle Scout Joseph Hull -- by Senator Steve King.	62
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On motion of Senator Morse, the Senate adjourned until 9:00 a.m., Thursday, March 1, 2012.

Approved:

Brandon C. Shaffer  
President of the Senate

Attest:

Cindi L. Markwell  
Secretary of the Senate

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