

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

106th Legislative Day

Wednesday, April 25, 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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Posting of the Colors	Colorado State Patrol Honor Guard:	16
	Captain Tim Keeton.	17
	Sergeant Mike Baker.	18
	Trooper Doug Kline.	19
	Trooper Jessica Parsons.	20
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Pledge	By Senator Morse.	22
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Roll Call	Present--33	24
	Excused--2, Carroll, Guzman.	25
	Present later--2, Carroll, Guzman.	26
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Quorum	The President announced a quorum present.	28
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Reading of Journal	On motion of Senator Aguilar, reading of the Journal of Tuesday, April 24, 2012, was dispensed with and the Journal was approved as corrected by the Secretary.	30
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COMMITTEE OF REFERENCE REPORTS

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Trans- portation	The Committee on <u>Transportation</u> has had under consideration and has had a hearing on the following appointment and recommends that the appointment be confirmed:	38
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Trans- portation	After consideration on the merits, the Committee recommends that SJR12-025 be referred to the Senate for final action.	50
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State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that HB12-1293 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	54
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Legislative Council	After consideration on the merits, the Committee recommends that HB12-1124 be referred to the Committee of the Whole with favorable recommendation.	60
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Legislative Council	After consideration on the merits, the Committee recommends that HB12-1241 be referred to the Committee of the Whole with favorable recommendation.	64
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Judiciary

After consideration on the merits, the Committee recommends that **HB12-1036** 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 2, strike "**amend**" and substitute "**add**".

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

Page 2, strike lines 9 through 24 and substitute:

"(IX) (A) ANY RECORDS OF ONGOING CIVIL OR ADMINISTRATIVE INVESTIGATIONS CONDUCTED BY THE STATE OR AN AGENCY OF THE STATE IN FURTHERANCE OF THEIR STATUTORY AUTHORITY TO PROTECT THE PUBLIC HEALTH, WELFARE, OR SAFETY UNLESS THE INVESTIGATION FOCUSES ON A PERSON OR PERSONS INSIDE OF THE INVESTIGATIVE AGENCY.

(B) UPON CONCLUSION OF A CIVIL OR ADMINISTRATIVE INVESTIGATION THAT IS CLOSED BECAUSE NO FURTHER INVESTIGATION, DISCIPLINE, OR OTHER AGENCY RESPONSE IS WARRANTED, ALL RECORDS NOT EXEMPT PURSUANT TO ANY OTHER LAW ARE OPEN TO INSPECTION; EXCEPT THAT THE CUSTODIAN MAY REMOVE THE NAME OR OTHER PERSONAL IDENTIFYING OR FINANCIAL INFORMATION OF WITNESSES OR TARGETS OF SUCH CLOSED INVESTIGATIONS FROM INVESTIGATIVE RECORDS PRIOR TO INSPECTION.

(C) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SUBPARAGRAPH (IX), A RECORD IS NOT SUBJECT TO WITHHOLDING ON THE GROUNDS THAT IT IS MAINTAINED OR KEPT IN A CIVIL OR ADMINISTRATIVE INVESTIGATIVE FILE EXCEPT PURSUANT TO PARAGRAPH (a) OF SUBSECTION (6) OF THIS SECTION IF THE RECORD WAS PUBLICLY DISCLOSED; WAS FILED WITH AN AGENCY OF THE STATE BY A REGULATED ENTITY UNDER A STATUTORY, REGULATORY, OR PERMIT REQUIREMENT; OR WAS RECEIVED FROM A GOVERNMENTAL ENTITY AND WOULD BE AVAILABLE IF REQUESTED DIRECTLY FROM THE TRANSMITTING ENTITY.

(D) NOTHING IN THIS SUBPARAGRAPH (IX) PROHIBITS AN AGENCY FROM DISCLOSING INFORMATION OR MATERIALS DURING AN OPEN INVESTIGATION IF IT IS IN THE INTEREST OF PUBLIC HEALTH, WELFARE, OR SAFETY."

