

SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

1st Legislative Day Wednesday, January 9, 2013

Prayer	By the chaplain, Reverend Dr. Nori Rost, All Souls Unitarian Universalist Church, Colorado Springs.
Presentation of Colors	By Colorado Springs Police Department Honor Guard: Officer Olav G. Chaney, Honor Guard Coordinator; Officer Martin Herrera; Officer Gina Seago; Motor Officer Al Roman; Officer Rob Wilson; and SRO Officer Pam Frame.
Pledge of Allegiance	By Norm Pledger, native of Alabama but long-time Colorado resident. Mr. Pledger was an Air Force flight engineer and was a founding member of Pikes Peak Community College, where he was Chairman of the Governing Board for 12 years.
Musical Presentation	By Velcro Barbershop Quartet, singing the <i>Star-Spangled Banner</i> : Colin Drown, tenor, a sophomore at Grand View High School; Tim Simmons, baritone, a retired Colorado District Court Judge; Gary Hickenlooper, bass, a Colorado Springs dentist; and Jim Clark, lead, member of the 2010 International Champion Quartet "Storm Front".
Call to Order	The hour of 10:00 a.m. having arrived, the Senate of the 69th General Assembly of the State of Colorado, pursuant to law, was called to order by Senator Brandon C. Shaffer, President of the Senate of the 68th General Assembly, State of Colorado.
Roll Call	The roll call of the holdover Senators was called with the following result: Present -- Brophy, Giron, Grantham, Guzman, Harvey, Jahn, King, Lambert, Lundberg, Nicholson, Renfroe, Roberts, Schwartz, Tochtrop, and President -- Total: 15.

COMMUNICATIONS FROM THE SECRETARY OF STATE

State of Colorado
Department of
State

United States of America, ss. Certificate
State of Colorado

I, Scott Gessler, Secretary of State of the State of Colorado, certify that I have canvassed the "Abstract of Votes Cast" submitted in the State of Colorado, and do state that, to the best of my knowledge and belief, the attached list represents the total votes cast for the members of the Colorado State Senate for the 69th General Assembly by the qualified electors of the State of Colorado in the November 6, 2012 General Election.

In testimony whereof I have set my hand and affixed the Great Seal of the State of Colorado, at the City of Denver this 10th day of December 2012.

(signed)
Scott Gessler
Secretary of State

COLORADO GENERAL ELECTION RESULTS - November 6, 2012

Colorado State Senate, District 4
Counties: Douglas

Candidate	Vote Totals	Percentage
Holly Gorman (DEM)	24,968	31.77%
Mark Scheffel (REP)	50,173	63.85%
Chris Grundemann (LIB)	3,437	4.37%

Colorado State Senate, District 8
Counties: Garfield, Grand, Jackson, Moffat, Rio Blanco, Routt, Summit

Candidate	Vote Totals	Percentage
Candidate Vote Totals Percentage		
Emily Tracy (DEM)	29,688	44.34%
Randy L. Baumgardner (REP)	34,187	51.06%
Sacha L. Weis (LIB)	3,079	4.60%

Colorado State Senate, District 10
Counties: El Paso

Candidate	Vote Totals	Percentage
Christopher Mull (ACN)	5,721	9.51%
Owen Hill (REP)	44,200	73.45%
Brandon Hughes (LIB)	10,255	17.04%

Colorado State Senate, District 12
Counties: El Paso

Candidate	Vote Totals	Percentage
James Michael Bristol (ACN)	7,762	15.21%
Bill L. Cadman (REP)	34,673	67.94%
Dave Respecki (LIB)	8,603	16.86%

Colorado State Senate, District 14
Counties: Larimer

Candidate	Vote Totals	Percentage
John Kefalas (DEM)	46,673	57.95%
Syndi Anderson (REP)	28,874	35.85%
Jeff Johnston (LIB)	3,166	3.93%
Barrett Rothe (UNA)	1,828	2.27%

Colorado State Senate, District 17
Counties: Boulder

Candidate	Vote Totals	Percentage
Matt Jones (DEM)	45,426	62.01%
Charlie Plagaios (REP)	23,983	32.74%
Ken Bray (LIB)	3,848	5.25%

Colorado State Senate, District 18
Counties: Boulder

Candidate	Vote Totals	Percentage
Barry P. Thoma (REP)	18,427	21.67%
Rollie Heath (DEM)	66,619	78.33%

Colorado State Senate, District 19
Counties: Jefferson

<u>Candidate</u>	<u>Vote Totals</u>	<u>Percentage</u>
Evie Hudak (DEM)	35,664	47.02%
Lang Sias (REP)	35,080	46.25%
Lloyd A. Sweeny (LIB)	5,104	6.73%

Colorado State Senate, District 21
Counties: Adams

<u>Candidate</u>	<u>Vote Totals</u>	<u>Percentage</u>
Francine R. Bigelow (REP)	16,373	35.07%
Jessie Ulibarri (DEM)	30,308	64.93%

Colorado State Senate, District 22
Counties: Jefferson

<u>Candidate</u>	<u>Vote Totals</u>	<u>Percentage</u>
Ken Summers (REP)	35,008	47.40%
Andy Kerr (DEM)	38,845	52.60%

Colorado State Senate, District 23
Counties: Broomfield, Larimer, Weld

<u>Candidate</u>	<u>Vote Totals</u>	<u>Percentage</u>
Vicki Marble (REP)	43,949	56.20%
Lee Kemp (DEM)	34,252	43.80%

Colorado State Senate, District 25
Counties: Adams

<u>Candidate</u>	<u>Vote Totals</u>	<u>Percentage</u>
John Sampson (REP)	20,310	40.03%
Mary Hodge (DEM)	27,961	55.12%
Ronald G. Schweizer (LIB)	2,461	4.85%

Colorado State Senate, District 26
Counties: Arapahoe

<u>Candidate</u>	<u>Vote Totals</u>	<u>Percentage</u>
Dave Kerber (REP)	32,890	45.91%
Linda Newell (DEM)	38,744	54.09%

Colorado State Senate, District 27
Counties: Arapahoe

<u>Candidate</u>	<u>Vote Totals</u>	<u>Percentage</u>
David Paladino (DEM)	34,957	45.18%
David Balmer (REP)	42,411	54.82%

Colorado State Senate, District 28
Counties: Arapahoe

<u>Candidate</u>	<u>Vote Totals</u>	<u>Percentage</u>
John S. Lyons (REP)	24,475	38.17%
Nancy Todd (DEM)	37,181	57.99%
Robert Harrison (LIB)	2,459	3.84%

Colorado State Senate, District 29

Counties: Arapahoe

Candidate	Vote Totals	Percentage
William "Bill" D. Ross II (REP)	18,745	36.53%
Morgan Carroll (DEM)	30,149	58.75%
Michele R. Poague (LIB)	2,420	4.72%

Colorado State Senate, District 31

Counties: Arapahoe, Denver

Candidate	Vote Totals	Percentage
Michael Carr (REP)	23,425	30.10%
M. Patrick Steadman (DEM)	54,390	69.90%

Colorado State Senate, District 32

Counties: Denver

Candidate	Vote Totals	Percentage
Irene Aguilar (DEM)	47,995	70.07%
Roger D. Logan (REP)	20,505	29.93%

Colorado State Senate, District 33

Counties: Denver

Candidate	Vote Totals	Percentage
Mike Johnston (DEM)	51,357	82.31%
Jason DeBerry (REP)	8,456	13.55%
Courtney Kolva (LIB)	2,579	4.13%

Colorado State Senate, District 35

Counties: Alamosa, Baca, Bent, Conejos, Costilla, Crowley, Custer, Huerfano, Kiowa, Las Animas, Mineral, Otero, Prowers, Pueblo, Rio Grande, Saguache

Candidate	Vote Totals	Percentage
Larry W. Crowder (REP)	31,117	49.24%
Crestina Martinez (DEM)	29,617	46.87%
William Stuart Bartley (LIB)	2,461	3.89%

State of Colorado

Department of

State

United States of America, ss. Certificate

State of Colorado

I, Scott Gessler, Secretary of State of the State of Colorado, certify that I have canvassed the "Abstract of Votes Cast" submitted in the State of Colorado, and do state that, to the best of my knowledge and belief, the persons listed on the attached list were duly elected to the office of Colorado State Senate by the qualified electors of the State of Colorado in the November 6, 2012 General Election.

In testimony whereof I have set my hand and affixed the Great Seal of the State of Colorado, at the City of Denver this 10th day of December 2012.

(signed)
Scott Gessler
Secretary of State

COLORADO GENERAL ELECTION RESULTS - November 6, 2012

Colorado State Senate, District 4

Counties: Douglas

<u>Candidate</u>	<u>Vote Totals</u>	<u>Percentage</u>
Mark Scheffel (REP)	50,173	63.85%
9791 Summit Ridge Pl.		
Parker CO 80138		

Colorado State Senate, District 8

Counties: Garfield, Grand, Jackson, Moffat, Rio Blanco, Routt, Summit

<u>Candidate</u>	<u>Vote Totals</u>	<u>Percentage</u>
Randy L. Baumgardner (REP)	34,187	51.06%
4050 Jackson County Rd. #4		
Cowdrey CO 80434		

Colorado State Senate, District 10

Counties: El Paso

<u>Candidate</u>	<u>Vote Totals</u>	<u>Percentage</u>
Owen Hill (REP)	44,200	73.45%
2803 Pennsylvania Ave.		
Colorado Springs CO 80907		

Colorado State Senate, District 12

Counties: El Paso

<u>Candidate</u>	<u>Vote Totals</u>	<u>Percentage</u>
Bill L. Cadman (REP)	34,673	67.94%
3986 Iron Horse Trail		
Colorado Springs CO 80917		

Colorado State Senate, District 14

Counties: Larimer

<u>Candidate</u>	<u>Vote Totals</u>	<u>Percentage</u>
John Kefalas (DEM)	46,673	57.95%
604 Sycamore St.		
Fort Collins CO 80521		

Colorado State Senate, District 17

Counties: Boulder

<u>Candidate</u>	<u>Vote Totals</u>	<u>Percentage</u>
Matt Jones (DEM)	45,426	62.01%
265 Dahlia Dr.		
Louisville CO 80027		

Colorado State Senate, District 18

Counties: Boulder

<u>Candidate</u>	<u>Vote Totals</u>	<u>Percentage</u>
Rollie Heath (DEM)	66,619	78.33%
2455 Vassar Dr.		
Boulder CO 80305		

Colorado State Senate, District 19

Counties: Jefferson

Candidate	Vote Totals	Percentage
Evie Hudak (DEM)	35,664	47.02%
7649 Harlan Way		
Westminster CO 80003		

Colorado State Senate, District 21

Counties: Adams

Candidate	Vote Totals	Percentage
Jessie Ulibarri (DEM)	30,308	64.93%
900 W. 79th Pl.		
Denver CO 80221		

Colorado State Senate, District 22

Counties: Jefferson

Candidate	Vote Totals	Percentage
Andy Kerr (DEM)	38,845	52.60%
1680 S. Iris Way		
Lakewood CO 80232		

Colorado State Senate, District 23

Counties: Broomfield, Larimer, Weld

Candidate	Vote Totals	Percentage
Vicki Marble (REP)	43,949	56.20%
600 Boulder Ave.		
Fort Collins CO 80524		

Colorado State Senate, District 25

Counties: Adams

Candidate	Vote Totals	Percentage
Mary Hodge (DEM)	27,961	55.12%
447 Poplar Cir.		
Brighton CO 80601		

Colorado State Senate, District 26

Counties: Arapahoe

Candidate	Vote Totals	Percentage
Linda Newell (DEM)	38,744	54.09%
4563 West Ponds Cir.		
Littleton CO 80123		

Colorado State Senate, District 27

Counties: Arapahoe

Candidate	Vote Totals	Percentage
David Balmer (REP)	42,411	54.82%
6043 S. Eagle St.		
Centennial CO 80016		

Colorado State Senate, District 28

Counties: Arapahoe

Candidate	Vote Totals	Percentage
Nancy Todd (DEM)	37,181	57.99%
11293 E. Harvard Dr.		
Aurora CO 80014		

Colorado State Senate, District 29
Counties: Arapahoe

<u>Candidate</u>	<u>Vote Totals</u>	<u>Percentage</u>
Morgan Carroll (DEM) 1165 Ouray St. Aurora CO 80011	30,149	58.75%

Colorado State Senate, District 31
Counties: Arapahoe, Denver

<u>Candidate</u>	<u>Vote Totals</u>	<u>Percentage</u>
M. Patrick Steadman (DEM) 1257 Corona St. Denver CO 80218	54,390	69.90%

Colorado State Senate, District 32
Counties: Denver

<u>Candidate</u>	<u>Vote Totals</u>	<u>Percentage</u>
Irene Aguilar (DEM) 3071 S. Irving St. Denver CO 80236	47,995	70.07%

Colorado State Senate, District 33
Counties: Denver

<u>Candidate</u>	<u>Vote Totals</u>	<u>Percentage</u>
Mike Johnston (DEM) 2538 Akron St. Denver CO 80238	51,357	82.31%

Colorado State Senate, District 35
Counties: Alamosa, Baca, Bent, Conejos, Costilla, Crowley, Custer, Huerfano, Kiowa, Las Animas, Mineral, Otero, Prowers, Pueblo, Rio Grande, Saguache

<u>Candidate</u>	<u>Vote Totals</u>	<u>Percentage</u>
Larry W. Crowder (REP) 0777 N Rd. 102 Alamosa CO 81144	31,117	49.24%

Credentials Committee On motion of Majority Leader Morse, and with unanimous consent of the Senate, a committee of three was appointed by the President as the Committee on Credentials. The President appointed Senators Carroll, Chair, Aguilar, and Cadman as members of the Committee.

The President announced that the Senate would be in recess so that the Committee on Credentials could meet and prepare its report.

Senate in recess. Senate reconvened.

REPORT OF THE COMMITTEE ON CREDENTIALS

January 9, 2013

Mr. President:

Your committee on credentials, to which was referred the list of the members of the Senate for the 69th General Assembly of the State of Colorado, transmitted by the Secretary of State, begs leave to report that the persons named therein constitutes a true and correct list of the members as shown by the election certificate and records in the office of the Secretary of State, and your committee recommends that the list so furnished and read be adopted as the temporary roll call of the Senate of the 69th General Assembly of the State of Colorado.

(signed)
Senator Carroll, Chair
Senator Aguilar
Senator Cadman

On motion of Majority Leader Carroll, the report of the Committee on Credentials was read and adopted by unanimous consent of the Senate.

On motion of Majority Leader Carroll, and with the unanimous consent of the Senate, the President appointed a committee composed of Senators Kerr, Newell, and Roberts to wait upon Chief Justice Michael L. Bender of the Colorado Supreme Court and request him to administer the oath of office to the Senators-elect.

The President announced that the Senate would be in recess until the return of the Committee with the Chief Justice Bender.

Senate in recess. Senate reconvened.

Chief Sergeant-at-Arms Philip Brown announced the arrival of the Committee and Chief Justice Bender.

Oath of OfficeThe Chief Justice administered the Oath of Office to the Senators-elect.

Roll CallThe roll call of the Senators-elect was called with the following result:
Present: Aguilar, Balmer, Baumgardner, Cadman, Carroll, Crowder, Heath, Hill, Hodge, Hudak, Johnston, Jones, Kefalas, Kerr, Marble, Newell, Scheffel, Steadman, Todd, Ulibarri -- Total: 20.

QuorumThe President announced a Senate membership of 35 present, 0 absent, and 0 excused and that a quorum was present.

Senate in recess. Senate reconvened.

On motion of Majority Leader Carroll, and with the unanimous consent of the Senate, the temporary roll call of the Senate was made the permanent roll call of the Senate.

Election of PresidentOn motion of Majority Leader Carroll and seconded by Minority Leader Cadman, Senator John P. Morse was nominated as President of the Senate.

Majority Leader Carroll moved that the nominations for President of the Senate be closed and that a unanimous vote be cast for Senator John P. Morse. The motion was adopted by a unanimous vote.

Election of President *pro tem*

On motion of Majority Leader Carroll and seconded by Minority Leader Cadman, Senator Lucia Guzman was nominated as President *pro tem* of the Senate.

Majority Leader Carroll moved that the nominations for President *pro tem* of the Senate be closed and that a unanimous vote be cast for Senator Lucia Guzman. The motion was adopted by a unanimous vote.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

SJR13-001 by Senator(s) Carroll, Morse, Cadman; also Representative(s) Hullinghorst, Ferrandino, Waller--Concerning the adoption of the Joint Rules as the temporary Joint Rules of the Sixty-ninth General Assembly.

On motion of Majority Leader Carroll, the resolution was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

SR13-001 by Senator(s) Carroll, Morse, Cadman; --Concerning the temporary Rules of the Senate.

On motion of Majority Leader Carroll, the resolution was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Election of Secretary

On motion of Majority Leader Carroll, Cindi L. Markwell was nominated to serve as Secretary of the Senate during the First Regular Session of the Sixty-eighth General Assembly. The motion was adopted by a unanimous vote.

Oath of Office

The President administered the oath of office to Cindi L. Markwell as Secretary of the Senate.

On motion of Majority Leader Carroll, and with the unanimous consent of the Senate, the President appointed Senators Jones, Kefalas, and Baumgardner as members of the committee to notify the House of Representatives that the Senate was organized and ready for business.

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

On motion of Majority Leader Carroll, and with the unanimous consent of the Senate, the President appointed Senators Hodge, Schwartz, and Scheffel as members of the committee to notify the Governor that the Senate was organized and ready for business.

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

Senate in recess.Senate reconvened.

MESSAGE FROM THE HOUSE

January 9, 2013

Mr. President:

The House has adopted and transmits herewith HJR13-1001, as printed in House Journal, January 9.

The House has adopted and transmits herewith HJR13-1002, as printed in House Journal, January 9.

The House has adopted and returns herewith SJR13-001.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

HJR13-1001 by Representative(s) Hullinghorst, Ferrandino, Waller; also Senator(s) Carroll--Concerning the oversight responsibilities of committees of the house of representatives.

On motion of Majority Leader Carroll, the resolution was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

HJR13-1002 by Representative(s) Hullinghorst, Ferrandino, Waller; also Senator(s) Carroll, Morse, Cadman--Concerning a Joint Session of the House of Representatives and the Senate for the purpose of hearing a message from His Excellency, Governor John Hickenlooper, and appointing a committee to escort the Governor.

On motion of Majority Leader Carroll, the resolution was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Co-sponsor(s) added: Lambert.

The President appointed Senators Todd, Ulibarri, and Brophy to serve on the committee to escort the Governor to the State of the State address.

COMMITTEE APPOINTMENTS

November 29, 2012

As you know, Senate rules require that as the Majority Leader, I determine the balance of party representation on committees, that I determine the size of each committee and that I make the majority party appointments to the committees including chairs and vice-chairs.

I determine that the size of the committees and number of majority and minority members be as follows:

Committees	Majority	Minority	Committee Size
State, Veterans, and Military Affairs	3	2	5
Business, Labor, and Technology	3	2	5
Judiciary	3	2	5
Education	5	4	9
Health and Human Services	4	3	7
Agriculture	3	2	5
Finance	3	2	5
Local Government	3	2	5
Transportation	3	2	5
Appropriations	4	3	7

Agriculture, Natural Resources, and Energy

Senator Gail Schwartz-Chair
Senator Angela Giron-Vice Chair
Senator Matt Jones-Member

Business, Labor, and Technology

Senator Lois Tochtrop-Chair
Senator Cheri Jahn-Vice Chair
Senator Rollie Heath-Member

	1
	2
<u>Education</u>	3
Senator Evie Hudak-Chair	4
Senator Michael Johnston-Vice Chair	5
Senator Andy Kerr-Member	6
Senator Nancy Todd-Member	7
Senator Rollie Heath-Member	8
	9
<u>Finance</u>	10
Senator Michael Johnston-Chair	11
Senator Andy Kerr-Vice Chair	12
Senator Cheri Jahn-Member	13
	14
<u>Health and Human Services</u>	15
Senator Irene Aguilar-Chair	16
Senator Linda Newell-Vice Chair	17
Senator Jeanne Nicholson-Member	18
Senator John Kefalas-Member	19
	20
<u>Judiciary</u>	21
Senator Lucia Guzman-Chair	22
Senator Jessie Ulibarri-Vice Chair	23
Senator Irene Aguilar-Member	24
	25
<u>Local Government</u>	26
Senator Jeanne Nicholson-Chair	27
Senator John Kefalas-Vice Chair	28
Senator Gail Schwartz-Member	29
	30
<u>State, Veterans, and Military Affairs</u>	31
Senator Angela Giron-Chair	32
Senator Matt Jones-Vice Chair	33
Senator Evie Hudak-Member	34
	35
<u>Transportation</u>	36
Senator Rollie Heath-Chair	37
Senator Nancy Todd-Vice Chair	38
Senator Matt Jones-Member	39
	40
<u>Appropriations</u>	41
Senator Mary Hodge-Chair	42
Senator Pat Steadman-Vice Chair	43
Senator Rollie Heath-Member	44
Senator Jessie Ulibarri-Member	45
	46
	47
I am happy to answer any questions you may have.	48
	49
Sincerely yours,	50
(signed)	51
Morgan Carroll	52
Senate Majority Leader	53
	54
	55
The Senate Republican committee assignments are as follows:	56
	57
<u>Agriculture, Natural Resources, and Energy</u>	58
Senator Greg Brophy – Wray (Ranking Member)	59
Senator Ted Harvey – Highlands Ranch	60
	61
<u>Appropriations</u>	62
Senator Kent Lambert – Colorado Springs (Ranking Member)	63
Senator Ted Harvey – Highlands Ranch	64
Senator Scott Renfroe – Greeley	65
	66
<u>Business, Labor and Technology</u>	67
Senator-elect David Balmer – Centennial (Ranking Member)	68
Senator-elect Randy Baumgardner – Cowdrey	69
	70
	71

Education

Senator Scott Renfroe – Greeley (Ranking Member)
Senator-elect Owen Hill – Colorado Springs
Senator-elect Vicki Marble – Fort Collins
Senator Mark Scheffel – Parker

Finance

Senator Kevin Grantham – Canon City (Ranking Member)
Senator-elect Owen Hill – Colorado Springs

Health and Human Services

Senator Ellen Roberts – Durango (Ranking Member)
Senator-elect Larry Crowder – Alamosa
Senator Kevin Lundberg – Berthoud

Judiciary

Senator Kevin Lundberg – Berthoud (Ranking Member)
Senator Steve King – Grand Junction

Local Government

Senator-elect David Balmer – Centennial (Ranking Member)
Senator-elect Vicki Marble – Fort Collins

State, Veterans, and Military Affairs

Senator Ted Harvey – Highlands Ranch (Ranking Member)
Senator-elect Larry Crowder – Alamosa

Transportation

Senator Steve King – Grand Junction (Ranking Member)
Senator-elect Randy Baumgardner – Cowdrey

APPOINTMENTS BY THE PRESIDENT

Legislative Council	Pursuant to Section 2-3-301, C.R.S., the President appointed Senators Morse, Guzman, Carroll, Nicholson, Newell, Cadman, Scheffel, Grantham, and Renfroe as members of the Legislative Council Committee.
	Majority Leader Carroll moved that the appointments to the Legislative Council Committee be confirmed.
	A majority of all members elected to the Senate having voted in the affirmative, the motion was adopted .
Legal Services	Pursuant to Section 2-3-502, C.R.S., the President appointed Senators Morse, Guzman, Johnston, Brophy, and Roberts as members of the Committee on Legal Services.
	Majority Leader Carroll moved that the appointments to the Committee on Legal Services be confirmed.
	A majority of all members elected to the Senate having voted in the affirmative, the motion was adopted .
Legislative Audit	Pursuant to Section 2-3-101, C.R.S., the President appointed Senators Guzman, Tochtrop, Hill, and King as members of the Legislative Audit Committee.
	Majority Leader Carroll moved that the appointments to the Legislative Audit Committee be confirmed.
	A majority of all members elected to the Senate having voted in the affirmative, the motion was declared adopted .
Capital Development	The President appointed Senators Schwartz, Giron, and Baumgardner as members of the Capital Development Committee.
	Majority Leader Carroll moved that the appointments to the Capital Development Committee be confirmed.

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

On motion of Majority Leader Carroll, and with the unanimous consent of those elected to the Senate, the Senate stood in recess to hear the opening day remarks of Minority Leader Bill Cadman and Senate President John P. Morse. The text of Minority Leader Cadman's remarks follow.

Senate in recess.

"There is certain enthusiasm in liberty, that makes human nature rise above itself in acts of bravery and heroism."

Good Morning Mr. President and Majority Leader Carroll, Secretary Markwell.
 Congratulations to each of you.

President Shaffer, thank you for your service here. God bless you and your family in your future. You and I did some good work together. Our best times were when we were able to share a few laughs. Some days those are at a premium here.

Welcome special friends, guests and families.

Please help me welcome my wife Lisa and our sons Austin and Alex. They have not been here together with me at the same time since 2007.

Welcome back colleagues and congrats to our new Senators. This is such a special day for all of us, for our families, our supporters, the volunteers who helped our campaigns. A lot of folks worked hard to make this day a reality.

It's really special when it's your first time to have your name included in the Senate roll call, you hear the results of each of your elections - they are now certified by Colorado's Secretary of State. You were probably bored listening to all the numbers, but very excited when you heard your own – Senator Marble, I thought you were going to burst out of your skin.

For our new members from the House, you need to get accustomed to a different set of rules but I can assure you, you will like the rules better here just ask any former House member.

This is my second time to share my thoughts during opening day. This is a great honor, and it is one of the few times you get a chance to speak your mind here in the well and not watch a line form of folks wanting to debate you.

On New Year 's Day, I sent the governor a very short text. "Happy '13." His response was "Happiest of new years to you as well, it's gotta be better than '12." The words of that text kept ringing in my ears. As I planned for my remarks today, nothing seemed more relevant or more important than the events of last year and the people who were affected by them. As we move into the coming weeks of this session, it seems fitting to reflect a bit on their lives and their sacrifices to help us keep our work here in perspective.

To say 2012 was an interesting year would be an understatement. Our country has faced a lot of challenges in recent months, and we have as well right here in the Centennial State.

So let's start back at the end of the last regular session. April of last year, we were dealing with the tragic consequences of the Lower North Fork fire, the loss of lives, the loss of property, and to a significant degree for the victims -- a loss of their faith in their own government, because as you all know, that was a man-made fire that got out of control -- started by a government entity.

With just a couple weeks to go in that session, we responded quickly to a dire situation and provided a pathway to assist those affected by that fire. We all rolled up our sleeves and worked together -- both parties, both houses, the governor and the attorney general. Did we solve all of the problems for those families affected by that fire? We did not, and

frankly we could not. But the bills passed in the waning hours of that session provided a structure for redress and compensation that had not existed for those victims until then.

We also set up a commission to review what happened, and tasked them with identifying the causes of the wildfire; its impact on the affected communities; and determining measures to prevent the occurrence of similar events happening in prescribed fire management programs.

The commission has completed its work, and we now have 4 bills coming through the legislature based on our directives.

Those meetings were tough, the work was intensive – many of the commission members spent hundreds of hours meeting their responsibility. The emotional impact of the victims was ever present. (Scott Appel – Are you here? he lost more than his home and his family possessions – his wife Ann perished in the Lower north fork fire). Thank you for joining us today. –

That was tough duty. This body was well represented on that commission by two of our colleagues. Let's take a moment to thank Senator Nicholson and the Commission's Chair, Senator Roberts.

Little did we know in May, as we continued to deal with the aftermath of that event, we would face one of the deadliest and costliest wild-fire seasons in our history. Over 4,000 wildland fires reported in 2012...4000 fires that destroyed around 650 structures, killed 6 civilians, burned nearly 390,000 acres and caused over \$530 million in property losses. Coloradans lost homes, property, pets, irreplaceable family treasures, and most importantly - lives.

Add to our fires and the theater shootings in July, and I think we had more than our fair share of tragedies, and funerals.

2012 presented some tough times in Colorado to say the least. We experienced the worst of the worst from Mother Nature, and... the ...absolute worst of the worst from the evil that one man can inflict on his fellow man.

The headlines and stories of these tragedies can hardly be counted because there are so many. The true costs of all these events cannot be measured, they are just simply too great.

After the horrible headlines of fires, came headlines of hope. After the stories of destruction and senseless deaths, came stories of triumph and inspiration. We learned that our neighbors, our friends and countless strangers became true heroes. People who set their own needs aside and often their own safety to help their fellow man. We saw folks come together and work together, performing acts of bravery and valor, often times to their own peril.

What these tragedies brought to light for me and I am sure for all of you was this. When our people, our neighbors, our friends, our first responders faced the worst of the worst of the worst from mother nature, and the worst of the worst from mankind, that's when we saw them at their very best.

We saw the very best from a heroic young man named J.D. TenNapel from Cedaredge, CO. When he saw the smoke coming towards his neighborhood, he hopped on his ATV and began alerting all of his neighbors about the fire moving towards them. He was injured with second-degree burns, but even as the ambulance was taking him away he mentioned one woman he had not reached, and firefighters were able to save her, despite the fact that her barn had already burned down.

We saw the best from Leonard Felix Jr. He ran his private aerial business during the Cedar ridge fire to help drop water from the air to slow down and stop the growth of a fire – he was credited by officials for getting that fire contained I understand he saw the smoke, then got a phone call from a neighbor asking for help. He deployed his plane and his helicopter. Please welcome him.

Waldo Canyon ...right in my back yard. In Waldo Canyon, we saw the best from a volunteer team of Colorado Springs Utility employees who successfully restored power to a water storage tank that was surrounded itself by fire and burning homes. After being forced away 3 times from the inferno around them, on their fourth attempt they reached the tank and restored power so fire fighting could resume again in the upper portions of Mountain Shadows. Think of that, a tank full of water, surrounded by fire, with no electricity to run it. That fire team consisted of Mike Dornick, Rick Renteria, Dean Hancock, Chris Whitten. Thank them.

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And finally, in Aurora, when we saw the absolute worst... from the very worst.

We saw the best from Aurora's police officers who arrived within 90 seconds of getting the first call. And many of those officers loaded wounded victims into their squad cars and drove them to the hospital instead of waiting for ambulances to arrive.

We saw the best from 36-year old Chris Lakota. He was in a different screening room and was told to evacuate. Instead, he ran into theater 9 and carried an injured woman out. He then administered first aid to her before the ambulances arrived.

We saw the best in 29-year old Air Force sergeant Jesse Childress who was killed when he jumped into the line of fire to save a fellow Air Force member. We saw the best of the best during the worst from the worst when 17-year old Stephanie Rodriguez - offered aid and assistance to an injured stranger, Cary Rottman, in the parking lot of the theater whose pleas for help were being ignored by people scrambling to drive away. She used her belt as a tourniquet for the man's leg and dragged him out of the parking lot with the assistance of nearby strangers so he wouldn't accidentally be run over by one of the fleeing cars. Stephanie is a senior at Gateway High School.

There are so many great stories about our amazing people, our heroes – many more than we have time to honor here this morning.

We were all affected by these events. The victims and the heroes are our constituents, our neighbors, our family members, our friends. Reflecting on their lives really should help us keep this place in perspective. We need to try to emulate the selfless characteristics of these heroes we serve.

I assure you, it sounds much easier today, than it will when we are dealing with some issues that will be debated right here at this podium into the wee hours of the night, of course after 6, 8, 10 hours of committee hearings.

We face significant challenges as policy makers and what we do here matters to the people in here and to millions across the state. The issues we debate and decide are complex and often times controversial. We need to keep focused on our shared values and find common goals. We have many to choose from.

Don't we all want Colorado's economy to grow stronger? don't we all want families to be able to thrive and prosper? I think we do.

Don't we all want safe schools for our children, with graduation rates that give our kids an opportunity to succeed in college or other vocational pursuits? Of course we do.

We all want infrastructure that's safe, reliable and efficient.

I am sure we all want to keep Colorado's air, land and water clean and healthy for us to enjoy as we live, work and play here.

I could go on about higher-ed, energy, the 2nd amendment, Medicaid, Pera, but I am fairly certain we will be discussing all of these and more over the coming months and the hundreds of impending bills we will carry.

We don't have to cover everything this morning. And besides, President Morse instructed me to be quick because he needs about 90 minutes.

I have shared this before, I believe that success here is not calculated merely by the bills we pass or the policies we change. It comes in great measure from building relationships with each other on both sides of the aisle. Because of those we already have, we were able to avoid the toxic effect of hyper-partisanship last year - with just a few exceptions. The civil demeanor of this chamber was even highlighted by the press. We should all be pleased by that. Mr. President, I am confident that under your leadership, both caucuses can build on this momentum, to share common values and find common goals.

As I conclude, let me share my opening words again. "There is certain enthusiasm in liberty, that makes human nature rise above itself in acts of bravery and heroism." Doesn't it seem like that was written for Colorado last year? It was penned by Alexander Hamilton in 1775. It's so fitting. When we faced the worst of the worst, we were truly blessed by the best.

Let's agree to dedicate this session to all who have risen to meet the challenges of the unthinkable events of last year. Let our words and our actions honor the lives of those lost by matching the spirit of selflessness and sacrifice of Colorado's heroes.

Thank You.

Minority Leader Cadman recognized Senate President John P. Morse to address the Senate.

Senate reconvened.

On motion of Majority Leader Carroll, and with the unanimous consent of those elected to the Senate, the remarks of Minority Leader Cadman were ordered spread upon the pages of the journal.

INTRODUCTION OF BILLS -- FIRST READING

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

- SB13-001

by Senator(s) Kefalas and Morse, Aguilar, Guzman, Ulibarri; also Representative(s) Kagan, Levy--Concerning income tax credits to support working families, and, in connection therewith, enacting the "Colorado Working Families Economic Opportunity Act of 2013".
State, Veterans, & Military Affairs

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- SB13-002

by Senator(s) Hudak; also Representative(s) Hamner--Concerning the designation of boards of cooperative services as local education agencies for purposes of federal law.
Education

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- SB13-003

by Senator(s) Baumgardner; also Representative(s) Coram, Sonnenberg--Concerning methane gas captured from active and inactive coal mines.
State, Veterans, & Military Affairs

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- SB13-004

by Senator(s) Kefalas; also Representative(s) Ginal--Concerning authorization to renew a state-issued identification card by electronic means.
Local Government

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- SB13-005

by Senator(s) Grantham; --Concerning designating Fort Carson police officers as peace officers.
Judiciary

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- SB13-006

by Senator(s) Balmer; --Concerning a prohibition on reducing funding to public schools to finance the optional expansion of the medicaid program to persons not traditionally eligible for medicaid.
Education

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- SB13-007

by Senator(s) Morse; also Representative(s) Waller--Concerning the repeal date of the Colorado commission on criminal and juvenile justice.
Judiciary

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- SB13-008

by Senator(s) Newell; also Representative(s) McCann--Concerning elimination of the waiting period for children's eligibility under the children's basic health plan.
Health & Human Services

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SB13-009	by Senator(s) Renfroe and Harvey; also Representative(s) Saine--Concerning authorization of local policies to allow carrying of concealed handguns on public elementary and secondary school properties. Judiciary	1
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SB13-010	by Senator(s) Lundberg; also Representative(s) Hullinghorst--Concerning the addition of the deans of all medical schools in Colorado to the commission on family medicine. Health & Human Services	8
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SB13-011	by Senator(s) Steadman and Guzman, Ulibarri, Aguilar, Carroll, Giron, Heath, Hodge, Hudak, Jahn, Johnston, Jones, Kefalas, Kerr, Morse, Newell, Nicholson, Schwartz, Tochtrop, Todd; also Representative(s) Ferrandino and Schafer S., Ginal, Moreno, Rosenthal, Court, Buckner, Duran, Exum Sr., Fields, Fischer, Foote, Garcia, Gerou, Hamner, Hullinghorst, Kagan, Kraft-Tharp, Labuda, Lebsock, Lee, Levy, May, McCann, McLachlan, Melton, Mitsch Bush, Pabon, Peniston, Pettersen, Primavera, Ryden, Salazar, Singer, Tyler, Vigil, Williams, Young--Concerning authorization of civil unions. Judiciary	11
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SB13-012	by Senator(s) Heath; also Representative(s) Singer--Concerning reporting of suspected child abuse and neglect by youth sports organizations. Judiciary	22
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SB13-013	by Senator(s) King; --Concerning peace officer authority for certain employees of the United States secret service. Judiciary	27
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SB13-014	by Senator(s) Aguilar; --Concerning the use of opiate antagonists to treat persons who suffer opiate-related drug overdose events. Health & Human Services	32
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SB13-015	by Senator(s) Roberts; also Representative(s) Hamner--Concerning authorization for electronic participation in meetings of school district boards of education. Education	37
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SB13-016	by Senator(s) Brophy; --Concerning the use of guidance systems to drive a motor vehicle. Transportation	42
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SB13-017	by Senator(s) Marble; --Concerning the time frame for a public school educator to opt in or out of membership in a labor organization. Education	47
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SB13-018	by Senator(s) Ulibarri; also Representative(s) Fischer--Concerning the use of consumer credit information by employers. Business, Labor, & Technology	52
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SB13-019	by Senator(s) Schwartz; also Representative(s) Fischer--Concerning the promotion of water conservation measures. Agriculture, Natural Resources, & Energy	57
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SB13-020	by Senator(s) Harvey; --Concerning a requirement that legislative council staff prepare notices of reported business fiscal impacts. State, Veterans, & Military Affairs	62
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SB13-021	by Senator(s) Hodge; --Concerning technical revisions to article 5 of title 38, Colorado Revised Statutes, that reaffirm that the provisions of that article relating to rights-of-way for transmission companies apply to pipeline companies operating pipelines that convey petroleum and hydrocarbon products. Local Government	67
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SB13-022	by Senator(s) Lambert; also Representative(s) Scott--Concerning the county treasurer becoming the public trustee in the counties where the public trustee is currently appointed by the governor. State, Veterans, & Military Affairs	1 2 3 4 5 6 7
SB13-023	by Senator(s) Cadman; --Concerning an increase in the limitation on the amount of damages that may be recovered by an injured party under the "Colorado Governmental Immunity Act". Judiciary	8 9 10 11 12 13
SB13-024	by Senator(s) Hill; --Concerning the prohibition of discrimination against employees based on labor union participation. Business, Labor, & Technology State, Veterans, & Military Affairs	14 15 16 17 18 19
SB13-025	by Senator(s) Tochtrop; --Concerning collective bargaining by firefighters. Business, Labor, & Technology	20 21 22 23
SB13-026	by Senator(s) Carroll and Aguilar; --Concerning expansion of the "Michael Skolnik Medical Transparency Act of 2010" to require additional health care providers to disclose information about their practice history. Health & Human Services	24 25 26 27 28 29
SB13-027	by Senator(s) Todd; also Representative(s) Priola--Concerning the provision of parking facilities by third parties at or near regional transportation district mass transit stations. Transportation	30 31 32 33 34 35
SB13-028	by Senator(s) Jones; also Representative(s) Tyler, Vigil--Concerning tracking the utility data of a state building that has achieved the highest performance certification attainable as part of its capital construction project. State, Veterans, & Military Affairs	36 37 38 39 40 41
SB13-029	by Senator(s) Kerr; also Representative(s) DelGrosso--Concerning the voluntary contribution designation benefiting the Habitat for Humanity of Colorado fund that appears on the state individual income tax return forms. Finance	42 43 44 45 46 47
SB13-030	by Senator(s) Scheffel; --Concerning an additional review of rules promulgated pursuant to the "State Administrative Procedure Act" by committees of reference of the general assembly. State, Veterans, & Military Affairs	48 49 50 51 52 53
SB13-031	by Senator(s) Giron; also Representative(s) Pettersen--Concerning payment of tuition for students who participate in dropout recovery programs. Education	54 55 56 57 58
SB13-032	by Senator(s) Jahn, Tochtrop; also Representative(s) Williams--Concerning the life and health insurance protection association. Business, Labor, & Technology	59 60 61 62 63 64 65

On motion of Majority Leader Carroll, the Senate adjourned until 10:00 a.m., Thursday,
January 10, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

2nd Legislative Day Thursday, January 10, 2013

Prayer By the chaplain, Reverend Paul Kottke, University Park United Methodist Church, Denver.

Call to Order By the President at 10:00 a.m.

Pledge By Senator Balmer.

Roll Call Present--35

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Kefalas, reading of the Journal of Wednesday, January 9, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Printed: SB13-001, 002, 003, 004, 005, 006, 007, 008, 009, 010, 011, 012, 013, 014, 015, 016, 017, 018, 019, 020, 021, 022, 023, 024, 025, 026, 027, 028, 029, 030, 031 and 032; SJR13-001; SR13-001.

Correctly Engrossed: SJR13-001; SR13-001.

Correctly Revised: HJR13-1001 and 1002.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

SJR13-002 by Senator(s) Carroll, Morse, Cadman; also Representative(s) Court, Conti, Coram, Williams--Concerning the officers and employees of the First Regular Session of the Sixty-ninth General Assembly.

On motion of Majority Leader Carroll, the resolution was adopted by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Co-sponsor(s) added: Aguilar, Nicholson and Todd.

SJR13-003by Senator(s) Morse; also Representative(s) Ferrandino--Concerning the appointment of members of the Colorado Commission on Uniform State Laws.

On motion of Majority Leader Carroll, the resolution was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

SR13-002by Senator(s) Carroll, Morse, Cadman; --Concerning the appointment of officers and employees for the Senate convened in the First Regular Session of the Sixty-ninth General Assembly.

On motion of Majority Leader Carroll, the resolution was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

SJR13-004by Senator(s) Kefalas, Aguilar, Heath, Hodge, Jones, Kerr, Steadman, Tochtrop, Todd, Giron, Hudak, Johnston, King, Morse, Newell, Nicholson, Roberts; also Representative(s) Fischer, Exum Sr., Garcia, Ginal, Moreno, Ryden, Singer, Tyler, Vigil--Concerning civility and respect in the Colorado general assembly.

Laid over until Monday, January 14, retaining its place on the calendar.

Senate in recess.

Swearing in of SenatePresident Morse administered the oath of office to the employees of the Senate of the First Regular Session of the Sixty-ninth General Assembly wherein the employees swore to uphold the Constitutions of the United States and of Colorado and to faithfully perform their duties.

Senate reconvened.

MESSAGE FROM THE HOUSE

January 10, 2013

Mr. President:

The House has adopted and transmits herewith HJR13-1003, as printed in House Journal, January 10.

Pursuant to the resolution, the Speaker has appointed Representatives Kagan, chairman, Lee, and Lawrence.

The House has adopted and transmits herewith HJR13-1005, as printed in House Journal, January 10.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

HJR13-1003 by Representative(s) Hullinghorst, Ferrandino, Waller; also Senator(s) Carroll, Morse, Cadman--Concerning a Joint Session of the House of Representatives and the Senate for the purpose of hearing a message from the Chief Justice of the Supreme Court, and appointing a committee to escort the Chief Justice.

On motion of Majority Leader Carroll, the resolution was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The President appointed Senators Hudak and Lundberg to serve on the committee to escort the Chief Justice to the State of the Judiciary address.

HJR13-1005 by Representative(s) Hullinghorst, Ferrandino, Waller; also Senator(s) Carroll--Concerning the oversight responsibilities of committees of the house of representatives.

On motion of Majority Leader Carroll, the resolution was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

MESSAGE FROM THE HOUSE

January 10, 2013

Mr. President:

The House has adopted and returns herewith SJR13-002, SJR13-003.

On motion of Senator Carroll, the Senate adjourned until 10:00 a.m., Friday, January 11, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

3rd Legislative Day	Friday, January 11, 2013
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Prayer	By the chaplain, Rabbi Yossi Serebryanski
Call to Order	By the President at 10:00 a.m.
Pledge	By Senator Balmer.
Roll Call	Present--34 Excused--1, King.
Quorum	The President announced a quorum present.
Reading of Journal	On motion of Senator Kefalas, reading of the Journal of Thursday, January 10, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Printed: SJR13-002, 003 and 004; SR13-002.
Correctly Engrossed: SJR13-002 and 003; SR13-002.
Correctly Revised: HJR13-1003 and 1005.

On motion of Majority Leader Carroll, the Senate adjourned until 10:00 a.m., Monday, January 14, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

6th Legislative Day	Monday, January 14, 2013
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Prayer	By the chaplain, Father Eustace Sequeira, Regis University Jesuit Community, Denver.
Call to Order	By the President at 10:00 a.m.
Pledge	By Senator Baumgardner.
Roll Call	Present--33 Excused--2, Balmer, Cadman.
Quorum	The President announced a quorum present.
Reading of Journal	On motion of Senator Kerr, reading of the Journal of Friday, January 11, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Enrolled: SJR13-001, 002 and 003; SR13-001 and 002.

CONSIDERATION OF RESOLUTIONS

SJR13-004 by Senator(s) Kefalas, Aguilar, Heath, Hodge, Jones, Kerr, Steadman, Tochtrop, Todd, Giron, Hudak, Johnston, King, Morse, Newell, Nicholson, Roberts; also Representative(s) Fischer, Exum Sr., Garcia, Ginal, Moreno, Ryden, Singer, Tyler, Vigil--Concerning civility and respect in the Colorado general assembly.

Laid over until Tuesday, January 15, retaining its place on the calendar.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SJR13-001, 002 and 003; SR13-001 and 002.

On motion of Majority Leader Carroll, the Senate adjourned until 9:00 a.m., Tuesday, January 15, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

7th Legislative Day Tuesday, January 15, 2013

Prayer By the chaplain, Pastor Robert T. Schlipp, The Worship Center of Brighton.

Call to Order By the President at 9:00 a.m.

Pledge By Senator Cadman.

Roll Call Present--30
Excused--5, Baumgardner, Giron, Jahn, Jones, Schwartz.
Present later--5, Baumgardner, Giron, Jahn, Jones, Schwartz.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Kerr, reading of the Journal of Monday, January 14, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

INTRODUCTION OF BILLS -- FIRST READING

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

SB13-033 by Senator(s) Giron and Johnston, Aguilar, Guzman, Ulibarri, Steadman, Carroll, Heath, Hodge, Hudak, Morse, Nicholson, Schwartz, Todd; also Representative(s) Duran and Williams, Salazar, Moreno, Garcia, Vigil, Pabon, Buckner, Exum Sr., Fields, Foote, Kraft-Tharp, Lebsock, McCann, Melton, Peniston, Rosenthal, Ryden, Singer--Concerning in-state classification at institutions of higher education for students who complete high school in Colorado.
Education

CONSIDERATION OF RESOLUTIONS

SJR13-004 by Senator(s) Kefalas, Aguilar, Heath, Hodge, Jones, Kerr, Steadman, Tochtrop, Todd, Giron, Hudak, Johnston, King, Morse, Newell, Nicholson, Roberts; also Representative(s) Fischer, Exum Sr., Garcia, Ginal, Moreno, Ryden, Singer, Tyler, Vigil--Concerning civility and respect in the Colorado general assembly.

On motion of Senator Kefalas, the resolution was read at length and adopted by the following roll call vote:

YES	28	NO	7	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	Y	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	Y		

Co-sponsor(s) added: Carroll, Guzman, Jahn, Schwartz and Ulibarri.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HJR13-1001, 1002, 1003, 1005.

On motion of Majority Leader Carroll, the Senate adjourned until 9:00 a.m., Wednesday, January 16, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

8th Legislative Day

Wednesday, January 16, 2013

Prayer By Senator Newell.

Call to Order By the President at 9:00 a.m.

Pledge By Senator Baumgardner.

Roll Call Present--35

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Kerr, reading of the Journal of Tuesday, January 15, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

MESSAGE FROM THE HOUSE

January 15, 2013

Mr. President:

The House has adopted and returns herewith SJR13-004.

SENATE SERVICES REPORT

Correctly Printed: SB13-033.

Correctly Engrossed: SJR13-004.

INTRODUCTION OF BILLS -- FIRST READING

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

SB13-034 by Senator(s) Lundberg, Lambert, Brophy, Cadman, Grantham, Harvey, Renfroe, Scheffel;
--Concerning the requirement that a governmental body that receives a proposal on an
electronic device in response to its request for proposals return the electronic device to the
offeror after the contract award.
State, Veterans, & Military Affairs

State, Veterans, & Military Affairs

SB13-035 by Senator(s) Renfroe, Lundberg, Balmer, Baumgardner, Brophy, Crowder, Grantham, Harvey, Hill, Lambert, Marble, Scheffel; also Representative(s) Humphrey, Holbert, Everett, Buck, Nordberg, Joshi, McNulty--Concerning the elimination of the use of automated vehicle identification systems for traffic law enforcement.

State, Veterans, & Military Affairs

SB13-036	by Senator(s) Steadman; also Representative(s) Gerou--Concerning the repeal of the requirement that the general assembly annually pass a joint resolution to certify a general fund revenue estimate. Finance	1
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SB13-037	by Senator(s) Crowder; --Concerning the creation of an authority to finance the purchase of real property in the Pinon Canyon maneuver site from the federal government. State, Veterans, & Military Affairs	7
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SB13-038	by Senator(s) Balmer; --Concerning the confidentiality of certain communications among emergency responders. Judiciary	11
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SB13-039	by Senator(s) Aguilar; also Representative(s) McCann--Concerning the regulation of audiologists. Health & Human Services	16
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SB13-040	by Senator(s) Crowder; --Concerning the completion of the cemetery expansion project at the Homelake military veterans cemetery. State, Veterans, & Military Affairs	21
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SB13-041	by Senator(s) Hodge and Roberts; also Representative(s) Fischer and Sonnenberg--Concerning the protection of stored water, and, in connection therewith, preserving supplies for drought and long-term needs. Agriculture, Natural Resources, & Energy	26
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SB13-042	by Senator(s) Morse; also Representative(s) Waller--Concerning the renewal of distinguished foreign teaching physician licenses by a person ranked lower than an associate professor. Health & Human Services	32
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SB13-043	by Senator(s) Kerr; also Representative(s) Gardner--Concerning the prohibition against knowingly permitting removal of alcohol beverages from an establishment licensed to sell alcohol beverages for on-premises consumption. Judiciary	38
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SB13-044	by Senator(s) Nicholson; also Representative(s) Coram--Concerning incentive payments in prepaid inpatient health plan agreements. Health & Human Services	44
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SB13-045	by Senator(s) Hill; --Concerning the expansion of the sales tax exemption for food to include food that is not prepared for domestic home consumption. State, Veterans, & Military Affairs	49
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SB13-046	by Senator(s) Kefalas; also Representative(s) Primavera--Concerning the authorization of dialysis treatment clinics to provide outpatient hemodialysis treatment to patients with acute kidney failure. Health & Human Services	54
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SB13-047	by Senator(s) Newell; --Concerning protections for youth in foster care against identity theft. Health & Human Services	59
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SB13-048	by Senator(s) Todd, Jones, Cadman, Heath, Hudak, Kerr, Newell; also Representative(s) Tyler and Labuda, Fields, Melton, Peniston, Ryden, Salazar--Concerning the use of highway user tax fund moneys allocated to local governments for multimodal transportation infrastructure. Transportation	64
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SB13-049	by Senator(s) Lundberg, Brophy, Hill, Renfroe, Scheffel; --Concerning an exemption within a roundabout from the rule requiring a vehicle to signal an intention to leave the current lane of travel. Transportation	1 2 3 4 5 6
SB13-050	by Senator(s) Todd, Jones, Newell, Schwartz; also Representative(s) Coram, Fischer, Melton--Concerning the recycling resources economic opportunity fund, and, in connection therewith, incrementally increasing certain fees collected for the fund, extending repeal dates of laws associated with the fund, adding limitations to grants made to reduce waste tire stockpiles, making rebates paid from the fund discretionary, and removing obsolete provisions. Finance	7 8 9 10 11 12 13 14 15
SB13-051	by Senator(s) Baumgardner, Harvey; also Representative(s) McCann, Joshi--Concerning fire inspections for marijuana cultivation locations. Judiciary	16 17 18 19 20
SB13-052	by Senator(s) Scheffel, Cadman; also Representative(s) DelGrosso--Concerning real property construction defect actions, and, in connection therewith, enacting the "Transit-oriented Development Claims Act of 2013". Judiciary	21 22 23 24 25 26
SB13-053	by Senator(s) Kerr; also Representative(s) Hamner--Concerning establishing a procedure between the department of education and the department of higher education that allows for the transfer of available student data relevant to the transition from high school to the postsecondary system. Education	27 28 29 30 31 32 33
SB13-054	by Senator(s) Brophy; also Representative(s) Priola--Concerning the ability of an establishment licensed to sell alcohol beverages for on-premises consumption to serve an alcohol beverage to an adult under twenty-one years of age when the underage person's parent purchases the alcohol beverage for the underage person. State, Veterans, & Military Affairs	34 35 36 37 38 39 40
SB13-055	by Senator(s) Lambert, Lundberg, Baumgardner, Cadman, Grantham, Harvey, Hill, Marble, Renfroe, Scheffel; also Representative(s) Saine, Holbert, Everett, Nordberg, Buck, Humphrey, Joshi--Concerning methods to increase the actuarial soundness of the public employees' retirement association. State, Veterans, & Military Affairs	41 42 43 44 45 46 47
SB13-056	by Senator(s) Harvey, Brophy, Grantham, Lambert, Lundberg, Baumgardner, Cadman, Hill, Marble, Renfroe, Scheffel; also Representative(s) Saine, Holbert, Buck, Everett, Joshi, Stephens--Concerning the prenatal sex nondiscrimination act. Judiciary	48 49 50 51 52 53
SB13-057	by Senator(s) King; --Concerning the process for applying to operate a solid wastes disposal site and facility. State, Veterans, & Military Affairs	54 55 56 57 58
SB13-058	by Senator(s) Grantham; also Representative(s) Landgraf--Concerning the verification requirement for parking privileges for persons with a permanent disability. Transportation	59 60 61 62 63
SB13-059	by Senator(s) Cadman, Morse, Guzman, Hodge, Scheffel, Steadman, Ulibarri; --Concerning the ability of a peace officer to obtain an alcohol beverage license. Judiciary	64 65 66 67 68
SB13-060	by Senator(s) Scheffel; also Representative(s) McNulty--Concerning the creation of a civil air patrol license plate. Transportation	69 70 71 72

SB13-061	by Senator(s) Renfroe, Lundberg, Lambert, Harvey, Grantham, Brophy, Crowder, Hill, Marble; also Representative(s) Buck, Humphrey--Concerning motor vehicle emissions inspections. Transportation	1 2 3 4 5 6 7
SB13-062	by Senator(s) Lambert, Lundberg, Baumgardner, Brophy, Cadman, Grantham, Harvey, Hill, Marble, Renfroe, Scheffel; also Representative(s) Saine, Holbert, Everett, Nordberg, Buck, Humphrey, Joshi--Concerning establishing civil liability for certain businesses that prohibit the carrying of firearms on the business premises. Judiciary	8 9 10 11 12 13 14
SB13-063	by Senator(s) Grantham, Tochtrop; also Representative(s) Navarro--Concerning the renewable energy standard's definition of recycled energy. State, Veterans, & Military Affairs	15 16 17 18 19
SB13-064	by Senator(s) Brophy; also Representative(s) Sonnenberg and Szabo--Concerning daylight saving time as the standard year-round time within the state. State, Veterans, & Military Affairs	20 21 22 23 24
SB13-065	by Senator(s) Balmer; also Representative(s) Singer--Concerning the optional use of approval voting methods by local governments in nonpartisan elections. State, Veterans, & Military Affairs	25 26 27 28 29
SB13-066	by Senator(s) Hill; --Concerning compliance with section 50 of article V of the Colorado state constitution by prohibiting any entity that is involved with abortion services from receiving public funds. Judiciary	30 31 32 33 34 35
SB13-067	by Senator(s) Tochtrop; --Concerning the operation of vehicles off-road. Agriculture, Natural Resources, & Energy	36 37 38 39
SB13-068	by Senator(s) Baumgardner; --Concerning modification of the fee for late registration of a vehicle. Transportation	40 41 42 43 44
SB13-069	by Senator(s) Marble, Harvey, Lundberg, Lambert, Balmer, Baumgardner, Brophy, Cadman, Crowder, Grantham, Hill, Renfroe, Scheffel; also Representative(s) Holbert, Buck, Nordberg, Swalm, Priola, Everett, DelGrosso, Joshi, Wright--Concerning the creation of income tax credits for nonpublic education. Education	45 46 47 48 49 50 51

CHANGE IN SPONSORSHIP

Upon announcement of President Morse, Senators Cadman and Morse will be the Senate joint prime sponsors on SB13-023.

TRIBUTES

Honoring:

- Greg Smith, For his recent appointment with PERA -- By President John P. Morse.
- Carma Brown, Founding Challenger Baseball -- By Senator Steve King.
- Justin Marshall, Commending incredible bravery and courage -- By Senators Bill Cadman, John P. Morse, Kevin Grantham, Kent Lambert, and Keith King.
- Sergey Krasnopeyev, In recognition of his visit to the Colorado State Capitol with the Rotary International - Open World Program -- By Senator Mark Scheffel.
- Graham M. Witherspoon Jr., For service to our country in the United States Navy from

1942-1959 -- By Senator Nancy Spence.	1
John D. Groe, Achieved Eagle Scout -- By Senator Kent Lambert.	2
Joel Frederich Meyer, Achieved Eagle Scout -- By Senator Evie Hudak.	3
Christopher Kimball Spence, National Democratic Institute for International Affairs -- By Senator Nancy Spence.	4
Colorado River District 75th anniversary -- By Senator Steve King.	5
Jeremy Rice, For protecting fellow classmates and other members of the community -- By Senator Keith King.	6
Jansen Penny, Achieved Eagle Scout -- By Senator Ted Harvey.	7
Commending Kirk Banghart and Kathryn Brady, Moffat School District No. 2 -- By Senator Gail Schwartz.	8
Opening of the Monte Vista High School building -- By Senator Gail Schwartz.	9
Colorado Water 2012 and the Rio Grande Reservoir 100th anniversary -- By Senator Gail Schwartz.	10
Ben Kirkpatrick, Achieved Eagle Scout -- By Senator Bill Cadman.	11
Derek K. Meyer, Achieved Eagle Scout -- By Senator Keith King.	12
Kelly James McGee, Achieved Eagle Scout -- By Senator Bill Cadman.	13
Opening of the Cedaredge Elementary School building -- By Senator Gail Schwartz.	14
Opening of the Salida High School building -- By Senator Gail Schwartz.	15
Matthew Michael Eldridge, Achieved Eagle Scouts -- By Senator Evie Hudak	16
Eloise May, Service to the Arapahoe Library District -- By Senator Linda Newell.	17
Gerald W. Tripp, Exemplary service to the Cherry Creek School District -- By Senator Nancy Spence.	18
Opening of the Center Consolidated School District building -- By Senator Gail Schwartz.	19
Christian Richardson, Achieved Eagle Scout -- By Senator Steve King.	20
Eric Palmer, Achieved Eagle Scout -- By Senator Jean White.	21
Larry Smeester, For outstanding achievement with Volunteers of America -- By Senator Morgan Carroll.	22
Captain Ryan Anderson, For excellence and achievement with the Air Force Academy -- By President John P. Morse and Senator Morgan Carroll.	23
Ron Angstead, For his heroic efforts to protect his neighborhood -- By President Brandon C. Shaffer.	24
Aspen Center for Physics, 50th Anniversary -- By Senator Gail Schwartz.	25
The Affiliates of Habitat for Humanity of Eagle County, For exemplary service and leadership -- By Senator Jean White.	26
The Affiliates of the Boys and Girls Club of Fremont County, For the expansion and success as of its first anniversary -- By Senator Kevin Grantham.	27
Lance Gilbert, Colorado FFA officer -- By Senator Scott Renfroe.	28
Chance Kanode, Colorado FFA officer -- By Senator Scott Renfroe.	29
Brooke Miller, Colorado FFA officer -- By Senator Scott Renfroe.	30
Mitch Stahley, Colorado FFA officer -- By Senator Scott Renfroe.	31
Kristen Schmidt, Colorado FFA officer -- By Senator Scott Renfroe.	32
Lois Lindstrom, For preservation of Arvada history -- By Senator Evie Hudak.	33
Macy Schocke, Megan Schneider Community Service Award -- By Senator Greg Brophy.	34
Jacob Solseth, Achieved Eagle Scout -- By Senator Ellen Roberts.	35
Brody Babcock, Achieved Eagle Scout -- By Senator Jean White.	36
Garrett Spears, Achieved Eagle Scout -- By Senator Jean White.	37
Eric Erickson, Achieved Eagle Scout -- By Senator Steve King.	38
Karl Kolb, Achieved Eagle Scout -- By Senator Steve King.	39
Michal Cookson, Achieved Eagle Scout -- By Senator Steve King.	40
James Stagg, Achieved Eagle Scout -- By Senator Steve King.	41
Grant Stagg, Achieved Eagle Scout -- By Senator Steve King.	42
Nicole Karas, Megan Schneider Community Service Award -- By Senator Greg Brophy.	43
Darren Stewart, For sacrifice and courageous actions during the Heartstrong Fire -- By Senator Greg Brophy.	44
Jennifer Struckmeyer, For sacrifice and courageous actions during the Heartstrong Fire -- By Senator Greg Brophy.	45
Damon Struckmeyer, For sacrifice and courageous actions during the Heartstrong Fire -- By Senator Greg Brophy.	46
Courtney Mills, Invaluable leadership and sportsmanship -- By Senator Kevin Lundberg.	47
Deanna Thirkell, Colorado College tennis team and Academic All-American -- By Senator Keith King.	48
Jordan DeGayner, For achievements at the NCAA Division III Swimming and Diving Championships and recognition as an Academic All-American-- By Senator Keith King.	49
Dalton Boatright, Mountain West Hal Rothman Sportsmanship Award -- By Senator Keith King.	50
Tamila and Aleksander Solodunov, For being outstanding foster grandparents and leaders for at-risk youth -- By Senator Linda Newell.	51
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Luz Sherman, For being an outstanding foster grandparent and leader for at-risk youth
-- By Senator Linda Newell.
Lois Whitehouse, For working with Colorado's youth -- By Senator Linda Newell.
Stephen Jay Goldman, For continued success and achievement -- By Senator Joyce Foster.
Christian Ndushabandi, Colorado Youth Corps Association Corpsmember of the Year
-- By President John P. Morse.
Joe Edwards, Aspen Hall of Fame -- By Senator Gail Schwartz.
Pat Fallin, Aspen Hall of Fame -- By Senator Gail Schwartz.
Hulstrom Options K-8 School, For receiving an "A" grade from Colorado School
Grades -- By Senator Lois Tochtrop.
Michael Kinsley, Aspen Hall of Fame -- By Senator Gail Schwartz.
New Emerson School at Columbus, For receiving an "A" grade from Colorado School
Grades -- By Senator Steve King.
Redlands Middle School, For receiving an "A" grade from Colorado School Grades --
By Senator Steve King.
Scenic Elementary School, For receiving an "A" grade from Colorado School Grades --
By Senator Steve King.
Stargate Charter School, For receiving an "A" grade from Colorado School Grades --
By Senator Lois Tochtrop.

On motion of Majority Leader Carroll, the Senate adjourned until 9:00 a.m., Thursday,
January 17, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

9th Legislative Day Thursday, January 17, 2013

Prayer By the chaplain, Dr. Gene Selander, Crystal Clear Ministries, Denver.

Call to Order By the President at 9:00 a.m.

Pledge By Senator Baumgardner.

Roll Call Present--33
Excused--2, Giron, Lundberg.
Present later--1, Giron.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Kerr, reading of the Journal of Wednesday, January 16, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Judiciary After consideration on the merits, the Committee recommends that SB13-007 be referred to the Committee on Appropriations with favorable recommendation.

State, Veterans, & Military Affairs After consideration on the merits, the Committee recommends that SB13-020 be postponed indefinitely.

SENATE SERVICES REPORT

Correctly Printed: SB13-034, 035, 036, 037, 038, 039, 040, 041, 042, 043, 044, 045, 046, 047, 048, 049, 050, 051, 052, 053, 054, 055, 056, 057, 058, 059, 060, 061, 062, 063, 064, 065, 066, 067, 068 and 069.

On motion of Majority Leader Carroll, the Senate adjourned until 9:00 a.m., Friday, January 18, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

9th Legislative Day Friday, January 18, 2013

Prayer	By the chaplain, Rabbi Yossi Serebryanski, Chabad of South Denver.	
Call to Order	By the President at 9:00 a.m.	
Pledge	By Senator Baumgardner.	
Roll Call	Present--34 Absent--1, Scheffel. Present later--1, Scheffel.	
Quorum	The President announced a quorum present.	
Reading of Journal	On motion of Senator Kerr, reading of the Journal of Thursday, January 17, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.	

MESSAGE FROM THE HOUSE

January 17, 2013
Mr. President:
The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1057.

MESSAGE FROM THE REVISOR OF STATUTES

January 17, 2013
We herewith transmit:
Without comment, HB13-1057.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title and referred to the committee indicated:
SJR13-005 by Senator(s) Roberts and Hodge, Baumgardner, Giron, Schwartz; also Representative(s) Sonnenberg, Fischer, Wilson--Concerning the adverse effects that the diversion of revenues has had on water infrastructure in Colorado.
Agriculture, Natural Resources, & Energy

INTRODUCTION OF BILLS -- FIRST READING

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

HB13-1057 by Representative(s) Mitsch Bush, Pabon; also Senator(s) Nicholson--Concerning the retention of the avalanche information center within the department of natural resources. Agriculture, Natural Resources, & Energy

MESSAGE FROM THE GOVERNOR

Appointment Letters of designation and appointment from Governor John Hickenlooper were read and assigned to committees as follows:

May 30, 2012

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

Ladies and Gentlemen:

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

MEMBER OF THE
TRANSPORTATION COMMISSION

for a term expiring July 1, 2015:

Steven Leon Hofmeister of Haxtun, Colorado to serve as a commissioner from the eleventh district, and occasioned by the resignation of Kimbra L. Killin of Holyoke, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 6/22/2012
Cindi L. Markwell, Secretary of the Senate

Committee on Transportation

June 6, 2012

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

Ladies and Gentlemen:

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

MEMBERS OF THE
BOARD OF TRUSTEES FOR COLORADO MESA UNIVERSITY

for a term expiring December 31, 2015:

Betty Cox Bechtel of Grand Junction, Colorado, a Democrat,
appointed;

for a term expiring December 31, 2016:

Bror Douglas Quimby of Colorado Springs, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 6/22/2012
Cindi L. Markwell, Secretary of the Senate

Committee on Education

June 7, 2012

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

Ladies and Gentlemen:

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

MEMBER OF THE
STATE BOARD OF PAROLE

effective July 1, 2012 for a term expiring July 1, 2014:

Alfredo Enrique Pena of Denver, Colorado, to serve as a citizen representative and
occasioned by the resignation of Edward P. Thomas of Denver, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 6/22/2012
Cindi L. Markwell, Secretary of the Senate

Committee on Judiciary

June 22, 2012

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

Ladies and Gentlemen:

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

MEMBERS OF THE
WATER QUALITY CONTROL COMMISSION

for terms expiring February 15, 2015:

John L. Klomp of Pueblo, Colorado, reappointed;
Mary Beth Fabisiak of Lakewood, Colorado, appointed;
Jon Slutsky of Wellington, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 7/9/2012
Cindi L. Markwell, Secretary of the Senate

Committee on Agriculture, Natural Resources, and Energy

June 29, 2012

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

Ladies and Gentlemen:

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

MEMBERS OF THE
PARKS AND WILDLIFE COMMISSION

for terms expiring July 1, 2013:

Jeanne Horne of Meeker, Colorado, as a representative of sports persons and outfitters and west of the Continental Divide, appointed;
James C. Pribyl of Boulder, Colorado, as a member at large, appointed;

for terms expiring July 1, 2014:

John Singletary of Pueblo, Colorado, as a representative of sports persons, appointed;
Kenneth "Mark" Smith of Center, Colorado, as a member at large, appointed;
Hon. Robert "Dean" Wingfield of Vernon, Colorado, as a representative of agriculture, appointed;

for terms expiring July 1, 2015:

Christopher James Castilian of Denver, Colorado, as a representative of outdoor recreation and utilizes parks resources, appointed;
William G. Kane of Basalt, Colorado, as a representative of outdoor recreation and utilizes parks resources appointed;
Gaspar Perricone of Denver, Colorado, as a representative of sports persons, appointed;

for a term expiring July 1, 2016:

Robert William Bray of Redvale, Colorado, as a representative of agriculture and west of the Continental Divide, appointed;
Michelle Zimmerman of Breckenridge, Colorado, as a representative of a non-profit organization that promotes conservation and recognizes non-consumptive wildlife use, and west of the Continental Divide, appointed;
Hon. James Vigil of Trinidad, Colorado, as a representative of agriculture, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 7/9/2012
Cindi L. Markwell, Secretary of the Senate

Committee on Agriculture, Natural Resources, and Energy

June 7, 2012

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

Ladies and Gentlemen:

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

MEMBER OF THE
STATE BOARD OF PAROLE

for a term expiring July 1, 2015:

John M. O'Dell of Loveland, Colorado, to serve as a law enforcement representative, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 7/9/2012
Cindi L. Markwell, Secretary of the Senate

Committee on Judiciary

July 18, 2012

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

Ladies and Gentlemen:

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

MEMBER OF THE
OIL AND GAS CONSERVATION COMMISSION
OF THE STATE OF COLORADO

for a term expiring July 1, 2016:

Dr. DeAnn "Dolly" Craig of Denver, Colorado, to serve as a member with substantial experience in the oil and gas industry and with a college degree in petroleum geology or petroleum engineering, and as a Republican, reappointed.

Sincerely,
(signed)
Joseph A. Garcia
Lt. Governor, acting on behalf of the State
while Governor John W. Hickenlooper
is absent from the State.
Rec'd: 7/31/2012
Cindi L. Markwell, Secretary of the Senate

Committee on Agriculture, Natural Resources, and Energy

July 30, 2012

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

Ladies and Gentlemen:

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

MEMBERS OF THE
COLORADO COMMISSION ON HIGHER EDUCATION

for terms expiring July 1, 2016:

Barbara J. "BJ" Scott of Colorado Springs, Colorado, a resident of the 5th Congressional District and a Republican, reappointed;

Richard C. Kaufman of Centennial, Colorado, a resident of the 6th Congressional District and a Democrat, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 7/31/2012
Cindi L. Markwell, Secretary of the Senate

Committee on Education

August 15, 2012

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

Ladies and Gentlemen:

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

MEMBER OF THE
COLORADO LIMITED GAMING CONTROL COMMISSION

for a term expiring July 1, 2013:

Sheriff Douglas N. Darr of Thornton, Colorado, to fill the vacancy occasioned by the removal of Chief Philip J. Baca of Commerce City, Colorado, to serve as a member from the Seventh Congressional District, and a representative of law enforcement and as a Democrat, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 9/11/2012
Cindi L. Markwell, Secretary of the Senate

Committee on Finance

August 21, 2012

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

Ladies and Gentlemen:

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

MEMBERS OF THE
WATER QUALITY CONTROL COMMISSION

for a term expiring February 15, 2015:

Mark Thomas Pifher of Colorado Springs, Colorado, and occasioned by the resignation of John L. Klomp of Pueblo, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 9/11/2012
Cindi L. Markwell, Secretary of the Senate

Committee on Agriculture, Natural Resources, and Energy

August 22, 2012

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

Ladies and Gentlemen:

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

MEMBER OF THE
COLORADO TOURISM OFFICE BOARD OF DIRECTORS

for a term expiring June 1, 2014:

Robert Stinchcomb of Lafayette, Colorado, to serve as an at large member from tourism-based industries, appointed;

for terms expiring June 1, 2016:

Troy Allan Rarick of Fruita, Colorado, to serve as a representative of tourism-related retail industry, small community, and small business, reappointed;

Christian M. Knapp of Basalt, Colorado, to serve as a representative of the ski industry, reappointed;

Steven Craig Kaverman of Canon City, Colorado, to serve as a representative of private travel attractions and casinos, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 9/11/2012
Cindi L. Markwell, Secretary of the Senate

Committee on Agriculture, Natural Resources, and Energy

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August 28, 2012

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

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Ladies and Gentlemen:

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

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MEMBERS OF THE
GROUND WATER COMMISSION

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for terms expiring May 1, 2016:

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Steven Dale Kramer of Bethune, Colorado, a resident agriculturist from the Northern High Plains Basin, appointed;

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Larry William Clever of Grand Junction, Colorado, a representative of municipal or industrial water users of the state, and who resides west of the continental divide, reappointed.

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Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 9/11/2012
Cindi L. Markwell, Secretary of the Senate

Committee on Agriculture, Natural Resources, and Energy

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October 15, 2012

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

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Ladies and Gentlemen:

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

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MEMBER OF THE
COLORADO LIMITED GAMING CONTROL COMMISSION

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for a term expiring July 1, 2015:

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William Arthur Hughes of Centennial, Colorado, to serve as a member from the Sixth Congressional District and to serve as a representative for CPAs, corporate finance and

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as a Republican and occasioned by the resignation of Robert M. Webb of Golden,
Colorado, appointed;

for a term expiring July 1, 2016:

Charles J. Murphy of Colorado Springs, Colorado, representing registered electors, and
as a Democrat, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 11/15/2012
Cindi L. Markwell, Secretary of the Senate

Committee on Finance

November 2, 2012

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

Ladies and Gentlemen:

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

MEMBER OF THE
PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

effective January 7, 2013 for a term expiring the Monday preceding the second Tuesday
in January, 2017:

James K. Tarpey of Englewood, Colorado, a Republican, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 11/15/2012
Cindi L. Markwell, Secretary of the Senate

Committee on Business, Labor, and Technology

November 6, 2012

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

Ladies and Gentlemen:

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

MEMBER OF THE
PUBLIC EMPLOYEES' RETIREMENT BENEFIT PLANS

for a term expiring July 10, 2016:

Ben Valore-Caplan of Denver, Colorado, to serve as a representative with experience and competence in investment, management, finance, banking, economics, accounting, pension administration, or actuarial analysis, and as an Republican, and occasioned by the resignation of Charles John Farrell of Golden, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 11/15/2012
Cindi L. Markwell, Secretary of the Senate

Committee on Finance

November 7, 2012

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

Ladies and Gentlemen:

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

MEMBER OF THE
STATE BOARD OF HUMAN SERVICES

for a term expiring March 1, 2013:

Jerene Carol Petersen of Denver, Colorado, a member of the public, and occasioned by the resignation of Regina D. Richards of Aurora, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 11/15/2012
Cindi L. Markwell, Secretary of the Senate

Committee on Health and Human Services

November 15, 2012

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

Ladies and Gentlemen:

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

MEMBERS OF THE
COLORADO RACING COMMISSION

for terms expiring July 1, 2016:

Cynthia Jane Day of Grand Junction, Colorado, a Democrat from the Third Congressional District, who has been previously engaged in the racing industry for at least five years, appointed;

Mary Sharon Wells of Golden, Colorado, a Democrat from the Seventh Congressional District, who is a registered elector of the state, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 11/26/2012
Cindi L. Markwell, Secretary of the Senate

Committee on Finance

November 15, 2012

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

Ladies and Gentlemen:

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

MEMBERS OF THE
COLORADO SCHOOL OF MINES, BOARD OF TRUSTEES

effective January 1, 2013 for terms expiring December 31, 2016:

Frances M. Vallejo of Houston, Texas, a Republican who is a graduate of the Colorado School of Mines, reappointed;

Timothy John Haddon of Denver, Colorado, an Unaffiliated who is a graduate of the Colorado School of Mines, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 11/26/2012
Cindi L. Markwell, Secretary of the Senate

Committee on Education

November 20, 2012

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

Ladies and Gentlemen:

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

MEMBER OF THE
JUVENILE PAROLE BOARD

for a term expiring at the pleasure of the Governor:

Margaret "Meg" H. Williams of Golden, Colorado, to serve as a representative of the Colorado Department of Public Safety and to fill the vacancy occasioned by the resignation Jan D. Simkins of Littleton, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 11/30/2012
Cindi L. Markwell, Secretary of the Senate

Committee on Judiciary

November 28, 2012

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

Ladies and Gentlemen:

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

MEMBER OF THE
COLORADO TOURISM OFFICE BOARD OF DIRECTORS

for a term expiring June 1, 2016:

Daniel R. Grunig of Denver, Colorado, to serve as a representative of tourism-related retail industry, small community, and small business, and occasioned by the resignation of Troy Allan Rarick of Fruita, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 11/30/2012
Cindi L. Markwell, Secretary of the Senate

Committee on Agriculture, Natural Resources, and Energy

December 5, 2012

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

Ladies and Gentlemen:

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

MEMBERS OF THE
BOARD OF GOVERNORS OF THE
COLORADO STATE UNIVERSITY SYSTEM

for a term expiring December 31, 2014:

Mark Allan Gustafson of Windsor, Colorado, to serve as a member who has substantial experience in the production of agriculture, and to serve as a Republican, and occasioned by the death of Russell Neil Johnson of Sterling, Colorado, appointed;

for terms expiring December 31, 2015:

Demetri E. "Rico" Munn of Denver, Colorado, to serve as a Democrat, and occasioned by the resignation of Donald M. Elliman, Jr. of Greenwood Village, Colorado, appointed;

William E. Mosher of Denver, Colorado, to serve as a Democrat, and occasioned by the resignation of Penfield W. Tate of Denver, Colorado, appointed;

effective December 31, 2012 for terms expiring December 31, 2016:

Joseph C. Zimlich of Fort Collins, Colorado, a Larimer County resident and a Democrat, reappointed;

Dorothy Ann Horrell of Wheat Ridge, Colorado, to serve as a member from southern Colorado, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/18/2012
Cindi L. Markwell, Secretary of the Senate

Committee on Education

December 6, 2012

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

Ladies and Gentlemen:

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

MEMBERS OF THE
BOARD OF TRUSTEES FOR FORT LEWIS COLLEGE

effective December 31, 2012 for terms expiring December 31, 2016:

Ernest Domingo House of Aurora, Colorado, to serve as an Unaffiliated, appointed;

Thomas R. Schilling of Denver, Colorado, to serve as a Democrat, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/11/2012
Cindi L. Markwell, Secretary of the Senate

Committee on Education

December 6, 2012

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

Ladies and Gentlemen:

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

MEMBERS OF THE
BOARD OF TRUSTEES OF METROPOLITAN
STATE UNIVERSITY OF DENVER

effective January 1, 2013 for terms expiring December 31, 2016:

William H. Hanzlik of Greenwood Village, Colorado, a Republican, reappointed;

John Paul Pogge of Greenwood Village, Colorado, an Unaffiliated, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/11/2012
Cindi L. Markwell, Secretary of the Senate

Committee on Education

December 7, 2012

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

Ladies and Gentlemen:

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

MEMBERS OF THE
BOARD OF TRUSTEES FOR ADAMS STATE UNIVERSITY

effective December 31, 2012 for terms expiring December 31, 2016:

Mary K. Griffin of Boulder, Colorado, a Democrat, reappointed;

Paul Farley of Centennial, Colorado, a Republican, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/18/2012
Cindi L. Markwell, Secretary of the Senate

Committee on Education

December 7, 2012

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

Ladies and Gentlemen:

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

MEMBERS OF THE
BOARD OF TRUSTEES FOR COLORADO MESA UNIVERSITY

effective December 31, 2012 for terms expiring December 31, 2016:

Douglas M. Price of Denver, Colorado, a Democrat, reappointed;

Margot T. Pinto of Englewood, Colorado, a Democrat, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/18/2012
Cindi L. Markwell, Secretary of the Senate

Committee on Education

December 18, 2012

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

Ladies and Gentlemen:

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

MEMBERS OF THE
BOARD OF TRUSTEES FOR
WESTERN STATE COLORADO UNIVERSITY

for terms expiring December 31, 2016:

Meyer M. Saltzman of Denver, Colorado, a Republican, reappointed;

Nancy Ellen Chisholm of Lakewood, Colorado, a Republican, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/18/2012
Cindi L. Markwell, Secretary of the Senate

Committee on Education

January 11, 2013

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

Ladies and Gentlemen:

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

MEMBER OF THE
BOARD OF TRUSTEES FOR THE
UNIVERSITY OF NORTHERN COLORADO

for a term expiring December 31, 2016:

Anthony Darren Salazar of Denver, Colorado to serve as an Unaffiliated, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 1/15/2013
Cindi L. Markwell, Secretary of the Senate

Committee on Education

January 11, 2013

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

Ladies and Gentlemen:

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

MEMBERS OF THE
STATE BOARD FOR COMMUNITY COLLEGES
AND OCCUPATIONAL EDUCATION

for a term expiring December 31, 2013:

Jean K. White of Hayden, Colorado, a Republican and a resident of the 3rd Congressional District and occasioned by the resignation of Ruth Ann Woods of South Fork, Colorado, an Unaffiliated and a resident of the 3rd Congressional District, appointed;

for terms expiring December 31, 2016:

Maury C. Dobbie of Fort Collins, Colorado, a Republican and a resident of the 2nd Congressional District, reappointed;

Russell Joseph Meyer of Parker, Colorado, a Democrat and a resident of the 4th Congressional District, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 1/15/2013
Cindi L. Markwell, Secretary of the Senate

Committee on Education

On motion of Majority Leader Carroll, the Senate adjourned until 10:00 a.m., Tuesday, January 22, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

13th Legislative Day	Monday, January 21, 2013
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SENATE DID NOT CONVENE ON THIS DAY

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SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

14th Legislative DayTuesday, January 22, 2013

- Prayer
- By the chaplain, Father Teri Harroun, Light of Christ Ecumenical Catholic Communion, Longmont.
- Call to Order
- By the President at 10:00 a.m.
- Pledge
- By Senator Jones.
- Roll Call
- Present--33.
Excused--2, Heath, Marble.
- Quorum
- The President announced a quorum present.
- Reading of Journal
- On motion of Senator Todd, reading of the Journal of Friday, January 18, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Printed: SJR13-005.
Correctly Enrolled: SJR13-004.

INTRODUCTION OF BILLS -- FIRST READING

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

- SB13-070

by Senator(s) Schwartz, Jones; also Representative(s) Scott and Tyler, Fischer, Hamner, Young--Concerning the purchase of vehicles that operate on alternative fuels for the state motor vehicle fleet system.
Transportation
- SB13-071

by Senator(s) Hudak; also Representative(s) Fields--Concerning uniquely identifying student numbers for persons enrolled in adult education programs.
Education
- SB13-072

by Senator(s) Hodge, Baumgardner, Brophy, Giron, Roberts, Schwartz; also Representative(s) Sonnenberg, Fischer, Wilson--Concerning the deletion of the requirement for a final permit for all wells withdrawing designated ground water from the Denver basin aquifers.
Agriculture, Natural Resources, & Energy
- SB13-073

by Senator(s) Brophy, Baumgardner, Roberts; also Representative(s) Sonnenberg--Concerning a requirement that the division of administration of the department of public health and environment follow rule-making procedures when proposing changes to general permits related to water quality control.
State, Veterans, & Military Affairs

SB13-074	by Senator(s) Hodge, Baumgardner, Brophy, Giron, Roberts; also Representative(s)	1
	Sonnenberg, Fischer, Swerdfeger, Wilson--Concerning the resolution of ambiguities in old	2
	water right decrees regarding the place of use of irrigation water.	3
	Agriculture, Natural Resources, & Energy	4
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SB13-075	by Senator(s) Brophy, Baumgardner, Giron, Hodge, Roberts; also Representative(s)	6
	Sonnenberg, Fischer, Wilson--Concerning safeguards to prevent the modification of a final	7
	designated ground water permit based on reductions in the use of designated ground water.	8
	Agriculture, Natural Resources, & Energy	9
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SB13-076	by Senator(s) Roberts, Brophy, Morse, Schwartz; also Representative(s) Gardner B.,	11
	Labuda, Murray, Waller--Concerning the elimination of fees related to archived material	12
	for the legislative branch of the state.	13
	State, Veterans, & Military Affairs	14
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SB13-077	by Senator(s) Roberts; --Concerning certain provisions of the Colorado probate code.	16
	Judiciary	17
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SB13-078	by Senator(s) Giron, Brophy, Hodge, Roberts, Schwartz; also Representative(s)	21
	Sonnenberg, Baumgardner, Fischer, Swerdfeger, Wilson--Concerning points of diversion	22
	that are not located at the physical location specified in the decrees for diverted water	23
	rights.	24
	Agriculture, Natural Resources, & Energy	25
SB13-079	by Senator(s) Morse, Carroll, Roberts, Schwartz; also Representative(s) Gardner, Labuda,	26
	Levy, Murray, Waller--Concerning implementation of recommendations of the committee	27
	on legal services in connection with legislative review of rules and regulations of state	28
	agencies.	29
	Legal Services	30

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SJR13-004.

MESSAGE FROM THE GOVERNOR

Appointment	Letters of designation and appointment from Governor John Hickenlooper were read	31
	and assigned to committees as follows:	32
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	October 5, 2012	36
	To the Honorable	37
	Colorado Senate	38
	Colorado General Assembly	39
	State Capitol Building	40
	Denver, CO 80203	41
	Ladies and Gentlemen:	42
	Pursuant to the powers conferred upon me by the Constitution and Laws of the State of	43
	Colorado, I have the honor to designate, appoint, reappoint and submit to your	44
	consideration, the following:	45
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Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 11/15/2012
Cindi L. Markwell, Secretary of the Senate

Committee on Finance

December 20, 2012

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

Ladies and Gentlemen:

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

BOARD OF PINNACOL ASSURANCE

for a term expiring January 1, 2017:

Howard L. Carver of Silverthorne, Colorado, who has experience in the management and operation of insurance companies, not competing with Pinnacol Assurance, and occasioned by the resignation of Marcia Ann Benshoof of Highlands Ranch, Colorado, appointed;

effective January 1, 2013 for terms expiring January 1, 2018:

Joseph A. Hoff of Greeley, Colorado, a farmer or employer whose liability is insured by Pinnacol, appointed;

Harold R. Logan, Jr. of Denver, Colorado, who has experience in finance or investments, but is not an employer whose liability is insured by Pinnacol Assurance, reappointed;

Joshua Lucas McFarland of Denver, Colorado, an employee of an employer whose liability is insured by Pinnacol, appointed;

Patricia Louise Peterson of Monument, Colorado, an employee of an employer whose liability is insured by Pinnacol, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/28/2012
Cindi L. Markwell, Secretary of the Senate

Committee on Judiciary

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS

FinanceAfter consideration on the merits, the Committee recommends that SB13-036 be referred to the Committee of the Whole with favorable recommendation.

INTRODUCTION OF RESOLUTIONS

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

SJR13-006by Senator(s) Todd, Baumgardner, Brophy, Crowder, Grantham, Hodge, Hudak, Jahn, Johnston, Kerr, King, Newell, Renfroe, Roberts, Scheffel, Schwartz, Ulibarri; also Representative(s) Sonnenberg, May, Ryden, Williams--Concerning the designation of January 28, 2013, as "Colorado 4-H Day".

Laid over until Monday, January 28, retaining its place on the calendar.

SJR13-007by Senator(s) Todd, Carroll, Kerr; also Representative(s) DelGrosso and Kraft-Tharp-- Concerning recognition of community mental health centers, managed service organizations, and behavioral health organizations in Colorado.

Laid over until Thursday, January 24, retaining its place on the calendar.

On motion of Majority Leader Carroll, the Senate adjourned until 9:00 a.m., Wednesday, January 23, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

15th Legislative DayWednesday, January 23, 2013

Prayer By the chaplain, Pastor Vern Rempel, First Mennonite Church, Denver.

Call to Order By the President at 9:00 a.m.

Pledge By Senator Jones.

Roll Call Present--34
Excused--1, Hodge.
Present later--1, Hodge.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Todd, reading of the Journal of Tuesday, January 22, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Printed: SB13-070, 071, 072, 073, 074, 075, 076, 077, 078 and 079; SJR13-006 and 007.

On motion of Majority Leader Carroll, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, SB13-036 was made Special Orders at 9:10 a.m.

Committee of the Whole The hour of 9:10 a.m. having arrived, Senator Guzman moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders -- Second Reading of Bills and, Senator Guzman 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:

SB13-036 by Senator(s) Steadman; also Representative(s) Gerou--Concerning the repeal of the requirement that the general assembly annually pass a joint resolution to certify a general fund revenue estimate.

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	E	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB13-036.

COMMITTEE OF REFERENCE REPORTS

Local Government

After consideration on the merits, the Committee recommends that **SB13-004** be **amended** as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 2, strike lines 1 through 3 and substitute:

"**SECTION 1.** In Colorado Revised Statutes, 42-2-304, **amend** (1.7) (a) (II); and **add** (1.8) as follows:
42-2-304. Validity of identification card - rules. (1.7) (a) If allowed under federal law, the department shall allow renewal of an identification card issued under section 42-2-302 by mail subject to the following requirements:
(II) Renewal by mail ~~shall~~ is only ~~be~~ available every other renewal period; EXCEPT THAT RENEWAL BY MAIL IS AVAILABLE EVERY RENEWAL PERIOD IF THE APPLICANT IS SIXTY-FIVE YEARS OF AGE OR OLDER.
(1.8) (a) THE".

Senate in recess.Senate reconvened.

MESSAGE FROM THE HOUSE

January 23, 2013

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1026, 1029, 1070.

MESSAGE FROM THE REVISOR OF STATUTES

January 23, 2013

We herewith transmit:

Without comment, HB13-1026, 1029, and 1070.

On motion of Majority Leader Carroll, the Senate adjourned until 9:00 a.m., Thursday, January 24, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

16th Legislative Day Thursday, January 24, 2013

Prayer By the chaplain, Reverend Paul Kottke, University Park United Methodist Church, Denver.

Call to Order By the President at 9:00 a.m.

Pledge By Senator Jones.

Roll Call Present--35

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Todd, reading of the Journal of Wednesday, January 25, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Judiciary After consideration on the merits, the Committee recommends that SB13-011 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 15, line 15, strike "THIRTY" and substitute "THIRTY-FIVE".

Page 15, line 16, strike "THIRTY" and substitute "THIRTY-FIVE".

Page 15, line 26, strike "SIXTY" and substitute "SIXTY-THREE".

Business, Labor, & Technology After consideration on the merits, the Committee recommends that SB13-025 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 3 insert:

"(f) THE COLORADO WILDFIRES OF 2012 DEMONSTRATE THE LOSS OF LIFE AND PROPERTY DAMAGE ASSOCIATED WITH NATURAL DISASTERS. RESPONDING TO NATURAL DISASTERS REQUIRES A COORDINATED RESPONSE BY, AND THE SIGNIFICANT CONTRIBUTION OF STAFFING AND RESOURCES FROM, FIRE DEPARTMENTS ALL AROUND THE STATE. THE DEPARTMENTS ARE REQUIRED TO WORK CLOSELY WITH ONE ANOTHER DURING THESE TIMES, WHICH DEMONSTRATES THE STATEWIDE NATURE OF FIRE PROTECTION AND NATURAL DISASTER RESPONSE. MOST DEPARTMENTS HAVE AUTOMATIC MUTUAL AID AGREEMENTS WITH ADJACENT DEPARTMENTS THAT BLUR JURISDICTIONAL LINES EVEN FURTHER. THE ABILITY TO COORDINATE AND COOPERATE IS CRITICAL TO EFFECTIVE FIRE PROTECTION AND DISASTER RESPONSE IN THE STATE."

Reletter succeeding paragraphs accordingly.

Page 10, line 3, strike "31." and substitute "31, UNLESS A DIFFERENT BEGINNING DATE IS AGREED TO BY THE PARTIES, RECOMMENDED BY THE

ADVISORY FACT FINDER, AND ACCEPTED BY THE PARTIES; OR SET AS A
RESULT OF A SPECIAL ELECTION."

Page 11, line 1, strike "EXISTS BETWEEN".

Page 11, strike line 2 and substitute "IS DECLARED, AN ADVISORY".

Page 11, line 5, strike "OCCURS," and substitute "IS DECLARED,".

Page 11, line 15, strike "FIVE" and substitute "TEN".

Page 12, line 23, strike "FIFTEEN" and substitute "TEN".

Page 12, line 26, strike "FIVE" and substitute "TEN".

Page 17, line 14, after the period add "AN ELECTION MAY NOT BE HELD
DURING THE TERM OF A COLLECTIVE BARGAINING AGREEMENT THAT IS IN
EXISTENCE ON THE EFFECTIVE DATE OF THIS PART 2.

(4) NOTHING IN THIS SECTION CHANGES OR ABROGATES A
COLLECTIVE BARGAINING UNIT THAT IS IN EXISTENCE ON THE EFFECTIVE
DATE OF THIS PART 2."

Page 17, line 17, strike "NO LESS THAN THIRTY".

Page 17, line 18, strike "PERCENT" and substitute "A SIMPLE MAJORITY".

Page 18, strike lines 18 through 27.

Page 19, strike line 1 through 4 and substitute:

"SECTION 2. Safety clause. The general assembly hereby finds,
determines, and declares that this act is necessary for the immediate
preservation of the public peace, health, and safety."

Business,
Labor, &
Technology

After consideration on the merits, the Committee recommends that **SB13-024** be
postponed indefinitely.

State,
Veterans, &
Military
Affairs

After consideration on the merits, the Committee recommends that **SB13-035** be
postponed indefinitely.

State,
Veterans, &
Military
Affairs

After consideration on the merits, the Committee recommends that **SB13-022** be
postponed indefinitely.

SENATE SERVICES REPORT

Correctly Engrossed: SB13-036.

THIRD READING OF BILLS -- FINAL PASSAGE

On third reading, the title of the following bill was publicly read, the reading at length
having been dispensed with by unanimous consent:

SB13-036 by Senator(s) Steadman; also Representative(s) Gerou--Concerning the repeal of the requirement that the general assembly annually pass a joint resolution to certify a general fund revenue estimate.

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

YES	27	NO	8	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	N		

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

CONSIDERATION OF RESOLUTIONS

SJR13-007 by Senator(s) Todd, Carroll, Kerr; also Representative(s) DelGrosso and Kraft-Tharp--Concerning recognition of community mental health centers, managed service organizations, and behavioral health organizations in Colorado.

On motion of Senator Todd, the resolution was read at length and **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Co-sponsor added: Aguilar, Balmer, Baumgardner, Brophy, Cadman, Crowder, Giron, Grantham, Guzman, Harvey, Heath, Hill, Hodge, Hudak, Jahn, Johnston, Jones, Kefalas, King, Lambert, Lundberg, Marble, Morse, Newell, Nicholson, Renfroe, Roberts, Scheffel, Schwartz, Steadman, Tochtrop and Ulibarri.

RECONSIDERATION OF SB13-036

SB13-036 by Senator(s) Steadman; also Representative(s) Gerou--Concerning the repeal of the requirement that the general assembly annually pass a joint resolution to certify a general fund revenue estimate.

Having voted on the prevailing side, Majority Leader Carroll moved for reconsideration of the last Senate action, Third Reading of Bills -- Final Passage, on SB13-036.

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

THIRD READING OF BILLS -- FINAL PASSAGE

On third reading, the title of the following bill was publicly read, the reading at length having been dispensed with by unanimous consent:

SB13-036 by Senator(s) Steadman; also Representative(s) Gerou--Concerning the repeal of the requirement that the general assembly annually pass a joint resolution to certify a general fund revenue estimate.

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

YES	26	NO	9	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	N		

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

On motion of Majority Leader Carroll, the Senate adjourned until 9:00 a.m., Friday, January 25, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

17th Legislative Day Friday, January 25, 2013

Prayer By the chaplain, Rabbi Yossi Serebryanski, Chabad of South Denver.

Call to Order By the President at 9:00 a.m.

Pledge By Senator Jones.

Roll Call Present--35

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Todd, reading of the Journal of Thursday, January 24, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Education After consideration on the merits, the Committee recommends that SB13-033 be referred to the Committee on Appropriations with favorable recommendation.

Education After consideration on the merits, the Committee recommends that SB13-002 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend printed bill, page 2, line 4, strike "agency. (1) FOR" and substitute "agency - rules. (1)".

Page 2, strike line 5.

Page 2, line 6, strike "ANY" and substitute "ANY".

Page 2, line 8, strike "FOR" and substitute "FOR, RECEIVE, OR ADMINISTER".

Page 2, line 17, after the period add "IF A BOARD OF COOPERATIVE SERVICES APPLIES FOR STATE OR FEDERAL GRANT MONEYS ON BEHALF OF PARTICIPATING MEMBER SCHOOL DISTRICTS, THE PARTICIPATING MEMBER SCHOOL DISTRICTS ARE NOT ELIGIBLE TO APPLY FOR THE SAME STATE OR FEDERAL GRANT MONEYS."

Page 2, after line 24 insert:

"(4) AN ELIGIBLE GRANTEE OR CONSORTIUM OF GRANTEES MAY DESIGNATE A BOARD OF COOPERATIVE SERVICES AS THE FISCAL MANAGER FOR A STATE OR FEDERAL GRANT. THE GRANTEE OR CONSORTIUM OF GRANTEES REMAINS RESPONSIBLE FOR ENSURING THAT ALL THE REQUIREMENTS OF THE GRANT ARE MET.

(5) THE STATE BOARD MAY PROMULGATE RULES TO ESTABLISH PROCESSES AND GUIDELINES FOR A BOARD OF COOPERATIVE SERVICES TO APPLY FOR STATE OR FEDERAL GRANT MONEYS PURSUANT TO THIS SECTION."

Agriculture,
Natural
Resources, &
Energy

After consideration on the merits, the Committee recommends that **HB13-1057** be **referred** to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

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SENATE SERVICES REPORT

Correctly Engrossed: SJR13-007.
Correctly Reengrossed: SB13-036.

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MESSAGE FROM THE HOUSE

January 24, 2013
Mr. President:
The House has adopted and returns herewith SJR13-007.

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INTRODUCTION OF BILLS -- FIRST READING

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

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- SB13-080

by Senator(s) Tochtrop, King S., Morse; also Representative(s) Peniston, Duran, Labuda, Waller--Concerning limitation on the liability of the fire and police pension association if an employer fails to properly enroll an employee in a plan.
Judiciary

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SB13-081

by Senator(s) Hudak; also Representative(s) Young, Hamner, Priola, Tyler, Williams A.-- Concerning vehicle registration.
Transportation

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SB13-082

by Senator(s) Nicholson and Roberts; also Representative(s) Levy--Concerning the creation of a permanent interim committee of the general assembly to review matters relating to wildfires in the state.
Local Government

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SB13-083

by Senator(s) Roberts and Nicholson; also Representative(s) Gerou and Levy--Concerning the creation of a prescribed burning program under the division of fire prevention and control in the department of public safety, and, in connection therewith, specifying the powers and duties of the division and its director with respect to that program.
Judiciary

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SB13-084

by Senator(s) Balmer; --Concerning the ability of an alcohol beverage supplier to provide incentives to alcohol beverage retailers through cumulative discount programs.
State, Veterans, & Military Affairs

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SB13-111

by Senator(s) Hudak, Giron, Guzman, Heath, Johnston, Morse, Todd, Ulibarri; also Representative(s) Schafer and Stephens--Concerning abuse of at-risk adults.
Judiciary

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MESSAGE FROM THE GOVERNOR

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

October 30, 2012

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

Ladies and Gentlemen:

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

MEMBERS OF THE
FIRE AND POLICE PENSION ASSOCIATION
BOARD OF DIRECTORS

for terms expiring September 1, 2016:

Clifford W. Stanton of Denver, Colorado, a member of the state's financial or business community with experience in investments, reappointed;

Tyson Lynn Worrell of Lakewood, Colorado, a representative of full-time paid police officers, appointed;

for a term expiring September 1, 2015:

Terri L. Velasquez of Colorado Springs, Colorado, to serve as a representative of Colorado municipal employers and occasioned by the resignation of Timothy J. Nash of Greeley, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 11/15/2012
Cindi L. Markwell, Secretary of the Senate

Committee on Business, Labor, and Technology

On motion of Majority Leader Carroll, the Senate adjourned until 10:00 a.m., Monday, January 28, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

20th Legislative Day Monday, January 28, 2013

Prayer By the chaplain, Father Eustace Sequeira, Regis University Jesuit Community, Denver.

Call to Order By the President at 10:00 a.m.

Pledge By Senator Crowder.

Roll Call Present--34
Excused--1, Hudak.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Marble, reading of the Journal of Friday, January 25, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Printed: SB13-080, 081, 082, 083, 084 and 111.

MESSAGE FROM THE HOUSE

January 25, 2013

Mr. President:

The House has adopted and transmits herewith HJR13-1006, HJR-1008, HJR-1009, HJR-1012, HJR-1010, HJR-1011.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of Resolutions.

CONSIDERATION OF RESOLUTIONS

SJR13-006 by Senator(s) Todd, Baumgardner, Brophy, Crowder, Grantham, Hodge, Hudak, Jahn, Johnston, Kerr, King, Newell, Renfroe, Roberts, Scheffel, Schwartz, Ulibarri; also Representative(s) Sonnenberg, May, Ryden, Williams--Concerning the designation of January 28, 2013, as "Colorado 4-H Day".

On motion of Senator Todd, the resolution was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	E	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Co-sponsor(s) added: Aguilar, Balmer, Cadman, Carroll, Giron, Guzman, Harvey, Heath, Hill, Jones, Kefalas, Lambert, Lundberg, Marble, Morse, Nicholson, Steadman and Tochtrop.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

HJR13-1006 by Representative(s) Ryden and Nordberg; also Senator(s) Todd and Cadman-- Concerning recognition of Military, Veterans, and MIA/POW Appreciation Day.

On motion of Senator Todd, the resolution was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	E	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Co-sponsor(s) added: Aguilar, Balmer, Baumgardner, Brophy, Carroll, Crowder, Giron, Grantham, Guzman, Harvey, Heath, Hill, Hodge, Jahn, Johnston, Jones, Kefalas, Kerr, King, Lambert, Lundberg, Marble, Morse, Newell, Nicholson, Renfroe, Roberts, Scheffel, Schwartz, Steadman, Tochtrop and Ulibarri.

HJR13-1008 by Representative(s) Garcia and Navarro, Vigil; also Senator(s) Giron and Crowder-- Concerning the U.S.S. Pueblo.

On motion of Senator Giron, the resolution was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	E	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Co-sponsor(s) added: Aguilar, Balmer, Baumgardner, Brophy, Cadman, Carroll, Grantham, Guzman, Harvey, Heath, Hill, Hodge, Jahn, Johnston, Jones, Kefalas, Kerr, King, Lambert, Lundberg, Marble, Morse, Newell, Nicholson, Renfroe, Roberts, Scheffel, Schwartz, Steadman, Tochtrop, Todd and Ulibarri.

HJR13-1009 by Representative(s) Coram; also Senator(s) Roberts--Concerning the designation of the Leopard Creek bridge in Placerville as the "Pfc. Paul L. Haining Memorial Bridge".

On motion of Senator Roberts, the resolution was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	E	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Co-sponsor(s) added: Aguilar, Balmer, Baumgardner, Brophy, Cadman, Carroll, Crowder, Giron, Grantham, Guzman, Harvey, Heath, Hill, Hodge, Jahn, Johnston, Jones, Kefalas, Kerr, King, Lambert, Lundberg, Marble, Morse, Newell, Nicholson, Renfroe, Scheffel, Schwartz, Steadman, Tochtrop, Todd and Ulibarri.

HJR13-1010 by Representative(s) Exum and Murray; also Senator(s) Todd and Crowder, Hill--Concerning recognizing the 60th anniversary of the armistice marking the end of the Korean War.

On motion of Senator Todd, the resolution was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	E	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Co-sponsor(s) added: Aguilar, Balmer, Baumgardner, Brophy, Cadman, Carroll, Giron, Grantham, Guzman, Harvey, Heath, Hodge, Jahn, Johnston, Jones, Kefalas, Kerr, King, Lambert, Lundberg, Marble, Morse, Newell, Nicholson, Renfroe, Roberts, Scheffel, Schwartz, Steadman, Tochtrop and Ulibarri.

HJR13-1011 by Representative(s) Melton and Landgraf; also Senator(s) Heath and Balmer--Concerning recognition of military personnel from Colorado who have served in Operation New Dawn and Operation Enduring Freedom and in the Global War on Terrorism, and honoring those who have died while serving their country in Iraq, Afghanistan, and elsewhere around the world.

Amendment No. 1(L.001), by Senators Heath and Balmer.

Amend reengrossed resolution, page 2, strike lines 6 through 33 and substitute:

- "!
Specialist Mabry James Anders, 21, of Baker City, Oregon,
a member of the United States Army assigned to Company
A, 4th Special Troops Battalion, 4th Brigade Combat
Team, 4th Infantry Division;
- !
Staff Sergeant Christopher Lawrence Brown, 26, of
Columbus, Ohio, a member of the United States Army
assigned to Company A, 2nd Battalion, 12th Infantry
Regiment, 4th Infantry Brigade Combat Team, 4th Infantry
Division;
- !
Staff Sergeant Daniel Joseph Brown, 27, of Jerome, Idaho,
a member of the United States Army assigned to Company

- D, 2nd Battalion, 8th Infantry Regiment, 2nd Brigade
Combat Team, 4th Infantry Division;
- !
- Major Walter David Gray, 38, of Conyers, Georgia, a
member of the United States Air Force assigned to the 13th
Air Support Operations Squadron;
- !
- Command Sergeant Major Kevin James Griffin, 45, of
Laramie, Wyoming, a member of the United States Army
assigned to Headquarters and Headquarters Company, 4th
Infantry Brigade Combat Team, 4th Infantry Division;
- !
- Major Thomas Elliot Kennedy, 35, of West Point, New
York, a member of the United States Army assigned to
Headquarters and Headquarters Company, 4th Infantry
Brigade Combat Team, 4th Infantry Division;
- !
- Staff Sergeant Allen Robert McKenna, Jr., 28, of Noble,
Oklahoma, a member of the United States Army assigned
to 1st Squadron, 10th Cavalry Regiment, 2nd Brigade
Combat Team, 4th Infantry Division;
- !
- Staff Sergeant David Paul Nowaczyk, 32, of Dyer, Indiana,
a member of the United States Army assigned to Company
A, 2nd Battalion, 12th Infantry Regiment, 4th Brigade
Combat Team, 4th Infantry Division; and
- !
- First Lieutenant Alejo Rene Thompson, 30, of Yuma,
Arizona, a member of the United States Army assigned to
Company A, 1st Battalion, 12th Infantry Regiment, 4th
Brigade Combat Team, 4th Infantry Division; and".

Page 3, strike lines 1 through 6.

Strike lines 11 through 34 and substitute:

- "!
- Staff Sergeant Jordan Logan Bear, 25, of Denver, a
member of the United States Army assigned to Company
B, 2nd Battalion, 508th Parachute Infantry Regiment, 4th
Brigade Combat Team 82nd Airborne Division, based at
Fort Bragg, North Carolina, while serving as part of
Operation Enduring Freedom;
- !
- Staff Sergeant Christopher James Birdwell, 25, of
Windsor, a member of the United States Army assigned to
Company A, 4th Special Troops Battalion, 4th Infantry
Brigade Combat Team, 4th Infantry Division, based at Fort
Carson, Colorado, while serving as part of Operation
Enduring Freedom;
- !
- Petty Officer First Class Darrel Lynn Enos, 36, of
Colorado Springs, a member of the United States Navy
assigned to the 3rd Marine Special Operations Battalion,
while serving as part of Operation Enduring Freedom;
- !
- Captain Ryan Preston Hall, 30, of Colorado Springs, a
member of the United States Air Force assigned to the
319th Special Operations Squadron, based at Hurlburt
Field, Florida, while serving as part of Operation Enduring
Freedom; and
- !
- Specialist Kedith Lamont Jacobs, Jr., 21, of Denver, a
member of the United States Army assigned to the
Headquarters and Headquarters Company, 2nd Battalion,
5th Infantry Regiment, 3rd Infantry Brigade Combat Team,
1st Armored Division, based at Fort Bliss, Texas, while
serving as part of Operation Enduring Freedom; now,
therefore,".

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	E	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	E	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Co-sponsor added: Aguilar, Baumgardner, Brophy, Cadman, Carroll, Crowder, Giron, Grantham, Guzman, Harvey, Hill, Hodge, Jahn, Johnston, Jones, Kefalas, Kerr, King, Lambert, Lundberg, Marble, Morse, Newell, Nicholson, Renfroe, Roberts, Scheffel, Schwartz, Steadman, Tochtrop, Todd and Ulibarri.

HJR13-1012 by Representative(s) Ryden and Gardner, Fields; also Senator(s) Crowder, Todd, Carroll-- Concerning the designation of National Guard and Reserve retirees as veterans.

On motion of Senator Crowder, the resolution was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	E	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Co-sponsor added: Aguilar, Balmer, Baumgardner, Brophy, Cadman, Giron, Grantham, Guzman, Harvey, Heath, Hill, Hodge, Jahn, Johnston, Jones, Kefalas, Kerr, King, Lambert, Lundberg, Marble, Morse, Newell, Nicholson, Renfroe, Roberts, Scheffel, Schwartz, Steadman, Tochtrop and Ulibarri.

INTRODUCTION OF BILLS -- FIRST READING

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

SB13-085 by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou-- Concerning a supplemental appropriation to the department of agriculture.
Appropriations

SB13-086	by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou-- Concerning a supplemental appropriation to the department of corrections. Appropriations	1 2 3 4 5
SB13-087	by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou-- Concerning a supplemental appropriation to the department of education. Appropriations	6 7 8 9 10
SB13-088	by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou-- Concerning a supplemental appropriation to the offices of the governor, lieutenant governor, and state planning and budgeting. Appropriations	11 12 13 14 15 16
SB13-089	by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou-- Concerning a supplemental appropriation to the department of health care policy and financing. Appropriations	17 18 19 20 21 22
SB13-090	by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou-- Concerning a supplemental appropriation to the department of higher education. Appropriations	23 24 25 26 27
SB13-091	by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou-- Concerning a supplemental appropriation to the department of human services. Appropriations	28 29 30 31 32
SB13-092	by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou-- Concerning a supplemental appropriation to the judicial department. Appropriations	33 34 35 36 37
SB13-093	by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou-- Concerning a supplemental appropriation to the department of labor and employment. Appropriations	38 39 40 41 42
SB13-094	by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou-- Concerning a supplemental appropriation to the department of law. Appropriations	43 44 45 46 47
SB13-095	by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou-- Concerning a supplemental appropriation to the department of legislature. Appropriations	48 49 50 51 52
SB13-096	by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou-- Concerning a supplemental appropriation to the department of local affairs. Appropriations	53 54 55 56 57
SB13-097	by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou-- Concerning a supplemental appropriation to the department of military and veterans affairs. Appropriations	58 59 60 61 62
SB13-098	by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou-- Concerning a supplemental appropriation to the department of natural resources. Appropriations	63 64 65 66 67
SB13-099	by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou-- Concerning a supplemental appropriation to the department of personnel and administration. Appropriations	68 69 70 71 72

SB13-100	by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou-- Concerning a supplemental appropriation to the department of public health and environment. Appropriations	1 2 3 4 5 6
SB13-101	by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou-- Concerning a supplemental appropriation to the department of public safety. Appropriations	7 8 9 10
SB13-102	by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou-- Concerning a supplemental appropriation to the department of regulatory agencies. Appropriations	11 12 13 14 15 16
SB13-103	by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou-- Concerning a supplemental appropriation to the department of revenue. Appropriations	17 18 19 20 21
SB13-104	by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou-- Concerning a supplemental appropriation to the department of state. Appropriations	22 23 24 25 26
SB13-105	by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou-- Concerning a supplemental appropriation to the department of transportation. Appropriations	27 28 29 30 31
SB13-106	by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou-- Concerning a supplemental appropriation to the department of the treasury. Appropriations	32 33 34 35 36
SB13-107	by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou-- Concerning funding for capital construction, and making supplemental appropriations in connection therewith. Appropriations	37 38 39 40 41 42
SB13-108	by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Gerou, Duran, Levy-- Concerning adjustments in the amount of total program funding for public schools for the 2012-13 budget year, and, in connection therewith, making an appropriation. Education Appropriations	43 44 45 46 47 48 49
SB13-109	by Senator(s) Lambert, Hodge, Steadman; also Representative(s) Duran, Levy, Gerou-- Concerning indirect cost recovery from programs, and, in connection therewith, establishing an indirect costs excess recovery fund and departmental accounts within the fund for the purpose of allowing departments of state government to use moneys collected as payment for indirect costs over multiple fiscal years. Appropriations	50 51 52 53 54 55 56 57
SB13-110	by Senator(s) Lambert, Hodge, Steadman; also Representative(s) Levy and Gerou, Duran-- Concerning the wildland fire cost recovery fund. Appropriations	58 59 60 61 62
SB13-112	by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Gerou, Duran, Levy-- Concerning a cap on the 2012-13 state fiscal year transfers to the state public school fund from public school land moneys. Education	63 64 65 66 67 68
SB13-113	by Senator(s) Hodge, Steadman, Lambert; also Representative(s) Levy, Duran, Gerou-- Concerning the natural resource damage recovery fund. Appropriations	69 70 71 72

- SB13-114

by Senator(s) Hodge, Steadman, Lambert; also Representative(s) Levy, Duran, Gerou-- Concerning the designation of the racing cash fund as the appropriate fund into which certain racing regulation fees are deposited. Appropriations

1
- SB13-115

by Senator(s) Hodge, Steadman, Lambert; also Representative(s) Gerou, Duran, Levy-- Concerning the creation of the waste tire fee administration cash fund. Appropriations

2

On motion of Majority Leader Carroll, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, SB13-002 and HB13-1057 were made Special Orders at 9:35 a.m.

Committee of the Whole
The hour of 9:35 a.m. having arrived, Senator Steadman moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders -- Second Reading of Bills -- Consent Calendar, and Senator Steadman was called to the chair to act as Chairman.

SPECIAL ORDERS -- SECOND READING OF BILLS --
CONSENT CALENDAR

The Committee of the Whole having risen, the Chairman reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

- SB13-002

by Senator(s) Hudak; also Representative(s) Hamner--Concerning the designation of boards of cooperative services as local education agencies for purposes of federal law.

34
- Amendment No. 1, Business, Labor & Technology Committee Amendment.

(Printed in Senate Journal, January 25, page(s) 71 and placed in members' bill files.)

35
- As amended, ordered engrossed and placed on the calendar for third reading and final passage.

40

- HB13-1057

by Representative(s) Mitsch Bush, Pabon; also Senator(s) Nicholson--Concerning the retention of the avalanche information center within the department of natural resources.

45
- Ordered revised and placed on the calendar for third reading and final passage.

48

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE --
CONSENT CALENDAR

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	E	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB13-002 as amended, HB13-1057.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the General Orders -- Second Reading of Bills Calendar (SB13-025) of Monday, January 28 was laid over until Monday, February 4, retaining its place on the calendar.

On motion of Senator Carroll, the Senate adjourned until 9:00 a.m., Tuesday, January 29, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

21st Legislative Day Tuesday, January 29, 2013

Prayer By the chaplain, Robert T. Schlipp, The Worship Center of Brighton.

Call to Order By the President at 9:00 a.m.

Pledge By Senator Crowder.

Roll Call Present--32
Excused--3, Grantham, Johnston, Nicholson.
Present later--2, Johnston, Nicholson.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Marble, reading of the Journal of Monday, January 28, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Judiciary After consideration on the merits, the Committee recommends that SB13-043 be amended as follows, and as so amended, be referred to the Committee on with favorable recommendation.

Amend printed bill, page 2, line 2, after "amend" insert "(1) (m) and".

Page 2, strike line 4 and substitute:
"12-47-901. Unlawful acts - exceptions. (1) Except as provided in section 18-13-122, C.R.S., it is unlawful for any person:
(m) To remove an alcohol beverage from a licensed retail gaming facility PREMISES where the liquor license for such facility THE LICENSED PREMISES allows only on-premises consumption of alcohol beverages, EXCEPT AS PERMITTED UNDER SUBPARAGRAPH (VI) OF PARAGRAPH (h) OF THIS SUBSECTION (1).
(9) (a) (I) EXCEPT AS PROVIDED IN PARAGRAPH (c) OF THIS SUBSECTION (9), it is unlawful for".

Page 2, strike line 10 and substitute "gaming
(II) (A) THE licensee who holds a license issued by the limited gaming".

Page 2, line 12, strike "either:" and substitute "either:".

Page 2, strike lines 13 and 14 and substitute:
"(a) Stationed personnel at each exit used by the public in order to prevent the removal of an alcohol beverage from the premises; or".

Page 2, line 15, strike "(b) (II) (A) Posted" and substitute "(b) posted".

Page 3, after line 9 insert:
"(III) IN ADDITION TO POSTING A SIGN AS DESCRIBED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH (a), A LICENSEE MAY ALSO STATION PERSONNEL AT EACH EXIT USED BY THE PUBLIC IN ORDER TO PREVENT THE REMOVAL OF AN ALCOHOL BEVERAGE FROM THE LICENSED PREMISES."

	Page 3, after line 20 insert:	1
	"SECTION 2. In Colorado Revised Statutes, 12-47-103, amend	2
	(7.5) as follows:	3
	12-47-103. Definitions. As used in this article and article 46 of	4
	this title, unless the context otherwise requires:	5
	(7.5) "Entertainment district" means an area THAT:	6
	(a) Is located within a municipality that AND is designated IN	7
	ACCORDANCE WITH SECTION 12-47-301 (11) (b) as its AN entertainment	8
	district; of	9
	(b) COMPRISES no more than one hundred acres; containing AND	10
	(c) CONTAINS at least twenty thousand square feet of premises	11
	licensed as a tavern, hotel and restaurant, brew pub, retail gaming tavern,	12
	or vintner's restaurant when AT THE TIME the district is created."	13
	Renumber succeeding section accordingly.	14
		15
Judiciary	After consideration on the merits, the Committee recommends that SB13-013 be referred	16
	to the Committee of the Whole with favorable recommendation.	17
		18
Judiciary	After consideration on the merits, the Committee recommends that SB13-005 be amended	19
	as follows, and as so amended, be referred to the Committee of the Whole with favorable	20
	recommendation and with a recommendation that it be placed on the Consent Calendar.	21
		22
	Amend printed bill, page 2, line 3, strike "(1)".	23
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	Page 2, line 14, strike "A FORT CARSON POLICE".	25
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	Page 2, strike lines 15 through 19.	27
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	Page 2, strike lines 21 through 27.	29
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Judiciary	After consideration on the merits, the Committee recommends that SB13-009 be	31
	postponed indefinitely.	32
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	SENATE SERVICES REPORT	42
		43
	Correctly Printed: SB13-085, 086, 087, 088, 089, 090, 091, 092, 093, 094, 095, 096, 097,	44
	098, 099, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 112, 113, 114 and 115.	45
	Correctly Engrossed: SB13-002; SJR13-006.	46
	Correctly Revised: HB13-1057; HJR13-1006, 1008, 1009, 1010, 1011 and 1012.	47
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	MESSAGE FROM THE HOUSE	52
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	January 28, 2013	54
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	Mr. President:	56
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	The House has adopted and returns herewith SJR13-006.	58
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	The House has adopted and transmits herewith HJR13-1007.	60
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INTRODUCTION OF BILLS -- FIRST READING

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

- SB13-116** by Senator(s) Ulibarri, Newell, Giron, Guzman, Aguilar, Roberts; also Representative(s) Lee--Concerning the authority of psychologists to conduct mental health evaluations of persons charged with a crime.
Judiciary
- SB13-117** by Senator(s) Balmer; --Concerning increasing transparency in criminal actions.
Judiciary
- SB13-118** by Senator(s) Hodge; also Representative(s) Pabon--Concerning clarification of the exemptions from the laws regulating mortgage loan originators, and, in connection therewith, clarifying that certain persons providing seller financing for the sale of a limited number of residential properties are covered by the law prohibiting certain practices and exempting real estate licensees representing these persons.
Business, Labor, & Technology
- SB13-119** by Senator(s) Jones, Brophy, Harvey, Jahn; also Representative(s) Scott, Swalm, McLachlan, Ryden--Concerning clarification of the requirement for a certificate of taxes due in connection with title insurance.
Local Government
- SB13-120** by Senator(s) Harvey, Baumgardner, Cadman, King, Lundberg, Marble; --Concerning the creation of a Navy SEAL license plate.
Transportation
- SB13-121** by Senator(s) Lambert, Hill, Lundberg, Marble, Renfro, Scheffel; --Concerning fee-for-service contracts between the department of higher education and institutions of higher education.
Education
- SB13-122** by Senator(s) Lambert, Lundberg; --Concerning the rights of persons in criminal proceedings.
Judiciary
State, Veterans, & Military Affairs
- SB13-123** by Senator(s) Steadman; also Representative(s) Levy--Concerning provisions that improve the reintegration opportunities for persons involved in the criminal justice system.
Judiciary
- SB13-124** by Senator(s) Kefalas; also Representative(s) Primavera--Concerning requirements of intermediaries in the business of insurance, and, in connection therewith, enacting the "Consumer Protection Act of 2013".
Business, Labor, & Technology
- SB13-125** by Senator(s) Todd; --Concerning preneed funeral contracts.
Business, Labor, & Technology
- SB13-126** by Senator(s) Guzman; also Representative(s) Duran--Concerning the removal of unreasonable restrictions on the ability of the owner of an electric vehicle to access charging facilities.
Local Government

SB13-127	by Senator(s) Guzman; also Representative(s) Primavera--Concerning an increase in the amount of the state sales and use tax receipts that are credited to the older Coloradans cash fund.	1
	Finance	2
	Appropriations	3
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SB13-128	by Senator(s) Cadman; --Concerning the one-time fees for the issuance of the firefighter license plate.	8
	Transportation	9
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SB13-129	by Senator(s) Tochtrop; also Representative(s) Williams--Concerning the modification of certain statutory requirements directing the office of the state auditor to review compliance with statutory obligations.	13
	State, Veterans, & Military Affairs	14
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SB13-130	by Senator(s) Marble, Crowder, Lundberg; also Representative(s) Saine--Concerning the term of a conservation easement for which a state income tax credit is claimed.	19
	Finance	20
	Agriculture, Natural Resources, & Energy	21
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SB13-131	by Senator(s) Hill; --Concerning the creation of an income tax credit for costs incurred in providing a supplemental education service to a dependent child.	25
	Education	26
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SB13-132	by Senator(s) Grantham; also Representative(s) Wilson--Concerning the authority of the county assessor to determine whether two acres or less of real property on which a residential improvement is located should be classified as agricultural land for property tax purposes.	30
	Agriculture, Natural Resources, & Energy	31
	Finance	32
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SB13-133	by Senator(s) Steadman; also Representative(s) Gerou--Concerning the distribution of the state share of limited gaming fund revenues.	38
	Appropriations	39
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SB13-134	by Senator(s) Baumgardner; also Representative(s) Sonnenberg--Concerning the process for collecting sales tax due on motor vehicles purchased through an auction sale.	43
	State, Veterans, & Military Affairs	44
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SB13-135	by Senator(s) Lundberg, Lambert, Marble, Harvey, Scheffel; --Concerning the allocation of state severance tax gross receipts.	48
	State, Veterans, & Military Affairs	49
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SB13-136	by Senator(s) Scheffel, Newell; also Representative(s) Holbert and Kagan--Concerning a tax exemption for business personal property with a local government opt out.	53
	State, Veterans, & Military Affairs	54
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SB13-137	by Senator(s) Roberts; --Concerning system improvements to prevent fraud in the medicaid program, and, in connection therewith, employing advanced data analytics.	58
	Health & Human Services	59
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SB13-138	by Senator(s) King; --Concerning school resource officer programs.	63
	Judiciary	64
	Education	65
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SB13-139	by Senator(s) Roberts; also Representative(s) Coram--Concerning supplemental on-line education services. Education State, Veterans, & Military Affairs	1 2 3 4 5 6
SB13-140	by Senator(s) Marble, Balmer, Baumgardner, Brophy, Cadman, Crowder, Grantham, Harvey, Hill, King, Lambert, Lundberg, Renfroe, Scheffel; also Representative(s) Saine, Sonnenberg, Buck, Everett, Holbert, Humphrey, Joshi, Landgraf, Nordberg, Priola, Rankin, Wilson, Wright, DelGrosso, Murray, Scott, Szabo--Concerning the inapplicability of certain federal firearms laws within Colorado. State, Veterans, & Military Affairs	7 8 9 10 11 12 13 14
SB13-141	by Senator(s) Hill, Harvey, Lambert, Marble, Balmer, Baumgardner, Brophy, Cadman, Crowder, Grantham, King, Lundberg, Renfroe, Roberts, Scheffel; --Concerning public school employees' participation in labor organizations. Education State, Veterans, & Military Affairs	15 16 17 18 19 20 21
SB13-142	by Senator(s) Renfroe, Baumgardner, Scheffel, Grantham, Hill, Lambert, Harvey, Lundberg, Marble; also Representative(s) Sonnenberg--Concerning the requirement that the federal government extinguish title to all agricultural public lands and transfer title to the state. State, Veterans, & Military Affairs	22 23 24 25 26 27 28
SB13-143	by Senator(s) Grantham; also Representative(s) Peniston--Concerning the institute charter school assistance fund. State, Veterans, & Military Affairs	29 30 31 32 33
SB13-144	by Senator(s) Aguilar; also Representative(s) McCann--Concerning the exemption of certain hospitals from the requirement to provide information concerning financial assistance. Health & Human Services	34 35 36 37 38 39
SB13-145	by Senator(s) Giron, Kerr; also Representative(s) Hulinghorst--Concerning the reallocation of the conservation trust fund to a metropolitan district that provides parks and recreation services within and includes territory within the unincorporated area of a county only. State, Veterans, & Military Affairs	40 41 42 43 44 45
SB13-146	by Senator(s) Tochtrop, Renfroe; also Representative(s) DelGrosso and Ryden--Concerning procedures governing the board of assessment appeals in the department of local affairs. Local Government	46 47 48 49 50 51 52

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:

SB13-002	by Senator(s) Hudak; also Representative(s) Hamner--Concerning the designation of boards of cooperative services as local education agencies for purposes of federal law. The question being "Shall the bill pass?", the roll call was taken with the following result:	60 61 62 63 64 65 66
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YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	E	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Aguilar, Carroll, Giron, Guzman, Heath, Johnston, Kerr, Morse, Newell, Nicholson, Schwartz and Todd.

HB13-1057 by Representative(s) Mitsch Bush, Pabon; also Senator(s) Nicholson--Concerning the retention of the avalanche information center within the department of natural resources.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	E	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Aguilar, Baumgardner, Guzman, Jones, Kerr, Morse, Newell, Schwartz, Steadman, Tochtrop, Todd and Ulibarri.

On motion of Majority Leader Carroll, the Senate adjourned until 9:00 a.m., Wednesday, January 30, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

22nd Legislative Day

Wednesday, January 30, 2013

Prayer By the chaplain, Pastor Vern Rempel, First Mennonite Church, Denver.

Musical Presentation	Colorado Christian University's Women's Choir, performing "Over the Rainbow" and "The Star-Spangled Banner".
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Call to Order By the President at 9:00 a.m.

Pledge By Senator Crowder.

Roll Call Present--33
 Excused--2, Aguilar, Grantham.
 Present later--1, Aguilar.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Marble, reading of the Journal of Tuesday, January 29, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Finance After consideration on the merits, the Committee recommends that **SB13-029** be referred to the Committee of the Whole with favorable recommendation.

SENATE SERVICES REPORT

Correctly Printed: SB13-116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145 and 146.

Correctly Reengrossed: SB13-002.

Correctly Rerevised: HB13-1057.

Correctly Enrolled: SB13-036; SJR13-006 and 007.

MESSAGE FROM THE HOUSE

January 29, 2013

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1055, 1010, 1016.

The House has passed on Third Reading and transmitted to the Revisor of Statutes
 HB13-1063, amended as printed in House Journal, January 28, pages 113-114.
 HB13-1017, amended as printed in House Journal, January 28, page 117.
 HB13-1052, amended as printed in House Journal, January 28, page 118.

The House has passed on Third Reading and transmits herewith SB13-036.

MESSAGE FROM THE REVISOR OF STATUTES

January 29, 2013

We herewith transmit:

Without comment, HB13-1010, 1016, and 1055.
Without comment, as amended, HB13-1017, 1052, and 1063.

INTRODUCTION OF RESOLUTIONS

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

SJR13-008 by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou--
Concerning an amendment to the Joint Rules of the Senate and the House of
Representatives to establish an introduction deadline for supplemental appropriation bills
recommended by the Joint Budget Committee.

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

INTRODUCTION OF BILLS -- FIRST READING

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

HB13-1070 by Representative(s) Murray, Gardner, Labuda, Levy, Waller; also Senator(s) Morse,
Brophy, Carroll, Roberts, Schwartz--Concerning the enactment of Colorado Revised
Statutes 2012 as the positive and statutory law of the state of Colorado.
Judiciary

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SJR13-006 and 007; HB13-1057; HJR13-1006, 1008, 1009,
1010, 1012.

Senate in recess. Senate reconvened.

MESSAGE FROM THE HOUSE

January 30, 2013

Mr. President:

The House has voted to concur in the Senate amendments to HJR13-1011
and has repassed the resolution as so amended.

INTRODUCTION OF BILLS -- FIRST READING

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

SB13-147 by Senator(s) Jahn; also Representative(s) Gardner--Concerning an employer's workers' compensation liability to a person when the person is injured while not on the employer's premises.

Business, Labor, & Technology

SB13-148 by Senator(s) Kefalas and Roberts, Newell; also Representative(s) Peniston--Concerning continuation of the Colorado youth advisory council.

Health & Human Services

SB13-149 by Senator(s) Kefalas; also Representative(s) Kagan--Concerning the repeal of the advisory committee to establish an all-payer health claims database.

Health & Human Services

SB13-150 by Senator(s) Harvey, Schwartz; also Representative(s) May--Concerning the continuation of the water and wastewater facility operators certification board, and, in connection therewith, implementing the recommendations of the 2012 sunset report by the department of regulatory agencies.

Agriculture, Natural Resources, & Energy

SB13-151 by Senator(s) Nicholson; also Representative(s) Primavera--Concerning the continuation of the regulation of massage therapists, and, in connection therewith, requiring licensure of massage therapists and implementing other recommendations contained in the sunset report prepared by the department of regulatory agencies.

Health & Human Services

SB13-152 by Senator(s) Aguilar; also Representative(s) May--Concerning the continuation of the asbestos abatement certification process conducted by the department of public health and environment, and, in connection therewith, implementing the department of regulatory agencies' recommendations in the 2012 sunset report.

Health & Human Services

SB13-153 by Senator(s) Giron, Jones, Schwartz; also Representative(s) Schafer and Vigil--
Concerning continuation of the interagency farm-to-school coordination task force.

Agriculture, Natural Resources, & Energy

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB13-036.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Wednesday, January 30, 2013, at 11:47a.m.:
SB13-036.

TRIBUTES

Honoring:

Delta County School 50-J, For receiving an "A" grade from Colorado School Grades --
By Senator Gail Schwartz.

The Aspen School District 1, For receiving an "A" grade from Colorado School Grades
-- By Senator Gail Schwartz.

Buena Vista School District R-31, For receiving an "A" grade from Colorado School
Grades -- By Senator Gail Schwartz. 1
The Garnet Mesa Elementary School, Selection as a 2012 National Blue Ribbon School
-- By Senator Gail Schwartz. 2
Gunnison Watershed District RE-1J, For receiving an "A" grade from Colorado School
Grades -- By Senator Gail Schwartz. 3
Salida School District R-32-J, For receiving an "A" grade from Colorado School
Grades -- By Senator Gail Schwartz. 4
Moffat Consolidated School District 2, For receiving an "A" grade from Colorado
School Grades -- By Senator Gail Schwartz. 5
North Conejos School District RE-1J, For receiving an "A" grade from Colorado
School Grades -- By Senator Gail Schwartz. 6
Ashton Caringer, Achieved Eagle Scout -- By Senator David Balmer. 7
Matthew Erickson, For commendable performance at the Great Salt Lake Invitational --
By Senator Andrew Kerr. 8
Captain Brian Gallagher, 35 years of service with the Denver Police Department -- By
Senators Mark Scheffel and Ted Harvey. 9
GB Fish & Chips, Recognition by the Denver Post -- By Senator Andrew Kerr. 10
Dr. Chris Leland, For his coaching of the CCU Debate Team at the Great Salt Lake
Invitational -- By Senator Andrew Kerr. 11
Masterpiece Cake, Recognition by the Denver Post -- By Senator Andrew Kerr. 12
Eugene "Gene" Montoya, 30 years with the Senior Resource Development Agency --
By Senator Angela Giron. 13
Christopher Montoya, National Geographic Bee -- By Senator Andrew Kerr. 14
Caleb Rawson, For commendable performance at the Great Salt Lake Invitational -- By
Senator Andrew Kerr. 15
Erin Shumaker, For commendable performance at the Great Salt Lake Invitational -- By
Senator Andrew Kerr. 16
Donna Sorensen, Award-winning entry in the Lakewood Arts Council's 25th
Anniversary Exhibit -- By Senator Andrew Kerr. 17

On motion of Majority Leader Carroll, the Senate adjourned until 9:00 a.m., Thursday,
January 31, 2013. 18

Approved: 19

John P. Morse 20
President of the Senate 21

Attest: 22

Cindi L. Markwell 23
Secretary of the Senate 24

SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

23rd Legislative Day Thursday, January 31, 2013

Prayer By the chaplain, Reverend Cynthia James, Mile Hi Church, Lakewood.

Call to Order By the President at 9:00 a.m.

Pledge By Senator Crowder.

Roll Call Present--26
Excused--9, Harvey, Heath, Hodge, Lambert, Newell, Renfroe, Scheffel, Steadman, Ulibarri.
Present later--8, Harvey, Heath, Hodge, Lambert, Renfroe, Scheffel, Steadman, Ulibarri.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Marble, reading of the Journal of Wednesday, January 30, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Judiciary After consideration on the merits, the Committee recommends that SB13-080 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Judiciary After consideration on the merits, the Committee recommends that SB13-012 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 3, line 25, strike "FOR" and substitute "EMPLOYED BY".

Judiciary After consideration on the merits, the Committee recommends that SB13-062 be postponed indefinitely.

State, Veterans, & Military Affairs After consideration on the merits, the Committee recommends that SB13-045 be postponed indefinitely.

State, Veterans, & Military Affairs After consideration on the merits, the Committee recommends that SB13-054 be postponed indefinitely.

State, Veterans, & Military Affairs After consideration on the merits, the Committee recommends that SB13-034 be postponed indefinitely.

Health &
Human
Services

After consideration on the merits, the Committee recommends that **SB13-008** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

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Amend printed bill, page 2, strike lines 7 and 8 and substitute the following:

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"comparable health plan through an employer. ~~with the employer contributing at least fifty percent of the premium cost. Children who have~~".

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Page 2, strike lines 11 and 12.

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Renumber succeeding section accordingly.

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Health &
Human
Services

After consideration on the merits, the Committee recommends that **SB13-010** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

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Health &
Human
Services

After consideration on the merits, the Committee recommends that **SB13-026** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

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Amend printed bill, page 2, line 3, strike the second "and".

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Page 2, line 5, strike "(XXVIII)" and substitute "(XXVIII); and **recreate and reenact, with amendments,** (3) (b)".

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Page 3, after line 16 insert:

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"(b) A PERSON WHO IS AN APPLICANT UNDER THIS SUBSECTION (3) IS NOT, BY VIRTUE OF INCLUSION IN THIS SECTION, A HEALTH CARE PROVIDER FOR PURPOSES OF ANY OTHER PROVISION OF COLORADO LAW.".

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Health &
Human
Services

After consideration on the merits, the Committee recommends that **SB13-044** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

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SENATE SERVICES REPORT

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Correctly Printed: SB13-147, 148, 149, 150, 151, 152 and 153; SJR13-008.

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INTRODUCTION OF RESOLUTIONS

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The following resolutions were read by title:

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SJR13-009 by Senator(s) Ulibarri; --Concerning the designation of February 2013 as "Emancipation Proclamation Awareness Month".

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

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SJR13-010 by Senator(s) Kerr and Todd; also Representative(s) Peniston--Concerning the designation of February 4 through 8, 2013, as "National School Counseling Week".

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Laid over until Tuesday, February 12, retaining its place on the calendar.

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SJR13-011 by Senator(s) Heath; also Representative(s) Court--Concerning recognition of career and technical education month.

Laid over until Tuesday, February 12, retaining its place on the calendar.

SJR13-012 by Senator(s) Giron; also Representative(s) Buck and Fields--Concerning awareness of heart disease, and, in connection therewith, declaring February 2013 as "American Heart Month" and February 1, 2013, as "National Wear Red Day".

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

CONSIDERATION OF RESOLUTIONS

SJR13-008 by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou--Concerning an amendment to the Joint Rules of the Senate and the House of Representatives to establish an introduction deadline for supplemental appropriation bills recommended by the Joint Budget Committee.

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

Amend printed joint resolution, page 4, line 30, strike "referred" and substitute "referred".

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	E	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	E	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Co-sponsor(s) added: Aguilar and Nicholson.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Thursday, January 31 was laid over until Friday, February 1, retaining its place on the calendar.

General Orders -- Second Reading of Bills -- Consent Calendar: SB13-043, SB13-005.
General Orders -- Second Reading of Bills: SB13-013.

Senate in recess.Senate reconvened.

COMMITTEE OF REFERENCE REPORTS

AppropriationsAfter consideration on the merits, the Committee recommends that SB13-004 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend printed bill, page 2, after line 15 insert:

"SECTION 1. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the licensing services cash fund created in section 42-2-114.5, Colorado Revised Statutes, not otherwise appropriated, to the department of revenue, for the fiscal year beginning July 1, 2013, the sum of \$4,588, or so much thereof as may be necessary, to be allocated to the information technology division for the implementation of this act. (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, 2013, the sum of \$4,588, 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 revenue out of the appropriation made subsection (1) of this section."

Renumber succeeding section accordingly.

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

AppropriationsAfter consideration on the merits, the Committee recommends that SB13-085 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

AppropriationsAfter consideration on the merits, the Committee recommends that SB13-086 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

AppropriationsAfter consideration on the merits, the Committee recommends that SB13-087 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

AppropriationsAfter consideration on the merits, the Committee recommends that SB13-088 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

AppropriationsAfter consideration on the merits, the Committee recommends that SB13-089 be referred to the Committee of the Whole with favorable recommendation.

AppropriationsAfter consideration on the merits, the Committee recommends that SB13-090 be referred to the Committee of the Whole with favorable recommendation.

Appropriations	After consideration on the merits, the Committee recommends that SB13-091 be referred to the Committee of the Whole with favorable recommendation.	1 2 3 4
Appropriations	After consideration on the merits, the Committee recommends that SB13-092 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	5 6 7 8 9
Appropriations	After consideration on the merits, the Committee recommends that SB13-093 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	10 11 12 13 14
Appropriations	After consideration on the merits, the Committee recommends that SB13-094 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	15 16 17 18 19
Appropriations	After consideration on the merits, the Committee recommends that SB13-095 be referred to the Committee of the Whole with favorable recommendation.	20 21 22 23
Appropriations	After consideration on the merits, the Committee recommends that SB13-096 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	24 25 26 27 28
Appropriations	After consideration on the merits, the Committee recommends that SB13-097 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	29 30 31 32 33
Appropriations	After consideration on the merits, the Committee recommends that SB13-098 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	34 35 36 37 38
Appropriations	After consideration on the merits, the Committee recommends that SB13-099 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	39 40 41 42 43
Appropriations	After consideration on the merits, the Committee recommends that SB13-100 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	44 45 46 47 48
Appropriations	After consideration on the merits, the Committee recommends that SB13-101 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	49 50 51 52 53
Appropriations	After consideration on the merits, the Committee recommends that SB13-102 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	54 55 56 57 58
Appropriations	After consideration on the merits, the Committee recommends that SB13-103 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	59 60 61 62 63
Appropriations	After consideration on the merits, the Committee recommends that SB13-104 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	64 65 66 67 68

Appropriations	After consideration on the merits, the Committee recommends that SB13-105 be referred to the Committee of the Whole with favorable recommendation.	1 2 3 4
Appropriations	After consideration on the merits, the Committee recommends that SB13-106 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	5 6 7 8 9
Appropriations	After consideration on the merits, the Committee recommends that SB13-107 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	10 11 12 13 14
Appropriations	After consideration on the merits, the Committee recommends that SB13-109 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	15 16 17 18 19
Appropriations	After consideration on the merits, the Committee recommends that SB13-110 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	20 21 22 23 24
Appropriations	After consideration on the merits, the Committee recommends that SB13-011 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	25 26 27 28 29 30
	Amend printed bill, page 41, after line 7 insert:	31
	"SECTION 28. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the vital statistics records cash fund created in section 25-2-121 (2) (b) (I), Colorado Revised Statutes, not otherwise appropriated, to the department of public health and environment, for the fiscal year beginning July 1, 2012, the sum of \$6,976 and 0.1 FTE, or so much thereof as may be necessary, for allocation to the health statistics and vital records subdivision for personal and operating expenses related to the implementation of this act.	32 33 34 35 36 37 38 39
	SECTION 29. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the vital statistics records cash fund created in section 25-2-121 (2) (b) (I), Colorado Revised Statutes, not otherwise appropriated, to the department of public health and environment, for the fiscal year beginning July 1, 2013, the sum of \$4,021 and 0.1 FTE, or so much thereof as may be necessary, for allocation to the health statistics and vital records subdivision for personal and operating expenses related to the implementation of this act."	40 41 42 43 44 45 46 47 48 49
	Renumber succeeding sections accordingly.	50 51
	Page 1, line 101, strike "UNIONS." and substitute "UNIONS, AND IN CONNECTION THEREWITH, MAKING AN APPROPRIATION."	52 53 54 55
Appropriations	After consideration on the merits, the Committee recommends that SB13-133 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 SB13-114 be referred to the Committee of the Whole with favorable recommendation.	60 61 62 63
Appropriations	After consideration on the merits, the Committee recommends that SB13-115 be referred to the Committee of the Whole with favorable recommendation.	64 65 66 67 68 69

On motion of Majority Leader Carroll, the Senate adjourned until 9:00 a.m., Friday, February 1, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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a	SENATE JOURNAL Sixty-ninth General Assembly STATE OF COLORADO First Regular Session	1 2 3 4 5 6
	<hr/> 24th Legislative Day	7
	Friday, February 1, 2013	8 9 10
Prayer	By the chaplain, Rabbi Yossi Serebryanski, Chabad of South Denver.	11 12
Call to Order	By the President at 9:00 a.m.	13 14 15
Pledge	By Senator Crowder.	16 17
Roll Call	Present--33 Excused--2, Johnston, Newell. Present later--1, Johnston.	18 19 20 21
Quorum	The President announced a quorum present.	22 23
Reading of Journal	On motion of Senator Marble, reading of the Journal of Thursday, January 31, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.	24 25 26 27
	<hr/>	28 29
	COMMITTEE OF REFERENCE REPORTS	30 31
Health & Human Services	After consideration on the merits, the Committee recommends that SB13-046 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	32 33 34 35 36
	Amend printed bill, page 2, strikes lines 17 through 22 and substitute "PHYSICIAN IN COLORADO. WHEN MAKING THE REFERRAL, THE NEPHROLOGIST AND OTHER LICENSED PHYSICIANS WHO CARED FOR THE PATIENT IN THE HOSPITAL SHALL USE THEIR PROFESSIONAL JUDGMENT TO DETERMINE WHEN THE PATIENT NO LONGER REQUIRES HOSPITALIZATION AND MAY RECEIVE OUTPATIENT DIALYSIS."	37 38 39 40 41 42 43 44
Education	After consideration on the merits, the Committee recommends that SB13-031 be referred to the Committee of the Whole with favorable recommendation.	45 46 47
Education	After consideration on the merits, the Committee recommends that SB13-006 be postponed indefinitely.	48 49 50 51 52
	<hr/>	53 54 55
	SENATE SERVICES REPORT	56 57 58
	Correctly Printed: SJR13-009, 010, 011 and 012. Correctly Engrossed: SJR13-008.	59 60 61 62
	<hr/>	63 64
	On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of Resolutions.	65 66 67

CONSIDERATION OF RESOLUTIONS

SJR13-009 by Senator(s) Ulibarri; also Representative(s) Lee, Melton, Exum, Salazar, Fields, Williams, Buckner--Concerning the designation of February 2013 as "Emancipation Proclamation Awareness Month".

On motion of Senator Ulibarri, the resolution was read at length and **adopted** by the following roll call vote:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	E	Ulibarri	Y
Giron	Y	Johnston	E	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Co-sponsor(s) added: Aguilar, Balmer, Baumgardner, Brophy, Cadman, Carroll, Crowder, Giron, Grantham, Guzman, Harvey, Heath, Hill, Hodge, Hudak, Jahn, Jones, Kefalas, Kerr, King, Lambert, Lundberg, Marble, Morse, Nicholson, Renfroe, Roberts, Scheffel, Schwartz, Steadman, Tochtrop and Todd.

SJR13-012 by Senator(s) Giron; also Representative(s) Buck and Fields--Concerning awareness of heart disease, and, in connection therewith, declaring February 2013 as "American Heart Month" and February 1, 2013, as "National Wear Red Day".

On motion of Senator Giron, the resolution was **adopted** by the following roll call vote:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	E	Ulibarri	Y
Giron	Y	Johnston	E	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Co-sponsor(s) added: Aguilar, Balmer, Baumgardner, Brophy, Cadman, Carroll, Crowder, Grantham, Guzman, Harvey, Heath, Hill, Hodge, Hudak, Jahn, Jones, Kefalas, Kerr, King, Lambert, Lundberg, Marble, Morse, Nicholson, Renfroe, Roberts, Scheffel, Schwartz, Steadman, Tochtrop, Todd and Ulibarri.

On motion of Majority Leader Carroll, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, (SB13-085, SB13-086, SB13-087, SB13-092, SB13-093, SB13-094, SB13-096, SB13-097, SB13-098, SB13-099, SB13-100, SB13-101, SB13-102, SB13-103, SB13-104, SB13-106, SB13-107, SB13-109, and SB13-110) were made Special Orders at 9:30 a.m.

Committee of the Whole	The hour of 9:30 a.m. having arrived, Senator Aguilar moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders -- Second Reading of Bills and, Senator Aguilar was called to the chair to act as Chairman.	1 2 3 4 5
SPECIAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR		6 7 8
	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:	9 10 11 12 13
SB13-085	by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou-- Concerning a supplemental appropriation to the department of agriculture. Ordered engrossed and placed on the calendar for third reading and final passage.	14 15 16 17 18 19
SB13-086	by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou-- Concerning a supplemental appropriation to the department of corrections. Ordered engrossed and placed on the calendar for third reading and final passage.	20 21 22 23 24 25
SB13-087	by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou-- Concerning a supplemental appropriation to the department of education. Ordered engrossed and placed on the calendar for third reading and final passage.	26 27 28 29 30 31
SB13-092	by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou-- Concerning a supplemental appropriation to the judicial department. Ordered engrossed and placed on the calendar for third reading and final passage.	32 33 34 35 36 37
SB13-093	by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou-- Concerning a supplemental appropriation to the department of labor and employment. Ordered engrossed and placed on the calendar for third reading and final passage.	38 39 40 41 42 43
SB13-094	by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou-- Concerning a supplemental appropriation to the department of law. Ordered engrossed and placed on the calendar for third reading and final passage.	44 45 46 47 48 49
SB13-096	by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou-- Concerning a supplemental appropriation to the department of local affairs. Ordered engrossed and placed on the calendar for third reading and final passage.	50 51 52 53 54 55
SB13-097	by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou-- Concerning a supplemental appropriation to the department of military and veterans affairs. Ordered engrossed and placed on the calendar for third reading and final passage.	56 57 58 59 60 61
SB13-098	by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou-- Concerning a supplemental appropriation to the department of natural resources. Ordered engrossed and placed on the calendar for third reading and final passage.	62 63 64 65 66 67
SB13-099	by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou-- Concerning a supplemental appropriation to the department of personnel and administration. Ordered engrossed and placed on the calendar for third reading and final passage.	68 69 70 71 72

- SB13-100

by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou--
Concerning a supplemental appropriation to the department of public health and
environment.

Ordered engrossed and placed on the calendar for third reading and final passage.
- SB13-101

by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou--
Concerning a supplemental appropriation to the department of public safety.

Ordered engrossed and placed on the calendar for third reading and final passage.
- SB13-102

by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou--
Concerning a supplemental appropriation to the department of regulatory agencies.

Ordered engrossed and placed on the calendar for third reading and final passage.
- SB13-103

by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou--
Concerning a supplemental appropriation to the department of revenue.

Ordered engrossed and placed on the calendar for third reading and final passage.
- SB13-104

by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou--
Concerning a supplemental appropriation to the department of state.

Ordered engrossed and placed on the calendar for third reading and final passage.
- SB13-106

by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou--
Concerning a supplemental appropriation to the department of the treasury.

Ordered engrossed and placed on the calendar for third reading and final passage.
- SB13-107

by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou--
Concerning funding for capital construction, and making supplemental appropriations in
connection therewith.

Ordered engrossed and placed on the calendar for third reading and final passage.
- SB13-109

by Senator(s) Lambert, Hodge, Steadman; also Representative(s) Duran, Levy, Gerou--
Concerning indirect cost recovery from programs, and, in connection therewith,
establishing an indirect costs excess recovery fund and departmental accounts within the
fund for the purpose of allowing departments of state government to use moneys collected
as payment for indirect costs over multiple fiscal years.

Ordered engrossed and placed on the calendar for third reading and final passage.
- SB13-110

by Senator(s) Lambert, Hodge, Steadman; also Representative(s) Levy and Gerou, Duran--
Concerning the wildland fire cost recovery fund.

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

**ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE --
CONSENT CALENDAR**

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	E	Ulibarri	Y
Giron	Y	Johnston	E	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB13-085, SB13-086, SB13-087, SB13-092, SB13-093, SB13-094, SB13-096, SB13-097, SB13-098, SB13-099, SB13-100,SB13-101, SB13-102, SB13-103, SB13-104, SB13-106, SB13-107, SB13-109, SB13-110.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for consideration of General Orders -- Second Reading of Bills - Consent Calendar..

Committee of the Whole On motion of Senator Aguilar, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Aguilar was called to the Chair to act as Chairman.

**GENERAL ORDERS -- SECOND READING OF BILLS --
CONSENT CALENDAR**

The Committee of the Whole having risen, the Chairman reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB13-043 by Senator(s) Kerr; also Representative(s) Gardner--Concerning the prohibition against knowingly permitting removal of alcohol beverages from an establishment licensed to sell alcohol beverages for on-premises consumption.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, January 29, page(s) 85-86 and placed in members' bill files.)
As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB13-005 by Senator(s) Grantham; --Concerning designating Fort Carson police officers as peace officers.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, January 29, page(s) 86 and placed in members' bill files.)
As amended, ordered engrossed and placed on the calendar for third reading and final passage.

**ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE --
CONSENT CALENDAR**

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	E	Ulibarri	Y
Giron	Y	Johnston	E	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB13-043 as amended, SB13-005 as amended.

On motion of Majority Leader Carroll, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, (SB13-088, SB13-089, SB13-090, SB13-095, SB13-105, SB13-133, SB13-114, and SB13-115) were made Special Orders at 9:45 a.m.

Committee of the Whole

The hour of 9:45 a.m. having arrived, Senator Aguilar moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders -- Second Reading of Bills, and Senator Aguilar 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:

- SB13-089

by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou-- Concerning a supplemental appropriation to the department of health care policy and financing.

Ordered engrossed and placed on the calendar for third reading and final passage.
- SB13-090

by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou-- Concerning a supplemental appropriation to the department of higher education.

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.)
- SB13-095

by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou-- Concerning a supplemental appropriation to the department of legislature.

Ordered engrossed and placed on the calendar for third reading and final passage.
- SB13-105

by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou-- Concerning a supplemental appropriation to the department of transportation.

Ordered engrossed and placed on the calendar for third reading and final passage.
- SB13-133

by Senator(s) Steadman; also Representative(s) Gerou--Concerning the distribution of the state share of limited gaming fund revenues.

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.)

SB13-114 by Senator(s) Hodge, Steadman, Lambert; also Representative(s) Levy, Duran, Gerou--
Concerning the designation of the racing cash fund as the appropriate fund into which
certain racing regulation fees are deposited.

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

SB13-115 by Senator(s) Hodge, Steadman, Lambert; also Representative(s) Gerou, Duran, Levy--
Concerning the creation of the waste tire fee administration cash fund.

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

SB13-088 by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou--
Concerning a supplemental appropriation to the offices of the governor, lieutenant
governor, and state planning and budgeting.

Laid over until Monday, February 4, retaining its place on the calendar.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

SB13-090 by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou--
Concerning a supplemental appropriation to the department of higher education.

