

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

---

49th Legislative Day

Tuesday, February 28, 2012

---

		1
		2
		3
		4
		5
		6
		7
		8
		9
		10
Prayer	By the chaplain, Rabbi Eliot Baskin, Jewish Family Services of Colorado, Denver.	11
		12
Call to Order	By the President at 9:00 a.m.	13
		14
Pledge	By Senator Roberts.	15
		16
Roll Call	Present--32	17
	Excused--3, Bacon, Carroll, Renfroe.	18
	Present later--1, Bacon.	19
		20
Quorum	The President announced a quorum present.	21
		22
Reading of Journal	On motion of Senator Aguilar, reading of the Journal of Monday, February 27, 2012, was dispensed with and the Journal was approved as corrected by the Secretary.	23
		24
		25
		26
		27
		28
		29

**COMMITTEE OF REFERENCE REPORTS**

		30
		31
Business, Labor, & Technology	After consideration on the merits, the Committee recommends that <b>HB12-1071</b> be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	32
		33
		34
		35
		36
Judiciary	After consideration on the merits, the Committee recommends that <b>HB12-1231</b> be referred to the Committee of the Whole with favorable recommendation.	37
		38
		39
		40
Judiciary	After consideration on the merits, the Committee recommends that <b>HB12-1139</b> be referred to the Committee of the Whole with favorable recommendation.	41
		42
		43
		44
Business, Labor, & Technology	After consideration on the merits, the Committee recommends that <b>HB12-1221</b> be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	45
		46
		47
		48
		49
		50
	Amend reengrossed bill, page 3, line 18, strike "1395," and substitute "1395nn (h) (4) (A) (i) THROUGH (iv),".	51
		52
		53
	Page 3, line 19, strike "MEMBER OF" and substitute "IN".	54
		55
	Page 3, line 21, after "BY" insert "AT LEAST ONE MEMBER OF".	56
		57
		58
State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that <b>SB12-117</b> be amended as follows, and as so amended, be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	59
		60
		61
		62
		63
	Amend printed bill, page 2, line 10, strike "BLOOD, URINE," and substitute "BLOOD".	64
		65
		66
	Page 3, line 24, strike "BLOOD, URINE," and substitute "BLOOD".	67

- Page 4, line 26, strike "URINE,".
- Page 5, line 14, strike "BLOOD, URINE," and substitute "BLOOD".
- Page 5, line 17, strike "BLOOD, URINE," and substitute "BLOOD".
- Page 5, line 20, after "TETRAHYDROCANNABINOLS;" insert "OR".
- Page 5, line 21, after "C.R.S.;" insert "OR".
- Page 7, strike line 13 and substitute "OF THE DEFENDANT'S BLOOD OR SALIVA, THE DEFENDANT'S BLOOD".
- Page 7, line 14, strike "URINE,".
- Page 7, line 16, after "TETRAHYDROCANNABINOLS;" insert "OR".
- Page 7, line 17, after "18-18-204;" insert "OR".
- Page 7, line 25, strike "OR" and substitute "NANOGRAMS OR MORE".
- Page 7, line 26, strike "MORE NANOGRAMS".
- Page 8, strike line 24 and substitute "OF THE DEFENDANT'S BLOOD OR SALIVA, THE DEFENDANT'S BLOOD".
- Page 8, line 25, strike "URINE,".
- Page 8, line 27, after "TETRAHYDROCANNABINOLS;" insert "OR".
- Page 9, line 1, after "18-18-204;" insert "OR".

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

---

**MESSAGE FROM THE HOUSE**

February 27, 2012

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB12-1163, 1204.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB12-1114, amended as printed in House Journal, February 24, page 364.  
 HB12-1169, amended as printed in House Journal, February 24, page 364.  
 HB12-1030, amended as printed in House Journal, February 24, pages 364-365.  
 HB12-1285, amended as printed in House Journal, February 24, page 365.  
 HB12-1288, amended as printed in House Journal, February 24, page 365.

---

**MESSAGE FROM THE REVISOR OF STATUTES**

February 27, 2012

We herewith transmit:

Without comment, HB12-1163 and 1204.  
 Without comment, as amended, HB12-1030, 1114, 1169, 1285, and 1288.

---

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 -- Consent Calendar.