Finance

After consideration on the merits, the Committee recommends that **HB12-1303** be referred to the Committee on Appropriations with favorable recommendation.

Finance

After consideration on the merits, the Committee recommends that **HB12-1274** be referred to the Committee on Appropriations with favorable recommendation.

Finance

After consideration on the merits, the Committee recommends that **HB12-1302** be referred to the Committee on Appropriations with favorable recommendation.

Finance

After consideration on the merits, the Committee recommends that **SB12-162** be referred to the Committee on Appropriations with favorable recommendation.

SENATE SERVICES REPORT

- Correctly Printed: SB12-176, 177 and 178.
Correctly Engrossed: SB12-027, 028 and 101; SJR12-041.
Correctly Reengrossed: SB12-005, 047, 139, 144, 159, 164, 165 and 166.
Correctly Revised: HB12-1059, 1081, 1140, 1304 and 1324.
Correctly Rerevised: HB12-1131, 1153, 1162, 1258 and 1275.

INTRODUCTION OF BILLS -- FIRST READING

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

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| HB12-1038 | by Representative(s) Looper, Barker, Brown, Priola, Ramirez, Scott, Williams A.; also
Senator(s) Williams S.--Concerning the creation of a multi-year registration for Class A
trailers, and, in connection therewith, making an appropriation.
Transportation | 7
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| HB12-1042 | by Representative(s) Pace; also Senator(s) Schwartz--Concerning a state income tax credit
related to the portion of Colorado estate taxes paid that are attributable to agricultural land.
Finance | 12
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| HB12-1075 | by Representative(s) Beezley and DelGrosso; also Senator(s) Brophy--Concerning a limit on
total state general fund appropriations.
State, Veterans & Military Affairs | 17
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| HB12-1099 | by Representative(s) McKinley, Sonnenberg; also Senator(s) Tochtrop and Williams S.--
Concerning the establishment of an industrial hemp remediation pilot program to study
phytoremediation through the growth of hemp on contaminated soil, and, in connection
therewith, making an appropriation.
Agriculture, Natural Resources, and Energy | 22
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| HB12-1101 | by Representative(s) Barker; also Senator(s) King S.--Concerning the culpable mental state
for identity theft.
Judiciary | 29
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| HB12-1143 | by Representative(s) Ferrandino; also Senator(s) Steadman--Concerning an adjustment in
the reimbursement rates the state pays county governments for costs associated with
elections involving statewide ballot measures, and, in connection therewith, making an
appropriation.
State, Veterans & Military Affairs | 34
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| HB12-1214 | by Representative(s) Becker, Todd; also Senator(s) Nicholson and Spence--Concerning
community college two-year degree programs in certain health care fields without a student
transfer agreement.
Education | 41
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| HB12-1266 | by Representative(s) Sonnenberg, Gardner B.; also Senator(s) Morse--Concerning the
continuation of the licensing of persons who furnish bail for compensation, and, in
connection therewith, reducing an appropriation .
Judiciary | 47
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| HB12-1310 | by Representative(s) Gardner B., Barker; also Senator(s) Carroll, Guzman--Concerning
changes to statutory provisions related to criminal proceedings, and, in connection
therewith, making an appropriation.
Judiciary | 53
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| HB12-1325 | by Representative(s) Summers; also Senator(s) Nicholson--Concerning tracking transactions
related to methamphetamine precursor drugs.
Judiciary | 59
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HB12-1331 by Representative(s) Brown, Wilson, Pace, Hamner, Kerr A., Massey, Murray, Ramirez, Schafer S., Summers, Todd; also Senator(s) Schwartz, Bacon, Heath, Johnston, King K., King S.--Concerning changing the name of Western state college of Colorado to Western state Colorado university.
Education

