

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

118th Legislative Day

Monday, May 7, 2012

		1
		2
		3
		4
		5
		6
		7
		8
		9
		10
Prayer	By the chaplain, Father Eustace Sequeira, Regis University Jesuit Community, Denver.	11
		12
Call to Order	By the President at 10:00 a.m.	13
		14
		15
Pledge	By Senator Morse.	16
		17
Roll Call	Present--33	18
	Excused--2, King S., Mitchell.	19
	Present later--2, King S., Mitchell.	20
		21
Quorum	The President announced a quorum present.	22
		23
Reading of Journal	On motion of Senator Guzman, reading of the Journal of Friday, May 4, 2012, was dispensed with and the Journal was approved as corrected by the Secretary.	24
		25
		26
		27
		28
		29

COMMITTEE OF REFERENCE REPORTS

		30
		31
Appropriations	After consideration on the merits, the Committee recommends that SB12-179 be postponed indefinitely.	32
		33
		34
		35
Health & Human Services	After consideration on the merits, the Committee recommends that HB12-1119 be referred to the Committee on <u>Finance</u> with favorable recommendation.	36
		37
		38
		39
Judiciary	After consideration on the merits, the Committee recommends that HB12-1101 be postponed indefinitely.	40
		41
		42
		43
		44
Judiciary	After consideration on the merits, the Committee recommends that SB12-071 be amended as follows, and as so amended, be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	45
		46
		47
		48
		49
	Amend printed bill, page 4, line 21, strike "38-38-1005." and substitute "38-38-1004."	50
		51
		52
	Page 5, strike lines 7 through 10 and substitute:	53
	"(3) A HOLDER SHALL NOT COMMENCE FORECLOSURE ACTIVITY UNTIL:"	54
		55
		56
	Page 5, strike line 23 and substitute "38-38-1003;"	57
		58
	Page 5, line 25, strike "38-38-1007," and substitute "38-38-1006,"	59
		60
	Page 5, strike lines 26 and 27 and substitute "ISSUING A NOTICE OF ELECTION AND DEMAND;"	61
		62
		63
	Page 6, line 2, strike "38-38-1008;" and substitute "38-38-1007;"	64
		65
	Page 6, strike lines 13 through 27.	66
		67

Strike pages 7 through 9. 1
Page 10, strike lines 1 and 2. 2
Renumber succeeding C.R.S. sections accordingly. 3
Page 10, strike lines 8 through 16 and substitute "RIGHT TO CURE LETTER 4
AND THE NOTICE OF ELECTION AND DEMAND, AND MUST INCLUDE AT 5
LEAST THE FOLLOWING INFORMATION: 6
(a) THE LOAN SERVICER'S TOLL-FREE TELEPHONE NUMBER FOR 7
LOSS MITIGATION;". 8
Page 10, line 27, strike "FINAL". 9
Page 12, line 18, strike "ALL" and substitute "BOTH". 10
Page 12, line 23, after the semicolon add "AND". 11
Page 13, strike lines 1 through 5 and substitute "CONFIRMATION AND ONE 12
LETTER VIA REGULAR MAIL.". 13
Page 13, line 8, strike "38-38-1004" and substitute "38-38-1003". 14
Page 14, line 25, strike "38-38-1007" and substitute "38-38-1006". 15
Page 16, strike line 9 and substitute "38-38-1007.". 16
Page 16, strike lines 20 through 22 and substitute: 17
"(2) BEFORE FILING THE NOTICE OF ELECTION AND DEMAND, THE 18
HOLDER SHALL CERTIFY THE ACTIONS IT HAS TAKEN TO". 19
Page 17, strike line 1 and substitute: 20
"(a) THE RESULTS OF THE HOLDER'S ATTEMPTS TO MAKE 21
RIGHT-PARTY CONTACT, INCLUDING:". 22
Page 17, strike lines 7 through 13. 23
Reletter succeeding paragraphs accordingly. 24
Page 17, strike lines 21 through 27. 25
Page 18, strike lines 1 through 4 and substitute: 26
"(I) IF THE PROPERTY OR LOAN IS INELIGIBLE UNDER SECTION 27
38-38-1002 (2), THE REASON FOR THE INELIGIBILITY;". 28
Renumber succeeding subparagraphs accordingly. 29
Page 18, line 5, strike the first "THE" and substitute "IF THE". 30
Page 18, line 9, strike the first "THE" and substitute "WHETHER THE". 31
Page 18, line 10, change the colon to a semicolon. 32
Page 18, strike lines 11 through 19. 33
Page 18, line 20, strike "THE" and substitute "WHETHER THE" and change 34
the colon to a semicolon. 35
Page 18, strike lines 21 through 24. 36
Page 18, line 25, strike "THE" and substitute "IF THE". 37
Page 19, line 9, strike "AN" and substitute "IF AN". 38
Page 19, line 22, strike "THE" and substitute "IF THE". 39
Page 20, strike lines 5 through 17 and substitute: 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

"(VIII) IF AN NPV EVALUATION RESULTED IN A NEGATIVE NPV UNDER THE APPLICABLE INVESTOR GUIDELINES, THE INVESTOR'S FORECASTED LOSS OR GAIN BASED ON THE NPV ANALYSIS;"

Renumber succeeding subparagraphs accordingly.

Page 20, line 18, strike "THE" and substitute "IF THE".

Page 20, line 26, strike "INVESTOR" and substitute "IF INVESTOR".

Page 21, strike lines 8 through 27.

Strike page 22.

Page 23, strike lines 1 through 12.

Renumber succeeding subsections accordingly.

Page 23, line 15, strike "DEMAND AND THE" and substitute "DEMAND."

Page 23, line 16, strike "HEARING PURSUANT TO C.R.C.P. 120."

Page 23, line 24, strike "(4)" and substitute "(3)".

Page 23, line 26, strike "BORROWER, AND" and substitute "BORROWER."

Page 23, strike line 27.

Page 24, strike line 1.

Page 24, line 4, strike "(1) OR" and substitute "(1)".

Page 24, strike lines 5 through 8.

Page 24, line 15, strike "38-38-1008," and substitute "38-38-1007,".

Page 24, line 26, strike "38-38-1006" and substitute "38-38-1005".

Judiciary

After consideration on the merits, the Committee recommends that **HB12-1263** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 2, line 2, strike "add" and substitute "amend (1) (b) (V) and (1) (b) (VI); and add (1) (b) (VII),".

Page 2, strike line 4 and substitute:

"24-5-101. Effect of criminal conviction on employment rights.

(1) (b) This subsection (1) shall not apply to:

(V) The employment of persons in public or private correctional facilities pursuant to the provisions of sections 17-1-109.5 and 17-1-202 (1) (a) (I) and (1.5), C.R.S., and the employment of persons in public or private juvenile facilities pursuant to the provisions of sections 19-2-403.3 and 19-2-410 (4), C.R.S.; and

(VI) The employment of persons by the public employees' retirement association created pursuant to section 24-51-201 who, upon the commencement of that employment, will have access to association investment information, association assets, or financial, demographic, or other information relating to association members or beneficiaries; AND

(VII) THE EMPLOYMENT OF PERSONS BY THE DEPARTMENT OF PUBLIC SAFETY."

Page 2, line 12, after "AGENCY" insert "DETERMINES THAT AN APPLICANT IS A FINALIST 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

Page 2, strike line 14 and substitute:

"(c) IF, AFTER DETERMINING THAT AN APPLICANT IS A FINALIST OR AFTER MAKING A CONDITIONAL OFFER OF EMPLOYMENT TO AN APPLICANT, THE AGENCY DETERMINES THAT THE APPLICANT HAS BEEN ARRESTED OR CHARGED BUT NOT CONVICTED OF A CRIMINAL OFFENSE AND THE CRIMINAL CASE IS NOT ACTIVELY PENDING, THE AGENCY SHALL NOT USE THAT INFORMATION AS A BASIS FOR NOT MAKING AN OFFER OF EMPLOYMENT OR FOR WITHDRAWING THE CONDITIONAL OFFER OF EMPLOYMENT.

(d) IF, AFTER DETERMINING THAT AN APPLICANT IS A FINALIST OR AFTER MAKING A CONDITIONAL OFFER OF EMPLOYMENT TO AN APPLICANT, THE AGENCY DETERMINES THAT THE APPLICANT HAS HAD A CRIMINAL CONVICTION EXPUNGED OR SEALED FROM HIS OR HER RECORD, RECEIVED A PARDON, OR THAT CHARGES WERE DISMISSED PURSUANT TO SUCCESSFULLY COMPLETING A DEFERRED JUDGMENT OR SENTENCE, THE AGENCY SHALL NOT USE THAT INFORMATION AS A BASIS FOR NOT MAKING AN OFFER OF EMPLOYMENT OR FOR WITHDRAWING THE CONDITIONAL OFFER OF EMPLOYMENT UNLESS, AFTER REVIEWING THE FACTORS IN SUBSECTION (4) OF THIS SECTION, THE AGENCY DETERMINES THAT THE APPLICANT SHOULD BE DISQUALIFIED FOR THE POSITION.

(e) NOTHING IN THIS SECTION PREVENTS AN AGENCY FROM CONSIDERING CRIMINAL HISTORY INFORMATION THAT THE APPLICANT VOLUNTARILY PROVIDES."

Page 3, strike lines 1 through 6.

Page 3, line 7, after "AFTER" insert "DETERMINING THAT AN APPLICANT IS A FINALIST OR".

Page 3, line 17, strike "INCLUDING, BUT NOT LIMITED TO," and substitute "INCLUDING".

Page 3, line 19, after "THE" insert "DUTIES OF".

Page 3, strike line 20 and substitute "A CO-WORKER OR THE PUBLIC IN A VULNERABLE POSITION;"

Page 4, line 5, strike "AN" and substitute "UNLESS THERE IS A SPECIFIC STATUTORY DISQUALIFICATION THAT PROHIBITS AN APPLICANT FROM OBTAINING LICENSURE BASED ON A CRIMINAL CONVICTION, IF THE LICENSING ENTITY DETERMINES THAN AN APPLICANT FOR LICENSURE HAS A CRIMINAL RECORD, THE LICENSING ENTITY IS GOVERNED BY SECTION 24-5-101 FOR PURPOSES OF GRANTING OR DENYING LICENSURE OR PLACING ANY CONDITIONS ON LICENSURE."

Page 4, strike lines 6 through 17.

Judiciary

After consideration on the merits, the Committee recommends that **HB12-1325** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 3, line 7, strike "PURCHASER;" and substitute "PURCHASER, OR IF THE PURCHASER IS A PROGRAM PARTICIPANT IN THE ADDRESS CONFIDENTIALITY PROGRAM CREATED IN SECTION 24-30-2104, C.R.S., THE PURCHASER'S SUBSTITUTE ADDRESS;"

Page 4, line 17, strike "BE IMMUNE".

Page 4, line 18, strike "FROM LIABILITY" and substitute "NOT BE CIVILLY LIABLE".

Page 4, after line 21 insert:

"(d) THE ADMINISTRATOR OF AN ELECTRONIC LOGGING SYSTEM SHALL PROVIDE REAL-TIME ACCESS TO THE INFORMATION IN THE ELECTRONIC LOGGING SYSTEM TO LAW ENFORCEMENT AGENCIES IN

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

COLORADO THAT ARE AUTHORIZED BY THE COLORADO BUREAU OF INVESTIGATION IN THE DEPARTMENT OF PUBLIC SAFETY.

(e) THE COLORADO BUREAU OF INVESTIGATION IN THE DEPARTMENT OF PUBLIC SAFETY MAY CONDUCT AN ANNUAL COMPLIANCE AUDIT OF AN ELECTRONIC LOGGING SYSTEM."

Reletter succeeding paragraph accordingly.

Page 4, after line 27 insert:

"(g) A STORE UTILIZING AN ELECTRONIC LOGGING SYSTEM IN ACCORDANCE WITH THIS SUBSECTION (2.7) SHALL POST A NOTICE THAT STATES THAT A PERSON PURCHASING A NONPRESCRIPTION PRODUCT THAT CONTAINS A METHAMPHETAMINE PRECURSOR DRUG WILL HAVE THE INFORMATION REQUIRED BY PARAGRAPH (c) OF SUBSECTION (2) OF THIS SECTION SUBMITTED TO AN ELECTRONIC LOGGING SYSTEM, AND AN EMPLOYEE WHO SELLS A NONPRESCRIPTION PRODUCT THAT CONTAINS A METHAMPHETAMINE PRECURSOR DRUG TO A PERSON SHALL NOTIFY THE PERSON THAT THE EMPLOYEE WILL HAVE THE INFORMATION REQUIRED BY PARAGRAPH (c) OF SUBSECTION (2) OF THIS SECTION SUBMITTED TO AN ELECTRONIC LOGGING SYSTEM."

