

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

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29th Legislative Day

Wednesday, February 8, 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 10:00 a.m.	13
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Pledge	By Senator King S.	15
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Roll Call	Present--34	17
	Excused--1, White.	18
	Present later--1, White.	19
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Quorum	The President announced a quorum present.	21
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Reading of Journal	On motion of Senator Guzman, reading of the Journal of Tuesday, February 7, 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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Appropriations	After consideration on the merits, the Committee recommends that <b>SB12-012</b> be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	32
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	Amend printed bill, page 3, after line 27, insert:	36
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	<b>"SECTION 2. No appropriation.</b> The general assembly has determined that this act can be implemented within existing appropriations, and therefore no separate appropriation of state moneys is necessary to carry out the purposes of this act."	38
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	Renumber succeeding sections accordingly.	43
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Appropriations	After consideration on the merits, the Committee recommends that <b>SB12-064</b> be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	46
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Appropriations	After consideration on the merits, the Committee recommends that <b>SB12-110</b> be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	51
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	Amend printed bill, page 3, line 24, strike "referrals," and substitute "FULL-TIME EMPLOYEES DEDICATED TO INSURANCE FRAUD, referrals, OPEN INVESTIGATIONS,".	55
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	Page 3, line 27, after the period add "IN THE REPORT, THE ATTORNEY GENERAL SHALL MAKE HIS OR HER BEST EFFORT TO DELINEATE BETWEEN THE TYPES OF CASES PROSECUTED BY LINE OF INSURANCE.".	59
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	Page 7, line 25, strike "\$203,512" and substitute "\$196,677".	63
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	Page 8, line 1, strike "\$180,648" and substitute "\$168,096".	65
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	Page 8, line 3, strike "\$22,864" and substitute "\$28,581".	67

Appropriations

After consideration on the merits, the Committee recommends that **SB12-111** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Appropriations

After consideration on the merits, the Committee recommends that **SB12-112** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Appropriations

After consideration on the merits, the Committee recommends that **SB12-113** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Appropriations

After consideration on the merits, the Committee recommends that **SB12-114** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Appropriations

After consideration on the merits, the Committee recommends that **SB12-115** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, strike lines 8 through 10 and substitute:

"CONSIDER THE IMPACT ON RECIPIENTS OF EXTENDED LIMITED GAMING TAX PROCEEDS."

Page 1, line 102, strike "RECEIVE TESTIMONY FROM" and substitute "TAKE INTO ACCOUNT THE IMPACT ON ALL".

**INTRODUCTION OF BILLS -- FIRST READING**

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

**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. Education

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

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

**SB12-009**

by Senator(s) Hodge, Brophy, Giron, Roberts, Schwartz; also Representative(s) Swerdfeger, Baumgardner, Sonnenberg, Vigil, Wilson--Concerning the consolidation of cash funds administered by the division of water resources.

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.

**SB12-066** by Senator(s) Nicholson; also Representative(s) Gardner B.--Concerning expanding those persons eligible as guardians in the guardianship assistance program to include persons ascribed by the family as having a family-like relationship with the child.

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-sponsors added: Aguilar, Boyd, Carroll, Foster, Giron, Heath, Hodge, Hudak, Jahn, Morse, Newell, Steadman, Tochtrop, Williams S. and Shaffer B.

**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:

**SB12-033** by Senator(s) Guzman; also Representative(s) Massey--Concerning adding near fatalities to the responsibilities of the department of human services child fatality review team.

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-sponsors added: Aguilar, Bacon, Boyd, Carroll, Foster, Giron, Heath, Hodge, Hudak, Jahn, Johnston, King S., Lambert, Lundberg, Mitchell, Morse, Newell, Nicholson, Roberts, Schwartz, Spence, Steadman, Tochtrop, Williams S. and Shaffer B.

**SB12-030** by Senator(s) Jahn; also Representative(s) Liston--Concerning administrative matters related to a foreclosure sale.

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

**SB12-048** by Senator(s) Schwartz; also Representative(s) Coram--Concerning the creation of the "Colorado Cottage Foods Act" for locally produced home foods sold directly to consumers.

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

YES	34	NO	1	EXCUSED	0	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	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-sponsors added: Aguilar, Bacon, Foster, Giron, Grantham, Guzman, Heath, Jahn, Johnston, King S., Newell, Roberts, White and Williams S.

**SB12-010** by Senator(s) Hodge; also Representative(s) Ferrandino--Concerning the authority of the department of public safety to use gifts, grants, and donations for the purpose of funding the activities of the Colorado bureau of investigation.

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

YES	24	NO	11	EXCUSED	0	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	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-sponsors added: Bacon, Boyd, King S. and Morse.

**SB12-013** by Senator(s) Schwartz; also Representative(s) Jones--Concerning low-speed electric vehicles.

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

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		

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

Co-sponsors added: Aguilar, Cadman, Foster, Guzman, King S., Lundberg, White and Williams S.

**SENATE SERVICES REPORT**

Correctly Engrossed: SB12-009, 010, 013, 030, 033, 048 and 066; SJR12-009 and 013.

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

The President has signed: SJR12-002, 005, 009, 010, 011, 012 and 013.

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

General Orders -- Second Reading of Bills -- Consent Calendar: SB12-037, SB12-055, SB12-040, SB12-031.

General Orders -- Second Reading of Bills: SB12-011, SB12-015, SB12-079, SB12-020, SB12-056, SB12-042, SB12-058, SB12-051, SB12-097.

Consideration of Resolutions: SJR12-006, SJR12-007.

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

Approved:

Brandon C. Shaffer  
President of the Senate

Attest:

Cindi L. Markwell  
Secretary of the Senate

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