HB12-1334 by Representative(s) Becker, Gerou, Levy; also Senator(s) Hodge, Lambert, Steadman-- Concerning the extension of severance tax funding for the promotion of agricultural energy-related projects, and, in connection therewith, making an appropriation.
Agriculture, Natural Resources, and Energy

HB12-1345 by Representative(s) Massey; also Senator(s) Bacon--Concerning the financing of public schools, and, in connection therewith, making and reducing appropriations.
Education

MESSAGE FROM THE HOUSE

April 24, 2012

The House has passed on Third Reading and transmitted to the Revisor of Statutes
 HB12-1099, amended as printed in House Journal, April 17, pages 1013-1014.
 HB12-1345, amended as printed in House Journal, April 23, page 1068.
 HB12-1042, amended as printed in House Journal, April 23, page 1069.
 HB12-1075, amended as printed in House Journal, April 23, page 1069.
 HB12-1101, amended as printed in House Journal, April 23, page 1069.
 HB12-1143, amended as printed in House Journal, April 23, pages 1069-1070.
 HB12-1266, amended as printed in House Journal, April 23, pages 1070-1072.
 HB12-1306, amended as printed in House Journal, April 23, page 1072.
 HB12-1325, amended as printed in House Journal, April 23, pages 1072-1073.
 HB12-1331, amended as printed in House Journal, April 23, page 1073.
 HB12-1038, amended as printed in House Journal, April 23, page 1073.
 HB12-1310, amended as printed in House Journal, April 23, pages 1073-1074.
 HB12-1334, amended as printed in House Journal, April 23, pages 1078-1079.
 HB12-1214, amended as printed in House Journal, April 23, page 1079.
 HB12-1069, amended as printed in House Journal, April 23, page 1079.

The House has passed on Third Reading and returns herewith SB12-012, 041.

The House has passed on Third Reading and transmitted to the Revisor of Statutes;
 SB12-149, amended as printed in House Journal, April 23, page 1070.
 SB12-009, amended as printed in House Journal, April 23, page 1081.

MESSAGE FROM THE REVISOR OF STATUTES

April 24, 2012

We herewith transmit:

Without comment, as amended, HB12-1038, 1042, 1069, 1075, 1099, 1101, 1143, 1214, 1266, 1306, 1310, 1325, 1331, 1334, and 1345.
 Without comment, as amended, SB12-009 and 149.

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REPORT OF CONFERENCE COMMITTEES

**FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON HB12-1336**

**THIS REPORT ADOPTS THE
REREVISED BILL**

To the President of the Senate and the
Speaker of the House of Representatives:

Your first conference committee appointed on HB12-1336,
concerning authorization of a prison utilization analysis, and, in
connection therewith, making an appropriation, has met and reports that
it has agreed upon the following:

That the House accede to the Senate amendments made to the bill
and that the rerevised bill be adopted without change.

Respectfully submitted,

House Committee:
(signed)
Chari K. Gerou, Chairman
Jon Becker
Claire Levy

Senate Committee:
(signed)
Mary Hodge, Chairman
Pat Steadman
Kent D. Lambert

**FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON HB12-1337**

**THIS REPORT ADOPTS THE
REREVISED BILL**

To the President of the Senate and the
Speaker of the House of Representatives:

Your first conference committee appointed on HB12-1337,
concerning the closure of the south campus of the Centennial correctional
facility for housing purposes, has met and reports that it has agreed upon
the following:

That the House accede to the Senate amendments made to the bill
and that the rerevised bill be adopted without change.

Respectfully submitted,

House Committee:
(signed)
Chari K. Gerou, Chairman
Jon Becker
Claire Levy

Senate Committee:
(signed)
Mary Hodge, Chairman
Pat Steadman
Kent D. Lambert

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FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON HB12-1338

THIS REPORT ADOPTS THE
REREVISED BILL

To the President of the Senate and the
Speaker of the House of Representatives:

Your first conference committee appointed on HB12-1338,
concerning the transfer of general fund surplus moneys to the state
education fund at the end of certain fiscal years, has met and reports that
it has agreed upon the following:

That the House accede to the Senate amendments made to the bill
and that the rerevised bill be adopted without change.

