

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

76th Legislative Day Monday, March 26, 2012

- Prayer By the chaplain, Rabbi Yossi Serebryanski, Chabad of South Denver.
- Call to Order By the President at 10:00 a.m.
- Pledge By Senator Grantham.
- Roll Call Present--35
- Quorum The President announced a quorum present.
- Reading of Journal On motion of Senator Guzman, reading of the Journal of Friday, March 23, 2012, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Printed: SB12-164; SJR12-023, 024 and 025.
 Correctly Engrossed: SB12-130.
 Correctly Revised: HB12-1026, 1097, 1224 and 1262.
 Correctly Rerevised: HB12-1269 and 1270.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

SJR12-026 by Senator(s) Newell, Hudak; also Representative(s) Gardner B.--Concerning recognition of October as "Conflict Resolution Month" in Colorado.

On motion of Senator Newell, 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, Carroll, Foster, Giron, Guzman, Heath, Jahn, Morse, Nicholson, Roberts, Schwartz, Shaffer B., Tochtrop, White and Williams S.

**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:

HB12-1026 by Representative(s) Coram; also Senator(s) Roberts--Concerning peace officer status for certain municipality prosecuting attorneys.

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, Guzman, King S. and Newell.

HB12-1262 by Representative(s) Gardner B.; also Senator(s) Roberts--Concerning enactment of amendments to the secured transactions provisions of the "Uniform Commercial Code".

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-sponsor added: Guzman.

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:

HB12-1224 by Representative(s) Becker, Gerou, Levy; also Senator(s) Lambert, Hodge, Steadman--Concerning the creation of a consolidated communications system authority.

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: Boyd, Heath and Schwartz.

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.

A majority of those elected to the Senate having voted in the affirmative, Senator Newell was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.018), by Senator Newell.

Amend engrossed bill, page 12, after line 16, insert:

"(6) PARTICIPATION IN A PROGRAM ADMINISTERED BY THE OFFICE IS VOLUNTARY. THE OPERATIONS OF THE OFFICE AND THE IMPLEMENTATION OF THE PROGRAMS ADMINISTERED BY THE OFFICE ARE NOT DESIGNED OR INTENDED TO INTERFERE WITH THE RIGHTS OF PARENTS TO RAISE THEIR CHILDREN."

The amendment was passed on the following roll call vote:

YES	32	NO	3	EXCUSED	0	ABSENT	0
Aguilar	N	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	N	Neville	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	N	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

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

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		

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

Co-sponsors added: Bacon, Boyd, Foster, Giron, Heath, Spence, Tochtrop and Williams S.

HB12-1097 by Representative(s) Summers; also Senator(s) Jahn--Concerning civil penalties for retail food establishments.

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-sponsor added: Williams S.

RECONSIDERATION OF HB12-1262

HB12-1262 by Representative(s) Gardner B.; also Senator(s) Roberts--Concerning enactment of amendments to the secured transactions provisions of the "Uniform Commercial Code".

Having voted on the prevailing side, Senator Morse moved for reconsideration of the last Senate action, Third Reading of Bills -- Final Passage -- Consent Calendar, on HB12-1262.

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

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

HB12-1262 by Representative(s) Gardner B.; also Senator(s) Roberts--Concerning enactment of amendments to the secured transactions provisions of the "Uniform Commercial Code".

A majority of those elected to the Senate having voted in the affirmative, Senator Roberts was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.001), by Senator Roberts.

Amend revised bill, page 19, line 15, strike "12-___," and substitute "12-1262,".

Page 19, line 18, strike "12-___," and substitute "12-1262,".

Page 19, line 21, strike "12-___," and substitute "12-1262,".

Page 19, line 26, strike "12-___," and substitute "12-1262,".

Page 20, line 2, strike "12-___," and substitute "12-1262,".

Page 20, line 10, strike "12-___," and substitute "12-1262,".

Page 20, line 13, strike "12-___," and substitute "12-1262,".

Page 20, line 21, strike "12-___," and substitute "12-1262,".

Page 21, line 2, strike "12-___," and substitute "12-1262,".

