

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

97th Legislative Day

Monday, April 16, 2012

Prayer	By the chaplain, Father Eustace Sequeira, Regis University Jesuit Community, Denver.	1
Call to Order	By the President at 10:00 a.m.	2
Pledge	By Senator Jahn.	3
Roll Call	Present--34 Excused--1, King K. Present later--1, King K.	4 5 6
Quorum	The President announced a quorum present.	7
Reading of Journal	On motion of Senator Steadman, reading of the Journal of Friday, April 13, 2012, was dispensed with and the Journal was approved as corrected by the Secretary.	8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26

COMMITTEE OF REFERENCE REPORTS

Appropriations	After consideration on the merits, the Committee recommends that SB12-135 be referred to the Committee of the Whole with favorable recommendation.	27 28 29 30 31 32 33 34 35 36
----------------	---	--

SENATE SERVICES REPORT

Correctly Printed: SB12-170; SJR12-033.	37
Correctly Reengrossed: SB12-123.	38
Correctly Rerevised: HB12-1209, 1236, 1313 and 1321.	39 40 41 42 43 44

MESSAGE FROM THE HOUSE

April 13, 2012

The Speaker has announced the following change in sponsorship to SB12-068-- Representative Duran to be added as dual prime sponsor with Representative Massey.	45 46 47 48 49 50 51 52
---	--

INTRODUCTION OF RESOLUTIONS

SJR12-034	by Senator(s) Carroll, Aguilar, Bacon, Boyd, Foster, Giron, Guzman, Heath, Hodge, Hudak, Johnston, Morse, Newell, Nicholson, Schwartz, Shaffer B., Steadman, Tochtrop, Williams S.; also Representative(s) Jones, Court, Casso, Duran, Ferrandino, Fields, Fischer, Hamner, Hullinghorst, Kagan, Kefalas, Kerr A., Labuda, Lee, Levy, McCann, McKinley, Miklosi, Pabon, Pace, Peniston, Ryden, Schafer S., Singer, Solano, Soper, Todd, Tyler, Vigil, Williams A., Wilson, Young--Concerning the expression by the Colorado General Assembly of its strong opposition to recent federal court rulings affecting campaign finance and urging the reversal of the doctrine of corporate personhood as set forth in the case of Citizens United v. Federal Election Commission.	53 54 55 56 57 58 59 60 61 62 63 64 65
------------------	--	--

Laid over until Tuesday, April 17, retaining its place on the calendar.	66 67
---	----------

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:

SB12-026 by Senator(s) Cadman; --Concerning a state agency rule that creates a state mandate on a local government.

Laid over until Tuesday, April 17, retaining its place on the calendar.

CONSIDERATION OF RESOLUTIONS

HJR12-1004 by Representative(s) Massey and Kerr A., Todd, Summers, Kerr J., Beezley, Hamner, Holbert, Joshi, Murray, Peniston, Ramirez, Ryden, Schafer S., Solano; also Senator(s) Roberts and Johnston--Concerning teen suicide prevention in Colorado.

On motion of Senator Roberts, the resolution was read at length and **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-sponsor added: Aguilar, Bacon, Boyd, Brophy, Cadman, Carroll, Foster, Giron, Grantham, Guzman, Harvey, Heath, Hodge, Hudak, Jahn, King K., King S., Lambert, Lundberg, Mitchell, Morse, Neville, Newell, Nicholson, Renfroe, Scheffel, Schwartz, Shaffer B., Spence, Steadman, Tochtrop, White and Williams 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:

SB12-129 by Senator(s) Schwartz, Aguilar, Bacon, Grantham, Harvey, Heath, Hodge, Hudak, Johnston, King S., Lundberg, Newell, Roberts, Steadman, Tochtrop, White, Williams S.; also Representative(s) Coram--Concerning access to affordable broadband internet connectivity in noncompetitive rural areas.

Laid over until Monday, April 23, retaining its place on the calendar.