Respectfully submitted,

House Committee:
(signed)
Chari K. Gerou, Chairman
Jon Becker
Claire Levy

Senate Committee:
(signed)
Mary Hodge, Chairman
Pat Steadman
Kent D. Lambert

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

SJR12-030 by Senator(s) Morse, King S.; also Representative(s) Barker--Concerning declaring the
week of May 13 - 19, 2012, as Police Week, and, in connection therewith, declaring May
15, 2012, as Peace Officers' Memorial Day.

On motion of Senator Morse, 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	E	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		

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

On motion of Senator Morse, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for consideration of General Orders -- Second Reading of Bills.

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

SB12-002 by Senator(s) Steadman, Guzman; --Concerning authorization of civil unions.

Amendment No. 1, Judiciary Committee Amendment.

(Printed in Senate Journal, February 16, page 187 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.

(Printed in Senate Journal, April 17, pages 760-761 and placed in members' bill files.)

Amendment No. 3(L.007), by Senator Steadman.

Amend printed bill, page 34, line 6, after "(A)" insert "and (3) (a) (XIX) (B)".

Page 34, line 17, strike "14-15-109," and substitute "14-15-110,".

Page 34, after line 26, insert:

"(B) Any record of an application for a marriage license submitted pursuant to section 14-2-106, C.R.S., AND ANY RECORD OF AN APPLICATION FOR A CIVIL UNION LICENSE SUBMITTED PURSUANT TO SECTION 14-15-110, C.R.S., shall be made available for public inspection fifty years after the date that record was created.".

Amendment No. 4(L.009), by Senator Steadman.

Amend printed bill, page 7, strike lines 21 through 26 and substitute:

"14-15-106. Rights, benefits, protections, duties, obligations, responsibilities, and other incidents of parties to a civil union. (1) A PARTY TO A CIVIL UNION HAS THE RIGHTS, BENEFITS, PROTECTIONS, DUTIES, OBLIGATIONS, RESPONSIBILITIES, AND OTHER INCIDENTS UNDER LAW AS ARE GRANTED TO OR IMPOSED UPON SPOUSES, WHETHER THOSE RIGHTS, BENEFITS, PROTECTIONS, DUTIES, OBLIGATIONS, RESPONSIBILITIES, AND OTHER INCIDENTS DERIVE FROM STATUTE, ADMINISTRATIVE OR COURT RULE, POLICY, COMMON LAW, OR ANY OTHER SOURCE OF LAW.".

Page 8, line 1, after ""FAMILY"," insert ""HEIR",".

Page 8, line 2, after "KIN"," insert ""SPOUSE",".

Page 8, strike lines 12 through 15 and substitute "MAINTENANCE, AND AWARD OF ATTORNEY FEES, APPLIES TO CIVIL UNIONS.

(5) RIGHTS, BENEFITS, PROTECTIONS, DUTIES, OBLIGATIONS, RESPONSIBILITIES, AND OTHER INCIDENTS UNDER LAW AS ARE GRANTED TO OR IMPOSED UPON SPOUSES, THAT APPLY IN LIKE MANNER TO PARTIES TO A CIVIL UNION UNDER THIS SECTION, INCLUDE BUT ARE NOT LIMITED TO:".

Page 8, line 16, strike "TENURE, DESCENT AND".

Page 8, line 17, strike "DISTRIBUTION, INTESTATE SUCCESSION, WAIVER OF WILL,".

Page 8, line 18, after "OF" insert "OR PRESUMPTIONS WITH RESPECT TO".

Page 8, line 19, strike "PROPERTY, INCLUDING" and substitute "PROPERTY;".

Page 8, strike lines 20 and 21.