Judiciary After consideration on the merits, the Committee recommends that **HB12-1346** be referred to the Committee of the Whole with favorable recommendation.

Finance After consideration on the merits, the Committee recommends that **HB12-1099** be referred to the Committee on Appropriations with favorable recommendation.

SENATE SERVICES REPORT

Correctly Printed: SB12-184.
Correctly Engrossed: SB12-105, 135, 155, 171, 174 and 182.
Correctly Revised: HB12-1084, 1223, 1267, 1314 and 1329; HJR12-1022.
Correctly Rerevised: HB12-1237, 1238 and 1272.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title and referred to the committee indicated:

SJR12-049 by Senator(s) Morse, Shaffer B., Cadman; also Representative(s) Stephens, McNulty, Ferrandino--Concerning the appointment of a joint committee to notify the Governor that the Second Regular Session of the Sixty-eighth General Assembly is about to adjourn sine die.

Laid over until Wednesday, May 9, retaining its place on the calendar.

**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:

SB12-174 by Senator(s) Johnston; also Representative(s) Pabon--Concerning the creation of a pilot alternate property tax valuation protest and appeal procedure for the city and county of Denver.

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

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Lambert	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lundberg	Y	Schwartz	Y
Boyd	Y	Heath	Y	Mitchell	E	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 and Steadman.

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:

SB12-169 by Senator(s) Tochtrop; also Representative(s) Sonnenberg--Concerning the administration of county powers to maintain the landscape.

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

YES	20	NO	14	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Lambert	N	Scheffel	N
Bacon	Y	Harvey	N	Lundberg	N	Schwartz	N
Boyd	Y	Heath	Y	Mitchell	E	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	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	N		

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

SB12-135 by Senator(s) Lundberg, Scheffel, Cadman, Harvey, King K., Lambert, Mitchell, White; also Representative(s) Murray--Concerning the development of an on-line program to which the secretary of state posts election returns by the evenings of specified election days, and, in connection therewith, making an appropriation.

Laid over until Tuesday, May 8, 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".

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: Bacon, Boyd, Giron, Lambert, Newell, Schwartz and Williams S.

HB12-1329 by Representative(s) Scott and Pabon, Sonnenberg, Looper, Barker, Nikkel, Liston, Kerr J., Stephens, Vaad; also Senator(s) Nicholson--Concerning the county treasurer becoming the public trustee in certain counties where the public trustee is currently appointed by the governor.

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: Harvey and King S.

SB12-105 by Senator(s) Steadman, Carroll, Guzman; also Representative(s) Levy, Hullinghorst, Lee, Pabon--Concerning provisions that improve the reintegration opportunities for persons involved in the criminal justice system, and, in connection therewith, making and reducing appropriations.

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

Third Reading Amendment No. 1(L.011), by Senator Steadman.

Amend engrossed bill, page 6, line 8, strike "16-24-107" and substitute "16-24-106".

Page 6, line 9, strike "16-24-108." and substitute "16-24-107.".

Page 6, line 17, strike "16-24-105 AND 16-24-106" and substitute "16-24-106 and 16-24-107".

Page 7, line 17, strike "16-24-106" and substitute "16-24-107".

Page 7, line 18, after "PAY" insert "A".

Page 8, strike lines 11 through 15 and substitute "SHALL SEND A COPY OF THE ORDER OF COLLATERAL RELIEF THROUGH THE COLORADO INTEGRATED CRIMINAL JUSTICE INFORMATION SYSTEM TO THE COLORADO BUREAU OF INVESTIGATION, AND THE COLORADO BUREAU OF INVESTIGATION SHALL INCLUDE A NOTE IN THE APPLICANT'S RECORD IN THE COLORADO CRIME INFORMATION CENTER THAT THE ORDER OF COLLATERAL RELIEF WAS ISSUED."

Page 9, line 25, strike "16-24-105" and substitute "16-25-106".

Page 13, line 16, strike "**16-24-107.**" and substitute "**16-24-108.**".

Page 13, line 24, strike "16-24-106" and substitute "16-24-107".

Page 13, line 25, strike "WHICH" and substitute "WHICHEVER".

Page 14, strike lines 1 through 5 and substitute "CLEMENCY TO THE COLORADO BUREAU OF INVESTIGATION, AND THE COLORADO BUREAU OF INVESTIGATION SHALL INCLUDE A NOTE IN THE INDIVIDUAL'S RECORD IN THE COLORADO CRIME INFORMATION CENTER THAT A PARDON WAS ISSUED OR CLEMENCY WAS GRANTED."

Page 23, line 20, strike "16" and substitute "16, C.R.S.,".

Page 24, line 5, after "16," insert "C.R.S.,".

Page 25, line 21, strike "16-24-105," and substitute "16-24-106,".

Page 25, line 22, strike "16-24-106," and substitute "16-24-107,".

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.

Co-sponsors added: Aguilar, Bacon, Boyd, Foster, Giron, Heath, Hudak, Jahn, King S., Neville, Newell, Roberts, Tochtrop and Williams S.

HB12-1223 by Representative(s) Levy, Becker, Gerou; also Senator(s) Steadman, Hodge, Lambert-- Concerning earned time for inmates, and, in connection therewith, making and reducing appropriations.

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, Bacon, Boyd, Giron, Heath, Hudak, Jahn, King S., Newell, Nicholson, Roberts, White and Williams S.

SB12-171 by Senator(s) Shaffer B. and Brophy; also Representative(s) Becker--Concerning the creation of the Colorado conservation and recreation fund, and, in connection therewith, creating the Colorado conservation license plate and making an appropriation.

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

YES	31	NO	4	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Lambert	Y	Scheffel	Y
Bacon	Y	Harvey	N	Lundberg	Y	Schwartz	Y
Boyd	Y	Heath	Y	Mitchell	Y	Spence	Y
Brophy	Y	Hodge	N	Morse	Y	Steadman	N
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	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.

SB12-182 by Senator(s) Bacon and Mitchell, Heath, Johnston, Shaffer B., Cadman, Harvey; also Representative(s) Massey, Ramirez--Concerning benefit corporations, and, in connection therewith, making an appropriation.

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

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

YES	31	NO	4	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Lambert	Y	Scheffel	N
Bacon	Y	Harvey	Y	Lundberg	Y	Schwartz	Y
Boyd	Y	Heath	Y	Mitchell	Y	Spence	Y
Brophy	N	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.	N	Roberts	N		

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, Hudak, Jahn, Newell, Nicholson, Schwartz, Steadman, Tochtrop and Williams S.

HB12-1314 by Representative(s) Sonnenberg; also Senator(s) Hodge--Concerning an exception to the requirement to file an oil and gas severance tax return for a person who has less than a certain amount withheld, and, in connection therewith, making an appropriation.

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: Brophy, Grantham, Harvey, Jahn, King K., King S., Lambert, Lundberg, Mitchell, Neville, Roberts, Schwartz, Tochtrop, White and Williams S.

HB12-1084 by Representative(s) Fields and Conti; also Senator(s) Jahn and King S.--Concerning increasing the punishment for leaving the scene of a traffic accident that resulted in serious bodily injury to any person.

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

YES	34	NO	1	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	N	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, Brophy, Carroll, Giron, Heath, Hodge, Johnston, Lambert, Newell, Nicholson, Roberts, Schwartz, Tochtrop and White.

HB12-1267 by Representative(s) Coram; also Senator(s) Heath--Concerning the simplification of certain preelection procedures in order to reduce the cost of administering elections, 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-sponsors added: Aguilar, Boyd, Foster, Guzman, Morse and Nicholson.

RECONSIDERATION OF SB12-169

SB12-169 by Senator(s) Tochtrop; also Representative(s) Sonnenberg--Concerning the administration of county powers to maintain the landscape.

Having voted on the prevailing side, Senator Morse moved for reconsideration of the last Senate action, Third Reading of Bills -- Final Passage, on SB12-169.

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

THIRD READING OF BILLS -- FINAL PASSAGE - cont'd

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

Third Reading Amendment No. 1(L.004), by Senator Schwartz.

Amend engrossed bill, page 2, strike lines 2 through 26.

Page 3, strike lines 1 through 19.

Renumber succeeding sections accordingly.

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	33	NO	2	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Lambert	N	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	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 was passed.

Co-sponsor added: Schwartz.

RECONSIDERATION OF HB12-1267

HB12-1267 by Representative(s) Coram; also Senator(s) Heath--Concerning the simplification of certain preelection procedures in order to reduce the cost of administering elections, and, in connection therewith, making an appropriation.

Having voted on the prevailing side, Senator Morse moved for reconsideration of the last Senate action, Third Reading of Bills -- Final Passage, on HB12-1267.

Less than a majority of all members elected to the Senate having voted in the affirmative, the motion for reconsideration **lost** on the following roll call vote

YES	15	NO	20	EXCUSED	0	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	Y
Brophy	Y	Hodge	N	Morse	N	Steadman	N
Cadman	Y	Hudak	N	Neville	Y	Tochtrop	N
Carroll	N	Jahn	N	Newell	N	White	Y
Foster	N	Johnston	N	Nicholson	N	Williams S.	N
Giron	N	King K.	Y	Renfroe	Y	President	N
Grantham	Y	King S.	Y	Roberts	Y		

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 Governor's Appointments.

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 TOURISM OFFICE BOARD OF DIRECTORS

Lawrence R. DiPasquale of Greenwood Village, Colorado, a representative of the food, beverage and restaurant industry, appointed.

Timothy H. Wolfe of Littleton, Colorado, a representative of the hotel, motel, and lodging industry, 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 Hudak, the following Governor's appointments were confirmed by a roll call vote:

MEMBERS OF THE WASTE TIRE ADVISORY COMMITTEE

for a term expiring on September 9, 2014:

Michael "Scott" Skorka of Golden, Colorado, to serve as a tire retailer, 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 Boyd, the following Governor's appointments were confirmed by a roll call vote:

MEMBERS OF THE COLORADO TRAUMATIC BRAIN INJURY TRUST FUND BOARD

for a term expiring June 30, 2014:

Timothy R. Hurtado, D.O. of Colorado Springs, Colorado, reappointed.