Senator Harvey moved to amend the Report of the Committee of the Whole to show that the
following Harvey, Renfroe, Cadman, Scheffel, and Grantham floor amendment, (J.006) to
SB 13-090, did pass.

Amend printed bill, page 10, line 3, in the ITEM & SUBTOTAL column
strike "~~229,722,572~~" and substitute "229,722,572" and in the GENERAL
FUND column strike "~~15,318,142~~" and substitute "15,318,142".

Page 10, strike line 4.

Page 10, line 6, in the TOTAL column strike "~~494,744,672~~" and
substitute "494,744,672".

Page 10, strike line 7.

Page 10, line 13, in the ITEM & SUBTOTAL column strike
"~~34,471,996~~" and substitute "34,471,996" and in the
REAPPROPRIATED FUNDS column strike "~~10,909,111^b~~" and
substitute "10,909,111^b".

Page 10, strike line 14.

Page 11, line 7, strike "~~\$8,013,091~~ \$8,176,531" and substitute
"\$8,013,091".

Page 11, line 10, in the ITEM & SUBTOTAL column strike
"~~73,265,398~~" and substitute "73,265,398" and in the
REAPPROPRIATED FUNDS column strike "~~18,630,850^b~~" and
substitute "18,630,850^b".

Page 11, strike line 11.

Page 12, line 6, strike "~~\$6,527,830~~ \$6,835,836" and substitute
"\$6,527,830".

Page 12, line 10, in the ITEM & SUBTOTAL column strike
"~~128,971,863~~" and substitute "128,971,863" and in the
REAPPROPRIATED FUNDS column strike "~~36,982,005^b~~" and
substitute "36,982,005^b".

Page 12, strike line 11.

Page 13, line 5, strike "\$5,761,905 \$6,335,809" and substitute "\$5,761,905".

Page 13, line 8, in the ITEM & SUBTOTAL column strike "23,751,446" and substitute "23,751,446" and in the REAPPROPRIATED FUNDS column strike "9,114,442^b" and substitute "9,114,442^b".

Page 13, strike line 9.

Page 14, line 2, strike "\$6,737,362 \$6,867,864" and substitute "\$6,737,362".

Page 14, line 6, in the ITEM & SUBTOTAL column strike "421,567,311" and substitute "421,567,311" and in the REAPPROPRIATED FUNDS column strike "104,149,597^b" and substitute "104,149,597^b".

Page 14, strike line 7.

Page 15, line 2, strike "\$64,508,537 \$66,300,174" and substitute "\$64,508,537".

Page 15, line 8, in the ITEM & SUBTOTAL column strike "45,045,006" and substitute "45,045,006" and in the REAPPROPRIATED FUNDS column strike "9,106,839^b" and substitute "9,106,839^b".

Page 15, strike line 9.

Page 16, line 2, strike "\$4,896,159 \$5,046,237" and substitute "\$4,896,159".

Page 16, line 8, in the ITEM & SUBTOTAL column strike "946,571,892" and substitute "946,571,892" and in the REAPPROPRIATED FUNDS column strike "141,828,875^b" and substitute "141,828,875^b".

Page 16, strike line 9.

Page 17, line 2, strike "\$90,365,444 \$93,511,501" and substitute "\$90,365,444".

Page 17, line 9, in the ITEM & SUBTOTAL column strike "113,224,565" and substitute "113,224,565" and in the REAPPROPRIATED FUNDS column strike "15,772,582^b" and substitute "15,772,582^b".

Page 17, strike line 10.

Page 18, line 2, strike "\$10,862,182 \$11,229,183" and substitute "\$10,862,182".

Page 18, line 5, in the ITEM & SUBTOTAL column strike "124,405,052" and substitute "124,405,052" and in the REAPPROPRIATED FUNDS column strike "31,857,095^b" and substitute "31,857,095^b".

Page 18, strike line 6.

Page 18, line 13, strike "\$16,885,955 \$17,425,163" and substitute "\$16,885,955".

Page 19, line 5, in the ITEM & SUBTOTAL column strike "399,945,505" and substitute "399,945,505" and in the REAPPROPRIATED FUNDS column strike "117,690,007^b" and substitute "117,690,007^b".

Page 19, strike line 6.

Page, 20, line 2, strike "\$15,164,107 \$16,966,770" and substitute "\$15,164,107".

Page 20 line 7, in the TOTAL column strike "2,311,220,034" and

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substitute "2,311,220,034".

Page 20, strike line 8.

Page 20, line 14, in the TOTAL column strike "~~12,522,176~~" and substitute "12,522,176" and in the GENERAL FUND column strike "~~11,909,951~~" and substitute "11,909,951".

Page 20, strike line 15.

Page 22, line 6, in the ITEM & SUBTOTAL column strike "~~7,664,871~~" and substitute "7,664,871" and in the GENERAL FUND column strike "~~7,664,871~~" and substitute "7,664,871".

Page 22, strike line 7.

Page 23, line 7, in the TOTAL column strike "~~52,465,673~~" and substitute "52,465,673".

Page 23, strike line 8.

Page 26, line 7, in the GENERAL FUND column strike "~~\$362,471,953~~" and substitute "\$362,471,953", and in the REAPPROPRIATED FUNDS column strike "~~\$544,880,058~~" and substitute "\$544,880,058".

Page 26, line 8, in the TOTAL column strike "\$3,052,818,507" and substitute "\$3,034,538,129", in the GENERAL FUND column strike "\$371,779,835", and in the REAPPROPRIATED FUNDS column strike "\$553,852,554".

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	13	NO	21	EXCUSED	1	ABSENT	0
Aguilar	N	Guzman	N	Kefalas	N	Roberts	N
Balmer	Y	Harvey	Y	Kerr	N	Scheffel	Y
Baumgardner	Y	Heath	N	King	N	Schwartz	N
Brophy	N	Hill	Y	Lambert	Y	Steadman	N
Cadman	Y	Hodge	N	Lundberg	Y	Tochtrop	N
Carroll	N	Hudak	N	Marble	Y	Todd	N
Crowder	Y	Jahn	Y	Newell	E	Ulibarri	N
Giron	N	Johnston	N	Nicholson	N	President	N
Grantham	Y	Jones	N	Renfroe	Y		

SB13-133 by Senator(s) Steadman; also Representative(s) Gerou--Concerning the distribution of the state share of limited gaming fund revenues.

Senator Harvey moved to amend the Report of the Committee of the Whole to show that the following Harvey, Lambert, Cadman, Scheffel, Grantham, and Renfroe floor amendment, (L.001) to SB 13-133, did pass.

Amend printed bill, page 2, line 10, strike "FIFTEEN MILLION" and substitute "ELEVEN MILLION NINE HUNDRED EIGHTY-FOUR THOUSAND EIGHT HUNDRED SEVENTY-NINE".

Page 2, line 16, strike "FIVE MILLION FIVE HUNDRED THOUSAND" and substitute "FOUR MILLION THREE HUNDRED FOURTEEN THOUSAND FIVE HUNDRED FIFTY-SIX".

Page 3, line 21, strike "FIVE MILLION" and substitute "THREE MILLION FIVE HUNDRED NINETY-FIVE THOUSAND FOUR HUNDRED SIXTY-FOUR".

Page 3, line 23, strike "TWO MILLION ONE HUNDRED THOUSAND" and substitute "ONE MILLION SIX HUNDRED SEVENTY-SEVEN THOUSAND EIGHT HUNDRED EIGHTY-THREE".

Page 3, line 26, strike "TWO MILLION" and substitute "NINE HUNDRED

FIFTY-EIGHT THOUSAND SEVEN HUNDRED NINETY".

Page 4, line 3, strike "FIVE HUNDRED THOUSAND" and substitute "TWO HUNDRED THIRTY-NINE THOUSAND SIX HUNDRED NINETY-EIGHT".

Page 4, line 10, strike "AND".

Page 4, after line 10 insert:

(VII) SEVEN MILLION TWO HUNDRED TWENTY-EIGHT THOUSAND SEVEN HUNDRED THIRTY-ONE DOLLARS TO THE STATE EDUCATION FUND CREATED IN SECTION 22-55-103 (1); AND".

Page 4, line 11, strike "(VII)" and substitute "(VIII)".

Page 4, line 12, strike "(VI)" and substitute "(VII)".

Page 4, line 15, strike "(VI)" and substitute "(VII)".

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	19	EXCUSED	1	ABSENT	0
Aguilar	N	Guzman	N	Kefalas	N	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	N	Scheffel	Y
Baumgardner	Y	Heath	N	King	Y	Schwartz	N
Brophy	Y	Hill	Y	Lambert	Y	Steadman	N
Cadman	Y	Hodge	N	Lundberg	Y	Tochtrop	N
Carroll	N	Hudak	N	Marble	Y	Todd	N
Crowder	Y	Jahn	N	Newell	E	Ulibarri	N
Giron	N	Johnston	N	Nicholson	N	President	N
Grantham	Y	Jones	N	Renfroe	Y		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	E	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB13-089, SB13-090, SB13-095, SB13-105, SB13-133, SB13-114, SB13-115.
Laid over until Monday, February 4: SB13-088.

Committee of the Whole On motion of Senator Aguilar, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Aguilar was called to the chair to act as Chairman.

GENERAL 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:

SB13-013 by Senator(s) King; --Concerning peace officer authority for certain employees of the United States secret service.

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

SB13-029 by Senator(s) Kerr; also Representative(s) DelGrosso--Concerning the voluntary contribution designation benefiting the Habitat for Humanity of Colorado fund that appears on the state individual income tax return forms.

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	E	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB13-013, SB13-029.

COMMITTEE OF REFERENCE REPORTS

Agriculture, Natural Resources, & Energy After consideration on the merits, the Committee recommends that **SB13-041** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend printed bill, page 2, line 12, strike "DECREED PURPOSE," and substitute "PURPOSE FOR WHICH AN APPROPRIATION IS LAWFULLY MADE,".

Page 3, line 19, after "MAKE" insert "ABSOLUTE, IN WHOLE OR IN PART,".

Page 3, line 20 strike everything after "RIGHT" and substitute "DECREED FOR A SEPARATE FEATURE OF THE PROJECT OR INTEGRATED SYSTEM.".

Page 4, line 8, strike "STORAGE." and substitute "STORAGE FROM YEAR TO YEAR.".

Page 4, line 19, strike "diligence decrees entered" and substitute "applications pending".

Agriculture,
Natural
Resources, &
Energy

After consideration on the merits, the Committee recommends that **SJR13-005** be referred to the Senate for final action.

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MESSAGE FROM THE HOUSE

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February 1, 2013

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1008, amended as printed in House Journal, January 28, page 114.

The House has adopted and transmits herewith HJR13-1013.

The House has adopted and returns herewith SJR13-008.

The House has adopted and returns herewith SJR13-012.

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MESSAGE FROM THE REVISOR OF STATUTES

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February 1, 2013

We herewith transmit:

Without comment, as amended, HB13-1008.

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INTRODUCTION OF RESOLUTIONS

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The following resolution was read by title:

HJR13-1013 by Representative(s) Priola; also Senator(s) Kerr--Concerning recognition of School Choice Week in Colorado.

Laid over until Friday, February 8, retaining its place on the calendar.

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MESSAGE FROM THE GOVERNOR

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January 31, 2013

To the Honorable Colorado Senate
Sixty-Ninth General Assembly
First Regular Session
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

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

SB13-036: CONCERNING THE REPEAL OF THE REQUIREMENT THAT THE GENERAL ASSEMBLY ANNUALLY PASS A JOINT RESOLUTION TO CERTIFY A GENERAL FUND REVENUE ESTIMATE.

Approved January 31, 2013 at 1:27 p.m.

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Sincerely,
(signed)
John W. Hickenlooper
Governor

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

June 12, 2012

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

Ladies and Gentlemen:

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

MEMBER OF THE
PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

effective June 21, 2012, for a term expiring the Monday preceding the second Tuesday in
January 2016:

Pamela J. Patton of Bayfield, Colorado, to serve as a Democrat, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 6/22/2012
Cindi L. Markwell, Secretary of the Senate

Committee on Business, Labor, and Technology

On motion of Majority Leader Carroll, the Senate adjourned until 10:00 a.m., Monday,
February 4, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

27th Legislative Day Monday, February 4, 2013

- Prayer By the chaplain, Father Eustace Sequeira, Regis University Jesuit Community, Denver.
- Call to Order By the President at 10:00 a.m.
- Pledge By Senator Hill.
- Roll Call Present--32
Excused--3, King, Scheffel, Schwartz.
Present later--1, Schwartz.
- Quorum The President announced a quorum present.
- Reading of Journal On motion of Senator Ulibarri, reading of the Journal of Friday, February 1, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

- Legal Services After consideration on the merits, the Committee recommends that SB13-079 be referred to the Committee on Appropriations with favorable recommendation.
- Education The Committee on Education has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

MEMBERS OF THE
BOARD OF GOVERNORS OF THE
COLORADO STATE UNIVERSITY SYSTEM

for a term expiring December 31, 2014:

Mark Allan Gustafson of Windsor, Colorado, to serve as a member who has substantial experience in the production of agriculture, and to serve as a Republican, and occasioned by the death of Russell Neil Johnson of Sterling, Colorado, appointed;

for terms expiring December 31, 2015:

Demetri E. "Rico" Munn of Denver, Colorado, to serve as a Democrat, and occasioned by the resignation of Donald M. Elliman, Jr. of Greenwood Village, Colorado, appointed;

William E. Mosher of Denver, Colorado, to serve as a Democrat, and occasioned by the resignation of Penfield W. Tate of Denver, Colorado, appointed;

effective December 31, 2012 for terms expiring December 31, 2016:

Joseph C. Zimlich of Fort Collins, Colorado, a Larimer County resident and a Democrat, reappointed;

Dorothy Ann Horrell of Wheat Ridge, Colorado, to serve as a member from southern Colorado, reappointed.

SENATE SERVICES REPORT

Correctly Engrossed: SB13-005, 013, 029, 043, 085, 86, 87, 089, 090, 092, 093, 094, 095, 096, 097, 098, 099, 100, 101, 102, 103, 104, 105, 106, 107, 109, 110, 114, 115 and 133; SJR13-009 and 012.

INTRODUCTION OF BILLS -- FIRST READING

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

- SB13-154** by Senator(s) Jahn; also Representative(s) Williams--Concerning continuation of the division of banking, and, in connection therewith, implementing the recommendations of the 2012 sunset report by the department of regulatory agencies.
Business, Labor, & Technology
- SB13-155** by Senator(s) Baumgardner; also Representative(s) Ryden--Concerning the continuation of the board of real estate appraisers, and, in connection therewith, implementing the recommendations of the 2012 sunset report by the department of regulatory agencies.
Business, Labor, & Technology
- SB13-156** by Senator(s) Tochtrop; also Representative(s) Williams--Concerning continuation of the board of mortgage loan originators in the division of real estate, and, in connection therewith, implementing the recommendations of the 2012 sunset report by the department of regulatory agencies.
Business, Labor, & Technology
- SB13-157** by Senator(s) Heath, Tochtrop; also Representative(s) Kraft-Tharp and Exum--Concerning the continuation of the "Colorado Work Share Program".
Business, Labor, & Technology
- SB13-158** by Senator(s) Balmer; also Representative(s) Ryden--Concerning the continuation of the preparation of cost-benefit analysis of proposed rules of executive branch agencies, and, in connection therewith, implementing the recommendations of the 2012 sunset report of the department of regulatory agencies.
Business, Labor, & Technology
- SB13-159** by Senator(s) Jahn; also Representative(s) Court--Concerning continuation of the division of financial services.
Business, Labor, & Technology
- SB13-160** by Senator(s) Crowder; also Representative(s) Primavera--Concerning the sunset review of the dental advisory committee, and, in connection therewith, implementing the recommendations of the department of regulatory agencies to continue the advisory committee.
Health & Human Services
- SB13-161** by Senator(s) Heath; also Representative(s) Fischer--Concerning continuation of the state board for licensure of architects, professional engineers, and professional land surveyors, and, in connection therewith, implementing the recommendations of the 2012 sunset report by the department of regulatory agencies.
Business, Labor, & Technology

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for consideration of Third Reading of Bills -- Final Passage -- Consent 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:

SB13-085 by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou-- Concerning a supplemental appropriation to the department of agriculture.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	E
Baumgardner	Y	Heath	Y	King	E	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

SB13-086 by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou-- Concerning a supplemental appropriation to the department of corrections.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	E
Baumgardner	Y	Heath	Y	King	E	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

SB13-087 by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou-- Concerning a supplemental appropriation to the department of education.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	E
Baumgardner	Y	Heath	Y	King	E	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Aguilar and Todd.

SB13-092 by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou-- Concerning a supplemental appropriation to the judicial department.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	E
Baumgardner	Y	Heath	Y	King	E	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

SB13-093 by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou-- Concerning a supplemental appropriation to the department of labor and employment.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	E
Baumgardner	Y	Heath	Y	King	E	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

SB13-094 by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou-- Concerning a supplemental appropriation to the department of law.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	E
Baumgardner	Y	Heath	Y	King	E	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

SB13-096 by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou--
Concerning a supplemental appropriation to the department of local affairs.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	E
Baumgardner	Y	Heath	Y	King	E	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

SB13-097 by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou--
Concerning a supplemental appropriation to the department of military and veterans affairs.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	E
Baumgardner	Y	Heath	Y	King	E	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

SB13-098 by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou--
Concerning a supplemental appropriation to the department of natural resources.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	E
Baumgardner	Y	Heath	Y	King	E	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

SB13-099 by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou--
Concerning a supplemental appropriation to the department of personnel and administration.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	E
Baumgardner	Y	Heath	Y	King	E	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

SB13-100 by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou-- Concerning a supplemental appropriation to the department of public health and environment.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	E
Baumgardner	Y	Heath	Y	King	E	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

SB13-101 by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou-- Concerning a supplemental appropriation to the department of public safety.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	E
Baumgardner	Y	Heath	Y	King	E	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

SB13-102 by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou-- Concerning a supplemental appropriation to the department of regulatory agencies.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	E
Baumgardner	Y	Heath	Y	King	E	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

SB13-103 by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou-- Concerning a supplemental appropriation to the department of revenue.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	E
Baumgardner	Y	Heath	Y	King	E	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

SB13-104 by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou-- Concerning a supplemental appropriation to the department of state.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	E
Baumgardner	Y	Heath	Y	King	E	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

SB13-106 by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou-- Concerning a supplemental appropriation to the department of the treasury.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	E
Baumgardner	Y	Heath	Y	King	E	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

SB13-107 by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou-- Concerning funding for capital construction, and making supplemental appropriations in connection therewith.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	E
Baumgardner	Y	Heath	Y	King	E	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

SB13-109 by Senator(s) Lambert, Hodge, Steadman; also Representative(s) Duran, Levy, Gerou-- Concerning indirect cost recovery from programs, and, in connection therewith, establishing an indirect costs excess recovery fund and departmental accounts within the fund for the purpose of allowing departments of state government to use moneys collected as payment for indirect costs over multiple fiscal years.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	E
Baumgardner	Y	Heath	Y	King	E	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

SB13-110 by Senator(s) Lambert, Hodge, Steadman; also Representative(s) Levy and Gerou, Duran-- Concerning the wildland fire cost recovery fund.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	E
Baumgardner	Y	Heath	Y	King	E	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Aguilar, Baumgardner, Cadman, Giron, Grantham, Guzman, Heath, Jahn, Lundberg, Morse, Newell, Nicholson, Schwartz, Todd and Ulibarri.

SB13-043 by Senator(s) Kerr; also Representative(s) Gardner--Concerning the prohibition against knowingly permitting removal of alcohol beverages from an establishment licensed to sell alcohol beverages for on-premises consumption.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	E
Baumgardner	Y	Heath	Y	King	E	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Baumgardner, Heath, Jahn, Newell, Steadman and Todd.

SB13-005 by Senator(s) Grantham; also Representative(s) Nordberg and Landgraf--Concerning designating Fort Carson police officers as peace officers.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	E
Baumgardner	Y	Heath	Y	King	E	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Aguilar, Morse, Newell and Todd.

Senate in recess. Senate reconvened.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for consideration of Third Reading of Bills -- Final Passage.

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:

SB13-089 by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou-- Concerning a supplemental appropriation to the department of health care policy and financing.

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

YES	25	NO	8	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	N	Kerr	Y	Scheffel	E
Baumgardner	Y	Heath	Y	King	E	Schwartz	Y
Brophy	N	Hill	N	Lambert	Y	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Aguilar, Kefalas, Nicholson and Todd.

SB13-090 by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou-- Concerning a supplemental appropriation to the department of higher education.

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

YES	27	NO	6	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	N	Kerr	Y	Scheffel	E
Baumgardner	Y	Heath	Y	King	E	Schwartz	Y
Brophy	Y	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Aguilar, Guzman, Heath, Jahn, Jones, Kefalas, Newell, Nicholson, Schwartz, Todd and Ulibarri.

SB13-095 by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou-- Concerning a supplemental appropriation to the department of legislature.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	E
Baumgardner	Y	Heath	Y	King	E	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

SB13-105 by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou-- Concerning a supplemental appropriation to the department of transportation.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	E
Baumgardner	Y	Heath	Y	King	E	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Heath, Jones and Todd.

SB13-133 by Senator(s) Steadman; also Representative(s) Gerou--Concerning the distribution of the state share of limited gaming fund revenues.

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

YES	21	NO	12	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	E
Baumgardner	N	Heath	Y	King	E	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Aguilar, Morse, Newell and Nicholson.

SB13-114 by Senator(s) Hodge, Steadman, Lambert; also Representative(s) Levy, Duran, Gerou-- Concerning the designation of the racing cash fund as the appropriate fund into which certain racing regulation fees are deposited.

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

YES	30	NO	3	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	N	Kerr	Y	Scheffel	E
Baumgardner	Y	Heath	Y	King	E	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	N		

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

SB13-115 by Senator(s) Hodge, Steadman, Lambert; also Representative(s) Gerou, Duran, Levy--Concerning the creation of the waste tire fee administration cash fund.

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

YES	30	NO	3	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	E
Baumgardner	Y	Heath	Y	King	E	Schwartz	Y
Brophy	N	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Newell and Todd.

SB13-013 by Senator(s) King; --Concerning peace officer authority for certain employees of the United States secret service.

Laid over until Tuesday, February 5, retaining its place on the calendar.

SB13-029 by Senator(s) Kerr; also Representative(s) DelGrosso--Concerning the voluntary contribution designation benefiting the Habitat for Humanity of Colorado fund that appears on the state individual income tax return forms.

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

YES	27	NO	6	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	E
Baumgardner	Y	Heath	Y	King	E	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Aguilar, Carroll, Harvey, Heath, Kefalas, Newell, Schwartz, Steadman and Todd.

Committee of the Whole Senator Kerr moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders -- Second Reading of Bills, and Senator Kerr 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:

SB13-088 by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou-- Concerning a supplemental appropriation to the offices of the governor, lieutenant governor, and state planning and budgeting.

Amendment No. 1(L.001), by Senators Hill, Cadman, Scheffel, Harvey, and Marble.

Amend printed bill, page 6, strike lines 5 through 14.

Page 7, strike lines 1 through 5.

Adjust affected totals accordingly.

Page 20, line 13, in the "CASH FUNDS" column strike "\$24,940,999^{aa}" and insert "\$18,225,540."

Page 20, strike line 15.

Page 22, after line 16 insert:

"SECTION 3. Appropriation to the offices of the governor, lieutenant governor, and state planning and budgeting for the fiscal year beginning July 1, 2012. In Session Laws of Colorado 2012, chapter 224 (HB 12-1315), **repeal** sections 57 and 58 as follows:

Section 57. **Appropriation.** ~~(1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the innovative energy fund created in section 24-38.5-102.5, Colorado Revised Statutes, not otherwise appropriated, to the governor - lieutenant governor - state planning and budgeting, for the fiscal year beginning July 1, 2012, the sum of \$1,500,000 and 10.3 FTE, or so much thereof as may be necessary. Said sum is subject to the "(I)" notation as defined in the general appropriations act and is to be allocated for the implementation of this act as follows:~~

~~(a) \$1,373,312 and 10.3 FTE for Colorado energy office, program administration;~~

~~(b) \$33,604 for Colorado energy office, legal services;~~

~~(c) \$45,714 for special purpose, health, life, and dental;~~

~~(d) \$1,368 for special purpose, short-term disability;~~

~~(e) \$24,740 for special purpose, amortization equalization disbursement; and~~

~~(f) \$21,262 for special purpose, supplemental amortization equalization disbursement.~~

Section 58. **Appropriation.** ~~(1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the clean and renewable energy fund, created in section 24-38.5-102.4, Colorado Revised Statutes, not otherwise appropriated, to the governor - lieutenant governor - state planning and budgeting, for the fiscal year beginning July 1, 2012, the sum of \$2,160,491 and 10.4 FTE, or so much thereof as may be necessary. Said sum is subject to the "(I)" notation as defined in the general appropriations act and is to be allocated for the implementation of this act as follows:~~

- ~~(a) \$1,433,803 and 10.4 FTE for Colorado energy office, program administration;~~
- ~~(b) \$33,604 for Colorado energy office, legal services;~~
- ~~(c) \$45,714 for special purpose, health, life, and dental;~~
- ~~(d) \$1,368 for special purpose, short-term disability;~~
- ~~(e) \$24,740 for special purpose, amortization equalization disbursement;~~
- ~~(f) \$21,262 for special purpose, supplemental amortization equalization disbursement; and~~
- ~~(g) \$600,000 for Colorado energy office, weatherization."~~

Renumber succeeding section accordingly.

PURPOSE: Eliminates FY 2012-13 appropriations to the **Colorado Energy Office**.

Fiscal Impact of Amendment						
Department	GF	CF	RF	FF	Total	FTE
Office of the Governor	\$0	(\$10,375,950)	\$0	(\$3,517,768)	(\$13,893,718)	(33.7)

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

SB13-088 by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou-- Concerning a supplemental appropriation to the offices of the governor, lieutenant governor, and state planning and budgeting.

Senator Steadman moved to amend the Report of the Committee of the Whole to show that the following Hill, Cadman, King, Scheffel, Harvey, and Marble floor amendment, (L.001) to SB 13-088, did not pass, and that the following new amendment did pass.

Hill - L.001

Amend printed bill, page 6, strike lines 5 through 14.

Page 7, strike lines 1 through 5.

Adjust affected totals accordingly.

Page 20, line 13, in the "CASH FUNDS" column strike "\$24,940,999^a" and insert "\$18,225,540."

Page 20, strike line 15.

Page 22, after line 16 insert:

"SECTION 3. Appropriation to the offices of the governor, lieutenant governor, and state planning and budgeting for the fiscal year beginning July 1, 2012. In Session Laws of Colorado 2012, chapter 224 (HB 12-1315), **repeal** sections 57 and 58 as follows:

Section 57. **Appropriation.** ~~(1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the~~

~~innovative energy fund created in section 24-38.5-102.5, Colorado Revised Statutes, not otherwise appropriated, to the governor - lieutenant governor - state planning and budgeting, for the fiscal year beginning July 1, 2012, the sum of \$1,500,000 and 10.3 FTE, or so much thereof as may be necessary. Said sum is subject to the "(I)" notation as defined in the general appropriations act and is to be allocated for the implementation of this act as follows:~~

~~(a) \$1,373,312 and 10.3 FTE for Colorado energy office, program administration;~~

~~(b) \$33,604 for Colorado energy office, legal services;~~

~~(c) \$45,714 for special purpose, health, life, and dental;~~

~~(d) \$1,368 for special purpose, short-term disability;~~

~~(e) \$24,740 for special purpose, amortization equalization disbursement; and~~

~~(f) \$21,262 for special purpose, supplemental amortization equalization disbursement.~~

~~Section 58. **Appropriation.** (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the clean and renewable energy fund, created in section 24-38.5-102.4, Colorado Revised Statutes, not otherwise appropriated, to the governor - lieutenant governor - state planning and budgeting, for the fiscal year beginning July 1, 2012, the sum of \$2,160,491 and 10.4 FTE, or so much thereof as may be necessary. Said sum is subject to the "(I)" notation as defined in the general appropriations act and is to be allocated for the implementation of this act as follows:~~

~~(a) \$1,433,803 and 10.4 FTE for Colorado energy office, program administration;~~

~~(b) \$33,604 for Colorado energy office, legal services;~~

~~(c) \$45,714 for special purpose, health, life, and dental;~~

~~(d) \$1,368 for special purpose, short-term disability;~~

~~(e) \$24,740 for special purpose, amortization equalization disbursement;~~

~~(f) \$21,262 for special purpose, supplemental amortization equalization disbursement; and~~

~~(g) \$600,000 for Colorado energy office, weatherization."~~

Renumber succeeding section accordingly.

New Amendment

Amend printed bill, page 6, line 6, in the ITEM & SUBTOTAL column strike "3,500,000" and substitute "3,500,000" and in the FEDERAL FUNDS column strike "3,500,000(I)" and substitute "3,500,000(I)".

Page 6, after line 6, in the ITEM & SUBTOTAL column insert "2,625,000" and in the FEDERAL FUNDS column insert "2,625,000(I)".

Page 6, line 9, in the ITEM & SUBTOTAL column strike "6,500,000" and substitute "6,500,000" and in the CASH FUNDS column strike "6,500,000(I)" and substitute "6,500,000(I)".

Page 6, after line 9, in the ITEM & SUBTOTAL column insert "4,875,000" and in the CASH FUNDS column insert "4,875,000(I)".

Page 6, line 10, in the ITEM & SUBTOTAL column strike "207,975" and substitute "207,975" and in the CASH FUNDS column strike "207,975(I)" and substitute "207,975(I)".

Page 6, after line 10, in the ITEM & SUBTOTAL column insert "155,981" and in the CASH FUNDS column insert "155,981(I)^b".

Page 6, line 12, in the ITEM & SUBTOTAL column strike "17,768" and substitute "~~17,768~~" and in the FEDERAL FUNDS column strike "17,768(I)" and substitute "~~17,768(I)~~".

Page 6, after line 12, in the ITEM & SUBTOTAL column insert "13,326" and in the FEDERAL FUNDS column insert "13,326(I)".

Page 6, line 13, in the ITEM & SUBTOTAL column strike "7,484" and substitute "~~7,484~~" and in the CASH FUNDS column strike "7,484" and substitute "~~7,484~~".

Page 6, line after line 13, in the ITEM & SUBTOTAL column insert "5,613" and in the CASH FUNDS column insert "5,613".

Page 6, line 14, in the ITEM & SUBTOTAL column strike "10,233,227" and substitute "~~10,233,227~~".

Page 6, after line 14, in the ITEM & SUBTOTAL column insert "7,674,920".

Page 8, line 4, in the TOTAL column strike "40,604,928" and substitute "38,046,621".

Page 20, line 12, in the FEDERAL FUNDS column strike "\$16,698,840^b" and substitute "~~\$16,698,840^b~~".

Page 20, line 13, in the TOTAL column strike "\$188,269,316" and substitute "\$185,711,009", in the CASH FUNDS column strike "\$24,940,999^a" and substitute "\$23,262,134^a", and in the FEDERAL FUNDS column insert "\$15,819,398^b".

Page 20, line 15, strike "\$6,707,975" and substitute "\$5,030,981".

Page 22, after line 16 insert:

"SECTION 3. Appropriation to the offices of the governor, lieutenant governor, and state planning and budgeting for the fiscal year beginning July 1, 2012. In Session Laws of Colorado 2012, chapter 224 (HB 12-1315), amend sections 57 and 58 as follows:

Section 57. **Appropriation.** (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the innovative energy fund created in section 24-38.5-102.5, Colorado Revised Statutes, not otherwise appropriated, to the governor - lieutenant governor - state planning and budgeting, for the fiscal year beginning July 1, 2012, the sum of ~~\$1,500,000~~ \$1,125,001 and 10.3 FTE, or so much thereof as may be necessary. Said sum is subject to the "(I)" notation as defined in the general appropriations act and is to be allocated for the implementation of this act as follows:

(a) ~~\$1,373,312~~ \$1,029,984 and 10.3 FTE for Colorado energy office, program administration;

(b) ~~\$33,604~~ \$25,203 for Colorado energy office, legal services;

(c) ~~\$45,714~~ \$34,286 for special purpose, health, life, and dental;

(d) ~~\$1,368~~ \$1,026 for special purpose, short-term disability;

(e) ~~\$24,740~~ \$18,555 for special purpose, amortization equalization disbursement; and

(f) ~~\$21,262~~ \$15,947 for special purpose, supplemental amortization equalization disbursement.

Section 58. **Appropriation.** (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the clean and renewable energy fund, created in section 24-38.5-102.4, Colorado Revised Statutes, not otherwise appropriated, to the governor

- lieutenant governor - state planning and budgeting, for the fiscal year beginning July 1, 2012, the sum of ~~\$2,160,491~~ \$1,620,369 and 10.4 FTE, or so much thereof as may be necessary. Said sum is subject to the "(I)" notation as defined in the general appropriations act and is to be allocated for the implementation of this act as follows:

- (a) ~~\$1,433,803~~ \$1,075,352 and 10.4 FTE for Colorado energy office, program administration;
- (b) ~~\$33,604~~ \$25,203 for Colorado energy office, legal services;
- (c) ~~\$45,714~~ \$34,286 for special purpose, health, life, and dental;
- (d) ~~\$1,368~~ \$1,026 for special purpose, short-term disability;
- (e) ~~\$24,740~~ \$18,555 for special purpose, amortization equalization disbursement;
- (f) ~~\$21,262~~ \$15,947 for special purpose, supplemental amortization equalization disbursement; and
- (g) ~~\$600,000~~ \$450,000 for Colorado energy office, weatherization."

Renumber succeeding section 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 was **passed** on the following roll call vote:

YES	20	NO	13	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	E
Baumgardner	N	Heath	Y	King	E	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	E
Baumgardner	Y	Heath	Y	King	E	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB13-088 as amended.

Committee of the Whole
On motion of Senator Kerr, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Kerr was called to the Chair to act as Chairman.

GENERAL ORDERS -- SECOND READING OF BILLS --
CONSENT CALENDAR

The Committee of the Whole having risen, the Chairman reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB13-080
by Senator(s) Tochtrop, King S., Morse; also Representative(s) Peniston, Duran, Labuda, Waller--Concerning limitation on the liability of the fire and police pension association if an employer fails to properly enroll an employee in a plan.

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

SB13-010
by Senator(s) Lundberg; also Representative(s) Hullinghorst--Concerning the addition of the deans of all medical schools in Colorado to the commission on family medicine.

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

SB13-044
by Senator(s) Nicholson; also Representative(s) Coram--Concerning incentive payments in prepaid inpatient health plan agreements.

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

SB13-004
by Senator(s) Kefalas; also Representative(s) Ginal--Concerning authorization to renew a state-issued identification card by electronic means, and in connection therewith, making an appropriation.

Amendment No. 1, Local Government Committee Amendment.
(Printed in Senate Journal, January 22, page(s) 64 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, January 31, page(s) 98 and placed in members' bill files.)

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE --
CONSENT CALENDAR

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	E
Baumgardner	Y	Heath	Y	King	E	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB13-080, SB13-010, SB13-044, SB13-004 as amended.

Committee of the Whole On motion of Senator Kerr, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Kerr was called to the chair to act as Chairman.

GENERAL 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:

SB13-025 by Senator(s) Tochtrop; also Representative(s) Williams--Concerning collective bargaining by firefighters.

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, January 24, page(s) 67-68 and placed in members' bill files.)

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.)

SB13-012 by Senator(s) Heath; also Representative(s) Singer--Concerning reporting of suspected child abuse and neglect by youth sports organizations.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, January 31, page(s) 95 and placed in members' bill files.)

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

SB13-091 by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou--Concerning a supplemental appropriation to the department of human services.

Laid over until Thursday, February 7, retaining its place on the calendar.

SB13-011 by Senator(s) Steadman and Guzman, Ulibarri, Aguilar, Carroll, Giron, Heath, Hodge, Hudak, Jahn, Johnston, Jones, Kefalas, Kerr, Morse, Newell, Nicholson, Schwartz, Tochtrop, Todd; also Representative(s) Ferrandino and Schafer, Ginal, Moreno, Rosenthal, Court, Buckner, Duran, Exum, Fields, Fischer, Foote, Garcia, Gerou, Hamner, Hullinghorst, Kagan, Kraft-Tharp, Labuda, Lebsock, Lee, Levy, May, McCann, McLachlan, Melton, Mitsch Bush, Pabon, Peniston, Pettersen, Primavera, Ryden, Salazar, Singer, Tyler, Vigil, Williams, Young--Concerning authorization of civil unions.

Laid over until Friday, February 8, retaining its place on the calendar.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

SB13-025 by Senator(s) Tochtrop; also Representative(s) Williams--Concerning collective bargaining by firefighters.

Senator Renfroe moved to amend the Report of the Committee of the Whole to show that the following Renfroe floor amendment, (L.022) to SB 13-025, did pass.

Amend printed bill, page 7, line 3, strike "HOME RULE MUNICIPALITY,".

Page 7, line 5, after the period add "A "PUBLIC EMPLOYER" DOES NOT INCLUDE A HOME RULE MUNICIPALITY.".

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	13	NO	20	EXCUSED	2	ABSENT	0
Aguilar	N	Guzman	N	Kefalas	N	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	N	Scheffel	E
Baumgardner	Y	Heath	N	King	E	Schwartz	N
Brophy	Y	Hill	Y	Lambert	Y	Steadman	N
Cadman	Y	Hodge	N	Lundberg	Y	Tochtrop	N
Carroll	N	Hudak	N	Marble	Y	Todd	N
Crowder	Y	Jahn	N	Newell	N	Ulibarri	N
Giron	N	Johnston	N	Nicholson	N	President	N
Grantham	Y	Jones	N	Renfroe	Y		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

YES	20	NO	13	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	E
Baumgardner	N	Heath	Y	King	E	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

The Committee of the Whole took the following action:

Passed on second reading: SB13-025 as amended, SB13-012 as amended.
Laid over until Thursday, February 7: SB13-091.
Laid over until Friday, February 8: SB13-011.

MESSAGE FROM THE HOUSE

February 4, 2013

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1034, 1023, 1015, 1014, 1084, 1087, 1113.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1065, amended as printed in House Journal, February 1, page 151.
HB13-1144, amended as printed in House Journal, February 1, page 153.
HB13-1041, amended as printed in House Journal, February 1, page 153.

MESSAGE FROM THE REVISOR OF STATUTES

February 4, 2013

We herewith transmit:

Without comment, HB13-1014, 1015, 1023, 1034, 1084, 1087, and 1113.
Without comment, as amended, HB13-1041, 1065, and 1144.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HJR13-1011.

On motion of Majority Leader Carroll, the Senate adjourned until 9:00 a.m., Tuesday, February 5, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

28th Legislative Day Tuesday, February 5, 2013

- Prayer By the chaplain, Reverend Paul Kottke, University Park United Methodist Church, Denver.
- Call to Order By the President at 9:00 a.m.
- Pledge By Senator Hill.
- Roll Call Present--34
Excused--1, Scheffel.
- Quorum The President announced a quorum present.
- Reading of Journal On motion of Senator Ulibarri, reading of the Journal of Monday, February 4, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

- Judiciary After consideration on the merits, the Committee recommends that **HB13-1070** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.
- Judiciary The Committee on Judiciary has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:
- BOARD OF PINNACOL ASSURANCE
- effective January 1, 2013 for a term expiring January 1, 2018:
- Harold R. Logan, Jr. of Denver, Colorado, who has experience in finance or investments, but is not an employer whose liability is insured by Pinnacol Assurance, reappointed.
- Judiciary After consideration on the merits, the Committee recommends that **SB13-066** be postponed indefinitely.
- Business, Labor, & Technology The Committee on Business, Labor, & Technology has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:
- MEMBERS OF THE
FIRE AND POLICE PENSION ASSOCIATION
BOARD OF DIRECTORS
- for terms expiring September 1, 2016:
- Clifford W. Stanton of Denver, Colorado, a member of the state's financial or business community with experience in investments, reappointed;

Page 140	Senate Journal-28th Day-February 5, 2013	
	Tyson Lynn Worrell of Lakewood, Colorado, a representative of full-time paid police officers, appointed;	1
		2
		3
	for a term expiring September 1, 2015:	4
		5
	Terri L. Velasquez of Colorado Springs, Colorado, to serve as a representative of Colorado municipal employers and occasioned by the resignation of Timothy J. Nash of Greeley, Colorado, appointed.	6
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Business,		10
Labor, &	After consideration on the merits, the Committee recommends that SB13-018 be amended	11
Technology	as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	12
		13
		14
	Amend printed bill, page 2, strike lines 2 through 17.	15
		16
	Page 3, strike lines 1 through 21.	17
		18
	Renumber succeeding sections accordingly.	19
		20
	Page 4, strike line 16 and substitute:	21
		22
	"(d) "EMPLOYEE" MEANS EVERY PERSON WHO MAY BE PERMITTED,	23
	REQUIRED, OR DIRECTED BY ANY EMPLOYER IN CONSIDERATION OF DIRECT	24
	OR INDIRECT GAIN OR PROFIT, TO ENGAGE IN ANY EMPLOYMENT".	25
		26
		27
	Page 4, strike lines 23 through 27 and substitute:	28
		29
	"(g) "SUBSTANTIALLY RELATED TO THE EMPLOYEE'S CURRENT OR	30
	POTENTIAL JOB" MEANS THE INFORMATION CONTAINED IN A CREDIT	31
	REPORT IS RELATED TO THE POSITION FOR WHICH THE EMPLOYEE WHO IS	32
	THE SUBJECT OF THE REPORT IS BEING EVALUATED BECAUSE THE	33
	POSITION:	34
	(I) CONSTITUTES EXECUTIVE OR MANAGEMENT PERSONNEL OR	35
	OFFICERS OR EMPLOYEES WHO CONSTITUTE PROFESSIONAL STAFF TO	36
	EXECUTIVE AND MANAGEMENT PERSONNEL, AND THE POSITION INVOLVES	37
	ONE OR MORE OF THE FOLLOWING:	38
	(A) SETTING THE DIRECTION OR CONTROL OF A BUSINESS,	39
	DIVISION, UNIT, OR AN AGENCY OF A BUSINESS;	40
	(B) A FIDUCIARY RESPONSIBILITY TO THE EMPLOYER;	41
	(C) ACCESS TO CUSTOMERS', EMPLOYEES', OR THE EMPLOYER'S	42
	PERSONAL OR FINANCIAL INFORMATION OTHER THAN INFORMATION	43
	CUSTOMARILY PROVIDED IN A RETAIL TRANSACTION; OR	44
	(D) THE AUTHORITY TO ISSUE PAYMENTS, COLLECT DEBTS, OR	45
	ENTER INTO CONTRACTS; OR	46
	(II) INVOLVES CONTRACTS WITH DEFENSE, INTELLIGENCE,	47
	NATIONAL SECURITY, OR SPACE AGENCIES OF THE FEDERAL	48
	GOVERNMENT;".	49
		50
	Page 5, line 3, strike "JOB-RELATED." and substitute "RELATED TO THE	51
	EMPLOYEE'S CURRENT OR POTENTIAL JOB. AN EMPLOYER OR EMPLOYER'S	52
	AGENT, REPRESENTATIVE, OR DESIGNEE SHALL NOT REQUIRE AN	53
	EMPLOYEE TO CONSENT TO A REQUEST FOR A CREDIT REPORT THAT	54
	CONTAINS INFORMATION ABOUT THE EMPLOYEE'S CREDIT SCORE, CREDIT	55
	ACCOUNT BALANCES, PAYMENT HISTORY, SAVINGS OR CHECKING	56
	ACCOUNT BALANCES, OR SAVINGS OR CHECKING ACCOUNT NUMBERS AS	57
	A CONDITION OF EMPLOYMENT UNLESS:	58
	(I) THE EMPLOYER IS A BANK OR FINANCIAL INSTITUTION;	59
	(II) THE REPORT IS REQUIRED BY LAW; OR	60
	(III) THE REPORT IS SUBSTANTIALLY RELATED TO THE EMPLOYEE'S	61
	CURRENT OR POTENTIAL JOB AND THE EMPLOYER HAS A BONA FIDE	62
	PURPOSE FOR REQUESTING OR USING INFORMATION IN THE CREDIT REPORT	63
	THAT IS SUBSTANTIALLY RELATED TO THE EMPLOYEE'S CURRENT OR	64
	POTENTIAL JOB AND IS DISCLOSED IN WRITING TO THE EMPLOYEE;".	65
		66
	Page 5, line 5, strike "JOB-RELATED," and substitute "RELATED TO THE	67

EMPLOYEE'S CURRENT OR POTENTIAL JOB,".

Page 5, line 9, strike "SUCH AS A LAYOFF, AN".

Page 5, strike lines 10 and 11 and substitute "INCLUDING A LAYOFF, ERROR IN THE CREDIT INFORMATION, ACT OF IDENTITY THEFT, MEDICAL EXPENSE, MILITARY SEPARATION, DEATH, DIVORCE, OR SEPARATION IN THE EMPLOYEE'S FAMILY, STUDENT DEBT, OR A LACK OF CREDIT HISTORY.".

Page 5, strike lines 21 through 24 and substitute "MAY FILE A COMPLAINT WITH THE DIVISION OF LABOR, UPON WHICH THE DIVISION OF LABOR SHALL PROMPTLY INVESTIGATE AND ISSUE FINDINGS WITHIN THIRTY DAYS AFTER A HEARING AND MAY AWARD CIVIL PENALTIES NOT TO EXCEED TWO THOUSAND FIVE HUNDRED DOLLARS TO A PREVAILING PARTY IN AN ACTION BROUGHT UNDER THIS SUBSECTION (5).".

Page 5, after line 26 insert:

"(7) NOTHING IN THIS SECTION IMPOSES ANY LIABILITY ON A PERSON, INCLUDING A CONSUMER REPORTING AGENCY, AS THAT TERM IS DEFINED IN SECTION 12-14.3-102 (4), C.R.S., FOR PROVIDING AN EMPLOYER WITH CONSUMER CREDIT INFORMATION.".

Business,
Labor, &
Technology

After consideration on the merits, the Committee recommends that **SB13-032** be amended as follows, and as so amended, be referred to the Committee on with favorable recommendation.

Amend printed bill, page 13, line 17, strike "(13) (h)".

Page 13, line 18, strike "(13.5)".

Page 23, strike lines 16 through 27.

Page 24, strike lines 1 through 11.

State,
Veterans, &
Military
Affairs

After consideration on the merits, the Committee recommends that **SB13-064** be postponed indefinitely.

State,
Veterans, &
Military
Affairs

After consideration on the merits, the Committee recommends that **SB13-055** be postponed indefinitely.

State,
Veterans, &
Military
Affairs

After consideration on the merits, the Committee recommends that **SB13-028** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 3, line 9, strike "and".

Page 3, after line 9 insert:

"(f) Tracking actual building consumption and comparing the results to the usage proposed in design or tracked during a performance period is essential to the individual success of each certified building and the ongoing evaluation and development of the high performance standards certification program; and".

Page 3, line 10, strike "(f)" and substitute "(g)".

Page 4, line 2, strike "HAVE".

Page 4, line 3, strike "COMPLETED" and substitute "STARTED" and strike "JULY 1, 2013," and substitute "JANUARY 1, 2010,".

Page 4, line 7, strike "DEPARTMENT, ANY NECESSARY" and substitute "DEPARTMENT.".

Page 4, strike lines 8 through 16.

Page 4, line 17, strike "(A).".

Page 4, line 22, strike "COMPLETED" and substitute "STARTED".

Page 4, line 23, strike "JULY 1, 2013," and substitute "JANUARY 1, 2010,".

Page 5, line 3, strike "DEPARTMENT," and substitute "DEPARTMENT.".

Page 5, strike lines 4 through 8.

Page 5, line 9, strike "IN FACT RECOUPED.".

Page 5, after line 16 insert:

"(C) FOR PURPOSES OF THIS SUBPARAGRAPH (II), "UTILITY VENDOR BILL DATA" IS LIMITED TO THE USAGE DATA MEASURED BY THE STATE AGENCY OR DEPARTMENT OR THE INFORMATION OR DATA REQUIRED TO MEET MINIMUM PROGRAM STANDARDS BY AN INDEPENDENT THIRD PARTY PURSUANT TO THE HIGH PERFORMANCE STANDARD CERTIFICATION PROGRAM. THE STATE AGENCY OR DEPARTMENT, NOT A UTILITY COMPANY, SHALL COMPILE SUCH DATA OR INFORMATION.".

SENATE SERVICES REPORT

Correctly Printed: SB13-154, 155, 156, 157, 158, 159, 160 and 161.
Correctly Engrossed: SB13-004, 010, 012, 025, 044, 080 and 088.
Correctly Reengrossed: SB13-005, 029, 043, 085, 086, 087, 089, 090, 092, 093, 094, 095, 096, 097, 098, 099, 100, 101, 102, 103, 104, 105, 106, 107, 109, 110, 114, 115 and 133.

MESSAGE FROM THE HOUSE

February 4, 2013
Mr. President:
The House has adopted and transmits herewith HJR13-1004, and amended as printed in House Journal, February 4.

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:

SB13-080 by Senator(s) Tochtrop, King S., Morse; also Representative(s) Peniston, Duran, Labuda, Waller--Concerning limitation on the liability of the fire and police pension association if an employer fails to properly enroll an employee in a plan.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	E
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

SB13-010 by Senator(s) Lundberg; also Representative(s) Hullinghorst--Concerning the addition of the deans of all medical schools in Colorado to the commission on family medicine.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	E
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Aguilar, Baumgardner, Giron, Heath, Johnston, Kefalas, Lambert, Morse, Newell, Nicholson, Schwartz, Steadman, Tochtrop and Todd.

SB13-044 by Senator(s) Nicholson; also Representative(s) Coram--Concerning incentive payments in prepaid inpatient health plan agreements.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	E
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Giron, Kefalas, King, Newell and Roberts.

SB13-004
by Senator(s) Kefalas; also Representative(s) Ginal--Concerning authorization to renew a state-issued identification card by electronic means, and in connection therewith, making an appropriation.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	E
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Heath, King, Newell, Nicholson, Tochtrop and Todd.

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:

SB13-013
by Senator(s) King; --Concerning peace officer authority for certain employees of the United States secret service.

Laid over until Wednesday, February 6, retaining its place on the calendar.

SB13-088
by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou--Concerning a supplemental appropriation to the offices of the governor, lieutenant governor, and state planning and budgeting.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	E
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

SB13-025
by Senator(s) Tochtrop; also Representative(s) Williams--Concerning collective bargaining by firefighters.

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

YES	19	NO	15	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	E
Baumgardner	N	Heath	Y	King	N	Schwartz	N
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Carroll, Giron, Guzman, Hudak, Jones, Morse, Nicholson, Todd and Ulibarri.

SB13-012 by Senator(s) Heath; also Representative(s) Singer--Concerning reporting of suspected child abuse and neglect by youth sports organizations.

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

YES	24	NO	10	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	N	Kerr	Y	Scheffel	E
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Giron, Guzman, Hodge, Hudak, Jones, Kefalas, Kerr, Morse, Newell, Nicholson, Schwartz, Tochtrop and Todd.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the General Orders -- Second Reading of Bills -- Consent Calendar (SB13-046, SB13-041) of Tuesday, February 5 was laid over until Wednesday, February 6, retaining its place on the calendar.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the General Orders -- Second Reading of Bills Calendar (SB13-031) of Tuesday, February 5 was laid over until Wednesday, February 6, retaining its place on the calendar.

CONSIDERATION OF RESOLUTIONS

SJR13-005 by Senator(s) Roberts and Hodge, Baumgardner, Giron, Schwartz; also Representative(s) Sonnenberg, Fischer, Wilson--Concerning the adverse effects that the diversion of revenues has had on water infrastructure in Colorado.

On motion of Senator Roberts, the resolution was read at length and **adopted** by the following roll call vote:

YES	32	NO	2	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	N	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	E
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Co-sponsor(s) added: Aguilar, Cadman, Carroll, Crowder, Grantham, Guzman, Harvey, Jahn, King, Lambert, Lundberg, Marble, Morse, Newell, Nicholson, Renfroe, Tochtrop and Todd.

MESSAGE FROM THE HOUSE

February 5, 2013

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1076.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1027, amended as printed in House Journal, February 4, pages 169-170.
HB13-1035, amended as printed in House Journal, February 4, page 170.
HB13-1039, amended as printed in House Journal, February 4, page 170.

On motion of Majority Leader Carroll, the Senate adjourned until 9:00 a.m., Wednesday, February 6, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

29th Legislative Day

Wednesday, February 6, 2013

Prayer By the chaplain, Pastor Vern Rempel, First Mennonite Church, Denver.

Call to Order By the President at 9:00 a.m.

Pledge By Senator Crowder.

Roll Call Present--34
Excused--1, Renfroe.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Ulibarri, reading of the Journal of Tuesday, February 5, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Judiciary	After consideration on the merits, the Committee recommends that SB13-038 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.
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Judiciary After consideration on the merits, the Committee recommends that **SB13-059** be **amended** as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, line 4, after "(2)" insert "(a)".

Page 2, after line 6 insert:

"(b) A PEACE OFFICER DESCRIBED IN SECTION 16-2.5-103, 16-2.5-105, 16-2.5-108, 16-2.5-132, OR 16-2.5-149, C.R.S., MAY NOT OBTAIN OR HOLD A LICENSE UNDER THIS ARTICLE TO OPERATE A LICENSED PREMISES THAT IS LOCATED WITHIN THE SAME JURISDICTION THAT EMPLOYS THE PEACE OFFICER.".

Transportation After consideration on the merits, the Committee recommends that **SB13-048** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 3, line 5, strike "TRANSIT-RELATED" and substitute "OTHER TRANSPORTATION-RELATED".

Transportation After consideration on the merits, the Committee recommends that **SB13-016** be **postponed indefinitely**.

SENATE SERVICES REPORT

Correctly Engrossed: SJR13-005.
Correctly Reengrossed: SB13-004, 010, 012, 025, 044, 080 and 088.
Correctly Enrolled: SJR13-008 and 012.

MESSAGE FROM THE REVISOR

February 5, 2013

We herewith transmit:

Without comment, HB13-1076.
Without comment, as amended, HB13-1027, 1035, and 1039.

INTRODUCTION OF BILLS -- FIRST READING

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

- SB13-162

by Senator(s) Tochtrop; also Representative(s) Kraft-Tharp--Concerning the continuation of the examining board of plumbers.
Business, Labor, & Technology
- SB13-163

by Senator(s) Newell; also Representative(s) Singer--Concerning the sunset review of the advisory committee on hearing in newborn infants, and, in connection therewith, implementing the recommendations of the department of regulatory agencies to continue the advisory committee indefinitely.
Health & Human Services

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Third Reading of Bills -- Final Passage Calendar (SB13-013) of Wednesday, February 6 was laid over until Thursday, February 7, retaining its place on the calendar.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the General Orders -- Second Reading of Bills -- Consent Calendar (SB13-046, SB13-041) of Wednesday, February 6 was laid over until Thursday, February 7, retaining its place on the calendar.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the General Orders -- Second Reading of Bills Calendar (SB13-031) of Wednesday, February 6 was laid over until Thursday, February 7, retaining its place on the calendar.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS

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

MEMBERS OF THE
BOARD OF GOVERNORS OF THE
COLORADO STATE UNIVERSITY SYSTEM

for a term expiring December 31, 2014:

Mark Allan Gustafson of Windsor, Colorado, to serve as a member who has substantial experience in the production of agriculture, and to serve as a Republican, and occasioned by the death of Russell Neil Johnson of Sterling, Colorado, appointed;

for terms expiring December 31, 2015:

Demetri E. "Rico" Munn of Denver, Colorado, to serve as a Democrat, and occasioned by the resignation of Donald M. Elliman, Jr. of Greenwood Village, Colorado, appointed;

William E. Mosher of Denver, Colorado, to serve as a Democrat, and occasioned by the resignation of Penfield W. Tate of Denver, Colorado, appointed;

effective December 31, 2012 for terms expiring December 31, 2016:

Joseph C. Zimlich of Fort Collins, Colorado, a Larimer County resident and a Democrat, reappointed;

Dorothy Ann Horrell of Wheat Ridge, Colorado, to serve as a member from southern Colorado, reappointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	E		

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SJR13-008 and 012.

TRIBUTES

Honoring:

Condolences to the family of Captain Lucas Gruenther, who paid the ultimate price in service to his country -- By Senator Owen Hill.
Spencer Hayward, Achieved Eagle Scout -- By Senator Ted Harvey.
Platte Valley Fire Protection District, Grand opening of their new fire station -- By Senator Scott Renfroe.
Paula LaHendro, Received the Diamond Director award -- By Senator Nancy Todd.
Walking Mountains Science Center, Received LEED Platinum certification from the U.S. Green Building Council -- By Senator Gail Schwartz.
Dr. Antonia Joy Wilson, Youngest woman to conduct a major American orchestra -- By Senator Nancy Todd.

Journal correction:

Page 140, strike lines 2 through 8 and substitute "officers; appointed.".

On motion of Majority Leader Carroll, the Senate adjourned until 9:00 a.m., Thursday, February 7, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

30th Legislative Day Thursday, February 7, 2013

Prayer By the chaplain, Dr. Gene Selander, Crystal Clear Ministries, Denver.

Call to Order By the President at 9:00 a.m.

Pledge By Senator Hill.

Roll Call Present--32
Excused--3, Aguilar, Renfroe, Schwartz.
Present later--1, Schwartz.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Ulibarri, reading of the Journal of Wednesday, February 6, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

State, Veterans, & Military Affairs After consideration on the merits, the Committee recommends that SB13-076 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

State, Veterans, & Military Affairs After consideration on the merits, the Committee recommends that SB13-065 be postponed indefinitely.

State, Veterans, & Military Affairs After consideration on the merits, the Committee recommends that SB13-030 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Judiciary The Committee on Judiciary has had under consideration and has had a hearing on the following appointment and recommends that the appointments be confirmed:

MEMBERS OF THE
STATE BOARD OF PAROLE

effective July 1, 2012 for a term expiring July 1, 2014:

Alfredo Enrique Pena of Denver, Colorado, to serve as a citizen representative and occasioned by the resignation of Edward P. Thomas of Denver, Colorado, appointed;

for a term expiring July 1, 2015:

John M. O'Dell of Loveland, Colorado, to serve as a law enforcement representative, reappointed.

Judiciary	After consideration on the merits, the Committee recommends that SB13-116 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	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
	Amend printed bill, page 2, line 2, strike "(4.8)" and substitute "(2.5)".	5 6 7
	Page 2, line 6, strike "(4.8) "PSYCHOLOGIST"" and substitute "(2.5) "FORENSIC PSYCHOLOGIST"".	8 9 10
	Page 2, line 18, before "psychologists" insert "FORENSIC".	11 12
	Page 3, line 9, before "psychologists" insert "FORENSIC".	13 14
	Page 4, line 5, before "PSYCHOLOGISTS" insert "FORENSIC".	15 16
	Page 4, line 15, before "PSYCHOLOGISTS," insert "FORENSIC".	17 18
	Page 4, line 22, before "PSYCHOLOGISTS," insert "FORENSIC".	19 20
	Page 5, line 2, before "PSYCHOLOGISTS," insert "FORENSIC".	21 22
	Page 5, line 6, before "PSYCHOLOGISTS," insert "FORENSIC".	23 24
	Page 5, line 8, before "PSYCHOLOGIST," insert "FORENSIC".	25 26
	Page 5, line 13, before "PSYCHOLOGISTS," insert "FORENSIC".	27 28
	Page 5, line 26, before "PSYCHOLOGISTS," insert "FORENSIC".	29 30
	Page 6, line 1, before "PSYCHOLOGISTS," insert "FORENSIC".	31 32
	Page 6, line 24, before "PSYCHOLOGISTS," insert "FORENSIC".	33 34
	Page 6, line 26, before "PSYCHOLOGISTS," insert "FORENSIC".	35 36
	Page 7, line 21, before "PSYCHOLOGISTS," insert "FORENSIC".	37 38
	Page 8, line 1, before "PSYCHOLOGIST," insert "FORENSIC".	39 40
	Page 8, line 6, before "PSYCHOLOGISTS," insert "FORENSIC".	41 42
	Page 1, line 101, before "PSYCHOLOGISTS" insert "FORENSIC".	43 44
	Page 1, strike lines 102 and 103 and substitute "MENTAL HEALTH EVALUATIONS UNDER ARTICLE 8 OF TITLE 16, COLORADO REVISED STATUTES.".	45 46 47 48 49
Judiciary	After consideration on the merits, the Committee recommends that SB13-138 be referred to the Committee on <u>Education</u> with favorable recommendation.	50 51 52 53 54
Health & Human Services	After consideration on the merits, the Committee recommends that SB13-047 be amended as follows, and as so amended, be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	55 56 57 58 59
	Amend printed bill, page 2, line 2, after "(1)" add "and (2) (a)".	60 61
	Page 2, line 9, strike "a" and substitute "a".	62 63
	Page 2, line 10, strike "report" and substitute "report REPORTS", and strike "SERVICES." and substitute "SERVICES OR THE COUNTY DEPARTMENT OF SOCIAL SERVICES.".	64 65 66 67
	Page 2, line 11, strike "HUMAN OR".	68 69

Page 2, after line 23 add:

"(2) (a) On or before July 31, 2012, the department of human services shall develop, in consultation with county departments of social services, a referral list of governmental and nonprofit entities that are authorized to assist a youth in foster care ~~excluding a youth in the custody of the division of youth corrections or a state mental hospital~~, who has found evidence of possible identity theft on his or her credit report. An entity on the referral list developed pursuant to this subsection (2) is authorized to take any necessary remedial actions to clear the youth's credit record and shall report the results of its actions to the county department of social services with legal custody of the youth."

Health &
Human
Services

After consideration on the merits, the Committee recommends that **SB13-042** be **referred** to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

SENATE SERVICES REPORT

Correctly Printed: SB13-162 and 163.

MESSAGE FROM THE HOUSE

February 6, 2013

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1053.

MESSAGE FROM THE REVISOR OF STATUTES

February 6, 2013

We herewith transmit:

Without comment, HB13-1053.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

SJR13-013 by Senator(s) Kefalas and Giron; also Representative(s) Fischer and Vigil, Ginal-- Concerning recognition of and appreciation for 143 years of education, research, and service by the Colorado State University System.

Laid over until Monday, February 11, retaining its place on the calendar.

INTRODUCTION OF BILLS -- FIRST READING

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

- SB13-164

by Senator(s) Brophy; --Concerning qualifications for directors of school districts.
Education
- SB13-165

by Senator(s) Todd, Jahn, Marble; also Representative(s) Wilson--Concerning authorizing a limited number of baccalaureate degrees that may be offered in the community college system.
Education
- SB13-166

by Senator(s) Aguilar; also Representative(s) Schafer--Concerning the development of standardized rules for use in processing medical claims, and, in connection therewith, extending the deadlines for development and implementation of the standardized rules, authorizing an appropriation of state moneys to help fund the development of the rules, and making an appropriation.
Health & Human Services
- SB13-167

by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Gerou, Duran, Levy--Concerning intermediate care facilities for individuals with intellectual disabilities.
Health & Human Services
- SB13-168

by Senator(s) Marble, Lundberg; also Representative(s) Everett, Holbert--Concerning employer revocation periods for public employees' labor organizations.
State, Veterans, & Military Affairs

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Third Reading of Bills -- Final Passage Calendar (SB13-013) of Thursday, February 7 was laid over until Friday, February 8, retaining its place on the calendar.

- Committee of the Whole

On motion of Senator Brophy, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Brophy was called to the Chair to act as Chairman.

GENERAL ORDERS -- SECOND READING OF BILLS --
CONSENT CALENDAR

The Committee of the Whole having risen, the Chairman reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

- SB13-046

by Senator(s) Kefalas; also Representative(s) Primavera--Concerning the authorization of dialysis treatment clinics to provide outpatient hemodialysis treatment to patients with acute kidney failure.
Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, February 1, page(s) 103 and placed in members' bill files.)
As amended, ordered engrossed and placed on the calendar for third reading and final passage.

- SB13-041

by Senator(s) Hodge and Roberts; also Representative(s) Fischer and Sonnenberg--
Concerning the protection of stored water, and, in connection therewith, preserving
supplies for drought and long-term needs.

Amendment No. 1, Agriculture, Natural Resources, and Energy Committee Amendment.
(Printed in Senate Journal, February 1, page(s) 113 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final
passage.
- HB13-1070

by Representative(s) Murray, Gardner, Labuda, Levy, Waller; also Senator(s) Morse,
Brophy, Carroll, Roberts, Schwartz--Concerning the enactment of Colorado Revised
Statutes 2012 as the positive and statutory law of the state of Colorado.

Ordered revised and placed on the calendar for third reading and final passage.
- SB13-032

by Senator(s) Jahn, Tochtrop; also Representative(s) Williams--Concerning the life and
health insurance protection association.

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, February 5, page(s) 141 and placed in members' bill files.)

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE --
CONSENT CALENDAR

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	E	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	E		

The Committee of the Whole took the following action:

Passed on second reading: SB13-046 as amended, SB13-041 as amended, HB13-1070,
SB13-032 as amended.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate
having voted in the affirmative, the General Orders -- Second Reading of Bills Calendar
(SB13-031, SB13-091, SB13-018, SB13-028) of Thursday, February 7 was laid over until
Friday, February 8, retaining its place on the calendar.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS

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

BOARD OF PINNACOL ASSURANCE

effective January 1, 2013 for a term expiring January 1, 2018:

Harold R. Logan, Jr. of Denver, Colorado, who has experience in finance or investments, but is not an employer whose liability is insured by Pinnacol Assurance, reappointed.

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	E	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	E		

On motion of Senator Tochtrop, the following Governor's appointments were confirmed by a roll call vote:

MEMBERS OF THE
FIRE AND POLICE PENSION ASSOCIATION
BOARD OF DIRECTORS

for terms expiring September 1, 2016:

Clifford W. Stanton of Denver, Colorado, a member of the state's financial or business community with experience in investments, reappointed;

Tyson Lynn Worrell of Lakewood, Colorado, a representative of full-time paid police officers, appointed.

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	E	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	E		

MESSAGE FROM THE GOVERNOR

Appointment
Letters of designation and appointment from Governor John W. Hickenlooper were read and assigned to committees as follows:

January 31, 2013

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

Ladies and Gentlemen:

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

MEMBERS OF THE
AIR QUALITY CONTROL COMMISSION

for a term expiring January 31, 2014:

Teresa A. Coons of Grand Junction, Colorado, to serve as a representative with scientific experience, reappointed;

for terms expiring January 31, 2016:

William R. Toor of Boulder Colorado, to serve as a representative with technical and private sector experience, appointed;

Jana Beth Milford of Boulder, Colorado, to serve as a representative with legal and scientific experience, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 2/1/2013
Cindi L. Markwell, Secretary of the Senate

Committee on Health and Human Services

January 31, 2013

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

Ladies and Gentlemen:

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

MEMBERS OF THE
STATE HOUSING BOARD

for terms expiring January 31, 2017:

David L. Zucker of Evergreen, Colorado, a Democrat and resident of the 2nd Congressional District, reappointed;

Jacalyn Reynolds of Sterling, Colorado, a Democrat and resident of the 4th Congressional District, appointed;

Chad E. Wright of Colorado Springs, Colorado, a Democrat and resident of the 5th Congressional District, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 2/1/2013
Cindi L. Markwell, Secretary of the Senate

Committee on Local Government

May 21, 2012

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

Ladies and Gentlemen:

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

MEMBERS OF THE
HOSPITAL PROVIDER FEE OVERSIGHT
AND ADVISORY BOARD

for a term expiring May 15, 2015:

Henry Garvin of Alamosa, Colorado, an employee of a rural hospital in Colorado, to fill the vacancy occasioned by the resignation of Michelle Lynn Joy of Sterling, Colorado, appointed;

for terms expiring May 15, 2016:

Peggy Jordan Burnette of Denver, Colorado, an employee of a hospital in Colorado, reappointed;

Dan E. Enderson of Castle Rock, Colorado, an employee of a hospital in Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 6/22/2012
Cindi L. Markwell, Secretary of the Senate

Committee on Health and Human Services

May 25, 2012

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

Ladies and Gentlemen:

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

MEMBERS OF THE
PRIVATE OCCUPATIONAL SCHOOL BOARD

effective June 30, 2012 for a term expiring July 1, 2014;

Arlene Rae Malay of Denver, Colorado to serve as a representative of a private occupational school, appointed;

effective June 30, 2012 for a term expiring July 1, 2015;

Jennifer Lynn Sprague of Thornton, Colorado to serve as a representative of a private occupational school, appointed;

effective June 30, 2012 for a term expiring July 1, 2016:

Steven W. Steele of Fort Collins, Colorado to serve as a representative of a private occupational school, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 6/22/2012
Cindi L. Markwell, Secretary of the Senate

Committee on Education

June 1, 2012

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

Ladies and Gentlemen:

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

MEMBERS OF THE
BOARD OF ASSESSMENT APPEALS

effective July 1, 2012 for terms expiring July 1, 2013:

Lyle D. Hansen of Denver, Colorado, reappointed;

MaryKay Kelley of Silverthorne, Colorado, reappointed;

Ann Louesa Maricle of Denver, Colorado reappointed;

Gregg A. Near of Lakewood, Colorado, reappointed;

Amy J. Williams of Hayden, Colorado, engaged in agricultural, reappointed;

Brooke Blair Leer of Greenwood Village, Colorado, appointed;

effective July 1, 2012 for a term expiring July 1, 2015:

Diane M. DeVries of Wheat Ridge, Colorado and occasioned by the resignation of Sondra Mercier of Denver, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 6/22/2012
Cindi L. Markwell, Secretary of the Senate

Committee on Business, Labor, and Technology

June 19, 2012

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

Ladies and Gentlemen:

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

MEMBER OF THE
COLORADO BOARD OF VETERANS AFFAIRS

for a term expiring June 30, 2016:

Dana Louise Niemela of Denver, Colorado, a Democrat and a veteran who has been honorably released or separated from the armed forces of the United States, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 6/22/2012
Cindi L. Markwell, Secretary of the Senate

Committee on State, Veterans, and Military Affairs

June 26, 2012

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

Ladies and Gentlemen:

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

MEMBER OF THE
HOSPITAL PROVIDER FEE OVERSIGHT
AND ADVISORY BOARD

effective immediately for a term expiring May 15, 2016:

George Montgomery O'Brien of Pueblo, Colorado, a person with a disability, who is living with a disability, and who is not a representative or an employee of a hospital, health insurance carrier, or other health care industry entity, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 7/9/2012
Cindi L. Markwell, Secretary of the Senate

Committee on Health and Human Services

June 26, 2012

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

Ladies and Gentlemen:

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

MEMBERS OF THE
COLORADO HEALTH FACILITIES AUTHORITY
BOARD OF DIRECTORS

for terms expiring June 30, 2016:

- Don Willis Marostica of Loveland, Colorado, a Republican, appointed;
- Kathryn S. Kanda of Denver, Colorado, a Democrat, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 7/9/2012
Cindi L. Markwell, Secretary of the Senate

Committee on Health and Human Services

June 27, 2012

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

Ladies and Gentlemen:

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

MEMBERS OF THE
BOARD OF TRUSTEES FOR THE COLORADO
SCHOOL FOR THE DEAF AND THE BLIND

for a term expiring July 1, 2014:

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John C. Dickinson of Longmont, Colorado, a Democrat, reappointed;
for a term expiring July 1, 2015:
David Dawson of Boulder, Colorado, a Democrat, reappointed;
for terms expiring July 1, 2016:
Andy McElhany of Colorado Springs, Colorado, a Republican, appointed;
Linda Sue Williams of Golden, Colorado a Democrat, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 7/9/2012
Cindi L. Markwell, Secretary of the Senate
Committee on Education

June 29, 2012
To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

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

MEMBER OF THE
STATEWIDE INTERNET PORTAL AUTHORITY

for a term expiring June 1, 2016:
Jack R. Arrowsmith of Highlands Ranch, Colorado to serve as a representative of local government, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 7/9/2012
Cindi L. Markwell, Secretary of the Senate
Committee on Business, Labor, and Technology

July 3, 2012
To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

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

MEMBERS OF THE
CHARTER SCHOOL INSTITUTE BOARD

for terms expiring July 1, 2015:

Patricia M. Hayes of Aurora, Colorado to serve as a member with experience as a charter school board member or founder of a charter school, experience as a public school administrator with experience working with charter schools, other board or public service experience, and as a Republican, reappointed;

Anthony Scott Lewis of Longmont, Colorado to serve as a member with experience as a charter school board member or founder of a charter school, experience as a public school administrator with experience working with charter schools, other board or public service experience, and as a Democrat, reappointed;

Donahue Cassius Quashie of Colorado Springs, Colorado, as a representative of a parent of a student who is, or who has been, enrolled in an institute charter school, and as a Republican, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 7/31/2012
Cindi L. Markwell, Secretary of the Senate

Committee on Education

July 2, 2012

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

Ladies and Gentlemen:

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

MEMBERS OF THE
STATE HOUSING BOARD

for a term expiring January 31, 2015:

Barbara Cleland of Aurora, Colorado, to serve as a member from the Sixth Congressional District and as a Republican, appointed;

for a term expiring January 31, 2016:

Britta E.M. Fisher of Wheat Ridge, Colorado, to serve as a member from the Seventh Congressional District and as an Unaffiliated, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 7/31/2012
Cindi L. Markwell, Secretary of the Senate

Committee on Local Government

July 12, 2012

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

Ladies and Gentlemen:

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

MEMBER OF THE
COLORADO WILDLIFE HABITAT STAMP COMMITTEE

for a term expiring December 31, 2014:

Luke B. Schafer of Craig, Colorado, to serve as a representative of national or regionally recognized conservation organizations whose missions are focused on nongame wildlife and whose membership is composed primarily of nongame wildlife users, and occasioned by the resignation of Michelle Zimmerman of Denver, Colorado, appointed.

Sincerely,
(signed)
Joseph A. Garcia
Lt. Governor, acting on behalf of the State
while Governor John W. Hickenlooper
is absent from the State.
Rec'd: 7/31/2012
Cindi L. Markwell, Secretary of the Senate

Committee on Agriculture, Natural Resources, and Energy

July 12, 2012

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

Ladies and Gentlemen:

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

MEMBERS OF THE
HAZARDOUS WASTE COMMISSION

for terms expiring August 1, 2015:

Michael K. Dempsey of Denver, Colorado, to serve as a representative from the regulated community and as a Republican, appointed;

Charlotte Sophia Pitt of Denver, Colorado, to serve as a representative of the government or academic community and as a Democrat, appointed;

Joseph Charles Prinster, Jr. of Boulder, Colorado, to serve as a member of the public and as a Republican, appointed.

Sincerely,
(signed)
Joseph A. Garcia
Lt. Governor, acting on behalf of the State
while Governor John W. Hickenlooper
is absent from the State.
Rec'd: 7/31/2012
Cindi L. Markwell, Secretary of the Senate

Committee on Health and Human Services

August 22, 2012

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

Ladies and Gentlemen:

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

MEMBER OF THE
EXAMINING BOARD OF PLUMBERS

for a term expiring July 1, 2016:

Anthony John Shaffer of Florence, Colorado, a plumbing contractor engaged in the construction of residential or commercial buildings, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 9/11/2012
Cindi L. Markwell, Secretary of the Senate

Committee on Business, Labor, and Technology

July 17, 2012

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

Ladies and Gentlemen:

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

MEMBER OF THE
STATE ELECTRICAL BOARD

for a term expiring July 1, 2015:

James E. Dent of Wheat Ridge, Colorado, an electrical contractor who has a masters' license, appointed.

Sincerely,
(signed)
Joseph A. Garcia
Lt. Governor, acting on behalf of
the State while Governor John W.
Hickenlooper is absent from the State.
Rec'd: 7/31/2012
Cindi L. Markwell, Secretary of the Senate

Committee on Business, Labor, and Technology

July 18, 2012

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

Ladies and Gentlemen:

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

MEMBER OF THE
COLORADO EDUCATIONAL AND CULTURAL
FACILITIES AUTHORITY BOARD OF DIRECTORS

for a term expiring June 30, 2016:

Brent Jared Kline of Denver, Colorado, a Republican, appointed.

Sincerely,
(signed)
Joseph A. Garcia
Lt. Governor, acting on behalf of the State
while Governor John W. Hickenlooper
is absent from the State.
Rec'd: 7/31/2012
Cindi L. Markwell, Secretary of the Senate

Committee on Education

July 18, 2012

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

Ladies and Gentlemen:

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

MEMBERS OF THE
ENERGY IMPACT ASSISTANCE
ADVISORY COMMITTEE

effective August 24, 2012 for terms expiring August 24, 2016:

Maryjo Downey of Stratton, Colorado, appointed;

Honorable Kenneth C. Parsons of Rangely, Colorado, reappointed.

Sincerely,
(signed)
Joseph A. Garcia
Lt. Governor, acting on behalf
of the State while Governor John W.
Hickenlooper is absent from the State.
Rec'd: 7/31/2012
Cindi L. Markwell, Secretary of the Senate

Committee on Agriculture, Natural Resources, and Energy

August 17, 2012

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

Ladies and Gentlemen:

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

MEMBERS OF THE
COLORADO COMMISSION ON THE AGING

for terms expiring July 1, 2014:

Ruth E. Long of Fort Collins, Colorado, to serve as a Democrat from the Second Congressional District, reappointed;

Bobbie Mecalo of Centennial, Colorado, to serve as a Republican from the Sixth Congressional District, appointed;

Gail Evelyn Ploen of Centennial, Colorado, to serve as a Democrat from the Sixth Congressional District, appointed;

for terms expiring July 1, 2016:

Alice Langley of Denver, Colorado, to serve as a Republican from the First Congressional District, reappointed;

Jeanette Hensley of Grand Junction, Colorado, to serve as a Democrat from the Third Congressional District, appointed;

Robert H. Spuhler of Glenwood Springs, Colorado, to serve as a Republican from the Third Congressional District, appointed;

Judy P. Hensley of La Junta, Colorado, to serve as a Democrat from the Fourth Congressional District, appointed;

Marvin Joseph Urban of Colorado Springs, Colorado, to serve as a Democrat from the Fifth Congressional District, appointed;

Dar Wynn Vriesman of Westminster, Colorado, to serve as a Republican from the Seventh Congressional District, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 9/11/2012
Cindi L. Markwell, Secretary of the Senate

Committee on Health and Human Services

August 21, 2012

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

Ladies and Gentlemen:

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

MEMBERS OF THE
COLORADO BANKING BOARD

for a term expiring July 1, 2015:

Diane S. Barrett of Denver, Colorado, to serve as a representative of the public, and
occasioned by the resignation of Adam P. Coyle of Parker, Colorado, appointed;

for a term expiring July 1, 2016:

Ashley John Burt of Gunnison, Colorado, to serve as a representative of bankers,
appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 9/11/2012
Cindi L. Markwell, Secretary of the Senate

Committee on Business, Labor, and Technology

August 28, 2012

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

Ladies and Gentlemen:

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

MEMBERS OF THE
SECURITIES BOARD

for terms expiring July 1, 2015:

Glen L. Jammaron of Glenwood Springs, Colorado, a member of the public at large
residing west of the continental divide, appointed;

Darren R. Hensley of Lakewood, Colorado, who is licensed by the state supreme court
to practice law in the state of Colorado and who is conversant in securities law,
appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 9/11/2012
Cindi L. Markwell, Secretary of the Senate

Committee on Business, Labor, and Technology

August 28, 2012

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

Ladies and Gentlemen:

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

MEMBER OF THE
WORKERS' COMPENSATION COST
CONTAINMENT BOARD

for a term expiring December 13, 2014:

Michael W. Mitchell of Windsor, Colorado, to serve as an executive with good risk management experience in the insurance industry, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 9/11/2012
Cindi L. Markwell, Secretary of the Senate

Committee on Business, Labor, and Technology

September 10, 2012

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

Ladies and Gentlemen:

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

MEMBER OF THE
COLORADO EDUCATIONAL AND CULTURAL
FACILITIES AUTHORITY BOARD OF DIRECTORS

for a term expiring June 30, 2016:

Claudia Beth Crowell of Grand Junction, Colorado, a Democrat, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 9/11/2012
Cindi L. Markwell, Secretary of the Senate

Committee on Education

September 10, 2012

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

Ladies and Gentlemen:

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

MEMBERS OF THE
COLORADO TRAUMATIC BRAIN INJURY
TRUST FUND BOARD

for terms expiring on June 30, 2015:

- Susan Beth Charlifue of Littleton, Colorado, appointed;
- James Pinkney, III of Henderson, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 9/11/2012
Cindi L. Markwell, Secretary of the Senate

Committee on Health and Human Services

September 10, 2012

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

Ladies and Gentlemen:

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

MEMBERS OF THE
BOARD OF MORTGAGE LOAN ORIGINATORS

for terms expiring August 10, 2016:

- Julie I. Piepho of Fort Collins, Colorado, a licensed mortgage loan originator, reappointed;

Leslie J. Mitchell of Denver, Colorado, a member of the public at large, reappointed; 1
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Bruce M. Jordan of Denver, Colorado, a licensed mortgage loan originator, appointed. 3
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Sincerely, 6
(signed) 7
John W. Hickenlooper 8
Governor 9
Rec'd: 9/11/2012 10
Cindi L. Markwell, Secretary of the Senate 11
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Committee on Business, Labor, and Technology 13
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September 10, 2012 16
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To the Honorable 18
Colorado Senate 19
Colorado General Assembly 20
State Capitol Building 21
Denver, CO 80203 22
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Ladies and Gentlemen: 24
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Pursuant to the powers conferred upon me by the Constitution and Laws of the State of 26
Colorado, I have the honor to designate, appoint, reappoint and submit to your 27
consideration, the following: 28
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MEMBERS OF THE 31
COLORADO COMMISSION FOR THE 32
DEAF AND HARD OF HEARING 33
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for a term expiring July 1, 2014: 35
36
Mary Pat Graham-Kelly of Lakewood, Colorado, to serve as a member who is deaf, and 37
occasioned by the resignation of Marie N. Runge of Greeley, Colorado, appointed. 38
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for terms expiring July 1, 2016: 40
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Leslie W. Ralphe of Colorado Springs, Colorado, to serve as a late deafened member, 42
reappointed; 43
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Amy Jo Beckett of Grand Junction, Colorado, a public member, appointed; 45
46
Elizabeth C. Konkel of Lakewood, Colorado, to serve as a professional in the field of 47
deafness, appointed; 48
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Lisa Ann Weiss of Lone Tree, Colorado, a parent of a deaf or hard of hearing person, 50
appointed. 51
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Sincerely, 53
(signed) 54
John W. Hickenlooper 55
Governor 56
Rec'd: 9/11/2012 57
Cindi L. Markwell, Secretary of the Senate 58
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Committee on Health and Human Services 60
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September 12, 2012 63
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To the Honorable 65
Colorado Senate 66
Colorado General Assembly 67
State Capitol Building 68
Denver, CO 80203 69

Ladies and Gentlemen: 1
Pursuant to the powers conferred upon me by the Constitution and Laws of the State of 2
Colorado, I have the honor to designate, reappoint and submit to your consideration, the 3
following: 4
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MEMBERS OF THE
ADVISORY COMMITTEE TO THE PROPERTY
TAX ADMINISTRATOR

for terms expiring September 1, 2016: 12
Mark D. Chapin of Eagle, Colorado, to serve as an assessor from a county with a 13
population under 75,000 and as a Democrat, appointed; 14
Robyn A. Kashiwa of Denver, Colorado, to serve as a non-assessor from a county with 15
a population over 75,000, as the Chair of the Committee and as a Democrat, appointed; 16
Philip Brent Vaughan of Rifle, Colorado, to serve as a non-assessor from the Western 17
Slope and as a Republican, appointed. 18
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Sincerely, 24
(signed) 25
John W. Hickenlooper 26
Governor 27
Rec'd: 11/15/2012 28
Cindi L. Markwell, Secretary of the Senate 29

Committee on Finance 30
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September 12, 2012

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

Ladies and Gentlemen: 42
Pursuant to the powers conferred upon me by the Constitution and Laws of the State of 43
Colorado, I have the honor to designate, appoint and submit to your consideration the 44
following: 45
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MEMBERS OF THE
COLORADO TRAUMATIC BRAIN INJURY TRUST FUND BOARD

for terms expiring on June 30, 2015: 52
Laetitia L. Thompson, Ph.D. of Denver, Colorado, to serve as a neuropsychologist, 53
reappointed; 54
Deborah A. Boyle of Franktown, Colorado, to serve as a member of the public, 55
reappointed. 56
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Sincerely, 61
(signed) 62
John W. Hickenlooper 63
Governor 64
Rec'd: 11/15/2012 65
Cindi L. Markwell, Secretary of the Senate 66

Committee on Health and Human Services 67
68
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October 3, 2012 1

To the Honorable 2

Colorado Senate 3

Colorado General Assembly 4

State Capitol Building 5

Denver, CO 80203 6

Ladies and Gentlemen: 7

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of 8

Colorado, I have the honor to designate, appoint, reappoint and submit to your 9

consideration, the following: 10

MEMBERS OF THE 11

BOARD OF REAL ESTATE APPRAISERS 12

for a term expiring July 1, 2014: 13

Deane Davenport of Arvada, Colorado, to serve an officer or employee of a commercial 14

bank experienced in real estate lending and occasioned by the resignation of Deborah 15

K. Delaney of Fort Collins, Colorado, appointed; 16

for a term expiring July 1, 2015: 17

Wayne L. Hunsperger of Englewood, Colorado, to serve as a real estate appraiser, 18

reappointed. 19

Sincerely, 20

(signed) 21

John W. Hickenlooper 22

Governor 23

Rec'd: 11/15/2012 24

Cindi L. Markwell, Secretary of the Senate 25

Committee on Business, Labor, and Technology 26

October 23, 2012 27

To the Honorable 28

Colorado Senate 29

Colorado General Assembly 30

State Capitol Building 31

Denver, CO 80203 32

Ladies and Gentlemen: 33

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of 34

Colorado, I have the honor to designate, appoint, reappoint, and submit to your 35

consideration, the following: 36

MEMBERS OF THE 37

COAL MINE BOARD OF EXAMINERS 38

for terms expiring July 1, 2016: 39

Richard Clair Chermak of Hotchkiss, Colorado, to serve as a coal miner of known 40

experience and practice in underground coal mining residing in the State of Colorado 41

and actively engaged in the coal mining industry during the term of office, reappointed; 42

Justin Kenneth Evans of Crawford, Colorado, to serve as a Colorado mine owner, 43

operator, manager or other mine official actively engaged in the underground coal 44

mining industry during the term of office, appointed. 45

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 11/15/2012
Cindi L. Markwell, Secretary of the Senate

Committee on Agriculture, Natural Resources, and Energy

November 7, 2012

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

Ladies and Gentlemen:

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

MEMBERS OF THE
SPECIAL FUNDS BOARD FOR
WORKERS' COMPENSATION SELF INSURERS

for terms expiring July 1, 2015:

John F. Zimmerman of Castle Pines, Colorado, a manager or employee of self-insured employers in good standing, with knowledge of risk management and finance, reappointed;

Ondrea Marie Charles Matthews of Wheat Ridge, Colorado, a manager or employee of self-insured employers in good standing, appointed;

for a term expiring July 1, 2016:

Richard M. Osborn of Denver, Colorado, a manager or employee of self-insured employers in good standing, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 11/15/2012
Cindi L. Markwell, Secretary of the Senate

Committee on Business, Labor, and Technology

November 8, 2012

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

Ladies and Gentlemen:

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

MEMBERS OF THE
WASTE TIRE ADVISORY COMMITTEE

for terms expiring September 9, 2015:

Cyrus Wheeler Hardy, Jr. of Black Hawk, Colorado, to serve as a representative of law enforcement from jurisdictions that have a waste tire facility, appointed;

Christopher B. Houtchens of Colorado Springs, Colorado, to serve as a waste tire hauler, reappointed;

Larry G. Hudson of Denver, Colorado, to serve as a representative of tire manufacturers, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 11/15/2012
Cindi L. Markwell, Secretary of the Senate

Committee on Transportation

November 8, 2012

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

Ladies and Gentlemen:

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

MEMBERS OF THE
COLORADO WATER RESOURCES
AND POWER DEVELOPMENT AUTHORITY

for terms expiring October 1, 2016:

Gregory C. Fisher of Denver, Colorado, a resident from within the city and county of Denver who has experience in planning and development of water projects, reappointed;

Don C. Carlson of Loveland, Colorado, to serve as a representative of the South Plate Drainage Basin, and as a representative of water project financing, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 11/15/2012
Cindi L. Markwell, Secretary of the Senate

Committee on Agriculture, Natural Resources, and Energy

November 15, 2012 1

To the Honorable 2
Colorado Senate 3
Colorado General Assembly 4
State Capitol Building 5
Denver, CO 80203 6

Ladies and Gentlemen: 7

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of 8
Colorado, I have the honor to designate, reappoint and submit to your consideration, the 9
following: 10

MEMBER OF THE 11
FINANCIAL SERVICES BOARD 12

for a term expiring July 1, 2015: 13

Rainy Lorraine Lea Thoen of Denver, Colorado, to serve as an executive officer of a 14
state credit union and as a Democrat, and occasioned by the resignation of Horacio 15
Peralta of Denver, Colorado, appointed. 16

Sincerely, 17
(signed) 18
John W. Hickenlooper 19
Governor 20
Rec'd: 11/26/2012 21
Cindi L. Markwell, Secretary of the Senate 22

Committee on Finance 23

November 15, 2012 24

To the Honorable 25
Colorado Senate 26
Colorado General Assembly 27
State Capitol Building 28
Denver, CO 80203 29

Ladies and Gentlemen: 30

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of 31
Colorado, I have the honor to designate, appoint, and submit to your consideration, the 32
following: 33

MEMBERS OF THE 34
COLLEGEINVEST BOARD OF DIRECTORS 35

for terms expiring July 31, 2016: 36

Angela A. Gripenstraw of Greenwood Village, Colorado, reappointed; 37

Rita C. Felde of Evergreen, Colorado, appointed. 38

Sincerely, 39
(signed) 40
John W. Hickenlooper 41
Governor 42
Rec'd: 11/26/2012 43
Cindi L. Markwell, Secretary of the Senate 44

Committee on Education 45

November 28, 2012

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

Ladies and Gentlemen:

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

**MEMBER OF THE
COLORADO BANKING BOARD**

for a term expiring July 1, 2013:

Cynthia Beth Dash of Parker, Colorado, an executive officer of a trust company, to fill the vacancy occasioned by the resignation of Scott G. Pearson of Highlands Ranch, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 11/30/2012
Cindi L. Markwell, Secretary of the Senate

Committee on Business, Labor, and Technology

December 5, 2012

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

Ladies and Gentlemen:

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

**MEMBER OF THE
COLLEGEINVEST BOARD OF DIRECTORS**

for a term expiring July 31, 2015:

Leanna Fae Clark of Denver, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/11/2012
Cindi L. Markwell, Secretary of the Senate

Committee on Education

December 5, 20121
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To the Honorable3
Colorado Senate4
Colorado General Assembly5
State Capitol Building6
Denver, CO 802037
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Ladies and Gentlemen:9
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Pursuant to the powers conferred upon me by the Constitution and Laws of the State of11
Colorado, I have the honor to designate, appoint and submit for your consideration, the12
following:13
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MEMBERS OF THE15
COLORADO AERONAUTICAL BOARD16
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effective February 1, 2013 for terms expiring December 19, 2015:19
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John William Reams of Naturita, Colorado, to serve as a member from the western21
slope and who represents local governments which operate airports, appointed;22
23
William L. Thompson of Colorado Springs, Colorado, to serve as a member from the24
eastern slope and who represents local governments which operate airports, appointed;25
26
Jeffrey Scott Forrest of Littleton, Colorado, to serve as a member from the eastern slope27
and who represents local governments which operate airports, appointed.28
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Sincerely,31
(signed)32
John W. Hickenlooper33
Governor34
Rec'd: 12/11/201235
Cindi L. Markwell, Secretary of the Senate36
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Committee on Transportation38
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December 10, 201241
42
To the Honorable43
Colorado Senate44
Colorado General Assembly45
State Capitol Building46
Denver, CO 8020347
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Ladies and Gentlemen:49
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Pursuant to the powers conferred upon me by the Constitution and Laws of the State of51
Colorado, I have the honor to designate, reappoint, and submit to your consideration, the52
following:53
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MEMBERS OF THE55
COLORADO CHILDREN'S TRUST FUND BOARD56
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for terms expiring November 7, 2015:59
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Laura Jean Hazen of Centennial, Colorado, to serve as a member with knowledge of61
child abuse prevention, appointed;62
63
Beth Ann Klein of Erie, Colorado, to serve as a member with knowledge of child abuse64
prevention, appointed.65
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Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/18/2012
Cindi L. Markwell, Secretary of the Senate

Committee on Health and Human Services

December 10, 2012

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

Ladies and Gentlemen:

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

MEMBERS OF THE
WORKERS' COMPENSATION COST
CONTAINMENT BOARD

for terms expiring December 13, 2015:

Richard C. Zellen, Jr. of Arvada, Colorado, to serve as an employer with good risk management experience with respect to their workers' compensation insurance, reappointed;

Jerry L. Mosley of Golden, Colorado, to serve as an employer with good risk management experience with respect to their workers' compensation insurance, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/18/2012
Cindi L. Markwell, Secretary of the Senate

Committee on Business, Labor, and Technology

December 10, 2012

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

Ladies and Gentlemen:

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

MEMBERS OF THE
MEDICAL SERVICES BOARD

for terms expiring July 1, 2016:

Donna Marie Roberts of Wray, Colorado, a resident of the 4th Congressional District, with knowledge of medical assistance programs, and a Democrat, appointed;

Brenda LaCombe of Pueblo, Colorado, a resident of the 3rd Congressional District, with knowledge of medical assistance programs, and a Democrat, reappointed;

Mary E. Young of Alamosa, Colorado, a resident of the 3rd Congressional District and an Unaffiliated, with experience in caring for medically underserved children, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/18/2012
Cindi L. Markwell, Secretary of the Senate

Committee on Health and Human Services

January 17, 2013

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

Ladies and Gentlemen:

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

MEMBER OF THE
WORKERS' COMPENSATION COST
CONTAINMENT BOARD

for a term expiring December 13, 2014:

Jeffrey Michael Citrone of Denver, Colorado, to serve as an executive with good risk management experience in the insurance industry, and occasioned by the resignation of Michael W. Mitchell of Windsor, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 1/25/2013
Cindi L. Markwell, Secretary of the Senate

Committee on Business, Labor, and Technology

January 29, 2013

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

Ladies and Gentlemen:

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

MEMBERS OF THE
WATER QUALITY CONTROL COMMISSION

for terms expiring February 15, 2016:

Andrew S. Todd of Denver, Colorado, reappointed;

Barbara J. Biggs of Denver, Colorado, appointed;

James Arthur Rada of Denver, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 1/25/2013
Cindi L. Markwell, Secretary of the Senate

Committee on Agriculture, Natural Resources, and Energy

January 29, 2013

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

Ladies and Gentlemen:

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

MEMBERS OF THE
COLORADO WILDLIFE HABITAT STAMP COMMITTEE

for a term expiring December 31, 2014:

Daniel J. Larkin of Salida, Colorado, a sportsperson, reappointed;

for terms expiring December 31, 2016:

Don O. Cook of Craig, Colorado, a landowner actively engaged in agriculture, reappointed;

John H. Thatcher of Pueblo, Colorado, a landowner actively engaged in agriculture, appointed.

Sincerely,
(signed)

(signed)
John W. Hickenlooper
Governor

Rec'd: 1/29/2013

Cindi L. Markwell, Secretary of the Senate

Committee on Agriculture, Natural Resources, and Energy

On motion of Majority Leader Carroll, the Senate adjourned until 9:00 a.m., Friday, February 8, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

31st Legislative Day Friday, February 8, 2013

Prayer	By the chaplain, Rabbi Yossi Serebryanski, Chabad of South Denver.	1 2 3 4 5 6 7 8 9 10 11 12
Presentation of Colors	Boy Scouts of America Order of the Arrow Section Chief, Bryan Melonis; Tahosa Lodge Chief, James Williamson; Section Vice Chief, Keenan Kimmick; Section Secretary, Vince Vasina; Elijah Ortiz, Cub Scout Pack 812; Jonathan Sykes, Cub Scout Pack 236; Michael Sykes, Cub Scout Pack 236.	13 14 15 16 17 18 19 20 21 22
Pledge	By Boy Scouts of America, Bryan Melonis.	23 24
Call to Order	By the President at 9:00 a.m.	25 26 27
Roll Call	Present--33 Excused--2, Aguilar, Renfroe.	28 29 30
Quorum	The President announced a quorum present.	31 32
Reading of Journal	On motion of Senator Ulibarri, reading of the Journal of Thursday, February 7, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.	33 34 35 36 37 38
	On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for expressions of personal privilege.	39 40 41 42 43 44 45
	COMMITTEE OF REFERENCE REPORTS	46 47
Trans- portation	After consideration on the merits, the Committee recommends that SB13-049 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation. Amend printed bill, page 2, line 18, strike "SIGNAL" and substitute "SIGNAL, BUT IS ENCOURAGED TO DO SO". Page 3, line 1, strike "SIGNAL" and substitute "SIGNAL, BUT IS ENCOURAGED TO DO SO". Page 3, line 9, strike "SIGNAL" and substitute "SIGNAL, BUT IS ENCOURAGED TO DO SO".	48 49 50 51 52 53 54 55 56 57 58 59 60 61 62
Trans- portation	After consideration on the merits, the Committee recommends that SB13-058 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	63 64 65 66 67

Amend printed bill, strike everything below the enacting clause and substitute:

"**SECTION 1.** In Colorado Revised Statutes, 42-3-204, **amend** (1) (f), (2) (a) (I) (C), (2) (a) (II) (F); and **add** (1) (i) and (2) (a) (II) (F.5) as follows:

42-3-204. Parking privileges for persons with disabilities - applicability - rules. (1) As used in this section:

(f) "Permanent" means a condition that is not expected to change within a person's lifetime, given the current state of medical or adaptive technology. THE VERIFYING PROFESSIONAL SHALL AFFIRM IN WRITING WHETHER A PERSON'S DISABILITY IS PERMANENT.

(i) "TEMPORARY" MEANS A CONDITION THAT IS EXPECTED TO LAST LESS THAN THIRTY MONTHS AFTER THE ISSUANCE OF AN IDENTIFYING FIGURE, GIVEN THE CURRENT STATE OF MEDICAL OR ADAPTIVE TECHNOLOGY.

(2) (a) A person with a disability may apply to the department for:
(I) An identifying license plate to be supplied at the same cost as a standard plate and to be displayed as provided in section 42-3-202 on a motor vehicle owned by such person or that is owned by a trust created for the benefit of and the name of which includes the name of such person, subject to the following:

(C) The verification requirements of paragraph (a) of subsection (1) of this section shall be met once every three years. TO MEET THIS REQUIREMENT, A PERSON WITH A PERMANENT DISABILITY MUST EITHER SUBMIT BY MAIL AN UPDATED VERIFICATION FORM OR APPEAR IN PERSON IN THE COUNTY CLERK'S OFFICE WITH PHOTOGRAPHIC IDENTIFICATION; EXCEPT THAT A PERSON WITH A PERMANENT DISABILITY MUST SUBMIT A VERIFICATION FORM AT LEAST EVERY THIRD TIME A VERIFICATION IS REQUIRED.

(II) An identifying placard to be prominently displayed on a motor vehicle used to transport such person, subject to the following:

(F) The holder of an identifying placard shall meet the verification requirements of paragraph (a) of subsection (1) of this section each time the placard is renewed IF THE HOLDER HAS AN EXTENDED DISABILITY.

(F.5) THE HOLDER OF AN IDENTIFYING PLACARD WHO HAS A PERMANENT DISABILITY SHALL EITHER SUBMIT BY MAIL AN UPDATED VERIFICATION FORM OR APPEAR IN PERSON IN THE COUNTY CLERK'S OFFICE WITH PHOTOGRAPHIC IDENTIFICATION EVERY THREE YEARS; EXCEPT THAT A PERSON WITH A PERMANENT DISABILITY MUST SUBMIT A VERIFICATION FORM AT LEAST EVERY THIRD TIME A VERIFICATION IS REQUIRED.

SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety."

- Trans-
portation
- After consideration on the merits, the Committee recommends that **SB13-070** be **referred** to the Committee of the Whole with favorable recommendation.
- Finance
- After consideration on the merits, the Committee recommends that **SB13-050** be **amended** as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 4, line 12, strike "MAY" and substitute "SHALL".

Page 4, line 14, after "year." insert "ANY MONEYS OF THE AMOUNT SO DETERMINED THAT ARE NOT SPENT ON REBATES REMAIN IN THE FUND TO BE EXPENDED FOR THE SAME PURPOSES AND IN THE SAME MANNER AS OTHER MONEYS IN THE FUND."

Page 5, line 16, strike "(4) (j)".

	Page 5, strike line 27.	1
	Page 6, strike lines 1 through 3.	2
	Page 1, strike line 105 and substitute "FUND,".	3
	Page 1, line 106, strike "WASTE TIRE STOCKPILES,".	4
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Education	After consideration on the merits, the Committee recommends that SB13-015 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	10
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	Amend printed bill, page 2, line 4, strike "education." and substitute "education - legislative intent.".	15
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	Page 2, strike lines 8 through 11 and substitute "proceed in executive session, at which only those persons invited by".	18
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	Page 2, line 14, after the period add "AT THE SPECIAL MEETING OF THE BOARD CALLED PURSUANT TO SECTION 22-32-104 (1), EACH BOARD MEMBER SHALL SIGN AN AFFIDAVIT STATING THAT THE BOARD MEMBER IS AWARE OF AND WILL COMPLY WITH THE CONFIDENTIALITY REQUIREMENTS AND RESTRICTIONS APPLICABLE TO EXECUTIVE SESSIONS OF THE BOARD, AS DESCRIBED IN SECTION 24-6-402, C.R.S., REGARDLESS OF WHETHER THE BOARD MEMBER PARTICIPATES IN THE EXECUTIVE SESSION IN PERSON OR ELECTRONICALLY IN ACCORDANCE WITH THE BOARD POLICY ADOPTED PURSUANT TO SUBSECTION (7) OF THIS SECTION. THE SCHOOL DISTRICT SHALL KEEP AND PRESERVE THE AFFIDAVITS WITH THE MINUTES OF BOARD MEETINGS AND OTHER BOARD DOCUMENTS.".	21
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	Page 2, line 15, after "(7)" insert "(a)".	33
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	Page 2, after line 24 insert:	35
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	"(b) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT A BOARD THAT ADOPTS A POLICY AUTHORIZED IN PARAGRAPH (a) OF THIS SUBSECTION (7) TO ALLOW BOARD MEMBERS TO ATTEND AND PARTICIPATE ELECTRONICALLY IN REGULAR OR SPECIAL BOARD MEETINGS WILL ENSURE THAT THE POLICY:	37
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	(I) REQUIRES A QUORUM OF THE BOARD TO BE PHYSICALLY PRESENT IN ONE LOCATION TO CONVENE A MEETING;	42
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	(II) ALLOWS MEMBERS OF THE BOARD TO ATTEND THE MEETING ELECTRONICALLY ONLY WHEN THERE ARE EXTENUATING CIRCUMSTANCES, AS DESCRIBED IN THE BOARD'S POLICY;	44
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	(III) LEAVES DISCRETION TO THE BOARD TO DECIDE THE MAXIMUM NUMBER OF BOARD MEETINGS THAT A MEMBER MAY ATTEND ELECTRONICALLY BEFORE THE MEMBER'S POSITION IS DECLARED TO BE VACANT;	47
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	(IV) REQUIRES THE BOARD TO HAVE TECHNOLOGY IN PLACE THAT WILL ENSURE THAT MEMBERS OF THE PUBLIC CAN HEAR THE COMMENTS MADE BY A BOARD MEMBER WHO ATTENDS THE MEETING ELECTRONICALLY AND THAT THE BOARD MEMBER CAN HEAR COMMENTS MADE BY THE PUBLIC; AND	51
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	(V) CLEARLY DESCRIBES THE METHODS BY WHICH A BOARD MEMBER MAY ATTEND A MEETING ELECTRONICALLY, WHICH METHODS MAY INCLUDE ATTENDANCE VIA TELEPHONE, VIDEO CONFERENCING, OR OTHER ELECTRONIC MEANS.	56
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	SECTION 2. In Colorado Revised Statutes, 22-5-104, amend (5) as follows:	61
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	22-5-104. Creation of board of cooperative services - meetings. (5) A board of cooperative services may adopt a policy authorizing the board to conduct its meetings BOARD MEMBERS TO ATTEND AND PARTICIPATE IN REGULAR OR SPECIAL MEETINGS ELECTRONICALLY, INCLUDING PARTICIPATING BY using video	63
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~~teleconferencing~~ OR AUDIO CONFERENCING technology that will allow members of the board to view OR HEAR each other during the meeting and fully participate in the discussion and in voting; except that the board members shall gather in one physical location for at least one of the quarterly meetings held each year. The policy ~~shall~~ MUST address the method by which members of the public ~~shall be~~ ARE allowed access to any video ~~teleconference~~ OR AUDIO CONFERENCE of the board of cooperative services that is conducted pursuant to this subsection (5). In addition, the policy ~~shall~~ MUST specify any agenda items that the board of cooperative services may not consider during any video ~~teleconference~~ OR AUDIO CONFERENCE conducted pursuant to this subsection (5). ~~A board of cooperative services shall not go into executive session during any video teleconference conducted pursuant to this subsection (5). A quorum shall be deemed to exist~~ EXISTS at any video ~~teleconference~~ OR AUDIO CONFERENCE held pursuant to this subsection (5) if the number of members participating in the video ~~teleconference meeting~~ OR AUDIO CONFERENCE equals the number necessary for a quorum pursuant to subsection (4) of this section.

SECTION 3. In Colorado Revised Statutes, **amend** 22-5-105 as follows:

22-5-105. Organization of board of cooperative services - meetings. (1) At its first meeting, the members of the board of cooperative services elected as set forth in section 22-5-104 shall proceed to elect from their membership a president, a vice-president, a secretary, and a treasurer, whose terms of office shall be for two years, unless their terms of office as board members expire earlier, in which case the officership shall similarly expire. The duties of the president, vice-president, secretary, and treasurer of the board of cooperative services shall be the same as set forth for similar offices of boards of education in sections 22-32-105 to 22-32-107. Similarly, meetings of the board of cooperative services shall be called, held, and conducted as set forth in section 22-32-108; except that, pursuant to section 22-5-104 (5), a board of cooperative services may conduct meetings using video teleconferencing technology.

(2) AT EACH MEETING AT WHICH A BOARD OF COOPERATIVE SERVICES ELECTS OFFICERS, EACH BOARD MEMBER SHALL SIGN AN AFFIDAVIT STATING THAT THE BOARD MEMBER IS AWARE OF AND WILL COMPLY WITH THE CONFIDENTIALITY REQUIREMENTS AND RESTRICTIONS APPLICABLE TO EXECUTIVE SESSIONS OF THE BOARD, AS DESCRIBED IN SECTION 24-6-402, C.R.S., REGARDLESS OF WHETHER THE BOARD MEMBER PARTICIPATES IN THE EXECUTIVE SESSION IN PERSON OR ELECTRONICALLY IN ACCORDANCE WITH A POLICY ADOPTED PURSUANT TO SECTION 22-5-104 (5). THE BOARD OF COOPERATIVE SERVICES SHALL KEEP AND PRESERVE THE AFFIDAVITS WITH THE MINUTES OF BOARD MEETINGS AND OTHER BOARD DOCUMENTS."

Renumber succeeding section accordingly.

- Education

After consideration on the merits, the Committee recommends that **SB13-017** be **postponed indefinitely**.
- Education

After consideration on the merits, the Committee recommends that **SB13-112** be **referred** to the Committee of the Whole with favorable recommendation.
- Education

After consideration on the merits, the Committee recommends that **SB13-108** be **referred** to the Committee on Appropriations with favorable recommendation.
- Education

After consideration on the merits, the Committee recommends that **SB13-141** be **postponed indefinitely**.

Local Government	After consideration on the merits, the Committee recommends that SB13-146 be referred to the Committee on <u>Finance</u> with favorable recommendation.	1 2
Agriculture, Natural Resources, & Energy	After consideration on the merits, the Committee recommends that SB13-075 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation. Amend printed bill, page 2, line 15, strike "CONTRARY," and substitute "CONTRARY OTHER THAN A CHANGE OF USE CASE UNDER SECTION 37-90-111 (1) (g),".	3 4 5 6 7 8 9 10 11 12 13
Agriculture, Natural Resources, & Energy	After consideration on the merits, the Committee recommends that SB13-067 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation. Amend printed bill, page 5, line 4, strike everything after "VEHICLE". Page 5, line 5, strike "C.R.S.,". Page 5, line 10, strike "OR BICYCLE". Page 5, line 24, strike "OR". Page 5, line 25, strike "BICYCLE". Page 6, line 7, strike "OR BICYCLE". Page 6, line 17, strike "OR". Page 6, line 18, strike "BICYCLE". Page 6, strike lines 19 through 27.	14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37
Agriculture, Natural Resources, & Energy	After consideration on the merits, the Committee recommends that SB13-078 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation. Amend printed bill, page 2, line 17, strike "erroneous" and substitute " but erroneously described ". Page 2, line 21, strike "ERRONEOUS" and substitute "BUT ERRONEOUSLY DESCRIBED". Page 3, line 2, strike "ORIGINAL". Page 3, line 4, strike "PERMIT;" and substitute "PERMIT. A DIVERSION THAT HAS BEEN IN THE SAME PHYSICAL LOCATION SINCE THE ENACTMENT OF THE "ADJUDICATION ACT OF 1943", WHICH WAS REPEALED IN 1969, HAS A REBUTTABLE PRESUMPTION OF HAVING BEEN LOCATED AT THE SAME PHYSICAL LOCATION SINCE ITS INCEPTION." Page 3, after line 9 insert: "(b) A WATER RIGHT IS DEEMED TO BE DIVERTED AT ITS DECREED LOCATION AND IS NOT ERRONEOUSLY DESCRIBED IF: (I) WITH RESPECT TO A SURFACE WATER DIVERSION: (A) THE PHYSICAL LOCATION OF THE POINT OF DIVERSION IS WITHIN FIVE HUNDRED FEET OF THE DECREED LOCATION; AND (B) NEITHER A NATURAL SURFACE STREAM THAT IS TRIBUTARY TO THE DIVERTED STREAM NOR ANOTHER SURFACE WATER RIGHT IS LOCATED BETWEEN THE DECREED LOCATION AND ITS PHYSICAL LOCATION;	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

(II) WITH RESPECT TO A GROUNDWATER DIVERSION, THE PHYSICAL LOCATION OF THE POINT OF DIVERSION IS WITHIN TWO HUNDRED FEET OF THE DECREED LOCATION, UNLESS THE DECREE SPECIFIES A LESSER DISTANCE FOR ACCEPTABLE VARIATION IN LOCATION.

(c) TO PROCEED WITH A CORRECTION IN POINT OF DIVERSION UNDER THIS SUBSECTION (3.6) FOR AN ESTABLISHED BUT ERRONEOUSLY DESCRIBED POINT OF DIVERSION THAT IS DUE TO A CLERICAL MISTAKE IN THE DECREE, BUT DOES NOT FALL WITHIN THE THREE-YEAR PERIOD SET FORTH IN SECTION 37-92-304 (10) FOR THE WATER CLERK TO CORRECT THE MISTAKE, THE DIVERTER OF THE ESTABLISHED BUT ERRONEOUSLY DESCRIBED POINT OF DIVERSION MAY FILE A PETITION WITH THE WATER CLERK FOR CORRECTION OF THE CLERICAL MISTAKE WITHIN THREE YEARS AFTER THE DIVERTER BECAME AWARE OF THE MISTAKE. THE SAME PROCEDURES SET FORTH IN SECTION 37-92-304 (10) APPLY TO CORRECTIONS IN POINT OF DIVERSION UNDER THIS PARAGRAPH (c).".

Reletter succeeding paragraphs accordingly.

Page 3, line 11, strike "(3.6)," and substitute "(3.6) FOR AN ESTABLISHED BUT ERRONEOUSLY DESCRIBED POINT OF DIVERSION THAT IS NOT DUE TO A CLERICAL MISTAKE IN THE DECREE,".

Page 3, line 13, strike "ERRONEOUS" and substitute "BUT ERRONEOUSLY DESCRIBED".

Page 3, line 15, after "IN" insert "AN ESTABLISHED BUT ERRONEOUSLY DESCRIBED".

Page 3, line 19, after "IN" insert "AN ESTABLISHED BUT ERRONEOUSLY DESCRIBED".

Page 3, line 22, after "IN" insert "AN ESTABLISHED BUT ERRONEOUSLY DESCRIBED".

Page 4, line 7, after "IN" insert "AN ESTABLISHED BUT ERRONEOUSLY DESCRIBED".

Page 4, line 16, after "PRESUMPTIONS" insert "STATED".

Page 4, line 17, strike "PARAGRAPH (c) OF".

Page 4, line 21, after "IN" insert "AN ESTABLISHED BUT ERRONEOUSLY DESCRIBED".

Page 4, strike line 24 and substitute "WHICH THE ERRONEOUSLY DESCRIBED POINT OF DIVERSION IS BEING CORRECTED;".

Page 4, line 25, before "POINT" insert "THE ERRONEOUSLY DESCRIBED".

Page 5, after line 8 insert:

"(III) THE STATE ENGINEER SHALL NOT CURTAIL A DIVERSION BASED SOLELY ON THE FACT THAT THE POINT OF DIVERSION IS ERRONEOUSLY DESCRIBED; AND

(IV) NOTHING IN THIS SUBSECTION (3.6) MODIFIES THE STATE ENGINEER'S AUTHORITY TO MAKE DETERMINATIONS REGARDING THE ADMINISTRATION OF WATER RIGHTS AND THE DISTRIBUTION OF WATER.

(h) DURING A CHANGE OF WATER RIGHT CASE OR AN ABANDONMENT PROCEEDING, IF A POINT OF DIVERSION QUALIFIES AS AN ESTABLISHED BUT ERRONEOUSLY DESCRIBED POINT OF DIVERSION PURSUANT TO THIS SUBSECTION (3.6), FULL CONSIDERATION OF THE HISTORICAL CONSUMPTIVE USE OF THE WATER RIGHT AT ITS PHYSICAL LOCATION SHALL NOT BE DENIED DUE SOLELY TO THE FACT THAT THE POINT OF DIVERSION IS NOT AT ITS DECREED LOCATION.".

Agriculture, Natural Resources, & Energy	After consideration on the merits, the Committee recommends that SB13-072 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	1
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Agriculture, Natural Resources, & Energy	After consideration on the merits, the Committee recommends that SB13-074 be referred to the Committee of the Whole with favorable recommendation.	6
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SENATE SERVICES REPORT

Correctly Printed: SB13-164, 165, 166, 167 and 168; SJR13-013.
Correctly Engrossed: SB13-032, 041 and 046.
Correctly Revised: HB13-1070.

MESSAGE FROM THE HOUSE

February 7, 2013	21
Mr. President:	22
The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1072, 1086.	23
The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1051, amended as printed in House Journal, February 6, page 194.	24
The House has adopted and returns herewith SJR13-009, amended as printed in House Journal, February 5, page 182, and amended as printed in House Journal, February 7.	25

MESSAGE FROM THE REVISOR OF STATUTES

February 7, 2013	26
We herewith transmit:	27
Without comment, HB13-1072 and 1086.	28
Without comment, as amended, HB13-1051.	29

INTRODUCTION OF RESOLUTIONS

The following resolutions were read by title and referred to the committee indicated:		30
HJR13-1004	by Representative(s) Sonnenberg; also Senator(s) Baumgardner, Brophy, Giron, Hodge, Roberts--Concerning opposition to new special use permit water requirements. Agriculture, Natural Resources, & Energy	31
HJR13-1007	by Representative(s) Fischer; also Senator(s) Schwartz--Concerning approval of water project revolving fund eligibility lists administered by the Colorado water resources and power development authority.	32
Laid over one day under Senate Rule 30(e).		33

INTRODUCTION OF BILLS -- FIRST READING

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

- SB13-169

by Senator(s) Crowder and Schwartz; --Concerning reintroduction of black-footed ferrets without further legislative approval where a landowner consents pursuant to a programmatic safe harbor agreement.
Agriculture, Natural Resources, & Energy
- SB13-170

by Senator(s) Aguilar; also Representative(s) Gerou--Concerning the sale of uniquely valuable registration numbers for vehicles, and, in connection therewith, making an appropriation.
Judiciary
- SB13-171

by Senator(s) Kerr, Tochtrop; also Representative(s) Foote--Concerning the continuation of the licensing of money transmitters, and, in connection therewith, continuing the authority of the banking board and the state bank commissioner over money transmitters.
Business, Labor, & Technology
- SB13-172

by Senator(s) Newell; also Representative(s) Ginal--Concerning the continuation of the regulation of acupuncturists.
Health & Human Services
- SB13-173

by Senator(s) Kerr and Nicholson; also Representative(s) Pabon--Concerning the continuation of the division of gaming, and, in connection therewith, implementing the recommendations in the 2012 sunset report by the department of regulatory agencies.
Finance
- HB13-1008

by Representative(s) Ryden; also Senator(s) Todd--Concerning the extension of the veterans' preference in state hiring to the spouse of a veteran if the veteran is unable to work due to a military service-connected disability.
State, Veterans, & Military Affairs
- HB13-1010

by Representative(s) Vigil; also Senator(s) Jones--Concerning the elimination of restrictions for the procurement of stationery supplies by boards of county commissioners.
Local Government
- HB13-1014

by Representative(s) Levy; also Senator(s) King--Concerning the taking of newspapers.
Judiciary
- HB13-1015

by Representative(s) Kraft-Tharp; also Senator(s) Kefalas, Aguilar--Concerning elimination of the prohibition against disclosure of mental health claims information by small group health plans.
Health & Human Services
- HB13-1016

by Representative(s) Gardner; also Senator(s) Jahn--Concerning the distribution to beneficiaries of amounts in pay-on-death (POD) financial institution accounts pursuant to written designation in the records of the financial institution.
Judiciary

- HB13-1017** by Representative(s) Lebsock; also Senator(s) Tochtrop and Giron--Concerning a requirement that successor servicers of residential mortgage loans follow through with loan modifications offered to borrowers, and, in connection therewith, requiring a servicer to inform a successor servicer of the terms of any modification offer upon any transfer of servicing rights for the loan.
Judiciary
- HB13-1023** by Representative(s) Murray and Fields; also Senator(s) Balmer and Kerr--Concerning policies relating to academic acceleration in preschool through twelfth grade.
Education
- HB13-1026** by Representative(s) Fischer, Szabo, Vigil; also Senator(s) Schwartz, Giron, Renfroe--Concerning the accounting of the equipment and renovation fee assessed as a part of the western interstate commission for higher education compact.
Education
- HB13-1027** by Representative(s) Conti; also Senator(s) Tochtrop--Concerning an increase in the transparency of proceedings before the public utilities commission by requiring the director of the commission to report annually to the general assembly regarding matters discussed on the record in energy rate cases.
Transportation
- HB13-1029** by Representative(s) Levy and Gardner, Labuda, Murray, Waller; also Senator(s) Roberts and Schwartz, Brophy, Morse--Concerning the use of authority verbs in the Colorado Revised Statutes.
Judiciary
- HB13-1034** by Representative(s) Sonnenberg; also Senator(s) Giron--Concerning the wholesale marketing of farm products, and, in connection therewith, authorizing electronic warehouse receipts, modifying procedures for letters of credit and surety bonds, and modifying requirements for credit sale contracts.
Agriculture, Natural Resources, & Energy
- HB13-1035** by Representative(s) Hamner; also Senator(s) Schwartz--Concerning an increase in the number of judges in certain judicial districts, and, in connection therewith, making an appropriation.
Judiciary
Appropriations
- HB13-1039** by Representative(s) Court, Coram, Williams; also Senator(s) Todd--Concerning additional sources of moneys to be credited to the legislative department cash fund.
Finance
Appropriations
- HB13-1041** by Representative(s) Pettersen; also Senator(s) Kefalas--Concerning procedures governing the transmission of public records that are copied in response to a request for inspection of such records under the "Colorado Open Records Act".
Local Government
- HB13-1052** by Representative(s) Landgraf; also Senator(s) Jahn--Concerning the threshold amount for representation of closely held entities by nonattorneys.
Judiciary
- HB13-1053** by Representative(s) Lawrence; also Senator(s) Hodge--Concerning the repeal of the requirement that clerks of district courts execute bonds.
Judiciary

- HB13-1055

by Representative(s) May; also Senator(s) Kefalas--Concerning reducing inefficiency in the eligibility redetermination process for the Colorado works program.
Health & Human Services

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- HB13-1063

by Representative(s) Garcia; also Senator(s) Giron--Concerning the issuance of a critical care endorsement to emergency medical service providers.
Health & Human Services

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- HB13-1065

by Representative(s) Stephens; also Senator(s) Todd--Concerning the definition of professional persons under the mental health statutes.
Health & Human Services

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- HB13-1076

by Representative(s) McLachlan; also Senator(s) King--Concerning the P.O.S.T. certification status of a director of the Colorado bureau of investigation.
Judiciary

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- HB13-1084

by Representative(s) DelGrosso; also Senator(s) Newell--Concerning the licensing status of entities under the "Child Care Licensing Act" when a new federal employee identification number is issued.
Health & Human Services

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- HB13-1087

by Representative(s) May; also Senator(s) Nicholson--Concerning the membership of certain allocation committees in the department of human services.
Health & Human Services

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- HB13-1113

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

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- HB13-1144

by Representative(s) Kagan, Court, Duran, Fields, Hullinghorst, Levy; also Senator(s) Steadman--Concerning the elimination of the state sales and use tax exemption for cigarettes.
Finance

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THIRD READING OF BILLS -- FINAL PASSAGE --
CONSENT CALENDAR

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On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

- SB13-046

by Senator(s) Kefalas; also Representative(s) Primavera--Concerning the authorization of dialysis treatment clinics to provide outpatient hemodialysis treatment to patients with acute kidney failure.

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

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YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	E	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	E		

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

SB13-041 by Senator(s) Hodge and Roberts; also Representative(s) Fischer and Sonnenberg-- Concerning the protection of stored water, and, in connection therewith, preserving supplies for drought and long-term needs.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	E	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	E		

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

Co-sponsor(s) added: Baumgardner, Brophy, Carroll, Crowder, Giron, Grantham, Jahn, Jones, Kefalas, King, Lambert, Lundberg, Marble, Newell, Nicholson, Schwartz and Todd.

HB13-1070 by Representative(s) Murray, Gardner, Labuda, Levy, Waller; also Senator(s) Morse, Brophy, Carroll, Roberts, Schwartz--Concerning the enactment of Colorado Revised Statutes 2012 as the positive and statutory law of the state of Colorado.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	E	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	E		

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

SB13-032by Senator(s) Jahn, Tochtrop; also Representative(s) Williams--Concerning the life and health insurance protection association.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	E	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	E		

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

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Third Reading of Bills -- Final Passage Calendar (SB13-013) of Friday, February 8 was laid over until Wednesday, February 13, retaining its place on the calendar.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the General Orders -- Second Reading of Bills Consent Calendar (SB13-038) of Friday, February 8 was laid over until Monday, February 11, retaining its place on the calendar.

Committee of the WholeOn motion of Senator Ulibarri, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Ulibarri was called to the chair to act as Chairman.

GENERAL 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:

SB13-011by Senator(s) Steadman and Guzman, Ulibarri, Aguilar, Carroll, Giron, Heath, Hodge, Hudak, Jahn, Johnston, Jones, Kefalas, Kerr, Morse, Newell, Nicholson, Schwartz, Tochtrop, Todd; also Representative(s) Ferrandino and Schafer, Ginal, Moreno, Rosenthal, Court, Buckner, Duran, Exum, Fields, Fischer, Foote, Garcia, Gerou, Hamner, Hullinghorst, Kagan, Kraft-Tharp, Labuda, Lebsock, Lee, Levy, May, McCann, McLachlan, Melton, Mitsch Bush, Pabon, Peniston, Pettersen, Primavera, Ryden, Salazar, Singer, Tyler, Vigil, Williams, Young--Concerning authorization of civil unions, and, in connection therewith, making an appropriation.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, January 24, page(s) 67 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, January 31, page(s) 100 and placed in members' bill files.)

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

Amend the Senate Appropriations Committee Report, dated January 31, 2013, page 1, line 21, strike "AND" and substitute "AND,".

Amendment No. 4(L.004), by Senator Steadman.

Amend printed bill, page 39, after line 6 insert:

"**SECTION 24.** In Colorado Revised Statutes, 15-22-111, **amend** (3) as follows:

15-22-111. Revocation of a designated beneficiary agreement. (3) A designated beneficiary agreement shall be deemed revoked upon the marriage OR THE CIVIL UNION of either party. In the case of a common law marriage, a designated beneficiary agreement shall be deemed revoked as of the date the court determines that a valid common law marriage exists.".

Renumber succeeding sections accordingly.

Amendment No. 5(L.006), by Senator Steadman.

Amend printed bill, page 34, after line 11 insert:

"**SECTION 17.** In Colorado Revised Statutes, 15-10-102, **add** (3) as follows:

15-10-102. Purposes - rule of construction. (3) UNDER THIS CODE, THE RIGHTS OF PARTNERS IN A CIVIL UNION CREATED PURSUANT TO THE "COLORADO CIVIL UNION ACT", ARTICLE 15 OF TITLE 14, C.R.S., ARE THE SAME RIGHTS AS THOSE EXTENDED TO SPOUSES WHO ARE MARRIED PURSUANT TO THE PROVISIONS OF THE "UNIFORM MARRIAGE ACT", PART 1 OF ARTICLE 2 OF TITLE 14, C.R.S.".

Renumber succeeding sections 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.)

SB13-091 by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou-- Concerning a supplemental appropriation to the department of human services.

A majority of all members elected to the Senate having voted in the affirmative, the bill was referred to the Committee on Appropriations.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the General Orders -- Second Reading of Bills Calendar (SB13-059, SB13-048, SB13-031, SB13-018, SB13-028) of Friday, February 8 was laid over until Monday, February 11, retaining its place on the calendar.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

SB13-011 by Senator(s) Steadman and Guzman, Ulibarri, Aguilar, Carroll, Giron, Heath, Hodge, Hudak, Jahn, Johnston, Jones, Kefalas, Kerr, Morse, Newell, Nicholson, Schwartz, Tochtrop, Todd; also Representative(s) Ferrandino and Schafer, Ginal, Moreno, Rosenthal, Court, Buckner, Duran, Exum, Fields, Fischer, Foote, Garcia, Gerou, Hamner, Hullinghorst, Kagan, Kraft-Tharp, Labuda, Lebsock, Lee, Levy, May, McCann, McLachlan, Melton, Mitsch Bush, Pabon, Peniston, Pettersen, Primavera, Ryden, Salazar, Singer, Tyler, Vigil, Williams, Young--Concerning authorization of civil unions.

Senator Lundberg moved to amend the Report of the Committee of the Whole to show that the following Lundberg, Baumgardner, Cadman, Grantham, Harvey, King, Lambert, Marble, and Scheffel floor amendment, (L.013) to SB 13-011, did pass.

Amend printed bill, page 18, after line 20 insert:

"14-15-118. Child placement agencies - conscience clause.
 (1) TO THE EXTENT ALLOWED BY FEDERAL LAW, A PRIVATE CHILD PLACEMENT AGENCY SHALL NOT BE REQUIRED TO PERFORM, ASSIST, COUNSEL, RECOMMEND, CONSENT TO, REFER, OR PARTICIPATE IN ANY PLACEMENT OF A CHILD FOR FOSTER CARE OR ADOPTION WHEN THE PROPOSED PLACEMENT OF A CHILD WITH PERSONS WHO HAVE ENTERED INTO A CIVIL UNION WOULD VIOLATE THE AGENCY'S WRITTEN RELIGIOUS OR MORAL CONVICTIONS OR POLICIES.
 (2) THE STATE DEPARTMENT OF HUMAN SERVICES SHALL NOT DENY AN APPLICATION FOR AN INITIAL LICENSE OR RENEWAL OF A LICENSE OR REVOKE THE LICENSE OF A PRIVATE CHILD PLACEMENT AGENCY BECAUSE OF THE CHILD PLACEMENT AGENCY'S OBJECTION TO PERFORMING, ASSISTING, COUNSELING, RECOMMENDING, CONSENTING TO, REFERRING, OR PARTICIPATING IN A PLACEMENT WITH PARTNERS TO A CIVIL UNION BECAUSE THAT VIOLATES THE AGENCY'S WRITTEN RELIGIOUS OR MORAL CONVICTIONS OR POLICIES.
 (3) THE STATE DEPARTMENT OF HUMAN SERVICES OR A COUNTY DEPARTMENT OF SOCIAL SERVICES SHALL NOT DENY A PRIVATE CHILD PLACEMENT AGENCY ANY GRANT, CONTRACT, OR PARTICIPATION IN A GOVERNMENT PROGRAM BECAUSE OF THE AGENCY'S OBJECTION TO PERFORMING, ASSISTING, COUNSELING, RECOMMENDING, CONSENTING TO, REFERRING, OR PARTICIPATING IN A PLACEMENT WITH PARTNERS TO A CIVIL UNION BECAUSE THAT VIOLATES THE AGENCY'S WRITTEN RELIGIOUS OR MORAL CONVICTIONS OR POLICIES.
 (4) THE REFUSAL OF A PRIVATE CHILD PLACEMENT AGENCY TO PERFORM, ASSIST, COUNSEL, RECOMMEND, CONSENT TO, REFER, OR PARTICIPATE IN A PLACEMENT WITH PARTNERS TO A CIVIL UNION BECAUSE THAT VIOLATES THE AGENCY'S WRITTEN RELIGIOUS OR MORAL CONVICTIONS OR POLICIES SHALL NOT FORM THE BASIS OF ANY CLAIM FOR DAMAGES."

Renumber succeeding C.R.S. sections 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	14	NO	17	EXCUSED	4	ABSENT	0
Aguilar	E	Guzman	N	Kefalas	N	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	N	Scheffel	Y
Baumgardner	E	Heath	N	King	Y	Schwartz	N
Brophy	Y	Hill	Y	Lambert	Y	Steadman	N
Cadman	Y	Hodge	N	Lundberg	Y	Tochtrop	Y
Carroll	N	Hudak	N	Marble	Y	Todd	N
Crowder	Y	Jahn	N	Newell	N	Ulibarri	N
Giron	N	Johnston	E	Nicholson	N	President	N
Grantham	Y	Jones	N	Renfroe	E		

Senator Lundberg moved to amend the Report of the Committee of the Whole to show that the following Lundberg floor amendment, (L.015) to SB 13-011, did pass.

Amend printed bill, page 41, strike lines 8 through 12 and substitute:

“**SECTION 28. Act subject to petition - effective date.** Section 7 of this act takes effect January 1, 2014, and the remainder of this act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 7, 2013, if adjournment sine die is on May 8, 2013); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2014 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.”.

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	14	NO	17	EXCUSED	4	ABSENT	0
Aguilar	E	Guzman	N	Kefalas	N	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	N	Scheffel	Y
Baumgardner	E	Heath	N	King	Y	Schwartz	N
Brophy	Y	Hill	Y	Lambert	Y	Steadman	N
Cadman	Y	Hodge	N	Lundberg	Y	Tochtrop	Y
Carroll	N	Hudak	N	Marble	Y	Todd	N
Crowder	Y	Jahn	N	Newell	N	Ulibarri	N
Giron	N	Johnston	E	Nicholson	N	President	N
Grantham	Y	Jones	N	Renfroe	E		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

YES	19	NO	12	EXCUSED	4	ABSENT	0
Aguilar	E	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	E	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	E	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	E		

The Committee of the Whole took the following action:

Passed on second reading: SB13-011 as amended.
Laid over until Monday, February 11: SB13-059, SB13-048, SB13-031, SB13-018, SB13-028.
Referred to Appropriations: SB13-091.

CONSIDERATION OF RESOLUTIONS

HJR13-1013 by Representative(s) Priola; also Senator(s) Kerr--Concerning recognition of School Choice Week in Colorado.

Laid over until Monday, February 11, retaining its place on the calendar.

On motion of Majority Leader Carroll, the Senate adjourned until 10:00 a.m., Monday, February 11, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

34th Legislative Day Monday, February 11, 2013

- Prayer By the chaplain, Father Eustace Sequeira, Regis University Jesuit Community, Denver.
- Musical Presentation CSU Chamber Choir.
- Call to Order By the President at 10:00 a.m.
- Pledge By Senator Kefalas.
- Roll Call Present--35
- Quorum The President announced a quorum present.
- Reading of Journal On motion of Senator Balmer, reading of the Journal of Friday, February 8, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Printed: SB13-169, 170, 171, 172 and 173.
Correctly Engrossed: SB13-011.
Correctly Reengrossed: SB13-032, 041 and 046.
Correctly Rerevised: HB13-1070.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

- SJR13-014 by Senator(s) Kerr; also Representative(s) Kraft-Tharp--Concerning Awareness Day for Individuals with Developmental Disabilities.
- Laid over until Wednesday, February 20, retaining its place on the calendar.

INTRODUCTION OF BILLS -- FIRST READING

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

- SB13-174 by Senator(s) Schwartz, Giron, Jones; also Representative(s) Lebsock--Concerning the continuation of the Colorado food systems advisory council.
Agriculture, Natural Resources, & Energy

THIRD READING OF BILLS -- FINAL PASSAGE

On third reading, the title of the following bill was publicly read, the reading at length having been dispensed with by unanimous consent:

SB13-011 by Senator(s) Steadman and Guzman, Ulibarri, Aguilar, Carroll, Giron, Heath, Hodge, Hudak, Jahn, Johnston, Jones, Kefalas, Kerr, Morse, Newell, Nicholson, Schwartz, Tochtrop, Todd; also Representative(s) Ferrandino and Schafer, Ginal, Moreno, Rosenthal, Court, Buckner, Duran, Exum, Fields, Fischer, Foote, Garcia, Gerou, Hamner, Hullinghorst, Kagan, Kraft-Tharp, Labuda, Lebsock, Lee, Levy, May, McCann, McLachlan, Melton, Mitsch Bush, Pabon, Peniston, Pettersen, Primavera, Ryden, Salazar, Singer, Tyler, Vigil, Williams, Young--Concerning authorization of civil unions, and, in connection therewith, making an appropriation.

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

YES	21	NO	14	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

Committee of the Whole On motion of Senator Newell, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Newell was called to the Chair to act as Chairman.

GENERAL ORDERS -- SECOND READING OF BILLS --
CONSENT CALENDAR

The Committee of the Whole having risen, the Chairman reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB13-038 by Senator(s) Balmer; also Representative(s) Garcia--Concerning the confidentiality of certain communications among emergency responders.

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

SB13-076 by Senator(s) Roberts, Brophy, Morse, Schwartz; also Representative(s) Gardner, Labuda, Murray, Waller--Concerning the elimination of fees related to archived material for the legislative branch of the state.

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

SB13-030 by Senator(s) Scheffel; also Representative(s) Nordberg--Concerning an additional review of rules promulgated pursuant to the "State Administrative Procedure Act" by committees of reference of the general assembly.

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

SB13-116 by Senator(s) Ulibarri, Newell, Giron, Guzman, Aguilar, Roberts; also Representative(s) Lee--Concerning the authority of forensic psychologists to conduct mental health evaluations under article 8 of title 16, Colorado Revised Statutes.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, February 7, page(s) 152 and placed in members' bill files.)

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

SB13-042 by Senator(s) Morse; also Representative(s) Waller--Concerning the renewal of distinguished foreign teaching physician licenses by a person ranked lower than an associate professor.

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

**ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE --
CONSENT CALENDAR**

On motion of Senator Newell, 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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB13-038, SB13-076, SB13-030, SB13-116 as amended, SB13-042.

Committee of the Whole On motion of Senator Newell, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Newell was called to the chair to act as Chairman.

GENERAL 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:

SB13-059 by Senator(s) Cadman, Morse, Guzman, Hodge, Scheffel, Steadman, Ulibarri; -- Concerning the ability of a peace officer to obtain an alcohol beverage license.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, February 6, page(s) 147 and placed in members' bill files.)

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

- SB13-048

by Senator(s) Todd, Jones, Cadman, Heath, Hudak, Kerr, Newell; also Representative(s) Tyler and Labuda, Fields, Melton, Peniston, Ryden, Salazar--Concerning the use of highway user tax fund moneys allocated to local governments for multimodal transportation infrastructure.

Amendment No. 1, Transportation Committee Amendment.
(Printed in Senate Journal, February 6, page(s) 147 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.
- SB13-031

by Senator(s) Giron; also Representative(s) Pettersen--Concerning payment of tuition for students who participate in dropout recovery programs.

Ordered engrossed and placed on the calendar for third reading and final passage.
- SB13-018

by Senator(s) Ulibarri; also Representative(s) Fischer--Concerning the use of consumer credit information by employers.

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, February 5, page(s) 140-141 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.
- SB13-028

by Senator(s) Jones; also Representative(s) Tyler, Vigil--Concerning tracking the utility data of a state building that has achieved the highest performance certification attainable as part of its capital construction project.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, February 5, page(s) 141-142 and placed in members' bill files.)

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Ulibarri, 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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB13-059 as amended, SB13-048 as amended, SB13-031, SB13-018 as amended, SB13-028 as amended.

CONSIDERATION OF RESOLUTIONS

SJR13-013 by Senator(s) Kefalas and Giron; also Representative(s) Fischer and Vigil, Ginal-- Concerning recognition of and appreciation for 143 years of education, research, and service by the Colorado State University System.

On motion of Senator Kefalas, the resolution was read at length and **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	E	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Co-sponsor(s) added: Aguilar, Balmer, Baumgardner, Brophy, Cadman, Carroll, Crowder, Grantham, Guzman, Harvey, Heath, Hodge, Hudak, Jahn, Johnston, Jones, Kerr, King, Lambert, Lundberg, Marble, Morse, Newell, Nicholson, Renfroe, Roberts, Scheffel, Schwartz, Steadman, Tochtrop, Todd and Ulibarri.

HJR13-1007 by Representative(s) Fischer; also Senator(s) Schwartz--Concerning approval of water project revolving fund eligibility lists administered by the Colorado water resources and power development authority.

On motion of Senator Schwartz, the resolution was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	E	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Co-sponsor(s) added: Aguilar, Balmer, Baumgardner, Brophy, Cadman, Carroll, Crowder, Giron, Grantham, Guzman, Harvey, Heath, Hodge, Hudak, Jahn, Johnston, Jones, Kefalas, Kerr, King, Lambert, Lundberg, Marble, Morse, Newell, Nicholson, Renfroe, Roberts, Scheffel, Steadman, Tochtrop, Todd and Ulibarri.

HJR13-1013 by Representative(s) Priola; also Senator(s) Kerr--Concerning recognition of School Choice Week in Colorado.

On motion of Senator Kerr, the resolution was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	E	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Co-sponsor(s) added: Aguilar, Balmer, Baumgardner, Brophy, Cadman, Carroll, Crowder, Giron, Grantham, Guzman, Harvey, Heath, Hodge, Hudak, Jahn, Johnston, Jones, Kefalas, King, Lambert, Lundberg, Marble, Morse, Newell, Nicholson, Renfroe, Roberts, Scheffel, Schwartz, Steadman, Tochtrop, Todd and Ulibarri.

CONSIDERATION OF HOUSE AMENDMENTS TO
SENATE RESOLUTIONS

SJR13-009 by Senator(s) Ulibarri; also Representative(s) Lee, Melton, Exum, Salazar, Fields, Williams, Buckner--Concerning the designation of February 2013 as "Emancipation Proclamation Awareness Month".

Senator Ulibarri moved that the Senate concur in House amendments to **SJR13-009**, as printed in House Journal, February 5, 2013, page(s) 182.

A majority of all members elected to the Senate having voted in the affirmative, the motion was adopted on the following roll call vote.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	E	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	E	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the resolution, as amended, was **repassed**.

Co-sponsor(s) added: Johnston and Newell.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS

On motion of Senator Guzman, the following Governor's appointments were confirmed by a roll call vote:

MEMBERS OF THE
STATE BOARD OF PAROLE

effective July 1, 2012 for a term expiring July 1, 2014:

Alfredo Enrique Pena of Denver, Colorado, to serve as a citizen representative and occasioned by the resignation of Edward P. Thomas of Denver, Colorado, appointed;

for a term expiring July 1, 2015:

John M. O'Dell of Loveland, Colorado, to serve as a law enforcement representative,
reappointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	E	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

MESSAGE FROM THE HOUSE

February 11, 2013

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes
HB13-1054, 1146, 1012, 1024.

The House has passed on Third Reading and transmitted to the Revisor of Statutes
HB13-1047, amended as printed in House Journal, February 7, pages 205-206.
HB13-1095, amended as printed in House Journal, February 7, page 206.
HB13-1088, amended as printed in House Journal, February 7, page 206.
HB13-1011, amended as printed in House Journal, February 8, pages 229-230.
HB13-1038, amended as printed in House Journal, February 8, pages 230-231.
HB13-1062, amended as printed in House Journal, February 8, pages 231-232.

The House has passed on Third Reading and returns herewith SB13-085, 086,
087, 088, 089, 090, 092, 093, 094, 095, 096, 097, 098, 099, 100, 101, 102, 103,
104, 105, 106, 107, 110.

The House has passed on Third Reading and transmitted to the Revisor of Statutes;
SB13-109, amended as printed in House Journal, February 8, page 229.

On motion of Majority Leader Carroll, the Senate adjourned until 9:00 a.m., Tuesday,
February 12, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

35th Legislative DayTuesday, February 12, 2013

Prayer	By the chaplain, Pastor Robert T. Schlipp, The Worship Center of Brighton.
Call to Order	By the President at 9:00 a.m.
Pledge	By Senator Kefalas.
Roll Call	Present--34 Excused--1, Hill. Present later--1, Hill.
Quorum	The President announced a quorum present.
Reading of Journal	On motion of Senator Balmer, reading of the Journal of Monday, February 11, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Judiciary	After consideration on the merits, the Committee recommends that SB13-056 be postponed indefinitely .
State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that SB13-143 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.
State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that SB13-142 be referred to the Committee on <u>Appropriations</u> with favorable recommendation.
State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that SB13-129 be referred to the Committee on <u>Appropriations</u> with favorable recommendation.
State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that SB13-040 be amended as follows, and as so amended, be referred to the Committee on <u>Appropriations</u> with favorable recommendation. Amend printed bill, page 2, strike line 3 and substitute "(1) (a) and (4) (b); and add (8) as follows:". Page 2, strike lines 16 and 17 and substitute: "(4) (b) (I) The state department is authorized to accept gifts, grants, and donations for the purposes of this section; except that the state department shall not accept a gift, grant, or donation that is subject to conditions that are inconsistent with the provisions of this section or any other law of the state. The state department shall transfer all private

and public moneys received through gifts, grants, and donations to the state treasurer, who shall credit the same to the fund.

(II) TO THE EXTENT PERMITTED BY SUBPARAGRAPH (I) OF THIS PARAGRAPH (b), A PERSON WHO CONTRIBUTES A GIFT, GRANT, OR DONATION TO THE FUND MAY DESIGNATE A SPECIFIC PURPOSE FOR WHICH THE GIFT, GRANT, OR DONATION IS TO BE USED. THE STATE DEPARTMENT SHALL NOT UNREASONABLY DELAY A PROJECT THAT IS SUFFICIENTLY FUNDED BY GIFTS, GRANTS, OR DONATIONS.

(8) (a) ON OR BEFORE JANUARY 1, 2014, THE STATE DEPARTMENT SHALL ESTABLISH A PHASED PLAN FOR EXPANSION OF THE CEMETERY. THE STATE DEPARTMENT SHALL IDENTIFY PHASES IN A MANNER THAT IS AESTHETICALLY APPROPRIATE, COST-EFFECTIVE, AND CAPABLE OF INCREMENTAL IMPLEMENTATION AS FUNDING BECOMES AVAILABLE; EXCEPT THAT, THE FIRST PHASE SHALL CONSIST OF THE PORTION OF THE PROJECT DESCRIBED IN PARAGRAPH (b) OF THIS SUBSECTION (8). THE EXPANSION PROJECT SHALL INCLUDE WORK SUFFICIENT TO MEET THE DEMAND FOR UNRESERVED BURIAL PLOTS IN THE CEMETERY AND TO ALLOW THE STATE DEPARTMENT TO CONDUCT INTERMENTS AT THE RATE OF FIFTEEN INTERMENTS PER YEAR. TO THE EXTENT PRACTICABLE, IN IMPLEMENTING THE EXPANSION PLAN, THE STATE DEPARTMENT SHALL MAKE USE OF WORK COMPLETED BY THIRD PARTIES PURSUANT TO PARAGRAPH (b) OF SUBSECTION (2) OF THIS SECTION AND COORDINATE WITH SUCH PARTIES TO ENSURE THAT WORK COMPLETED FOR THE EXPANSION PROJECT MEETS THE STANDARDS AND SPECIFICATIONS OF THE PHASED PLAN.

(b) ON OR BEFORE JULY 1, 2014, THE STATE DEPARTMENT SHALL COMPLETE THE EXPANSION OF THE CEMETERY AND MAKE AVAILABLE FOR ELIGIBLE VETERANS OF THE UNITED STATES ARMED FORCES AND THEIR SPOUSES NEW CEMETERY PLOTS IN THE TWO TRIANGULAR AREAS THAT ARE ADJACENT TO, AND TO THE NORTHEAST AND NORTHWEST OF, THE CIRCULAR CEMETERY PROPER."

Page 3, strike lines 1 through 8 and substitute:
"(c) ON OR BEFORE JANUARY 1, 2015, THE STATE DEPARTMENT".

Page 3, strike line 12 and substitute:
"(I) THE STATUS OF THE PHASED PLAN FOR EXPANSION OF THE".

Page 3, line 14, strike "(B)" and substitute "(II)".

Page 3, line 16, strike "(C)" and substitute "(III)".

Page 3, line 18, strike "(D)" and substitute "(IV)".

Page 3, strike lines 22 and 23 and substitute:
"(V) THIS PARAGRAPH (c) IS REPEALED, EFFECTIVE JANUARY 2, 2015."

Business,
Labor, &
Technology

After consideration on the merits, the Committee recommends that **SB13-118** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend printed bill, page 2, strike lines 2 through 5 and substitute:

"**SECTION 1.** In Colorado Revised Statutes, 12-61-904, **add** (1) (l) as follows:
12-61-904. Exemptions - rules. (1) Except as otherwise provided in section 12-61-911, this part 9 does not apply to the following, unless".

Page 2, strike lines 9 through 17.

Page 3, strike lines 1 through 6.

Renumber succeeding section accordingly.

Page 1, strike lines 103 through 107 and substitute:

"CONNECTION THEREWITH, EXEMPTING REAL ESTATE LICENSEES REPRESENTING PERSONS PROVIDING SELLER FINANCING FOR THE SALE OF A LIMITED NUMBER OF RESIDENTIAL PROPERTIES ANNUALLY AS ALLOWED BY LAW."

SENATE SERVICES REPORT

Correctly Printed: SB13-174; SJR13-014.
Correctly Engrossed: SB13-018, 028, 030, 031, 038, 042, 048, 059, 076 and 116; SJR13-013.
Correctly Reengrossed: SB13-011.
Correctly Revised: HJR13-1007 and 1013.

MESSAGE FROM THE HOUSE

February 11, 2013
Mr. President:
The House has adopted and returns herewith SJR13-013.

MESSAGE FROM THE REVISOR OF STATUTES

February 11, 2013

We herewith transmit:

Without comment, HB13-1012, 1024, 1054, and 1146.
Without comment, as amended, HB13-1011, 1038, 1047, 1062, 1088, and 1095.
Without comment, as amended, SB13-109.

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:

SB13-038 by Senator(s) Balmer; also Representative(s) Garcia--Concerning the confidentiality of certain communications among emergency responders.
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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Aguilar, Guzman, King, Lambert, Morse, Newell, Roberts, Tochtrop and Todd.

SB13-076 by Senator(s) Roberts, Brophy, Morse, Schwartz; also Representative(s) Gardner, Labuda, Murray, Waller--Concerning the elimination of fees related to archived material for the legislative branch of the state.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Cadman, Grantham, Lundberg, Marble and Scheffel.

SB13-030 by Senator(s) Scheffel; also Representative(s) Nordberg--Concerning an additional review of rules promulgated pursuant to the "State Administrative Procedure Act" by committees of reference of the general assembly.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

SB13-116 by Senator(s) Ulibarri, Newell, Giron, Guzman, Aguilar, Roberts; also Representative(s) Lee--Concerning the authority of forensic psychologists to conduct mental health evaluations under article 8 of title 16, Colorado Revised Statutes.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Cadman, Jahn, Kefalas, Lundberg, Nicholson and Todd.

SB13-042 by Senator(s) Morse; also Representative(s) Waller--Concerning the renewal of distinguished foreign teaching physician licenses by a person ranked lower than an associate professor.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Aguilar, Crowder, Heath, Kefalas, Newell, Nicholson and Tochtrop.

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:

SB13-059 by Senator(s) Cadman, Morse, Guzman, Hodge, Scheffel, Steadman, Ulibarri; also Representative(s) Moreno--Concerning the ability of a peace officer to obtain an alcohol beverage license.

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

YES	33	NO	2	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	N	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Aguilar, Jones and Todd.

SB13-048 by Senator(s) Todd, Jones, Cadman, Heath, Hudak, Kerr, Newell; also Representative(s) Tyler and Labuda, Fields, Melton, Peniston, Ryden, Salazar--Concerning the use of highway user tax fund moneys allocated to local governments for multimodal transportation infrastructure.

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

YES	24	NO	11	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Aguilar, Carroll, Giron, Guzman, Jahn, Kefalas, King, Morse, Nicholson, Schwartz, Steadman and Ulibarri.

SB13-031 by Senator(s) Giron; also Representative(s) Pettersen--Concerning payment of tuition for students who participate in dropout recovery programs.

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

YES	33	NO	2	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	N	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Aguilar, Carroll, Guzman, Heath, Hodge, Hudak, Kefalas, Kerr, Morse, Newell, Nicholson, Schwartz, Steadman, Tochtrop, Todd and Ulibarri.

SB13-018 by Senator(s) Ulibarri; also Representative(s) Fischer--Concerning the use of consumer credit information by employers.

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	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Aguilar, Carroll, Giron, Guzman, Heath, Hodge, Hudak, Jones, Kefalas, Kerr, Morse, Nicholson, Schwartz, Steadman, Tochtrop and Todd.

SB13-028 by Senator(s) Jones; also Representative(s) Tyler, Vigil--Concerning tracking the utility data of a state building that has achieved the highest performance certification attainable as part of its capital construction project.

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

YES	32	NO	3	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	N	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Crowder, Giron, Guzman, Heath, Kerr, Nicholson, Schwartz and Todd.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the General Orders -- Second Reading of Bills -- Consent Calendar (SB13-072) of Tuesday, February 12 was laid over until Wednesday, February 13, retaining its place on the calendar.

Committee of the Whole On motion of Senator Hodge, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Hodge was called to the chair to act as Chairman.

GENERAL 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:

SB13-049
by Senator(s) Lundberg, Brophy, Hill, Renfroe, Scheffel; --Concerning an exemption within a roundabout from the rule requiring a vehicle to signal an intention to leave the current lane of travel.

Amendment No. 1, Transportation Committee Amendment.
(Printed in Senate Journal, February 8, page(s) 183 and placed in members' bill files.)

Amendment No. 2(L.001), by Senator Lundberg.

Amend the Transportation Committee Report, dated February 7, 2013, page 1, line 2 strike "so" and substitute "so,".

Page 1, line 4 strike "so" and substitute "so,".

Page 1, line 6 strike "so" and substitute "so,".

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

SB13-058
by Senator(s) Grantham; also Representative(s) Landgraf--Concerning the verification requirement for parking privileges for persons with a permanent disability.

Amendment No. 1, Transportation Committee Amendment.
(Printed in Senate Journal, February 8, page(s) 183-184 and placed in members' bill files.)

Amendment No. 2(L.003), by Senator Grantham.

Amend the Transportation Committee Report, dated February 7, 2013, page 2, line 3, after "OFFICE" insert "OR AN AGENCY OF THE DEPARTMENT OF REVENUE".

Page 2, line 14, after "OFFICE" insert "OR AN AGENCY OF THE DEPARTMENT OF REVENUE".

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

SB13-015
by Senator(s) Roberts; also Representative(s) Hamner--Concerning authorization for electronic participation in meetings of school district boards of education.