---

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

**HB12-1015** by Representative(s) Holbert; also Senator(s) Neville--Concerning the procedure for the review of a proposal to regulate an unregulated profession or occupation.

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

**HB12-1212** by Representative(s) Becker, Gerou, Levy; also Senator(s) Hodge, Steadman, Lambert-- Concerning the designation of an on-line education program as a multi-district program if the program is authorized by a board of cooperative services.

Amendment No. 1, Education Committee Amendment.

(Printed in Senate Journal, February 23, pages 232-233 and placed in members' bill files.)

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

**SB12-148** by Senator(s) Guzman, Newell, Nicholson, King S.; also Representative(s) Duran, Hamner, Hullinghorst, Kerr A., Massey, Scott, Summers, Todd--Concerning changing the name of Metropolitan state college of Denver to Metropolitan state university of Denver.

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

**HB12-1177** by Representative(s) Gerou, Becker, Levy; also Senator(s) Hodge, Steadman, Lambert-- Concerning a grant program to provide home care allowance benefits to certain eligible individuals, and, in connection therewith, making and reducing appropriations.

Amendment No. 1, Health & Human Services Committee Amendment.

(Printed in Senate Journal, February 24, page 275 and placed in members' bill files.)

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

**HB12-1054** by Representative(s) Fields, Summers; also Senator(s) Boyd--Concerning simplification of the procurement process for providers who have previously been approved to participate in health care programs administered by the department of health care policy and financing.

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

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

**SB12-041** by Senator(s) Spence; also Representative(s) Priola--Concerning the continuous appropriation of the moneys in the commercial vehicle enterprise tax fund to the department of revenue for sales and use tax refunds.

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

**HB12-1158** by Representative(s) Baumgardner, Scott, Brown, Joshi; also Senator(s) Giron and Grantham--Concerning the regulation of producers of materials that may be used in commercial livestock feed, and, in connection therewith, repealing the "Colorado Inedible Meat Rendering and Processing Act of 1967" and relocating some of its provisions to the "Colorado Feed Law".

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

**HB12-1022** by Representative(s) Sonnenberg, Baumgardner, Swerdfeger, Vigil, Wilson; also Senator(s) Schwartz, Brophy, Giron, Hodge, Roberts--Concerning the amount of water that permitted mining operations that construct impermeable areas that eliminate preexisting natural evapotranspiration are required to replace.

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

**HB12-1010** by Representative(s) Baumgardner, Sonnenberg, Swerdfeger, Vigil, Wilson; also Senator(s) Giron, Brophy, Hodge, Roberts, Schwartz--Concerning the reissuance of a lost share certificate of a mutual ditch company.

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 Schwartz, the report of the Committee of the Whole was **adopted** 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	E	Jahn	Y	Newell	Y	White	Y
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 Committee of the Whole took the following action:

Passed on second reading: SB12-148, SB12-041, HB12-1015, HB12-1212 as amended, HB12-1177 as amended, HB12-1054, HB12-1158, HB12-1022, HB12-1010.

