

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

37th Legislative Day Thursday, February 16, 2012

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Prayer	By the chaplain, Reverend Paul Kottke, University Park United Methodist Church.	11
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Call to Order	By the President at 9:00 a.m.	13
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Pledge	By Senator Lambert.	15
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Roll Call	Present--33	17
	Excused--2, Renfroe, White.	18
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Quorum	The President announced a quorum present.	21
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Reading of Journal	On motion of Senator Jahn, reading of the Journal of Wednesday, February 15, 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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Judiciary	After consideration on the merits, the Committee recommends that SB12-002 be amended as follows, and as so amended, be referred to the Committee on <u>Finance</u> with favorable recommendation.	31
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	Amend printed bill, page 17, line 4, strike "ADJUSTED GROSS" and substitute "TAXABLE".	35
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Business, Labor, & Technology	After consideration on the merits, the Committee recommends that SB12-143 be amended as follows, and as so amended, be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	39
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	Amend printed bill, page 3, line 14, before " legislative " insert " local business database fund - creation - ".	44
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	Page 3, line 27, after "(a)" insert "(I)".	47
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	Page 4, after line 2 insert:	49
		50
	"(II) IN ORDER TO REDUCE THE COSTS OF IMPLEMENTING THIS SECTION, TO THE EXTENT POSSIBLE, THE COLORADO OFFICE OF ECONOMIC DEVELOPMENT SHALL INTEGRATE THE DATABASE OF LOCAL BUSINESSES INTO ANY EXISTING DATABASES OR PROJECTS ADMINISTERED BY THE OFFICE AND OTHERWISE INCORPORATE, UTILIZE, OR APPLY EXISTING INFORMATION TECHNOLOGY AND OTHER RESOURCES TO THE DEVELOPMENT AND MAINTENANCE OF THE DATABASE OF LOCAL BUSINESSES."	51
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	Page 4, after line 20 insert:	60
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	"(6) THE COLORADO OFFICE OF ECONOMIC DEVELOPMENT SHALL ALSO DEVELOP DOWNLOADABLE MOBILE APPLICATION SOFTWARE THAT A PERSON MAY UTILIZE TO ACCESS THE CONTENTS OF THE DATABASE CREATED IN SUBSECTION (3) OF THIS SECTION."	62
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	Page 4, line 21, strike "(6)" and substitute "(7)".	67

Page 4, after line 25 insert:

"(8) ALL FEES COLLECTED PURSUANT TO PARAGRAPH (a) OF SUBSECTION (4) OF THIS SECTION, ALL GIFTS, GRANTS, AND DONATIONS RECEIVED PURSUANT TO SUBSECTION (7) OF THIS SECTION, AND ANY OTHER MONEYS APPROPRIATED BY THE GENERAL ASSEMBLY FOR THE PURPOSES OF THIS SECTION SHALL BE TRANSMITTED TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME TO THE LOCAL BUSINESS DATABASE FUND, WHICH FUND IS HEREBY CREATED. ALL MONEYS CREDITED TO THE FUND AND ALL INTEREST EARNED ON THE INVESTMENT OF MONEYS IN THE FUND SHALL REMAIN IN THE FUND AND SHALL NOT BE TRANSFERRED OR CREDITED TO ANY OTHER FUND. THE GENERAL ASSEMBLY SHALL MAKE ANNUAL APPROPRIATIONS FROM THE FUND TO THE COLORADO OFFICE OF ECONOMIC DEVELOPMENT FOR DIRECT AND INDIRECT EXPENSES INCURRED IN CARRYING OUT THE PURPOSES OF THIS SECTION."

Business,
Labor, &
Technology

After consideration on the merits, the Committee recommends that **SB12-100** be postponed indefinitely.

Agriculture,
Natural
Resources, &
Energy

After consideration on the merits, the Committee recommends that **SB12-133** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 3, strike lines 5 and 6 and substitute "COMPONENT PART OF A MOTOR VEHICLE, INCLUDING".

Page 5, line 22, strike everything after "BY".

Page 5, line 23, strike everything before "A" and substitute "JULY 1, 2013,".

Page 6, line 8, strike "STANDARD." and substitute "STANDARD; EXCEPT THAT THIS CERTIFICATION REQUIREMENT DOES NOT APPLY TO PROCESSING FOR REUSE CONDUCTED BY THE DIVISION OF CORRECTIONAL INDUSTRIES CREATED IN SECTION 17-24-104, C.R.S."