Page 9, strike lines 2 through 4 and substitute:

"(d) TITLE 15, C.R.S., INCLUDING BUT NOT LIMITED TO MATTERS CONCERNING DECEDENTS' ESTATES, WILLS, TRUSTS, INTESTATE SUCCESSION, NONPROBATE TRANSFERS, WARDS, PROTECTED PERSONS, AND PRIORITY FOR APPOINTMENT AS A CONSERVATOR, GUARDIAN, OR PERSONAL REPRESENTATIVE;".

Page 11, line 8, strike "SURVIVING".

Amendment No. 5(L.011), by Senator Steadman.

Amend printed bill, page 11, line 12, after "(w)" insert "(I)".

Page 11, line 13, strike "AND".

Page 11, after line 13 insert:

"(II) THIS PARAGRAPH (w) IS EFFECTIVE FOR PLANS ISSUED, DELIVERED, OR RENEWED ON OR AFTER JANUARY 1, 2013.".

Page 16, line 15, strike "PERSONS OF THE SAME SEX" and substitute "TWO PERSONS".

Page 16, line 20 after "RELATIONSHIP" insert "BETWEEN TWO PERSONS".

Page 18, line 3 after the period add "THE STUDY COMMISSION THAT MAY BE CREATED PURSUANT TO THIS SECTION IS EXEMPT FROM THE REQUIREMENTS OF SECTION 2-3-303.3, C.R.S.".

Page 33, line 23 strike "ADOPTION." and substitute "ADOPTION AND SHALL BE CONSIDERED A STEPPARENT FOR THE PURPOSE OF DETERMINING WHETHER A CHILD IS AVAILABLE FOR ADOPTION PURSUANT TO SECTION 19-5-203 (1).".

Amendment No. 6(L.013), by Senator Steadman.

Amend printed bill, page 12, strike line 1 and substitute:

"14-15-107. Modification of civil union terms through an agreement. (1) PARTIES TO A".

Page 12, strike lines 4 through 6 and substitute "PART 3 OF ARTICLE 2 OF THIS TITLE.

(2) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (1) OF THIS SECTION, THE PROVISIONS OF THIS ARTICLE AND THE PROVISIONS OF

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PART 3 OF ARTICLE 2 OF THIS TITLE DO NOT INVALIDATE OR AFFECT AN OTHERWISE VALID DOMESTIC PARTNERSHIP AGREEMENT OR CIVIL CONTRACT BETWEEN TWO INDIVIDUALS WHO ARE NOT MARRIED TO EACH OTHER IN WHICH THE INDIVIDUALS SET FORTH AN AGREEMENT ABOUT THE RIGHTS AND RESPONSIBILITIES REGARDING MATTERS SIMILAR TO THOSE THAT MAY BE ADDRESSED BY A CONTRACT UNDER PART 3 OF ARTICLE 2 OF THIS TITLE IF THE AGREEMENT OR CONTRACT WAS MADE PRIOR TO THE EFFECTIVE DATE OF THIS ARTICLE OR, IF MADE ON OR AFTER THE EFFECTIVE DATE OF THIS ARTICLE, THE AGREEMENT OR CONTRACT IS NOT MADE IN CONTEMPLATION OF ENTERING INTO A CIVIL UNION UNDER THIS ARTICLE."

Page 25, strike line 21 and substitute "ACTION FOR LEGAL SEPARATION OF THE CIVIL UNION, DISSOLUTION OF THE CIVIL UNION, OR FOR DECLARATION OF INVALIDITY OF THE CIVIL UNION."

Amendment No. 7(L.015), by Senator Steadman.

Amend printed bill, page 16, line 24, strike "**commission - report**".

Page 16, line 25, strike "**returns - repeal.**" and substitute "**returns.**" and strike "(a)".

Page 17, strike lines 6 through 27 and substitute "TAX RETURN."

Page 18, strike lines 1 through 4.

