

SENATE JOURNAL
 Sixty-eighth General Assembly
STATE OF COLORADO
 First Extraordinary Session

2nd Legislative Day Tuesday, May 15, 2012

- Prayer 11
By the chaplain, Rabbi Eliot Baskin, Jewish Family Services of Colorado, Denver. 12
- Call to Order 13
By the President at 9:00 a.m. 14
- Pledge 15
By Senator Harvey. 16
- Roll Call 17
Present--29 18
Excused--6, Aguilar, Boyd, Cadman, Roberts, Scheffel, Spence. 19
Present later--5, Aguilar, Boyd, Cadman, Roberts, Scheffel. 20
- Quorum 21
The President announced a quorum present. 22
- Reading of Journal 23
On motion of Senator Grantham, reading of the Journal of Monday, May 14, 2012, was dispensed with and the Journal was approved as corrected by the Secretary. 24

 Senate in recess. Senate reconvened.

 Call of the Senate. Call raised.

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:

SCR12S-001 by Senator(s) Steadman; also Representative(s) Ferrandino, Pace--Submitting to the registered electors of the state of Colorado an amendment to the Colorado constitution repealing provisions deemed obsolete on account of a determination of the unconstitutionality of said provisions by a court of competent jurisdiction after the exhaustion of appellate remedies.

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

YES	24	NO	10	EXCUSED	0	ABSENT	1
Aguilar		Y Guzman		Y Lambert		N Scheffel	N
Bacon		Y Harvey		N Lundberg		N Schwartz	Y
Boyd		Y Heath		Y Mitchell		N Spence	A
Brophy		Y Hodge		Y Morse		Y Steadman	Y
Cadman		N Hudak		Y Neville		N Tochtrop	Y
Carroll		Y Jahn		Y Newell		Y White	Y
Foster		Y Johnston		Y Nicholson		Y Williams S.	Y
Giron		Y King K.		N Renfroe		N President	Y
Grantham		N King S.		Y Roberts		Y	

A constitutional two-thirds of all members elected to the Senate having voted in the affirmative, the concurrent resolution was **passed**.

Co-sponsors added: Aguilar, Bacon, Boyd, Guzman, Heath, Hodge, Jahn, Morse, Nicholson, Shaffer B., Tochtrop and Williams S.

SB12S-001 by Senator(s) Cadman, Tochtrop; also Representative(s) Priola and Bradford--Concerning the registration of special mobile machinery fleets, and, in connection therewith, making an appropriation.

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

YES	33	NO	1	EXCUSED	0	ABSENT	1
Aguilar	Y	Guzman	Y	Lambert	Y	Scheffel	Y
Bacon	Y	Harvey	N	Lundberg	Y	Schwartz	Y
Boyd	Y	Heath	Y	Mitchell	Y	Spence	A
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, Jahn, Johnston, King K., King S., Lambert, Lundberg, Mitchell, Neville, Roberts, Scheffel, Shaffer B., White and Williams S.

SB12S-002 by Senator(s) Schwartz; also Representative(s) Sonnenberg, Hamner, Pace--Concerning the funding of Colorado water conservation board projects, and, in connection therewith, making appropriations.

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

YES	34	NO	0	EXCUSED	0	ABSENT	1
Aguilar	Y	Guzman	Y	Lambert	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lundberg	Y	Schwartz	Y
Boyd	Y	Heath	Y	Mitchell	Y	Spence	A
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, Boyd, Carroll, Foster, Giron, Grantham, Guzman, Heath, Hodge, Hudak, Jahn, Johnston, King K., King S., Morse, Neville, Newell, Nicholson, Renfroe, Roberts, Scheffel, Shaffer B., Steadman, Tochtrop, White and Williams S.

SB12S-003 by Senator(s) Bacon; also Representative(s) Massey--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:

YES	20	NO	14	EXCUSED	0	ABSENT	1	
Aguilar	Y	Guzman	Y	Lambert	N	Scheffel	N	1
Bacon	Y	Harvey	N	Lundberg	N	Schwartz	Y	2
Boyd	Y	Heath	Y	Mitchell	N	Spence	A	3
Brophy	N	Hodge	Y	Morse	Y	Steadman	Y	4
Cadman	N	Hudak	Y	Neville	N	Tochtrop	Y	5
Carroll	Y	Jahn	Y	Newell	Y	White	N	6
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y	7
Giron	Y	King K.	N	Renfroe	N	President	Y	8
Grantham	N	King S.	N	Roberts	N			9

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, Heath, Hodge, Hudak, Johnston, Morse, Newell, Nicholson, Schwartz, Shaffer B., Steadman, Tochtrop and Williams S.

INTRODUCTION OF RESOLUTIONS

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

SJR12S-001 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 First Extraordinary Session of the Sixty-eighth General Assembly is about to adjourn sine die.