Page 7, after line 15 insert:

"25-17-307. Charitable donations of electronic devices. (1) A CHARITABLE ORGANIZATION, AS DEFINED IN SECTION 6-16-103 (1), C.R.S., MAY:

(a) REFUSE TO ACCEPT A DONATION OF AN ELECTRONIC DEVICE;
AND

(b) ESTABLISH A SURCHARGE FOR ACCEPTANCE OF A DONATION OF AN ELECTRONIC DEVICE."

Renumber succeeding C.R.S. section accordingly.

Page 7, strike lines 18 through 27 and substitute:

"SECTION 2. Act subject to petition - effective date - applicability. (1) This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 8, 2012, if adjournment sine die is on May 9, 2012); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2012 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor."

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State, Veterans, & Military Affairs After consideration on the merits, the Committee recommends that **SB12-141** be referred to the Committee of the Whole with favorable recommendation.

State, Veterans, & Military Affairs After consideration on the merits, the Committee recommends that **SB12-147** be referred to the Committee of the Whole with favorable recommendation.

Education After consideration on the merits, the Committee recommends that **SB12-057** 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 5 through 22 and substitute:

"- rules. (15) Native American language and culture instruction authorization. (a) THE DEPARTMENT MAY ISSUE A NATIVE AMERICAN LANGUAGE AND CULTURE INSTRUCTION AUTHORIZATION TO AN INDIVIDUAL UNDER THE FOLLOWING CIRCUMSTANCES:

(I) IF THE INDIVIDUAL QUALIFIES FOR AN ADJUNCT INSTRUCTOR AUTHORIZATION PURSUANT TO SUBSECTION (2) OF THIS SECTION IN THE AREA OF NATIVE LANGUAGES; OR

(II) IF AN INDIVIDUAL CANNOT BE IDENTIFIED WHO MEETS THE CRITERIA OF SUBPARAGRAPH (I) OF THIS PARAGRAPH (a), THE EMPLOYING SCHOOL DISTRICT MAY ALLOW AN INDIVIDUAL TO APPLY TO THE DEPARTMENT FOR APPROVAL OF A NATIVE AMERICAN LANGUAGE AND CULTURE INSTRUCTION AUTHORIZATION IF THE INDIVIDUAL HAS DEMONSTRATED EXPERTISE IN A NATIVE AMERICAN LANGUAGE OF A FEDERALLY RECOGNIZED TRIBE. THE NATIVE AMERICAN LANGUAGE AND CULTURE INSTRUCTION AUTHORIZATION SHALL ALLOW THE INDIVIDUAL TO TEACH THE NATIVE AMERICAN LANGUAGE IN WHICH HE OR SHE HAS DEMONSTRATED EXPERTISE FOR THE EMPLOYING SCHOOL DISTRICT. AN INDIVIDUAL AUTHORIZED PURSUANT TO THIS SUBPARAGRAPH (II) SHALL WORK IN PARTNERSHIP WITH A LICENSED TEACHER WHO CURRENTLY TEACHES WORLD LANGUAGES FOR THE EMPLOYING SCHOOL DISTRICT. THE APPROVAL PROCESS FOR THE NATIVE AMERICAN LANGUAGE AND CULTURE INSTRUCTION AUTHORIZATION SHALL BE ESTABLISHED BY RULE OF THE STATE BOARD AND SHALL INCLUDE, AT A MINIMUM:

(A) A METHOD TO ESTABLISH AND DOCUMENT THE EXPERTISE OF THE APPLICANT IN THE NATIVE AMERICAN LANGUAGE OF A FEDERALLY RECOGNIZED TRIBE;

(B) THE IDENTIFICATION OF THE PARTNERING LICENSED TEACHER;

(C) A REQUIREMENT THAT THE APPLICANT MEET ANY OBJECTIVE STANDARDS FOR LANGUAGE PROFICIENCY ESTABLISHED BY THE STATE BOARD;

(D) A PROHIBITION ON THE APPLICANT FROM TEACHING ANY SUBJECT OTHER THAN THE NATIVE AMERICAN LANGUAGE FOR WHICH HE OR SHE HAS DEMONSTRATED EXPERTISE; AND

(E) A RENEWAL PROCESS FOR THE AUTHORIZATION.

(b) A NATIVE AMERICAN LANGUAGE AND CULTURE AUTHORIZATION ISSUED PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (15) IS".

Page 3, after line 3 insert:

"(c) ALL LAWS AND RULES, INCLUDING BUT NOT LIMITED TO SECTION 22-9-106 AND ANY RULES PROMULGATED THEREUNDER RELATED TO EDUCATOR EVALUATION AND EFFECTIVENESS, SHALL APPLY TO THE INDIVIDUAL HOLDING AN AUTHORIZATION PURSUANT TO THIS SUBSECTION (15).".