Amend the Steadman floor amendment (SB002_L.011), page 1, strike lines 9 through 11.

Amendment No. 8(L.017), by Senator Steadman.

Amend printed bill, page 11, after line 18 insert:

"(y) (I) OTHER INSURANCE POLICIES THAT PROVIDE JOINT COVERAGE RELATING TO OWNERSHIP OF PROPERTY.

(II) THIS PARAGRAPH (y) IS EFFECTIVE FOR PLANS ISSUED, DELIVERED, OR RENEWED ON OR AFTER JANUARY 1, 2013."

Amendment No. 9(L.014), by Senator Mitchell.

Amend printed bill, page 18, line 9, strike "(1)".

Page 18, strike lines 14 through 18 and substitute:

"14-15-118. Child placement agencies - conscience clause.

(1) TO THE EXTENT ALLOWED BY FEDERAL LAW, A PRIVATE CHILD PLACEMENT AGENCY SHALL NOT BE REQUIRED TO PERFORM, ASSIST, COUNSEL, RECOMMEND, CONSENT TO, REFER, OR PARTICIPATE IN ANY PLACEMENT OF A CHILD FOR FOSTER CARE OR ADOPTION WHEN THE PROPOSED PLACEMENT OF A CHILD WITH PERSONS WHO HAVE ENTERED INTO A CIVIL UNION WOULD VIOLATE THE AGENCY'S WRITTEN RELIGIOUS OR MORAL CONVICTIONS OR POLICES.

(2) THE STATE DEPARTMENT OF HUMAN SERVICES SHALL NOT DENY AN APPLICATION FOR AN INITIAL LICENSE OR RENEWAL OF A LICENSE OR REVOKE THE LICENSE OF A PRIVATE CHILD PLACEMENT AGENCY BECAUSE OF THE CHILD PLACEMENT AGENCY'S OBJECTION TO PERFORMING, ASSISTING, COUNSELING, RECOMMENDING, CONSENTING TO, REFERRING, OR PARTICIPATING IN A PLACEMENT WITH PARTNERS TO A CIVIL UNION BECAUSE THAT VIOLATES THE AGENCY'S WRITTEN RELIGIOUS OR MORAL CONVICTIONS OR POLICES.

(3) THE STATE DEPARTMENT OF HUMAN SERVICES OR A COUNTY DEPARTMENT OF SOCIAL SERVICES SHALL NOT DENY A PRIVATE CHILD PLACEMENT AGENCY ANY GRANT, CONTRACT, OR PARTICIPATION IN A

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GOVERNMENT PROGRAM BECAUSE OF THE AGENCY'S OBJECTION TO PERFORMING, ASSISTING, COUNSELING, RECOMMENDING, CONSENTING TO, REFERRING, OR PARTICIPATING IN A PLACEMENT WITH PARTNERS TO A CIVIL UNION BECAUSE THAT VIOLATES THE AGENCY'S WRITTEN RELIGIOUS OR MORAL CONVICTIONS OR POLICIES.

(4) THE REFUSAL OF A PRIVATE CHILD PLACEMENT AGENCY TO PERFORM, ASSIST, COUNSEL, RECOMMEND, CONSENT TO, REFER, OR PARTICIPATE IN A PLACEMENT WITH PARTNERS TO A CIVIL UNION BECAUSE THAT VIOLATES THE AGENCY'S WRITTEN RELIGIOUS OR MORAL CONVICTIONS OR POLICIES SHALL NOT FORM THE BASIS OF ANY CLAIM FOR DAMAGES."

Renumber succeeding C.R.S. section accordingly.

Senator Morse moved that the Committee of the Whole rise, report progress, and beg leave to sit again at 1:30 p.m. A majority of those elected to the Senate having voted in the affirmative, the motion was adopted.

Committee of the Whole in recess.

MESSAGE FROM THE HOUSE

April 25, 2012

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB12-1348, amended as printed in House Journal, April 25, page 1088.