Laid over until Wednesday, February 13, retaining its place on the calendar.

SB13-112
by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Gerou, Duran, Levy--Concerning a cap on the 2012-13 state fiscal year transfers to the state public school fund from public school land moneys.

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

SB13-070
by Senator(s) Schwartz, Jones; also Representative(s) Scott and Tyler, Fischer, Hamner, Young--Concerning the purchase of vehicles that operate on alternative fuels for the state motor vehicle fleet system.

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.)

- SB13-075

by Senator(s) Brophy, Baumgardner, Giron, Hodge, Roberts; also Representative(s) Sonnenberg, Fischer--Concerning safeguards to prevent the modification of a final designated ground water permit based on reductions in the use of designated ground water.

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- Amendment No. 1, Agriculture, Natural Resources, and Energy Committee Amendment.
(Printed in Senate Journal, February 8, page(s) 187 and placed in members' bill files.)

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

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- SB13-067

by Senator(s) Tochtrop; --Concerning the operation of vehicles off-road.

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- Amendment No. 1, Agriculture, Natural Resources, and Energy Committee Amendment.
(Printed in Senate Journal, February 8, page(s) 187 and placed in members' bill files.)

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

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- SB13-078

by Senator(s) Giron, Baumgardner, Brophy, Hodge, Roberts, Schwartz; also Representative(s) Sonnenberg, Fischer--Concerning points of diversion that are not located at the physical location specified in the decrees for diverted water rights.

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- Amendment No. 1, Agriculture, Natural Resources, and Energy Committee Amendment.
(Printed in Senate Journal, February 8, page(s) 187-188 and placed in members' bill files.)

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

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- SB13-074

by Senator(s) Hodge, Baumgardner, Brophy, Giron, Roberts; also Representative(s) Sonnenberg, Fischer--Concerning the resolution of ambiguities in old water right decrees regarding the place of use of irrigation water.

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- Laid over until Wednesday, February 13, retaining its place on the calendar.

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AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

- SB13-070

by Senator(s) Schwartz, Jones; also Representative(s) Scott and Tyler, Fischer, Hamner, Young--Concerning the purchase of vehicles that operate on alternative fuels for the state motor vehicle fleet system.

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- Senator Lambert moved to amend the Report of the Committee of the Whole to show that the following amendment to SB13-070 did pass.

Amend printed bill, page 3, line 25, strike "During the" and substitute "~~During the~~".

Page 3, strike lines 26 and 27 and substitute "~~session of the sixty-seventh general assembly in 2010~~, The executive".

Page 4, line 1, strike "A" and substitute "AN ANNUAL".

Page 4, line 4, after "committees," insert "AND THE JOINT BUDGET COMMITTEE OF THE GENERAL ASSEMBLY,".

Page 4, line 10, strike "MARCH 1, 2013," and substitute "NOVEMBER 1, 2013, AND EACH NOVEMBER 1 THEREAFTER,".

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Hodge, 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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB13-049 as amended, SB13-058 as amended, SB13-112, SB13-070 as amended, SB13-075 as amended, SB13-067 as amended, SB13-078 as amended.
Laid over until Wednesday, February 13: SB13-015, SB13-074.

CONSIDERATION OF RESOLUTIONS

SJR13-010 by Senator(s) Kerr and Todd; also Representative(s) Peniston--Concerning the designation of February 4 through 8, 2013, as "National School Counseling Week".

On motion of Senator Todd, the resolution was read at length and **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Co-sponsor(s) added: Aguilar, Balmer, Baumgardner, Brophy, Cadman, Carroll, Crowder, Giron, Grantham, Guzman, Harvey, Heath, Hill, Hodge, Hudak, Jahn, Johnston, Jones, Kefalas, King, Lambert, Lundberg, Marble, Morse, Newell, Nicholson, Renfroe, Roberts, Scheffel, Schwartz, Steadman, Tochtrop and Ulibarri.

SJR13-011 by Senator(s) Heath; also Representative(s) Court--Concerning recognition of career and technical education month.

On motion of Senator Heath, the resolution was read at length.

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

Amend printed joint resolution, page 3, line 11, strike "Emily Griffith Opportunity School, " and substitute "Emily Griffith Technical College, ".

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Co-sponsor(s) added: Aguilar, Balmer, Baumgardner, Brophy, Cadman, Carroll, Crowder, Giron, Grantham, Guzman, Harvey, Hill, Hodge, Hudak, Jahn, Johnston, Jones, Kefalas, Kerr, King, Lambert, Lundberg, Marble, Morse, Newell, Nicholson, Renfroe, Roberts, Scheffel, Schwartz, Steadman, Tochtrop, Todd and Ulibarri.

MESSAGE FROM THE HOUSE

February 12, 2013

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1164, 1132, 1109.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1009, amended as printed in House Journal, February 11, pages 256-257.
HB13-1001, amended as printed in House Journal, February 11, pages 259-261.
HB13-1061, amended as printed in House Journal, February 11, page 261.
HB13-1104, amended as printed in House Journal, February 11, pages 261-262.
HB13-1137, amended as printed in House Journal, February 11, page 262.

MESSAGE FROM THE REVISOR OF STATUTES

February 12, 2013

We herewith transmit:

Without comment, HB13-1109, 1132, and 1164.
Without comment, as amended, HB13-1001, 1009, 1061, 1104, and 1137.

Journal correction:

Page 203, after line 26 add:

"On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for an expression of personal privilege."

On motion of Majority Leader Carroll, the Senate adjourned until 9:00 a.m., Wednesday, February 13, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

36th Legislative Day

Wednesday, February 13, 2013

Prayer By the chaplain, Pastor Vern Rempel, First Mennonite Church, Denver.

Call to Order By the President at 9:00 a.m.

Pledge By Senator Kefalas.

Roll Call Present--32
Excused--3, Johnston, King, Todd.
Present later--3, Johnston, King, Todd.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Balmer, reading of the Journal of Tuesday, February 12, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Judiciary After consideration on the merits, the Committee recommends that **SB13-083** be **amended** as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 3, line 2, strike "directly adjacent" and substitute "in direct proximity".

Page 5, line 5, after "**amend**" insert "(3.3)," and after "**add**" insert "(3.1), (3.2),".

Page 5, after line 8 insert:

"(3.1) "CERTIFIED PRESCRIBED BURN MANAGER" MEANS AN INDIVIDUAL WHO SUCCESSFULLY COMPLETES THE DIVISION'S CERTIFIED BURNER TRAINING AND CERTIFICATION PROGRAM AND POSSESSES A VALID CERTIFICATION NUMBER.

(3.2) "CIGARETTE" MEANS ANY ROLL FOR SMOKING, WHETHER MADE WHOLLY OR PARTLY OF TOBACCO OR ANY OTHER SUBSTANCE, IRRESPECTIVE OF SIZE OR SHAPE, AND WHETHER OR NOT SUCH TOBACCO OR SUBSTANCE IS FLAVORED, ADULTERATED, OR MIXED WITH ANY OTHER INGREDIENT, THE WRAPPER OR COVER OF WHICH IS MADE OF PAPER OR ANY OTHER SUBSTANCE OR MATERIAL EXCEPT TOBACCO.

(3.3) ~~"Cigarette" means any roll for smoking, whether made wholly or partly of tobacco or any other substance, irrespective of size or shape, and whether or not such tobacco or substance is flavored, adulterated, or mixed with any other ingredient, the wrapper or cover of which is made of paper or any other substance or material except tobacco.~~ "CONTROLLED AGRICULTURAL BURN" MEANS A TECHNIQUE USED IN FARMING OR LIVESTOCK PRODUCTION ON A PARCEL OF LAND THAT MEETS THE DEFINITION OF AGRICULTURAL LAND, AS THAT TERM IS DEFINED IN SECTION 39-1-102 (1.6) (a), C.R.S., TO CLEAR THE LAND OF ANY EXISTING NATIVE VEGETATION OR CROP RESIDUE OR KILL WEEDS AND WEED SEEDS."

Page 5, strike lines 14 through 17 and substitute "flow-preventer"
"CONTROLLED DITCH BURN" MEANS A TECHNIQUE USING FIRE TO CLEAR

AND REMOVE VEGETATION, DEBRIS, OR OTHER MATERIAL FROM DITCHES, CANALS, AND OTHER WATER TRANSPORTATION STRUCTURES, INCLUDING BANKS AND ACCESS ROADS."

Page 7, line 6, strike "GROUND," and substitute "GROUND."

Page 7, strike line 7.

Page 7, line 13, strike "PLANNED FIRE" and substitute "PUBLIC SAFETY".

Page 7, line 14, after "AGRICULTURAL" insert "BURNS AND CONTROLLED DITCH".

Page 7, strike lines 25 through 27 and substitute "CONDUCTING PRESCRIBED BURNING ON ANY AREA OF WILDLAND IN THE STATE PURSUANT TO SECTION 24-33.5-1217. THE DIVISION SHALL CONDUCT SUCH PRESCRIBED BURNING PROGRAM IN COOPERATION WITH LOCAL, STATE, OR FEDERAL AGENCIES, PRIVATE PERSONS, OR CONCERNS."

Page 8, strike lines 1 through 4.

Page 8, line 6, after "portion," insert "(2) (e),".

Page 8, line 7, strike "and (10)" and substitute "(10), and (11)".

Page 8, after line 10 insert:
"(e) Establish training standards for certified burners AND UTILIZE ALL MEANS AVAILABLE TO MAKE THE CERTIFIED BURNER TRAINING AS ACCESSIBLE AS POSSIBLE; and".

Page 8, line 11, after "(3)" insert "(a)" and strike "ON" and substitute "EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, ON".

Page 8, after line 15 insert:
"(b) (I) NOTHING IN THIS SECTION REQUIRES A PRIVATE LANDOWNER TO BE CERTIFIED BY THE DIVISION AS A PRESCRIBED BURN MANAGER OR QUALIFIED BY NATIONAL WILDFIRE COORDINATING GROUP STANDARDS AS A PRESCRIBED BURN BOSS TO CONDUCT PRESCRIBED FIRE ON THEIR OWN PROPERTY.
(II) A PRIVATE LANDOWNER OR THE LANDOWNER'S DESIGNEE WHO IS CERTIFIED BY THE DIVISION AS A PRESCRIBED BURN MANAGER OR QUALIFIED BY NATIONAL WILDFIRE COORDINATING GROUP STANDARDS AS A PRESCRIBED BURN BOSS IS NOT LIABLE FOR ANY CIVIL DAMAGES FOR ACTS OR OMISSIONS MADE IN GOOD FAITH RESULTING IN DAMAGE OR INJURY CAUSED BY FIRE OR SMOKE RESULTING FROM PRESCRIBED BURNS THEY CONDUCT ON THEIR OWN PROPERTY AND IN COMPLIANCE WITH APPLICABLE STATE LAWS AND LOCAL ORDINANCES, UNLESS SUCH PRIVATE LANDOWNER'S OR DESIGNEE'S ACTS OR OMISSIONS ARE GROSSLY NEGLIGENT OR WILLFUL AND WANTON.
(III) NOTHING IN THIS SECTION EXEMPTS PRIVATE LANDOWNERS FROM COMPLYING WITH ANY OTHER APPLICABLE LOCAL, STATE, OR FEDERAL REQUIREMENTS PERTAINING TO OPEN BURNING."

Page 9, line 14, strike "PROGRAM;" and substitute "PROGRAM WITHIN THE DIVISION;"

Page 10, line 2, after "GOVERNMENT." add "TO BE EXEMPT FROM THESE STANDARDS, OTHER USERS OF PRESCRIBED FIRE, INCLUDING LOCAL GOVERNMENTS AND NONGOVERNMENTAL ORGANIZATIONS MUST ADOPT OR HAVE ALREADY ADOPTED GUIDELINES OR STANDARDS THAT ARE IN SUBSTANTIAL COMPLIANCE WITH THE INTENT OF SECTION 24-33.5-1217.5 FOR PRESCRIBED BURNING UNDER THEIR CONTROL."

Page 10, line 8, strike "OR OTHER".

Page 10, line 9, strike "HAZARDOUS FUEL REDUCTION".

Page 10, line 15, strike "DETERMINES THAT THE PUBLIC BENEFITS".

Page 10, strike lines 16 through 19 and substitute "VERIFIES THAT THE PROPERTY OWNER OR OTHER PERSON HAVING LEGAL CONTROL OF THE PROPERTY WITHIN THE WILDLAND HAS BOTH EVALUATED ALL ALTERNATIVES TO PRESCRIBED BURNING AND DETERMINED THAT PRESCRIBED BURNING IS THE MOST APPROPRIATE HAZARDOUS FUEL REDUCTION METHOD FOR THE PROPERTY.

(c) NOTHING IN THIS SECTION COMPELS ANY PERSON TO ENTER INTO AN AGREEMENT WITH THE DIRECTOR."

Reletter succeeding paragraph accordingly.

Page 12, line 15, strike "24-33.5-1217.5,".

Page 12, line 16, strike "24-33.5-1217.7, OR 24-33.3-1217.9" and substitute "24-33.5-1217.5 OR 24-33.5-1217.7".

Page 12, after line 20 insert:

"(11) EXCEPT AS OTHERWISE PROVIDED FOR THE FEES ESTABLISHED AND COLLECTED PURSUANT TO SUBSECTION (4) OF THIS SECTION, ALL MONEYS RECEIVED BY THE DIVISION PURSUANT TO THIS SECTION SHALL BE CREDITED TO THE WILDFIRE PREPAREDNESS FUND CREATED IN SECTION 24-33.5-1226 (4) (a)."

Page 12, line 21, strike "24-33.5-1217.5,".

Page 12, strike line 22 and substitute "24-33.5-1217.5 and 24-33.5-1217.7 as follows:".

Page 13, strike line 5 and substitute "OBJECTIVES, AS THOSE OBJECTIVES ARE DETERMINED BY THE PROPERTY OWNER OR NATURAL RESOURCE MANAGEMENT AUTHORITY; AND".

Page 13, strike line 11 and substitute:
"(I) IS BASED ON THE".

Page 14, strike line 27.

Strike pages 15 and 16.

Page 17, strike lines 1 through 12.

Page 17, line 13, strike "**24-33.5-1217.9.**" and substitute "**24-33.5-1217.7.**".

Page 17, line 14, strike "AVAILABLE" and substitute "ON-SITE".

Page 18, line 3, strike "LIABILITY." and substitute "LIABILITY FOR TRESPASS."

State,
Veterans, &
Military
Affairs

After consideration on the merits, the Committee recommends that **SB13-057** be **postponed indefinitely**.

State,
Veterans, &
Military
Affairs

After consideration on the merits, the Committee recommends that **SB13-134** be **referred** to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

State,
Veterans, &
Military
Affairs

After consideration on the merits, the Committee recommends that **SB13-135** be **postponed indefinitely**.

Page 222	Senate Journal-36th Day-February 13, 2013	
Trans- portation	After consideration on the merits, the Committee recommends that SB13-027 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	1 2 3 4 5 6 7
	Amend printed bill, page 2, after line 1 insert:	8
	" SECTION 1. Legislative declaration. (1) The general assembly hereby finds and declares that the purpose of this act is to provide opportunity for the regional transportation district, which intends to consult with affected local jurisdictions regarding such matters, to develop additional parking at or near transit stations for mass transit and other public and private uses.	9 10 11 12 13
	(2) The general assembly further finds and declares that this act accomplishes that purpose by:	14
	(a) Allowing public and private entities to build such parking using funding sources not primarily reliant on tax dollars;	15 16 17
	(b) Aligning the cost of parking more closely with its use; and	18
	(c) Facilitating transit oriented development.".	19 20
	Renumber succeeding sections accordingly.	21 22 23
Trans- portation	After consideration on the merits, the Committee recommends that SB13-128 be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	24 25 26 27
Trans- portation	After consideration on the merits, the Committee recommends that SB13-068 be postponed indefinitely .	28 29 30 31
Trans- portation	After consideration on the merits, the Committee recommends that SB13-060 be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	32 33 34 35
Finance	The Committee on <u>Finance</u> has had under consideration and has had a hearing on the following appointment and recommends that the appointment be confirmed:	36 37 38
	MEMBER OF THE COLORADO LOTTERY COMMISSION	39 40 41 42
	for a term expiring July 1, 2016:	43 44
	Frances Ann Koncilja of Littleton, Colorado, to serve as a member of the public and as a Democrat, appointed.	45 46 47 48
Finance	The Committee on <u>Finance</u> has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:	49 50 51 52
	MEMBERS OF THE COLORADO RACING COMMISSION	53 54 55 56
	for terms expiring July 1, 2016:	57
	Cynthia Jane Day of Grand Junction, Colorado, a Democrat from the Third Congressional District, who has been previously engaged in the racing industry for at least five years, appointed;	58 59 60 61
	Mary Sharon Wells of Golden, Colorado, a Democrat from the Seventh Congressional District, who is a registered elector of the state, reappointed.	62 63 64 65

Finance	After consideration on the merits, the Committee recommends that SB13-130 be postponed indefinitely.	1 2 3 4
Local Government	After consideration on the merits, the Committee recommends that SB13-126 be amended as follows, and as so amended, be referred to the Committee on with favorable recommendation. Amend printed bill, strike everything below the enacting clause and substitute: "SECTION 1. In Colorado Revised Statutes, add 38-12-601 as follows: 38-12-601. Unreasonable restrictions on electric vehicle charging systems - definitions. (1) NOTWITHSTANDING ANY PROVISION IN THE LEASE TO THE CONTRARY, AND SUBJECT TO SUBSECTION (2) OF THIS SECTION: (a) A TENANT MAY INSTALL, AT THE TENANT'S EXPENSE FOR THE TENANT'S OWN USE, A LEVEL 1 OR LEVEL 2 ELECTRIC VEHICLE CHARGING SYSTEM ON OR IN THE LEASED PREMISES; AND (b) A LANDLORD SHALL NOT ASSESS OR CHARGE A TENANT ANY FEE FOR THE PLACEMENT OR USE OF AN ELECTRIC VEHICLE CHARGING SYSTEM, EXCEPT THAT: (I) THE LANDLORD MAY REQUIRE REIMBURSEMENT FOR THE ACTUAL COST OF ELECTRICITY PROVIDED BY THE LANDLORD THAT WAS USED BY THE CHARGING SYSTEM OR, ALTERNATIVELY, MAY CHARGE A REASONABLE FEE FOR ACCESS; (II) THE LANDLORD MAY REQUIRE REIMBURSEMENT FOR THE COST OF THE INSTALLATION OF THE CHARGING SYSTEM, INCLUDING ANY ADDITIONS OR UPGRADES TO EXISTING WIRING DIRECTLY ATTRIBUTABLE TO THE REQUIREMENTS OF THE CHARGING SYSTEM, IF THE LANDLORD PLACES OR CAUSES THE ELECTRIC VEHICLE CHARGING SYSTEM TO BE PLACED AT THE REQUEST OF THE TENANT; AND (III) IF THE TENANT DESIRES TO PLACE AN ELECTRIC VEHICLE CHARGING SYSTEM IN AN AREA ACCESSIBLE TO OTHER TENANTS, THE LANDLORD MAY ASSESS OR CHARGE THE TENANT A REASONABLE FEE TO RESERVE A SPECIFIC PARKING SPOT IN WHICH TO INSTALL THE CHARGING SYSTEM. (2) A LANDLORD MAY REQUIRE A TENANT TO COMPLY WITH: (a) BONA FIDE SAFETY REQUIREMENTS, CONSISTENT WITH AN APPLICABLE BUILDING CODE OR RECOGNIZED SAFETY STANDARD, FOR THE PROTECTION OF PERSONS AND PROPERTY; (b) A REQUIREMENT THAT THE CHARGING SYSTEM BE REGISTERED WITH THE LANDLORD WITHIN THIRTY DAYS AFTER INSTALLATION; OR (c) REASONABLE AESTHETIC PROVISIONS THAT GOVERN THE DIMENSIONS, PLACEMENT, OR EXTERNAL APPEARANCE OF AN ELECTRIC VEHICLE CHARGING SYSTEM. (3) A TENANT MAY PLACE AN ELECTRIC VEHICLE CHARGING SYSTEM IN AN AREA ACCESSIBLE TO OTHER TENANTS IF: (a) THE CHARGING SYSTEM IS IN COMPLIANCE WITH ALL APPLICABLE REQUIREMENTS ADOPTED PURSUANT TO SUBSECTION (2) OF THIS SECTION; AND (b) THE TENANT AGREES IN WRITING TO: (I) COMPLY WITH THE LANDLORD'S DESIGN SPECIFICATIONS FOR THE INSTALLATION OF THE CHARGING SYSTEM; (II) ENGAGE THE SERVICES OF A DULY LICENSED AND REGISTERED ELECTRICAL CONTRACTOR FAMILIAR WITH THE INSTALLATION AND CODE REQUIREMENTS OF AN ELECTRIC VEHICLE CHARGING SYSTEM; AND (III) PROVIDE, WITHIN FOURTEEN DAYS AFTER RECEIVING THE LANDLORD'S CONSENT FOR THE INSTALLATION, A CERTIFICATE OF INSURANCE NAMING THE LANDLORD AS AN ADDITIONAL INSURED ON THE TENANT'S RENTERS' INSURANCE POLICY FOR ANY CLAIM RELATED TO THE INSTALLATION, MAINTENANCE, OR USE OF THE SYSTEM. (4) IF THE LANDLORD CONSENTS TO A TENANT'S INSTALLATION OF AN ELECTRIC VEHICLE CHARGING SYSTEM ON PROPERTY ACCESSIBLE TO OTHER TENANTS, INCLUDING A PARKING SPACE, CARPORT, OR GARAGE STALL, THEN, UNLESS OTHERWISE SPECIFIED IN A WRITTEN AGREEMENT	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

WITH THE LANDLORD:

(a) THE TENANT, AND EACH SUCCESSIVE TENANT WITH EXCLUSIVE RIGHTS TO THE AREA WHERE THE CHARGING SYSTEM IS INSTALLED, IS RESPONSIBLE FOR ANY COSTS FOR DAMAGES TO THE CHARGING SYSTEM AND TO ANY OTHER PROPERTY OF THE LANDLORD OR OF ANOTHER TENANT THAT ARISE OR RESULT FROM THE INSTALLATION, MAINTENANCE, REPAIR, REMOVAL, OR REPLACEMENT OF THE CHARGING SYSTEM;

(b) EACH SUCCESSIVE TENANT WITH EXCLUSIVE RIGHTS TO THE AREA WHERE THE CHARGING SYSTEM IS INSTALLED SHALL ASSUME RESPONSIBILITY FOR THE REPAIR, MAINTENANCE, REMOVAL, AND REPLACEMENT OF THE CHARGING SYSTEM UNTIL THE SYSTEM HAS BEEN REMOVED;

(c) THE TENANT AND EACH SUCCESSIVE TENANT WITH EXCLUSIVE RIGHTS TO THE AREA WHERE THE SYSTEM IS INSTALLED SHALL AT ALL TIMES HAVE AND MAINTAIN AN INSURANCE POLICY COVERING THE OBLIGATIONS OF THE TENANT UNDER THIS SUBSECTION (4) AND SHALL NAME THE LANDLORD AS AN ADDITIONAL INSURED UNDER THE POLICY; AND

(d) THE TENANT AND EACH SUCCESSIVE TENANT WITH EXCLUSIVE RIGHTS TO THE AREA WHERE THE SYSTEM IS INSTALLED IS RESPONSIBLE FOR REMOVING THE SYSTEM IF REASONABLY NECESSARY OR CONVENIENT FOR THE REPAIR, MAINTENANCE, OR REPLACEMENT OF ANY PROPERTY OF THE LANDLORD, WHETHER OR NOT LEASED TO ANOTHER TENANT.

(5) A CHARGING SYSTEM INSTALLED AT THE TENANT'S COST IS PROPERTY OF THE TENANT. UPON TERMINATION OF THE LEASE, IF THE CHARGING SYSTEM IS REMOVABLE, THE TENANT MAY EITHER REMOVE IT OR SELL IT TO THE LANDLORD OR ANOTHER TENANT FOR AN AGREED PRICE. NOTHING IN THIS SUBSECTION (5) REQUIRES THE LANDLORD OR ANOTHER TENANT TO PURCHASE THE CHARGING SYSTEM.

(6) AS USED IN THIS SECTION:

(a) "ELECTRIC VEHICLE CHARGING SYSTEM" OR "CHARGING SYSTEM" MEANS A DEVICE THAT IS USED TO PROVIDE ELECTRICITY TO A PLUG-IN ELECTRIC VEHICLE OR PLUG-IN HYBRID VEHICLE, IS DESIGNED TO ENSURE THAT A SAFE CONNECTION HAS BEEN MADE BETWEEN THE ELECTRIC GRID AND THE VEHICLE, AND IS ABLE TO COMMUNICATE WITH THE VEHICLE'S CONTROL SYSTEM SO THAT ELECTRICITY FLOWS AT AN APPROPRIATE VOLTAGE AND CURRENT LEVEL. AN ELECTRIC VEHICLE CHARGING SYSTEM MAY BE WALL-MOUNTED OR PEDESTAL STYLE, AND MAY PROVIDE MULTIPLE CORDS TO CONNECT WITH ELECTRIC VEHICLES. AN ELECTRIC VEHICLE CHARGING SYSTEM MUST BE CERTIFIED BY UNDERWRITERS LABORATORIES OR AN EQUIVALENT CERTIFICATION, AND MUST COMPLY WITH THE CURRENT VERSION OF ARTICLE 625 OF THE NATIONAL ELECTRICAL CODE.

(b) "LEVEL 1" MEANS A CHARGING SYSTEM THAT PROVIDES CHARGING THROUGH A ONE-HUNDRED-TWENTY VOLT AC PLUG WITH A CORD CONNECTOR THAT MEETS THE SAE INTERNATIONAL J1772 STANDARD OR A SUCCESSOR STANDARD. BASED ON THE BATTERY TYPE AND VEHICLE, A LEVEL 1 CHARGING SYSTEM ADDS APPROXIMATELY TWO TO FIVE MILES OF RANGE TO AN ELECTRIC VEHICLE PER HOUR OF CHARGING TIME.

(c) "LEVEL 2" MEANS A CHARGING SYSTEM THAT PROVIDES CHARGING THROUGH A TWO-HUNDRED-EIGHT TO TWO-HUNDRED-FORTY VOLT AC PLUG WITH A CORD CONNECTOR THAT MEETS THE SAE INTERNATIONAL J1772 STANDARD OR A SUCCESSOR STANDARD. BASED ON THE BATTERY TYPE AND VEHICLE, A LEVEL 2 CHARGING SYSTEM ADDS ABOUT TEN TO TWENTY MILES OF RANGE TO AN ELECTRIC VEHICLE PER HOUR OF CHARGING TIME.

SECTION 2. In Colorado Revised Statutes, **add** 38-33.3-106.8 as follows:

38-33.3-106.8. Unreasonable restrictions on electric vehicle charging systems - legislative declaration - definitions. (1) THE GENERAL ASSEMBLY FINDS, DETERMINES, AND DECLARES THAT:

(a) THE WIDESPREAD USE OF PLUG-IN ELECTRIC VEHICLES CAN DRAMATICALLY IMPROVE ENERGY EFFICIENCY AND AIR QUALITY FOR ALL COLORADANS, AND SHOULD BE ENCOURAGED WHEREVER POSSIBLE;

(b) MOST HOMES IN COLORADO, INCLUDING THE VAST MAJORITY OF NEW HOMES, ARE IN COMMON INTEREST COMMUNITIES;

(c) THE PRIMARY PURPOSE OF THIS SECTION IS TO ENSURE THAT COMMON INTEREST COMMUNITIES PROVIDE THEIR RESIDENTS WITH AT LEAST A MEANINGFUL OPPORTUNITY TO TAKE ADVANTAGE OF THE AVAILABILITY OF PLUG-IN ELECTRIC VEHICLES RATHER THAN CREATE ARTIFICIAL RESTRICTIONS ON THE ADOPTION OF THIS PROMISING TECHNOLOGY; AND

(d) THE GENERAL ASSEMBLY ENCOURAGES COMMON INTEREST COMMUNITIES NOT ONLY TO ALLOW ELECTRIC VEHICLE CHARGING STATIONS IN ACCORDANCE WITH THIS SECTION, BUT ALSO TO APPLY FOR GRANTS FROM THE ELECTRIC VEHICLE GRANT FUND, CREATED IN SECTION 24-38.5-103, C.R.S., OR OTHERWISE FUND THE INSTALLATION OF CHARGING STATIONS ON COMMON PROPERTY AS AN AMENITY FOR RESIDENTS AND GUESTS.

(2) NOTWITHSTANDING ANY PROVISION IN THE DECLARATION, BYLAWS, OR RULES AND REGULATIONS OF THE ASSOCIATION TO THE CONTRARY, AND EXCEPT AS PROVIDED IN SUBSECTION (3) OR (3.5) OF THIS SECTION, AN ASSOCIATION SHALL NOT:

(a) PROHIBIT A UNIT OWNER FROM USING, OR INSTALLING AT THE UNIT OWNER'S EXPENSE FOR THE UNIT OWNER'S OWN USE, A LEVEL 1 OR LEVEL 2 ELECTRIC VEHICLE CHARGING SYSTEM ON OR IN A UNIT; OR

(b) ASSESS OR CHARGE A UNIT OWNER ANY FEE FOR THE PLACEMENT OR USE OF AN ELECTRIC VEHICLE CHARGING SYSTEM ON OR IN THE UNIT OWNER'S UNIT; EXCEPT THAT THE ASSOCIATION MAY REQUIRE REIMBURSEMENT FOR THE ACTUAL COST OF ELECTRICITY PROVIDED BY THE ASSOCIATION THAT WAS USED BY THE CHARGING SYSTEM OR, ALTERNATIVELY, MAY CHARGE A REASONABLE FEE FOR ACCESS.

(3) SUBSECTION (2) OF THIS SECTION DOES NOT APPLY TO:

(a) BONA FIDE SAFETY REQUIREMENTS, CONSISTENT WITH AN APPLICABLE BUILDING CODE OR RECOGNIZED SAFETY STANDARD, FOR THE PROTECTION OF PERSONS AND PROPERTY;

(b) A REQUIREMENT THAT THE CHARGING SYSTEM BE REGISTERED WITH THE ASSOCIATION WITHIN THIRTY DAYS AFTER INSTALLATION; OR

(c) REASONABLE AESTHETIC PROVISIONS THAT GOVERN THE DIMENSIONS, PLACEMENT, OR EXTERNAL APPEARANCE OF AN ELECTRIC VEHICLE CHARGING SYSTEM.

(3.5) THIS SECTION DOES NOT APPLY TO A UNIT, OR THE OWNER THEREOF, IF THE UNIT IS A TIME SHARE UNIT, AS DEFINED IN SECTION 38-33-110 (7).

(4) AN ASSOCIATION SHALL CONSENT TO A UNIT OWNER'S PLACEMENT OF AN ELECTRIC VEHICLE CHARGING SYSTEM ON A LIMITED COMMON ELEMENT PARKING SPACE, CARPORT, OR GARAGE OWNED BY THE UNIT OWNER OR OTHERWISE ASSIGNED TO THE OWNER IN THE DECLARATION OR OTHER RECORDED DOCUMENT IF:

(a) THE SYSTEM IS IN COMPLIANCE WITH ANY DECLARATIONS, BYLAWS, OR RULES AND REGULATIONS OF THE ASSOCIATION; AND

(b) THE UNIT OWNER AGREES IN WRITING TO:

(I) COMPLY WITH THE ASSOCIATION'S DESIGN SPECIFICATIONS FOR THE INSTALLATION OF THE SYSTEM;

(II) ENGAGE THE SERVICES OF A DULY LICENSED AND REGISTERED ELECTRICAL CONTRACTOR FAMILIAR WITH THE INSTALLATION AND CODE REQUIREMENTS OF AN ELECTRIC VEHICLE CHARGING SYSTEM;

(III) BEAR THE EXPENSE OF INSTALLATION, INCLUDING COSTS TO RESTORE ANY COMMON ELEMENTS DISTURBED IN THE PROCESS OF INSTALLING THE SYSTEM; AND

(IV) (A) PROVIDE, WITHIN THE TIME SPECIFIED IN SUB-SUBPARAGRAPH (B) OF THIS SUBPARAGRAPH (IV), A CERTIFICATE OF INSURANCE NAMING THE ASSOCIATION AS AN ADDITIONAL INSURED ON THE HOMEOWNER'S INSURANCE POLICY FOR ANY CLAIM RELATED TO THE INSTALLATION, MAINTENANCE, OR USE OF THE SYSTEM OR, IF THE SYSTEM IS LOCATED ON A COMMON ELEMENT, REIMBURSEMENT TO THE ASSOCIATION FOR THE ACTUAL COST OF ANY INCREASED INSURANCE PREMIUM AMOUNT ATTRIBUTABLE TO THE SYSTEM, NOTWITHSTANDING ANY PROVISION TO THE CONTRARY IN THE ASSOCIATION'S DECLARATION, BYLAWS, OR RULES AND REGULATIONS.

(B) A CERTIFICATE OF INSURANCE UNDER SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (IV) MUST BE PROVIDED WITHIN FOURTEEN DAYS AFTER THE UNIT OWNER RECEIVES THE ASSOCIATION'S CONSENT FOR

THE INSTALLATION. REIMBURSEMENT FOR AN INCREASED INSURANCE PREMIUM AMOUNT UNDER SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (IV) MUST BE PROVIDED WITHIN FOURTEEN DAYS AFTER THE UNIT OWNER RECEIVES THE ASSOCIATION'S INVOICE FOR THE AMOUNT ATTRIBUTABLE TO THE SYSTEM.

(5) IF THE ASSOCIATION CONSENTS TO A UNIT OWNER'S INSTALLATION OF AN ELECTRIC VEHICLE CHARGING SYSTEM ON A LIMITED COMMON ELEMENT, INCLUDING A PARKING SPACE, CARPORT, OR GARAGE STALL, THEN, UNLESS OTHERWISE SPECIFIED IN A WRITTEN CONTRACT OR IN THE DECLARATION, BYLAWS, OR RULES AND REGULATIONS OF THE ASSOCIATION:

(a) THE UNIT OWNER, AND EACH SUCCESSIVE UNIT OWNER WITH EXCLUSIVE RIGHTS TO THE LIMITED COMMON ELEMENT WHERE THE CHARGING SYSTEM IS INSTALLED, IS RESPONSIBLE FOR ANY COSTS FOR DAMAGES TO THE SYSTEM, ANY OTHER LIMITED COMMON ELEMENT OR GENERAL COMMON ELEMENT OF THE COMMON INTEREST COMMUNITY, AND ANY ADJACENT UNITS, GARAGE STALLS, CARPORTS, OR PARKING SPACES THAT ARISE OR RESULT FROM THE INSTALLATION, MAINTENANCE, REPAIR, REMOVAL, OR REPLACEMENT OF THE SYSTEM;

(b) EACH SUCCESSIVE UNIT OWNER WITH EXCLUSIVE RIGHTS TO THE LIMITED COMMON ELEMENT SHALL ASSUME RESPONSIBILITY FOR THE REPAIR, MAINTENANCE, REMOVAL, AND REPLACEMENT OF THE CHARGING SYSTEM UNTIL THE SYSTEM HAS BEEN REMOVED;

(c) THE UNIT OWNER AND EACH SUCCESSIVE UNIT OWNER WITH EXCLUSIVE RIGHTS TO THE LIMITED COMMON ELEMENT SHALL AT ALL TIMES HAVE AND MAINTAIN AN INSURANCE POLICY COVERING THE OBLIGATIONS OF THE UNIT OWNER UNDER THIS SUBSECTION (5), IS SUBJECT TO ALL OBLIGATIONS SPECIFIED UNDER SUBPARAGRAPH (IV) OF PARAGRAPH (a) OF SUBSECTION (4) OF THIS SECTION, AND SHALL NAME THE ASSOCIATION AS AN ADDITIONAL INSURED UNDER THE POLICY; AND

(d) THE UNIT OWNER AND EACH SUCCESSIVE UNIT OWNER WITH EXCLUSIVE RIGHTS TO THE LIMITED COMMON ELEMENT IS RESPONSIBLE FOR REMOVING THE SYSTEM IF REASONABLY NECESSARY OR CONVENIENT FOR THE REPAIR, MAINTENANCE, OR REPLACEMENT OF THE LIMITED COMMON ELEMENTS OR GENERAL COMMON ELEMENTS OF THE COMMON INTEREST COMMUNITY.

(6) A CHARGING SYSTEM INSTALLED AT THE UNIT OWNER'S COST IS PROPERTY OF THE UNIT OWNER. UPON SALE OF THE UNIT, IF THE CHARGING SYSTEM IS REMOVABLE, THE UNIT OWNER MAY EITHER REMOVE IT OR SELL IT TO THE BUYER OF THE UNIT OR TO THE ASSOCIATION FOR AN AGREED PRICE. NOTHING IN THIS SUBSECTION (6) REQUIRES THE BUYER OR THE ASSOCIATION TO PURCHASE THE CHARGING SYSTEM.

(7) AS USED IN THIS SECTION:

(a) "ELECTRIC VEHICLE CHARGING SYSTEM" OR "CHARGING SYSTEM" MEANS A DEVICE THAT IS USED TO PROVIDE ELECTRICITY TO A PLUG-IN ELECTRIC VEHICLE OR PLUG-IN HYBRID VEHICLE, IS DESIGNED TO ENSURE THAT A SAFE CONNECTION HAS BEEN MADE BETWEEN THE ELECTRIC GRID AND THE VEHICLE, AND IS ABLE TO COMMUNICATE WITH THE VEHICLE'S CONTROL SYSTEM SO THAT ELECTRICITY FLOWS AT AN APPROPRIATE VOLTAGE AND CURRENT LEVEL. AN ELECTRIC VEHICLE CHARGING SYSTEM MAY BE WALL-MOUNTED OR PEDESTAL STYLE, AND MAY PROVIDE MULTIPLE CORDS TO CONNECT WITH ELECTRIC VEHICLES. AN ELECTRIC VEHICLE CHARGING SYSTEM MUST BE CERTIFIED BY UNDERWRITERS LABORATORIES OR AN EQUIVALENT CERTIFICATION, AND MUST COMPLY WITH THE CURRENT VERSION OF ARTICLE 625 OF THE NATIONAL ELECTRICAL CODE.

(b) "LEVEL 1" MEANS A CHARGING SYSTEM THAT PROVIDES CHARGING THROUGH A ONE-HUNDRED-TWENTY VOLT AC PLUG WITH A CORD CONNECTOR THAT MEETS THE SAE INTERNATIONAL J1772 STANDARD OR A SUCCESSOR STANDARD. BASED ON THE BATTERY TYPE AND VEHICLE, A LEVEL 1 CHARGING SYSTEM ADDS APPROXIMATELY TWO TO FIVE MILES OF RANGE TO AN ELECTRIC VEHICLE PER HOUR OF CHARGING TIME.

(c) "LEVEL 2" MEANS A CHARGING SYSTEM THAT PROVIDES CHARGING THROUGH A TWO-HUNDRED-EIGHT TO TWO-HUNDRED-FORTY VOLT AC PLUG WITH A CORD CONNECTOR THAT MEETS THE SAE

INTERNATIONAL J1772 STANDARD OR A SUCCESSOR STANDARD. BASED ON THE BATTERY TYPE AND VEHICLE, A LEVEL 2 CHARGING SYSTEM ADDS ABOUT TEN TO TWENTY MILES OF RANGE TO AN ELECTRIC VEHICLE PER HOUR OF CHARGING TIME.

SECTION 3. In Colorado Revised Statutes, 24-38.5-103, **amend** (1) as follows:

24-38.5-103. Electric vehicle grant fund - creation - administration. (1) There is hereby created in the state treasury the electric vehicle grant fund, referred to in this section as the "fund". The fund shall be used to provide grants to local governments, LANDLORDS OF MULTI-FAMILY APARTMENT BUILDINGS, AND THE UNIT OWNERS' ASSOCIATIONS OF COMMON INTEREST COMMUNITIES AS DEFINED IN ARTICLE 33.3 OF TITLE 38, C.R.S., to install recharging stations for electric vehicles. The grants shall be prioritized based upon the ~~local government's~~ PROSPECTIVE RECIPIENTS' POTENTIAL FOR, AND commitment to, energy efficiency.

SECTION 4. Applicability. This act takes effect upon passage, and applies to the installation and use of an electric vehicle charging system on or after the effective date of this act.

SECTION 5. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety."

Local Government After consideration on the merits, the Committee recommends that **SB13-119** be **referred** to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Local Government After consideration on the merits, the Committee recommends that **SB13-082** be **amended** as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 4, line 9, after "SECTION." add "ON THE EFFECTIVE DATE OF THIS SUBSECTION (1), ANY REMAINING POWERS, DUTIES AND RESPONSIBILITIES DELEGATED TO AND POSSESSED BY THE LOWER NORTH FORK WILDFIRE COMMISSION CREATED IN SECTION 2-2-1702 (1) ARE HEREBY TRANSFERRED TO THE COMMITTEE."

Page 5, after line 19 insert:

"SECTION 2. In Colorado Revised Statutes, 2-2-1702, **add** (6) as follows:

2-2-1702. Lower north fork wildfire commission - created - membership - chair - meetings - quorum - reimbursement of expenses - staff assistance - public meetings - transfer of duties. (6) ON THE EFFECTIVE DATE OF THIS SUBSECTION (6), ANY REMAINING POWERS, DUTIES AND RESPONSIBILITIES DELEGATED TO AND POSSESSED BY THE COMMISSION UNDER THIS PART 17 ARE HEREBY TRANSFERRED TO THE WILDFIRE MATTERS REVIEW COMMITTEE CREATED IN SECTION 2-3-1602."

Renumber succeeding subsection accordingly.

SENATE SERVICES REPORT

Correctly Engrossed: SB13-049, 058, 067, 070, 075, 078 and 112; SJR13-010 and 011.
Correctly Reengrossed: SB13-018, 028, 030, 031, 038, 042, 048, 059, 076 and 116.
Correctly Enrolled: SB13-085, 086, 087, 088, 089, 090, 092, 093, 094, 095, 096, 097, 098, 099, 100, 101, 102, 103, 104, 105, 106, 107 and 110.

INTRODUCTION OF BILLS -- FIRST READING

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

- SB13-175

by Senator(s) Schwartz, Giron, Jones, Roberts, Hodge, Tochtrop; also Representative(s) Hamner and McLachlan, Coram, Fischer, Mitsch Bush, Rosenthal, Vigil--Concerning the continuation of programs benefiting the preservation of wildlife habitat, and, in connection therewith, continuing the wildlife habitat stamp committee.
Agriculture, Natural Resources, & Energy
- SB13-176

by Senator(s) Scheffel and Carroll, Baumgardner, Cadman, Grantham, Hudak, Lambert, Lundberg, Marble; also Representative(s) Everett and Williams, Buck, DelGrosso, Hamner, Holbert, Humphrey, Joshi, Kraft-Tharp, Landgraf, Lawrence, McNulty, Melton, Moreno, Murray, Nordberg, Rankin, Saine, Scott, Wilson, Wright--Concerning authorization for the state treasurer to invest state moneys in debt obligations backed by the full faith and credit of the state of Israel.
Finance
- SB13-177

by Senator(s) Lambert, Hodge, Steadman; also Representative(s) Gerou, Duran, Levy--Concerning changes to juvenile corrections programs resulting in cost reductions, and, in connection therewith, reducing the juvenile detention bed cap, reducing the appropriation for commitment beds and assessment services, and making an appropriation for transportation.
Appropriations
- SB13-178

by Senator(s) Hudak, Giron, Grantham, Jahn, Kerr, Newell, Todd; also Representative(s) Hamner, Kraft-Tharp, May, Navarro, Schafer--Concerning authorizing Red Rocks community college to offer a physician assistant studies program as a program of graduate education.
Health & Human Services

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:

- SB13-013

by Senator(s) King; --Concerning peace officer authority for certain employees of the United States secret service.

Laid over until Thursday, February 14, retaining its place on the calendar.
- SB13-049

by Senator(s) Lundberg, Brophy, Hill, Renfroe, Scheffel; also Representative(s) Joshi and Buck--Concerning an exemption within a roundabout from the rule requiring a vehicle to signal an intention to leave the current lane of travel.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Aguilar, Baumgardner, Cadman, Grantham, King, Lambert and Marble.

SB13-058 by Senator(s) Grantham; also Representative(s) Landgraf--Concerning the verification requirement for parking privileges for persons with a permanent disability.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Cadman, Crowder, Guzman, Hodge, Jahn, Jones, Kerr, King, Lambert, Morse, Newell, Roberts, Scheffel, Steadman, Tochtrop and Todd.

SB13-112 by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Gerou, Duran, Levy--Concerning a cap on the 2012-13 state fiscal year transfers to the state public school fund from public school land moneys.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Hudak and Todd.

SB13-070
by Senator(s) Schwartz, Jones; also Representative(s) Scott and Tyler, Fischer, Hamner, Young--Concerning the purchase of vehicles that operate on alternative fuels for the state motor vehicle fleet system.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Aguilar, Guzman, Hudak, Kefalas, Newell, Nicholson and Todd.

SB13-075
by Senator(s) Brophy, Baumgardner, Giron, Hodge, Roberts; also Representative(s) Sonnenberg, Fischer--Concerning safeguards to prevent the modification of a final designated ground water permit based on reductions in the use of designated ground water.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Carroll, Crowder, Grantham, Guzman, Jahn, Kefalas, King, Lambert, Lundberg, Nicholson, Renfroe, Schwartz and Tochtrop.

SB13-067
by Senator(s) Tochtrop; also Representative(s) Vigil--Concerning the operation of vehicles off-road.

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

YES	24	NO	11	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Aguilar and Jones.

SB13-078 by Senator(s) Giron, Baumgardner, Brophy, Hodge, Roberts, Schwartz; also Representative(s) Sonnenberg, Fischer--Concerning points of diversion that are not located at the physical location specified in the decrees for diverted water rights.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Carroll, Crowder, Jahn and Marble.

RECONSIDERATION OF SB13-067

SB13-067 by Senator(s) Tochtrop; also Representative(s) Vigil--Concerning the operation of vehicles off-road.

Having voted on the prevailing side, Majority Leader Carroll moved for reconsideration of the last Senate action, Third Reading of Bills -- Final Passage, on SB13-067.

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

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

SB13-067 by Senator(s) Tochtrop; also Representative(s) Vigil--Concerning the operation of vehicles off-road.

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

YES	23	NO	12	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the General Orders -- Second Reading of Bills -- Consent Calendar (SB13-072) of Wednesday, February 13 was laid over until Thursday, February 14, retaining its place on the calendar.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the General Orders -- Second Reading of Bills Calendar (SB13-015, SB13-074) of Wednesday, February 13 was laid over until Thursday, February 14, retaining its place on the calendar.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB13-109 by Senator(s) Lambert, Hodge, Steadman; also Representative(s) Duran, Levy, Gerou-- Concerning indirect cost recovery from programs, and, in connection therewith, establishing an indirect costs excess recovery fund and departmental accounts within the fund for the purpose of allowing departments of state government to use moneys collected as payment for indirect costs over multiple fiscal years.

Senator Lambert moved that the Senate concur in House amendments to **SB13-109**, as printed in House journal, February 8, 2013, page(s) 229. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB13-1070, HJR13-1007, 1013.

TRIBUTES

Stein Elementary School, Received a 2013 Foundations for Great School grant award -- By Senator Andy Kerr.
JoAnne Armstrong, Received Lakewood Rotary Club’s community service award -- By Senator Andy Kerr.
The Giggling Green Bean, Locally owned business showcased in the Denver Post -- By Senator Andy Kerr.
Don Cameron, Colorado Science Bowl Championship -- By Senator Andy Kerr.

On motion of Majority Leader Carroll, the Senate adjourned until 9:00 a.m., Thursday, February 14, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

37th Legislative Day Thursday, February 14, 2013

Prayer By the chaplain, Pastor Tom Melton, Greenwood Community Church, Greenwood Village.

Call to Order By the President at 9:00 a.m.

Pledge By Senator Kefalas.

Roll Call Present--31
Excused--4, Johnston, Jones, King, Scheffel.
Present later--2, Jones, Scheffel.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Balmer, reading of the Journal of Wednesday, February 13, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Health & Human Services After consideration on the merits, the Committee recommends that SB13-167 be referred to the Committee on Appropriations with favorable recommendation.

Health & Human Services After consideration on the merits, the Committee recommends that SB13-160 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Health & Human Services After consideration on the merits, the Committee recommends that SB13-152 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 4, strike line 3 and substitute "BEEN CONDUCTED ON THE BUILDING MATERIALS THAT WILL BE DISTURBED BY THIS PROJECT."

Page 4, strike line 5 and substitute "ON THE BUILDING MATERIALS THAT WILL BE DISTURBED BY THIS PROJECT ON OR ABOUT:".

Page 4, strike line 9 and substitute "CONDUCTED ON THE BUILDING MATERIALS THAT WILL BE DISTURBED BY THIS PROJECT."

Health & Human Services After consideration on the merits, the Committee recommends that SB13-151 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 12, line 4, strike "CARE, AS DEFINED BY THE DIRECTOR" and substitute "CARE."

	Page 12, strike line 5.	1
	Page 18, after line 22 insert:	2
	"SECTION 17. In Colorado Revised Statutes, amend	3
	12-35.5-117 as follows:	4
	12-35.5-117. Rule-making authority. The director shall	5
	promulgate rules for the administration of this article. IF THE DIRECTOR	6
	PROMULGATES RULES REGARDING GENERALLY ACCEPTED STANDARDS OF	7
	MASSAGE THERAPY CARE, THE RULES ARE NOT AN EXHAUSTIVE	8
	STATEMENT OF THE GENERALLY ACCEPTED STANDARDS OF MASSAGE	9
	THERAPY CARE."	10
	Renumber succeeding sections accordingly.	11
		12
Education	After consideration on the merits, the Committee recommends that SB13-138 be referred	13
	to the Committee on <u>Appropriations</u> with favorable recommendation.	14
Judiciary	After consideration on the merits, the Committee recommends that HB13-1076 be	15
	referred to the Committee of the Whole with favorable recommendation and with a	16
	recommendation that it be placed on the Consent Calendar.	17
Judiciary	After consideration on the merits, the Committee recommends that HB13-1014 be	18
	referred to the Committee of the Whole with favorable recommendation and with a	19
	recommendation that it be placed on the Consent Calendar.	20
Judiciary	After consideration on the merits, the Committee recommends that HB13-1029 be	21
	referred to the Committee of the Whole with favorable recommendation and with a	22
	recommendation that it be placed on the Consent Calendar.	23
Judiciary	After consideration on the merits, the Committee recommends that SB13-117 be	24
	postponed indefinitely .	25
State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that SB13-003 be	26
	postponed indefinitely .	27
State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that SB13-136 be	28
	postponed indefinitely .	29
State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that SB13-073 be amended	30
	as follows, and as so amended, be referred to the Committee on <u>Appropriations</u> with	31
	favorable recommendation.	32
	Amend printed bill, page 2, line 5, after " requirements. " insert "(1)".	33
	Page 2, strike lines 9 and 10 and substitute "SHALL:".	34
	Page 2, after line 10, insert:	35
	"(a) PREPARE A STATEMENT OF BASIS AND PURPOSE EXPLAINING	36
	THE NEED FOR THE PROPOSED REQUIREMENTS;	37
	(b) PRESENT EVIDENCE SUPPORTING THE NEED FOR THE PROPOSED	38
	REQUIREMENTS, INCLUDING INFORMATION REGARDING POLLUTANT	39
	POTENTIAL AND AVAILABLE CONTROLS, INCIDENTS OF ENVIRONMENTAL	40
	DAMAGE, AND PERMIT VIOLATIONS;	41
	(c) BEFORE IMPLEMENTING THE PROPOSED REQUIREMENTS,	42

PROVIDE PUBLIC NOTICE OF, AND CONSIDER COMMENTS RECEIVED FROM
AFFECTED PARTIES ABOUT, THE PROPOSED REQUIREMENTS; AND
(d) UPON REQUEST BY AN AFFECTED PARTY, CONSIDER AND GIVE
DUE WEIGHT TO A COST-BENEFIT ANALYSIS:
(I) RECEIVED BY THE DIVISION DURING THE COMMENT PHASE SET
FORTH IN PARAGRAPH (c) OF THIS SUBSECTION (1);
(II) CONCERNING ONE OR MORE PROPOSED REQUIREMENTS THAT
ARE NOT ALREADY REQUIRED BY FEDERAL OR STATE STATUTE OR RULE;
(III) PREPARED BY A THIRD PARTY CHOSEN FROM AN APPROVED
LIST OF ANALYSTS, AS DEVELOPED BY THE DIVISION IN CONSULTATION
WITH REPRESENTATIVES OF THE INDUSTRIES THAT ARE SUBJECT TO
GENERAL PERMITTING; AND
(IV) PAID FOR BY THE AFFECTED PARTY.
(2) NOTHING IN SUBSECTION (1) OF THIS SECTION CONFERS
RULE-MAKING AUTHORITY ON THE DIVISION.
(3) A PARTY MAY APPEAL A GENERAL PERMIT ISSUED UNDER
SECTION 25-8-502 (1) (b) (I) (G) PURSUANT TO THE APPEALS PROCESS SET
FORTH IN SECTION 24-4-105, C.R.S."

State, Veterans, & Military Affairs
After consideration on the merits, the Committee recommends that **SB13-063** be **postponed indefinitely**.

Agriculture, Natural Resources, & Energy
After consideration on the merits, the Committee recommends that **SB13-132** be **postponed indefinitely**.

Agriculture, Natural Resources, & Energy
After consideration on the merits, the Committee recommends that **HB13-1034** be **referred** to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

SENATE SERVICES REPORT

Correctly Printed: SB13-175, 176, 177 and 178.
Correctly Reengrossed: SB13-049, 058, 067, 070, 075, 078 and 112.

MESSAGE FROM THE HOUSE

February 13, 2013
Mr. President:
The House has adopted and returns herewith SJR13-010, SJR13-011.

INTRODUCTION OF BILLS -- FIRST READING

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

SB13-179 by Senator(s) Tochtrop; also Representative(s) Williams--Concerning the authority to continue to simulcast greyhound races after June 30, 2014.
Finance

HB13-1001	by Representative(s) Young and Gerou, Ferrandino; also Senator(s) Heath and Steadman--Concerning an advanced industry grant program, and, in connection therewith, enacting the "Advanced Industries Acceleration Act"; adding representatives from advanced industries to the economic development commission; repealing the bioscience discovery evaluation grant program and the clean technology discovery evaluation grant program; and creating the Colorado advanced industries acceleration cash fund to be used to provide proof-of-concept grants, early-stage capital and retention grants, and infrastructure funding grants. Business, Labor, & Technology Appropriations	1 2 3 4 5 6 7 8 9 10 11
HB13-1009	by Representative(s) DelGrosso; also Senator(s) Jahn--Concerning the deadline for an application for a refund for overpaid state sales and use tax. Finance	12 13 14 15 16
HB13-1051	by Representative(s) Pabon, Court, Duran, Ferrandino, Labuda, McCann, Rosenthal, Williams; also Senator(s) Guzman, Steadman--Concerning the public trustee for the city and county of Denver. Local Government	17 18 19 20 21 22
HB13-1061	by Representative(s) Moreno; also Senator(s) Aguilar--Concerning standards for responsible medical marijuana vendors. Finance	23 24 25 26 27
HB13-1072	by Representative(s) Swalm; also Senator(s) Kefalas--Concerning the authority for counties to purchase crime insurance coverage for public trustees in lieu of surety bonds. Local Government	28 29 30 31 32
HB13-1086	by Representative(s) Wilson; also Senator(s) Grantham--Concerning the preparation of the record in appeals from county court judgments. Judiciary	33 34 35 36 37
HB13-1095	by Representative(s) Stephens; also Senator(s) Marble--Concerning participation in extracurricular school activities by students enrolled in nonpublic home-based educational programs. Education	38 39 40 41 42 43
HB13-1104	by Representative(s) Kraft-Tharp; also Senator(s) Newell--Concerning the regulation of mental health professionals, and, in connection therewith, repealing the requirement that mental health professionals provide required disclosures orally and modifying the mental health professional peer health assistance program. Health & Human Services	44 45 46 47 48 49 50
HB13-1109	by Representative(s) Buck, DelGrosso; also Senator(s) Renfroe--Concerning the application of mandatory protection orders to parolees. Judiciary	51 52 53 54 55
HB13-1132	by Representative(s) Mitsch Bush and Scott; also Senator(s) Giron--Concerning amending state law to conform to federal standards for vehicle weight limits for purposes of continued federal highway funding. Transportation	56 57 58 59 60 61
HB13-1137	by Representative(s) Landgraf; also Senator(s) Baumgardner--Concerning the elimination of certain restrictions on the lots over which a board of county commissioners has authority for weed removal. Local Government	62 63 64 65 66 67

HB13-1164	by Representative(s) McLachlan, Dore, Sonnenberg; also Senator(s) Schwartz and Tochtrop, Baumgardner, Giron, Jones, Roberts--Concerning an extension of the period for which the voluntary contribution designation line benefiting the unwanted horse fund appears on state individual income tax return forms.	1 2 3 4 5 6 7 8 9
	Finance	10
		11
	On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Third Reading of Bills -- Final Passage Calendar (SB13-013) of Thursday, February 14, was laid over until Tuesday, February 19, retaining its place on the calendar.	12 13 14 15 16 17
		18
Committee of the Whole	On motion of Senator Renfroe, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Renfroe was called to the Chair to act as Chairman.	19 20 21
	GENERAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR	22 23 24
	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:	25 26 27 28 29
SB13-072	by Senator(s) Hodge, Baumgardner, Brophy, Giron, Roberts, Schwartz; also Representative(s) Sonnenberg, Fischer--Concerning the deletion of the requirement for a final permit for all wells withdrawing designated ground water from the Denver basin aquifers.	30 31 32 33 34
	Ordered engrossed and placed on the calendar for third reading and final passage.	35 36 37
SB13-143	by Senator(s) Grantham; also Representative(s) Peniston--Concerning the institute charter school assistance fund.	38 39 40
	Ordered engrossed and placed on the calendar for third reading and final passage.	41 42 43
SB13-118	by Senator(s) Hodge; also Representative(s) Pabon--Concerning clarification of the exemptions from the laws regulating mortgage loan originators, and, in connection therewith, exempting real estate licensees representing persons providing seller financing for the sale of a limited number of residential properties annually as allowed by law.	44 45 46 47 48
	<u>Amendment No. 1, Business, Labor & Technology Committee Amendment.</u> (Printed in Senate Journal, February 12, page(s) 208-209 and placed in members' bill files.)	49 50 51 52
	As amended, ordered engrossed and placed on the calendar for third reading and final passage.	53 54 55 56 57 58
		59
	ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- CONSENT CALENDAR	60 61 62
	On motion of Senator Renfroe, the report of the Committee of the Whole was adopted on the following roll call vote:	63 64 65 66 67

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	E	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	E	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB13-072, SB13-143, SB13-118 as amended.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the General Orders -- Second Reading of Bills Calendar (SB13-015, SB13-074) of Thursday, February 14 was laid over until Friday, February 15, retaining its place on the calendar.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB13-085, 086, 087, 088, 089, 090, 092, 093, 094, 095, 096, 097, 098, 099, 100, 101, 102, 103, 104, 105, 106, 107 and 110.

On motion of Majority Leader Carroll, the Senate adjourned until 9:00 a.m., Friday, February 15, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

38th Legislative Day Friday, February 15, 2013

Prayer By the chaplain, Rabbi Yossi Serebryanski, Chabad of South Denver.

Call to Order By the President at 9:00 a.m.

Pledge By Senator Kefalas.

Roll Call Present--32
Excused--3, Johnston, Kerr, King.
Present later--1, Kerr.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Balmer, reading of the Journal of Thursday, February 14, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Trans- After consideration on the merits, the Committee recommends that SB13-081 be referred to the Committee of the Whole with favorable recommendation.

portation

Trans- After consideration on the merits, the Committee recommends that SB13-061 be postponed indefinitely.

portation

Health & After consideration on the merits, the Committee recommends that SB13-014 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Human Services

Amend printed bill, strike everything below the enacting clause and substitute:

"SECTION 1. Legislative declaration. (1) The general assembly hereby finds that:

(a) Drug overdose is the leading cause of unintentional death in Colorado, ahead of motor vehicle deaths;

(b) Opiate overdose may be reversible with the timely administration of an opiate antagonist;

(c) Opiate antagonists have been shown to be safe and effective at reducing overdose death; and

(d) Access to opiate antagonists is often limited unnecessarily by laws that pre-date the overdose epidemic.

(2) Now, therefore, the general assembly hereby encourages the administration of opiate antagonists for the purpose of saving the lives of people who suffer opiate-related drug overdose events. A person who administers an opiate antagonist to another person is urged to call for emergency medical services immediately.

SECTION 2. In Colorado Revised Statutes, add 18-1-712 as follows:

18-1-712. Immunity for a person who administers an opiate antagonist during an opiate-related drug overdose event -

definitions. (1) **Legislative declaration.** THE GENERAL ASSEMBLY HEREBY ENCOURAGES THE ADMINISTRATION OF OPIATE ANTAGONISTS FOR THE PURPOSE OF SAVING THE LIVES OF PEOPLE WHO SUFFER OPIATE-RELATED DRUG OVERDOSE EVENTS. A PERSON WHO ADMINISTERS AN OPIATE ANTAGONIST TO ANOTHER PERSON IS URGED TO CALL FOR EMERGENCY MEDICAL SERVICES IMMEDIATELY.

(2) **General immunity.** A PERSON OTHER THAN A HEALTH CARE PROVIDER OR A HEALTH CARE FACILITY WHO ACTS IN GOOD FAITH TO ADMINISTER AN OPIATE ANTAGONIST TO ANOTHER PERSON WHOM THE PERSON BELIEVES TO BE SUFFERING AN OPIATE-RELATED DRUG OVERDOSE EVENT SHALL BE IMMUNE FROM CRIMINAL PROSECUTION FOR SUCH ACT.

(3) (a) **Licensed prescribers and dispensers.** A PERSON WHO IS PERMITTED BY LAW TO PRESCRIBE OR DISPENSE AN OPIATE ANTAGONIST SHALL BE IMMUNE FROM CRIMINAL PROSECUTION FOR:

(I) SUCH PRESCRIBING OR DISPENSING; OR

(II) ANY OUTCOMES RESULTING FROM THE EVENTUAL ADMINISTRATION OF THE OPIATE ANTAGONIST BY A LAYPERSON.

(b) A PRESCRIBER OR DISPENSER WHO DISPENSES AN OPIATE ANTAGONIST IS STRONGLY ENCOURAGED TO EDUCATE PERSONS RECEIVING THE OPIATE ANTAGONIST ON THE USE OF AN OPIATE ANTAGONIST FOR OVERDOSE, INCLUDING BUT NOT LIMITED TO INSTRUCTION CONCERNING RISK FACTORS FOR OVERDOSE, RECOGNITION OF OVERDOSE, CALLING EMERGENCY MEDICAL SERVICES, RESCUE BREATHING, AND ADMINISTRATION OF AN OPIATE ANTAGONIST.

(4) THE PROVISIONS OF THIS SECTION SHALL NOT BE INTERPRETED TO ESTABLISH ANY DUTY OR STANDARD OF CARE IN THE PRESCRIBING, DISPENSING, OR ADMINISTRATION OF AN OPIATE ANTAGONIST.

(5) **Definitions.** AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "HEALTH CARE FACILITY" MEANS A HOSPITAL, A HOSPICE INPATIENT RESIDENCE, A NURSING FACILITY, A DIALYSIS TREATMENT FACILITY, AN ASSISTED LIVING RESIDENCE, AN ENTITY THAT PROVIDES HOME- AND COMMUNITY-BASED SERVICES, A HOSPICE OR HOME HEALTH CARE AGENCY, OR ANOTHER FACILITY THAT PROVIDES OR CONTRACTS TO PROVIDE HEALTH CARE SERVICES, WHICH FACILITY IS LICENSED, CERTIFIED, OR OTHERWISE AUTHORIZED OR PERMITTED BY LAW TO PROVIDE MEDICAL TREATMENT.

(b) (I) "HEALTH CARE PROVIDER" MEANS:

(A) A LICENSED OR CERTIFIED PHYSICIAN, NURSE PRACTITIONER, PHYSICIAN ASSISTANT, OR PHARMACIST; OR

(B) A HEALTH MAINTENANCE ORGANIZATION LICENSED AND CONDUCTING BUSINESS IN THIS STATE.

(II) "HEALTH CARE PROVIDER" DOES NOT INCLUDE A PODIATRIST, OPTOMETRIST, DENTIST, OR VETERINARIAN.

(c) "OPIATE" HAS THE SAME MEANING AS SET FORTH IN SECTION 18-18-102 (21).

(d) "OPIATE ANTAGONIST" MEANS NALOXONE HYDROCHLORIDE OR ANY SIMILARLY ACTING DRUG THAT IS NOT A CONTROLLED SUBSTANCE AND THAT IS APPROVED BY THE FEDERAL FOOD AND DRUG ADMINISTRATION FOR THE TREATMENT OF A DRUG OVERDOSE.

(e) "OPIATE-RELATED DRUG OVERDOSE EVENT" MEANS AN ACUTE CONDITION, INCLUDING BUT NOT LIMITED TO A DECREASED LEVEL OF CONSCIOUSNESS OR RESPIRATORY DEPRESSION RESULTING FROM THE CONSUMPTION OR USE OF A CONTROLLED SUBSTANCE, OR ANOTHER SUBSTANCE WITH WHICH A CONTROLLED SUBSTANCE WAS COMBINED, AND THAT A LAYPERSON WOULD REASONABLY BELIEVE TO BE AN OPIATE-RELATED DRUG OVERDOSE EVENT THAT REQUIRES MEDICAL ASSISTANCE.

SECTION 3. In Colorado Revised Statutes, **add** 13-21-108.7 as follows:

13-21-108.7. Persons rendering emergency assistance through the administration of an opiate antagonist - limited immunity - legislative declaration - definitions. (1) **Legislative declaration.** THE GENERAL ASSEMBLY HEREBY ENCOURAGES THE ADMINISTRATION OF OPIATE ANTAGONISTS FOR THE PURPOSE OF SAVING THE LIVES OF PEOPLE WHO SUFFER OPIATE-RELATED DRUG OVERDOSE EVENTS. A PERSON WHO ADMINISTERS AN OPIATE ANTAGONIST TO ANOTHER PERSON IS URGED TO

CALL FOR EMERGENCY MEDICAL SERVICES IMMEDIATELY.

(2) **Definitions.** AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "HEALTH CARE FACILITY" MEANS A HOSPITAL, A HOSPICE INPATIENT RESIDENCE, A NURSING FACILITY, A DIALYSIS TREATMENT FACILITY, AN ASSISTED LIVING RESIDENCE, AN ENTITY THAT PROVIDES HOME- AND COMMUNITY-BASED SERVICES, A HOSPICE OR HOME HEALTH CARE AGENCY, OR ANOTHER FACILITY THAT PROVIDES OR CONTRACTS TO PROVIDE HEALTH CARE SERVICES, WHICH FACILITY IS LICENSED, CERTIFIED, OR OTHERWISE AUTHORIZED OR PERMITTED BY LAW TO PROVIDE MEDICAL TREATMENT.

(b) (I) "HEALTH CARE PROVIDER" MEANS:

(A) A LICENSED OR CERTIFIED PHYSICIAN, NURSE PRACTITIONER, PHYSICIAN ASSISTANT, OR PHARMACIST; OR

(B) A HEALTH MAINTENANCE ORGANIZATION LICENSED AND CONDUCTING BUSINESS IN THIS STATE.

(II) "HEALTH CARE PROVIDER" DOES NOT INCLUDE A PODIATRIST, OPTOMETRIST, DENTIST, OR VETERINARIAN.

(c) "OPIATE" HAS THE SAME MEANING AS SET FORTH IN SECTION 18-18-102 (21), C.R.S.

(d) "OPIATE ANTAGONIST" MEANS NALOXONE HYDROCHLORIDE OR ANY SIMILARLY ACTING DRUG THAT IS NOT A CONTROLLED SUBSTANCE AND THAT IS APPROVED BY THE FEDERAL FOOD AND DRUG ADMINISTRATION FOR THE TREATMENT OF A DRUG OVERDOSE.

(e) "OPIATE-RELATED DRUG OVERDOSE EVENT" MEANS AN ACUTE CONDITION, INCLUDING BUT NOT LIMITED TO A DECREASED LEVEL OF CONSCIOUSNESS OR RESPIRATORY DEPRESSION RESULTING FROM THE CONSUMPTION OR USE OF A CONTROLLED SUBSTANCE, OR ANOTHER SUBSTANCE WITH WHICH A CONTROLLED SUBSTANCE WAS COMBINED, AND THAT A LAYPERSON WOULD REASONABLY BELIEVE TO BE AN OPIATE-RELATED DRUG OVERDOSE EVENT THAT REQUIRES MEDICAL ASSISTANCE.

(3) **General immunity.** A PERSON OTHER THAN A HEALTH CARE PROVIDER OR A HEALTH CARE FACILITY WHO ACTS IN GOOD FAITH TO ADMINISTER AN OPIATE ANTAGONIST TO ANOTHER PERSON WHOM THE PERSON BELIEVES TO BE SUFFERING AN OPIATE-RELATED DRUG OVERDOSE EVENT SHALL NOT BE LIABLE FOR ANY CIVIL DAMAGES FOR ACTS OR OMISSIONS MADE AS A RESULT OF SUCH ACT.

(4) (a) **Licensed prescribers and dispensers.** A PERSON WHO IS PERMITTED BY LAW TO PRESCRIBE OR DISPENSE AN OPIATE ANTAGONIST SHALL NOT BE LIABLE FOR ANY CIVIL DAMAGES RESULTING FROM:

(I) SUCH PRESCRIBING OR DISPENSING; OR

(II) ANY OUTCOMES RESULTING FROM THE EVENTUAL ADMINISTRATION OF THE OPIATE ANTAGONIST BY A LAYPERSON.

(b) A PRESCRIBER OR DISPENSER WHO DISPENSES AN OPIATE ANTAGONIST IS STRONGLY ENCOURAGED TO EDUCATE PERSONS RECEIVING THE OPIATE ANTAGONIST ON THE USE OF AN OPIATE ANTAGONIST FOR OVERDOSE, INCLUDING BUT NOT LIMITED TO INSTRUCTION CONCERNING RISK FACTORS FOR OVERDOSE, RECOGNITION OF OVERDOSE, CALLING EMERGENCY MEDICAL SERVICES, RESCUE BREATHING, AND ADMINISTRATION OF AN OPIATE ANTAGONIST.

(5) THE PROVISIONS OF THIS SECTION SHALL NOT BE INTERPRETED TO ESTABLISH ANY DUTY OR STANDARD OF CARE IN THE PRESCRIBING, DISPENSING, OR ADMINISTRATION OF AN OPIATE ANTAGONIST.

SECTION 4. In Colorado Revised Statutes, 12-36-117, **add** (1.7) as follows:

12-36-117. Unprofessional conduct. (1.7) THE PRESCRIBING, DISPENSING, OR DISTRIBUTION OF AN OPIATE ANTAGONIST BY A LICENSED HEALTH CARE PRACTITIONER SHALL NOT CONSTITUTE UNPROFESSIONAL CONDUCT IF HE OR SHE PRESCRIBED, DISPENSED, OR DISTRIBUTED THE OPIATE ANTAGONIST IN A GOOD FAITH EFFORT TO ASSIST:

(a) A PERSON WHO IS AT INCREASED RISK OF EXPERIENCING OR LIKELY TO EXPERIENCE AN OPIATE-RELATED DRUG OVERDOSE EVENT, AS DEFINED IN SECTION 18-1-712 (5) (e), C.R.S.; OR

(b) A FAMILY MEMBER, FRIEND, OR OTHER PERSON WHO IS IN A POSITION TO ASSIST A PERSON WHO IS AT INCREASED RISK OF EXPERIENCING OR LIKELY TO EXPERIENCE AN OPIATE-RELATED DRUG

OVERDOSE EVENT, AS DEFINED IN SECTION 18-1-712 (5) (e), C.R.S.

SECTION 5. In Colorado Revised Statutes, 12-42.5-123, **add** (3) as follows:

12-42.5-123. Unprofessional conduct - grounds for discipline.

(3) THE DISPENSING OR DISTRIBUTION OF AN OPIATE ANTAGONIST BY A PHARMACIST SHALL NOT CONSTITUTE UNPROFESSIONAL CONDUCT IF HE OR SHE DISPENSED OR DISTRIBUTED THE OPIATE ANTAGONIST IN A GOOD FAITH EFFORT TO ASSIST:

(a) A PERSON WHO IS AT INCREASED RISK OF EXPERIENCING OR LIKELY TO EXPERIENCE AN OPIATE-RELATED DRUG OVERDOSE EVENT, AS DEFINED IN SECTION 18-1-712 (5) (e), C.R.S.; OR

(b) A FAMILY MEMBER, FRIEND, OR OTHER PERSON WHO IS IN A POSITION TO ASSIST A PERSON WHO IS AT INCREASED RISK OF EXPERIENCING OR LIKELY TO EXPERIENCE AN OPIATE-RELATED DRUG OVERDOSE EVENT, AS DEFINED IN SECTION 18-1-712 (5) (e), C.R.S.

SECTION 6. In Colorado Revised Statutes, 12-38-117, **add** (6) as follows:

12-38-117. Grounds for discipline. (6) THE PRESCRIBING, DISPENSING, OR DISTRIBUTION OF AN OPIATE ANTAGONIST BY AN ADVANCED PRACTICE NURSE SHALL NOT CONSTITUTE GROUNDS FOR DISCIPLINE IF HE OR SHE PRESCRIBED, DISPENSED, OR DISTRIBUTED THE OPIATE ANTAGONIST IN A GOOD FAITH EFFORT TO ASSIST:

(a) A PERSON WHO IS AT INCREASED RISK OF EXPERIENCING OR LIKELY TO EXPERIENCE AN OPIATE-RELATED DRUG OVERDOSE EVENT, AS DEFINED IN SECTION 18-1-712 (5) (e), C.R.S.; OR

(b) A FAMILY MEMBER, FRIEND, OR OTHER PERSON WHO IS IN A POSITION TO ASSIST A PERSON WHO IS AT INCREASED RISK OF EXPERIENCING OR LIKELY TO EXPERIENCE AN OPIATE-RELATED DRUG OVERDOSE EVENT, AS DEFINED IN SECTION 18-1-712 (5) (e), C.R.S.

SECTION 7. In Colorado Revised Statutes, 12-42.5-102, **add** (42) (b) (XIV) as follows:

12-42.5-102. Definitions. As used in this article, unless the context otherwise requires or the term is otherwise defined in another part of this article:

(42) (b) "Wholesale distribution" does not include:

(XIV) THE DISTRIBUTION OF NALOXONE.

SECTION 8. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety."

Health & Human Services

After consideration on the merits, the Committee recommends that **SB13-039** be **amended** as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, strike lines 6 and 7.

Page 3, line 10, strike "PART 1." and substitute "ARTICLE."

Page 4, strike line 7 and substitute:

"(b) PRESCRIBING, SELECTING,".

Page 5, strike lines 7 through 9 and substitute:

"(c) A STUDENT ENROLLED IN A COURSE OF STUDY LEADING TO A DEGREE IN AUDIOLOGY OR THE HEARING OR SPEECH SCIENCES AT AN INSTITUTION OF HIGHER EDUCATION OR POSTSECONDARY EDUCATION ACCREDITED BY A NATIONAL, REGIONAL, OR STATE AGENCY RECOGNIZED BY THE UNITED STATES DEPARTMENT OF EDUCATION WHO IS PRACTICING AUDIOLOGY, IF THE STUDENT IS SUPERVISED BY A LICENSED AUDIOLOGIST AND THE STUDENT'S DESIGNATED TITLE CLEARLY INDICATES HIS OR HER STATUS AS A STUDENT; OR".

Page 5, line 16, strike "PART 1:" and substitute "ARTICLE:".

Page 6, line 4, strike "RECEIPTS, AS REQUIRED" and substitute "RECEIPTS.".

Page 6, strike line 5.

Page 6, line 7, strike "PART 1," and substitute "ARTICLE,".

Page 6, line 25, strike "PART 1" and substitute "ARTICLE".

Page 7, line 9, strike "PART" and substitute "ARTICLE:".

Page 7, strike line 10.

Page 7, line 18, strike "NATIONAL HEALTH CARE" and substitute "FEDERAL GOVERNMENT".

Page 8, line 2, strike "MALPRACTICE COVERAGE IN AN" and substitute "PROFESSIONAL LIABILITY INSURANCE IN THE FORM AND".

Page 8, line 3, strike "DIRECTOR." and substitute "DIRECTOR PURSUANT TO SECTION 12-29.9-112.".

Page 8, line 9, strike "NUMBER" and substitute "NUMBER, THE NAME OF THE COURT,".

Page 8, line 12, strike "PART 1 AND SHALL" and substitute "ARTICLE.".

Page 8, strike lines 13 through 15.

Page 8, line 16, strike "PART 1" and substitute "ARTICLE".

Page 8, line 24, strike "PART 1" and substitute "ARTICLE".

Page 9, line 9, strike "PART 1;" and substitute "ARTICLE;".

Page 9, line 12, strike "SHALL" and substitute "MAY".

Page 9, line 17, strike "PART 1" and substitute "ARTICLE".

Page 9, line 19, strike "PART 1" and substitute "ARTICLE".

Page 9, strike lines 23 through 26 and substitute "(1) UPON PROOF THAT AN APPLICANT OR LICENSEE HAS ENGAGED IN AN ACTIVITY THAT IS GROUNDS FOR DISCIPLINE UNDER SUBSECTION (2) OF THIS SECTION, THE".

Page 10, line 6, after "APPROPRIATE;" add "OR".

Page 10, line 8, strike "LICENSEE; OR" and substitute "LICENSEE.".

Page 10, strike line 9.

Page 10, line 15, strike "PART 1," and substitute "ARTICLE,".

Page 10, line 20, strike "PART 1;" and substitute "ARTICLE;".

Page 10, line 22, strike "PART 1" and substitute "ARTICLE".

Page 10, line 23, strike "PART 1" and substitute "ARTICLE".

Page 10, strike lines 24 and 25 and substitute:

 "(f) FAILING TO MAINTAIN PROFESSIONAL LIABILITY INSURANCE AS REQUIRED BY SECTION 12-29.9-112;".

Page 11, line 14, after "WITH" insert "OR ORDER ISSUED BY".

Page 11, after line 14 insert:

- "(p) FALSIFYING INFORMATION IN ANY APPLICATION OR ATTEMPTING TO OBTAIN OR OBTAINING A LICENSE BY FRAUD, DECEPTION, OR MISREPRESENTATION;
- (q) EXCESSIVELY OR HABITUALLY USING OR ABUSING ALCOHOL OR HABIT-FORMING DRUGS OR HABITUALLY USING A CONTROLLED SUBSTANCE, AS DEFINED IN SECTION 18-18-102, C.R.S., OR OTHER DRUGS HAVING SIMILAR EFFECTS; EXCEPT THAT THE DIRECTOR HAS THE DISCRETION NOT TO DISCIPLINE THE LICENSEE IF HE OR SHE IS PARTICIPATING IN GOOD FAITH IN A PROGRAM APPROVED BY THE DIRECTOR TO END THE USE OR ABUSE;
- (r) (I) FAILING TO NOTIFY THE DIRECTOR, AS REQUIRED BY SECTION 12-29.9-113, OF A PHYSICAL OR MENTAL ILLNESS OR CONDITION THAT IMPACTS THE LICENSEE'S ABILITY TO PERFORM AUDIOLOGY WITH REASONABLE SKILL AND SAFETY TO PATIENTS;
- (II) FAILING TO ACT WITHIN THE LIMITATIONS CREATED BY A PHYSICAL OR MENTAL ILLNESS OR CONDITION THAT RENDERS THE LICENSEE UNABLE TO PERFORM AUDIOLOGY WITH REASONABLE SKILL AND SAFETY TO THE PATIENT; OR
- (III) FAILING TO COMPLY WITH THE LIMITATIONS AGREED TO UNDER A CONFIDENTIAL AGREEMENT ENTERED PURSUANT TO SECTION 12-29.9-113;
- (s) REFUSING TO SUBMIT TO A PHYSICAL OR MENTAL EXAMINATION WHEN SO ORDERED BY THE DIRECTOR PURSUANT TO SECTION 12-29.9-114;

Reletter succeeding paragraphs accordingly.

Page 11, after line 22 insert:

"(3) WHEN A COMPLAINT OR INVESTIGATION DISCLOSES AN INSTANCE OF CONDUCT THAT DOES NOT WARRANT FORMAL ACTION BY THE DIRECTOR AND, IN THE OPINION OF THE DIRECTOR, SHOULD BE DISMISSED, BUT THE DIRECTOR HAS NOTICED INDICATIONS OF POSSIBLE ERRANT CONDUCT BY THE LICENSEE THAT COULD LEAD TO SERIOUS CONSEQUENCES IF NOT CORRECTED, THE DIRECTOR MAY SEND THE LICENSEE A CONFIDENTIAL LETTER OF CONCERN."

Renumber succeeding subsections accordingly.

Page 12, line 1, strike "PART 1" and substitute "ARTICLE".

Page 12, line 3, strike "PART 1" and substitute "ARTICLE".

Page 12, line 8, strike "PART" and substitute "ARTICLE";.

Page 12, line 9, strike "1;" and strike "(5)" and substitute "(6)".

Page 12, line 11, strike "PART 1." and substitute "ARTICLE.".

Page 12, line 16, strike "LICENSEE, BY CERTIFIED MAIL," and substitute "LICENSEE".

Page 12, line 18, strike "(6)," and substitute "(7),".

Page 13, line 7, strike "PART 1" and substitute "ARTICLE".

Page 13, line 8, strike "PART 1." and substitute "ARTICLE.".

Page 13, line 11, strike "PART 1." and substitute "ARTICLE.".

Page 13, line 23, strike "PART 1." and substitute "ARTICLE.".

Page 14, line 15, strike "OCTOBER 1, 2013" and substitute "DECEMBER 31, 2013, AND AS NECESSARY THEREAFTER".

Page 14, line 16, strike "ALL".

Page 14, line 17, strike "PART 1," and substitute "ARTICLE,".

Page 15, line 10, strike "PART 1" and substitute "ARTICLE".

Page 15, line 15, strike "PART 1," and substitute "ARTICLE,".

Page 15, line 16, strike "PART 1," and substitute "ARTICLE,".

Page 17, line 1, strike "PART" and substitute "ARTICLE,".

Page 17, line 2, strike "1,".

Page 17, line 18, strike "PART" and substitute "ARTICLE,"

Page 17, line 19, strike "1," and strike "PART 1," and substitute "ARTICLE,".

Page 17, line 20, strike "PART 1;" and substitute "ARTICLE;".

Page 17, line 22, strike "PART 1." and substitute "ARTICLE.".

Page 18, line 8, strike "PART 1" and substitute "ARTICLE".

Page 18, line 15, strike "PART" and substitute "ARTICLE,".

Page 18, line 16, strike "1," and strike "PART" and substitute "ARTICLE".

Page 18, line 17, strike "1".

Page 18, line 26, strike "PART 1" and substitute "ARTICLE".

Page 19, after line 1 insert:

"12-29.9-112. Professional liability insurance required - rules.

(1) (a) EXCEPT AS PROVIDED IN PARAGRAPH (b) OF THIS SUBSECTION (1), AN AUDIOLOGIST SHALL NOT PRACTICE AUDIOLOGY UNLESS THE AUDIOLOGIST PURCHASES AND MAINTAINS OR IS COVERED BY PROFESSIONAL LIABILITY INSURANCE IN THE FORM AND AMOUNT DETERMINED BY THE DIRECTOR BY RULE.

(b) THE DIRECTOR, BY RULE, MAY EXEMPT OR ESTABLISH LESSER LIABILITY INSURANCE REQUIREMENTS FOR A CLASS OF AUDIOLOGISTS WHOSE PRACTICE DOES NOT REQUIRE THE LEVEL OF PUBLIC PROTECTION THE DIRECTOR ESTABLISHES PURSUANT TO THIS PARAGRAPH (b) FOR ALL OTHER AUDIOLOGISTS.

(2) THE PROFESSIONAL LIABILITY INSURANCE REQUIRED BY THIS SECTION MUST COVER ALL ACTS WITH THE SCOPE OF PRACTICE OF AN AUDIOLOGIST AS DEFINED IN THIS ARTICLE.

12-29.9-113. Confidential agreements to limit practice - violation grounds for discipline. (1) IF AN AUDIOLOGIST SUFFERS FROM A PHYSICAL OR MENTAL ILLNESS OR CONDITION THAT RENDERES THE LICENSEE UNABLE TO PRACTICE AUDIOLOGY WITH REASONABLE SKILL AND SAFETY TO PATIENTS, THE AUDIOLOGIST SHALL NOTIFY THE DIRECTOR OF THE ILLNESS OR CONDITION IN A MANNER AND WITHIN A PERIOD OF TIME DETERMINED BY THE DIRECTOR. THE DIRECTOR MAY REQUIRE THE LICENSEE TO SUBMIT TO AN EXAMINATION TO EVALUATE THE EXTENT OF THE ILLNESS OR CONDITION AND ITS IMPACT ON THE LICENSEE'S ABILITY TO PRACTICE AUDIOLOGY WITH REASONABLE SKILL AND SAFETY TO PATIENTS.

(2) (a) UPON DETERMINING THAT AN AUDIOLOGIST WITH A PHYSICAL OR MENTAL ILLNESS OR CONDITION IS ABLE TO RENDER LIMITED AUDIOLOGY SERVICES WITH REASONABLE SKILL AND SAFETY TO PATIENTS, THE DIRECTOR MAY ENTER INTO A CONFIDENTIAL AGREEMENT WITH THE AUDIOLOGIST IN WHICH THE AUDIOLOGIST AGREES TO LIMIT HIS OR HER PRACTICE BASED ON THE RESTRICTIONS IMPOSED BY THE ILLNESS OR CONDITION, AS DETERMINED BY THE DIRECTOR.

(b) AS PART OF THE AGREEMENT, THE AUDIOLOGIST IS SUBJECT TO PERIODIC REEVALUATIONS OR MONITORING AS DETERMINED APPROPRIATE

BY THE DIRECTOR.

(c) THE PARTIES MAY MODIFY OR DISSOLVE THE AGREEMENT AS NECESSARY BASED ON THE RESULTS OF A REEVALUATION OR MONITORING.

(d) BY ENTERING INTO AN AGREEMENT WITH THE DIRECTOR UNDER THIS SUBSECTION (2) TO LIMIT HIS OR HER PRACTICE, AN AUDIOLOGIST IS NOT ENGAGING IN CONDUCT THAT IS GROUNDS FOR DISCIPLINE UNDER SECTION 12-29.9-108 (2). THE AGREEMENT DOES NOT CONSTITUTE A RESTRICTION OR DISCIPLINE BY THE DIRECTOR. HOWEVER, IF THE AUDIOLOGIST FAILS TO COMPLY WITH THE TERMS OF AN AGREEMENT ENTERED INTO PURSUANT TO THIS SUBSECTION (2), THE FAILURE CONSTITUTES GROUNDS FOR DISCIPLINARY ACTION UNDER SECTION 12-29.9-108 (2) (r), AND THE LICENSEE IS SUBJECT TO DISCIPLINE IN ACCORDANCE WITH SECTION 12-29.9-108.

(3) THIS SECTION DOES NOT APPLY TO AN AUDIOLOGIST SUBJECT TO DISCIPLINE UNDER SECTION 12-29.9-108 (2) (q).

12-29.9-114. Mental and physical examination of licensees.

(1) IF THE DIRECTOR HAS REASONABLE CAUSE TO BELIEVE THAT A LICENSEE IS UNABLE TO PRACTICE WITH REASONABLE SKILL AND SAFETY, THE DIRECTOR MAY REQUIRE THE LICENSEE TO TAKE A MENTAL OR PHYSICAL EXAMINATION BY A HEALTH CARE PROVIDER DESIGNATED BY THE DIRECTOR. IF THE LICENSEE REFUSES TO UNDERGO A MENTAL OR PHYSICAL EXAMINATION, UNLESS DUE TO CIRCUMSTANCES BEYOND THE LICENSEE'S CONTROL, THE DIRECTOR MAY SUSPEND THE LICENSEE'S LICENSE UNTIL THE RESULTS OF THE EXAMINATION ARE KNOWN AND THE DIRECTOR HAS MADE A DETERMINATION OF THE LICENSEE'S FITNESS TO PRACTICE. THE DIRECTOR SHALL PROCEED WITH AN ORDER FOR EXAMINATION AND DETERMINATION IN A TIMELY MANNER.

(2) THE DIRECTOR SHALL INCLUDE IN AN ORDER ISSUED TO A LICENSEE UNDER SUBSECTION (1) OF THIS SECTION THE BASIS OF THE DIRECTOR'S REASONABLE CAUSE TO BELIEVE THAT THE LICENSEE IS UNABLE TO PRACTICE WITH REASONABLE SKILL AND SAFETY. FOR THE PURPOSES OF A DISCIPLINARY PROCEEDING AUTHORIZED BY THIS ARTICLE, THE LICENSEE IS DEEMED TO HAVE WAIVED ALL OBJECTIONS TO THE ADMISSIBILITY OF THE EXAMINING HEALTH CARE PROVIDER'S TESTIMONY OR EXAMINATION REPORTS ON THE GROUND THAT THEY ARE PRIVILEGED COMMUNICATIONS.

(3) THE LICENSEE MAY SUBMIT TO THE DIRECTOR TESTIMONY OR EXAMINATION REPORTS FROM A HEALTH CARE PROVIDER CHOSEN BY THE LICENSEE PERTAINING TO THE CONDITION THAT THE DIRECTOR ALLEGES MAY PRECLUDE THE LICENSEE FROM PRACTICING WITH REASONABLE SKILL AND SAFETY. THE DIRECTOR MAY CONSIDER TESTIMONY AND REPORTS SUBMITTED BY THE LICENSEE IN CONJUNCTION WITH, BUT NOT IN LIEU OF, TESTIMONY AND EXAMINATION REPORTS OF THE HEALTH CARE PROVIDER DESIGNATED BY THE DIRECTOR.

(4) A PERSON SHALL NOT USE THE RESULTS OF ANY MENTAL OR PHYSICAL EXAMINATION ORDERED BY THE DIRECTOR AS EVIDENCE IN ANY PROCEEDING OTHER THAN ONE BEFORE THE DIRECTOR. THE EXAMINATION RESULTS ARE NOT PUBLIC RECORDS AND ARE NOT AVAILABLE TO THE PUBLIC.

12-29.9-115. Protection of medical records - licensee's obligations - verification of compliance - noncompliance grounds for discipline - rules. (1) EACH LICENSEE SHALL DEVELOP A WRITTEN PLAN TO ENSURE THE SECURITY OF PATIENT MEDICAL RECORDS. THE PLAN MUST ADDRESS AT LEAST THE FOLLOWING:

(a) THE STORAGE AND PROPER DISPOSAL OF PATIENT MEDICAL RECORDS;

(b) THE DISPOSITION OF PATIENT MEDICAL RECORDS IN THE EVENT THE LICENSEE DIES, RETIRES, OR OTHERWISE CEASES TO PRACTICE OR PROVIDE AUDIOLOGY SERVICES TO PATIENTS; AND

(c) THE METHOD BY WHICH PATIENTS MAY ACCESS OR OBTAIN THEIR MEDICAL RECORDS PROMPTLY IF ANY OF THE EVENTS DESCRIBED IN PARAGRAPH (b) OF THIS SUBSECTION (1) OCCURS.

(2) UPON INITIAL LICENSURE UNDER THIS ARTICLE, THE LICENSEE SHALL ATTEST TO THE DIRECTOR THAT HE OR SHE HAS DEVELOPED A PLAN IN COMPLIANCE WITH THIS SECTION.

(3) A LICENSEE SHALL INFORM EACH PATIENT, IN WRITING, OF THE

METHOD BY WHICH THE PATIENT MAY ACCESS OR OBTAIN HIS OR HER MEDICAL RECORDS IF AN EVENT DESCRIBED IN PARAGRAPH (b) OF SUBSECTION (1) OF THIS SECTION OCCURS.

(4) A LICENSEE WHO FAILS TO COMPLY WITH THIS SECTION IS SUBJECT TO DISCIPLINE IN ACCORDANCE WITH SECTION 12-29.9-108.

(5) THE DIRECTOR MAY ADOPT RULES AS NECESSARY TO IMPLEMENT THIS SECTION."

Renumber succeeding C.R.S. section accordingly.

Page 19, line 2, strike "PART 1" and substitute "ARTICLE".

Page 19, strike lines 6 through 27.

Strike pages 20 through 24.

Page 25, strike lines 1 through 26.

Page 26, line 7, strike "PART 1 OF".

Page 26, strike lines 9 through 25.

Renumber succeeding sections accordingly.

Page 27, line 24, strike "PART 1 OF".

Page 28, line 10, strike "part 1 of" and substitute "~~part 1 of~~".

Health &
Human
Services

After consideration on the merits, the Committee recommends that **SB13-149** be **amended** as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, strike everything below the enacting clause and substitute:

"SECTION 1. In Colorado Revised Statutes, 25.5-1-204, **recreate and reenact, with amendments,** (1), (2), and (3) as follows:

25.5-1-204. Advisory committee to oversee the all-payer health claims database - legislative declaration - creation - members - duties.

(1) THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT AN ADVISORY COMMITTEE FOR THE ALL-PAYER HEALTH CLAIMS DATABASE WOULD SUPPORT THE DATABASE IN ITS ESTABLISHED MISSION OF FACILITATING THE REPORTING OF HEALTH CARE AND HEALTH QUALITY DATA THAT RESULTS IN TRANSPARENT AND PUBLIC REPORTING OF SAFETY, QUALITY, COST, AND EFFICIENCY INFORMATION; AND ANALYSIS OF HEALTH CARE SPENDING AND UTILIZATION PATTERNS FOR PURPOSES THAT IMPROVE THE POPULATION'S HEALTH, IMPROVE THE CARE EXPERIENCE, AND CONTROL COSTS.

(2) (a) NO LATER THAN AUGUST 1, 2013, THE EXECUTIVE DIRECTOR SHALL APPOINT AN ADVISORY COMMITTEE TO OVERSEE THE COLORADO ALL-PAYER HEALTH CLAIMS DATABASE. THE ADVISORY COMMITTEE SHALL INCLUDE THE FOLLOWING MEMBERS:

(I) A MEMBER OF ACADEMIA WITH EXPERIENCE IN HEALTH CARE DATA AND COST EFFICIENCY RESEARCH;

(II) A REPRESENTATIVE OF:

(A) A STATEWIDE ASSOCIATION OF HOSPITALS;

(B) AN INTEGRATED MULTI-SPECIALTY ORGANIZATION;

(C) PHYSICIANS AND SURGEONS;

(D) AN ORGANIZATION THAT PROCESSES INSURANCE CLAIMS OR CERTAIN ASPECTS OF EMPLOYEE BENEFIT PLANS FOR A SEPARATE ENTITY;

(E) A NONPROFIT ORGANIZATION WHO DEMONSTRATES EXPERIENCE WORKING WITH EMPLOYERS TO ENHANCE VALUE AND AFFORDABILITY IN HEALTH INSURANCE;

(F) DENTAL INSURERS;

(G) PHARMACISTS OR AN AFFILIATE SOCIETY;

- (H) PHARMACY BENEFIT MANAGERS;
- (I) A STATEWIDE ASSOCIATION OF AMBULATORY SURGICAL CENTERS;
- (III) A REPRESENTATIVE, WHO IS NOT A SUPPLIER OR BROKER OF HEALTH INSURANCE, OF:
- (A) SMALL EMPLOYERS THAT PURCHASE GROUP HEALTH INSURANCE FOR EMPLOYEES;
- (B) LARGE EMPLOYERS THAT PURCHASE HEALTH INSURANCE FOR EMPLOYEES;
- (C) SELF-INSURED EMPLOYERS;
- (IV) A REPRESENTATIVE FROM A COMMUNITY MENTAL HEALTH CENTER WHO HAS EXPERIENCE IN BEHAVIORAL HEALTH DATA COLLECTION;
- (V) THREE REPRESENTATIVES WITH A DEMONSTRATED RECORD OF ADVOCATING HEALTH CARE ISSUES ON BEHALF OF CONSUMERS;
- (VI) TWO REPRESENTATIVES OF HEALTH INSURERS, ONE WHO REPRESENTS NONPROFIT INSURERS AND ONE WHO REPRESENTS FOR-PROFIT INSURERS;
- (B) TWO REPRESENTATIVES OF NONPROFIT ORGANIZATIONS THAT FACILITATE HEALTH INFORMATION EXCHANGE TO IMPROVE HEALTH CARE FOR ALL COLORADANS;
- (VII) THE EXECUTIVE DIRECTOR OR HIS OR HER DESIGNEE, SERVING AS AN EX-OFFICIO MEMBER;
- (VIII) THE COMMISSIONER OF INSURANCE OR HIS OR HER DESIGNEE, SERVING AS AN EX-OFFICIO MEMBER;
- (IX) A REPRESENTATIVE OF THE DEPARTMENT OF PERSONNEL AND ADMINISTRATION, SERVING AS AN EX-OFFICIO MEMBER;
- (X) THE DIRECTOR OF THE OFFICE OF INFORMATION AND TECHNOLOGY OR HIS OR HER DESIGNEE, SERVING AS AN EX-OFFICIO MEMBER; AND
- (XI) TWO MEMBERS OF THE GENERAL ASSEMBLY, ONE FROM THE MAJORITY PARTY AND ONE FROM THE MINORITY PARTY, SERVING AS EX-OFFICIO MEMBERS.
- (b) THE ADVISORY COMMITTEE SHALL MAKE RECOMMENDATIONS TO THE EXECUTIVE DIRECTOR AND THE COLORADO ALL-PAYER HEALTH CLAIMS DATABASE ADMINISTRATOR RELATED TO THE COLORADO ALL-PAYER HEALTH CLAIMS DATABASE. THE RECOMMENDATIONS INCLUDE THE FOLLOWING:
- (I) PROCEDURES FOR THE COLLECTION, RETENTION, USE, AND DISCLOSURE OF DATA FROM THE COLORADO ALL-PAYER HEALTH CLAIMS DATABASE, INCLUDING PROCEDURES AND SAFEGUARDS TO PROTECT THE PRIVACY, INTEGRITY, CONFIDENTIALITY AND AVAILABILITY OF ANY DATA;
- (II) GUIDELINES FOR CHARGING FOR CUSTOM REPORTS FROM THE COLORADO ALL-PAYER HEALTH CLAIMS DATABASE;
- (III) PROCEDURES TO ENSURE COMPLIANCE WITH THE "HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996", PUB.L. 104-191, AS AMENDED, AND IMPLEMENTING FEDERAL REGULATIONS;
- (IV) PROCEDURES TO ENSURE COMPLIANCE WITH OTHER STATE AND FEDERAL PRIVACY LAWS; AND
- (V) PROCEDURES FOR DATA CONFIDENTIALITY AND DATA DISPOSAL IF THE COLORADO ALL-PAYER HEALTH CLAIMS DATABASE CEASES TO EXIST.
- (3) (a) THE ADMINISTRATOR SHALL PREPARE AND FILE ANNUAL REPORTS TO THE LEGISLATURE BY MARCH 1 OF EACH YEAR. THE ANNUAL REPORT MUST CONTAIN:
- (I) THE USES OF THE DATA IN THE ALL-PAYER HEALTH CLAIMS DATABASE;
- (II) PUBLIC STUDIES PRODUCED BY THE ADMINISTRATOR;
- (III) THE COST OF ADMINISTERING THE COLORADO ALL-PAYER HEALTH CLAIMS DATABASE, THE SOURCES OF THE FUNDING, AND THE TOTAL REVENUE TAKEN IN BY THE DATABASE;
- (IV) THE RECIPIENTS OF THE DATA, THE PURPOSES FOR THE DATA REQUESTS, AND WHETHER A FEE WAS CHARGED FOR THE DATA;
- (V) A FEE SCHEDULE DISPLAYING THE FEES FOR PROVIDING CUSTOM DATA REPORTS FROM THE COLORADO ALL-PAYER HEALTH CLAIMS DATABASE.
- (b) THE EXECUTIVE DIRECTOR SHALL REQUIRE AN EVALUATION OF

THE COLORADO ALL-PAYER HEALTH CLAIMS DATABASE INITIATIVE EVERY FIVE YEARS BEGINNING IN 2018, TO ENSURE THAT THE DATABASE ACCOMPLISHES THE GOALS OF THIS SECTION. THE REPORT MUST CONTAIN METRICS THAT DOCUMENT AND DEMONSTRATE THE ACHIEVEMENTS OR CHALLENGES OF THE PROGRAM GOALS.

SECTION 2. In Colorado Revised Statutes, 2-3-1203, **repeal** (3) (z) (VII) as follows:

2-3-1203. Sunset review of advisory committees. (3) The following dates are the dates for which the statutory authorization for the designated advisory committees is scheduled for repeal:

(z) July 1, 2013:

(VII) ~~The advisory committee to establish an all-payer health claims database created in section 25.5-1-204 (1), C.R.S.;~~

SECTION 3. Effective date. This act takes effect July 1, 2013.

SECTION 4. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety."

Finance After consideration on the merits, the Committee recommends that **SB13-127** be **referred** to the Committee on Appropriations with favorable recommendation.

Finance After consideration on the merits, the Committee recommends that **SB13-146** be **referred** to the Committee on Appropriations with favorable recommendation.

Appropriations After consideration on the merits, the Committee recommends that **SB13-007** be **amended** as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend printed bill, page 2, after line 4 insert:

"SECTION 2. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of public safety, for the fiscal year beginning July 1, 2013, the sum of \$255,443 and 2.5 FTE, or so much thereof as may be necessary, for allocation to the division of criminal justice for staff and other support for the Colorado commission on criminal and juvenile justice related to the implementation of this act."

Renumber succeeding section accordingly.

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

Appropriations After consideration on the merits, the Committee recommends that **SB13-008** be **referred** to the Committee of the Whole with favorable recommendation.

Appropriations After consideration on the merits, the Committee recommends that **SB13-033** be **amended** as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 5, after line 8 insert:

"SECTION 3. No appropriation - legislative declaration. (1) The general assembly finds, determines and declares that:

(a) Pursuant to article 18 of title 23, Colorado Revised Statutes, for FY 2012-13, the general assembly appropriated \$502.6 million from the general fund for college opportunity fund student stipends and fee-for service contracts;

(b) The fiscal impact of offering in-state tuition rates to additional students is uncertain, because there is limited data on the number of

	additional students who will be affected by this change and which institutions they will attend;	1
	(c) Initial estimates that up 500 additional students may attend higher education institutions represent an increase of less than 0.4 percent in the estimated 141,905 in-state students receiving college opportunity fund student stipends in FY 2012-13;	2
	(d) Historically, when the total number of students receiving college opportunity fund stipends has exceeded the estimates reflected in the long bill, the general assembly has responded by increasing funding for student stipends but decreasing funding for higher education fee-for-service contracts, with a net result of no fiscal impact to the institution or the general fund; and	3
	(e) In light of the uncertain fiscal impact of offering in-state tuition rates to students without lawful immigration status, it is the intent of the general assembly that any resulting increase in college opportunity fund student stipends will be offset through the regular supplemental appropriations process.	4
	(f) Furthermore, pursuant to section 23-5-130.5, Colorado Revised Statutes, for the state fiscal years 2011-12 through 2015-16, each higher education governing board, for the institutions it controls, annually sets the amount of tuition to be paid by students; and	5
	(g) Therefore, amounts shown in the annual general appropriation act for fiscal year 2013-14 for higher education student tuition and fees will be shown solely for informational purposes, will not represent a limitation on institutional spending, and need not be adjusted to reflect changes in projected revenue pursuant to this bill.	6
	(2) Therefore, the general assembly has determined that this act can be implemented within existing appropriations, and therefore no separate appropriation of state moneys is necessary to carry out the purposes of this act."	7
	Renumber succeeding section accordingly.	8
Appropriations	After consideration on the merits, the Committee recommends that SB13-177 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	9
Appropriations	After consideration on the merits, the Committee recommends that SB13-091 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	10
	Amend printed bill, page 3, line 8, in the ITEM & SUBTOTAL column strike "26,827,557" and substitute "26,827,557".	11
	Page 3, after line 8, in the ITEM & SUBTOTAL column insert "26,850,768".	12
	Page 3, line 9, in the ITEM & SUBTOTAL column strike "360,598" and substitute "360,598".	13
	Page 3, after line 9, in the ITEM & SUBTOTAL column insert "361,016".	14
	Page 3, line 11, in the ITEM & SUBTOTAL column strike "6,783,683" and substitute "6,783,683".	15
	Page 3, after line 11, in the ITEM & SUBTOTAL column insert "6,791,257".	16
	Page 3, line 14, in the ITEM & SUBTOTAL column strike "5,817,366" and substitute "5,817,366".	17
	Page 3, after line 14, in the ITEM & SUBTOTAL column insert "5,823,875".	18

Page 4, line 14, in the ITEM & SUBTOTAL column strike "63,049,848" and substitute "63,087,560" and in the GENERAL FUND column strike "36,449,682(M)" and substitute "36,487,394(M)".

Page 8, line 13, in the TOTAL column strike "73,752,064" and substitute "73,789,776".

Page 57, line 12, in the ITEM & SUBTOTAL column strike "41,103,499" and substitute "41,103,499" and in the GENERAL FUND column strike "41,103,499" and substitute "41,103,499".

Page 57, after line 12, in the ITEM & SUBTOTAL column insert "41,276,679" and in the GENERAL FUND column insert "41,276,679".

Page 57, line 13, in the GENERAL FUND column strike "(752.3 FTE)" and substitute "(752.3 FTE)".

Page 57, after line 13, in the GENERAL FUND column insert "(757.1 FTE)".

Page 57, line 15, in the ITEM & SUBTOTAL column strike "6,605,444" and substitute "6,605,444" and in the GENERAL FUND column strike "6,605,444" and substitute "6,605,444".

Page 57, after line 15, in the ITEM & SUBTOTAL column insert "6,424,326" and in the GENERAL FUND column insert "6,424,326".

Page 58, line 7, in the ITEM & SUBTOTAL column strike "56,517,833" and substitute "56,517,833".

Page 58, after line 7, in the ITEM & SUBTOTAL column insert "56,509,895".

Page 59, line 11, in the ITEM & SUBTOTAL column strike "4,180,771" and substitute "4,180,771" and in the GENERAL FUND column strike "3,289,112" and substitute "3,289,112".

Page 59, after line 11, in the ITEM & SUBTOTAL column insert "4,150,997" and in the GENERAL FUND column insert "3,259,338".

Page 59, line 15, in the ITEM & SUBTOTAL column strike "55,603,408" and substitute "55,573,634".

Page 60, line 10, in the TOTAL column strike "113,528,374" and substitute "113,490,662".

PURPOSE: Allows the Department of **Human Services** to convert contract employees to state FTEs in the Division of Youth Corrections. The conversions that will occur as a result of this supplemental are required by state personnel system rules. The amount paid for the contract employees equals the amount that will be paid for the state jobs after conversion, including benefits, so dollar appropriations do not change. The conversions will occur on April 1, 2013.

Fiscal Impact of Amendment						
Department	GF	CF	RF	FF	Total	FTE
	\$0	\$0	\$0	\$0	\$0	4.8

Appropriations

After consideration on the merits, the Committee recommends that **SB13-108** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

	Amend printed bill, page 4, line 17, strike "(7);"	and substitute "(7), FOR THE CALENDAR YEAR ENDING IN THE IMMEDIATELY PRECEDING SCHOOL DISTRICT BUDGET YEAR;".	1
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Agriculture, Natural Resources, & Energy	After consideration on the merits, the Committee recommends that SB13-153 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.		5
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	Amend printed bill, page 2, after line 9 insert:		9
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	" SECTION 2. In Colorado Revised Statutes, 22-82.6-104, amend		11
	(2) (a), (3) (a), (3) (d), and (4); and add (3) (f) as follows:		12
	22-82.6-104. Interagency farm-to-school coordination task force - creation - repeal. (2) (a) The task force consists of thirteen		13
	FIFTEEN members as follows:		14
	(I) The commissioner of education or the commissioner's designee;		15
	(II) The commissioner of agriculture or the commissioner's designee;		16
	(III) The executive director of the department of public health and environment or the executive director's designee;		17
	(IV) The executive director of the Colorado commission on higher education or the executive director's designee, FROM, INCLUDING BUT NOT LIMITED TO, COLORADO UNIVERSITIES, COLLEGES, COMMUNITY COLLEGES, AND EXTENSIONS;		18
	(V) The following five members as selected by the member serving pursuant to subparagraph (I) of this paragraph (a):		19
	(A) Four THREE representatives of school food service directors;		20
	and		21
	(B) A representative of parent LOCAL NONPROFIT COMMUNITY organizations engaged in farm to school or local food systems; and		22
	(C) A PUBLIC SCHOOL TEACHER OR PRINCIPAL ;		23
	(VI) The following four FIVE members as selected by the member serving pursuant to subparagraph (II) of this paragraph (a):		24
	(A) A representative of fruit and vegetable organizations;		25
	(B) A representative of cattle ranching organizations;		26
	(C) A representative of the western dairy association; and		27
	(D) A representative of a food distribution association; AND		28
	(E) A REPRESENTATIVE OF A FARM, ORCHARD, OR RANCH IN COLORADO THAT SELLS PRODUCE, FRUIT, OR ANIMAL PRODUCTS TO AT LEAST ONE COLORADO PUBLIC SCHOOL, SCHOOL DISTRICT, OR BOARD OF COOPERATIVE SERVICES ;		29
	(VII) A REPRESENTATIVE OF SCHOOL FOOD SERVICES MANAGEMENT FROM AN INSTITUTION OF HIGHER EDUCATION, SELECTED BY THE MEMBER SERVING PURSUANT TO SUBPARAGRAPH (IV) OF THIS PARAGRAPH (a); AND		30
	(VIII) ANY NUMBER OF NONVOTING EX-OFFICIO MEMBERS AS DESIGNATED BY A MAJORITY VOTE OF THE TASK FORCE.		31
	(3) The task force shall study, develop, and recommend policies and methods to best implement a farm-to-school program, including:		32
	(a) Creating ADVISING farm-to-school program pilots or expanding food focus education program pilots;		33
	(d) Advising school districts on methods by which a school district may improve facilities to allow for the purchase and use of minimally processed and fresh and locally produced foods in school meals; and		34
	(f) EXPLORING VARIOUS STATEWIDE DATA COLLECTION SYSTEMS TO TRACK FARM-TO-SCHOOL ACTIVITIES.		35
	(4) The task force shall report its progress, findings, and recommendations to the education committees of the house of representatives and the senate, the senate agriculture and natural resources committee, and the house agriculture, livestock, and natural resources committee, or any successor committees, on or before February 1, 2013 2015, AND EVERY FEBRUARY 1 EVERY TWO YEARS THEREAFTER. ".		36
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	Renumber succeeding sections accordingly.		

Agriculture, Natural Resources, & Energy After consideration on the merits, the Committee recommends that **SB13-150** be **amended** as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 3, strike lines 12 through 14 and substitute:

"(f) A representative ~~from the Colorado rural water association~~
OF WATER OR WASTEWATER FACILITIES SERVING RURAL AREAS; and".

Agriculture, Natural Resources, & Energy After consideration on the merits, the Committee recommends that **SB13-174** be **amended** as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 3, after line 5 insert:

"SECTION 3. In Colorado Revised Statutes, 24-37.3-105,
amend (1) as follows:

24-37.3-105. Fund - acceptance of gifts, grants, or donations.
(1) For the purposes of carrying out the duties of the council, the council is authorized to seek and accept gifts, grants, or donations, including in-kind donations, from private or public sources for the purposes of this article; except that the council may not accept a gift, grant, or donation that is subject to conditions that are inconsistent with this article or any other law of the state. The council may accept in-kind donations of staff services from the private sector to staff the council. The council is also authorized to accept and expend federal funds available for food policy councils. All private and public moneys received through gifts, grants, or donations shall be transmitted to the state treasurer, who shall credit the same to the food systems advisory council fund, which fund is hereby created and referred to in this section as the "fund". The moneys in the fund ~~shall be subject to annual appropriation~~ MUST BE CONTINUOUSLY APPROPRIATED by the general assembly to the department of agriculture for allocation to the council for the direct and indirect costs associated with implementing this article. Any moneys in the fund not expended for the purpose of this article may be invested by the state treasurer as provided by law. All interest and income derived from the investment and deposit of moneys in the fund shall be credited to the fund. Any unexpended and unencumbered moneys remaining in the fund at the end of a fiscal year shall remain in the fund and shall not revert or be credited or transferred to the general fund or another fund; except that, if, at the time this article is repealed pursuant to section 24-37.3-107, the fund contains a balance of unencumbered and unexpended moneys, those moneys shall revert to the general fund."

Renumber succeeding sections accordingly.

Agriculture, Natural Resources, & Energy The Committee on Agriculture, Natural Resources, & Energy has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

**MEMBERS OF THE
GROUND WATER COMMISSION**

for terms expiring May 1, 2016:

Steven Dale Kramer of Bethune, Colorado, a resident agriculturist from the Northern High Plains Basin, appointed;

Larry William Clever of Grand Junction, Colorado, a representative of municipal or industrial water users of the state, and who resides west of the continental divide, reappointed.

Agriculture, Natural Resources, & Energy The Committee on Agriculture, Natural Resources, & Energy has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

MEMBERS OF THE
PARKS AND WILDLIFE COMMISSION

for a term expiring July 1, 2014:
John Singletary of Pueblo, Colorado, as a representative of sports persons, appointed;
for a term expiring July 1, 2015:
Gaspar Perricone of Denver, Colorado, as a representative of sports persons, appointed.

SENATE SERVICES REPORT

Correctly Printed: SB13-179.
Correctly Engrossed: SB13-072, 118 and 143.
Correctly Enrolled: SJR13-009, 010 and 011.

MESSAGE FROM THE HOUSE

February 14, 2013
Mr. President:
The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1043, amended as printed in House Journal, February 11, page 262.
HB13-1102, amended as printed in House Journal, February 13, page 271.
HB13-1083, amended as printed in House Journal, February 13, page 272.

MESSAGE FROM THE REVISOR OF STATUTES

February 14, 2013
We herewith transmit:
Without comment, as amended, HB13-1043, 1083, and 1102.

INTRODUCTION OF BILLS -- FIRST READING

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

SB13-180 by Senator(s) Aguilar; also Representative(s) Singer--Concerning the continuation of the regulation of the practice of occupational therapy, and, in connection therewith, requiring occupational therapists and occupational therapy assistants to obtain a license from the department of regulatory agencies, modifying provisions governing the supervision of occupational therapy assistants, adding grounds for disciplining licensees, requiring licensees to maintain professional competency, and authorizing licensees to enter into agreements to limit practice when suffering from a physical or mental condition.
Health & Human Services

SB13-181 by Senator(s) Schwartz; also Representative(s) Fischer--Concerning the funding of Colorado water conservation board projects, and making appropriations in connection therewith.
Agriculture, Natural Resources, & Energy

**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:

SB13-072 by Senator(s) Hodge, Baumgardner, Brophy, Giron, Roberts, Schwartz; also Representative(s) Sonnenberg, Fischer--Concerning the deletion of the requirement for a final permit for all wells withdrawing designated ground water from the Denver basin aquifers.

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

YES	32	NO	0	EXCUSED	3	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	E	Scheffel	Y
Baumgardner	Y	Heath	Y	King	E	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	E	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Carroll.

SB13-143 by Senator(s) Grantham; also Representative(s) Peniston--Concerning the institute charter school assistance fund.

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

YES	32	NO	0	EXCUSED	3	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	E	Scheffel	Y
Baumgardner	Y	Heath	Y	King	E	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	E	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Cadman, Lambert, Lundberg and Steadman.

SB13-118 by Senator(s) Hodge; also Representative(s) Pabon--Concerning clarification of the exemptions from the laws regulating mortgage loan originators, and, in connection therewith, exempting real estate licensees representing persons providing seller financing for the sale of a limited number of residential properties annually as allowed by law.

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

YES	32	NO	0	EXCUSED	3	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	E	Scheffel	Y
Baumgardner	Y	Heath	Y	King	E	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	E	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Newell.

Committee of the Whole On motion of Senator Aguilar, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Aguilar was called to the Chair to act as Chairman.

**GENERAL ORDERS -- SECOND READING OF BILLS --
CONSENT CALENDAR**

The Committee of the Whole having risen, the Chairman reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB13-134 by Senator(s) Baumgardner; also Representative(s) Sonnenberg--Concerning the process for collecting sales tax due on motor vehicles purchased through an auction sale.

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

SB13-119 by Senator(s) Jones, Brophy, Harvey, Jahn; also Representative(s) Scott, Swalm, McLachlan, Ryden--Concerning clarification of the requirement for a certificate of taxes due in connection with title insurance.

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

**ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE --
CONSENT CALENDAR**

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	E	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	E	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB13-134, SB13-119.

Committee of the Whole On motion of Senator Aguilar, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Aguilar was called to the chair to act as Chairman.

GENERAL 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:

SB13-083 by Senator(s) Roberts and Nicholson; also Representative(s) Gerou and Levy--Concerning the creation of a prescribed burning program under the division of fire prevention and control in the department of public safety, and, in connection therewith, specifying the powers and duties of the division and its director with respect to that program.

Laid over until Tuesday, February 19, retaining its place on the calendar.

SB13-027 by Senator(s) Todd; also Representative(s) Priola--Concerning the provision of parking facilities by third parties at or near regional transportation district mass transit stations.

Laid over until Tuesday, February 19, retaining its place on the calendar.

SB13-126 by Senator(s) Guzman; also Representative(s) Duran--Concerning the removal of unreasonable restrictions on the ability of the owner of an electric vehicle to access charging facilities.

Amendment No. 1, Local Government Committee Amendment.
(Printed in Senate Journal, February 13, page(s) 223-227 and placed in members' bill files.)

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

SB13-015 by Senator(s) Roberts; also Representative(s) Hamner--Concerning authorization for electronic participation in meetings of school district boards of education.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, February 8, page(s) 185-186 and placed in members' bill files.)

Amendment No. 2(L.007), by Senator Roberts.

Amend the Education Committee Report, dated February 7, 2013, page 1, line 4, strike "session, at which only" and substitute "session. at which Only".

Page 3, line 20, after "meetings" insert "ELECTRONICALLY, INCLUDING BY".

Page 3, line 21, strike "teleconferencing" and substitute "teleconferencing OR AUDIO CONFERENCING".

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

SB13-074 by Senator(s) Hodge, Baumgardner, Brophy, Giron, Roberts; also Representative(s) Sonnenberg, Fischer--Concerning the resolution of ambiguities in old water right decrees regarding the place of use of irrigation water.

Laid over until Tuesday, February 19, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	E	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	E	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB13-126 as amended, SB13-015 as amended.
Laid over until Tuesday, February 19: SB13-083, SB13-027, SB13-074.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS

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

MEMBER OF THE
COLORADO LOTTERY COMMISSION

for a term expiring July 1, 2016:

Frances Ann Koncilja of Littleton, Colorado, to serve as a member of the public and as a Democrat, appointed.

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	E	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	E	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

On motion of Senator Kerr, the following Governor's appointments were confirmed by a roll call vote:

MEMBERS OF THE
COLORADO RACING COMMISSION

for terms expiring July 1, 2016:

Cynthia Jane Day of Grand Junction, Colorado, a Democrat from the Third Congressional District, who has been previously engaged in the racing industry for at least five years, appointed;

Mary Sharon Wells of Golden, Colorado, a Democrat from the Seventh Congressional District, who is a registered elector of the state, reappointed.

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	E	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	E	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SJR13-009, 010 and 011.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Thursday, February 14, 2013, at 2:27 p.m.:

SB13-085, 086, 087, 088, 089, 090, 092, 093, 094, 095, 096, 097, 098, 099, 100, 101, 102, 103, 104, 105, 106, 107 and 110.

On motion of Majority Leader Carroll, the Senate adjourned until 10:00 a.m., Tuesday, February 19, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

41st Legislative Day	Monday, February 18, 2013
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SENATE DID NOT CONVENE ON THIS DAY

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SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

42nd Legislative Day Tuesday, February 19, 2013

Prayer By the chaplain, Reverend Paul Kottke, University Park United Methodist Church, Denver.

Call to Order By the President at 10:00 a.m.

Pledge By Senator Kerr.

Roll Call Present--33
Excused--2, Johnston, Roberts.
Present later--1, Roberts.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Baumgardner, reading of the Journal of Friday, February 15, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Education After consideration on the merits, the Committee recommends that SB13-131 be postponed indefinitely.

Education After consideration on the merits, the Committee recommends that SB13-053 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 5, line 14, after "EXISTING" insert "SYSTEMS".

Education After consideration on the merits, the Committee recommends that SB13-069 be postponed indefinitely.

Appropriations After consideration on the merits, the Committee recommends that SB13-026 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 3, after line 25 insert:

"SECTION 2. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the division of professions and occupations 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, 2013, the sum of \$149,313 and 2.0 FTE, or so much thereof as may be necessary, to be allocated for the implementation of this act as follows:

(a) \$107,545 and 2.0 FTE to the division of professions and occupations for personal services;

(b) \$14,272 to the division of professions and occupations for operating expenses and capital outlay;

(c) \$827 to the division of professions and occupations for travel;
(d) \$18,944 to the division of professions and occupations for computer programming; and
(e) \$7,725 to the executive director's office and administrative services 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, 2013, the sum of \$7,725, 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 (e) of subsection (1) of this section."

Page 3, strike lines 26 and 27 and substitute:

"SECTION 3. Act subject to petition - effective date - applicability. (1) This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 7, 2013, if adjournment sine die is on May 8, 2013); except that, if a".

Page 4, strike line 3.

Page 4, line 4, strike "assembly," and substitute "within such period,".

Page 4, line 9, after "registration" insert "to practice athletic training, massage therapy, occupational therapy, respiratory therapy, or pharmacy, or to practice as a certified nurse aide, psychiatric technician, surgical assistant, or surgical technologist".

Page 4, line 10, strike "the applicable effective date of this act." and substitute "July 1, 2014.".

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

Appropriations

After consideration on the merits, the Committee recommends that SB13-113 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

SENATE SERVICES REPORT

Correctly Printed: SB13-180 and 181.
Correctly Engrossed: SB13-015, 119, 126 and 134.
Correctly Reengrossed: SB13-072, 118 and 143.

MESSAGE FROM THE HOUSE

February 18, 2013

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1224, amended as printed in House Journal, February 15, pages 299-300. HB13-1229, amended as printed in House Journal, February 15, pages 300-301. HB13-1228, amended as printed in House Journal, February 15, page 301. HB13-1226, amended as printed in House Journal, February 15, page 302. HB13-1126, amended as printed in House Journal, February 15, page 302. HB13-1203, amended as printed in House Journal, February 15, page 302.

MESSAGE FROM THE REVISOR OF STATUTES

February 19, 2013

We herewith transmit:

Without comment, as amended, HB13-1126, 1203, 1224, 1226, 1228, and 1229.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

SJR13-015 by Senator(s) Kefalas; also Representative(s) McCann--Concerning the need to address human trafficking in the state of Colorado.

Laid over until Thursday, February 21, retaining its place on the calendar.

INTRODUCTION OF BILLS -- FIRST READING

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

SB13-182 by Senator(s) Nicholson, Todd, Schwartz; also Representative(s) Williams, Hamner, Mitsch Bush--Concerning deceptive trade practices related to time share resale services.
Local Government

SB13-183 by Senator(s) Carroll, Giron, Schwartz; also Representative(s) Fields--Concerning water conservation measures in common interest communities.
Local Government

SB13-184 by Senator(s) Steadman and King; also Representative(s) Rosenthal, Ferrandino--Concerning repeal of the criminal penalties for discrimination in places of public accommodation.
Judiciary

HB13-1011 by Representative(s) Young and Hamner, Fischer, Priola, Scott, Tyler, Williams; also Senator(s) Hudak and Schwartz, King, Jones--Concerning the repeal of the fee for the branch-of-service identifier on cards issued by the department of revenue, and, in connection therewith, making an appropriation.
Transportation

HB13-1012 by Representative(s) Gerou and Levy; also Senator(s) Roberts and Nicholson--Concerning the extension of financial incentives for wildfire mitigation.
Finance

HB13-1043 by Representative(s) Foote; also Senator(s) Heath--Concerning the statutory definition of a deadly weapon.
Judiciary

- HB13-1047

by Representative(s) Schafer; also Senator(s) Todd--Concerning clarifying that, if a student chooses to participate in an activity at a public school other than the student's school of attendance, the school district in which the student chooses to participate shall choose the public school at which the student participates.
 Education

HB13-1054

by Representative(s) Melton and Exum; also Senator(s) Tochtrop--Concerning lessening the reduction of unemployment insurance benefits required when a claimant withdraws amounts from a retirement plan as a result of unemployment.
 Finance

HB13-1083

by Representative(s) Ginal; also Senator(s) Tochtrop--Concerning the motorcycle operator safety training program.
 Transportation

HB13-1088

by Representative(s) Fields, Buckner, Court, Fischer, Ginal, Labuda, Levy, May, McCann, Melton, Mitsch Bush, Moreno, Pabon, Peniston, Primavera, Rosenthal, Salazar, Schafer, Singer, Tyler, Williams, Young; also Senator(s) Giron--Concerning modification of the work of the department of public health and environment regarding health disparities to include health equity, and, in connection therewith, renaming the office of health disparities to the office of health equity and consolidating the duties of the minority health advisory commission and the interagency health disparities leadership council into the newly created health equity commission.
 Health & Human Services

HB13-1146

by Representative(s) Lebsock, Williams, Pabon, Salazar, Wright, Saine, Everett, Fischer, Foote, Nordberg, Peniston; also Senator(s) Ulibarri--Concerning rights of victims of identity theft.
 Judiciary

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:

- SB13-134

by Senator(s) Baumgardner; also Representative(s) Sonnenberg--Concerning the process for collecting sales tax due on motor vehicles purchased through an auction sale.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	E	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Brophy and King.

SB13-119 by Senator(s) Jones, Brophy, Harvey, Jahn; also Representative(s) Scott, Swalm, McLachlan, Ryden--Concerning clarification of the requirement for a certificate of taxes due in connection with title insurance.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	E	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Roberts.

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:

SB13-013 by Senator(s) King; also Representative(s) McCann--Concerning peace officer authority for certain employees of the United States secret service.

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

YES	23	NO	11	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	N
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	E	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Aguilar, Heath, Jones, Morse and Todd.

SB13-126 by Senator(s) Guzman; also Representative(s) Duran--Concerning the removal of unreasonable restrictions on the ability of the owner of an electric vehicle to access charging facilities.

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

YES	21	NO	13	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	Y	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	E	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Aguilar, Carroll, Heath, Hodge, Jones, Kefalas, Kerr, Morse, Nicholson, Schwartz, Steadman, Tochtrop and Todd.

SB13-015 by Senator(s) Roberts; also Representative(s) Hamner--Concerning authorization for electronic participation in meetings of school district boards of education.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	E	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Aguilar, Brophy, Cadman, Crowder, Grantham, Heath, Hill, King and Scheffel.

Committee of the Whole On motion of Senator Heath, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Heath was called to the Chair to act as Chairman.

**GENERAL ORDERS -- SECOND READING OF BILLS --
CONSENT CALENDAR**

The Committee of the Whole having risen, the Chairman reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB13-160 by Senator(s) Crowder; also Representative(s) Primavera--Concerning the sunset review of the dental advisory committee, and, in connection therewith, implementing the recommendations of the department of regulatory agencies to continue the advisory committee.

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

HB13-1076 by Representative(s) McLachlan; also Senator(s) King--Concerning the P.O.S.T. certification status of a director of the Colorado bureau of investigation.

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

HB13-1014 by Representative(s) Levy; also Senator(s) King--Concerning the taking of newspapers.

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

HB13-1029 by Representative(s) Levy and Gardner, Labuda, Murray, Waller; also Senator(s) Roberts and Schwartz, Brophy, Morse--Concerning the use of authority verbs in the Colorado Revised Statutes.

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

HB13-1034 by Representative(s) Sonnenberg; also Senator(s) Giron--Concerning the wholesale marketing of farm products, and, in connection therewith, authorizing electronic warehouse receipts, modifying procedures for letters of credit and surety bonds, and modifying requirements for credit sale contracts.

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

**ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE --
CONSENT CALENDAR**

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	E	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB13-160, HB13-1076, HB13-1014, HB13-1029, HB13-1034.

Committee of the Whole On motion of Senator Heath, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Heath was called to the chair to act as Chairman.

GENERAL 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:

- SB13-152

by Senator(s) Aguilar; also Representative(s) May--Concerning the continuation of the asbestos abatement certification process conducted by the department of public health and environment, and, in connection therewith, implementing the department of regulatory agencies' recommendations in the 2012 sunset report.

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

(Printed in Senate Journal, February 14, page(s) 235 and placed in members' bill files.)

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

SB13-083

by Senator(s) Roberts and Nicholson; also Representative(s) Gerou and Levy--Concerning the creation of a prescribed burning program under the division of fire prevention and control in the department of public safety, and, in connection therewith, specifying the powers and duties of the division and its director with respect to that program.

Laid over until Wednesday, February 20, retaining its place on the calendar.

SB13-027

by Senator(s) Todd; also Representative(s) Priola--Concerning the provision of parking facilities by third parties at or near regional transportation district mass transit stations.

Laid over until Wednesday, February 20, retaining its place on the calendar.

SB13-074

by Senator(s) Hodge, Baumgardner, Brophy, Giron, Roberts; also Representative(s) Sonnenberg, Fischer--Concerning the resolution of ambiguities in old water right decrees regarding the place of use of irrigation water.

Amendment No. 1(L.003), by Senator Hodge.

Amend printed bill, page 2, line 18, after "CONTRARY." add "IRRIGATED ACREAGE NOT EXCEEDING THE LAWFUL MAXIMUM AMOUNT MAY BE INCLUDED IN THE HISTORICAL AVERAGE IN AN HISTORICAL CONSUMPTIVE USE ANALYSIS SUPPORTING A CHANGE OF WATER RIGHT APPLICATION."

As amended, ordered engrossed and placed on the calendar for third reading and final passage.
- ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE
- On motion of Senator Heath, the report of the Committee of the Whole was **adopted** on the following roll call vote:
- | YES | 34 | NO | 0 | EXCUSED | 1 | ABSENT | 0 |
|-------------|----|----------|---|-----------|---|-----------|---|
| Aguilar | Y | Guzman | Y | Kefalas | Y | Roberts | Y |
| Balmer | Y | Harvey | Y | Kerr | Y | Scheffel | Y |
| Baumgardner | Y | Heath | Y | King | Y | Schwartz | Y |
| Brophy | Y | Hill | Y | Lambert | Y | Steadman | Y |
| Cadman | Y | Hodge | Y | Lundberg | Y | Tochtrop | Y |
| Carroll | Y | Hudak | Y | Marble | Y | Todd | Y |
| Crowder | Y | Jahn | Y | Newell | Y | Ulibarri | Y |
| Giron | Y | Johnston | E | Nicholson | Y | President | Y |
| Grantham | Y | Jones | Y | Renfroe | Y | | |
- The Committee of the Whole took the following action:

Passed on second reading: SB13-152 as amended, SB13-074 as amended.

Laid over until Wednesday, February 20: SB13-083, SB13-027.

On motion of Majority Leader Carroll, the Senate adjourned until 9:00 a.m., Wednesday, February 20, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

43rd Legislative Day

Wednesday, February 20, 2013

Prayer By the chaplain, Pastor Vern Rempel, First Mennonite Church, Denver.

Call to Order By the President at 9:00 a.m.

Pledge By Robert Plummer, a 53-year old Colorado native who joined the Senate for Awareness Day for Individuals with Developmental Disabilities. A long-time Denver sports fan, Mr. Plummer is proud of his faith and enjoys religious study, travel, and fine cuisine.

Roll Call Present--34
 Excused--1, Johnston.
 Present later--1, Johnston.

Quorum The President announced a quorum present.

Reading of Journal	On motion of Senator Baumgardner, reading of the Journal of Tuesday, February 19, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.
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COMMITTEE OF REFERENCE REPORTS

Education After consideration on the merits, the Committee recommends that **SB13-121** be **postponed indefinitely**.

Judiciary After consideration on the merits, the Committee recommends that **SB13-077** 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 23 insert:

"SECTION 2. In Colorado Revised Statutes, 15-10-201, **amend** (56); and **add** (6.5) as follows:

15-10-201. General definitions. Subject to additional definitions contained in the subsequent articles that are applicable to specific articles, parts, or sections, and unless the context otherwise requires, in this code:

(6.5) "BUSINESS TRUST" MEANS, BUT IS NOT LIMITED TO, MASSACHUSETTS BUSINESS TRUSTS CREATED FOR BUSINESS OR INVESTMENT PURPOSES; DELAWARE STATUTORY TRUSTS; ILLINOIS LAND TRUSTS; MUTUAL FUND TRUSTS; COMMON TRUST FUNDS; VOTING TRUSTS; LIQUIDATION TRUSTS; REAL ESTATE INVESTMENT TRUSTS; ENVIRONMENTAL REMEDIATION TRUSTS; TRUSTS FOR THE PRIMARY PURPOSE OF PAYING DEBTS, DIVIDENDS, INTEREST, SALARIES, WAGES, COMPENSATION, ANNUITIES, PROFITS, PENSIONS OR EMPLOYEE BENEFITS OF ANY KIND; AND OTHER TRUSTS WITH PURPOSES THAT ARE THE SAME OR SIMILAR TO ANY OF THE TRUSTS ENUMERATED IN THIS SUBSECTION (6.5), REGARDLESS OF WHETHER SUCH OTHER TRUSTS ARE CREATED UNDER STATUTORY OR COMMON LAW, AND REGARDLESS OF WHETHER THE BENEFICIAL INTERESTS IN SUCH OTHER TRUSTS ARE EVIDENCED BY CERTIFICATES.

(56) (a) EXCEPT AS PROVIDED IN PARAGRAPH (b) OF THIS SUBSECTION (56):

(I) "Trust" includes an express trust, private or charitable, with additions thereto, wherever and however created and any amendments to such trusts.

(II) "Trust" also includes a trust created or determined by

judgment or decree under which the trust is to be administered in the manner of an express trust.

(b) (I) "Trust" excludes ~~other~~ constructive trusts ~~and~~ UNLESS A COURT, IN DETERMINING SUCH A TRUST, PROVIDES THAT THE TRUST IS TO BE ADMINISTERED AS AN EXPRESS TRUST.

(II) "TRUST" ALSO excludes resulting trusts; conservatorships; personal representatives; accounts as defined in section 15-15-201 (1); custodial arrangements pursuant to the "Colorado Uniform Transfers to Minors Act", article 50 of title 11, C.R.S.; business trusts ~~providing for certificates to be issued to beneficiaries; common trust funds; voting trusts; security arrangements; liquidation trusts; trusts for the primary purpose of paying debts, dividends, interest, salaries, wages, profits, pensions, or employee benefits of any kind;~~ AS DEFINED IN SUBSECTION (6.5) OF THIS SECTION; and any arrangement under which a person is nominee or escrowee for another.

SECTION 3. In Colorado Revised Statutes, 15-10-603, **amend** (3) (j) as follows:

15-10-603. Factors in determining the reasonableness of compensation and costs. (3) The court shall consider all of the factors described in this subsection (3) in determining the reasonableness of any compensation or cost. The court may determine the weight to be given to each factor and to any other factor the court considers relevant in reaching its decision:

(j) The expertise, SPECIAL SKILLS, reputation, and ability of the person performing the services and, in the case of a fiduciary, whether and to what extent the fiduciary has had any prior experience in administering estates similar to those for which compensation is sought;".

Renumber succeeding sections accordingly.

Page 8, line 13, after "ESTATE ASSETS," insert "AS DESCRIBED IN SECTION 15-12-706,".

Page 9, after line 21 insert:

"SECTION 6. In Colorado Revised Statutes, 15-12-805, **amend** (1) (g); and **add** (1) (h) as follows:

15-12-805. Classification of claims. (1) The allowed claims against the estate of a decedent shall be paid by the personal representative in the following order:

(g) ~~All other claims~~ ANY CHILD SUPPORT CLAIMS OF THE DECEDENT THAT WERE DUE AND UNPAID AT DEATH IN ACCORDANCE WITH A VALID COURT ORDER OR AGREEMENT OF RECORD IN WHICH THE DECEDENT WAS A PARTY, AND ANY FUTURE CHILD SUPPORT OBLIGATIONS OF THE DECEDENT AS DETERMINED BY THE COURT;

(h) ALL OTHER CLAIMS.

SECTION 7. In Colorado Revised Statutes, 15-12-1201, **amend** (1) introductory portion as follows:

15-12-1201. Collection of personal property by affidavit.

(1) At any time ten or more days after the date of death of a decedent, any person indebted to the decedent or having possession of ANY PERSONAL PROPERTY, INCLUDING BUT NOT LIMITED TO FUNDS ON DEPOSIT AT ANY FINANCIAL INSTITUTION; tangible personal property; or an instrument evidencing a debt, obligation, stock, chose in action, or stock brand belonging to the decedent shall ~~make payment of the indebtedness or deliver the tangible personal property or an instrument evidencing a debt, obligation, stock, chose in action, or stock brand~~ PAY OR DELIVER SUCH PROPERTY to a person claiming to be the successor of the decedent upon being presented an affidavit made by or on behalf of the successor stating that:

SECTION 8. In Colorado Revised Statutes, 15-14-406, **amend** (6); and **repeal** (7) as follows:

15-14-406. Original petition - persons under disability - preliminaries to hearing. (6) ~~The court may also appoint a physician, psychologist, or other individual qualified to evaluate the alleged impairment to conduct an examination of the respondent.~~ WHILE A PETITION TO ESTABLISH A CONSERVATORSHIP OR FOR ANOTHER PROTECTIVE ORDER IS PENDING, AFTER PRELIMINARY HEARING AND

WITHOUT NOTICE TO OTHERS, THE COURT MAY ISSUE ORDERS TO PRESERVE AND APPLY THE PROPERTY OF THE RESPONDENT AS MAY BE REQUIRED FOR THE SUPPORT OF THE RESPONDENT OR INDIVIDUALS WHO ARE IN FACT DEPENDENT UPON THE RESPONDENT. THE COURT MAY APPOINT A SPECIAL CONSERVATOR TO ASSIST IN THAT TASK.

~~(7) While a petition to establish a conservatorship or for another protective order is pending, after preliminary hearing and without notice to others, the court may issue orders to preserve and apply the property of the respondent as may be required for the support of the respondent or individuals who are in fact dependent upon the respondent. The court may appoint a special conservator to assist in that task.~~

SECTION 9. In Colorado Revised Statutes, **add** 15-14-406.5 as follows:

15-14-406.5. Professional evaluation. (1) AT OR BEFORE A HEARING UNDER THIS PART 4, THE COURT MAY ORDER A PROFESSIONAL EVALUATION IF THE RESPONDENT SO DEMANDS. IF THE COURT ORDERS THE EVALUATION, THE RESPONDENT MUST BE EXAMINED BY A PHYSICIAN, PSYCHOLOGIST, OR OTHER INDIVIDUAL APPOINTED BY THE COURT WHO IS QUALIFIED TO EVALUATE THE RESPONDENT'S ALLEGED IMPAIRMENT. THE EXAMINER SHALL PROMPTLY FILE A WRITTEN REPORT WITH THE COURT. UNLESS THE COURT DIRECTS OTHERWISE, THE REPORT MUST CONTAIN:

(a) A DESCRIPTION OF THE NATURE, TYPE, AND EXTENT OF THE RESPONDENT'S SPECIFIC COGNITIVE AND FUNCTIONAL LIMITATIONS, IF ANY;

(b) AN EVALUATION OF THE RESPONDENT'S MENTAL AND PHYSICAL CONDITION AND, IF APPROPRIATE, EDUCATIONAL POTENTIAL, ADAPTIVE BEHAVIOR, AND SOCIAL SKILLS;

(c) A PROGNOSIS FOR IMPROVEMENT AND A RECOMMENDATION AS TO THE APPROPRIATE TREATMENT OF HABILITATION PLAN; AND

(d) THE DATE OF ANY ASSESSMENT OR EXAMINATION UPON WHICH THE REPORT IS BASED.

SECTION 10. In Colorado Revised Statutes, 15-14-429, **amend** (4) and (5) as follows:

15-14-429. Presentation and allowance of claims. (4) If it appears that the estate is likely to be exhausted before all existing claims are paid: ~~the conservator shall distribute the estate in money or in kind in payment of claims in the following order:~~

~~(a) Costs and expenses of administration~~ THE CONSERVATOR MAY, WITHOUT A COURT ORDER, DISTRIBUTE THE ESTATE IN MONEY OR IN KIND IN PAYMENT OF CLAIMS IN THE FOLLOWING ORDER:

(I) COSTS AND EXPENSES OF ADMINISTRATION;

(II) CLAIMS OF THE FEDERAL OR STATE GOVERNMENT HAVING PRIORITY UNDER OTHER LAW;

(III) CLAIMS INCURRED BY THE CONSERVATOR FOR SUPPORT, CARE, EDUCATION, HEALTH, AND WELFARE PROVIDED TO THE PROTECTED PERSON OR INDIVIDUALS WHO ARE IN FACT DEPENDENT ON THE PROTECTED PERSON;

(IV) CLAIMS ARISING BEFORE THE CONSERVATORSHIP; AND

(V) ALL OTHER CLAIMS.

~~(b) Claims of the federal or state government having priority under other law~~ (I) AT ANY TIME DURING THE ADMINISTRATION, IF THE

PAYMENT OF CLAIMS AS SET FORTH IN PARAGRAPH (a) OF THIS SUBSECTION (4) WOULD SUBSTANTIALLY DEplete THE CONSERVATORSHIP ESTATE AND LEAVE THE CONSERVATORSHIP ESTATE WITH INSUFFICIENT FUNDS TO PAY FOR THE PROTECTED PERSON'S BASIC LIVING AND HEALTH CARE EXPENSES, THE CONSERVATOR MAY FILE A MOTION WITH THE COURT SEEKING PERMISSION TO WITHHOLD PAYMENT OF ALLOWED CLAIMS, BOTH THOSE EXISTING AND INCURRED AFTER THE DATE OF THE MOTION, AND PAY ONLY THE EXPENSES, CLAIMS, AND AMOUNTS REQUESTED BY THE CONSERVATOR REGARDLESS OF THE PRIORITY OF THE CLAIM, AS SET FORTH IN SAID PARAGRAPH (a).

(II) IF THE CONSERVATOR FILES A MOTION AS DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (b), THE FACTORS TO BE CONSIDERED BY THE COURT INCLUDE, BUT ARE NOT LIMITED TO:

(A) THE CURRENT AND FUTURE PROJECTED CARE COSTS OF THE PROTECTED PERSON;

(B) THE CURRENT AND PROJECTED ASSETS OF THE PROTECTED

PERSON, INCLUDING THE ASSETS OF THE CONSERVATORSHIP ESTATE;
(C) THE LIFE EXPECTANCY OF THE PROTECTED PERSON;
(D) THE CURRENT AND PROJECTED INCOME OF THE PROTECTED PERSON AND THE CONSERVATORSHIP ESTATE;
(E) THE PROTECTED PERSON'S ELIGIBILITY FOR BENEFITS TO COVER LIVING AND HEALTH CARE EXPENSES; AND
(F) WHETHER THERE ARE INDIVIDUALS WHO ARE IN FACT DEPENDENT ON THE PROTECTED PERSON.
(III) NOTICE OF A MOTION FILED UNDER THIS SECTION SHALL BE PROVIDED TO ALL INTERESTED PERSONS AND TO ALL CREDITORS WHOSE CLAIMS ARE AFFECTED.
(IV) IF ANY ORDER IS ENTERED RESTRICTING PAYMENTS ON ANY CREDITOR'S CLAIMS, THE CONSERVATOR SHALL PROVIDE INFORMATION IN THE ANNUAL REPORT REGARDING WHETHER THE ORDER RESTRICTING PAYMENT OF THE CREDITOR'S CLAIMS SHOULD BE MODIFIED.
(c) ~~Claims incurred by the conservator for support, care, education, health, and welfare previously provided to the protected person or individuals who are in fact dependent on the protected person;~~
(d) ~~Claims arising before the conservatorship; and~~
(e) ~~All other claims.~~
(5) UNLESS THE COURT ORDERS OTHERWISE, allowed claims within the same class shall be paid pro rata. Preference may not be given in the payment of a claim over any other claim of the same class, and a claim due and payable may not be preferred over a claim not due."

Renumber succeeding sections accordingly.

Page 9, strike lines 22 through 27.

Renumber succeeding sections accordingly.

Page 14, after line 9 insert:
"SECTION 13. In Colorado Revised Statutes, add part 7 to article 16 of title 15 as follows:

PART 7
REVOCABLE TRUSTS
15-16-701. Reserved.
15-16-702. Revocation of amendment of revocable trust.
(1) UNLESS THE TERMS OF A TRUST EXPRESSLY PROVIDE THAT THE TRUST IS IRREVOCABLE, THE SETTLOR MAY REVOKE OR AMEND THE TRUST. THIS SUBSECTION (1) DOES NOT APPLY TO A TRUST CREATED UNDER AN INSTRUMENT EXECUTED BEFORE THE EFFECTIVE DATE OF THIS PART 7.
(2) UNLESS THE TERMS OF A TRUST EXPRESSLY PROVIDE OTHERWISE, IF A REVOCABLE TRUST IS CREATED OR FUNDED BY MORE THAN ONE SETTLOR:
(a) TO THE EXTENT THE TRUST CONSISTS OF COMMUNITY PROPERTY, THE TRUST MAY BE REVOKED BY EITHER SPOUSE ACTING ALONE, WITH REGARD TO THE PORTION OF THE TRUST PROPERTY ATTRIBUTABLE TO THAT SETTLOR'S CONTRIBUTION, BUT MAY BE AMENDED ONLY BY JOINT ACTION OF BOTH SPOUSES;
(b) TO THE EXTENT THE TRUST CONSISTS OF PROPERTY OTHER THAN COMMUNITY PROPERTY, EACH SETTLOR MAY REVOKE OR AMEND THE TRUST WITH REGARD TO THE PORTION OF THE TRUST PROPERTY ATTRIBUTABLE TO THAT SETTLOR'S CONTRIBUTION; AND
(c) UPON THE REVOCATION OR AMENDMENT OF THE TRUST BY FEWER THAN ALL OF THE SETTLORS, THE TRUSTEE SHALL PROMPTLY NOTIFY THE OTHER SETTLORS OF THE REVOCATION OR AMENDMENT.
(3) THE SETTLOR MAY REVOKE OR AMEND A REVOCABLE TRUST:
(a) BY SUBSTANTIAL COMPLIANCE WITH A METHOD PROVIDED IN THE TERMS OF THE TRUST; OR
(b) IF THE TERMS OF THE TRUST DO NOT PROVIDE A METHOD OR THE METHOD PROVIDED IN THE TERMS IS NOT EXPRESSLY MADE EXCLUSIVE, BY ANY OTHER METHOD MANIFESTING CLEAR AND CONVINCING EVIDENCE OF THE SETTLOR'S INTENT, WHICH MAY INCLUDE A LATER WILL OR CODICIL THAT EXPRESSLY REFERS TO THE TRUST OR SPECIFICALLY DEVISES PROPERTY THAT WOULD OTHERWISE HAVE PASSED ACCORDING TO THE TERMS OF THE TRUST.

(4) UPON REVOCATION OF A REVOCABLE TRUST, THE TRUSTEE SHALL DELIVER THE TRUST PROPERTY AS THE SETTLOR DIRECTS.

(5) A SETTLOR'S POWERS WITH RESPECT TO REVOCATION, AMENDMENT, OR DISTRIBUTION OF TRUST PROPERTY MAY BE EXERCISED BY AN AGENT UNDER A POWER OF ATTORNEY ONLY TO THE EXTENT EXPRESSLY AUTHORIZED BY THE TERMS OF THE TRUST OR THE POWER.

(6) UNLESS THE TERMS OF A TRUST EXPRESSLY PROVIDE OTHERWISE, OR THE POWER TO DO SO HAS BEEN EXPRESSLY GRANTED TO ANOTHER PERSON, A CONSERVATOR OF THE SETTLOR OR, IF NO CONSERVATOR HAS BEEN APPOINTED, A GUARDIAN OF THE SETTLOR, MAY EXERCISE THE SETTLOR'S POWERS WITH RESPECT TO REVOCATION, AMENDMENT, OR DISTRIBUTION OF TRUST PROPERTY, BUT ONLY WITH THE APPROVAL OF THE COURT SUPERVISING THE CONSERVATORSHIP OR GUARDIANSHIP.

(7) A TRUSTEE WHO DOES NOT KNOW THAT A TRUST HAS BEEN REVOKED OR AMENDED IS NOT LIABLE TO THE SETTLOR OR THE SETTLOR'S SUCCESSORS INTEREST FOR DISTRIBUTIONS MADE AND OTHER ACTIONS TAKEN ON THE ASSUMPTION THAT THE TRUST HAS NOT BEEN AMENDED OR REVOKED.

15-16-703. Settlor's powers. UNLESS THE TERMS OF THE TRUST EXPRESSLY PROVIDE OTHERWISE, WHILE A TRUST IS REVOCABLE, THE RIGHTS OF THE BENEFICIARIES ARE SUBJECT TO THE CONTROL OF, AND THE DUTIES OF THE TRUSTEE ARE OWED EXCLUSIVELY TO, THE SETTLOR.

15-16-704. Limitation on action contesting validity of revocable trust. (1) A PERSON MUST COMMENCE A JUDICIAL PROCEEDING TO CONTEST THE VALIDITY OF A TRUST THAT WAS REVOCABLE AT THE SETTLOR'S DEATH WITHIN THE EARLIER OF:

(a) THREE YEARS AFTER THE SETTLOR'S DEATH; OR

(b) ONE HUNDRED TWENTY DAYS AFTER THE TRUSTEE SENT THE PERSON A COPY OF THE TRUST INSTRUMENT AND A NOTICE INFORMING THE PERSON OF THE TRUST'S EXISTENCE, OF THE TRUSTEE'S NAME AND ADDRESS, AND OF THE TIME ALLOWED FOR COMMENCING A PROCEEDING. A TRUSTEE SHALL NOT BE LIABLE TO ANY PERSON FOR GIVING OR FAILING TO GIVE NOTICE UNDER THIS SECTION.

(c) THE APPLICABLE TIME LIMIT DESCRIBED IN THIS SUBSECTION (1) IS AN ABSOLUTE BAR THAT MAY NOT BE WAIVED OR TOLLED.

(2) UPON THE DEATH OF THE SETTLOR OF A TRUST THAT WAS REVOCABLE AT THE SETTLOR'S DEATH, THE TRUSTEE MAY PROCEED TO DISTRIBUTE THE TRUST PROPERTY IN ACCORDANCE WITH THE TERMS OF THE TRUST. THE TRUSTEE IS NOT SUBJECT TO LIABILITY FOR DOING SO UNLESS:

(a) THE TRUSTEE KNOWS OF A PENDING JUDICIAL PROCEEDING CONTESTING THE VALIDITY OF THE TRUST; OR

(b) A POTENTIAL CONTESTANT HAS NOTIFIED THE TRUSTEE OF A POSSIBLE JUDICIAL PROCEEDING TO CONTEST THE TRUST AND A JUDICIAL PROCEEDING IS COMMENCED WITHIN SIXTY DAYS AFTER THE CONTESTANT SENT THE NOTIFICATION.

(3) UNLESS A DISTRIBUTION OR PAYMENT NO LONGER CAN BE QUESTIONED BECAUSE OF ADJUDICATION, ESTOPPEL, OR LIMITATION, A BENEFICIARY OF A TRUST THAT IS DETERMINED TO HAVE BEEN INVALID, OR A DISTRIBUTEE OF PROPERTY IMPROPERLY DISTRIBUTED OR PAID, OR A CLAIMANT WHO IS IMPROPERLY PAID, IS LIABLE FOR THE RETURN OF THE PROPERTY IMPROPERLY RECEIVED AND ITS INCOME, IF ANY, SINCE THE DISTRIBUTION IF HE OR SHE HAS THE PROPERTY. IF HE OR SHE DOES NOT HAVE THE PROPERTY, THEN HE OR SHE IS LIABLE FOR THE RETURN OF THE VALUE AS OF THE DATE OF HIS OR HER DISPOSITION OF THE PROPERTY IMPROPERLY RECEIVED, AND ITS INCOME AND GAIN, IF ANY RECEIVED BY HIM OR HER.