Committee of the Whole	On motion of Senator Schwartz, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills and Senator Schwartz was called to the Chair to act as Chairman.	1 2 3 4
	<b>GENERAL ORDERS -- SECOND READING OF BILLS</b>	5 6
	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:	7 8 9 10
<b>SB12-133</b>	by Senator(s) Schwartz, Aguilar, King S., Newell, White; --Concerning the diversion of electronic devices from landfills.	11 12 13 14
	<u>Amendment No. 1, Agriculture, Natural Resources, and Energy Committee Amendment.</u> (Printed in Senate Journal, February 16, page 188 and placed in members' bill files.)	15 16 17
	<u>Amendment No. 1(L.005), by Senator Schwartz.</u>	18 19
	Amend the Agriculture, Natural Resources, and Energy Committee Report, dated February 15, 2012, page 1, after line 5 insert:	20 21 22
	"Page 5 of the bill, line 25, strike everything after "THAT" and substitute "A BOARD OF COUNTY COMMISSIONERS FOR A COUNTY THAT DOES NOT HAVE AT LEAST TWO ELECTRONIC WASTE RECYCLING EVENTS PER YEAR OR AN ONGOING ELECTRONIC WASTE RECYCLING PROGRAM THAT SERVES RESIDENTS OF THE COUNTY MAY, BY MAJORITY VOTE OF THE COMMISSIONERS AND IN COMPLIANCE WITH THE REQUIREMENTS OF THIS SECTION, EXEMPT ITS RESIDENTS FROM THE BAN ESTABLISHED BY THIS SECTION. A COUNTY SHALL MAKE A GOOD FAITH EFFORT TO SECURE THE ELECTRONIC WASTE RECYCLING SERVICES BEFORE THE BOARD OF COMMISSIONERS MAY EXEMPT THE COUNTY'S RESIDENTS FROM THE LANDFILL BAN. AN EXEMPTION FROM THE LANDFILL BAN IS VALID FOR TWO YEARS, AFTER WHICH THE BOARD MAY VOTE ON ANOTHER TWO-YEAR EXEMPTION AFTER AGAIN MAKING A GOOD FAITH EFFORT TO SECURE A VENDOR TO PROVIDE THE RECYCLING SERVICES. A COUNTY IS NOT REQUIRED TO PAY FOR THE RECYCLING SERVICES. COUNTIES THAT CURRENTLY DO NOT HAVE SUCH SERVICES ARE ENCOURAGED TO WORK WITH THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT AND OTHER ENTITIES, SUCH AS THE COLORADO ASSOCIATION FOR RECYCLING, OR ITS SUCCESSOR ORGANIZATION, TO FIND AN ELECTRONICS RECYCLING VENDOR THAT WILL SERVE THAT COUNTY."	23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42
	Page 5, strike lines 26 and 27.	43 44
	Page 6, strike lines 1 and 2."	45 46
	Page 1 of the committee report, line 8, after "CONDUCTED" insert "ON BEHALF OF STATE AGENCIES AS STIPULATED IN SECTION 17-24-106.6, C.R.S."	47 48 49 50
	Page 1 of the committee report, after line 9 insert:	51 52
	"Page 6 of the bill, strike lines 23 and 24 and substitute "THIS PART 3 BY POSTING AND MAINTAINING, IN A CONSPICUOUS LOCATION AT".	53 54 55
	Page 6, line 27, strike "LANDFILL; AND" and substitute "LANDFILL."	56 57
	Page 7, strike lines 1 through 5."	58 59 60
	As amended, ordered engrossed and placed on the calendar for third reading and final passage.	61 62 63 64 65 66

<b>SB12-022</b>	by Senator(s) Williams S., Boyd, Hudak; also Representative(s) Massey, Fields, Kefalas-- Concerning maintaining child care assistance for working families.	1 2 3
	<u>Amendment No. 1, Health &amp; Human Services Committee Amendment.</u> (Printed in Senate Journal, February 10, pages 117-119 and placed in members' bill files.)	4 5 6
	As amended, ordered engrossed and placed on the calendar for third reading and final passage.	7 8 9
<b>SB12-137</b>	by Senator(s) Lambert, Neville, Renfroe; also Representative(s) Beezley, Holbert, Looper, McKinley--Concerning the payment of debts in precious metal coins.	10 11 12
	Laid over until Wednesday, February 29, retaining its place on the calendar.	13 14 15
<b>HB12-1096</b>	by Representative(s) Kerr A., Acree, Beezley, Conti, DelGrosso, Hullinghorst, Joshi, Kagan, Kefalas, Labuda, McCann, Pabon, Swalm, Swerdfeger; also Senator(s) Brophy-- Concerning an extension of the period for which the voluntary contribution designation line benefiting the Make-A-Wish Foundation of Colorado fund appears on state individual income tax return forms.	16 17 18 19 20 21
	Ordered revised and placed on the calendar for third reading and final passage.	22 23 24
<b>HB12-1301</b>	by Representative(s) McNulty, Ferrandino; also Senator(s) Morse, Shaffer B., Cadman-- Concerning payment of expenses of the legislative department.	25 26 27
	Ordered revised and placed on the calendar for third reading and final passage.	28 29 30
<b>SB12-091</b>	by Senator(s) Tochtrop; also Representative(s) Bradford--Concerning modifications to provisions governing the practice of nursing home administration, and, in connection therewith, modifying the criteria for nursing home administrators to qualify to serve on the board of examiners of nursing home administrators, modifying the experience requirements for persons applying to take the nursing home administrator licensure examination or to participate in the administrator-in-training program, and permitting a nursing home administrator who has passed a national examination and an examination in another state to sit for the Colorado licensure examination.	31 32 33 34 35 36 37 38 39
	<u>Amendment No. 1, Health &amp; Human Services Committee Amendment.</u> (Printed in Senate Journal, February 10, page 113 and placed in members' bill files.)	40 41 42
	<u>Amendment No. 2, Appropriations Committee Amendment.</u> (Printed in Senate Journal, February 24, page 277 and placed in members' bill files.)	43 44 45
	<u>Amendment No. 3(L.008), by Senator Tochtrop.</u>	46 47
	Amend printed bill, page 4, line 6, before "or" insert "BUSINESS ADMINISTRATION,".	48 49 50
	Page 4, line 17, strike "THREE".	51 52
	Page 5, line 4, strike "FIVE-HUNDRED-HOUR" and substitute "ONE-THOUSAND-HOUR".	53 54 55
	Page 5, strike lines 6 through 8 and substitute:	56 57
	<b>"SECTION 5.</b> In Colorado Revised Statutes, 12-39-110, <b>amend</b> (1) as follows:	58 59
	<b>12-39-110. Endorsement.</b> (1) The board shall issue a license to any person duly licensed to practice nursing home administration in another state or territory of the United States <del>who possesses credentials and qualifications which are substantially equivalent to the requirements of section 12-39-106</del> and who successfully completes the Colorado state examination provided in section 12-39-109. For purposes of this section, "state or territory" includes the District of Columbia and the	60 61 62 63 64 65 66 67