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

for a term expiring June 30, 2015:

Sena K. Harjo 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 Boyd, the following Governor's appointments were confirmed by a roll call vote:

MEMBERS OF THE COLORADO CHILDREN'S TRUST FUND BOARD

for terms expiring November 7, 2014:

LaShay Canady of Aurora, Colorado, to serve as a parent, 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 Boyd, the following Governor's appointments were confirmed by a roll call vote:

MEMBERS OF THE COVERCOLORADO BOARD OF DIRECTORS

for a term expiring July 1, 2014:

Keith Evans of Lonetree, Colorado, a representative of insurance carriers, and occasioned by the resignation of Leo Tokar of Englewood, 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 Bacon, the following Governor's appointments were confirmed by a roll call vote:

**MEMBERS OF THE
BOARD OF TRUSTEES OF METROPOLITAN STATE COLLEGE OF DENVER**

for terms expiring December 31, 2015:

Dawn P. Bookhardt of Aurora, Colorado, to serve as a Republican, reappointed;

Robert Cohen of Greenwood Village, Colorado, to serve as an Unaffiliated, reappointed;

Melody Harris of Denver, Colorado, to serve as a Democrat, 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 Bacon, the following Governor's appointments were confirmed by a roll call vote:

**MEMBERS OF THE
COLORADO EDUCATIONAL AND CULTURAL
FACILITIES AUTHORITY BOARD OF DIRECTORS**

for terms expiring June 30, 2015:

William Carl Sanden of Colorado Springs, Colorado, a Republican, appointed;

Cheryl Denise Cohen-Vader of Denver, Colorado, an Unaffiliated, 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 Bacon, the following Governor's appointments were confirmed by a roll call vote:

**MEMBERS OF THE
COLLEGEINVEST BOARD OF DIRECTORS**

for terms expiring July 31, 2015:

Ashley J. Burt of Gunnison, Colorado, reappointed;

Patrice M. Henning of Evergreen, Colorado, appointed;

Douglas W. Lyon 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 Bacon, the following Governor's appointments were confirmed by a roll call vote:

MEMBERS OF THE
STATE BOARD FOR COMMUNITY COLLEGES
AND OCCUPATIONAL EDUCATION

for terms expiring December 31, 2015:

Theresa Kathleen Pena of Denver, Colorado and a resident of the First Congressional District, to serve as a Democrat, appointed;

Bernadette B. Marquez of Denver, Colorado and a resident of the First Congressional District, to serve as a Democrat, 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 Bacon, the following Governor's appointments were confirmed by a roll call vote:

MEMBERS OF THE
BOARD OF TRUSTEES FOR
WESTERN STATE COLLEGE OF COLORADO

for terms expiring December 31, 2015:

George H. Delaney of Castle Rock, Colorado to serve as a Democrat, reappointed;

Linda A. Morton of Littleton, Colorado to serve as a Democrat, 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 appointments were confirmed by a roll call vote:

MEMBER OF THE
COLORADO TOURISM OFFICE BOARD OF DIRECTORS

for a term expiring June 1, 2014:

Robert Stinchcomb of Lafayette, Colorado, a representative of the ski industry and occasioned by the resignation of Jeanne C. Mackowski of Carbondale, 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 Tochtrop, the following Governor's appointments were confirmed by a roll call vote:

MEMBER OF THE
COLORADO BANKING BOARD

for terms expiring July 1, 2013:

James L. Basey of Denver, Colorado, to fill the vacancy occasioned by the resignation of Thomas L. Goding of Fort Collins, Colorado, and to serve as an executive officer of a state bank, with not less than five years' practical experience as an active executive officer of a bank, appointed;

Emily S. Robinson of Golden, Colorado, an executive officer of a state bank, with not less than five years' practical experience as an active executive officer of a bank, and occasioned by the resignation of Mary S. Reisher of Denver, Colorado, appointed;

for a term expiring July 1, 2015:

Richard Estaban Martinez, Jr., Centennial, Colorado, to serve as a representative of bankers, and as a representative of a bank having less than one hundred fifty million dollars in total assets, 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 Tochtrop, the following Governor's appointment was confirmed by a roll call vote:

COMMISSIONER OF INSURANCE

Effective July 1, 2011, for a term expiring at the pleasure of the Governor:

James L. Reisberg of Greeley, Colorado, appointed.

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar		Y Guzman		Y Lambert		N 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
RENEWABLE ENERGY AUTHORITY BOARD OF DIRECTORS

effective immediately for a term expiring July 1, 2014:

Kenneth W. Lund of Lone Tree, 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 Hudak, the following Governor's appointment was confirmed by a roll call vote:

MEMBERS OF THE
TRANSPORTATION COMMISSION

for terms expiring July 1, 2015:

Heather M. Barry of Westminster, Colorado to serve as a commissioner from the fourth district, reappointed;

Kathleen R. Gilliland of Livermore, Colorado to serve as a commissioner from the fifth district, appointed;

Edward James Peterson of Lakewood, Colorado to serve as a commissioner from the Second Transportation District, 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		

for a term expiring July 1, 2015:

Leslie W. Gruen of Colorado Springs, Colorado to serve as a commissioner from the ninth district, reappointed.

YES	22	NO	13	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Lambert	N	Scheffel	N
Bacon	Y	Harvey	Y	Lundberg	N	Schwartz	Y
Boyd	Y	Heath	Y	Mitchell	N	Spence	N
Brophy	Y	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		

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

MEMBERS OF THE
WASTE TIRE ADVISORY COMMITTEE

for a term expiring on September 9, 2014:

Trent A. Peterson of Durango, Colorado, to serve as a representative of waste tire monofills that are operating in compliance with their certificates of designation, 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 appointment was 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:

Nancy Lee Ferrier of Wheat Ridge, Colorado, the state long-term care ombudsman, and
occasioned by the resignation of Shelley K. Hitt of Centennial, 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 appointment was confirmed by
a roll call vote:

MEMBERS OF THE
RENEWABLE ENERGY AUTHORITY BOARD OF DIRECTORS

effective immediately for terms expiring July 1, 2015:

Tanuj "TJ" Deora of Denver, Colorado, appointed;

Kimberley Beth Jordan of Fort Collins, Colorado, 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:

MEMBERS OF THE
COLORADO STATE FAIR AUTHORITY
BOARD OF COMMISSIONERS

for terms expiring November 1, 2015:

Mark A. Arndt of Fort Morgan, Colorado to serve as a Republican from the Fourth
Congressional District, and with substantial experience in agriculture or in the activities of
4-H clubs, reappointed;

Patty Shaw Castilian of Denver, Colorado to serve as a Democrat from the
First Congressional District, 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
STATE BOARD OF
STOCK INSPECTION COMMISSIONERS**

effective May 1, 2012 for a term expiring May 1, 2016:

Kathie Troudt Riley of Loveland, Colorado to serve as a representative with broad general knowledge of the Colorado livestock industry and shall represent commodity other than confinement and non-confinement cattle industries, with the largest percentage of charged fees, 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 appointment was confirmed by a roll call vote:

**MEMBERS OF THE
COLORADO TOURISM OFFICE BOARD OF DIRECTORS**

for a term expiring June 1, 2012:

Troy Allan Rarick of Fruita, Colorado, to fill the vacancy occasioned by the resignation of James E. Durr, Eckert, Colorado, and to serve as a representative of tourism-related retail industry, small community, and small business, appointed;

for terms expiring June 1, 2015:

Edwin A. Garcia of Aurora, Colorado, a representative of tourism-related transportation industries, 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		

CONFERENCE COMMITTEE GRANTED FURTHER POWERS

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

Senator Morse moved that the Senate conferees on the first conference committee on **HB12-1168** be granted permission to go beyond the scope of the differences between the two houses.

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

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS

Transportation After consideration on the merits, the Committee recommends that **SB12-184** be referred to the Committee on Finance with favorable recommendation.

Finance After consideration on the merits, the Committee recommends that **HB12-1119** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Finance After consideration on the merits, the Committee recommends that **SB12-184** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 2, line 16, strike "ALL FLEET VEHICLES" and substitute "EACH FLEET VEHICLE".

Appropriations After consideration on the merits, the Committee recommends that **HB12-1069** be postponed indefinitely.

Appropriations After consideration on the merits, the Committee recommends that **HB12-1345** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend the Education Committee Report, dated May 3, 2012, page 1, strike lines 2 through 23.

Strike page 2 of the Report.

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 3 of the Report, strike lines 1 through 3.	1
		2
	Page 3 of the Report, line 4, strike " SECTION 8. " and substitute " SECTION 7. ".	3
		4
	Renumber succeeding sections accordingly.	5
		6
	Page 3 of the Report, line 20, strike "YEAR," and substitute "YEAR AND EACH BUDGET YEAR THEREAFTER,".	7
		8
		9
	Page 4 of the Report, strike lines 27 through 33.	10
		11
	Page 4 of the Report, line 38, strike "YEAR," and substitute "YEAR AND EACH BUDGET YEAR THEREAFTER,".	12
		13
		14
	Page 5 of the Report, strike lines 23 through 29.	15
		16
	Page 5 of the Report, line 33, strike "YEAR," and substitute "YEAR AND EACH BUDGET YEAR THEREAFTER,".	17
		18
		19
	Page 5 of the Report, line 37, after "RECOVERED" insert "AND RECEIVED".	20
		21
	Page 5 of the Report, strike lines 38 through 40 and substitute "THE APPLICABLE BUDGET YEAR.".	22
		23
		24
		25
	Page 6 of the Report, after line 2 insert:	26
		27
	"Page 11 of the reengrossed bill, line 16, after "necessary," insert "for allocation to the grant programs, distributions, and other assistance subsection of the assistance to public schools section,".	28
		29
		30
		31
	Page 6 of the Report, line 6, after "(4)," insert "Colorado Revised Statutes,".	32
		33
		34
		35
Appropriations	After consideration on the merits, the Committee recommends that HB12-1261 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	36
		37
		38
		39
		40
	Strike the Education Committee Report, dated May 3, 2012.	41
		42
	Amend the reengrossed bill, page 5, after line 12, insert:	43
		44
	"(3) IF INSUFFICIENT FUNDING IS AVAILABLE TO AWARD A STIPEND PURSUANT TO SUBSECTION (1) OF THIS SECTION TO ALL TEACHERS AND PRINCIPALS WHO HOLD A CERTIFICATION FROM THE NATIONAL BOARD FOR PROFESSIONAL TEACHING OR PRINCIPAL STANDARDS, STIPENDS SHALL BE AWARDED ONLY TO THOSE TEACHERS AND PRINCIPALS WHO MEET THE CRITERIA OF SUBSECTION (1) OF THIS SECTION AND WHO ARE EMPLOYED IN A LOW-PERFORMING, HIGH-NEEDS SCHOOL.".	45
		46
		47
		48
		49
		50
		51
		52
	Page 5 of the bill, line 17, strike "\$1,659,200," and substitute "\$604,800,".	53
		54
		55
Appropriations	After consideration on the merits, the Committee recommends that HB12-1099 be referred to the Committee of the Whole with favorable recommendation.	56
		57
		58
		59
Appropriations	After consideration on the merits, the Committee recommends that HB12-1327 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	60
		61
		62
		63
		64
Appropriations	After consideration on the merits, the Committee recommends that HB12-1300 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	65
		66
		67

Amend reengrossed bill, page 35, after line 11 insert:

"SECTION 14. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the division of registrations cash fund created in section 24-34-105 (2) (b) (I), Colorado Revised Statutes, not otherwise appropriated, to the department of regulatory agencies, for the fiscal year beginning July 1, 2012, the sum of \$9,175, or so much thereof as may be necessary, to be allocated for the implementation of this act as follows:

- (a) \$6,222 for the division of registrations for personal services;
 - (b) \$682 for the division of registrations for operating expenses;
- and
- (c) \$2,271 for the purchase of legal services.

(2) In addition to any other appropriation, there is hereby appropriated to the department of law, for the fiscal year beginning July 1, 2012, the sum of \$2,271, or so much thereof as may be necessary, for the provision of legal services for the department of regulatory agencies related to the implementation of this act. Said sum is from reappropriated funds received from the department of regulatory agencies out of the appropriation made in paragraph (c) of subsection (1) of this section."

Renumber succeeding sections accordingly.

Page 1 of the bill, strike line 104 and substitute "AGENCIES AND MAKING AN APPROPRIATION."

Appropriations

After consideration on the merits, the Committee recommends that **HB12-1283** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend the Judiciary Committee report, dated May 1, 2012, page 2, line 28, strike "safety" and substitute "prevention and control".

Page 2, line 31, strike "safety" and substitute "prevention and control".

Page 3, line 6, strike "MITIGATION," and substitute "PREPAREDNESS,".

Page 3, line 10, strike "SERVICES" and substitute "MANAGEMENT".

Page 3, line 11, strike "SAFETY" and substitute "PREVENTION AND CONTROL".

Page 3, line 16, after "HEALTH," insert "MANAGEMENT, STEWARDSHIP, TECHNICAL ASSISTANCE, URBAN AND COMMUNITY FORESTRY, INSECT AND DISEASE MONITORING AND MITIGATION, RESEARCH, EDUCATION, OUTREACH, PLANNING,".

Page 3, after line 17 insert:

"(c) ANY AND ALL CLAIMS, LIABILITIES, AND DAMAGES, INCLUDING COSTS AND ATTORNEYS' FEES, RELATING IN ANY WAY TO THE PERFORMANCE OF DUTIES DESCRIBED IN PARAGRAPH (a) OF THIS SUBSECTION (2) THAT WERE PERFORMED BY THE BOARD OR ITS EMPLOYEES ON OR BEFORE JUNE 30, 2012, ARE HEREBY TRANSFERRED TO AND ASSUMED BY THE STATE AND THE DIVISION OF FIRE PREVENTION AND CONTROL IN THE DEPARTMENT OF PUBLIC SAFETY."