SECTION 14. In Colorado Revised Statutes, 15-10-201, **amend** (56); and **add** (6.5) as follows:

15-10-201. General definitions. Subject to additional definitions contained in the subsequent articles that are applicable to specific articles, parts, or sections, and unless the context otherwise requires, in this code:

(6.5) "BUSINESS TRUST" INCLUDES, BUT IS NOT LIMITED TO, MASSACHUSETTS BUSINESS TRUSTS CREATED FOR BUSINESS OR INVESTMENT PURPOSES; DELAWARE STATUTORY TRUSTS; ILLINOIS LAND

	TRUST; MUTUAL FUND TRUSTS; COMMON TRUST FUNDS; VOTING TRUSTS; LIQUIDATION TRUSTS; REAL ESTATE INVESTMENT TRUSTS; STRUCTURED SETTLEMENT TRUSTS; ENVIRONMENTAL REMEDIATION TRUSTS; TRUSTS FOR THE PRIMARY PURPOSE OF PAYING DEBTS, DIVIDENDS, INTEREST, SALARIES, WAGES, COMPENSATION, PROFITS, PENSIONS OR EMPLOYEE BENEFITS OF ANY KIND; AND OTHER TRUSTS WITH PURPOSES THAT ARE THE SAME OR SIMILAR TO ANY OF THE TRUSTS DESCRIBED IN THIS SUBSECTION (6.5), REGARDLESS OF WHETHER SUCH OTHER TRUSTS ARE CREATED UNDER STATUTORY OR COMMON LAW, AND REGARDLESS OF WHETHER THE BENEFICIAL INTERESTS IN SUCH OTHER TRUSTS ARE EVIDENCED BY CERTIFICATES.	1
	(56) (a) EXCEPT AS PROVIDED IN PARAGRAPH (b) OF THIS SUBSECTION (56):	2
	(I) "Trust" includes an express trust, private or charitable, with additions thereto, wherever and however created and any amendments to such trusts.	3
	(II) "Trust" also includes a trust created or determined by judgment or decree under which the trust is to be administered in the manner of an express trust.	4
	(b) (I) "Trust" excludes other constructive trusts and UNLESS A COURT, IN DETERMINING SUCH A TRUST, PROVIDES THAT THE TRUST IS TO BE ADMINISTERED AS AN EXPRESS TRUST.	5
	(II) "TRUST" ALSO excludes resulting trusts; conservatorships; personal representatives; accounts as defined in section 15-15-201 (1); custodial arrangements pursuant to the "Colorado Uniform Transfers to Minors Act", article 50 of title 11, C.R.S.; business trusts providing for certificates to be issued to beneficiaries; common trust funds; voting trusts; security arrangements; liquidation trusts; trusts for the primary purpose of paying debts, dividends, interest, salaries, wages, profits, pensions, or employee benefits of any kind AS DEFINED IN SUBSECTION (6.5) OF THIS SECTION; and any arrangement under which a person is nominee or escrowee for another."	6
	Renumber succeeding sections accordingly.	7
	Page 14, line 15, after "15-11-1106," insert "15-16-702,".	8
Trans- portation	After consideration on the merits, the Committee recommends that SB13-120 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.	9
	Amend printed bill, page 2, line 21, strike "UDT-SEAL" and substitute "UDT/SEAL".	10
	Page 2, line 22, strike "UDT-SEAL" and substitute "UDT/SEAL".	11
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HB13-1038 by Representative(s) Rosenthal; also Senator(s) Todd--Concerning the voting rights of individuals in the custody of the division of youth corrections within the department of human services.
State, Veterans, & Military Affairs

HB13-1062 by Representative(s) Ginal; also Senator(s) Kefalas--Concerning increased regulation of public insurance adjusters by the commissioner of insurance.
Judiciary

HB13-1102 by Representative(s) Gerou; also Senator(s) Brophy--Concerning an exemption to the "Unclaimed Property Act" for gift cards issued by small businesses.
Judiciary

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of Resolutions.

CONSIDERATION OF RESOLUTIONS

SJR13-014 by Senator(s) Kerr; also Representative(s) Kraft-Tharp--Concerning Awareness Day for Individuals with Developmental Disabilities.

On motion of Senator Kerr, the resolution was read at length and **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	E	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Co-sponsor(s) added: Aguilar, Balmer, Baumgardner, Brophy, Cadman, Carroll, Crowder, Giron, Grantham, Guzman, Harvey, Heath, Hill, Hodge, Hudak, Jahn, Jones, Kefalas, King, Lambert, Lundberg, Marble, Morse, Newell, Nicholson, Renfroe, Roberts, Scheffel, Schwartz, Steadman, Tochtrop, Todd and Ulibarri.

Call of the Senate. Call raised.

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:

SB13-160 by Senator(s) Crowder; also Representative(s) Primavera--Concerning the sunset review of the dental advisory committee, and, in connection therewith, implementing the recommendations of the department of regulatory agencies to continue the advisory committee.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Aguilar, Guzman, Jones, Kefalas, Kerr, Newell, Nicholson and Todd.

HB13-1076 by Representative(s) McLachlan; also Senator(s) King--Concerning the P.O.S.T. certification status of a director of the Colorado bureau of investigation.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Morse and Todd.

HB13-1014 by Representative(s) Levy; also Senator(s) King--Concerning the taking of newspapers.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

HB13-1029 by Representative(s) Levy and Gardner, Labuda, Murray, Waller; also Senator(s) Roberts and Schwartz, Brophy, Morse--Concerning the use of authority verbs in the Colorado Revised Statutes.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Aguilar, Hudak, Newell and Steadman.

HB13-1034 by Representative(s) Sonnenberg; also Senator(s) Giron--Concerning the wholesale marketing of farm products, and, in connection therewith, authorizing electronic warehouse receipts, modifying procedures for letters of credit and surety bonds, and modifying requirements for credit sale contracts.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Jahn.

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:

SB13-152 by Senator(s) Aguilar; also Representative(s) May--Concerning the continuation of the asbestos abatement certification process conducted by the department of public health and environment, and, in connection therewith, implementing the department of regulatory agencies' recommendations in the 2012 sunset report.

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

YES	24	NO	11	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Carroll, Guzman, Jones, Kefalas, Nicholson, Schwartz and Todd.

SB13-074 by Senator(s) Hodge, Baumgardner, Brophy, Giron, Roberts; also Representative(s) Sonnenberg, Fischer--Concerning the resolution of ambiguities in old water right decrees regarding the place of use of irrigation water.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Guzman, Jahn, Nicholson, Schwartz and Tochtrop.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the General Orders -- Second Reading of Bills -- Consent Calendar (SB13-007, SB13-177) of Wednesday, February 20 was laid over until Thursday, February 21, retaining its place on the calendar.

Committee of the Whole On motion of Senator Nicholson, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills and Senator Nicholson was called to the Chair to act as Chairman.

GENERAL 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:

- SB13-081** by Senator(s) Hudak; also Representative(s) Young, Hamner, Priola, Tyler, Williams A.--
Concerning vehicle registration. 1
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Ordered engrossed and placed on the calendar for third reading and final passage. 4
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6
- SB13-039** by Senator(s) Aguilar; also Representative(s) McCann--Concerning the regulation of
audiologists. 7
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Amendment No. 1, Health & Human Services Committee Amendment. 10
(Printed in Senate Journal, February 15, page(s) 244-249 and placed in members' bill 11
files.) 12
13
As amended, ordered engrossed and placed on the calendar for third reading and final 14
passage. 15
16
17
- SB13-008** by Senator(s) Newell; also Representative(s) McCann--Concerning elimination of the
waiting period for children's eligibility under the children's basic health plan. 18
19
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Amendment No. 1, Health & Human Services Committee Amendment. 21
(Printed in Senate Journal, January 31, page(s) 96 and placed in members' bill files.) 22
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As amended, ordered engrossed and placed on the calendar for third reading and final 24
passage. 25
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- SB13-033** by Senator(s) Giron and Johnston, Aguilar, Guzman, Ulibarri, Steadman, Carroll, Heath,
Hodge, Hudak, Morse, Nicholson, Schwartz, Todd; also Representative(s) Duran and 28
Williams, Salazar, Moreno, Garcia, Vigil, Pabon, Buckner, Exum, Fields, Foote, Kraft- 29
Tharp, Lebsock, McCann, Melton, Peniston, Rosenthal, Ryden, Singer--Concerning in- 30
state classification at institutions of higher education for students who complete high 31
school in Colorado. 32
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Laid over until Friday, February 22, retaining its place on the calendar. 35
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- SB13-091** by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou--
Concerning a supplemental appropriation to the department of human services. 38
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Amendment No. 1, Appropriations Committee Amendment. 41
(Printed in Senate Journal, February 15, page(s) 252-253 and placed in members' bill 42
files.) 43
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As amended, ordered engrossed and placed on the calendar for third reading and final 45
passage. 46
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- SB13-108** by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Gerou, Duran, Levy--
Concerning adjustments in the amount of total program funding for public schools for the 49
2012-13 budget year, and, in connection therewith, making an appropriation. 50
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Amendment No. 1, Appropriations Committee Amendment. 53
(Printed in Senate Journal, February 15, page(s) 253-254 and placed in members' bill 54
files.) 55
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As amended, ordered engrossed and placed on the calendar for third reading and final 57
passage. 58
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- SB13-153** by Senator(s) Giron, Jones, Schwartz; also Representative(s) Schafer and Vigil--
Concerning continuation of the interagency farm-to-school coordination task force. 61
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Amendment No. 1, Agriculture, Natural Resources, and Energy Committee Amendment. 64
(Printed in Senate Journal, February 15, page(s) 254-256 and placed in members' bill 65
files.) 66
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	As amended, ordered engrossed and placed on the calendar for third reading and final passage.	1 2 3 4
SB13-174	by Senator(s) Schwartz, Giron, Jones; also Representative(s) Lebsock--Concerning the continuation of the Colorado food systems advisory council. <u>Amendment No. 1, Agriculture, Natural Resources, and Energy Committee Amendment.</u> (Printed in Senate Journal, February 15, page(s) 256 and placed in members' bill files.) <u>Amendment No. 2(L.002), by Senator Schwartz.</u> Amend printed bill, page 3, line 1, strike "RETAILERS;" and substitute "RETAILERS, OF WHICH ONE OF THE TWO MEMBERS MAY REPRESENT BOTH SMALL AND LARGE FOOD WHOLESALERS OR FOOD RETAILERS;".	5 6 7 8 9 10 11 12 13 14 15 16 17 18
	As amended, ordered engrossed and placed on the calendar for third reading and final passage.	19 20 21 22
SB13-083	by Senator(s) Roberts and Nicholson; also Representative(s) Gerou and Levy--Concerning the creation of a prescribed burning program under the division of fire prevention and control in the department of public safety, and, in connection therewith, specifying the powers and duties of the division and its director with respect to that program. Laid over until Friday, February 22, retaining its place on the calendar.	23 24 25 26 27 28 29 30
SB13-027	by Senator(s) Todd; also Representative(s) Priola--Concerning the provision of parking facilities by third parties at or near regional transportation district mass transit stations. <u>Amendment No. 1, Transportation Committee Amendment.</u> (Printed in Senate Journal, February 13, page(s) 222 and placed in members' bill files.) <u>Amendment No. 2(L.004), by Senator Todd.</u> Amend the Transportation Committee Report, dated February 12, 2013, page 1, line 12, strike "use;" and substitute "use to promote ridership of district buses and rail;". Page 1 of the committee report, after line 14 insert: "Page 2, line 3 after "(7)" insert "and (8)". Page 2, after line 16 insert: "(8) OTHER LOCAL GOVERNMENTS AND THE DISTRICT SHALL CONSULT WITH EACH OTHER PRIOR TO THE ESTABLISHMENT OF ZONING, OTHER AUTHORIZATION BY A GOVERNMENTAL BODY, OR CONTRACTS REQUIRED FOR PRIVATELY OWNED OR MANAGED PARKING FACILITIES INTENDED FOR USERS OF THE DISTRICT'S MASS TRANSPORTATION SYSTEM."."	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
	As amended, ordered engrossed and placed on the calendar for third reading and final passage.	58 59 60 61 62 63 64

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Nicholson, 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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB13-081, SB13-039 as amended, SB13-008 as amended, SB13-091 as amended, SB13-108 as amended, SB13-153 as amended, SB13-174 as amended, SB13-027 as amended.
Laid over until Friday, February 22: SB13-033, SB13-083.

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
GROUND WATER COMMISSION

for terms expiring May 1, 2016:

Steven Dale Kramer of Bethune, Colorado, a resident agriculturist from the Northern High Plains Basin, appointed;

Larry William Clever of Grand Junction, Colorado, a representative of municipal or industrial water users of the state, and who resides west of the continental divide, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

On motion of Senator Schwartz, the following Governor's appointments were confirmed by a roll call vote:

MEMBERS OF THE
PARKS AND WILDLIFE COMMISSION

for a term expiring July 1, 2014:

John Singletary of Pueblo, Colorado, as a representative of sports persons, appointed;

for a term expiring July 1, 2015:

Gaspar Perricone of Denver, Colorado, as a representative of sports persons, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

MESSAGE FROM THE HOUSE

February 20, 2013

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1157, 1185.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1025, amended as printed in House Journal, February 19, page 336.
HB13-1199, amended as printed in House Journal, February 19, page 336.
HB13-1097, amended as printed in House Journal, February 19, pages 336-337.
HB13-1103, amended as printed in House Journal, February 19, page 337.

The House has adopted and returns herewith SJR13-014.

MESSAGE FROM THE REVISOR OF STATUTES

February 20, 2013

We herewith transmit:

Without comment, HB13-1157 and 1185.
Without comment, as amended, HB13-1025, 1097, 1103, and 1199.

MESSAGE FROM THE GOVERNOR

February 19, 2013

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

Ladies and Gentlemen:

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

SB13-085: CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF AGRICULTURE.

Approved February 19, 2013 at 10:57 a.m.

SB13-086: CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF CORRECTIONS.

Approved February 19, 2013 at 10:58 a.m.

SB13-087: CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF EDUCATION.

Approved February 19, 2013 at 10:58 a.m.

SB13-088: CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE OFFICES OF THE GOVERNOR, LIEUTENANT GOVERNOR, AND STATE PLANNING AND BUDGETING.

Approved February 19, 2013 at 10:59 a.m.

SB13-089: CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING.

Approved February 19, 2013 at 10:59 a.m.

SB13-090: CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF HIGHER EDUCATION.

Approved February 19, 2013 at 11:00 a.m.

SB13-092: CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE JUDICIAL DEPARTMENT.

Approved February 19, 2013 at 11:00 a.m.

SB13-093: CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF LABOR AND EMPLOYMENT.

Approved February 19, 2013 at 11:01 a.m.

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SB13-094: CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF LAW.

Approved February 19, 2013 at 11:01 a.m.

SB13-095: CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF LEGISLATURE.

Approved February 19, 2013 at 11:02 a.m.

SB13-096: CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF LOCAL AFFAIRS.

Approved February 19, 2013 at 11:02 a.m.

SB13-097: CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF MILITARY AND VETERANS AFFAIRS.

Approved February 19, 2013 at 11:03 a.m.

SB13-098: CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF NATURAL RESOURCES.

Approved February 19, 2013 at 11:03 a.m.

SB13-099: CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF PERSONNEL AND ADMINISTRATION.

Approved February 19, 2013 at 11:04 a.m.

SB13-100: CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT.

Approved February 19, 2013 at 11:04 a.m.

SB13-101: CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF PUBLIC SAFETY.

Approved February 19, 2013 at 11:05 a.m.

SB13-102: CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF REGULATORY AGENCIES.

Approved February 19, 2013 at 11:06 a.m.

SB13-103: CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF REVENUE.

Approved February 19, 2013 at 11:06 a.m.

SB13-104: CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF STATE.

Approved February 19, 2013 at 11:07 a.m.

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SB13-105: CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF TRANSPORTATION.

Approved February 19, 2013 at 11:07 a.m.

SB13-106: CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF THE TREASURY.

Approved February 19, 2013 at 11:08 a.m.

SB13-107: CONCERNING FUNDING FOR CAPITAL CONSTRUCTION, AND MAKING SUPPLEMENTAL APPROPRIATIONS IN CONNECTION THEREWITH.

Approved February 19, 2013 at 11:08 a.m.

SB13-110: CONCERNING THE WILDLAND FIRE COST RECOVERY FUND.

Approved February 19, 2013 at 11:09 a.m.

Sincerely,
(signed)
John W. Hickenlooper
Governor

Pursuant to Senate Rule 40 (a) and 675 of the Mason's Manual on Legislative Procedure, the President ruled that the report of the Committee on State, Veterans, and Military Affairs on SB13-142, dated February 11, 2013, was out of order and directed the Secretary of the Senate to return SB13-142 to the custody of the Chair of the Committee on State, Veterans, and Military Affairs.

TRIBUTES

Honoring:

- Boy Scouts of America Denver Area Council, 100 years of service -- By Senator Bill Cadman.
- Mrs. Robbie Baird LeValley,Future Farmers of America’s Rising Star -- By Senator Gail Schwartz and Representative Randy Fischer.
- Ms. Bette Blinde, Agriculture Hall of Fame -- By Senator Gail Schwartz and Representative Randy Fischer.
- Dr. Darrell Anderson, Agriculture Hall of Fame -- By Senator Gail Schwartz and Representative Randy Fischer.
- Mr. Dick Tanaka, Agriculture Hall of Fame -- By Senator Gail Schwartz and Representative Randy Fischer.
- Linda Sue Shirkey, In recognition of a lifetime of community service -- By Senator Lucia Guzman.
- Brad Breland, Safety of Seniors Handyman Program volunteer -- By Senator Lucia Guzman.
- Matt Campbell, Safety of Seniors Handyman Program volunteer -- By Senator Lucia Guzman.
- Melvin Faes, RSVP Program volunteer -- By Senator Lucia Guzman.
- John Ferraro, In recognition of community service -- By Senator Lucia Guzman.
- Keith French, Safety of Seniors Handyman Program and Meals on Wheels volunteer -- By Senator Lucia Guzman.
- Eileen Young, RSVP Program volunteer -- By Senator Lucia Guzman.

On motion of Majority Leader Carroll, the Senate adjourned until 9:00 a.m., Thursday, February 21, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

44th Legislative Day Thursday, February 21, 2013

Prayer By the chaplain, Dr. Gene Selander, Crystal Clear Ministries, Denver.

Call to Order By the President at 9:00 a.m.

Pledge By Senator Kerr.

Roll Call Present--32
Excused--3, Balmer, Lundberg, Marble.
Present later--2, Lundberg, Marble.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Baumgardner, reading of the Journal of Wednesday, February 20, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Local Government After consideration on the merits, the Committee recommends that **HB13-1051** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Local Government After consideration on the merits, the Committee recommends that **HB13-1137** be referred to the Committee of the Whole with favorable recommendation.

Local Government After consideration on the merits, the Committee recommends that **HB13-1041** 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 15, after "REQUEST" insert "FOR RECORDS TRANSMISSION".

Page 2, strike line 17 and substitute "UNITED STATES MAIL, OTHER DELIVERY SERVICE, FACSIMILE, OR ELECTRONIC MAIL."

Page 3, strike lines 1 through 3 and substitute "NO TRANSMISSION FEES MAY BE CHARGED TO THE".

Page 3, strike lines 8 through 16 and substitute:

"THE CUSTODIAN EITHER RECEIVES PAYMENT OR MAKES ARRANGEMENTS FOR RECEIVING PAYMENT FOR ALL COSTS ASSOCIATED WITH RECORDS TRANSMISSION AND FOR ALL OTHER FEES LAWFULLY ALLOWED, UNLESS RECOVERY OF ALL OR ANY PORTION OF SUCH COSTS OR FEES HAS BEEN WAIVED BY THE CUSTODIAN. UPON EITHER RECEIVING SUCH PAYMENT OR MAKING ARRANGEMENTS TO RECEIVE SUCH PAYMENT AT A LATER DATE, THE CUSTODIAN SHALL SEND THE RECORD TO THE REQUESTER AS SOON AS PRACTICABLE BUT NO MORE THAN THREE BUSINESS DAYS AFTER RECEIPT OF, OR MAKING ARRANGEMENTS TO RECEIVE, SUCH PAYMENT."

Local Government	After consideration on the merits, the Committee recommends that HB13-1010 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	1 2 3 4 5
Local Government	After consideration on the merits, the Committee recommends that HB13-1072 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	6 7 8 9 10
Agriculture, Natural Resources, & Energy	After consideration on the merits, the Committee recommends that SB13-175 be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	11 12 13 14 15 16
Judiciary	After consideration on the merits, the Committee recommends that HB13-1035 be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	17 18 19 20
Business, Labor, & Technology	After consideration on the merits, the Committee recommends that SB13-154 be amended as follows, and as so amended, be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	21 22 23 24 25
	Amend printed bill, page 3, strike lines 12 through 18.	26 27
	Renumber succeeding sections accordingly.	28 29
	Page 3, line 24, strike "2003," and substitute "2003 2013,".	30 31
	Page 8, line 11, strike "bank, BANK WITH A NATIONAL CHARTER," and substitute "bank".	32 33 34
	Page 10, strike lines 18 through 24 and substitute "BANK'S DUTIES REGARDING THE HOLDING OF UNINVESTED OR UNDISTRIBUTED FUNDS THAT ARE AWAITING INVESTMENT OR DISTRIBUTION ARE GOVERNED BY THE "COLORADO UNIFORM PRUDENT INVESTOR ACT, ARTICLE 1.1 OF TITLE 15, C.R.S., THE "UNIFORM PRUDENT MANAGEMENT OF INSTITUTIONAL FUNDS ACT", PART 11 OF ARTICLE 1 OF TITLE 15, C.R.S., AND APPLICABLE STANDARDS AND REQUIREMENTS IMPOSED BY THE FEDERAL DEPOSIT INSURANCE CORPORATION.".	35 36 37 38 39 40 41 42 43
	Page 21, line 11, strike "and trust company" and substitute " and trust company WITH TRUST POWERS".	44 45 46
	Page 22, strike lines 4 through 8 and substitute "requirements of article 109 of this title. In the event of a conflict between the requirements of the provisions of article 109 of this title and the "Colorado Limited Liability Company Act", article 80 of title 7, C.R.S., an industrial bank A TRUST COMPANY organized as a limited liability company shall be IS subject to the requirements of article 109 of this title.".	47 48 49 50 51 52 53
	Page 24, line 26, strike "the" and substitute " the ".	54 55
	Page 25, line 5, before "FEDERAL" insert "SECTION 1098 OF THE".	56 57
	Page 25, line 6, strike "12 U.S.C. SEC. 5381" and substitute "AMENDING12 U.S.C. SEC. 2601".	58 59 60
	Page 40, line 10, strike " may " and substitute "may".	61 62
	Page 40, line 11, strike "SHALL not" and substitute " not ".	63 64
	Page 40, strike lines 13 and 14 and substitute "business in Colorado. unless such depository institution has been in operation for at least five years at the time of the acquisition of control. ".	65 66 67 68
	Page 40, strike lines 20 and 21 and substitute "thrift holding company.	69

Business,
Labor, &
Technology

~~even though such depository institution has been in operation for less than five years."~~

After consideration on the merits, the Committee recommends that **SB13-155** be **amended** as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 3, line 11, strike everything after "companies." and substitute "LICENSED AD VALOREM APPRAISERS LICENSED".

Page 4, line 26, strike "CERTIFIED" and substitute "LICENSED".

Page 5, line 4, strike "CERTIFIED" and substitute "LICENSED".

Page 6, line 7, strike ""CERTIFIED" and substitute ""LICENSED".

Page 6, line 14, strike "CERTIFIED" and substitute "LICENSED".

Page 6, line 18, strike "CERTIFIED" and substitute "LICENSED".

Page 7, line 10, strike "CERTIFIED" and substitute "LICENSED".

Page 8, line 14, strike "and has good moral character" and substitute "~~and~~ ~~has good moral character~~".

Page 9, line 2, strike "CERTIFIED" and substitute "LICENSED".

Page 10, line 12, strike "CERTIFIED" and substitute "LICENSED".

Page 10, line 13, strike "CERTIFIED" and substitute "LICENSED".

Page 11, line 6, strike "truthfulness, honesty, and" and substitute "truthfulness AND honesty ~~and~~".

Page 11, line 7, strike "moral character," and substitute "~~moral character,~~".

Page 11, line 12, strike everything after "company."

Page 11, strike lines 13 and 14.

Page 12, line 1, strike "(1) (a),".

Page 12, line 1, strike everything after "and" and substitute "(11) as follows:".

Page 12, strike line 2.

Page 12, strike lines 6 through 13.

Page 12, strike lines 24 through 27.

Page 13, strike lines 1 through 3.

Page 16, line 1, strike "CERTIFIED" and substitute "LICENSED".

page 16, after line 27 insert:

"SECTION 15. In Colorado Revised Statutes, 39-2-123, **amend** (2) as follows:

39-2-123. Board of assessment appeals created - members - compensation. (2) Effective July 1, 1991, the existing board of assessment appeals is abolished, and the terms of members of the board then serving are terminated. Effective July 1, 1991, except as otherwise provided in section 39-2-125 (1) (c) (I), the new board shall be comprised of three members who shall be appointed by the governor with the consent of the senate. Members of the board shall be experienced in

property valuation and taxation and shall be public employees, as defined in section 24-10-103 (4) (a), C.R.S., who are not subject to the state personnel system laws. One of such members shall be or shall have been, within the five years immediately preceding the date of initial appointment, actively engaged in agriculture. On and after June 1, 1993, members shall be ~~registered~~, licensed or certificated pursuant to the provisions of part 7 of article 61 of title 12, C.R.S., and, if any member fails to become so ~~registered~~, licensed or certificated by said date, the office of such member shall be deemed to be vacated and shall be filled in the same manner as other vacancies. Initial appointments to the board shall be as follows: One member shall be appointed for a term of two years, and two members shall be appointed for terms of four years. Thereafter, appointments to the board shall be for terms of four years each. Service on the board shall be at the pleasure of the governor, who may appoint a replacement to serve for the unexpired term of any member. Such replacement shall be appointed with the consent of the senate. Any other vacancies on the board shall be filled by appointment by the governor with the consent of the senate for the unexpired term.

SECTION 16. In Colorado Revised Statutes, 39-8-108.5, **amend** (1) (b) introductory portion as follows:

39-8-108.5. Arbitration of property valuations - arbitrators - qualifications - procedures. (1) (b) Except as otherwise provided in paragraph (c) of this subsection (1), persons on such list shall be, in addition to any other qualifications deemed necessary by the board, experienced in the area of property taxation, on and after June 1, 1993, be ~~registered~~, licensed or certificated pursuant to part 7 of article 61 of title 12, C.R.S., and be any one of the following:

SECTION 17. In Colorado Revised Statutes, 28-3-106, **amend** (1) (s) (I) as follows:

28-3-106. Powers and duties of adjutant general. (1) The adjutant general has the following powers and duties:

(s) (I) If, in the judgment of the adjutant general, any real estate which has been acquired for military purposes is unsuitable for military purposes, the adjutant general, by and with the approval of the governor, in writing, has authority to sell, trade, or otherwise dispose of such real estate, but, except as otherwise provided by subparagraph (II) of this paragraph (s), such real estate shall not be disposed of for less than its appraised value. The appraised value of such real estate shall be determined by an appraiser who is ~~registered~~, licensed or certificated pursuant to part 7 of article 61 of title 12, C.R.S., and who is selected by the adjutant general from a list of three qualified individuals submitted to the adjutant general by the department. Appraisers shall be selected for the list, and their fees shall be negotiated in accordance with the standards established by part 14 of article 30 of title 24, C.R.S. The adjutant general, by and with the advice and approval of the governor, is authorized to lease any property belonging to the department when it is not needed for the immediate use of the department. All conveyances which are required for the purpose of this section shall be executed by the governor under the seal of the state, and the proceeds of all sales, trades, or other disposition shall be placed in an account to be invested by the state treasurer as provided in section 24-36-113, C.R.S. Any interest earned on the investment or deposit of such proceeds shall remain in such account and shall not be credited to the general fund or any other fund of the state. Said proceeds and any interest thereon shall be disbursed by authority of the adjutant general, subject to appropriation by the general assembly, only for the construction, repair, improvement, acquisition, or costs of acquisition or sale of armories throughout the state. Costs of acquisition or sale shall include but need not be limited to appraisals, site surveys, environmental surveys, title work, property inspections, closing costs, legal fees, real estate fees, site preparation, or utility studies. Prior to disposing of any real property pursuant to the provisions of this paragraph (s), the adjutant general shall submit a report to the capital development committee which describes such real property, the maintenance costs related to such real property, the current value of such real property, any conditions or limitations which may restrict the use of such real property, and the terms of the proposed disposition of such real property. The capital development committee shall review any such report which is submitted to the capital development committee and shall provide recommendations to the adjutant general concerning the

Business,
Labor, &
Technology

proposed real property disposition within thirty days after the date of receipt of such report. The adjutant general shall not complete any such real property disposition without considering any recommendations of the capital development committee which are provided within such thirty-day period."

Renumber succeeding sections accordingly.

After consideration on the merits, the Committee recommends that **SB13-156** be **amended** as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 3, after line 3, insert:

"SECTION 3. In Colorado Revised Statutes, 12-61-903, **amend** (1) (a); and **repeal** (5.7), as follows:

12-61-903. License required - rules. (1) (a) ~~On or after August 5, 2009, unless licensed by the board, an individual shall not originate a mortgage, offer to originate a mortgage, act as a mortgage loan originator, or offer to act as a mortgage loan originator. On or after December 31, 2010, Unless licensed by the board and registered with the nationwide mortgage licensing system and registry as a state-licensed loan originator, an individual shall not originate or offer to originate a mortgage or act or offer to act as a mortgage loan originator.~~

~~(5.7) Any individual who obtains a license pursuant to this part 9 prior to January 1, 2010, shall furnish at least the following information concerning the individual's identity to the nationwide mortgage licensing system and registry:~~

~~(a) Fingerprints for submission to the federal bureau of investigation and any government agency or entity authorized to receive fingerprints for a state, national, or international criminal history record check; and~~

~~(b) Personal history and experience in a form prescribed by the nationwide mortgage licensing system and registry, including submission of authorization for the nationwide mortgage licensing system and registry to obtain:~~

~~(I) An independent credit report from the consumer reporting agency described in the federal "Fair Credit Reporting Act", 15 U.S.C. sec. 1681a (p); and~~

~~(II) Information related to any administrative, civil, or criminal findings by a government jurisdiction."~~

Renumber succeeding sections accordingly.

Page 3, line 4, strike "**amend**".

Page 3, line 5, strike "(1) (b);".

Page 3, strike lines 9 through 12.

Page 4, line 7, after "OF," insert "OR" and strike "TO, OR" and substitute "TO,".

Page 4, line 8, strike "ACCEPTED A DEFERRED JUDGMENT FOR,".

Page 4, line 14, after "OF," insert "OR".

Page 4, line 15, strike "OR ACCEPTED A DEFERRED JUDGMENT FOR,".

Page 5, strike lines 6 through 26.

Renumber succeeding sections accordingly.

Education	After consideration on the merits, the Committee recommends that SB13-139 be amended as follows, and as so amended, be referred to the Committee on <u>State, Veterans, & Military Affairs</u> with favorable recommendation.	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69
	Amend printed bill, page 2, line 4, strike "(2) (c.5)" and substitute "(1) (a.5), (3.3),".	
	Page 3, strike line 6 and substitute "COLORADO,".	
	Page 3, line 7, strike "BLENDED LEARNING OFFICE,".	
	Page 3, strike line 8 and substitute "to designate the mountain A BOCES".	
	Page 3, line 9, strike "LEARNING OFFICE".	
	Page 3, line 13, strike "BY" and substitute "IN CONSULTATION WITH".	
	Page 3, line 18, strike "THE" and substitute "CONTRACTING WITH".	
	Page 3, line 19, strike "ADDITIONAL".	
	Page 3, after line 23 add:	
	"(a.5) THE GENERAL ASSEMBLY ALSO FINDS THAT THE GOALS OF ON-LINE COURSES AND BLENDED LEARNING STRATEGIES ARE TO:	
	(I) EXPAND THE AVAILABILITY OF ON-LINE COURSES AND BLENDED LEARNING STRATEGIES;	
	(II) INCREASE THE NUMBER OF STUDENTS TAKING HIGH-QUALITY, EFFECTIVE, AND AFFORDABLE ON-LINE COURSES;	
	(III) ESTABLISH A PROGRAM TO WORK WITH SCHOOL DISTRICTS, CHARTER SCHOOLS, AND BOCES TO CREATE, OFFER, AND SUSTAIN THEIR OWN HIGH-QUALITY, EFFECTIVE, AND AFFORDABLE BLENDED LEARNING COURSES, AS WELL AS TARGETED PROFESSIONAL DEVELOPMENT AND MENTORING SUPPORT;	
	(IV) INCREASE THE CAPACITY OF EDUCATORS IN SCHOOL DISTRICTS, CHARTER SCHOOLS, AND BOCES TO UTILIZE STANDARDS, DATA, AND INTERVENTIONS IN REGULAR, ON-LINE, AND BLENDED LEARNING CLASSES; AND	
	(V) DOCUMENT AND SHARE BEST PRACTICES IN ON-LINE AND BLENDED LEARNING.".	
	Page 3, strike lines 24 through 27.	
	Page 4, line 4, strike "2014," and substitute "2015,".	
	Page 4, line 5, strike "SECOND" and substitute "THIRD" and strike "ON-LINE AND" and substitute "BOCES DESIGNATED PURSUANT TO SUBSECTION (4) OF THIS SECTION".	
	Page 4, line 6, strike "BLENDED LEARNING OFFICE".	
	Page 4, line 14, strike "DISTRICTS AND SCHOOLS" and substitute "DISTRICTS, CHARTER SCHOOLS, AND BOCES".	
	Page 4, strike lines 15 through 18 and substitute "LEARNING FOR STUDENTS. PROPOSALS RECEIVED IN RESPONSE TO THE REQUEST FOR PROPOSALS MUST BE REVIEWED BY A COMMITTEE CONSISTING OF A REPRESENTATIVE FROM THE DESIGNATED BOCES; A REPRESENTATIVE FROM THE OFFICE IN THE DEPARTMENT RESPONSIBLE FOR ON-LINE AND BLENDED LEARNING; A NATIONAL EXPERT IN ON-LINE AND BLENDED LEARNING, TO BE SELECTED BY THE DESIGNATED BOCES AND THE DEPARTMENT; AN ADMINISTRATOR FROM AN ALTERNATIVE EDUCATION CAMPUS SCHOOL, TO BE SELECTED BY THE DESIGNATED BOCES AND THE DEPARTMENT; AND AN ADMINISTRATOR FROM A SCHOOL THAT PURCHASES ON-LINE OR BLENDED SERVICES, TO BE SELECTED BY THE DESIGNATED BOCES AND THE DEPARTMENT. THE COMMITTEE MUST CONVENE AT LEAST NINETY DAYS PRIOR TO THE RELEASE OF THE REQUEST	

FOR PROPOSALS. THE COMMITTEE SHALL REVIEW ALL PROPOSALS USING AN ESTABLISHED RUBRIC AND SHALL RECOMMEND ONE OR MORE PROVIDERS FOR APPROVAL TO THE BOCES DESIGNATED PURSUANT TO SUBSECTION (4) OF THIS SECTION. IF THE DESIGNATED BOCES CHOOSES NOT TO FOLLOW THE RECOMMENDATIONS OF THE COMMITTEE CONCERNING ANY PROVIDER, IT SHALL PROVIDE THE COMMITTEE WITH A WRITTEN EXPLANATION OF ITS RATIONALE FOR SO DOING."

Page 4, after line 24 insert:

"(3.3) SUPPLEMENTAL ON-LINE EDUCATION COURSES MUST BE PROVIDED TO A PURCHASING SCHOOL DISTRICT, CHARTER SCHOOL, OR BOCES AT AN AFFORDABLE COST FOR HIGH-QUALITY, ACCREDITED COURSES WITH LOCAL SUPPORT."

Page 4, line 25, strike "MUST BE" and substitute "MAY".

Page 4, line 26, strike "PROVIDED THE OPPORTUNITY TO".

Page 4, line 27, strike "A SCHOOL DISTRICT, CHARTER SCHOOL, OR".

Page 5, line 1, strike "BOCES CONTRACTING WITH A" and substitute "THE".

Page 5, line 2, strike "DEPARTMENT" and substitute "BOCES DESIGNATED PURSUANT TO SUBSECTION (4) OF THIS SECTION".

Page 5, line 3, strike "DEPARTMENT" and substitute "BOCES DESIGNATED PURSUANT TO SUBSECTION (4) OF THIS SECTION".

Page 5, line 5, after the period add "THE BOCES DESIGNATED PURSUANT TO SUBSECTION (4) OF THIS SECTION SHALL ANNUALLY COLLECT DATA RELATED TO COMPLETION AND PASSAGE RATES FROM ANY NONPROFIT PROVIDERS SELECTED TO PROVIDE ON-LINE AND BLENDED LEARNING AND REPORT THAT DATA TO THE DEPARTMENT."

Page 5, line 7, strike "the ~~mountain~~ BOCES ON-LINE" and substitute "the ~~mountain~~ A BOCES".

Page 5, line 8, strike "AND BLENDED LEARNING OFFICE" and substitute "DESIGNATED, IN CONSULTATION WITH THE STATEWIDE ASSOCIATION OF BOCES,".

Page 5, line 10, strike "~~mountain~~ BOCES DEPARTMENT" and substitute "~~mountain~~ DESIGNATED BOCES".

Page 5, line 13, strike "2008 2014," and substitute "2008,".

Page 5, strike line 14 and substitute "15 each year thereafter, the ~~mountain~~ DESIGNATED BOCES".

Page 5, line 15, strike "LEARNING OFFICE".

Page 5, line 24, after "A" insert "NONPROFIT" and strike "CONTRACTED" and substitute "WITH WHICH THE BOCES DESIGNATED PURSUANT TO SUBSECTION (4) OF THIS SECTION CONTRACTED;".

Page 5, strike line 25.

Page 5, line 26, strike "to the" and substitute "to the".

Page 5, strike line 27 and substitute "~~mountain~~ BOCES pursuant to".

Page 6, line 1, before "this" insert "SUBSECTION (4) OF" and strike "the" and substitute "the".

Page 6, line 2, strike "BOCES SAID OFFICE" and substitute "DESIGNATED BOCES".

	Page 6, strike lines 3 through 16.	1
	Renumber succeeding section accordingly.	2
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Health & Human Services	After consideration on the merits, the Committee recommends that SB13-163 be referred to the Committee of the Whole with favorable recommendation.	6
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Health & Human Services	After consideration on the merits, the Committee recommends that SB13-148 be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	11
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Health & Human Services	After consideration on the merits, the Committee recommends that SB13-166 be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	16
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State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that HB13-1008 be referred to the Committee of the Whole with favorable recommendation.	21
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	SENATE SERVICES REPORT	28
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		30
	Correctly Engrossed: SB13-008, 027, 039, 081, 091, 108, 153 and 174; SJR13-014.	31
		32
	Correctly Reengrossed: SB13-074, 152 and 160.	33
	Correctly Rerevised: HB13-1014, 1029, 1034 and 1076.	34
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	CHANGE IN SPONSORSHIP	39
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	Upon announcement of President Morse, Senator King was added as a Senate joint prime sponsor, and Representative Stephens was added as a House joint prime sponsor, on SJR13-015.	41
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	On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of Resolutions.	48
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	CONSIDERATION OF RESOLUTIONS	55
		56
SJR13-015	by Senator(s) Kefalas and King; also Representative(s) McCann and Stephens--Concerning the need to address human trafficking in the state of Colorado.	57
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	On motion of Senator Kefalas, the resolution was read at length and adopted by the following roll call vote:	60
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		64

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	E	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Brophy, Cadman, Carroll, Crowder, Giron, Grantham, Guzman, Harvey, Heath, Hill, Hodge, Hudak, Jahn, Johnston, Jones, Kerr, King, Lambert, Lundberg, Marble, Morse, Newell, Nicholson, Renfroe, Roberts, Scheffel, Schwartz, Steadman, Tochtrop, Todd and Ulibarri.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for an expression of personal privilege.

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:

SB13-081 by Senator(s) Hudak; also Representative(s) Young, Hamner, Priola, Tyler, Williams A.-- Concerning vehicle registration.

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

YES	22	NO	12	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	E	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Todd.

SB13-039 by Senator(s) Aguilar; also Representative(s) McCann--Concerning the regulation of audiologists.

Laid over until Friday, February 22, retaining its place on the calendar.

SB13-008 by Senator(s) Newell; also Representative(s) McCann--Concerning elimination of the waiting period for children's eligibility under the children's basic health plan.

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

YES	22	NO	12	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	E	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Aguilar, Carroll, Giron, Guzman, Heath, Hodge, Hudak, Jones, Kefalas, Kerr, Morse, Nicholson, Schwartz, Steadman, Tochtrop, Todd and Ulibarri.

SB13-091 by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou-- Concerning a supplemental appropriation to the department of human services.

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

YES	21	NO	13	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	E	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	Y	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Aguilar, Giron, Kefalas, Nicholson and Todd.

SB13-108 by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Gerou, Duran, Levy-- Concerning adjustments in the amount of total program funding for public schools for the 2012-13 budget year, and, in connection therewith, making an appropriation.

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

YES	27	NO	7	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	E	Harvey	Y	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	N	Lambert	Y	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Aguilar, Giron, Guzman, Heath, Hudak, Johnston, Jones, Kefalas, Kerr, Morse, Nicholson, Schwartz, Todd and Ulibarri.

SB13-153 by Senator(s) Giron, Jones, Schwartz; also Representative(s) Schafer and Vigil--
Concerning continuation of the interagency farm-to-school coordination task force.

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

YES	21	NO	13	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	E	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Kefalas and Todd.

SB13-174 by Senator(s) Schwartz, Giron, Jones; also Representative(s) Lebsock--Concerning the
continuation of the Colorado food systems advisory council.

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

YES	22	NO	12	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	E	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Carroll, Guzman, Heath, Kefalas, Tochtrop and Todd.

SB13-027 by Senator(s) Todd; also Representative(s) Priola--Concerning the provision of parking
facilities by third parties at or near regional transportation district mass transit stations.

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

YES	24	NO	10	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	E	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Heath and Nicholson.

RECONSIDERATION OF SB13-091

SB13-091
by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou--
Concerning a supplemental appropriation to the department of human services.

Having voted on the prevailing side, Majority Leader Carroll moved for reconsideration of the last Senate action, Third Reading of Bills -- Final Passage, on SB13-091.

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

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

SB13-091
by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou--
Concerning a supplemental appropriation to the department of human services.

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

YES	23	NO	11	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	E	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	N	Lambert	Y	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Guzman and Newell.

Committee of the Whole
On motion of Senator Baumgardner, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Baumgardner was called to the Chair to act as Chairman.

GENERAL ORDERS -- SECOND READING OF BILLS --
CONSENT CALENDAR

The Committee of the Whole having risen, the Chairman reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB13-113
by Senator(s) Hodge, Steadman, Lambert; also Representative(s) Levy, Duran, Gerou--
Concerning the natural resource damage recovery fund.

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

- SB13-007

by Senator(s) Morse; also Representative(s) Waller--Concerning the repeal date of the Colorado commission on criminal and juvenile justice, and, in connection therewith, making an appropriation.
- Amendment No. 1, Judiciary Committee Amendment.

(Printed in Senate Journal, February 20, page(s) 251 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.
- SB13-177

by Senator(s) Lambert, Hodge, Steadman; also Representative(s) Gerou, Duran, Levy--Concerning changes to juvenile corrections programs resulting in cost reductions, and, in connection therewith, reducing the juvenile detention bed cap, reducing the appropriation for commitment beds and assessment services, and making an appropriation for transportation.
- Ordered engrossed and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE --
CONSENT CALENDAR

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	E	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB13-113, SB13-007 as amended, SB13-177.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the General Orders -- Second Reading of Bills Calendar (SB13-053, SB13-026) of Thursday, February 21 was laid over until Friday, February 22, retaining its place on the calendar.

MESSAGE FROM THE GOVERNOR

Appointment Letters of designation and appointment from Governor John W. Hickenlooper were read and assigned to committees as follows:

February 14, 2013

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

Ladies and Gentlemen:

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

MEMBERS OF THE
STATE BOARD OF PAROLE

for a term expiring July 1, 2013:

Brandon Cary Shaffer of Longmont, Colorado, to fill the vacancy occasioned by the resignation of Patricia Ann Waak of Erie, Colorado, and to serve as a citizen representative, appointed;

further, for a term expiring July 1, 2016:

Brandon Cary Shaffer of Longmont, Colorado, to serve as a citizen representative, reappointed;

effective April 15, 2013, for a term expiring July 1, 2013:

Joe Martin Morales of Silverthorne, Colorado, to fill the vacancy occasioned by the resignation of Mike Anderson of Denver, Colorado and to serve as a law enforcement representative, appointed;

further, for a term expiring July 1, 2016:

Joe Martin Morales of Silverthorne, Colorado, to serve as a law enforcement representative, reappointed;

further, effective immediately for a term expiring at the pleasure of the Governor:

Brandon Cary Shaffer of Longmont, Colorado, to serve as Vice Chairperson of the State Board of Parole, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 2/14/2013
Cindi L. Markwell, Secretary of the Senate

Committee on Judiciary

February 7, 2013

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

Ladies and Gentlemen:

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

MEMBERS OF THE
STATE BOARD OF HUMAN SERVICES

for terms expiring March 1, 2015:

Honorable Connie McLain of Black Hawk, Colorado to serve as a county commissioner, and occasioned by the resignation of the Honorable Dave Long of New Raymer, Colorado, appointed;

Honorable David Allen Foy of Otis, Colorado to serve as a county commissioner, and occasioned by the resignation of the Honorable Samuel Pace of Crestone, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 2/7/2013
Cindi L. Markwell, Secretary of the Senate

Committee on Health and Human Services

February 8, 2013

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

Ladies and Gentlemen:

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

MEMBERS OF THE
MINED LAND RECLAMATION BOARD

effective March 1, 2013, for terms expiring March 1, 2017:

Forrest Von Luke of Craig, Colorado, an individual with substantial experience in the mining industry, appointed;

Jill Heeringa Van Noord of Boulder, Colorado, an individual with substantial experience in conservation, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 2/13/2013
Cindi L. Markwell, Secretary of the Senate

Committee on Agriculture, Natural Resources, and Energy

February 11, 2013

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

Ladies and Gentlemen:

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

MEMBERS OF THE
COLORADO WATER CONSERVATION BOARD

for terms expiring February 12, 2016:

James R.L. "Jay" Gallagher of Steamboat Springs, Colorado, to serve as a representative from the Yampa-White drainage basin and as a Democrat, appointed;

Patricia Wells of Denver, Colorado, to serve as a representative from the City and County of Denver and as a Democrat, appointed;

Russ George of Grand Junction, Colorado to serve as a representative from the main Colorado drainage basin and as a Republican, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 2/13/2013
Cindi L. Markwell, Secretary of the Senate

Committee on Agriculture, Natural Resources, and Energy

On motion of Majority Leader Carroll, the Senate adjourned until 9:00 a.m., Friday, February 22, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

45th Legislative Day Friday, February 22, 2013

Prayer By the chaplain, Rabbi Yossi Serebryanski, Chabad of South Denver.

Call to Order By the President at 9:00 a.m.

Pledge By Senator Kerr.

Roll Call Present--35

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Baumgardner, reading of the Journal of Thursday, February 21, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Judiciary After consideration on the merits, the Committee recommends that SB13-111 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 3, line 8, strike "laws;" and substitute "laws and provide for criminal penalties for mandatory reporters who fail to report, provided however there shall not be civil liability for damages proximately caused by a failure to report such as those allowed under section 19-3-304 (4), Colorado Revised Statutes;".

Page 6, line 22, after "MEMBERS;" insert "EXCEPT THAT THE REPORTING REQUIREMENT DESCRIBED IN PARAGRAPH (a) OF THIS SUBSECTION (1) SHALL NOT APPLY TO A PERSON WHO ACQUIRES REASONABLE CAUSE TO BELIEVE THAT AN AT-RISK ELDER HAS BEEN MISTREATED OR HAS BEEN EXPLOITED OR IS AT IMMINENT RISK OF MISTREATMENT OR EXPLOITATION DURING A COMMUNICATION ABOUT WHICH THE PERSON MAY NOT BE EXAMINED AS A WITNESS PURSUANT TO SECTION 13-90-107 (1) (c), C.R.S., UNLESS THE PERSON ALSO ACQUIRES SUCH REASONABLE CAUSE FROM A SOURCE OTHER THAN SUCH A COMMUNICATION;".

Page 7, line 4, strike "OR EMPLOYEE OF OR" and substitute "EMPLOYEE,".

Page 7, line 5, strike "VOLUNTEER".

Page 7, line 8, after "WHO" insert "WILLFULLY".

Page 7, after line 10 insert:
"(d) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (a) OF THIS SUBSECTION (1), A PERSON DESCRIBED IN PARAGRAPH (b) OF THIS SUBSECTION (1) IS NOT REQUIRED TO REPORT THE ABUSE OR EXPLOITATION OF AN AT-RISK ELDER IF THE PERSON KNOWS THAT ANOTHER PERSON HAS ALREADY REPORTED TO A LAW ENFORCEMENT AGENCY THE SAME ABUSE OR EXPLOITATION THAT WOULD HAVE BEEN THE BASIS OF THE PERSON'S OWN REPORT.".

Page 7, line 12, strike "MISTREATMENT" and substitute "EXPLOITATION".

	Page 7, line 22, strike "CRIMINAL ALLEGATIONS, INCLUDING THE".	1
		2
	Page 8, line 17, strike "A RELATED CIVIL ACTION FOR DAMAGES" and substitute "SUIT AND LIABILITY FOR DAMAGES IN ANY CIVIL ACTION".	3
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	Page 9, strike lines 2 and 3 and substitute "SECTION SHALL NOT BE INTERPRETED AS CREATING A CIVIL DUTY OF CARE OR ESTABLISHING A CIVIL STANDARD OF CARE".	6
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	Page 9, line 12, after "THE" insert "NONACCIDENTAL".	10
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	Page 12, strike lines 26 and 27 and substitute "OF MIND, NEEDINESS, PAIN, OR AGONY.".	12
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	Page 13, strike lines 1 and 2.	15
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	Page 18, line 7, strike "H.B. 13-____," and substitute "S.B. 13-111,".	17
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Health & Human Services	After consideration on the merits, the Committee recommends that HB13-1063 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	20
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Health & Human Services	After consideration on the merits, the Committee recommends that HB13-1055 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	25
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Health & Human Services	After consideration on the merits, the Committee recommends that SB13-172 be amended as follows, and as so amended, be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	30
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	Amend printed bill, page 3, line 10, after " amend " insert "(1) and".	35
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	Page 3, after line 13 insert:	37
		38
	"(1) "Acupuncture" means a system of health care based upon traditional AND MODERN oriental medical concepts that employs oriental methods of diagnosis, treatment, and adjunctive therapies for the promotion, maintenance, and restoration of health and the prevention of disease.".	39
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	Page 3, line 21, strike "IS defined by" and substitute " defined by IS BASED UPON".	45
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	Page 3, line 22, after "traditional" insert "AND MODERN".	48
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	Page 4, line 4, strike "MEDICINE," and substitute "MEDICINE;".	50
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	Page 4, line 5, strike "SURGERY," and substitute "SURGERY; SPINAL ADJUSTMENT, MANIPULATION, OR MOBILIZATION;".	52
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Health & Human Services	After consideration on the merits, the Committee recommends that HB13-1087 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	56
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	Amend reengrossed bill, page 2, strike lines 13 through 16 and substitute "representative of the counties in the state. If a statewide association of counties does not appoint a representative A REPRESENTATIVE from the county that has the greatest percentage of the state's child welfare caseload the state department shall appoint such a representative from such county WILL AUTOMATICALLY BE APPOINTED, WHICH".	61
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Page 3, strike lines 5 through 8 and substitute "counties in the state. ~~If a statewide association of counties does not appoint~~ A representative from the county that has the greatest percentage of the state's works caseload ~~the state department shall appoint such a representative from such county~~ WILL AUTOMATICALLY BE APPOINTED, WHICH APPOINTMENT SHALL BE".

Education

The Committee on Education has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

MEMBERS OF THE
STATE BOARD FOR COMMUNITY COLLEGES
AND OCCUPATIONAL EDUCATION

for a term expiring December 31, 2013:

Jean K. White of Hayden, Colorado, a Republican and a resident of the 3rd Congressional District and occasioned by the resignation of Ruth Ann Woods of South Fork, Colorado, an Unaffiliated and a resident of the 3rd Congressional District, appointed;

for terms expiring December 31, 2016:

Maury C. Dobbie of Fort Collins, Colorado, a Republican and a resident of the 2nd Congressional District, reappointed;

Russell Joseph Meyer of Parker, Colorado, a Democrat and a resident of the 4th Congressional District, appointed.

Education

The Committee on Education has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

MEMBERS OF THE
BOARD OF TRUSTEES OF METROPOLITAN
STATE UNIVERSITY OF DENVER

effective January 1, 2013, for terms expiring December 31, 2016:

William H. Hanzlik of Greenwood Village, Colorado, a Republican, reappointed;

John Paul Pogge of Greenwood Village, Colorado, an Unaffiliated, reappointed.

Education

The Committee on Education has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

MEMBERS OF THE
PRIVATE OCCUPATIONAL SCHOOL BOARD

effective June 30, 2012, for a term expiring July 1, 2014;

Arlene Rae Malay of Denver, Colorado to serve as a representative of a private occupational school, appointed;

effective June 30, 2012, for a term expiring July 1, 2015;

Jennifer Lynn Sprague of Thornton, Colorado to serve as a representative of a private occupational school, appointed;

effective June 30, 2012, for a term expiring July 1, 2016:

Steven W. Steele of Fort Collins, Colorado to serve as a representative of a private occupational school, appointed.

Education	<p>The Committee on <u>Education</u> has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:</p> <p style="text-align: center;"><u>MEMBERS OF THE BOARD OF TRUSTEES FOR WESTERN STATE COLORADO UNIVERSITY</u></p> <p>for terms expiring December 31, 2016:</p> <p>Meyer M. Saltzman of Denver, Colorado, a Republican, reappointed;</p> <p>Nancy Ellen Chisholm of Lakewood, Colorado, a Republican, appointed.</p>	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15
Education	<p>After consideration on the merits, the Committee recommends that HB13-1026 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.</p>	16 17 18 19
Appropriations	<p>After consideration on the merits, the Committee recommends that SB13-079 be referred to the Committee of the Whole with favorable recommendation.</p>	20 21 22 23
Appropriations	<p>After consideration on the merits, the Committee recommends that HB13-1035 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.</p>	24 25 26 27 28
Appropriations	<p>After consideration on the merits, the Committee recommends that SB13-050 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.</p> <p>Amend printed bill, page 6, after line 24 insert:</p> <p>"SECTION 6. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the recycling resources economic opportunity fund created in section 25-16.5-106.5 (1), Colorado Revised Statutes, not otherwise appropriated, to the department of public health and environment, for the fiscal year beginning July 1, 2013, the sum of \$204,593, or so much thereof as may be necessary, for allocation to the recycling resources economic opportunity program related to the implementation of this act."</p> <p>Renumber succeeding section accordingly.</p> <p>Page 1, line 107, strike "AND REMOVING OBSOLETE PROVISIONS." and substitute "REMOVING OBSOLETE PROVISIONS, AND MAKING AN APPROPRIATION."</p>	29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52
Appropriations	<p>After consideration on the merits, the Committee recommends that SB13-129 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.</p> <p>Amend printed bill, page 5, after line 15 insert:</p> <p>"SECTION 6. Appropriation to the legislative department for the fiscal year beginning July 1, 2012. In Session Laws of Colorado 2012, chapter 283 (HB 12-1301), amend section 1 as follows:</p> <p>Section 1. Appropriation. In addition to any other appropriation, there is hereby appropriated, to the legislative department of the state of Colorado, the sum of \$34,326,736, \$34,320,236, or so much thereof as may be necessary, of which amount \$33,237,355 shall be out of any moneys in the general fund not otherwise appropriated, \$179,065 shall</p>	53 54 55 56 57 58 59 60 61 62 63 64 65 66 67

be from cash funds, and ~~\$910,316~~ \$903,816 shall be from reappropriated funds, for payment of the expenses of the legislative department for the fiscal year beginning July 1, 2012, to be allocated as follows:

General assembly	\$ 11,783,625 ^{1/}	1
	(66.0 FTE)	2
State auditor	7,963,562 ^{2/}	3
	7,957,062 ^{2/}	4
	(68.0 FTE)	5
Joint budget committee	1,480,365	6
	(16.0 FTE)	7
Legislative council	6,606,338	8
	(68.0 FTE)	9
Committee on legal services	5,235,260 ^{3/}	10
	(53.0 FTE)	11
PERA Amortization Equalization Disbursement	677,848	12
PERA Supplemental Amortization Equalization Disbursement	579,738	13
Total legislative department	\$ 34,326,736	14

^{1/} Of this amount, \$90,000 is appropriated out of cash funds generated by the sale of bill boxes, legislative directories, and publications and other services provided by the print shop, \$3,816 is appropriated out of reappropriated funds from the methamphetamine abuse prevention, intervention, and treatment cash fund created in section 18-18.5-105 (1) (a), Colorado Revised Statutes, and \$11,689,809 is appropriated out of the general fund.

^{2/} Of this amount, \$6,967,997 is appropriated out of the general fund, ~~\$906,500~~ \$900,000 is appropriated out of reappropriated funds received from various departments for audits, and \$89,065 is appropriated out of cash funds received pursuant to section 2-3-113 (7), Colorado Revised Statutes.

^{3/} In addition, it is anticipated that, during the 2012-13 fiscal year, the tax levy on civil actions provided for in section 2-5-119, Colorado Revised Statutes, will return approximately \$326,000 to the general fund to offset expenses of the revision of statutes by the office of legislative legal services.

		APPROPRIATION FROM					
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	SECTION 7. Appropriation to the department of public safety for the fiscal year beginning July 1, 2012. In Session Laws of Colorado 2012, section 2 of chapter 305,						
2	(HB 12-1335), amend Part XVII (2) and the affected totals, as the said Part XVII (2) and the affected totals are amended by section 1 of Senate Bill 13-101, as follows:						
3							
4	Section 2. Appropriations.						
5							
6	PART XVII						
7	DEPARTMENT OF PUBLIC SAFETY						
8							
9	(2) COLORADO STATE PATROL						
10	Colonel, Lt. Colonels,						
11	Majors, and Captains	3,974,328	79,007		3,895,321 ^a		
12			(1.0 FTE)		(33.0 FTE)		
13	Sergeants, Technicians, and						
14	Troopers	49,087,606	1,333,464		46,134,077 ^b	1,620,065 ^c	
15			(18.0 FTE)		(576.0 FTE)	(21.6 FTE)	
16	Civilians	4,384,890	42,864		4,275,817 ^d	66,209 ^c	
17			(1.0 FTE)		(76.5 FTE)	(1.0 FTE)	
18	Retirements	400,000			400,000 ^a		
19	Overtime	1,403,815			1,378,553 ^d	25,262 ^c	
20	Operating Expenses	12,874,642	462,528		12,158,213 ^d	253,901 ^c	
21	Information Technology						
22	Asset Maintenance	2,843,020			2,843,020 ^a		
23	Vehicle Lease Payments	7,018,665	180,862		6,536,593 ^e	187,452 ^f	113,758(I)
24	Communications Program	7,462,168			6,624,254 ^e	818,173 ^g	19,741(I)
25					(127.1 FTE)	(9.0 FTE)	
26	State Patrol Training						
27	Academy	2,370,021			1,882,550 ^h	487,471 ⁱ	
28					(17.0 FTE)		

			APPROPRIATION FROM				
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Safety and Law						
2	Enforcement Support	3,473,679			1,012,512 ^j	2,461,167 ^k	
3						(4.0 FTE)	
4	Aircraft Program	727,859			536,509 ^l	191,350 ^m	
5					(4.5 FTE)	(1.5 FTE)	
6	Executive and Capitol						
7	Complex Security Program	3,944,613	2,697,904			1,246,709 ⁿ	
8			(41.0 FTE)			(20.0 FTE)	
9	Hazardous Materials Safety						
10	Program	1,135,380			1,135,380 ^o		
11					(12.0 FTE)		
12	Automobile Theft						
13	Prevention Authority	5,333,420			5,333,420^p		
14		5,326,920			5,326,920 ^p		
15					(3.0 FTE)		
16	Victim Assistance	651,246			197,000 ^q	280,320 ^r	173,926(I)
17						(5.0 FTE)	(1.8 FTE)
18	Counter-drug Program	4,000,000			4,000,000 ^s		
19	Motor Carrier Safety and						
20	Assistance Program Grants	3,724,074			326,607 ^a		3,397,467(I)
21							(32.0 FTE)
22	Federal Safety Grants	1,073,045					1,073,045(I)
23							(2.0 FTE)
24	Indirect Cost Assessment	<u>8,213,058</u>			7,431,058 ^t	473,359 ^u	308,641(I)
25		124,095,529					
26		124,089,029					
27							

^a These amounts shall be from the Highway Users Tax Fund created in Section 43-4-201 (1) (a), C.R.S.

^b Of this amount, \$45,174,276 shall be from the Highway Users Tax Fund created in Section 43-4-201 (1) (a), C.R.S., \$870,944 shall be from the E-470 Toll Road Authority, \$35,644 shall be from the Vehicle Identification Number Inspection Fund created in Section 42-5-204 (2) (a), C.R.S., and \$53,213 shall be from various sources of cash funds.

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		APPROPRIATION FROM					
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
TOTALS PART XVII							
(PUBLIC SAFETY)		\$273,982,783	\$84,338,122		\$136,496,137 ^a	\$25,083,490	\$28,065,034 ^b
		<u>\$273,976,283</u>			<u>\$136,489,637</u> ^a		

^a Of this amount, \$105,755,507 is from the Highway Users Tax Fund pursuant to Section 43-4-201 (3) (a) (III) (C), C.R.S.

^b This amount contains an (I) notation."

	Renumber succeeding section accordingly.	1
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	Page 1, line 103, strike "OBLIGATIONS." and substitute "OBLIGATIONS,	3
	AND, IN CONNECTION THEREWITH, REDUCING AN APPROPRIATION.".	4
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Appropriations	After consideration on the merits, the Committee recommends that SB13-146 be amended	7
	as follows, and as so amended, be referred to the Committee of the Whole with favorable	8
	recommendation and with a recommendation that it be placed on the Consent Calendar.	9
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	Amend printed bill, page 7, after line 4 insert:	12
		13
	"SECTION 5. Appropriation - adjustments to 2013 long bill.	14
	(1) For the implementation of this act, appropriations made in the annual	15
	general appropriation act to the department of local affairs for the fiscal	16
	year beginning July 1, 2013, are adjusted as follows:	17
	(a) The general fund appropriation for the property taxation	18
	division, board of assessment appeals, is decreased by \$240,000.	19
	(2) In addition to any other appropriation, there is hereby	20
	appropriated, out of any moneys in the board of assessment appeals cash	21
	fund created in section 39-2-125 (1) (h), Colorado Revised Statutes, not	22
	otherwise appropriated, to the department of local affairs, for the fiscal	23
	year beginning July 1, 2013, the sum of \$240,000, or so much thereof as	24
	may be necessary, to be allocated to the property taxation division for the	25
	board of assessment appeals related to the implementation of this act.".	26
		27
	Renumber succeeding sections accordingly.	28
		29
	Page 1, line 102, strike "AFFAIRS." and substitute "AFFAIRS, AND, IN	30
	CONNECTION THEREWITH, MAKING AND REDUCING AN	31
	APPROPRIATION.".	32
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Appropriations	After consideration on the merits, the Committee recommends that SB13-167 be amended	35
	as follows, and as so amended, be referred to the Committee of the Whole with favorable	36
	recommendation.	37
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	Amend printed bill, page 27, before line 1 insert:	39
		40
	"SECTION 13. Appropriation - adjustments to 2013 long bill.	41
	(1) For the implementation of this act, appropriations made in the annual	42
	general appropriation act to the department of health care policy and	43
	financing for the fiscal year beginning July 1, 2013, are adjusted as	44
	follows:	45
	(a) The appropriation for the executive director's office, personal	46
	services, is increased by \$58,098 and 0.9 FTE. Of said sum, \$29,049 is	47
	from the service fee fund created in section 25.5-6-204 (1) (c) (II),	48
	Colorado Revised Statutes, and \$29,049 is from federal funds.	49
	(b) The appropriation for the executive director's office, operating	50
	expenses, is increased by \$870. Of said sum, \$435 is from the service fee	51
	fund created in section 25.5-6-204 (1) (c) (II), Colorado Revised Statutes,	52
	and \$435 is from federal funds.	53
	(c) The general fund appropriation for medical services premiums	54
	is decreased by \$85,984.	55
	(d) The appropriation for medical services premiums is increased	56
	by \$314,937. Of said sum, \$200,460 is from the service fee fund created	57
	in section 25.5-6-204 (1) (c) (II), Colorado Revised Statutes, and	58
	\$114,477 is from federal funds.	59
	(e) The general fund appropriation for the regional center	60
	provider fee is decreased by \$932,575.	61
	(f) The appropriation for the regional center provider fee is	62
	increased by \$2,799,708. Of said sum, \$1,866,142 is from the service fee	63
	fund created in section 25.5-6-204 (1) (c) (II), Colorado Revised Statutes,	64
	and \$933,566 is from federal funds.	65
	(2) In addition to any other appropriation, there is hereby	66
	appropriated to the department of human services, regional centers for	67
	people with developmental disabilities, for the fiscal year beginning July	68
	1, 2013, the sum of \$1,867,133, or so much thereof as may be necessary,	69
	for the intermediate care facility for individuals with intellectual	70

disabilities provider fee related to the implementation of this act. Said sum is from reappropriated funds received from the department of health care policy and financing out of the appropriation made in paragraph (f) of subsection (1) of this section.

SECTION 14. Effective date. (1) Except as otherwise provided in this section, this act takes effect upon passage.

(2) Sections 9 and 10 of this act take effect only if Senate Bill 13-91 does not become law.

(3) Sections 11 and 12 take effect only if Senate Bill 13-91 becomes law and take effect either upon the effective date of this act or Senate Bill 13-91, whichever is later."

Renumber succeeding section accordingly.

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

Finance After consideration on the merits, the Committee recommends that **HB13-1113** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Agriculture, Natural Resources, & Energy The Committee on Agriculture, Natural Resources, & Energy has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

**MEMBERS OF THE
COLORADO WATER RESOURCES
AND POWER DEVELOPMENT AUTHORITY**

for terms expiring October 1, 2016:

Gregory C. Fisher of Denver, Colorado, a resident from within the city and county of Denver who has experience in planning and development of water projects, reappointed;

Don C. Carlson of Loveland, Colorado, to serve as a representative of the South Plate Drainage Basin, and as a representative of water project financing, reappointed.

Agriculture, Natural Resources, & Energy The Committee on Agriculture, Natural Resources, & Energy has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

**MEMBERS OF THE
WATER QUALITY CONTROL COMMISSION**

for terms expiring February 15, 2015:

Mark Thomas Pifher of Colorado Springs, Colorado, and occasioned by the resignation of John L. Klomp of Pueblo, Colorado, appointed;

Mary Beth Fabisiak of Lakewood, Colorado, appointed;

Jon Slutsky of Wellington, Colorado, appointed;

for terms expiring February 15, 2016:

Andrew S. Todd of Denver, Colorado, reappointed;

Barbara J. Biggs of Denver, Colorado, appointed;

James Arthur Rada of Denver, Colorado, appointed.

Agriculture, Natural Resources, & Energy	After consideration on the merits, the Committee recommends that SB13-169 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	1
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Agriculture, Natural Resources, & Energy	After consideration on the merits, the Committee recommends that SB13-181 be amended as follows, and as so amended, be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	6
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	Amend printed bill, page 4, line 14, after "necessary," insert "in order to restore the unencumbered balance in the Colorado floodplain map modernization program to \$500,000,".	11
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	Page 5, line 13, after "Statutes," insert "for the fiscal year beginning July 1, 2013, in order to restore the unencumbered balance in the flood and drought response fund to \$300,000,".	15
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	Page 9, line 6, strike "2014," and substitute "2013,".	19
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	Page 13, strike line 13 and substitute "FOURTEEN million dollars on July JANUARY 1, 2014, FOURTEEN MILLION DOLLARS ON JUNE 30, 2014, AND TWENTY-NINE".	21
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SENATE SERVICES REPORT

Correctly Engrossed: SB13-007, 113 and 177; SJR13-015.
Correctly Reengrossed: SB13-008, 027, 081, 091, 108, 153 and 174.

MESSAGE FROM THE HOUSE

February 21, 2013
Mr. President:
The House has adopted and returns herewith SJR13-015.

INTRODUCTION OF BILLS -- FIRST READING

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

SB13-185	by Senator(s) Nicholson; --Concerning expansion of the types of activities that are eligible for grants under the tobacco education, prevention, and cessation grant program. State, Veterans, & Military Affairs	51
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SB13-186	by Senator(s) Tochtrop; also Representative(s) Pettersen--Concerning updating requirements for new building-integrated photovoltaic technologies. Business, Labor, & Technology	56
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SB13-187	by Senator(s) Carroll, Morse, Cadman; also Representative(s) Hullinghorst, Ferrandino, Waller--Concerning payment of expenses of the legislative department. Appropriations	61
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SB13-188	by Senator(s) Tochtrop and Schwartz; also Representative(s) Vigil--Concerning a program to give landowners a preference for hunting licenses to encourage hunting on private property. Agriculture, Natural Resources, & Energy	66
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- SB13-189** by Senator(s) Heath; --Concerning civil penalties imposed on motor carriers for legal violations.
Transportation
- SB13-190** by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Gerou, Duran, Levy--
Concerning the implementation of the Colorado financial reporting system modernization project.
Appropriations
- SB13-191** by Senator(s) Hodge; also Representative(s) Williams--Concerning the acquisition of rights-of-way by pipeline companies.
Local Government
- SB13-192** by Senator(s) Heath; --Concerning the ability of government agencies to extend the time permitted for action based on the results of fingerprint-based criminal history record checks.
Local Government
- HB13-1097** by Representative(s) Gardner; also Senator(s) Nicholson--Concerning the duties of coroners.
Local Government
- HB13-1103** by Representative(s) Scott, Fischer, Priola, Tyler, Williams; also Senator(s) Schwartz--
Concerning modifications to the public utility commission's oversight of rail fixed guideway system safety.
Transportation
- HB13-1126** by Representative(s) Wright; also Senator(s) Aguilar--Concerning statutorily established time intervals.
Judiciary
- HB13-1157** by Representative(s) McNulty, Priola, Gardner, Levy; also Senator(s) Giron--Concerning adoption of the 2012 "Uniform Commercial Code" article 4.5 amendments.
Business, Labor, & Technology
- HB13-1199** by Representative(s) Pettersen; also Senator(s) Kefalas--Concerning clarifications of the statute governing provider fees paid by nursing facilities.
Health & Human Services
- HB13-1203** by Representative(s) Rankin, Dore, Joshi, Sonnenberg; also Senator(s) Baumgardner--
Concerning the elimination of the requirement that a political subdivision provide certain reports on an annual basis.
Local Government
- SB13-193** by Senator(s) Hudak, Todd, Giron, Heath, Kerr, Ulibarri; also Representative(s) Kraft-Tharp--Concerning increasing parent engagement in public schools.
Education
- HB13-1185** by Representative(s) Gerou and Duran, Levy; also Senator(s) Steadman, Hodge, Lambert--
Concerning transfers made from the operational account of the severance tax trust fund for providing energy-related assistance to low-income households, and, in connection therewith, eliminating the payment schedule for each fund and equalizing distributions for the 2012-13 state fiscal year.
Appropriations

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:

SB13-113 by Senator(s) Hodge, Steadman, Lambert; also Representative(s) Levy, Duran, Gerou-- Concerning the natural resource damage recovery fund.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

SB13-007 by Senator(s) Morse; also Representative(s) Waller--Concerning the repeal date of the Colorado commission on criminal and juvenile justice, and, in connection therewith, making an appropriation.

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

YES	30	NO	5	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	N
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Aguilar, Carroll, Guzman, Heath, Hodge, Hudak, Kefalas, King, Newell, Roberts, Schwartz, Steadman, Tochtrop and Todd.

SB13-177 by Senator(s) Lambert, Hodge, Steadman; also Representative(s) Gerou, Duran, Levy-- Concerning changes to juvenile corrections programs resulting in cost reductions, and, in connection therewith, reducing the juvenile detention bed cap, reducing the appropriation for commitment beds and assessment services, and making an appropriation for transportation.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

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:

SB13-039 by Senator(s) Aguilar; also Representative(s) McCann--Concerning the regulation of audiologists.

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

Third Reading Amendment No. 1(L.002), by Senator Aguilar.

Amend engrossed bill, page 12, line 16, strike "DEFERRED JUDGMENT OR".

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

YES	26	NO	9	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	Y	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Guzman, Jones, Kefalas, Newell, Tochtrop and Todd.

Committee of the Whole On motion of Senator Schwartz, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Schwartz was called to the chair to act as Chairman.

GENERAL 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:

SB13-053 by Senator(s) Kerr; also Representative(s) Hamner--Concerning establishing a procedure between the department of education and the department of higher education that allows for the transfer of available student data relevant to the transition from high school to the postsecondary system.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, February 19, page(s) 265 and placed in members' bill files.)

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

SB13-026 by Senator(s) Carroll and Aguilar; also Representative(s) Primavera--Concerning expansion of the "Michael Skolnik Medical Transparency Act of 2010" to require additional health care providers to disclose information about their practice history, and, in connection therewith, making an appropriation.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, January 31, page(s) 96 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, February 19, page(s) 265-266 and placed in members' bill files.)

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

SB13-077 by Senator(s) Roberts; --Concerning certain provisions of the Colorado probate code.

Laid over until Monday, February 25, retaining its place on the calendar.

SB13-033 by Senator(s) Giron and Johnston, Aguilar, Guzman, Ulibarri, Steadman, Carroll, Heath, Hodge, Hudak, Morse, Nicholson, Schwartz, Todd; also Representative(s) Duran and Williams, Salazar, Moreno, Garcia, Vigil, Pabon, Buckner, Exum, Fields, Foote, Kraft-Tharp, Lebsock, McCann, Melton, Peniston, Rosenthal, Ryden, Singer--Concerning in-state classification at institutions of higher education for students who complete high school in Colorado.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, February 15, page(s) 251-252 and placed in members' bill files.)

Amendment No. 2(L.010), by Senator Steadman.

Amend the Appropriations Committee Report, dated February 15, 2013, page 1, line 3, strike "determines" and substitute "determines,".

Page 1, line 12, after "up" insert "to".

Page 1, line 21, strike "and".

Page 2, line 3, strike "process." and substitute "process;".

Page 2, line 12, strike "bill." and substitute "act.".

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.)

SB13-083 by Senator(s) Roberts and Nicholson; also Representative(s) Gerou and Levy--Concerning the creation of a prescribed burning program under the division of fire prevention and control in the department of public safety, and, in connection therewith, specifying the powers and duties of the division and its director with respect to that program.

Laid over until Monday, February 25, retaining its place on the calendar.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

SB13-033 by Senator(s) Giron and Johnston, Aguilar, Guzman, Ulibarri, Steadman, Carroll, Heath, Hodge, Hudak, Morse, Nicholson, Schwartz, Todd; also Representative(s) Duran and Williams, Salazar, Moreno, Garcia, Vigil, Pabon, Buckner, Exum, Fields, Foote, Kraft-Tharp, Lebsock, McCann, Melton, Peniston, Rosenthal, Ryden, Singer--Concerning in-state classification at institutions of higher education for students who complete high school in Colorado.

Senators Lambert, Harvey, Renfroe, Cadman, and Scheffel moved to amend the Report of the Committee of the Whole to show that the Appropriations Committee amendment to SB13-033, as amended, did not 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	15	NO	20	EXCUSED	0	ABSENT	0
Aguilar	N	Guzman	N	Kefalas	N	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	N	Scheffel	Y
Baumgardner	Y	Heath	N	King	Y	Schwartz	N
Brophy	Y	Hill	Y	Lambert	Y	Steadman	N
Cadman	Y	Hodge	N	Lundberg	Y	Tochtrop	N
Carroll	N	Hudak	N	Marble	Y	Todd	N
Crowder	Y	Jahn	N	Newell	N	Ulibarri	N
Giron	N	Johnston	N	Nicholson	N	President	N
Grantham	Y	Jones	N	Renfroe	Y		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

YES	26	NO	9	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB13-053 as amended, SB13-026 as amended, SB13-033 as amended.

Laid over until Monday, February 25: SB13-077, SB13-083.

MESSAGE FROM THE HOUSE

February 22, 2013

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1158.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1081, amended as printed in House Journal, February 21, pages 337-338.

HB13-1074, amended as printed in House Journal, February 21, pages 365-366.

HB13-1117, amended as printed in House Journal, February 21, page 366.

HB13-1145, amended as printed in House Journal, February 21, page 366.

The House has passed on Third Reading and returns herewith SB13-114, 115, 133.

MESSAGE FROM THE REVISOR OF STATUTES

February 22, 2013

We herewith transmit:

Without comment, as amended, HB13-1081, 1074, 1117, 1145, and 1158.

On motion of Majority Leader Carroll, the Senate adjourned until 10:00 a.m., Monday, February 25, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

48th Legislative Day Monday, February 25, 2013

Prayer By Senator Lundberg.

Call to Order By the President at 10:00 a.m.

Pledge By Senator Crowder.

Roll Call Present--33
Excused--2, Heath, Roberts.
Present later--2, Heath, Roberts.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Crowder, reading of the Journal of Friday, February 22, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Printed: SB13-185, 186, 187, 188, 189, 190, 191, 192 and 193.
Correctly Engrossed: SB13-026, 033 and 053.
Correctly Reengrossed: SB13-007, 039, 113 and 177.

Call of the Senate. Call raised.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for consideration of General Orders -- Second Reading of Bills -- Consent Calendar.

Committee of the Whole On motion of Senator Hudak, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Hudak was called to the Chair to act as Chairman.

GENERAL ORDERS -- SECOND READING OF BILLS --
CONSENT CALENDAR

The Committee of the Whole having risen, the Chairman reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB13-1051 by Representative(s) Pabon, Court, Duran, Ferrandino, Labuda, McCann, Rosenthal, Williams; also Senator(s) Guzman, Steadman--Concerning the public trustee for the city and county of Denver.

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

HB13-1010
by Representative(s) Vigil; also Senator(s) Jones--Concerning the elimination of restrictions for the procurement of stationery supplies by boards of county commissioners.

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

HB13-1072
by Representative(s) Swalm; also Senator(s) Kefalas--Concerning the authority for counties to purchase crime insurance coverage for public trustees in lieu of surety bonds.

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE --
CONSENT CALENDAR

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	E
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB13-1051, HB13-1010, HB13-1072.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for consideration of General Orders -- Second Reading of Bills.

Committee of the Whole
On motion of Senator Hudak, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills and Senator Hudak was called to the Chair to act as Chairman.

GENERAL 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:

SB13-083
by Senator(s) Roberts and Nicholson; also Representative(s) Gerou and Levy--Concerning the creation of a prescribed burning program under the division of fire prevention and control in the department of public safety, and, in connection therewith, specifying the powers and duties of the division and its director with respect to that program.

Laid over until Tuesday, February 26, retaining its place on the calendar.

HB13-1137
by Representative(s) Landgraf; also Senator(s) Baumgardner--Concerning the elimination of certain restrictions on the lots over which a board of county commissioners has authority for weed removal.

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

HB13-1041 by Representative(s) Pettersen; also Senator(s) Kefalas--Concerning procedures governing the transmission of public records that are copied in response to a request for inspection of such records under the "Colorado Open Records Act".

Amendment No. 1, Local Government Committee Amendment.
(Printed in Senate Journal, February 21, page(s) 293 and placed in members' bill files.)

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

SB13-163 by Senator(s) Newell; also Representative(s) Singer--Concerning the sunset review of the advisory committee on hearing in newborn infants, and, in connection therewith, implementing the recommendations of the department of regulatory agencies to continue the advisory committee indefinitely.

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

HB13-1008 by Representative(s) Ryden; also Senator(s) Todd--Concerning the extension of the veterans' preference in state hiring to the spouse of a veteran if the veteran is unable to work due to a military service-connected disability.

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

SB13-077 by Senator(s) Roberts; --Concerning certain provisions of the Colorado probate code.

Laid over until Tuesday, February 26, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Hudak, 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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB13-163, HB13-1137, HB13-1041 as amended, HB13-1008.
Laid over until Tuesday, February 26: SB13-083, SB13-077.

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:

SB13-053 by Senator(s) Kerr; also Representative(s) Hamner--Concerning establishing a procedure between the department of education and the department of higher education that allows for the transfer of available student data relevant to the transition from high school to the postsecondary system.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Aguilar, Carroll, Guzman, Heath, Hodge, Hudak, Jones, Kefalas, Morse, Newell, Nicholson, Schwartz, Steadman, Tochtrop and Todd.

SB13-026
 by Senator(s) Carroll and Aguilar; also Representative(s) Primavera--Concerning expansion of the "Michael Skolnik Medical Transparency Act of 2010" to require additional health care providers to disclose information about their practice history, and, in connection therewith, making an appropriation.

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

YES	21	NO	14	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Giron, Guzman, Kefalas, Morse, Newell, Nicholson, Tochtrop and Todd.

SB13-033
 by Senator(s) Giron and Johnston, Aguilar, Guzman, Ulibarri, Steadman, Carroll, Heath, Hodge, Hudak, Morse, Nicholson, Schwartz, Todd; also Representative(s) Duran and Williams, Salazar, Moreno, Garcia, Vigil, Pabon, Buckner, Exum, Fields, Foote, Kraft-Tharp, Lebsock, McCann, Melton, Peniston, Rosenthal, Ryden, Singer--Concerning in-state classification at institutions of higher education for students who complete high school in Colorado.

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

YES	23	NO	12	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Crowder, Jahn, Jones, Kefalas and Newell.

MESSAGE FROM THE HOUSE

February 25, 2013

Mr. President:

The House has adopted and returns herewith SJR13-005.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB13-1014, HB13-1029, HB13-1034, HB13-1076.

On motion of Majority Leader Carroll, the Senate adjourned until 9:00 a.m., Tuesday, February 26, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

49th Legislative Day Tuesday, February 26, 2013

Prayer By Senator Brophy.

Call to Order By the President at 9:00 a.m.

Pledge By Senator Marble.

Roll Call Present--28
Excused--7, Baumgardner, Giron, Guzman, Johnston, King, Schwartz, Tochtrop.
Present later--7, Baumgardner, Giron, Guzman, Johnston, King, Schwartz, Tochtrop.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Crowder, reading of the Journal of Monday, February 25, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Engrossed: SB13-163.
Correctly Reengrossed: SB13-026, 033 and 053.
Correctly Revised: HB13-1008, 1010, 1041, 1051, 1072 and 1137.
Correctly Enrolled: SJR13-013, 014 and 015.

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:

HB13-1051 by Representative(s) Pabon, Court, Duran, Ferrandino, Labuda, McCann, Rosenthal, Williams; also Senator(s) Guzman, Steadman--Concerning the public trustee for the city and county of Denver.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Aguilar, Lambert and Nicholson.

HB13-1010 by Representative(s) Vigil; also Senator(s) Jones--Concerning the elimination of restrictions for the procurement of stationery supplies by boards of county commissioners.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

HB13-1072 by Representative(s) Swalm; also Senator(s) Kefalas--Concerning the authority for counties to purchase crime insurance coverage for public trustees in lieu of surety bonds.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

THIRD READING OF BILLS -- FINAL PASSAGE

On third reading, the title of the following bill was publicly read, the reading at length having been dispensed with by unanimous consent:

HB13-1137 by Representative(s) Landgraf; also Senator(s) Baumgardner--Concerning the elimination of certain restrictions on the lots over which a board of county commissioners has authority for weed removal.

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

YES	7	NO	28	EXCUSED	0	ABSENT	0
Aguilar	N	Guzman	N	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	N	Kerr	N	Scheffel	N
Baumgardner	Y	Heath	N	King	N	Schwartz	N
Brophy	N	Hill	N	Lambert	N	Steadman	N
Cadman	N	Hodge	N	Lundberg	N	Tochtrop	N
Carroll	N	Hudak	N	Marble	N	Todd	N
Crowder	Y	Jahn	N	Newell	N	Ulibarri	N
Giron	N	Johnston	N	Nicholson	Y	President	N
Grantham	N	Jones	Y	Renfroe	N		

Less than a majority of all members elected to the Senate having voted in the affirmative, the bill **lost**.

RECONSIDERATION OF HB13-1137

HB13-1137 by Representative(s) Landgraf; also Senator(s) Baumgardner--Concerning the elimination of certain restrictions on the lots over which a board of county commissioners has authority for weed removal.

Having voted on the prevailing side, Majority Leader Carroll moved for reconsideration of the last Senate action, Third Reading of Bills -- Final Passage, on HB13-1137.

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

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

HB13-1137 by Representative(s) Landgraf; also Senator(s) Baumgardner--Concerning the elimination of certain restrictions on the lots over which a board of county commissioners has authority for weed removal.

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

YES	22	NO	13	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	Y	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	N	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	N	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Nicholson.

SB13-163 by Senator(s) Newell; also Representative(s) Singer--Concerning the sunset review of the advisory committee on hearing in newborn infants, and, in connection therewith, implementing the recommendations of the department of regulatory agencies to continue the advisory committee indefinitely.

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

YES	22	NO	13	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	Y	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Aguilar, Kefalas, Nicholson, Schwartz and Todd.

HB13-1008 by Representative(s) Ryden; also Senator(s) Todd--Concerning the extension of the veterans' preference in state hiring to the spouse of a veteran if the veteran is unable to work due to a military service-connected disability.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Aguilar, Balmer, Brophy, Cadman, Carroll, Crowder, Giron, Heath, Hodge, Hudak, Jahn, Kefalas, Kerr, King, Lambert, Morse, Newell, Nicholson, Scheffel, Schwartz, Tochtrop and Ulibarri.

Upon request of Majority Leader Carroll, **HB13-1055** was removed from the General Orders--Second Reading of Bills Consent Calendar of Tuesday, February 26 and was placed at the end of the General Orders--Second Reading of Bills Calendar of Tuesday, February 26.

Committee of the Whole On motion of Senator Johnston, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Johnston was called to the Chair to act as Chairman.

**GENERAL ORDERS -- SECOND READING OF BILLS --
CONSENT CALENDAR**

The Committee of the Whole having risen, the Chairman reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB13-1063 by Representative(s) Garcia; also Senator(s) Giron--Concerning the issuance of a critical care endorsement to emergency medical service providers.

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

HB13-1026 by Representative(s) Fischer, Szabo, Vigil; also Senator(s) Schwartz, Giron, Renfroe--
Concerning the accounting of the equipment and renovation fee assessed as a part of the
western interstate commission for higher education compact.

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

HB13-1035 by Representative(s) Hamner; also Senator(s) Schwartz--Concerning an increase in the
number of judges in certain judicial districts, and, in connection therewith, making an
appropriation.

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

SB13-146 by Senator(s) Tochtrop, Renfroe; also Representative(s) DelGrosso and Ryden--Concerning
procedures governing the board of assessment appeals in the department of local affairs,
and, in connection therewith, making and reducing an appropriation.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, February 22, page(s) 318 and placed in members' bill files.)

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

HB13-1113 by Representative(s) Court; also Senator(s) Johnston--Concerning the creation of a pilot
alternate property tax valuation protest and appeal procedure for the city and county of
Denver.

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

**ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE --
CONSENT CALENDAR**

On motion of Senator Johnston, 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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB13-146 as amended, HB13-1063, HB13-1026, HB-1035,
HB13-1113.

Committee of the Whole On motion of Senator Johnston, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Johnston was called to the chair to act as Chairman.

GENERAL 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:

SB13-083 by Senator(s) Roberts and Nicholson; also Representative(s) Gerou and Levy--Concerning the creation of a prescribed burning program under the division of fire prevention and control in the department of public safety, and, in connection therewith, specifying the powers and duties of the division and its director with respect to that program.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, February 13, page(s) 219-221 and placed in members' bill files.)

Amendment No. 2(L.002), by Senators Roberts and Nicholson.

Amend printed bill, page 8, line 17, strike "SHALL" and substitute "MAY".

Page 8, line 18, strike "SUFFICIENT" and substitute "NOT TO EXCEED THE AMOUNT REQUIRED".

Page 8, line 21, strike "THE" and substitute "ANY".

Page 14, strike lines 11 through 13 and substitute:

"(f) SET FORTH REQUIREMENTS FOR RECORDKEEPING; PUBLIC INFORMATION CAMPAIGNS; AND TIMELY NOTICE OF PRESCRIBED BURNING TO ADJACENT LANDOWNERS, LOCAL AUTHORITIES, AND, TO THE EXTENT PRACTICABLE, POTENTIALLY AFFECTED NEIGHBORS.".

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

SB13-077 by Senator(s) Roberts; --Concerning certain provisions of the Colorado probate code.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, February 20, page(s) 275-280 and placed in members' bill files.)

Amendment No. 2(L.017), by Senator Roberts.

Amend the Senate Judiciary Committee Report, dated February 19, 2013, page 1, strike lines 2 through 25.

Page 2 of the committee report, strike lines 1 through 17 and substitute:

""SECTION 2. In Colorado Revised Statutes, 15-10-603, amend".

Renumber succeeding sections accordingly.

Page 6 of the committee report, line 6, strike the first "of" and substitute "or".

Page 7 of the committee report, line 19, after "(1)" insert "(a)".

Page 7 of the committee report, line 22, strike "(a)" and substitute "(I)".

Page 7 of the committee report, line 23, strike "(b)" and substitute "(II)".

Page 7 of the committee report, strike line 29 and substitute:

"(b) THE APPLICABLE TIME LIMIT DESCRIBED IN PARAGRAPH (a) OF THIS SUBSECTION (1)".

Page 8 of the committee report, line 13, strike "(56);" and substitute "introductory portion and (56);".

Page 8 of the committee report, line 15, after "contained in" insert "THIS ARTICLE AND".

Page 8 of the committee report, strike lines 21 through 26 and substitute "LIQUIDATION TRUSTS; REAL ESTATE INVESTMENT TRUSTS; ENVIRONMENTAL REMEDIATION TRUSTS; TRUSTS FOR THE PRIMARY PURPOSE OF PAYING DEBTS, DIVIDENDS, INTEREST, SALARIES, WAGES, COMPENSATION, ANNUITIES, PROFITS, PENSIONS, OR EMPLOYEE BENEFITS OF ANY KIND; AND OTHER TRUSTS WITH PURPOSES THAT ARE THE SAME OR SIMILAR TO ANY OF THE TRUSTS ENUMERATED IN THIS SUBSECTION".

Amendment No. 3(L.020), by Senator Roberts.

Amend the Senate Judiciary Committee Report, dated February 19, 2013, page 3, line 42, after "EVALUATION" insert "OF THE RESPONDENT AND SHALL ORDER THE EVALUATION".

Page 5 of the committee report, after line 36 insert:

"Page 12, strike lines 15 through 18 and substitute "ARTICLE 1.1 OF THIS TITLE, A TRUSTEE MAY NOT ACQUIRE OR HOLD AS A TRUST ASSET A LIFE INSURANCE POLICY ON THE LIFE OF A PERSON UNLESS THE TRUSTEE HAS AN INSURABLE INTEREST, AS DEFINED SECTION 15-16-501, IN THE PERSON. A TRUSTEE WHO ACQUIRES AS A TRUST ASSET A LIFE INSURANCE POLICY ON THE LIFE OF A PERSON IN WHOM THE TRUSTEE HAS AN INSURABLE INTEREST MAY CONTINUE TO HOLD THE LIFE INSURANCE".

Page 14, line 9, strike "SECTION." and substitute "SECTION; EXCEPT THAT A TRUST MAY NOT PERMIT A TRUSTEE TO ACQUIRE OR HOLD AS A TRUST ASSET A LIFE INSURANCE POLICY ON THE LIFE OF A PERSON IN WHOM THE TRUSTEE DOES NOT HOLD AN INSURABLE INTEREST.".

Page 8 of the committee report, line 20, strike "TRUST;" and substitute "TRUSTS;".

Page 9 of the committee report, line 4, strike "business trusts" and substitute "~~business trusts~~".

Page 9 of the committee report, line 6, strike "~~security arrangements;~~" and substitute "security arrangements;".

Page 9 of the committee report, strike lines 8 and 9 and substitute "~~pensions, or employee benefits of any kind;~~ BUSINESS TRUSTS, AS DEFINED IN SUBSECTION (6.5) OF THIS SECTION; and any arrangement under which a person is".

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

HB13-1087 by Representative(s) May; also Senator(s) Nicholson--Concerning the membership of certain allocation committees in the department of human services.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, February 22, page(s) 310 and placed in members' bill files.)

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

SB13-079	by Senator(s) Morse, Carroll, Roberts, Schwartz; also Representative(s) Gardner, Labuda, Levy, Murray, Waller--Concerning implementation of recommendations of the committee on legal services in connection with legislative review of rules and regulations of state agencies.	1 2 3 4 5
	Ordered engrossed and placed on the calendar for third reading and final passage.	6 7 8
SB13-050	by Senator(s) Todd, Jones, Newell, Schwartz; also Representative(s) Coram, Fischer, Melton--Concerning the recycling resources economic opportunity fund, and, in connection therewith, incrementally increasing certain fees collected for the fund, extending repeal dates of laws associated with the fund, adding limitations to grants made to reduce waste tire stockpiles, making rebates paid from the fund discretionary, and removing obsolete provisions.	9 10 11 12 13 14 15
	<u>Amendment No. 1, Finance Committee Amendment.</u>	16
	(Printed in Senate Journal, February 8, page(s) 184-185 and placed in members' bill files.)	17 18
	<u>Amendment No. 2, Appropriations Committee Amendment.</u>	19
	(Printed in Senate Journal, February 22, page(s) 312 and placed in members' bill files.)	20 21
	As amended, ordered engrossed and placed on the calendar for third reading and final passage.	22 23 24 25
		26
SB13-129	by Senator(s) Tochtrop; also Representative(s) Williams--Concerning the modification of certain statutory requirements directing the office of the state auditor to review compliance with statutory obligations.	27 28 29
	<u>Amendment No. 1, Appropriations Committee Amendment.</u>	30
	(Printed in Senate Journal, February 22, page(s) 312-318 and placed in members' bill files.)	31 32 33
	As amended, ordered engrossed and placed on the calendar for third reading and final passage.	34 35 36 37
		38
SB13-167	by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Gerou, Duran, Levy--Concerning intermediate care facilities for individuals with intellectual disabilities.	39 40
	<u>Amendment No. 1, Appropriations Committee Amendment.</u>	41
	(Printed in Senate Journal, February 22, page(s) 318-319 and placed in members' bill files.)	42 43 44
	As amended, ordered engrossed and placed on the calendar for third reading and final passage.	45 46 47 48
		49
SB13-169	by Senator(s) Crowder and Schwartz; also Representative(s) Dore--Concerning reintroduction of black-footed ferrets without further legislative approval where a landowner consents pursuant to a programmatic safe harbor agreement.	50 51 52
	Ordered engrossed and placed on the calendar for third reading and final passage.	53 54 55
		56
HB13-1055	by Representative(s) May; also Senator(s) Kefalas--Concerning reducing inefficiency in the eligibility redetermination process for the Colorado works program.	57 58
	Ordered revised and placed on the calendar for third reading and final passage.	59 60 61 62 63
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ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Johnston, 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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB13-083 as amended, SB13-077 as amended, SB13-079, SB13-050 as amended, SB13-129 as amended, SB13-167 as amended, SB13-169, HB13-1087 as amended, HB13-1055.

**CONSIDERATION OF GOVERNOR'S APPOINTMENTS --
CONSENT CALENDAR**

On motion of Majority Leader Carroll, the following Governor's appointments were confirmed by a roll call vote:

MEMBERS OF THE
STATE BOARD FOR COMMUNITY COLLEGES
AND OCCUPATIONAL EDUCATION

for a term expiring December 31, 2013:

Jean K. White of Hayden, Colorado, a Republican and a resident of the 3rd Congressional District and occasioned by the resignation of Ruth Ann Woods of South Fork, Colorado, an Unaffiliated and a resident of the 3rd Congressional District, appointed.

for terms expiring December 31, 2016:

Maury C. Dobbie of Fort Collins, Colorado, a Republican and a resident of the 2nd Congressional District, reappointed;

Russell Joseph Meyer of Parker, Colorado, a Democrat and a resident of the 4th Congressional District, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

On motion of Majority Leader Carroll, the following Governor's appointments were confirmed by a roll call vote:

MEMBERS OF THE
BOARD OF TRUSTEES OF
METROPOLITAN STATE UNIVERSITY OF DENVER

effective January 1, 2013 for terms expiring December 31, 2016:

William H. Hanzlik of Greenwood Village, Colorado, a Republican, reappointed;

John Paul Pogge of Greenwood Village, Colorado, an Unaffiliated, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

On motion of Majority Leader Carroll, the following Governor's appointments were confirmed by a roll call vote:

MEMBERS OF THE
PRIVATE OCCUPATIONAL SCHOOL BOARD

- effective June 30, 2012, for a term expiring July 1, 2014;
Arlene Rae Malay of Denver, Colorado to serve as a representative of a private occupational school, appointed;
- effective June 30, 2012, for a term expiring July 1, 2015;
Jennifer Lynn Sprague of Thornton, Colorado to serve as a representative of a private occupational school, appointed;
- effective June 30, 2012, for a term expiring July 1, 2016:
Steven W. Steele of Fort Collins, Colorado to serve as a representative of a private occupational school, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

On motion of Majority Leader Carroll, the following Governor's appointments were confirmed by a roll call vote:

MEMBERS OF THE
BOARD OF TRUSTEES FOR
WESTERN STATE COLORADO UNIVERSITY

- for terms expiring December 31, 2016:
Meyer M. Saltzman of Denver, Colorado, a Republican, reappointed;
- Nancy Ellen Chisholm of Lakewood, Colorado, a Republican, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

On motion of Majority Leader Carroll, the following Governor's appointments were confirmed by a roll call vote:

MEMBERS OF THE
COLORADO WATER RESOURCES
AND POWER DEVELOPMENT AUTHORITY

for terms expiring October 1, 2016:
Gregory C. Fisher of Denver, Colorado, a resident from within the city and county of Denver who has experience in planning and development of water projects, reappointed;
Don C. Carlson of Loveland, Colorado, to serve as a representative of the South Plate Drainage Basin, and as a representative of water project financing, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

On motion of Majority Leader Carroll, the following Governor's appointments were confirmed by a roll call vote:

MEMBERS OF THE
WATER QUALITY CONTROL COMMISSION

for terms expiring February 15, 2015:
Mark Thomas Pifher of Colorado Springs, Colorado, and occasioned by the resignation of John L. Klomp of Pueblo, Colorado, appointed.
Mary Beth Fabisiak of Lakewood, Colorado, appointed;
Jon Slutsky of Wellington, Colorado, appointed;
Andrew S. Todd of Denver, Colorado, reappointed;
Barbara J. Biggs of Denver, Colorado, appointed;
James Arthur Rada of Denver, Colorado, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

On third reading, the title of the following bill was publicly read, the reading at length having been dispensed with by unanimous consent:

HB13-1041by Representative(s) Pettersen; also Senator(s) Kefalas--Concerning procedures governing the transmission of public records that are copied in response to a request for inspection of such records under the "Colorado Open Records Act".

Call of the Senate.Call raised.

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

YES	22	NO	13	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Heath and Nicholson.

COMMITTEE OF REFERENCE REPORTS

Business, Labor, & TechnologyThe Committee on Business, Labor, & Technology has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

MEMBERS OF THE
BOARD OF REAL ESTATE APPRAISERS

for a term expiring July 1, 2014:

Deane Davenport of Arvada, Colorado, to serve an officer or employee of a commercial bank experienced in real estate lending and occasioned by the resignation of Deborah K. Delaney of Fort Collins, Colorado, appointed;

for a term expiring July 1, 2015:

Wayne L. Hunsperger of Englewood, Colorado, to serve as a real estate appraiser, reappointed.

JudiciaryThe Committee on Judiciary has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

MEMBERS OF THE
BOARD OF PINNACOL ASSURANCE

for a term expiring January 1, 2017:

Howard L. Carver of Silverthorne, Colorado, who has experience in the management and operation of insurance companies, not competing with Pinnacol Assurance, and occasioned by the resignation of Marcia Ann Benshoof of Highlands Ranch, Colorado, appointed;

effective January 1, 2013, for terms expiring January 1, 2018:

Joseph A. Hoff of Greeley, Colorado, a farmer or employer whose liability is insured by Pinnacol, appointed;

Joshua Lucas McFarland of Denver, Colorado, an employee of an employer whose liability is insured by Pinnacol, appointed; and

Patricia Louise Peterson of Monument, Colorado, an employee of an employer whose liability is insured by Pinnacol, appointed.

Judiciary After consideration on the merits, the Committee recommends that **HB13-1086** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Judiciary After consideration on the merits, the Committee recommends that **HB13-1102** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Judiciary After consideration on the merits, the Committee recommends that **HB13-1146** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Judiciary After consideration on the merits, the Committee recommends that **HB13-1017** be referred to the Committee of the Whole with favorable recommendation.

Judiciary After consideration on the merits, the Committee recommends that **HB13-1043** be referred to the Committee of the Whole with favorable recommendation.

MESSAGE FROM THE HOUSE

February 26, 2013

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1091, 1184, 1159.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1058, amended as printed in House Journal, February 22, page 382.
HB13-1130, amended as printed in House Journal, February 22, page 382.
HB13-1121, amended as printed in House Journal, February 22, page 383.
HB13-1118, amended as printed in House Journal, February 22, pages 383-387.
HB13-1168, amended as printed in House Journal, February 22, page 387.
HB13-1219, amended as printed in House Journal, February 22, page 387.
HB13-1068, amended as printed in House Journal, February 25, page 396.
HB13-1209, amended as printed in House Journal, February 25, page 396.
HB13-1221, amended as printed in House Journal, February 25, page 396.

MESSAGE FROM THE REVISOR OF STATUTES

February 26, 2013

We herewith transmit:

Without comment, HB13-1091, 1159, and 1184.

Without comment, as amended, HB13-1058, 1068, 1118, 1121, 1130, 1168, 1209, and 1221.
With comment, as amended, HB13-1219.

CHANGE IN SPONSORSHIP

Upon announcement of President Morse, Represenative Rankin was added as a House prime sponsor on SB13-188.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB13-109, SJR13-013, 014 and 015.

On motion of Majority Leader Carroll, the Senate adjourned until 9:00 a.m., Wednesday, February 27, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

50th Legislative Day

Wednesday, February 27, 2013

Prayer By the chaplain, Pastor Vern Rempel, First Mennonite Church, Denver.

Call to Order By the President at 9:00 a.m.

Pledge By Senator Marble.

Roll Call Present--33
Excused--2, Baumgardner, Hill.
Present later--1, Hill.

Quorum The President announced a quorum present.

Reading of Journal	On motion of Senator Crowder, reading of the Journal of Tuesday, February 26, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.
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COMMITTEE OF REFERENCE REPORTS

Finance	The Committee on <u>Finance</u> has had under consideration and has had a hearing on the following appointment and recommends that the appointment be confirmed:
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MEMBER OF THE
FINANCIAL SERVICES BOARD

for a term expiring July 1, 2015:

Rainy Lorraine Lea Thoen of Denver, Colorado, to serve as an executive officer of a state credit union and as a Democrat, and occasioned by the resignation of Horacio Peralta of Denver, Colorado, appointed.

Finance After consideration on the merits, the Committee recommends that **HB13-1024** 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 **HB13-1144** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 2, strike lines 20 through 24.

Page 3, strike lines 1 and 2.

Transportation After consideration on the merits, the Committee recommends that **HB13-1011** be referred to the Committee on Appropriations with favorable recommendation.

Judiciary	After consideration on the merits, the Committee recommends that SB13-184 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	1 2 3 4 5
Judiciary	After consideration on the merits, the Committee recommends that HB13-1062 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	6 7 8 9 10
	Amend reengrossed bill, page 4, line 2, after "PROPERTY" insert "OR ALLIED LINES".	11 12 13
	Page 4, line 9, strike "PROPERTY;" and substitute "PROPERTY OR ALLIED LINES;".	14 15 16
	Page 4, line 13, after "PROPERTY" insert "OR ALLIED LINES".	17 18
	Page 8, line 27, strike "COMPLETE".	19 20
	Page 10, line 19, strike "OR CRITICAL".	21 22 23
Judiciary	After consideration on the merits, the Committee recommends that HB13-1053 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	24 25 26 27

SENATE SERVICES REPORT

Correctly Engrossed: SB13-050, 077, 079, 083,129, 146, 167 and 169.
Correctly Reengrossed: SB13-163.
Correctly Revised: HB13-1026, 1035, 1055, 1063,1087 and 1113.
Correctly Rerevised: HB13-1008, 1010, 1041, 1051, 1072 and 1137.
Correctly Enrolled: SB 13-114, 115 and 133.

INTRODUCTION OF BILLS -- FIRST READING

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

SB13-194	by Senator(s) Steadman; also Representative(s) Gerou--Concerning a repeal of a telephone assistance program for low-income individuals. Business, Labor, & Technology	47 48 49 50 51
SB13-195	by Senator(s) Tochtrop; also Representative(s) May--Concerning requiring certain applicants for concealed handgun permits to complete a handgun training class on the physical grounds where the certified instructor of the course offers the course. Judiciary	52 53 54 55 56
SB13-196	by Senator(s) Morse; also Representative(s) Fields--Concerning the "Assault Weapon Responsibility Act". Judiciary	57 58 59 60 61
HB13-1224	by Representative(s) Fields; also Senator(s) Hodge--Concerning prohibiting large-capacity ammunition magazines. Judiciary	62 63 64 65 66

HB13-1226 by Representative(s) Levy, Fields, Fischer, Hullinghorst, McCann, Schafer; also Senator(s) Heath--Concerning eliminating the authority of a concealed handgun permit holder to possess a concealed handgun on the campus of an institution of higher education.
State, Veterans, & Military Affairs

HB13-1228 by Representative(s) Court, Duran, Ferrandino, Fields, Fischer, Foote, Hullinghorst, Levy, McCann, Melton, Moreno, Pabon, Peniston, Rosenthal, Ryden, Salazar, Schafer, Williams; also Senator(s) Heath--Concerning requiring the Colorado bureau of investigation to recoup the cost of performing an instant criminal background check prior to the transfer of a firearm, and, in connection therewith, making and reducing an appropriation.
State, Veterans, & Military Affairs

HB13-1229 by Representative(s) Fields and McCann; also Senator(s) Carroll--Concerning criminal background checks performed pursuant to the transfer of a firearm, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

Call of the Senate. Call raised.

**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:

HB13-1063 by Representative(s) Garcia; also Senator(s) Giron--Concerning the issuance of a critical care endorsement to emergency medical service providers.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	E	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Kefalas, Morse, Newell and Todd.

HB13-1026 by Representative(s) Fischer, Szabo, Vigil; also Senator(s) Schwartz, Giron, Renfroe--Concerning the accounting of the equipment and renovation fee assessed as a part of the western interstate commission for higher education compact.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	E	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Aguilar.

HB13-1035 by Representative(s) Hamner; also Senator(s) Schwartz--Concerning an increase in the number of judges in certain judicial districts, and, in connection therewith, making an appropriation.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	E	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Guzman.

SB13-146 by Senator(s) Tochtrop, Renfroe; also Representative(s) DelGrosso and Ryden--Concerning procedures governing the board of assessment appeals in the department of local affairs, and, in connection therewith, making and reducing an appropriation.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	E	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

HB13-1113 by Representative(s) Court; also Senator(s) Johnston--Concerning the creation of a pilot alternate property tax valuation protest and appeal procedure for the city and county of Denver.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	E	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Aguilar, Grantham, Hill, Lambert 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:

SB13-083 by Senator(s) Roberts and Nicholson; also Representative(s) Gerou and Levy--Concerning the creation of a prescribed burning program under the division of fire prevention and control in the department of public safety, and, in connection therewith, specifying the powers and duties of the division and its director with respect to that program.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	E	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Aguilar, Cadman, Carroll, Crowder, Grantham, Guzman, Heath, Jahn, Johnston, Jones, Kefalas, Kerr, King, Lambert, Lundberg, Marble, Morse, Newell, Renfroe, Scheffel, Schwartz, Tochtrop and Todd.

SB13-077 by Senator(s) Roberts; --Concerning certain provisions of the Colorado probate code.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	E	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Aguilar, Guzman, King, Lambert, Morse and Newell.

HB13-1087 by Representative(s) May; also Senator(s) Nicholson--Concerning the membership of certain allocation committees in the department of human services.

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

YES	26	NO	8	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	N
Baumgardner	E	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Aguilar, Kefalas and Todd.

SB13-079 by Senator(s) Morse, Carroll, Roberts, Schwartz; also Representative(s) Gardner, Labuda, Levy, Murray, Waller--Concerning implementation of recommendations of the committee on legal services in connection with legislative review of rules and regulations of state agencies.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	E	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Guzman.

SB13-050 by Senator(s) Todd, Jones, Newell, Schwartz; also Representative(s) Coram, Fischer, Melton--Concerning the recycling resources economic opportunity fund, and, in connection therewith, incrementally increasing certain fees collected for the fund, extending repeal dates of laws associated with the fund, making rebates paid from the fund discretionary, removing obsolete provisions, and making an appropriation.

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

YES	22	NO	12	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	E	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Aguilar, Guzman, Heath and Steadman.

SB13-129 by Senator(s) Tochtrop; also Representative(s) Williams--Concerning the modification of certain statutory requirements directing the office of the state auditor to review compliance with statutory obligations, and, in connection therewith, reducing an appropriation.

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

YES	25	NO	9	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	E	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Newell.

SB13-167 by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Gerou, Duran, Levy--Concerning intermediate care facilities for individuals with intellectual disabilities, and, in connection therewith, making and reducing an appropriation.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	E	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Aguilar, Carroll, Giron, Guzman, Heath, Hudak, Jahn, Kefalas, Kerr, King, Morse, Newell, Roberts, Schwartz and Todd.

SB13-169 by Senator(s) Crowder and Schwartz; also Representative(s) Dore--Concerning reintroduction of black-footed ferrets without further legislative approval where a landowner consents pursuant to a programmatic safe harbor agreement.

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

YES	30	NO	4	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	N
Baumgardner	E	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Brophy, Giron, Guzman and Nicholson.

HB13-1055 by Representative(s) May; also Senator(s) Kefalas--Concerning reducing inefficiency in the eligibility redetermination process for the Colorado works program.

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

YES	22	NO	12	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	E	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Aguilar, Carroll, Giron, Guzman, Heath, Morse, Newell, Nicholson and Steadman.

NOTICE OF INTENT TO MOVE FOR RECONSIDERATION OF SB13-079

Senator Cadman gave notice of intent to reconsider SB13-079.

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS

Local Government After consideration on the merits, the Committee recommends that **SB13-183** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 3, line 8, strike "OR GO DORMANT".

Page 3, line 17, strike "OR DORMANT".

Local Government After consideration on the merits, the Committee recommends that **HB13-1203** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

MESSAGE FROM THE HOUSE

February 27, 2013

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1181, 1166.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1182, amended as printed in House Journal, February 26, page 408.
HB13-1186, amended as printed in House Journal, February 26, pages 408-409.

The House has passed on Third Reading and returns herewith SB13-032.

MESSAGE FROM THE REVISOR OF STATUTES

February 27, 2013

We herewith transmit:

Without comment, HB13-1166.
Without comment, as amended, HB13-1182 and 1186.
With comment, HB13-1181.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

SJR13-016 by Senator(s) Carroll; also Representative(s) Pabon--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 Kerr v. Hickenlooper for the purpose of participating only to address the issue of the legislator-plaintiffs' standing based upon the institutional interests of the General Assembly.

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

INTRODUCTION OF BILLS -- FIRST READING

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

SB13-197 by Senator(s) Hudak, Newell; also Representative(s) McCann and Fields--Concerning preventing persons who have committed domestic violence from possessing firearms.
Judiciary

DELIVERY TO THE GOVERNOR

To the Governor for signature on Wednesday, February 27, 2013, at 10:51 a.m.:
SB13-109.

On motion of Majority Leader Carroll, the Senate adjourned until 9:00 a.m., Thursday, February 28, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

51st Legislative Day Thursday, February 28, 2013

Prayer By the chaplain, Rabbi Eliot Baskin, Jewish Family Services of Colorado, Denver.

Call to Order By the President at 9:00 a.m.

Pledge By Senator Marble.

Roll Call Present--34
Excused--1, Johnston.
Present later--1, Johnston.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Crowder, reading of the Journal of Wednesday, February 27, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Judiciary After consideration on the merits, the Committee recommends that **SB13-023** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend printed bill, page 2, line 10, strike "FOUR HUNDRED SEVENTY-EIGHT THOUSAND" and substitute "THREE HUNDRED FIFTY THOUSAND".

Page 3, line 2, strike "FOUR HUNDRED SEVENTY-EIGHT THOUSAND" and substitute "THREE HUNDRED FIFTY THOUSAND".

Page 3, strike lines 5 through 7 and substitute:
"SUBSECTION (1) SHALL BE ADJUSTED BY AN AMOUNT REFLECTING THE PERCENTAGE".

Page 3, line 12, strike "ATTORNEY GENERAL" and substitute "SECRETARY OF STATE".

Page 3, line 16, strike "ATTORNEY GENERAL" and substitute "SECRETARY OF STATE".

Page 3, line 19, strike "ATTORNEY GENERAL'S" and substitute "SECRETARY OF STATE'S".

Page 3, line 21, strike "civil actions filed" and substitute "injuries occurring".

Judiciary After consideration on the merits, the Committee recommends that **HB13-1109** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Judiciary	After consideration on the merits, the Committee recommends that SB13-170 be amended as follows, and as so amended, be referred to the Committee on <u>Finance</u> with favorable recommendation.	1 2 3 4 5 6 7 8 9 10
	Amend printed bill, page 3, strike lines 12 and 13 and substitute "THE MARKET VALUE OF THE REGISTRATION NUMBER IF THE GROUP REIMBURSES THE GENERAL FUND FOR ANY TAX CREDIT AUTHORIZED UNDER SECTION 39-22-535, C.R.S.,".	11 12 13 14 15 16 17 18 19 20
	Page 3, after line 25 insert: "SECTION 3. In Colorado Revised Statutes, 42-1-407, amend (3) (b) as follows: 42-1-407. Registration number fund. (3) (b) (I) The treasurer shall adjust the transfers required by paragraph (a) of this subsection (3) on July 1 of each year in proportion to the aggregate change in the United States department of labor bureau of labor statistics consumer price index for all urban consumers for the Denver-Boulder-Greeley consolidated metropolitan statistical area. The treasurer may round the dollar amount of the adjustment to the nearest ten dollars.	21 22 23 24 25 26 27 28 29 30 31
	(II) THE TAX CREDIT REIMBURSEMENT ACCOUNT IS HEREBY CREATED IN THE FUND. UPON CERTIFYING A CREDIT UNDER SECTION 42-1-403 (5) (m) AND RECEIVING THE MONEY FROM THE SALE OF THE REGISTRATION NUMBER, THE GROUP SHALL PLACE TWENTY PERCENT OF AMOUNT CERTIFIED IN THIS ACCOUNT. THE MONEY IN THE ACCOUNT IS NOT TRANSFERRED IN ACCORDANCE WITH PARAGRAPH (a) OF THIS SECTION, BUT THE TREASURER SHALL TRANSFER THE MONEY TO THE GENERAL FUND AT THE END OF THE FISCAL YEAR."	32 33 34 35 36 37 38 39
	Renumber succeeding sections accordingly.	40 41 42
	Page 4, strike lines 5 through 8 and substitute "INCOME TAXES IMPOSED BY THIS ARTICLE FOR TWENTY PERCENT OF THE PORTION OF THE PURCHASE PRICE THAT THE LICENSE PLATE AUCTION GROUP, CREATED IN SECTION 42-1-403, C.R.S., CERTIFIES EXCEEDS THE REGISTRATION NUMBER'S FAIR MARKET VALUE. THIS IS THE VALUE THE LICENSE PLATE AUCTION GROUP EXPECTS FROM THE SALE OF THE REGISTRATION NUMBER NOT THE COST OF REGISTERING THE VEHICLE."	43 44 45 46 47 48 49 50 51
	Page 4, line 17, strike "\$85,000," and substitute "\$300,000,".	52 53 54 55 56
Judiciary	After consideration on the merits, the Committee recommends that HB13-1052 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	57 58 59 60 61 62
Judiciary	After consideration on the merits, the Committee recommends that HB13-1016 be referred to the Committee of the Whole with favorable recommendation.	
Health & Human Services	After consideration on the merits, the Committee recommends that HB13-1015 be referred to the Committee of the Whole with favorable recommendation.	
Health & Human Services	After consideration on the merits, the Committee recommends that HB13-1065 be referred to the Committee of the Whole with favorable recommendation.	

Health & Human Services	After consideration on the merits, the Committee recommends that HB13-1084 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	1 2 3 4 5 6
	Amend reengrossed bill, page 3, line 6, after "AND" insert "EITHER".	7 8 9
State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that SB13-084 be postponed indefinitely .	10 11 12 13 14
State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that SB13-142 be referred to the Committee of the Whole with favorable recommendation.	15 16 17 18 19 20
State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that HB13-1038 be referred to the Committee of the Whole with favorable recommendation.	21 22 23 24 25 26
State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that SB13-168 be postponed indefinitely .	27 28 29 30 31
Business, Labor, & Technology	After consideration on the merits, the Committee recommends that SB13-159 be amended as follows, and as so amended, be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	32 33 34 35 36
	Amend printed bill, page 3, line 15, strike "small business development credit corporation," and substitute " small business development credit corporation ,".	37 38 39 40 41
Business, Labor, & Technology	After consideration on the merits, the Committee recommends that SB13-157 be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	42 43 44 45 46
Business, Labor, & Technology	After consideration on the merits, the Committee recommends that HB13-1001 be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	47 48 49 50 51
<hr/>		52 53 54
SENATE SERVICES REPORT		55 56
Correctly Printed: SB13-194, 195, 196, and 197; SJR13-016.		57
Correctly Reengrossed: SB13-050, 077, 079, 083, 129, 146, 167 and 169.		58
Correctly Rerevised: HB13-1026, 1035, 1055,1063, 1087 and 1113.		59 60 61 62 63 64

INTRODUCTION OF BILLS -- FIRST READING

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

- HB13-1081

by Representative(s) Duran, Buckner, Fields, Hamner, Kagan, McCann, Moreno; also Senator(s) Todd--Concerning human sexuality education.
Health & Human Services
- HB13-1181

by Representative(s) Levy, Duran, Gerou; also Senator(s) Steadman, Hodge, Lambert--Concerning the retention in a cash fund that funds tobacco programs of the lesser of all unencumbered moneys remaining in the fund at the end of any fiscal year or an amount of such moneys equal to five percent of the amount appropriated from the fund for the fiscal year.
Appropriations
- HB13-1182

by Representative(s) Levy, Duran, Gerou; also Senator(s) Lambert, Hodge, Steadman--Concerning the creation of the legislative digital policy advisory committee.
State, Veterans, & Military Affairs

Committee of the Whole

On motion of Senator Guzman, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Guzman was called to the Chair to act as Chairman.

GENERAL ORDERS -- SECOND READING OF BILLS --
CONSENT CALENDAR

The Committee of the Whole having risen, the Chairman reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

- HB13-1086

by Representative(s) Wilson; also Senator(s) Grantham--Concerning the preparation of the record in appeals from county court judgments.

Ordered revised and placed on the calendar for third reading and final passage.
- HB13-1102

by Representative(s) Gerou; also Senator(s) Brophy--Concerning an exemption to the "Unclaimed Property Act" for gift cards issued by small businesses.

Ordered revised and placed on the calendar for third reading and final passage.
- HB13-1146

by Representative(s) Lebsock, Williams, Pabon, Salazar, Wright, Saine, Everett, Fischer, Foote, Nordberg, Peniston; also Senator(s) Ulibarri--Concerning rights of victims of identity theft.

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE --
CONSENT CALENDAR

On motion of Senator Guzman, 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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB13-1086, HB13-1102, HB13-1146.

Committee of the Whole On motion of Senator Guzman, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Guzman was called to the chair to act as Chairman.

GENERAL 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:

HB13-1017 by Representative(s) Lebsock; also Senator(s) Tochtrop and Giron--Concerning a requirement that successor servicers of residential mortgage loans follow through with loan modifications offered to borrowers, and, in connection therewith, requiring a servicer to inform a successor servicer of the terms of any modification offer upon any transfer of servicing rights for the loan.

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

HB13-1043 by Representative(s) Foote; also Senator(s) Heath--Concerning the statutory definition of a deadly weapon.

Laid over until Friday, March 1, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Guzman, 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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB13-1017.
Laid over until Friday, March 1: HB13-1043.

MESSAGE FROM THE HOUSE

February 28, 2013

Mr. President:

The House has adopted and transmits herewith HJR13-1014.

The House has voted to concur in the Senate amendments to HB13-1041 and has repassed the bill as so amended.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1205, amended as printed in House Journal, February 26, page 409.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

HJR13-1014 by Representative(s) Labuda; also Senator(s) Kefalas--Concerning the recognition of the 52nd anniversary of the Peace Corps.

On motion of Senator Kefalas, the resolution was read at length and adopted by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Co-sponsor(s) added: Aguilar, Balmer, Baumgardner, Brophy, Cadman, Carroll, Crowder, Giron, Grantham, Guzman, Harvey, Heath, Hill, Hodge, Hudak, Jahn, Johnston, Jones, Kerr, King, Lambert, Lundberg, Marble, Morse, Newell, Nicholson, Renfroe, Roberts, Scheffel, Schwartz, Steadman, Tochtrop, Todd and Ulibarri.

SJR13-016 by Senator(s) Carroll; also Representative(s) Pabon--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 Kerr v. Hickenlooper for the purpose of participating only to address the issue of the legislator-plaintiffs' standing based upon the institutional interests of the General Assembly.

Laid over until March 1, retaining its place on the calendar.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS

On motion of Senator Tochtrop, the following Governor's appointments were confirmed by a roll call vote:

MEMBERS OF THE
BOARD OF REAL ESTATE APPRAISERS

for a term expiring July 1, 2014:
Deane Davenport of Arvada, Colorado, to serve an officer or employee of a commercial bank experienced in real estate lending and occasioned by the resignation of Deborah K. Delaney of Fort Collins, Colorado, appointed;
for a term expiring July 1, 2015:
Wayne L. Hunsperger of Englewood, Colorado, to serve as a real estate appraiser, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

On motion of Senator Guzman, the following Governor's appointments were confirmed by a roll call vote:

MEMBERS OF THE
BOARD OF PINNACOL ASSURANCE

for a term expiring January 1, 2017:
Howard L. Carver of Silverthorne, Colorado, who has experience in the management and operation of insurance companies, not competing with Pinnacol Assurance, and occasioned by the resignation of Marcia Ann Benshoof of Highlands Ranch, Colorado, appointed;
effective January 1, 2013, for terms expiring January 1, 2018:
Joseph A. Hoff of Greeley, Colorado, a farmer or employer whose liability is insured by Pinnacol, appointed;
Joshua Lucas McFarland of Denver, Colorado, an employee of an employer whose liability is insured by Pinnacol, appointed;
Patricia Louise Peterson of Monument, Colorado, an employee of an employer whose liability is insured by Pinnacol, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

MESSAGE FROM THE REVISOR OF STATUTES

February 28, 2013

We herewith transmit:

Without comment, as amended, HB13-1205.

MESSAGE FROM THE GOVERNOR

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

February 15, 2013

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

Ladies and Gentlemen:

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

MEMBER OF THE
COLORADO BANKING BOARD

effective July 1, 2013, for a term expiring July 1, 2017:

Cynthia Beth Dash of Parker, Colorado, an executive officer of a trust company, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 2/22/2013
Cindi L. Markwell, Secretary of the Senate

Committee on Business, Labor, and Technology

On motion of Majority Leader Carroll, the Senate adjourned until 9:00 a.m., Friday, March 1, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

52nd Legislative Day Friday, March 1, 2013

Prayer	By the chaplain, Rabbi Benjy Brackman, Chabad of Northwest Metro Denver.	
Call to Order	By the President at 9:00 a.m.	
Pledge	By Senator Marble.	
Roll Call	Present--34 Excused--1, Jones. Present later--1, Jones.	
Quorum	The President announced a quorum present.	
Reading of Journal	On motion of Senator Crowder, reading of the Journal of Thursday, February 28, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.	

COMMITTEE OF REFERENCE REPORTS

Education	After consideration on the merits, the Committee recommends that SB13-193 be amended as follows, and as so amended, be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	
	Amend printed bill, page 4, line 7, after "PUBLIC" insert "SCHOOL ACCOUNTABILITY COMMITTEE".	
	Page 4, strike lines 10 and 11 and substitute "PLAN."	
	Page 4, line 12, strike "AND PARTICIPATE IN".	
	Page 4, line 14, strike "PLAN;" and substitute "PLAN. A MEMBER OF THE SCHOOL ACCOUNTABILITY COMMITTEE IS ENCOURAGED TO ATTEND THE PUBLIC HEARING."	
	Page 9, line 2, strike "(3)" and substitute "(3),".	
	Page 9, line 3, strike "and (4)" and substitute "(4), and (5)".	
	Page 9, line 4, strike " assistance. " and substitute " assistance - report. ".	
	Page 9, line 5, strike "WORK WITH" and substitute "PROVIDE TRAINING AND OTHER RESOURCES DESIGNED TO HELP".	
	Page 9, line 7, strike "TO".	
	Page 9, line 24, strike "(a)".	
	Page 9, line 27, strike "RESEARCH-BASED".	
	Page 10, line 1, strike "METRICS FOR REVIEWING" and substitute "RECOMMENDATIONS FOR METHODS BY WHICH THE DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF HIGHER EDUCATION MAY MEASURE AND MONITOR".	

Page 10, line 3, strike everything after the period.	1
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Page 10, strike lines 4 through 7.	3
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Page 10, line 8, strike "(b)" and substitute "(5)".	5
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Page 10, line 12, strike "ON THE LEVEL OF" and substitute "THE COUNCIL'S	7
PROGRESS IN PROMOTING PARENT ENGAGEMENT IN THE STATE AND IN	8
FULFILLING THE DUTIES SPECIFIED IN THIS SECTION."	9
	10
Page 10, strike lines 13 and 14.	11
	12
Page 11, strike lines 6 through 12 and substitute:	13
	14
"(c) EACH SCHOOL DISTRICT SHALL IDENTIFY AN EMPLOYEE OF	15
THE DISTRICT TO ACT AS THE POINT OF CONTACT FOR PARENT	16
ENGAGEMENT TRAINING AND RESOURCES. THE IDENTIFIED PERSON SHALL	17
ALSO SERVE AS THE LIAISON BETWEEN THE DISTRICT, THE DISTRICT	18
ACCOUNTABILITY COMMITTEE, THE COLORADO STATE ADVISORY	19
COUNCIL FOR PARENT INVOLVEMENT IN EDUCATION, AND THE	20
DEPARTMENT OF EDUCATION AND SHALL FACILITATE THE DISTRICT'S	21
EFFORTS TO INCREASE PARENT INVOLVEMENT WITHIN THE DISTRICT. THE	22
SCHOOL".	23
	24
Page 12, line 6, strike everything after the period.	25
	26
Page 12, strike lines 7 and 8 and substitute "AT THE SCHOOL	27
ACCOUNTABILITY COMMITTEE'S PUBLIC MEETING, THE".	28
	29
Page 12, line 9, strike "DISTRICT" and substitute "SCHOOL PRINCIPAL".	30
	31
Page 12, line 17, strike everything after the period and substitute "A	32
MEMBER OF THE".	33
	34
Page 12, line 18, strike "SHALL" and substitute "IS ENCOURAGED TO".	35
	36
Page 13, strike lines 8 through 12 and substitute:	37
	38
"(c) THE INSTITUTE SHALL IDENTIFY AN EMPLOYEE TO ACT AS THE	39
POINT OF CONTACT FOR PARENT ENGAGEMENT TRAINING AND RESOURCES.	40
THE IDENTIFIED PERSON SHALL ALSO SERVE AS THE LIAISON BETWEEN THE	41
INSTITUTE, THE COLORADO STATE ADVISORY COUNCIL FOR PARENT	42
INVOLVEMENT IN EDUCATION, AND THE DEPARTMENT OF EDUCATION AND	43
SHALL FACILITATE THE INSTITUTE'S EFFORTS TO INCREASE PARENT	44
INVOLVEMENT WITHIN INSTITUTE CHARTER SCHOOLS. THE".	45
	46
Page 14, line 7, strike everything after the period.	47
	48
Page 14, strike lines 8 and 9 and substitute "AT THE SCHOOL	49
ACCOUNTABILITY COMMITTEE'S PUBLIC MEETING, THE".	50
	51
Page 14, line 10, strike "INSTITUTE" and substitute "SCHOOL PRINCIPAL".	52
	53
Page 14, line 22, strike "THE SCHOOL ACCOUNTABILITY COMMITTEE	54
SHALL" and substitute "A MEMBER OF THE SCHOOL ACCOUNTABILITY	55
COMMITTEE IS ENCOURAGED TO".	56
	57
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	59

Education	The Committee on <u>Education</u> has had under consideration and has had a hearing on the following appointment and recommend that the appointment be confirmed:	1 2 3 4 5 6 7 8 9 10 11 12 13
	<p style="text-align: center;">MEMBER OF THE BOARD OF TRUSTEES FOR THE <u>UNIVERSITY OF NORTHERN COLORADO</u></p>	14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29
	for a term expiring December 31, 2016:	30 31 32 33 34
	Anthony Darren Salazar of Denver, Colorado to serve as an Unaffiliated, appointed.	35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55
Education	The Committee on <u>Education</u> has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:	56 57 58 59 60 61 62 63 64 65
	<p style="text-align: center;">MEMBERS OF THE COLORADO EDUCATIONAL AND CULTURAL <u>FACILITIES AUTHORITY BOARD OF DIRECTORS</u></p>	66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100
	for terms expiring June 30, 2016:	101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200
	Brent Jared Kline of Denver, Colorado, a Republican, appointed;	201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300
	Claudia Beth Crowell of Grand Junction, Colorado, a Democrat, appointed.	301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400
Education	After consideration on the merits, the Committee recommends that HB13-1023 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500
Health & Human Services	The Committee on <u>Health & Human Services</u> has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:	501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545 546 547 548 549 550 551 552 553 554 555 556 557 558 559 560 561 562 563 564 565 566 567 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600
	<p style="text-align: center;">MEMBERS OF THE <u>AIR QUALITY CONTROL COMMISSION</u></p>	601 602 603 604 605 606 607 608 609 610 611 612 613 614 615 616 617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 689 690 691 692 693 694 695 696 697 698 699 700
	for a term expiring January 31, 2014:	701 702 703 704 705 706 707 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800
	Teresa A. Coons of Grand Junction, Colorado, to serve as a representative with scientific experience, reappointed;	801 802 803 804 805 806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823 824 825 826 827 828 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 862 863 864 865 866 867 868 869 870 871 872 873 874 875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900
	for terms expiring January 31, 2016:	901 902 903 904 905 906 907 908 909 910 911 912 913 914 915 916 917 918 919 920 921 922 923 924 925 926 927 928 929 930 931 932 933 934 935 936 937 938 939 940 941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000
	William R. Toor of Boulder Colorado, to serve as a representative with technical and private sector experience, appointed;	1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035 1036 1037 1038 1039 1040 1041 1042 1043 1044 1045 1046 1047 1048 1049 1050 1051 1052 1053 1054 1055 1056 1057 1058 1059 1060 1061 1062 1063 1064 1065 1066 1067 1068 1069 1070 1071 1072 1073 1074 1075 1076 1077 1078 1079 1080 1081 1082 1083 1084 1085 1086 1087 1088 1089 1090 1091 1092 1093 1094 1095 1096 1097 1098 1099 1100
	Jana Beth Milford of Boulder, Colorado, to serve as a representative with legal and scientific experience, appointed.	1101 1102 1103 1104 1105 1106 1107 1108 1109 1110 1111 1112 1113 1114 1115 1116 1117 1118 1119 1120 1121 1122 1123 1124 1125 1126 1127 1128 1129 1130 1131 1132 1133 1134 1135 1136 1137 1138 1139 1140 1141 1142 1143 1144 1145 1146 1147 1148 1149 1150 1151 1152 1153 1154 1155 1156 1157 1158 1159 1160 1161 1162 1163 1164 1165 1166 1167 1168 1169 1170 1171 1172 1173 1174 1175 1176 1177 1178 1179 1180 1181 1182 1183 1184 1185 1186 1187 1188 1189 1190 1191 1192 1193 1194 1195 1196 1197 1198 1199 1200
Health & Human Services	After consideration on the merits, the Committee recommends that HB13-1088 be referred to the Committee of the Whole with favorable recommendation.	1201 1202 1203 1204 1205 1206 1207 1208 1209 1210 1211 1212 1213 1214 1215 1216 1217 1218 1219 1220 1221 1222 1223 1224 1225 1226 1227 1228 1229 1230 1231 1232 1233 1234 1235 1236 1237 1238 1239 1240 1241 1242 1243 1244 1245 1246 1247 1248 1249 1250 1251 1252 1253 1254 1255 1256 1257 1258 1259 1260 1261 1262 1263 1264 1265 1266 1267 1268 1269 1270 1271 1272 1273 1274 1275 1276 1277 1278 1279 1280 1281 1282 1283 1284 1285 1286 1287 1288 1289 1290 1291 1292 1293 1294 1295 1296 1297 1298 1299 1300
Finance	After consideration on the merits, the Committee recommends that SB13-179 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	1301 1302 1303 1304 1305 1306 1307 1308 1309 1310 1311 1312 1313 1314 1315 1316 1317 1318 1319 1320 1321 1322 1323 1324 1325 1326 1327 1328 1329 1330 1331 1332 1333 1334 1335 1336 1337 1338 1339 1340 1341 1342 1343 1344 1345 1346 1347 1348 1349 1350 1351 1352 1353 1354 1355 1356 1357 1358 1359 1360 1361 1362 1363 1364 1365 1366 1367 1368 1369 1370 1371 1372 1373 1374 1375 1376 1377 1378 1379 1380 1381 1382 1383 1384 1385 1386 1387 1388 1389 1390 1391 1392 1393 1394 1395 1396 1397 1398 1399 1400
Finance	After consideration on the merits, the Committee recommends that HB13-1039 be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	1401 1402 1403 1404 1405 1406 1407 1408 1409 1410 1411 1412 1413 1414 1415 1416 1417 1418 1419 1420 1421 1422 1423 1424 1425 1426 1427 1428 1429 1430 1431 1432 1433 1434 1435 1436 1437 1438 1439 1440 1441 1442 1443 1444 1445 1446 1447 1448 1449 1450 1451 1452 1453 1454 1455 1456 1457 1458 1459 1460 1461 1462 1463 1464 1465 1466 1467 1468 1469 1470 1471 1472 1473 1474 1475 1476 1477 1478 1479 1480 1481 1482 1483 1484 1485 1486 1487 1488 1489 1490 1491 1492 1493 1494 1495 1496 1497 1498 1499 1500

Appropriations	After consideration on the merits, the Committee recommends that SB13-190 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	1
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Appropriations	Amend printed bill, page 5, line 23, after "COMMITTEE" insert "AND THE CAPITAL DEVELOPMENT COMMITTEE".	11
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Appropriations	Page 5, line 25, after "COMMITTEE" insert "AND THE CAPITAL DEVELOPMENT COMMITTEE" and after "WRITING." add "IF A MEETING IS NECESSARY FOR ANY REPORT REQUIRED BY THIS SECTION, WHEN POSSIBLE THE MEETING MAY BE A JOINT MEETING OF THE JOINT BUDGET COMMITTEE AND THE CAPITAL DEVELOPMENT COMMITTEE.".	21
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Appropriations	After consideration on the merits, the Committee recommends that SB13-150 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	31
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Appropriations	After consideration on the merits, the Committee recommends that S13-149 be referred to the Committee of the Whole with favorable recommendation.	41
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Appropriations	After consideration on the merits, the Committee recommends that SB13-151 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	51
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Appropriations	Amend printed bill, page 19, after line 7 insert: "SECTION 18. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the division of professions and occupations 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, 2013, the sum of \$159,069 and 1.9 FTE, or so much thereof as may be necessary, to be allocated for the implementation of this act as follows: (a) \$110,403 and 1.9 FTE to the division of professions and occupations for personal services; (b) \$10,922 to the division of professions and occupations for operating expenses; (c) \$16,500 to the division of professions and occupations for expert consultant services; and (d) \$21,244 to the executive director's office and administrative services 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, 2013, the sum of \$21,244, 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 (d) of subsection (1) of this section." Renumber succeeding section accordingly. Page 1, line 105, strike "AGENCIES." and substitute "AGENCIES, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.".	61
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Appropriations

After consideration on the merits, the Committee recommends that **SB13-060** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, after line 16 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, 2013, the sum of \$2,972, or so much thereof as may be necessary, to be allocated to the information technology division for the purchase of computer programming services related to the implementation of this act.

(2) 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, 2013, the sum of \$633, or so much thereof as may be necessary, for allocation to the division of motor vehicles for the purchase of special license plates related to the implementation of this act.

(3) 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, 2013, the sum of \$2,972, 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 revenue out of the appropriation made in subsection (1) of this section."

ReNUMBER succeeding section accordingly.

Page 1, line 101, strike "PLATE." and substitute "PLATE, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION."

Appropriations

After consideration on the merits, the Committee recommends that **SB13-014** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend the Health and Human Services Committee Report, dated February 14, 2013, page 6, after line 4 insert:

"SECTION 8. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the division of professions and occupations 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, 2013, the sum of \$8,318, or so much thereof as may be necessary, to be allocated for the implementation of this act as follows:

(a) \$6,000 to the division of professions and occupations for board meeting costs; and

(b) \$2,318 to the executive director's office and administrative services 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, 2013, the sum of \$2,318, 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 (b) of subsection (1) of this section."

ReNUMBER succeeding section accordingly.

Amend printed bill, page 1, line 102, strike "EVENTS." and substitute
"EVENTS, AND, IN CONNECTION THEREWITH, MAKING AN
APPROPRIATION.".

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Appropriations

After consideration on the merits, the Committee recommends that **SB13-187** be referred
to the Committee of the Whole with favorable recommendation.

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SENATE SERVICES REPORT

Correctly Revised: HB13-1017, 1086, 1102 and 1146; HJR13-1014.

INTRODUCTION OF RESOLUTIONS

The following resolutions were read by title:

- SJR13-017
- by Senator(s) Newell; also Representative(s) Lee--Concerning recognition of October as
"Conflict Resolution Month" in Colorado.
- Laid over until Thursday, March 7, retaining its place on the calendar.
- SJR13-018
- by Senator(s) Schwartz; --Concerning the contribution of renewable energy to Colorado's
economy.
- Laid over until Monday, April 1, retaining its place on the calendar.
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INTRODUCTION OF BILLS -- FIRST READING

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

- SB13-198
- by Senator(s) Jahn; also Representative(s) Gardner--Concerning closing a court to the
public when sexually exploitative material related to a specific child is being presented as
evidence.
Judiciary
- HB13-1058
- by Representative(s) McCann; also Senator(s) Kerr--Concerning guidelines for the
determination of spousal maintenance.
Judiciary
- HB13-1068
- by Representative(s) Young; also Senator(s) Roberts--Concerning on-site inspections of
medicaid providers.
Health & Human Services
- HB13-1074
- by Representative(s) Kraft-Tharp; also Senator(s) Roberts--Concerning the reallocation of
the primary care office from the prevention services division to the department of public
health and environment, and, in connection therewith, changing the membership of the
Colorado health services corps advisory council and clarifying the moneys included in the
Colorado health services corps fund.
Health & Human Services

- HB13-1091** by Representative(s) Young, Hulinghorst, Pabon; also Senator(s) Kefalas--Concerning an alternative air quality testing method for heavy-duty diesel vehicles subject to the heavy-duty diesel fleet inspection and maintenance program.
Transportation
- HB13-1117** by Representative(s) Hamner, Ferrandino, Labuda, May, Peniston, Primavera, Singer, Tyler, Young; also Senator(s) Hodge and Newell, Aguilar, Heath, Hudak, Johnston, Kefalas, Kerr, Nicholson, Schwartz, Todd, Ulibarri--Concerning alignment of child development programs.
Health & Human Services
- HB13-1118** by Representative(s) Rosenthal; also Senator(s) King--Concerning requiring law enforcement agencies to issue photographic identification to certain retired peace officers.
Judiciary
- HB13-1130** by Representative(s) Sonnenberg and Fischer; also Senator(s) Giron--Concerning extended operation of interruptible water supply agreements.
Agriculture, Natural Resources, & Energy
- HB13-1145** by Representative(s) Court; also Senator(s) Johnston--Concerning the administration of the property tax exemption for qualifying seniors.
Finance
- HB13-1159** by Representative(s) Rosenthal, Holbert, Williams, McNulty, DelGrosso, Kraft-Tharp, Melton, Moreno, Ryden, Singer, Szabo, Young; also Senator(s) Tochtrop and Balmer, Todd, Jahn, Heath--Concerning the use of an electronic device to present evidence of automobile insurance.
Transportation
- HB13-1168** by Representative(s) Vigil; also Senator(s) Schwartz--Concerning an expansion in the ability of a ditch to operate as an acequia ditch.
Agriculture, Natural Resources, & Energy
- HB13-1184** by Representative(s) Duran and Gerou, Levy; also Senator(s) Hodge, Steadman, Lambert--Concerning the supplier database cash fund.
State, Veterans, & Military Affairs
- HB13-1186** by Representative(s) Vigil, Court, Gardner; also Senator(s) Schwartz--Concerning procedures for increasing transparency for certain special district boards, and, in connection therewith, requiring that a public meeting be held before a district sets or changes domestic water or sanitary sewer service rates and requiring that all special districts formed pursuant to the special districts provisions file a special district public disclosure document to be recorded by the county clerk and recorder for all properties included within the district boundaries.
Local Government
- HB13-1209** by Representative(s) May; also Senator(s) Nicholson--Concerning changes to child support provisions.
Judiciary
- HB13-1219** by Representative(s) Hamner, Priola, Murray, Holbert, Peniston, Pettersen, Young; also Senator(s) Todd, Hudak, Johnston--Concerning statutory changes to K-12 education.
Education

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Upon request of President Morse, **HB13-1146** was removed from the Third Reading of Bills -- Final Passage Consent Calendar of Friday, March 1 and was placed at the end of the Third Reading of Bills Final Passage Calendar of Friday, March 1.

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:

HB13-1086 by Representative(s) Wilson; also Senator(s) Grantham--Concerning the preparation of the record in appeals from county court judgments.
 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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: King.

HB13-1102 by Representative(s) Gerou; also Senator(s) Brophy--Concerning an exemption to the "Unclaimed Property Act" for gift cards issued by small businesses.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Aguilar, Baumgardner, Cadman, Jahn, King, Lambert, Newell, Steadman, Tochtrop and Todd.

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:

HB13-1017 by Representative(s) Lebsock; also Senator(s) Tochtrop and Giron--Concerning a requirement that successor servicers of residential mortgage loans follow through with loan modifications offered to borrowers, and, in connection therewith, requiring a servicer to inform a successor servicer of the terms of any modification offer upon any transfer of servicing rights for the loan.

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

YES	29	NO	6	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	N	Lambert	N	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Guzman, Heath, Johnston, Kefalas, King, Morse, Newell, Nicholson, Steadman, Todd and Ulibarri.

HB13-1146 by Representative(s) Lebsock, Williams, Pabon, Salazar, Wright, Saine, Everett, Fischer, Foote, Nordberg, Peniston; also Senator(s) Ulibarri--Concerning rights of victims of identity theft.

Laid over until Monday, March 4, retaining its place on the calendar.

Committee of the Whole On motion of Senator Jones, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Jones was called to the Chair to act as Chairman.

GENERAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

The Committee of the Whole having risen, the Chairman reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB13-1024 by Representative(s) Melton and Nordberg; also Senator(s) Todd--Concerning a state income tax modification for income received from the Colorado military family relief fund.

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

SB13-184 by Senator(s) Steadman and King; also Representative(s) Rosenthal, Ferrandino--Concerning repeal of the criminal penalties for discrimination in places of public accommodation.

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

HB13-1062 by Representative(s) Ginal; also Senator(s) Kefalas--Concerning increased regulation of public insurance adjusters by the commissioner of insurance.

Amendment No. 1, Judiciary Committee Amendment.

(Printed in Senate Journal, February 27, page(s) 348 and placed in members' bill files.)

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

HB13-1053 by Representative(s) Lawrence; also Senator(s) Hodge--Concerning the repeal of the requirement that clerks of district courts execute bonds.

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

HB13-1203 by Representative(s) Rankin, Dore, Joshi, Sonnenberg; also Senator(s) Baumgardner--
Concerning the elimination of the requirement that a political subdivision provide certain
reports on an annual basis.

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Jones, 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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB13-184, HB13-1024, HB13-1062 as amended, HB13-1053, HB13-1203.

Committee On motion of Senator Jones, the Senate resolved itself into the Committee of the
of the Whole Whole for consideration of General Orders--Second Reading of Bills, and Senator Jones
was called to the chair to act as Chairman.

GENERAL 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:

HB13-1043 by Representative(s) Foote; also Senator(s) Heath--Concerning the statutory definition of a deadly weapon.

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

HB13-1144 by Representative(s) Kagan, Court, Duran, Fields, Hullinghorst, Levy; also Senator(s) Steadman--Concerning the elimination of the state sales and use tax exemption for cigarettes.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, February 27, page(s) 347 and placed in members' bill files.)

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

SB13-183 by Senator(s) Carroll, Giron, Schwartz; also Representative(s) Fields--Concerning water conservation measures in common interest communities.

Amendment No. 1, Local Government Committee Amendment.
(Printed in Senate Journal, February 27, page(s) 355 and placed in members' bill files.)

Amendment No. 2(L.004), by Senator Marble.

Amend printed bill, page 2, strike line 4 and substitute "(c) (III); and **add** (11) (d) as follows:".

Page 3, after line 22 insert:

"(d) THIS SUBSECTION (11) DOES NOT SUPERSEDE ANY SUBDIVISION REGULATION OF A COUNTY, CITY AND COUNTY, OR OTHER MUNICIPALITY.".

Page 4, line 15, after "(i)" insert (I)".

Page 4, after line 22 insert:

"(II) THIS PARAGRAPH (i) DOES NOT SUPERSEDE ANY SUBDIVISION REGULATION OF A COUNTY, CITY AND COUNTY, OR OTHER MUNICIPALITY.".

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Jones, 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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB13-183 as amended, HB13-1043, HB13-1144 as amended.

CONSIDERATION OF RESOLUTIONS

SJR13-016 by Senator(s) Carroll; also Representative(s) Pabon--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 Kerr v. Hickenlooper for the purpose of participating only to address the issue of the legislator-plaintiffs' standing based upon the institutional interests of the General Assembly.

Laid over until Tuesday, March 5, retaining its place on the calendar.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS

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

MEMBER OF THE
FINANCIAL SERVICES BOARD

for a term expiring July 1, 2015:

Rainy Lorraine Lea Thoen of Denver, Colorado, to serve as an executive officer of a state credit union and as a Democrat, and occasioned by the resignation of Horacio Peralta of Denver, Colorado, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

MESSAGE FROM THE HOUSE

March 1, 2013

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1232, amended as printed in House Journal, February 28, page 430.

The House has passed on Third Reading and returns herewith SB13-075.

MESSAGE FROM THE GOVERNOR

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

June 14, 2012

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

Ladies and Gentlemen:

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

MEMBER OF THE
STATE PERSONNEL BOARD

effective June 30, 2012 for a term expiring June 30, 2017:

Teresa R. Salerno of Denver, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 2/28/2013
Cindi L. Markwell, Secretary of the Senate

Committee on Business, Labor, and Technology

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB13-114, 115 and 133.

Senate in recess. Senate reconvened.

MESSAGE FROM THE REVISOR OF STATUTES

March 1, 2013

We herewith transmit:

Without comment, as amended, HB13-1232.

INTRODUCTION OF CONCURRENT RESOLUTIONS

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

SCR13-001 by Senator(s) Crowder; --Submitting to the registered electors of the state of Colorado an amendment to the Colorado constitution concerning the extension of the property tax exemption granted to a qualifying disabled veteran to a surviving spouse of such a veteran who has limited financial means for up to three years following the death of the veteran.
State, Veterans, & Military Affairs

INTRODUCTION OF BILLS -- FIRST READING

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

SB13-199 by Senator(s) Giron, Baumgardner, Schwartz; also Representative(s) Fischer, Szabo, Vigil--Concerning modification of the standard for determining whether bonds issued by a state-supported institution of higher education qualify for the higher education revenue bond intercept program.
Finance

SB13-200 by Senator(s) Aguilar, Kefalas; also Representative(s) Ferrandino--Concerning an increase in the income eligibility for certain optional groups in the medicaid program to one hundred thirty-three percent of the federal poverty line.
Health & Human Services

HB13-1158 by Representative(s) Hamner; also Senator(s) Schwartz--Concerning the "Colorado Cottage Foods Act".
Health & Human Services

HB13-1166 by Representative(s) Kagan; also Senator(s) Steadman--Concerning the repeal of certain crimes that include marital status as an element of the crime.
Judiciary

HB13-1221 by Representative(s) May, Joshi; also Senator(s) Tochtrop, Crowder--Concerning standards for the audit of pharmacies.
Health & Human Services

On motion of Majority Leader Carroll, the Senate adjourned until 10:00 a.m., Monday, March 4, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

55th Legislative Day Monday, March 4, 2013

Prayer By the chaplain, Father Eustace Sequeira, Regis University Jesuit Community.

Call to Order By the President at 10:00 a.m.

Pledge By Senator Todd.

Roll Call Present--35

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Hill, reading of the Journal of Friday, March 1, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Printed: SB13-198, 199 and 200; SCR13-001; SJR13-017 and 018.

Correctly Engrossed: SB13-183 and 184.

Correctly Revised: HB13-1024, 1043, 1053, 1062, 1144 and 1203.

Correctly Rerevised: HB13-1017, 1086 and 1102.

MESSAGE FROM THE HOUSE

March 1, 2013

Mr. President:

The House has voted to concur in the Senate amendments to HB13-1087 and has repassed the bill as so amended.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Friday, March 1, 2013, at 2:18 p.m.:
SB13-114, 115 and 133.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Monday, March 4 was laid over until Tuesday, March 5, retaining its place on the calendar.

Third Reading of Bills -- Final Passage -- Consent Calendar: HB13-1024, SB13-184, HB13-1062, HB13-1053, HB13-1203.

Third Reading of Bills -- Final Passage: HB13-1146, HB13-1043, HB13-1144, SB13-183.

General Orders -- Second Reading of Bills -- Consent Calendar: SB13-023, HB13-1109, HB13-1052, HB13-1084.

General Orders -- Second Reading of Bills: HB13-1016, HB13-1015, HB13-1065, SB13-142, HB13-1038.

On motion of Majority Leader Carroll, the Senate adjourned until 9:00 a.m., Tuesday, March 5, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

56th Legislative Day Tuesday, March 5, 2013

- Prayer By the chaplain, Reverend Paul Kottke, University Park United Methodist Church, Denver.
- Call to Order By the President at 9:00 a.m.
- Pledge By Senator Todd.
- Roll Call Present--34
Excused--1, Brophy.
- Quorum The President announced a quorum present.
- Reading of Journal On motion of Senator Hill, reading of the Journal of Monday, March 4, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

- Judiciary After consideration on the merits, the Committee recommends that **SB13-197** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.
- Amend printed bill, page 8, strike lines 19 and 20 and substitute "THAT QUALIFIES AS AN".
- Page 12, line 3, strike "PARAGRAPH (c) OF SUBSECTION (3) OF THIS SECTION" and substitute "THIS SUBSECTION (9)".
- Page 12, strike lines 13 through 19 and substitute "COURT ON THE RECORD TO BE A MISDEMEANOR CRIME OF DOMESTIC VIOLENCE, AS DEFINED IN 18 U.S.C. SEC. 921 (a) (33), OR THAT IS PUNISHABLE BY A TERM OF IMPRISONMENT EXCEEDING ONE YEAR AND INCLUDES AN ACT OF DOMESTIC VIOLENCE, AS DEFINED IN SECTION 18-6-800.3 (1), THE".
- Page 20, strike lines 23 and 24 and substitute "THAT QUALIFIES AS".
- Page 24, line 3, strike "PARAGRAPH (c) OF SUBSECTION (3) OF THIS SECTION" and substitute "THIS SUBSECTION (9)".
- Page 24, strike lines 13 through 19 and substitute "COURT ON THE RECORD TO BE A MISDEMEANOR CRIME OF DOMESTIC VIOLENCE, AS DEFINED IN 18 U.S.C. SEC. 921 (a) (33), OR THAT IS PUNISHABLE BY A TERM OF IMPRISONMENT EXCEEDING ONE YEAR AND INCLUDES AN ACT OF DOMESTIC VIOLENCE, AS DEFINED IN SECTION 18-6-800.3 (1), THE".
- State, Veterans, & Military Affairs After consideration on the merits, the Committee recommends that **HB13-1229** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.
- Amend reengrossed bill, page 3, line 5, strike "**penalty.**" and substitute "**penalty - definitions.**".