The House has adopted and returns herewith SJR12-006, 024, 030.

The House has adopted and transmits herewith HJR12-1019.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB12-1084.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB12-1218, amended as printed in House Journal, April 25, page 1088.

HB12-1223, amended as printed in House Journal, April 25, pages 1088-1089.

HB12-1273, amended as printed in House Journal, April 25, page 1089.

HB12-1330, amended as printed in House Journal, April 25, page 1089.

HB12-1136, amended as printed in House Journal, April 25, pages 1090-1092.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB12-010, amended as printed in House Journal, April 25, pages 1089-1090.

SB12-145, amended as printed in House Journal, April 25, page 1090.

MESSAGE FROM THE REVISOR OF STATUTES

April 25, 2012

We herewith transmit:

Without comment, as amended, HB12-1348.

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Without comment, HB12-1084.
 Without comment, as amended, HB12-1136, 1218, 1223, 1273, and 1330.
 Without comment, as amended, SB12-010 and 145.

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INTRODUCTION OF BILLS -- FIRST READING

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

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HB12-1069 by Representative(s) Miklosi and Pabon; also Senator(s) Shaffer B. and King S.--
 Concerning tax expenditures.
 Finance

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HB12-1348 by Representative(s) Ferrandino, McNulty; also Senator(s) Morse, Cadman--Concerning the
 powers of the legislative department with respect to capitol buildings group space, and, in
 connection therewith, providing for the designation of space for the members of the general
 assembly, legislative staff, and legislative staff agencies and the furnishing and equipping
 thereof, and granting the control of legislative spaces to the legislative department.
 State, Veterans & Military Affairs

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SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB12-1019, 1063, 1341, 1342, 1343.

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Senate in recess. Senate reconvened.

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Committee of the Whole reconvened.

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GENERAL ORDERS -- SECOND READING OF BILLS - cont'd

SB12-002 by Senator(s) Steadman, Guzman; --Concerning authorization of civil unions.

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

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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 General Orders -- Second Reading of Bills
 Calendar (SB12-155, SB12-070, SB12-086, SB12-132, HB12-1160, SCR12-001,
 HB12-1237, HB12-1041, SB12-106, SB12-135, HB12-1267) of Wednesday, April 25, was
 laid over until Thursday, April 26, retaining its place on the calendar.

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Call of the Senate. Call raised.

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ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

YES	23	NO	12	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.	N	Roberts	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB12-002 as amended.
Laid over until Thursday: SB12-155, SB12-070, SB12-086, SB12-132, HB12-1160, SCR12-001, HB12-1237, HB12-1041, SB12-106, SB12-135, HB12-1267.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB12-1019, 1063, 1341, 1342, 1343.

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, April 25 was laid over until Thursday, April 26, retaining its place on the calendar.

Third Reading of Bills -- Final Passage: SB12-129, HCR12-1001, HB12-1304, HB12-1081, HB12-1059, SB12-101, SB12-027, SB12-028, HB12-1140, HB12-1324.
Consideration of Resolutions: SJR12-023, SJR12-034, SJR12-036, SJR12-038, SJR12-039, SJR12-040, SJR12-043, SJR12-044, HJR12-1017.
Consideration of Memorials: SM12-003.
Consideration of House Amendments to Senate Bills: SB12-128, SB12-036.
Consideration of Governor's Appointments:
Members of the Tourism Office Board of Directors
Conference Committees to Report: SB12-020, HB12-1053, HB12-1002, HB12-1335, HB12-1339, HB12-1340, HB12-1344.
Requests for Conference Committee: HB12-1168.

TRIBUTES

Honoring:

Vinny Castellini, 3rd place winner of the nationwide C-SPAN StudentCam video competition -- Senator Steve King.
South Metro Denver Chamber of Commerce, second annual Be Involved and Give Day -- by Senator Newell.
Recognizing the Citizen Volunteers of the Colorado Wing of the Civil Air Patrol -- by Senato Lambert.