Page 4, line 6, strike "safety." and substitute "prevention and control."

Page 4, line 20, after "BOARD'S" insert "FUNDS,".

Page 4, line 21, after "AND" insert "PERSONAL".

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 4, line 22, strike "MITIGATION," and substitute "PREPAREDNESS,". 1

Page 4, line 24, strike "SAFETY" and substitute "PREVENTION AND 2
CONTROL". 3

Page 6, line 10, strike "SAFETY," and substitute "PREVENTION AND 4
CONTROL,". 5

Page 6, strike line 11 and substitute "OF THE DIVISION OF FIRE PREVENTION 6
AND CONTROL. THE DIVISION OF FIRE PREVENTION AND CONTROL AND 7
THE". 8

Page 6, line 37, strike "SAFETY." and substitute "PREVENTION AND 9
CONTROL.". 10

Page 17, line 26, strike "**plan -**" and substitute "**system -**". 11

Page 17, line 28, strike "plan" and substitute "~~plan~~ SYSTEM". 12

Page 17, line 33, strike "plan" and substitute "~~plan~~ SYSTEM". 13

Page 17, line 36, strike "plan" and substitute "~~plan~~ SYSTEM". 14

Page 25, line 6, strike "office OF" and substitute "~~office~~ DIVISION OF 15
HOMELAND SECURITY AND". 16

Page 28, after line 17 insert: 17

"(1.5) "ADJUSTING AGENT" MEANS THE THIRD-PARTY WORKERS' 18
COMPENSATION INSURER WITH WHICH THE OFFICE OF EMERGENCY 19
MANAGEMENT CONTRACTS, IN ACCORDANCE WITH SECTION 24-33.5-809, 20
FOR THE ADJUSTMENT AND DISPOSITION OF CLAIMS AND PROVISION OF 21
COMPENSATION PURSUANT TO THIS PART 8." 22

Page 30, line 22, strike "division" and substitute "~~division~~ OFFICE". 23

Page 31, line 2, strike "Pinnacol Assurance" and substitute "~~Pinnacol~~ 24
~~Assurance~~ THE ADJUSTING AGENT". 25

Page 31, line 9, strike "Pinnacol" and substitute "~~Pinnacol~~". 26

Page 31, line 10, strike "Assurance" and substitute "~~Assurance~~ THE 27
ADJUSTING AGENT". 28

Page 31, line 12, strike "Pinnacol Assurance" and substitute "~~Pinnacol~~ 29
~~Assurance~~ THE ADJUSTING AGENT". 30

Page 31, line 29, strike "Pinnacol" and substitute "~~Pinnacol~~". 31

Page 31, strike line 30 and substitute "~~Assurance~~ THE ADJUSTING AGENT 32
shall enter into an agreement requiring ~~Pinnacol Assurance~~, as THE". 33

Page 31, line 31, strike "agent," and substitute "agent". 34

Page 31, line 33, strike "Pinnacol Assurance" and substitute "~~Pinnacol~~ 35
~~Assurance~~ THE ADJUSTING AGENT". 36

Page 31, line 36, strike "Pinnacol Assurance" and substitute "~~Pinnacol~~ 37
~~Assurance~~ THE ADJUSTING AGENT". 38

Page 32, line 6, strike "Pinnacol Assurance" and substitute "~~Pinnacol~~ 39
~~Assurance~~ THE ADJUSTING AGENT" and strike "the" and substitute "the 40
ITS". 41

Page 32, line 12, strike "Pinnacol Assurance fund" and substitute 42
"~~Pinnacol Assurance fund~~ THE ADJUSTING AGENT". 43

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 32, line 15, strike "Pinnacol Assurance" and substitute "~~Pinnacol Assurance~~ THE ADJUSTING AGENT".

1
2

Page 32, line 17, strike "Pinnacol Assurance" and substitute "~~Pinnacol Assurance~~ THE ADJUSTING AGENT".

3
4
5

Page 32, line 32, strike "Pinnacol Assurance" and substitute "~~Pinnacol Assurance~~ THE ADJUSTING AGENT".

6
7
8

Page 32, line 34, strike "serving by Pinnacol" and substitute "~~serving by Pinnacol~~".

9
10
11

Page 32, line 35, strike "Assurance as adjusting agent." and substitute "~~Assurance as adjusting agent~~ SERVICES PROVIDED BY THE ADJUSTING AGENT.".

12
13
14
15

Page 32, line 36, strike "Pinnacol" and substitute "~~Pinnacol~~".

16
17

Page 32, line 37, strike "Assurance." and substitute "~~Assurance~~ THE ADJUSTING AGENT.".

18
19
20

Page 32, line 39, strike "Pinnacol Assurance" and substitute "~~Pinnacol Assurance~~ THE ADJUSTING AGENT".

21
22
23

Page 33, line 4, strike "Pinnacol" and substitute "~~Pinnacol~~".

24
25

Page 33, line 5, strike "Assurance fund" and substitute "~~Assurance fund~~ THE ADJUSTING AGENT".

26
27
28

Page 33, line 27, strike "Pinnacol" and substitute "~~Pinnacol~~".

29
30

Page 33, line 28, strike "Assurance," and substitute "~~Assurance~~ THE ADJUSTING AGENT,".

31
32
33

Page 33, line 39, strike "Pinnacol" and substitute "~~Pinnacol~~".

34
35

Page 33, line 40, strike "Assurance," and substitute "~~Assurance~~ THE ADJUSTING AGENT,".

36
37
38

Page 34, line 4, strike "Pinnacol Assurance" and substitute "~~Pinnacol Assurance~~ THE ADJUSTING AGENT".

39
40
41

Page 35, strike line 10 and substitute "Colorado, upon the written request of ~~Pinnacol Assurance~~ THE ADJUSTING AGENT, shall transfer".

42
43
44

Page 35, line 11, strike "of Pinnacol Assurance" and substitute "~~of Pinnacol Assurance~~ DESIGNATED BY THE ADJUSTING AGENT,".

45
46
47

Page 35, line 13, strike "8" and substitute "8," and strike "Pinnacol Assurance" and substitute "~~Pinnacol Assurance~~ THE ADJUSTING AGENT".

48
49
50

Page 35, line 14, strike "Pinnacol Assurance" and substitute "~~Pinnacol Assurance~~ THE ADJUSTING AGENT".

51
52
53

Page 35, line 16, strike "Pinnacol Assurance" and substitute "~~Pinnacol Assurance~~ THE ADJUSTING AGENT" and before "same" insert "THE".

54
55
56

Page 35, line 17, strike "Pinnacol" and substitute "~~Pinnacol~~".

57
58

Page 35, line 18, strike "Assurance" and substitute "~~Assurance~~ THE ADJUSTING AGENT".

59
60
61

Page 35, line 19, strike "Pinnacol Assurance" and substitute "~~Pinnacol Assurance~~ THE ADJUSTING AGENT".

62
63
64

Page 45, line 41, strike "safety -" and substitute "**prevention and control** -" and after "(1)" insert "(a)".

65
66
67

Page 46, line 1, strike "safety," and substitute "~~safety~~ PREVENTION AND CONTROL,".

1
2
3

Page 46, line 3, strike "safety," and substitute "~~safety~~ PREVENTION AND CONTROL,".

4
5
6

Page 46, after line 5 insert:

7

"(b) (I) WHENEVER THE DIVISION OF FIRE SAFETY IS REFERRED TO OR DESIGNATED BY ANY CONTRACT OR OTHER DOCUMENT, THE REFERENCE OR DESIGNATION APPLIES TO THE DIVISION OF FIRE PREVENTION AND CONTROL.

8
9
10
11
12

(II) (A) WHENEVER ANY LAW REFERS TO THE DIVISION OF FIRE SAFETY, THAT LAW SHALL BE CONSTRUED AS REFERRING TO THE DIVISION OF FIRE PREVENTION AND CONTROL.

13
14
15

(B) THE REVISOR OF STATUTES IS AUTHORIZED TO CHANGE ALL REFERENCES IN THE COLORADO REVISED STATUTES TO THE DIVISION OF FIRE SAFETY FROM SUCH REFERENCE TO THE DIVISION OF FIRE PREVENTION AND CONTROL. IN CONNECTION WITH SUCH AUTHORITY, THE REVISOR OF STATUTES IS HEREBY AUTHORIZED TO AMEND OR DELETE PROVISIONS OF THE COLORADO REVISED STATUTES SO AS TO MAKE THE STATUTES CONSISTENT WITH THE POWERS, DUTIES, AND FUNCTIONS TRANSFERRED PURSUANT TO THIS ARTICLE."

16
17
18
19
20
21
22
23

Page 46, line 34, strike "SAFETY" and substitute "PREVENTION AND CONTROL".

24
25
26

Page 46, line 37, strike "MITIGATION," and substitute "PREPAREDNESS,".

27
28

Page 47, line 1, strike "SAFETY" and substitute "PREVENTION AND CONTROL".

29
30
31

Page 47, line 2, strike "SERVICES" and substitute "MANAGEMENT".

32
33

Page 47, line 4, strike "SERVICES" and substitute "MANAGEMENT".

34
35

Page 47, line 5, strike "SAFETY" and substitute "PREVENTION AND CONTROL".

36
37
38

Page 47, line 12, strike "MITIGATION," and substitute "PREPAREDNESS,".

39
40

Page 47, line 13, strike "SAFETY" and substitute "PREVENTION AND CONTROL".

41
42
43

Page 47, line 15, strike "SERVICES" and substitute "MANAGEMENT".

44
45

Page 47, line 19, strike "MITIGATION," and substitute "PREPAREDNESS,".

46
47

Page 47, line 21, strike "SERVICES" and substitute "MANAGEMENT".

48
49

Page 47, line 22, strike "SAFETY" and substitute "PREVENTION AND CONTROL".

50
51
52

Page 47, line 28, strike "FOR".

53
54

Page 47, line 29, strike "MITIGATION," and substitute "PREPAREDNESS,".

55
56

Page 47, line 32, strike "SERVICES" and substitute "MANAGEMENT" and strike "SAFETY" and substitute "PREVENTION AND CONTROL".

57
58
59

Page 47, line 34, after "ITEMS OF" insert "PERSONAL".

60
61

Page 47, line 35, strike "SYSTEM, REAL AND" and substitute "SYSTEM".

62
63

Page 47, line 36, strike "PERSONAL," and strike "MITIGATION," and substitute "PREPAREDNESS,".

64
65
66

67

Page 47, line 39, strike "SERVICES" and substitute "MANAGEMENT".

Page 47, line 40, strike "SAFETY" and substitute "PREVENTION AND CONTROL".

Page 47, after line 41 insert:

"(V) ANY AND ALL CLAIMS AND LIABILITIES, INCLUDING COSTS AND ATTORNEYS' FEES, RELATING IN ANY WAY TO THE PERFORMANCE OF ANY FIRE AND WILDFIRE PREPAREDNESS, RESPONSE, SUPPRESSION, COORDINATION, OR MANAGEMENT DUTIES THAT WERE PERFORMED BY THE BOARD OR ITS EMPLOYEES ON OR BEFORE JUNE 30, 2012, ARE TRANSFERRED TO AND ASSUMED BY THE STATE AND THE DIVISION, AND SUCH CLAIMS OR LIABILITIES, IF ANY, ARE THE SOLE RESPONSIBILITY OF THE STATE AND THE DEPARTMENT OF PUBLIC SAFETY."

Page 48, line 2, after "amend" insert "(1) and".

Page 48, after line 4 insert:

"(1) "Administrator" means the state fire suppression administrator, who shall be IS the director of the division of fire safety PREVENTION AND CONTROL under the department of public safety, or the designee of such director DIRECTOR'S DESIGNEE."

Page 48, strike line 25 and substitute "amend (1) (k) and (1) (m); repeal (1) (o); and add (2) as follows:"

Page 49, line 7, before "PROTECTION" insert "DEPARTMENTS AND FIRE".

Page 49, after line 10 insert:

"(2) THE DUTIES AND FUNCTIONS OF THE DIVISION SET FORTH IN THIS PART 12, INCLUDING DUTIES AND FUNCTIONS PERTAINING TO FIRE SERVICE EDUCATION, TRAINING, AND CERTIFICATION, APPLY TO PRESCRIBED FIRES, WILDFIRES, AND WILDLAND FIRE-RELATED ACTIVITIES."