Page 3, line 5, after "(1)" insert "(a)".

Page 3, line 9, strike "(a)" and substitute "(I)".

Page 3, line 12, strike "(b)" and substitute "(II)".

Page 3, after line 14 insert:

"(b) AS USED IN THIS SECTION, UNLESS THE CONTEXT REQUIRES OTHERWISE, "TRANSFEREE" MEANS A PERSON WHO DESIRES TO RECEIVE OR ACQUIRE A FIREARM FROM A TRANSFEROR. IF A TRANSFEREE IS NOT A NATURAL PERSON BUT A CORPORATION, ASSOCIATION, PARTNERSHIP, OR LIMITED LIABILITY COMPANY OR TRUST, THE REQUIREMENT DESCRIBED IN THIS SUBSECTION (1) SHALL BE INTERPRETED TO REQUIRE A BACKGROUND CHECK OF EACH MEMBER, PARTNER, OFFICER, OR OTHER PERSON WHO HOLDS A BENEFICIAL INTEREST IN THE CORPORATION, ASSOCIATION, PARTNERSHIP, OR LIMITED LIABILITY COMPANY OR TRUST."

Page 4, line 2, after "TRANSFEROR" insert "AND TRANSFEREE".

Page 5, strike lines 3 through 6 and substitute:

"(b) A TRANSFER THAT IS A BONA FIDE GIFT BETWEEN IMMEDIATE FAMILY MEMBERS, WHICH ARE LIMITED TO SPOUSES, PARENTS, CHILDREN, SIBLINGS, GRANDPARENTS, GRANDCHILDREN, NIECES, NEPHEWS, FIRST COUSINS, AUNTS, AND UNCLES;"

Page 6, line 7, strike "OR".

Page 6, strike line 11 and substitute:

"A RESULT OF THE TRANSFER MAY LEGALLY POSSESS A FIREARM; OR
(g) ANY TEMPORARY TRANSFER THAT OCCURS WHILE IN THE CONTINUOUS PRESENCE OF THE OWNER OF THE FIREARM; OR
(h) A TEMPORARY TRANSFER FOR NOT MORE THAN SEVENTY-TWO HOURS. A PERSON WHO TRANSFERS A FIREARM PURSUANT TO THIS PARAGRAPH (h) MAY BE JOINTLY AND SEVERALLY LIABLE FOR DAMAGES PROXIMATELY CAUSED BY THE TRANSFEREE'S SUBSEQUENT USE OF THE FIREARM.
(7) NOTHING IN SUBSECTION (6) OF THIS SECTION SHALL BE INTERPRETED TO LIMIT OR OTHERWISE ALTER THE APPLICABILITY OF SECTION 18-12-111 CONCERNING THE UNLAWFUL PURCHASE OR TRANSFER OF FIREARMS."

Renumber succeeding subsection accordingly.

Page 6, line 18, strike "CLERK OF THE COURT" and substitute "STATE COURT ADMINISTRATOR".

Page 6, strike lines 26 and 27 and substitute:

"**SECTION 2.** In Colorado Revised Statutes, 13-5-142, **amend** (1) introductory portion, (2), (3) introductory portion, (3) (a), and (3) (b) (II); and **add** (1.5) and (4) as follows:
13-5-142. National instant criminal background check system - reporting. (1) ~~Beginning July 1, 2002~~ ON AND AFTER THE EFFECTIVE DATE OF THIS SECTION, the ~~clerk of the court of every judicial district in the state~~ COURT ADMINISTRATOR shall ~~periodically report~~ SEND ELECTRONICALLY the following information to the ~~national instant criminal background check system created by the federal "Brady Handgun Violence Prevention Act" (Pub.L. 103-159), the relevant portion of which is codified at 18 U.S.C. sec. 922 (t)~~ COLORADO BUREAU OF INVESTIGATION CREATED PURSUANT TO SECTION 24-33.5-401, C.R.S., REFERRED TO WITHIN THIS SECTION AS THE "BUREAU":
(1.5) NOT MORE THAN FORTY-EIGHT HOURS AFTER RECEIVING NOTIFICATION OF A PERSON WHO SATISFIES THE DESCRIPTION IN PARAGRAPH (a), (b), OR (c) OF SUBSECTION (1) OF THIS SECTION, THE STATE COURT ADMINISTRATOR SHALL REPORT SUCH FACT TO THE

BUREAU.

(2) Any report made by the ~~clerk of the court of every judicial district in the state~~ COURT ADMINISTRATOR pursuant to this section shall describe the reason for the report and indicate that the report is made in accordance with 18 U.S.C. sec. 922 (g) (4).

(3) The ~~clerk of the court of every judicial district in the state~~ COURT ADMINISTRATOR shall take all necessary steps to cancel a record made by ~~that clerk~~ THE STATE COURT ADMINISTRATOR in the national instant criminal background check system if:

(a) The person to whom the record pertains makes a written request to the ~~clerk~~ STATE COURT ADMINISTRATOR; and

(b) No less than three years before the date of the written request:

(II) The period of commitment of the most recent order of commitment or recommitment expired, or ~~the~~ A court entered an order terminating the person's incapacity or discharging the person from commitment in the nature of habeas corpus, if the record in the national instant criminal background check system is based on an order of commitment to the custody of the unit in the department of human services that administers behavioral health programs and services, including those related to mental health and substance abuse; except that the ~~clerk~~ STATE COURT ADMINISTRATOR shall not cancel any record pertaining to a person with respect to whom two recommitment orders have been entered under section 27-81-112 (7) and (8), C.R.S., or who was discharged from treatment under section 27-81-112 (11), C.R.S., on the grounds that further treatment will not be likely to bring about significant improvement in the person's condition; or".

Page 7, strike lines 1 through 9.

Page 7, line 13, strike "CLERK OF THE COURT" and substitute "STATE COURT ADMINISTRATOR".

Page 10, strike lines 3 through 16 and substitute:

"(III) IN REVIEWING A DENIAL, THE COURT OF APPEALS HAS DISCRETION, BUT IS NOT REQUIRED, TO RECEIVE ADDITIONAL EVIDENCE NECESSARY TO CONDUCT AN ADEQUATE REVIEW.

SECTION 4. In Colorado Revised Statutes, 13-9-123, **amend** (1) introductory portion, (2), (3) introductory portion, (3) (a), and (3) (b) (II); and **add** (1.5) and (4) as follows:

13-9-123. National instant criminal background check system - reporting. (1) ~~Beginning July 1, 2002~~ ON AND AFTER THE EFFECTIVE DATE OF THIS SECTION, the ~~clerk of the probate court~~ STATE COURT ADMINISTRATOR shall ~~periodically report~~ SEND ELECTRONICALLY the following information to the ~~national instant criminal background check system created by the federal "Brady Handgun Violence Prevention Act", Pub.L. 103-159, the relevant portion of which is codified at 18 U.S.C. sec. 922 (t)~~ COLORADO BUREAU OF INVESTIGATION CREATED PURSUANT TO SECTION 24-33.5-401, C.R.S., REFERRED TO WITHIN THIS SECTION AS THE "BUREAU":

(1.5) NOT MORE THAN FORTY-EIGHT HOURS AFTER RECEIVING NOTIFICATION OF A PERSON WHO SATISFIES THE DESCRIPTION IN PARAGRAPH (a), (b), OR (c) OF SUBSECTION (1) OF THIS SECTION, THE STATE COURT ADMINISTRATOR SHALL REPORT SUCH FACT TO THE BUREAU.

(2) Any report made by the ~~clerk of the probate court~~ STATE COURT ADMINISTRATOR pursuant to this section shall describe the reason for the report and indicate that the report is made in accordance with 18 U.S.C. sec. 922 (g) (4).

(3) The ~~clerk of the probate court~~ STATE COURT ADMINISTRATOR shall take all necessary steps to cancel a record made by ~~that clerk~~ THE STATE COURT ADMINISTRATOR in the national instant criminal background check system if:

(a) The person to whom the record pertains makes a written request to the ~~clerk~~ STATE COURT ADMINISTRATOR; and

(b) No less than three years before the date of the written request:

(II) The period of commitment of the most recent order of

commitment or recommitment expired, or the court entered an order terminating the person's incapacity or discharging the person from commitment in the nature of habeas corpus, if the record in the national instant criminal background check system is based on an order of commitment to the custody of the unit in the department of human services that administers behavioral health programs and services, including those related to mental health and substance abuse; except that the ~~clerk~~ STATE COURT ADMINISTRATOR shall not cancel any record pertaining to a person with respect to whom two recommitment orders have been entered under section 27-81-112 (7) and (8), C.R.S., or who was discharged from treatment under section 27-81-112 (11), C.R.S., on the grounds that further treatment will not be likely to bring about significant improvement in the person's condition; or".

Page 10, line 20, strike "CLERK OF THE COURT" and substitute "STATE COURT ADMINISTRATOR".

Page 13, strike lines 10 through 12 and substitute:

"(III) IN REVIEWING A DENIAL, THE COURT OF APPEALS HAS DISCRETION, BUT IS NOT REQUIRED, TO RECEIVE ADDITIONAL EVIDENCE NECESSARY TO CONDUCT AN ADEQUATE REVIEW.".

State,
Veterans, &
Military
Affairs

After consideration on the merits, the Committee recommends that **HB13-1228** be **referred** to the Committee on Appropriations with favorable recommendation.

SENATE SERVICES REPORT

Correctly Enrolled: SB13-032.

Upon request of Majority Leader Carroll, **SB13-184** was removed from the Third Reading of Bills--Final Passage--Consent Calendar of Tuesday, March 5 and was placed at the end of the Third Reading of Bills Final Passage Calendar of Tuesday, March 5.

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:

HB13-1024 by Representative(s) Melton and Nordberg; also Senator(s) Todd--Concerning a state income tax modification for income received from the Colorado military family relief fund.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	E	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Aguilar, Carroll, Guzman, Heath, Lambert, Morse, Newell and Schwartz.

HB13-1062 by Representative(s) Ginal; also Senator(s) Kefalas--Concerning increased regulation of public insurance adjusters by the commissioner of insurance.

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

YES	22	NO	12	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	E	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Aguilar and Guzman.

HB13-1053 by Representative(s) Lawrence; also Senator(s) Hodge--Concerning the repeal of the requirement that clerks of district courts execute bonds.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	E	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Aguilar and Guzman.

HB13-1203 by Representative(s) Rankin, Dore, Joshi, Sonnenberg; also Senator(s) Baumgardner-- Concerning the elimination of the requirement that a political subdivision provide certain reports on an annual basis.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	E	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

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:

HB13-1146 by Representative(s) Lebsock, Williams, Pabon, Salazar, Wright, Saine, Everett, Fischer, Foote, Nordberg, Peniston; also Senator(s) Ulibarri--Concerning rights of victims of identity theft.

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

Third Reading Amendment No. 1(L.001), by Senator Lambert.

Amend printed bill, page 3, after line 23 insert:

"(2.5) (a) A PERSON WHO HAS HAD HIS OR HER IDENTITY STOLEN OR USED THAT IS NOT ASSOCIATED WITH AN ARREST, SUMMONS, SUMMONS AND COMPLAINT, FELONY COMPLAINT, INFORMATION, INDICTMENT, OR CONVICTION MAY PETITION THE DISTRICT COURT IN THE COUNTY WHERE THE PERSON LIVES FOR AN ORDER OF FACTUAL INNOCENCE. A JUDICIAL DETERMINATION OF FACTUAL INNOCENCE MADE PURSUANT TO THIS SECTION MAY BE DETERMINED, WITH OR WITHOUT A HEARING, UPON DECLARATIONS, AFFIDAVITS, OR ANY OTHER RELEVANT, MATERIAL, RELIABLE INFORMATION SUBMITTED BY THE PARTIES AND RECORDS OF THE COURT.

(b) IF THE COURT FINDS THAT THE PERSON'S IDENTITY WAS STOLEN OR USED BY ANOTHER, THE COURT SHALL ISSUE AN ORDER CERTIFYING THIS DETERMINATION.

(c) A COURT THAT ISSUES A DETERMINATION OF FACTUAL INNOCENCE PURSUANT TO THIS SUBSECTION (2.5) MAY AT ANY TIME VACATE THAT DETERMINATION IF THE PETITION, OR INFORMATION SUBMITTED IN SUPPORT OF THE PETITION, CONTAINS MATERIAL MISREPRESENTATION OR FRAUD. IF THE COURT VACATES A DETERMINATION OF FACTUAL INNOCENCE, THE COURT SHALL ISSUE AN ORDER RESCINDING ANY ORDERS MADE PURSUANT TO THIS SUBSECTION (2.5)".

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	E	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	E	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Aguilar, Baumgardner, Cadman, Grantham, Guzman, Heath, Jahn, Jones, Kefalas, Kerr, King, Lambert, Lundberg, Morse, Newell, Nicholson, Renfroe, Roberts, Scheffel, Schwartz, Steadman, Tochtrop and Todd.

HB13-1043 by Representative(s) Foote; also Senator(s) Heath--Concerning the statutory definition of a deadly weapon.

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

YES	22	NO	12	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	E	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Johnston, King, Morse, Todd and Ulibarri.

HB13-1144 by Representative(s) Kagan, Court, Duran, Fields, Hullinghorst, Levy; also Senator(s) Steadman--Concerning the elimination of the state sales and use tax exemption for cigarettes.

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	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	E	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Aguilar, Guzman, Heath, Hodge, Hudak, Kerr, Morse, Todd and Ulibarri.

SB13-183 by Senator(s) Carroll, Giron, Schwartz; also Representative(s) Fields--Concerning water conservation measures in common interest communities.

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

YES	23	NO	11	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	E	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Aguilar, Guzman, Heath, Hodge, Jones, Kefalas, Kerr, Morse, Newell, Nicholson, Steadman, Tochtrop and Todd.

SB13-184 by Senator(s) Steadman and King; also Representative(s) Rosenthal, Ferrandino--Concerning repeal of the criminal penalties for discrimination in places of public accommodation.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	E	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Newell and Tochtrop.

Committee of the Whole On motion of Senator Todd, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Todd was called to the Chair to act as Chairman.

**GENERAL ORDERS -- SECOND READING OF BILLS --
CONSENT CALENDAR**

The Committee of the Whole having risen, the Chairman reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB13-023 by Senator(s) Cadman and Morse; also Representative(s) Levy and Ferrandino--Concerning an increase in the limitation on the amount of damages that may be recovered by an injured party under the "Colorado Governmental Immunity Act".

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, February 28, page(s) 357 and placed in members' bill files.)

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

HB13-1109 by Representative(s) Buck, DelGrosso; also Senator(s) Renfroe--Concerning the application of mandatory protection orders to parolees.

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

HB13-1052 by Representative(s) Landgraf; also Senator(s) Jahn--Concerning the threshold amount for representation of closely held entities by nonattorneys.

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

HB13-1084 by Representative(s) DelGrosso; also Senator(s) Newell--Concerning the licensing status of entities under the "Child Care Licensing Act" when a new federal employee identification number is issued.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, February 28, page(s) 359 and placed in members' bill files.)

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

SB13-150 by Senator(s) Harvey, Schwartz; also Representative(s) May--Concerning the continuation of the water and wastewater facility operators certification board, and, in connection therewith, implementing the recommendations of the 2012 sunset report by the department of regulatory agencies.

Amendment No. 1, Agriculture, Natural Resources, and Energy Committee Amendment.
(Printed in Senate Journal, February 15, page(s) 255 and placed in members' bill files.)

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE --
CONSENT CALENDAR

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	E	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB13-023 as amended, SB13-150 as amended, HB13-1109, HB13-1052, HB13-1084 as amended.
Laid over to the end of the General Orders -- Second Reading of Bills calendar, Tuesday, March 5: SB13-179, HB13-1023.

Committee of the Whole
On motion of Senator Todd, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Todd was called to the chair to act as Chairman.

GENERAL 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:

HB13-1016 by Representative(s) Gardner; also Senator(s) Jahn--Concerning the distribution to beneficiaries of amounts in pay-on-death (POD) financial institution accounts pursuant to written designation in the records of the financial institution.

Laid over until Wednesday, March 6, retaining its place on the calendar.

HB13-1015 by Representative(s) Kraft-Tharp; also Senator(s) Kefalas, Aguilar--Concerning elimination of the prohibition against disclosure of mental health claims information by small group health plans.

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

HB13-1065 by Representative(s) Stephens; also Senator(s) Todd--Concerning the definition of professional persons under the mental health statutes.

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

SB13-142 by Senator(s) Renfroe, Baumgardner, Scheffel, Grantham, Hill, Lambert, Harvey, Lundberg, Marble; also Representative(s) Sonnenberg--Concerning the requirement that the federal government extinguish title to all agricultural public lands and transfer title to the state.

A majority of all members elected to the Senate having voted in the affirmative, the bill was referred to the Committee on Appropriations.

- HB13-1038** by Representative(s) Rosenthal; also Senator(s) Todd--Concerning the voting rights of individuals in the custody of the division of youth corrections within the department of human services. 1
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Ordered revised and placed on the calendar for third reading and final passage. 5
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- HB13-1088** by Representative(s) Fields, Buckner, Court, Fischer, Ginal, Labuda, Levy, May, McCann, Melton, Mitsch Bush, Moreno, Pabon, Peniston, Primavera, Rosenthal, Salazar, Schafer, Singer, Tyler, Williams, Young; also Senator(s) Giron--Concerning modification of the work of the department of public health and environment regarding health disparities to include health equity, and, in connection therewith, renaming the office of health disparities to the office of health equity and consolidating the duties of the minority health advisory commission and the interagency health disparities leadership council into the newly created health equity commission. 8
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Ordered revised and placed on the calendar for third reading and final passage. 16
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- SB13-190** by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Gerou, Duran, Levy--Concerning the implementation of the Colorado financial reporting system modernization project. 20
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Amendment No. 1, Appropriations Committee Amendment. 24
(Printed in Senate Journal, March 1, page(s) 368 and placed in members' bill files.) 25
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As amended, ordered engrossed and placed on the calendar for third reading and final passage. 27
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- SB13-149** by Senator(s) Kefalas; also Representative(s) Kagan--Concerning the repeal of the advisory committee to establish an all-payer health claims database. 31
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Amendment No. 1, Health & Human Services Committee Amendment. 34
(Printed in Senate Journal, February 15, page(s) 249-251 and placed in members' bill files.) 35
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37
Amendment No. 2(L.005), by Senator Kefalas. 38
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Amend the Health and Human Services Committee Report, dated February 14, 2013, page 1, line 4, strike "recreate" and substitute "repeal". 40
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Page 2, line 27, strike "(B)" and substitute "(VII)". 44
45
Renumber succeeding subparagraphs accordingly. 46
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Page 2, line 31, strike "EX-OFFICIO" and substitute "EX OFFICIO". 48
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Page 2, line 33, strike "EX-OFFICIO" and substitute "EX OFFICIO". 50
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Page 2, line 35, strike "EX-OFFICIO" and substitute "EX OFFICIO". 52
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Page 2, line 37, strike "EX-OFFICIO" and substitute "EX OFFICIO". 54
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Page 2, strike lines 39 through 41 and substitute: 56
57
"(XII) TWO MEMBERS OF THE GENERAL ASSEMBLY, ONE APPOINTED BY THE MAJORITY LEADER OF THE SENATE AND ONE APPOINTED BY THE MINORITY LEADER OF THE SENATE, SERVING AS EX OFFICIO MEMBERS." 58
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Page 3, line 9, strike "CONFIDENTIALITY" and substitute "CONFIDENTIALITY,". 63
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65
Page 3, line 13, strike "ACT" and substitute "ACT". 66
67

	As amended, ordered engrossed and placed on the calendar for third reading and final passage.	1 2 3 4 5
SB13-151	by Senator(s) Nicholson; also Representative(s) Primavera--Concerning the continuation of the regulation of massage therapists, and, in connection therewith, requiring licensure of massage therapists and implementing other recommendations contained in the sunset report prepared by the department of regulatory agencies, and, in connection therewith, making an appropriation.	6 7 8 9 10 11
	<u>Amendment No. 1, Health & Human Services Committee Amendment.</u> (Printed in Senate Journal, February 14, page(s) 235-236 and placed in members' bill files.)	12 13 14 15
	<u>Amendment No. 2, Appropriations Committee Amendment.</u> (Printed in Senate Journal, March 1, page(s) 368 and placed in members' bill files.)	16 17 18
	As amended, ordered engrossed and placed on the calendar for third reading and final passage.	19 20 21 22
SB13-060	by Senator(s) Scheffel; also Representative(s) McNulty--Concerning the creation of a civil air patrol license plate, and, in connection therewith, making an appropriation.	23 24 25
	<u>Amendment No. 1, Appropriations Committee Amendment.</u> (Printed in Senate Journal, March 1, page(s) 369 and placed in members' bill files.)	26 27 28
	As amended, ordered engrossed and placed on the calendar for third reading and final passage.	29 30 31 32
SB13-014	by Senator(s) Aguilar; --Concerning the use of opiate antagonists to treat persons who suffer opiate-related drug overdose events, and, in connection therewith, making an appropriation.	33 34 35 36
	<u>Amendment No. 1, Health & Human Services Committee Amendment.</u> (Printed in Senate Journal, February 15, page(s) 241-244 and placed in members' bill files.)	37 38 39 40
	<u>Amendment No. 2, Appropriations Committee Amendment.</u> (Printed in Senate Journal, March 1, page(s) 369-370 and placed in members' bill files.)	41 42 43
	<u>Amendment No. 3(L.006), by Senator Aguilar.</u>	44 45
	Amend Senate Health & Human Services Committee Report, dated February 14, 2013, page 6, after line 4, insert:	46 47 48
	"SECTION 8. In Colorado Revised Statutes, amend 12-42.5-105 as follows:	49 50
	12-42.5-105. Rules. (1) The board shall make, adopt, amend, or repeal rules in accordance with article 4 of title 24, C.R.S., that the board deems necessary for the proper administration and enforcement of the responsibilities and duties delegated to the board by this article, including those relating to nuclear pharmacies.	51 52 53 54 55
	(2) ON OR BEFORE JANUARY 1, 2014, THE BOARD SHALL ADOPT OR AMEND RULES AS NECESSARY TO PERMIT THE DISPENSING OF AN OPIATE ANTAGONIST, AS DEFINED IN SECTION 18-1-712 (5) (d), C.R.S., BY A PHARMACIST TO A PERSON WHO IS AT INCREASED RISK OF EXPERIENCING OR LIKELY TO EXPERIENCE AN OPIATE-RELATED DRUG OVERDOSE EVENT, AS DEFINED IN SECTION 18-1-712 (5) (e), C.R.S., OR TO A FAMILY MEMBER, FRIEND, OR OTHER PERSON WHO IS IN A POSITION TO ASSIST SUCH A PERSON, SO LONG AS THE PRESCRIPTION FOR THE OPIATE ANTAGONIST PROVIDES FOR THE DISPENSING OF THE OPIATE ANTAGONIST TO SUCH A FAMILY MEMBER, FRIEND, OR OTHER PERSON."	56 57 58 59 60 61 62 63 64 65 66
	Renumber succeeding section accordingly.	67

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

SB13-187 by Senator(s) Carroll, Morse, Cadman; also Representative(s) Hullinghorst, Ferrandino, Waller--Concerning payment of expenses of the legislative department.

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

HB13-1023 by Representative(s) Murray and Fields; also Senator(s) Balmer and Kerr--Concerning policies relating to academic acceleration in preschool through twelfth grade.

Laid over until Wednesday, March 6, retaining its place on the calendar.

SB13-179 by Senator(s) Tochtrop; also Representative(s) Williams--Concerning the authority to continue to simulcast greyhound races after June 30, 2014.

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

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

SB13-142 by Senator(s) Renfroe, Baumgardner, Scheffel, Grantham, Hill, Lambert, Harvey, Lundberg, Marble; also Representative(s) Sonnenberg--Concerning the requirement that the federal government extinguish title to all agricultural public lands and transfer title to the state.

Senator Renfroe moved to amend the Report of the Committee of the Whole to show that SB13-142 was not referred to the Appropriations committee and did pass general orders, second reading of bills.

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	15	NO	19	EXCUSED	1	ABSENT	0
Aguilar	N	Guzman	N	Kefalas	N	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	N	Scheffel	Y
Baumgardner	Y	Heath	N	King	Y	Schwartz	N
Brophy	E	Hill	Y	Lambert	Y	Steadman	N
Cadman	Y	Hodge	N	Lundberg	Y	Tochtrop	N
Carroll	N	Hudak	N	Marble	Y	Todd	N
Crowder	Y	Jahn	N	Newell	N	Ulibarri	N
Giron	N	Johnston	Y	Nicholson	N	President	N
Grantham	Y	Jones	N	Renfroe	Y		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

YES	33	NO	1	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	E	Hill	Y	Lambert	N	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB13-190 as amended, SB13-149 as amended, SB13-151 as amended, SB13-060 as amended, SB13-014 as amended, SB13-187, SB13-179, HB13-1015, HB13-1065, HB13-1038, HB13-1088.
Laid over until Wednesday, March 6: HB13-1016, HB13-1023.
Referred to Appropriations: SB13-142.

MESSAGE FROM THE HOUSE

March 5, 2013

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1155.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1220, amended as printed in House Journal, March 1, page 443.
HB13-1233, amended as printed in House Journal, March 1, page 443.
HB13-1060, amended as printed in House Journal, March 1, page 444.
HB13-1147, amended as printed in House Journal, March 1, page 444.
HB13-1198, amended as printed in House Journal, March 1, pages 444-445.
HB13-1206, amended as printed in House Journal, March 1, page 454.
HB13-1036, amended as printed in House Journal, March 1, pages 454-455.
HB13-1046, amended as printed in House Journal, March 1, page 455.
HB13-1077, amended as printed in House Journal, March 1, page 455.
HB13-1124, amended as printed in House Journal, March 1, pages 455-456.

The House has passed on Third Reading and returns herewith SB13-031, 072, 029.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB13-002, amended as printed in House Journal, March 1, page 443.

MESSAGE FROM THE REVISOR OF STATUTES

March 5, 2013

We herewith transmit:

Without comment, HB13-1155.
Without comment, as amended, HB13-1036, 1046, 1060, 1077, 1124, 1147, 1198, 1206, 1220, and 1233.
Without comment, as amended, SB13-002.

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On motion of Majority Leader Carroll, and with a majority of those elected to the Senate	2
having voted in the affirmative, the balance of the calendar of Tuesday, March 5 was laid	3
over until Wednesday, March 6, retaining its place on the calendar.	4
	5
Consideration of Resolutions: SJR13-016.	6
Consideration of Governor's Appointments:	7
Member of the Board of Trustees for the University of Northern Colorado	8
Members of the Colorado Educational and Cultural Facilities Authority Board of	9
Directors.	10
Members of the Air Quality Control Commission.	11
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On motion of Majority Leader Carroll, the Senate adjourned until 9:00 a.m., Wednesday,	16
March 5, 2013.	17
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Approved:	19
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John P. Morse	23
President of the Senate	24
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Attest:	26
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Cindi L. Markwell	30
Secretary of the Senate	31

SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

57th Legislative Day

Wednesday, March 6, 2013

Prayer By the chaplain, Pastor Vern Rempel, First Mennonite Church, Denver.

Call to Order By the President at 9:00 a.m.

Pledge By Senator Todd.

Roll Call Present--33
Excused--2, Hill, King.
Present later--1, King.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Crowder, reading of the Journal of Tuesday, March 5, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Appropriations After consideration on the merits, the Committee recommends that **SB13-197** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 27, after line 19 insert:

"SECTION 9. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the judicial department, for the fiscal year beginning July 1, 2013, the sum of \$45,742 and 0.8 FTE, or so much thereof as may be necessary, to be allocated to trial court programs for the implementation of this act as follows:

(a) \$39,804 and 0.8 FTE for personal services; and

(b) \$5,938 for operating expenses.

(2) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of public safety, for the fiscal year beginning July 1, 2013, the sum of \$3,746 and 0.1 FTE, or so much thereof as may be necessary, for allocation to the state point of contact-national instant criminal background check program related to the implementation of this act."

Renumber succeeding sections accordingly.

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

Judiciary After consideration on the merits, the Committee recommends that **SB13-195** be referred to the Committee of the Whole with favorable recommendation.

Appropriations	After consideration on the merits, the Committee recommends that HB13-1229 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	1
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Amend reengrossed bill, page 3, after line 5, strike "EXCEPT" and substitute "ON AND AFTER JULY 1, 2013, EXCEPT".

Page 14, strike lines 5 through 27.

Page 15, strike line 1 and substitute:

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$

"SECTION 9. Appropriation to the department of public safety for the fiscal year beginning July 1, 2012. In Session Laws of Colorado 2012, section 2 of chapter 305, (HB 12-1335), **amend** Part XVII (1) (A), (5) (D), and the affected totals as amended by section 1 Senate Bill 13-101, as follows:

Section 2. Appropriation.

**PART XVII
DEPARTMENT OF PUBLIC SAFETY**

(1) EXECUTIVE DIRECTOR'S OFFICE

(A) Administration

Personal Services	2,269,953					2,269,953 ^a (27.7 FTE)	
Health, Life, and Dental	9,672,220		1,576,210		6,929,526 ^b	674,902 ^c	491,582(I)
	9,699,820		1,603,810				
Short-term Disability	148,142		27,698		102,625 ^b	12,338 ^c	5,481(I)
	148,436		27,992				
S.B. 04-257 Amortization	2,673,401		495,541		1,856,708 ^b	222,071 ^c	99,081(I)
	2,678,987		501,127				
S.B. 06-235 Supplemental	2,295,550		423,817		1,599,803 ^b	186,783 ^c	85,147(I)
	2,300,550		428,817				
Shift Differential	320,607		67,963		221,871 ^b	30,773 ^c	
	2,827,657				265,336 ^b	2,562,321 ^a	
Operating Expenses	151,046					151,046 ^a	
Legal Services for 4,524	349,441		78,945		103,404 ^b	167,092 ^a	
Purchase of Services from	2,504,611		978,611		1,361,675 ^b	164,325 ^a	
Multiuse Network	1,986,110		1,486,029		337,638 ^b	162,443 ^a	
Management and	261,189				85,395 ^d	175,794 ^a	
Payment to Risk	1,177,817		177,192		195,240 ^d	805,385 ^a	
Vehicle Lease Payments	80,076		22,698		29,437 ^e	27,941 ^f	
Leased Space	1,907,259		858,230		494,386 ^b	554,643 ^f	
	1,937,259		888,230				

			APPROPRIATION FROM				
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Capitol Complex Leased	1,263,475		16,890	462,435 ^g	784,150 ^h	
2	Communication Services	652,003			593,137 ^g	49,123 ^h	9,743(I)
3	COFRS Modernization	168,478	52,658		81,603 ^g	34,217 ^h	
4	Utilities	87,407			85,907 ^d	1,500 ⁱ	
5	Distributions to Local	50,000			50,000 ^j		
6		<u>30,846,442</u>					
7		30,914,922					
8							
9	^a Of these amounts, \$5,347,958 shall be from departmental indirect cost recoveries and \$1,110,401 shall be from statewide indirect cost recoveries.						
10	^b Of these amounts, \$12,221,914 shall be from the Highway Users Tax Fund created in Section 43-4-201 (1) (a), C.R.S., and \$1,051,058 shall be from various sources of cash funds.						
11	^c Of these amounts, \$323,498 shall be from departmental indirect cost recoveries, \$80,440 shall be from other state agencies for dispatch services, \$74,361 shall be from the Department						
12	^d These amounts shall be from the Highway Users Tax Fund created in Section 43-4-201 (1) (a), C.R.S.						
13	^e This amount shall be from various sources of cash funds.						
14	^f Of these amounts, \$544,118 shall be from departmental indirect cost recoveries and \$38,466 shall be from Limited Gaming funds appropriated to the Department of Revenue.						
15	^g Of these amounts, \$1,075,163 shall be from the Highway Users Tax Fund created in Section 43-4-201 (1) (a), C.R.S., and \$62,012 shall be from various sources of cash funds.						
16	^h Of these amounts, \$826,313 shall be from departmental indirect cost recoveries and \$41,177 shall be from various sources of reappropriated funds.						
17	ⁱ This amount shall be from Limited Gaming funds appropriated to the Department of Revenue.						
18	^j This amount shall be from the Hazardous Materials Safety Fund created in Section 42-20-107 (1), C.R.S.						
19							
20		32,763,273					
21		32,831,753					
22							
23	(5) COLORADO BUREAU OF INVESTIGATION¹						
24	(D) State Point of Contact - National Instant Criminal Background Check Program						
25	Personal Services	1,312,023	1,086,212		225,811 ^a		
26		1,484,477					
27			(22.0 FTE)		(4.4 FTE)		
28			(26.0 FTE)				

		APPROPRIATION FROM					
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Operating Expenses	361,248	300,744		60,504 ^a		
2		<u>482,781</u>	422,277				
3		1,673,271					
4		1,967,258					
5							
6		29,019,641					
7		29,313,628					
8							
9	^a These amounts shall be from permit application fees collected pursuant to Section 18-12-205 (2) (b), C.R.S.						
10							
11	TOTALS PART XVII						
12	(PUBLIC SAFETY)	\$273,982,783	\$84,338,122		\$136,496,137 ^a	\$25,083,490	\$28,065,034 ^b
13		<u>\$274,345,250</u>	<u>\$84,700,589</u>				
14							

15 ^a Of this amount, \$105,755,507 is from the Highway Users Tax Fund pursuant to Section 43-4-201 (3) (a) (III) (C), C.R.S.

16 ^b This amount contains an (I) notation.

SECTION 10. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of public safety, for the fiscal year beginning July 1, 2013, the sum of \$1,415,932 and 24.7 FTE, or so much thereof as may be necessary, to be allocated for the implementation of this act as follows:

- (a) \$324,806 for the executive director's office;
- (b) \$80,000 for the Colorado crime information center; and
- (c) \$1,011,126 and 24.7 FTE for the state point of contact-national instant criminal background check program.

SECTION 11. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the instant criminal background check cash fund created in section 24-33.5-424 (3.5) (b), Colorado Revised Statutes, not otherwise appropriated, to the department of public safety, for the fiscal year beginning July 1, 2013, the sum of \$1,415,932 and 24.7 FTE, or so much thereof as may be necessary, to be allocated for the implementation of this act as follows:

- (a) \$324,806 for the executive director's office;
- (b) \$80,000 for the Colorado crime information center; and
- (c) \$1,011,126 and 24.7 FTE for the state point of contact-national instant criminal background check program.

SECTION 12. Effective Date. This act takes effect upon passage; except that section 10 of this act takes effect only if House Bill 13-1228 does not become law, and section 11 of this act takes effect only if House Bill 13-1228 becomes law."

Renumber succeeding section accordingly.

- Appropriations
- After consideration on the merits, the Committee recommends that **HB13-1228** be **referred** to the Committee of the Whole with favorable recommendation.
- Judiciary
- After consideration on the merits, the Committee recommends that **HB13-1224** be **amended** as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.
- Amend reengrossed bill, page 2, strike lines 10 through 14 and substitute:
"(2) (a) "LARGE-CAPACITY MAGAZINE MEANS:
(I) A FIXED OR DETACHABLE MAGAZINE, BOX, DRUM, FEED STRIP, OR SIMILAR DEVICE CAPABLE OF ACCEPTING, OR THAT IS DESIGNED TO BE READILY CONVERTED TO ACCEPT, MORE THAN FIFTEEN ROUNDS OF AMMUNITION;
(II) A FIXED MAGAZINE OR SIMILAR DEVICE THAT IS CAPABLE OF ACCEPTING MORE THAN EIGHT SHOTGUN SHELLS; OR
(III) A DETACHABLE MAGAZINE, TUBE, BOX, DRUM, FEED STRIP, OR SIMILAR DEVICE THAT IS CAPABLE OF ACCEPTING MORE THAN EIGHT SHOTGUN SHELLS WHEN COMBINED WITH A FIXED MAGAZINE."
- Page 4, line 7, strike "TO:" and substitute "TO, OR ANY LICENSED GUN DEALER, AS DEFINED IN SECTION 12-26.1-106 (6), C.R.S., OR ANY EMPLOYEE THEREOF ENGAGED IN HIS OR HER OFFICIAL EMPLOYMENT DUTIES, THAT SELLS LARGE-CAPACITY MAGAZINES EXCLUSIVELY TO:".
- Page 4, strike line 27 and substitute "ON BEHALF OF A MANUFACTURER OF LARGE-CAPACITY MAGAZINES WITHIN COLORADO."
- Page 5, strike lines 4 through 6 and substitute "SECTION MUST INCLUDE A PERMANENT STAMP OR MARKING INDICATING THAT THE LARGE-CAPACITY MAGAZINE WAS MANUFACTURED OR ASSEMBLED AFTER THE EFFECTIVE DATE OF THIS SECTION. THE STAMP OR MARKING MUST BE LEGIBLY AND CONSPICUOUSLY".
- Judiciary
- After consideration on the merits, the Committee recommends that **SB13-196** be **referred** to the Committee of the Whole with favorable recommendation.

State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that HB13-1226 be referred to the Committee of the Whole with favorable recommendation.	1 2 3 4 5
Business, Labor, & Technology	After consideration on the merits, the Committee recommends that SB13-194 be amended as follows, and as so amended, be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	6 7 8 9 10
	Amend printed bill, page 3, after line 3 insert:	11
	"SECTION 4. Wind up - satisfying obligations of low-income telephone assistance fund. Notwithstanding the repeal of article 3.4 of title 40, the low-income telephone assistance fund continues until July 1, 2013, to satisfy remaining financial obligations of the fund. In winding up the Colorado telephone low-income assistance program, the public utilities commission may use the moneys in the fund to make disbursement to the carriers, pay administrative expenses of the department of human services, and offset costs of ending the program. On July 1, 2013, the treasurer shall transfer the remainder of the moneys in the fund to the general fund."	12 13 14 15 16 17 18 19 20 21 22
	Renumber succeeding section accordingly.	23 24 25
Finance	The Committee on <u>Finance</u> has had under consideration and has had a hearing on the following appointment and recommends that the appointment be confirmed:	26 27 28 29
	<div>MEMBER OF THE PUBLIC EMPLOYEES' RETIREMENT BENEFIT PLANS</div>	30 31 32 33
	for a term expiring July 10, 2016:	34 35
	Ben Valore-Caplan of Denver, Colorado, to serve as a representative with experience and competence in investment, management, finance, banking, economics, accounting, pension administration, or actuarial analysis, and as an Republican, and occasioned by the resignation of Charles John Farrell of Golden, Colorado, appointed.	36 37 38 39 40 41
Local Government	After consideration on the merits, the Committee recommends that SB13-192 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	42 43 44 45 46
Local Government	After consideration on the merits, the Committee recommends that HB13-1097 be referred to the Committee of the Whole with favorable recommendation.	47 48 49 50
Local Government	After consideration on the merits, the Committee recommends that SB13-182 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	51 52 53 54 55
Trans- portation	After consideration on the merits, the Committee recommends that HB13-1132 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	56 57 58 59 60
Trans- portation	After consideration on the merits, the Committee recommends that HB13-1083 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	61 62 63 64 65 66
	Amend reengrossed bill, page 3, line 23, strike "INSTRUCTOR TRAINING SPECIALISTS." and substitute "INSTRUCTORS."	67 68 69

Page 4, line 16, strike "STATE," and substitute "STATE AND".

Page 4, strike line 17 and substitute "SAME STATE.".

Page 7, line 14, before "COSTS" insert "TRAVEL".

Page 9, strike lines 20 through 27 and substitute "2017.

SECTION 7. In Colorado Revised Statutes, 24-34-104, add (48.5) (d) as follows:

24-34-104. General assembly review of regulatory agencies and functions for termination, continuation, or reestablishment.

(48.5) The following agencies, functions, or both, terminate on September 1, 2017:

(d) THE MOST PROGRAM CREATED BY PART 5 OF ARTICLE 5 OF".

SENATE SERVICES REPORT

Correctly Engrossed: SB13-014, 023, 060, 149, 150, 151, 179, 187 and 190.

Correctly Reengrossed: SB13-183 and 184.

Correctly Revised: HB13-1015, 1038, 1052, 1065, 1084, 1088 and 1109.

Correctly Rerevised: HB13-1024, 1043, 1053, 1062, 1144, 1146 and 1203.

INTRODUCTION OF BILLS -- FIRST READING

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

- SB13-201

by Senator(s) Kerr, Balmer, Guzman, Tochtrop; also Representative(s) Pettersen, Conti, Court, Hullinghorst, Kraft-Tharp, Rankin, Tyler--Concerning the designation of dogs and cats that are adopted from Colorado animal shelters and rescues as the state pets.

Education

HB13-1036

by Representative(s) Singer; also Senator(s) Heath and Nicholson--Concerning the authority of a local improvement district.

Local Government

HB13-1046

by Representative(s) Williams; also Senator(s) Ulibarri--Concerning employer access to personal information through electronic communication devices, and, in connection therewith, making an appropriation.

Business, Labor, & Technology

HB13-1060

by Representative(s) McLachlan; also Senator(s) Newell--Concerning raising the maximum fine that may be assessed by a municipal court.

Local Government

HB13-1077

by Representative(s) Salazar; also Senator(s) Ulibarri--Concerning a driver's right to challenge the lawfulness of a law enforcement officer's initial contact in an administrative proceeding for a revocation of a driver's license, and, in connection therewith, making an appropriation.

Finance

HB13-1124

by Representative(s) Pabon and Stephens, Williams, Melton; also Senator(s) Jahn, Tochtrop--Concerning the reduction of improper unemployment insurance benefit payments through compliance with the federal "Trade Adjustment Assistance Extension Act of 2011", and, in connection therewith, making an appropriation.

Business, Labor, & Technology

HB13-1147	by Representative(s) Melton, Buckner, Court, Duran, Exum, Fields, Fischer, Lebsock, Mitsch Bush, Moreno, Ryden, Salazar, Singer, Tyler, Williams; also Senator(s) Newell, Todd, Ulibarri--Concerning voter registration facilitated by state institutions of higher education. State, Veterans, & Military Affairs	1 2 3 4 5 6 7
HB13-1155	by Representative(s) Gerou, Duran, Levy; also Senator(s) Hodge, Steadman, Lambert--Concerning revision of the condition precedent upon which the transfers authorized by House Bill 12-1268 are contingent. Appropriations	8 9 10 11 12 13
HB13-1198	by Representative(s) Coram and McLachlan; also Senator(s) Roberts, Guzman--Concerning the Colorado commission of Indian affairs. State, Veterans, & Military Affairs	14 15 16 17 18
HB13-1220	by Representative(s) Salazar; also Senator(s) Heath--Concerning the confidentiality of an individual educator's performance data. Education	19 20 21 22 23
HB13-1232	by Representative(s) McLachlan; also Senator(s) King--Concerning fishing licenses for people who are in the warrior transition battalion due to service in the United States armed forces. Agriculture, Natural Resources, & Energy	24 25 26 27 28 29
HB13-1233	by Representative(s) Pabon, DelGrosso, Holbert, Nordberg, Rosenthal, Szabo, Williams; also Senator(s) King, Heath, Jahn, Tochtrop--Concerning permitting an insurer to conduct insurance transactions in a foreign language. Business, Labor, & Technology	30 31 32 33 34 35 36 37
<div>_____</div> <div>THIRD READING OF BILLS -- FINAL PASSAGE -- CONSENT CALENDAR</div>		38 39 40
On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:		41 42 43 44
SB13-023	by Senator(s) Cadman and Morse; also Representative(s) Levy and Ferrandino--Concerning an increase in the limitation on the amount of damages that may be recovered by an injured party under the "Colorado Governmental Immunity Act". Laid over until Thursday, March 7, retaining its place on the calendar.	45 46 47 48 49 50 51 52
<div>_____</div> <div>Call of the Senate.<div>_____</div>Call raised.</div>		53 54 55 56 57 58
HB13-1109	by Representative(s) Buck, DelGrosso; also Senator(s) Renfroe--Concerning the application of mandatory protection orders to parolees. The question being "Shall the bill pass?", the roll call was taken with the following result:	59 60 61 62 63 64 65

YES	33	NO	1	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	E	Lambert	Y	Steadman	N
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: King, Lambert, Lundberg and Marble.

HB13-1052 by Representative(s) Landgraf; also Senator(s) Jahn--Concerning the threshold amount for representation of closely held entities by nonattorneys.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	E	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: King.

HB13-1084 by Representative(s) DelGrosso; also Senator(s) Newell--Concerning the licensing status of entities under the "Child Care Licensing Act" when a new federal employee identification number is issued.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	E	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Aguilar and Todd.

SB13-150 by Senator(s) Harvey, Schwartz; also Representative(s) May--Concerning the continuation of the water and wastewater facility operators certification board, and, in connection therewith, implementing the recommendations of the 2012 sunset report by the department of regulatory agencies.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	E	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Jones and Nicholson.

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:

HB13-1015 by Representative(s) Kraft-Tharp; also Senator(s) Kefalas, Aguilar--Concerning elimination of the prohibition against disclosure of mental health claims information by small group health plans.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	E	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Kerr, Nicholson, Tochtrop and Todd.

HB13-1065 by Representative(s) Stephens; also Senator(s) Todd--Concerning the definition of professional persons under the mental health statutes.

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

YES	26	NO	8	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	E	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Aguilar, King, Newell and Roberts.

HB13-1038 by Representative(s) Rosenthal; also Senator(s) Todd--Concerning the voting rights of individuals in the custody of the division of youth corrections within the department of human services.

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

YES	26	NO	8	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	Y	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	Y	Hill	E	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Aguilar, Carroll, Giron, Guzman, Heath, Kefalas, Kerr, Morse, Newell, Nicholson, Schwartz, Steadman, Tochtrop and Ulibarri.

HB13-1088 by Representative(s) Fields, Buckner, Court, Fischer, Ginal, Labuda, Levy, May, McCann, Melton, Mitsch Bush, Moreno, Pabon, Peniston, Primavera, Rosenthal, Salazar, Schafer, Singer, Tyler, Williams, Young; also Senator(s) Giron--Concerning modification of the work of the department of public health and environment regarding health disparities to include health equity, and, in connection therewith, renaming the office of health disparities to the office of health equity and consolidating the duties of the minority health advisory commission and the interagency health disparities leadership council into the newly created health equity commission.

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

YES	21	NO	13	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	E	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Aguilar, Guzman, Heath, Kefalas, Kerr, Morse, Newell, Nicholson, Schwartz, Steadman, Tochtrop, Todd and Ulibarri.

SB13-190 by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Gerou, Duran, Levy-- Concerning the implementation of the Colorado financial reporting system modernization project.

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

YES	23	NO	11	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	Y	Hill	E	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Guzman, Morse, Newell and Todd.

SB13-149 by Senator(s) Kefalas; also Representative(s) Kagan--Concerning the repeal of the advisory committee to establish an all-payer health claims database.

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

YES	22	NO	12	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	E	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Aguilar, Giron, Guzman and Nicholson.

SB13-151 by Senator(s) Nicholson; also Representative(s) Primavera--Concerning the continuation of the regulation of massage therapists, and, in connection therewith, requiring licensure of massage therapists and implementing other recommendations contained in the sunset report prepared by the department of regulatory agencies, and, in connection therewith, making an appropriation.

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

YES	21	NO	13	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	E	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Aguilar, Guzman, Newell, Tochtrop and Todd.

SB13-060 by Senator(s) Scheffel; also Representative(s) McNulty--Concerning the creation of a civil air patrol license plate, 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	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	E	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	N	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Baumgardner, Crowder, Giron, Grantham, Guzman, Heath, King, Lambert, Lundberg, Marble, Newell, Roberts and Todd.

SB13-014 by Senator(s) Aguilar; --Concerning the use of opiate antagonists to treat persons who suffer opiate-related drug overdose events, and, in connection therewith, making an appropriation.

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

YES	26	NO	8	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	E	Lambert	N	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Guzman, Kefalas, Newell, Steadman, Tochtrop, Todd and Ulibarri.

SB13-187 by Senator(s) Carroll, Morse, Cadman; also Representative(s) Hullinghorst, Ferrandino, Waller--Concerning payment of expenses of the legislative department.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	E	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

SB13-179 by Senator(s) Tochtrop; also Representative(s) Williams--Concerning the authority to continue to simulcast greyhound races after June 30, 2014.

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

YES	33	NO	1	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	E	Lambert	N	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

RECONSIDERATION OF SB13-060

SB13-060 by Senator(s) Scheffel; also Representative(s) McNulty--Concerning the creation of a civil air patrol license plate, and, in connection therewith, making an appropriation.

Having voted on the prevailing side, Majority Leader Carroll moved for reconsideration of the last Senate action, Third Reading of Bills -- Final Passage, on SB13-060.

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

THIRD READING OF BILLS -- FINAL PASSAGE

On third reading, the titles of the following bill was publicly read, the reading at length having been dispensed with by unanimous consent:

SB13-060 by Senator(s) Scheffel; also Representative(s) McNulty--Concerning the creation of a civil air patrol license plate, and, in connection therewith, making an appropriation.

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

YES	31	NO	3	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	E	Lambert	Y	Steadman	N
Cadman	Y	Hodge	N	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	N
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Cadman.

Committee of the Whole
 On motion of Senator Steadman, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills and Senator Steadman was called to the Chair to act as Chairman.

GENERAL 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:

HB13-1016
by Representative(s) Gardner; also Senator(s) Jahn--Concerning the distribution to beneficiaries of amounts in pay-on-death (POD) financial institution accounts pursuant to written designation in the records of the financial institution.

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

Amend reengrossed bill, page 2, strike lines 6 through 18 and substitute:

"(b) (I) On death of the sole party or the last survivor of two or more parties, sums on deposit belong to the surviving beneficiary or beneficiaries. If two or more beneficiaries survive, sums on deposit belong to them IN SUCH PROPORTIONS AS SPECIFIED IN THE POD DESIGNATION OR, IF THE POD DESIGNATION DOES NOT SPECIFY DIFFERENT PROPORTIONS, in equal and undivided shares; and there is no right of survivorship in the event of death of a beneficiary thereafter.
 (II) IF THERE ARE TWO OR MORE BENEFICIARIES, AND IF ANY BENEFICIARY FAILS TO SURVIVE THE SOLE PARTY OR THE LAST SURVIVOR OF TWO OR MORE PARTIES, SUMS ON DEPOSIT BELONG TO THE SURVIVING BENEFICIARIES IN PROPORTION TO THEIR RESPECTIVE INTERESTS AS BENEFICIARIES UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH (b).".

Page 2, after line 20, insert:

"(IV) NEITHER THE PROVISIONS OF SECTION 15-11-706 NOR THE PROVISIONS OF ANY OTHER ANTI-LAPSE STATUTE APPLY TO THE DISPOSITION OF AN ACCOUNT WITH A POD DESIGNATION.".

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

HB13-1023 by Representative(s) Murray and Fields; also Senator(s) Balmer and Kerr--Concerning policies relating to academic acceleration in preschool through twelfth grade.

Amendment No. 1(L.002), by Senator Scheffel.

Amend reengrossed bill, page 2, line 7, strike "a".

Page 2, line 8, strike "policy" and substitute "procedures".

Page 2, line 12, strike "A school" and substitute "School" and strike "policy" and substitute "procedures".

Page 2, line 19, strike "under a".

Page 2, line 20, strike "school district's policy".

Page 2, line 25, strike "shall adopt a" and substitute "is encouraged to adopt".

Page 2, line 26, strike "policy" and substitute "procedures".

Page 3, strike lines 3 through 10 and substitute:

"SECTION 2. In Colorado Revised Statutes, 22-7-1013, **add** (2.5) as follows:

22-7-1013. Local education provider - preschool through elementary and secondary education standards - adoption - academic acceleration. (2.5) EACH LOCAL EDUCATION PROVIDER SHALL REVIEW ITS PROCEDURES CONCERNING ACADEMIC ACCELERATION FOR STUDENTS. ".

Page 3, strike line 13 and substitute "STUDENT'S PEERS. THE LOCAL EDUCATION PROVIDER SHALL CONSIDER PROCEDURES THAT MAY INCLUDE,".

Page 4, line 1, strike "POLICY" and substitute "PROCEDURES".

Page 4, line 4, strike "POLICY," and substitute "PROCEDURES," and strike "RESOURCES," and substitute "RESOURCES".

Page 4, strike line 5 and substitute "MADE AVAILABLE".

Page 4, line 8, strike "POLICIES." and substitute "PROCEDURES.".

Page 4, strike lines 9 through 20.

Renumber succeeding section accordingly.

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	E	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB13-1016 as amended, HB13-1023 as amended.

MESSAGE FROM THE HOUSE

March 6, 2013

Mr. President:

The House has adopted and transmits herewith HJR13-1016.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

HJR13-1016 by Representative(s) Conti, Primavera; also Senator(s) Tochtrop, Balmer--Concerning Colorado kennel clubs and dog fanciers.

On motion of Senator Tochtrop, the resolution was adopted by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	E	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Brophy, Cadman, Carroll, Crowder, Giron, Grantham, Guzman, Harvey, Heath, Hodge, Hudak, Jahn, Johnston, Jones, Kefalas, Kerr, King, Lambert, Lundberg, Marble, Morse, Newell, Nicholson, Renfroe, Roberts, Scheffel, Schwartz, Steadman, Todd and Ulibarri.

SJR13-016 by Senator(s) Carroll; also Representative(s) Pabon--Concerning authorizing and directing the Committee on Legal Services to retain legal counsel to represent the General Assembly as amicus curiae in any pending or future lawsuit for the purpose of participating only to address the issue of the standing of legislator-plaintiffs when standing is based upon an institutional interest of the General Assembly.

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

Amend printed joint resolution, page 1, strike lines 1 through 5.

Strike pages 2 and 3.

Page 4, strike lines 1 through 7 and substitute:

"WHEREAS, To bring an action in a court of law, a complaint must contain allegations that the plaintiff or plaintiffs suffered an injury in fact to a legally protected interest as contemplated by statutory or constitutional provisions; and

WHEREAS, Such a showing of standing is a jurisdictional requirement since courts may exercise their powers only when an actual case or controversy exists; and

WHEREAS, For purposes of standing, injuries may arise from numerous types of legally protected interests, including institutional rights; and

WHEREAS, The General Assembly has constitutionally protected institutional interests which, if threatened by injury, will confer standing upon the General Assembly, such as the General Assembly's exclusive authority to appropriate moneys; and

WHEREAS, The General Assembly's historic practice has been that individual legislators cannot sue on behalf of the General Assembly, and the General Assembly does not authorize litigation on its own behalf, without express authorization through a joint resolution; and

WHEREAS, Despite not being expressly authorized, individual legislators may still have a sufficiently cognizable injury to establish standing for purpose of advancing an institutional interest if a core legislative power of the General Assembly, and thereby the ability of its members to fulfill their official responsibilities, has been nullified or eliminated; and

WHEREAS, In such cases, the General Assembly, acting as an amicus curiae, is best able to explain to the courts the institutional interest as represented by the individual legislators who are plaintiffs; and

WHEREAS, The involvement of the General Assembly as amicus curiae on the limited issue of standing of individual legislators who are plaintiffs should carry no implication about the views of the General Assembly on the merits of such lawsuits; now, therefore,

Be It Resolved by the Senate of the Sixty-ninth General Assembly of the State of Colorado, the House of Representatives concurring herein:

That it is in the best interests of the General Assembly and the state of Colorado that the General Assembly participate as an amicus curiae in any lawsuit in which the General Assembly is not a party but individual members are plaintiffs on the limited issue of standing of those legislator-plaintiffs when standing is based upon advancing an institutional interest of the General Assembly; and

That the Committee on Legal Services, in furtherance of its authority under section 2-3-1001, Colorado Revised Statutes, is authorized and directed to retain legal counsel to represent the General Assembly through participation as an amicus curiae in any pending or future lawsuit in which the General Assembly is not a party on the limited issue of standing of the legislator-plaintiffs if the Committee determines that standing is based upon advancing any institutional interest of the General Assembly."

Page 1, line 103, strike "THE CASE OF".

Page 1, strike lines 104 through 107 and substitute:

"ANY PENDING OR FUTURE LAWSUIT FOR THE PURPOSE OF PARTICIPATING ONLY TO ADDRESS THE ISSUE OF THE STANDING OF LEGISLATOR-PLAINTIFFS WHEN STANDING IS BASED UPON AN INSTITUTIONAL INTEREST OF THE GENERAL ASSEMBLY."

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	E	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

On motion of Majority Leader Carroll, the resolution, as amended, was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	E	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Co-sponsor(s) added: Steadman.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB13-002 by Senator(s) Hudak; also Representative(s) Hamner--Concerning the designation of boards of cooperative services as local education agencies for purposes of federal law.

Senator Hudak moved that the Senate concur in House amendments to **SB13-002**, as printed in House journal, March 1, page(s) 443. The motion was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	E	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	E	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS

On motion of Majority Leader Carroll, the following Governor's appointment was laid over until Thursday, March 7, retaining its place on the calendar:

MEMBER OF THE
BOARD OF TRUSTEES FOR THE
UNIVERSITY OF NORTHERN COLORADO

for a term expiring December 31, 2016:

Anthony Darren Salazar of Denver, Colorado to serve as an Unaffiliated, appointed.

On motion of Senator Hudak, 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, 2016:

Brent Jared Kline of Denver, Colorado, a Republican, appointed;

Claudia Beth Crowell of Grand Junction, Colorado, a Democrat, appointed.

YES	33	NO	1	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	E	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

On motion of Senator Aguilar, the following Governor's appointments were confirmed by a roll call vote:

MEMBERS OF THE
AIR QUALITY CONTROL COMMISSION

for a term expiring January 31, 2014:

Teresa A. Coons of Grand Junction, Colorado, to serve as a representative with scientific experience, reappointed;

for terms expiring January 31, 2016:

William R. Toor of Boulder Colorado, to serve as a representative with technical and private sector experience, appointed;

Jana Beth Milford of Boulder, Colorado, to serve as a representative with legal and scientific experience, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	E	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB13-1008, 1010, 1026, 1035, 1041, 1051, 1055, 1063, 1072, 1113, 1137; HJR13-1014.

TRIBUTES

Honoring:

- Francisco Aguilar, In recognition of a strong community leader. -- By Senator Cheri Jahn and Senator Andy Kerr.
- Yatzire Aguirre, In recognition of a strong community leader. -- By Senator Cheri Jahn and Senator Andy Kerr.
- Canada Albin, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.
- Labeat Alija, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.
- Aaron Arvello, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.
- Mayra Barrera, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.
- Casey Barretero, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.
- Jeremiah Bates, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.
- Taylor Baxley, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.
- Kyle Bedford, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.
- Samantha Bennett, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.

Emma Bloenco, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	1
Chelsey Bock, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	2
Damon Bolton, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	3
Gabrielle Bond, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	4
Sarah Boothby, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	5
Karen Borquez-Diaz, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	6
Cassie Brown, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	7
Ally Buckner, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	8
Dominique Burkey, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	9
Madahi Cabrera-Marquez, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	10
Ashlyn Carmosino, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	11
April Cendejas, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	12
Aaron Cisneros, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	13
James Cleary, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	14
Raven Cleveland, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	15
Christine Cooper, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	16
Katrina Cordova, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	17
Frank Curiel, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	18
Jacqueline Delgado, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	19
Kendra DiMucci, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	20
Emma Eaker, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	21
Micah Elazier, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	22
Brianna Esquibel, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	23
Neko Favela, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	24
Mercedes Figueroa, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	25
John Patrick Fischbach, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	26
Olivia Fousel, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	27
Devon Fox, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	28
Savannah Gallegos-Alexus, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	29
Adriana Gonzalez, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	30
Linyeiner Gonzalez, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	31
Issa Grimes, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	32
Domonick Guigon, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	33
Nick Hall, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	34
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Brandon Heller, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	1
Maria Hernandez, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	2
Linh Hoang, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	3
Morgan Jewell, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	4
John Jones, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	5
Ava Kopperschlager, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	6
Anastasia Lawrence, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	7
Matt Lewis, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	8
Aaron Long, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	9
Jesus Lozano, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	10
Roberto Maestas, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	11
Adrian Malfabon, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	12
Edite Maloku, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	13
Arianna Martinez, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	14
Sandy Mata, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	15
Matiok Mathiang, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	16
Chris McNabb, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	17
Araceli Medel, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	18
Katia Meraz, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	19
Liliana Meraz, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	20
Alyssa Miller, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	21
Justice Mitchell, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	22
Angelica Molina, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	23
Jazmin Montoya, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	24
Alysia Mora-Pina, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	25
Roseline Mugaruka, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	26
Alexandra Nunez, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	27
Frankie Olivarez, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	28
Jose Parra, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	29
Timmy Paulsen, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	30
Tania Perez, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	31
Jazmin Phelps, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	32
Betina Pieterse, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	33
Valeria Placencio, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	34
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Andrew Rabbitt, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	1
Nuvia Ramirez, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	2
Rafael Resendez, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	3
Megan Rhoads, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	4
Marisol Rodriguez, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	5
David Roland, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	6
Rayanna Romero, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	7
Joey Root, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	8
Stephani Ruvalcaba, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	9
Jhamier Ryan, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	10
Edwin Saenz, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	11
Jair Salazar, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	12
Stephanie Shepherd, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	13
Erica Simpson, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	14
Taylor Smothers, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	15
Edna Solis, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	16
Trevor Sowl, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	17
Chris Swartwood, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	18
Maverick Swenson, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	19
Darlene Tapia, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	20
Jennica Trover, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	21
Victoria True, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	22
Alina Trujillo, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	23
Cheyayn Tucker, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	24
Joseph Urenda, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	25
Noe Urias, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	26
Kamelia Vick, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	27
Klarissa Vick, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	28
Johnny Wightman, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	29
Breanna Wilson, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	30
BaiLee Yoder, In recognition of a strong community leader -- By Senator Cheri Jahn and Senator Andy Kerr.	31
Jaime Eisenbach, In recognition of a strong community leader -- By Senator Cheri Jahn.	32
Oliver Engquist, In recognition of a strong community leader -- By Senator Cheri Jahn.	33
Kinsey Flanders, In recognition of a strong community leader -- By Senator Cheri Jahn.	34
Adriana Gonzales, In recognition of a strong community leader -- By Senator Cheri Jahn.	35
Hannah Hunter, In recognition of a strong community leader -- By Senator Cheri Jahn.	36
Zach Kugler, In recognition of a strong community leader -- By Senator Cheri Jahn.	37

Maddi Lansville, In recognition of a strong community leader -- By Senator Cheri Jahn.1
Brian Long, In recognition of a strong community leader -- By Senator Cheri Jahn.2
Katey McNeil, In recognition of a strong community leader -- By Senator Cheri Jahn.3
Cody Moreland, In recognition of a strong community leader -- By Senator Cheri Jahn.4
Emily Norwood, In recognition of a strong community leader -- By Senator Cheri Jahn.5
Becca Price, In recognition of a strong community leader -- By Senator Cheri Jahn.6
Mikala Redel, In recognition of a strong community leader -- By Senator Cheri Jahn.7
Marcus Vesely, In recognition of a strong community leader -- By Senator Cheri Jahn.8
Josie Warren, In recognition of a strong community leader -- By Senator Cheri Jahn.9

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On motion of Majority Leader Carroll, the Senate adjourned until 9:00 a.m., Thursday,14
March 7, 2013.15

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Approved:17
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John P. Morse21
President of the Senate22

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Attest:24
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Cindi L. Markwell28
Secretary of the Senate29
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SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

58th Legislative Day Thursday, March 7, 2013

Prayer By the chaplain, Randle Loeb, Community Minister, Denver.

Call to Order By the President at 9:00 a.m.

Pledge By Senator Todd.

Roll Call Present--31
Excused--4, Cadman, Hudak, Lambert, Scheffel.
Present later--4, Cadman, Hudak, Lambert, Scheffel.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Hill, reading of the Journal of Wednesday, March 6, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Trans- After consideration on the merits, the Committee recommends that **HB13-1027** be
portation **amended** as follows, and as so amended, be referred to the Committee of the Whole with
favorable recommendation.

Amend reengrossed bill, page 3, line 2, strike "COMMITTEES," and
substitute "COMMITTEES AND TO THE HOUSE BUSINESS, LABOR, AND
ECONOMIC AND WORKFORCE DEVELOPMENT COMMITTEE AND THE SENATE
BUSINESS, LABOR, & TECHNOLOGY COMMITTEE,".

Page 3, strike lines 7 and 8 and substitute "ELECTRONICALLY AND MUST
INCLUDE A SYNOPSIS, IN PLAIN LANGUAGE, OF THE ISSUES AND THE
OUTCOME OF EACH ENERGY UTILITY RATE CASE; THE AMOUNT OF ANY
INCREASE".

Page 3, line 13, after the period add "IN ADDITION, THE DIRECTOR SHALL
MAKE THE PLAIN-LANGUAGE SYNOPSIS AVAILABLE TO THE PUBLIC BY
POSTING THE SYNOPSIS ON THE COMMISSION'S WEB SITE.".

Page 1, strike lines 104 and 105 and substitute "GENERAL ASSEMBLY
REGARDING RECENT ENERGY RATE CASES.".

Agriculture, The Committee on Agriculture, Natural Resources, & Energy has had under consideration
Natural and has had a hearing on the following appointments and recommends that the
Resources, & appointments be confirmed:
Energy

MEMBERS OF THE
PARKS AND WILDLIFE COMMISSION

for a term expiring July 1, 2013:

Jeanne Horne of Meeker, Colorado, as a representative of sports persons and outfitters
and west of the Continental Divide, appointed;

	for terms expiring July 1, 2014:	1
	Kenneth "Mark" Smith of Center, Colorado, as a member at large, appointed;	2
	Hon. Robert "Dean" Wingfield of Vernon, Colorado, as a representative of agriculture, appointed;	3
	for a term expiring July 1, 2015:	4
	Christopher James Castilian of Denver, Colorado, as a representative of outdoor recreation and utilizes parks resources, appointed;	5
	for terms expiring July 1, 2016:	6
	Robert William Bray of Redvale, Colorado, as a representative of agriculture and west of the Continental Divide, appointed;	7
	Michelle Zimmerman of Breckenridge, Colorado, as a representative of a non-profit organization that promotes conservation and recognizes non-consumptive wildlife use, and west of the Continental Divide, appointed;	8
	Hon. James Vigil of Trinidad, Colorado, as a representative of agriculture, appointed. for a term expiring July 1, 2013.	9
Agriculture, Natural Resources, & Energy	After consideration on the merits, the Committee recommends that SB13-188 be amended as follows, and as so amended, be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	10
	Amend printed bill, page 9, line 7, strike "ALL LANDS REGISTERED" and substitute "THE LANDS YIELDING THE LICENSE".	11
	Page 9, line 8, after "SEASON" insert "THAT".	12
Judiciary	After consideration on the merits, the Committee recommends that HB13-1166 be referred to the Committee of the Whole with favorable recommendation.	13
Judiciary	After consideration on the merits, the Committee recommends that HB13-1209 be referred to the Committee of the Whole with favorable recommendation.	14
Judiciary	After consideration on the merits, the Committee recommends that HB13-1126 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	15
Health & Human Services	After consideration on the merits, the Committee recommends that HB13-1199 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	16
Business, Labor, & Technology	The Committee on <u>Business, Labor, & Technology</u> has had under consideration and has had a hearing on the following appointment and recommends that the appointment be confirmed:	17
	MEMBER OF THE <u>STATEWIDE INTERNET PORTAL AUTHORITY</u>	18
	for a term expiring June 1, 2016:	19
	Jack R. Arrowsmith of Highlands Ranch, Colorado to serve as a representative of local government, reappointed.	20

Business, Labor, & Technology	The Committee on <u>Business, Labor, & Technology</u> has had under consideration and has had a hearing on the following appointment and recommends that the appointment be confirmed:	1
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	MEMBER OF THE	4
	<u>STATE ELECTRICAL BOARD</u>	5
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	for a term expiring July 1, 2015:	8
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	James E. Dent of Wheat Ridge, Colorado, an electrical contractor who has a masters' license, appointed.	10
Business, Labor, & Technology	The Committee on <u>Business, Labor, & Technology</u> has had under consideration and has had a hearing on the following appointment and recommends that the appointment be confirmed:	11
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	MEMBER OF THE	14
	<u>EXAMINING BOARD OF PLUMBERS</u>	15
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	for a term expiring July 1, 2016:	19
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Business, Labor, & Technology	Anthony John Shaffer of Florence, Colorado, a plumbing contractor engaged in the construction of residential or commercial buildings, appointed.	21
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	The Committee on <u>Business, Labor, & Technology</u> has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:	28
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Business, Labor, & Technology	MEMBERS OF THE	31
	<u>WORKERS' COMPENSATION COST</u>	32
	<u>CONTAINMENT BOARD</u>	33
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	for a term expiring December 13, 2014:	37
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	Jeffrey Michael Citrone of Denver, Colorado, to serve as an executive with good risk management experience in the insurance industry, and occasioned by the resignation of Michael W. Mitchell of Windsor, Colorado, appointed;	39
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Business, Labor, & Technology		41
	for terms expiring December 13, 2015:	42
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	Richard C. Zellen, Jr. of Arvada, Colorado, to serve as an employer with good risk management experience with respect to their workers' compensation insurance, reappointed;	45
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	Jerry L. Mosley of Golden, Colorado, to serve as an employer with good risk management experience with respect to their workers' compensation insurance, reappointed.	49
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Business, Labor, & Technology		51
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	After consideration on the merits, the Committee recommends that SB13-171 be referred to the Committee of the Whole with favorable recommendation.	53
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	The Committee on <u>State, Veterans, & Military Affairs</u> has had under consideration and has had a hearing on the following appointment and recommend that the appointment be confirmed:	58
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State, Veterans, & Military Affairs	MEMBER OF THE	61
	<u>COLORADO BOARD OF VETERANS AFFAIRS</u>	62
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	for a term expiring June 30, 2016:	66
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	Dana Louise Niemela of Denver, Colorado, a Democrat and a veteran who has been honorably released or separated from the armed forces of the United States, appointed.	68
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State, Veterans, & Military Affairs
After consideration on the merits, the Committee recommends that **HB13-1184** be **referred** to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

State, Veterans, & Military Affairs
After consideration on the merits, the Committee recommends that **HB13-1182** be **referred** to the Committee on Legislative Council with favorable recommendation.

SENATE SERVICES REPORT

Correctly Printed: SB13-201.
Correctly Engrossed: SJR13-016.
Correctly Reengrossed: SB13-014, 060, 149, 150, 151, 179, 187 and 190.
Correctly Revised: HB13-1016 and 1023; HJR13-1016.
Correctly Rerevised: HB13-1015, 1038, 1052, 1065, 1084, 1088 and 1109.
Correctly Enrolled: SB13-029, 031, 072 and 075.

THIRD READING OF BILLS -- FINAL PASSAGE --
CONSENT CALENDAR

On third reading, the titles of the following bill was publicly read, the reading at length having been dispensed with by unanimous consent:

SB13-023
by Senator(s) Cadman and Morse; also Representative(s) Levy and Ferrandino--Concerning an increase in the limitation on the amount of damages that may be recovered by an injured party under the "Colorado Governmental Immunity Act".

Laid over until Friday, March 8, retaining its place on the calendar.

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:

HB13-1016
by Representative(s) Gardner; also Senator(s) Jahn--Concerning the distribution to beneficiaries of amounts in pay-on-death (POD) financial institution accounts pursuant to written designation in the records of the financial institution.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	E
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: King and Roberts.

HB13-1023 by Representative(s) Murray and Fields; also Senator(s) Balmer and Kerr--Concerning policies relating to academic acceleration in preschool through twelfth grade.

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

Third Reading Amendment No. 1(L.003), by Senator Kerr.

Amend revised bill, page 2, line 25, strike "is encouraged to adopt" and substitute "shall review the".

Page 3, line 7, after "(2.5)" insert "(a)".

Page 3, line 14, strike "(A)" and substitute "(I)".

Page 3, line 17, strike "(B)" and substitute "(II)".

Page 3, line 20, strike "(C)" and substitute "(III)".

Page 3, line 23, strike "(D)" and substitute "(IV)".

Page 3, line 25, strike "(E)" and substitute "(V)".

Page 4, line 2, strike "(II)" and substitute "(b)".

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	E
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	E
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Carroll, Guzman, Heath, Kefalas, Newell, Nicholson and Todd.

CONSIDERATION OF RESOLUTIONS

SJR13-017 by Senator(s) Newell; also Representative(s) Lee--Concerning recognition of October as "Conflict Resolution Month" in Colorado.

On motion of Senator Newell, the resolution was read at length and **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Co-sponsor(s) added: Aguilar, Carroll, Giron, Guzman, Heath, Hudak, Kefalas, Kerr, Morse, Nicholson, Schwartz, Steadman, Tochtrop and Todd.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS

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

MEMBER OF THE
BOARD OF TRUSTEES FOR THE
UNIVERSITY OF NORTHERN COLORADO

for a term expiring December 31, 2016:

Anthony Darren Salazar of Denver, Colorado to serve as an Unaffiliated, appointed.

YES	21	NO	14	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

On motion of Majority Leader Carroll, the Senate adjourned until 9:00 a.m., Friday,
March 8, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

59th Legislative Day Friday, March 8, 2013

Prayer By the chaplain, Rabbi Yossi Serebryanski, Chabad of South Denver.

Call to Order By the President at 9:00 a.m.

Pledge By Senator Todd.

Roll Call Present--35

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Hill, reading of the Journal of Thursday, March 7, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Education The Committee on Education has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

MEMBERS OF THE
BOARD OF TRUSTEES FOR FORT LEWIS COLLEGE

effective December 31, 2012, for terms expiring December 31, 2016:

Ernest Domingo House of Aurora, Colorado, to serve as an Unaffiliated, appointed;

Thomas R. Schilling of Denver, Colorado, to serve as a Democrat, appointed.

Education The Committee on Education has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

MEMBERS OF THE
BOARD OF TRUSTEES FOR THE COLORADO
SCHOOL FOR THE DEAF AND THE BLIND

for a term expiring July 1, 2014:

John C. Dickinson of Longmont, Colorado, a Democrat, reappointed;

for terms expiring July 1, 2016:

Andy McElhany of Colorado Springs, Colorado, a Republican, appointed;

Linda Sue Williams of Golden, Colorado a Democrat, appointed.

Education	The Committee on <u>Education</u> has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:	1 2 3 4 5 6 7 8 9
	<p>effective December 31, 2012, for terms expiring December 31, 2016:</p> <p>Mary K. Griffin of Boulder, Colorado, a Democrat, reappointed;</p> <p>Paul Farley of Centennial, Colorado, a Republican, appointed.</p>	10 11 12 13 14
Health & Human Services	The Committee on <u>Health & Human Services</u> has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:	15 16 17 18
	<p>MEMBERS OF THE <u>SOLID AND HAZARDOUS WASTE COMMISSION</u></p> <p>for terms expiring August 1, 2015:</p> <p>Michael K. Dempsey of Denver, Colorado, to serve as a representative from the regulated community and as a Republican, appointed;</p> <p>Charlotte Sophia Pitt of Denver, Colorado, to serve as a representative of the government or academic community and as a Democrat, appointed;</p> <p>Joseph Charles Prinster, Jr. of Boulder, Colorado, to serve as a member of the public and as a Republican, appointed.</p>	19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34
Health & Human Services	The Committee on <u>Health & Human Services</u> has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:	35 36 37 38
	<p>MEMBERS OF THE <u>COLORADO COMMISSION FOR THE DEAF AND HARD OF HEARING</u></p> <p>for a term expiring July 1, 2014:</p> <p>Mary Pat Graham-Kelly of Lakewood, Colorado, to serve as a member who is deaf, and occasioned by the resignation of Marie N. Runge of Greeley, Colorado, appointed;</p> <p>for terms expiring July 1, 2016:</p> <p>Leslie W. Ralphe of Colorado Springs, Colorado, to serve as a late deafened member, reappointed;</p> <p>Amy Jo Beckett of Grand Junction, Colorado, a public member, appointed;</p> <p>Elizabeth C. Konkell of Lakewood, Colorado, to serve as a professional in the field of deafness, appointed;</p> <p>Lisa Ann Weiss of Lone Tree, Colorado, a parent of a deaf or hard of hearing person, appointed.</p>	39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62
Health & Human Services	After consideration on the merits, the Committee recommends that HB13-1104 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	63 64 65 66 67
	Amend reengrossed bill, page 3, line 4, before "(2)" insert "(1) (c),".	68 69

Page 3, line 26, strike "The" and substitute "BY JANUARY 31, 2014, the".

Page 4, after line 19 insert:

"(c) The director may select an entity to administer the mental health professional peer assistance program. An administering entity must be a nonprofit private foundation that is qualified under section 501 (c) (3) of the federal "Internal Revenue Code of 1986", as amended, and that is dedicated to providing support for charitable, benevolent, educational, and scientific purposes that ~~are~~ MAY BE related to mental health professions, mental health professional education, mental health research and science, and other mental health charitable purposes."

Health &
Human
Services

After consideration on the merits, the Committee recommends that **SB13-180** be **amended** as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 2, line 5, strike "2018." and substitute "2020."

Page 2, line 10, strike "(49.5)" and substitute "(51.5)".

Page 2, line 11, strike "(49.5) (e)" and substitute "(51.5) (d)".

Page 3, line 5, strike "(49.5)" and substitute "(51.5)".

Page 3, line 6, strike "2018:" and substitute "2020:".

Page 3, line 7, strike "(e)" and substitute "(d)".

Page 3, line 11, strike "(9) (c) (VII)," and after "(IX)," insert "(9) (c) (XII), (9) (c) (XIII),".

Page 3, line 12, after "(6.5)" insert "and (9) (c) (XIV)".

Page 3, strike lines 17 through 22 and substitute "and occupational therapy assistants. ~~An aide shall function only under the guidance, responsibility, and supervision of a registered occupational therapist. The aide shall perform only specifically selected tasks for which the aide has been trained and has demonstrated competence to the registered occupational therapist or occupational therapy assistant.~~".

Page 4, line 13, strike "functions" and substitute "functions, SENSORY".

Page 4, strike lines 15 and 16.

Page 4, after line 22 insert:

"(XII) Management of feeding, eating, and swallowing to enable eating and feeding performance; and

(XIII) Application of physical agent modalities and therapeutic procedures such as wound management; techniques to enhance sensory, perceptual, and cognitive processing; and manual techniques to enhance performance skills; AND

(XIV) THE USE OF TELEHEALTH PURSUANT TO RULES AS MAY BE ADOPTED BY THE DIRECTOR."

Page 5, line 23, strike "**assistants.** (1) Except" and substitute "**assistants - repeal.** (1) (a) PRIOR TO JUNE 1, 2014, except".

Page 5, line 26, strike "~~registration~~ LICENSE" and substitute "registration".

Page 6, line 1, after "article." add "BEFORE JUNE 1, 2014, REFERENCES IN THIS ARTICLE TO "LICENSE" INCLUDE "REGISTRATION" AND REFERENCES TO "LICENSEE" AND "OCCUPATIONAL THERAPIST" INCLUDE "REGISTRANT" AND "OCCUPATIONAL THERAPIST", RESPECTIVELY, AS THOSE TERMS WERE DEFINED PRIOR TO THE EFFECTIVE DATE OF THIS SUBSECTION (1), AS AMENDED.

(b) THIS SUBSECTION (1) IS REPEALED, EFFECTIVE JUNE 1, 2014.
(2) (a) ON AND AFTER JUNE 1, 2014, EXCEPT AS OTHERWISE PROVIDED IN THIS ARTICLE, A PERSON SHALL NOT PRACTICE OCCUPATIONAL THERAPY OR REPRESENT HIMSELF OR HERSELF AS BEING ABLE TO PRACTICE OCCUPATIONAL THERAPY IN THIS STATE WITHOUT POSSESSING A VALID LICENSE ISSUED BY THE DIRECTOR IN ACCORDANCE WITH THIS ARTICLE AND RULES ADOPTED PURSUANT TO THIS ARTICLE.
(b) ON JUNE 1, 2014, EACH ACTIVE OCCUPATIONAL THERAPY REGISTRATION BECOMES AN ACTIVE OCCUPATIONAL THERAPY LICENSE BY OPERATION OF LAW. THE CONVERSION FROM REGISTRATION TO LICENSURE DOES NOT:
(I) AFFECT ANY PRIOR DISCIPLINE, LIMITATION, OR CONDITION IMPOSED BY THE DIRECTOR ON AN OCCUPATIONAL THERAPIST'S REGISTRATION;
(II) LIMIT THE DIRECTOR'S AUTHORITY OVER ANY REGISTRANT; OR
(III) AFFECT ANY PENDING INVESTIGATION OR ADMINISTRATIVE PROCEEDING.
(c) THE DIRECTOR SHALL TREAT ANY APPLICATION FOR AN OCCUPATIONAL THERAPY REGISTRATION PENDING ON JUNE 1, 2014, AS AN APPLICATION FOR LICENSURE, WHICH APPLICATION IS SUBJECT TO THE REQUIREMENTS ESTABLISHED BY THE DIRECTOR."

Renumber succeeding subsection accordingly.

Page 6, line 2, strike "EXCEPT" and substitute "ON AND AFTER JUNE 1, 2014, EXCEPT".

Page 6, line 9, after "(a)," insert "(3)".

Page 6, after line 19 insert:

"(3) **Examination.** Each applicant shall pass a nationally recognized examination approved by the director ~~The examination shall measure~~ THAT MEASURES the minimum level of competence necessary for consumer protection. ~~The director may contract for assistance in creating and administering the examination~~ PUBLIC HEALTH, SAFETY, AND WELFARE."

Page 7, line 7, strike "continued" and substitute "**continued**".

Page 8, line 9, strike "**assistants.**" and substitute "**assistants and aides.**".

Page 9, line 9, after "PROCEDURE;" add "AND".

Page 9, line 11, strike "TRAINING; AND" and substitute "TRAINING."

Page 9, strike line 12 and substitute:

"(3) AN AIDE SHALL FUNCTION ONLY UNDER THE GUIDANCE, RESPONSIBILITY, AND SUPERVISION OF AN OCCUPATIONAL THERAPIST OR OCCUPATIONAL THERAPY ASSISTANT. THE AIDE SHALL PERFORM ONLY SPECIFICALLY SELECTED TASKS FOR WHICH THE AIDE HAS BEEN TRAINED AND HAS DEMONSTRATED COMPETENCE TO THE OCCUPATIONAL THERAPIST OR OCCUPATIONAL THERAPY ASSISTANT. THE SUPERVISING OCCUPATIONAL THERAPIST OR OCCUPATIONAL THERAPY ASSISTANT SHALL SUPERVISE THE AIDE IN A MANNER THAT ENSURES COMPLIANCE WITH THIS SUBSECTION (3) AND IS SUBJECT TO DISCIPLINE UNDER SECTION 12-40.5-110 FOR FAILURE TO PROPERLY SUPERVISE AN AIDE."

Page 9, line 23, strike "THE DIRECTOR".

Page 9, line 24, strike "SHALL NOT AUTHORIZE", strike "shall" and substitute "shall", and strike "to" and substitute "to NOT".

Page 10, line 3, strike "(l)" and substitute "(l), (2) (m), (17), (18), and (19)".

Page 10, line 11, strike "LICENSE" and substitute "LICENSE; PLACE A LICENSEE ON PROBATION; ISSUE A LETTER OF ADMONITION TO A

LICENSEE;".

Page 11, strike lines 21 through 24 and substitute:

"(III) AN ACT OR OMISSION THAT IS CONTRARY TO GENERALLY
ACCEPTED STANDARDS OF THE PRACTICE OF OCCUPATIONAL THERAPY;
(I) HAS FAILED TO PROVIDE ADEQUATE OR PROPER SUPERVISION
OF A LICENSED OCCUPATIONAL THERAPY ASSISTANT, OF AN AIDE, OR OF
ANY UNLICENSED PERSON IN THE OCCUPATIONAL THERAPY PRACTICE;
OR".

Reletter succeeding paragraph accordingly.

Page 13, after line 17 insert:

"(17) (a) WHEN A COMPLAINT OR INVESTIGATION DISCLOSES AN
INSTANCE OF MISCONDUCT THAT, IN THE OPINION OF THE DIRECTOR, DOES
NOT WARRANT FORMAL ACTION BUT SHOULD NOT BE DISMISSED AS BEING
WITHOUT MERIT, THE DIRECTOR MAY SEND A LETTER OF ADMONITION TO
THE LICENSEE.

(b) WHEN THE DIRECTOR SENDS A LETTER OF ADMONITION TO A
LICENSEE, THE DIRECTOR SHALL NOTIFY THE LICENSEE OF THE LICENSEE'S
RIGHT TO REQUEST IN WRITING, WITHIN TWENTY DAYS AFTER RECEIPT OF
THE LETTER, THAT FORMAL DISCIPLINARY PROCEEDINGS BE INITIATED TO
ADJUDICATE THE PROPRIETY OF THE CONDUCT DESCRIBED IN THE LETTER
OF ADMONITION.

(c) IF THE LICENSEE TIMELY REQUESTS ADJUDICATION, THE
DIRECTOR SHALL VACATE THE LETTER OF ADMONITION AND PROCESS THE
MATTER BY MEANS OF FORMAL DISCIPLINARY PROCEEDINGS.

(18) WHEN A COMPLAINT OR INVESTIGATION DISCLOSES AN
INSTANCE OF CONDUCT THAT DOES NOT WARRANT FORMAL ACTION BY
THE DIRECTOR AND, IN THE OPINION OF THE DIRECTOR, SHOULD BE
DISMISSED, BUT THE DIRECTOR HAS NOTICED CONDUCT BY THE LICENSEE
THAT COULD LEAD TO SERIOUS CONSEQUENCES IF NOT CORRECTED, THE
DIRECTOR MAY SEND A CONFIDENTIAL LETTER OF CONCERN TO THE
LICENSEE.

(19) ANY PERSON WHOSE LICENSE IS REVOKED OR WHO
SURRENDERS HIS OR HER LICENSE TO AVOID DISCIPLINE UNDER THIS
SECTION IS INELIGIBLE TO APPLY FOR A LICENSE UNDER THIS ARTICLE FOR
AT LEAST TWO YEARS AFTER THE DATE THE LICENSED IS REVOKED OR
SURRENDERED.".

Page 16, line 2, strike "EXAMINATION AND".

Page 16, line 3, strike "A PERSON WHO FAILS AN".

Page 16, strike lines 4 and 5.

Page 16, strike lines 11 and 12 and substitute "PUBLIC HEALTH, SAFETY,
AND WELFARE.".

Page 17, line 2, strike "CONTINUED".

Page 17, line 13, strike "SHALL APPLY FOR RENEWAL OF A" and substitute
"MUST RENEW HIS OR HER" and after "ARTICLE" insert "ACCORDING TO A
SCHEDULE OF RENEWAL DATES ESTABLISHED BY THE DIRECTOR. THE
OCCUPATIONAL THERAPY ASSISTANT MUST SUBMIT AN APPLICATION".

Page 17, line 14, strike "DIRECTOR." and substitute "DIRECTOR AND
SHALL PAY A RENEWAL FEE IN AN AMOUNT DETERMINED BY THE
DIRECTOR.".

Page 17, line 22, strike "HAS".

Page 17, line 23, strike "EXPIRED" and substitute "EXPIRES".

Page 17, strike lines 25 through 27.

Page 18, strike line 1.

Page 21, line 4, strike "OR".

Page 21, strike line 5.

Page 21, line 6, strike "ESTABLISHED IN SECTION 12-40.5-114.7".

Page 21, strike lines 23 through 25 and substitute "DIRECTOR.".

Page 22, strike lines 17 through 27.

Strike pages 23 through 25.

Page 26, strike lines 1 through 24 and substitute:

"12-40.5-114.7. Professional liability insurance required - rules. (1) A PERSON SHALL NOT PRACTICE OCCUPATIONAL THERAPY UNLESS THE PERSON PURCHASES AND MAINTAINS, OR IS COVERED BY, PROFESSIONAL LIABILITY INSURANCE IN AN AMOUNT DETERMINED BY THE DIRECTOR BY RULE THAT COVERS ALL ACTS WITHIN THE SCOPE OF PRACTICE OF THE OCCUPATIONAL THERAPIST OR OCCUPATIONAL THERAPY ASSISTANT.

(2) THIS SECTION DOES NOT APPLY TO AN OCCUPATIONAL THERAPIST OR OCCUPATIONAL THERAPY ASSISTANT WHO IS A PUBLIC EMPLOYEE ACTING WITHIN THE COURSE AND SCOPE OF THE PUBLIC EMPLOYEE'S DUTIES AND WHO IS GRANTED IMMUNITY UNDER THE "COLORADO GOVERNMENTAL IMMUNITY ACT", ARTICLE 10 OF TITLE 24, C.R.S."

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that SB13-161 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 3, line 23, strike "(2) and".

Page 4, strike lines 1 through 3.

Page 4, line 11, strike "add (2)" and substitute "amend (1) introductory portion, (1) (j), and (1) (k); and add (1) (l)".

Page 4, line 13, strike "(2) NOTHING IN THIS PART 1 PROHIBITS" and substitute "(1) This part 1 shall DOES not be construed to affect any of the following:

(j) Individuals who practice architecture as defined in section 12-25-302 (6); or

(k) Utilities or their employees or contractors when performing services for another utility during times of natural disasters or emergency situations; OR

(l) INDIVIDUALS WHO PRACTICE LANDSCAPE ARCHITECTURE AS DEFINED IN SECTION 12-45-103 (8)."

Page 4, strike lines 14 through 19.

Page 5, line 3, strike "THIS STATE" and substitute "COLORADO".

Page 5, strike lines 5 through 9 and substitute "PERFORMED IN COLORADO IS A PROFESSIONAL ENGINEER LICENSED IN COLORADO. ALL ENGINEERING DOCUMENTS, PLATS, AND REPORTS ISSUED BY OR FOR THE ENTITY IN CONNECTION WITH ENGINEERING WORK PERFORMED IN THIS STATE MUST BEAR THE SEAL AND SIGNATURE OF THE COLORADO-LICENSED PROFESSIONAL ENGINEER WHO IS IN RESPONSIBLE CHARGE OF AND DIRECTLY RESPONSIBLE FOR THE ENGINEERING WORK."

Page 6, strike lines 4 through 13.

Renumber succeeding sections accordingly.

Page 6, line 20, strike "practicable, EITHER ON LINE OR" and substitute

"practicable."

Page 6, strike line 21 and substitute "~~at such locations as the board shall determine.~~ The board shall ensure that".

Page 8, line 24, strike "or registrant" and substitute "~~or registrant~~".

Page 9, line 2, strike "unlicensed or" and substitute "unlicensed ~~or~~".

Page 9, line 3, strike "unregistered" and substitute "~~unregistered~~".

Page 10, line 2, strike "licensee or" and substitute "licensee. ~~or~~".

Page 10, strike line 3 and substitute "~~registrant~~".

Page 11, line 6, strike "LICENSE" and substitute "ENROLL".

Page 11, line 15, strike "or registration" and substitute "~~or registration~~".

Page 11, line 17, strike "or registration" and substitute "~~or registration~~".

Page 11, line 18, strike "or registration" and substitute "~~or registration~~".

Page 12, line 1, strike "PAPER" and substitute "PHYSICAL".

Page 12, line 3, strike "PAPER" and substitute "PHYSICAL".

Page 12, line 6, before "(3);" insert "(1) and".

Page 12, line 7, strike "(3) ~~The A~~" and substitute "(1) Upon receipt of a ~~certificate of licensure, the newly licensed~~ RECEIVING A LICENSE FROM THE BOARD, A professional engineer may obtain a seal. A crimp type seal, a rubber stamp type seal, or an electronic type seal may be used. ~~The seal shall be~~ of a design approved by the board. ~~and shall contain~~ THE SEAL MUST CONTAIN the LICENSED professional engineer's name and license number and the designation "Colorado licensed professional engineer". Colorado professional engineers licensed before July 1, 2004, may continue to use their prior existing seals.

(3) ~~The A~~".

Page 12, line 18, strike "under seal" and substitute "~~under seal~~".

Page 12, line 19, strike everything after the period.

Strike line 20.

Page 13, strike lines 5 through 13.

Renumber succeeding sections accordingly.

Page 13, line 24, strike everything after the period.

Page 13, line 25, strike "12-25-203 (2), all" and substitute "All".

Page 14, strike lines 3 through 12.

Renumber succeeding sections accordingly.

Page 14, strike lines 25 and 26 and substitute "as often as practicable. ~~at such times and locations as the board shall designate. Written examination papers shall~~".

Page 18, line 17, strike "license or" and substitute "license ~~or~~".

Page 18, line 18, strike "registration" and substitute "~~registration~~".

Page 18, strike line 25 and substitute "(2) (b) (I) (C), (2) (b) (II) (C), and (5) (b) (II) as follows:".

Page 19, after line 6 insert:
"(5) (b) (II) For any professional land surveyor who has been retired for two or more years, the board may require reexamination ~~or recertification~~, unless the board is satisfied of ~~such~~ THE retired professional land surveyor's continued competence."

Page 20, line 27, strike "seal, ~~or facsimile~~".

Page 21, line 1, strike "~~and~~" and substitute "seal or ~~facsimile~~ and EXACT COPY THEREOF,".

Page 21, line 11, strike "(a)".

Page 21, strike lines 14 through 20 and substitute:
"(6) (a) The "practice of architecture" means ~~the performance of the professional PROVIDING ANY OF THE FOLLOWING services of planning and design of buildings, preparation of construction contract documents including working drawings and specifications for the construction of buildings, and the observation of construction pursuant to an agreement between an architect and any other person, but does not include the performance of the construction of buildings~~ IN CONNECTION WITH THE DESIGN, CONSTRUCTION, ENLARGEMENT, OR ALTERATION OF A BUILDING OR GROUP OF BUILDINGS AND THE SPACE WITHIN AND THE SITE SURROUNDING THOSE BUILDINGS, WHICH HAVE AS THEIR PRINCIPAL PURPOSE HUMAN OCCUPANCY OR HABITATION:
(I) PRE-DESIGN;
(II) PROGRAMMING;
(III) PLANNING;
(IV) PROVIDING DESIGNS, DRAWINGS, SPECIFICATIONS, AND OTHER TECHNICAL SUBMISSIONS;
(V) ADMINISTERING CONSTRUCTION CONTRACTS; AND
(VI) COORDINATING ANY ELEMENTS OF TECHNICAL SUBMISSIONS PREPARED BY OTHERS.
(b) A LICENSED ARCHITECT MAY PERFORM SUCH ENGINEERING WORK AS IS INCIDENTAL TO THE PRACTICE OF ARCHITECTURE.
~~(b)~~ (c) An architect's professional services, unless performed pursuant to the exemptions set forth in section 12-25-303 by a person who is not an architect, may include any or all of the following:
(I) Investigations, evaluations, schematic and preliminary studies, designs, working drawings, and specifications for construction, or for one or more buildings, and for the space within and surrounding the buildings or structures;
(II) Coordination of the work of technical and special consultants;
(III) Compliance with generally applicable codes and regulations, and assistance in the governmental review process;
(IV) Technical assistance in the preparation of bid documents and agreements between clients and contractors;
(V) Contract administration; and
(VI) Construction observation."

Page 21, line 21, strike "(II)" and substitute "(d)".

Page 22, line 7, before "(6)" insert "(3) and".

Page 22, strike line 8 and substitute:
"**12-25-303. Exemptions.** (3) Nothing in this part 3 shall be construed as curtailing or extending the rights of any other profession or craft, INCLUDING THE PRACTICE OF LANDSCAPE ARCHITECTURE BY LANDSCAPE ARCHITECTS PURSUANT TO ARTICLE 45 OF THIS TITLE.
(6) (c) As used in this subsection (6),"

Page 22, strike lines 16 through 27.

Strike page 23.

Page 24, strike lines 1 through 13.

Renumber succeeding sections accordingly.

Page 25, line 12, strike ""ARCHITECTURAL"" and substitute ""ARCHITECTURAL", INCLUDING THE SPECIFIC USE OF THE TERM "ARCHITECTURAL INTERN" BY AN INDIVIDUAL WHO IS WORKING UNDER THE SUPERVISION OF AN ARCHITECT AND IS IN THE PROCESS OF COMPLETING REQUIRED PRACTICE HOURS IN PREPARATION FOR THE ARCHITECT LICENSING EXAMINATION,".

Page 26, line 7, strike "(1) (k),".

Page 26, strike lines 18 through 24.

Page 27, strike line 16 and substitute "pursuant to article".

Page 28, line 6, strike "WITHIN THIRTY DAYS".

Page 28, line 13, after "repeal" insert "and reenact, with amendments,".

Page 28, strike lines 15 through 19 and substitute:

"12-25-312. Notification to board. EACH ARCHITECT SHALL REPORT TO THE BOARD ANY MALPRACTICE CLAIM AGAINST THE ARCHITECT, OR AGAINST ANY ENTITY OF WHICH THE ARCHITECT IS A MEMBER, THAT IS SETTLED OR IN WHICH JUDGMENT IS RENDERED, WITHIN SIXTY DAYS AFTER THE EFFECTIVE DATE OF THE SETTLEMENT OR JUDGMENT, IF THE CLAIM CONCERNED THE PRACTICE OF ARCHITECTURE PERFORMED OR SUPERVISED BY THE ARCHITECT; EXCEPT THAT A LICENSEE IS NOT REQUIRED TO REPORT ANY CLAIM THAT WAS DISMISSED BY A COURT OF LAW.".

Page 30, strike lines 7 through 9 and substitute:

"(3) THE BOARD SHALL ADOPT RULES GOVERNING USE OF THE SEAL AND THE RETENTION, USE, AND DISTRIBUTION OF SEALED DOCUMENTS AND COPIES THEREOF.".

Page 32, line 12, before "(2)" insert "(1) and".

Page 32, line 13, strike "(2)" and substitute "(1) A professional land surveyor may prepare an improvement location certificate for the use of a specific client based upon such THE professional land surveyor's general knowledge of land boundaries and monuments in a given area if such WHETHER OR NOT THE client is not the owner or buyer; except that, IF THE CLIENT IS NOT THE OWNER OR BUYER, THE PROFESSIONAL LAND SURVEYOR SHALL PROVIDE a copy of such THE certificate shall be provided to such THE owner or buyer.

(2)".

Finance After consideration on the merits, the Committee recommends that **HB13-1009** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend reengrossed bill, page 2, strike lines 3 through 18 and substitute:

"39-26-703. Disputes and refunds. (2) (d) An application for refund under paragraph (c) PARAGRAPH (c) OR (c.5) of this subsection (2) shall be made within three years after the date of purchase THE APPLICABLE DEADLINE and shall be made on forms prescribed and furnished by the executive director of the department of revenue, which form shall contain, in addition to the foregoing information, such pertinent data as the executive director prescribes. THE DEADLINE FOR A SALES TAX REFUND OR A REFUND OF ANY USE TAX COLLECTED BY A VENDOR IS THREE YEARS AFTER THE TWENTIETH DAY OF THE MONTH FOLLOWING THE DATE OF PURCHASE AND THE DEADLINE FOR ANY OTHER USE TAX REFUND IS THREE YEARS AFTER THE TWENTIETH DAY OF THE MONTH FOLLOWING THE INITIAL DATE OF THE STORAGE, USE, OR CONSUMPTION IN THE STATE BY THE PERSON APPLYING FOR THE REFUND.".

Finance	After consideration on the merits, the Committee recommends that HB13-1164 be referred to the Committee of the Whole with favorable recommendation.	1 2 3 4 5
Appropriations	After consideration on the merits, the Committee recommends that SB13-154 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	6 7 8 9 10
Appropriations	After consideration on the merits, the Committee recommends that SB13-181 be referred to the Committee of the Whole with favorable recommendation.	11 12 13 14
Appropriations	After consideration on the merits, the Committee recommends that SB13-175 be referred to the Committee of the Whole with favorable recommendation.	15 16 17 18
Appropriations	After consideration on the merits, the Committee recommends that HB13-1181 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	19 20 21 22 23 24
Amend reengrossed bill, page 5, after line 8 insert:		25 26
"SECTION 2. In Colorado Revised Statutes, 24-75-1104.5, amend as amended by House Bill 13-1117 (1) (i) as follows:		27 28
24-75-1104.5. Use of settlement moneys - programs - repeal.		29
(1) Except as otherwise provided in subsection (5) of this section, for the 2004-05 fiscal year and for each fiscal year thereafter, the following programs, services, or funds shall receive the following specified amounts from the settlement moneys received by the state in the preceding fiscal year; except that fifteen million four hundred thousand dollars of strategic contribution fund moneys and, for the 2010-11 fiscal year and for each fiscal year thereafter only, the lesser of sixty-five million dollars of other settlement moneys or all other settlement moneys shall be allocated in each fiscal year in which they are received by the state and except that, of the other settlement moneys received by the state in the 2009-10 fiscal year, the lesser of sixty-five million dollars or all of such moneys shall be transferred to the general fund on June 30, 2010, and shall not be allocated:		30 31 32 33 34 35 36 37 38 39 40 41 42
(i) The Tony Grampsas youth services program created in article 6.8 of title 26, C.R.S., shall receive four percent of the total amount of settlement moneys annually received by the state, not to exceed five million dollars in any fiscal year, as provided in section 26-6.8-102, WHICH THE STATE TREASURER SHALL TRANSFER TO THE YOUTH SERVICES PROGRAM FUND CREATED IN SECTION 26-6.8-102 (2) (d), C.R.S."		43 44 45 46 47 48 49
Renumber succeeding sections accordingly.		50 51
Page 9, after line 24 insert:		52 53
"SECTION 7. In Colorado Revised Statutes, 26-6.8-102, amend as amended by House Bill 1117 (2) (d) as follows:		54 55
26-6.8-102. Tony Grampsas youth services program - creation - standards - applications. (2) (d) THE YOUTH SERVICES PROGRAM FUND IS CREATED IN THE STATE TREASURY. THE PRINCIPAL OF THE FUND CONSISTS OF TOBACCO LITIGATION SETTLEMENT MONEYS TRANSFERRED BY THE STATE TREASURER TO THE FUND pursuant to section 24-75-1104.5 (1) (i), C.R.S. and except as otherwise provided in section 24-75-1104.5 (5), C.R.S., beginning in the 2004-05 fiscal year, and for each fiscal year thereafter so long as the state receives moneys pursuant to the master settlement agreement, the general assembly shall appropriate to the state department for the Tony Grampsas youth services program four percent of the amount of moneys transmitted to the state treasurer in accordance with the master settlement agreement, other than attorney fees and costs, for the preceding fiscal year; except that the amount so appropriated to the state department in any fiscal year shall not exceed five million		56 57 58 59 60 61 62 63 64 65 66 67 68 69

~~dollars.~~ SUBJECT TO ANNUAL APPROPRIATION BY the general assembly, ~~shall appropriate the amount specified in this paragraph (d) from moneys credited~~ THE STATE DEPARTMENT MAY EXPEND MONEYS FROM THE FUND FOR THE TONY GRAMPSAS YOUTH SERVICES PROGRAM. THE LESSER OF ALL UNEXPENDED AND UNENCUMBERED MONEYS IN THE FUND AT THE END OF ANY FISCAL YEAR OR AN AMOUNT OF SUCH MONEYS EQUAL TO FIVE PERCENT OF THE AMOUNT APPROPRIATED FROM THE FUND FOR THE FISCAL YEAR REMAIN IN THE FUND AND SHALL NOT BE TRANSFERRED TO THE GENERAL FUND OR ANY OTHER FUND. ANY ADDITIONAL UNEXPENDED AND UNENCUMBERED MONEYS IN THE FUND AT THE END OF ANY FISCAL YEAR SHALL BE TRANSFERRED to the tobacco litigation settlement cash fund created in section 24-22-115, C.R.S."

Renumber succeeding sections accordingly.

Page 12, after line 25 insert:

"SECTION 10. Effective date. (1) Except as otherwise provided in this section, this act takes effect upon passage.
(2) Sections 2 and 7 of this act take effect only if House Bill 13-1117 becomes law and take effect either upon the effective date of this act or upon the effective date of House Bill 13-1117, whichever is later.
(3) Section 24-75-1104.5 (1) (i), Colorado Revised Statutes, as amended in section 1 of this act, and section 6 of this act take effect only if House Bill 13-1117 does not become law."

Renumber succeeding section accordingly.

Appropriations

After consideration on the merits, the Committee recommends that **SB13-120** be **amended** as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, after line 25 insert:

"SECTION 2. Appropriation. (1) 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, 2013, the sum of \$355, or so much thereof as may be necessary, to be allocated to the division of motor vehicles for the purchase of special license plates related to this act.
(2) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the Colorado state titling and registration account in 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, 2013, the sum of 2,960, or so much thereof as may be necessary, to be allocated to the information technology division for the purchase of computer center services related to this act.
(3) 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, 2013, the sum of \$2,960, 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 revenue out of the appropriation made in subsection (2) of this section."

Renumber succeeding section accordingly.

Page 1, line 101, strike "PLATE." and substitute "PLATE, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION."

Appropriations	After consideration on the merits, the Committee recommends that SB13-172 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16
	Amend printed bill, page 8, after line 8 insert:	17
	"SECTION 9. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the division of professions and occupations 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, 2013, the sum of \$5,021, or so much thereof as may be necessary, to be allocated to the executive director's office and administrative services for the purchase of legal services for the implementation of this act.	18 19 20 21 22 23 24 25 26
	(2) In addition to any other appropriation, there is hereby appropriated to the department of law, for the fiscal year beginning July 1, 2013, the sum of \$5,021, 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 subsection (1) of this section."	27 28 29 30 31
	Renumber succeeding section accordingly.	32
	Page 1, line 102, strike "ACUPUNCTURISTS." and substitute "ACUPUNCTURISTS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION."	33 34 35 36 37 38 39 40
Appropriations	After consideration on the merits, the Committee recommends that SB13-156 be referred to the Committee of the Whole with favorable recommendation.	41 42 43 44 45
Appropriations	After consideration on the merits, the Committee recommends that SB13-155 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	46 47 48 49 50
Appropriations	After consideration on the merits, the Committee recommends that HB13-1185 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	51 52 53 54 55 56 57 58 59 60 61
Appropriations	After consideration on the merits, the Committee recommends that SB13-194 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	62 63 64 65 66 67 68 69
	Amend printed bill, page 3, after line 3 insert:	70
	"SECTION 4. Appropriation - adjustments to 2013 long bill.	71
	(1) For the implementation of this act, appropriations made in the annual general appropriation act to the department of human services for the fiscal year beginning July 1, 2013, for the cash funds appropriation from the low-income telephone assistance fund created in section 40-3.4-108 (2) (a), Colorado Revised Statutes, for administration of the low-income telephone assistance program in the special purpose welfare programs subdivision of the office of self sufficiency, is decreased by \$118,272 and 1.5 FTE.	72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100
	(2) For the implementation of this act, appropriations shown in the annual general appropriation act to the department of regulatory agencies for the fiscal year beginning July 1, 2013, for the informational cash funds appropriation from the low-income telephone assistance fund created in section 40-3.4-108 (2) (a), Colorado Revised Statutes, for the public utilities commission, is decreased by \$725,548."	101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200
	Renumber succeeding section accordingly.	201

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

Appropriations

After consideration on the merits, the Committee recommends that **HB13-1155** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Appropriations

After consideration on the merits, the Committee recommends that **SB13-138** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 6, line 22, strike "duties." and substitute "duties - repeal."

Page 6, strike lines 24 through 27 and substitute:

"(i) (I) TO HIRE OR CONTRACT FOR THE SERVICES OF AN EMERGENCY RESPONSE CONSULTANT WITH EXPERIENCE IN LAW ENFORCEMENT AND SCHOOL SAFETY TO PROVIDE GUIDANCE FOR SCHOOLS, SCHOOL RESOURCE OFFICERS, AND OTHER COMMUNITY PARTNERS FOR SCHOOL BUILDING SAFETY ASSESSMENTS AND THE USE OF BEST PRACTICES FOR SCHOOL SECURITY, EMERGENCY PREPAREDNESS AND RESPONSE, INTEROPERABLE COMMUNICATIONS, AND OTHER PROVISIONS OF THE SCHOOL RESPONSE FRAMEWORK. THE EMERGENCY RESPONSE OUTREACH CONSULTANT SHALL ALSO WORK WITH THE CENTER DIRECTOR AND SCHOOL OUTREACH CONSULTANT TO RESEARCH GRANT OPPORTUNITIES AND PROVIDE ASSISTANCE TO SCHOOLS SEEKING GRANTS FOR SCHOOL SAFETY AND EMERGENCY RESPONSE ASSISTANCE.

(II) THIS PARAGRAPH (i) IS REPEALED, EFFECTIVE JULY 1, 2018."

Page 7, strike line 1.

Page 7, after line 22 insert:

"SECTION 7. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of public safety, for the fiscal year beginning July 1, 2013, the sum of \$57,815 and 1.0 FTE, or so much thereof as may be necessary, for allocation to the school safety resource center related to the implementation of this act."

Re-number succeeding section accordingly.

Page 1, line 101, strike "PROGRAMS." and substitute "PROGRAMS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION."

SENATE SERVICES REPORT

Correctly Engrossed: SJR13-017.
Correctly Rerevised: HB13-1016 and 1023.

MESSAGE FROM THE HOUSE

March 7, 2013

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1202, amended as printed in House Journal, March 1 page 444.

HB13-1101, amended as printed in House Journal, March 1 page 455.
HB13-1223, amended as printed in House Journal, March 1 page 486.

The House has passed on Third Reading and returns herewith SB13-046, 038.

The House has passed on Third Reading and transmitted to the Revisor of Statutes;
SB13-012, amended as printed in House Journal, March 6, pages 486-487.

The House has adopted and returns herewith SJR13-017.

The House has adopted and returns herewith SJR13-016, amended as printed
in House Journal, March 7.

The House has adopted and transmits herewith HJR13-1015.

The House has voted to concur in the Senate amendments to HB13-1062, 1146
1084, and has repassed the bills as so amended.

MESSAGE FROM THE REVISOR OF STATUTES

March 7, 2013

We herewith transmit:

Without comment, as amended, HB13-1101, 1202, and 1223.
Without comment, as amended, SB13-012.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

SR13-003 by Senator(s) Carroll; --Concerning the creation of a Senate committee of reference for the
implementation of amendment 64.

Laid over until Tuesday, March 12, 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:

SB13-023 by Senator(s) Cadman and Morse; also Representative(s) Levy and Ferrandino--Concerning
an increase in the limitation on the amount of damages that may be recovered by an injured
party under the "Colorado Governmental Immunity Act".

Laid over until Monday, March 11, retaining its place on the calendar.

Upon request of Majority Leader Carroll, HB13-1083 was removed from the General
Orders--Second Reading of Bills Consent Calendar of Friday, March 8 and was placed at
the end of the General Orders--Second Reading of Bills Calendar of Friday, March 8.

Committee of the Whole On motion of Senator Ulibarri, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Ulibarri was called to the Chair to act as Chairman.

**GENERAL ORDERS -- SECOND READING OF BILLS --
CONSENT CALENDAR**

The Committee of the Whole having risen, the Chairman reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB13-192 by Senator(s) Heath; --Concerning the ability of government agencies to extend the time permitted for action based on the results of fingerprint-based criminal history record checks.

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

SB13-182 by Senator(s) Nicholson, Todd, Schwartz; also Representative(s) Williams, Hamner, Mitsch Bush--Concerning deceptive trade practices related to time share resale services.

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

HB13-1132 by Representative(s) Mitsch Bush and Scott; also Senator(s) Giron--Concerning amending state law to conform to federal standards for vehicle weight limits for purposes of continued federal highway funding.

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Ulibarri, 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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB13-192, SB13-182, HB13-1132.

Committee of the Whole On motion of Senator Ulibarri, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Ulibarri was called to the chair to act as Chairman.

GENERAL 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:

SB13-197

by Senator(s) Hudak, Newell; also Representative(s) McCann and Fields--Concerning preventing persons who have committed domestic violence from possessing firearms.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, March 5, page(s) 381 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, March 6, page(s) 397 and placed in members' bill files.)

Amendment No. 3(L.009), by Senator Hudak.
Amend printed bill, page 7, line 21, after "(g)" insert "(I)".
Page 8, line 3, strike "(I)" and substitute "(A)".
Page 8, line 5, strike "(II)" and substitute "(B)".
Page 8, after line 6 insert:
"(II) IN ANY SUBSEQUENT PROSECUTION FOR A VIOLATION OF A PROTECTION ORDER DESCRIBED IN THIS PARAGRAPH (g), THE COURT SHALL TAKE JUDICIAL NOTICE OF THE RESPONDENT'S FAILURE TO FILE A RECEIPT OR WRITTEN STATEMENT, WHICH WILL CONSTITUTE PRIMA FACIE EVIDENCE OF A VIOLATION OF THE PROTECTION ORDER PURSUANT TO SECTION 18-6-803.5 (1) (c), C.R.S., AND TESTIMONY OF THE CLERK OF THE COURT OR HIS OR HER DEPUTY IS NOT REQUIRED."
Page 11, line 13, after "(g)" insert "(I)".
Page 11, line 22, strike "(I)" and substitute "(A)".
Page 11, line 24, strike "(II)" and substitute "(B)".
Page 11, after line 25 insert:
"(II) IN ANY SUBSEQUENT PROSECUTION FOR A VIOLATION OF A PROTECTION ORDER DESCRIBED IN THIS PARAGRAPH (g), THE COURT SHALL TAKE JUDICIAL NOTICE OF THE DEFENDANT'S FAILURE TO FILE A RECEIPT OR WRITTEN STATEMENT, WHICH WILL CONSTITUTE PRIMA FACIE EVIDENCE OF A VIOLATION OF THE PROTECTION ORDER PURSUANT TO SECTION 18-6-803.5 (1) (c), C.R.S., AND TESTIMONY OF THE CLERK OF THE COURT OR HIS OR HER DEPUTY IS NOT REQUIRED."
Page 15, line 10, after "(g)" insert "(I)".
Page 15, line 19, strike "(I)" and substitute "(A)".
Page 15, line 22, strike "(II)" and substitute "(B)".
Page 15, after line 23 insert:
"(II) IN ANY SUBSEQUENT PROSECUTION FOR A VIOLATION OF THIS PARAGRAPH (g), THE COURT SHALL TAKE JUDICIAL NOTICE OF THE DEFENDANT'S FAILURE TO FILE A RECEIPT OR WRITTEN STATEMENT, WHICH WILL CONSTITUTE PRIMA FACIE EVIDENCE THAT THE DEFENDANT HAS VIOLATED THIS PARAGRAPH (g), AND TESTIMONY OF THE CLERK OF THE COURT OR HIS OR HER DEPUTY IS NOT REQUIRED."
Page 19, line 25, after "(g)" insert "(I)".
Page 20, line 7, strike "(I)" and substitute "(A)".
Page 20, line 9, strike "(II)" and substitute "(B)".
Page 20, after line 10 insert:
"(II) IN ANY SUBSEQUENT PROSECUTION FOR A VIOLATION OF A PROTECTION ORDER DESCRIBED IN THIS PARAGRAPH (g), THE COURT SHALL TAKE JUDICIAL NOTICE OF THE RESPONDENT'S FAILURE TO FILE A

RECEIPT OR WRITTEN STATEMENT, WHICH WILL CONSTITUTE PRIMA FACIE EVIDENCE OF A VIOLATION OF THE PROTECTION ORDER PURSUANT TO SECTION 18-6-803.5 (1) (c), C.R.S., AND TESTIMONY OF THE CLERK OF THE COURT OR HIS OR HER DEPUTY IS NOT REQUIRED."

Page 23, line 13, after "(g)" insert "(I)".

Page 23, line 22, strike "(I)" and substitute "(A)".

Page 23, line 24, strike "(II)" and substitute "(B)".

Page 23, after line 25 insert:

"(II) IN ANY SUBSEQUENT PROSECUTION FOR A VIOLATION OF A PROTECTION ORDER DESCRIBED IN THIS PARAGRAPH (g), THE COURT SHALL TAKE JUDICIAL NOTICE OF THE DEFENDANT'S FAILURE TO FILE A RECEIPT OR WRITTEN STATEMENT, WHICH WILL CONSTITUTE PRIMA FACIE EVIDENCE OF A VIOLATION OF THE PROTECTION ORDER PURSUANT TO SECTION 18-6-803.5 (1) (c), C.R.S., AND TESTIMONY OF THE CLERK OF THE COURT OR HIS OR HER DEPUTY IS NOT REQUIRED."

Page 27, line 6, after "(g)" insert "(I)".

Page 27, line 15, strike "(I)" and substitute "(A)".

Page 27, line 18, strike "(II)" and substitute "(B)".

Page 27, after line 19 insert:

"(II) IN ANY SUBSEQUENT PROSECUTION FOR A VIOLATION OF THIS PARAGRAPH (g), THE COURT SHALL TAKE JUDICIAL NOTICE OF THE DEFENDANT'S FAILURE TO FILE A RECEIPT OR WRITTEN STATEMENT, WHICH WILL CONSTITUTE PRIMA FACIE EVIDENCE THAT THE DEFENDANT HAS VIOLATED THIS PARAGRAPH (g), AND TESTIMONY OF THE CLERK OF THE COURT OR HIS OR HER DEPUTY IS NOT REQUIRED."

Amendment No. 4(L.010), by Senator Hudak.

Amend printed bill, page 4, strike line 23 and substitute "(8), THE COURT, AS PART OF SUCH ORDER:

(I) SHALL ORDER THE PERSON TO:"

Page 4, line 24, strike "(I)" and substitute "(A)".

Page 4, line 26, strike "(II)" and substitute "(B)".

Page 5, strike line 2 and substitute "CONTROL; AND

(II) MAY REQUIRE THAT BEFORE THE PERSON IS RELEASED FROM CUSTODY ON BOND, THE PERSON SHALL RELINQUISH, FOR THE DURATION OF THE ORDER, ANY FIREARM OR AMMUNITION IN THE PERSON'S IMMEDIATE POSSESSION OR CONTROL OR SUBJECT TO THE PERSON'S IMMEDIATE POSSESSION OR CONTROL."

Page 6, line 8, strike "INVESTIGATION" and substitute "INVESTIGATION CREATED IN SECTION 24-33.5-401, C.R.S., REFERRED TO WITHIN THIS SECTION AS THE "BUREAU",".

Page 6, strike lines 14 through 19 and substitute "ENFORCEMENT AGENCY, THE COURT SHALL REQUIRE THE RESPONDENT TO SATISFY SUCH PROVISIONS NOT MORE THAN TWENTY-FOUR HOURS AFTER HIS OR HER RELEASE FROM INCARCERATION OR CUSTODY OR BE HELD IN CONTEMPT OF COURT. NOTWITHSTANDING ANY PROVISION OF THIS PARAGRAPH c), THE COURT MAY, IN ITS DISCRETION, REQUIRE THE RESPONDENT TO RELINQUISH ANY FIREARM OR AMMUNITION IN THE RESPONDENT'S IMMEDIATE POSSESSION OR CONTROL OR SUBJECT TO THE RESPONDENT'S IMMEDIATE POSSESSION OR CONTROL BEFORE THE END OF THE RESPONDENT'S INCARCERATION. IN SUCH A CASE, A RESPONDENT'S FAILURE TO RELINQUISH A FIREARM OR AMMUNITION AS REQUIRED SHALL

CONSTITUTE CONTEMPT OF COURT."

Page 6, line 23, after "RELINQUISHMENT," add "THE FEDERALLY LICENSED FIREARMS DEALER SHALL NOT RETURN THE FIREARM OR AMMUNITION TO THE RESPONDENT UNLESS THE DEALER EITHER:

(I) (A) CONTACTS THE BUREAU TO REQUEST THAT A BACKGROUND CHECK, IN ACCORDANCE WITH SECTION 24-33.5-424, C.R.S., BE CONDUCTED OF THE RESPONDENT; AND

(B) OBTAINS APPROVAL OF THE TRANSFER FROM THE BUREAU AFTER THE PERFORMANCE OF THE BACKGROUND CHECK; OR

(II) RECEIVES WRITTEN DOCUMENTATION THAT A BACKGROUND CHECK, IN ACCORDANCE WITH SECTION 24-33.5-424, C.R.S., OR PURSUANT TO 18 U.S.C. SEC. 922, HAS BEEN CONDUCTED OF THE RESPONDENT WITHIN THE PRECEDING THIRTY DAYS AND THAT THE RESPONDENT WAS THEREBY APPROVED TO POSSESS A FIREARM."

Page 7, after line 7 insert:

"(f) IF A LOCAL LAW ENFORCEMENT AGENCY ELECTS TO STORE FIREARMS OR AMMUNITION FOR PERSONS PURSUANT TO THIS SUBSECTION (22), THE LAW ENFORCEMENT AGENCY SHALL NOT RETURN THE FIREARM OR AMMUNITION TO THE RESPONDENT UNLESS THE AGENCY EITHER:

(I) (A) CONTACTS THE BUREAU TO REQUEST THAT A BACKGROUND CHECK, IN ACCORDANCE WITH SECTION 24-33.5-424, C.R.S., BE CONDUCTED OF THE RESPONDENT; AND

(B) OBTAINS APPROVAL OF THE TRANSFER FROM THE BUREAU AFTER THE PERFORMANCE OF THE BACKGROUND CHECK; OR

(II) RECEIVES WRITTEN DOCUMENTATION THAT A BACKGROUND CHECK, IN ACCORDANCE WITH SECTION 24-33.5-424, C.R.S., HAS BEEN CONDUCTED OF THE RESPONDENT WITHIN THE PRECEDING THIRTY DAYS AND THAT THE RESPONDENT WAS THEREBY APPROVED TO RECEIVE TRANSFER OF A FIREARM.

(g) (I) A LAW ENFORCEMENT AGENCY THAT ELECTS TO STORE A FIREARM OR AMMUNITION FOR A PERSON PURSUANT TO THIS SUBSECTION (22) MAY ELECT TO CEASE STORING THE FIREARM OR AMMUNITION. A LAW ENFORCEMENT AGENCY THAT ELECTS TO CEASE STORING A FIREARM OR AMMUNITION FOR A PERSON SHALL NOTIFY THE PERSON OF SUCH DECISION AND REQUEST THAT THE PERSON IMMEDIATELY MAKE ARRANGEMENTS FOR THE TRANSFER OF THE POSSESSION OF THE FIREARM OR AMMUNITION TO THE PERSON OR, IF THE PERSON IS PROHIBITED FROM POSSESSING A FIREARM, TO ANOTHER PERSON WHO IS LEGALLY PERMITTED TO POSSESS A FIREARM.

(II) IF A LAW ENFORCEMENT AGENCY ELECTS TO CEASE STORING A FIREARM OR AMMUNITION FOR A PERSON AND NOTIFIES THE PERSON AS DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (g), THE LAW ENFORCEMENT AGENCY MAY DISPOSE OF THE FIREARM OR AMMUNITION IF THE PERSON FAILS TO MAKE ARRANGEMENTS FOR THE TRANSFER OF THE FIREARM OR AMMUNITION AND TO COMPLETE SAID TRANSFER WITHIN NINETY DAYS OF RECEIVING SUCH NOTIFICATION."

Reletter succeeding paragraphs accordingly.

Page 7, line 23, strike "(f)" and substitute "(h)".

Page 7, line 26, strike "(f)" and substitute "(h)".

Page 8, line 2, strike "(g):" and substitute "(i):".

Page 8, after line 14 insert:

"(I) (I) A LAW ENFORCEMENT AGENCY THAT ELECTS IN GOOD FAITH TO NOT STORE A FIREARM OR AMMUNITION FOR A PERSON PURSUANT TO SUB-SUBPARAGRAPH (B) OF SUBPARAGRAPH (III) OF PARAGRAPH (b) OF THIS SUBSECTION (22) SHALL NOT BE HELD CRIMINALLY OR CIVILLY LIABLE FOR SUCH ELECTION NOT TO ACT.

(II) A LAW ENFORCEMENT AGENCY THAT RETURNS POSSESSION OF A FIREARM OR AMMUNITION TO A PERSON IN GOOD FAITH AS PERMITTED BY PARAGRAPH (f) OF THIS SUBSECTION (22) SHALL NOT BE HELD CRIMINALLY OR CIVILLY LIABLE FOR SUCH ACTION."

Page 8, line 18, strike "PERSON" and substitute "DEFENDANT".

Page 8, strike line 22 and substitute "SUCH ORDER:
(I) SHALL ORDER THE DEFENDANT TO:".

Page 8, line 23, strike "(I)" and substitute "(A)".

Page 8, line 25, strike "(II)" and substitute "(B)".

Page 8, line 26, strike "RESPONDENT'S" and substitute "DEFENDANT'S".

Page 8, line 27, strike "RESPONDENT'S" and substitute "DEFENDANT'S".

Page 9, strike line 1 and substitute "CONTROL; AND
(II) MAY REQUIRE THAT BEFORE THE DEFENDANT IS RELEASED
FROM CUSTODY ON BOND, THE DEFENDANT SHALL RELINQUISH, FOR THE
DURATION OF THE ORDER, ANY FIREARM OR AMMUNITION IN THE
DEFENDANT'S IMMEDIATE POSSESSION OR CONTROL OR SUBJECT TO THE
DEFENDANT'S IMMEDIATE POSSESSION OR CONTROL.".

Page 9, line 3, strike "RESPONDENT" and substitute "DEFENDANT".

Page 9, line 6, strike "RESPONDENT" and substitute "DEFENDANT".

Page 9, line 7, strike "RESPONDENT" and substitute "DEFENDANT".

Page 9, line 9, strike "RESPONDENT" and substitute "DEFENDANT".

Page 9, line 23, strike "PERSON" and substitute "DEFENDANT".

Page 10, line 1, strike "INVESTIGATION" and substitute "INVESTIGATION
CREATED IN SECTION 24-33.5-401, C.R.S., REFERRED TO WITHIN THIS
SECTION AS THE "BUREAU",".

Page 10, line 4, strike "RESPONDENT" and substitute "DEFENDANT".

Page 10, strike lines 7 through 11 and substitute "ENFORCEMENT
AGENCY, THE COURT SHALL REQUIRE THE DEFENDANT TO SATISFY SUCH
PROVISIONS NOT MORE THAN TWENTY-FOUR HOURS AFTER HIS OR HER
RELEASE FROM INCARCERATION OR CUSTODY OR BE HELD IN CONTEMPT
OF COURT. NOTWITHSTANDING ANY PROVISION OF THIS PARAGRAPH (c),
THE COURT MAY, IN ITS DISCRETION, REQUIRE THE DEFENDANT TO
RELINQUISH ANY FIREARM OR AMMUNITION IN THE DEFENDANT'S
IMMEDIATE POSSESSION OR CONTROL OR SUBJECT TO THE DEFENDANT'S
IMMEDIATE POSSESSION OR CONTROL BEFORE THE END OF THE
DEFENDANT'S INCARCERATION. IN SUCH A CASE, A DEFENDANT'S FAILURE
TO RELINQUISH A FIREARM OR AMMUNITION AS REQUIRED SHALL
CONSTITUTE CONTEMPT OF COURT.".

Page 10, line 14, strike "RESPONDENT" and substitute "DEFENDANT".

Page 10, line 15, after "RELINQUISHMENT." add "THE FEDERALLY
LICENSED FIREARMS DEALER SHALL NOT RETURN THE FIREARM OR
AMMUNITION TO THE DEFENDANT UNLESS THE DEALER EITHER:
(I) (A) CONTACTS THE BUREAU TO REQUEST THAT A
BACKGROUND CHECK, IN ACCORDANCE WITH SECTION 24-33.5-424,
C.R.S., BE CONDUCTED OF THE DEFENDANT; AND
(B) OBTAINS APPROVAL OF THE TRANSFER FROM THE BUREAU
AFTER THE PERFORMANCE OF THE BACKGROUND CHECK; OR
(II) RECEIVES WRITTEN DOCUMENTATION THAT A BACKGROUND
CHECK, IN ACCORDANCE WITH SECTION 24-33.5-424, C.R.S., OR
PURSUANT TO 18 U.S.C. SEC. 922, HAS BEEN CONDUCTED OF THE
DEFENDANT WITHIN THE PRECEDING THIRTY DAYS AND THAT THE
DEFENDANT WAS THEREBY APPROVED TO POSSESS A FIREARM.".

Page 10, line 24, strike "RESPONDENT" and substitute "DEFENDANT".

Page 10, line 25, strike "RESPONDENT" and substitute "DEFENDANT".

Page 10, after line 26 insert:

"(f) IF A LOCAL LAW ENFORCEMENT AGENCY ELECTS TO STORE FIREARMS OR AMMUNITION FOR A DEFENDANT PURSUANT TO THIS SUBSECTION (9), THE LAW ENFORCEMENT AGENCY SHALL NOT RETURN THE FIREARM OR AMMUNITION TO THE DEFENDANT UNLESS THE AGENCY EITHER:

(I) (A) CONTACTS THE BUREAU TO REQUEST THAT A BACKGROUND CHECK, IN ACCORDANCE WITH SECTION 24-33.5-424, C.R.S., BE CONDUCTED OF THE DEFENDANT; AND

(B) OBTAINS APPROVAL OF THE TRANSFER FROM THE BUREAU AFTER THE PERFORMANCE OF THE BACKGROUND CHECK; OR

(II) RECEIVES WRITTEN DOCUMENTATION THAT A BACKGROUND CHECK, IN ACCORDANCE WITH SECTION 24-33.5-424, C.R.S., HAS BEEN CONDUCTED OF THE DEFENDANT WITHIN THE PRECEDING THIRTY DAYS AND THAT THE DEFENDANT WAS THEREBY APPROVED TO RECEIVE TRANSFER OF A FIREARM.

(g) (I) A LAW ENFORCEMENT AGENCY THAT ELECTS TO STORE A FIREARM OR AMMUNITION FOR A DEFENDANT PURSUANT TO THIS SUBSECTION (9) MAY ELECT TO CEASE STORING THE FIREARM OR AMMUNITION. A LAW ENFORCEMENT AGENCY THAT ELECTS TO CEASE STORING A FIREARM OR AMMUNITION FOR A DEFENDANT SHALL NOTIFY THE DEFENDANT OF SUCH DECISION AND REQUEST THAT THE DEFENDANT IMMEDIATELY MAKE ARRANGEMENTS FOR THE TRANSFER OF THE POSSESSION OF THE FIREARM OR AMMUNITION TO THE DEFENDANT OR, IF THE DEFENDANT IS PROHIBITED FROM POSSESSING A FIREARM, TO ANOTHER PERSON WHO IS LEGALLY PERMITTED TO POSSESS A FIREARM.

(II) IF A LAW ENFORCEMENT AGENCY ELECTS TO CEASE STORING A FIREARM OR AMMUNITION FOR A DEFENDANT AND NOTIFIES THE DEFENDANT AS DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (g), THE LAW ENFORCEMENT AGENCY MAY DISPOSE OF THE FIREARM OR AMMUNITION IF THE DEFENDANT FAILS TO MAKE ARRANGEMENTS FOR THE TRANSFER OF THE FIREARM OR AMMUNITION AND TO COMPLETE SAID TRANSFER WITHIN NINETY DAYS OF RECEIVING SUCH NOTIFICATION."

Reletter succeeding paragraphs accordingly.

Page 10, line 27, strike "RESPONDENT" and substitute "DEFENDANT".

Page 11, line 3, strike "RESPONDENT" and substitute "DEFENDANT".

Page 11, line 7, strike "RESPONDENT" and substitute "DEFENDANT".

Page 11, line 14, strike "RESPONDENT" and substitute "DEFENDANT".

Page 11, line 15, strike "(f)" and substitute "(h)".

Page 11, line 18, strike "(f)" and substitute "(h)".

Page 11, line 19, strike "RESPONDENT" and substitute "DEFENDANT".

Page 11, line 21, strike "(g):" and substitute "(i):".

Page 11, line 24, strike "RESPONDENT'S" and substitute "DEFENDANT'S".

Page 11, line 27, strike "RESPONDENT'S" and substitute "DEFENDANT'S".

Page 12, after line 6 insert:

"(I) (I) A LAW ENFORCEMENT AGENCY THAT ELECTS IN GOOD FAITH TO NOT STORE A FIREARM OR AMMUNITION FOR A DEFENDANT PURSUANT TO SUB-SUBPARAGRAPH (B) OF SUBPARAGRAPH (III) OF PARAGRAPH (b) OF THIS SUBSECTION (9) SHALL NOT BE HELD CRIMINALLY OR CIVILLY LIABLE FOR SUCH ELECTION NOT TO ACT.

(II) A LAW ENFORCEMENT AGENCY THAT RETURNS POSSESSION OF A FIREARM OR AMMUNITION TO A DEFENDANT IN GOOD FAITH AS PERMITTED BY PARAGRAPH (f) OF THIS SUBSECTION (9) SHALL NOT BE HELD CRIMINALLY OR CIVILLY LIABLE FOR SUCH ACTION."

Page 12, line 10, strike "PERSON" and substitute "DEFENDANT".
Page 12, line 11, strike "PERSON" and substitute "DEFENDANT".
Page 12, line 19, strike "ACTOR" and substitute "DEFENDANT".
Page 12, strike line 20 and substitute "COURT:
(I) SHALL ORDER THE DEFENDANT TO:".
Page 12, line 21, strike "(I)" and substitute "(A)".
Page 12, line 23, strike "(II)" and substitute "(B)".
Page 12, line 23, strike "PERSON'S" and substitute "DEFENDANT'S".
Page 12, line 24, strike "PERSON'S" and substitute "DEFENDANT'S".
Page 12, strike line 25 and substitute "IMMEDIATE POSSESSION OR
CONTROL; AND
(II) MAY REQUIRE THAT, BEFORE THE DEFENDANT IS RELEASED
FROM CUSTODY ON BOND, THE DEFENDANT SHALL RELINQUISH, FOR THE
DURATION OF THE ORDER, ANY FIREARM OR AMMUNITION IN THE
DEFENDANT'S IMMEDIATE POSSESSION OR CONTROL OR SUBJECT TO THE
DEFENDANT'S IMMEDIATE POSSESSION OR CONTROL."
Page 13, line 3, strike "RESPONDENT" and substitute "DEFENDANT".
Page 13, line 5, strike "RESPONDENT" and substitute "DEFENDANT".
Page 13, line 7, strike "RESPONDENT" and substitute "DEFENDANT".
Page 13, line 20, strike "PERSON" and substitute "DEFENDANT".
Page 13, line 25, strike "INVESTIGATION" and substitute "INVESTIGATION
CREATED IN SECTION 24-33.5-401, C.R.S., REFERRED TO WITHIN THIS
SECTION AS THE "BUREAU",".
Page 14, strike lines 4 through 8 and substitute "ENFORCEMENT AGENCY,
THE COURT SHALL REQUIRE THE DEFENDANT TO SATISFY SUCH
PROVISIONS NOT MORE THAN TWENTY-FOUR HOURS AFTER HIS OR HER
RELEASE FROM INCARCERATION OR CUSTODY OR BE HELD IN CONTEMPT
OF COURT. NOTWITHSTANDING ANY PROVISION OF THIS PARAGRAPH (c),
THE COURT MAY, IN ITS DISCRETION, REQUIRE THE DEFENDANT TO
RELINQUISH ANY FIREARM OR AMMUNITION IN THE DEFENDANT'S
IMMEDIATE POSSESSION OR CONTROL OR SUBJECT TO THE DEFENDANT'S
IMMEDIATE POSSESSION OR CONTROL BEFORE THE END OF THE
DEFENDANT'S INCARCERATION. IN SUCH A CASE, A DEFENDANT'S FAILURE
TO RELINQUISH A FIREARM OR AMMUNITION AS REQUIRED SHALL
CONSTITUTE CONTEMPT OF COURT."
Page 14, line 11, strike "RESPONDENT" and substitute "DEFENDANT".
Page 14, line 12, after "RELINQUISHMENT." add "THE FEDERALLY
LICENSED FIREARMS DEALER SHALL NOT RETURN THE FIREARM OR
AMMUNITION TO THE DEFENDANT UNLESS THE DEALER EITHER:
(I) (A) CONTACTS THE BUREAU TO REQUEST THAT A
BACKGROUND CHECK, IN ACCORDANCE WITH SECTION 24-33.5-424,
C.R.S., BE CONDUCTED OF THE DEFENDANT; AND
(B) OBTAINS APPROVAL OF THE TRANSFER FROM THE BUREAU
AFTER THE PERFORMANCE OF THE BACKGROUND CHECK; OR
(II) RECEIVES WRITTEN DOCUMENTATION THAT A BACKGROUND
CHECK, IN ACCORDANCE WITH SECTION 24-33.5-424, C.R.S., OR
PURSUANT TO 18 U.S.C. SEC. 922, HAS BEEN CONDUCTED OF THE
DEFENDANT WITHIN THE PRECEDING THIRTY DAYS AND THAT THE
DEFENDANT WAS THEREBY APPROVED TO POSSESS A FIREARM."
Page 14, line 21, strike "RESPONDENT" and substitute "DEFENDANT".
Page 14, after line 23 insert:

"(f) IF A LOCAL LAW ENFORCEMENT AGENCY ELECTS TO STORE FIREARMS OR AMMUNITION FOR A DEFENDANT PURSUANT TO THIS SUBSECTION (8), THE LAW ENFORCEMENT AGENCY SHALL NOT RETURN THE FIREARM OR AMMUNITION TO THE DEFENDANT UNLESS THE AGENCY EITHER:

(I) (A) CONTACTS THE BUREAU TO REQUEST THAT A BACKGROUND CHECK, IN ACCORDANCE WITH SECTION 24-33.5-424, C.R.S., OR PURSUANT TO 18 U.S.C. SEC. 922, BE CONDUCTED OF THE DEFENDANT; AND

(B) OBTAINS APPROVAL OF THE TRANSFER FROM THE BUREAU AFTER THE PERFORMANCE OF THE BACKGROUND CHECK; OR

(II) RECEIVES WRITTEN DOCUMENTATION THAT A BACKGROUND CHECK, IN ACCORDANCE WITH SECTION 24-33.5-424, C.R.S., HAS BEEN CONDUCTED OF THE DEFENDANT WITHIN THE PRECEDING THIRTY DAYS AND THAT THE DEFENDANT WAS THEREBY APPROVED TO RECEIVE TRANSFER OF A FIREARM.

(g) (I) A LAW ENFORCEMENT AGENCY THAT ELECTS TO STORE A FIREARM OR AMMUNITION FOR A DEFENDANT PURSUANT TO THIS SUBSECTION (8) MAY ELECT TO CEASE STORING THE FIREARM OR AMMUNITION. A LAW ENFORCEMENT AGENCY THAT ELECTS TO CEASE STORING A FIREARM OR AMMUNITION FOR A DEFENDANT SHALL NOTIFY THE DEFENDANT OF SUCH DECISION AND REQUEST THAT THE DEFENDANT IMMEDIATELY MAKE ARRANGEMENTS FOR THE TRANSFER OF THE POSSESSION OF THE FIREARM OR AMMUNITION TO THE DEFENDANT OR, IF THE DEFENDANT IS PROHIBITED FROM POSSESSING A FIREARM, TO ANOTHER PERSON WHO IS LEGALLY PERMITTED TO POSSESS A FIREARM.

(II) IF A LAW ENFORCEMENT AGENCY ELECTS TO CEASE STORING A FIREARM OR AMMUNITION FOR A DEFENDANT AND NOTIFIES THE DEFENDANT AS DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (g), THE LAW ENFORCEMENT AGENCY MAY DISPOSE OF THE FIREARM OR AMMUNITION IF THE DEFENDANT FAILS TO MAKE ARRANGEMENTS FOR THE TRANSFER OF THE FIREARM OR AMMUNITION AND COMPLETE SAID TRANSFER WITHIN NINETY DAYS OF RECEIVING SUCH NOTIFICATION."

Reletter succeeding paragraphs accordingly.

Page 15, line 12, strike "(f)" and substitute "(h)".

Page 15, line 15, strike "(f)" and substitute "(h)".

Page 15, line 18, strike "(g):" and substitute "(i):".

Page 15, after line 23 insert:

"(j) (I) A LAW ENFORCEMENT AGENCY THAT ELECTS IN GOOD FAITH TO NOT STORE A FIREARM OR AMMUNITION FOR A DEFENDANT PURSUANT TO SUB-SUBPARAGRAPH (B) OF SUBPARAGRAPH (III) OF PARAGRAPH (b) OF THIS SUBSECTION (8) SHALL NOT BE HELD CRIMINALLY OR CIVILLY LIABLE FOR SUCH ELECTION NOT TO ACT.

(II) A LAW ENFORCEMENT AGENCY THAT RETURNS POSSESSION OF A FIREARM OR AMMUNITION TO A DEFENDANT IN GOOD FAITH AS PERMITTED BY PARAGRAPH (f) OF THIS SUBSECTION (8) SHALL NOT BE HELD CRIMINALLY OR CIVILLY LIABLE FOR SUCH ACTION."

Page 16, strike lines 23 and 24 and substitute "WITH THE COURT AS DESCRIBED IN SECTION 13-14-102 (22) (i), C.R.S., OR IN SECTION 18-1-1001 (9) (i) OR 18-6-801(8) (i)".

Page 17, strike line 4 and substitute "(8), THE COURT, AS PART OF SUCH ORDER:

(I) SHALL ORDER THE PERSON TO:".

Page 17, line 5, strike "(I)" and substitute "(A)".

Page 17, line 7, strike "(II)" and substitute "(B)".

Page 17, strike line 10 and substitute "CONTROL; AND

(II) MAY REQUIRE THAT BEFORE THE PERSON IS RELEASED FROM CUSTODY ON BOND, THE PERSON SHALL RELINQUISH, FOR THE DURATION

OF THE ORDER, ANY FIREARM OR AMMUNITION IN THE PERSON'S IMMEDIATE POSSESSION OR CONTROL OR SUBJECT TO THE PERSON'S IMMEDIATE POSSESSION OR CONTROL."

Page 18, strike lines 19 through 24 and substitute "ENFORCEMENT AGENCY, THE COURT SHALL REQUIRE THE RESPONDENT TO SATISFY SUCH PROVISIONS NOT MORE THAN TWENTY-FOUR HOURS AFTER HIS OR HER RELEASE FROM INCARCERATION OR CUSTODY OR BE HELD IN CONTEMPT OF COURT. NOTWITHSTANDING ANY PROVISION OF THIS PARAGRAPH (c), THE COURT MAY, IN ITS DISCRETION, REQUIRE THE RESPONDENT TO RELINQUISH ANY FIREARM OR AMMUNITION IN THE RESPONDENT'S IMMEDIATE POSSESSION OR CONTROL OR SUBJECT TO THE RESPONDENT'S IMMEDIATE POSSESSION OR CONTROL BEFORE THE END OF THE RESPONDENT'S INCARCERATION. IN SUCH A CASE, A RESPONDENT'S FAILURE TO RELINQUISH A FIREARM OR AMMUNITION AS REQUIRED SHALL CONSTITUTE CONTEMPT OF COURT."

Page 19, line 1, after "RELINQUISHMENT." add "THE FEDERALLY LICENSED FIREARMS DEALER SHALL NOT RETURN THE FIREARM OR AMMUNITION TO THE RESPONDENT UNLESS THE DEALER EITHER:

(I) (A) CONTACTS THE COLORADO BUREAU OF INVESTIGATION CREATED IN SECTION 24-33.5-401, C.R.S. REFERRED TO WITHIN THIS SECTION AS THE "BUREAU", TO REQUEST THAT A BACKGROUND CHECK, IN ACCORDANCE WITH SECTION 24-33.5-424, C.R.S., BE CONDUCTED OF THE RESPONDENT; AND

(B) OBTAINS APPROVAL OF THE TRANSFER FROM THE BUREAU AFTER THE PERFORMANCE OF THE BACKGROUND CHECK; OR

(II) RECEIVES WRITTEN DOCUMENTATION THAT A BACKGROUND CHECK, IN ACCORDANCE WITH SECTION 24-33.5-424, C.R.S., OR PURSUANT TO 18 U.S.C. SEC. 922, HAS BEEN CONDUCTED OF THE RESPONDENT WITHIN THE PRECEDING THIRTY DAYS AND THAT THE RESPONDENT WAS THEREBY APPROVED TO POSSESS A FIREARM."

Page 19, after line 12 insert:

"(f) IF A LOCAL LAW ENFORCEMENT AGENCY ELECTS TO STORE FIREARMS OR AMMUNITION FOR PERSONS PURSUANT TO THIS SUBSECTION (22), THE LAW ENFORCEMENT AGENCY SHALL NOT RETURN THE FIREARM OR AMMUNITION TO THE RESPONDENT UNLESS THE AGENCY EITHER:

(I) (A) CONTACTS THE BUREAU TO REQUEST THAT A BACKGROUND CHECK, IN ACCORDANCE WITH SECTION 24-33.5-424, C.R.S., BE CONDUCTED OF THE RESPONDENT; AND

(B) OBTAINS APPROVAL OF THE TRANSFER FROM THE BUREAU AFTER THE PERFORMANCE OF THE BACKGROUND CHECK; OR

(II) RECEIVES WRITTEN DOCUMENTATION THAT A BACKGROUND CHECK, IN ACCORDANCE WITH SECTION 24-33.5-424, C.R.S., HAS BEEN CONDUCTED OF THE RESPONDENT WITHIN THE PRECEDING THIRTY DAYS AND THAT THE RESPONDENT WAS THEREBY APPROVED TO RECEIVE TRANSFER OF A FIREARM.

(g) (I) A LAW ENFORCEMENT AGENCY THAT ELECTS TO STORE A FIREARM OR AMMUNITION FOR A PERSON PURSUANT TO THIS SUBSECTION (22) MAY ELECT TO CEASE STORING THE FIREARM OR AMMUNITION. A LAW ENFORCEMENT AGENCY THAT ELECTS TO CEASE STORING A FIREARM OR AMMUNITION FOR A PERSON SHALL NOTIFY THE PERSON OF SUCH DECISION AND REQUEST THAT THE PERSON IMMEDIATELY MAKE ARRANGEMENTS FOR THE TRANSFER OF THE POSSESSION OF THE FIREARM OR AMMUNITION TO THE PERSON OR, IF THE PERSON IS PROHIBITED FROM POSSESSING A FIREARM, TO ANOTHER PERSON WHO IS LEGALLY PERMITTED TO POSSESS A FIREARM.

(II) IF A LAW ENFORCEMENT AGENCY ELECTS TO CEASE STORING A FIREARM OR AMMUNITION FOR A PERSON AND NOTIFIES THE PERSON AS DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (g), THE LAW ENFORCEMENT AGENCY MAY DISPOSE OF THE FIREARM OR AMMUNITION IF THE PERSON FAILS TO MAKE ARRANGEMENTS FOR THE TRANSFER OF THE FIREARM OR AMMUNITION AND COMPLETE SAID TRANSFER WITHIN NINETY DAYS OF RECEIVING SUCH NOTIFICATION."

Reletter succeeding paragraphs accordingly.

Page 19, line 22, strike "COLORADO BUREAU OF INVESTIGATION" and substitute "BUREAU".

Page 19, line 27, strike "(f)" and substitute "(h)".

Page 20, line 3, strike "(f)" and substitute "(h)".

Page 20, line 6, strike "(g):" and substitute "(i):".

Page 20, after line 18 insert:

"(I) (I) A LAW ENFORCEMENT AGENCY THAT ELECTS IN GOOD FAITH TO NOT STORE A FIREARM OR AMMUNITION FOR A PERSON PURSUANT TO SUB-SUBPARAGRAPH (B) OF SUBPARAGRAPH (III) OF PARAGRAPH (b) OF THIS SUBSECTION (22) SHALL NOT BE HELD CRIMINALLY OR CIVILLY LIABLE FOR SUCH ELECTION NOT TO ACT.

(II) A LAW ENFORCEMENT AGENCY THAT RETURNS POSSESSION OF A FIREARM OR AMMUNITION TO A PERSON IN GOOD FAITH AS PERMITTED BY PARAGRAPH (f) OF THIS SUBSECTION (22) SHALL NOT BE HELD CRIMINALLY OR CIVILLY LIABLE FOR SUCH ACTION."

Page 20, line 22, strike "PERSON" and substitute "DEFENDANT".

Page 20, strike line 26 and substitute "OF SUCH ORDER:
(I) SHALL ORDER THE DEFENDANT TO:".

Page 20, line 27, strike "(I)" and substitute "(A)".

Page 21, line 2, strike "(II)" and substitute "(B)".

Page 21, line 3, strike "RESPONDENT'S" and substitute "DEFENDANT'S".

Page 21, line 4, strike "RESPONDENT'S" and substitute "DEFENDANT'S".

Page 21, strike line 5 and substitute "CONTROL; AND
(II) MAY REQUIRE THAT BEFORE THE DEFENDANT IS RELEASED FROM CUSTODY ON BOND, THE DEFENDANT SHALL RELINQUISH, FOR THE DURATION OF THE ORDER, ANY FIREARM OR AMMUNITION IN THE DEFENDANT'S IMMEDIATE POSSESSION OR CONTROL OR SUBJECT TO THE DEFENDANT'S IMMEDIATE POSSESSION OR CONTROL."

Page 21, line 7, strike "RESPONDENT" and substitute "DEFENDANT".

Page 21, line 10, strike "RESPONDENT" and substitute "DEFENDANT".

Page 21, line 11, strike "RESPONDENT" and substitute "DEFENDANT".

Page 21, line 13, strike "RESPONDENT" and substitute "DEFENDANT".

Page 21, line 27, strike "PERSON" and substitute "DEFENDANT".

Page 22, line 5, strike "RESPONDENT" and substitute "DEFENDANT".

Page 22, strike lines 8 through 12 and substitute "ENFORCEMENT AGENCY, THE COURT SHALL REQUIRE THE DEFENDANT TO SATISFY SUCH PROVISIONS NOT MORE THAN TWENTY-FOUR HOURS AFTER HIS OR HER RELEASE FROM INCARCERATION OR CUSTODY OR BE HELD IN CONTEMPT OF COURT. NOTWITHSTANDING ANY PROVISION OF THIS PARAGRAPH (c), THE COURT MAY, IN ITS DISCRETION, REQUIRE THE DEFENDANT TO RELINQUISH ANY FIREARM OR AMMUNITION IN THE DEFENDANT'S IMMEDIATE POSSESSION OR CONTROL OR SUBJECT TO THE DEFENDANT'S IMMEDIATE POSSESSION OR CONTROL BEFORE THE END OF THE DEFENDANT'S INCARCERATION. IN SUCH A CASE, A DEFENDANT'S FAILURE TO RELINQUISH A FIREARM OR AMMUNITION AS REQUIRED SHALL CONSTITUTE CONTEMPT OF COURT."

Page 22, line 15, strike "RESPONDENT" and substitute "DEFENDANT".

Page 22, line 16, after "RELINQUISHMENT." add "THE FEDERALLY

LICENSED FIREARMS DEALER SHALL NOT RETURN THE FIREARM OR AMMUNITION TO THE DEFENDANT UNLESS THE DEALER EITHER:

(I) (A) CONTACTS THE COLORADO BUREAU OF INVESTIGATION CREATED IN SECTION 24-33.5-401, C.R.S., REFERRED TO WITHIN THIS SECTION AS THE "BUREAU", TO REQUEST THAT A BACKGROUND CHECK, IN ACCORDANCE WITH SECTION 24-33.5-424, C.R.S., BE CONDUCTED OF THE DEFENDANT; AND

(B) OBTAINS APPROVAL OF THE TRANSFER FROM THE BUREAU AFTER THE PERFORMANCE OF THE BACKGROUND CHECK; OR

(II) RECEIVES WRITTEN DOCUMENTATION THAT A BACKGROUND CHECK, IN ACCORDANCE WITH SECTION 24-33.5-424, C.R.S., OR PURSUANT TO 18 U.S.C. SEC. 922, HAS BEEN CONDUCTED OF THE DEFENDANT WITHIN THE PRECEDING THIRTY DAYS AND THAT THE DEFENDANT WAS THEREBY APPROVED TO POSSESS A FIREARM."

Page 22, line 25, strike "RESPONDENT" and substitute "DEFENDANT".