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Honoring Senate aide and interns: Susan Lontine, Louis Irwin, Amber Widgery,
Chadwell Murley, Kasey Baker, Laura Brown, Stuart Rubinstein, Amanda Grosgebauer,
Sharon Majeres, Arlene Lang, Barry Sarver, Constance Moylan, Owen Perkins -- by
Senator Aguilar. 1
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Honoring Senate aide and intern: Donna Johnson, Carol Kennedy -- by Senator Bacon. 5
Honoring Senate aide and interns: Jeanne Montgomery, Lois Florkey, Melissa Weyant --
by Senator Boyd. 6
7
Honoring Senate aide and interns: Diane Rich, Matthew Wells, Phil Gerkin, Huda
Ghaibeh, Charles Severance-Medaris, Marcus McKindra -- by Senator Carroll. 8
9
Honoring Senate aides and interns: Bonnie Saliman , Josh Miller, Dorothy Malman,
Matt Leebove -- by Senator Foster. 10
11
Honoring Senate aide and interns: Michelle Warren, Maria Barco, Tim Kirby, Abby
Harder, Cynthia Marcum, Gabe Fidelman, Liz Arroyo, Angelina Sandoval, Michaela
Redfern-- by Senator Giron. 12
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14
Honoring Senate aide and interns: Diego del Campo, Molly Moss, Kellan Pontarlo,
Michael Lirtzman, and Norma Ruth Ryan -- by Senator Guzman. 15
16
Honoring Senate aide and interns: Richard Valenty, John Comfort, Elizabeth Gibbs,
Stuart Ollanik, Harris Ravine, Laurie Albright -- by Senator Heath. 17
18
Honoring Senate aide: Rachel Zenzinger -- by Senator Hodge. 19
Honoring Senate aide and interns: Mary Lindsey, Ron Brady, Jackie Meyer, Zachary
Noriega -- by Senator Hudak. 20
21
Honoring Senate aide: Audrey Kline -- by Senator Jahn. 22
Honoring Senate aide and interns: Leslie Colwell, Danny Hernandez, Max Eisner -- by
Senator Johnston. 23
24
Honoring Senate aide and interns: Amy Erickson, Sean Siler, Kaylee Moore, Danny
McCarthy -- by Senator Morse. 25
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Honoring Senate aides and interns: Wes Song, Emmaleigh Darnell, Effie Kostick,
Andrew Cuffe, Chari-Lynn Koppel, Estefany Cruz, Kiara Reyes, Nathan Reynolds, Jean
Greenberg -- by Senator Newell. 27
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29
Honoring Senate aide and interns: Jonathan Labodie, Monyette Ellington, Jay Jackson,
Adam Pavlakovich, Libby Helmer, Bunny Spangler -- by Senator Nicholson. 30
31
Honoring Senate aide and interns: Amy Steinhoff, Claire Teylouni, Lisa Barker, James
Lucero, Lindsey Mock -- Senator Schwartz. 32
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Honoring Senate aide and interns: Jake Marsing, Rachel Paul, Sarah Chillemi -- by
Senator Shaffer. 34
35
Honoring Senate aide and interns: Renee Sanders, Karen Conover, Claire Bowman, and
Peggy Dahms -- by Senator Steadman. 36
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Honoring Senate aide: Diane Wright -- by Senator Tochtrop. 38
Honoring Senate aides and interns: Nicole Hanlen, Nancy Miani, Karen Hart, Lynn
Desens, Dala Giffin -- by Senator Williams. 39
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On motion of Senator Morse, the Senate adjourned until 9:00 a.m., Thursday, April 26,
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Approved: 45
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Brandon C. Shaffer 52
President of the Senate 53
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Attest: 55
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Cindi L. Markwell 59
Secretary of the Senate 60