Page 49, line 12, after "amend" insert "(1) and".

Page 49, strike line 15 and substitute "hazardous materials responders - advisory board. (1) For the purposes of advising the director on the administration of the voluntary fire service education and training program within the division of fire safety PREVENTION AND CONTROL and the voluntary firefighter, first responder, and hazardous materials responder certification programs, there is hereby created in the division of fire safety an advisory board to the director, to be known as PREVENTION AND CONTROL the fire service training and certification advisory board, and referred to in this part 12 as the "advisory board", TO SERVE AS AN ADVISORY BOARD TO THE DIRECTOR.

(2) (a) The advisory".

Page 50, line 6, strike "apportioned. and" and substitute "apportioned, and AT LEAST ONE OF THOSE MEMBERS MUST HAVE WILDLAND FIRE EXPERTISE."

Page 50, after line 18 insert:

"SECTION 15. In Colorado Revised Statutes, 24-33.5-1209, amend (2) as follows:

24-33.5-1209. Repeal of sections. (2) Sections 24-33.5-1204.5, 24-33.5-1206.1, 24-33.5-1206.2, 24-33.5-1206.3, 24-33.5-1206.4, 24-33.5-1206.5, 24-33.5-1206.6, and 24-33.5-1207.6, concerning programs for fire suppression administered by the division of fire safety PREVENTION AND CONTROL and scheduled for termination in accordance with section 24-34-104, are repealed, effective July 1, 2014."

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

Renumber succeeding sections accordingly.

Page 52, line 4, after "fund -" insert "**wildland fire equipment repair fund - wildland fire cost recovery fund -**".

Page 52, line 5, strike "fund, or other funds available" and substitute "~~fund or other funds available~~".

Page 52, line 6, strike "to the Colorado state forest service," and substitute "~~to the Colorado state forest service,~~".

Page 52, strike lines 29 through 38 and substitute:

"ACCORDANCE WITH MEMORANDA OF UNDERSTANDING WITH PARTICIPATING PUBLIC ENTITIES.

(3) THERE IS HEREBY CREATED IN THE STATE TREASURY THE WILDLAND FIRE EQUIPMENT REPAIR CASH FUND, WHICH FUND SHALL BE ADMINISTERED BY THE DIVISION TO FUND THE COSTS OF FIRE EQUIPMENT MAINTENANCE AND REPAIR. THE DIVISION IS AUTHORIZED TO SEEK AND ACCEPT GIFTS, GRANTS, REIMBURSEMENTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF THIS SECTION. THE FUND CONSISTS OF ALL MONEYS THAT MAY BE APPROPRIATED THERETO BY THE GENERAL ASSEMBLY AND ALL PRIVATE AND PUBLIC FUNDS, INCLUDING FROM COUNTIES AND THE DENVER WATER BOARD, RECEIVED THROUGH GIFTS, GRANTS, REIMBURSEMENTS, OR DONATIONS THAT ARE TRANSMITTED TO THE STATE TREASURER AND CREDITED TO THE FUND. ALL INTEREST EARNED FROM THE INVESTMENT OF MONEYS IN THE FUND SHALL BE CREDITED TO THE FUND. THE MONEYS IN THE FUND ARE HEREBY CONTINUOUSLY APPROPRIATED FOR THE PURPOSES SET FORTH IN THIS SECTION. ANY MONEYS NOT EXPENDED AT THE END OF THE FISCAL YEAR SHALL REMAIN IN THE FUND AND SHALL NOT BE TRANSFERRED TO OR REVERT TO THE GENERAL FUND.

(4) THERE IS HEREBY CREATED IN THE STATE TREASURY THE WILDLAND FIRE COST RECOVERY FUND, WHICH FUND SHALL BE ADMINISTERED BY THE DIVISION FOR PERSONNEL AND OPERATING EXPENSES ASSOCIATED WITH FIRE SUPPRESSION ACTIVITIES. THE DIVISION IS AUTHORIZED TO SEEK AND ACCEPT GIFTS, GRANTS, REIMBURSEMENTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF THIS SECTION. THE FUND CONSISTS OF ALL MONEYS RECOVERED FOR THE DIVISION'S EXPENDITURES FOR FIRE SUPPRESSION MONEYS THAT MAY BE APPROPRIATED THERETO BY THE GENERAL ASSEMBLY AND ALL PRIVATE AND PUBLIC FUNDS, INCLUDING FROM COUNTIES AND THE DENVER WATER BOARD, RECEIVED THROUGH GIFTS, GRANTS, REIMBURSEMENTS, OR DONATIONS THAT ARE TRANSMITTED TO THE STATE TREASURER AND CREDITED TO THE FUND. ALL INTEREST EARNED FROM THE INVESTMENT OF MONEYS IN THE FUND SHALL BE CREDITED TO THE FUND. THE MONEYS IN THE FUND ARE HEREBY CONTINUOUSLY APPROPRIATED FOR THE PURPOSES SET FORTH IN THIS SECTION. ANY MONEYS NOT EXPENDED AT THE END OF THE FISCAL YEAR SHALL REMAIN IN THE FUND AND SHALL NOT BE TRANSFERRED TO OR REVERT TO THE GENERAL FUND.

(5) NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY, THE FUNDS ESTABLISHED UNDER SUBSECTIONS (2), (3), AND (4) OF THIS SECTION ARE EXEMPT FROM THE LIMITATIONS SET FORTH IN SECTION 24-72-402."

Page 57, line 3, strike "safety" and substitute "~~safety~~".

Page 57, line 4, after "~~safety~~" insert "PREVENTION AND CONTROL".

Page 57, strike lines 6 and 7 and substitute "division of HOMELAND SECURITY AND emergency management in the department of ~~local~~".

Page 60, line 40, strike "local affairs" and substitute "~~local affairs~~ PUBLIC SAFETY".

Page 62, line 38, strike "division" and substitute "~~division~~ OFFICE".

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 66, line 21, strike "AND".

Page 66, line 23, strike "PROGRAM." and substitute "PROGRAM;
(VIII) ANY GRANT PROGRAMS PREVIOUSLY ADMINISTERED BY THE
FORMER DIVISION OF EMERGENCY MANAGEMENT IN THE DEPARTMENT OF
LOCAL AFFAIRS, AS OF JUNE 30, 2012; AND

(IX) ANY OTHER GRANT PROGRAMS AUTHORIZED BY THE
GOVERNOR, WHICH PROGRAMS SHALL NOT BE INCONSISTENT WITH THE
DIVISION'S PURPOSES."

Page 68, line 3, strike "SAFETY" and substitute "PREVENTION AND
CONTROL".

Page 68, line 5, strike "EMERGENCY".

Page 68, line 6, strike "MANAGEMENT" and substitute "LOCAL
GOVERNMENT ASSISTANCE".

Page 71, strike lines 15 through 41.

Page 72, strike 1 through 22 and substitute:

"SECTION 31. In Colorado Revised Statutes, 2-3-1502, **amend**
(4) as follows:

2-3-1502. Definitions. As used in this part 15, unless the context
otherwise requires:

(4) "Division" means the division of HOMELAND SECURITY AND
emergency management in the department of ~~local affairs~~ PUBLIC SAFETY
created in ~~section 24-32-2105, C.R.S.~~ SECTION 24-33.5-1603, C.R.S."

Renumber succeeding sections accordingly.

Page 72, after line 22 insert:

"SECTION 32. In Colorado Revised Statutes, 12-28-104, **amend**
(1), (2), (3), (4), (5), and (6) (a) as follows:

**12-28-104. Licensing - application - fee - fireworks licensing
cash fund - creation.** (1) No person shall sell, offer for sale, expose for
sale, or possess with intent to sell permissible fireworks for retail until
that person first obtains a retailer of fireworks license from the director
of the division of fire ~~safety~~ PREVENTION AND CONTROL within the
department of public safety and the permit, if any, required by section
12-28-103 (1). Such retailer's license ~~shall be good~~ IS VALID only for the
calendar year in which it is issued, ~~shall apply~~ APPLIES to only one retail
location, and shall at all times be displayed at the place of business of
such licensed retailer.

(2) No person shall sell, deliver, consign, give, or furnish
fireworks to a person authorized by section 12-28-103 to discharge
fireworks in Colorado until that person first obtains a display retailer of
fireworks license from the director of the division of fire ~~safety~~ within the
~~department of public safety~~ PREVENTION AND CONTROL and the permit, if
any, required by section 12-28-103 (1).

(3) No person shall sell, deliver, consign, give, or furnish
permissible fireworks to a retailer for resale in Colorado until that person
first obtains a wholesaler of fireworks license from the director of the
division of fire ~~safety~~ within the ~~department of public safety~~ PREVENTION
AND CONTROL and the permit, if any, required by section 12-28-103 (1).

(4) No person shall sell, deliver, consign, give, or furnish
fireworks for export outside of Colorado until that person first obtains an
exporter of fireworks license from the director of the division of fire
~~safety~~ within the ~~department of public safety~~ PREVENTION AND CONTROL
and the permit, if any, required by section 12-28-103 (1).

(5) Applications for each display, retail, wholesale, and export
license shall be filed with the director of the division of fire ~~safety~~ within
~~the department of public safety~~ PREVENTION AND CONTROL at least thirty
days before the start of activities for which the license is required. Each
such license ~~shall be~~ IS valid through September 1 of the year following

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

the date on which the license was issued.

(6) (a) ~~All fees pursuant to this article shall be collected by The director of the division of fire safety within the department of public safety~~ PREVENTION AND CONTROL SHALL COLLECT ALL FEES PURSUANT TO THIS ARTICLE.

SECTION 33. In Colorado Revised Statutes, **amend** 12-28-108 as follows:

12-28-108. Storage of fireworks. All storage of fireworks shall be in accordance with the building and fire codes adopted by the governing body. If the governing body has not adopted a fire code, all storage of fireworks shall be in accordance with the fire code adopted by the director of the division of fire ~~safety~~ PREVENTION AND CONTROL WITHIN THE DEPARTMENT OF PUBLIC SAFETY pursuant to section 24-33.5-1203.5, C.R.S."

Renumber succeeding sections accordingly.

Page 72, after line 31 insert:

"SECTION 35. In Colorado Revised Statutes, 12-47.1-516, **amend** (1) (a), (2), (5), and (6) as follows:

12-47.1-516. Licensed premises - safety conditions - fire and electrical. (1) (a) The building in which limited gaming will be conducted and the areas where limited gaming will occur shall meet safety standards and conditions for the protection of life and property as determined by the local fire official and the local building official. In making such determinations, the codes adopted by the director of the division of fire ~~safety shall~~ PREVENTION AND CONTROL WITHIN THE DEPARTMENT OF PUBLIC SAFETY pursuant to section 24-33.5-1203.5, C.R.S., constitute the minimum safety standards for limited gaming structures; except that, in connection with structures licensed for limited gaming and operating as such on or before July 1, 2011, any newly adopted building codes shall not be applied retroactively to structures that were newly constructed or remodeled to accommodate licensed limited gaming.

(2) A certificate of compliance shall be issued to an applicant for a premises license by the local fire and building officials, and approved by the division of fire safety. A copy of the local inspection report shall be filed with the state division of fire safety. Once the division has deemed that the minimum requirements for fire ~~safety~~ PREVENTION AND CONTROL have been met, the division shall approve the certificate of compliance within five working days from receipt of the inspection report. If not acted upon within five days, the certificate of compliance shall be considered approved. Such certificate shall be current and valid and shall cover the entire building where limited gaming is conducted.

(5) The state division of fire ~~safety~~ PREVENTION AND CONTROL and the state historical society shall provide technical assistance to the local building officials, the local fire officials, the local historical preservation commissions, and the commission upon request.

(6) The commission shall act as an appeals board for any owner, fire official, building official, or the division of fire ~~safety~~ PREVENTION AND CONTROL who feels aggrieved by fire and life safety requirements or the lack of fire and life safety standards in buildings in which limited gaming will be conducted. If the commission fails to act upon an appeal within fourteen days after its receipt by the commission, the certificate of compliance shall be considered approved.