SB12-004 by Senator(s) Foster, Shaffer B.; also Representative(s) Miklosi--Concerning the creation of a procurement preference to be granted for materials manufactured in the United States, and, in connection therewith, making an appropriation.

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

YES	20	NO	15	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	N
Brophy	N	Hodge	Y	Morse	Y	Steadman	Y
Cadman	N	Hudak	Y	Neville	N	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	N
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	N	Renfroe	N	President	Y
Grantham	N	King S.	N	Roberts	N		

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

Co-sponsor added: Aguilar, Bacon, Boyd, Carroll, Guzman, Heath, Hudak, Morse, Nicholson, Steadman, Tochtrop and Williams S.

On motion of Senator Morse, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, SJR12-029 was made Special Orders at 10:41 a.m.

SPECIAL ORDERS -- CONSIDERATION OF RESOLUTIONS

SJR12-029 by Senator(s) Williams S., Bacon, Spence; also Representative(s) Todd, Court, Hamner, Kerr A., Massey, Peniston, Schafer S., Solano--Concerning a world language roadmap for Colorado.

The hour of 10:41 a.m. having arrived, Senator Williams S. moved that the resolution be read at length. 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-sponsor added: Aguilar, Boyd, Brophy, Cadman, Carroll, Foster, Giron, Grantham, Guzman, Harvey, Heath, Hodge, Hudak, Jahn, Johnston, King K., King S., Lambert, Lundberg, Mitchell, Morse, Neville, Newell, Nicholson, Renfroe, Roberts, Scheffel, Schwartz, Shaffer B., Steadman, Tochtrop and White.

MESSAGE FROM THE GOVERNOR

April 13, 2012

To the Honorable Senate
Sixty-Eighth General Assembly
Second Regular Session
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following Act:

SB12-022: CONCERNING MAINTAINING CHILD CARE ASSISTANCE FOR WORKING FAMILIES.

Approved April 13, 2012 at 3:10 p.m.

SB12-034: CONCERNING REPEAL OF THE RAPID SCREEN PROGRAM TO IDENTIFY HIGH-EMITTING MOTOR VEHICLES.

Approved April 13, 2012 at 3:10 p.m.

SB12-056: CONCERNING JUDICIAL APPOINTMENTS IN DOMESTIC RELATIONS CASES INVOLVING CHILDREN.

Approved April 13, 2012 at 3:11 p.m.

SB12-061: CONCERNING PROCEDURES RELATING TO THE AUTHORIZATION OF CHARTER SCHOOLS.

Approved April 13, 2012 at 3:11 p.m.

SB12-074: CONCERNING SERVICES PROVIDED BY A PERSON DESIGNATED BY A PERSON ELIGIBLE FOR CONSUMER-DIRECTED CARE SERVICES.

Approved April 13, 2012 at 3:11 p.m.

SB12-092: CONCERNING THE USE OF A VIDEO DISPLAY IN A MOTOR VEHICLE THAT IS BEING OPERATED ON A ROADWAY.

Approved April 13, 2012 at 3:12 p.m.

SB12-095: CONCERNING REQUIREMENTS FOR THE VALID TRANSFER OF TITLE TO A MOTOR VEHICLE.

Approved April 13, 2012 at 3:12 p.m.

SB12-102: CONCERNING THE REPEAL OF THE CRIME OF CRIMINAL LIBEL.

Approved April 13, 2012 at 3:13 p.m.

SB12-131: CONCERNING THE RESPONSIBILITIES OF A FIDUCIARY WITH REGARD TO THE ESTATE OF A PERSON WHO MAY HAVE EXECUTED A DESIGNATED BENEFICIARY AGREEMENT.

Approved April 13, 2012 at 3:13 p.m.

SB12-152: CONCERNING CHANGES TO THE PROCEDURES FOR FILING REPORTS WITH THE GENERAL ASSEMBLY UNDER THE "INFORMATION COORDINATION ACT".