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- Page 21, line 3, strike "12-___," and substitute "12-1262,".
- Page 21, line 13, strike "12-___," and substitute "12-1262,".
- Page 21, line 23, strike "12-___," and substitute "12-1262,".
- Page 22, line 3, strike "12-___," and substitute "12-1262,".
- Page 22, line 14, strike "12-___," and substitute "12-1262,".
- Page 22, line 26, strike "12-___," and substitute "12-1262,".
- Page 23, line 4, strike "12-___," and substitute "12-1262,".
- Page 23, line 8, strike "12-___," and substitute "12-1262,".
- Page 23, line 16, strike "12-___," and substitute "12-1262,".
- Page 24, line 3, strike "12-___," and substitute "12-1262,".
- Page 24, line 8, strike "12-___," and substitute "12-1262,".
- Page 24, line 25, strike "12-___," and substitute "12-1262,".
- Page 25, line 27, strike "12-___," and substitute "12-1262,".
- Page 26, line 11, strike "12-___," and substitute "12-1262,".

The amendment was **passed** on 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		

The question being "Shall the bill, as amended, 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**.

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 an expression of personal privilege.

Upon request of Senator Morse, **HB12-1220** was removed from the General Orders--
Second Reading of Bills Consent Calendar of Monday, March 26 and was placed at the
end of the General Orders--Second Reading of Bills Calendar of Monday, March 26.

Committee of the Whole On motion of Senator Williams S., the Senate resolved itself into the Committee of the
Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar
and Senator Williams S. 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 bill,
reading at length having been dispensed with by unanimous consent, had been considered
and action taken thereon as follows:

HB12-1244 by Representative(s) Scott; also Senator(s) Foster--Concerning an inventory of local
governmental entities maintained by the department of local affairs, and, in connection
therewith, requiring the inclusion of certain information in the inventory.

Amendment No. 1, Local Government Committee Amendment.
(Printed in Senate Journal, March 22, page 548 and placed in members' bill files.)

As amended, ordered revised 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 Williams S., the report of the Committee of the Whole was **adopted**
on 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		

The Committee of the Whole took the following action:

Passed on second reading: HB12-1244 as amended.
Laid over to the end of the General Orders -- Second Reading of Bills calendar, Monday,
March 26: HB12-1220.

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

SB12-044 by Senator(s) Guzman; also Representative(s) Pabon--Concerning failure to present valid evidence of mass transit fare payment, and, in connection therewith, making an appropriation.

Amendment No. 1, Transportation Committee Amendment.

(Printed in Senate Journal, February 15, pages 165-167 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.

(Printed in Senate Journal, March 16, pages 502-503 and placed in members' bill files.)

Amendment No. 3(L.004), by Senator Guzman.

Amend printed bill, page 3, line 18, strike "THE COUNTY OR CITY AND".

Page 3, strike lines 19 and 20.

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

SB12-078 by Senator(s) Hudak, Aguilar, Jahn, Newell, Roberts, Tochtrop, White, Williams S.; also Representative(s) Schafer S., Fischer, Kerr A., Kerr J., Ramirez--Concerning protections for at-risk adults.

Amendment No. 1, General Orders Amendment.

(Printed in Senate Journal, March 23, pages 565-566 and placed in members' bill files.)

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

SB12-001 by Senator(s) Hudak, Bacon, Boyd, Foster, Heath, Shaffer B., Steadman; also Representative(s) Duran and Ryden--Concerning contracting preferences for persons who employ at least a specified percentage of Colorado residents to perform the requirements of a government contract.

Laid over until Tuesday, March 27, retaining its place on the calendar.

SB12-155 by Senator(s) Heath and White; also Representative(s) Court and Murray--Concerning procedures to protect transparency in elections while preserving the integrity of ballots in connection with a request for public inspection of ballots under the "Colorado Open Records Act".

Laid over until Tuesday, March 27, retaining its place on the calendar.

SB12-070 by Senator(s) Aguilar; also Representative(s) Wilson, Solano--Concerning residential landlords and tenants, and, in connection therewith, enacting the "Uniform Residential Landlord and Tenant Act".