commonwealth of Puerto Rico.

**SECTION 6. Act subject to petition - effective date.** This act takes effect September 1, 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 the ninety-day period after final adjournment of the general assembly, 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."

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

**SB12-060** by Senator(s) Roberts; --Concerning improving medicaid fraud prosecution, and, in connection therewith, making and reducing appropriations.

Amendment No. 1, Health & Human Services Committee Amendment.  
(Printed in Senate Journal, February 6, page 95 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.  
(Printed in Senate Journal, February 24, page 277 and placed in members' bill files.)

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

**SB12-021** by Senator(s) Nicholson; also Representative(s) Lee--Concerning the creation of a financial literacy pilot program for residents of counties, and, in connection therewith, making an appropriation.

Amendment No. 1, Local Government Committee Amendment.  
(Printed in Senate Journal, February 15, pages 168-172 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.  
(Printed in Senate Journal, February 24, pages 277-278 and placed in members' bill files.)

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

**SB12-143** by Senator(s) Carroll; also Representative(s) Pabon--Concerning the development of a local businesses database by the Colorado office of economic development.

Laid over until Wednesday, February 29, retaining its place on the calendar.

**HB12-1147** by Representative(s) Williams A., Court, Fields, Hulinghorst, Kerr A., McCann, Schafer S., Solano, Todd, Wilson, Brown, Casso, Fischer, Hamner, Kagan, Labuda, Miklosi, Pabon, Ryden, Szabo, Tyler, Vigil, Young; also Senator(s) Foster, Guzman, Johnston, Spence, Tochtrop--Concerning the designation of the western tiger salamander as the state amphibian.

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

**SB12-038** by Senator(s) Tochtrop; also Representative(s) Vaad--Concerning measures to protect consumers who engage a roofing contractor to perform roofing services on residential property.

Amendment No. 1, Business, Labor & Technology Committee Amendment.  
(Printed in Senate Journal, February 15, pages 161-163 and placed in members' bill files.)

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

Amendment No. 2(L.015), by Senator Tochtrop.

Amend the Business, Labor and Technology Committee Report, dated February 13, 2012, page 1, strike line 14.

Page 2 of the committee report, strike line 1 and substitute:

"(I) A STRUCTURE COMPRISING MULTIPLE, ATTACHED SINGLE-FAMILY DWELLINGS, UNLESS MAINTENANCE, REPAIR, OR REPLACEMENTS OF THE DWELLINGS' ROOF IS THE RESPONSIBILITY OF A CONDOMINIUM ASSOCIATION, HOMEOWNERS' ASSOCIATION, COMMON INTEREST COMMUNITY, UNIT OWNERS' ASSOCIATION, OR ANY OTHER ENTITY SUBJECT TO THE "COLORADO COMMON INTEREST OWNERSHIP ACT", ARTICLE 33.3 OF TITLE 38, C.R.S., REGARDLESS OF WHEN THE ENTITY WAS FORMED; OR".