Page 3, line 6, strike "**Indigenous language**" and substitute "**Native American language and culture**".

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Page 3, line 8, after "EDUCATION" insert "OR WORLD LANGUAGE".

Page 3, line 9, strike "INDIGENOUS" and substitute "NATIVE AMERICAN".

Page 3, line 10, strike "AN INDIGENOUS" and substitute "A NATIVE AMERICAN".

Page 1, line 101, strike "INDIGENOUS" and substitute "NATIVE AMERICAN".

Education

After consideration on the merits, the Committee recommends that **SB12-047** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 6, line 12, strike "SHALL" and substitute "MAY".

Page 6, line 13, strike "ALL".

Page 6, line 14, strike "DISTRICT, INCLUDING CHARTER SCHOOLS," and substitute "DISTRICT".

Page 6, strike lines 17 through 21 and substitute "SECTION 23-1-113, C.R.S.".

Page 6, line 22, strike "EDUCATION.".

Page 7, strike lines 1 through 3 and substitute "ENROLLED IN THOSE GRADES.".

Page 7, line 4, strike "EACH" and substitute "IF A SCHOOL DISTRICT CHOOSES TO ADMINISTER THE BASIC SKILLS PLACEMENT OR ASSESSMENT TESTS, EACH".

Page 7, after line 25, insert:

"SECTION 4. In Colorado Revised Statutes, **add 22-30.5-117** as follows:

22-30.5-117. Basic skills placement or assessment tests - intervention plans. (1) EACH CHARTER SCHOOL THAT INCLUDES ANY OF GRADES NINE THROUGH TWELVE MAY ADMINISTER TO STUDENTS ENROLLED IN THOSE GRADES THE BASIC SKILLS PLACEMENT OR ASSESSMENT TESTS THAT ARE ADMINISTERED TO MATRICULATED FIRST-TIME FRESHMAN STUDENTS PURSUANT TO SECTION 23-1-113, C.R.S. THE CHARTER SCHOOL MAY ADMINISTER THE TESTS TO A STUDENT AT ANY TIME AND AS OFTEN AS IT DEEMS NECESSARY WHILE THE STUDENT IS ENROLLED IN ANY OF GRADES NINE THROUGH TWELVE, BUT THE DEPARTMENT OF EDUCATION SHALL ALLOCATE MONEYS TO EACH CHARTER SCHOOL TO OFFSET THE COSTS INCURRED IN ADMINISTERING EACH OF THE TEST UNITS ONLY ONCE PER STUDENT WHILE HE OR SHE IS ENROLLED IN THOSE GRADES.

(2) IF A CHARTER SCHOOL CHOOSES TO ADMINISTER THE BASIC SKILLS PLACEMENT OR ASSESSMENT TESTS, EACH STUDENT'S INDIVIDUAL CAREER AND ACADEMIC PLAN SHALL INCLUDE THE SCORES ACHIEVED BY THE STUDENT ON THE BASIC SKILLS PLACEMENT OR ASSESSMENT TESTS AND, BASED ON AN ANALYSIS OF THE SCORES, THE STUDENT'S LEVEL OF POSTSECONDARY AND WORKFORCE READINESS AT THE TIME HE OR SHE TAKES THE TESTS. IF A STUDENT'S SCORES INDICATE THAT HE OR SHE IS AT RISK OF BEING UNABLE TO DEMONSTRATE POSTSECONDARY AND WORKFORCE READINESS PRIOR TO OR UPON GRADUATING FROM HIGH SCHOOL, SCHOOL PERSONNEL SHALL WORK WITH THE STUDENT AND THE STUDENT'S PARENT OR LEGAL GUARDIAN TO CREATE AN INTERVENTION PLAN THAT IDENTIFIES THE NECESSARY COURSES AND EDUCATION SUPPORT SERVICES THE STUDENT REQUIRES TO BE ABLE TO ACHIEVE POSTSECONDARY AND WORKFORCE READINESS PRIOR TO OR UPON GRADUATING FROM HIGH SCHOOL AND TO BE PREPARED TO CONTINUE INTO

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THE POSTSECONDARY EDUCATION OPTION, IF ANY, SELECTED BY THE STUDENT IN HIS OR HER INDIVIDUAL CAREER AND ACADEMIC PLAN WITHOUT NEED FOR REMEDIAL EDUCATIONAL SERVICES. IF APPROPRIATE, THE CHARTER SCHOOL, THE STUDENT, AND THE STUDENT'S PARENT OR LEGAL GUARDIAN MAY CHOOSE TO ENROLL THE STUDENT IN ONE OR MORE BASIC SKILLS COURSES AT AN INSTITUTION OF HIGHER EDUCATION THROUGH THE "CONCURRENT ENROLLMENT PROGRAMS ACT", ARTICLE 35 OF THIS TITLE, IF THE STUDENT IS ENROLLED IN TWELFTH GRADE."