Approved April 13, 2012 at 3:13 p.m.

Sincerely,
(signed)
John W. Hickenlooper
Governor

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71

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, April 16 was laid over until Tuesday, April 17, retaining its place on the calendar.

- General Orders -- Second Reading of Bills -- Consent Calendar: HB12-1258, SB12-166.
- General Orders -- Second Reading of Bills: SB12-155, SB12-070, SB12-086, SB12-132, HB12-1160, SCR12-001, HB12-1237, SB12-144, SB12-005, HB12-1041, HB12-1304, HB12-1081, HB12-1059, SB12-101, SB12-139, SB12-047, SB12-027, SB12-028, HB12-1153, SB12-106.
- Consideration of Resolutions: SJR12-032, HJR12-1017.
- Consideration of Memorials: SM12-003.
- Consideration of Governor's Appointments:
 - Members of the Colorado School of Mines, Board of Trustees.
 - Members of the Board of Assessment Appeals.
 - Members of the State Electrical Board.
 - Members of the Colorado Commission on Judicial Discipline.
 - Members of the State Board of the Great Outdoors Colorado Trust Fund.
 - Members of the Energy and Mineral Impact Assistance Advisory Committee.
 - Members of the Colorado Channel Authority Board of Directors.
- Conference Committees to Report: SB12-020, HB12-1053, HB12-1002.
- Requests for Conference Committee: HB12-1168.

Senate in recess. Senate reconvened.

MESSAGE FROM THE HOUSE

April 16, 2012

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB12-1341, 1343.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB12-1342, amended as printed in House Journal, April 12, page 957.
 HB12-1344, amended as printed in House Journal, April 12, page 957.

MESSAGE FROM THE REVISOR OF STATUTES

April 16, 2012

We herewith transmit:

Without comment, HB12-1341 and 1343.
 Without comment, as amended, HB12-1342 and 1344.

INTRODUCTION OF RESOLUTIONS

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

SJR12-035 by Senator(s) Giron and Aguilar, Bacon, Carroll, Foster, Guzman, Hodge, Hudak, Jahn, Johnston, Morse, Nicholson, Schwartz, Steadman, Tochtrop, Williams S.; also Representative(s) Bradford and Peniston, Acree, Fields, Hamner, Jones, Kerr A., Labuda, Levy, Massey, Nikkel, Ryden, Schafer S., Summers, Todd, Williams A., Wilson, Young-- Concerning the designation of April 17, 2012, as "Equal Pay Day" in Colorado, and, in connection therewith, acknowledging the persisting problem of wage disparity among various groups.

Laid over one day under Senate Rule 30(b).

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72

SJR12-036 by Senator(s) Scheffel, Harvey; also Representative(s) Holbert--Concerning achievements by Rocky Vista University, including the graduation of its inaugural class of doctors.

Laid over one day under Senate Rule 30(b).

INTRODUCTION OF BILLS -- FIRST READING

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

HB12-1341 by Representative(s) Gerou, Becker, Levy; also Senator(s) Hodge, Steadman, Lambert-- Concerning the repeal of the statewide strategic use fund.
Appropriations

HB12-1342 by Representative(s) Levy, Becker, Gerou; also Senator(s) Hodge, Steadman, Lambert-- Concerning a work therapy program in the department of human services, and, in connection therewith, making an appropriation.
Appropriations

HB12-1343 by Representative(s) Gerou, Becker, Levy; also Senator(s) Hodge, Steadman, Lambert-- Concerning the transfer of moneys from the state rail bank fund to the general fund.
Appropriations

HB12-1344 by Representative(s) Gerou, Becker, Levy; also Senator(s) Hodge, Steadman, Lambert-- Concerning transfers of moneys relating to capital construction.
Appropriations

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SJM12-001 and SJR12-028.

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

Approved:

Betty Boyd
President *pro tem* of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60