Laid over until Tuesday, March 27, retaining its place on the calendar.

SB12-086 by Senator(s) Cadman, Shaffer B.; --Concerning a study of the cost of regulatory compliance for businesses in Colorado.

Laid over until Tuesday, March 27, retaining its place on the calendar.

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SB12-132 by Senator(s) Grantham, Cadman, Scheffel, Brophy, Harvey, King S., Lambert, Lundberg, Neville, Renfroe, Roberts, Spence; also Representative(s) Becker--Concerning timely issuance of environmental control permits.

Laid over until Tuesday, March 27, retaining its place on the calendar.

HB12-1053 by Representative(s) Gardner B.; also Senator(s) Giron--Concerning the victims' rights act.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, March 13, pages 469-471 and placed in members' bill files.)

Amendment No. 2(L.031), by Senators King S. and Newell.

Amend the Judiciary Committee Report, dated March 12, page 2, strike lines 26 through 29.

Page 3 of the committee report, strike lines 1 through 6 and substitute:

"Page 16 of the bill, strike lines 1 and 2 substitute: "MAY INCLUDE BUT IS NOT LIMITED TO CIRCUMSTANCES IN WHICH A CRIME HAS REMAINED UNSOLVED FOR MORE THAN ONE YEAR."."

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

SB12-149 by Senator(s) Steadman; also Representative(s) Priola--Concerning the circumstances in which the board of a defined benefit plan or system created by a local government may modify retirement benefit provisions of the plan or system.

Laid over until Tuesday, March 27, retaining its place on the calendar.

HB12-1144 by Representative(s) Fischer, Duran, Hamner, Hulinghorst, Kefalas, Kerr A., Peniston, Ryden, Schafer S., Solano, Tyler, Young; also Senator(s) Bacon--Concerning authorizing institutions of higher education to enter into employment contracts for non-tenure-track classroom teachers.

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

HB12-1168 by Representative(s) Young, Fischer, Kerr A., Levy; also Senator(s) Morse--Concerning clarification of provisions authorizing ignition interlock devices.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, March 20, page 525 and placed in members' bill files.)

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

HB12-1276 by Representative(s) Duran, Summers, Fields, McCann, Casso, Hulinghorst, Massey, Swerdfeger, Vigil; also Senator(s) Newell--Concerning child care licensure waivers for materials related to a child care center's curriculum.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, March 16, page 507 and placed in members' bill files.)

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

HB12-1239 by Representative(s) Vaad; also Senator(s) Carroll--Concerning required county approval for the expansion of special district domestic water or sanitary service into a county that has not previously approved the special district's service plan.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, March 20, pages 525-526 and placed in members' bill files.)

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

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HB12-1307 by Representative(s) Kerr J. and Summers; also Senator(s) Roberts--Concerning the authority of a nonlawyer trustee of a certain size trust to represent the trust before the board of assessment appeals.

Amendment No. 1(L.004), by Senator Roberts.

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

"SECTION 1. Legislative declaration. The general assembly does not intend that any inference be drawn from this act that a trustee acting as a trustee is required to be represented by a lawyer under any circumstances."

Renumber succeeding sections accordingly.

Page 2, strike lines 6 and 7 and substitute "TRUSTEE OF A TRUST."

Page 2, line 14, strike "WITH TOTAL ASSETS OF".

Page 2, line 15, strike "LESS THAN THREE MILLION DOLLARS".

Page 2, line 16, strike "STATE OR" and substitute "STATE,".

Page 2, line 17, strike "TRUST." and substitute "TRUST, OR BY THE TRUSTEE'S DESIGNEE.".

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

HB12-1220 by Representative(s) Becker; also Senator(s) Bacon--Concerning changes to the governance structure of the board of governors of the Colorado state university system, and, in connection therewith, establishing the governance structure for Colorado state university - global campus.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, March 22, page 548, was **lost**.)