Renumber succeeding sections accordingly.

Page 8, line 25, strike "SHALL" and substitute "MAY".

Page 8, line 26, strike "ALL".

Page 9, strike lines 2 through 6 and substitute "C.R.S. THE".

Page 9, line 13, strike everything after the period.

Page 9, strike lines 14 and 15.

Page 9, line 16, strike "EACH" and substitute "IF AN INSTITUTE CHARTER SCHOOL CHOOSES TO ADMINISTER THE BASIC SKILLS PLACEMENT OR ASSESSMENT TESTS, EACH".

Page 11, line 20, strike the first "THE" and substitute "FOR SCHOOL DISTRICTS AND CHARTER SCHOOLS THAT CHOOSE TO ADMINISTER THE BASIC SKILLS PLACEMENT OR ASSESSMENT TESTS, THE".

Page 13, after line 18, insert:

SECTION 10. In Colorado Revised Statutes, 22-2-112, **add** (4) as follows:

22-2-112. Commissioner - duties. (4) (a) THE COMMISSIONER SHALL ENSURE THAT THE DEPARTMENT, SUBJECT TO AVAILABLE APPROPRIATIONS, ANNUALLY ALLOCATES MONEYS TO SCHOOL DISTRICTS, DISTRICT CHARTER SCHOOLS, AND INSTITUTE CHARTER SCHOOLS TO REIMBURSE THEM FOR THE COSTS OF ADMINISTERING BASIC SKILLS PLACEMENT OR ASSESSMENT TESTS PURSUANT TO SECTIONS 22-32-109.5, 22-30.5-117, AND 22-30.5-524, RESPECTIVELY, TO STUDENTS ENROLLED IN GRADES NINE THROUGH TWELVE. THE DEPARTMENT SHALL ALLOCATE MONEYS TO OFFSET THE COSTS INCURRED IN ADMINISTERING EACH OF THE TEST UNITS ONLY ONCE PER STUDENT WHILE THE STUDENT IS ENROLLED IN GRADES NINE THROUGH TWELVE.

(b) THE GENERAL ASSEMBLY FINDS THAT, FOR PURPOSES OF SECTION 17 OF ARTICLE IX OF THE STATE CONSTITUTION, ADMINISTERING BASIC SKILLS PLACEMENT OR ASSESSMENT TESTS TO STUDENTS IN GRADES NINE THROUGH TWELVE IS AN ACCOUNTABLE PROGRAM TO MEET STATE ACADEMIC STANDARDS AND IS A COMPONENT OF ACCOUNTABILITY REPORTING AND MAY THEREFORE RECEIVE FUNDING FROM THE STATE EDUCATION FUND CREATED IN SECTION 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION.

SECTION 11. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the state education fund created in section 17 (4) of article IX of the state constitution, not otherwise appropriated, to the department of education, for the fiscal year beginning July 1, 2012, the sum of \$1,000,000, or so much thereof as may be necessary, for the implementation of section 22-2-112 (4), Colorado Revised Statutes."

Renumber succeeding section accordingly.

Page 1, line 104, strike "SERVICES." and substitute "SERVICES, AND, IN CONNECTION, THEREWITH, MAKING AN APPROPRIATION."

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MESSAGE FROM THE HOUSE

February 15, 2012

Mr. President:

The House has adopted and returns herewith SJR12-014 and SJR12-003

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB12-1009, amended as printed in House Journal, February 8, pages 186-187, also amended as printed in House Journal, February 14, page 250.

HB12-1120, amended as printed in House Journal, February 14, page 250.

HB12-1221, amended as printed in House Journal, February 14, pages 250-251.

HB12-1301, amended as printed in House Journal, February 14, page 251.

HB12-1074, amended as printed in House Journal, February 14, page 251.

MESSAGE FROM THE REVISOR OF STATUTES

February 15, 2012

We herewith transmit:

Without comment, as amended, HB12-1009, 1074, 1120, 1221, and 1301.

**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:

HB12-1078 by Representative(s) Vigil, Baumgardner, Sonnenberg, Swerdfeger, Wilson; also Senator(s) Schwartz, Brophy, Giron, Hodge, Roberts--Concerning the exemption of drinking water treatment facilities from the requirement to obtain a certificate of designation.