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

SENATE SERVICES REPORT

Correctly Printed: SB12S-001, 002 and 003; SCR12S-001.
Correctly Engrossed: SB12S-001, 002 and 003; SCR12S-001.

Senate in recess. Senate reconvened.

MESSAGE FROM THE HOUSE

May 15, 2012

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB12-1002.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB12-1005, amended as printed in House Journal, May 14, page 12, and amended on Third Reading, May 15.

MESSAGE FROM THE REVISOR OF STATUTES

May 15, 2012

We herewith transmit:

Without comment, HB12S-1002.

Without comment, as amended, HB12S-1005.

INTRODUCTION OF BILLS -- FIRST READING

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

HB12S-1002 by Representative(s) Liston and Pabon, Pace; also Senator(s) Jahn--Concerning administration of the unemployment insurance program in order to stabilize unemployment insurance rates, and, in connection therewith, facilitating the issuance of unemployment revenue bonds, accelerating the creation of the division of unemployment insurance in the department of labor and employment, and making technical changes to provisions enacted as part of House Bill 11-1288 to ensure appropriate transition to the new unemployment insurance premium rate structure.
 Business, Labor and Technology

HB12S-1005 by Representative(s) Waller and Fields; also Senator(s) King S.--Concerning the penalties for persons who drive while under the influence of alcohol or drugs, and, in connection therewith, making an appropriation.
 State, Veterans & Military Affairs

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS

State, Veterans, & Military Affairs After consideration on the merits, the Committee recommends that **HB12S-1005** be referred to the Committee on Appropriations with favorable recommendation.

Business, Labor, & Technology After consideration on the merits, the Committee recommends that **HB12S-1002** be referred to the Committee of the Whole with favorable recommendation.

Appropriations After consideration on the merits, the Committee recommends that **HB12S-1005** be referred to the Committee of the Whole with favorable recommendation.

MESSAGE FROM THE HOUSE

The Speaker has announced the following change in sponsorship to SB12S-002. Representative Baumgardner to be added as dual prime sponsor with Representative Sonnenberg.

Senate in recess. Senate reconvened.

On motion of Senator Morse, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, HB12S-1002 and HB12S-1005 were made Special Orders at 1:46 p.m.

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Committee of the Whole The hour of 1:46 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:

HB12S-1002 by Representative(s) Liston and Pabon, Pace; also Senator(s) Jahn--Concerning administration of the unemployment insurance program in order to stabilize unemployment insurance rates, and, in connection therewith, facilitating the issuance of unemployment revenue bonds, accelerating the creation of the division of unemployment insurance in the department of labor and employment, and making technical changes to provisions enacted as part of House Bill 11-1288 to ensure appropriate transition to the new unemployment insurance premium rate structure.

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

HB12S-1005 by Representative(s) Waller and Fields; also Senator(s) King S.--Concerning the penalties for persons who drive while under the influence of alcohol or drugs, and, in connection therewith, making an appropriation.

Lost on second reading.

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

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

HB12S-1005 by Representative(s) Waller and Fields; also Senator(s) King S.--Concerning the penalties for persons who drive while under the influence of alcohol or drugs, and, in connection therewith, making an appropriation.

Senator King S. moved to amend the Report of the Committee of the Whole to show that HB 12S-1005 did pass.

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

YES	17	NO	17	EXCUSED	0	ABSENT	1
Aguilar	N	Guzman	N	Lambert	Y	Scheffel	Y
Bacon	Y	Harvey	N	Lundberg	N	Schwartz	Y
Boyd	Y	Heath	Y	Mitchell	N	Spence	A
Brophy	N	Hodge	Y	Morse	Y	Steadman	N
Cadman	Y	Hudak	N	Neville	N	Tochtrop	N
Carroll	N	Jahn	N	Newell	Y	White	Y
Foster	N	Johnston	Y	Nicholson	N	Williams S.	N
Giron	N	King K.	Y	Renfroe	N	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	34	NO	0	EXCUSED	0	ABSENT	1
Aguilar	Y	Guzman	Y	Lambert	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lundberg	Y	Schwartz	Y
Boyd	Y	Heath	Y	Mitchell	Y	Spence	A
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: HB12S-1002.

Lost on second reading: HB12S-1005.

CHANGE IN SPONSORSHIP

Upon announcement of President Shaffer, Senators Schwartz and White will be the Senate joint prime sponsors on SB12S-002.

MESSAGE FROM THE HOUSE

May 15, 2012

The House has postponed indefinitely SB12-003, and SCR12S-001. The bills are returned herewith.

On motion of Senator Morse, the Senate adjourned until 10:00 a.m., Wednesday, May 16, 2012.

Approved:

Brandon C. Shaffer
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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