Amend printed bill, page 3, line 27, after "(b)" insert "(I)".

Page 4 of the bill, after line 3 insert:

"(II) AS USED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (b), "ASSOCIATION" DOES NOT INCLUDE A CONDOMINIUM ASSOCIATION, HOMEOWNERS' ASSOCIATION, COMMON INTEREST COMMUNITY, UNIT OWNERS' ASSOCIATION, OR ANY OTHER ENTITY SUBJECT TO THE "COLORADO COMMON INTEREST OWNERSHIP ACT", ARTICLE 33.3 OF TITLE 38, C.R.S., REGARDLESS OF WHEN THE ENTITY WAS FORMED."

Page 5 of the bill, line 21, after "(1)" insert "(a)".

Page 6 of the bill, line 3, strike "THE" and substitute "THE PROPERTY OWNER'S RIGHT OF RESCISSION UNDER THIS SUBSECTION (1) DOES NOT APPLY WHEN THE PROPERTY AND CASUALTY INSURER DENIES, IN WHOLE OR IN PART, A CLAIM RELATED TO A REQUEST FOR SUPPLEMENTAL ROOFING SERVICES IF THE DAMAGE REQUIRING THE SUPPLEMENTAL ROOFING SERVICES COULD NOT HAVE BEEN REASONABLY FORESEEN AS A NECESSARY AND RELATED ROOFING SERVICE AT THE TIME OF THE INITIAL ROOFING INSPECTION OR THE EXECUTION OF THE INITIAL ROOFING CONTRACT.

(b) THE".

Page 6 of the bill, line 8, strike "(a)" and substitute "(I)".

Page 6 of the bill, line 10, strike "(b)" and substitute "(II)".

Page 6 of the bill, line 13, strike "(c)" and substitute "(III)".

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

(For further action, see amendments to the report of the Committee of the Whole.)

---

**AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE**

**SB12-038** by Senator(s) Tochtrop; also Representative(s) Vaad--Concerning measures to protect consumers who engage a roofing contractor to perform roofing services on residential property.

Senator Mitchell moved to amend the Report of the Committee of the Whole to show that the following Mitchell floor amendment, (L.016) to SB 12-038, did pass.

Amend the Business, Labor and Technology Committee Report, dated February 13, 2012, page 2, strike lines 15 through 18 and substitute:

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



"Page 5 of the bill, line 11, strike "6-22-104; AND" and substitute "6-22-104.".

Page 5 of the bill, strike lines 12 through 19 and substitute:".

Page 3 of the committee report, strike line 16 and substitute:

"Page 6 of the bill, strike line 27.

Page 7 of the bill, strike lines 1 through 24 and substitute:".

Strike page 4 of the committee report.

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **lost** on the following roll call vote:

YES	11	NO	22	EXCUSED	2	ABSENT	0
Aguilar	N	Guzman	N	Lambert	Y	Scheffel	Y
Bacon	N	Harvey	Y	Lundberg	Y	Schwartz	N
Boyd	N	Heath	N	Mitchell	Y	Spence	N
Brophy	Y	Hodge	N	Morse	N	Steadman	N
Cadman	Y	Hudak	N	Neville	N	Tochtrop	N
Carroll	E	Jahn	N	Newell	N	White	N
Foster	N	Johnston	N	Nicholson	N	Williams S.	N
Giron	N	King K.	Y	Renfroe	E	President	N
Grantham	Y	King S.	Y	Roberts	Y		

**ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE**

On motion of Senator Schwartz, the report of the Committee of the Whole was **adopted** 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	E	Jahn	Y	Newell	Y	White	Y
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 Committee of the Whole took the following action:

Passed on second reading: SB12-133 as amended, SB12-022 as amended, SB12-091 as amended, SB12-060 as amended, SB12-021 as amended, SB12-038 as amended, HB12-1096, HB12-1301, HB12-1147.

Laid over until Wednesday, February 29: SB12-137, SB12-143.