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

YES	33	NO	0	EXCUSED	2	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	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-sponsor added: Newell

SB12-067 by Senator(s) Hudak, Bacon, Johnston, King K., Spence; also Representative(s) Holbert--
Concerning requirements pertaining to the corporate status of charter schools.

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

YES	33	NO	0	EXCUSED	2	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	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-sponsor added: King S.

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:

SB12-058 by Senator(s) Heath; --Concerning the creation of the venture capital advisory board.

Laid over until Friday, February 17, retaining its place on the calendar.

SB12-131 by Senator(s) Guzman, Steadman; --Concerning the responsibilities of a fiduciary with regard to the estate of a person who may have executed a designated beneficiary agreement.

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

YES	31	NO	2	EXCUSED	2	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	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	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, Newell, Roberts, Tochtrop and Williams S.

SB12-061 by Senator(s) King K.; also Representative(s) Massey--Concerning procedures relating to the authorization of charter schools.

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

Third Reading Amendment No. 1(L.009), by Senator King K.

Amend engrossed bill, page 16, line 12, strike "22-30.5-517 (3)" and substitute "22-30.5-507 (3)".

The amendment was **passed** on the following roll call vote:

YES	33	NO	0	EXCUSED	2	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	E	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	33	NO	0	EXCUSED	2	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	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: King S., Lambert, Roberts and Spence.

SB12-146

by Senator(s) Hodge; also Representative(s) Peniston--Concerning limitations on the acceptance of certain benefits by specified governmental actors who are in a position to reward persons offering such benefits with official action.

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

YES	32	NO	1	EXCUSED	2	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	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, Carroll, Foster, Giron, Guzman, Harvey, Heath, Morse, Neville, Newell, Nicholson, Schwartz, Steadman, Williams S. and Shaffer B.

SB12-045 by Senator(s) Hudak and King K., Bacon; also Representative(s) Massey and Fields, Holbert--Concerning granting associate degrees to students who transfer from a two-year institution.

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

YES	33	NO	0	EXCUSED	2	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	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, Cadman, Carroll, Foster, Giron, Grantham, Guzman, Heath, Hodge, Jahn, Johnston, Lambert, Lundberg, Morse, Neville, Newell, Scheffel, Schwartz, Spence, Steadman, Tochtrop, Williams S. and Shaffer B.

SB12-036 by Senator(s) Mitchell; --Concerning parental consent for the collection of information from students in schools.

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

YES	33	NO	0	EXCUSED	2	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	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: Cadman, Foster, Grantham, Harvey, Jahn, King S., Lambert, Neville and Scheffel.

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 Memorials.

CONSIDERATION OF MEMORIALS

SM12-001 by Senator(s) Hodge and Lundberg, Bacon; --Memorializing former Senator Frederic Edwin Anderson.

Amendment No. 1(L.001), by Senator Hodge.

Amend printed memorial, page 1, line 12, strike "20," and substitute "22,".

Page 3, line 2, strike "third" and substitute "fourth".

Page 3, line 3, strike "Legislators," and substitute "Legislatures,".

Page 3, line 31, strike "Anderson" and substitute "Dib".

The amendment was **passed** on the following roll call vote:

YES	33	NO	0	EXCUSED	2	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	E	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

On motion of Senator Lundberg, the memorial, as amended, was read at length.

Senate in recess. Senate reconvened.

On motion of Senator Hodge the memorial, as amended, was **adopted** by the following roll call vote:

YES	33	NO	0	EXCUSED	2	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	E	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

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

Senate in recess. Senate reconvened.

SENATE SERVICES REPORT

Correctly Engrossed: SB12-036, 045, 061, 067, 131 and 146; SJR12-014.
 Correctly Revised: HB12-1078; HJR12-1013.
 Correctly Rerevised: HB12-1180, 1182, 1183, 1184, 1185, 1186, 1187, 1188, 1189, 1190,
 1191, 1192, 1193, 1194, 1195, 1196, 1197, 1199, 1200, 1201, 1202 and 1203.

On motion of Senator Morse, and with a majority of those elected to the Senate having
 voted in the affirmative, the balance of the calendar of Thursday, February 16 was laid
 over until Friday, February 17, retaining its place on the calendar.

General Orders -- Second Reading of Bills: SB12-011, SB12-051, SB12-072,
 SB12-122, SB12-099, SB12-022, HB12-1181, HB12-1198, SB12-003.
 Consideration of Resolutions: SJR12-006, HJR12-1010.

On motion of Senator Morse, the Senate adjourned until 9:00 a.m., Friday, February 17,
 2012.

Approved:

Brandon C. Shaffer
 President of the Senate

Attest:

Cindi L. Markwell
 Secretary of the Senate

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