Page 22, line 26, strike "RESPONDENT" and substitute "DEFENDANT".

Page 22, after line 27 insert:

"(f) IF A LOCAL LAW ENFORCEMENT AGENCY ELECTS TO STORE FIREARMS OR AMMUNITION FOR A DEFENDANT PURSUANT TO THIS SUBSECTION (9), THE LAW ENFORCEMENT AGENCY SHALL NOT RETURN THE FIREARM OR AMMUNITION TO THE DEFENDANT UNLESS THE AGENCY EITHER:

(I) (A) CONTACTS THE BUREAU TO REQUEST THAT A BACKGROUND CHECK, IN ACCORDANCE WITH SECTION 24-33.5-424, C.R.S., BE CONDUCTED OF THE DEFENDANT; AND

(B) OBTAINS APPROVAL OF THE TRANSFER FROM THE BUREAU AFTER THE PERFORMANCE OF THE BACKGROUND CHECK; OR

(II) RECEIVES WRITTEN DOCUMENTATION THAT A BACKGROUND CHECK, IN ACCORDANCE WITH SECTION 24-33.5-424, C.R.S., HAS BEEN CONDUCTED OF THE DEFENDANT WITHIN THE PRECEDING THIRTY DAYS AND THAT THE DEFENDANT WAS THEREBY APPROVED TO RECEIVE TRANSFER OF A FIREARM.

(g) (I) A LAW ENFORCEMENT AGENCY THAT ELECTS TO STORE A FIREARM OR AMMUNITION FOR A DEFENDANT PURSUANT TO THIS SUBSECTION (9) MAY ELECT TO CEASE STORING THE FIREARM OR AMMUNITION. A LAW ENFORCEMENT AGENCY THAT ELECTS TO CEASE STORING A FIREARM OR AMMUNITION FOR A DEFENDANT SHALL NOTIFY THE DEFENDANT OF SUCH DECISION AND REQUEST THAT THE DEFENDANT IMMEDIATELY MAKE ARRANGEMENTS FOR THE TRANSFER OF THE POSSESSION OF THE FIREARM OR AMMUNITION TO THE DEFENDANT OR, IF THE DEFENDANT IS PROHIBITED FROM POSSESSING A FIREARM, TO ANOTHER PERSON WHO IS LEGALLY PERMITTED TO POSSESS A FIREARM.

(II) IF A LAW ENFORCEMENT AGENCY ELECTS TO CEASE STORING A FIREARM OR AMMUNITION FOR A PERSON AND NOTIFIES THE DEFENDANT AS DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (g), THE LAW ENFORCEMENT AGENCY MAY DISPOSE OF THE FIREARM OR AMMUNITION IF THE DEFENDANT FAILS TO MAKE ARRANGEMENTS FOR THE TRANSFER OF THE FIREARM OR AMMUNITION AND COMPLETE SAID TRANSFER WITHIN NINETY DAYS OF RECEIVING SUCH NOTIFICATION."

Reletter succeeding paragraphs accordingly.

Page 23, line 1, strike "RESPONDENT" and substitute "DEFENDANT".

Page 23, line 4, strike "RESPONDENT" and substitute "DEFENDANT".

Page 23, line 8, strike "RESPONDENT" and substitute "DEFENDANT".

Page 23, line 10, strike "COLORADO BUREAU OF INVESTIGATION" and substitute "BUREAU".

Page 23, line 14, strike "RESPONDENT," and substitute "DEFENDANT,".

Page 23, line 15, strike "(f)" and substitute "(h)".

Page 23, line 17, strike "RESPONDENT" and substitute "DEFENDANT".	1
	2
Page 23, line 18, strike "(f)" and substitute "(h)".	3
	4
Page 23, line 19, strike "RESPONDENT" and substitute "DEFENDANT".	5
	6
Page 23, line 21, strike "(g):" and substitute "(i):".	7
	8
Page 23, line 24, strike "RESPONDENT'S" and substitute "DEFENDANT'S".	9
	10
Page 23, line 27, strike "RESPONDENT'S" and substitute "DEFENDANT'S".	11
	12
Page 24, after line 6 insert:	13
	14
"(I) (I) A LAW ENFORCEMENT AGENCY THAT ELECTS IN GOOD FAITH TO NOT STORE A FIREARM OR AMMUNITION FOR A DEFENDANT PURSUANT TO SUB-SUBPARAGRAPH (B) OF SUBPARAGRAPH (III) OF PARAGRAPH (b) OF THIS SUBSECTION (9) SHALL NOT BE HELD CRIMINALLY OR CIVILLY LIABLE FOR SUCH ELECTION NOT TO ACT.	15
	16
(II) A LAW ENFORCEMENT AGENCY THAT RETURNS POSSESSION OF A FIREARM OR AMMUNITION TO A DEFENDANT IN GOOD FAITH AS PERMITTED BY PARAGRAPH (f) OF THIS SUBSECTION (9) SHALL NOT BE HELD CRIMINALLY OR CIVILLY LIABLE FOR SUCH ACTION."	17
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Page 24, line 11, strike "PERSON" and substitute "DEFENDANT".	25
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Page 24, line 19, strike "ACTOR" and substitute "DEFENDANT".	27
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Page 24, strike line 20 and substitute "COURT:	29
(I) SHALL ORDER THE DEFENDANT TO:".	30
	31
Page 24, line 21, strike "(I)" and substitute "(A)".	32
	33
Page 24, line 23, strike "(II)" and substitute "(B)".	34
	35
Page 24, line 23, strike "PERSON'S" and substitute "DEFENDANT'S".	36
	37
Page 24, line 24, strike "PERSON'S" and substitute "DEFENDANT'S".	38
	39
Page 24, strike line 25 and substitute "IMMEDIATE POSSESSION OR CONTROL; AND	40
	41
(II) MAY REQUIRE THAT BEFORE THE DEFENDANT IS RELEASED FROM CUSTODY ON BOND, THE DEFENDANT SHALL RELINQUISH, FOR THE DURATION OF THE ORDER, ANY FIREARM OR AMMUNITION IN THE DEFENDANT'S IMMEDIATE POSSESSION OR CONTROL OR SUBJECT TO THE DEFENDANT'S IMMEDIATE POSSESSION OR CONTROL."	42
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Page 25, line 3, strike "RESPONDENT" and substitute "DEFENDANT".	48
	49
Page 25, line 5, strike "RESPONDENT" and substitute "DEFENDANT".	50
	51
Page 25, line 7, strike "RESPONDENT" and substitute "DEFENDANT".	52
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Page 25, line 20, strike "PERSON" and substitute "DEFENDANT".	54
	55
Page 26, strike lines 1 through 5 and substitute "ENFORCEMENT AGENCY, THE COURT SHALL REQUIRE THE DEFENDANT TO SATISFY SUCH PROVISIONS NOT MORE THAN TWENTY-FOUR HOURS AFTER HIS OR HER RELEASE FROM INCARCERATION OR CUSTODY OR BE HELD IN CONTEMPT OF COURT. NOTWITHSTANDING ANY PROVISION OF THIS PARAGRAPH (c), THE COURT MAY, IN ITS DISCRETION, REQUIRE THE DEFENDANT TO RELINQUISH ANY FIREARM OR AMMUNITION IN THE DEFENDANT'S IMMEDIATE POSSESSION OR CONTROL OR SUBJECT TO THE DEFENDANT'S IMMEDIATE POSSESSION OR CONTROL BEFORE THE END OF THE DEFENDANT'S INCARCERATION. IN SUCH A CASE, A DEFENDANT'S FAILURE TO RELINQUISH A FIREARM OR AMMUNITION AS REQUIRED SHALL CONSTITUTE CONTEMPT OF COURT."	56
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Page 26, line 8, strike "RESPONDENT" and substitute "DEFENDANT".	69

Page 26, line 9, after "RELINQUISHMENT." add "THE FEDERALLY LICENSED FIREARMS DEALER SHALL NOT RETURN THE FIREARM OR AMMUNITION TO THE DEFENDANT UNLESS THE DEALER EITHER:

(I) (A) CONTACTS THE COLORADO BUREAU OF INVESTIGATION CREATED IN SECTION 24-33.5-401, C.R.S., REFERRED TO WITHIN THIS SECTION AS THE "BUREAU", TO REQUEST THAT A BACKGROUND CHECK, IN ACCORDANCE WITH SECTION 24-33.5-424, C.R.S., BE CONDUCTED OF THE DEFENDANT; AND

(B) OBTAINS APPROVAL OF THE TRANSFER FROM THE BUREAU AFTER THE PERFORMANCE OF THE BACKGROUND CHECK; OR

(II) RECEIVES WRITTEN DOCUMENTATION THAT A BACKGROUND CHECK, IN ACCORDANCE WITH SECTION 24-33.5-424, C.R.S., OR PURSUANT TO 18 U.S.C. SEC. 922, HAS BEEN CONDUCTED OF THE DEFENDANT WITHIN THE PRECEDING THIRTY DAYS AND THAT THE DEFENDANT WAS THEREBY APPROVED TO POSSESS A FIREARM."

Page 26, line 18, strike "RESPONDENT" and substitute "DEFENDANT".

Page 26, after line 20 insert:

"(f) IF A LOCAL LAW ENFORCEMENT AGENCY ELECTS TO STORE FIREARMS OR AMMUNITION FOR A DEFENDANT PURSUANT TO THIS SUBSECTION (8), THE LAW ENFORCEMENT AGENCY SHALL NOT RETURN THE FIREARM OR AMMUNITION TO THE DEFENDANT UNLESS THE AGENCY EITHER:

(I) (A) CONTACTS THE BUREAU TO REQUEST THAT A BACKGROUND CHECK, IN ACCORDANCE WITH SECTION 24-33.5-424, C.R.S., BE CONDUCTED OF THE DEFENDANT; AND

(B) OBTAINS APPROVAL OF THE TRANSFER FROM THE BUREAU AFTER THE PERFORMANCE OF THE BACKGROUND CHECK; OR

(II) RECEIVES WRITTEN DOCUMENTATION THAT A BACKGROUND CHECK, IN ACCORDANCE WITH SECTION 24-33.5-424, C.R.S., HAS BEEN CONDUCTED OF THE DEFENDANT WITHIN THE PRECEDING THIRTY DAYS AND THAT THE DEFENDANT WAS THEREBY APPROVED TO RECEIVE TRANSFER OF A FIREARM.

(g) (I) A LAW ENFORCEMENT AGENCY THAT ELECTS TO STORE A FIREARM OR AMMUNITION FOR A DEFENDANT PURSUANT TO THIS SUBSECTION (8) MAY ELECT TO CEASE STORING THE FIREARM OR AMMUNITION. A LAW ENFORCEMENT AGENCY THAT ELECTS TO CEASE STORING A FIREARM OR AMMUNITION FOR A DEFENDANT SHALL NOTIFY THE DEFENDANT OF SUCH DECISION AND REQUEST THAT THE DEFENDANT IMMEDIATELY MAKE ARRANGEMENTS FOR THE TRANSFER OF THE POSSESSION OF THE FIREARM OR AMMUNITION TO THE DEFENDANT OR, IF THE DEFENDANT IS PROHIBITED FROM POSSESSING A FIREARM, TO ANOTHER PERSON WHO IS LEGALLY PERMITTED TO POSSESS A FIREARM.

(II) IF A LAW ENFORCEMENT AGENCY ELECTS TO CEASE STORING A FIREARM OR AMMUNITION FOR A DEFENDANT AND NOTIFIES THE DEFENDANT AS DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (g), THE LAW ENFORCEMENT AGENCY MAY DISPOSE OF THE FIREARM OR AMMUNITION IF THE DEFENDANT FAILS TO MAKE ARRANGEMENTS FOR THE TRANSFER OF THE FIREARM OR AMMUNITION AND COMPLETE SAID TRANSFER WITHIN NINETY DAYS OF RECEIVING SUCH NOTIFICATION."

Reletter succeeding paragraphs accordingly.

Page 27, line 3, strike "COLORADO BUREAU OF INVESTIGATION" and substitute "BUREAU".

Page 27, line 8, strike "(f)" and substitute "(h)".

Page 27, line 11, strike "(f)" and substitute "(h)".

Page 27, line 14, strike "(g):" and substitute "(i):".

Page 27, after line 19 insert:

"(j) (I) A LAW ENFORCEMENT AGENCY THAT ELECTS IN GOOD FAITH TO NOT STORE A FIREARM OR AMMUNITION FOR A DEFENDANT PURSUANT TO SUB-SUBPARAGRAPH (B) OF SUBPARAGRAPH (III) OF

PARAGRAPH (b) OF THIS SUBSECTION (8) SHALL NOT BE HELD CRIMINALLY OR CIVILLY LIABLE FOR SUCH ELECTION NOT TO ACT.
(II) A LAW ENFORCEMENT AGENCY THAT RETURNS POSSESSION OF A FIREARM OR AMMUNITION TO A DEFENDANT IN GOOD FAITH AS PERMITTED BY PARAGRAPH (f) OF THIS SUBSECTION (8) SHALL NOT BE HELD CRIMINALLY OR CIVILLY LIABLE FOR SUCH ACTION."

Amendment No. 5(L.012), by Senator Hudak.

Amend the Hudak floor amendment (SB197_L.010), page 1, line 19, strike "c)," and substitute "(c)".

Page 6 of the floor amendment, strike line 23.

Page 14 of the floor amendment, strike line 34 and substitute:

"Page 23 of the printed bill, line 14, strike "RESPONDENT" and substitute "DEFENDANT".

Page 15 of the floor amendment, strike line 2 and substitute:

"Page 23 of the bill, line 17, strike "RESPONDENT," and substitute "DEFENDANT,".

Page 15 of the floor amendment, after line 17 insert:

"Page 24 of the bill, line 10, strike "PERSON" and substitute "DEFENDANT".

Page 15 of the floor amendment, strike line 19.

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

SB13-195 by Senator(s) Tochtrop; also Representative(s) May--Concerning requiring certain applicants for concealed handgun permits to complete a handgun training class on the physical grounds where the certified instructor of the course offers the course.

Amendment No. 1(L.002), by Senator Tochtrop.

Amend printed bill, page 2, line 16, strike "ANY PORTION OF THE" and substitute "THE ENTIRE".

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

HB13-1229 by Representative(s) Fields and McCann; also Senator(s) Carroll--Concerning criminal background checks performed pursuant to the transfer of a firearm, and, in connection therewith, making an appropriation.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, March 5, page(s) 381-384 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, March 6, page(s) 398-402 and placed in members' bill files.)

Amendment No. 3(L.030), by Senator Carroll.

Amend the Senate State, Veterans, & Military Affairs Committee Report, dated March 4, 2013, page 2, after line 4 insert:

"Page 5, line 18, strike "THE TRANSFER IS A" and substitute "A".

Page 2 of the committee report, line 7, strike "OR".

Amendment No. 4(L.033), by Senator Carroll.

Amend the Appropriations Committee Report, dated March 6, 2013, page 3, line 14, after "Department" insert "of Personnel Capitol Complex leased space rent proceeds, \$47,125 shall be from the Judicial Department, \$32,358 shall be from the Legislative Department, \$16,130 shall be from the Department of Law, and \$552,955 shall be from various sources."

Amendment No. 5(L.034), by Senator Carroll.

Amend the State, Veterans, and Military Affairs Committee Report, dated March 4, 2013, page 2, line 13, after "SUBSEQUENT" insert "UNLAWFUL".

Amendment No. 6(L.035), by Senator Balmer.

Amend the State, Veterans, and Military Affairs Committee Report, dated March 4, 2013, page 2, line 9, strike "OR".

Page 2, line 14, strike "FIREARM." and substitute "FIREARM; OR".

Page 2, after line 14 insert:

"(i) A TRANSFER OF A FIREARM FROM A PERSON SERVING IN THE ARMED FORCES OF THE UNITED STATES WHO WILL BE DEPLOYED OUTSIDE OF THE UNITED STATES WITHIN THE NEXT THIRTY DAYS TO ANY FAMILY MEMBER OR FRIEND OF THE PERSON."

As amended, ordered revised 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.)

HB13-1228 by Representative(s) Court, Duran, Ferrandino, Fields, Fischer, Foote, Hullinghorst, Levy, McCann, Melton, Moreno, Pabon, Peniston, Rosenthal, Ryden, Salazar, Schafer, Williams; also Senator(s) Heath--Concerning requiring the Colorado bureau of investigation to recoup the cost of performing an instant criminal background check prior to the transfer of a firearm, and, in connection therewith, making and reducing an appropriation.

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

HB13-1226 by Representative(s) Levy, Fields, Fischer, Hullinghorst, McCann, Schafer; also Senator(s) Heath--Concerning eliminating the authority of a concealed handgun permit holder to possess a concealed handgun on the campus of an institution of higher education.

Laid over until Friday, May 10, retaining its place on the calendar.

HB13-1224 by Representative(s) Fields; also Senator(s) Hodge--Concerning prohibiting large-capacity ammunition magazines.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, March 6, page(s) 402 and placed in members' bill files.)

Amendment No. 2(L.026), by Senator Hodge.

Amend the Judiciary Committee Report, dated March 4, 2013, page 1, strike lines 7 and 8 and substitute:

"(II) A FIXED, TUBULAR SHOTGUN MAGAZINE THAT HOLDS MORE THAN TWENTY-EIGHT INCHES OF SHOTGUN SHELLS, INCLUDING ANY EXTENSION DEVICE THAT IS ATTACHED TO THE MAGAZINE AND HOLDS

ADDITIONAL SHOTGUN SHELLS; OR".

Page 1, line 9, strike "A DETACHABLE MAGAZINE, TUBE," and substitute "A NONTUBULAR, DETACHABLE MAGAZINE,".

As amended, ordered revised 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.)

SB13-196 by Senator(s) Morse; also Representative(s) Fields--Concerning the "Assault Weapon Responsibility Act".

Laid over until Friday, May 10, retaining its place on the calendar.

HB13-1097 by Representative(s) Gardner; also Senator(s) Nicholson--Concerning the duties of coroners.

Laid over until Monday, March 11, retaining its place on the calendar.

HB13-1083 by Representative(s) Ginal; also Senator(s) Tochtrop--Concerning the motorcycle operator safety training program.

Laid over until Monday, March 11, retaining its place on the calendar.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

HB13-1229 by Representative(s) Fields and McCann; also Senator(s) Carroll--Concerning criminal background checks performed pursuant to the transfer of a firearm, and, in connection therewith, making an appropriation.

Senator Carroll moved to amend the Report of the Committee of the Whole to show that the following amendment to HB13-1229 did pass.

Amend the Balmer floor amendment (HB1229_L.035), page 1, line 7, strike "FAMILY" and substitute "IMMEDIATE FAMILY MEMBER, WHICH IS LIMITED TO A SPOUSE, PARENT, CHILD, SIBLING, GRANDPARENT, GRANDCHILD, NIECE, NEPHEW, FIRST COUSIN, AUNT, AND UNCLE,".

Page 1, line 8, strike "MEMBER OR FRIEND".

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Senator Crowder moved to amend the Report of the Committee of the Whole to show that the following amendment to HB13-1229 did pass.

Amend reengrossed bill, page 6, after line 25 insert:

"(8) THE OPERATION OF THIS SECTION SHALL BE STATEWIDE UNLESS A MUNICIPALITY, COUNTY, CITY, OR CITY AND COUNTY, BY EITHER A MAJORITY OF THE REGISTERED ELECTORS OF THE MUNICIPALITY, COUNTY, CITY, OR CITY AND COUNTY VOTING AT A REGULAR ELECTION OR SPECIAL ELECTION CALLED IN ACCORDANCE WITH THE "COLORADO MUNICIPAL ELECTION CODE OF 1965", ARTICLE 10 OF TITLE 31, C.R.S., OR THE "UNIFORM ELECTION CODE OF 1992", ARTICLES 1 TO 13 OF TITLE 1, C.R.S., AS APPLICABLE, OR A MAJORITY OF THE MEMBERS OF THE GOVERNING BOARD FOR THE MUNICIPALITY, COUNTY, CITY, OR CITY AND COUNTY, VOTE TO EXCLUDE ITS CITIZENS FROM THE REQUIREMENTS OF THIS SECTION."

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	16	NO	19	EXCUSED	0	ABSENT	0
Aguilar	N	Guzman	N	Kefalas	N	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	N	Scheffel	Y
Baumgardner	Y	Heath	N	King	Y	Schwartz	N
Brophy	Y	Hill	Y	Lambert	Y	Steadman	N
Cadman	Y	Hodge	N	Lundberg	Y	Tochtrop	N
Carroll	N	Hudak	N	Marble	Y	Todd	N
Crowder	Y	Jahn	N	Newell	N	Ulibarri	N
Giron	N	Johnston	Y	Nicholson	N	President	N
Grantham	Y	Jones	N	Renfroe	Y		

HB13-1224 by Representative(s) Fields; also Senator(s) Hodge--Concerning prohibiting large-capacity ammunition magazines.

Senators Lambert, Harvey, and Balmer moved to amend the Report of the Committee of the Whole to show that the following Lambert floor amendment, (L.032) to HB 13-1224, did pass.

Amend reengrossed bill, page 4, strike line 16 and substitute:

"(V) AN ACTIVE DUTY, RESERVE, NATIONAL GUARD, OR COAST GUARD MEMBER; OR HONORABLY DISCHARGED VETERAN OF THE UNITED STATES ARMED FORCES, RESERVES, NATIONAL GUARD, OR COAST GUARD; OR MEMBERS OF THEIR FAMILIES; OR".

Renumber succeeding subparagraph 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	16	NO	19	EXCUSED	0	ABSENT	0
Aguilar	N	Guzman	N	Kefalas	N	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	N	Scheffel	Y
Baumgardner	Y	Heath	N	King	Y	Schwartz	N
Brophy	Y	Hill	Y	Lambert	Y	Steadman	N
Cadman	Y	Hodge	N	Lundberg	Y	Tochtrop	Y
Carroll	N	Hudak	N	Marble	Y	Todd	N
Crowder	Y	Jahn	N	Newell	N	Ulibarri	N
Giron	N	Johnston	N	Nicholson	N	President	N
Grantham	Y	Jones	N	Renfroe	Y		

Senator Lundberg moved to amend the Report of the Committee of the Whole to show that HB 13-1224, as amended, did not 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 **lost** on the following roll call vote:

YES	17	NO	18	EXCUSED	0	ABSENT	0
Aguilar	N	Guzman	N	Kefalas	N	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	N	Scheffel	Y
Baumgardner	Y	Heath	N	King	Y	Schwartz	N
Brophy	Y	Hill	Y	Lambert	Y	Steadman	N
Cadman	Y	Hodge	N	Lundberg	Y	Tochtrop	Y
Carroll	N	Hudak	N	Marble	Y	Todd	N
Crowder	Y	Jahn	Y	Newell	N	Ulibarri	N
Giron	N	Johnston	N	Nicholson	N	President	N
Grantham	Y	Jones	N	Renfroe	Y		

Senator Hill moved to amend the Report of the Committee of the Whole to show that the following Hill floor amendment, (L.031) to HB 13-1224, did pass.

Amend reengrossed bill, page 4, strike lines 19 through 24.

Reletter succeeding paragraph 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	Kefalas	N	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	N	Scheffel	Y
Baumgardner	Y	Heath	N	King	Y	Schwartz	N
Brophy	Y	Hill	Y	Lambert	Y	Steadman	N
Cadman	Y	Hodge	N	Lundberg	Y	Tochtrop	N
Carroll	N	Hudak	N	Marble	Y	Todd	N
Crowder	Y	Jahn	N	Newell	N	Ulibarri	N
Giron	N	Johnston	N	Nicholson	N	President	N
Grantham	Y	Jones	N	Renfroe	Y		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

YES	20	NO	15	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

The Committee of the Whole took the following action:

Passed on second reading: SB13-197 as amended, SB13-195 as amended, HB13-1229 as amended, HB13-1228, HB13-1224 as amended.
Laid over until Monday, March 11: HB13-1097, HB13-1083.
Laid over until Friday, May 10: SB13-196, HB13-1226.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Friday, March 8 was laid over until Monday, March 11, retaining its place on the calendar.

Consideration of Governor's Appointments:
Member of the Public Employees' Retirement Benefit Plans.

COMMITTEE OF REFERENCE REPORTS

Agriculture, Natural Resources, & Energy After consideration on the merits, the Committee recommends that **HB13-1168** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Agriculture, Natural Resources, & Energy The Committee on Agriculture, Natural Resources, & Energy has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

MEMBERS OF THE
ENERGY IMPACT ASSISTANCE
ADVISORY COMMITTEE

effective August 24, 2012, for terms expiring August 24, 2016:

Maryjo Downey of Stratton, Colorado, appointed

Honorable Kenneth C. Parsons of Rangely, Colorado, reappointed

Agriculture, Natural Resources, & Energy After consideration on the merits, the Committee recommends that **SB13-019** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, strike everything below the enacting clause and substitute:

"SECTION 1. Legislative declaration. (1) The general assembly hereby:

(a) Finds that some water appropriators may wish to reduce their water consumption, in part to ameliorate the effects of drought on low stream flows, but there is a disincentive in current law that penalizes appropriators who decrease their consumptive use of water;

(b) Determines that, at a time when Colorado can expect drought conditions to increase in frequency and severity, the general assembly should give appropriators a safe harbor when they decrease their consumptive use of water by participating in a variety of government-sponsored water conservation programs; and

(c) Declares that this act promotes the maximum utilization of Colorado's water resources, can help alleviate the effects of drought on river flows, and is in the public interest.

SECTION 2. In Colorado Revised Statutes, 37-92-305, add (3)

(c) as follows:

37-92-305. Standards with respect to rulings of the referee and decisions of the water judge. (3) (c) IN DETERMINING THE AMOUNT OF HISTORICAL CONSUMPTIVE USE FOR A WATER RIGHT IN DIVISION 4, 5, OR 6, THE WATER JUDGE SHALL NOT CONSIDER ANY DECREASE IN USE FOR THE DURATION OF, AND RESULTING FROM, THE FOLLOWING:

(I) THE LAND ON WHICH THE WATER FROM THE WATER RIGHT HAS BEEN HISTORICALLY APPLIED IS ENROLLED UNDER A FEDERAL LAND CONSERVATION PROGRAM; OR

(II) THE NONUSE OR DECREASE IN USE OF THE WATER FROM THE WATER RIGHT BY ITS OWNER IS A RESULT OF PARTICIPATION IN:

(A) A WATER CONSERVATION PROGRAM APPROVED BY A STATE AGENCY, WATER CONSERVATION DISTRICT, WATER DISTRICT, WATER AUTHORITY, OR WATER CONSERVANCY DISTRICT FOR LANDS THAT ARE WITHIN THE ENTITY'S JURISDICTIONAL BOUNDARIES;

(B) A WATER CONSERVATION PROGRAM ESTABLISHED THROUGH FORMAL WRITTEN ACTION OR ORDINANCE BY A WATER DISTRICT, WATER AUTHORITY, OR MUNICIPALITY OR ITS MUNICIPAL WATER SUPPLIER FOR LANDS THAT ARE WITHIN THE ENTITY'S JURISDICTIONAL BOUNDARIES;

(C) AN APPROVED LAND FALLOWING PROGRAM AS PROVIDED BY LAW IN ORDER TO CONSERVE WATER OR TO PROVIDE WATER FOR COMPACT COMPLIANCE; OR

(D) A WATER BANKING PROGRAM AS PROVIDED BY LAW.

SECTION 3. Applicability. This act applies to historical consumptive use determinations made on or after the effective date of this act.

SECTION 4. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety."

Health &
Human
Services

After consideration on the merits, the Committee recommends that **HB13-1081** be **amended** as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 6, line 17, strike "CANCER." and substitute "CANCER, AND OTHER TYPES OF CANCER INVOLVING THE HUMAN REPRODUCTIVE SYSTEMS, INCLUDING BUT NOT LIMITED TO PROSTATE, TESTICULAR, OVARIAN, AND UTERINE CANCER."

Page 6, line 20, strike "MAY" and substitute "MUST".

Page 6, strike lines 23 and 24.

ReNUMBER succeeding subparagraphs accordingly.

Page 7, line 8, after "STANDARDS," insert "REQUIREMENTS,".

Page 9, strike lines 16 through 19.

ReNUMBER succeeding subsections accordingly.

Page 9, line 20, strike "(10)" and substitute "(9)".

Page 9, line 24, strike "CONTENT STANDARDS" and substitute "ESTABLISHED REQUIREMENTS".

Page 9, line 25, before "CURRICULUM." insert "COMPREHENSIVE HUMAN SEXUALITY" and strike "CONTENT STANDARDS" and substitute "REQUIREMENTS".

Page 10, strike line 12.

ReNUMBER succeeding subparagraphs accordingly.

Page 11, line 8, strike "(7)" and substitute "(6)".

Page 11, line 15, strike "CONTENT".

Page 11, line 16, strike "STANDARDS" and substitute "REQUIREMENTS FOR COMPREHENSIVE HUMAN SEXUALITY CURRICULUM", and strike "(7)" and substitute "(6)".

Page 11, line 20, strike "IS RECEIVING, ON" and substitute "HAS RECEIVED, PRIOR TO".

Page 11, line 21, strike "OR THEREAFTER,".

Page 11, line 24, strike "CONTENT STANDARDS" and substitute "REQUIREMENTS FOR COMPREHENSIVE HUMAN SEXUALITY CURRICULUM".

Page 11, line 25, strike "SUBSECTION (5) OF THIS SECTION IN ANY" and substitute "THIS SECTION FOR THE YEAR OR YEARS FOR WHICH".

Page 11, line 26, strike "YEAR THAT".

Page 11, line 27, strike "RECEIVES" and substitute "RECEIVED".

Page 12, line 1 after the period add "ON JULY 1, 2013, OR THEREAFTER, A SCHOOL DISTRICT, BOARD OF COOPERATIVE SERVICES, CHARTER SCHOOL, OR INSTITUTE CHARTER SCHOOL SHALL NOT USE ANY DIRECT OR INDIRECT FUNDING FROM THE FEDERAL GOVERNMENT FOR THE PROVISION OF AN ABSTINENCE EDUCATION PROGRAM PURSUANT TO 42 U.S.C. SEC. 710.".

Page 12, line 7, strike "GRADE." and substitute "GRADE UNLESS THE CONTENT OF THE INSTRUCTION RELATES TO PERSONAL HYGIENE, HEALTHY HABITS, RESPECTING PERSONAL SPACE AND BOUNDARIES, INTERPERSONAL COMMUNICATION SKILLS, AND PERSONAL SAFETY, AS IDENTIFIED IN THE CONTENT STANDARDS DEVELOPED BY THE DEPARTMENT AND ADOPTED BY THE STATE BOARD.".

Page 12, line 24, strike "CANCER." and substitute "CANCER, AND OTHER TYPES OF CANCER INVOLVING THE HUMAN REPRODUCTIVE SYSTEMS, INCLUDING BUT NOT LIMITED TO PROSTATE, TESTICULAR, OVARIAN, AND UTERINE CANCER.".

Page 12, line 27, strike "MAY" and substitute "MUST".

Page 13, line 2, strike "(I)" and substitute "(a)".

Page 13, line 3, strike "(II)" and substitute "(b)" and strike "HOW", and strike "AND AVOID".

Page 13, after line 4 insert:

"(c) DISCUSSIONS AND INFORMATION ON HOW TO RECOGNIZE AND RESPOND SAFELY AND EFFECTIVELY IN SITUATIONS WHERE SEXUAL OR PHYSICAL VIOLENCE MAY BE OCCURRING OR WHERE THERE MAY BE A RISK FOR THESE BEHAVIORS TO OCCUR;".

Page 13, line 5, strike "(III)" and substitute "(d)".

Page 13, line 7, strike "(IV)" and substitute "(e)".

Page 13, line 11, after "STANDARDS," insert "REQUIREMENTS,".

Page 15, line 24, strike "GUIDELINES" and substitute "REQUIREMENTS FOR COMPREHENSIVE HUMAN SEXUALITY CURRICULUM".

Page 17, line 2, strike "GRADE." and substitute "GRADE UNLESS THE CONTENT OF THE INSTRUCTION RELATES TO PERSONAL HYGIENE, HEALTHY HABITS, RESPECTING PERSONAL SPACE AND BOUNDARIES, INTERPERSONAL COMMUNICATION SKILLS, AND PERSONAL SAFETY, AS IDENTIFIED IN THE CONTENT STANDARDS DEVELOPED BY THE DEPARTMENT OF EDUCATION AND ADOPTED BY THE STATE BOARD OF EDUCATION.".

Page 21, line 9, after "STANDARDS," insert "REQUIREMENTS,".

Page 22, line 15, strike "(a);"

and substitute "(a) and (6) (c); **repeal** (6) (b);".

Page 23, line 3, strike "PROGRAMS,"

and substitute "PROGRAMS RELATED TO COMPREHENSIVE HUMAN SEXUALITY EDUCATION.".

Page 23, strike lines 4 through 10.

Page 23, before line 11 insert:

"(6) (b) School officials shall receive prior written approval from a parent or guardian before his or her child may participate in any program discussing or teaching sexuality and human reproduction. Parents must receive, with the written permission slip, an overview of the topics and materials to be presented in the curriculum.

(c) The provisions of paragraph (b) (d) of this subsection (6) shall not apply to a local comprehensive health education program provided by a facility school."

Page 23, line 11, strike "(6)".

Page 23, line 13, strike "IN" and substitute "FROM".

Page 24, line 6, strike "(10)," and substitute "(9),".

Page 24, line 7, strike "(7)" and substitute "(6)".

Page 24, line 20, strike "(7)," and substitute "(6),".

MESSAGE FROM THE HOUSE

March 8, 2013

Mr. President:

The House has passed on Third Reading and returns herewith SB13-033.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB13-029, 031, 032, 072, 075; HB13-1017, 1024, 1038, 1043, 1052, 1053, 1065, 1084, 1086, 1087, 1102, 1109, 1146, 1203; HJR13-1016.

CHANGE IN SPONSORSHIP

Upon announcement of President Morse, Representative Gardner will replace Representative Ferrandino as a House joint prime sponsor on SB13-023 with Representative Levy.

INTRODUCTION OF BILLS -- FIRST READING

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

SB13-213 by Senator(s) Johnston and Heath; also Representative(s) Hamner--Concerning the financing of public schools, and, in connection therewith, creating the "Public School Finance Act".
Education

On motion of Majority Leader Carroll, the Senate adjourned until 10:00 a.m., Monday, March 11, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

62nd Legislative Day Monday, March 11, 2013

- Prayer By the chaplain, Eustace Sequeira, Regis University Jesuit Community, Denver.
- Call to Order By the President at 10:00 a.m.
- Pledge By Senator Ulibarri.
- Roll Call Present--35
- Quorum The President announced a quorum present.
- Reading of Journal On motion of Senator Jones, reading of the Journal of Friday, March 8, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Printed: SB13-213; SR13-003.
Correctly Engrossed: SB13-182, 192, 195 and 197.
Correctly Revised: HB13-1132, 1224, 1228 and 1229.

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:

SB13-023 by Senator(s) Cadman and Morse; also Representative(s) Levy and Ferrandino--Concerning an increase in the limitation on the amount of damages that may be recovered by an injured party under the "Colorado Governmental Immunity 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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Carroll, Giron, Guzman, Heath, Jones, Kefalas, Newell, Schwartz, Steadman, Todd and Ulibarri.

SB13-192 by Senator(s) Heath; also Representative(s) Tyler--Concerning the ability of government agencies to extend the time permitted for action based on the results of fingerprint-based criminal history record checks.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Steadman.

SB13-182 by Senator(s) Nicholson, Todd, Schwartz; also Representative(s) Williams, Hamner, Mitsch Bush--Concerning deceptive trade practices related to time share resale services.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Aguilar, Heath and Newell.

HB13-1132 by Representative(s) Mitsch Bush and Scott; also Senator(s) Giron--Concerning amending state law to conform to federal standards for vehicle weight limits for purposes of continued federal highway funding.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Aguilar, Brophy and Heath.

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:

SB13-197 by Senator(s) Hudak, Newell; also Representative(s) McCann and Fields--Concerning preventing persons who have committed domestic violence from possessing firearms, 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	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Aguilar, Carroll, Giron, Guzman, Heath, Jahn, Johnston, Kerr, Morse, Nicholson, Schwartz, Tochtrop, Todd and Ulibarri.

SB13-195 by Senator(s) Tochtrop; also Representative(s) May--Concerning requiring certain applicants for concealed handgun permits to complete a handgun training class on the physical grounds where the certified instructor of the course offers the course.

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

YES	22	NO	13	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Carroll, Giron, Guzman, Heath, Hudak, Johnston, Jones, Kerr, Morse, Newell, Nicholson, Schwartz, Steadman, Todd and Ulibarri.

HB13-1229 by Representative(s) Fields and McCann; also Senator(s) Carroll--Concerning criminal background checks performed pursuant to the transfer of a firearm, and, in connection therewith, making an appropriation.

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

Third Reading Amendment No. 1(L.039), by Senator Carroll.

Amend revised bill, page 7, after line 6 insert:

"(7) FOR PURPOSES OF PARAGRAPH (f) OF SUBSECTION (6) OF THIS SECTION:

(a) AN OWNER, MANAGER, OR EMPLOYEE OF A BUSINESS THAT REPAIRS OR MAINTAINS FIREARMS MAY RELY UPON A TRANSFEROR'S STATEMENT THAT HE OR SHE MAY LEGALLY POSSESS A FIREARM UNLESS THE OWNER, MANAGER, OR EMPLOYEE HAS ACTUAL KNOWLEDGE TO THE CONTRARY AND MAY RETURN POSSESSION OF THE FIREARM TO THE TRANSFEROR UPON COMPLETION OF THE REPAIRS OR MAINTENANCE WITHOUT A BACKGROUND CHECK;

(b) UNLESS A TRANSFEROR OF A FIREARM HAS ACTUAL KNOWLEDGE TO THE CONTRARY, THE TRANSFEROR MAY RELY UPON THE STATEMENT OF AN OWNER, MANAGER, OR EMPLOYEE OF A BUSINESS THAT REPAIRS OR MAINTAINS FIREARMS THAT NO OWNER, MANAGER, OR EMPLOYEE OF THE BUSINESS IS PROHIBITED FROM POSSESSING A FIREARM."

Renumber succeeding subsections accordingly.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

YES	19	NO	16	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	N
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Aguilar, Giron, Guzman, Heath, Hodge, Hudak, Johnston, Jones, Kerr, Morse, Newell, Nicholson, Steadman, Todd and Ulibarri.

Senate in recess. Senate reconvened.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for an expression of personal privilege.

Call of the Senate. Call raised.

HB13-1228 by Representative(s) Court, Duran, Ferrandino, Fields, Fischer, Foote, Hullinghorst, Levy, McCann, Melton, Moreno, Pabon, Peniston, Rosenthal, Ryden, Salazar, Schafer, Williams; also Senator(s) Heath--Concerning requiring the Colorado bureau of investigation to recoup the cost of performing an instant criminal background check prior to the transfer of a firearm, and, in connection therewith, making and reducing an appropriation.

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

YES	19	NO	16	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	N	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Aguilar, Carroll, Giron, Guzman, Hodge, Hudak, Jones, Morse, Newell, Nicholson, Steadman, Todd and Ulibarri.

HB13-1224 by Representative(s) Fields; also Senator(s) Hodge--Concerning prohibiting large-capacity ammunition magazines.

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

Third Reading Amendment No. 1(L.035), by Senator King.

Amend revised bill, page 2, strike lines 2 through 16.

Strike pages 3 through 5 and substitute:

"**SECTION 1.** In Colorado Revised Statutes, **add** 18-12-112 as follows:

18-12-112. Large-capacity ammunition magazines - directive to Colorado commission on criminal and juvenile justice - repeal.

(1) THE COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE CREATED AND EXISTING PURSUANT TO SECTION 16-11.3-102, C.R.S., SHALL CONSIDER THE IMPLEMENTATION OF A PROHIBITION ON LARGE-CAPACITY AMMUNITION MAGAZINES. THE COMMISSION SHALL COMPLETE A REPORT OF ITS FINDINGS AND SUBMIT THE REPORT TO THE JUDICIARY COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND SENATE, OR ANY SUCCESSOR COMMITTEES, ON OR BEFORE JANUARY 1, 2014.

(2) THIS SECTION IS REPEALED, EFFECTIVE JANUARY 2, 2014."

Page 6, strike lines 1 through 3.

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

YES	17	NO	18	EXCUSED	0	ABSENT	0
Aguilar	N	Guzman	N	Kefalas	N	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	N	Scheffel	Y
Baumgardner	Y	Heath	N	King	Y	Schwartz	N
Brophy	Y	Hill	Y	Lambert	Y	Steadman	N
Cadman	Y	Hodge	N	Lundberg	Y	Tochtrop	Y
Carroll	N	Hudak	N	Marble	Y	Todd	N
Crowder	Y	Jahn	Y	Newell	N	Ulibarri	N
Giron	N	Johnston	N	Nicholson	N	President	N
Grantham	Y	Jones	N	Renfroe	Y		

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

YES	18	NO	17	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	N
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	N	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Aguilar, Guzman, Heath, Morse, Nicholson and Ulibarri.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the General Orders -- Second Reading of Bills -- Consent Calendar (HB13-1126, HB13-1199, HB13-1184) of Monday, March 11 was laid over until Tuesday, March 12, retaining its place on the calendar.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the General Orders -- Second Reading of Bills Calendar (HB13-1097, HB13-1083, HB13-1027, HB13-1166, HB13-1209, SB13-171) of Monday, March 11 was laid over until Tuesday, March 12, retaining its place on the calendar.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB13-012 by Senator(s) Heath; also Representative(s) Singer--Concerning reporting of suspected child abuse and neglect by youth sports organizations.

Senator Heath moved that the Senate concur in House amendments to **SB13-012**, as printed in House journal, March 6, page(s) 486-487. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

YES	22	NO	13	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

IMMEDIATE RECONSIDERATION OF SB13-012

SB13-012 by Senator(s) Heath; also Representative(s) Singer--Concerning reporting of suspected child abuse and neglect by youth sports organizations.

Majority Leader Carroll moved for immediate reconsideration of the last Senate action, Consideration of Repassage, on **SB13-012**.

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

CONSIDERATION OF REPASSAGE OF SENATE BILLS

SB13-012 by Senator(s) Heath; also Representative(s) Singer--Concerning reporting of suspected child abuse and neglect by youth sports organizations.

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

YES	24	NO	11	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	Y	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

CONSIDERATION OF HOUSE AMENDMENTS TO
SENATE RESOLUTIONS

SJR13-016 by Senator(s) Carroll; also Representative(s) Pabon--Concerning authorizing and directing the Committee on Legal Services to retain legal counsel to represent the General Assembly as amicus curiae in any pending or future lawsuit for the purpose of participating only to address the issue of the standing of legislator-plaintiffs when standing is based upon an institutional interest of the General Assembly.

Senator Carroll moved that the Senate concur in House amendments to **SJR13-016**, as printed in House Journal, March 7, page(s) 499.

A majority of all members elected to the Senate having voted in the affirmative, the motion was adopted on the following roll call vote.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the resolution, as amended, was **repassed**.

Co-sponsor(s) added: Hudak.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Monday, March 11 was laid over until Tuesday, March 12, retaining its place on the calendar.

- Consideration of Governor's Appointments:
- Member of the Public Employees' Retirement Benefit Plans.
 - Members of the Parks and Wildlife Commission.
 - Member of the Statewide Internet Portal Authority.
 - Member of the State Electrical Board.
 - Member of the Examining Board of Plumbers.
 - Members of the Workers' Compensation Cost Containment Board.
 - Member of the Colorado Board of Veterans Affairs.

MESSAGE FROM THE HOUSE

March 11, 2013

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1179, 1237.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1139, amended as printed in House Journal, March 8, page 475.
HB13-1021, amended as printed in House Journal, March 8, pages 510-511.
HB13-1071, amended as printed in House Journal, March 8, page 511.
HB13-1180, amended as printed in House Journal, March 8, page 512.
HB13-1191, amended as printed in House Journal, March 8, page 513.
HB13-1022, amended as printed in House Journal, March 8, page 516.

The House has passed on Third Reading and returns herewith SB13-091, 078, 015, 112, 143, 118, 010, 160, 153, 080, 028.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB13-067, amended as printed in House Journal, March 8, page 513.
SB13-074, amended as printed in House Journal, March 8, pages 513-514.
SB13-044, amended as printed in House Journal, March 8, page 515.

MESSAGE FROM THE REVISOR OF STATUTES

March 11, 2013

We herewith transmit:

Without comment, HB13-1179 and 1237.
Without comment, as amended, HB13-1021, 1022, 1071, 1139, 1180, and 1191.
Without comment, as amended, SB13-044, 067, and 074.

MESSAGE FROM THE GOVERNOR

March 8, 2013

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

Ladies and Gentlemen:

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

SB13-109: CONCERNING INDIRECT COST RECOVERY FROM PROGRAMS, AND, IN CONNECTION THEREWITH, ESTABLISHING AN INDIRECT COSTS EXCESS RECOVERY FUND AND DEPARTMENTAL ACCOUNTS WITHIN THE FUND FOR THE PURPOSE OF ALLOWING DEPARTMENTS OF STATE GOVERNMENT TO USE MONEYS COLLECTED AS PAYMENT FOR INDIRECT COSTS OVER MULTIPLE FISCAL YEARS.

Approved March 8, 2013 at 11:26 a.m.

SB13-114: CONCERNING THE DESIGNATION OF THE RACING CASH FUND AS THE APPROPRIATE FUND INTO WHICH CERTAIN RACING REGULATION FEES ARE DEPOSITED.

Approved March 8, 2013 at 11:27 a.m.

SB13-115: CONCERNING THE CREATION OF THE WASTE TIRE FEE
ADMINISTRATION CASH FUND.

Approved March 8, 2013 at 11:27 a.m.

SB13-133: CONCERNING THE DISTRIBUTION OF THE STATE SHARE OF
LIMITED GAMING FUND REVENUES.

Approved March 8, 2013 at 11:28 a.m.

Sincerely,
(signed)
John W. Hickenlooper
Governor

DELIVERY TO THE GOVERNOR

To the Governor for signature on Monday, March 11, 2013, at 2:02 p.m.:
SB13-029, 031, 032, 072 and 075.

CHANGE IN SPONSORSHIP

Upon announcement of President Morse, Senator Kerr replaced Senator Newell as the
Senate joint prime sponsor on HB13-1117 with Senator Hodge.

NOTICE OF INTENT TO MOVE FOR RECONSIDERATION OF SB13-012

President Morse gave notice of intent to reconsider SB13-012.

On motion of Majority Leader Carroll, the Senate adjourned until 9:00 a.m., Tuesday,
March 12, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

63rd Legislative Day	Tuesday, March 12, 2013
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Prayer	By the chaplain, Pastor Robert T. Schlipp, The Worship Center of Brighton.
Call to Order	By the President at 9:00 a.m.
Pledge	By President Morse.
Roll Call	Present--29 Excused--6, Heath, Hodge, Johnston, Marble, Todd, Ulibarri. Present later--6, Heath, Hodge, Johnston, Marble, Todd, Ulibarri.
Quorum	The President announced a quorum present.
Reading of Journal	On motion of Senator Jones, reading of the Journal of Monday, March 11, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Reengrossed: SB13-023, 182, 192, 195 and 197.
Correctly Rerevised: HB13-1132, 1224, 1228 and 1229.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

HJR13-1015 by Representative(s) Hamner, Levy, Duran, Gerou; also Senator(s) Hudak, Steadman, Hodge, Lambert--Concerning approval of the performance contract between the Colorado School of Mines and the Colorado Commission on Higher Education.

Laid over until Tuesday, March 19, retaining its place on the calendar.

INTRODUCTION OF BILLS -- FIRST READING

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

SB13-202 by Senator(s) Jones; also Representative(s) Singer--Concerning additional inspections of oil and gas facilities.
Agriculture, Natural Resources, & Energy

HB13-1025 by Representative(s) Swalm; also Senator(s) Jahn--Concerning an increase in the amount of the authorized deductible for workers' compensation insurance policies.
Judiciary

HB13-1179	by Representative(s) Levy, Duran, Gerou; also Senator(s) Steadman, Hodge, Lambert-- Concerning deadlines for state agencies to submit documents related to appropriations to the joint budget committee. State, Veterans, & Military Affairs	1 2 3 4 5 6
HB13-1180	by Representative(s) Gerou, Duran, Levy; also Senator(s) Steadman, Hodge, Lambert-- Concerning the allocation of tobacco litigation settlement moneys that were originally to be allocated to the nurse home visitor program but are currently scheduled to be transferred to the general fund, and, in connection therewith, requiring such moneys to be allocated to the nurse home visitor program and the tobacco settlement defense account of the tobacco litigation settlement cash fund and making an appropriation. Appropriations	7 8 9 10 11 12 13 14 15 16 17
Committee of the Whole	On motion of Senator Giron, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Giron was called to the Chair to act as Chairman.	18 19 20 21
GENERAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR		22 23 24
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:		25 26 27 28 29
HB13-1126	by Representative(s) Wright; also Senator(s) Aguilar--Concerning statutorily established time intervals. Ordered revised and placed on the calendar for third reading and final passage.	30 31 32 33 34 35
HB13-1199	by Representative(s) Pettersen; also Senator(s) Kefalas--Concerning clarifications of the statute governing provider fees paid by nursing facilities. Laid over until the end of the General Orders -- Second Reading of Bills Calendar of Tuesday, March 12.	36 37 38 39 40 41 42
HB13-1184	by Representative(s) Duran and Gerou, Levy; also Senator(s) Hodge, Steadman, Lambert-- Concerning the supplier database cash fund. Ordered revised and placed on the calendar for third reading and final passage.	43 44 45 46 47 48
HB13-1009	by Representative(s) DelGrosso; also Senator(s) Jahn--Concerning the deadline for an application for a refund for overpaid state sales and use tax. <u>Amendment No. 1, Finance Committee Amendment.</u> (Printed in Senate Journal, March 8, page(s) 439 and placed in members' bill files.) As amended, ordered revised and placed on the calendar for third reading and final passage.	49 50 51 52 53 54 55 56 57 58
SB13-154	by Senator(s) Jahn; also Representative(s) Williams--Concerning continuation of the division of banking, and, in connection therewith, implementing the recommendations of the 2012 sunset report by the department of regulatory agencies. <u>Amendment No. 1, Business, Labor & Technology Committee Amendment.</u> (Printed in Senate Journal, February 21, page(s) 294-295 and placed in members' bill files.) As amended, ordered engrossed and placed on the calendar for third reading and final passage.	59 60 61 62 63 64 65 66 67 68 69 70 71

- HB13-1181

by Representative(s) Levy, Duran, Gerou; also Senator(s) Steadman, Hodge, Lambert--
Concerning the retention in a cash fund that funds tobacco programs of the lesser of all
unencumbered moneys remaining in the fund at the end of any fiscal year or an amount of
such moneys equal to five percent of the amount appropriated from the fund for the fiscal
year.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, March 8, page(s) 440-441 and placed in members' bill files.)

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

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- SB13-155

by Senator(s) Baumgardner; also Representative(s) Ryden--Concerning the continuation of
the board of real estate appraisers, and, in connection therewith, implementing the
recommendations of the 2012 sunset report by the department of regulatory agencies.

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, February 21, page(s) 295-297 and placed in members' bill
files.)

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

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- HB13-1185

by Representative(s) Gerou and Duran, Levy; also Senator(s) Steadman, Hodge, Lambert--
Concerning transfers made from the operational account of the severance tax trust fund for
providing energy-related assistance to low-income households, and, in connection
therewith, eliminating the payment schedule for each fund and equalizing distributions for
the 2012-13 state fiscal year.

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

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- HB13-1155

by Representative(s) Gerou, Duran, Levy; also Senator(s) Hodge, Steadman, Lambert--
Concerning revision of the condition precedent upon which the transfers authorized by
House Bill 12-1268 are contingent.

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

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- HB13-1168

by Representative(s) Vigil; also Senator(s) Schwartz--Concerning an expansion in the
ability of a ditch to operate as an acequia ditch.

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

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ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	E	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	E
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB13-154 as amended, SB13-155 as amended, HB13-1126,
HB13-1184, HB13-1009 as amended, HB13-1181 as amended, HB13-1185, HB13-1155,
HB13-1168.

Laid over to the end of the General Orders -- Second Reading of Bills calendar, Tuesday, March 12: HB13-1199.
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Committee of the Whole
On motion of Senator Giron, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Giron was called to the chair to act as Chairman.
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GENERAL ORDERS -- SECOND READING OF BILLS
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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:
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HB13-1097
by Representative(s) Gardner; also Senator(s) Nicholson--Concerning the duties of coroners.
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Amendment No. 1(L.007), by Senator Nicholson.
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Amend reengrossed bill, page 10, strike lines 5 through 7.
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As amended, ordered revised and placed on the calendar for third reading and final passage.
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HB13-1083
by Representative(s) Ginal; also Senator(s) Tochtrop--Concerning the motorcycle operator safety training program.
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Amendment No. 1, Transportation Committee Amendment.
(Printed in Senate Journal, March 6, page(s) 403-404 and placed in members' bill files.)
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Amendment No. 2(L.004), by Senator Tochtrop.
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Amend reengrossed bill, page 9, line 19, strike "JULY" and substitute "SEPTEMBER".
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As amended, ordered revised and placed on the calendar for third reading and final passage.
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HB13-1027
by Representative(s) Conti; also Senator(s) Tochtrop--Concerning an increase in the transparency of proceedings before the public utilities commission by requiring the director of the commission to report annually to the general assembly regarding recent energy rate cases.
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Amendment No. 1, Transportation Committee Amendment.
(Printed in Senate Journal, March 7, page(s) 423 and placed in members' bill files.)
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As amended, ordered revised and placed on the calendar for third reading and final passage.
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HB13-1166
by Representative(s) Kagan; also Senator(s) Steadman--Concerning the repeal of certain crimes that include marital status as an element of the crime.
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Ordered revised and placed on the calendar for third reading and final passage.
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HB13-1209
by Representative(s) May; also Senator(s) Nicholson--Concerning changes to child support provisions.
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Laid over until Thursday, March 14, retaining its place on the calendar.
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SB13-171
by Senator(s) Kerr, Tochtrop; also Representative(s) Foote--Concerning the continuation of the licensing of money transmitters, and, in connection therewith, continuing the authority of the banking board and the state bank commissioner over money transmitters.
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Ordered engrossed and placed on the calendar for third reading and final passage.
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- HB13-1104** by Representative(s) Kraft-Tharp; also Senator(s) Newell--Concerning the regulation of mental health professionals, and, in connection therewith, repealing the requirement that mental health professionals provide required disclosures orally and modifying the mental health professional peer health assistance program.
- Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, March 8, page(s) 432-433 and placed in members' bill files.)
- As amended, ordered revised and placed on the calendar for third reading and final passage.
- SB13-161** by Senator(s) Heath; also Representative(s) Fischer and Hamner--Concerning continuation of the state board for licensure of architects, professional engineers, and professional land surveyors, and, in connection therewith, implementing the recommendations of the 2012 sunset report by the department of regulatory agencies.
- Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, March 8, page(s) 436-439 and placed in members' bill files.)
- Amendment No. 2(L.013), by Senator Heath.
- Amend the Business, Labor, and Technology Committee Report, dated March 6, 2013, page 4, strike line 7 and substitute "Page 21, line 11, strike "(7)" and substitute "(7); and **add** (6) (c)".
- Page 4, strike lines 27 through 37 and substitute "PREPARED BY OTHERS.". .
- Page 5, strike lines 1 through 6.
- Page 5, line 7, strike ""(d)". and substitute ""(c)".
- As amended, ordered engrossed and placed on the calendar for third reading and final passage.
- HB13-1164** by Representative(s) McLachlan, Dore, Sonnenberg; also Senator(s) Schwartz and Tochtrop, Baumgardner, Giron, Jones, Roberts--Concerning an extension of the period for which the voluntary contribution designation line benefiting the unwanted horse fund appears on state individual income tax return forms.
- Ordered revised and placed on the calendar for third reading and final passage.
- SB13-181** by Senator(s) Schwartz; also Representative(s) Fischer--Concerning the funding of Colorado water conservation board projects, and making appropriations in connection therewith.
- Amendment No. 1, Agriculture, Natural Resources, and Energy Committee Amendment.
(Printed in Senate Journal, February 22, page(s) 320 and placed in members' bill files.)
- Amendment No. 2(L.003), by Senator Schwartz.
- Amend printed bill, page 13, line 21, after "THE" insert "MUNICIPAL SUBDISTRICT OF THE".
- As amended, ordered engrossed and placed on the calendar for third reading and final passage.
- SB13-175** by Senator(s) Schwartz, Giron, Jones, Roberts, Hodge, Tochtrop; also Representative(s) Hamner and McLachlan, Coram, Fischer, Mitsch Bush, Rosenthal, Vigil--Concerning the continuation of programs benefiting the preservation of wildlife habitat, and, in connection therewith, continuing the wildlife habitat stamp committee.
- Ordered engrossed and placed on the calendar for third reading and final passage.

SB13-172	<p>by Senator(s) Newell; also Representative(s) Ginal--Concerning the continuation of the regulation of acupuncturists, and, in connection therewith, making an appropriation.</p> <p><u>Amendment No. 1, Health & Human Services Committee Amendment.</u> (Printed in Senate Journal, February 21, page(s) 310 and placed in members' bill files.)</p> <p><u>Amendment No. 2, Appropriations Committee Amendment.</u> (Printed in Senate Journal, March 8, page(s) 442 and placed in members' bill files.)</p> <p>As amended, ordered engrossed and placed on the calendar for third reading and final passage.</p>	1 2 3 4 5 6 7 8 9 10 11 12 13
SB13-120	<p>by Senator(s) Harvey, Baumgardner, Cadman, King, Lundberg, Marble; also Representative(s) Garcia--Concerning the creation of a Navy SEAL license plate, and, in connection therewith, making an appropriation.</p> <p><u>Amendment No. 1, Transportation Committee Amendment.</u> (Printed in Senate Journal, February 20, page(s) 280 and placed in members' bill files.)</p> <p><u>Amendment No. 2, Appropriations Committee Amendment.</u> (Printed in Senate Journal, March 8, page(s) 441 and placed in members' bill files.)</p> <p>As amended, ordered engrossed and placed on the calendar for third reading and final passage.</p>	14 15 16 17 18 19 20 21 22 23 24 25 26 27
SB13-156	<p>by Senator(s) Tochtrop; also Representative(s) Williams--Concerning continuation of the board of mortgage loan originators in the division of real estate, and, in connection therewith, implementing the recommendations of the 2012 sunset report by the department of regulatory agencies.</p> <p><u>Amendment No. 1, Business, Labor & Technology Committee Amendment.</u> (Printed in Senate Journal, February 21, page(s) 297 and placed in members' bill files.)</p> <p>As amended, ordered engrossed and placed on the calendar for third reading and final passage.</p>	28 29 30 31 32 33 34 35 36 37 38 39
SB13-194	<p>by Senator(s) Steadman; also Representative(s) Gerou--Concerning a repeal of a telephone assistance program for low-income individuals, and, in connection therewith, reducing an appropriation.</p> <p><u>Amendment No. 1, Business, Labor & Technology Committee Amendment.</u> (Printed in Senate Journal, March 7, page(s) 403 and placed in members' bill files.)</p> <p><u>Amendment No. 2, Appropriations Committee Amendment.</u> (Printed in Senate Journal, March 8, page(s) 442-443 and placed in members' bill files.)</p> <p>As amended, ordered engrossed and placed on the calendar for third reading and final passage.</p>	40 41 42 43 44 45 46 47 48 49 50 51 52
SB13-138	<p>by Senator(s) King; also Representative(s) Garcia--Concerning school resource officer programs, and, in connection therewith, making an appropriation.</p> <p><u>Amendment No. 1, Appropriations Committee Amendment.</u> (Printed in Senate Journal, March 8, page(s) 443 and placed in members' bill files.)</p> <p>As amended, ordered engrossed and placed on the calendar for third reading and final passage.</p>	53 54 55 56 57 58 59 60 61 62
HB13-1081	<p>by Representative(s) Duran, Buckner, Fields, Hamner, Kagan, McCann, Moreno; also Senator(s) Todd--Concerning human sexuality education.</p> <p>Laid over until Wednesday, March 13, retaining its place on the calendar.</p>	63 64 65 66 67 68
HB13-1199	<p>by Representative(s) Pettersen; also Senator(s) Kefalas--Concerning clarifications of the statute governing provider fees paid by nursing facilities.</p> <p>Ordered revised and placed on the calendar for third reading and final passage.</p>	69 70 71 72

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Giron, 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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB13-171, SB13-161 as amended, SB13-181 as amended, SB13-175, SB13-172 as amended, SB13-120 as amended, SB13-156 as amended, SB13-194 as amended, SB13-138 as amended, HB13-1097 as amended, HB13-1083 as amended, HB13-1027 as amended, HB13-1166, HB13-1104 as amended, HB13-1164, HB13-1199.
Laid over until Wednesday, March 13: HB13-1081.
Laid over until Thursday, March 14: HB13-1209.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Consideration of Resolutions Calendar (SR13-003) of Tuesday, March 12 was laid over until Wednesday, March 13, retaining its place on the calendar.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB13-044 by Senator(s) Nicholson; also Representative(s) Coram--Concerning incentive payments in prepaid inpatient health plan agreements.

Senator Nicholson moved that the Senate concur in House amendments to **SB13-044**, as printed in House journal, March 8, page(s) 515. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Call of the Senate.

Call raised.

SB13-067 by Senator(s) Tochtrop; also Representative(s) Vigil--Concerning the operation of vehicles off-road.

Senator Tochtrop moved that the Senate concur in House amendments to **SB13-067**, as printed in House journal, March 8, page(s) 513. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

YES	22	NO	13	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

RECONSIDERATION OF SB13-012

SB13-012 by Senator(s) Heath; also Representative(s) Singer--Concerning reporting of suspected child abuse and neglect by youth sports organizations.

Having voted on the prevailing side, Majority Leader Carroll moved for reconsideration of the last Senate action, Consideration of Repassage, on SB13-012.

All members elected to the Senate having voted in the affirmative, reconsideration was granted.

CONSIDERATION OF REPASSAGE OF SENATE BILLS

SB13-012 by Senator(s) Heath; also Representative(s) Singer--Concerning reporting of suspected child abuse and neglect by youth sports organizations.

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

YES	24	NO	11	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB13-074 by Senator(s) Hodge, Baumgardner, Brophy, Giron, Roberts; also Representative(s) Sonnenberg, Fischer--Concerning the resolution of ambiguities in old water right decrees regarding the place of use of irrigation water.

Laid over until Wednesday, March 13, retaining its place on the calendar.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS --
CONSENT CALENDAR

On motion of Majority Leader Carroll, the following Governor's appointments were confirmed by a roll call votes:

MEMBER OF THE
PUBLIC EMPLOYEES' RETIREMENT BENEFIT PLANS

for a term expiring July 10, 2016:
Ben Valore-Caplan of Denver, Colorado, to serve as a representative with experience and competence in investment, management, finance, banking, economics, accounting, pension administration, or actuarial analysis, and as an Republican, and occasioned by the resignation of Charles John Farrell of Golden, Colorado, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

MEMBER OF THE
STATEWIDE INTERNET PORTAL AUTHORITY

for a term expiring June 1, 2016:
Jack R. Arrowsmith of Highlands Ranch, Colorado, to serve as a representative of local government, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

MEMBER OF THE
STATE ELECTRICAL BOARD

for a term expiring July 1, 2015:
James E. Dent of Wheat Ridge, Colorado, an electrical contractor who has a masters' license, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

MEMBER OF THE
EXAMINING BOARD OF PLUMBERS

for a term expiring July 1, 2016:
Anthony John Shaffer of Florence, Colorado, a plumbing contractor engaged in the construction of residential or commercial buildings, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0	
Aguilar		Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer		Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner		Y	Heath	Y	King	Y	Schwartz	Y
Brophy		Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman		Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll		Y	Hudak	Y	Marble	Y	Todd	Y
Crowder		Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron		Y	Johnston	Y	Nicholson	Y	President	Y
Grantham		Y	Jones	Y	Renfroe	Y		

MEMBERS OF THE
WORKERS' COMPENSATION COST
CONTAINMENT BOARD

for a term expiring December 13, 2014:
Jeffrey Michael Citrone of Denver, Colorado, to serve as an executive with good risk management experience in the insurance industry, and occasioned by the resignation of Michael W. Mitchell of Windsor, Colorado, appointed.

for terms expiring December 13, 2015:
Richard C. Zellen, Jr. of Arvada, Colorado, to serve as an employer with good risk management experience with respect to their workers' compensation insurance, reappointed;

Jerry L. Mosley of Golden, Colorado, to serve as an employer with good risk management experience with respect to their workers' compensation insurance, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0	
Aguilar		Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer		Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner		Y	Heath	Y	King	Y	Schwartz	Y
Brophy		Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman		Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll		Y	Hudak	Y	Marble	Y	Todd	Y
Crowder		Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron		Y	Johnston	Y	Nicholson	Y	President	Y
Grantham		Y	Jones	Y	Renfroe	Y		

MEMBER OF THE
COLORADO BOARD OF VETERANS AFFAIRS

for a term expiring June 30, 2016:
Dana Louise Niemela of Denver, Colorado, a Democrat and a veteran who has been honorably released or separated from the armed forces of the United States, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0	
Aguilar		Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer		Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner		Y	Heath	Y	King	Y	Schwartz	Y
Brophy		Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman		Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll		Y	Hudak	Y	Marble	Y	Todd	Y
Crowder		Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron		Y	Johnston	Y	Nicholson	Y	President	Y
Grantham		Y	Jones	Y	Renfroe	Y		

MEMBERS OF THE
BOARD OF TRUSTEES FOR FORT LEWIS COLLEGE

effective December 31, 2012, for terms expiring December 31, 2016:
Ernest Domingo House of Aurora, Colorado, to serve as an Unaffiliated, appointed;

Thomas R. Schilling of Denver, Colorado, to serve as a Democrat, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

MEMBERS OF THE
BOARD OF TRUSTEES FOR THE COLORADO
SCHOOL FOR THE DEAF AND THE BLIND

for a term expiring July 1, 2014:
John C. Dickinson of Longmont, Colorado, a Democrat, reappointed;
for terms expiring July 1, 2016:
Andy McElhany of Colorado Springs, Colorado, a Republican, appointed;
Linda Sue Williams of Golden, Colorado a Democrat, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

MEMBERS OF THE
BOARD OF TRUSTEES FOR ADAMS STATE UNIVERSITY

effective December 31, 2012, for terms expiring December 31, 2016:
Mary K. Griffin of Boulder, Colorado, a Democrat, reappointed;
Paul Farley of Centennial, Colorado, a Republican, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

MEMBERS OF THE
HAZARDOUS WASTE COMMISSION

for terms expiring August 1, 2015:
Michael K. Dempsey of Denver, Colorado, to serve as a representative from the regulated community and as a Republican, appointed;
Charlotte Sophia Pitt of Denver, Colorado, to serve as a representative of the government or academic community and as a Democrat, appointed;
Joseph Charles Prinster, Jr. of Boulder, Colorado, to serve as a member of the public and as a Republican, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

MEMBERS OF THE
COLORADO COMMISSION FOR THE
DEAF AND HARD OF HEARING

for a term expiring July 1, 2014:
Mary Pat Graham-Kelly of Lakewood, Colorado, to serve as a member who is deaf, and
occasioned by the resignation of Marie N. Runge of Greeley, Colorado, appointed.

for terms expiring July 1, 2016:
Leslie W. Ralphe of Colorado Springs, Colorado, to serve as a late deafened member,
reappointed;

Amy Jo Beckett of Grand Junction, Colorado, a public member, appointed;

Elizabeth C. Konkel of Lakewood, Colorado, to serve as a professional in the field of
deafness, appointed;

Lisa Ann Weiss of Lone Tree, Colorado, a parent of a deaf or hard of hearing person,
appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

MEMBERS OF THE
ENERGY IMPACT ASSISTANCE
ADVISORY COMMITTEE

effective August 24, 2012, for terms expiring August 24, 2016:
Maryjo Downey of Stratton, Colorado, appointed;

Honorable Kenneth C. Parsons of Rangely, Colorado, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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
PARKS AND WILDLIFE COMMISSION

- for a term expiring July 1, 2013:
Jeanne Horne of Meeker, Colorado, as a representative of sports persons and outfitters and west of the Continental Divide, appointed;
- for terms expiring July 1, 2014:
Kenneth "Mark" Smith of Center, Colorado, as a member at large, appointed;

Hon. Robert "Dean" Wingfield of Vernon, Colorado, as a representative of agriculture, appointed.
- for a term expiring July 1, 2015:
Christopher James Castilian of Denver, Colorado, as a representative of outdoor recreation and utilizes parks resources, appointed.
- for terms expiring July 1, 2016:
Robert William Bray of Redvale, Colorado, as a representative of agriculture and west of the Continental Divide, appointed;

Michelle Zimmerman of Breckenridge, Colorado, as a representative of a non-profit organization that promotes conservation and recognizes non-consumptive wildlife use, and west of the Continental Divide, appointed;

Hon. James Vigil of Trinidad, Colorado, as a representative of agriculture, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

MESSAGE FROM THE HOUSE

- March 12, 2013
- Mr. President:
- The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1234.
- The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1135, amended as printed in House Journal, March 8, page 511-512.
- The House has passed on Third Reading and returns herewith SB13-011, 113.

MESSAGE FROM THE REVISOR OF STATUTES

March 12, 2013

We herewith transmit:

Without comment, HB13-1234.
Without comment, as amended, HB13-1135.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB13-1015, 1088.

On motion of Majority Leader Carroll, the Senate adjourned until 9:00 a.m., Wednesday, March 13, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

64th Legislative Day

Wednesday, March 13, 2013

Prayer By the chaplain, Pastor Vern Rempel, First Mennonite Church, Denver.

Call to Order By the President at 9:00 a.m.

Pledge By Senator Ulibarri.

Roll Call Present--33
Excused--2, Grantham, Renfroe.
Present later--1, Renfroe.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Jones, reading of the Journal of Tuesday, March 12, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Health & Human Services The Committee on Health & Human Services has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

MEMBERS OF THE MEDICAL SERVICES BOARD

for terms expiring July 1, 2016:

Donna Marie Roberts of Wray, Colorado, a resident of the 4th Congressional District, with knowledge of medical assistance programs, and a Democrat, appointed;

Brenda LaCombe of Pueblo, Colorado, a resident of the 3rd Congressional District, with knowledge of medical assistance programs, and a Democrat, reappointed;

Mary E. Young of Alamosa, Colorado, a resident of the 3rd Congressional District and an Unaffiliated, with experience in caring for medically underserved children, appointed.

Finance After consideration on the merits, the Committee recommends that **HB13-1061** be referred to the Committee of the Whole with favorable recommendation.

Finance After consideration on the merits, the Committee recommends that **SB13-199** 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 **SB13-170** be referred to the Committee on Appropriations with favorable recommendation.

Finance

After consideration on the merits, the Committee recommends that **HB13-1145** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

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SENATE SERVICES REPORT

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Correctly Printed: SB13-202.
Correctly Engrossed: SB13-120, 138, 154, 155, 156, 161, 171, 172, 175, 181 and 194.
Correctly Revised: HB13-1009, 1027, 1083, 1097, 1104, 1126, 1155, 1164, 1166, 1168, 1181, 1184, 1185 and 1199.

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INTRODUCTION OF BILLS -- FIRST READING

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

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- SB13-203
- by Senator(s) Schwartz, Giron, King; also Representative(s) Coram, DelGrosso, Priola, Singer, Tyler--Concerning limitations on the use of certain public land for automotive service stations in order to limit government competition.
Transportation
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- SB13-204
- by Senator(s) Aguilar; also Representative(s) Primavera and Young--Concerning the addition of two members to the Colorado state board of chiropractic examiners.
Health & Human Services
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- SB13-205
- by Senator(s) Hodge and Roberts; also Representative(s) Gardner--Concerning revisions to the Colorado medicaid false claims act to comply with federal law.
Health & Human Services
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- SB13-206
- by Senator(s) Hudak and Renfro; also Representative(s) Pettersen and Priola--Concerning the direct deposit of an individual taxpayer's state income tax refund to a collegeinvest savings account administered by collegeinvest.
Finance
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- SB13-207
- by Senator(s) Giron; also Representative(s) Levy--Concerning the performance of auricular acudetox by trained mental health professionals.
Health & Human Services
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- SB13-208
- by Senator(s) Steadman, Aguilar, Guzman, Hudak, Nicholson, Ulibarri; also Representative(s) May--Concerning limitations on drug paraphernalia laws.
Health & Human Services
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- SB13-209
- by Senator(s) Tochtrop; --Concerning an increase to the personal needs allowance for persons in nursing care facilities.
Health & Human Services
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- SB13-210
- by Senator(s) Giron; also Representative(s) Duran--Concerning employment conditions for correctional officers.
Judiciary
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- HB13-1021** by Representative(s) Fields; also Senator(s) Hudak--Concerning measures to ensure that students comply with compulsory school attendance requirements, and, in connection therewith, limiting the length of detention that a court may impose to enforce compulsory school attendance, allowing students who are under juvenile court jurisdiction to obtain a GED, and specifying minimum requirements for education services provided in juvenile detention facilities.
Education
- HB13-1022** by Representative(s) Holbert; also Senator(s) Jahn--Concerning proof of motor vehicle insurance, and, in connection therewith, making an appropriation.
Transportation
- HB13-1071** by Representative(s) Holbert; also Senator(s) Tochtrop--Concerning the type of vehicle that qualifies to register as a collector vehicle.
Transportation
- HB13-1135** by Representative(s) Singer, Court, Melton, Salazar; also Senator(s) Kerr--Concerning the ability of a person to preregister to vote if the person has reached sixteen years of age but will not be eighteen years of age by the date of the next election, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs
- HB13-1139** by Representative(s) Rankin; also Senator(s) Crowder--Concerning the repeal of obsolete entities.
State, Veterans, & Military Affairs
- HB13-1191** by Representative(s) Fischer, Vigil; also Senator(s) Schwartz, Giron--Concerning grants for domestic wastewater treatment plants to comply with the water quality control commission's nutrients management control regulation, and, in connection therewith, making an appropriation.
Agriculture, Natural Resources, & Energy
- HB13-1202** by Representative(s) Gerou and Ferrandino; also Senator(s) Kefalas--Concerning counseling by medicaid providers relating to medical orders for scope of treatment.
Health & Human Services
- HB13-1223** by Representative(s) Primavera; also Senator(s) Newell--Concerning the authority of the commissioner of insurance to promulgate rules regarding an insurance carrier's requirement to submit cost information to the commissioner.
Health & Human Services
- HB13-1234** by Representative(s) Fischer and Vigil, Szabo; also Senator(s) Schwartz and Giron, Baumgardner--Concerning the authority of the state to enter into lease-purchase agreements for the department of agriculture's office consolidation.
Agriculture, Natural Resources, & Energy
- HB13-1237** by Representative(s) Young and Buckner; also Senator(s) Hodge--Concerning the voluntary contribution benefiting the Special Olympics Colorado fund that appears on the state individual income tax return forms.
Finance

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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:

HB13-1126 by Representative(s) Wright; also Senator(s) Aguilar--Concerning statutorily established time intervals.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	E	Jones	Y	Renfroe	E		

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

HB13-1184 by Representative(s) Duran and Gerou, Levy; also Senator(s) Hodge, Steadman, Lambert--Concerning the supplier database cash fund.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	E	Jones	Y	Renfroe	E		

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

HB13-1009 by Representative(s) DelGrosso; also Senator(s) Jahn--Concerning the deadline for an application for a refund for overpaid state sales and use tax.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	E	Jones	Y	Renfroe	E		

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

SB13-154 by Senator(s) Jahn; also Representative(s) Williams--Concerning continuation of the division of banking, and, in connection therewith, implementing the recommendations of the 2012 sunset report by the department of regulatory agencies.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	E	Jones	Y	Renfroe	E		

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

SB13-155 by Senator(s) Baumgardner; also Representative(s) Ryden--Concerning the continuation of the board of real estate appraisers, and, in connection therewith, implementing the recommendations of the 2012 sunset report by the department of regulatory agencies.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	E	Jones	Y	Renfroe	E		

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

HB13-1185 by Representative(s) Gerou and Duran, Levy; also Senator(s) Steadman, Hodge, Lambert-- Concerning transfers made from the operational account of the severance tax trust fund for providing energy-related assistance to low-income households, and, in connection therewith, eliminating the payment schedule for each fund and equalizing distributions for the 2012-13 state fiscal year.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	E	Jones	Y	Renfroe	E		

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

Co-sponsor(s) added: Aguilar, Guzman, Heath, Morse, Nicholson, Tochtrop and Todd.

HB13-1155 by Representative(s) Gerou, Duran, Levy; also Senator(s) Hodge, Steadman, Lambert-- Concerning revision of the condition precedent upon which the transfers authorized by House Bill 12-1268 are contingent.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	E	Jones	Y	Renfroe	E		

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

HB13-1168 by Representative(s) Vigil; also Senator(s) Schwartz--Concerning an expansion in the ability of a ditch to operate as an acequia ditch.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	E	Jones	Y	Renfroe	E		

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

Co-sponsor(s) added: Crowder, Giron, Newell and Todd.

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:

HB13-1097 by Representative(s) Gardner; also Senator(s) Nicholson--Concerning the duties of coroners.

Laid over until Thursday, March 14, retaining its place on the calendar.

HB13-1083 by Representative(s) Ginal; also Senator(s) Tochtrop--Concerning the motorcycle operator safety training program.

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

YES	25	NO	8	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	E	Jones	Y	Renfroe	E		

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

Co-sponsor(s) added: Guzman, Heath, Jones, Kerr, Newell, Nicholson, Steadman and Todd.

HB13-1027 by Representative(s) Conti; also Senator(s) Tochtrop--Concerning an increase in the transparency of proceedings before the public utilities commission by requiring the director of the commission to report annually to the general assembly regarding recent energy rate cases.

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

YES	31	NO	2	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	N
Cadman	N	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	E	Jones	Y	Renfroe	E		

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

Co-sponsor(s) added: Schwartz.

HB13-1166 by Representative(s) Kagan; also Senator(s) Steadman--Concerning the repeal of certain crimes that include marital status as an element of the crime.

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

YES	23	NO	10	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	Y	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	E	Jones	Y	Renfroe	E		

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

Co-sponsor(s) added: Guzman, Tochtrop and Ulibarri.

SB13-171 by Senator(s) Kerr, Tochtrop; also Representative(s) Foote--Concerning the continuation of the licensing of money transmitters, and, in connection therewith, continuing the authority of the banking board and the state bank commissioner over money transmitters.

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

YES	23	NO	10	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	E	Jones	Y	Renfroe	E		

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

HB13-1104 by Representative(s) Kraft-Tharp; also Senator(s) Newell--Concerning the regulation of mental health professionals, and, in connection therewith, repealing the requirement that mental health professionals provide required disclosures orally and modifying the mental health professional peer health assistance program.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	E	Jones	Y	Renfroe	E		

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

Co-sponsor(s) added: Giron, Guzman, Kerr, Nicholson, Tochtrop and Todd.

SB13-161 by Senator(s) Heath; also Representative(s) Fischer and Hamner--Concerning continuation of the state board for licensure of architects, professional engineers, and professional land surveyors, and, in connection therewith, implementing the recommendations of the 2012 sunset report by the department of regulatory agencies.

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

YES	26	NO	7	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	Y	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	E	Jones	Y	Renfroe	E		

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

Co-sponsor(s) added: Schwartz, Tochtrop and Todd.

HB13-1164 by Representative(s) McLachlan, Dore, Sonnenberg; also Senator(s) Schwartz and Tochtrop, Baumgardner, Giron, Jones, Roberts--Concerning an extension of the period for which the voluntary contribution designation line benefiting the unwanted horse fund appears on state individual income tax return forms.

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

YES	30	NO	4	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	E	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Aguilar, Crowder, Guzman, Newell and Todd.

SB13-181 by Senator(s) Schwartz; also Representative(s) Fischer--Concerning the funding of Colorado water conservation board projects, and making appropriations in connection therewith.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	E	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Aguilar, Baumgardner, Cadman, Carroll, Crowder, Giron, Guzman, Harvey, Heath, Hodge, Jahn, Jones, Kefalas, Kerr, King, Lambert, Lundberg, Marble, Morse, Newell, Nicholson, Roberts, Scheffel, Tochtrop, Todd and Ulibarri.

SB13-175 by Senator(s) Schwartz, Giron, Jones, Roberts, Hodge, Tochtrop; also Representative(s) Hamner and McLachlan, Coram, Fischer, Mitsch Bush, Rosenthal, Vigil--Concerning the continuation of programs benefiting the preservation of wildlife habitat, and, in connection therewith, continuing the wildlife habitat stamp committee.

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

YES	25	NO	9	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	E	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Aguilar, Crowder, Guzman, Heath, Hudak, Kefalas, Kerr, Morse, Newell, Nicholson, Steadman and Ulibarri.

SB13-172 by Senator(s) Newell; also Representative(s) Ginal--Concerning the continuation of the regulation of acupuncturists, and, in connection therewith, making an appropriation.

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

YES	25	NO	9	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	Y	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	E	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Giron, Guzman, Jones, Kefalas, Schwartz and Tochtrop.

SB13-120 by Senator(s) Harvey, Baumgardner, Cadman, King, Lundberg, Marble; also Representative(s) Garcia--Concerning the creation of a Navy SEAL license plate, and, in connection therewith, making an appropriation.

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

YES	32	NO	2	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	N
Cadman	Y	Hodge	N	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	E	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Crowder, Guzman, Heath, Johnston, Kerr, Lambert, Morse, Newell, Roberts, Scheffel, Tochtrop and Todd.

SB13-156 by Senator(s) Tochtrop; also Representative(s) Williams--Concerning continuation of the board of mortgage loan originators in the division of real estate, and, in connection therewith, implementing the recommendations of the 2012 sunset report by the department of regulatory agencies.

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

YES	23	NO	10	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	*	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	E	Jones	Y	Renfroe	N		

* Abstaining from voting under Senate Rule 17(c) -- Senator Harvey.

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

SB13-194 by Senator(s) Steadman; also Representative(s) Gerou--Concerning a repeal of a telephone assistance program for low-income individuals, and, in connection therewith, reducing an appropriation.

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

YES	29	NO	5	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	N	Kefalas	Y	Roberts	N
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	N	Heath	Y	King	Y	Schwartz	N
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	E	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Harvey, Jahn, Lambert, Lundberg, Marble and Morse.

SB13-138 by Senator(s) King; also Representative(s) Garcia--Concerning school resource officer programs, and, in connection therewith, making an appropriation.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	E	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Aguilar, Balmer, Baumgardner, Brophy, Cadman, Carroll, Crowder, Giron, Guzman, Harvey, Heath, Hill, Hodge, Hudak, Jahn, Johnston, Jones, Kefalas, Kerr, Lambert, Lundberg, Marble, Morse, Newell, Nicholson, Renfroe, Roberts, Scheffel, Schwartz, Steadman, Tochtrop, Todd and Ulibarri.

HB13-1199 by Representative(s) Pettersen; also Senator(s) Kefalas--Concerning clarifications of the statute governing provider fees paid by nursing facilities.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	E	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Crowder, Guzman and Nicholson.

HB13-1181 by Representative(s) Levy, Duran, Gerou; also Senator(s) Steadman, Hodge, Lambert--Concerning the retention in a cash fund that funds tobacco programs of the lesser of all unencumbered moneys remaining in the fund at the end of any fiscal year or an amount of such moneys equal to five percent of the amount appropriated from the fund for the fiscal year.

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.005), by Senator Steadman.

Amend revised bill, page 5, line 12, strike "subsection (5)" and substitute "subsections (1.3) and (5)".

Page 5, strike lines 16 through 24 and substitute "year:".

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	E	Jones	Y	Renfroe	Y		

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

YES	32	NO	2	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	E	Jones	Y	Renfroe	Y		

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

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of House Amendments to Senate Bills.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB13-074 by Senator(s) Hodge, Baumgardner, Brophy, Giron, Roberts; also Representative(s) Sonnenberg, Fischer--Concerning the resolution of ambiguities in old water right decrees regarding the place of use of irrigation water.

Senator Hodge moved that the Senate concur in House amendments to **SB13-074**, as printed in House journal, March 8, page(s) 513-514. The motion was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	E	Jones	Y	Renfroe	Y		

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

YES	33	NO	1	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	E	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

CHANGE IN SPONSORSHIP

Upon announcement of President Morse, Senators Todd and Baumgardner replaced Senator Giron as the Senate joint prime sponsors on HB13-1130.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Wednesday, March 13 was laid over until Thursday, March 14, retaining its place on the calendar.

General Orders -- Second Reading of Bills: HB13-1081.
Consideration of Resolutions: SR13-003.

TRIBUTES

Honoring:

In recognition of Mary Chesley, Superintendent of Cherry Creek School District -- By Senators Linda Newell, Morgan Carroll, Nancy Todd, David Balmer, and Pat Steadman and Representatives Jovan Melton, John W. Buckner, Daniel Kagan, Su Ryden, Paul Rosenthal, Spencer Swalm, Kevin Priola, and Rhonda Fields.

Phillip McKenzie, Achieved Eagle Scout -- By Senator Evie Hudak.

Journal correction:

Page 304, line 46, before "Newell" add "Guzman and".

On motion of Majority Leader Carroll, the Senate adjourned until 9:00 a.m., Thursday, March 14, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

65th Legislative Day Thursday, March 14, 2013

Prayer By Senator Kefalas.

Call to Order By the President at 9:00 a.m.

Pledge By Senator Ulibarri.

Roll Call Present--33
Excused--2, Hill, Johnston.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Jones, reading of the Journal of Wednesday, March 13, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Trans- After consideration on the merits, the Committee recommends that **HB13-1091** be
portation **referred** to the Committee of the Whole with favorable recommendation and with a
recommendation that it be placed on the Consent Calendar.

Trans- After consideration on the merits, the Committee recommends that **HB13-1103** be
portation **referred** to the Committee of the Whole with favorable recommendation.

Trans- After consideration on the merits, the Committee recommends that **HB13-1159** be
portation **referred** to the Committee of the Whole with favorable recommendation and with a
recommendation that it be placed on the Consent Calendar.

Local The Committee on Local Government has had under consideration and has had a hearing
Government on the following appointments and recommends that the appointments be confirmed:

MEMBERS OF THE
STATE HOUSING BOARD

for a term expiring January 31, 2016:

Britta E.M. Fisher of Wheat Ridge, Colorado, to serve as a member from the Seventh Congressional District and as an Unaffiliated, appointed;

for terms expiring January 31, 2017:

David L. Zucker of Evergreen, Colorado, a Democrat and resident of the 2nd Congressional District, reappointed;

Chad E. Wright of Colorado Springs, Colorado, a Democrat and resident of the 5th Congressional District, appointed.

Local Government	<p>After consideration on the merits, the Committee recommends that HB13-1186 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.</p> <p>Amend reengrossed bill, page 2, line 10, strike "TENDAYS" and substitute "THIRTY DAYS".</p>	1 2 3 4 5 6 7 8 9
State, Veterans, & Military Affairs	<p>After consideration on the merits, the Committee recommends that SB13-139 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.</p> <p>Amend printed bill, page 3, line 13, after "PROCESS" insert "THAT ADHERES TO THE GOALS SET FORTH IN PARAGRAPH (a.5) OF THIS SUBSECTION (1)".</p> <p>Amend the Education Committee Report, dated February 20, 2013, page 1, line 8, strike ""CONTRACTING" and substitute ""IN CONTRACTING".</p> <p>Page 3 of the bill, line 19, strike "PROVIDERS SHOULD" and substitute "PROVIDERS, THE PRIORITY SHALL" and strike "AN" and substitute "THE" and strike "THE SUPPLY" and substitute "STUDENT ACCESS TO".</p> <p>Page 3 of the bill, line 20, strike "OF".</p> <p>Page 3 of the committee report, line 7, after "AFFORDABLE" insert "TOTAL PROGRAM".</p> <p>Page 3 of the committee report, line 22, strike "DEPARTMENT."." and substitute "DEPARTMENT. THE DATA COLLECTED BY THE DEPARTMENT MUST BE COLLECTED THROUGH EXISTING STUDENT DATA COLLECTION SYSTEMS AND IN COMPLIANCE WITH ALL STATE AND FEDERAL LAWS AND REGULATIONS CONCERNING THE PRIVACY OF INFORMATION, INCLUDING BUT NOT LIMITED TO THE FEDERAL "FAMILY EDUCATION RIGHTS AND PRIVACY ACT OF 1974", 20 U.S.C. SEC. 1232g, AS AMENDED.".".</p> <p>Page 4 of the committee report, line 15, strike "16." and substitute "16 and substitute:</p> <p>"SECTION 2. In Colorado Revised Statutes, 22-30.7-103, add (3) (h.5) as follows: 22-30.7-103. Division of on-line learning - created - duties. (3) Duties. The on-line division shall have the following duties: (h.5) ON OR BEFORE JUNE 1, 2015, AND ON OR BEFORE JUNE 1 EVERY YEAR THEREAFTER, TO PREPARE A SUMMARY REPORT OF DATA RELATED TO STUDENTS WHO PARTICIPATED IN A SUPPLEMENTAL ON-LINE COURSE OFFERED BY A NONPROFIT PROVIDER SELECTED PURSUANT TO SECTION 22-5-119 AND SUBMIT THE REPORT TO SAID NONPROFIT PROVIDER AND TO THE DEPARTMENT AND THE EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES.".".</p> <p>Page 4 of the committee report, strike line 16.</p>	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
State, Veterans, & Military Affairs	<p>After consideration on the merits, the Committee recommends that HB13-1198 be referred to the Committee of the Whole with favorable recommendation.</p>	58 59 60 61 62
State, Veterans, & Military Affairs	<p>After consideration on the merits, the Committee recommends that SB13-185 be referred to the Committee of the Whole with favorable recommendation.</p>	63 64 65 66 67

Judiciary	After consideration on the merits, the Committee recommends that SB13-122 be postponed indefinitely .	1 2 3 4 5
Judiciary	After consideration on the merits, the Committee recommends that HB13-1058 be referred to the Committee of the Whole with favorable recommendation.	6 7 8 9
Judiciary	After consideration on the merits, the Committee recommends that SB13-198 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar. Amend printed bill, page 2, line 4, strike "IN ITS" and substitute "IF IT DETERMINES THAT THE BEST INTEREST OF A CHILD IN A CLOSED PROCEEDING OVERRIDES THE PUBLIC INTEREST IN AN OPEN CRIMINAL PROCEEDING,". Page 2, strike line 5. Page 2, line 6, strike "CHILD,".	10 11 12 13 14 15 16 17 18 19 20 21 22 23 24
Judiciary	After consideration on the merits, the Committee recommends that HB13-1118 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	25 26 27 28 29
Health & Human Services	After consideration on the merits, the Committee recommends that SB13-178 be referred to the Committee on <u>Education</u> with favorable recommendation.	30 31 32 33 34
Health & Human Services	After consideration on the merits, the Committee recommends that HB13-1158 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation. Amend reengrossed bill, page 3, strike line 25 and substitute "THAT INCLUDES BASIC FOOD HANDLING TRAINING AND IS COMPARABLE TO OR IS A COURSE GIVEN BY the United States ".	35 36 37 38 39 40 41 42 43
Health & Human Services	After consideration on the merits, the Committee recommends that HB13-1117 be amended as follows, and as so amended, be referred to the Committee on <u>Appropriations</u> with favorable recommendation. Amend reengrossed bill, page 58, line 27, strike "subsection" and substitute "subsections (1.3) and". Page 59, strike lines 4 through 12 and substitute "year:". Page 59, line 24, strike "22-7-908 (3)," and substitute "22-7-1210 (3),".	44 45 46 47 48 49 50 51 52 53 54 55 56
Business, Labor, & Technology	After consideration on the merits, the Committee recommends that HB13-1233 be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	57 58 59 60
Business, Labor, & Technology	After consideration on the merits, the Committee recommends that HB13-1157 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	61 62 63 64 65 66 67

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **SB13-186** be **amended** as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend printed bill, page 2, after line 1 insert:

"**SECTION 1.** In Colorado Revised Statutes, 12-23-104, **add** (2) (f.5) as follows:

12-23-104. Board powers and duties - rules. (2) In addition to all other powers and duties conferred or imposed upon the board by this article, the board is authorized to:

(f.5) REGULATE A LICENSED MASTER ELECTRICIAN, JOURNEYMAN ELECTRICIAN, OR RESIDENTIAL WIREMAN WHO, ACTING WITHIN HIS OR HER SCOPE OF COMPETENCE, SUPERVISES A SOLAR PHOTOVOLTAIC INSTALLATION PURSUANT TO SECTION 40-2-128, C.R.S."

Renumber succeeding sections accordingly.

SENATE SERVICES REPORT

Correctly Printed: SB13-203, 204, 205, 206, 207, 208, 209 and 210.
Correctly Reengrossed: SB13-120, 138, 154, 155, 156, 161, 171, 172, 175, 181 and 194.
Correctly Revised: HB13-1009, 1027, 1083, 1104, 1126, 1155, 1164, 1166, 1168, 1181, 1184, 1185 and 1199.
Correctly Enrolled: SB13-002, 010, 012, 015, 028, 038, 044, 046, 078, 080, 112, 118, 143 and 160; SJR13-016.

MESSAGE FROM THE HOUSE

March 13, 2013

Mr. President:

The House has voted to concur in the Senate amendments to HB13-1224 and has repassed the bill as so amended.

The House has voted not to concur in the Senate amendments to HB13-1229 and requests that a conference committee be appointed. The Speaker has appointed Representatives Fields, chairman, Sonnenberg, and McCann as House conferees on the First Conference Committee on HB13-1229. The bill is transmitted herewith.

INTRODUCTION OF MEMORIALS

The following memorial was read by title:

SM13-001 by Senator(s) Steadman, Lambert, Hodge; --Memorializing former senator William Joseph Shoemaker.

Laid over until Wednesday, April 3, retaining its place on the calendar.

INTRODUCTION OF BILLS -- FIRST READING

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

HB13-1101 by Representative(s) Singer; also Senator(s) Tochtrop--Concerning progressive raffles, and, in connection therewith, making an appropriation.
Judiciary

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Thursday, March 14 was laid over until Friday, March 15, retaining its place on the calendar.

Third Reading of Bills -- Final Passage: HB13-1097.
General Orders -- Second Reading of Bills: HB13-1081, HB13-1209.
Consideration of Resolutions: SR13-003.

APPOINTMENTS TO CONFERENCE COMMITTEE

The President appointed Senators Carroll, Chair, Ulibarri, and Brophy as Senate conferees on the first conference committee on [HB13-1229](#).

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SJR13-016; HB13-1062, 1132, 1155, 1228.

CHANGE IN SPONSORSHIP

Upon announcement of President Morse, Representative Navarro will be added as House joint prime sponsor with Representative Peniston on SB13-148.

Senate in recess. Senate reconvened.

MESSAGE FROM THE HOUSE

March 14, 2013

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1006, amended as printed in House Journal, March 13, page 563-564.
HB13-1119, amended as printed in House Journal, March 13, page 562.

The House has voted to concur in the Senate amendments to HB13-1016, 1023, 1009, 1027, 1083, 1104, 1181 and has repassed the bills as so amended.

MESSAGE FROM THE REVISOR OF STATUTES

March 14, 2013

We herewith transmit:

Without comment, as amended, HB13-1006 and 1119.

INTRODUCTION OF BILLS -- FIRST READING

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

- SB13-211

by Senator(s) Heath; --Concerning the requirements for notice of termination of homeowners' insurance coverage.
Business, Labor, & Technology
- SB13-212

by Senator(s) Jones and Schwartz, Johnston; also Representative(s) Tyler--Concerning increased options for financing available through the Colorado new energy improvement district for the completion of new energy improvements, and, in connection therewith, allowing commercial buildings to access district financing, requiring consent for subordination of mortgage liens, and facilitating private third-party financing.
Agriculture, Natural Resources, & Energy

REPORTS OF CONFERENCE COMMITTEE

FIRST MAJORITY REPORT OF FIRST CONFERENCE
COMMITTEE ON HB13-1229

THIS REPORT AMENDS THE
REREVISED BILL

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

Your first conference committee appointed on HB13-1229, concerning criminal background checks performed pursuant to the transfer of a firearm, and, in connection therewith, making an appropriation, has met and a majority thereof reports that it has agreed upon the following:

Amend rerevised bill, page 3, line 9, strike "FIREARM," and substitute "FIREARM TO A TRANSFEREE,".

Page 3, strike lines 19 through 24 and substitute:

"NATURAL PERSON, THEN EACH NATURAL PERSON WHO IS AUTHORIZED BY THE TRANSFEREE TO POSSESS THE FIREARM AFTER THE TRANSFER SHALL UNDERGO A BACKGROUND CHECK, AS DESCRIBED IN PARAGRAPH (a) OF THIS SUBSECTION (1), BEFORE TAKING POSSESSION OF THE FIREARM.".

Page 5, line 13, after "GIFT" insert "OR LOAN".

Respectfully submitted,

House Committee:
(signed)

Rhonda Fields, Chairman
Beth McCann

Senate Committee:
(signed)

Morgan Carroll, Chairman
Jessie Ulibarri

FIRST MINORITY REPORT OF FIRST CONFERENCE
COMMITTEE ON HB13-1229

THIS REPORT AMENDS THE
REREVISED BILL

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

Your first conference committee appointed on HB13-1229, concerning criminal background checks performed pursuant to the transfer of a firearm, and, in connection therewith, making an appropriation, has met and a minority thereof reports that it has agreed upon the following:

That the House accede to the Senate amendments made to the bill, as the amendments appear in the rerevised bill, with the following changes:

Amend rerevised bill, page 3, line 9, strike "FIREARM," and substitute "FIREARM TO A TRANSFEREE,".

Page 3, strike lines 17 through 24 and substitute:

"OTHERWISE:

(I) "TRANSFEREE" MEANS A PERSON WHO DESIRES TO RECEIVE OR ACQUIRE POSSESSION OF A FIREARM FROM A TRANSFEROR. IF A TRANSFEREE IS NOT A NATURAL PERSON BUT A CORPORATION, ASSOCIATION, PARTNERSHIP, OR LIMITED LIABILITY COMPANY OR TRUST, THEN ONLY THE PERSON WHO RECEIVES POSSESSION ON BEHALF OF THE TRANSFEREE IS REQUIRED TO UNDERGO THE BACKGROUND CHECK DESCRIBED IN PARAGRAPH (a) OF THIS SUBSECTION (1). ANY SUBSEQUENT TRANSFER OF POSSESSION OF THE FIREARM BY THE PERSON TO ANOTHER PERSON SHALL BE SUBJECT TO THE REQUIREMENT DESCRIBED IN SAID PARAGRAPH (a), REGARDLESS OF WHETHER THE TRANSFEREE OF THE TRANSFER IS A MEMBER OF THE CORPORATION, ASSOCIATION, PARTNERSHIP, OR LIMITED LIABILITY COMPANY OR TRUST.

(II) "TRANSFEREE" DOES NOT INCLUDE A MEMBER OF A YOUTH ORGANIZATION THAT PARTICIPATES IN SHOOTING SPORTS IF THE MEMBER TAKES TEMPORARY POSSESSION OF A FIREARM FOR THE PURPOSE OF SUCH PARTICIPATION.".

Page 5, line 13, after "GIFT" insert "OR LOAN".

Page 7, after line 6, insert:

"(7) FOR PURPOSES OF PARAGRAPH (b) OF SUBSECTION (6) OF THIS SECTION, "IMMEDIATE FAMILY MEMBERS" MEANS:

- (a) SPOUSES, PARENTS, CHILDREN, SIBLINGS, GRANDPARENTS, GRANDCHILDREN, NIECES, NEPHEWS, FIRST COUSINS, AUNTS, AND UNCLES;
- (b) STEP-RELATIONS;
- (c) PARTNERS OF CIVIL UNIONS OR DOMESTIC PARTNERSHIPS; AND
- (d) IN-LAWS.".

Renumber succeeding subsections accordingly.

Respectfully submitted,

House Committee:
(signed)
Jerry Sonnenberg

Senate Committee:
(signed)
Greg Brophy

On motion of Majority Leader Carroll, the Senate adjourned until 9:00 a.m., Friday, March 15, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

66th Legislative Day Friday, March 15, 2013

Prayer By the chaplain, Rabbi Yossi Serebryanski, Chabad of South Denver.

Call to Order By the President at 9:00 a.m.

Pledge By Senator Ulibarri.

Roll Call Present--31
Excused--4, Hill, Johnston, King, Schwartz.
Present later--2, Johnston, Schwartz.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Jones, reading of the Journal of Thursday, March 14, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Education The Committee on Education has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

MEMBERS OF THE
COLLEGEINVEST BOARD OF DIRECTORS

for a term expiring July 31, 2015:

Leanna Fae Clark of Denver, Colorado, appointed.

for terms expiring July 31, 2016:

Angela A. Gripenstraw of Greenwood Village, Colorado, reappointed;

Rita C. Felde of Evergreen, Colorado, appointed.

Education The Committee on Education has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

MEMBERS OF THE
BOARD OF TRUSTEES FOR COLORADO MESA UNIVERSITY

for a term expiring December 31, 2015:

Betty Cox Bechtel of Grand Junction, Colorado, a Democrat, appointed;

effective December 31, 2012, for terms expiring December 31, 2016:

Douglas M. Price of Denver, Colorado, a Democrat, reappointed;

Margot T. Pinto of Englewood, Colorado, a Democrat, appointed.

Education	After consideration on the merits, the Committee recommends that HB13-1219 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	1 2 3 4 5 6
	Amend reengrossed bill, page 5, after line 3 insert:	7
	" SECTION 5. In Colorado Revised Statutes, 22-7-402, add (8.3) as follows:	8 9
	22-7-402. Definitions. As used in this part 4, unless the context otherwise requires:	10 11
	(8.3) "ENGLISH LANGUAGE ARTS" MEANS A COURSE OF STUDY THAT INCLUDES, BUT IS NOT LIMITED TO, READING, WRITING, AND COMMUNICATION SKILLS."	12 13 14 15
	Renumber succeeding sections accordingly.	16 17
	Page 15, line 20, after " amend " insert "(2) (a) introductory portion and".	18 19
	Page 15, strike line 25 and substitute "(2) (a) Subject to available appropriations, and the determinations of the state board pursuant to subparagraph (II) of paragraph (c) of this subsection (2) the department may designate as an ASCENT program participant any qualified student who:	20 21 22 23 24
	(2) (c) (I) On or before September 1, 2009, and on or before September ".	25 26 27
	Page 16, strike lines 13 through 20 and substitute:	28 29
	"(IV) THE DEPARTMENT SHALL NOT DESIGNATE A GREATER NUMBER OF ASCENT PROGRAM PARTICIPANTS FOR A SCHOOL YEAR THAN THE NUMBER OF PARTICIPANTS THAT THE GENERAL ASSEMBLY APPROVES FOR FUNDING IN THE ANNUAL GENERAL APPROPRIATION ACT FOR THE APPLICABLE BUDGET YEAR."	30 31 32 33 34 35 36
Education	After consideration on the merits, the Committee recommends that SB13-071 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	37 38 39 40
	Amend printed bill, page 2, strike lines 2 through 12 and substitute:	41 42
	" SECTION 1. In Colorado Revised Statutes, 24-37.5-703.5, amend (5) (e) and (5) (f); and add (5) (g) as follows:	43 44
	24-37.5-703.5. Education data subcommittee - created - duties - repeal. (5) The education data subcommittee shall have the following duties:	45 46 47
	(e) To recommend the design and continuing development of a statewide comprehensive P-20 education data system that may include, but need not be limited to, implementation of an interoperability data framework and protocols and standards for data input and for making and responding to data requests to ensure that preschool through postsecondary education entities throughout the state can share education data; and	48 49 50 51 52 53 54 55 56
	(f) Upon request by the chief information officer, to advise the chief information officer on other issues pertaining to education data sharing; AND	57 58 59
	(g) TO IDENTIFY A METHOD OR METHODS, IF FEASIBLE, FOR ASSIGNING A UNIQUE STUDENT IDENTIFIER AS PART OF THE DEPARTMENT OF EDUCATION RECORD INTEGRATION TRACKING SYSTEM OR AN ALTERNATIVE TRACKING SYSTEM EMPLOYING INTERAGENCY DATA-SHARING, FOR EACH PERSON ENROLLED IN AN ADULT BASIC EDUCATION PROGRAM OR HIGH SCHOOL GENERAL EQUIVALENCY DIPLOMA PROGRAM."	60 61 62 63 64 65 66 67 68 69

Education	After consideration on the merits, the Committee recommends that SB13-165 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	1
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	Amend printed bill, page 3, line 25, after the period add "NOTHING IN THIS SECTION SHALL BE CONSTRUED TO ALLOW FOR THE APPROVAL OF BACHELOR OF ARTS DEGREE PROGRAMS, WITH THE EXCEPTION OF A BACHELOR OF FINE ARTS.".	6
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Health & Human Services	Page 4, line 8, strike "TEN" and substitute "SEVEN".	11
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	Page 4, line 23, strike "AREA, OR THAT THE" and substitute "AREA.".	13
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	Page 4, strike lines 24 through 26.	15
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	After consideration on the merits, the Committee recommends that SB13-200 be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	18
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Finance		21
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	After consideration on the merits, the Committee recommends that HB13-1054 be referred to the Committee of the Whole with favorable recommendation.	23
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	After consideration on the merits, the Committee recommends that HB13-1012 be referred to the Committee of the Whole with favorable recommendation.	27
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Appropriations	After consideration on the merits, the Committee recommends that SB13-188 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	31
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	Amend printed bill, page 11, after line 15 insert:	36
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	"SECTION 3. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the wildlife cash fund created in section 33-1-112 (1) (a), Colorado Revised Statutes, not otherwise appropriated, to the department of natural resources, for the fiscal year beginning July 1, 2013, the sum of \$51,800, or so much thereof as may be necessary, for allocation to the executive director's office for purchase of services from computer center related to the implementation of this act.	38
		39
	(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, 2013, the sum of \$51,800, 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 natural resources related to the implementation of this act. Said sum is from reappropriated funds received from the department of natural resources out of the appropriation made in subsection (1) of this section."	40
Appropriations		41
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Appropriations	Renumber succeeding section accordingly.	51
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	Page 1, line 103, strike "PROPERTY." and substitute "PROPERTY, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.".	58
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Appropriations		61
	After consideration on the merits, the Committee recommends that SB13-180 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	62
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	Amend printed bill, page 27, after line 10 insert:	67
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	"SECTION 14. Appropriation. (1) In addition to any other	69

	appropriation, there is hereby appropriated, out of any moneys in the division of professions and occupations 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, 2013, the sum of \$37,737 and 0.2 FTE, or so much thereof as may be necessary, to be allocated for the implementation of this act as follows:	1
	(a) \$8,174 and 0.2 FTE to the division of professions and occupations for personal services;	2
	(b) \$8,924 to the division of professions and occupations for temporary and contract personnel;	3
	(c) \$789 to the division of professions and occupations for printing and imaging;	4
	(d) \$12,746 to the executive director's office and administrative services for the purchase of legal services; and	5
	(e) \$7,104 to the executive director's office and administrative services for the purchase of computer center services.	6
	(2) In addition to any other appropriation, there is hereby appropriated to the department of law, for the fiscal year beginning July 1, 2013, the sum of \$12,746, 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 (d) of subsection (1) of this section.	7
	(3) 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, 2013, the sum of \$7,104, 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 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 (e) of subsection (1) of this section."	8
	Renumber succeeding sections accordingly.	9
	Page 1, line 109, strike "AND".	10
	Line 111, strike "CONDITION." and substitute "CONDITION, AND MAKING AN APPROPRIATION."	11
Appropriations	After consideration on the merits, the Committee recommends that SB13-157 be referred to the Committee of the Whole with favorable recommendation.	12
Appropriations	After consideration on the merits, the Committee recommends that SB13-142 be postponed indefinitely.	13
Appropriations	After consideration on the merits, the Committee recommends that HB13-1011 be referred to the Committee of the Whole with favorable recommendation.	14
Appropriations	After consideration on the merits, the Committee recommends that SB13-019 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	15
Appropriations	After consideration on the merits, the Committee recommends that SB13-159 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	16
Agriculture, Natural Resources, & Energy	After consideration on the merits, the Committee recommends that HB13-1232 be referred to the Committee of the Whole with favorable recommendation.	17

SENATE SERVICES REPORT

Correctly Printed: SB13-211 and 212; SM13-001.
Correctly Enrolled: SB13-091 and 153; SJR13-005 and 017.

MESSAGE FROM THE HOUSE

March 14, 2013

Mr. President:

The House has postponed indefinitely SB13-049. The bill is returned herewith.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for expressions of personal privilege.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of Conference Committee Reports.

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

HB13-1229 by Representative(s) Fields and McCann; also Senator(s) Carroll--Concerning criminal background checks performed pursuant to the transfer of a firearm, and, in connection therewith, making an appropriation.

Majority Leader Carroll moved for the adoption of the first majority report of the first conference committee on HB13-1229, as printed in Senate journal, March 14, page(s) 516.

On a substitute motion, Senator Brophy moved for the adoption of the first minority report of the first conference committee on HB13-1229, as printed in the Senate journal, March 14, page(s) 517-518.

Pursuant to Joint Rule 4 (d), President Morse ruled that the first minority report of the first conference committee on HB13-1229 was out of order.

On a substitute motion, Senator Harvey moved to dissolve the first conference committee on HB13-1229, that a second conference committee be formed, and that the conference committee be granted permission to go beyond the scope of the differences between the two houses. The motion **lost** by the following roll call vote:

YES	13	NO	20	EXCUSED	2	ABSENT	0
Aguilar	N	Guzman	N	Kefalas	N	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	N	Scheffel	Y
Baumgardner	Y	Heath	N	King	E	Schwartz	N
Brophy	Y	Hill	E	Lambert	Y	Steadman	N
Cadman	Y	Hodge	N	Lundberg	Y	Tochtrop	N
Carroll	N	Hudak	N	Marble	Y	Todd	N
Crowder	Y	Jahn	N	Newell	N	Ulibarri	N
Giron	N	Johnston	N	Nicholson	N	President	N
Grantham	Y	Jones	N	Renfroe	Y		

The first majority report of the first conference committee on HB13-1229 was **adopted** by the following roll call vote:

YES	28	NO	5	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	E	Schwartz	Y
Brophy	Y	Hill	E	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	N		

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

YES	19	NO	14	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	E	Schwartz	Y
Brophy	N	Hill	E	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	N
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for consideration of General Orders -- Second Reading of Bills.

Committee of the Whole On motion of Senator Jones, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Jones was called to the chair to act as Chairman.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chairman reported that the following bill, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB13-1081 by Representative(s) Duran, Buckner, Fields, Hamner, Kagan, McCann, Moreno; also Senator(s) Todd--Concerning human sexuality education.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, March 8, page(s) 464-465 and placed in members' bill files.)

Majority Leader Carroll moved that the Committee of the Whole rise, report progress, and beg leave to sit again at 1:30 p.m. A majority of those elected to the Senate having voted in the affirmative, the motion was adopted.

Committee of the Whole in recess.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SJR13-005 and 017.

Senate in recess. Senate reconvened.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Joint Select Committee on the Implementation of the Amendment 64 Task Force Recommendations was given leave to meet during a session of the Senate pursuant to Senate Rule 21 (c).

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Joint Budget Committee was given leave to meet during a session of the Senate pursuant to Senate Rule 21 (c).

Committee of the Whole reconvened.

Committee of the Whole On motion of Senator Jones, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Jones was called to the chair to act as Chairman.

GENERAL ORDERS -- SECOND READING OF BILLS - cont'd

The Committee of the Whole having risen, the Chairman reported that the following bill, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB13-1081 by Representative(s) Duran, Buckner, Fields, Hamner, Kagan, McCann, Moreno; also Senator(s) Todd--Concerning human sexuality education.

Amendment No. 2(L.070), by Senator Hudak.

Amend reengrossed bill, page 3, after line 12 insert:

"(V) BECAUSE ABSTINENCE IS ONE HUNDRED PERCENT EFFECTIVE IN PREVENTING PREGNANCY AND THE SPREAD OF SEXUALLY TRANSMITTED INFECTIONS, AND BECAUSE ALTHOUGH MANY BIRTH CONTROL METHODS CAN HAVE HIGH RATES OF SUCCESS IF USED PROPERLY, THEY CAN ALSO OCCASIONALLY FAIL TO PREVENT PREGNANCY OR THE SPREAD OF SEXUALLY TRANSMITTED INFECTIONS, ALL COMPREHENSIVE HUMAN SEXUALITY EDUCATION MUST STRESS THE IMPORTANCE OF ABSTINENCE;"

Renumber succeeding subparagraphs accordingly.

As amended, ordered revised 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.)

Call of the Senate.
 Call raised.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

HB13-1081 by Representative(s) Duran, Buckner, Fields, Hamner, Kagan, McCann, Moreno; also Senator(s) Todd--Concerning human sexuality education.

Senator Lundberg moved to amend the Report of the Committee of the Whole to show that the following Lundberg floor amendment, (L.067) to HB13-1081, did pass.

Amend reengrossed bill, page 17, strike lines 17 and 18 and substitute:
 "(e) TWO PARENT REPRESENTATIVES, APPOINTED BY THE STATE BOARD OF EDUCATION."

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	12	NO	20	EXCUSED	3	ABSENT	0
Aguilar	N	Guzman	N	Kefalas	N	Roberts	E
Balmer	Y	Harvey	Y	Kerr	N	Scheffel	Y
Baumgardner	Y	Heath	N	King	E	Schwartz	N
Brophy	Y	Hill	E	Lambert	Y	Steadman	N
Cadman	Y	Hodge	N	Lundberg	Y	Tochtrop	N
Carroll	N	Hudak	N	Marble	Y	Todd	N
Crowder	Y	Jahn	N	Newell	N	Ulibarri	N
Giron	N	Johnston	N	Nicholson	N	President	N
Grantham	Y	Jones	N	Renfroe	Y		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

YES	20	NO	12	EXCUSED	3	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	E
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	E	Schwartz	Y
Brophy	N	Hill	E	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

The Committee of the Whole took the following action:

Passed on second reading: HB13-1081 as amended.

INTRODUCTION OF BILLS -- FIRST READING

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

- SB13-214** by Senator(s) Schwartz, Baumgardner, Giron; also Representative(s) Fischer, Szabo, Vigil--Concerning legislative oversight of the funding of P-12 public school capital construction projects that receive funding under the "Building Excellent Schools Today Act".
Education
- SB13-215** by Senator(s) Jahn, Aguilar, Newell, Nicholson, Ulibarri, Crowder, Marble, Todd; also Representative(s) Ginal, Stephens--Concerning alternative health care practitioners, and, in connection therewith, enacting the "Colorado Natural Health Consumer Protection Act" to provide an exemption from state regulation for unlicensed complementary and alternative health care practitioners, require a person providing complementary and alternative health care services to disclose to clients the person's educational background and the nature of the services to be provided, and prohibit complementary and alternative health care practitioners from engaging in specified activities that only state-regulated health care professionals may perform.
Health & Human Services
- SB13-216** by Senator(s) Giron; also Representative(s) Rosenthal--Concerning youthful offenders within the state department of corrections.
Judiciary
- SB13-217** by Senator(s) Hudak; also Representative(s) Pettersen--Concerning authorizing the state board of education to consider alternative education campuses in establishing the criteria for accreditation categories for each school district and the state charter school institute.
Education
- SB13-218** by Senator(s) Heath; --Concerning workforce development for key industries in Colorado.
Education
- SB13-219** by Senator(s) Tochtrop; also Representative(s) Peniston--Concerning the remediation performed on property contaminated by an illegal drug laboratory.
Health & Human Services
- SB13-220** by Senator(s) Nicholson; --Concerning adding emergency medical service providers to the list of persons who must report possible instances of child abuse.
Health & Human Services
- SB13-221** by Senator(s) King, Guzman, Tochtrop; also Representative(s) Ryden, Sonnenberg, Williams--Concerning an application and review process for issuing tax credit certificates for a state income tax credit allowed for the donation of a perpetual conservation easement.
Finance
- HB13-1006** by Representative(s) Moreno and Exum, Peniston, Court, McCann, Primavera, Salazar, Schafer, Tyler, Williams; also Senator(s) Giron, Hodge, Ulibarri--Concerning requiring certain schools to offer breakfast to all students following the first bell.
Health and Human Services

HB13-1119 by Representative(s) Exum; also Senator(s) Kerr--Concerning placement of the word "veteran" for veterans with proper documentation on identity documents issued by the department of revenue, and, in connection therewith, making an appropriation. State, Veterans, & Military Affairs

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB13-002, 010, 012, 015, 028, 038, 044, 046, 078, 080, 091, 112, 118, 143, 153 and 160; HB13-1023, 1126, 1164, 1166, 1184, 1185, 1199, 1224.

MESSAGE FROM THE HOUSE

March 15, 2013
Mr. President:

The House has adopted the First Report of the First Conference Committee on HB13-1229, as printed in House Journal, March 14, page 592, and has repassed the bill as amended.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Friday, March 15 was laid over until Monday, March 18, retaining its place on the calendar.

Third Reading of Bills -- Final Passage: HB13-1097.
General Orders -- Second Reading of Bills -- Consent Calendar: SB13-199, HB13-1145.
General Orders -- Second Reading of Bills: HB13-1209, HB13-1061.
Consideration of Resolutions: SR13-003.
Consideration of Governor's Appointments:
Members of the Medical Services Board.

On motion of Majority Leader Carroll, the Senate adjourned until 10:00 a.m., Monday, March 18, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

69th Legislative Day Monday, March 18, 2013

Prayer By the chaplain, Father Eustace Sequeira, Regis University Jesuit Community, Denver.

Call to Order By the President at 10:00 a.m.

Pledge By Senator Balmer.

Roll Call Present--33
Excused--2, Jones, Lambert.
Present later--2, Jones, Lambert.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Kefalas, reading of the Journal of Friday, March 15, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Printed: SB13-214, 215, 216, 217, 218, 219, 220 and 221.
Correctly Revised: HB13-1081.

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:

HB13-1097 by Representative(s) Gardner; also Senator(s) Nicholson--Concerning the duties of coroners.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: King, Newell and Todd.

HB13-1081

by Representative(s) Duran, Buckner, Fields, Hamner, Kagan, McCann, Moreno; also Senator(s) Todd--Concerning human sexuality education.

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	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Carroll, Giron, Guzman, Hodge, Hudak, Jones, Kerr, Newell, Nicholson, Steadman, Tochtrop and Ulibarri.

Committee of the Whole

On motion of Senator Kerr, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Kerr was called to the Chair to act as Chairman.

GENERAL ORDERS -- SECOND READING OF BILLS --
CONSENT CALENDAR

The Committee of the Whole having risen, the Chairman reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB13-199

by Senator(s) Giron, Baumgardner, Schwartz; also Representative(s) Fischer, Szabo, Vigil--Concerning modification of the standard for determining whether bonds issued by a state-supported institution of higher education qualify for the higher education revenue bond intercept program.

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

HB13-1145

by Representative(s) Court; also Senator(s) Johnston--Concerning the administration of the property tax exemption for qualifying seniors.

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

HB13-1091

by Representative(s) Young, Hulinghorst, Pabon; also Senator(s) Kefalas--Concerning an alternative air quality testing method for heavy-duty diesel vehicles subject to the heavy-duty diesel fleet inspection and maintenance program.

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

HB13-1159

by Representative(s) Rosenthal, Holbert, Williams, McNulty, DelGrosso, Kraft-Tharp, Melton, Moreno, Ryden, Singer, Szabo, Young; also Senator(s) Tochtrop and Balmer, Todd, Jahn, Heath--Concerning the use of an electronic device to present evidence of automobile insurance.

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

SB13-198 by Senator(s) Jahn; also Representative(s) Gardner--Concerning closing a court to the public when sexually exploitative material related to a specific child is being presented as evidence.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, March 14, page(s) 513 and placed in members' bill files.)

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

HB13-1118 by Representative(s) Rosenthal; also Senator(s) King--Concerning requiring law enforcement agencies to issue photographic identification to certain retired peace officers.

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

HB13-1157 by Representative(s) McNulty, Priola, Gardner, Levy; also Senator(s) Giron--Concerning adoption of the 2012 "Uniform Commercial Code" article 4.5 amendments.

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

SB13-186 by Senator(s) Tochtrop; also Representative(s) Pettersen--Concerning updating requirements for new building-integrated photovoltaic technologies.

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, March 14, page(s) 514 and placed in members' bill files.)

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Kerr, 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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB13-199, SB13-198 as amended, SB13-186 as amended, HB13-1145, HB13-1091, HB13-1159, HB13-1118, HB-1157.

Committee of the Whole On motion of Senator Kerr, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills and Senator Kerr was called to the Chair to act as Chairman.

GENERAL 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:

HB13-1209	by Representative(s) May; also Senator(s) Nicholson--Concerning changes to child support provisions.	1
		2
		3
	<u>Amendment No. 1(L.005), by Senator Nicholson.</u>	4
		5
	Amend reengrossed bill, page 3, line 24, strike "INCOME." and substitute	6
	"INCOME IF THE PARENT IS NOT OTHERWISE EMPLOYED FULL-TIME AND	7
	THE RETIREMENT ACCOUNT WAS NOT RECEIVED PURSUANT TO THE	8
	DIVISION OF MARITAL PROPERTY.".	9
		10
	Page 43, line 21, strike "COURT-ORDERED" and substitute	11
	"COURT-ORDERED, VOLUNTARY,".	12
		13
	Page 43, line 24, strike " modified " and substitute "modified OR".	14
		15
	Page 43, line 26, strike "COURT-ORDERED OR VOLUNTARY" and substitute	16
	"COURT-ORDERED, VOLUNTARY, OR MUTUALLY AGREED UPON".	17
		18
	Page 44, line 1, after "a" insert "COURT-ORDERED, VOLUNTARY, OR".	19
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		21
	As amended, ordered revised and placed on the calendar for third reading and final	22
	passage.	23
		24
		25
HB13-1061	by Representative(s) Moreno; also Senator(s) Aguilar--Concerning standards for	26
	responsible medical marijuana vendors.	27
		28
	Ordered revised and placed on the calendar for third reading and final passage.	29
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		31
HB13-1103	by Representative(s) Scott, Fischer, Priola, Tyler, Williams; also Senator(s) Schwartz--	32
	Concerning modifications to the public utility commission's oversight of rail fixed	33
	guideway system safety.	34
		35
	Ordered revised and placed on the calendar for third reading and final passage.	36
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		38
HB13-1186	by Representative(s) Vigil, Court, Gardner; also Senator(s) Schwartz--Concerning	39
	procedures for increasing transparency for certain special district boards, and, in connection	40
	therewith, requiring that a public meeting be held before a district sets or changes domestic	41
	water or sanitary sewer service rates and requiring that all special districts formed pursuant	42
	to the special districts provisions file a special district public disclosure document to be	43
	recorded by the county clerk and recorder for all properties included within the district	44
	boundaries.	45
		46
	<u>Amendment No. 1, Local Government Committee Amendment.</u>	47
	(Printed in Senate Journal, March 14, page(s) 512 and placed in members' bill files.)	48
		49
	As amended, ordered revised and placed on the calendar for third reading and final	50
	passage.	51
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		53
SB13-139	by Senator(s) Roberts; also Representative(s) Coram--Concerning supplemental on-line	54
	education services.	55
		56
	<u>Amendment No. 1, Education Committee Amendment.</u>	57
	(Printed in Senate Journal, February 21, page(s) 298-300 and placed in members' bill	58
	files.)	59
	<u>Amendment No. 2, State, Veterans & Military Affairs Committee Amendment.</u>	60
	(Printed in Senate Journal, March 14, page(s) 512 and placed in members' bill files.)	61
		62
	As amended, ordered engrossed and placed on the calendar for third reading and final	63
	passage.	64
		65
		66
HB13-1198	by Representative(s) Coram and McLachlan; also Senator(s) Roberts, Guzman--Concerning	67
	the Colorado commission of Indian affairs.	68
		69
	Ordered revised and placed on the calendar for third reading and final passage.	70
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		72

- SB13-185

by Senator(s) Nicholson; --Concerning expansion of the types of activities that are eligible for grants under the tobacco education, prevention, and cessation grant program.
- Laid over until Wednesday, March 20, retaining its place on the calendar.
- HB13-1058

by Representative(s) McCann; also Senator(s) Kerr--Concerning guidelines for the determination of spousal maintenance.
- Laid over until Tuesday, March 19, retaining its place on the calendar.
- HB13-1158

by Representative(s) Hamner; also Senator(s) Schwartz--Concerning the "Colorado Cottage Foods Act".
- Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, March 14, page(s) 513 and placed in members' bill files.)

Amendment No. 2(L.008), by Senator Schwartz.

Strike the Health and Human Services Committee Report, dated March 13, 2013, and substitute:

"Amend reengrossed bill, page 3, line 14, after "that" insert "HAVE BEEN PRODUCED, PROCESSED, OR PACKAGED THAT".

Page 3, line 15, strike "that" and substitute "that".

Page 3, strike lines 24 and 25 and substitute "~~processing by a third-party certifying entity, comparable to and including the United States~~".

Page 3, line 26, before "the" insert "TAKE A FOOD SAFETY COURSE THAT INCLUDES BASIC FOOD HANDLING TRAINING AND IS COMPARABLE TO, OR IS A COURSE GIVEN BY, ".

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Kerr, 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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB13-139 as amended, HB13-1209 as amended, HB13-1061, HB13-1103, HB13-1186 as amended, HB13-1198, HB13-1158 as amended.

Laid over until Tuesday, March 19: HB13-1058.

Laid over until Wednesday, March 20: SB13-185.

MESSAGE FROM THE HOUSE

March 18, 2013

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1190, 1243.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1183, amended as printed in House Journal, March 15, pages 597-598.
HB13-1194, amended as printed in House Journal, March 15, page 598.
HB13-1154, amended as printed in House Journal, March 15, pages 598-599.
HB13-1225, amended as printed in House Journal, March 15, page 601.

The House has passed on Third Reading and returns herewith SB13-177, 187, 152, 134, 163, 008.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB13-059, amended as printed in House Journal, March 15, page 599.
SB13-081, amended as printed in House Journal, March 15, page 600.
SB13-041, amended as printed in House Journal, March 15, page 600.

MESSAGE FROM THE REVISOR OF STATUTES

March 18, 2013

We herewith transmit:

Without comment, HB13-1190 and 1243.
Without comment, as amended, HB13-1154, 1183, 1194, and 1225.
Without comment, as amended, SB13-041, 059, 081.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Monday, March 18 was laid over until Tuesday, March 19, retaining its place on the calendar.

Consideration of Resolutions: SR13-003.
Consideration of Governor's Appointments:
Members of the Medical Services Board.
Members of the State Housing Board.

On motion of Majority Leader Carroll, the Senate adjourned until 9:00 a.m., Tuesday, March 19, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

70th Legislative Day Tuesday, March 19, 2013

Prayer By the chaplain, Reverend Paul Kottke, University Park United Methodist Church, Denver.

Call to Order By the President at 9:00 a.m.

Pledge By Senator Balmer.

Roll Call Present--33
Excused--2, Jones, Roberts.
Present later--2, Jones, Roberts.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Kefalas, reading of the Journal of Monday, March 18, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Judiciary After consideration on the merits, the Committee recommends that **HB13-1025** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend reengrossed bill, page 3, after line 9 insert:
"(e) ALL WORKERS' COMPENSATION CARRIERS SHALL OFFER
NO-DEDUCTIBLE POLICIES, NOTWITHSTANDING THE AUTHORITY TO OFFER
DEDUCTIBLE POLICIES UNDER THIS SECTION."

Judiciary After consideration on the merits, the Committee recommends that **HB13-1101** be referred to the Committee on Appropriations with favorable recommendation.

Business, Labor, & Technology After consideration on the merits, the Committee recommends that **HB13-1124** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Business, Labor, & Technology The Committee on Business, Labor, & Technology has had under consideration and has had a hearing on the following appointment and recommends that the appointment be confirmed:

MEMBER OF THE
STATE PERSONNEL BOARD

effective June 30, 2012 for a term expiring June 30, 2017:

Teresa R. Salerno of Denver, Colorado, appointed.

Business,
Labor, &
Technology

The Committee on Business, Labor, & Technology has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

MEMBERS OF THE
SPECIAL FUNDS BOARD FOR
WORKERS' COMPENSATION SELF INSURERS

for terms expiring July 1, 2015:

John F. Zimmerman of Castle Pines, Colorado, a manager or employee of self-insured employers in good standing, with knowledge of risk management and finance, reappointed;

Ondrea Marie Charles Matthews of Wheat Ridge, Colorado, a manager or employee of self-insured employers in good standing, appointed;

for a term expiring July 1, 2016:

Richard M. Osborn of Denver, Colorado, a manager or employee of self-insured employers in good standing, appointed.

SENATE SERVICES REPORT

Correctly Engrossed: SB13-139, 186, 198 and 199.
Correctly Revised: HB13-1061, 1091, 1103, 1118, 1145, 1157, 1158, 1159, 1186, 1198 and 1209.
Correctly Rerevised: HB13-1081 and 1097.
Correctly Enrolled: SB13-011, 067, 074, 113 and 187.

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:

SB13-199

by Senator(s) Giron, Baumgardner, Schwartz; also Representative(s) Fischer, Szabo, Vigil-
-Concerning modification of the standard for determining whether bonds issued by a state-
supported institution of higher education qualify for the higher education revenue bond
intercept program.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Newell.

HB13-1145 by Representative(s) Court; also Senator(s) Johnston--Concerning the administration of the property tax exemption for qualifying seniors.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Guzman, Heath, Hudak, Morse, Newell, Schwartz, Tochtrop and Todd.

HB13-1091 by Representative(s) Young, Hullinghorst, Pabon; also Senator(s) Kefalas--Concerning an alternative air quality testing method for heavy-duty diesel vehicles subject to the heavy-duty diesel fleet inspection and maintenance program.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Giron, Guzman, Heath, Jones and Schwartz.

HB13-1159 by Representative(s) Rosenthal, Holbert, Williams, McNulty, DelGrosso, Kraft-Tharp, Melton, Moreno, Ryden, Singer, Szabo, Young; also Senator(s) Tochtrop and Balmer, Todd, Jahn, Heath--Concerning the use of an electronic device to present evidence of automobile insurance.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Guzman, Kerr and Newell.

SB13-198 by Senator(s) Jahn; also Representative(s) Gardner--Concerning closing a court to the public when sexually exploitative material related to a specific child is being presented as evidence.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Aguilar, Carroll, Giron, Guzman, Jones, Kefalas, King, Morse, Newell, Roberts, Schwartz and Tochtrop.

HB13-1118 by Representative(s) Rosenthal; also Senator(s) King--Concerning requiring law enforcement agencies to issue photographic identification to certain retired peace officers.

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

YES	33	NO	2	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Morse.

HB13-1157 by Representative(s) McNulty, Priola, Gardner, Levy; also Senator(s) Giron--Concerning adoption of the 2012 "Uniform Commercial Code" article 4.5 amendments.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

SB13-186 by Senator(s) Tochtrop; also Representative(s) Pettersen--Concerning updating requirements for new building-integrated photovoltaic technologies.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Crowder, Heath, Kerr and Schwartz.

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:

HB13-1209 by Representative(s) May; also Senator(s) Nicholson--Concerning changes to child support provisions.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Aguilar, Giron, Guzman, Heath, Kefalas, Kerr, Newell and Schwartz.

HB13-1061 by Representative(s) Moreno; also Senator(s) Aguilar--Concerning standards for responsible medical marijuana vendors.

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

YES	23	NO	12	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	N		

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

HB13-1103 by Representative(s) Scott, Fischer, Priola, Tyler, Williams; also Senator(s) Schwartz--Concerning modifications to the public utility commission's oversight of rail fixed guideway system safety.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Kerr.

HB13-1186 by Representative(s) Vigil, Court, Gardner; also Senator(s) Schwartz--Concerning procedures for increasing transparency for certain special district boards, and, in connection therewith, requiring that a public meeting be held before a district sets or changes domestic water or sanitary sewer service rates and requiring that all special districts formed pursuant to the special districts provisions file a special district public disclosure document to be recorded by the county clerk and recorder for all properties included within the district boundaries.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Baumgardner, Cadman, Carroll, Crowder, Giron, Harvey, Heath, Hodge, Jahn, Kefalas, Kerr, Lambert, Lundberg, Newell, Nicholson, Roberts, Scheffel, Tochtrop and Todd.

SB13-139 by Senator(s) Roberts; also Representative(s) Coram--Concerning supplemental on-line education services.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Baumgardner, Brophy, Cadman, Crowder, Giron, Grantham, Guzman, Harvey, Heath, Jahn, Kerr, King, Lambert, Lundberg, Newell, Scheffel, Schwartz and Todd.

HB13-1198 by Representative(s) Coram and McLachlan; also Senator(s) Roberts, Guzman--Concerning the Colorado commission of Indian affairs.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Aguilar, Crowder, Giron, Jones, Kerr, King, Lambert, Newell, Schwartz and Tochtrop.

HB13-1158 by Representative(s) Hamner; also Senator(s) Schwartz--Concerning the "Colorado Cottage Foods Act".

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

YES	33	NO	2	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	N	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Guzman, Heath, Jahn, Jones, Newell and Tochtrop.

IMMEDIATE RECONSIDERATION OF HB13-1158

HB13-1158 by Representative(s) Hamner; also Senator(s) Schwartz--Concerning the "Colorado Cottage Foods Act".

Having voted on the prevailing side, Majority Leader Carroll moved for immediate reconsideration of the last Senate action, Third Reading of Bills -- Final Passage, on HB13-1158.

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

On third reading, the titles of the following bill was publicly read, the reading at length having been dispensed with by unanimous consent:

HB13-1158 by Representative(s) Hamner; also Senator(s) Schwartz--Concerning the "Colorado Cottage Foods Act".

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	N	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Cadman, Crowder, Grantham, King and Lundberg.

Committee of the Whole On motion of Senator Aguilar, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Aguilar was called to the Chair to act as Chairman.

GENERAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

The Committee of the Whole having risen, the Chairman reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB13-1219 by Representative(s) Hamner, Priola, Murray, Holbert, Peniston, Pettersen, Young; also Senator(s) Todd, Hudak, Johnston--Concerning statutory changes to K-12 education.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, March 15, page(s) 520 and placed in members' bill files.)

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

SB13-019 by Senator(s) Schwartz; also Representative(s) Fischer--Concerning the promotion of water conservation measures.

Amendment No. 1, Agriculture, Natural Resources, and Energy Committee Amendment.
(Printed in Senate Journal, March 8, page(s) 463-464 and placed in members' bill files.)

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

SB13-159 by Senator(s) Jahn; also Representative(s) Court--Concerning continuation of the division of financial services.

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, February 28, page(s) 359 and placed in members' bill files.)

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

**ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE --
CONSENT CALENDAR**

On motion of Senator Aguilar, 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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB13-019 as amended, SB13-159 as amended, HB13-1219 as amended.

Committee of the Whole On motion of Senator Aguilar, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Aguilar was called to the chair to act as Chairman.

GENERAL 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:

HB13-1058 by Representative(s) McCann; also Senator(s) Kerr--Concerning guidelines for the determination of spousal maintenance.

Amendment No. 1(L.004), by Senator Kerr.

Amend rengrossed bill, page 3, strike lines 19 through 25 and substitute:

"(II) COURTS AND LITIGANTS WOULD BENEFIT FROM THE
ESTABLISHMENT OF A MORE DETAILED STATUTORY FRAMEWORK THAT
INCLUDES ADVISORY GUIDELINES TO BE CONSIDERED AS A STARTING

	POINT FOR THE DETERMINATION OF FAIR AND EQUITABLE MAINTENANCE AWARDS."	1
		2
		3
	Page 4, line 1, after "INCLUDING" insert "ADVISORY".	4
		5
	Page 18, line 13, after "SECTION" insert "ONLY".	6
		7
	Page 18, line 14, strike "PROCEEDING." and substitute "PROCEEDING CONCERNING A MAINTENANCE AWARD ENTERED ON OR AFTER JANUARY 1, 2014."	8
		9
		10
	Page 18, strike lines 15 through 27.	11
		12
	Reletter succeeding paragraph accordingly.	13
		14
		15
	Page 19, strike lines 1 through 14.	16
		17
		18
	As amended, ordered revised and placed on the calendar for third reading and final passage.	19
		20
		21
		22
SB13-071	by Senator(s) Hudak; also Representative(s) Fields--Concerning uniquely identifying student numbers for persons enrolled in adult education programs.	23
		24
		25
	<u>Amendment No. 1, Education Committee Amendment.</u>	26
	(Printed in Senate Journal, March 15, page(s) 520 and placed in members' bill files.)	27
		28
	As amended, ordered engrossed and placed on the calendar for third reading and final passage.	29
		30
		31
		32
HB13-1054	by Representative(s) Melton and Exum; also Senator(s) Tochtrop--Concerning lessening the reduction of unemployment insurance benefits required when a claimant withdraws amounts from a retirement plan as a result of unemployment.	33
		34
		35
		36
	Ordered revised and placed on the calendar for third reading and final passage.	37
		38
		39
HB13-1012	by Representative(s) Gerou and Levy; also Senator(s) Roberts and Nicholson--Concerning the extension of financial incentives for wildfire mitigation.	40
		41
		42
	Ordered revised and placed on the calendar for third reading and final passage.	43
		44
		45
SB13-188	by Senator(s) Tochtrop and Schwartz; also Representative(s) Vigil and Rankin--Concerning a program to give landowners a preference for hunting licenses to encourage hunting on private property, and, in connection therewith, making an appropriation.	46
		47
		48
		49
	<u>Amendment No. 1, Agriculture, Natural Resources, and Energy Committee Amendment.</u>	50
	(Printed in Senate Journal, March 7, page(s) 424 and placed in members' bill files.)	51
		52
	<u>Amendment No. 2, Appropriations Committee Amendment.</u>	53
	(Printed in Senate Journal, March 15, page(s) 521 and placed in members' bill files.)	54
		55
	As amended, ordered engrossed and placed on the calendar for third reading and final passage.	56
		57
		58
		59
SB13-165	by Senator(s) Todd, Jahn, Marble; also Representative(s) Wilson--Concerning authorizing a limited number of baccalaureate degrees that may be offered in the community college system.	60
		61
		62
		63
	<u>Amendment No. 1, Education Committee Amendment.</u>	64
	(Printed in Senate Journal, March 15, page(s) 521 and placed in members' bill files.)	65
		66
	<u>Amendment No. 2(L.004), by Senator Hudak.</u>	67
		68
	Amend the Education Committee Report, dated March 14, 2013, page 1, strike lines 6 and 7.	69
		70
		71
		72

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

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the General Orders -- Second Reading of Bills Calendar (SB13-180, SB13-157, HB13-1011, HB13-1232) of Tuesday, March 19 was laid over until Wednesday, March 20, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Aguilar, 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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB13-071 as amended, SB13-188 as amended, SB13-165 as amended, HB13-1058 as amended, HB13-1054, HB13-1012.
Laid over until Wednesday, March 20: SB13-180, SB13-157, HB13-1011, HB13-1232.

MESSAGE FROM THE HOUSE

March 19, 2013

Mr. President:

The House has adopted and transmits herewith HJR13-1018.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1200, amended as printed in House Journal, March 15, pages 599-600.
HB13-1204, amended as printed in House Journal, March 15, page 600.
HB13-1123, amended as printed in House Journal, March 18, page 624.
HB13-1138, amended as printed in House Journal, March 18, pages 624-625.
HB13-1208, amended as printed in House Journal, March 18, page 625.

MESSAGE FROM THE REVISOR OF STATUTES

March 19, 2013

We herewith transmit:

Without comment, as amended, HB13-1200, 1204, 1123, 1138, and 1208.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

HJR13-1018 by Representative(s) Sonnenberg; also Senator(s) Brophy--Concerning recognition of March 19, 2013, as "National Agriculture Day".

On motion of Senator Brophy, the resolution was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Co-sponsor(s) added: Aguilar, Balmer, Baumgardner, Cadman, Carroll, Crowder, Giron, Grantham, Guzman, Harvey, Heath, Hill, Hodge, Hudak, Jahn, Johnston, Jones, Kefalas, Kerr, King, Lambert, Lundberg, Marble, Morse, Newell, Nicholson, Renfroe, Roberts, Scheffel, Schwartz, Steadman, Tochtrop, Todd and Ulibarri.

SR13-003 by Senator(s) Carroll; --Concerning the creation of a Senate committee of reference for the implementation of amendment 64.

Laid over until Friday, March 22, retaining its place on the calendar.

HJR13-1015 by Representative(s) Hamner, Levy, Duran, Gerou; also Senator(s) Hudak, Steadman, Hodge, Lambert--Concerning approval of the performance contract between the Colorado School of Mines and the Colorado Commission on Higher Education.

On motion of Senator Hudak, the resolution was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Co-sponsor(s) added: Aguilar, Balmer, Baumgardner, Brophy, Cadman, Carroll, Crowder, Giron, Grantham, Guzman, Harvey, Heath, Hill, Jahn, Johnston, Jones, Kefalas, Kerr, King, Lundberg, Marble, Morse, Newell, Nicholson, Renfroe, Roberts, Scheffel, Schwartz, Tochtrop, Todd and Ulibarri.

Call of the Senate. Call raised.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB13-059 by Senator(s) Cadman, Morse, Guzman, Hodge, Scheffel, Steadman, Ulibarri; also Representative(s) Moreno--Concerning the ability of a peace officer to obtain an alcohol beverage license.

Senator Cadman moved that the Senate concur in House amendments to **SB13-059**, as printed in House journal, March 15, page(s) 599. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	N	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB13-081 by Senator(s) Hudak; also Representative(s) Young, Hamner, Priola, Tyler, Williams A.-- Concerning vehicle registration.

Senator Hudak moved that the Senate concur in House amendments to **SB13-081**, as printed in House journal, March 15, page(s) 600. The motion was **adopted** by the following roll call vote:

YES	33	NO	2	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	N	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

YES	25	NO	10	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB13-041 by Senator(s) Hodge and Roberts; also Representative(s) Fischer and Sonnenberg-- Concerning the protection of stored water, and, in connection therewith, preserving supplies for drought and long-term needs.

Senator Hodge moved that the Senate concur in House amendments to **SB13-041**, as printed in House journal, March 15, page(s) 600. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

**CONSIDERATION OF GOVERNOR'S APPOINTMENTS --
CONSENT CALENDAR**

On motion of Majority Leader Carroll, the following Governor's appointments were confirmed by the following roll call votes:

MEMBERS OF THE
MEDICAL SERVICES BOARD

for terms expiring July 1, 2016:

- Donna Marie Roberts of Wray, Colorado, a resident of the 4th Congressional District, with knowledge of medical assistance programs, and a Democrat, appointed;
- Brenda LaCombe of Pueblo, Colorado, a resident of the 3rd Congressional District, with knowledge of medical assistance programs, and a Democrat, reappointed;
- Mary E. Young of Alamosa, Colorado, a resident of the 3rd Congressional District and an Unaffiliated, with experience in caring for medically underserved children, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

MEMBERS OF THE
STATE HOUSING BOARD

for a term expiring January 31, 2016:

Britta E.M. Fisher of Wheat Ridge, Colorado, to serve as a member from the Seventh Congressional District and as an Unaffiliated, appointed.

for terms expiring January 31, 2017:

David L. Zucker of Evergreen, Colorado, a Democrat and resident of the 2nd Congressional District, reappointed;

Chad E. Wright of Colorado Springs, Colorado, a Democrat and resident of the 5th Congressional District, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

MEMBERS OF THE
COLLEGEINVEST BOARD OF DIRECTORS

for a term expiring July 31, 2015:

Leanna Fae Clark of Denver, Colorado, appointed.

for terms expiring July 31, 2016:

Angela A. Gripenstraw of Greenwood Village, Colorado, reappointed.

Rita C. Felde of Evergreen, Colorado, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

MEMBERS OF THE

BOARD OF TRUSTEES FOR COLORADO MESA UNIVERSITY

for a term expiring December 31, 2015:

Betty Cox Bechtel of Grand Junction, Colorado, a Democrat, appointed;
effective December 31, 2012, for terms expiring December 31, 2016:

Douglas M. Price of Denver, Colorado, a Democrat, reappointed;

Margot T. Pinto of Englewood, Colorado, a Democrat, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

MESSAGE FROM THE GOVERNOR

March 15, 2013

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

Ladies and Gentlemen:

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

SB13-029: CONCERNING THE VOLUNTARY CONTRIBUTION DESIGNATION BENEFITING THE HABITAT FOR HUMANITY OF COLORADO FUND THAT APPEARS ON THE STATE INDIVIDUAL INCOME TAX RETURN FORMS.

Approved March 15, 2013 at 3:30 p.m.

SB13-031: CONCERNING PAYMENT OF TUITION FOR STUDENTS WHO PARTICIPATE IN DROPOUT RECOVERY PROGRAMS.

Approved March 15, 2013 at 1:07 p.m.

SB13-032: CONCERNING THE LIFE AND HEALTH INSURANCE PROTECTION ASSOCIATION.

Approved March 15, 2013 at 1:31 p.m.

SB13-072: CONCERNING THE DELETION OF THE REQUIREMENT FOR A FINAL PERMIT FOR ALL WELLS WITHDRAWING DESIGNATED GROUND WATER FROM THE DENVER BASIN AQUIFERS.

Approved March 15, 2013 at 1:20 p.m.

SB13-075: CONCERNING SAFEGUARDS TO PREVENT THE MODIFICATION OF
A FINAL DESIGNATED GROUND WATER PERMIT BASED ON REDUCTIONS IN
THE USE OF DESIGNATED GROUND WATER.

Approved March 15, 2013 at 1:31 p.m.

Sincerely,
(signed)
John W. Hickenlooper
Governor

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB13-011 and 187; HB13-1009, 1181, and 1229.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Monday, March 18, 2013, at 1:31 p.m.:
SB13-002, 010, 012, 015, 028, 038, 044, 046, 078, 080, 091, 112, 118, 143, 153 and 160.

On motion of Majority Leader Carroll, the Senate adjourned until 9:00 a.m., Wednesday,
March 20, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

71st Legislative Day

Wednesday, March 20, 2013

Prayer By the chaplain, Pastor Vern Rempel, First Mennonite Church, Denver.

Call to Order By the President at 9:00 a.m.

Pledge By Senator Balmer.

Roll Call Present--30
 Excused--5, Cadman, Johnston, Jones, Heath, Hodge.
 Present later--4, Johnston, Jones, Heath, Hodge.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Kefalas, reading of the Journal of Tuesday, March 19, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Engrossed: SB13-019, 071, 159, 165 and 188.

Correctly Reengrossed: SB13-139, 186, 198 and 199.

Correctly Revised: HB13-1012, 1054, 1058 and 1219; HJR13-1015 and 1018.

Correctly Revised: HB13-1061, 1091, 1103, 1118, 1145, 1157, 1158, 1159, 1186, 1198 and 1209.

Correctly Enrolled: SB13-008, 134 and 177.

INTRODUCTION OF MEMORIALS

The following memorial was read by title:

SM13-002 by Senator(s) Lundberg; --Memorializing former Senator James Michael Roberts.

Laid over until April 10, retaining its place on the calendar.

INTRODUCTION OF BILLS -- FIRST READING

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

SB13-222 by Senator(s) Aguilar, Newell, Nicholson; also Representative(s) Pabon, Kraft-Tharp, Levy, May, Melton, Peniston, Rosenthal, Salazar, Singer, Tyler--Concerning improving access to childhood immunizations.

Health & Human Services

SB13-223 by Senator(s) Brophy; also Representative(s) Mitsch Bush--Concerning the continuation of the noxious weed advisory committee.
Agriculture, Natural Resources, & Energy

		1
SB13-224	by Senator(s) Kerr and Baumgardner; also Representative(s) Hamner and Wright,	2
	McLachlan--Concerning the creation of a "Protect Our Rivers" license plate for Colorado	3
	trout unlimited.	4
	Transportation	5
		6
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SB13-225	by Senator(s) Giron, Guzman, Aguilar, Newell, Nicholson; also Representative(s) Ginal	8
	and Primavera, Schafer--Concerning the development of a system to improve quality of	9
	care to patients suffering specified acute incidents, and, in connection therewith, requiring	10
	the department of public health and environment to develop a system for designating	11
	hospitals based on their ability to treat stroke and heart attack patients and to maintain	12
	stroke and STEMI heart attack databases to enable the compilation of information and	13
	statistics on the care provided to stroke and STEMI heart attack patients.	14
	Health & Human Services	15
		16
		17
HB13-1123	by Representative(s) Exum; also Senator(s) Kerr--Concerning the right of a person to waive	18
	confidentiality requirements protecting personal work information obtained by the	19
	department of labor and employment for unemployment benefit claims to permit the	20
	department to forward certain information to potential employers.	21
	Business, Labor, & Technology	22
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HB13-1138	by Representative(s) Lee; also Senator(s) Kefalas--Concerning benefit corporations, and, in	25
	connection therewith, making an appropriation.	26
	Business, Labor, & Technology	27
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		29
HB13-1190	by Representative(s) Moreno, Young; also Senator(s) Heath--Concerning allowing a	30
	taxpayer to make a donation to an intermediary nonprofit organization for the enterprise	31
	zone contribution tax credit.	32
	Business, Labor, & Technology	33
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HB13-1200	by Representative(s) Gardner; also Senator(s) Roberts--Concerning the "Uniform Deployed	36
	Parents Custody and Visitation Act".	37
	Judiciary	38
		39
		40
HB13-1204	by Representative(s) Gardner; also Senator(s) Ulibarri--Concerning the "Uniform	41
	Premarital and Marital Agreements Act".	42
	Judiciary	43
		44
		45
HB13-1208	by Representative(s) Duran; also Senator(s) Newell--Concerning creative districts, and, in	46
	connection therewith, authorizing the creative industries division of the Colorado office of	47
	economic development to offer incentives in the form of need-based funding for	48
	infrastructure development in state-certified creative districts and to provide such funding	49
	from any moneys appropriated to the creative industries cash fund for that purpose.	50
	Local Government	51
		52
		53
HB13-1225	by Representative(s) Levy, Fischer; also Senator(s) Kefalas and Nicholson--Concerning	54
	additional protections for homeowner's insurance policyholders in Colorado, and, in	55
	connection therewith, enacting the "Homeowner's Insurance Reform Act of 2013".	56
	Local Government	57
		58
		59
HB13-1243	by Representative(s) Young, Buckner, Court, Duran, Gardner, Kagan, Lee, McLachlan,	60
	Pettersen, Salazar; also Senator(s) Ulibarri--Concerning factual findings included in	61
	parenting time orders.	62
	Judiciary	63
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COMMITTEE OF REFERENCE REPORTS

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Finance	The Committee on <u>Finance</u> has had under consideration and has had a hearing on the	3
	following appointments and recommends that the appointments be confirmed:	4
		5
	MEMBERS OF THE	6
	<u>ADVISORY COMMITTEE TO THE PROPERTY</u>	7
	<u>TAX ADMINISTRATOR</u>	8
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	for terms expiring September 1, 2016:	11
	Mark D. Chapin of Eagle, Colorado, to serve as an assessor from a county with a	12
	population under 75,000 and as a Democrat, appointed;	13
		14
	Robyn A. Kashiwa of Denver, Colorado, to serve as a non-assessor from a county with a	15
	population over 75,000, as the Chair of the Committee and as a Democrat, appointed;	16
		17
	Philip Brent Vaughan of Rifle, Colorado, to serve as a non-assessor from the Western	18
	Slope and as a Republican, appointed.	19
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		21
Finance	The Committee on <u>Finance</u> has had under consideration and has had a hearing on the	22
	following appointments and recommends that the appointments be confirmed:	23
		24
	MEMBERS OF THE	25
	<u>COLORADO LIMITED GAMING CONTROL COMMISSION</u>	26
		27
		28
	for a term expiring July 1, 2013:	29
	Sheriff Douglas N. Darr of Thornton, Colorado, to fill the vacancy occasioned by the	30
	removal of Chief Philip J. Baca of Commerce City, Colorado, to serve as a member from	31
	the Seventh Congressional District, and a representative of law enforcement and as a	32
	Democrat, appointed;	33
		34
	for a term expiring July 1, 2015:	35
	William Arthur Hughes of Centennial, Colorado, to serve as a member from the Sixth	36
	Congressional District and to serve as a representative for CPAs, corporate finance and as	37
	a Republican and occasioned by the resignation of Robert M. Webb of Golden, Colorado,	38
	appointed;	39
		40
	for a term expiring July 1, 2016:	41
	Charles J. Murphy of Colorado Springs, Colorado, representing registered electors, and as	42
	a Democrat, reappointed.	43
		44
		45
Trans- portation	The Committee on <u>Transportation</u> has had under consideration and has had a hearing on	46
	the following appointments and recommends that the appointment be confirmed:	47
		48
	MEMBER OF THE	49
	<u>TRANSPORTATION COMMISSION</u>	50
		51
		52
	for a term expiring July 1, 2015:	53
	Steven Leon Hofmeister of Haxtun, Colorado, to serve as a commissioner from the	54
	eleventh district, and occasioned by the resignation of Kimbra L. Killin of Holyoke,	55
	Colorado, appointed.	56
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	THIRD READING OF BILLS -- FINAL PASSAGE --	61
	CONSENT CALENDAR	62
		63
	On third reading, the titles of the following bills were publicly read, the reading at length	64
	having been dispensed with by unanimous consent:	65
		66
		67
HB13-1219	by Representative(s) Hamner, Priola, Murray, Holbert, Peniston, Pettersen, Young; also	68
	Senator(s) Todd, Hudak, Johnston--Concerning statutory changes to K-12 education.	69

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

YES	32	NO	0	EXCUSED	3	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	E	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	E	Hodge	E	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Heath, Kerr and Newell.