SECTION 36. In Colorado Revised Statutes, **amend** 12-58-104 (1) (k) as follows:

12-58-104. Powers of board - fees - rules. (1) In addition to all other powers and duties conferred or imposed upon the board by this article, the board is authorized and empowered to:

(k) Establish minimum requirements and standards for the inspection of multipurpose residential fire sprinkler systems in one- and two-family dwellings and townhouses that are part of the potable water supply, by requiring inspectors of multipurpose residential fire sprinkler systems in one- and two-family dwellings and townhouses to be certified by the division of fire ~~safety~~ PREVENTION AND CONTROL in the department

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

of public safety pursuant to section 24-33.5-1206.4, C.R.S."

Renumber succeeding sections accordingly.

Page 72, line 40, strike "safety" and substitute "safety PREVENTION AND CONTROL".

Page 73, line 9, strike "safety" and substitute "safety PREVENTION AND CONTROL".

Page 74, line 1, strike "safety" and substitute "safety PREVENTION AND CONTROL".

Page 74, after line 3 insert:

"SECTION 42. In Colorado Revised Statutes, 23-60-304, **amend** (6) as follows:

23-60-304. Plans - development and implementation - credentialing - fees. (6) The board shall enter into a cooperative arrangement with the division of fire safety PREVENTION AND CONTROL in the department of public safety to develop a system in which a qualified volunteer firefighter may receive a tuition voucher to attend courses at an institution in the state system of community and technical colleges in accordance with section 24-33.5-1216, C.R.S."

Renumber succeeding sections accordingly.

Page 74, line 5, before "as" insert "and (1) (w)".

Page 74, line 24, strike "safety," and substitute "safety PREVENTION AND CONTROL,".

Page 74, strike lines 25 and 26 and substitute "'division", in the ~~office of preparedness, security, and fire safety in the~~".

Page 74, after line 31 insert:

"(w) Enter into a cooperative arrangement with the division of fire safety PREVENTION AND CONTROL in the department of public safety to develop a system in which a qualified volunteer firefighter may receive a tuition voucher to attend courses at a local community college, including Aims community college and Colorado mountain college, in accordance with section 24-33.5-1216, C.R.S."

Page 75, after line 8 insert:

"SECTION 46. In Colorado Revised Statutes, 24-33.5-1803, **amend** (3) (g) as follows:

24-33.5-1803. School safety resource center - created - duties. (3) The center has the following duties:

(g) To provide information and resources relating to school safety, school emergency response planning and training, and interoperable communications in schools, as determined by the center, to the division of fire safety PREVENTION AND CONTROL in the department of public safety to be distributed to school districts and schools pursuant to section 24-33.5-1213.4;

SECTION 47. In Colorado Revised Statutes, 24-34-104, **amend** (45) introductory portion and (45) (d) as follows:

24-34-104. General assembly review of regulatory agencies and functions for termination, continuation, or reestablishment. (45) The following agencies, functions, or both shall terminate on July 1, 2014:

(d) The fire suppression program of the division of fire safety PREVENTION AND CONTROL, created pursuant to sections 24-33.5-1204.5, 24-33.5-1206.1, 24-33.5-1206.2, 24-33.5-1206.3, 24-33.5-1206.4, 24-33.5-1206.5, 24-33.5-1206.6, and 24-33.5-1207.6;"

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

Renumber succeeding sections accordingly.

Page 75, after line 26 insert:

"**SECTION 49.** In Colorado Revised Statutes, 24-72-402, **add** (5) (aa) as follows:

24-75-402. Cash funds - limit on uncommitted reserves - reduction in amount of fees - exclusions. (5) Notwithstanding any provision of this section to the contrary, the following cash funds are excluded from the limitations specified in this section:

(aa) THE EMERGENCY FIRE FUND CREATED IN SECTION 24-33.5-1220 (2), THE WILDLAND FIRE EQUIPMENT REPAIR FUND CREATED IN SECTION 24-33.5-1220 (3), AND THE WILDLAND FIRE COST RECOVERY FUND CREATED IN SECTION 24-33.5-1220 (3).

SECTION 50. In Colorado Revised Statutes, 25-17-202.6, **amend** (1) as follows:

25-17-202.6. Waste tire cleanup fund - rules. (1) There is hereby created in the state treasury the waste tire cleanup fund, referred to in this section as the "fund", consisting of revenues credited pursuant to section 25-17-202 (3) (a) (II). All interest or any other return on the investments shall be deposited in the fund. At the end of each fiscal year, the state treasurer shall transfer all unexpended and unencumbered moneys in the fund to the processors and end users fund created in section 25-17-202.5, except for an amount equal to thirty-three percent of the department's prior year direct and indirect costs. The general assembly shall make annual appropriations out of the fund to the department in an amount equal to the department's direct and indirect administrative costs incurred pursuant to this part 2, not to exceed twenty percent of the annual income to the fund and to the division of fire safety PREVENTION AND CONTROL in the department of public safety for its administrative costs pursuant to section 25-17-206 (3).

SECTION 51. In Colorado Revised Statutes, 25-17-206, **amend** (3) (a) (II) (B) and (5) (a) (VI) as follows:

25-17-206. Registration of waste tire facilities - definitions. (3) (a) (II) (B) Upon request of the local fire authority, the director of the division of fire safety PREVENTION AND CONTROL in the department of public safety shall hire a contractor to provide technical assistance in the review of the program and, if appropriate, recommend changes necessary for the local fire authority to approve the program.

(5) (a) Except as specified in paragraph (b) of this subsection (5), on and after a date specified by rule promulgated pursuant to section 25-17-207 (1), a waste tire facility shall:

(VI) Meet the standards and conditions for the safeguarding of life and property from fire as determined by the local fire authority. In making such determination, the fire code adopted pursuant to section 24-33.5-1203.5, C.R.S., by the division of fire safety PREVENTION AND CONTROL within the department of public safety shall be used as the minimum fire safety standard for waste tire facilities."

Page 77, after line 11 insert:

"SECTION 57. Appropriation - adjustments in 2012 long bill.

(1) For the implementation of this act, appropriations made in the annual general appropriation act to the governor - lieutenant governor - state planning and budgeting for the fiscal year beginning July 1, 2012, are adjusted as follows:

(a) The federal funds appropriation for the office of homeland security is decreased by \$10,201,205 and 6.0 FTE.

(2) For the implementation of this act, appropriations made in the annual general appropriation act to the department of higher education for the fiscal year beginning July 1, 2012, are adjusted as follows:

(a) The general fund appropriation for the college opportunity fund program, fee-for-service contracts with state institutions, is decreased by \$310,045.

(b) The reappropriated funds appropriation for governing boards, board of governors of the Colorado state university system, is reduced by \$310,045 and 35.4 FTE. Said sum is from general fund appropriated to

the college opportunity fund program, fee-for-services contracts with state institutions.

(3) For the implementation of this act, appropriations made in the annual general appropriation act to the department of local affairs for the fiscal year beginning July 1, 2012, are adjusted as follows:

(a) The general fund appropriation to the executive director's office is increased by \$189,328 and 3.0 FTE.

(b) The reappropriated funds appropriation to the executive director's office is decreased by \$274,749 and 3.0 FTE. Of this amount, \$264,512 shall be from departmental indirect cost recoveries and \$10,237 shall be from the local government mineral and energy impact grants and disbursements line, which includes moneys in the local government severance tax fund created in Section 39-29-110 (1) (a) (I), Colorado Revised Statutes, and moneys in the local government mineral impact fund created in Section 34-63-102 (5) (a) (I), Colorado Revised Statutes.

(c) The federal funds appropriation to the executive director's office is decreased by \$173,433.

(d) The reappropriated funds appropriation to the division of local governments is increased by \$356,507 and 5.0 FTE. This amount shall be from departmental indirect cost recoveries.

(e) The general fund appropriation to the division of local governments is decreased by \$356,507 and 5.0 FTE.

(f) The general fund appropriation to the division of emergency management is decreased by \$213,396 and 8.2 FTE.

(g) The reappropriated funds appropriation to the division of emergency management is decreased by \$431,735 and 1.0 FTE. Of this amount, \$356,507 shall be from departmental indirect cost recoveries and \$75,228 shall be from the local government mineral and energy impact grants and disbursements line, which includes moneys in the local government severance tax fund created in Section 39-29-110 (1) (a) (I), Colorado Revised Statutes, and moneys in the local government mineral impact fund created in Section 34-63-102 (5) (a) (I), Colorado Revised Statutes.

(h) The cash funds appropriation to the division of emergency management is decreased by \$4,510,988. Of this amount, \$4,500,000 shall be from the disaster emergency fund created in Section 24-32-2106 (2) (a) (I), Colorado Revised Statutes, and \$10,988 shall be from fees paid to the department for emergency training programs.

(i) The federal funds appropriation to the division of emergency management is decreased by \$14,661,017 and 18.7 FTE.

(4) For the implementation of this act, appropriations made in the annual general appropriation act to the department of public health and environment for the fiscal year beginning July 1, 2012, are adjusted as follows:

(a) The general fund appropriation for administration and support, administration, is decreased by \$19,060.

(b) The general fund appropriation for the emergency preparedness and response division, emergency preparedness and response program, is decreased by \$128,669 and 2.0 FTE.

(5) For the implementation of this act, appropriations made in the annual general appropriation act to the department of public safety for the fiscal year beginning July 1, 2012, are adjusted as follows:

(a) The general fund appropriation for the executive director's office, for administration, is decreased by \$127,223.

(b) The general fund appropriation for the office of preparedness, security, and fire safety is decreased by \$243,464 and 3.0 FTE.

(c) The cash funds appropriation for the office of preparedness, security, and fire safety is decreased by \$2,623,244 and 25.0 FTE. Of said sum, \$1,614,500 is from the public school construction and inspection cash fund created in section 24-33.5-1207.7, Colorado Revised Statutes, and \$1,008,744 is from various sources.

(d) The reappropriated funds appropriation for the office of preparedness, security, and fire safety is decreased by \$795,587 and 2.5 FTE. Of said sum, \$634,549 is from appropriations to the Colorado state patrol and \$161,038 is from limited gaming funds appropriated to the department of revenue.

(e) The federal funds appropriation for the office of preparedness,

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

security, and fire safety is decreased by \$1,287,665 and 8.5 FTE.

SECTION 58. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, to the department of public safety, for the fiscal year beginning July 1, 2012, the sum of \$739,284, or so much thereof as may be necessary, for allocation to the executive director's office for administration related to the implementation of this act. Of said sum, \$268,032 is from various cash funds, \$274,749 is from various reappropriated funds, and \$196,503 is from federal funds.

(2) In addition to any other appropriation, there is hereby appropriated, to the department of public safety, for the fiscal year beginning July 1, 2012, the sum of \$8,932,916 and 65.4 FTE, or so much thereof as may be necessary, for allocation to the division of fire prevention and control related to the implementation of this act. Of said sum, \$457,802 is from the general fund, \$3,250,000 is from the wildlife preparedness fund created in 24-33.5-1226 (4) (a), Colorado Revised Statutes, \$1,614,500 is from the public school construction and inspection cash fund created in section 24-33.5-1207.7, Colorado Revised Statutes, \$1,000,000 is from the emergency fire fund created in section 24-33.5-1220 (2) (a), Colorado Revised Statutes, \$850,000 is from the wildland fire equipment repair cash fund created in section 24-33.5-1220 (3), Colorado Revised Statutes, \$150,000 is from the wildlife emergency response fund created in section 23-31-309 (3) (a), Colorado Revised Statutes, \$100,000 is from the wildland fire cost recovery fund created in section 24-33.5-1220 (4), Colorado Revised Statutes, \$1,008,744 is from various sources of cash funds, \$161,038 is reappropriated funds from limited gaming funds appropriated to the department of revenue, and \$340,832 is from federal funds.

(3) In addition to any other appropriation, there is hereby appropriated, to the department of public safety, for the fiscal year beginning July 1, 2012, the sum of \$19,869,798 and 28.9 FTE, or so much thereof as may be necessary, for allocation to the division of homeland security and emergency management, office of emergency management related to the implementation of this act. Of said sum, \$622,565 is from the general fund, \$4,500,000 is from the disaster emergency fund created in section 24-33.5-706 (2) (a), Colorado Revised Statutes, \$10,988 is from fees paid for emergency training programs pursuant to sections 24-32-2105 (6) and 24-32-2106 (6), Colorado Revised Statutes, \$75,228 is from reappropriated funds from appropriations to the department of local affairs, division of local governments, field services, for local government mineral and energy impact grants and disbursements, and \$14,661,017 is from federal funds.