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Williams S., the report of the Committee of the Whole was **adopted** on 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		

The Committee of the Whole took the following action:

Passed on second reading: SB12-044 as amended, SB12-078 as amended, HB12-1053 as amended, HB12-1144, HB12-1168 as amended, HB12-1276 as amended, HB12-1239 as amended, HB12-1307 as amended, HB12-1220.

Laid over until Tuesday, March 27: SB12-001, SB12-155, SB12-070, SB12-086, SB12-132, SB12-149.

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 an expression of personal privilege.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB12-055 by Senator(s) White, Aguilar, Giron, Guzman, Hudak, Newell, Nicholson, Spence, Steadman, Tochtrop, Williams S.; also Representative(s) McCann--Concerning the voluntary contribution designation benefiting the 9Health Fair fund to appear on the state individual income tax return forms.

Senator White moved that the Senate concur in House amendments to **SB12-055**, as printed in House journal, March 20, page 732. The motion was **adopted** by the following roll call vote:

YES	31	NO	4	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Lambert	N	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	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	N	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

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

YES	30	NO	5	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Lambert	N	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	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	Y	King S.	Y	Roberts	Y		

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

Call of the Senate.

Call raised.

SB12-031 by Senator(s) White; also Representative(s) Bradford and Baumgardner--Concerning federal mineral lease districts.

Senator White moved that the Senate concur in House amendments to **SB12-031**, as printed in House journal, March 22, pages 729-730. The motion 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		

The question being "Shall the bill, as amended, 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, as amended, was **repassed**.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS

On motion of Senator Schwartz, the following Governor's appointments were confirmed by a roll call vote:

MEMBERS OF THE
COLORADO WATER RESOURCES
AND POWER DEVELOPMENT AUTHORITY

for terms expiring October 1, 2015:

David "Ty" H. Wattenberg of Walden, Colorado to serve as a member from the North Platte drainage basin, reappointed;

Frank J. Kugel of Gunnison, Colorado to serve as a member from the Gunnison-Uncompahgre drainage basin, and with experience in water law, reappointed.

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		

On motion of Senator Schwartz, the following Governor's appointment was confirmed by a roll call vote:

MEMBER OF THE
WATER QUALITY CONTROL COMMISSION

for terms expiring February 15, 2014:

Lauren Elizabeth Evans of Lakewood, Colorado, appointed.

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		

On motion of Senator Schwartz, the following Governor's appointments were confirmed by a roll call vote:

MEMBERS OF THE
COAL MINE BOARD OF EXAMINERS

for a term expiring July 1, 2012:

Richard Clair Chermak of Hotchkiss, Colorado, to serve as a coal miner of known experience and practice in underground coal mining residing in the State of Colorado and actively engaged in the coal mining industry during the term of office, appointed.

for a term expiring July 1, 2013:

Geral Justin Fedinec of Craig, Colorado, a coal mine owner, operator, manager, or other mine official actively engaged in surface mining industry, to fill the vacancy occasioned by the resignation of Lara A. Sims of Hayden, Colorado, appointed;

Alan Reed Bayles of Hotchkiss, Colorado, a coal mine owner, operator, manager, or other mine official actively engaged in underground mining, to fill the vacancy occasioned by the resignation of Daniel R. Meadors of Durango, Colorado, appointed.

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		

On motion of Senator Heath, the following Governor's appointments were confirmed by a roll call vote:

MEMBER OF THE
BOARD OF COMMISSIONERS OF STATE AND
VETERANS NURSING HOMES

for a term expiring July 1, 2015:

Lewis H. Entz of Hooper, Colorado, to serve as a veteran and as a Republican, reappointed.

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		

MESSAGE FROM THE HOUSE

The House has adopted and returns herewith SJR12-026.

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 Monday, March 26 was laid over until Tuesday, March 27, retaining its place on the calendar.

Consideration of Resolutions: SJR12-006, HJR12-1004.
 Consideration of Memorials: SJM12-001.
 Conference Committees to Report: SB12-020.

On motion of Senator Morse, the Senate adjourned until 9:00 a.m., Tuesday, March 27, 2012.

Approved:

Betty Boyd
 President *pro tem* of the Senate

Attest:

Cindi L. Markwell
 Secretary of the Senate

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