SB13-019 by Senator(s) Schwartz; also Representative(s) Fischer--Concerning the promotion of water conservation measures.

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

YES	32	NO	0	EXCUSED	3	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	E	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	E	Hodge	E	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Aguilar, Carroll, Heath, Jones, Kefalas, Kerr, King, Newell, Tochtrop and Todd.

SB13-159 by Senator(s) Jahn; also Representative(s) Court--Concerning continuation of the division of financial services.

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

YES	32	NO	0	EXCUSED	3	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	E	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	E	Hodge	E	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

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:

HB13-1058 by Representative(s) McCann; also Senator(s) Kerr--Concerning guidelines for the determination of spousal maintenance.

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

Third Reading Amendment No. 1(L.005), by Senator Kerr.

Amend revised bill, page 18, line 8, strike "PARAGRAPH (b) OF THIS SUBSECTION (5) AND".

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	E	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

YES	23	NO	11	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	E	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Aguilar, Guzman, Heath, Newell and Steadman.

SB13-071 by Senator(s) Hudak; also Representative(s) Fields--Concerning uniquely identifying student numbers for persons enrolled in adult education programs.

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

YES	22	NO	12	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	Y	Hill	N	Lambert	N	Steadman	Y
Cadman	E	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Newell.

HB13-1054 by Representative(s) Melton and Exum; also Senator(s) Tochtrop--Concerning lessening the reduction of unemployment insurance benefits required when a claimant withdraws amounts from a retirement plan as a result of unemployment.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	E	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Newell and Todd.

HB13-1012 by Representative(s) Gerou and Levy; also Senator(s) Roberts and Nicholson--Concerning the extension of financial incentives for wildfire mitigation.

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

YES	33	NO	1	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	E	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Aguilar, Carroll, Heath, Hodge, Jones, Kefalas, Kerr, King, Lambert, Morse, Newell, Schwartz and Todd.

SB13-188 by Senator(s) Tochtrop and Schwartz; also Representative(s) Vigil and Rankin--
Concerning a program to give landowners a preference for hunting licenses to encourage
hunting on private property, and, in connection therewith, making an appropriation.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	E	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Crowder and King.

SB13-165 by Senator(s) Todd, Jahn, Marble; also Representative(s) Wilson--Concerning authorizing a
limited number of baccalaureate degrees that may be offered in the community college
system.

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

YES	30	NO	4	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	N	Scheffel	Y
Baumgardner	Y	Heath	N	King	N	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	E	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	N
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Brophy, Crowder, Grantham, Lundberg, Tochtrop and Ulibarri.

IMMEDIATE RECONSIDERATION OF SB13-165

SB13-165 by Senator(s) Todd, Jahn, Marble; also Representative(s) Wilson--Concerning authorizing a
limited number of baccalaureate degrees that may be offered in the community college
system.

Having voted on the prevailing side, Majority Leader Carroll moved for immediate
reconsideration of the last Senate action, Third Reading of Bills -- Final Passage, on
SB13-165.

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

On third reading, the titles of the following bill was publicly read, the reading at length having been dispensed with by unanimous consent:

SB13-165 by Senator(s) Todd, Jahn, Marble; also Representative(s) Wilson--Concerning authorizing a limited number of baccalaureate degrees that may be offered in the community college system.

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

YES	29	NO	5	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	N	Scheffel	Y
Baumgardner	Y	Heath	N	King	N	Schwartz	N
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	E	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	N
Grantham	Y	Jones	Y	Renfroe	Y		

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

Committee of the Whole On motion of Senator Kefalas, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Kefalas was called to the chair to act as Chairman.

GENERAL 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:

SB13-185 by Senator(s) Nicholson; also Representative(s) Primavera--Concerning expansion of the types of activities that are eligible for grants under the tobacco education, prevention, and cessation grant program.

Laid over until Thursday, March 21, retaining its place on the calendar..

SB13-180 by Senator(s) Aguilar; also Representative(s) Singer--Concerning the continuation of the regulation of the practice of occupational therapy, and, in connection therewith, requiring occupational therapists and occupational therapy assistants to obtain a license from the department of regulatory agencies, modifying provisions governing the supervision of occupational therapy assistants, adding grounds for disciplining licensees, requiring licensees to maintain professional competency, authorizing licensees to enter into agreements to limit practice when suffering from a physical or mental condition, and making an appropriation.

Amendment No. 1, Health & Human Services Committee Amendment.
 (Printed in Senate Journal, March 8, page(s) 433-436 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
 (Printed in Senate Journal, March 15, page(s) 521-522 and placed in members' bill files.)

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

SB13-157 by Senator(s) Heath, Tochtrop; also Representative(s) Kraft-Tharp and Exum--Concerning the continuation of the "Colorado Work Share Program".

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

HB13-1011 by Representative(s) Young and Hamner, Fischer, Priola, Scott, Tyler, Williams; also Senator(s) Hudak and Schwartz, King, Jones--Concerning the repeal of the fee for the branch-of-service identifier on cards issued by the department of revenue, and, in connection therewith, making an appropriation.

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

HB13-1232 by Representative(s) McLachlan; also Senator(s) King--Concerning fishing licenses for people who are in the warrior transition battalion due to service in the United States armed forces.

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	E	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB13-180 as amended, SB13-157, HB13-1011, HB13-1232.
Laid over until Thursday, March 21: SB13-185.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Tuesday, March 19, 2013, at 1:48 p.m.:
SB13-011 and 187.

CHANGE IN SPONSORSHIP

Upon announcement of President Morse, Representative Sonnenberg will be added as joint prime sponsor with Representative Williams on SB13-191.

TRIBUTES

Honoring:

- In recognition of outstanding academic achievement byVanessa Aguilar-Loarca -- By
Senator Lucia Guzman and Representative Dan Pabon.

In recognition of outstanding academic achievement by Gregory Anderson -- By
Senator Lucia Guzman and Representative Dan Pabon.

In recognition of outstanding academic achievement by Ruben Armendarez -- By
Senator Lucia Guzman and Representative Dan Pabon.

In recognition of outstanding academic achievement by Elena Barragan -- By Senator
Lucia Guzman and Representative Dan Pabon.

In recognition of outstanding academic achievement by Daniel Bautista -- By Senator
Lucia Guzman and Representative Dan Pabon.

In recognition of outstanding academic achievement by Helena Cappon -- By Senator
Lucia Guzman and Representative Dan Pabon.

In recognition of March 14 as “Multiple Sclerosis Awareness Day” -- By Senator Linda
Newell.

Timothy R. Palese, Achieved Eagle Scout -- By Senator Kerr.

On motion of Majority Leader Carroll, the Senate adjourned until 9:00 a.m., Thursday,
March 21, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

72nd Legislative Day Thursday, March 21, 2013

Prayer By the chaplain, Reverend Cynthia James, Mile Hi Church, Lakewood.

Call to Order By the President at 9:00 a.m.

Pledge By Senator Balmer.

Roll Call Present--34
Excused--1, Brophy.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Kefalas, reading of the Journal of Wednesday, March 20, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Agriculture, Natural Resources, & Energy After consideration on the merits, the Committee recommends that HB13-1234 be referred to the Committee on Appropriations with favorable recommendation.

Agriculture, Natural Resources, & Energy The Committee on Agriculture, Natural Resources, & Energy has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

MEMBERS OF THE
COLORADO WATER CONSERVATION BOARD

for terms expiring February 12, 2016:
James R.L. "Jay" Gallagher of Steamboat Springs, Colorado, to serve as a representative from the Yampa-White drainage basin and as a Democrat, appointed;
Patricia Wells of Denver, Colorado, to serve as a representative from the City and County of Denver and as a Democrat, appointed;
Russ George of Grand Junction, Colorado, to serve as a representative from the main Colorado drainage basin and as a Republican, reappointed.

Agriculture, Natural Resources, & Energy After consideration on the merits, the Committee recommends that HB13-1191 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 2, line 7, strike "SUBJECT TO APPROPRIATION" and substitute "CONTINUOUSLY APPROPRIATED TO THE DEPARTMENT".

Page 2, line 15, strike "FIVE PERCENT" and substitute "ONE HUNDRED THOUSAND DOLLARS PER FISCAL YEAR".

Business,
Labor, &
Technology

The Committee on Business, Labor, & Technology has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

MEMBERS OF THE
COLORADO BANKING BOARD

for a term expiring July 1, 2013:

Cynthia Beth Dash of Parker, Colorado, an executive officer of a trust company, to fill the vacancy occasioned by the resignation of Scott G. Pearson of Highlands Ranch, Colorado, appointed;

for a term expiring July 1, 2015:

Diane S. Barrett of Denver, Colorado, to serve as a representative of the public, and occasioned by the resignation of Adam P. Coyle of Parker, Colorado, appointed;

for a term expiring July 1, 2016:

Ashley John Burt of Gunnison, Colorado, to serve as a representative of bankers, appointed;

effective July 1, 2013, for a term expiring July 1, 2017:

Cynthia Beth Dash of Parker Colorado, an executive officer of a trust company, reappointed.

Business,
Labor, &
Technology

The Committee on Business, Labor, & Technology has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

MEMBERS OF THE
BOARD OF MORTGAGE LOAN ORIGINATORS

for terms expiring August 10, 2016:

Julie I. Piepho of Fort Collins, Colorado, a licensed mortgage loan originator, reappointed;

Leslie J. Mitchell of Denver, Colorado, a member of the public at large, reappointed;

Bruce M. Jordan of Denver, Colorado, a licensed mortgage loan originator, appointed.

Business,
Labor, &
Technology

The Committee on Business, Labor, & Technology has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

MEMBERS OF THE
BOARD OF ASSESSMENT APPEALS

effective July 1, 2012 for terms expiring July 1, 2013:

MaryKay Kelley of Silverthorne, Colorado, reappointed;

Ann Louesa Maricle of Denver, Colorado, reappointed;

Gregg A. Near of Lakewood, Colorado, reappointed;

Amy J. Williams of Hayden, Colorado, engaged in agricultural, reappointed.

Business, Labor, & Technology	The Committee on Business, Labor, & Technology has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:	1
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	<div>MEMBERS OF THE</div> <div><u>PUBLIC UTILITIES COMMISSION</u></div> <div><u>OF THE STATE OF COLORADO</u></div>	5
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	effective June 21, 2012, for a term expiring the Monday preceding the second Tuesday in January 2016:	10
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	Pamela J. Patton of Bayfield, Colorado, to serve as a Democrat, appointed;	13
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	effective January 7, 2013 for a term expiring the Monday preceding the second Tuesday in January, 2017:	15
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	James K. Tarpey of Englewood, Colorado, a Republican, reappointed.	18
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Business, Labor, & Technology	After consideration on the merits, the Committee recommends that SB13-158 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	21
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	Amend printed bill, page 3, strike lines 8 through 23 and substitute the following:	26
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	" SECTION 2. In Colorado Revised Statutes, 24-4-103, amend (2), (2.5), (4) (a), and (8.1) (b) (V); and repeal (4.5) as follows:	29
	24-4-103. Rule-making - procedure - definitions - repeal.	30
	(2) When rule-making is contemplated, public announcement thereof may be made at such time and in such manner as the agency determines. The agency shall establish a representative group of participants with an interest in the subject of the rule-making to submit views or otherwise participate informally in conferences on the proposals under consideration, INCLUDING PROVIDING INPUT ON THE ELEMENTS OF A REGULATORY ANALYSIS OF PROPOSED RULES AS PROVIDED IN SUBSECTION (2.5) OF THIS SECTION, or to participate in the public rule-making proceedings on the proposed rules. In establishing the representative group, the agency shall make diligent attempts to solicit input from representatives of each of the various stakeholder interests that may be affected positively or negatively by the proposed rules. If the agency convenes a representative group prior to issuing a notice of proposed rule-making as provided in paragraph (a) of subsection (3) of this section, the agency shall add those persons who participated in the representative group to the list of persons who receive notification of proposed rule-making as provided in paragraph (b) of subsection (3) of this section.	31
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	(2.5) (a) At the time of filing a notice of proposed rule-making with the secretary of state as the secretary may require, an agency shall submit a draft of the proposed rule or the proposed amendment to an existing rule and INCLUDE a statement, in plain language, concerning the subject matter or purpose of the proposed rule or amendment AND, IN A SEPARATE CLEARLY MARKED SECTION, A REGULATORY ANALYSIS TO THE SECRETARY OF STATE AND to the office of the executive director in the department of regulatory agencies. The executive director, or his or her designee, may determine if the proposed rule or amendment may have a negative impact on economic competitiveness or on small business in Colorado. If the executive director, or his or her designee, determines that the proposed rule or amendment may have such negative impact, he or she may direct the submitting agency to perform a cost-benefit analysis of the rule or amendment. If the executive director, or his or her designee, makes such a request, it shall be made at least twenty days before the date of the hearing on the rule or amendment. The agency receiving such request shall complete a cost-benefit analysis at least five days before the hearing on the rule or amendment, shall make the analysis available to the public, and shall submit a copy to the executive director or his or her designee. Failure to complete a requested	41
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cost-benefit analysis pursuant to this subsection (2.5) shall preclude the adoption of such rule or amendment. Such cost-benefit analysis shall include TO THE EXTENT PRACTICABLE the following:

(I) ~~The reason for the rule or amendment~~ A DESCRIPTION OF THE CLASSES OF PERSONS WHO WILL BE AFFECTED BY THE PROPOSED RULE OR AMENDMENT, INCLUDING CLASSES THAT WILL BEAR THE COSTS OF AND CLASSES THAT WILL BENEFIT FROM THE PROPOSED RULE OR AMENDMENT;

(II) The anticipated, PROBABLE economic benefits of the rule or amendment; ~~which shall include economic growth, the creation of new jobs, and increased economic competitiveness;~~

(III) The anticipated, PROBABLE costs of the rule or amendment, which shall include the direct costs to the government to administer the rule or amendment and the direct and indirect costs to SMALL business and other entities required to comply with the rule or amendment;

(IV) A COMPARISON OF THE ANTICIPATED, PROBABLE COSTS AND BENEFITS OF THE PROPOSED RULE TO THE ANTICIPATED PROBABLE COSTS AND BENEFITS OF INACTION;

~~(IV)~~ (V) Any ANTICIPATED, PROBABLE adverse effects on the economy, consumers, private markets, small businesses, job creation, and economic competitiveness; and

(VI) A DETERMINATION OF WHETHER THERE ARE LESS COSTLY METHODS OR LESS INTRUSIVE METHODS FOR ACHIEVING THE PURPOSE OF THE PROPOSED RULE OR AMENDMENT;

~~(V)~~ (VII) ~~At least two~~ A DESCRIPTION OF ANY alternatives to the proposed rule or amendment that ~~can be identified by the submitting~~ WERE SERIOUSLY CONSIDERED BY THE agency, ~~or a member of the public,~~ including the costs and benefits of pursuing each of the alternatives identified, AND THE REASONS WHY THEY WERE REJECTED IN FAVOR OF THE PROPOSED RULE OR AMENDMENT;

~~(b)~~ (VIII) ~~The executive director, or his or her designee, shall study the cost-benefit analysis and may urge~~ A DESCRIPTION OF HOW the agency ~~to revise~~ DRAFTED the rule or amendment to eliminate or reduce the any ANTICIPATED, PROBABLE negative economic impact. ~~The executive director, or his or her designee, may inform the public about the negative impact of the proposed rule or the proposed amendment to an existing rule~~ IMPACTS.

(b) AFTER RECEIVING A REGULATORY ANALYSIS FROM A RULE-MAKING AGENCY, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REGULATORY AGENCIES SHALL POST THE REGULATORY ANALYSIS ON THE DEPARTMENT OF REGULATORY AGENCIES' WEB SITE.

~~(c) Any proprietary information provided to the department of revenue by a business or trade association for the purpose of preparing a cost-benefit analysis shall be confidential.~~

~~(d)~~ (c) If the agency has made a good faith effort to comply with the requirements of paragraph (a) of this subsection (2.5), the rule or amendment shall not be invalidated on the ground that the contents of the cost-benefit REGULATORY analysis are insufficient or inaccurate.

~~(e)~~ (d) This subsection (2.5) shall not apply to: ~~orders, licenses, permits, adjudication, or rules affecting the direct reimbursement of vendors or providers with state funds.~~

(I) RULES OR AMENDMENTS PROMULGATED BY THE DEPARTMENT OF REVENUE REGARDING THE ADMINISTRATION OF ANY TAX WHICH IS WITHIN THE AUTHORITY OF SAID DEPARTMENT;

(II) RULES OR AMENDMENTS REGARDING ANNUAL CHANGES TO HUNTING AND FISHING REGULATIONS;

(III) RULES OR AMENDMENTS THAT IMPLEMENT SPECIFIC SUBSTANTIVE RULES OR AMENDMENT REQUIREMENTS OF LEGISLATION ENACTED BY THE GENERAL ASSEMBLY;

(IV) RULES OR AMENDMENTS THAT IMPLEMENT MANDATES OR REQUIREMENTS OF FEDERAL LAW OR FEDERAL RULES.

(e) NOTWITHSTANDING PARAGRAPH (d) OF THIS SUBSECTION (2.5) AND REGARDING ANY PROPOSED RULE OR AMENDMENT, AN AGENCY MAY, AT ANY TIME PRIOR TO THE PROMULGATION OF A RULE OR AMENDMENT NOT OTHERWISE SUBJECT TO A REGULATORY ANALYSIS, CONDUCT A REGULATORY ANALYSIS, OR A VARIATION OF A REGULATORY ANALYSIS, OF A PROPOSED RULE OF AMENDMENT, PROVIDING ADEQUATE TIME FOR PUBLIC INPUT.

(f) NOTWITHSTANDING ANY PROVISION OF THIS SUBSECTION (2.5) AND WITHIN TEN DAYS AFTER THE FILING OF THE NOTICE OF PROPOSED

RULE-MAKING, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REGULATORY AGENCIES MAY DIRECT AN AGENCY TO PERFORM A REGULATORY ANALYSIS, OR CONDUCT A MORE THOROUGH REGULATORY COST-BENEFIT ANALYSIS, WHEREUPON THE AGENCY SHALL SUSPEND THE RULE-MAKING TIME FRAMES TO CONDUCT SUCH ANALYSIS AND TO INCLUDE ADEQUATE TIME FOR PUBLIC INPUT, WHEN:

(I) THE EXECUTIVE DIRECTOR HAS CONSULTED WITH THE AGENCY ON THE NEED FOR SUCH AN ANALYSIS AND THE EXECUTIVE DIRECTOR DETERMINES THAT SUCH AN ANALYSIS IS WARRANTED; OR

(II) ANY PERSON SUBMITS TO THE EXECUTIVE DIRECTOR WITHIN FIVE DAYS AFTER THE FILING OF THE NOTICE OF PROPOSED RULE-MAKING A REQUEST THAT THE AGENCY CONDUCT A REGULATORY ANALYSIS, OR A MORE THOROUGH REGULATORY COST-BENEFIT ANALYSIS, AND THE EXECUTIVE DIRECTOR, AFTER CONSULTATION WITH THE AGENCY, DETERMINES THAT SUCH AN ANALYSIS IS WARRANTED.

(g) NOTWITHSTANDING THE REQUIREMENTS OF THIS SUBSECTION (2.5), FOR ANY RULE THAT HAS BEEN EXEMPTED PURSUANT TO PARAGRAPH (d) OF THIS SUBSECTION (2.5) FROM THE REQUIREMENT OF PREPARING A REGULATORY ANALYSIS, THE AGENCY SHALL PREPARE A REGULATORY ANALYSIS UPON THE REQUEST OF ANY PERSON MADE AT LEAST FIFTEEN DAYS PRIOR TO THE RULE-MAKING HEARING.

~~(f)~~ (h) (I) This subsection (2.5) is repealed, effective July 1, 2013 2018.

(II) Prior to such repeal, the provisions regarding the preparation of a cost-benefit analysis pursuant to this subsection (2.5) shall be reviewed as provided for in section 24-34-104, C.R.S.

(4) (a) At the place and time stated in the notice, the agency shall hold a public hearing at which it shall afford interested persons an opportunity to submit written data, views, or arguments and to present the same orally unless the agency deems it unnecessary. The agency shall consider all such submissions. Any proposed rule or revised proposed rule by an agency which is to be considered at the public hearing, together with a proposed statement of basis, specific statutory authority, purpose, and the regulatory analysis, IF ONE WAS PREPARED AS required in subsection ~~(4.5)~~ (2.5) of this section, OR THE REGULATORY COST-BENEFIT ANALYSIS, IF ONE WAS PREPARED AS REQUIRED IN SUBSECTION (2.5) OF THIS SECTION, shall be made available to any person at least five days prior to said hearing. The rules promulgated by the agency shall be based on the record, which shall consist of proposed rules, evidence, exhibits, and other matters presented or considered, matters officially noticed, rulings on exceptions, any findings of fact and conclusions of law proposed by any party, and any written comments or briefs filed.

~~(4.5) (a) Upon request of any person, at least fifteen days prior to the hearing, the agency shall issue a regulatory analysis of a proposed rule. The regulatory analysis shall contain:~~

~~(I) A description of the classes of persons who will be affected by the proposed rule, including classes that will bear the costs of the proposed rule and classes that will benefit from the proposed rule;~~

~~(II) To the extent practicable, a description of the probable quantitative and qualitative impact of the proposed rule, economic or otherwise, upon affected classes of persons;~~

~~(III) The probable costs to the agency and to any other agency of the implementation and enforcement of the proposed rule and any anticipated effect on state revenues;~~

~~(IV) A comparison of the probable costs and benefits of the proposed rule to the probable costs and benefits of inaction;~~

~~(V) A determination of whether there are less costly methods or less intrusive methods for achieving the purpose of the proposed rule; and~~

~~(VI) A description of any alternative methods for achieving the purpose of the proposed rule that were seriously considered by the agency and the reasons why they were rejected in favor of the proposed rule.~~

~~(b) Each regulatory analysis shall include quantification of the data to the extent practicable and shall take account of both short-term and long-term consequences.~~

~~(c) The regulatory analysis shall be available to the public at least five days prior to the rule-making hearing.~~

~~(d) If the agency has made a good faith effort to comply with the requirements of paragraphs (a) to (c) of this subsection (4.5), the rule shall not be invalidated on the ground that the contents of the regulatory analysis are insufficient or inaccurate.~~
~~(e) Nothing in paragraphs (a) to (c) of this subsection (4.5) shall limit an agency's discretionary authority to adopt or amend rules.~~
~~(f) The provisions of this subsection (4.5) shall not apply to rules and regulations promulgated by the department of revenue regarding the administration of any tax which is within the authority of said department.~~
(8.1) (b) The agency rule-making record shall contain:
(V) A copy of any regulatory analysis or ANY REGULATORY cost-benefit analysis prepared for the proceeding upon which the rule was based, if applicable, and any formal statement made to the agency promulgating the rule by the executive director of the department of regulatory agencies regarding such cost-benefit analysis;".

Strike pages 4 through 8.

Page 9, strike lines 1 through 14 and substitute:

"SECTION 3. In Colorado Revised Statutes, 24-34-104, add (49.5) (e); and repeal (44) (o) as follows:".

Page 9, after line 20, insert:

"(49.5) The following agencies, functions, or both, shall terminate on September 1, 2018:
(e) THE REQUIREMENTS AND PROCEDURES REGARDING THE PREPARATION OF A REGULATORY ANALYSIS OR A REGULATORY COST-BENEFIT ANALYSIS IN ACCORDANCE WITH SECTION 24-4-103 (2.5);".

Business,
Labor, &
Technology

After consideration on the merits, the Committee recommends that **HB13-1046** be referred to the Committee on Appropriations with favorable recommendation.

State,
Veterans, &
Military
Affairs

After consideration on the merits, the Committee recommends that **HB13-1135** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 5, line 26, after "(2)" insert "(a)" and strike "PRIOR TO THE".

Page 5, strike line 27 and substitute "FOR A PREREGISTRANT WHO WILL NOT TURN EIGHTEEN YEARS OF AGE BY THE DATE OF THE NEXT ELECTION, A".

Page 6, line 1, strike "COUNTY CLERK AND RECORDER" and substitute "DESIGNATED ELECTION OFFICIAL".

Page 6, after line 3 insert:

"(b) THE VOTER INFORMATION PROVIDED BY A PREREGISTRANT WHO WILL NOT TURN EIGHTEEN YEARS OF AGE BY THE DATE OF THE NEXT ELECTION SHALL BE TREATED AS CONFIDENTIAL IN ACCORDANCE WITH THE PROCEDURES SET FORTH IN SECTION 24-72-204 (3.5), C.R.S.; EXCEPT THAT NO REQUEST OR FEE FOR SUCH CONFIDENTIALITY IS REQUIRED. WHEN THE PREREGISTRANT WILL BE EIGHTEEN YEARS OF AGE ON THE DATE OF THE NEXT ELECTION, SUCH INFORMATION IS NO LONGER CONFIDENTIAL UNDER THIS PARAGRAPH (b)".

State,
Veterans, &
Military
Affairs

After consideration on the merits, the Committee recommends that **HB13-1147** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that HB13-1139 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	1 2 3 4 5
State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that HB13-1119 be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	6 7 8 9 10
State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that SCR13-001 be postponed indefinitely .	11 12 13 14 15
Judiciary	The Committee on <u>Judiciary</u> has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:	16 17 18
	<div>MEMBERS OF THE STATE BOARD OF PAROLE</div>	19 20 21 22
	for a term expiring July 1, 2013: Brandon Cary Shaffer of Longmont, Colorado, to fill the vacancy occasioned by the resignation of Patricia Ann Waak of Erie, Colorado, and to serve as a citizen representative, appointed;	23 24 25 26 27
	further, for a term expiring July 1, 2016: Brandon Cary Shaffer of Longmont, Colorado, to serve as a citizen representative, reappointed;	28 29 30 31
	effective April 15, 2013 for a term expiring July 1, 2013: Joe Martin Morales of Silverthorne, Colorado, to fill the vacancy occasioned by the resignation of Mike Anderson of Denver, Colorado and to serve as a law enforcement representative, appointed;	32 33 34 35 36
	further, for a term expiring July 1, 2016: Joe Martin Morales of Silverthorne, Colorado, to serve as a law enforcement representative, reappointed; and	37 38 39 40
	further, effective immediately for a term expiring at the pleasure of the Governor: Brandon Cary Shaffer of Longmont, Colorado, to serve as Vice Chairperson of the State Board of Parole, appointed.	41 42 43 44 45
Health & Human Services	The Committee on <u>Health & Human Services</u> has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:	46 47 48 49
	<div>MEMBERS OF THE COLORADO COMMISSION ON THE AGING</div>	50 51 52 53
	for terms expiring July 1, 2014:	54 55
	Ruth E. Long of Fort Collins, Colorado, to serve as a Democrat from the Second Congressional District, reappointed;	56 57 58
	Bobbie Mecalo of Centennial, Colorado, to serve as a Republican from the Sixth Congressional District, appointed;	59 60 61
	Gail Evelyn Ploen of Centennial, Colorado, to serve as a Democrat from the Sixth Congressional District, appointed;	62 63 64
	for terms expiring July 1, 2016:	65 66
	Alice Langley of Denver, Colorado, to serve as a Republican from the First Congressional District, reappointed;	67 68 69

Jeanette Hensley of Grand Junction, Colorado, to serve as a Democrat from the Third Congressional District, appointed;
Judy P. Hensley of La Junta, Colorado, to serve as a Democrat from the Fourth Congressional District, appointed;
Marvin Joseph Urban of Colorado Springs, Colorado, to serve as a Democrat from the Fifth Congressional District, appointed;
Dar Wynn Vriesman of Westminster, Colorado, to serve as a Republican from the Seventh Congressional District, appointed.

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Health & Human Services

After consideration on the merits, the Committee recommends that **SB13-205** be **referred** to the Committee of the Whole with favorable recommendation.

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Health & Human Services

After consideration on the merits, the Committee recommends that **HB13-1223** be **amended** as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

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Amend reengrossed bill, page 2, strike line 3 and substitute "(4) (a) introductory portion, (4) (a) (XVII), and (4) (a) (XVIII); and **add** (4) (a) (XIX) and (4) (e) as follows:".

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Page 2, after line 8 insert:

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"(XVII) The number of lives insured under each benefit plan the carrier offers to small employers; ~~and~~

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(XVIII) The cost of providing or arranging health care services;

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AND

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(XIX) A LIST OF EACH INTERMEDIARY WITH WHOM THE CARRIER HAS A CONTRACTUAL RELATIONSHIP.".

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Health & Human Services

After consideration on the merits, the Committee recommends that **HB13-1221** be **referred** to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

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Health & Human Services

After consideration on the merits, the Committee recommends that **HB13-1202** be **referred** to the Committee of the Whole with favorable recommendation.

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SENATE SERVICES REPORT

Correctly Printed: SB13-222, 223, 224 and 225; SM13-002.
Correctly Engrossed: SB13-157 and 180.
Correctly Reengrossed: SB13-019, 071, 159, 165 and 188.
Correctly Revised: HB13-1011 and 1232.
Correctly Rerevised: HB13-1012, 1054, 1058 and 1219.
Correctly Enrolled: SB13-152 and 163.

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INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

SJR13-019

by Senator(s) Jahn; also Representative(s) Williams--Concerning recognition of "Single Parents' Day".

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On motion of Senator Jahn, the resolution was **adopted** by the following roll call vote:

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YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	E	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Co-sponsor(s) added: Aguilar, Balmer, Baumgardner, Cadman, Carroll, Crowder, Giron, Grantham, Guzman, Harvey, Heath, Hill, Hodge, Hudak, Johnston, Jones, Kefalas, Kerr, King, Lambert, Lundberg, Marble, Morse, Newell, Nicholson, Renfroe, Roberts, Scheffel, Schwartz, Steadman, Tochtrop, Todd and Ulibarri.

INTRODUCTION OF BILLS -- FIRST READING

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

- SB13-226

by Senator(s) Balmer and Guzman; also Representative(s) Court and Coram--Concerning the creation of the "Dog Protection Act".
Judiciary
- SB13-227

by Senator(s) Carroll and Hudak, Aguilar, Cadman, Giron, Guzman, Harvey, Heath, Jahn, Jones, Kerr, King, Morse, Newell, Nicholson, Roberts, Schwartz, Todd, Ulibarri; also Representative(s) Landgraf, Buck, Gardner, Humphrey, Lebsock, Melton, Mitsch Bush, Navarro, Priola, Rankin, Saine, Schafer, Stephens, Vigil, Wilson, Young--Concerning methods to protect the victim of a sexual assault in cases where a child was conceived as a result of the sexual assault.
Judiciary
- SB13-228

by Senator(s) Aguilar, Tochtrop; also Representative(s) Kraft-Tharp--Concerning deceptive trade practices related to the dispensing of hearing aids.
Health & Human Services
- SB13-229

by Senator(s) Guzman; also Representative(s) Kagan--Concerning changes to statutory provisions related to criminal proceedings.
Judiciary
- HB13-1183

by Representative(s) Levy and Gerou, Duran; also Senator(s) Lambert, Hodge, Steadman--Concerning the imposition of a cap of forty-five million dollars on the total amount of state income tax credits that may be claimed by all taxpayers each year for the donation of a conservation easement in gross.
Finance

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:

- SB13-180

by Senator(s) Aguilar; also Representative(s) Singer--Concerning the continuation of the regulation of the practice of occupational therapy, and, in connection therewith, requiring occupational therapists and occupational therapy assistants to obtain a license from the department of regulatory agencies, modifying provisions governing the supervision of occupational therapy assistants, adding grounds for disciplining licensees, requiring licensees to maintain professional competency, authorizing licensees to enter into agreements to limit practice when suffering from a physical or mental condition, and making an appropriation.

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	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	E	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Guzman, Kefalas, Newell, Nicholson, Schwartz and Todd.

SB13-157 by Senator(s) Heath, Tochtrop; also Representative(s) Kraft-Tharp and Exum--Concerning the continuation of the "Colorado Work Share Program".

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

Third Reading Amendment No. 1(L.002), by Senator Heath.

Amend engrossed bill, page 4, strike lines 23 through 27 and substitute:

"OF 2012", SUBTITLE D OF TITLE II OF PUB.L. 112-96, unemployment compensation benefits paid to an employee pursuant to this part 2 shall be charged to the account of the employer participating in the work share plan in the same manner as regular benefits pursuant to section 8-73-108 (3) (e) (I)".

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	E	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

YES	20	NO	14	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	E	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Jones, Kefalas and Ulibarri.

HB13-1011 by Representative(s) Young and Hamner, Fischer, Priola, Scott, Tyler, Williams; also Senator(s) Hudak and Schwartz, King, Jones--Concerning the repeal of the fee for the branch-of-service identifier on cards issued by the department of revenue, 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	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	E	Hill	Y	Lambert	Y	Steadman	N
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Aguilar, Cadman, Guzman, Heath, Kefalas and Newell.

HB13-1232 by Representative(s) McLachlan; also Senator(s) King--Concerning fishing licenses for people who are in the warrior transition battalion due to service in the United States armed forces.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	E	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Aguilar, Balmer, Baumgardner, Cadman, Carroll, Crowder, Giron, Grantham, Guzman, Harvey, Heath, Hill, Hodge, Hudak, Jahn, Johnston, Jones, Kefalas, Kerr, Lambert, Lundberg, Marble, Morse, Newell, Nicholson, Renfroe, Roberts, Scheffel, Schwartz, Steadman, Tochtrop, Todd and Ulibarri.

Committee of the Whole
 On motion of Senator Guzman, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Guzman was called to the Chair to act as Chairman.

GENERAL ORDERS -- SECOND READING OF BILLS --
 CONSENT CALENDAR

The Committee of the Whole having risen, the Chairman reported that the following bill, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB13-1124
 by Representative(s) Pabon and Stephens, Williams, Melton; also Senator(s) Jahn, Tochtrop--Concerning the reduction of improper unemployment insurance benefit payments through compliance with the federal "Trade Adjustment Assistance Extension Act of 2011", and, in connection therewith, making an appropriation.

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	E	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB13-1124.
 Laid over to the end of the General Orders -- Second Reading of Bills calendar, Thursday, March 21: HB13-1025.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the General Orders -- Second Reading of Bills Calendar (SB13-185, HB13-1025) of Thursday, March 21 was laid over until Friday, March 22, retaining its place on the calendar.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS --
 CONSENT CALENDAR

On motion of Majority Leader Carroll, the following Governor's appointments were confirmed by roll call vote:

MEMBER OF THE
 STATE PERSONNEL BOARD

effective June 30, 2012 for a term expiring June 30, 2017:

Teresa R. Salerno of Denver, Colorado, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	E	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

MEMBERS OF THE
SPECIAL FUNDS BOARD FOR
WORKERS' COMPENSATION SELF INSURERS

for terms expiring July 1, 2015:

- John F. Zimmerman of Castle Pines, Colorado, a manager or employee of self-insured employers in good standing, with knowledge of risk management and finance, reappointed;
- Ondrea Marie Charles Matthews of Wheat Ridge, Colorado, a manager or employee of self-insured employers in good standing, appointed;

for a term expiring July 1, 2016:

- Richard M. Osborn of Denver, Colorado, a manager or employee of self-insured employers in good standing, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	E	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

On motion of Majority Leader Carroll, the Senate adjourned until 9:00 a.m., Friday, March 22, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

73rd Legislative Day Friday, March 22, 2013

Prayer By the chaplain, Rabbi Yossi Serebryanski, Chabad of South Denver.

Call to Order By the President at 9:00 a.m.

Pledge By Senator Balmer.

Roll Call Present--35

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Kefalas, reading of the Journal of Thursday, March 21, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Trans- After consideration on the merits, the Committee recommends that **HB13-1022** be **referred** to the Committee on Appropriations with favorable recommendation.

portation

Trans- After consideration on the merits, the Committee recommends that **HB13-1071** be **referred** to the Committee on Appropriations with favorable recommendation.

portation

Education After consideration on the merits, the Committee recommends that **SB13-178** be **referred** to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Education After consideration on the merits, the Committee recommends that **SB13-201** be **referred** to the Committee of the Whole with favorable recommendation.

Education The Committee on Education has had under consideration and has had a hearing on the following appointment and recommends that the appointment be confirmed:

MEMBER OF THE
BOARD OF TRUSTEES FOR THE COLORADO
SCHOOL FOR THE DEAF AND THE BLIND

for a term expiring July 1, 2015:
David Dawson of Boulder, Colorado, a Democrat, reappointed.

Education The Committee on Education has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

MEMBERS OF THE
COLORADO COMMISSION ON HIGHER EDUCATION

for terms expiring July 1, 2016:
Barbara J. "BJ" Scott of Colorado Springs, Colorado, a resident of the 5th Congressional District and a Republican, reappointed;

Page 580	Senate Journal-73rd Day-March 22, 2013	
	Richard C. Kaufman of Centennial, Colorado, a resident of the 6th Congressional District and a Democrat, reappointed.	1 2 3 4
Education	The Committee on <u>Education</u> has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:	5 6 7
	MEMBERS OF THE COLORADO SCHOOL OF MINES, BOARD OF TRUSTEES	8 9 10
	effective January 1, 2013 for terms expiring December 31, 2016:	11 12
	Frances M. Vallejo of Houston, Texas, a Republican who is a graduate of the Colorado School of Mines, reappointed;	13 14
	Timothy John Haddon of Denver, Colorado, an Unaffiliated who is a graduate of the Colorado School of Mines, appointed.	15 16 17 18
Local Government	After consideration on the merits, the Committee recommends that SB13-191 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	19 20 21 22
	Amend printed bill, page 2, line 11, strike "article AND ALL OTHER APPLICABLE LAWS AND" and substitute "article, ALL OTHER APPLICABLE STATUTORY AND COMMON LAWS, AND ALL APPLICABLE".	23 24 25 26 27
	Page 4, line 7, after "upon" insert "GIVING NOTICE AND".	28 29 30
	Page 6, line 9, after "THE" insert "NOTICE REQUIREMENTS AND ALL OTHER" and strike "TITLE." and substitute "TITLE, WHERE APPLICABLE. IN ANY CONDEMNATION ACTION PURSUANT TO THIS ARTICLE, IN DETERMINING JUST COMPENSATION THE FINDER OF FACT MAY CONSIDER EVIDENCE OF DAMAGE TO THE REMAINDER OF THE PROPERTY CAUSED BY THE CONDEMNATION. SUCH EVIDENCE INCLUDES, BUT IS NOT LIMITED TO, EVIDENCE OF LOST PROPERTY VALUE CAUSED BY PUBLIC HEALTH AND SAFETY CONCERNS RELATED TO A PIPELINE.".	31 32 33 34 35 36 37 38 39
Local Government	After consideration on the merits, the Committee recommends that HB13-1060 be referred to the Committee of the Whole with favorable recommendation.	40 41 42 43
Agriculture, Natural Resources, & Energy	After consideration on the merits, the Committee recommends that SB13-202 be amended as follows, and as so amended, be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	44 45 46 47 48
	Amend printed bill, page 2, line 11, after "new" insert "and producing".	49 50 51
	Page 2, line 24, strike " amend " and substitute " add (15.5)".	52 53
	Page 2, line 25, strike "(15)".	54 55
	Page 3, strike lines 1 through 17 and substitute "(15.5) THE COMMISSION SHALL USE A RISK-BASED STRATEGY FOR".	56 57 58 59
Agriculture, Natural Resources, & Energy	After consideration on the merits, the Committee recommends that SB13-212 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	60 61 62 63
	Amend printed bill, page 6, line 7, after "portion," insert "(2) (a) (I)".	64 65 66
	Page 6, after line 14 insert:	67
	"(I) The following two ex officio members or their designees:	68 69

~~(A) The director of the Colorado energy office created in section 24-38.5-101 (1), C.R.S., OR THE DIRECTOR'S DESIGNEE; and~~

~~(B) The director of the Colorado office of economic development created in section 24-48.5-101 (1), C.R.S.;".~~

Page 6, line 15, strike "five" and substitute "five SIX".

Page 6, strike lines 20 and 21 and substitute:

~~(B) One member who has executive-level experience in the lending industry~~ TWO MEMBERS WHO EACH HAVE AT LEAST TEN YEARS OF EXECUTIVE-LEVEL EXPERIENCE WITH ONE OR MORE FINANCIAL INSTITUTIONS, AT LEAST ONE OF WHOM HAS HAD SUCH EXPERIENCE WITH ONE OR MORE FINANCIAL INSTITUTIONS HAVING TOTAL ASSETS OF LESS THAN ONE BILLION DOLLARS;".

Page 8, line 9, after the period add "THE APPLICATION PROCESS MUST REQUIRE THE APPLICANT TO SUBMIT WITH THE APPLICATION AN OWNERS AND ENCUMBRANCES STATEMENT ISSUED BY A DULY LICENSED COLORADO TITLE INSURANCE COMPANY WITHIN THIRTY DAYS BEFORE THE DATE THE APPLICATION IS SUBMITTED.".

Page 10, line 8, strike "(2) (b) and (7);" and substitute "(1) and (2) (b);".

Page 10, strike line 11 and substitute "**assessment roll - manner of collection.** (1) The approval by the district of a program application shall establish the qualified applicant who submitted the application as a district member, include the qualified applicant's eligible real property within the boundaries of the district, entitle the district member to reimbursement or a direct payment, and, subject to the provisions of subsection (3) of this section, constitute the consent of the district member to the levying of a special assessment on the district member's eligible real property in an amount that does not exceed the value of:

(a) The special benefit provided to the eligible real property by the new energy improvement; OR

(b) THE ELIGIBLE REAL PROPERTY.

(2) For the purpose of".

Page 10, strike lines 23 through 27.

Page 11, strike lines 1 through 9.

Page 11, line 24, strike "(i);" and substitute "(i) AND EACH CONSENT AND THE ASSESSMENT LIEN ARE RECORDED IN THE REAL ESTATE RECORDS OF THE COUNTY WHERE THE PROPERTY IS LOCATED. BEFORE THE RECORDING OF THE ASSESSMENT LIEN, THE APPLICANT MUST SUBMIT TO THE DISTRICT:

(A) WRITTEN CONSENT TO THE ASSESSMENT BY ALL INDIVIDUALS OR ENTITIES SHOWN ON THE OWNERS AND ENCUMBRANCES STATEMENT AS HOLDERS OF MORTGAGES OR DEEDS OF TRUST ENCUMBERING THE APPLICANT'S PROPERTY; AND

(B) EVIDENCE THAT THERE ARE NO DELINQUENT TAXES, SPECIAL ASSESSMENTS, OR WATER OR SEWER CHARGES ON THE PROPERTY; THAT THE PROPERTY IS NOT SUBJECT TO A TRUST DEED OR OTHER LIEN ON WHICH THERE IS A RECORDED NOTICE OF DEFAULT, FORECLOSURE, OR DELINQUENCY THAT HAS NOT BEEN CURED; AND THAT THERE ARE NO INVOLUNTARY LIENS, INCLUDING A LIEN ON REAL PROPERTY OR ON THE PROCEEDS OF A CONTRACT RELATING TO REAL PROPERTY, FOR SERVICES, LABOR, OR MATERIALS FURNISHED IN CONNECTION WITH THE CONSTRUCTION OR IMPROVEMENT OF THE PROPERTY;".

Health & Human Services

The Committee on Health & Human Services has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

MEMBERS OF THE
COLORADO HEALTH FACILITIES AUTHORITY
BOARD OF DIRECTORS

for terms expiring June 30, 2016:
Don Willis Marostica of Loveland, Colorado, a Republican, appointed
Kathryn S. Kanda of Denver, Colorado, a Democrat, appointed

Health & Human Services

After consideration on the merits, the Committee recommends that **SB13-204** be referred to the Committee on Appropriations with favorable recommendation.

Health & Human Services

After consideration on the merits, the Committee recommends that **SB13-137** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend printed bill, strike everything below the enacting clause and substitute:

"SECTION 1. In Colorado Revised Statutes, add 25.5-1-114.5 as follows:

25.5-1-114.5. Medicaid fraud detection - request for information. (1) IN ENACTING THIS SECTION, THE GENERAL ASSEMBLY INTENDS TO:

(a) IMPLEMENT WASTE, FRAUD, AND ABUSE DETECTION, PREVENTION, AND RECOVERY SOLUTIONS TO IMPROVE PROGRAM INTEGRITY IN THE STATE'S MEDICAID PROGRAM AND CREATE EFFICIENCY AND COST SAVINGS THROUGH A SHIFT FROM A RETROSPECTIVE "PAY AND CHASE" MODEL TO A PROSPECTIVE PREPAYMENT MODEL; AND

(b) INVEST IN THE MOST COST-EFFECTIVE TECHNOLOGIES OR STRATEGIES THAT YIELD THE HIGHEST RETURN ON INVESTMENT.

(2) BY SEPTEMBER 30, 2013, THE STATE DEPARTMENT SHALL ISSUE A REQUEST FOR INFORMATION TO SEEK INPUT FROM POTENTIAL CONTRACTORS ON CAPABILITIES THAT THE STATE DEPARTMENT DOES NOT CURRENTLY POSSESS, FUNCTIONS THAT THE STATE DEPARTMENT IS NOT CURRENTLY PERFORMING, AND THE COST STRUCTURES ASSOCIATED WITH IMPLEMENTING:

(a) ADVANCED PREDICTIVE MODELING AND ANALYTICS TECHNOLOGIES TO PROVIDE A COMPREHENSIVE AND ACCURATE VIEW ACROSS ALL PROVIDERS, RECIPIENTS, AND GEOGRAPHIC LOCATIONS WITHIN THE MEDICAID PROGRAM IN ORDER TO:

(I) IDENTIFY AND ANALYZE THOSE BILLING AND UTILIZATION PATTERNS THAT REPRESENT A HIGH RISK OF FRAUDULENT ACTIVITY;

(II) BE EASILY INTEGRATED INTO THE EXISTING MEDICAID PROGRAM CLAIMS OPERATIONS;

(III) UNDERTAKE AND AUTOMATE SUCH ANALYSIS BEFORE PAYMENT IS MADE TO MINIMIZE DISRUPTIONS TO STATE DEPARTMENT OPERATIONS AND SPEED CLAIM RESOLUTION;

(IV) PRIORITIZE THE IDENTIFIED TRANSACTIONS FOR ADDITIONAL REVIEW BEFORE PAYMENT IS MADE BASED UPON THE LIKELIHOOD OF POTENTIAL WASTE, FRAUD, OR ABUSE;

(V) OBTAIN OUTCOME INFORMATION FROM ADJUDICATED CLAIMS TO ALLOW FOR REFINEMENT AND ENHANCEMENT OF THE PREDICTIVE ANALYTICS TECHNOLOGIES BASED ON HISTORICAL DATA AND ALGORITHMS WITH THE SYSTEM; AND

(VI) PREVENT THE PAYMENT OF CLAIMS FOR REIMBURSEMENT THAT HAVE BEEN IDENTIFIED AS POTENTIALLY WASTEFUL, FRAUDULENT, OR ABUSIVE UNTIL THE CLAIMS HAVE BEEN AUTOMATICALLY VERIFIED AS VALID;

(b) PROVIDER AND RECIPIENT DATA VERIFICATION AND

SCREENING TECHNOLOGY SOLUTIONS, WHICH MAY USE PUBLICLY AVAILABLE RECORDS, FOR THE PURPOSES OF AUTOMATING REVIEWS AND IDENTIFYING AND PREVENTING INAPPROPRIATE PAYMENTS BY:

(I) IDENTIFYING ASSOCIATIONS BETWEEN PROVIDERS, PRACTITIONERS, AND BENEFICIARIES THAT INDICATE RINGS OF COLLUSIVE FRAUDULENT ACTIVITY; AND

(II) DISCOVERING RECIPIENT ATTRIBUTES THAT INDICATE IMPROPER ELIGIBILITY, INCLUDING BUT NOT LIMITED TO DEATH, OUT-OF-STATE RESIDENCY, INAPPROPRIATE ASSET OWNERSHIP, OR INCARCERATION; AND

(c) FRAUD INVESTIGATION SERVICES THAT COMBINE RETROSPECTIVE CLAIMS ANALYSIS AND PROSPECTIVE WASTE, FRAUD, OR ABUSE DETECTION TECHNIQUES. THESE SERVICES MUST INCLUDE ANALYSIS OF HISTORICAL CLAIMS DATA, MEDICAL RECORDS, SUSPECT PROVIDER DATABASES, AND HIGH-RISK IDENTIFICATION LISTS, AS WELL AS DIRECT RECIPIENT AND PROVIDER INTERVIEWS. EMPHASIS MUST BE PLACED ON PROVIDING EDUCATION TO PROVIDERS AND ALLOWING THEM THE OPPORTUNITY TO REVIEW AND CORRECT ANY PROBLEMS IDENTIFIED PRIOR TO ADJUDICATION.

(3) IN ADDITION TO THE INFORMATION PROVIDED PURSUANT TO SUBSECTION (2) OF THIS SECTION, A POTENTIAL CONTRACTOR RESPONDING TO THE REQUEST FOR INFORMATION SHALL INCLUDE INFORMATION CONCERNING:

(a) THE EXTENT TO WHICH THE POTENTIAL CONTRACTOR WILL SEEK CLINICAL AND TECHNICAL EXPERTISE FROM COLORADO PROVIDERS CONCERNING THE DESIGN AND IMPLEMENTATION OF THE MEDICAID FRAUD DETECTION SYSTEM DESCRIBED IN THIS SECTION AND THE METHOD OR METHODS FOR SEEKING THAT EXPERTISE; AND

(b) THE POTENTIAL CONTRACTOR'S ABILITY TO CREATE AN EDUCATION AND OUTREACH PROGRAM THAT IS WIDELY AVAILABLE AND EASILY ACCESSIBLE TO COLORADO PROVIDERS FOR PURPOSES OF EDUCATING PROVIDERS ON ISSUES RELATING TO COVERAGE AND CODING.

(4)(a) THE STATE DEPARTMENT IS ENCOURAGED TO USE THE RESULTS OF THE REQUEST FOR INFORMATION TO CREATE FORMAL REQUESTS FOR PROPOSALS TO CARRY OUT THE WORK IDENTIFIED IN THIS SECTION IF THE FOLLOWING CONDITIONS ARE MET:

(I) THE STATE DEPARTMENT EXPECTS TO GENERATE STATE SAVINGS BY PREVENTING FRAUD, WASTE, AND ABUSE;

(II) THIS WORK CAN BE INTEGRATED INTO THE STATE DEPARTMENT'S CURRENT MEDICAID OPERATIONS WITHOUT CREATING ADDITIONAL COSTS TO THE STATE; AND

(III) THE REVIEWS OR AUDITS ARE NOT ANTICIPATED TO DELAY OR IMPROPERLY DENY THE PAYMENT OF LEGITIMATE CLAIMS TO PROVIDERS.

(b) PRIOR TO AWARDING ANY CONTRACT PURSUANT TO THIS SECTION, THE STATE DEPARTMENT SHALL ESTABLISH AN APPEAL PROCESS FOR PROVIDERS THAT MINIMIZES THE ADMINISTRATIVE BURDEN PLACED ON PROVIDERS, LIMITS THE NUMBER OF MEDICAL RECORDS REQUESTS, AND PROVIDES ADEQUATE TIME FOR PROVIDERS TO RESPOND TO INQUIRIES.

(5) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE SAVINGS ACHIEVED THROUGH THIS SECTION MUST MORE THAN COVER THE COST OF IMPLEMENTATION AND ADMINISTRATION. THEREFORE, TO THE EXTENT POSSIBLE, TECHNOLOGY SERVICES USED IN CARRYING OUT THIS SECTION MUST BE SECURED USING THE SAVINGS GENERATED BY THE PROGRAM, WITH THE STATE'S DIRECT COST FUNDED THROUGH THE ACTUAL SAVINGS ACHIEVED.

SECTION 2. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 7, 2013, if adjournment sine die is on May 8, 2013); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2014 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor."

Page 584	Senate Journal-73rd Day-March 22, 2013	
Health & Human Services	After consideration on the merits, the Committee recommends that HB13-1074 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	1
	Amend reengrossed bill, page 18, line 16, strike "AND".	2
	Page 18, line 17, strike "(b)" and substitute "(b)".	3
	Page 18, line 18, strike "programs;" and substitute "programs DAMAGES AND PENALTIES COLLECTED FROM BREACH OF CONTRACT ACTIONS FOR LOAN REPAYMENT CONTRACTS; AND".	4
	Page 18, line 19, strike "(c) (b)" and substitute "(c)".	5
	Page 19, line 2, strike "(c) (b)" and substitute "(c)".	6
	Page 19, line 11, strike "(c) (b)" and substitute "(c)".	7
Health & Human Services	After consideration on the merits, the Committee recommends that HB13-1068 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	8
Health & Human Services	After consideration on the merits, the Committee recommends that HB13-1006 be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	9
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SENATE SERVICES REPORT		11
Correctly Printed: SB13-226, 227, 228 and 229; SJR13-019.		12
Correctly Engrossed: SJR13-019.		13
Correctly Reengrossed: SB13-157 and 180.		14
Correctly Revised: HB13-1124.		15
Correctly Rerevised: HB13-1011 and 1232.		16
<hr/>		17
MESSAGE FROM THE HOUSE		18
March 21, 2013		19
Mr. President:		20
The House has adopted and returns herewith SJR13-019.		21
The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1110, amended as printed in House Journal, March 19, pages 635-636, and amended on Third Reading as printed in House Journal, March 21.		22
HB13-1236, amended as printed in House Journal, March 19, page 636.		23
HB13-1152, amended as printed in House Journal, March 20, page 644.		24
The House has passed on Third Reading and returns herewith SB13-108, 190.		25
The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB13-070, amended as printed in House Journal, March 20, pages 643-644.		26
The House has voted to concur in the Senate amendments to HB13-1097, 1158, 1186, 1209, 1219, and has repassed the bills as so amended.		27
On reconsideration the House has voted not to concur in Senate amendments to HB13-1058 and requests that a conference committee be appointed. The Speaker has appointed Representatives McCann, chairman, and Levy, and Gardner as House conferees on the First Conference Committee on HB13-1058. The bill is transmitted herewith.		28

MESSAGE FROM THE REVISOR OF STATUTES

March 21, 2013

We herewith transmit:

Without comment, as amended, HB13-1110, 1152, and 1236.
Without comment, as amended, SB13-070.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

SJR13-020 by Senator(s) Newell and Balmer, Todd; also Representative(s) Kraft-Tharp and Primavera, May, Nordberg, Ryden, Salazar--Concerning the recognition of "Colorado Aerospace Day".

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

INTRODUCTION OF MEMORIALS

The following memorial was read by title:

SM13-003 by Senator(s) Guzman, Steadman; --Memorializing former Senator Paul J. Sandoval.

Laid over until Tuesday, April 9, retaining its place on the calendar.

THIRD READING OF BILLS -- FINAL PASSAGE --
CONSENT CALENDAR

On third reading, the title of the following bill was publicly read, the reading at length having been dispensed with by unanimous consent:

HB13-1124 by Representative(s) Pabon and Stephens, Williams, Melton; also Senator(s) Jahn, Tochtrop--Concerning the reduction of improper unemployment insurance benefit payments through compliance with the federal "Trade Adjustment Assistance Extension Act of 2011", 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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Newell.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the General Orders -- Second Reading of Bills Calendar (SB13-185, HB13-1025) of Friday, March 22 was laid over until Monday, April 1, retaining its place on the calendar.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Consideration of Resolutions Calendar (SR13-003) of Friday, March 22 was laid over until Monday, April 1, retaining its place on the calendar.

**CONSIDERATION OF GOVERNOR'S APPOINTMENTS --
CONSENT CALENDAR**

On motion of Majority Leader Carroll, the following Governor's appointments were confirmed by the following roll call votes:

MEMBERS OF THE
ADVISORY COMMITTEE TO THE PROPERTY
TAX ADMINISTRATOR

for terms expiring September 1, 2016:
Mark D. Chapin of Eagle, Colorado, to serve as an assessor from a county with a population under 75,000 and as a Democrat, appointed;
Robyn A. Kashiwa of Denver, Colorado, to serve as a non-assessor from a county with a population over 75,000, as the Chair of the Committee and as a Democrat, appointed;
Philip Brent Vaughan of Rifle, Colorado, to serve as a non-assessor from the Western Slope and as a Republican, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

MEMBERS OF THE
COLORADO LIMITED GAMING CONTROL COMMISSION

for a term expiring July 1, 2013:
Sheriff Douglas N. Darr of Thornton, Colorado, to fill the vacancy occasioned by the removal of Chief Philip J. Baca of Commerce City, Colorado, to serve as a member from the Seventh Congressional District, and a representative of law enforcement and as a Democrat, appointed;

for a term expiring July 1, 2015:
William Arthur Hughes of Centennial, Colorado, to serve as a member from the Sixth Congressional District and to serve as a representative for CPAs, corporate finance and as a Republican and occasioned by the resignation of Robert M. Webb of Golden, Colorado, appointed;

for a term expiring July 1, 2016:
Charles J. Murphy of Colorado Springs, Colorado, representing registered electors, and as a Democrat, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

MEMBER OF THE
TRANSPORTATION COMMISSION

for a term expiring July 1, 2015:
Steven Leon Hofmeister of Haxtun, Colorado, to serve as a commissioner from the eleventh district, and occasioned by the resignation of Kimbra L. Killin of Holyoke, Colorado, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB13-1016, 1027, 1083, 1104, 1118, 1168, 1198; HJR13-1015, 1018.

INTRODUCTION OF RESOLUTIONS

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

SJR13-021

by Senator(s) Aguilar; also Representative(s) Ginal--Concerning the creation of an interim committee to study ways to create a comprehensive health care system for all Coloradans. Health & Human Services

On motion of Majority Leader Carroll, the Senate adjourned until 1:00 p.m., Monday, March 25, 2013.

Approved:

John P. Morse

President of the Senate

Attest:

Cindi L. Markwell

Secretary of the Senate

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SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

76th Legislative Day Monday, March 25, 2013

Prayer By Senator Lundberg.

Call to Order By the President at 1:00 p.m.

Pledge By Senator Baumgardner.

Roll Call Present--26
Excused--9, Aguilar, Brophy, Carroll, Harvey, Jones, Kerr, Newell, Nicholson, Todd.
Present later--8, Aguilar, Carroll, Harvey, Jones, Kerr, Newell, Nicholson, Todd.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Steadman, reading of the Journal of Friday, March 22, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Education After consideration on the merits, the Committee recommends that SB13-213 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 14, line 27, strike "22-54.5-310" and substitute "22-54.5-311".

Page 15, line 3, strike "(1) (b)".

Page 15, line 4, strike "AND".

Page 15, line 20, strike "22-54.5-304." and substitute "22-54.5-305.".

Page 16, line 12, strike "(3)" and substitute "(4)" and strike "(3)" and substitute "(4)".

Page 16, line 16, strike "Definitions." and substitute "Definitions - repeal.".

Page 17, line 1, after "(4)" insert "(a)".

Page 17, after line 16 insert:
"(b) (I) NOTWITHSTANDING ANY PROVISION OF PARAGRAPH (a) OF THIS SUBSECTION (4) TO THE CONTRARY, FOR PURPOSES OF CALCULATING FUNDING PURSUANT TO THIS ARTICLE FOR THE 2015-16 AND 2016-17 BUDGET YEARS, "ASCENT PROGRAM AVERAGE DAILY MEMBERSHIP" MEANS THE NUMBER OF PUPILS ENROLLED IN A LOCAL EDUCATION PROVIDER AND PARTICIPATING IN THE ASCENT PROGRAM ON OCTOBER 1 OF THE BUDGET YEAR FOR WHICH FUNDING IS CALCULATED.
(II) THIS PARAGRAPH (b) IS REPEALED, EFFECTIVE JULY 1, 2017.".

Page 18, after line 11 insert:
"(d) (I) NOTWITHSTANDING ANY PROVISION OF PARAGRAPH (a) OF THIS SUBSECTION (6) TO THE CONTRARY, FOR PURPOSES OF CALCULATING FUNDING PURSUANT TO THIS ARTICLE FOR THE 2015-16 AND 2016-17

BUDGET YEARS, "AT-RISK PUPIL AVERAGE DAILY MEMBERSHIP" MEANS THE GREATER OF:
(A) THE NUMBER OF AT-RISK PUPILS INCLUDED IN THE LOCAL EDUCATION PROVIDER'S MEMBERSHIP ON OCTOBER 1 OF THE BUDGET YEAR FOR WHICH FUNDING IS CALCULATED; OR
(B) THE LOCAL EDUCATION PROVIDER'S AT-RISK PUPIL PERCENTAGE MULTIPLIED BY THE LOCAL EDUCATION PROVIDER'S ADJUSTED AVERAGE DAILY MEMBERSHIP.
(II) THIS PARAGRAPH (d) IS REPEALED, EFFECTIVE JULY 1, 2017."

Page 18, after line 18 insert:
"(b) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (a) OF THIS SUBSECTION (7), FOR AN INSTITUTE CHARTER SCHOOL THAT DOES NOT ENROLL STUDENTS IN GRADES ONE THROUGH EIGHT, "AT-RISK PUPIL PERCENTAGE" MEANS THE NUMBER OF AT-RISK PUPILS ENROLLED IN THE INSTITUTE CHARTER SCHOOL EACH SCHOOL DAY, TOTALED FOR THE AVERAGING PERIOD AND DIVIDED BY THE NUMBER OF SCHOOL DAYS IN THE AVERAGING PERIOD, THEN DIVIDED BY THE INSTITUTE CHARTER SCHOOL'S AVERAGE DAILY MEMBERSHIP FOR THE SAME AVERAGING PERIOD."

Reletter succeeding paragraphs accordingly.

Page 18, after line 25 insert:
"(e) (I) NOTWITHSTANDING ANY PROVISION OF PARAGRAPH (a) OF THIS SUBSECTION (7) TO THE CONTRARY, FOR PURPOSES OF CALCULATING FUNDING PURSUANT TO THIS ARTICLE FOR THE 2015-16 AND 2016-17 BUDGET YEARS, "AT-RISK PUPIL PERCENTAGE" MEANS THE NUMBER OF AT-RISK PUPILS INCLUDED IN THE LOCAL EDUCATION PROVIDER'S MEMBERSHIP IN GRADES ONE THROUGH EIGHT ON OCTOBER 1 OF THE BUDGET YEAR FOR WHICH FUNDING IS CALCULATED.
(II) THIS PARAGRAPH (d) IS REPEALED, EFFECTIVE JULY 1, 2017."

Page 18, line 26, after "(8)" insert "(a)".

Page 19, after line 4 insert:
"(b) (I) NOTWITHSTANDING ANY PROVISION OF PARAGRAPH (a) OF THIS SUBSECTION (8) TO THE CONTRARY, FOR PURPOSES OF CALCULATING FUNDING PURSUANT TO THIS ARTICLE FOR THE 2015-16 AND 2016-17 BUDGET YEARS, "AVERAGE DAILY MEMBERSHIP" MEANS THE MEMBERSHIP OF A LOCAL EDUCATION PROVIDER ON OCTOBER 1 OF THE BUDGET YEAR FOR WHICH FUNDING IS CALCULATED.
(II) THIS PARAGRAPH (b) IS REPEALED, EFFECTIVE JULY 1, 2017."

Page 20, after line 23 insert:
"(e) (I) NOTWITHSTANDING ANY PROVISION OF PARAGRAPH (a) OF THIS SUBSECTION (17) TO THE CONTRARY, FOR PURPOSES OF CALCULATING FUNDING PURSUANT TO THIS ARTICLE FOR THE 2015-16 AND 2016-17 BUDGET YEARS, "ENGLISH LANGUAGE LEARNER AVERAGE DAILY MEMBERSHIP" MEANS THE NUMBER OF ENGLISH LANGUAGE LEARNERS INCLUDED IN THE LOCAL EDUCATION PROVIDER'S MEMBERSHIP ON OCTOBER 1 OF THE BUDGET YEAR FOR WHICH FUNDING IS CALCULATED.
(II) THIS PARAGRAPH (e) IS REPEALED, EFFECTIVE JULY 1, 2017."

Page 22, strike line 26.

Page 22, line 27, strike "APPLY," and substitute "2017-18 BUDGET YEAR,".

Page 23, strike lines 22 through 24 and substitute "OF THIS TITLE, THE PUPILS WHO ARE ENROLLED IN KINDERGARTEN, WHO ARE ALL COUNTED AS FULL-TIME PUPILS, THE PUPILS WHO ARE ENROLLED IN GRADES ONE THROUGH EIGHT, WHO ARE COUNTED AS EITHER FULL-TIME OR PART-TIME PUPILS, AND THE PUPILS WHO ARE ENROLLED IN GRADES NINE THROUGH TWELVE, WHO".

Page 26, line 11, after "(28)" insert "(a)".

Page 26, after line 19 insert:

"(b) (I) NOTWITHSTANDING ANY PROVISION OF PARAGRAPH (a) OF THIS SUBSECTION (28) TO THE CONTRARY, FOR PURPOSES OF CALCULATING FUNDING PURSUANT TO THIS ARTICLE FOR THE 2015-16 AND 2016-17 BUDGET YEARS, "ON-LINE AVERAGE DAILY MEMBERSHIP" MEANS THE NUMBER OF PUPILS ENROLLED ON OCTOBER 1 OF THE BUDGET YEAR FOR WHICH FUNDING IS CALCULATED IN A MULTI-DISTRICT ON-LINE SCHOOL OPERATED BY A LOCAL EDUCATION PROVIDER.

(II) THIS PARAGRAPH (b) IS REPEALED, EFFECTIVE JULY 1, 2017."

Page 26, line 23, after "(30)" insert "(a)".

Page 27, after line 1 insert:

"(b) (I) NOTWITHSTANDING ANY PROVISION OF PARAGRAPH (a) OF THIS SUBSECTION (30) TO THE CONTRARY, FOR PURPOSES OF CALCULATING FUNDING PURSUANT TO THIS ARTICLE FOR THE 2015-16 AND 2016-17 BUDGET YEARS, "PRESCHOOL PROGRAM AVERAGE DAILY MEMBERSHIP" MEANS THE NUMBER OF PUPILS ENROLLED PURSUANT TO ARTICLE 28 OF THIS TITLE IN A DISTRICT PRESCHOOL PROGRAM OR IN AN INSTITUTE CHARTER SCHOOL PRESCHOOL PROGRAM AND INCLUDED IN THE DISTRICT'S OR INSTITUTE CHARTER SCHOOL'S MEMBERSHIP ON OCTOBER 1 OF THE BUDGET YEAR FOR WHICH FUNDING IS CALCULATED.

(II) THIS PARAGRAPH (b) IS REPEALED, EFFECTIVE JULY 1, 2017."

Page 28, line 10, after "(38)" insert "(a)".

Page 28, after line 15 insert:

"(b) (I) NOTWITHSTANDING ANY PROVISION OF PARAGRAPH (a) OF THIS SUBSECTION (38) TO THE CONTRARY, FOR PURPOSES OF CALCULATING FUNDING PURSUANT TO THIS ARTICLE FOR THE 2015-16 AND 2016-17 BUDGET YEARS, "STATEWIDE AVERAGE DAILY MEMBERSHIP" MEANS THE TOTAL MEMBERSHIP OF ALL DISTRICTS AND ALL INSTITUTE CHARTER SCHOOLS IN THE STATE ON OCTOBER 1 OF THE BUDGET YEAR FOR WHICH FUNDING IS CALCULATED.

(II) THIS PARAGRAPH (b) IS REPEALED, EFFECTIVE JULY 1, 2017."

Page 28, line 21, after "(40)" insert "(a)".

Page 28, after line 24 insert:

"(b) (I) NOTWITHSTANDING ANY PROVISION OF PARAGRAPH (a) OF THIS SUBSECTION (40) TO THE CONTRARY, FOR PURPOSES OF CALCULATING FUNDING PURSUANT TO THIS ARTICLE FOR BUDGET YEARS 2015-16 THROUGH 2017-18, "STATEWIDE AVERAGE ENROLLMENT GROWTH" MEANS THE PERCENTAGE INCREASE IN THE STATEWIDE AVERAGE DAILY MEMBERSHIP OF A BUDGET YEAR OVER THE PREVIOUS BUDGET YEAR.

(II) THIS PARAGRAPH (b) IS REPEALED, EFFECTIVE JULY 1, 2017."

Page 31, strike line 4 and substitute "COMMITTEES. THE DEPARTMENT SHALL SUBMIT THE FIRST COST STUDY NO LATER THAN JANUARY 31, 2016. THE DEPARTMENT SHALL SUBMIT THE REPORT AND SUBSEQUENT COST STUDIES NO LATER THAN JANUARY 31, 2020, AND NO LATER THAN".

Page 31, strike line 19 and substitute "DISTRICT AND SCHOOL STUDENT DEMOGRAPHICS, AND OTHER DISTRICT AND SCHOOL ATTRIBUTES, INCLUDING BUT NOT LIMITED TO DISTRICT AND SCHOOL CALENDARS, STANDARD CLASS SIZES, AND SPECIALIZATION IN SCHOOLS AND CURRICULA;"

Page 31, after line 23 insert:

"(III) STUDENT LEARNING CONDITIONS WITHIN EACH DISTRICT, EACH SCHOOL THAT IS NOT A CHARTER SCHOOL, EACH DISTRICT CHARTER SCHOOL, AND EACH INSTITUTE CHARTER SCHOOL USING DATA FROM THE BIENNIAL TEACHING AND LEARNING CONDITIONS SURVEY ADMINISTERED

BY THE DEPARTMENT PURSUANT TO SECTION 22-2-503, OTHER VALID AND RELIABLE DATA REGARDING STAFF, PARENT, AND STUDENT PERCEPTIONS, AND OTHER VALID AND RELIABLE DATA THAT DISTRICTS AND PUBLIC SCHOOLS MAY PROVIDE;".

Renumber succeeding subparagraphs accordingly.

Page 34, strike lines 18 through 22.

Reletter succeeding paragraphs accordingly.

Page 40, line 2, after "DISTRICT'S" insert "ADJUSTED".

Page 40, line 6, after "DISTRICT'S" insert "ADJUSTED".

Page 41, line 2, after "DISTRICT'S" insert "ADJUSTED".

Page 41, line 7, after "DISTRICT'S" insert "ADJUSTED".

Page 44, line 8, after "SCHOOL'S" insert "ADJUSTED".

Page 44, line 13, after "SCHOOL'S" insert "ADJUSTED".

Page 45, line 13, after "SCHOOL'S" insert "ADJUSTED".

Page 45, line 19, after "SCHOOL'S" insert "ADJUSTED".

Page 48, line 23, strike the first "DISTRICT'S" and substitute "STATEWIDE".

Page 54, line 26, strike "22-54.5-305;" and substitute "22-54.5-306;".

Page 55, line 10, strike "22-54.5-305," and substitute "22-54.5-306,".

Page 70, line 26, strike "22-54.5-309" and substitute "22-54.5-310".

Page 76, line 18, strike "2014-15" and substitute "2015-16".

Page 76, line 19, strike "2015-16" and substitute "2016-17".

Page 77, strike lines 12 through 27 and substitute:

"22-54.5-302. Hold-harmless moneys - state share hold-harmless fund - created - definitions. (1) FOR PURPOSES OF THIS SECTION:

(a) "DISTRICT'S 2014-15 STATE SHARE" MEANS THE AMOUNT OF STATE SHARE THAT A DISTRICT RECEIVES FOR THE 2014-15 BUDGET YEAR PURSUANT TO SECTION 22-54-106, AS IT EXISTED PRIOR TO REPEAL.

(b) "FUND" MEANS THE STATE SHARE HOLD-HARMLESS FUND CREATED IN SUBSECTION (3) OF THIS SECTION.

(c) "STATE FUNDING" MEANS THE AMOUNT OF STATE SHARE PLUS INVESTMENT MONEYS THAT A DISTRICT RECEIVES IN A BUDGET YEAR.

(2) (a) IF THE RECALCULATION OF STATE AND LOCAL SHARES OF TOTAL PROGRAM PURSUANT TO SECTION 22-54.5-203 RESULTS IN A DISTRICT RECEIVING A LOWER AMOUNT OF STATE FUNDING, THE DISTRICT IS ELIGIBLE TO RECEIVE HOLD-HARMLESS MONEYS AS PROVIDED IN THIS SECTION. THE DEPARTMENT SHALL ANNUALLY CALCULATE A DISTRICT'S HOLD-HARMLESS MONEYS USING THE DISTRICT'S STATE FUNDING, TOTAL PROGRAM, AND INVESTMENT MONEYS FOR THE APPLICABLE BUDGET YEAR IN THE FOLLOWING FORMULA:

(DISTRICT'S 2014-15 STATE SHARE - DISTRICT'S STATE FUNDING) + (0.02 X (DISTRICT'S TOTAL PROGRAM + DISTRICT'S INVESTMENT MONEYS)

(b) A DISTRICT THAT IS ELIGIBLE TO RECEIVE HOLD-HARMLESS MONEYS AS THE RESULT OF A RECALCULATION OF STATE AND LOCAL SHARES CONTINUES TO BE ELIGIBLE TO RECEIVE THE HOLD-HARMLESS MONEYS IN EACH SUBSEQUENT BUDGET YEAR IN WHICH THE CALCULATION OF THE HOLD-HARMLESS MONEYS RESULTS IN A POSITIVE

NUMBER.

(c) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE CONTRARY, THE DEPARTMENT SHALL REDUCE A DISTRICT'S HOLD-HARMLESS MONEYS AS NECESSARY TO ENSURE THAT, IN ANY BUDGET YEAR, THE DISTRICT'S HOLD-HARMLESS MONEYS PLUS THE DISTRICT'S LOCAL SHARE AND STATE SHARE DO NOT EXCEED THE GREATER OF THE DISTRICT'S TOTAL PROGRAM FOR THE APPLICABLE BUDGET YEAR OR THE DISTRICT'S TOTAL PROGRAM FOR THE 2014-15 BUDGET YEAR CALCULATED PURSUANT TO SECTION 22-54-104, AS IT EXISTED PRIOR TO REPEAL.

(3) (a) THERE IS CREATED IN THE STATE TREASURY THE STATE SHARE HOLD-HARMLESS FUND CONSISTING OF SUCH MONEYS AS THE GENERAL ASSEMBLY MAY APPROPRIATE TO THE FUND. THE MONEYS IN THE FUND ARE SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY TO THE DEPARTMENT FOR DISTRIBUTION AS HOLD-HARMLESS MONEYS TO ELIGIBLE DISTRICTS AS PROVIDED IN THIS SECTION.

(b) THE STATE TREASURER MAY INVEST ANY MONEYS IN THE FUND NOT EXPENDED FOR THE PURPOSE OF THIS SECTION AS PROVIDED BY LAW. THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE INVESTMENT AND DEPOSIT OF MONEYS IN THE FUND TO THE FUND. ANY UNEXPENDED AND UNENCUMBERED MONEYS REMAINING IN THE FUND AT THE END OF A FISCAL YEAR MUST REMAIN IN THE FUND AND SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANOTHER FUND.

(4) IN A BUDGET YEAR IN WHICH THE GENERAL ASSEMBLY DOES NOT APPROPRIATE A SUFFICIENT AMOUNT TO FULLY FUND THE HOLD-HARMLESS MONEYS AUTHORIZED IN THIS SECTION, THE DEPARTMENT SHALL REDUCE THE AMOUNT OF EACH ELIGIBLE DISTRICT'S HOLD-HARMLESS MONEYS BY THE SAME PERCENTAGE THAT THE DEFICIT BEARS TO THE AMOUNT REQUIRED TO FULLY FUND THE HOLD-HARMLESS MONEYS AUTHORIZED BY THIS SECTION."

Page 78, strike lines 1 through 11 and substitute:

"22-54.5-303. Per pupil supplemental payment - per pupil supplemental fund - created - definitions. (1) FOR PURPOSES OF THIS SECTION:

(a) "DISTRICT'S PER PUPIL REVENUE" MEANS, FOR EACH BUDGET YEAR, THE SUM OF THE AMOUNT OF LOCAL PROPERTY TAX REVENUES GENERATED FROM THE NUMBER OF MILLS A DISTRICT LEVIES FOR TOTAL PROGRAM PLUS THE SPECIFIC OWNERSHIP TAX REVENUE PAID TO THE DISTRICT PLUS THE STATE SHARE PAID TO THE DISTRICT PLUS ANY HOLD-HARMLESS MONEYS PAID TO THE DISTRICT PURSUANT TO SECTION 22-54.5-302, DIVIDED BY THE DISTRICT'S FUNDED MEMBERSHIP FOR THE APPLICABLE BUDGET YEAR.

(b) "FUND" MEANS THE PER PUPIL SUPPLEMENTAL FUND CREATED IN SUBSECTION (3) OF THIS SECTION.

(c) "INSTITUTE CHARTER SCHOOL'S PER PUPIL REVENUE" MEANS, FOR EACH BUDGET YEAR, THE AMOUNT OF STATE FUNDING PAID TO THE INSTITUTE CHARTER SCHOOL DIVIDED BY THE INSTITUTE CHARTER SCHOOL'S FUNDED MEMBERSHIP FOR THE APPLICABLE BUDGET YEAR.

(2) (a) SUBJECT TO AVAILABLE APPROPRIATIONS, THE DEPARTMENT SHALL ANNUALLY PAY PER PUPIL SUPPLEMENTAL PAYMENTS TO DISTRICTS AND INSTITUTE CHARTER SCHOOLS TO ENSURE THAT, FOR EACH BUDGET YEAR, EACH DISTRICT'S PER PUPIL REVENUE AND EACH INSTITUTE CHARTER SCHOOL'S PER PUPIL REVENUE IS AT LEAST EQUAL TO THE STATE AVERAGE PER PUPIL REVENUE. THE DEPARTMENT SHALL ANNUALLY IDENTIFY THE DISTRICTS AND INSTITUTE CHARTER SCHOOLS THAT MAY RECEIVE PER PUPIL SUPPLEMENTAL PAYMENTS AS PROVIDED IN THIS SECTION.

(b) THE DEPARTMENT SHALL CALCULATE THE AMOUNT PAYABLE TO EACH DISTRICT BY SUBTRACTING THE DISTRICT'S PER PUPIL REVENUE FOR THE APPLICABLE BUDGET YEAR FROM THE STATE AVERAGE PER PUPIL REVENUE FOR THE APPLICABLE BUDGET YEAR AND MULTIPLYING THE DIFFERENCE BY THE DISTRICT'S FUNDED MEMBERSHIP FOR THE APPLICABLE BUDGET YEAR.

(c) THE DEPARTMENT SHALL CALCULATE THE AMOUNT PAYABLE TO EACH INSTITUTE CHARTER SCHOOL BY SUBTRACTING THE INSTITUTE

CHARTER SCHOOL'S PER PUPIL REVENUE FOR THE APPLICABLE BUDGET YEAR FROM THE STATE AVERAGE PER PUPIL REVENUE FOR THE APPLICABLE BUDGET YEAR AND MULTIPLYING THE DIFFERENCE BY THE INSTITUTE CHARTER SCHOOL'S FUNDED MEMBERSHIP FOR THE APPLICABLE BUDGET YEAR.

(d) A DISTRICT OR AN INSTITUTE CHARTER SCHOOL IS NOT ELIGIBLE FOR PER PUPIL SUPPLEMENTAL PAYMENTS IN ANY BUDGET YEAR IN WHICH THE CALCULATION DESCRIBED IN THIS SUBSECTION (2) RESULTS IN A NEGATIVE NUMBER.

(3) (a) THERE IS CREATED IN THE STATE TREASURY THE PER PUPIL SUPPLEMENTAL FUND CONSISTING OF SUCH MONEYS AS THE GENERAL ASSEMBLY MAY APPROPRIATE TO THE FUND. THE MONEYS IN THE FUND ARE SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY TO THE DEPARTMENT FOR DISTRIBUTION TO DISTRICTS AND INSTITUTE CHARTER SCHOOLS AS PROVIDED IN THIS SECTION.

(b) THE STATE TREASURER MAY INVEST ANY MONEYS IN THE FUND NOT EXPENDED FOR THE PURPOSE OF THIS SECTION AS PROVIDED BY LAW. THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE INVESTMENT AND DEPOSIT OF MONEYS IN THE FUND TO THE FUND. ANY UNEXPENDED AND UNENCUMBERED MONEYS REMAINING IN THE FUND AT THE END OF A FISCAL YEAR MUST REMAIN IN THE FUND AND SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANOTHER FUND.

(4) IN A BUDGET YEAR IN WHICH THE GENERAL ASSEMBLY DOES NOT APPROPRIATE A SUFFICIENT AMOUNT TO FULLY FUND THE PER PUPIL SUPPLEMENTAL PAYMENTS AUTHORIZED IN SUBSECTION (2) OF THIS SECTION, THE DEPARTMENT SHALL REDUCE EACH DISTRICT'S AND EACH INSTITUTE CHARTER SCHOOL'S PAYMENT BY THE SAME PERCENTAGE THAT THE DEFICIT BEARS TO THE AMOUNT REQUIRED TO FULLY FUND THE PER PUPIL SUPPLEMENTAL PAYMENTS AUTHORIZED BY SUBSECTION (2) OF THIS SECTION."

Renumber succeeding statutory sections accordingly.

Page 99, line 23, strike "NINE" and substitute "ELEVEN".

Page 99, line 25, strike "SEVEN" and substitute "NINE".

Page 100, afer line 4 insert:

"(D) ONE MEMBER WHO REPRESENTS A STATEWIDE ORGANIZATION OF CHARTER SCHOOLS;"

Reletter succeeding sub-subparagraphs accordingly.

Page 100, line 9, strike "TWO" and substitute "THREE".

Page 108, line 24, strike "OF THE DISTRICT".

Page 112, line 11, strike "HALF" and substitute "QUARTER".

Page 112, line 12, strike "HALF" and substitute "QUARTER".

Page 112, line 18, strike "HALF" and substitute "QUARTER".

Page 114, line 1, strike "HALF" and substitute "QUARTER".

Page 116, line 3, strike "(d) (III)." and substitute "(d)."

Page 116, line 10, strike "(d) (III)." and substitute "(d)."

Page 118, line 21, strike "(d) (III)." and substitute "(d)."

Page 121, line 20, strike "(d) (III)." and substitute "(d)."

Page 132, after line 13 insert:

"(c) "AT-RISK" HAS THE SAME MEANING AS PROVIDED IN SECTION 22-54.5-103 (5).

(d) "AT-RISK PUPIL AVERAGE DAILY MEMBERSHIP" HAS THE SAME

MEANING AS PROVIDED IN SECTION 22-54.5-103 (6).".

Reletter succeeding paragraphs accordingly.

Page 133, line 7, strike "22-54.5-308(1)(c)." and substitute "22-54.5-309 (1) (c).".

Page 133, after line 7 insert:

"(i) "ENGLISH LANGUAGE LEARNER" HAS THE SAME MEANING AS PROVIDED IN SECTION 22-54.5-103 (16).

(j) "ENGLISH LANGUAGE LEARNER AVERAGE DAILY MEMBERSHIP" HAS THE SAME MEANING AS PROVIDED IN SECTION 22-54.5-103 (17).".

Reletter succeeding paragraphs accordingly.

Page 134, line 4, strike "22-54.5-308(1)(e)." and substitute "22-54.5-309 (1) (e).".

Page 136, line 18, after "(I)" insert "(A)".

Page 136, line 25, strike "PUPILS" and substitute "PUPILS, INCLUDING THE PROJECTED NUMBER OF AT-RISK PUPILS AND ENGLISH LANGUAGE LEARNERS,".

Page 136, after line 26 insert:

"(B) THE DISTRICT SHALL CALCULATE THE CHARTER SCHOOL'S AVERAGE DAILY MEMBERSHIP OR ON-LINE AVERAGE DAILY MEMBERSHIP, WHICHEVER IS APPLICABLE, AND THE CHARTER SCHOOL'S AT-RISK PUPIL AVERAGE DAILY MEMBERSHIP AND ENGLISH LANGUAGE LEARNER AVERAGE DAILY MEMBERSHIP FOR THE FIRST QUARTER OF THE CHARTER SCHOOL'S FIRST SCHOOL YEAR. IF THE CALCULATED AVERAGE DAILY MEMBERSHIP OR ON-LINE AVERAGE DAILY MEMBERSHIP IS DIFFERENT FROM THE PROJECTED MEMBERSHIP, THE DISTRICT SHALL RECALCULATE THE CHARTER SCHOOL'S FUNDING USING THE AVERAGE DAILY MEMBERSHIP OR ON-LINE AVERAGE DAILY MEMBERSHIP, WHICHEVER IS APPLICABLE, AND THE AT-RISK PUPIL AVERAGE DAILY MEMBERSHIP AND ENGLISH LANGUAGE LEARNER AVERAGE DAILY MEMBERSHIP OF THE FIRST QUARTER OF THE THEN-CURRENT SCHOOL YEAR AND ADJUST THE CHARTER SCHOOL'S FUNDING ACCORDINGLY FOR THE REMAINDER OF THE FIRST SCHOOL YEAR.".

Page 136, line 27, after "(II)" insert "(A)".

Page 137, line 9, after "AT-RISK" insert "PUPIL".

Page 137, after line 11 insert:

"(B) THE DISTRICT SHALL CALCULATE THE CHARTER SCHOOL'S AVERAGE DAILY MEMBERSHIP OR ON-LINE AVERAGE DAILY MEMBERSHIP, WHICHEVER IS APPLICABLE, AND THE CHARTER SCHOOL'S AT-RISK PUPIL AVERAGE DAILY MEMBERSHIP AND ENGLISH LANGUAGE LEARNER AVERAGE DAILY MEMBERSHIP FOR THE FIRST QUARTER OF THE CHARTER SCHOOL'S SECOND SCHOOL YEAR. IF THE CALCULATED AVERAGE DAILY MEMBERSHIP OR ON-LINE AVERAGE DAILY MEMBERSHIP FOR THE FIRST QUARTER OF THE SECOND SCHOOL YEAR EXCEEDS THE AVERAGE DAILY MEMBERSHIP OR ON-LINE AVERAGE DAILY MEMBERSHIP FOR THE FIRST HALF OF THE CHARTER SCHOOL'S FIRST SCHOOL YEAR, THE DISTRICT SHALL RECALCULATE THE CHARTER SCHOOL'S FUNDING USING THE AVERAGE DAILY MEMBERSHIP OR ON-LINE AVERAGE DAILY MEMBERSHIP, WHICHEVER IS APPLICABLE, AND THE AT-RISK PUPIL AVERAGE DAILY MEMBERSHIP AND ENGLISH LANGUAGE LEARNER AVERAGE DAILY MEMBERSHIP OF THE FIRST QUARTER OF THE THEN-CURRENT SCHOOL YEAR AND ADJUST THE CHARTER SCHOOL'S FUNDING ACCORDINGLY FOR THE REMAINDER OF THE SECOND SCHOOL YEAR.".

Page 137, line 16, strike "HALF" and substitute "QUARTER".

Page 137, line 18, strike "OR FOR".

Page 137, strike line 19.	1
	2
Page 137, line 20, strike "IS IN THE SECOND YEAR OF ENROLLING PUPILS,".	3
	4
Page 137, line 26, strike "HALF" and substitute "QUARTER".	5
	6
Page 137, strike line 27 and substitute:	7
"(IV) IF A CHARTER SCHOOL'S FUNDING INCREASES BECAUSE OF	8
THE RECALCULATIONS DESCRIBED IN THIS PARAGRAPH (d), THE DISTRICT	9
SHALL REPORT TO THE DEPARTMENT THE INCREASE IN".	10
	11
Page 138, line 7, strike "SUBPARAGRAPH (III)" and substitute	12
"PARAGRAPH (d)".	13
	14
Page 138, line 9, strike "SUBPARAGRAPH (III)" and substitute	15
"PARAGRAPH (d)".	16
	17
Page 142, line 5, strike "22-54.5-308." and substitute "22-54.5-309".	18
	19
Page 142, line 9, strike "22-54.5-308." and substitute "22-54.5-309".	20
	21
Page 142, line 11, strike "22-54.5-308 (1) (a)." and substitute "22-54.5-	22
309 (1) (a)".	23
	24
Page 142, line 18, strike "22-54.5-305" and substitute "22-54.5-306".	25
	26
Page 142, line 26, strike "22-54.5-305" and substitute "22-54.5-306".	27
	28
Page 144, line 6, strike "22-54.5-303 (2)." and substitute "22-54.5-304	29
(2)".	30
	31
Page 153, line 18, strike "(3)." and substitute "(4)".	32
	33
Page 153, after line 18 insert:	34
"(f) "AT-RISK PUPIL AVERAGE DAILY MEMBERSHIP" HAS THE SAME	35
MEANING AS PROVIDED IN SECTION 22-54.5-103 (6)".	36
	37
Reletter succeeding paragraphs accordingly.	38
	39
Page 153, line 25, strike "(4)." and substitute "(5)".	40
	41
Page 153, after line 25 insert:	42
"(j) "ENGLISH LANGUAGE LEARNER AVERAGE DAILY	43
MEMBERSHIP" HAS THE SAME MEANING AS PROVIDED IN SECTION	44
22-54.5-103 (17)".	45
	46
Reletter succeeding paragraphs accordingly.	47
	48
Page 154, line 9, strike "22-54.5-308 (1) (e)." and substitute "22-54.5-	49
309 (1) (e)".	50
	51
Page 156, strike lines 5 through 22 and substitute:	52
"(c) IF THE DEPARTMENT RECALCULATES AND ADJUSTS AN	53
INSTITUTE CHARTER SCHOOL'S FUNDING AS PROVIDED IN SECTION	54
22-54.5-405 (4) OR (6), THE INSTITUTE SHALL ADJUST ITS PAYMENTS TO	55
THE INSTITUTE CHARTER SCHOOL PURSUANT TO THIS SECTION	56
ACCORDINGLY.	57
(d) IN THE FIRST AND SECOND YEARS IN WHICH A NEW INSTITUTE	58
CHARTER SCHOOL ENROLLS PUPILS AND IN ANY SCHOOL YEAR IN WHICH	59
AN INSTITUTE CHARTER SCHOOL ADDS GRADE LEVELS, THE INSTITUTE	60
SHALL CALCULATE THE INSTITUTE CHARTER SCHOOL'S MEMBERSHIP AND,	61
IF APPLICABLE, ON-LINE PUPIL ENROLLMENT AND ASCENT PROGRAM	62
ENROLLMENT AS PROVIDED IN SECTION 22-54.5-405 (4) AND (6)".	63
	64
Page 157, strike lines 7 through 11.	65
	66
Page 157, line 12, strike "(B)" and substitute "(II) (A)".	67

Reletter succeeding sub-subparagraphs accordingly.

Page 158, line 16, strike "22-54.5-308." and substitute "22-54.5-309."

Page 158, line 20, strike "22-54.5-308." and substitute "22-54.5-309."

Page 158, line 23, strike "22-54.5-308 (1) (a)." and substitute "22-54.5-309 (1) (a)."

Page 170, after line 18 insert:
"(d) THE REQUIREMENTS SPECIFIED IN THIS SUBSECTION (4) TO REPORT INFORMATION AT THE SCHOOL-SITE LEVEL APPLY TO THE 2014-15 BUDGET YEAR AND BUDGET YEARS THEREAFTER."

Page 170, line 19, strike "(d)" and substitute "(e)".

Page 172, line 8, strike "PARAGRAPHS (b) AND" and substitute "PARAGRAPH".

Page 172, line 12, after the period add "IT IS FURTHER THE GENERAL ASSEMBLY'S INTENT THAT, AS A RESULT OF RECEIVING AN INCREASE IN THE DISTRIBUTION OF STATE MONEYS PURSUANT TO THIS SUBSECTION (7) OR PURSUANT TO SECTION 22-54.5-102 (2), AN ADMINISTRATIVE UNIT, IN COMPLYING WITH THE MAINTENANCE OF EFFORT REQUIREMENT SPECIFIED IN THE FEDERAL "NO CHILD LEFT BEHIND ACT OF 2001", 20 U.S.C. SEC. 6381 ET SEQ., SHALL NOT REDUCE THE LEVEL OF STATE AND LOCAL EXPENDITURES BELOW THE LEVEL OF STATE AND LOCAL EXPENDITURES FOR THE PRECEDING BUDGET YEAR. ANY ADDITIONAL APPROPRIATION OF MONEYS FOR DISTRIBUTION PURSUANT TO THIS SECTION IS INTENDED TO ALTER THE RATIO BETWEEN STATE AND LOCAL EXPENDITURES, BUT THE OVERALL LEVEL OF EXPENDITURES MAY REMAIN THE SAME, THEREBY SATISFYING THE FEDERAL MAINTENANCE OF EFFORT REQUIREMENTS."

Page 174, line 13, strike "22-54.5-310 (8)," and substitute "22-54.5-311 (8),".

SENATE SERVICES REPORT

Correctly Printed: SJR13-020 and 021; SM13-003.
Correctly Rerevised: HB13-1124.
Correctly Enrolled: SB13-041, 059 and 081.

MESSAGE FROM THE HOUSE

March 22, 2013

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1167, amended as printed in House Journal, March 20, page 644.

MESSAGE FROM THE REVISOR OF STATUTES

March 22, 2013

We herewith transmit:

Without comment, as amended, HB13-1167.

INTRODUCTION OF RESOLUTIONS

The following resolutions were read by title:

SJR13-022

by Senator(s) Tochtrop; also Representative(s) Ryden--Concerning the "Colorado Day of Remembrance of the Armenian Genocide" on April 24, 2013.

Laid over until Friday, April 19, retaining its place on the calendar.

SJR13-023

by Senator(s) Giron, Baumgardner, Newell, Schwartz, Tochtrop; also Representative(s) Vigil, Fischer, Hullinghorst, Szabo--Concerning the installation of a replica khachkar and explanatory plaque in the renovated Armenian Garden on the capitol grounds.

Laid over until Friday, April 19, retaining its place on the calendar.

INTRODUCTION OF MEMORIALS

The following memorial was read by title:

SJM13-001

by Senator(s) Carroll; also Representative(s) Ryden--Memorializing former Senator Frank Weddig.

Laid over until April 4, retaining its place on the calendar.

INTRODUCTION OF BILLS -- FIRST READING

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

SB13-230

by Senator(s) Steadman, Hodge; also Representative(s) Levy, Duran, Gerou--Concerning the provision for payment of the expenses of the executive, legislative, and judicial departments of the state of Colorado, and of its agencies and institutions, for and during the fiscal year beginning July 1, 2013, except as otherwise noted.
Appropriations

SB13-231

by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou--Concerning the creation of the Title IV-E waiver demonstration project.
Health & Human Services

SB13-232

by Senator(s) Hodge, Steadman, Lambert; also Representative(s) Gerou, Duran, Levy--Concerning continuation of transfers for medicaid disease management programs, and, in connection therewith, making and reducing appropriations.
Appropriations

SB13-233

by Senator(s) Lambert, Hodge, Steadman; also Representative(s) Gerou, Duran, Levy--Concerning the transfer to the general fund of the balances from repealed cash funds.
Appropriations

- SB13-234

by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Gerou, Duran, Levy--
Concerning the state's authority to prepay its obligation for the unfunded accrued liability
of old hire pension plans that are affiliated with the fire and police pension association, and,
in connection therewith, making an appropriation.
Appropriations
- SB13-235

by Senator(s) Lambert, Hodge, Steadman; also Representative(s) Levy, Duran, Gerou--
Concerning a transfer of moneys from the state general fund to the Colorado state veterans
trust fund for the purpose of repaying moneys from the trust fund that were used to build
National Guard armories.
State, Veterans, & Military Affairs
- SB13-236

by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou--
Concerning transfers of moneys related to capital construction.
Appropriations
- SB13-237

by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Gerou, Duran, Levy--
Concerning the increase in the general fund reserve.
Appropriations

On motion of Senator Johnston, and with a majority of those elected to the Senate having
voted in the affirmative, the General Orders -- Second Reading of Bills -- Consent
Calendar (HB13-1139, HB13-1221) of Monday, March 25 was laid over until Tuesday,
March 26, retaining its place on the calendar.

On motion of Senator Johnston, and with a majority of those elected to the Senate having
voted in the affirmative, the General Orders -- Second Reading of Bills Calendar
(SB13-158, HB13-1147, SB13-205, HB13-1223, HB13-1202) of Monday, March 25 was
laid over until Tuesday, March 26, retaining its place on the calendar.

CONSIDERATION OF RESOLUTIONS

- SJR13-020

by Senator(s) Newell and Balmer, Todd; also Representative(s) Kraft-Tharp and Primavera,
May, Nordberg, Ryden, Salazar--Concerning the recognition of "Colorado Aerospace
Day".

On motion of Senator Newell, the resolution was **adopted** by the following roll call vote:

YES	32	NO	0	EXCUSED	3	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	E	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	E	Hudak	Y	Marble	Y	Todd	E
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cadman, Crowder, Giron, Grantham,
Guzman, Harvey, Heath, Hill, Hodge, Hudak, Jahn, Johnston, Jones, Kefalas, Kerr, King,
Lambert, Lundberg, Marble, Morse, Nicholson, Renfroe, Roberts, Scheffel, Schwartz,
Steadman, Tochtrop and Ulibarri.

On motion of Senator Aguilar, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Monday, March 25 was laid over until Tuesday, March 26, retaining its place on the calendar.

- Consideration of House Amendments to Senate Bills: SB13-070.

Consideration of Governor's Appointments:

Members of the Colorado Water Conservation Board.

Members of the Colorado Banking Board.

Members of the Board of Mortgage Loan Originators.

Members of the Board of Assessment Appeals.

Members of the Public Utilities Commission of the State of Colorado.

Members of the State Board of Parole.

Members of the Colorado Commission on the Aging.

APPOINTMENTS TO CONFERENCE COMMITTEE

The President appointed Senators Kerr, Chair, Ulibarri, and Roberts as Senate conferees on the first conference committee on [HB13-1058](#).

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB13-008, 067, 074, 113, 134, 152, 163 and 177.

On motion of Majority Leader Carroll, the Senate adjourned until 9:00 a.m., Tuesday, March 26, 2013.

Approved:

John P. Morse

President of the Senate

Attest:

Cindi L. Markwell

Secretary of the Senate

SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

77th Legislative DayTuesday, March 26, 2013

Prayer By the chaplain, Pastor Bob Kaylor, Tri-Lakes United Methodist Church, Monument.

Call to Order By the President at 9:00 a.m.

Pledge By President Morse.

Roll Call Present--18
Excused--17, Balmer, Baumgardner, Brophy, Cadman, Crowder, Grantham, Harvey, Hill, Jahn, Johnston, Lambert, Lundberg, Marble, Renfroe, Roberts, Scheffel, Ulibarri.
Present later--2, Jahn, Ulibarri.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Kerr, reading of the Journal of Monday, March 25, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Printed: SB13-230, 231, 232, 233, 234, 235, 236 and 237; SJM13-001; SJR13-022 and 023.
Correctly Engrossed: SJR13-020.

MESSAGE FROM THE HOUSE

March 25, 2013

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1258.

The House has passed on Third Reading and transmitted to the Revisor of Statutes: HB13-1222, amended as printed in House Journal, March 22, page 671; HB13-1111, amended as printed in House Journal, March 22, pages 672-675.

The House has passed on Third Reading and returns herewith SB13-023, 116, 042.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB13-018, amended as printed in House Journal, March 22, page 670; SB13-058, amended as printed in House Journal, March 22, page 671.

The House has adopted and returns herewith SJR13-020.

MESSAGE FROM THE REVISOR OF STATUTES

March 25, 2013

We herewith transmit:

Without comment, HB13-1258.
Without comment, as amended, HB13-1111 and 1222.
Without comment, as amended, SB13-018 and 058.

INTRODUCTION OF BILLS -- FIRST READING

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

- SB13-238** by Senator(s) Tochtrop; also Representative(s) Ryden--Concerning the regulation of hearing aid providers by the division of professions and occupations within the department of regulatory agencies.
Health & Human Services
- SB13-239** by Senator(s) Ulibarri, Guzman; also Representative(s) Salazar--Concerning avoiding potential conflicts of interest in the provision of services to a person on probation.
Judiciary
- HB13-1152** by Representative(s) Levy and Gerou, Duran; also Senator(s) Hodge, Steadman, Lambert--Concerning the general fund portion of the per diem rates paid to nursing facilities, and, in connection therewith, reducing an appropriation.
State, Veterans, & Military Affairs
- HB13-1154** by Representative(s) Foote and Levy, Court, Duran, Fields, Ginal, Hamner, Hulinghorst, Lee, McCann, Moreno, Pabon, Primavera, Ryden, Singer, Williams; also Senator(s) Steadman--Concerning crimes against pregnant women, and, in connection therewith, making an appropriation.
Judiciary
- HB13-1236** by Representative(s) Levy, Labuda, Lee; also Senator(s) Ulibarri, Giron, Guzman--Concerning pre-trial release from custody.
Judiciary

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Tuesday, March 26 was laid over until Wednesday, March 27, retaining its place on the calendar.

- General Orders -- Second Reading of Bills -- Consent Calendar: HB13-1139, HB13-1221, SB13-178, SB13-137, HB13-1074, HB13-1068.
General Orders -- Second Reading of Bills: SB13-158, HB13-1147, SB13-205, HB13-1223, HB13-1202, SB13-201, SB13-191, HB13-1060, SB13-212.
Consideration of House Amendments to Senate Bills: SB13-070.
Consideration of Governor's Appointments -- Consent Calendar:
Members of the Colorado Water Conservation Board.
Members of the Colorado Banking Board.
Members of the Board of Mortgage Loan Originators.
Members of the Board of Assessment Appeals.
Members of the Public Utilities Commission of the State of Colorado.
Members of the State Board of Parole.
Members of the Colorado Commission on the Aging.
Member of the Board of Trustees for the Colorado School for the Deaf and the Blind.
Members of the Colorado Commission on Higher Education.
Members of the Colorado School of Mines, Board of Trustees.
Consideration of Governor's Appointments:
Members of the Colorado Health Facilities Authority Board of Directors.
Conference Committees to Report: HB13-1058.

MESSAGE FROM THE GOVERNOR

March 21, 2013

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

Ladies and Gentlemen:

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

SB13-011: CONCERNING AUTHORIZATION OF CIVIL UNIONS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved March 21, 2013 at 3:29 p.m.

Sincerely,
(signed)
John W. Hickenlooper
Governor

March 22, 2013

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

Ladies and Gentlemen:

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

SB13-002: CONCERNING THE DESIGNATION OF BOARDS OF COOPERATIVE SERVICES AS LOCAL EDUCATION AGENCIES FOR PURPOSES OF FEDERAL LAW.

Approved March 22, 2013 at 11:59 a.m.

SB13-010: CONCERNING THE ADDITION OF THE DEANS OF ALL MEDICAL SCHOOLS IN COLORADO TO THE COMMISSION ON FAMILY MEDICINE.

Approved March 22, 2013 at 11:08 a.m.

SB13-012: CONCERNING REPORTING OF SUSPECTED CHILD ABUSE AND NEGLECT BY YOUTH SPORTS ORGANIZATIONS.

Approved March 22, 2013 at 11:12 a.m.

SB13-015: CONCERNING AUTHORIZATION FOR ELECTRONIC PARTICIPATION IN MEETINGS OF SCHOOL DISTRICT BOARDS OF EDUCATION.

Approved March 22, 2013 at 11:15 a.m.

Page 604	Senate Journal-77th Day-March 26, 2013	
	<u>SB13-028:</u> CONCERNING TRACKING THE UTILITY DATA OF A STATE BUILDING THAT HAS ACHIEVED THE HIGHEST PERFORMANCE CERTIFICATION ATTAINABLE AS PART OF ITS CAPITAL CONSTRUCTION PROJECT.	1 2 3 4 5
	Approved March 22, 2013 at 12:00 p.m.	6 7 8
	<u>SB13-038:</u> CONCERNING THE CONFIDENTIALITY OF CERTAIN COMMUNICATIONS AMONG EMERGENCY RESPONDERS.	9 10 11
	Approved March 22, 2013 at 12:00 p.m.	12 13 14
	<u>SB13-044:</u> CONCERNING INCENTIVE PAYMENTS IN PREPAID INPATIENT HEALTH PLAN AGREEMENTS.	15 16 17
	Approved March 22, 2013 at 11:23 a.m.	18 19 20
	<u>SB13-046:</u> CONCERNING THE AUTHORIZATION OF DIALYSIS TREATMENT CLINICS TO PROVIDE OUTPATIENT HEMODIALYSIS TREATMENT TO PATIENTS WITH ACUTE KIDNEY FAILURE.	21 22 23 24
	Approved March 22, 2013 at 11:19 a.m.	25 26 27
	<u>SB13-078:</u> CONCERNING POINTS OF DIVERSION THAT ARE NOT LOCATED AT THE PHYSICAL LOCATION SPECIFIED IN THE DECREES FOR DIVERTED WATER RIGHTS.	28 29 30 31
	Approved March 22, 2013 at 11:25 a.m.	32 33 34
	<u>SB13-080:</u> CONCERNING LIMITATION ON THE LIABILITY OF THE FIRE AND POLICE PENSION ASSOCIATION IF AN EMPLOYER FAILS TO PROPERLY ENROLL AN EMPLOYEE IN A PLAN.	35 36 37 38
	Approved March 22, 2013 at 12:02 p.m.	39 40 41
	<u>SB13-091:</u> CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF HUMAN SERVICES.	42 43 44
	Approved March 22, 2013 at 12:03 p.m.	45 46 47
	<u>SB13-112:</u> CONCERNING A CAP ON THE 2012-13 STATE FISCAL YEAR TRANSFERS TO THE STATE PUBLIC SCHOOL FUND FROM PUBLIC SCHOOL LAND MONEYS.	48 49 50 51
	Approved March 22, 2013 at 12:03 p.m.	52 53 54
	<u>SB13-118:</u> CONCERNING CLARIFICATION OF THE EXEMPTIONS FROM THE LAWS REGULATING MORTGAGE LOAN ORIGINATORS, AND, IN CONNECTION THEREWITH, EXEMPTING REAL ESTATE LICENSEES REPRESENTING PERSONS PROVIDING SELLER FINANCING FOR THE SALE OF A LIMITED NUMBER OF RESIDENTIAL PROPERTIES ANNUALLY AS ALLOWED BY LAW.	55 56 57 58 59 60 61
	Approved March 22, 2013 at 12:05 p.m.	62 63 64
	<u>SB13-143:</u> CONCERNING THE INSTITUTE CHARTER SCHOOL ASSISTANCE FUND.	65 66 67
	Approved March 22, 2013 at 12:05 p.m.	68 69 70 71

SB13-153: CONCERNING CONTINUATION OF THE INTERAGENCY
FARM-TO-SCHOOL COORDINATION TASK FORCE.

Approved March 22, 2013 at 11:29 p.m.

SB13-160: CONCERNING THE SUNSET REVIEW OF THE DENTAL ADVISORY
COMMITTEE, AND, IN CONNECTION THEREWITH, IMPLEMENTING THE
RECOMMENDATIONS OF THE DEPARTMENT OF REGULATORY AGENCIES
TO CONTINUE THE ADVISORY COMMITTEE.

Approved March 22, 2013 at 12:06 p.m.

SB13-187: CONCERNING PAYMENT OF EXPENSES OF THE LEGISLATIVE
DEPARTMENT.

Approved March 22, 2013 at 12:06 p.m.

Sincerely,
(signed)
John W. Hickenlooper
Governor

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB13-1012, 1054, 1061, 1091, 1097, 1103, 1145, 1157, 1159,
1186, 1209.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Monday, March 25, 2013, at 4:02 p.m.:
SB13-008, 067, 074, 113, 134, 152, 163 and 177.

On motion of Majority Leader Carroll, the Senate adjourned until 9:00 a.m., Wednesday,
March 27, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

78th Legislative Day

Wednesday, March 27, 2013

Prayer By the chaplain, Pastor Vern Rempel, First Mennonite Church, Denver.

Call to Order By the President at 9:00 a.m.

Pledge By Senator Baumgardner.

Roll Call Present--32
Excused--3, Brophy, Johnston, King.
Present later--3, Brophy, Johnston, King.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Kerr, reading of the Journal of Tuesday, March 26, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Appropriations After consideration on the merits, the Committee recommends that **SB13-127** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, line 6, strike "(a)".

Page 2, strike line 12.

Page 2, line 13, strike "(3)" and substitute "LESS TEN MILLION DOLLARS, WHICH THE STATE TREASURER SHALL CREDIT".

Page 2, strike lines 15 through 19.

Page 3, strike lines 1 through 4.

Page 3, line 12, strike "39-26-123 (3) (b), C.R.S.," and substitute "39-26-123 (3), C.R.S.,".

Page 3, after line 21 insert:

"SECTION 3. Appropriation - adjustments to 2013 long bill.

(1) For the implementation of this act, appropriations made in the annual general appropriation act to the department of human services for the fiscal year beginning July 1, 2013, are adjusted as follows:

(a) The general fund appropriation for state funding for senior services, is decreased by \$2,000,000.

(2) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the older Coloradans cash fund created in section 26-11-205.5 (5) (a), Colorado Revised Statutes, not otherwise appropriated, to the department of human services, for the fiscal year beginning July 1, 2013, the sum of \$2,000,000, or so much thereof as may be necessary, to be allocated to the adult assistance programs division for implementation of this act as follows:

(a) \$2,000,000 for state funding for senior services."

	Renumber succeeding sections accordingly.	1
		2
	Page 1, line 103, strike "FUND." and substitute "FUND, AND, IN	3
	CONNECTION THEREWITH, MAKING AND REDUCING AN	4
	APPROPRIATION.".	5
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Appropriations	After consideration on the merits, the Committee recommends that SB13-236 be amended	8
	as follows, and as so amended, be referred to the Committee of the Whole with favorable	9
	recommendation.	10
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	Amend printed bill, page 3, after line 13 insert:	13
		14
	"SECTION 2. In Colorado Revised Statutes, 12-47.1-1201,	15
	repeal (5) (c) (III) (C).	16
	SECTION 3. In Colorado Revised Statutes, 12-47.1-1201,	17
	amend (5) (c) (III) (E) as follows:	18
	12-47.1-1201. State historical fund - administration -	19
	legislative declaration - state museum cash fund - capitol dome	20
	restoration fund. (5) (c) (III) (E) Prior to the end of the 2014-15 state	21
	fiscal year and after a complete accounting is available of the total in-kind	22
	and monetary donations received through the fundraising program	23
	established in section 2-3-1304.3, C.R.S., an end-of-project accounting	24
	shall occur based on the final total cost of the dome restoration	25
	construction project to ensure, through the annual general appropriations	26
	act, supplemental appropriations acts, or transfers between funds, as	27
	necessary, that all of the transfers from the state historical fund specified	28
	in sub-subparagraphs (A), (B), and (C) (A) AND (B) of this subparagraph	29
	(III), AND THE 2013-14 APPROPRIATION FROM THE CAPITAL	30
	CONSTRUCTION FUND SPECIFIED IN SENATE BILL 13-230, are reduced,	31
	dollar for dollar, by the combined total of moneys deposited into the	32
	capitol dome restoration trust fund as specified in section 2-3-1304.3 (6)	33
	(b), C.R.S., grants for repairs and safety improvements to the state capitol	34
	dome and supporting structures made by the state historical society under	35
	the grants process set forth in subsection (1) of this section, any money	36
	received for the recycling of salvaged building materials from the state	37
	capitol dome during the construction period, and any in-kind gifts and	38
	donations, such as materials or labor, that resulted in the reduction of the	39
	total cost of the construction. The total value of any in-kind gifts and	40
	donations for purposes of the dollar-for-dollar reduction specified in this	41
	sub-subparagraph (E) shall be calculated by the department of personnel	42
	and approved by the capital development committee as specified in	43
	section 2-3-1304.3 (6) (a) (II), C.R.S.".	44
		45
	Renumber succeeding section accordingly.	46
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Appropriations	After consideration on the merits, the Committee recommends that SB13-237 be referred	49
	to the Committee of the Whole with favorable recommendation.	50
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Appropriations	After consideration on the merits, the Committee recommends that SB13-234 be referred	53
	to the Committee of the Whole with favorable recommendation.	54
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Appropriations	After consideration on the merits, the Committee recommends that SB13-233 be referred	57
	to the Committee of the Whole with favorable recommendation.	58
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		60
Appropriations	After consideration on the merits, the Committee recommends that SB13-232 be referred	61
	to the Committee of the Whole with favorable recommendation.	62
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		64
Appropriations	After consideration on the merits, the Committee recommends that SB13-230 be referred	65
	to the Committee of the Whole with favorable recommendation.	66
		67

SENATE SERVICES REPORT

Correctly Printed: SB13-238 and 239.
Correctly Enrolled: SB13-108 and 190; SJR13-019 and 020.

INTRODUCTION OF BILLS -- FIRST READING

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

- SB13-240** by Senator(s) Tochtrop; also Representative(s) Exum--Concerning voting requirements for approval of modifications to the statewide defined benefit plan administered by the fire and police pension association.
Business, Labor, & Technology
- HB13-1110** by Representative(s) Fischer; also Senator(s) Jones--Concerning charges related to motor vehicles that travel on the public highways of the state, and, in connection therewith, making an appropriation.
Transportation
- HB13-1167** by Representative(s) Pettersen and Duran; also Senator(s) Crowder--Concerning the collection of business information by the secretary of state, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs
- HB13-1205** by Representative(s) Swalm and Pabon; also Senator(s) Schwartz--Concerning the investment of state moneys by the state treasurer.
Finance

Senate in recess. Senate reconvened.

MESSAGE FROM THE HOUSE

March 27, 2013

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1246.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1105, amended as printed in House Journal, March 26, pages 691-692.
HB13-1215, amended as printed in House Journal, March 26, page 692.

The House has passed on Third Reading and returns herewith SB13-005, 053, 030, 192.

MESSAGE FROM THE REVISOR OF STATUTES

March 27, 2013

We herewith transmit:

Without comment, HB13-1246.
Without comment, as amended, HB13-1105 and 1215.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for expressions of personal privilege.

On motion of Majority Leader Carroll, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, SB13-127, SB13-237, SB13-233, SB13-232, SB12-230, SB13-236, SB13-234 were made Special Orders at 11:10 a.m.

Committee of the Whole The hour of 11:10 a.m. having arrived, Senator Guzman moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders -- Second Reading of Bills, and Senator Guzman 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:

SB13-127 by Senator(s) Guzman; also Representative(s) Primavera--Concerning an increase in the amount of the state sales and use tax receipts that are credited to the older Coloradans cash fund.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, March 27, page(s) 607-608 and placed in members' bill files.)
As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB13-237 by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Gerou, Duran, Levy-- Concerning the increase in the general fund reserve.
Ordered engrossed and placed on the calendar for third reading and final passage.

SB13-233 by Senator(s) Lambert, Hodge, Steadman; also Representative(s) Gerou, Duran, Levy-- Concerning the transfer to the general fund of the balances from repealed cash funds.
Ordered engrossed and placed on the calendar for third reading and final passage.

SB13-232 by Senator(s) Hodge, Steadman, Lambert; also Representative(s) Gerou, Duran, Levy-- Concerning continuation of transfers for medicaid disease management programs, and, in connection therewith, making and reducing appropriations.
Ordered engrossed and placed on the calendar for third reading and final passage.

Majority Leader Carroll moved that the Committee of the Whole rise, report progress, and beg leave to sit again at 1:30 p.m. A majority of those elected to the Senate having voted in the affirmative, the motion was adopted.

Committee of the Whole in recess.

Senate in recess. Senate reconvened.

Committee of the Whole reconvened.

SPECIAL ORDERS -- SECOND READING OF BILLS - cont'd

SB13-230 by Senator(s) Steadman, Hodge; also Representative(s) Levy, Duran, Gerou--Concerning the provision for payment of the expenses of the executive, legislative, and judicial departments of the state of Colorado, and of its agencies and institutions, for and during the fiscal year beginning July 1, 2013, except as otherwise noted.

Amendment No. 1(J.005), by Senator Schwartz.

Amend printed bill, page 14, line 1, in the ITEM & SUBTOTAL column strike "1,709,757" and substitute "1,734,757".

Page 14, line 6, in the TOTAL column strike "12,461,050" and substitute "12,486,050" and in the GENERAL FUND column strike "3,432,445" and substitute "3,457,445".

Adjust affected totals accordingly.

Page 19, line 3, in the ITEM & SUBTOTAL column strike "450,000" and substitute "675,000" and in the GENERAL FUND column insert "225,000".

Adjust affected totals accordingly.

PURPOSE: Increases General Fund appropriations to the Department of **Agriculture** by \$250,000 for grants to noxious weed and soil conservation districts.

Fiscal Impact of Amendment						
Department	GF	CF	RF	FF	Total	FTE
Agriculture	\$250,000	\$0	\$0	\$0	\$250,000	0.0

Amendment No. 2(J.035), by Senators Balmer, Scheffel, Cadman, Lambert, Roberts, Baumgardner, and Grantham.

Amend printed bill, page 19, line 11, strike "(AGRICULTURE)¹" and substitute "(AGRICULTURE)".

Page 20, strike lines 1 through 4.

Page 49, line 8, strike "**(CORRECTIONS)**¹" and substitute "**(CORRECTIONS)**".

Page 49, strike lines 13 through 14.

Page 76, line 9, strike "**(EDUCATION)**¹" and substitute "**(EDUCATION)**".

Page 77, strike lines 3 through 4.

Page 96, line 6, strike "**BUDGETING)**¹" and substitute "**BUDGETING)**".

Page 96, strike lines 11 through 14.

Page 119, line 8, strike "**FINANCING)**¹" and substitute "**FINANCING)**".

Page 120, strike lines 1 through 2.

Page 145, line 2, strike "**EDUCATION)**¹" and substitute "**EDUCATION)**".

Page 145, strike lines 10 through 11.

Page 208, line 15, strike "**SERVICES)**¹" and substitute "**SERVICES)**".

Page 209, strike lines 8 through 9.

Page 248, line 9, strike "**EMPLOYMENT)**¹" and substitute "**EMPLOYMENT)**".

Page 248, strike line 14.

Page 249, strike lines 1 through 2.

Page 261, line 8, strike "**(LAW)**¹" and substitute "**(LAW)**".

Page 261, strike line 15.

Page 262, strike line 1.

Page 265, line 3, strike "**(LEGISLATIVE)**¹" and substitute "**(LEGISLATIVE)**".

Page 265, strike lines 5 through 8.

Page 278, line 12, strike "**AFFAIRS)**¹" and substitute "**AFFAIRS)**".

Page 279, strike lines 4 through 7.

Page 286, line 11, strike "**AFFAIRS)**¹" and substitute "**AFFAIRS)**".

Page 287, strike lines 1 through 2.

Page 312, line 3, strike "**RESOURCES)**¹" and substitute "**RESOURCES)**".

Page 312, strike lines 10 through 11.

Page 334, line 12, strike "**ADMINISTRATION)**¹" and substitute "**ADMINISTRATION)**".

Page 335, strike lines 1 through 4.

Page 381, line 9, strike "**ENVIRONMENT)**¹" and substitute "**ENVIRONMENT)**".

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- Page 382, strike lines 1 through 2.
- Page 410, line 12, strike "**SAFETY**)¹" and substitute "**SAFETY**".
- Page 411, strike lines 3 through 4.
- Page 426, line 6, strike "**AGENCIES**)¹" and substitute "**AGENCIES**".
- Page 426, strike lines 11 through 14.
- Page 449, line 9, strike "**(REVENUE)**¹" and substitute "**(REVENUE)**".
- Page 450, strike lines 5 through 6.
- Page 456, line 2, strike "**(STATE)**¹" and substitute "**(STATE)**".
- Page 456, strike lines 6 through 9.
- Page 460, line 7, strike "**(TRANSPORTATION)**¹" and substitute "**(TRANSPORTATION)**".
- Page 460, strike lines 13 through 15.
- Page 467, line 6, strike "**(TREASURY)**¹" and substitute "**(TREASURY)**".
- Page 468, strike lines 1 through 4.

PURPOSE: Eliminates a footnote for **All Departments** clarifying legislative intent that all classified employees will receive the across-the-board salary survey increase (including employees at the top of the pay range), and that the increase is base building.

Fiscal Impact of Amendment						
Department	GF	CF	RF	FF	Total	FTE
All Departments	\$0	\$0	\$0	\$0	\$0	0.0

Amendment No. 3(J.021), by Senator Aguilar.

- Amend printed bill, page 189, line 9, in the ITEM & SUBTOTAL column strike "2,255,842" and substitute "3,255,842".
- Page 190, line 2, in the ITEM & SUBTOTAL column strike "3,987,431" and substitute "2,487,431".
- Page 190, line 4, in the ITEM & SUBTOTAL column strike "421,862,499" and substitute "421,362,499" and in the GENERAL FUND column strike "16,484,491" and substitute "15,984,491".
- Adjust affected totals accordingly.
- Page 203, line 9, in the ITEM & SUBTOTAL column strike "170,857" and substitute "670,857" and in the GENERAL FUND column strike "150,000" and substitute "650,000".
- Adjust affected totals accordingly.

PURPOSE: Increases funding for Family Support Services by \$1,000,000 General Fund and the Crime Against At Risk Persons Surcharge Fund for respite care by \$500,000 General Fund in the **Department of Human Services**. Reduces funding for waiting list management and eligibility determination by \$1,500,000 General Fund also in the Department of Human Services.

Fiscal Impact of Amendment						
Department	GF	CF	RF	FF	Total	FTE
Human Services	\$0	\$0	\$0	\$0	\$0	0.0

Amendment No. 4(J.029), by Senator Newell.

Amend printed bill, page 225, line 3, in the ITEM & SUBTOTAL column strike "124,921,437" and substitute "124,961,437" and in the GENERAL FUND column strike "92,763,540" and substitute "92,803,540".

Adjust affected totals accordingly.

PURPOSE: Adds \$40,000 General Fund for the **Judicial** Department to address the shortfall in funding to provide contract mediation services for indigent parties.

Fiscal Impact of Amendment						
Department	GF	CF	RF	FF	Total	FTE
Judicial	\$40,000	\$0	\$0	\$0	\$40,000	0.0

Amendment No. 5(J.033), by Senator Tochtrop.

Amend printed bill, page 302, line 14, in the ITEM & SUBTOTAL column strike "69,322,120" and substitute "69,822,120".

Page 303, line 5, in the ITEM & SUBTOTAL column strike "79,160,397" and substitute "79,660,397" and in the GENERAL FUND column insert "500,000".

Adjust affected totals accordingly.

PURPOSE: Adds \$500,000 General Fund to the Division of Parks and Wildlife in the Department of **Natural Resources** for programs related to youth hunting and fishing.

Fiscal Impact of Amendment						
Department	GF	CF	RF	FF	Total	FTE
Natural Resources	\$500,000	\$0	\$0	\$0	\$500,000	0.0

Amendment No. 6(J.006), by Senators Cadman, Morse, Nicholson, Scheffel, Lambert, Balmer, Roberts, Baumgardner, Grantham, and Marble.

Amend printed bill, page 323, after line 6 insert:

	ITEM & SUBTOTAL	GENERAL FUND
	\$	\$
"Additional Payments for North Fork Fire Negligence Claims Pursuant to		
H.B. 12-1361 ^{55a}	2,835,738	2,835,738".

Adjust affected totals accordingly.

Page 335, after line 4 insert:

"55a Department of Personnel and Administration, Division of Human Resources, Risk Management Services, Risk Management Program Administrative Cost, Additional Payments for North Fork Fire Negligence Claims Pursuant to H.B. 12-1361 -- The appropriations made in this line are for the purpose of reimbursing the Risk Management Fund created in Section 24-30-1510 (1) (a), C.R.S., for additional payments for negligence claims settled by the State Claims Board pursuant to Section 24-10-114 (5) (b), C.R.S., and paid by the Risk Management Fund."

PURPOSE: Creates a new line item and provides \$2,835,738 General Fund for additional payments for North Fork Fire negligence claims pursuant to H.B. 12-1361, and adds a footnote to the Department of **Personnel** to specify that the funds are intended to reimburse the Risk Management Fund (liability program) for payments made from the fund as authorized by the State Claims Board.

Fiscal Impact of Amendment						
Department	GF	CF	RF	FF	Total	FTE
Personnel	\$2,835,738	\$0	\$0	\$0	\$2,835,738	0.0

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.)

SB13-236 by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou-- Concerning transfers of moneys related to capital construction.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, March 27, page(s) 608 and placed in members' bill files.)

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

SB13-234 by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Gerou, Duran, Levy-- Concerning the state's authority to prepay its obligation for the unfunded accrued liability of old hire pension plans that are affiliated with the fire and police pension association, and, in connection therewith, making an appropriation.

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

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

SB13-230 by Senator(s) Steadman, Hodge; also Representative(s) Levy, Duran, Gerou--Concerning the provision for payment of the expenses of the executive, legislative, and judicial departments of the state of Colorado, and of its agencies and institutions, for and during the fiscal year beginning July 1, 2013, except as otherwise noted.

Senator Renfro moved to amend the Report of the Committee of the Whole to show that the following Renfro floor amendment, (Amendment No. 10 - J.010) to SB 13-230, did pass.

Amend printed bill, page 60, line 6, in the ITEM & SUBTOTAL column strike "3,480,819,031" and substitute "3,485,819,031" and in the GENERAL FUND column strike "2,463,831,706" and substitute

"2,468,831,706".

Adjust affected totals accordingly.

Page 507, line 11, in the ITEM & SUBTOTAL column strike "5,250,000" and substitute "5,000,000", in the CAPITAL CONSTRUCTION FUND column strike "5,000,000", and in the CASH FUNDS column strike "250,000^a" and substitute "5,000,000^a".

Adjust affected totals accordingly.

Page 508, line 2, after "C.R.S." insert "If there is not sufficient revenue in the Capitol Dome Restoration Trust Fund to support the project, the remaining amount shall be from the Capitol Dome Restoration Fund pursuant to Section 12-47.1-1201 (5) (c) (III) (C).".

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	14	NO	20	EXCUSED	1	ABSENT	0
Aguilar	N	Guzman	N	Kefalas	N	Roberts	Y
Balmer	Y	Harvey	E	Kerr	N	Scheffel	Y
Baumgardner	Y	Heath	N	King	Y	Schwartz	N
Brophy	Y	Hill	Y	Lambert	Y	Steadman	N
Cadman	Y	Hodge	N	Lundberg	Y	Tochtrop	N
Carroll	N	Hudak	N	Marble	Y	Todd	N
Crowder	Y	Jahn	N	Newell	N	Ulibarri	N
Giron	N	Johnston	N	Nicholson	N	President	N
Grantham	Y	Jones	N	Renfroe	Y		

Senators Steadman, Lambert, and Hodge moved to amend the Report of the Committee of the Whole to show that the following Aguilar floor amendment, (Amendment No. 18 - J.021) to SB 13-230, did not pass.

Amend printed bill, page 189, line 9, in the ITEM & SUBTOTAL column strike "2,255,842" and substitute "3,255,842".

Page 190, line 2, in the ITEM & SUBTOTAL column strike "3,987,431" and substitute "2,487,431".

Page 190, line 4, in the ITEM & SUBTOTAL column strike "421,862,499" and substitute "421,362,499" and in the GENERAL FUND column strike "16,484,491" and substitute "15,984,491".

Adjust affected totals accordingly.

Page 203, line 9, in the ITEM & SUBTOTAL column strike "170,857" and substitute "670,857" and in the GENERAL FUND column strike "150,000" and substitute "650,000".

Adjust affected totals 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 was **lost** on the following roll call vote:

YES	15	NO	19	EXCUSED	1	ABSENT	0
Aguilar	N	Guzman	N	Kefalas	N	Roberts	N
Balmer	Y	Harvey	E	Kerr	N	Scheffel	Y
Baumgardner	Y	Heath	N	King	Y	Schwartz	N
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	N
Carroll	N	Hudak	N	Marble	Y	Todd	N
Crowder	Y	Jahn	N	Newell	N	Ulibarri	N
Giron	N	Johnston	N	Nicholson	N	President	N
Grantham	Y	Jones	N	Renfroe	Y		

Senator Hill moved to amend the Report of the Committee of the Whole to show that the following Hill, King, Cadman, Lambert, Scheffel, Balmer, Roberts, Baumgardner, Renfroe, and Grantham floor amendment, (Amendment No. 11 - J.019) to SB 13-230, did pass.

Amend printed bill, page 82, line 6, in the ITEM & SUBTOTAL column strike "6,346,624" and substitute "4,759,968", in the CASH FUNDS column strike "2,846,624(I)^a" and substitute "2,134,968(I)^a", and in the FEDERAL FUNDS column strike "3,500,000(I)" and substitute "2,625,000(I)".

Page 82, line 7, in the ITEM & SUBTOTAL column strike "(32.3 FTE)" and substitute "(24.2 FTE)".

Page 82, line 9, in the ITEM & SUBTOTAL column strike "7,100,000" and substitute "5,325,000" and in the CASH FUNDS column strike "7,100,000(I)^b" and substitute "5,325,000(I)^b".

Page 82, line 10, in the ITEM & SUBTOTAL column strike "207,975" and substitute "155,981" and in the CASH FUNDS column strike "207,975(I)^c" and substitute "155,981(I)^c".

Page 82, line 11, in the CASH FUNDS column strike "(1.4 FTE)" and substitute "(1.0 FTE)".

Page 82, line 13, in the ITEM & SUBTOTAL column strike "100,188" and substitute "75,141", in the CASH FUNDS column strike "73,088(I)^a" and substitute "54,816(I)^a", and in the FEDERAL FUNDS column strike "27,100(I)" and substitute "20,325(I)".

Page 82, line 14, in the ITEM & SUBTOTAL column strike "29,890" and substitute "22,418" and in the CASH FUNDS column strike "29,890(I)^a" and substitute "22,418(I)^a".

Adjust affected totals accordingly.

Page 83, line 2, strike "\$1,505,046" and substitute "\$1,128,785" and strike "\$1,444,556" and substitute "\$1,083,417".

Page 83, line 4, strike "\$6,500,000" and substitute "\$4,875,000" and strike "\$600,000" and substitute "\$450,000".

Page 96, line 8, strike "\$10,257,577" and substitute "\$7,693,183".

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	14	NO	20	EXCUSED	1	ABSENT	0
Aguilar	N	Guzman	N	Kefalas	N	Roberts	Y
Balmer	Y	Harvey	E	Kerr	N	Scheffel	Y
Baumgardner	Y	Heath	N	King	Y	Schwartz	N
Brophy	Y	Hill	Y	Lambert	Y	Steadman	N
Cadman	Y	Hodge	N	Lundberg	Y	Tochtrop	N
Carroll	N	Hudak	N	Marble	Y	Todd	N
Crowder	Y	Jahn	N	Newell	N	Ulibarri	N
Giron	N	Johnston	N	Nicholson	N	President	N
Grantham	Y	Jones	N	Renfroe	Y		

RECONSIDERATION OF SB13-230

SB13-230 by Senator(s) Steadman, Hodge; also Representative(s) Levy, Duran, Gerou--Concerning the provision for payment of the expenses of the executive, legislative, and judicial departments of the state of Colorado, and of its agencies and institutions, for and during the fiscal year beginning July 1, 2013, except as otherwise noted.

Having voted on the prevailing side, Majority Leader Carroll moved for reconsideration of the last Senate action, Consideration of Amendments to the Report of the Committee of the Whole, on SB13-230.

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

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE - cont'd

SB13-230 by Senator(s) Steadman, Hodge; also Representative(s) Levy, Duran, Gerou--Concerning the provision for payment of the expenses of the executive, legislative, and judicial departments of the state of Colorado, and of its agencies and institutions, for and during the fiscal year beginning July 1, 2013, except as otherwise noted.

Senator Renfroe moved to amend the Report of the Committee of the Whole to show that the following Renfroe floor amendment, (Amendment No. 10 - J.010) to SB 13-230, did pass.

Amend printed bill, page 60, line 6, in the ITEM & SUBTOTAL column strike "3,480,819,031" and substitute "3,485,819,031" and in the GENERAL FUND column strike "2,463,831,706" and substitute "2,468,831,706".

Adjust affected totals accordingly.

Page 507, line 11, in the ITEM & SUBTOTAL column strike "5,250,000" and substitute "5,000,000", in the CAPITAL CONSTRUCTION FUND column strike "5,000,000", and in the CASH FUNDS column strike "250,000^{aa}" and substitute "5,000,000^{aa}".

Adjust affected totals accordingly.

Page 508, line 2, after "C.R.S." insert "If there is not sufficient revenue in the Capitol Dome Restoration Trust Fund to support the project, the remaining amount shall be from the Capitol Dome Restoration Fund pursuant to Section 12-47.1-1201 (5) (c) (III) (C).".

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	14	NO	20	EXCUSED	1	ABSENT	0
Aguilar	N	Guzman	N	Kefalas	N	Roberts	Y
Balmer	Y	Harvey	E	Kerr	N	Scheffel	Y
Baumgardner	Y	Heath	N	King	Y	Schwartz	N
Brophy	Y	Hill	Y	Lambert	Y	Steadman	N
Cadman	Y	Hodge	N	Lundberg	Y	Tochtrop	N
Carroll	N	Hudak	N	Marble	Y	Todd	N
Crowder	Y	Jahn	N	Newell	N	Ulibarri	N
Giron	N	Johnston	N	Nicholson	N	President	N
Grantham	Y	Jones	N	Renfroe	Y		

Senator Renfroe moved to amend the Report of the Committee of the Whole to show that the following Renfroe, Balmer, Baumgardner, Cadman, Grantham, Lambert, Roberts, and Scheffel floor amendment, (Amendment No. 7 - J.032) to SB 13-230, did pass.

Amend printed bill, page 60, line 6, in the ITEM & SUBTOTAL column strike "3,480,819,031" and substitute "3,567,709,692" and in the CASH FUNDS column strike "547,145,241^d" and substitute "634,035,902^d".

Adjust affected totals accordingly.

Page 61, line 5, strike "\$470,240,736" and substitute "\$557,131,397".

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	15	NO	19	EXCUSED	1	ABSENT	0
Aguilar	N	Guzman	N	Kefalas	N	Roberts	Y
Balmer	Y	Harvey	E	Kerr	N	Scheffel	Y
Baumgardner	Y	Heath	N	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	N
Cadman	Y	Hodge	N	Lundberg	Y	Tochtrop	N
Carroll	N	Hudak	N	Marble	Y	Todd	N
Crowder	Y	Jahn	N	Newell	N	Ulibarri	N
Giron	N	Johnston	N	Nicholson	N	President	N
Grantham	Y	Jones	N	Renfroe	Y		

Senators Lundberg, Balmer, Baumgardner, Grantham, Harvey, Marble, Renfroe, Roberts, and Scheffel moved to amend the Report of the Committee of the Whole to show that the following Lundberg, Balmer, Baumgardner, Grantham, Harvey, Lambert, Marble, Renfroe, Roberts, and Scheffel floor amendment, (Amendment No. 28 - J.009) to SB 13-230, did pass.

Amend printed bill, page 384, line 8, in the ITEM & SUBTOTAL column strike "11,829,478" and substitute "11,732,017" and in the GENERAL FUND column strike "1,972,034" and substitute "1,874,573".

Page 384, line 9, in the ITEM & SUBTOTAL column strike "204,603" and substitute "203,580" and in the GENERAL FUND column strike "41,728" and substitute "40,705".

Page 384, line 11, in the ITEM & SUBTOTAL column strike "3,661,708" and substitute "3,637,105" and in the GENERAL FUND column strike "716,205" and substitute "691,602".

Page 384, line 14, in the ITEM & SUBTOTAL column strike "3,303,423" and substitute "3,279,175" and in the GENERAL FUND column strike "644,288" and substitute "620,040".

Page 385, line 2, in the ITEM & SUBTOTAL column strike "516,482" and substitute "502,208" and in the GENERAL FUND column strike

"71,408" and substitute "57,134".
Adjust affected totals accordingly.
Page 407, strike line 15.
Page 408, strike lines 1 through 6.
Adjust affected totals 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 was **lost** on the following roll call vote:

YES	14	NO	19	EXCUSED	2	ABSENT	0
Aguilar	N	Guzman	N	Kefalas	N	Roberts	Y
Balmer	Y	Harvey	E	Kerr	N	Scheffel	Y
Baumgardner	Y	Heath	N	King	Y	Schwartz	E
Brophy	Y	Hill	Y	Lambert	Y	Steadman	N
Cadman	Y	Hodge	N	Lundberg	Y	Tochtrop	N
Carroll	N	Hudak	N	Marble	Y	Todd	N
Crowder	Y	Jahn	N	Newell	N	Ulibarri	N
Giron	N	Johnston	N	Nicholson	N	President	N
Grantham	Y	Jones	N	Renfroe	Y		

Senator Cadman moved to amend the Report of the Committee of the Whole to show that the following Cadman, Balmer, Baumgardner, Grantham, Lambert, and Roberts floor amendment, (Amendment No. 14 - J.016) to SB 13-230, did pass.

Amend printed bill, page 97, line 6, in the ITEM & SUBTOTAL column strike "22,323,977" and substitute "22,243,320".
Page 97, line 7, in the ITEM & SUBTOTAL column strike "(337.9 FTE)" and substitute "(337.0 FTE)".

Page 98, line 3, in the ITEM & SUBTOTAL column strike "1,607,344" and substitute "1,601,691".

Page 99, line 10, in the ITEM & SUBTOTAL column strike "42,933,093" and substitute "42,846,783", in the GENERAL FUND column strike "15,365,770" and substitute "15,322,615", and in the FEDERAL FUNDS column strike "22,318,001(I)" and substitute "22,274,846(I)".

Adjust affected totals accordingly.

Page 108, line 1, strike "**PREMIUMS**^{8, 9, 10}" and substitute "**PREMIUMS**^{8,10}".

Page 108, line 4, in the TOTAL column strike "4,437,682,794" and substitute "4,367,682,794", in the CASH FUNDS column strike "719,515,157^b" and substitute "684,515,157^b", and in the FEDERAL FUNDS column strike "2,203,317,631" and substitute "2,168,317,631".

Page 108, line 9, strike "\$35,000,000 shall be from an intergovernmental transfer from Denver Health,".

Adjust affected totals accordingly.

Page 121, strike lines 8 through 10.

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	14	NO	19	EXCUSED	2	ABSENT	0
Aguilar	N	Guzman	N	Kefalas	N	Roberts	Y
Balmer	Y	Harvey	E	Kerr	N	Scheffel	Y
Baumgardner	Y	Heath	N	King	Y	Schwartz	E
Brophy	Y	Hill	Y	Lambert	Y	Steadman	N
Cadman	Y	Hodge	N	Lundberg	Y	Tochtrop	N
Carroll	N	Hudak	N	Marble	Y	Todd	N
Crowder	Y	Jahn	N	Newell	N	Ulibarri	N
Giron	N	Johnston	N	Nicholson	N	President	N
Grantham	Y	Jones	N	Renfroe	Y		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

YES	20	NO	13	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	E	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	E
Brophy	Y	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

The Committee of the Whole took the following action:

Passed on second reading: SB13-127 as amended, SB13-237, SB13-233, SB13-232, SB13-230 as amended, SB13-236 as amended, SB13-234.

Committee of the Whole On motion of Senator Guzman, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Guzman was called to the Chair to act as Chairman.

**GENERAL ORDERS -- SECOND READING OF BILLS --
CONSENT CALENDAR**

The Committee of the Whole having risen, the Chairman reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB13-1139 by Representative(s) Rankin; also Senator(s) Crowder--Concerning the repeal of obsolete entities.

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

- HB13-1221

by Representative(s) May, Joshi; also Senator(s) Tochtrop, Crowder--Concerning standards for the audit of pharmacies.

Ordered revised and placed on the calendar for third reading and final passage.
- SB13-178

by Senator(s) Hudak, Giron, Grantham, Jahn, Kerr, Newell, Todd; also Representative(s) Hamner, Kraft-Tharp, May, Navarro, Schafer--Concerning authorizing Red Rocks community college to offer a physician assistant studies program as a program of graduate education.

Ordered engrossed and placed on the calendar for third reading and final passage.
- SB13-137

by Senator(s) Roberts; also Representative(s) Navarro--Concerning system improvements to prevent fraud in the medicaid program, and, in connection therewith, employing advanced data analytics.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, March 22, page(s) 582-583 and placed in members' bill files.)

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

HB13-1074

by Representative(s) Kraft-Tharp; also Senator(s) Roberts--Concerning the reallocation of the primary care office from the prevention services division to the department of public health and environment, and, in connection therewith, changing the membership of the Colorado health services corps advisory council and clarifying the moneys included in the Colorado health services corps fund.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, March 22, page(s) 584 and placed in members' bill files.)

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

HB13-1068

by Representative(s) Young; also Senator(s) Roberts--Concerning on-site inspections of medicaid providers.

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	E	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	E
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB13-178, SB13-137 as amended, HB13-1139, HB13-1221, HB13-1074 as amended, HB13-1068.

On motion of Majority Leader Carroll, 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 Consent Calendar.

Upon request of Majority Leader Carroll, the confirmation of Brandon Cary Shaffer to the State Board of Parole was removed from the Consideration of Governor's Appointments Consent Calendar of Wednesday, March 27 and was placed at the end of the Consideration of Governor's Appointments Calendar of Wednesday, March 27.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS - CONSENT CALENDAR

On motion of Majority Leader Carroll, the following Governor's appointments were confirmed by the following roll call votes:

MEMBERS OF THE
COLORADO WATER CONSERVATION BOARD

for terms expiring February 12, 2016:
James R.L. "Jay" Gallagher of Steamboat Springs, Colorado, to serve as a representative from the Yampa-White drainage basin and as a Democrat, appointed;
Patricia Wells of Denver, Colorado, to serve as a representative from the City and County of Denver and as a Democrat, appointed;
Russ George of Grand Junction, Colorado to serve as a representative from the main Colorado drainage basin and as a Republican, reappointed.

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	E	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	E
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

MEMBERS OF THE
COLORADO BANKING BOARD

for a term expiring July 1, 2013:
Cynthia Beth Dash of Parker, Colorado, an executive officer of a trust company, to fill the vacancy occasioned by the resignation of Scott G. Pearson of Highlands Ranch, Colorado, appointed;
for a term expiring July 1, 2015:
Diane S. Barrett of Denver, Colorado, to serve as a representative of the public, and occasioned by the resignation of Adam P. Coyle of Parker, Colorado, appointed;

for a term expiring July 1, 2016:
 Ashley John Burt of Gunnison, Colorado, to serve as a representative of bankers,
 appointed:
 effective July 1, 2013, for a term expiring July 1, 2017:
 Cynthia Beth Dash of Parker Colorado, an executive officer of a trust company,
 reappointed.

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	E	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	E
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

MEMBERS OF THE
 BOARD OF MORTGAGE LOAN ORIGINATORS

for terms expiring August 10, 2016:
 Julie I. Piepho of Fort Collins, Colorado, a licensed mortgage loan originator,
 reappointed;
 Leslie J. Mitchell of Denver, Colorado, a member of the public at large, reappointed;
 Bruce M. Jordan of Denver, Colorado, a licensed mortgage loan originator, appointed.

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	E	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	E
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

MEMBERS OF THE
 BOARD OF ASSESSMENT APPEALS

effective July 1, 2012, for terms expiring July 1, 2013:
 MaryKay Kelley of Silverthorne, Colorado, reappointed;
 Ann Louesa Maricle of Denver, Colorado reappointed;
 Gregg A. Near of Lakewood, Colorado, reappointed;
 Amy J. Williams of Hayden, Colorado, engaged in agricultural, reappointed.

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	E	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	E
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

MEMBERS OF THE
PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

effective June 21, 2012, for a term expiring the Monday preceding the second Tuesday in January 2016:

Pamela J. Patton of Bayfield, Colorado, to serve as a Democrat, appointed

effective January 7, 2013, for a term expiring the Monday preceding the second Tuesday in January, 2017:

James K. Tarpey of Englewood, Colorado, a Republican, reappointed

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	E	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	E
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

MEMBER OF THE
STATE BOARD OF PAROLE

effective April 15, 2013 for a term expiring July 1, 2013:

Joe Martin Morales of Silverthorne, Colorado, to fill the vacancy occasioned by the resignation of Mike Anderson of Denver, Colorado and to serve as a law enforcement representative, appointed;

further, for a term expiring July 1, 2016:

Joe Martin Morales of Silverthorne, Colorado, to serve as a law enforcement representative, reappointed.

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	E	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	E
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

MEMBERS OF THE
COLORADO COMMISSION ON THE AGING

for terms expiring July 1, 2014:
Ruth E. Long of Fort Collins, Colorado, to serve as a Democrat from the Second Congressional District, reappointed;

Bobbie Mecalo of Centennial, Colorado, to serve as a Republican from the Sixth Congressional District, appointed;

Gail Evelyn Ploen of Centennial, Colorado, to serve as a Democrat from the Sixth Congressional District, appointed;

for terms expiring July 1, 2016:
Alice Langley of Denver, Colorado, to serve as a Republican from the First Congressional District, reappointed;

Jeanette Hensley of Grand Junction, Colorado, to serve as a Democrat from the Third Congressional District, appointed;

Judy P. Hensley of La Junta, Colorado, to serve as a Democrat from the Fourth Congressional District, appointed;

Marvin Joseph Urban of Colorado Springs, Colorado, to serve as a Democrat from the Fifth Congressional District, appointed;

Dar Wynn Vriesman of Westminster, Colorado, to serve as a Republican from the Seventh Congressional District, appointed.

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	E	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	E
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

MEMBER OF THE
BOARD OF TRUSTEES FOR THE COLORADO
SCHOOL FOR THE DEAF AND THE BLIND

for a term expiring July 1, 2015:
David Dawson of Boulder, Colorado, a Democrat, reappointed.

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	E	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	E
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

MEMBERS OF THE
COLORADO COMMISSION ON HIGHER EDUCATION

for terms expiring July 1, 2016:
Barbara J. "BJ" Scott of Colorado Springs, Colorado, a resident of the 5th Congressional District and a Republican, reappointed;
Richard C. Kaufman of Centennial, Colorado, a resident of the 6th Congressional District and a Democrat, reappointed.

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	E	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	E
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

MEMBERS OF THE
COLORADO SCHOOL OF MINES, BOARD OF TRUSTEES

effective January 1, 2013, for terms expiring December 31, 2016:
Frances M. Vallejo of Houston, Texas, a Republican who is a graduate of the Colorado School of Mines, reappointed;
Timothy John Haddon of Denver, Colorado, an Unaffiliated who is a graduate of the Colorado School of Mines, appointed.

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	E	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	E
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Wednesday, March 27 was laid over until Thursday, March 28, retaining its place on the calendar.

General Orders -- Second Reading of Bills: SB13-158, HB13-1147, SB13-205, HB13-1223, HB13-1202, SB13-201, SB13-191, HB13-1060, SB13-212, SB13-213.

Consideration of House Amendments to Senate Bills: SB13-070, SB13-018, SB13-058.

Consideration of Governor's Appointments:
Members of the Colorado Health Facilities Authority Board of Directors.
Member of the State Board of Parole.
Conference Committees to Report: HB13-1058.

INTRODUCTION OF CONCURRENT RESOLUTIONS

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

SCR13-002 by Senator(s) Aguilar, Kefalas; also Representative(s) Ginal--Submitting to the registered electors of the state of Colorado an amendment to the Colorado constitution concerning the creation of a Colorado health care cooperative to ensure access to a statewide health care system that provides health care services to all persons whose domicile is Colorado for all health-related issues, and, in connection therewith, creating an interim and then a permanent board of directors to administer the cooperative; requiring the cooperative to contract with health care providers to deliver specific health care benefits; assessing a six percent payroll premium from employers, a three percent payroll premium from employees, comparable employer and employee premiums from self-employed individuals, and a nine percent premium on other specified income; assessing premiums at a lower rate until the cooperative assumes fiduciary responsibility for health care payments; placing a cap on the amount of income subject to the premiums; authorizing the board to increase the premiums in specified circumstances; and requiring the department of revenue to collect and transfer the premiums to pay for health care services provided through the cooperative.

Health & Human Services

INTRODUCTION OF BILLS -- FIRST READING

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

HB13-1258 by Representative(s) Salazar, Buckner, Court, Duran, Ferrandino, Fields, Fischer, Foote, Garcia, Ginal, Hamner, Hullinghorst, Labuda, Lebsock, Levy, May, McCann, Melton, Mitsch Bush, Moreno, Pabon, Schafer, Singer, Vigil, Williams; also Senator(s) Aguilar and Carroll--Concerning local government involvement with federal immigration issues.

Judiciary

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SJR13-019 and 020; HB13-1011, 1124, 1158, 1219, 1232.

TRIBUTES

Honoring:

In recognition of Mayor Mick Ireland and the City of Aspen in receiving the 2013 Governor's Arts Award -- By Senator Gail Schwartz.
In recognition of the contributions and dedication of Gold Star Wives of America -- By Senator Nancy Todd.

On motion of Majority Leader Carroll, the Senate adjourned until 9:00 a.m., Thursday, March 28, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

79th Legislative Day Thursday, March 28, 2013

Prayer By Senator Renfroe.

Call to Order By the President at 9:00 a.m.

Pledge By Senator Baumgardner.

Roll Call Present--34
Excused--1, Schwartz.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Kerr, reading of the Journal of Wednesday, March 27, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Printed: SB13-240; SCR13-002.
Correctly Engrossed: SB13-127, 137, 178, 230, 232, 233, 234, 236 and 237.
Correctly Revised: HB13-1068, 1074, 1139 and 1221.
Correctly Enrolled: SB13-023 and 116.

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:

HB13-1139 by Representative(s) Rankin; also Senator(s) Crowder--Concerning the repeal of obsolete entities.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	E
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Newell and Steadman.

HB13-1221
by Representative(s) May, Joshi; also Senator(s) Tochtrop, Crowder--Concerning standards for the audit of pharmacies.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	E
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

SB13-178
by Senator(s) Hudak, Giron, Grantham, Jahn, Kerr, Newell, Todd; also Representative(s) Hamner, Kraft-Tharp, May, Navarro, Schafer--Concerning authorizing Red Rocks community college to offer a physician assistant studies program as a program of graduate education.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	E
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Aguilar, Brophy, Crowder, Kefalas, Lundberg, Nicholson and Steadman.

SB13-137
by Senator(s) Roberts; also Representative(s) Navarro--Concerning system improvements to prevent fraud in the medicaid program, and, in connection therewith, employing advanced data analytics.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	E
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Crowder, Grantham, Heath, Jahn, Kefalas, Kerr, King and Todd.

HB13-1074 by Representative(s) Kraft-Tharp; also Senator(s) Roberts--Concerning the reallocation of the primary care office from the prevention services division to the department of public health and environment, and, in connection therewith, changing the membership of the Colorado health services corps advisory council and clarifying the moneys included in the Colorado health services corps fund.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	E
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Kefalas, King, Newell and Steadman.

HB13-1068 by Representative(s) Young; also Senator(s) Roberts--Concerning on-site inspections of medicaid providers.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	E
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Aguilar, Jahn, Kefalas, King, Newell and Todd.

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:

SB13-127 by Senator(s) Guzman; also Representative(s) Primavera--Concerning an increase in the amount of the state sales and use tax receipts that are credited to the older Coloradans cash fund, and, in connection therewith, making and reducing an appropriation.

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	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	E
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Aguilar, Carroll, Giron, Heath, Hudak, Jahn, Johnston, Jones, Kefalas, Kerr, King, Morse, Newell, Nicholson, Steadman, Tochtrop, Todd and Ulibarri.

SB13-237 by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Gerou, Duran, Levy-- Concerning the increase in the general fund reserve.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	E
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Aguilar, Carroll, Giron, Guzman, Heath, Jones, Kefalas, Kerr, King, Lundberg, Morse, Newell, Nicholson, Roberts, Todd and Ulibarri.

SB13-233 by Senator(s) Lambert, Hodge, Steadman; also Representative(s) Gerou, Duran, Levy-- Concerning the transfer to the general fund of the balances from repealed cash funds.