(4) In addition to any other appropriation, there is hereby appropriated, to the department of public safety, for the fiscal year beginning July 1, 2012, the sum of \$1,813,382 and 8.0 FTE, or so much thereof as may be necessary, for allocation to the division of homeland security and emergency management, office of prevention and security related to the implementation of this act. Of said sum, \$634,549 is from reappropriated funds from appropriations to the Colorado state patrol and \$1,178,833 is from federal funds.

(5) In addition to any other appropriation, there is hereby appropriated, to the department of public safety, for the fiscal year beginning July 1, 2012, the sum of \$10,329,874 and 8.0 FTE, or so much thereof as may be necessary, for allocation to the division of homeland security and emergency management, office of preparedness related to the implementation of this act. Of said sum, \$128,669 is from the general fund and \$10,201,205 is from federal funds."

Renumber succeeding sections accordingly.

Page 77 of the committee report, after line 15 insert:

"Amend reengrossed bill, page 1, line 103, strike "ENTITIES." and substitute "ENTITIES, AND MAKING AND REDUCING APPROPRIATIONS."."

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

Appropriations

After consideration on the merits, the Committee recommends that **SB12-184** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 4, after line 17 insert:

"SECTION 2. In Colorado Revised Statutes, **add** 42-3-241 as follows:

42-3-241. Special plates - bobcats for kids. (1) BEGINNING JANUARY 1, 2012, THE DEPARTMENT SHALL ISSUE LICENSE PLATES TO QUALIFIED APPLICANTS IN ACCORDANCE WITH THIS SECTION FOR CLASS D SPECIAL MOBILE MACHINERY.

(2) THERE IS HEREBY ESTABLISHED THE BOBCATS FOR KIDS LICENSE PLATE.

(3) A PERSON MAY APPLY FOR A LICENSE PLATE UNDER THIS SECTION IF THE PERSON PAYS THE TAXES AND FEES REQUIRED BY THIS SECTION.

(4) THE AMOUNT OF THE TAXES AND FEES FOR LICENSE PLATES UNDER THIS SECTION IS THE SAME AS THE AMOUNT OF THE TAXES AND FEES SPECIFIED FOR REGULAR MOTOR VEHICLE LICENSE PLATES; EXCEPT THAT THE DEPARTMENT SHALL COLLECT A ONE-TIME FEE OF TWENTY-FIVE DOLLARS FOR THE ISSUANCE OR REPLACEMENT OF EACH SUCH LICENSE PLATE. THE DEPARTMENT SHALL TRANSMIT THE ADDITIONAL ONE-TIME FEE TO THE STATE BOARD OF BOARD OF PARKS AND WILDLIFE FOR OFF-ROAD IMPROVEMENTS.

(5) AN APPLICANT MAY APPLY FOR PERSONALIZED LICENSE PLATES CREATED BY THIS SECTION. UPON PAYMENT OF THE ADDITIONAL FEE REQUIRED BY SECTION 42-3-211 (6) (a) FOR PERSONALIZED LICENSE PLATES, THE DEPARTMENT MAY ISSUE SUCH PLATES IF THE APPLICANT COMPLIES WITH SECTION 42-3-211. IF AN APPLICANT HAS EXISTING PERSONALIZED LICENSE PLATES FOR A MOTOR VEHICLE, THE APPLICANT MAY TRANSFER THE COMBINATION OF LETTERS OR NUMBERS TO A NEW SET OF LICENSE PLATES CREATED BY THIS SECTION FOR THE VEHICLE UPON PAYING THE FEE IMPOSED BY SECTION 42-3-211 (6) (a) AND UPON TURNING IN SUCH EXISTING PLATES TO THE DEPARTMENT. A PERSON WHO HAS OBTAINED PERSONALIZED LICENSE PLATES UNDER THIS SUBSECTION (5) SHALL PAY THE ANNUAL FEE IMPOSED BY SECTION 42-3-211 (6) (b) FOR RENEWAL OF SUCH PERSONALIZED PLATES. THE FEES UNDER THIS SUBSECTION (5) ARE IN ADDITION TO ALL OTHER TAXES AND FEES IMPOSED FOR THE LICENSE PLATES CREATED BY THIS SECTION."

Renumber succeeding sections accordingly.

Page 4, before line 18 insert:

"SECTION 2. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the Colorado state titling and registration account of the highway users tax fund created in section 42-1-211 (2), Colorado Revised Statutes, not otherwise appropriated, to the department of revenue, for the fiscal year beginning July 1, 2012, the sum of \$126,563 and 0.8 FTE, or so much thereof as may be necessary, to be allocated for the implementation of this act as follows:

(a) \$28,426 and 0.8 FTE for personal services in the division of motor vehicles, titles section;

(b) \$21,917 for operating expenses and postage in the central department operations division and the division of motor vehicle, titles section; and

(c) \$76,220 for the purchase of computer center services in the information technology division.

(2) In addition to any other appropriation, there is hereby appropriated to the governor - lieutenant governor - state planning and budgeting, for the fiscal year beginning July 1, 2012, the sum of \$76,220, or so much thereof as may be necessary, for allocation to the office of information technology, for the provision of computer center services for the department of revenue related to the implementation of this act. Said sum is from reappropriated funds received from the department of

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

revenue out of the appropriation made in paragraph (c) of subsection (1) of this section.

(3) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the license plate cash fund created in section 42-3-301 (1) (b), Colorado Revised Statutes, not otherwise appropriated, to the department of revenue, for the fiscal year beginning July 1, 2012, the sum of \$124,492, or so much thereof as may be necessary, for allocation to the division of motor vehicles for the purchase of license plates related to the implementation of this act."

Renumber succeeding section accordingly.

Page 1, line 102, strike "FLEETS." and substitute "FLEETS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION."

MESSAGE FROM THE HOUSE

May 7, 2012

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB12-1349, 1357.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB12-1355, amended as printed in House Journal, May 4, pages 1270-1271. HB12-1358, amended as printed in House Journal, May 4, page 1271. HB12-1361, amended as printed in House Journal, May 4, page 1272.

The House has voted to grant the House conferees on the First Conference Committee on HB12-1168 to consider matters not at issue between the two houses.

MESSAGE FROM THE REVISOR OF STATUTES

May 7, 2012

We herewith transmit:

Without comment, as amended, HB12-1355, 1358, and 1361. With comment, HB12-1349 and 1357.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title and referred to the committee indicated:

HJR12-1021 by Representative(s) Hamner and McKinley, Massey; also Senator(s) Scheffel-- Concerning the designation of pack burro racing as a summer heritage sport in Colorado. Agriculture, Natural Resources, and Energy

INTRODUCTION OF BILLS -- FIRST READING

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

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

- HB12-1349**

by Representative(s) Baumgardner, Brown, Coram, Fischer, Hullinghorst, Jones, Joshi, Looper, McKinley, McNulty, Ryden, Scott, Swerdfeger, Vigil, Wilson; also Senator(s) Schwartz--Concerning the species conservation trust fund.
 Agriculture, Natural Resources, and Energy

1
2
3
4
5
6
- HB12-1355**

by Representative(s) Gerou, Becker, Levy; also Senator(s) Hodge, Steadman, Lambert--Concerning the transfer of the geological survey to the Colorado school of mines.
 Agriculture, Natural Resources, and Energy

7
8
9
10
11
- HB12-1357**

by Representative(s) Brown, Sonnenberg, Vigil; also Senator(s) Renfroe, Bacon, Schwartz--Concerning the use of unspent moneys after completion of capital construction projects at state-supported institutions of higher education authorized by a 2008 federal mineral lease revenues lease-purchase agreement.
 Agriculture, Natural Resources, and Energy

12
13
14
15
16
17
18
- HB12-1358**

by Representative(s) Massey and McCann; also Senator(s) Aguilar--Concerning funding issues related to medical marijuana, and, in connection therewith, making an appropriation.
 Health and Human Services

19
20
21
22
23
- HB12-1361**

by Representative(s) Gardner B. and Gerou; also Senator(s) Cadman and Nicholson--Concerning claims against the state arising under the "Colorado Governmental Immunity Act".
 State, Veterans & Military Affairs

24
25
26
27
28
29
30
31

Senate in recess. Senate reconvened.

Call of the Senate. Call raised.

On motion of Senator Bacon, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, SB12-184, SB12-183, and SB12-083 were made Special Orders at 3:45 p.m.

Committee of the Whole The hour of 3:45 p.m. having arrived, Senator Bacon moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders -- Second Reading of Bills and Senator Bacon was called to the Chair to act as Chairman.

SPECIAL 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:

- SB12-184**

by Senator(s) Cadman, Tochtrop; also Representative(s) Priola--Concerning the registration of special mobile machinery fleets, and, in connection therewith, making an appropriation.

Amendment No. 1, Finance Committee Amendment.
 (Printed in Senate Journal, May 7, page 1131 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
 (Printed in Senate Journal, May 7, pages 1145-1146 and placed in members' bill files.)

60
61
62
63
64
65
66
67

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.)

SB12-083 by Senator(s) Scheffel; also Representative(s) DeIGrosso--Concerning dynamic modeling to analyze the fiscal impact of proposed legislation.

Amendment No. 1, Finance Committee Amendment.

(Printed in Senate journal, May 2, pages 1025-1026, was **lost**.)

Amendment No. 2(L.009), by Senators Johnston and Giron.

Amend printed bill, page 2, line 3, strike "(4) (a)," and substitute "(4),".

Page 2, strike lines 15 and 16 and substitute:

"(b) ~~Any~~ A dynamic model selected by the director shall consider MUST ANALYZE THE REVENUE IMPACTS ON THE STATE AND LOCAL GOVERNMENT BY ESTIMATING the direct and indirect or secondary economic effects related to".

Page 2, line 17, strike the first "the" and substitute "the A" and before "probable" insert "RESULTING EFFECTS ON OUTPUT, PRODUCTIVITY, INCOMES, CONSUMER SPENDING, AND EMPLOYMENT THROUGHOUT THE ECONOMY AND OTHER".

Page 2, line 18, strike "tax policy" and insert "tax policy".

Page 3, strike lines 15 through 17 and substitute "BY LEGISLATIVE COUNCIL STAFF using the dynamic model ~~Only bills that make a tax policy change are eligible to be analyzed.~~ FOR SUCH SESSION. AFTER THE FIRST YEAR, LEGISLATIVE COUNCIL STAFF SHALL USE THE DYNAMIC MODEL TO ANALYZE ALL BILLS."

Page 3, after line 20 insert:

"(b) After the first regular session in which the dynamic model is used, the director of research shall prepare a report evaluating how the dynamic model worked during the session. ~~and making recommendations for the use of the dynamic model in future sessions. of the general assembly, including the feasibility of expanding the scope of the type of bills for which the dynamic model may be used.~~ The report shall be prepared no later than January 1 of the year following the session in which the dynamic model was FIRST used."

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.)

SB12-183 by Senator(s) Boyd; --Concerning restrictions on a utility's ability to disconnect certain residential customers' heating service during cold weather months.

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

(Printed in Senate Journal, May 3, pages 1049-1050 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.

(Printed in Senate Journal, May 4, pages 1103-1104 and placed in members' bill files.)

Amendment No. 3(L.003), by Senator Mitchell.

Amend the Health and Human Services Committee Report, dated May 2, 2012, page 1, after line 11, insert: "(b) FOR PURPOSES OF THIS

SUBSECTION (3), "UTILITY" DOES NOT INCLUDE COOPERATIVE ELECTRIC ASSOCIATIONS AND MUNICIPALLY OWNED UTILITIES."

Reletter succeeding paragraph accordingly.

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

Amend the Health and Human Services Committee Report, dated May 2, 2012, page 1, line 10, after "CUSTOMERS" insert "AND TERMS AND COLLECTION METHODS FOR PAYMENT PLANS ENTERED INTO WITH RESIDENTIAL CUSTOMERS".