**MESSAGE FROM THE GOVERNOR**

Appointment A letter of designation and appointment from Governor John Hickenlooper was read and assigned to committee as follows:

January 23, 2012

To the Honorable  
Colorado Senate  
Colorado General Assembly  
State Capitol Building  
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, reappoint and submit to your consideration, the following:

MEMBERS OF THE  
COLORADO WATER CONSERVATION BOARD

effective February 2, 2012 for terms expiring February 12, 2015:

Phyllis "Diane" Hoppe of Broomfield, Colorado, to serve as a representative of the South Platte drainage basin and as a Republican, appointed;

David H. "Ty" Wattenberg of Walden, Colorado, to serve as a representative of the North Platte drainage basin and as a Republican, appointed;

John Hawkins McClow of Gunnison, Colorado, to serve as a representative of the Gunnison-Uncompahgre drainage basin and as an Unaffiliated, reappointed.

Sincerely,  
(signed)  
John W. Hickenlooper  
Governor  
Rec'd: 1/27/2012  
Cindi L. Markwell, Secretary of the Senate

Committee on Agriculture, Natural Resources, and Energy

---

**MESSAGE FROM THE HOUSE**

February 28, 2012

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB12-1095, 1206, 1222.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB12-1244, amended as printed in House Journal, February 27, page 397.

HB12-1224, amended as printed in House Journal, February 27, pages 397-398, also amended on Third Reading as printed in House Journal, February 28.

HB12-1115, amended as printed in House Journal, February 27, page 399.

HB12-1160, amended as printed in House Journal, February 27, page 399.

HB12-1007, amended as printed in House Journal, February 27, page 399.

The House has passed on Third Reading and returns herewith SB12-043.

---

**INTRODUCTION OF BILLS -- FIRST READING**

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

<b>HB12-1030</b>	by Representative(s) Looper and Priola, Barker, Brown, Ramirez, Tyler; also Senator(s) Williams S., Hudak--Concerning the repeal of requirements that specified types of information be submitted to legislative committees, and, in connection therewith, repealing certain transportation and energy-related information submission requirements. Transportation	1 2 3 4 5 6 7 8
<b>HB12-1114</b>	by Representative(s) Hamner; also Senator(s) Schwartz--Concerning the crime of stalking. Judiciary	9 10 11 12
<b>HB12-1163</b>	by Representative(s) Waller; also Senator(s) Morse--Concerning limited peace officer authority designations. Judiciary	13 14 15 16 17
<b>HB12-1169</b>	by Representative(s) Gardner B. and Duran; also Senator(s) Brophy and Morse--Concerning a clarification of the circumstances under which voting to elect leadership of a public body may be held by secret ballot in accordance with the state open meetings law. State, Veterans & Military Affairs	18 19 20 21 22 23
<b>HB12-1204</b>	by Representative(s) McCann, Kefalas, Young; also Senator(s) Boyd--Concerning the continuation of the regulation of hemodialysis technicians, and, in connection therewith, implementing the sunset review recommendations of the department of regulatory agencies. Health and Human Services	24 25 26 27 28 29
<b>HB12-1285</b>	by Representative(s) Gerou; also Senator(s) Jahn--Concerning modifications to statutory provisions governing intergovernmental cooperation to address wildland fire mitigation where a municipality owns land inside a county for utility purposes. Local Government	30 31 32 33 34 35
<b>HB12-1288</b>	by Representative(s) Murray; also Senator(s) Bacon--Concerning the administration of information technology projects in state government. Business, Labor and Technology	36 37 38 39 40 41

**SENATE SERVICES REPORT**

Correctly Engrossed: SJR12-016.  
 Correctly Reengrossed: SB12-031 and 120.  
 Correctly Revised: HJR12-1010.  
 Correctly Rerevised: HB12-1050.

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

The President has signed: HJR12-1014.

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 Tuesday, February 28 was laid over until Wednesday, February 29, retaining its place on the calendar.

Third Reading of Bills -- Final Passage: SB12-093.  
 Consideration of Resolutions: SJR12-006, SJR12-015, SJR12-017, HJR12-1004.  
 Consideration of Memorials: SJM12-002, SM12-001.

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

---

On motion of Senator Morse, the Senate adjourned until 9:00 a.m., Wednesday, February 29, 2012.

Approved:

Brandon C. Shaffer  
President 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