Page 2, after line 8 insert:

"(b) THE COMMISSION SHALL ALSO REVIEW AND, PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (5), MAKE ANY NECESSARY LEGISLATIVE RECOMMENDATIONS WITH RESPECT TO:

(I) THE FINANCIAL IMPACTS THAT RISING ENERGY COSTS HAVE ON RESIDENTIAL UTILITY CUSTOMERS; AND

(II) UTILITY PAYMENT PLANS, INCLUDING THE TERMS OF EXISTING PAYMENT PLANS, THE MEANS BY WHICH A UTILITY MAY ENFORCE THE TERMS OF A PAYMENT PLAN, AND THE LIKELIHOOD THAT A CUSTOMER WILL FULLY COMPLY WITH A PAYMENT PLAN."

Reletter succeeding paragraphs accordingly.

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

SB12-184 by Senator(s) Cadman, Tochtrop; also Representative(s) Priola--Concerning the registration of special mobile machinery fleets, and, in connection therewith, making an appropriation.

Senators Cadman, King K., and Tochtrop moved to amend the Report of the Committee of the Whole to show that the following Cadman floor amendment, (L.004) to SB 12-184, did pass.

Amend the Appropriations Committee Report, dated May 7, 2012, page 1, strike lines 1 through 24.

Page 2, strike lines 1 through 12.

Page 2, line 13, strike "Page" and substitute "Amend printed bill, page".

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 **passed** on the following roll call vote:

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

YES	32	NO	3	EXCUSED	0	ABSENT	0	
Aguilar	Y	Guzman	Y	Lambert	Y	Scheffel	Y	
Bacon	Y	Harvey	N	Lundberg	Y	Schwartz	Y	
Boyd	Y	Heath	Y	Mitchell	Y	Spence	Y	
Brophy	Y	Hodge	N	Morse	Y	Steadman	N	
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			

SB12-083

by Senator(s) Scheffel; also Representative(s) DelGrosso--Concerning dynamic modeling to analyze the fiscal impact of proposed legislation.

Senator Heath moved to amend the Report of the Committee of the Whole to show that the following Johnston and Giron floor amendment, (L.009) to SB 12-083, did not pass, and that the Finance Committee amendment to SB 12-083 did pass.

Amend printed bill, page 2, line 3, strike "(4) (a)," and substitute "(4),".

Page 2, strike lines 15 and 16 and substitute:

"(b) ~~Any~~ A dynamic model selected by the director shall consider MUST ANALYZE THE REVENUE IMPACTS ON THE STATE AND LOCAL GOVERNMENT BY ESTIMATING the direct and indirect or secondary economic effects related to".

Page 2, line 17, strike the first "the" and substitute "the A" and before "probable" insert "RESULTING EFFECTS ON OUTPUT, PRODUCTIVITY, INCOMES, CONSUMER SPENDING, AND EMPLOYMENT THROUGHOUT THE ECONOMY AND OTHER".

Page 2, line 18, strike "tax policy" and insert "tax policy".

Page 3, strike lines 15 through 17 and substitute "BY LEGISLATIVE COUNCIL STAFF using the dynamic model ~~Only bills that make a tax policy change are eligible to be analyzed.~~ FOR SUCH SESSION. AFTER THE FIRST YEAR, LEGISLATIVE COUNCIL STAFF SHALL USE THE DYNAMIC MODEL TO ANALYZE ALL BILLS."

Page 3, after line 20 insert:

"(b) After the first regular session in which the dynamic model is used, the director of research shall prepare a report evaluating how the dynamic model worked during the session. ~~and making recommendations for the use of the dynamic model in future sessions. of the general assembly, including the feasibility of expanding the scope of the type of bills for which the dynamic model may be used.~~ The report shall be prepared no later than January 1 of the year following the session in which the dynamic model was FIRST used."

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 **passed** on the following roll call vote:

YES	18	NO	17	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	N	Newell	Y	White	N
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	N	Renfroe	N	President	N
Grantham	N	King S.	N	Roberts	N		

SB12-183

by Senator(s) Boyd; --Concerning restrictions on a utility's ability to disconnect certain residential customers' heating service during cold weather months.

Senator Mitchell moved to amend the Report of the Committee of the Whole to show that the following Mitchell floor amendment, (L.008) to SB 12-183, did pass.

Amend the Health and Human Services Committee Report, dated May 2, 2012, page 2, line 8, after "PRACTICES." add "THE COMMISSION SHALL ALSO REVIEW AND SPECIFY THE COSTS OF POLICY CHANGES OCCURRING SINCE 2004 AND RELATING TO FUEL-SWITCHING MANDATES, RENEWABLE ENERGY MANDATES, STATE IMPLEMENTATION PLANS THAT ARE NOT REQUIRED BY OR THAT ARE OTHERWISE MORE STRINGENT THAN FEDERAL REQUIREMENTS, LABOR REGULATIONS ADDED TO ENERGY PROJECTS, AND SHIFTS IN COST TO OTHER UTILITY CUSTOMERS AS A RESULT OF ANY ACTION TO LIMIT UTILITY DISCONNECTIONS."

Reletter succeeding paragraphs accordingly.

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 **lost** on the following roll call vote:

YES	15	NO	20	EXCUSED	0	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	Y
Brophy	Y	Hodge	N	Morse	N	Steadman	N
Cadman	Y	Hudak	N	Neville	Y	Tochtrop	N
Carroll	N	Jahn	N	Newell	N	White	Y
Foster	N	Johnston	N	Nicholson	N	Williams S.	N
Giron	N	King K.	Y	Renfroe	Y	President	N
Grantham	Y	King S.	Y	Roberts	Y		

Senator Boyd moved to amend the Report of the Committee of the Whole to show that SB 12-183, as amended by the following L.003 and L.009 and by the Health and Human Services Committee amendment and the Appropriations Committee amendment, did pass.

L.003

Amend the Health and Human Services Committee Report, dated May 2, 2012, page 1, after line 11, insert: "(b) FOR PURPOSES OF THIS SUBSECTION (3), "UTILITY" DOES NOT INCLUDE COOPERATIVE ELECTRIC ASSOCIATIONS AND MUNICIPALLY OWNED UTILITIES."

Reletter succeeding paragraph accordingly.

L.009

Amend the Health and Human Services Committee Report, dated May 2, 2012, page 1, line 10, after "CUSTOMERS" insert "AND TERMS AND COLLECTION METHODS FOR PAYMENT PLANS ENTERED INTO WITH RESIDENTIAL CUSTOMERS".

Page 2, after line 8 insert:

"(b) THE COMMISSION SHALL ALSO REVIEW AND, PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (5), MAKE ANY NECESSARY LEGISLATIVE RECOMMENDATIONS WITH RESPECT TO:

(I) THE FINANCIAL IMPACTS THAT RISING ENERGY COSTS HAVE ON RESIDENTIAL UTILITY CUSTOMERS; AND

(II) UTILITY PAYMENT PLANS, INCLUDING THE TERMS OF EXISTING PAYMENT PLANS, THE MEANS BY WHICH A UTILITY MAY ENFORCE THE TERMS OF A PAYMENT PLAN, AND THE LIKELIHOOD THAT A CUSTOMER WILL FULLY COMPLY WITH A PAYMENT PLAN."

Reletter succeeding paragraphs accordingly.

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 **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		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

YES	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: SB12-184 as amended, SB12-083 as amended, SB12-183 as amended.

MESSAGE FROM THE HOUSE

May 7, 2012

The House has adopted and transmits herewith HJR12-1023.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title and referred to the committee indicated:

HJR12-1023 by Representative(s) McNulty and Stephens, Waller, Nikkel, Murray, Priola, Becker, Bradford, DelGrosso, Gardner B., Gerou, Kerr J., Liston, Massey, Sonnenberg, Summers, Vaad; also Senator(s) Cadman, Scheffel, Renfroe, Grantham--Concerning authorizing and directing the committee on legal services to retain legal counsel to represent the General Assembly as amicus curiae in the case of Lobato v. State of Colorado for the purpose of preserving and protecting the General Assembly's plenary power under the doctrine of separation of powers.
Judiciary

REPORT OF CONFERENCE COMMITTEES

FIRST REPORT OF FIRST CONFERENCE COMMITTEE ON HB12-1168

THIS REPORT AMENDS THE REENGROSSED BILL

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

Your first conference committee appointed on HB12-1168, concerning clarification of provisions authorizing ignition interlock devices, has met and reports that it has agreed upon the following:

1. That the Senate recede from its amendments made to the bill, as the amendments appear in the rerevised bill, and that the following amendments be substituted therefor:

Amend reengrossed bill, page 14, strike lines 5 and 6 and substitute: "(9) Appeal. (c) A filing of a petition for judicial".

Page 14, line 10, strike "merits and that the person will suffer irreparable harm if" and substitute "merits. and that the person will suffer irreparable harm if the order is not stayed."

Page 14, strike lines 11 through 14.

2. That, under the authority granted the committee to consider matters not at issue between the two houses, the following amendments be recommended:

Amend reengrossed bill, page 17, strike line 12 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

"SECTION 9. In Colorado Revised Statutes, 42-2-132.5, amend as amended by House Bill 12-1168 (1) (a), (1) (c), and (4) (c) as follows:

42-2-132.5. Mandatory and voluntary restricted licenses following alcohol convictions - rules. (1) The following persons shall be required to hold an interlock-restricted license pursuant to this section for at least one year following reinstatement prior to being eligible to obtain any other driver's license issued under this article:

(a) A person whose privilege to drive was revoked for multiple convictions for any combination of a DUI, DUI per se, OR DWAI or habitual user pursuant to section 42-2-125 (1) (g) (I) or (1) (i);

(c) A person whose privilege to drive was revoked as an habitual offender under section 42-2-203 in which the revocation was due in part to a DUI, DUI per se, OR DWAI or habitual user conviction; or

(4) Persons who may acquire an interlock-restricted license prior to serving a full-term revocation. (c) In order to be eligible for early reinstatement pursuant to this subsection (4), a person who has been designated an habitual offender under the provisions of section 42-2-202 must have at least one conviction for DUI, DUI per se, OR DWAI or habitual user under section 42-4-1301, and no contributing violations other than violations for driving under restraint under section 42-2-138 or reckless driving under section 42-4-1401.

SECTION 10. In Colorado Revised Statutes, 42-2-132, amend as amended by House Bill 12-1168 (2) (a) (IV) as follows:

42-2-132. Period of suspension or revocation. (2) (a) (IV) Any person whose license or privilege to drive a motor vehicle on the public highways has been revoked under section 42-2-125 (1) (g) (I) or (1) (i) or 42-2-203 where the revocation was due in part to a DUI, DUI per se, OR DWAI or habitual user conviction shall be required to present an affidavit stating that the person has obtained at the person's own expense a signed lease agreement for the installation and use of an approved ignition interlock device, as defined in section 42-2-132.5 (9) (a), in each motor vehicle on which the person's name appears on the registration and any other vehicle that the person may drive during the period of the interlock-restricted license.

SECTION 11. Act subject to petition - effective date. (1) This act".

Page 17 after line 21 add:

"(2) Notwithstanding any provision of subsection (1) of this section to the contrary, sections 9 and 10 of this act take effect only if Senate Bill 12-117 becomes law.".

Respectfully submitted,

House Committee:
(signed)
Dave Young, Chairman
Mark H. Barker
Bob Gardner

Senate Committee:
(signed)
John Morse, Chairman
Steve King
Mike Johnston

MESSAGE FROM THE GOVERNOR

May 7, 2012

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

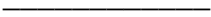
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67

Ladies and Gentlemen:

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

SB12-134: CONCERNING FINANCIAL ASSISTANCE IN COLORADO HOSPITALS.
Approved May 7, 2012 at 1:34 p.m.

Sincerely,
(signed)
John W. Hickenlooper
Governor



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, May 7 was laid over until Tuesday, May 8, retaining its place on the calendar.

- General Orders -- Second Reading of Bills -- Consent Calendar: HB12-1328, HB12-1350.
- General Orders -- Second Reading of Bills: SB12-070, HB12-1160, HB12-1332, HB12-1240, HB12-1317, HB12-1266.
- Consideration of Resolutions: SJR12-034, SJR12-037, SJR12-038, SR12-003.
- Consideration of House Amendments to Senate Bills: SJR12-036.
- Consideration of Governor's Vetoes: SB12-124.
- Consideration of Conference Committee Reports: SB12-020.
- Conference Committees to Report: HB12-1053.



On motion of Senator Morse, the Senate adjourned until 9:00 a.m., Tuesday, May 8, 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
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