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

YES	31	NO	3	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	E
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	N		

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

SB13-232 by Senator(s) Hodge, Steadman, Lambert; also Representative(s) Gerou, Duran, Levy-- Concerning continuation of transfers for medicaid disease management programs, 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	23	NO	11	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	E
Brophy	N	Hill	N	Lambert	Y	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Kerr.

SB13-230 by Senator(s) Steadman, Hodge; also Representative(s) Levy, Duran, Gerou--Concerning the provision for payment of the expenses of the executive, legislative, and judicial departments of the state of Colorado, and of its agencies and institutions, for and during the fiscal year beginning July 1, 2013, except as otherwise noted.

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

YES	19	NO	15	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	E
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Aguilar, Carroll, Guzman, Heath, Hudak, Johnston, Kefalas, Morse, Nicholson, Tochtrop, Todd and Ulibarri.

SB13-236 by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou--Concerning transfers of moneys related to capital construction.

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

YES	19	NO	15	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	E
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Aguilar, Carroll, Heath, Hudak, Jahn, Kefalas, Kerr, Morse, Newell, Nicholson, Tochtrop and Todd.

SB13-234 by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Gerou, Duran, Levy-- Concerning the state's authority to prepay its obligation for the unfunded accrued liability of old hire pension plans that are affiliated with the fire and police pension association, and, in connection therewith, making an appropriation.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	E
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Aguilar, Baumgardner, Cadman, Carroll, Heath, Hudak, Jahn, Jones, Kefalas, Kerr, King, Lundberg, Morse, Newell, Nicholson, Tochtrop and Todd.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the General Orders -- Second Reading of Bills Calendar (SB13-158, HB13-1147, SB13-205, HB13-1223, HB13-1202, SB13-201, SB13-191, HB13-1060, SB13-212, SB13-213) of Thursday, March 28 was laid over until Monday, April 1, retaining its place on the calendar.

MESSAGE FROM THE HOUSE

March 28, 2013

Mr. President:

The House has adopted and transmits herewith HJR13-1017.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

HJR13-1017 by Representative(s) Landgraf; also Senator(s) Aguilar--Concerning encouraging medical care professionals to provide perinatal bereavement services to parents who receive a fetal anomaly diagnosis.

On motion of Senator Aguilar, the resolution was **adopted** by the following roll call vote:

YES	33	NO	1	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	E
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Co-sponsor(s) added: Carroll, Heath, Hodge, Hudak, Kefalas, Morse, Newell, Nicholson, Tochtrop and Todd.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB13-070 by Senator(s) Schwartz, Jones; also Representative(s) Scott and Tyler, Fischer, Hamner, Young--Concerning the purchase of vehicles that operate on alternative fuels for the state motor vehicle fleet system.

Laid over until Monday, April 1, retaining its place on the calendar.

SB13-018 by Senator(s) Ulibarri; also Representative(s) Fischer--Concerning the use of consumer credit information by employers.

Senator Ulibarri moved that the Senate concur in House amendments to **SB13-018**, as printed in House journal, March 22, page(s) 670. The motion was **adopted** by the following roll call vote:

YES	27	NO	7	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	Y
Baumgardner	N	Heath	Y	King	Y	Schwartz	E
Brophy	Y	Hill	Y	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

YES	19	NO	15	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	E
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB13-058 by Senator(s) Grantham; also Representative(s) Landgraf--Concerning the verification requirement for parking privileges for persons with a permanent disability.

Senator Grantham moved that the Senate concur in House amendments to **SB13-058**, as printed in House journal, March 22, page(s) 671. The motion was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	E
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	E
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Co-sponsor(s) added: Baumgardner and Marble.

INTRODUCTION OF RESOLUTIONS

The following resolutions were read by title:

SJR13-024 by Senator(s) Newell, King; also Representative(s) Joshi--Concerning recognition of April 2013 as Child Abuse Prevention Month in Colorado.

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

SJR13-025 by Senator(s) Ulibarri, Giron, Aguilar, Guzman; also Representative(s) Duran and Pabon--Concerning recognition of "César Chávez Day".

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

RECONSIDERATION OF HJR13-1017

HJR13-1017 by Representative(s) Landgraf; also Senator(s) Aguilar--Concerning encouraging medical care professionals to provide perinatal bereavement services to parents who receive a fetal anomaly diagnosis.

Having voted on the prevailing side, Senator Harvey moved for reconsideration of the last Senate action, Consideration of Resolutions, on HJR13-1017.

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

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS - cont'd

HJR13-1017 by Representative(s) Landgraf; also Senator(s) Aguilar--Concerning encouraging medical care professionals to provide perinatal bereavement services to parents who receive a fetal anomaly diagnosis.

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

CONSIDERATION OF GOVERNOR'S APPOINTMENTS

On motion of Senator Aguilar, the following Governor's appointments were confirmed by a roll call vote:

MEMBERS OF THE
COLORADO HEALTH FACILITIES AUTHORITY
BOARD OF DIRECTORS

for terms expiring June 30, 2016:
Don Willis Marostica of Loveland, Colorado, a Republican, appointed;
Kathryn S. Kanda of Denver, Colorado, a Democrat, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	E
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

MEMBER OF THE
STATE BOARD OF PAROLE

for a term expiring July 1, 2013:
Brandon Cary Shaffer of Longmont, Colorado, to fill the vacancy occasioned by the resignation of Patricia Ann Waak of Erie, Colorado, and to serve as a citizen representative, appointed;

further, for a term expiring July 1, 2016:
Brandon Cary Shaffer of Longmont, Colorado, to serve as a citizen representative, reappointed;

further, effective immediately for a term expiring at the pleasure of the Governor:
Brandon Cary Shaffer of Longmont, Colorado, to serve as Vice Chairperson of the State Board of Parole, appointed.

YES	31	NO	3	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	N	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	E
Brophy	Y	Hill	Y	Lambert	N	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Thursday, March 28 was laid over until Monday, April 1, retaining its place on the calendar.

Conference Committees to Report: HB13-1058.

On motion of Majority Leader Carroll, the Senate adjourned until 10:00 a.m., Monday, April 1, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

83rd Legislative Day Monday, April 1, 2013

- Prayer
- By the chaplain, Father Eustace Sequeira, Regis University Jesuit Community, Denver.
- Call to Order
- By the President at 10:00 a.m.
- Pledge
- By President Morse.
- Roll Call
- Present--35
- Quorum
- The President announced a quorum present.
- Reading of Journal
- On motion of Senator Todd, reading of the Journal of Thursday, March 28, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

- Correctly Printed:** SJR13-024 and 025.
Correctly Reengrossed: SB13-127, 137, 178, 230, 232, 233, 234, 236 and 237.
Correctly Rerevised: HB13-1068, 1074, 1139 and 1221.
Correctly Enrolled: SB13-005, 030, 042, 053 and 194.

MESSAGE FROM THE HOUSE

- March 28, 2013
- Mr. President:
- The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1250, amended as printed in House Journal, March 27, page 707.
- The House has passed on Third Reading and returns herewith SB13-194, 013, 076.
- The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB13-126, amended as printed in House Journal, March 27, page 707.
SB13-149, amended as printed in House Journal, March 27, page 707.
SB13-048, amended as printed in House Journal, March 27, pages 707-708.

MESSAGE FROM THE REVISOR OF STATUTES

- March 28, 2013
- We herewith transmit:
- Without comment, as amended, HB13-1250.
Without comment, as amended, SB13-048, 126, and 149.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of Resolutions.

CONSIDERATION OF RESOLUTIONS

SJR13-024 by Senator(s) Newell, King; also Representative(s) Joshi and Singer--Concerning recognition of April 2013 as Child Abuse Prevention Month in Colorado.

On motion of Senator Newell, the resolution was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Co-sponsor(s) added: Aguilar, Balmer, Baumgardner, Brophy, Cadman, Carroll, Crowder, Giron, Grantham, Guzman, Harvey, Heath, Hill, Hodge, Hudak, Jahn, Johnston, Jones, Kefalas, Kerr, Lambert, Lundberg, Marble, Morse, Nicholson, Renfroe, Roberts, Scheffel, Schwartz, Steadman, Tochtrop, Todd and Ulibarri.

SR13-003 by Senator(s) Carroll; --Concerning the creation of a Senate committee of reference for the implementation of amendment 64.

Laid over until Wednesday, April 3, retaining its place on the calendar.

HJR13-1017 by Representative(s) Landgraf; also Senator(s) Aguilar--Concerning encouraging medical care professionals to provide perinatal bereavement services to parents who receive a fetal anomaly diagnosis.

Laid over until Wednesday, April 3, retaining its place on the calendar.

SJR13-025 by Senator(s) Ulibarri, Giron, Aguilar, Guzman; also Representative(s) Duran and Pabon--Concerning recognition of "César Chávez Day".

On motion of Senator Ulibarri, the resolution was read at length and **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Co-sponsor(s) added: Carroll, Heath, Hill, Hodge, Hudak, Jahn, Johnston, Kefalas, Kerr, Morse, Newell, Nicholson, Schwartz, Steadman, Tochtrop and Todd.

SJR13-018 by Senator(s) Schwartz; --Concerning the contribution of renewable energy to Colorado's economy.

On motion of Senator Schwartz, the resolution was **adopted** by the following roll call vote:

YES	23	NO	12	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	Y	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

Co-sponsor(s) added: Aguilar, Carroll, Giron, Guzman, Heath, Hodge, Hudak, Jahn, Jones, Kefalas, Kerr, Morse, Newell, Nicholson, Steadman, Tochtrop, Todd and Ulibarri.

Committee of the Whole On motion of Senator Steadman, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills and Senator Steadman was called to the Chair to act as Chairman.

GENERAL 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:

SB13-213 by Senator(s) Johnston and Heath; also Representative(s) Hamner--Concerning the financing of public schools, and, in connection therewith, creating the "Public School Finance Act".

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, March 19, page(s) 537 and placed in members' bill files.)

Amendment No. 2(L.046), by Senators Todd and Hudak.

Amend the Education Committee Report, dated March 21, 2013, page 6, strike lines 4 and 5 and substitute:

"Page 76 of the bill, strike lines 1 through 26 and substitute:

"22-54.5-301. Teaching and leadership investment - definitions. (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:
(a) "DISTRICT" MEANS A DISTRICT THAT DOES NOT RECEIVE A PER-PUPIL SUPPLEMENTAL PAYMENT PURSUANT TO SECTION 22-54.5-303.
(b) "ELIGIBLE INSTITUTE CHARTER SCHOOL" MEANS AN INSTITUTE CHARTER SCHOOL THAT IS NOT A MULTI-DISTRICT ON-LINE SCHOOL.
(c) "GROWTH TAX REVENUES" MEANS THE AMOUNT OF STATE REVENUES GENERATED IN THE APPLICABLE INCOME TAX YEAR AS A RESULT OF A STATEWIDE BALLOT QUESTION THAT INCREASES STATE TAX REVENUES FOR THE PURPOSE OF FUNDING PUBLIC EDUCATION, WHICH AMOUNT OF STATE REVENUES EXCEEDS THE AMOUNT SPECIFIED IN THE STATEWIDE BALLOT QUESTION.
(d) "SUPPLEMENTAL PAYMENT DISTRICT" MEANS A DISTRICT THAT RECEIVES A PER-PUPIL SUPPLEMENTAL PAYMENT PURSUANT TO SECTION 22-54.5-303.
(e) "TOTAL INVESTMENT MONEYS" MEANS AN AMOUNT EQUAL TO ANY AMOUNT OF THE GROWTH TAX REVENUES REMAINING AFTER THE APPROPRIATION OF GROWTH TAX REVENUES REQUIRED IN SECTION 22-20-114 (7) FOR THE APPLICABLE BUDGET YEAR.
(2) IN ADDITION TO THE STATE SHARE CALCULATED PURSUANT TO SECTION 22-54.5-203 FOR DISTRICTS AND SUPPLEMENTAL PAYMENT

DISTRICTS AND THE TOTAL PROGRAM FUNDING FOR ELIGIBLE INSTITUTE CHARTER SCHOOLS, EACH DISTRICT, SUPPLEMENTAL PAYMENT DISTRICT, AND ELIGIBLE INSTITUTE CHARTER SCHOOL SHALL ANNUALLY RECEIVE THE PER PUPIL AMOUNT OF TEACHING AND LEADERSHIP INVESTMENT MONEYS DESCRIBED IN SUBSECTION (3) OF THIS SECTION, MULTIPLIED BY THE DISTRICT'S, THE SUPPLEMENTAL PAYMENT DISTRICT'S, OR THE ELIGIBLE INSTITUTE CHARTER SCHOOL'S AVERAGE DAILY MEMBERSHIP FOR THE APPLICABLE FUNDING AVERAGING PERIOD. THE DEPARTMENT SHALL DISTRIBUTE THE INVESTMENT MONEYS WITH EACH DISTRICT'S OR SUPPLEMENTAL PAYMENT DISTRICT'S STATE SHARE AND WITH EACH ELIGIBLE INSTITUTE CHARTER SCHOOL'S FUNDING AS PROVIDED IN SECTION 22-54.5-408. IF A DISTRICT OR SUPPLEMENTAL PAYMENT DISTRICT DOES NOT RECEIVE STATE SHARE, THE DEPARTMENT SHALL DISTRIBUTE THE DISTRICT'S OR SUPPLEMENTAL PAYMENT DISTRICT'S INVESTMENT MONEYS IN ACCORDANCE WITH THE PROVISIONS OF SECTION 22-54.5-408.

(3) (a) FOR THE 2015-16 BUDGET YEAR, THE PER PUPIL AMOUNT OF INVESTMENT MONEYS FOR EACH DISTRICT, EACH SUPPLEMENTAL PAYMENT DISTRICT, AND EACH ELIGIBLE INSTITUTE CHARTER SCHOOL IS FOUR HUNDRED FORTY-ONE DOLLARS.

(b) (I) EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPH (c) OF THIS SUBSECTION (3), FOR THE 2016-17 BUDGET YEAR AND EACH BUDGET YEAR THEREAFTER, THE DEPARTMENT SHALL ANNUALLY CALCULATE THE PER PUPIL AMOUNT OF INVESTMENT MONEYS FOR EACH DISTRICT AND EACH ELIGIBLE INSTITUTE CHARTER SCHOOL AS THE GREATER OF FOUR HUNDRED FORTY-ONE DOLLARS OR AN AMOUNT EQUAL TO:

$$\frac{(\text{TOTAL INVESTMENT MONEYS} - (\$441 \times \text{TOTAL AVERAGE DAILY MEMBERSHIP OF SUPPLEMENTAL PAYMENT DISTRICTS})) \div (\text{TOTAL AVERAGE DAILY MEMBERSHIP OF DISTRICTS} + \text{TOTAL AVERAGE DAILY MEMBERSHIP OF ELIGIBLE INSTITUTE CHARTER SCHOOLS})}{1}$$

(II) EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPH (c) OF THIS SUBSECTION (3), FOR THE 2016-17 BUDGET YEAR AND EACH BUDGET YEAR THEREAFTER, THE DEPARTMENT SHALL ANNUALLY CALCULATE THE PER PUPIL AMOUNT OF INVESTMENT MONEYS FOR EACH SUPPLEMENTAL PAYMENT DISTRICT AS THE GREATER OF FOUR HUNDRED FORTY-ONE DOLLARS OR AN AMOUNT EQUAL TO:

$$\frac{\$441 + (\text{TOTAL INVESTMENT MONEYS} - (\$600 \times (\text{TOTAL AVERAGE DAILY MEMBERSHIP OF DISTRICTS} + \text{TOTAL AVERAGE DAILY MEMBERSHIP OF ELIGIBLE INSTITUTE CHARTER SCHOOLS}))) \div \text{TOTAL AVERAGE DAILY MEMBERSHIP OF SUPPLEMENTAL PAYMENT DISTRICTS}}{1}$$

(III) NOTWITHSTANDING THE PROVISIONS OF SUBPARAGRAPHS (I) AND (II) OF THIS PARAGRAPH (b), THE PER PUPIL AMOUNT OF INVESTMENT MONEYS FOR A DISTRICT, A SUPPLEMENTAL PAYMENT DISTRICT, OR AN ELIGIBLE INSTITUTE CHARTER SCHOOL, SHALL NOT EXCEED SIX HUNDRED DOLLARS IN A BUDGET YEAR, EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPH (c) OF THIS SUBSECTION (3).

(c) IN A BUDGET YEAR IN WHICH THE PER PUPIL AMOUNT OF INVESTMENT MONEYS CALCULATED PURSUANT TO PARAGRAPH (b) OF THIS SUBSECTION (3) FOR EACH DISTRICT, SUPPLEMENTAL PAYMENT DISTRICT, AND ELIGIBLE INSTITUTE CHARTER SCHOOL EXCEEDS SIX HUNDRED DOLLARS, THE DEPARTMENT SHALL CALCULATE THE PER PUPIL AMOUNT OF INVESTMENT MONEYS FOR EACH DISTRICT, SUPPLEMENTAL PAYMENT DISTRICT, AND ELIGIBLE INSTITUTE CHARTER SCHOOL AS AN AMOUNT EQUAL TO THE TOTAL INVESTMENT MONEYS DIVIDED BY THE COMBINED TOTAL AVERAGE DAILY MEMBERSHIP OF ALL DISTRICTS, ALL SUPPLEMENTAL PAYMENT DISTRICTS, AND ALL ELIGIBLE INSTITUTE CHARTER SCHOOLS."

Renumber succeeding subsection accordingly."

Page 8 of the report, line 10, before the first "THE" insert "NINETY-FIVE PERCENT OF".

Page 8 of the report, line 16, after "FROM" insert "AN AMOUNT EQUAL TO NINETY-FIVE PERCENT OF".

Page 8 of the report, line 23, after "FROM" insert "AN AMOUNT EQUAL TO NINETY-FIVE PERCENT OF".

Page 12 of the report, after line 4, insert:

"Page 139 of the bill, line 1, strike "(1) (b)" and substitute "(3)".".

Page 13 of the report, after line 9, insert:

"Page 157 of the bill, line 3, strike "(1) (b)" and substitute "(3)".".

Page 13 of the report, after line 21, insert:

"Page 172 of the bill, strike lines 1 through 3 and substitute:

"SECTION 9. In Colorado Revised Statutes, 22-20-114, **amend** (1) introductory portion; and **add** (7) and (8) as follow:

22-20-114. Funding of programs - legislative intent - definition. (1) Subject to the provisions of ~~subsection (3)~~ SUBSECTIONS (3), (7), AND (8) of this section, for the 2005-06 budget year and each budget year thereafter, the total amount appropriated to the department for the payment of costs incurred by administrative units for the provision of special education programs shall be distributed to each administrative unit that provides educational services for children with disabilities as follows:

(7) (a) FOR THE 2015-16 BUDGET YEAR AND BUDGET YEARS THEREAFTER, IN A BUDGET YEAR FOR WHICH THE STATE RECEIVES GROWTH TAX REVENUES, IF THERE IS A PORTION OF THE GROWTH TAX REVENUES REMAINING AFTER FULLY FUNDING THE STATE SHARE OF TOTAL PROGRAM FOR ALL DISTRICTS AND TOTAL PROGRAM FOR ALL INSTITUTE CHARTER SCHOOLS, AS CALCULATED PURSUANT TO ARTICLE 54.5 OF THIS TITLE, THE GENERAL ASSEMBLY SHALL INCREASE THE AMOUNT APPROPRIATED FOR DISTRIBUTION PURSUANT TO THIS SECTION BY THE REMAINING AMOUNT OF GROWTH TAX REVENUES, UP TO THE AMOUNT REQUIRED TO INCREASE THE PER PUPIL ALLOCATION PURSUANT TO PARAGRAPH (b) OF SUBSECTION (1) OF THIS SECTION TO TWO THOUSAND FIVE HUNDRED DOLLARS FOR EACH CHILD WITH DISABILITIES RECEIVING SPECIAL EDUCATION SERVICES FROM AN ADMINISTRATIVE UNIT.

(b) AS USED IN THIS SUBSECTION (7), "GROWTH TAX REVENUES" MEANS THE AMOUNT OF STATE REVENUES GENERATED IN THE APPLICABLE INCOME TAX YEAR AS A RESULT OF A STATEWIDE BALLOT QUESTION THAT INCREASES STATE TAX REVENUES FOR THE PURPOSE OF FUNDING PUBLIC EDUCATION, WHICH AMOUNT OF STATE REVENUES EXCEEDS THE AMOUNT SPECIFIED IN THE STATEWIDE BALLOT QUESTION.

(8) (a) FOR THE 2015-16 BUDGET YEAR AND BUDGET YEARS THEREAFTER, IN ADDITION TO ANY AMOUNT OF THE TOTAL ANNUAL APPROPRIATION MONEYS THAT ARE DISTRIBUTED PURSUANT TO PARAGRAPH (c) OF SUBSECTION (1) OF THIS SECTION, THE GENERAL ASSEMBLY SHALL APPROPRIATE AT LEAST EIGHTY MILLION DOLLARS TO INCREASE THE PERCENTAGE OF CHILDREN FOR WHICH AN ADMINISTRATIVE UNIT MAY RECEIVE ADDITIONAL FUNDING PURSUANT TO PARAGRAPH (c) OF SUBSECTION (1) OF THIS SECTION.

(b) THE GENERAL ASSEMBLY SHALL APPROPRIATE THE AMOUNT DESCRIBED IN PARAGRAPH (a) OF THIS SUBSECTION (8) FROM THE INCREASE IN STATE TAX REVENUES RECEIVED AS THE RESULT OF PASSAGE OF A STATEWIDE BALLOT MEASURE TO INCREASE STATE TAX REVENUES FOR THE PURPOSE OF FUNDING PUBLIC EDUCATION.

(9) It is".".

Page 13 of the report, strike line 24 and substitute:

"Page 172 of the bill, after line 12, insert:

"(10) IT IS FURTHER THE GENERAL".".

Page 13 of the report, line 26, strike "THIS SUBSECTION (7) OR" and substitute "SUBSECTION (7), (8), OR (9) OF THIS SECTION,".

Page 13 of the report, line 27, strike "PURSUANT TO SECTION 22-54.5-102 (2),".

Amendment No. 3(L.048), by Senator Johnston.

Amend the Education Committee Report, dated March 21, 2013, page 12, strike lines 11 and 12.

Amend printed bill, page 59, strike lines 21 through 27.

Page 60, strike lines 1 through 9.

Page 62, strike lines 23 through 27.

Page 63, strike lines 1 through 11.

Page 64, strike lines 26 and 27.

Page 65, strike lines 1 through 14.

Page 68, strike lines 2 through 10.

Page 79, line 21, strike "(5)" and substitute "(4)".

Page 79, strike lines 22 through 26.

Page 80, strike lines 11 through 27.

Page 81, strike lines 1 through 8.

Renumber succeeding subsections accordingly.

Page 93, after line 15, insert:

"22-54.5-309. District charter school equity fund - created - payments to district charter schools. (1) (a) EACH DISTRICT CHARTER SCHOOL SHALL ANNUALLY RECEIVE AN EQUITY PAYMENT. THE DEPARTMENT SHALL ANNUALLY CALCULATE THE AMOUNT OF THE CHARTER SCHOOL EQUITY PAYMENT FOR EACH DISTRICT CHARTER SCHOOL BY DIVIDING THE AMOUNT APPROPRIATED TO THE DISTRICT CHARTER SCHOOL EQUITY FUND FOR THE APPLICABLE BUDGET YEAR BY THE TOTAL COMBINED AVERAGE DAILY MEMBERSHIP AND ON-LINE AVERAGE DAILY MEMBERSHIP OF ALL DISTRICT CHARTER SCHOOLS IN THE STATE FOR THE APPLICABLE BUDGET YEAR, AND MULTIPLYING THE RESULTING PER PUPIL AMOUNT BY EACH DISTRICT CHARTER SCHOOL'S AVERAGE DAILY MEMBERSHIP, OR ON-LINE AVERAGE DAILY MEMBERSHIP IF THE DISTRICT CHARTER SCHOOL IS A MULTI-DISTRICT ON-LINE SCHOOL, FOR THE APPLICABLE BUDGET YEAR.

(b) NOTWITHSTANDING ANY PROVISION OF PARAGRAPH (a) OF THIS SUBSECTION (1) TO THE CONTRARY, IF A DISTRICT CHARTER SCHOOL IS IN THE FIRST OR SECOND YEAR OF ENROLLING PUPILS, THE DEPARTMENT SHALL CALCULATE THE AMOUNT DUE TO THE DISTRICT CHARTER SCHOOL AS PROVIDED IN SECTION 22-30.5-111.5 (3) (d).

(c) THE DEPARTMENT SHALL DISTRIBUTE TO EACH DISTRICT FROM MONEYS APPROPRIATED TO THE FUND THE AMOUNT OF THE CHARTER SCHOOL EQUITY PAYMENT FOR EACH CHARTER SCHOOL OF THE DISTRICT, AND THE DISTRICT SHALL FORWARD THE ENTIRE AMOUNT OF EACH PAYMENT TO THE DISTRICT CHARTER SCHOOL FOR WHICH IT WAS CALCULATED.

(2) (a) THERE IS CREATED IN THE STATE TREASURY THE DISTRICT CHARTER SCHOOL EQUITY FUND, REFERRED TO IN THIS SECTION AS THE "FUND". FOR THE 2015-16 BUDGET YEAR, THE GENERAL ASSEMBLY SHALL APPROPRIATE EIGHTEEN MILLION DOLLARS TO THE FUND. FOR THE 2016-17 BUDGET YEAR AND BUDGET YEARS THEREAFTER, THE GENERAL ASSEMBLY SHALL ANNUALLY INCREASE THE AMOUNT APPROPRIATED TO THE FUND TO ENSURE THAT THE PER PUPIL AMOUNT PAYABLE TO DISTRICT CHARTER SCHOOLS PURSUANT TO THIS SECTION INCREASES BY THE SAME PERCENTAGE THAT THE PER PUPIL MILL LEVY EQUALIZATION CALCULATED PURSUANT TO SECTION 22-54.5-202 (3) (b) (II) INCREASES FROM THE PRECEDING BUDGET YEAR TO THE APPLICABLE BUDGET YEAR.

(b) THE MONEYS IN THE FUND ARE SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY TO THE DEPARTMENT FOR DISTRIBUTION TO DISTRICTS AND SUBSEQUENTLY TO DISTRICT CHARTER SCHOOLS AS PROVIDED IN THIS SECTION. THE STATE TREASURER MAY INVEST ANY MONEYS IN THE FUND NOT EXPENDED FOR THE PURPOSE OF THIS SECTION AS PROVIDED BY LAW. THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE INVESTMENT AND DEPOSIT OF MONEYS IN THE FUND TO THE FUND. ANY UNEXPENDED AND UNENCUMBERED MONEYS REMAINING IN THE FUND AT THE END OF A FISCAL YEAR REMAIN IN THE FUND AND SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANOTHER FUND."

Renumber succeeding statutory sections accordingly.

Page 132, strike lines 8 through 11.

Reletter succeeding paragraphs accordingly.

Page 133, strike lines 23 through 27.

Reletter succeeding paragraphs accordingly.

Page 143, strike lines 8 through 27 and substitute:

"(d) A SCHOOL DISTRICT SHALL DISTRIBUTE TO EACH CHARTER SCHOOL OF THE SCHOOL DISTRICT ONE HUNDRED PERCENT OF THE CHARTER SCHOOL EQUITY PAYMENT THAT THE SCHOOL DISTRICT RECEIVES FOR THE CHARTER SCHOOL PURSUANT TO SECTION 22-54.5-309.".

Page 144, strike lines 1 through 6.

Reletter succeeding paragraph accordingly.

Page 172, strike lines 13 through 27.

Strike page 173.

Page 174, strike lines 1 through 5.

Renumber succeeding sections accordingly.

Amendment No. 4(L.049), by Senator Johnston.

Amend printed bill, page 170, line 7, strike "AND".

Page 170, line 13, strike "BENEFIT." and substitute "BENEFIT; AND".

Page 170, after line 13, insert:

"(VI) THE REPORTING SYSTEM MUST REQUIRE EACH DISTRICT TO REPORT THE TOTAL AMOUNT OF ADDITIONAL LOCAL PROPERTY TAX REVENUES THE DISTRICT IS AUTHORIZED TO COLLECT IN ADDITION TO THE DISTRICT'S TOTAL PROGRAM MILL LEVY, BUT NOT INCLUDING AMOUNTS AUTHORIZED PURSUANT TO SECTION 22-40-110 OR ARTICLE 42 OR ARTICLE 43 OF THIS TITLE, AND THE AMOUNT OF THE ADDITIONAL LOCAL PROPERTY TAX REVENUES THAT THE DISTRICT DISTRIBUTES TO CHARTER SCHOOLS OF THE SCHOOL DISTRICT, STATED AS A DOLLAR AMOUNT AND A PERCENTAGE.".

Amendment No. 5(L.050), by Senator Johnston.

Amend printed bill, page 139, line 3, strike "PERIOD; PLUS" and substitute "PERIOD.".

Page 139, strike lines 4 through 11.

Page 139, strike lines 14 and 15 and substitute "NEGOTIATION ALLOW THE SCHOOL DISTRICT TO RETAIN THE ACTUAL AMOUNT".

Page 139, line 19, strike "(4); AND" and substitute "(4).".

Page 139, strike lines 20 through 22.

Page 140, line 19, strike "SUBPARAGRAPHS (I)".

Page 140, line 20, strike "TO (IV) OF".

Page 141, strike lines 15 through 22.

Page 149, after line 7, insert:

"(c) WITHIN NINETY DAYS AFTER THE END OF EACH BUDGET YEAR, EACH SCHOOL DISTRICT SHALL PROVIDE TO EACH CHARTER SCHOOL OF THE SCHOOL DISTRICT AN ITEMIZED ACCOUNTING OF ALL THE ACTUAL SPECIAL EDUCATION COSTS THAT THE SCHOOL DISTRICT INCURRED FOR THE APPLICABLE BUDGET YEAR AND THE BASIS OF ANY PER-PUPIL CHARGES FOR SPECIAL EDUCATION THAT THE SCHOOL DISTRICT IMPOSED AGAINST CHARTER SCHOOL FOR THE APPLICABLE BUDGET YEAR."

Reletter succeeding paragraph accordingly.

Page 149, line 9, strike "(a) OR (b)" and substitute "(a), (b), OR (c)".

Amendment No. 6(L.052), by Senators Todd and Heath.

Amend the Education Committee Report, dated March 21, 2013, page 9, strike line 14.

Page 9 of the committee report, strike line 19.

Amend printed bill, page 98, line 20, strike "PRIORITY IMPROVEMENT" and substitute "IMPROVEMENT, PRIORITY IMPROVEMENT," and strike "AND".

Page 98 of the bill, after line 20 insert:

"(II) GIVE PREFERENCE TO GRANT APPLICATIONS TO IMPLEMENT EXPANDED LEARNING TIME INITIATIVES OR OTHER EDUCATION INITIATIVES THAT ARE LIKELY TO RESULT IN STUDENT PERFORMANCE GAINS THAT ARE COMPARABLE TO THOSE ACHIEVED THROUGH EXPANDED LEARNING TIME INITIATIVES;

(III) GIVE PREFERENCE TO GRANT APPLICATIONS THAT INCLUDE A PLAN TO IMPLEMENT THE INITIATIVE AFTER THE GRANT EXPIRES; AND".

Renumber succeeding subparagraph accordingly.

Page 100 of the bill, line 9, strike "TWO MEMBERS WHO REPRESENT" and substitute "ONE MEMBER WHO REPRESENTS".

Page 100 of the bill, strike line 10 and substitute:

"(II) THE PRESIDENT AND THE MINORITY LEADER OF THE SENATE AND THE SPEAKER AND THE MINORITY LEADER OF THE".

Page 100 of the bill, line 19, strike "THREE" and substitute "TWO".

Page 100 of the bill, line 20, strike "THREE" and substitute "TWO".

Page 102 of the bill, strike lines 23 through 27 and substitute "AWARD SEVENTY-FIVE PERCENT TO LOCAL EDUCATION PROVIDERS THAT SEEK EDUCATION INNOVATION GRANTS AND ARE IMPLEMENTING IMPROVEMENT, PRIORITY IMPROVEMENT, OR TURNAROUND PLANS AND TWENTY-FIVE PERCENT TO EDUCATORS, OTHER LOCAL EDUCATION PROVIDERS, AND BOARDS OF COOPERATIVE SERVICES THAT SEEK EDUCATION INNOVATION GRANTS."

Amendment No. 7(L.045), by Senator Johnston.

Amend printed bill, page 114, line 14, after "(1)" insert "(a)".

Page 114, after line 19, insert:

"(b) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (a) OF THIS SUBSECTION (1), IF A CHILD WITH DISABILITIES ENROLLS IN A DISTRICT OTHER THAN THE CHILD'S DISTRICT OF RESIDENCE, THE DISTRICT IN WHICH THE CHILD WITH DISABILITIES ENROLLS MAY INCLUDE THE CHILD IN THE DISTRICT'S MEMBERSHIP FOR FUNDING PURSUANT TO THIS ARTICLE AND MAY CONTRACT WITH THE CHILD'S DISTRICT OF RESIDENCE FOR PAYMENT OF TUITION IN ACCORDANCE WITH SECTION 22-20-109 (4)."

Page 168, line 22, strike "SECTION" and substitute "PARAGRAPH (i)".

Amendment No. 8(L.054), by Senator Johnston.

Amend printed bill, page 67, after line 23 insert:

"(d) IF THE ADDITIONAL LOCAL PROPERTY TAX REVENUES ALREADY AUTHORIZED AND THE SPECIFIC OWNERSHIP TAX REVENUE, IF ANY, EXCEEDS THE LIMITATION SPECIFIED IN THIS SUBSECTION (4), THE DISTRICT SHALL NOT HOLD AN ELECTION PURSUANT TO THE PROVISIONS OF THIS SECTION UNTIL THE LIMITATION IS GREATER THAN THE ADDITIONAL LOCAL PROPERTY TAX REVENUES ALREADY AUTHORIZED AND THE SPECIFIC OWNERSHIP TAX REVENUE, IF ANY."

Amendment No. 9(L.077), by Senators Kerr and Hudak.

Amend the Todd and Hudak floor amendment (SB213_L.046), page 1, line 8, strike "22-54.5-303." and substitute "22-54.5-303 OR A DISTRICT FOR WHICH THE PER PUPIL AMOUNT OF THE PER-PUPIL SUPPLEMENTAL PAYMENT RECEIVED PURSUANT TO SECTION 22-54.5-303 FOR THE APPLICABLE BUDGET YEAR IS LESS THAN ONE HUNDRED FIFTY-NINE DOLLARS."

Page 1, strike lines 17 through 19 and substitute:

"(d) "SUPPLEMENTAL PAYMENT DISTRICT" MEANS A DISTRICT FOR WHICH THE PER PUPIL AMOUNT OF THE PER-PUPIL SUPPLEMENTAL PAYMENT RECEIVED PURSUANT TO SECTION 22-54.5-303 FOR THE APPLICABLE BUDGET YEAR IS EQUAL TO OR GREATER THAN ONE HUNDRED FIFTY-NINE DOLLARS."

Page 2, line 19, strike "SCHOOLS)" and substitute "SCHOOLS)".

Page 2, line 26, strike "(TOTAL" and substitute "((TOTAL"

Page 2, line 29, strike "SCHOOLS)))" and substitute "SCHOOLS))".

Page 2, line 30, strike "DISTRICTS" and substitute "DISTRICTS)".

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

SB13-213 by Senator(s) Johnston and Heath; also Representative(s) Hamner--Concerning the financing of public schools, and, in connection therewith, creating the "Public School Finance Act".

Senator Renfroe moved to amend the Report of the Committee of the Whole to show that the following Todd and Hudak floor amendment, (L.046) to SB 13-213, and the following Kerr and Hudak amendment, (L.077) to SB 13-213, did not pass.

L.046

Amend the Education Committee Report, dated March 21, 2013, page 6, strike lines 4 and 5 and substitute:

"Page 76 of the bill, strike lines 1 through 26 and substitute:

"22-54.5-301. Teaching and leadership investment - definitions.

(1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "DISTRICT" MEANS A DISTRICT THAT DOES NOT RECEIVE A PER-PUPIL SUPPLEMENTAL PAYMENT PURSUANT TO SECTION 22-54.5-303.

(b) "ELIGIBLE INSTITUTE CHARTER SCHOOL" MEANS AN INSTITUTE CHARTER SCHOOL THAT IS NOT A MULTI-DISTRICT ON-LINE SCHOOL.

(c) "GROWTH TAX REVENUES" MEANS THE AMOUNT OF STATE REVENUES GENERATED IN THE APPLICABLE INCOME TAX YEAR AS A RESULT OF A STATEWIDE BALLOT QUESTION THAT INCREASES STATE TAX REVENUES FOR

THE PURPOSE OF FUNDING PUBLIC EDUCATION, WHICH AMOUNT OF STATE REVENUES EXCEEDS THE AMOUNT SPECIFIED IN THE STATEWIDE BALLOT QUESTION.

(d) "SUPPLEMENTAL PAYMENT DISTRICT" MEANS A DISTRICT THAT RECEIVES A PER-PUPIL SUPPLEMENTAL PAYMENT PURSUANT TO SECTION 22-54.5-303.

(e) "TOTAL INVESTMENT MONEYS" MEANS AN AMOUNT EQUAL TO ANY AMOUNT OF THE GROWTH TAX REVENUES REMAINING AFTER THE APPROPRIATION OF GROWTH TAX REVENUES REQUIRED IN SECTION 22-20-114 (7) FOR THE APPLICABLE BUDGET YEAR.

(2) IN ADDITION TO THE STATE SHARE CALCULATED PURSUANT TO SECTION 22-54.5-203 FOR DISTRICTS AND SUPPLEMENTAL PAYMENT DISTRICTS AND THE TOTAL PROGRAM FUNDING FOR ELIGIBLE INSTITUTE CHARTER SCHOOLS, EACH DISTRICT, SUPPLEMENTAL PAYMENT DISTRICT, AND ELIGIBLE INSTITUTE CHARTER SCHOOL SHALL ANNUALLY RECEIVE THE PER PUPIL AMOUNT OF TEACHING AND LEADERSHIP INVESTMENT MONEYS DESCRIBED IN SUBSECTION (3) OF THIS SECTION, MULTIPLIED BY THE DISTRICT'S, THE SUPPLEMENTAL PAYMENT DISTRICT'S, OR THE ELIGIBLE INSTITUTE CHARTER SCHOOL'S AVERAGE DAILY MEMBERSHIP FOR THE APPLICABLE FUNDING AVERAGING PERIOD. THE DEPARTMENT SHALL DISTRIBUTE THE INVESTMENT MONEYS WITH EACH DISTRICT'S OR SUPPLEMENTAL PAYMENT DISTRICT'S STATE SHARE AND WITH EACH ELIGIBLE INSTITUTE CHARTER SCHOOL'S FUNDING AS PROVIDED IN SECTION 22-54.5-408. IF A DISTRICT OR SUPPLEMENTAL PAYMENT DISTRICT DOES NOT RECEIVE STATE SHARE, THE DEPARTMENT SHALL DISTRIBUTE THE DISTRICT'S OR SUPPLEMENTAL PAYMENT DISTRICT'S INVESTMENT MONEYS IN ACCORDANCE WITH THE PROVISIONS OF SECTION 22-54.5-408.

(3) (a) FOR THE 2015-16 BUDGET YEAR, THE PER PUPIL AMOUNT OF INVESTMENT MONEYS FOR EACH DISTRICT, EACH SUPPLEMENTAL PAYMENT DISTRICT, AND EACH ELIGIBLE INSTITUTE CHARTER SCHOOL IS FOUR HUNDRED FORTY-ONE DOLLARS.

(b) (I) EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPH (c) OF THIS SUBSECTION (3), FOR THE 2016-17 BUDGET YEAR AND EACH BUDGET YEAR THEREAFTER, THE DEPARTMENT SHALL ANNUALLY CALCULATE THE PER PUPIL AMOUNT OF INVESTMENT MONEYS FOR EACH DISTRICT AND EACH ELIGIBLE INSTITUTE CHARTER SCHOOL AS THE GREATER OF FOUR HUNDRED FORTY-ONE DOLLARS OR AN AMOUNT EQUAL TO:

(TOTAL INVESTMENT MONEYS - (\$441 x TOTAL AVERAGE DAILY MEMBERSHIP OF SUPPLEMENTAL PAYMENT DISTRICTS)) ÷ (TOTAL AVERAGE DAILY MEMBERSHIP OF DISTRICTS + TOTAL AVERAGE DAILY MEMBERSHIP OF ELIGIBLE INSTITUTE CHARTER SCHOOLS)

(II) EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPH (c) OF THIS SUBSECTION (3), FOR THE 2016-17 BUDGET YEAR AND EACH BUDGET YEAR THEREAFTER, THE DEPARTMENT SHALL ANNUALLY CALCULATE THE PER PUPIL AMOUNT OF INVESTMENT MONEYS FOR EACH SUPPLEMENTAL PAYMENT DISTRICT AS THE GREATER OF FOUR HUNDRED FORTY-ONE DOLLARS OR AN AMOUNT EQUAL TO:

\$441 + (TOTAL INVESTMENT MONEYS - (\$600 x (TOTAL AVERAGE DAILY MEMBERSHIP OF DISTRICTS + TOTAL AVERAGE DAILY MEMBERSHIP OF ELIGIBLE INSTITUTE CHARTER SCHOOLS))) ÷ TOTAL AVERAGE DAILY MEMBERSHIP OF SUPPLEMENTAL PAYMENT DISTRICTS

(III) NOTWITHSTANDING THE PROVISIONS OF SUBPARAGRAPHS (I) AND (II) OF THIS PARAGRAPH (b), THE PER PUPIL AMOUNT OF INVESTMENT MONEYS FOR A DISTRICT, A SUPPLEMENTAL PAYMENT DISTRICT, OR AN ELIGIBLE INSTITUTE CHARTER SCHOOL, SHALL NOT EXCEED SIX HUNDRED DOLLARS IN A BUDGET YEAR, EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPH (c) OF THIS SUBSECTION (3).

(c) IN A BUDGET YEAR IN WHICH THE PER PUPIL AMOUNT OF INVESTMENT MONEYS CALCULATED PURSUANT TO PARAGRAPH (b) OF THIS SUBSECTION (3) FOR EACH DISTRICT, SUPPLEMENTAL PAYMENT DISTRICT, AND ELIGIBLE INSTITUTE CHARTER SCHOOL EXCEEDS SIX HUNDRED DOLLARS, THE DEPARTMENT SHALL CALCULATE THE PER PUPIL AMOUNT OF INVESTMENT MONEYS FOR EACH DISTRICT, SUPPLEMENTAL PAYMENT DISTRICT, AND ELIGIBLE INSTITUTE CHARTER SCHOOL AS AN AMOUNT EQUAL TO THE TOTAL INVESTMENT MONEYS DIVIDED BY THE COMBINED TOTAL AVERAGE DAILY MEMBERSHIP OF ALL DISTRICTS, ALL SUPPLEMENTAL PAYMENT DISTRICTS, AND ALL ELIGIBLE INSTITUTE CHARTER SCHOOLS."

Renumber succeeding subsection accordingly."

PERCENT OF".

Page 8 of the report, line 16, after "FROM" insert "AN AMOUNT EQUAL TO NINETY-FIVE PERCENT OF".

Page 8 of the report, line 23, after "FROM" insert "AN AMOUNT EQUAL TO NINETY-FIVE PERCENT OF".

Page 12 of the report, after line 4, insert:

"Page 139 of the bill, line 1, strike "(1) (b)" and substitute "(3)".

Page 13 of the report, after line 9, insert:

"Page 157 of the bill, line 3, strike "(1) (b)" and substitute "(3)".

Page 13 of the report, after line 21, insert:

"Page 172 of the bill, strike lines 1 through 3 and substitute:

"SECTION 9. In Colorado Revised Statutes, 22-20-114, **amend** (1) introductory portion; and **add** (7) and (8) as follow:

22-20-114. Funding of programs - legislative intent - definition.

(1) Subject to the provisions of ~~subsection (3)~~ SUBSECTIONS (3), (7), AND (8) of this section, for the 2005-06 budget year and each budget year thereafter, the total amount appropriated to the department for the payment of costs incurred by administrative units for the provision of special education programs shall be distributed to each administrative unit that provides educational services for children with disabilities as follows:

(7) (a) FOR THE 2015-16 BUDGET YEAR AND BUDGET YEARS THEREAFTER, IN A BUDGET YEAR FOR WHICH THE STATE RECEIVES GROWTH TAX REVENUES, IF THERE IS A PORTION OF THE GROWTH TAX REVENUES REMAINING AFTER FULLY FUNDING THE STATE SHARE OF TOTAL PROGRAM FOR ALL DISTRICTS AND TOTAL PROGRAM FOR ALL INSTITUTE CHARTER SCHOOLS, AS CALCULATED PURSUANT TO ARTICLE 54.5 OF THIS TITLE, THE GENERAL ASSEMBLY SHALL INCREASE THE AMOUNT APPROPRIATED FOR DISTRIBUTION PURSUANT TO THIS SECTION BY THE REMAINING AMOUNT OF GROWTH TAX REVENUES, UP TO THE AMOUNT REQUIRED TO INCREASE THE PER PUPIL ALLOCATION PURSUANT TO PARAGRAPH (b) OF SUBSECTION (1) OF THIS SECTION TO TWO THOUSAND FIVE HUNDRED DOLLARS FOR EACH CHILD WITH DISABILITIES RECEIVING SPECIAL EDUCATION SERVICES FROM AN ADMINISTRATIVE UNIT.

(b) AS USED IN THIS SUBSECTION (7), "GROWTH TAX REVENUES" MEANS THE AMOUNT OF STATE REVENUES GENERATED IN THE APPLICABLE INCOME TAX YEAR AS A RESULT OF A STATEWIDE BALLOT QUESTION THAT INCREASES STATE TAX REVENUES FOR THE PURPOSE OF FUNDING PUBLIC EDUCATION, WHICH AMOUNT OF STATE REVENUES EXCEEDS THE AMOUNT SPECIFIED IN THE STATEWIDE BALLOT QUESTION.

(8) (a) FOR THE 2015-16 BUDGET YEAR AND BUDGET YEARS THEREAFTER, IN ADDITION TO ANY AMOUNT OF THE TOTAL ANNUAL APPROPRIATION MONEYS THAT ARE DISTRIBUTED PURSUANT TO PARAGRAPH (c) OF SUBSECTION (1) OF THIS SECTION, THE GENERAL ASSEMBLY SHALL APPROPRIATE AT LEAST EIGHTY MILLION DOLLARS TO INCREASE THE PERCENTAGE OF CHILDREN FOR WHICH AN ADMINISTRATIVE UNIT MAY RECEIVE ADDITIONAL FUNDING PURSUANT TO PARAGRAPH (c) OF SUBSECTION (1) OF THIS SECTION.

(b) THE GENERAL ASSEMBLY SHALL APPROPRIATE THE AMOUNT DESCRIBED IN PARAGRAPH (a) OF THIS SUBSECTION (8) FROM THE INCREASE IN STATE TAX REVENUES RECEIVED AS THE RESULT OF PASSAGE OF A STATEWIDE BALLOT MEASURE TO INCREASE STATE TAX REVENUES FOR THE PURPOSE OF FUNDING PUBLIC EDUCATION.

(9) It is".

Page 13 of the report, strike line 24 and substitute:

"Page 172 of the bill, after line 12, insert:

"(10) IT IS FURTHER THE GENERAL".

Page 13 of the report, line 26, strike "THIS SUBSECTION (7) OR" and substitute "SUBSECTION (7), (8), OR (9) OF THIS SECTION,".

Page 13 of the report, line 27, strike "PURSUANT TO SECTION 22-54.5-102(2),".

L.077

Amend the Todd and Hudak floor amendment (SB213_L.046), page 1, line 8, strike "22-54.5-303." and substitute "22-54.5-303 OR A DISTRICT FOR WHICH THE PER PUPIL AMOUNT OF THE PER-PUPIL SUPPLEMENTAL PAYMENT RECEIVED PURSUANT TO SECTION 22-54.5-303 FOR THE APPLICABLE BUDGET YEAR IS LESS THAN ONE HUNDRED FIFTY-NINE DOLLARS.".

Page 1, strike lines 17 through 19 and substitute:

"(d) "SUPPLEMENTAL PAYMENT DISTRICT" MEANS A DISTRICT FOR WHICH THE PER PUPIL AMOUNT OF THE PER-PUPIL SUPPLEMENTAL PAYMENT RECEIVED PURSUANT TO SECTION 22-54.5-303 FOR THE APPLICABLE BUDGET YEAR IS EQUAL TO OR GREATER THAN ONE HUNDRED FIFTY-NINE DOLLARS.".

Page 2, line 19, strike "SCHOOLS)" and substitute "SCHOOLS)".

Page 2, line 26, strike "(TOTAL" and substitute "((TOTAL".

Page 2, line 29, strike "SCHOOLS)))" and substitute "SCHOOLS))).

Page 2, line 30, strike "DISTRICTS" and substitute "DISTRICTS)".

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	15	NO	20	EXCUSED	0	ABSENT	0
Aguilar	N	Guzman	N	Kefalas	N	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	N	Scheffel	Y
Baumgardner	Y	Heath	N	King	Y	Schwartz	N
Brophy	Y	Hill	Y	Lambert	Y	Steadman	N
Cadman	Y	Hodge	N	Lundberg	Y	Tochtrop	N
Carroll	N	Hudak	N	Marble	Y	Todd	N
Crowder	Y	Jahn	N	Newell	N	Ulibarri	N
Giron	N	Johnston	N	Nicholson	N	President	N
Grantham	Y	Jones	N	Renfroe	Y		

Senator Renfroe moved to amend the Report of the Committee of the Whole to show that the following Renfroe floor amendment, (L.072) to SB 13-213, did pass.

Amend printed bill, page 170, line 7, strike "AND".

Page 170, line 13, strike "BENEFIT." and substitute "BENEFIT; AND".

Page 170, after line 13 insert:

"(VI) WITH REGARD TO REPORTING EMPLOYEE BENEFITS, THE REPORTING SYSTEM MUST REQUIRE EACH CHARTER SCHOOL, EACH SCHOOL DISTRICT, EACH BOARD OF COOPERATIVE SERVICES, AND THE INSTITUTE TO SPECIFICALLY REPORT THE AMOUNTS OF THE EMPLOYING ENTITY'S CONTRIBUTIONS ON BEHALF OF EMPLOYEES TO THE PUBLIC EMPLOYEES' RETIREMENT ASSOCIATION, INCLUDING THE AMOUNTS PAID IN AMORTIZATION EQUALIZATION DISBURSEMENTS AND SUPPLEMENTAL AMORTIZATION EQUALIZATION DISBURSEMENTS PURSUANT TO SECTIONS 24-51- 411 AND, IF APPLICABLE, 22-51-412, C.R.S., AND THE FINANCIAL SOLVENCY PROJECTIONS FOR AND UNFUNDED LIABILITIES OF THE EMPLOYING ENTITY'S DIVISION WITHIN THE PUBLIC EMPLOYEES' RETIREMENT ASSOCIATION.".

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	15	NO	20	EXCUSED	0	ABSENT	0
Aguilar	N	Guzman	N	Kefalas	N	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	N	Scheffel	Y
Baumgardner	Y	Heath	N	King	Y	Schwartz	N
Brophy	Y	Hill	Y	Lambert	Y	Steadman	N
Cadman	Y	Hodge	N	Lundberg	Y	Tochtrop	N
Carroll	N	Hudak	N	Marble	Y	Todd	N
Crowder	Y	Jahn	N	Newell	N	Ulibarri	N
Giron	N	Johnston	N	Nicholson	N	President	N
Grantham	Y	Jones	N	Renfroe	Y		

Senator Renfroe moved to amend the Report of the Committee of the Whole to show that the following Renfroe floor amendment, (L.030) to SB 13-213, did pass and that the following new amendment to SB 13-213 did pass.

L.030

Amend the Education Committee Report, dated March 21, 2013, page 2, strike lines 2 through 33.

Page 5 of the report, strike lines 18 through 25.

Amend printed bill, page 16, after line 24, insert:

"(3) (a) "ADVANCED MATHEMATICS PERCENTAGE" MEANS THE NUMBER OF PUPILS WHO SCORE AS ADVANCED ON THE STATEWIDE ASSESSMENT IN MATHEMATICS FOR THE SCHOOL YEAR THAT BEGINS TWO YEARS BEFORE THE APPLICABLE BUDGET YEAR DIVIDED BY THE LOCAL EDUCATION PROVIDER'S COMBINED AVERAGE DAILY MEMBERSHIP AND ON-LINE AVERAGE DAILY MEMBERSHIP FOR GRADES THREE THROUGH TEN FOR THE SCHOOL YEAR THAT BEGINS TWO YEARS BEFORE THE APPLICABLE BUDGET YEAR.

(b) NOTWITHSTANDING ANY PROVISION OF PARAGRAPH (a) OF THIS SUBSECTION (3) TO THE CONTRARY, FOR A BUDGET YEAR IN WHICH AVERAGE DAILY MEMBERSHIP FOR A SCHOOL YEAR IS NOT AVAILABLE, THE DEPARTMENT SHALL USE THE LOCAL EDUCATION PROVIDER'S PUPIL ENROLLMENT, AS DEFINED IN SECTION 22-54-103 (10) AS IT EXISTED PRIOR TO REPEAL, AND ON-LINE PUPIL ENROLLMENT, AS DEFINED IN SECTION 22-54-103 (8.5) AS IT EXISTED PRIOR TO REPEAL, FOR THAT BUDGET YEAR FOR PURPOSES OF CALCULATING THE ADVANCED MATHEMATICS PERCENTAGE.

(4) (a) "ADVANCED READING PERCENTAGE" MEANS THE NUMBER OF PUPILS WHO SCORE AS ADVANCED ON THE STATEWIDE ASSESSMENT IN READING FOR THE SCHOOL YEAR THAT BEGINS TWO YEARS BEFORE THE APPLICABLE BUDGET YEAR DIVIDED BY THE LOCAL EDUCATION PROVIDER'S COMBINED AVERAGE DAILY MEMBERSHIP AND ON-LINE AVERAGE DAILY MEMBERSHIP FOR GRADES THREE THROUGH TEN FOR THE SCHOOL YEAR THAT BEGINS TWO YEARS BEFORE THE APPLICABLE BUDGET YEAR.

(b) NOTWITHSTANDING ANY PROVISION OF PARAGRAPH (a) OF THIS SUBSECTION (4) TO THE CONTRARY, FOR A BUDGET YEAR IN WHICH AVERAGE DAILY MEMBERSHIP FOR A SCHOOL YEAR IS NOT AVAILABLE, THE DEPARTMENT SHALL USE THE LOCAL EDUCATION PROVIDER'S PUPIL ENROLLMENT, AS DEFINED IN SECTION 22-54-103 (10) AS IT EXISTED PRIOR TO REPEAL, AND ON-LINE PUPIL ENROLLMENT, AS DEFINED IN SECTION 22-54-103 (8.5) AS IT EXISTED PRIOR TO REPEAL, FOR THAT BUDGET YEAR FOR PURPOSES OF CALCULATING THE ADVANCED READING PERCENTAGE.

(5) (a) "ADVANCED WRITING PERCENTAGE" MEANS THE NUMBER OF PUPILS WHO SCORE AS ADVANCED ON THE STATEWIDE ASSESSMENT IN WRITING FOR THE SCHOOL YEAR THAT BEGINS TWO YEARS BEFORE THE APPLICABLE BUDGET YEAR DIVIDED BY THE LOCAL EDUCATION PROVIDER'S COMBINED AVERAGE DAILY MEMBERSHIP AND ON-LINE AVERAGE DAILY ENROLLMENT FOR GRADES THREE THROUGH TEN FOR THE SCHOOL YEAR THAT BEGINS TWO YEARS BEFORE THE APPLICABLE BUDGET YEAR.

(b) NOTWITHSTANDING ANY PROVISION OF PARAGRAPH (a) OF THIS SUBSECTION (5) TO THE CONTRARY, FOR A BUDGET YEAR IN WHICH AVERAGE DAILY MEMBERSHIP FOR A SCHOOL YEAR IS NOT AVAILABLE, THE DEPARTMENT SHALL USE THE LOCAL EDUCATION PROVIDER'S PUPIL ENROLLMENT, AS DEFINED IN SECTION 22-54-103 (10) AS IT EXISTED PRIOR TO REPEAL, AND ON-LINE PUPIL ENROLLMENT, AS DEFINED IN

SECTION 22-54-103 (8.5) AS IT EXISTED PRIOR TO REPEAL, FOR THAT BUDGET YEAR FOR PURPOSES OF CALCULATING THE ADVANCED WRITING PERCENTAGE.".

Renumber succeeding subsections accordingly.

Page 17, strike lines 17 through 27.

Page 18, strike lines 1 through 25.

Renumber succeeding subsections accordingly.

Page 26, before line 20, insert:

"(29) "PARTIALLY PROFICIENT MATHEMATICS PERCENTAGE" MEANS THE NUMBER OF PUPILS WHO SCORE AS PARTIALLY PROFICIENT ON THE STATEWIDE ASSESSMENT IN MATHEMATICS FOR THE SCHOOL YEAR THAT BEGINS TWO YEARS BEFORE THE APPLICABLE BUDGET YEAR DIVIDED BY THE LOCAL EDUCATION PROVIDER'S COMBINED AVERAGE DAILY MEMBERSHIP AND ON-LINE AVERAGE DAILY MEMBERSHIP FOR GRADES THREE THROUGH TEN FOR THE SCHOOL YEAR THAT BEGINS TWO YEARS BEFORE THE APPLICABLE BUDGET YEAR.

(b) NOTWITHSTANDING ANY PROVISION OF PARAGRAPH (a) OF THIS SUBSECTION (29) TO THE CONTRARY, FOR A BUDGET YEAR IN WHICH AVERAGE DAILY MEMBERSHIP FOR A SCHOOL YEAR IS NOT AVAILABLE, THE DEPARTMENT SHALL USE THE LOCAL EDUCATION PROVIDER'S PUPIL ENROLLMENT, AS DEFINED IN SECTION 22-54-103 (10) AS IT EXISTED PRIOR TO REPEAL, AND ON-LINE PUPIL ENROLLMENT, AS DEFINED IN SECTION 22-54-103 (8.5) AS IT EXISTED PRIOR TO REPEAL, FOR THAT BUDGET YEAR FOR PURPOSES OF CALCULATING THE PARTIALLY PROFICIENT MATHEMATICS PERCENTAGE.

(30) (a) "PARTIALLY PROFICIENT READING PERCENTAGE" MEANS THE NUMBER OF PUPILS WHO SCORE AS PARTIALLY PROFICIENT ON THE STATEWIDE ASSESSMENT IN READING FOR THE SCHOOL YEAR THAT BEGINS TWO YEARS BEFORE THE APPLICABLE BUDGET YEAR DIVIDED BY THE LOCAL EDUCATION PROVIDER'S COMBINED AVERAGE DAILY MEMBERSHIP AND ON-LINE AVERAGE DAILY MEMBERSHIP FOR GRADES THREE THROUGH TEN FOR THE SCHOOL YEAR THAT BEGINS TWO YEARS BEFORE THE APPLICABLE BUDGET YEAR.

(b) NOTWITHSTANDING ANY PROVISION OF PARAGRAPH (a) OF THIS SUBSECTION (30) TO THE CONTRARY, FOR A BUDGET YEAR IN WHICH AVERAGE DAILY MEMBERSHIP FOR A SCHOOL YEAR IS NOT AVAILABLE, THE DEPARTMENT SHALL USE THE LOCAL EDUCATION PROVIDER'S PUPIL ENROLLMENT, AS DEFINED IN SECTION 22-54-103 (10) AS IT EXISTED PRIOR TO REPEAL, AND ON-LINE PUPIL ENROLLMENT, AS DEFINED IN SECTION 22-54-103 (8.5) AS IT EXISTED PRIOR TO REPEAL, FOR THAT BUDGET YEAR FOR PURPOSES OF CALCULATING THE PARTIALLY PROFICIENT READING PERCENTAGE.

(31) (a) "PARTIALLY PROFICIENT WRITING PERCENTAGE" MEANS THE NUMBER OF PUPILS WHO SCORE AS PARTIALLY PROFICIENT ON THE STATEWIDE ASSESSMENT IN WRITING FOR THE SCHOOL YEAR THAT BEGINS TWO YEARS BEFORE THE APPLICABLE BUDGET YEAR DIVIDED BY THE LOCAL EDUCATION PROVIDER'S COMBINED AVERAGE DAILY MEMBERSHIP AND ON-LINE AVERAGE DAILY MEMBERSHIP FOR GRADES THREE THROUGH TEN FOR THE SCHOOL YEAR THAT BEGINS TWO YEARS BEFORE THE APPLICABLE BUDGET YEAR.

(b) NOTWITHSTANDING ANY PROVISION OF PARAGRAPH (a) OF THIS SUBSECTION (31) TO THE CONTRARY, FOR A BUDGET YEAR IN WHICH AVERAGE DAILY MEMBERSHIP FOR A SCHOOL YEAR IS NOT AVAILABLE, THE DEPARTMENT SHALL USE THE LOCAL EDUCATION PROVIDER'S PUPIL ENROLLMENT, AS DEFINED IN SECTION 22-54-103 (10) AS IT EXISTED PRIOR TO REPEAL, AND ON-LINE PUPIL ENROLLMENT, AS DEFINED IN SECTION 22-54-103 (8.5) AS IT EXISTED PRIOR TO REPEAL, FOR THAT BUDGET YEAR FOR PURPOSES OF CALCULATING THE PARTIALLY PROFICIENT WRITING PERCENTAGE.".

Renumber succeeding subsections accordingly.

Page 29, after line 15, insert:

"(47) (a) "UNSATISFACTORY MATHEMATICS PERCENTAGE" MEANS THE NUMBER OF PUPILS WHO SCORE AS UNSATISFACTORY ON THE STATEWIDE ASSESSMENT IN MATHEMATICS FOR THE SCHOOL YEAR THAT BEGINS TWO YEARS BEFORE THE APPLICABLE BUDGET YEAR DIVIDED BY

THE LOCAL EDUCATION PROVIDER'S COMBINED AVERAGE DAILY MEMBERSHIP AND ON-LINE AVERAGE DAILY MEMBERSHIP FOR GRADES THREE THROUGH TEN FOR THE SCHOOL YEAR THAT BEGINS TWO YEARS BEFORE THE APPLICABLE BUDGET YEAR.

(b) NOTWITHSTANDING ANY PROVISION OF PARAGRAPH (a) OF THIS SUBSECTION (47) TO THE CONTRARY, FOR A BUDGET YEAR IN WHICH AVERAGE DAILY MEMBERSHIP FOR A SCHOOL YEAR IS NOT AVAILABLE, THE DEPARTMENT SHALL USE THE LOCAL EDUCATION PROVIDER'S PUPIL ENROLLMENT, AS DEFINED IN SECTION 22-54-103 (10) AS IT EXISTED PRIOR TO REPEAL, AND ON-LINE PUPIL ENROLLMENT, AS DEFINED IN SECTION 22-54-103 (8.5) AS IT EXISTED PRIOR TO REPEAL, FOR THAT BUDGET YEAR FOR PURPOSES OF CALCULATING THE UNSATISFACTORY MATHEMATICS PERCENTAGE.

(48) (a) "UNSATISFACTORY READING PERCENTAGE" MEANS THE NUMBER OF PUPILS WHO SCORE AS UNSATISFACTORY ON THE STATEWIDE ASSESSMENT IN READING FOR THE SCHOOL YEAR THAT BEGINS TWO YEARS BEFORE THE APPLICABLE BUDGET YEAR DIVIDED BY THE LOCAL EDUCATION PROVIDER'S COMBINED AVERAGE DAILY MEMBERSHIP AND ON-LINE AVERAGE DAILY MEMBERSHIP FOR GRADES THREE THROUGH TEN FOR THE SCHOOL YEAR THAT BEGINS TWO YEARS BEFORE THE APPLICABLE BUDGET YEAR.

(b) NOTWITHSTANDING ANY PROVISION OF PARAGRAPH (a) OF THIS SUBSECTION (48) TO THE CONTRARY, FOR A BUDGET YEAR IN WHICH AVERAGE DAILY MEMBERSHIP FOR A SCHOOL YEAR IS NOT AVAILABLE, THE DEPARTMENT SHALL USE THE LOCAL EDUCATION PROVIDER'S PUPIL ENROLLMENT, AS DEFINED IN SECTION 22-54-103 (10) AS IT EXISTED PRIOR TO REPEAL, AND ON-LINE PUPIL ENROLLMENT, AS DEFINED IN SECTION 22-54-103 (8.5) AS IT EXISTED PRIOR TO REPEAL, FOR THAT BUDGET YEAR FOR PURPOSES OF CALCULATING THE UNSATISFACTORY READING PERCENTAGE.

(49) (a) "UNSATISFACTORY WRITING PERCENTAGE" MEANS THE NUMBER OF PUPILS WHO SCORE AS UNSATISFACTORY ON THE STATEWIDE ASSESSMENT IN WRITING FOR THE SCHOOL YEAR THAT BEGINS TWO YEARS BEFORE THE APPLICABLE BUDGET YEAR DIVIDED BY THE LOCAL EDUCATION PROVIDER'S COMBINED AVERAGE DAILY MEMBERSHIP AND ON-LINE AVERAGE DAILY MEMBERSHIP FOR GRADES THREE THROUGH TEN FOR THE SCHOOL YEAR THAT BEGINS TWO YEARS BEFORE THE APPLICABLE BUDGET YEAR.

(b) NOTWITHSTANDING ANY PROVISION OF PARAGRAPH (a) OF THIS SUBSECTION (49) TO THE CONTRARY, FOR A BUDGET YEAR IN WHICH AVERAGE DAILY MEMBERSHIP FOR A SCHOOL YEAR IS NOT AVAILABLE, THE DEPARTMENT SHALL USE THE LOCAL EDUCATION PROVIDER'S PUPIL ENROLLMENT, AS DEFINED IN SECTION 22-54-103 (10) AS IT EXISTED PRIOR TO REPEAL, AND ON-LINE PUPIL ENROLLMENT, AS DEFINED IN SECTION 22-54-103 (8.5) AS IT EXISTED PRIOR TO REPEAL, FOR THAT BUDGET YEAR FOR PURPOSES OF CALCULATING THE UNSATISFACTORY WRITING PERCENTAGE."

Page 35, line 17, strike "AT-RISK" and substitute "STUDENT ACHIEVEMENT".

Page 39, strike lines 16 through 27 and substitute:

"(4) **District student achievement funding.** (a) **Formula.** THE DEPARTMENT SHALL CALCULATE A DISTRICT'S STUDENT ACHIEVEMENT FUNDING USING THE FOLLOWING FORMULA:

UNSATISFACTORY FUNDING + PARTIALLY PROFICIENT FUNDING + ADVANCED FUNDING.

(b) **Unsatisfactory funding.** THE DEPARTMENT SHALL CALCULATE A DISTRICT'S UNSATISFACTORY FUNDING USING THE FOLLOWING FORMULA:

(STATEWIDE BASE PER PUPIL FUNDING X 20%) X (((DISTRICT'S UNSATISFACTORY MATHEMATICS PERCENTAGE X (DISTRICT'S ADJUSTED AVERAGED DAILY MEMBERSHIP + DISTRICT'S ON-LINE AVERAGE DAILY MEMBERSHIP)) + (DISTRICT'S UNSATISFACTORY READING PERCENTAGE X (DISTRICT'S ADJUSTED AVERAGE DAILY MEMBERSHIP + DISTRICT'S ON-LINE AVERAGE DAILY MEMBERSHIP)) + (DISTRICT'S UNSATISFACTORY WRITING PERCENTAGE X (DISTRICT'S ADJUSTED AVERAGE DAILY MEMBERSHIP + DISTRICT'S ON-LINE AVERAGE DAILY MEMBERSHIP))).

(c) **Partially proficient funding.** THE DEPARTMENT SHALL

CALCULATE A DISTRICT'S PARTIALLY PROFICIENT FUNDING USING THE FOLLOWING FORMULA:

(STATEWIDE BASE PER PUPIL FUNDING X 9%) X
(((DISTRICT'S PARTIALLY PROFICIENT MATHEMATICS
PERCENTAGE X (DISTRICT'S ADJUSTED AVERAGED DAILY
MEMBERSHIP + DISTRICT'S ON-LINE AVERAGE DAILY
MEMBERSHIP)) + (DISTRICT'S PARTIALLY PROFICIENT
READING PERCENTAGE X (DISTRICT'S ADJUSTED AVERAGE
DAILY MEMBERSHIP + DISTRICT'S ON-LINE AVERAGE DAILY
MEMBERSHIP)) + (DISTRICT'S PARTIALLY PROFICIENT
WRITING PERCENTAGE X (DISTRICT'S ADJUSTED AVERAGE
DAILY MEMBERSHIP + DISTRICT'S ON-LINE AVERAGE DAILY
MEMBERSHIP)))).

(d) **Advanced funding.** THE DEPARTMENT SHALL CALCULATE A DISTRICT'S ADVANCED FUNDING USING THE FOLLOWING FORMULA:

(STATEWIDE BASE PER PUPIL FUNDING X 5.242%) X
(((DISTRICT'S ADVANCED MATHEMATICS PERCENTAGE X
(DISTRICT'S ADJUSTED AVERAGED DAILY MEMBERSHIP +
DISTRICT'S ON-LINE AVERAGE DAILY MEMBERSHIP)) +
(DISTRICT'S ADVANCED READING PERCENTAGE X
(DISTRICT'S ADJUSTED AVERAGE DAILY MEMBERSHIP +
DISTRICT'S ON-LINE AVERAGE DAILY MEMBERSHIP)) +
(DISTRICT'S ADVANCED WRITING PERCENTAGE X
(DISTRICT'S ADJUSTED AVERAGE DAILY MEMBERSHIP +
DISTRICT'S ON-LINE AVERAGE DAILY MEMBERSHIP))).".

Page 40, strike lines 1 through 13.

Page 42, line 22, strike "AT-RISK" and substitute "STUDENT ACHIEVEMENT".

Page 43, strike lines 20 through 27 and substitute:

"(4) **Institute charter school student achievement funding.**

(a) **Formula.** THE DEPARTMENT SHALL CALCULATE AN INSTITUTE CHARTER SCHOOL'S STUDENT ACHIEVEMENT FUNDING USING THE FOLLOWING FORMULA:

UNSATISFACTORY FUNDING + PARTIALLY PROFICIENT
FUNDING + ADVANCED FUNDING.

(b) **Unsatisfactory funding.** THE DEPARTMENT SHALL CALCULATE AN INSTITUTE CHARTER SCHOOL'S UNSATISFACTORY FUNDING USING THE FOLLOWING FORMULA:

(STATEWIDE BASE PER PUPIL FUNDING X 20%) X
(((INSTITUTE CHARTER SCHOOL'S UNSATISFACTORY
MATHEMATICS PERCENTAGE X (INSTITUTE CHARTER
SCHOOL'S ADJUSTED AVERAGED DAILY MEMBERSHIP +
INSTITUTE CHARTER SCHOOL'S ON-LINE AVERAGE DAILY
MEMBERSHIP)) + (INSTITUTE CHARTER SCHOOL'S
UNSATISFACTORY READING PERCENTAGE X (INSTITUTE
CHARTER SCHOOL'S ADJUSTED AVERAGE DAILY
MEMBERSHIP + INSTITUTE CHARTER SCHOOL'S ON-LINE
AVERAGE DAILY MEMBERSHIP)) + (INSTITUTE CHARTER
SCHOOL'S UNSATISFACTORY WRITING PERCENTAGE X
(INSTITUTE CHARTER SCHOOL'S ADJUSTED AVERAGE DAILY
MEMBERSHIP + INSTITUTE CHARTER SCHOOL'S ON-LINE
AVERAGE DAILY MEMBERSHIP))).

(c) **Partially proficient funding.** THE DEPARTMENT SHALL CALCULATE AN INSTITUTE CHARTER SCHOOL'S PARTIALLY PROFICIENT FUNDING USING THE FOLLOWING FORMULA:

(STATEWIDE BASE PER PUPIL FUNDING X 9%) X
(((INSTITUTE CHARTER SCHOOL'S PARTIALLY PROFICIENT
MATHEMATICS PERCENTAGE X (INSTITUTE CHARTER
SCHOOL'S ADJUSTED AVERAGED DAILY MEMBERSHIP +
INSTITUTE CHARTER SCHOOL'S ON-LINE AVERAGE DAILY
MEMBERSHIP)) + (INSTITUTE CHARTER SCHOOL'S
PARTIALLY PROFICIENT READING PERCENTAGE X
(INSTITUTE CHARTER SCHOOL'S ADJUSTED AVERAGE DAILY
MEMBERSHIP + INSTITUTE CHARTER SCHOOL'S ON-LINE
AVERAGE DAILY MEMBERSHIP)) + (INSTITUTE CHARTER
SCHOOL'S PARTIALLY PROFICIENT WRITING PERCENTAGE X
(INSTITUTE CHARTER SCHOOL'S ADJUSTED AVERAGE DAILY
MEMBERSHIP + INSTITUTE CHARTER SCHOOL'S ON-LINE
AVERAGE DAILY MEMBERSHIP))).

(d) **Advanced funding.** THE DEPARTMENT SHALL CALCULATE AN INSTITUTE CHARTER SCHOOL'S ADVANCED FUNDING USING THE FOLLOWING FORMULA:
(STATEWIDE BASE PER PUPIL FUNDING X 5.242%) X
(((INSTITUTE CHARTER SCHOOL'S ADVANCED MATHEMATICS PERCENTAGE X (INSTITUTE CHARTER SCHOOL'S ADJUSTED AVERAGED DAILY MEMBERSHIP + INSTITUTE CHARTER SCHOOL'S ON-LINE AVERAGE DAILY MEMBERSHIP)) + (INSTITUTE CHARTER SCHOOL'S ADVANCED READING PERCENTAGE X (INSTITUTE CHARTER SCHOOL'S ADJUSTED AVERAGE DAILY MEMBERSHIP + INSTITUTE CHARTER SCHOOL'S ON-LINE AVERAGE DAILY MEMBERSHIP)) + (INSTITUTE CHARTER SCHOOL'S ADVANCED WRITING PERCENTAGE X (INSTITUTE CHARTER SCHOOL'S ADJUSTED AVERAGE DAILY MEMBERSHIP + INSTITUTE CHARTER SCHOOL'S ON-LINE AVERAGE DAILY MEMBERSHIP))))).".

Page 44, strike lines 1 through 22.

New Amendment

Amend the Renfroe floor amendment (SB213_L.030), page 6, line 7, strike "5.242%" and substitute "5.111%".

Page 7, line 26, strike "5.242%" and substitute "5.111%".

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	15	NO	20	EXCUSED	0	ABSENT	0
Aguilar	N	Guzman	N	Kefalas	N	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	N	Scheffel	Y
Baumgardner	Y	Heath	N	King	Y	Schwartz	N
Brophy	Y	Hill	Y	Lambert	Y	Steadman	N
Cadman	Y	Hodge	N	Lundberg	Y	Tochtrop	N
Carroll	N	Hudak	N	Marble	Y	Todd	N
Crowder	Y	Jahn	N	Newell	N	Ulibarri	N
Giron	N	Johnston	N	Nicholson	N	President	N
Grantham	Y	Jones	N	Renfroe	Y		

Senators Marble, Lundberg, Renfroe, Lambert, and Harvey moved to amend the Report of the Committee of the Whole to show that the following Marble floor amendment, (L.075) to SB 13-213, did pass.

Amend printed bill, page 174, after line 13, insert:

"SECTION 12. Short title. Sections 12 through 15 of this act shall be known and may be cited as the "Quality Education and Budget Reduction Act".

SECTION 13. Legislative declaration. The general assembly hereby finds that the "Quality Education and Budget Reduction Act" is intended to more efficiently use the moneys available from the general fund for public kindergarten, elementary, and secondary education. Therefore, the general assembly finds that the "Quality Education and Budget Reduction Act" directly affects the financing of public schools.

SECTION 14. In Colorado Revised Statutes, **add** 39-22-535 as follows:

39-22-535. Private school tuition income tax credit - rules - definitions. (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "CREDIT CERTIFICATE" MEANS A STATEMENT ISSUED BY A PRIVATE SCHOOL CERTIFYING THAT A CHILD ENROLLED IN THE PRIVATE SCHOOL IS A QUALIFIED CHILD AS DEFINED IN PARAGRAPH (d) OF THIS SUBSECTION (1) AND THAT THE TAXPAYER IS ENTITLED TO AN INCOME TAX CREDIT AS SPECIFIED IN THIS SECTION.

(b) "DEPARTMENT" MEANS THE DEPARTMENT OF REVENUE.

(c) "PRIVATE SCHOOL" HAS THE SAME MEANING AS SET FORTH IN SECTION 22-30.5-103 (6.5), C.R.S.

(d) (I) "QUALIFIED CHILD" MEANS A CHILD ENROLLED ON A FULL-TIME BASIS AS DESCRIBED IN THE STATE BOARD OF EDUCATION RULES IN A PUBLIC SCHOOL IN THE STATE FOR THE SCHOOL YEAR PRIOR TO ENROLLMENT IN A PRIVATE SCHOOL, BUT DOES NOT INCLUDE:

(A) A CHILD ENROLLED IN ANY PRIVATE SCHOOL IN THE STATE FOR THE SCHOOL YEAR PRIOR TO THE EFFECTIVE DATE OF THIS SECTION;
OR

(B) A CHILD HOME-SCHOOLED IN THE STATE AS OF THE EFFECTIVE DATE OF THIS SECTION.

(II) ONCE A CHILD IS A QUALIFIED CHILD AS SPECIFIED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (d), THE CHILD WILL REMAIN A QUALIFIED CHILD SO LONG AS HE OR SHE REMAINS ENROLLED IN A PRIVATE SCHOOL IN THE STATE.

(e) "STATE AVERAGE PER PUPIL REVENUE" HAS THE SAME MEANING AS SET FORTH IN SECTION 22-54-129 (1) (e), C.R.S.

(f) "TAXPAYER" MEANS A RESIDENT INDIVIDUAL OR A DOMESTIC OR FOREIGN CORPORATION SUBJECT TO THE PROVISIONS OF PART 3 OF THIS ARTICLE, A PARTNERSHIP, S CORPORATION, OR OTHER SIMILAR PASS-THROUGH ENTITY, ESTATE, OR TRUST, AND A PARTNER, MEMBER, AND SUBCHAPTER S SHAREHOLDER OF SUCH PASS-THROUGH ENTITY.

(2) (a) (I) FOR INCOME TAX YEARS COMMENCING ON OR AFTER JANUARY 1, 2014, A PRIVATE SCHOOL SHALL ISSUE A CREDIT CERTIFICATE TO ANY TAXPAYER THAT ENROLLS A DEPENDENT QUALIFIED CHILD IN THE PRIVATE SCHOOL OR THAT OFFERS A SCHOLARSHIP TO A QUALIFIED CHILD FOR ENROLLMENT IN THE PRIVATE SCHOOL. THE CREDIT CERTIFICATE ALLOWS THE TAXPAYER TO CLAIM AN INCOME TAX CREDIT WITH RESPECT TO THE INCOME TAXES IMPOSED BY THIS ARTICLE.

(II) A TAXPAYER THAT ENROLLS A DEPENDENT QUALIFIED CHILD IN THE PRIVATE SCHOOL OR THAT OFFERS A SCHOLARSHIP TO A QUALIFIED CHILD FOR ENROLLMENT IN A PRIVATE SCHOOL DURING THE 2013-14 STATE FISCAL YEAR OR ANY STATE FISCAL YEAR THEREAFTER IS ELIGIBLE FOR THE INCOME TAX CREDIT SPECIFIED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (a) FOR THE INCOME TAX YEAR COMMENCING DURING THE STATE FISCAL YEAR IN WHICH THE QUALIFIED CHILD ENROLLED.

(b) A PRIVATE SCHOOL SHALL ISSUE ANY CREDIT CERTIFICATES PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (2) UPON APPLICATION FOR A CREDIT BY A TAXPAYER.

(c) (I) (A) FOR ANY QUALIFIED CHILD ATTENDING PRIVATE SCHOOL ON A FULL-TIME BASIS AS DESCRIBED IN THE STATE BOARD OF EDUCATION RULES, THE AMOUNT OF THE CREDIT AUTHORIZED IN THIS SECTION EQUALS THE SCHOLARSHIP OFFERED TO A QUALIFIED CHILD OR FIFTY PERCENT OF THE PREVIOUS YEAR'S STATE AVERAGE PER PUPIL REVENUE, WHICHEVER IS LESS.

(B) FOR ANY QUALIFIED CHILD ATTENDING PRIVATE SCHOOL ON A HALF-TIME BASIS AS DESCRIBED IN THE STATE BOARD OF EDUCATION RULES, THE AMOUNT OF THE CREDIT AUTHORIZED IN THIS SECTION EQUALS THE SCHOLARSHIP OFFERED TO A QUALIFIED CHILD OR TWENTY-FIVE PERCENT OF THE PREVIOUS YEAR'S STATE AVERAGE PER PUPIL REVENUE, WHICHEVER IS LESS.

(II) THE STATE AVERAGE PER PUPIL REVENUE SHALL BE PROVIDED TO THE DEPARTMENT BY THE DEPARTMENT OF EDUCATION WITHIN THIRTY DAYS AFTER THE EFFECTIVE DATE OF THIS SECTION AND EVERY JANUARY 15 THEREAFTER.

(d) THE TAXPAYER SHALL SUBMIT THE CREDIT CERTIFICATE TO THE DEPARTMENT WITH THE TAXPAYER'S INCOME TAX RETURN FOR THAT TAX YEAR.

(3) IF THE CREDIT ALLOWED IN THIS SECTION EXCEEDS THE INCOME TAXES OTHERWISE DUE ON THE TAXPAYER'S INCOME, THE AMOUNT OF THE CREDIT NOT USED AS AN OFFSET AGAINST INCOME TAXES MAY BE CARRIED FORWARD AS A TAX CREDIT AGAINST SUBSEQUENT YEARS' INCOME TAX LIABILITY FOR A PERIOD NOT EXCEEDING THREE YEARS AND SHALL BE APPLIED FIRST TO THE EARLIEST YEARS POSSIBLE. ANY CREDIT REMAINING AFTER SAID PERIOD SHALL NOT BE REFUNDED OR CREDITED TO THE TAXPAYER.

(4) IF A TAXPAYER RECEIVING A CREDIT ALLOWED IN THIS SECTION IS A PARTNERSHIP, LIMITED LIABILITY COMPANY, S CORPORATION, OR SIMILAR PASS-THROUGH ENTITY, THE TAXPAYER MAY ALLOCATE THE CREDIT AMONG ITS PARTNERS, SHAREHOLDERS, MEMBERS, OR OTHER CONSTITUENT TAXPAYERS IN ANY MANNER AGREED TO BY THE PARTNERS, SHAREHOLDERS, MEMBERS, OR OTHER CONSTITUENT TAXPAYERS. THE TAXPAYER SHALL CERTIFY TO THE DEPARTMENT THE AMOUNT OF THE CREDIT ALLOCATED TO EACH PARTNER, SHAREHOLDER, MEMBER, OR

OTHER CONSTITUENT TAXPAYER. EACH PARTNER, SHAREHOLDER, MEMBER, OR OTHER CONSTITUENT TAXPAYER MAY CLAIM THE AMOUNT SUBJECT TO ANY RESTRICTIONS SET FORTH IN THIS SECTION.

(5) NO LATER THAN DECEMBER 15, 2014, AND NO LATER THAN DECEMBER 15 OF EACH YEAR THEREAFTER, EACH PRIVATE SCHOOL THAT ISSUES A CREDIT CERTIFICATE SHALL PROVIDE THE DEPARTMENT WITH AN ELECTRONIC REPORT OF ANY CREDIT CERTIFICATE ISSUED FOR THAT INCOME TAX YEAR THAT INCLUDES THE FOLLOWING INFORMATION:

- (a) THE TAXPAYER'S NAME;
- (b) THE TAXPAYER'S COLORADO ACCOUNT NUMBER OR SOCIAL SECURITY NUMBER; AND
- (c) ANY ASSOCIATED TAXPAYERS' NAMES AND COLORADO ACCOUNT NUMBERS OR SOCIAL SECURITY NUMBERS IF THE CREDIT ALLOWED IN THIS SECTION IS ALLOCATED FROM A PASS-THROUGH ENTITY PURSUANT TO SUBSECTION (4) OF THIS SECTION.

(6) THE EXECUTIVE DIRECTOR MAY PROMULGATE RULES AS NECESSARY TO ADMINISTER AND ENFORCE ANY PROVISION OF THIS SECTION. THE RULES SHALL BE PROMULGATED IN ACCORDANCE WITH ARTICLE 4 OF TITLE 24, C.R.S.

(7) ANY TAXPAYER THAT OFFSETS A TAX DEFICIENCY WITH A CREDIT AUTHORIZED IN THIS SECTION THAT IS DISALLOWED PURSUANT TO THIS SECTION SHALL BE LIABLE FOR SUCH TAX DEFICIENCY, INTEREST, AND PENALTIES AS MAY BE SPECIFIED IN THIS ARTICLE OR OTHERWISE PROVIDED BY LAW.

SECTION 15. In Colorado Revised Statutes, **add** 39-22-129 as follows:

39-22-129. Credit for taxpayers that home-school a qualified child - definitions. (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

- (a) "DEPARTMENT" MEANS THE DEPARTMENT OF REVENUE.
- (b) "HOME-SCHOOL" MEANS THE EDUCATION OF A QUALIFIED CHILD PURSUANT TO SECTION 22-33-104 (2) (i), C.R.S., OR TAUGHT AT HOME UNDER THE SUPERVISION OF A PRIVATE SCHOOL.

(c) (I) "QUALIFIED CHILD" MEANS A DEPENDENT CHILD ENROLLED ON A FULL-TIME OR HALF-TIME BASIS AS DESCRIBED IN THE STATE BOARD OF EDUCATION RULES IN A PUBLIC SCHOOL IN THE STATE, BUT DOES NOT INCLUDE ANY DEPENDENT CHILD CURRENTLY ENROLLED IN ANY PRIVATE SCHOOL OR HOME-SCHOOLED IN THE STATE PRIOR TO THE EFFECTIVE DATE OF THIS SECTION.

(II) ONCE A CHILD IS A QUALIFIED CHILD AS SPECIFIED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (c), THE CHILD WILL REMAIN A QUALIFIED CHILD SO LONG AS HE OR SHE CONTINUES TO BE HOME-SCHOOLED IN THE STATE IN A KINDERGARTEN THROUGH TWELFTH GRADE PROGRAM.

(2) (a) (I) FOR INCOME TAX YEARS COMMENCING ON OR AFTER JANUARY 1, 2014, THERE IS ALLOWED AS A CREDIT AGAINST THE INCOME TAXES IMPOSED BY THIS ARTICLE AN AMOUNT EQUAL TO ONE THOUSAND DOLLARS FOR ANY TAXPAYER WHO HOME-SCHOOLS A QUALIFIED CHILD WHO WAS ENROLLED ON A FULL-TIME BASIS AS DESCRIBED IN THE STATE BOARD OF EDUCATION RULES IN A PUBLIC SCHOOL IN THE STATE PRIOR TO BEING HOME-SCHOOLED.

(II) FOR INCOME TAX YEARS COMMENCING ON OR AFTER JANUARY 1, 2014, THERE IS ALLOWED AS A CREDIT AGAINST THE INCOME TAXES IMPOSED BY THIS ARTICLE AN AMOUNT EQUAL TO FIVE HUNDRED DOLLARS TO ANY TAXPAYER WHO HOME-SCHOOLS A QUALIFIED CHILD WHO WAS ENROLLED ON A HALF-TIME BASIS AS DESCRIBED IN THE STATE BOARD OF EDUCATION RULES IN A PUBLIC SCHOOL IN THE STATE PRIOR TO BEING HOME-SCHOOLED.

(b) A TAXPAYER WHO HOME-SCHOOLS, DURING THE 2013-14 STATE FISCAL YEAR OR ANY STATE FISCAL YEAR THEREAFTER, A QUALIFIED CHILD WHO WAS ENROLLED IN A PUBLIC SCHOOL IN THE STATE PRIOR TO BEING HOME-SCHOOLED IS ELIGIBLE FOR THE INCOME TAX CREDIT SPECIFIED IN SUBPARAGRAPH (I) OR (II) OF PARAGRAPH (a) OF THIS SUBSECTION (2) FOR THE INCOME TAX YEAR COMMENCING DURING THE STATE FISCAL YEAR IN WHICH THE QUALIFIED CHILD IS HOME-SCHOOLED.

(3) IF THE CREDIT ALLOWED UNDER THIS SECTION EXCEEDS THE INCOME TAXES OTHERWISE DUE ON THE TAXPAYER'S INCOME, THE AMOUNT OF THE CREDIT NOT USED AS AN OFFSET AGAINST INCOME TAXES MAY BE CARRIED FORWARD AS A TAX CREDIT AGAINST SUBSEQUENT YEARS' INCOME TAX LIABILITY FOR A PERIOD NOT EXCEEDING THREE YEARS AND SHALL BE APPLIED FIRST TO THE EARLIEST YEARS POSSIBLE. ANY CREDIT REMAINING AFTER SAID PERIOD SHALL NOT BE REFUNDED OR

CREDITED TO THE TAXPAYER."

Renumber succeeding sections 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 was **lost** on the following roll call vote:

YES	15	NO	20	EXCUSED	0	ABSENT	0
Aguilar	N	Guzman	N	Kefalas	N	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	N	Scheffel	Y
Baumgardner	Y	Heath	N	King	Y	Schwartz	N
Brophy	Y	Hill	Y	Lambert	Y	Steadman	N
Cadman	Y	Hodge	N	Lundberg	Y	Tochtrop	N
Carroll	N	Hudak	N	Marble	Y	Todd	N
Crowder	Y	Jahn	N	Newell	N	Ulibarri	N
Giron	N	Johnston	N	Nicholson	N	President	N
Grantham	Y	Jones	N	Renfroe	Y		

Senator Scheffel moved to amend the Report of the Committee of the Whole to show that the following Scheffel floor amendment, (L.059) to SB 13-213, did pass.

Amend printed bill, page 97, strike lines 5 through 12.

Reletter succeeding paragraph accordingly.

Page 98, line 8, strike "EXPANDED LEARNING TIME INITIATIVES." and substitute "INITIATIVES THAT ARE DESIGNED TO IMPROVE STUDENT PERFORMANCE THROUGH STUDENT-BASED FUNDING ALLOCATION PLANS THAT DIRECT RESOURCES TO INDIVIDUAL SCHOOLS AND GRANT INCREASED AUTONOMY TO SCHOOL PRINCIPALS IN USING THOSE RESOURCES".

Page 99, line 14, strike "SUPPORT APPLICANTS THAT IMPLEMENT" and substitute "ASSIST APPLICANTS".

Page 99, line 15, strike "EXPANDED LEARNING TIME INITIATIVES".

Page 101, line 9, strike "EXPANDED LEARNING" and substitute "SUCCESSFUL EDUCATION REFORM".

Page 101, line 10, strike "TIME".

Page 101, strike lines 15 and 16 and substitute "THAT APPLY FOR EDUCATION INNOVATION GRANTS. TECHNICAL ASSISTANCE".

Page 102, strike lines 17 through 19 and substitute "SECTION TO PROVIDE SUPPORT FOR GRANT APPLICANTS; AND".

Page 102, line 24, strike "EXPANDED LEARNING" and substitute "INITIATIVES THAT IMPROVE STUDENT PERFORMANCE THROUGH STUDENT-BASED FUNDING ALLOCATION PLANS THAT DIRECT RESOURCES TO INDIVIDUAL SCHOOLS AND GRANT INCREASED AUTONOMY TO SCHOOL PRINCIPALS IN USING THOSE RESOURCES".

Page 102, line 25, strike "TIME INITIATIVES".

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	15	NO	20	EXCUSED	0	ABSENT	0
Aguilar	N	Guzman	N	Kefalas	N	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	N	Scheffel	Y
Baumgardner	Y	Heath	N	King	Y	Schwartz	N
Brophy	Y	Hill	Y	Lambert	Y	Steadman	N
Cadman	Y	Hodge	N	Lundberg	Y	Tochtrop	N
Carroll	N	Hudak	N	Marble	Y	Todd	N
Crowder	Y	Jahn	N	Newell	N	Ulibarri	N
Giron	N	Johnston	N	Nicholson	N	President	N
Grantham	Y	Jones	N	Renfroe	Y		

Senator Scheffel moved to amend the Report of the Committee of the Whole to show that the following Scheffel floor amendment, (L.071) to SB 13-213, did pass.

Amend the Education Committee Report, dated March 21, 2013, page 1, line 14, strike "AND 2016-17".

Page 1, line 15, strike "YEARS," and substitute "YEAR,".

Page 2, line 1, strike "2017." and substitute "2016.".

Page 2, line 5, strike "AND 2016-17".

Page 2, line 6, strike "YEARS," and substitute "YEAR,".

Page 2, line 14, strike "2017." and substitute "2016.".

Page 2, line 28, strike "AND 2016-17".

Page 2, line 29, strike "YEARS," and substitute "YEAR,".

Page 2, line 33, strike "2017." and substitute "2016.".

Page 3, line 3, strike "AND 2016-17".

Page 3, line 4, strike "YEARS," and substitute "YEAR,".

Page 3, line 7, strike "2017." and substitute "2016.".

Page 3, line 11, strike "AND 2016-17".

Page 3, line 12, strike "YEARS," and substitute "YEAR,".

Page 3, line 16, strike "2017." and substitute "2016.".

Page 3, line 29, strike "AND 2016-17".

Page 3, line 30, strike "YEARS," and substitute "YEAR,".

Page 3, line 34, strike "2017." and substitute "2016.".

Page 4, line 5, strike "AND 2016-17".

Page 4, line 6, strike "YEARS," and substitute "YEAR,".

Page 4, line 12, strike "2017." and substitute "2016.".

Page 4, line 17, strike "AND 2016-17".

Page 4, line 18, strike "YEARS," and substitute "YEAR,".

Page 4, line 22, strike "2017." and substitute "2016.".

Page 4, line 28, strike "THROUGH 2017-18," and substitute "AND 2016-17,".

Page 4, line 31, strike "2017." and substitute "2016.".

Page 5, strike lines 16 and 17.

YES	15	NO	20	EXCUSED	0	ABSENT	0
Aguilar	N	Guzman	N	Kefalas	N	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	N	Scheffel	Y
Baumgardner	Y	Heath	N	King	Y	Schwartz	N
Brophy	Y	Hill	Y	Lambert	Y	Steadman	N
Cadman	Y	Hodge	N	Lundberg	Y	Tochtrop	N
Carroll	N	Hudak	N	Marble	Y	Todd	N
Crowder	Y	Jahn	N	Newell	N	Ulibarri	N
Giron	N	Johnston	N	Nicholson	N	President	N
Grantham	Y	Jones	N	Renfroe	Y		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

YES	20	NO	15	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

The Committee of the Whole took the following action:

Passed on second reading: SB13-213 as amended.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Monday, April 1 was laid over until Tuesday, April 2, retaining its place on the calendar.

General Orders -- Second Reading of Bills: SB13-158, HB13-1147, SB13-205, HB13-1223, HB13-1202, SB13-201, SB13-191, HB13-1060, SB13-212, SB13-185, HB13-1025.
Consideration of House Amendments to Senate Bills: SB13-070.
Conference Committees to Report: HB13-1058.

MESSAGE FROM THE HOUSE

April 1, 2013

Mr. President:

The House has adopted and returns herewith SJR13-025, SJR13-024.

INTRODUCTION OF BILLS -- FIRST READING

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

SB13-241 by Senator(s) Schwartz and Crowder, Nicholson, Ulibarri; also Representative(s) Coram and Fischer--Concerning the creation of a program in the department of agriculture to regulate industrial hemp production.
Agriculture, Natural Resources, & Energy

SB13-242	by Senator(s) Nicholson; also Representative(s) Primavera--Concerning dental services for adults in the medicaid program. Health & Human Services	1 2 3 4 5
SB13-243	by Senator(s) Hodge, Tochtrop, Ulibarri; also Representative(s) Peniston, Lebsock, May, Moreno, Priola, Salazar--Concerning requirements affecting the designation by petition of candidates in connection with the election of members of the boards of commissioners of counties following a change in the membership of said boards. State, Veterans, & Military Affairs	6 7 8 9 10 11 12
SB13-244	by Senator(s) Guzman, Balmer, Baumgardner, Cadman, Giron, Grantham, Hodge, Hudak, Jahn, Johnston, Kefalas, King, Lundberg, Newell, Renfroe, Roberts, Scheffel, Tochtrop, Todd, Ulibarri; also Representative(s) Kagan, Gardner, Lawrence, Lee, McNulty, Pabon, Pettersen, Priola, Salazar, Schafer, Stephens, Szabo, Vigil, Waller--Concerning a task force to study substance abuse. Judiciary	13 14 15 16 17 18 19 20
SB13-245	by Senator(s) King and Jahn; --Concerning the creation of the Colorado firefighting air corps in the division of fire prevention and control of the department of public safety. Agriculture, Natural Resources, & Energy	21 22 23 24 25
SB13-246	by Senator(s) Lambert, Hodge, Steadman; also Representative(s) Levy, Duran, Gerou--Concerning creation of a task force to study discovery costs in criminal cases. Judiciary	26 27 28 29 30
SB13-247	by Senator(s) Heath; --Concerning the collection of debt owed to governmental entities, and, in connection therewith, specifying procedural requirements for offsetting such debts against state tax refunds and authorizing the state to enter into reciprocal debt collection agreements with the federal government and other states. Finance	31 32 33 34 35 36 37
SB13-248	by Senator(s) Aguilar; also Representative(s) Priola--Concerning the authority of the attorney general or a district attorney to enforce subpoenas for consumer protection violations against persons located outside Colorado. Judiciary	38 39 40 41 42 43
SB13-249	by Senator(s) Tochtrop; also Representative(s) Williams--Concerning procedures regarding independent medical examiners' reports in workers' compensation cases. Judiciary	44 45 46 47 48
SB13-250	by Senator(s) Steadman and King, Aguilar, Guzman, Newell, Ulibarri; also Representative(s) Levy--Concerning changes to sentencing of persons convicted of drug crimes. Judiciary	49 50 51 52 53 54
SB13-251	by Senator(s) Ulibarri and Morse, Aguilar, Carroll, Giron, Guzman, Heath, Hodge, Hudak, Johnston, Jones, Kefalas, Newell, Schwartz, Steadman, Tochtrop, Todd; also Representative(s) Melton, Moreno, Salazar--Concerning documentary evidence needed for an individual to be issued an identity document by the department of revenue. Judiciary	55 56 57 58 59 60 61
HB13-1105	by Representative(s) Tyler and Foote; also Senator(s) Schwartz--Concerning the energy saving mortgage program, and, in connection therewith, defining the program, establishing program requirements, and providing an incentive to public utilities to participate in the program. Agriculture, Natural Resources, & Energy	62 63 64 65 66 67 68 69

- HB13-1222

by Representative(s) Peniston, Court, Fischer, Ginal, Hamner, Hullinghorst, Labuda, Lebsock, Melton, Rosenthal, Salazar, Singer, Tyler, Young; also Senator(s) Ulibarri, Aguilar, Carroll, Giron, Hudak, Kefalas, Todd--Concerning the expansion of the group of family members for whom Colorado employees are entitled to take leave from work under the federal "Family and Medical Leave Act of 1993".
Health & Human Services

1
2
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5
6
7
8
- HB13-1246

by Representative(s) Court; also Senator(s) Steadman--Concerning modifications in connection with current property tax exemptions for nonprofit organizations.
Finance

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10
11
12
13
- HB13-1250

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

14
15
16
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18
19

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB13-194.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Monday, April 1, 2013, at 8:38 a.m.:
SB13-194.

MESSAGE FROM THE GOVERNOR

Appointment Letters of designation and appointment from Governor John W. Hickenlooper were read and assigned to committees as follows:

March 20, 2013

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

Ladies and Gentlemen:

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

**MEMBERS OF THE
STATE BOARD OF LAND COMMISSIONERS**

effective June 30, 2013 for terms expiring June 30, 2017:

- Buck Blessing of Denver, Colorado, a citizen at large and an Unaffiliated, reappointed;
- Keith Berlin Bath of Fort Morgan, Colorado, a person with substantial experience in production agriculture and an Unaffiliated, appointed;
- Gary A. Butterworth of Colorado Springs, Colorado, a person with substantial experience in natural resource conservation and a Republican, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 3/28/2013
Cindi L. Markwell, Secretary of the Senate

Committee on Agriculture, Natural Resources, and Energy

March 21, 2013

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

Ladies and Gentlemen:

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

MEMBERS OF THE
STATE BOARD OF HEALTH

for a term expiring March 1, 2015:

Rick L. Brown of Lakewood, Colorado, a resident of the 7th Congressional District and an Unaffiliated, and occasioned by the relocation of Christopher Scott Stanley from the 7th Congressional District, appointed;

for terms expiring March 1, 2017:

Christopher Scott Stanley of Denver, Colorado, a resident of the 1st Congressional District and a Republican, reappointed;

Honorable Jill Hunsaker Ryan of Edwards, Colorado, a resident of the 3rd Congressional District and a Democrat, appointed;

Gary Lynn Teague of Fort Morgan, Colorado, a resident of the 4th Congressional District and an Unaffiliated, appointed;

Betty B. McLain of Colorado Springs, Colorado, a resident of the 5th Congressional District and a Republican, appointed;

Joan W. Sowinski of Centennial, Colorado, a resident of the 6th Congressional District and a Republican, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 3/26/2013
Cindi L. Markwell, Secretary of the Senate

Committee on Health and Human Services

On motion of Majority Leader Carroll, the Senate adjourned until 9:00 a.m., Tuesday, April 2, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

84th Legislative Day Tuesday, April 2, 2013

Prayer	By Senator Harvey.
Call to Order	By the President at 9:00 a.m.
Pledge	By Senator Jones.
Roll Call	Present--34 Excused--1, Lundberg. Present later--1, Lundberg.
Quorum	The President announced a quorum present.
Reading of Journal	On motion of Senator Todd, reading of the Journal of Monday, April 1, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Business, Labor, & Technology	After consideration on the merits, the Committee recommends that HB13-1123 be referred to the Committee of the Whole with favorable recommendation.
State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that SB13-145 be postponed indefinitely .
State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that HB13-1179 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.
State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that SB13-235 be referred to the Committee on <u>Appropriations</u> with favorable recommendation.
State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that SB13-140 be postponed indefinitely .
Judiciary	After consideration on the merits, the Committee recommends that HB13-1204 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation. Amend reengrossed bill, page 9, after line 20 insert: "SECTION 2. In Colorado Revised Statutes, 14-2-307.5, amend as added by Senate Bill 13-011 as follows: 14-2-307.5. Applicability of part and case law to agreements relating to civil unions. Prospective parties to a civil union and present parties to a civil union may contract to make an agreement relating to the

	civil union that includes any of the rights and obligations that may be included in a marital agreement pursuant to section 14-2-304 THIS PART 3. but only if the agreement is signed by both parties prior to the filing of an action for legal separation of the civil union, dissolution of the civil union, or for declaration of invalidity of the civil union. The provisions of this article PART 3 and any case law construing this article PART 3 apply to any agreement made by prospective parties to a civil union or between present parties to a civil union."	1 2 3 4 5 6 7 8 9
	Renumber succeeding sections accordingly.	10 11 12
Judiciary	After consideration on the merits, the Committee recommends that SB13-123 be amended as follows, and as so amended, be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	13 14 15 16 17
	Amend printed bill, page 2, line 16, strike "AND".	18 19
	Page 2, after line 16 insert: "(IV) THAT THE STATE PUBLIC DEFENDER HAS COMPILED A LIST OF LAWS THAT IMPOSE COLLATERAL CONSEQUENCES RELATED TO A CRIMINAL CONVICTION AND THAT THE LIST IS AVAILABLE ON THE STATE PUBLIC DEFENDER'S WEB SITE; AND".	20 21 22 23 24 25
	Renumber succeeding subparagraph accordingly.	26 27
	Page 3, line 15, strike "AND".	28 29
	Page 3, after line 15 insert: "(IV) THAT THE STATE PUBLIC DEFENDER HAS COMPILED A LIST OF LAWS THAT IMPOSE COLLATERAL CONSEQUENCES RELATED TO A CRIMINAL CONVICTION AND THAT THE LIST IS AVAILABLE ON THE STATE PUBLIC DEFENDER'S WEB SITE; AND".	30 31 32 33 34 35
	Renumber succeeding subparagraph accordingly.	36 37
	Page 3, line 20, strike " clemency. " and substitute " commutation of sentence - definitions. ".	38 39 40
	Page 3, line 26, strike "CLEMENCY," and substitute "COMMUTATION OF SENTENCE,".	41 42
	Page 3, line 27, strike "CLEMENCY" and substitute "COMMUTATION OF SENTENCE".	43 44 45
	Page 4, line 1, strike "INCLUDE A".	46 47
	Page 4, line 3, strike "CLEMENCY" and substitute "COMMUTATION OF SENTENCE".	48 49 50
	Page 4, after line 3 insert: "(3) FOR PURPOSES OF THIS SECTION, "COLLATERAL CONSEQUENCES" MEANS A PENALTY, PROHIBITION, BAR, DISADVANTAGE, OR DISQUALIFICATION, HOWEVER DENOMINATED, IMPOSED ON AN INDIVIDUAL AS A RESULT OF THE INDIVIDUAL'S CONVICTION OF AN OFFENSE, WHICH PENALTY, PROHIBITION, BAR, OR DISADVANTAGE APPLIES BY OPERATION OF LAW REGARDLESS OF WHETHER THE PENALTY, PROHIBITION, BAR, OR DISADVANTAGE IS INCLUDED IN THE JUDGMENT OR SENTENCE. "COLLATERAL CONSEQUENCES" DOES NOT INCLUDE IMPRISONMENT, PROBATION, PAROLE, SUPERVISED RELEASE, FORFEITURE, RESTITUTION, FINE, ASSESSMENT, OR COSTS OF PROSECUTION."	51 52 53 54 55 56 57 58 59 60 61 62
	Page 5, line 27, after "OR" insert "COMMERCIAL OR".	63 64
	Page 7, strike lines 23 through 27 and substitute: " 24-72-308.9. Sealing of criminal conviction records information for petty offenses and municipal offenses for	65 66 67

convictions. (1) **Definitions.** FOR PURPOSES OF THIS SECTION, "CONVICTION RECORDS" MEANS ARREST AND CRIMINAL RECORDS INFORMATION AND ANY RECORDS PERTAINING TO A JUDGMENT OF CONVICTION.

(2) **Sealing of conviction records.** (a) (I) A DEFENDANT MAY PETITION THE DISTRICT COURT OF THE DISTRICT IN WHICH ANY CONVICTION RECORDS PERTAINING TO THE DEFENDANT FOR A PETTY OFFENSE OR MUNICIPAL VIOLATION ARE LOCATED FOR THE SEALING OF THE CONVICTION RECORDS, EXCEPT BASIC IDENTIFYING INFORMATION, IF:

(A) THE PETITION IS FILED THREE OR MORE YEARS AFTER THE DATE OF THE FINAL DISPOSITION OF ALL CRIMINAL PROCEEDINGS AGAINST THE DEFENDANT OR THE RELEASE OF THE DEFENDANT FROM SUPERVISION CONCERNING A CRIMINAL CONVICTION, WHICHEVER IS LATER; AND

(B) THE DEFENDANT HAS NOT BEEN CHARGED OR CONVICTED FOR A FELONY, MISDEMEANOR, OR TRAFFIC OFFENSE IN THE THREE OR MORE YEARS SINCE THE DATE OF THE FINAL DISPOSITION OF ALL CRIMINAL PROCEEDINGS AGAINST HIM OR HER OR THE DATE OF THE DEFENDANT'S RELEASE FROM SUPERVISION, WHICHEVER IS LATER.

(II) UPON FILING THE PETITION, THE DEFENDANT SHALL PAY THE FILING FEE REQUIRED BY LAW AND AN ADDITIONAL FILING FEE OF TWO HUNDRED DOLLARS TO COVER THE ACTUAL COSTS RELATED TO THE FILING OF THE PETITION TO SEAL RECORDS. THE ADDITIONAL FILING FEES COLLECTED UNDER THIS SUBPARAGRAPH (II) SHALL BE TRANSMITTED TO THE STATE TREASURER FOR DEPOSIT IN THE JUDICIAL STABILIZATION CASH FUND CREATED IN SECTION 13-32-101 (6), C.R.S.

(III) A PETITION TO SEAL RECORDS PURSUANT TO THIS SECTION MAY ONLY BE FILED ONCE DURING A TWELVE-MONTH PERIOD. THE COURT SHALL IMMEDIATELY DISMISS A SECOND OR SUBSEQUENT PETITION FILED WITHIN TWELVE MONTHS OF ANOTHER PETITION.

(IV) AN ORDER SEALING CONVICTION RECORDS SHALL NOT DENY ACCESS TO THE CRIMINAL RECORDS OF A DEFENDANT BY ANY COURT, LAW ENFORCEMENT AGENCY, CRIMINAL JUSTICE AGENCY, PROSECUTING ATTORNEY, OR PARTY OR AGENCY REQUIRED BY LAW TO CONDUCT A CRIMINAL HISTORY RECORD CHECK ON AN INDIVIDUAL. AN ORDER SEALING CONVICTION RECORDS SHALL NOT BE CONSTRUED TO VACATE A CONVICTION. A CONVICTION SEALED PURSUANT TO THIS SECTION MAY BE USED BY A CRIMINAL JUSTICE AGENCY, LAW ENFORCEMENT AGENCY, COURT, OR PROSECUTING ATTORNEY FOR ANY LAWFUL PURPOSE RELATING TO THE INVESTIGATION OR PROSECUTION OF ANY CASE, INCLUDING BUT NOT LIMITED TO ANY SUBSEQUENT CASE THAT IS FILED AGAINST THE DEFENDANT, OR FOR ANY OTHER LAWFUL PURPOSE WITHIN THE SCOPE OF HIS, HER, OR ITS DUTIES. IF A DEFENDANT IS CONVICTED OF A NEW FELONY, MISDEMEANOR, OR TRAFFIC OFFENSE AFTER AN ORDER SEALING CONVICTION RECORDS IS ENTERED, THE COURT SHALL ORDER THE CONVICTION RECORDS TO BE UNSEALED. A PARTY OR AGENCY REQUIRED BY LAW TO CONDUCT A CRIMINAL HISTORY RECORD CHECK SHALL BE AUTHORIZED TO USE ANY SEALED CONVICTION FOR THE LAWFUL PURPOSE FOR WHICH THE CRIMINAL HISTORY RECORD CHECK IS REQUIRED BY LAW.

(V) CONVICTION RECORDS MAY NOT BE SEALED IF THE DEFENDANT STILL OWES RESTITUTION, FINES, COURT COSTS, LATE FEES, OR OTHER FEES ORDERED BY THE COURT IN THE CASE THAT IS THE SUBJECT OF THE PETITION TO SEAL CONVICTION RECORDS, UNLESS THE COURT THAT ENTERED THE ORDER FOR RESTITUTION, FINES, COURT COSTS, LATE FEES, OR OTHER FEES HAS VACATED THE ORDER.

(b) (I) A PETITION TO SEAL CONVICTION RECORDS PURSUANT TO THIS SECTION SHALL INCLUDE A LISTING OF EACH CUSTODIAN OF THE RECORDS TO WHOM THE SEALING ORDER IS DIRECTED AND ANY INFORMATION THAT ACCURATELY AND COMPLETELY IDENTIFIES THE RECORDS TO BE SEALED. A VERIFIED COPY OF THE DEFENDANT'S CRIMINAL HISTORY, CURRENT THROUGH AT LEAST THE TWENTIETH DAY PRIOR TO THE DATE OF THE FILING OF THE PETITION, SHALL BE SUBMITTED TO THE COURT BY THE DEFENDANT ALONG WITH THE PETITION AT THE TIME OF FILING, BUT IN NO EVENT LATER THAN THE TENTH DAY AFTER THE PETITION IS FILED. THE DEFENDANT SHALL BE RESPONSIBLE FOR OBTAINING AND PAYING FOR HIS OR HER CRIMINAL HISTORY RECORD.

(II) (A) UPON THE FILING OF A PETITION, THE COURT SHALL

REVIEW THE PETITION AND DETERMINE WHETHER THERE ARE GROUNDS UNDER THIS SECTION TO PROCEED TO A HEARING ON THE PETITION. IF THE COURT DETERMINES THAT THE PETITION ON ITS FACE IS INSUFFICIENT OR IF THE COURT DETERMINES THAT, AFTER TAKING JUDICIAL NOTICE OF MATTERS OUTSIDE THE PETITION, THE DEFENDANT IS NOT ENTITLED TO RELIEF UNDER THIS SECTION, THE COURT SHALL ENTER AN ORDER DENYING THE PETITION AND MAIL A COPY OF THE ORDER TO THE DEFENDANT. THE COURT'S ORDER SHALL SPECIFY THE REASONS FOR THE DENIAL OF THE PETITION.

(B) IF THE COURT DETERMINES THAT THE PETITION IS SUFFICIENT ON ITS FACE AND THAT NO OTHER GROUNDS EXIST AT THAT TIME FOR THE COURT TO DENY THE PETITION UNDER THIS SECTION, THE COURT SHALL SET A DATE FOR A HEARING, AND THE DEFENDANT SHALL NOTIFY BY CERTIFIED MAIL THE PROSECUTING ATTORNEY, THE ARRESTING AGENCY, AND ANY OTHER PERSON OR AGENCY IDENTIFIED BY THE DEFENDANT.

(c) AFTER THE HEARING DESCRIBED IN SUBPARAGRAPH (II) OF PARAGRAPH (b) OF THIS SUBSECTION (2) IS CONDUCTED AND IF THE COURT FINDS THAT THE HARM TO THE PRIVACY OF THE DEFENDANT OR THE DANGERS OF UNWARRANTED, ADVERSE CONSEQUENCES TO THE DEFENDANT OUTWEIGH THE PUBLIC INTEREST IN RETAINING THE CONVICTION RECORDS, THE COURT MAY ORDER THE CONVICTION RECORDS, EXCEPT BASIC IDENTIFICATION INFORMATION, TO BE SEALED. IN MAKING THIS DETERMINATION, THE COURT SHALL, AT A MINIMUM, CONSIDER THE SEVERITY OF THE OFFENSE THAT IS THE BASIS OF THE CONVICTION RECORDS SOUGHT TO BE SEALED, THE CRIMINAL HISTORY OF THE DEFENDANT, THE NUMBER OF CONVICTIONS AND DATES OF THE CONVICTIONS FOR WHICH THE DEFENDANT IS SEEKING TO HAVE THE RECORDS SEALED, AND THE NEED FOR THE GOVERNMENT AGENCY TO RETAIN THE RECORDS. AN ORDER ENTERED PURSUANT TO THIS PARAGRAPH (c) MUST BE DIRECTED TO EACH CUSTODIAN WHO MAY HAVE CUSTODY OF ANY PART OF THE CONVICTION RECORDS THAT ARE THE SUBJECT OF THE ORDER. WHENEVER A COURT ENTERS AN ORDER SEALING CONVICTION RECORDS PURSUANT TO THIS PARAGRAPH (c), THE DEFENDANT SHALL PROVIDE THE COLORADO BUREAU OF INVESTIGATION AND EACH CUSTODIAN OF THE CONVICTION RECORDS WITH A COPY OF THE ORDER. THE PETITIONER SHALL PROVIDE A PRIVATE CUSTODIAN WITH A COPY OF THE ORDER AND SEND THE PRIVATE CUSTODIAN AN ELECTRONIC NOTIFICATION OF THE ORDER. EACH PRIVATE CUSTODIAN THAT RECEIVES A COPY OF THE ORDER FROM THE PETITIONER SHALL REMOVE THE RECORDS THAT ARE SUBJECT TO AN ORDER FROM ITS DATABASE. THE DEFENDANT SHALL PAY TO THE BUREAU ANY COSTS RELATED TO THE SEALING OF HIS OR HER CRIMINAL CONVICTION RECORDS IN THE CUSTODY OF THE BUREAU. THEREAFTER, THE DEFENDANT MAY REQUEST AND THE COURT MAY GRANT AN ORDER SEALING THE CIVIL CASE IN WHICH THE CONVICTION RECORDS WERE SEALED.

(d) EXCEPT AS OTHERWISE PROVIDED IN SUBPARAGRAPH (III) OF PARAGRAPH (a) OF THIS SUBSECTION (2), UPON THE ENTRY OF AN ORDER TO SEAL THE CONVICTION RECORDS, THE DEFENDANT AND ALL CRIMINAL JUSTICE AGENCIES MAY PROPERLY REPLY, UPON AN INQUIRY IN THE MATTER, THAT PUBLIC CONVICTION RECORDS DO NOT EXIST WITH RESPECT TO THE DEFENDANT.

(e) EXCEPT AS OTHERWISE PROVIDED IN SUBPARAGRAPH (III) OF PARAGRAPH (a) OF THIS SUBSECTION (2), INSPECTION OF THE RECORDS INCLUDED IN AN ORDER SEALING CONVICTION RECORDS MAY THEREAFTER BE PERMITTED BY THE COURT ONLY UPON PETITION BY THE DEFENDANT.

(f) (I) EXCEPT AS OTHERWISE PROVIDED IN SUBPARAGRAPH (III) OF PARAGRAPH (a) OF THIS SUBSECTION (2) OR IN SUBPARAGRAPHS (II) AND (III) OF THIS PARAGRAPH (f), EMPLOYERS, STATE AND LOCAL GOVERNMENT AGENCIES, OFFICIALS, LANDLORDS, AND EMPLOYEES SHALL NOT, IN ANY APPLICATION OR INTERVIEW OR IN ANY OTHER WAY, REQUIRE AN APPLICANT TO DISCLOSE ANY INFORMATION CONTAINED IN SEALED CONVICTION RECORDS. AN APPLICANT NEED NOT, IN RESPONSE TO ANY QUESTION CONCERNING CONVICTION RECORDS THAT HAVE BEEN SEALED, INCLUDE A REFERENCE TO OR INFORMATION CONCERNING THE SEALED CONVICTION RECORDS AND MAY STATE THAT THE APPLICANT HAS NOT BEEN CRIMINALLY CONVICTED.

(II) SUBPARAGRAPH (I) OF THIS PARAGRAPH (f) SHALL NOT

PRECLUDE THE BAR COMMITTEE OF THE COLORADO STATE BOARD OF LAW EXAMINERS FROM MAKING FURTHER INQUIRIES INTO THE FACT OF A CONVICTION THAT COMES TO THE ATTENTION OF THE BAR COMMITTEE THROUGH OTHER MEANS. THE BAR COMMITTEE OF THE COLORADO STATE BOARD OF LAW EXAMINERS SHALL HAVE A RIGHT TO INQUIRE INTO THE MORAL AND ETHICAL QUALIFICATIONS OF AN APPLICANT, AND THE APPLICANT SHALL NOT HAVE A RIGHT TO PRIVACY OR PRIVILEGE THAT JUSTIFIES HIS OR HER REFUSAL TO ANSWER A QUESTION CONCERNING SEALED CONVICTION RECORDS THAT HAVE COME TO THE ATTENTION OF THE BAR COMMITTEE THROUGH OTHER MEANS.

(III) THE PROVISIONS OF SUBPARAGRAPH (I) OF THIS PARAGRAPH (f) SHALL NOT APPLY TO A CRIMINAL JUSTICE AGENCY OR TO AN APPLICANT TO A CRIMINAL JUSTICE AGENCY.

(IV) ANY MEMBER OF THE PUBLIC MAY PETITION THE COURT TO UNSEAL ANY FILE THAT HAS BEEN PREVIOUSLY SEALED UPON A SHOWING THAT CIRCUMSTANCES HAVE COME INTO EXISTENCE SINCE THE ORIGINAL SEALING AND, AS A RESULT, THE PUBLIC INTEREST IN DISCLOSURE NOW OUTWEIGHS THE DEFENDANT'S INTEREST IN PRIVACY.

(g) THE OFFICE OF THE STATE COURT ADMINISTRATOR SHALL POST ON ITS WEB SITE A LIST OF ALL PETITIONS TO SEAL CONVICTION RECORDS THAT ARE FILED WITH A DISTRICT COURT. A DISTRICT COURT MAY NOT GRANT A PETITION TO SEAL CONVICTION RECORDS UNTIL AT LEAST THIRTY DAYS AFTER THE POSTING. AFTER THE EXPIRATION OF THIRTY DAYS FOLLOWING THE POSTING, THE PETITION TO SEAL CONVICTION RECORDS AND INFORMATION PERTINENT THERETO SHALL BE REMOVED FROM THE WEB SITE OF THE OFFICE OF THE STATE COURT ADMINISTRATOR.

(h) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO AUTHORIZE THE PHYSICAL DESTRUCTION OF ANY CONVICTION RECORDS.

(i) NOTWITHSTANDING ANY PROVISION IN THIS SECTION TO THE CONTRARY, IN REGARD TO ANY CONVICTION OF A DEFENDANT RESULTING FROM A SINGLE CASE IN WHICH THE DEFENDANT IS CONVICTED OF MORE THAN ONE OFFENSE, RECORDS OF THE CONVICTION MAY BE SEALED PURSUANT TO THE PROVISIONS OF THIS SECTION ONLY IF THE RECORDS OF EVERY CONVICTION OF THE DEFENDANT RESULTING FROM THAT CASE MAY BE SEALED PURSUANT TO THE PROVISIONS OF THIS SECTION.

(3) **Advisements.** (a) WHENEVER A DEFENDANT IS SENTENCED FOLLOWING A CONVICTION OF A PETTY OR MUNICIPAL OFFENSE, THE COURT SHALL PROVIDE HIM OR HER WITH A WRITTEN ADVISEMENT OF HIS OR HER RIGHTS CONCERNING THE SEALING OF HIS OR HER CONVICTION RECORDS PURSUANT TO THIS SECTION IF HE OR SHE COMPLIES WITH THE APPLICABLE PROVISIONS OF THIS SECTION.

(b) IN ADDITION TO, AND NOT IN LIEU OF, THE REQUIREMENT DESCRIBED IN PARAGRAPH (a) OF THIS SUBSECTION (3), IF A DEFENDANT IS SENTENCED TO PROBATION FOLLOWING A CONVICTION OF A PETTY OR MUNICIPAL OFFENSE, THE PROBATION DEPARTMENT, UPON THE TERMINATION OF THE DEFENDANT'S PROBATION, SHALL PROVIDE THE DEFENDANT WITH A WRITTEN ADVISEMENT OF HIS OR HER RIGHTS CONCERNING THE SEALING OF HIS OR HER CONVICTION RECORDS PURSUANT TO THIS SECTION IF HE OR SHE COMPLIES WITH THE APPLICABLE PROVISIONS OF THIS SECTION.

(4) THE PROVISIONS OF THIS SECTION SHALL NOT APPLY TO CONVICTION RECORDS THAT ARE IN THE POSSESSION OF A CRIMINAL JUSTICE AGENCY WHEN AN INQUIRY CONCERNING THE CONVICTION RECORDS IS MADE BY ANOTHER CRIMINAL JUSTICE AGENCY.

(5) **Rules of discovery - rules of evidence - witness testimony.** COURT ORDERS SEALING RECORDS OF OFFICIAL ACTIONS PURSUANT TO THIS SECTION SHALL NOT LIMIT THE OPERATIONS OF:

(a) THE RULES OF DISCOVERY OR THE RULES OF EVIDENCE PROMULGATED BY THE SUPREME COURT OF COLORADO OR ANY OTHER STATE OR FEDERAL COURT; OR

(b) THE PROVISIONS OF SECTION 13-90-101, C.R.S., CONCERNING WITNESS TESTIMONY.

SECTION 10. In Colorado Revised Statutes, add 18-1.3-107 as follows:

18-1.3-107. Sentencing order - collateral relief. (1) AT THE TIME A DEFENDANT ENTERS INTO AN ALTERNATIVE TO SENTENCING IN THIS PART 1, UPON THE REQUEST OF THE DEFENDANT OR UPON THE

COURT'S OWN MOTION, A COURT MAY ENTER AN ORDER OF COLLATERAL RELIEF FOR THE PURPOSE OF PRESERVING OR ENHANCING THE DEFENDANT'S EMPLOYMENT OR EMPLOYMENT PROSPECTS AND TO IMPROVE THE DEFENDANT'S LIKELIHOOD OF SUCCESS IN THE ALTERNATIVE TO SENTENCING PROGRAM.

(2) **Application contents.** (a) AN APPLICATION FOR AN ORDER OF COLLATERAL RELIEF MUST CITE THE GROUNDS FOR GRANTING THE RELIEF, THE TYPE OF RELIEF SOUGHT, AND THE SPECIFIC COLLATERAL CONSEQUENCE FROM WHICH THE APPLICANT IS SEEKING RELIEF AND MUST INCLUDE A COPY OF A RECENT COLORADO BUREAU OF INVESTIGATION FINGERPRINT-BASED CRIMINAL HISTORY RECORDS CHECK. THE STATE COURT ADMINISTRATOR MAY PRODUCE AN APPLICATION FORM THAT AN APPLICANT MAY SUBMIT IN APPLICATION.

(b) THE APPLICANT SHALL PROVIDE A COPY OF THE APPLICATION TO THE DISTRICT ATTORNEY AND TO THE REGULATORY OR LICENSING BODY THAT HAS JURISDICTION OVER THE COLLATERAL CONSEQUENCE FROM WHICH THE APPLICANT IS SEEKING RELIEF, IF ANY, BY CERTIFIED MAIL OR PERSONAL SERVICE WITHIN TEN DAYS AFTER FILING THE APPLICATION WITH THE COURT.

(3) AN ORDER OF COLLATERAL RELIEF MAY RELIEVE A DEFENDANT OF ANY COLLATERAL CONSEQUENCES OF THE CONVICTION, WHETHER IN HOUSING OR EMPLOYMENT BARRIERS OR ANY OTHER SANCTION OR DISQUALIFICATION THAT THE COURT SHALL SPECIFY, INCLUDING BUT NOT LIMITED TO STATUTORY, REGULATORY, OR OTHER COLLATERAL CONSEQUENCES THAT THE COURT MAY SEE FIT TO RELIEVE THAT WILL ASSIST THE DEFENDANT IN SUCCESSFULLY COMPLETING PROBATION OR A COMMUNITY CORRECTIONS SENTENCE.

(4) (a) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, AN ORDER OF COLLATERAL RELIEF CANNOT RELIEVE ANY COLLATERAL CONSEQUENCES IMPOSED BY LAW FOR LICENSURE BY THE DEPARTMENT OF EDUCATION OR ANY COLLATERAL CONSEQUENCES IMPOSED BY LAW FOR EMPLOYMENT WITH THE JUDICIAL BRANCH, THE DEPARTMENT OF CORRECTIONS, DIVISION OF YOUTH CORRECTIONS IN THE DEPARTMENT OF HUMAN SERVICES, OR ANY OTHER LAW ENFORCEMENT AGENCY IN THE STATE OF COLORADO.

(b) A COURT SHALL NOT ISSUE AN ORDER OF COLLATERAL RELIEF IF THE DEFENDANT:

(I) HAS BEEN CONVICTED OF A FELONY THAT INCLUDED AN ELEMENT THAT REQUIRES A VICTIM TO SUFFER PERMANENT DISABILITY;

(II) HAS BEEN CONVICTED OF A CRIME OF VIOLENCE AS DESCRIBED IN SECTION 18-1.3-406; OR

(III) IS REQUIRED TO REGISTER AS A SEX OFFENDER PURSUANT TO SECTION 16-22-103, C.R.S.

(5) **Hearing.** (a) THE COURT MAY CONDUCT A HEARING OR INCLUDE A HEARING ON THE MATTER AT THE DEFENDANT'S SENTENCING HEARING ON THE APPLICATION OR ON ANY MATTER RELEVANT TO THE GRANTING OR DENYING OF THE APPLICATION AND MAY TAKE TESTIMONY UNDER OATH.

(b) THE COURT MAY HEAR TESTIMONY FROM VICTIMS OR ANY PROPONENT OR OPPONENT OF THE APPLICATION AND MAY HEAR ARGUMENT FROM THE PETITIONER AND THE DISTRICT ATTORNEY.

(6) **Standard for granting relief.** (a) A COURT MAY ISSUE AN ORDER OF COLLATERAL RELIEF IF THE COURT FINDS THAT:

(I) THE ORDER OF COLLATERAL RELIEF IS CONSISTENT WITH THE APPLICANT'S REHABILITATION; AND

(II) GRANTING THE APPLICATION WOULD IMPROVE THE APPLICANT'S LIKELIHOOD OF SUCCESS IN REINTEGRATING INTO SOCIETY AND IS IN THE PUBLIC'S INTEREST.

(b) THE COURT THAT PREVIOUSLY ISSUED AN ORDER OF COLLATERAL RELIEF, ON ITS OWN MOTION OR EITHER BY CAUSE SHOWN BY THE DISTRICT ATTORNEY OR ON GROUNDS OFFERED BY THE APPLICANT, MAY AT ANY TIME ISSUE A SUBSEQUENT JUDGMENT TO ENLARGE, LIMIT, OR CIRCUMSCRIBE THE RELIEF PREVIOUSLY GRANTED.

(c) UPON THE MOTION OF THE DISTRICT ATTORNEY OR PROBATION OFFICER OR UPON THE COURT'S OWN MOTION, A COURT MAY REVOKE AN ORDER OF COLLATERAL RELIEF UPON EVIDENCE OF A SUBSEQUENT CRIMINAL CONVICTION OR PROOF THAT THE DEFENDANT IS NO LONGER

ENTITLED TO RELIEF. ANY BARS, PROHIBITIONS, SANCTIONS, AND DISQUALIFICATIONS THEREBY RELIEVED SHALL BE REINSTATED AS OF THE DATE OF THE WRITTEN ORDER OF REVOCATION. THE COURT SHALL PROVIDE A COPY OF THE ORDER OF REVOCATION TO THE HOLDER AND TO ANY REGULATORY OR LICENSING ENTITY THAT THE DEFENDANT NOTICED IN HIS OR HER MOTION FOR RELIEF.

(7) IF THE COURT ISSUES AN ORDER OF COLLATERAL RELIEF, IT 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 NOTE IN THE APPLICANT'S RECORD IN THE COLORADO CRIME INFORMATION CENTER THAT THE ORDER OF COLLATERAL RELIEF WAS ISSUED.

(8) **Definitions.** AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "COLLATERAL CONSEQUENCE" MEANS A COLLATERAL SANCTION OR A DISQUALIFICATION.

(b) "COLLATERAL SANCTION" MEANS A PENALTY, PROHIBITION, BAR, OR DISADVANTAGE, HOWEVER DENOMINATED, IMPOSED ON AN INDIVIDUAL AS A RESULT OF THE INDIVIDUAL'S CONVICTION OF AN OFFENSE, WHICH PENALTY, PROHIBITION, BAR, OR DISADVANTAGE APPLIES BY OPERATION OF LAW REGARDLESS OF WHETHER THE PENALTY, PROHIBITION, BAR, OR DISADVANTAGE IS INCLUDED IN THE JUDGMENT OR SENTENCE. "COLLATERAL SANCTION" DOES NOT INCLUDE IMPRISONMENT, PROBATION, PAROLE, SUPERVISED RELEASE, FORFEITURE, RESTITUTION, FINE, ASSESSMENT, COSTS OF PROSECUTION, OR A RESTRAINT OR SANCTION ON AN INDIVIDUAL'S DRIVING PRIVILEGE.

(c) "CONVICTION" OR "CONVICTED" MEANS A VERDICT OF GUILTY BY A JUDGE OR JURY OR A PLEA OF GUILTY OR NOLO CONTENDERE THAT IS ACCEPTED BY THE COURT OR AN ADJUDICATION FOR AN OFFENSE THAT WOULD CONSTITUTE A CRIMINAL OFFENSE IF COMMITTED BY AN ADULT, OR A CONVICTION OF A CRIME UNDER THE LAWS OF ANY OTHER STATE, THE UNITED STATES, OR ANY TERRITORY SUBJECT TO THE JURISDICTION OF THE UNITED STATES, WHICH, IF COMMITTED WITHIN THIS STATE, WOULD BE A FELONY OR MISDEMEANOR. "CONVICTION" OR "CONVICTED" ALSO INCLUDES HAVING RECEIVED A DEFERRED JUDGMENT AND SENTENCE OR A DEFERRED ADJUDICATION; EXCEPT THAT A PERSON SHALL NOT BE DEEMED TO HAVE BEEN CONVICTED IF THE PERSON HAS SUCCESSFULLY COMPLETED A DEFERRED SENTENCE OR A DEFERRED ADJUDICATION.

(d) "DISQUALIFICATION" MEANS A PENALTY, PROHIBITION, BAR, OR DISADVANTAGE, HOWEVER DENOMINATED, THAT AN ADMINISTRATIVE AGENCY, GOVERNMENTAL OFFICIAL, OR COURT IN A CIVIL PROCEEDING IS AUTHORIZED, BUT NOT REQUIRED, TO IMPOSE ON AN INDIVIDUAL ON GROUNDS RELATING TO THE INDIVIDUAL'S CONVICTION OF AN OFFENSE.

SECTION 11. In Colorado Revised Statutes, **add** 18-1.3-213 as follows:

18-1.3-213. Sentencing order - collateral relief. (1) AT THE TIME OF SENTENCING, UPON THE REQUEST OF THE DEFENDANT OR UPON THE COURT'S OWN MOTION, A COURT THAT SENTENCES THE DEFENDANT TO PROBATION MAY ENTER AN ORDER OF COLLATERAL RELIEF FOR THE PURPOSE OF PRESERVING OR ENHANCING THE DEFENDANT'S EMPLOYMENT OR EMPLOYMENT PROSPECTS AND TO IMPROVE THE DEFENDANT'S LIKELIHOOD OF SUCCESS ON PROBATION OR IN THE COMMUNITY CORRECTIONS PROGRAM.

(2) **Application contents.** (a) AN APPLICATION FOR AN ORDER OF COLLATERAL RELIEF MUST CITE THE GROUNDS FOR GRANTING THE RELIEF, THE TYPE OF RELIEF SOUGHT, AND THE SPECIFIC COLLATERAL CONSEQUENCE FROM WHICH THE APPLICANT IS SEEKING RELIEF AND MUST INCLUDE A COPY OF A RECENT COLORADO BUREAU OF INVESTIGATION FINGERPRINT-BASED CRIMINAL HISTORY RECORDS CHECK. THE STATE COURT ADMINISTRATOR MAY PRODUCE AN APPLICATION FORM THAT AN APPLICANT MAY SUBMIT IN APPLICATION.

(b) THE APPLICANT SHALL PROVIDE A COPY OF THE APPLICATION TO THE DISTRICT ATTORNEY AND TO THE REGULATORY OR LICENSING BODY THAT HAS JURISDICTION OVER THE COLLATERAL CONSEQUENCE FROM WHICH THE APPLICANT IS SEEKING RELIEF, IF ANY, BY CERTIFIED

MAIL OR PERSONAL SERVICE WITHIN TEN DAYS AFTER FILING THE APPLICATION WITH THE COURT.

(3) AN ORDER OF COLLATERAL RELIEF MAY RELIEVE A DEFENDANT OF ANY COLLATERAL CONSEQUENCES OF THE CONVICTION, WHETHER IN HOUSING OR EMPLOYMENT BARRIERS OR ANY OTHER SANCTION OR DISQUALIFICATION THAT THE COURT SHALL SPECIFY, INCLUDING BUT NOT LIMITED TO STATUTORY, REGULATORY, OR OTHER COLLATERAL CONSEQUENCES THAT THE COURT MAY SEE FIT TO RELIEVE THAT WILL ASSIST THE DEFENDANT IN SUCCESSFULLY COMPLETING PROBATION OR A COMMUNITY CORRECTIONS SENTENCE.

(4) (a) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, AN ORDER OF COLLATERAL RELIEF CANNOT RELIEVE ANY COLLATERAL CONSEQUENCES IMPOSED BY LAW FOR LICENSURE BY THE DEPARTMENT OF EDUCATION OR ANY COLLATERAL CONSEQUENCES IMPOSED BY LAW FOR EMPLOYMENT WITH THE JUDICIAL BRANCH, THE DEPARTMENT OF CORRECTIONS, DIVISION OF YOUTH CORRECTIONS IN THE DEPARTMENT OF HUMAN SERVICES, OR ANY OTHER LAW ENFORCEMENT AGENCY IN THE STATE OF COLORADO.

(b) A COURT SHALL NOT ISSUE AN ORDER OF COLLATERAL RELIEF IF THE DEFENDANT:

(I) HAS BEEN CONVICTED OF A FELONY THAT INCLUDED AN ELEMENT THAT REQUIRES A VICTIM TO SUFFER PERMANENT DISABILITY;

(II) Has been convicted of a crime of violence as described in section 18-1.3-406; or

(III) IS REQUIRED TO REGISTER AS A SEX OFFENDER PURSUANT TO SECTION 16-22-103, C.R.S.

(5) **Hearing.** (a) THE COURT MAY CONDUCT A HEARING OR INCLUDE A HEARING ON THE MATTER AT THE DEFENDANT'S SENTENCING HEARING ON THE APPLICATION OR ON ANY MATTER RELEVANT TO THE GRANTING OR DENYING OF THE APPLICATION AND MAY TAKE TESTIMONY UNDER OATH.

(b) THE COURT MAY HEAR TESTIMONY FROM VICTIMS OR ANY PROPONENT OR OPPONENT OF THE APPLICATION AND MAY HEAR ARGUMENT FROM THE PETITIONER AND THE DISTRICT ATTORNEY.

(6) **Standard for granting relief.** (a) A COURT MAY ISSUE AN ORDER OF COLLATERAL RELIEF IF THE COURT FINDS THAT:

(I) THE ORDER OF COLLATERAL RELIEF IS CONSISTENT WITH THE APPLICANT'S REHABILITATION; AND

(II) GRANTING THE APPLICATION WOULD IMPROVE THE APPLICANT'S LIKELIHOOD OF SUCCESS IN REINTEGRATING INTO SOCIETY AND IS IN THE PUBLIC'S INTEREST.

(b) THE COURT THAT PREVIOUSLY ISSUED AN ORDER OF COLLATERAL RELIEF, ON ITS OWN MOTION OR EITHER BY CAUSE SHOWN BY THE DISTRICT ATTORNEY OR ON GROUNDS OFFERED BY THE APPLICANT, MAY AT ANY TIME ISSUE A SUBSEQUENT JUDGMENT TO ENLARGE, LIMIT, OR CIRCUMSCRIBE THE RELIEF PREVIOUSLY GRANTED.

(c) UPON THE MOTION OF THE DISTRICT ATTORNEY OR PROBATION OFFICER OR UPON THE COURT'S OWN MOTION, A COURT MAY REVOKE AN ORDER OF COLLATERAL RELIEF UPON EVIDENCE OF A SUBSEQUENT CRIMINAL CONVICTION OR PROOF THAT THE DEFENDANT IS NO LONGER ENTITLED TO RELIEF. ANY BARS, PROHIBITIONS, SANCTIONS, AND DISQUALIFICATIONS THEREBY RELIEVED SHALL BE REINSTATED AS OF THE DATE OF THE WRITTEN ORDER OF REVOCATION. THE COURT SHALL PROVIDE A COPY OF THE ORDER OF REVOCATION TO THE HOLDER AND TO ANY REGULATORY OR LICENSING ENTITY THAT THE DEFENDANT NOTICED IN HIS OR HER MOTION FOR RELIEF.

(7) IF THE COURT ISSUES AN ORDER OF COLLATERAL RELIEF, IT 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 NOTE IN THE APPLICANT'S RECORD IN THE COLORADO CRIME INFORMATION CENTER THAT THE ORDER OF COLLATERAL RELIEF WAS ISSUED.

(8) **Definitions.** AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "COLLATERAL CONSEQUENCE" MEANS A COLLATERAL SANCTION OR A DISQUALIFICATION.

(b) "COLLATERAL SANCTION" MEANS A PENALTY, PROHIBITION, BAR, OR DISADVANTAGE, HOWEVER DENOMINATED, IMPOSED ON AN INDIVIDUAL AS A RESULT OF THE INDIVIDUAL'S CONVICTION OF AN OFFENSE, WHICH PENALTY, PROHIBITION, BAR, OR DISADVANTAGE APPLIES BY OPERATION OF LAW REGARDLESS OF WHETHER THE PENALTY, PROHIBITION, BAR, OR DISADVANTAGE IS INCLUDED IN THE JUDGMENT OR SENTENCE. "COLLATERAL SANCTION" DOES NOT INCLUDE IMPRISONMENT, PROBATION, PAROLE, SUPERVISED RELEASE, FORFEITURE, RESTITUTION, FINE, ASSESSMENT, COSTS OF PROSECUTION, OR A RESTRAINT OR SANCTION ON AN INDIVIDUAL'S DRIVING PRIVILEGE.

(c) "CONVICTION" OR "CONVICTED" MEANS A VERDICT OF GUILTY BY A JUDGE OR JURY OR A PLEA OF GUILTY OR NOLO CONTENDERE THAT IS ACCEPTED BY THE COURT OR AN ADJUDICATION FOR AN OFFENSE THAT WOULD CONSTITUTE A CRIMINAL OFFENSE IF COMMITTED BY AN ADULT, OR A CONVICTION OF A CRIME UNDER THE LAWS OF ANY OTHER STATE, THE UNITED STATES, OR ANY TERRITORY SUBJECT TO THE JURISDICTION OF THE UNITED STATES, WHICH, IF COMMITTED WITHIN THIS STATE, WOULD BE A FELONY OR MISDEMEANOR. "CONVICTION" OR "CONVICTED" ALSO INCLUDES HAVING RECEIVED A DEFERRED JUDGMENT AND SENTENCE OR A DEFERRED ADJUDICATION; EXCEPT THAT A PERSON SHALL NOT BE DEEMED TO HAVE BEEN CONVICTED IF THE PERSON HAS SUCCESSFULLY COMPLETED A DEFERRED SENTENCE OR A DEFERRED ADJUDICATION.

(d) "DISQUALIFICATION" MEANS A PENALTY, PROHIBITION, BAR, OR DISADVANTAGE, HOWEVER DENOMINATED, THAT AN ADMINISTRATIVE AGENCY, GOVERNMENTAL OFFICIAL, OR COURT IN A CIVIL PROCEEDING IS AUTHORIZED, BUT NOT REQUIRED, TO IMPOSE ON AN INDIVIDUAL ON GROUNDS RELATING TO THE INDIVIDUAL'S CONVICTION OF AN OFFENSE.

SECTION 12. In Colorado Revised Statutes, **add** 18-1.3-303 as follows:

18-1.3-303. Sentencing order - collateral relief. (1) AT THE TIME OF SENTENCING, UPON THE REQUEST OF THE DEFENDANT OR UPON THE COURT'S OWN MOTION, A COURT MAY ENTER AN ORDER OF COLLATERAL RELIEF IF THE COURT SENTENCES THE DEFENDANT TO A COMMUNITY CORRECTIONS PROGRAM FOR THE PURPOSE OF PRESERVING OR ENHANCING THE DEFENDANT'S EMPLOYMENT OR EMPLOYMENT PROSPECTS AND TO IMPROVE THE DEFENDANT'S LIKELIHOOD OF SUCCESS ON PROBATION OR IN THE COMMUNITY CORRECTIONS PROGRAM.

(2) **Application contents.** (a) AN APPLICATION FOR AN ORDER OF COLLATERAL RELIEF MUST CITE THE GROUNDS FOR GRANTING THE RELIEF, THE TYPE OF RELIEF SOUGHT, AND THE SPECIFIC COLLATERAL CONSEQUENCE FROM WHICH THE APPLICANT IS SEEKING RELIEF AND MUST INCLUDE A COPY OF A RECENT COLORADO BUREAU OF INVESTIGATION FINGERPRINT-BASED CRIMINAL HISTORY RECORDS CHECK. THE STATE COURT ADMINISTRATOR MAY PRODUCE AN APPLICATION FORM THAT AN APPLICANT MAY SUBMIT IN APPLICATION.

(b) THE APPLICANT SHALL PROVIDE A COPY OF THE APPLICATION TO THE DISTRICT ATTORNEY AND TO THE REGULATORY OR LICENSING BODY THAT HAS JURISDICTION OVER THE COLLATERAL CONSEQUENCE FROM WHICH THE APPLICANT IS SEEKING RELIEF, IF ANY, BY CERTIFIED MAIL OR PERSONAL SERVICE WITHIN TEN DAYS AFTER FILING THE APPLICATION WITH THE COURT.

(3) AN ORDER OF COLLATERAL RELIEF MAY RELIEVE A DEFENDANT OF ANY COLLATERAL CONSEQUENCES OF THE CONVICTION, WHETHER IN HOUSING OR EMPLOYMENT BARRIERS OR ANY OTHER SANCTION OR DISQUALIFICATION THAT THE COURT SHALL SPECIFY, INCLUDING BUT NOT LIMITED TO STATUTORY, REGULATORY, OR OTHER COLLATERAL CONSEQUENCES THAT THE COURT MAY SEE FIT TO RELIEVE THAT WILL ASSIST THE DEFENDANT IN SUCCESSFULLY COMPLETING PROBATION OR A COMMUNITY CORRECTIONS SENTENCE.

(4) (a) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, AN ORDER OF COLLATERAL RELIEF CANNOT RELIEVE ANY COLLATERAL CONSEQUENCES IMPOSED BY LAW FOR LICENSURE BY THE DEPARTMENT OF EDUCATION OR ANY COLLATERAL CONSEQUENCES IMPOSED BY LAW FOR EMPLOYMENT WITH THE JUDICIAL BRANCH, THE DEPARTMENT OF CORRECTIONS, DIVISION OF YOUTH CORRECTIONS IN THE DEPARTMENT OF HUMAN SERVICES, OR ANY OTHER LAW ENFORCEMENT AGENCY IN THE

STATE OF COLORADO.

(b) A COURT SHALL NOT ISSUE AN ORDER OF COLLATERAL RELIEF IF THE DEFENDANT:

(I) HAS BEEN CONVICTED OF A FELONY THAT INCLUDED AN ELEMENT THAT REQUIRES A VICTIM TO SUFFER PERMANENT DISABILITY;

(II) HAS BEEN CONVICTED OF A CRIME OF VIOLENCE AS DESCRIBED IN SECTION 18-1.3-406; OR

(III) IS REQUIRED TO REGISTER AS A SEX OFFENDER PURSUANT TO SECTION 16-22-103, C.R.S.

(5) **Hearing.** (a) THE COURT MAY CONDUCT A HEARING OR INCLUDE A HEARING ON THE MATTER AT THE DEFENDANT'S SENTENCING HEARING ON THE APPLICATION OR ON ANY MATTER RELEVANT TO THE GRANTING OR DENYING OF THE APPLICATION AND MAY TAKE TESTIMONY UNDER OATH.

(b) THE COURT MAY HEAR TESTIMONY FROM VICTIMS OR ANY PROPONENT OR OPPONENT OF THE APPLICATION AND MAY HEAR ARGUMENT FROM THE PETITIONER AND THE DISTRICT ATTORNEY.

(6) **Standard for granting relief.** (a) A COURT MAY ISSUE AN ORDER OF COLLATERAL RELIEF IF THE COURT FINDS THAT:

(I) THE ORDER OF COLLATERAL RELIEF IS CONSISTENT WITH THE APPLICANT'S REHABILITATION; AND

(II) GRANTING THE APPLICATION WOULD IMPROVE THE APPLICANT'S LIKELIHOOD OF SUCCESS IN REINTEGRATING INTO SOCIETY AND IS IN THE PUBLIC'S INTEREST.

(b) THE COURT THAT PREVIOUSLY ISSUED AN ORDER OF COLLATERAL RELIEF, ON ITS OWN MOTION OR EITHER BY CAUSE SHOWN BY THE DISTRICT ATTORNEY OR ON GROUNDS OFFERED BY THE APPLICANT, MAY AT ANY TIME ISSUE A SUBSEQUENT JUDGMENT TO ENLARGE, LIMIT, OR CIRCUMSCRIBE THE RELIEF PREVIOUSLY GRANTED.

(c) UPON THE MOTION OF THE DISTRICT ATTORNEY OR PROBATION OFFICER OR UPON THE COURT'S OWN MOTION, A COURT MAY REVOKE AN ORDER OF COLLATERAL RELIEF UPON EVIDENCE OF A SUBSEQUENT CRIMINAL CONVICTION OR PROOF THAT THE DEFENDANT IS NO LONGER ENTITLED TO RELIEF. ANY BARS, PROHIBITIONS, SANCTIONS, AND DISQUALIFICATIONS THEREBY RELIEVED SHALL BE REINSTATED AS OF THE DATE OF THE WRITTEN ORDER OF REVOCATION. THE COURT SHALL PROVIDE A COPY OF THE ORDER OF REVOCATION TO THE HOLDER AND TO ANY REGULATORY OR LICENSING ENTITY THAT THE DEFENDANT NOTICED IN HIS OR HER MOTION FOR RELIEF.

(7) IF THE COURT ISSUES AN ORDER OF COLLATERAL RELIEF, IT 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 NOTE IN THE APPLICANT'S RECORD IN THE COLORADO CRIME INFORMATION CENTER THAT THE ORDER OF COLLATERAL RELIEF WAS ISSUED.

(8) **Definitions.** AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "COLLATERAL CONSEQUENCE" MEANS A COLLATERAL SANCTION OR A DISQUALIFICATION.

(b) "COLLATERAL SANCTION" MEANS A PENALTY, PROHIBITION, BAR, OR DISADVANTAGE, HOWEVER DENOMINATED, IMPOSED ON AN INDIVIDUAL AS A RESULT OF THE INDIVIDUAL'S CONVICTION OF AN OFFENSE, WHICH PENALTY, PROHIBITION, BAR, OR DISADVANTAGE APPLIES BY OPERATION OF LAW REGARDLESS OF WHETHER THE PENALTY, PROHIBITION, BAR, OR DISADVANTAGE IS INCLUDED IN THE JUDGMENT OR SENTENCE. "COLLATERAL SANCTION" DOES NOT INCLUDE IMPRISONMENT, PROBATION, PAROLE, SUPERVISED RELEASE, FORFEITURE, RESTITUTION, FINE, ASSESSMENT, COSTS OF PROSECUTION, OR A RESTRAINT OR SANCTION ON AN INDIVIDUAL'S DRIVING PRIVILEGE.

(c) "CONVICTION" OR "CONVICTED" MEANS A VERDICT OF GUILTY BY A JUDGE OR JURY OR A PLEA OF GUILTY OR NOLO CONTENDERE THAT IS ACCEPTED BY THE COURT OR AN ADJUDICATION FOR AN OFFENSE THAT WOULD CONSTITUTE A CRIMINAL OFFENSE IF COMMITTED BY AN ADULT, OR A CONVICTION OF A CRIME UNDER THE LAWS OF ANY OTHER STATE, THE UNITED STATES, OR ANY TERRITORY SUBJECT TO THE JURISDICTION OF THE UNITED STATES, WHICH, IF COMMITTED WITHIN THIS STATE,

WOULD BE A FELONY OR MISDEMEANOR. "CONVICTION" OR "CONVICTED" ALSO INCLUDES HAVING RECEIVED A DEFERRED JUDGMENT AND SENTENCE OR A DEFERRED ADJUDICATION; EXCEPT THAT A PERSON SHALL NOT BE DEEMED TO HAVE BEEN CONVICTED IF THE PERSON HAS SUCCESSFULLY COMPLETED A DEFERRED SENTENCE OR A DEFERRED ADJUDICATION.

(d) "DISQUALIFICATION" MEANS A PENALTY, PROHIBITION, BAR, OR DISADVANTAGE, HOWEVER DENOMINATED, THAT AN ADMINISTRATIVE AGENCY, GOVERNMENTAL OFFICIAL, OR COURT IN A CIVIL PROCEEDING IS AUTHORIZED, BUT NOT REQUIRED, TO IMPOSE ON AN INDIVIDUAL ON GROUNDS RELATING TO THE INDIVIDUAL'S CONVICTION OF AN OFFENSE.

SECTION 13. In Colorado Revised Statutes, 16-11.3-103, **add** (2.8) as follows:

16-11.3-103. Duties of the commission - mission - staffing - repeal. (2.8) (a) USING EMPIRICAL ANALYSIS AND EVIDENCE-BASED DATA AND RESEARCH, THE RE-ENTRY TASK FORCE OF THE COMMISSION MUST STUDY COLLATERAL CONSEQUENCES AND MAKE RECOMMENDATIONS TO THE COMMISSION FOR RECOMMENDATION TO THE LEGISLATURE REGARDING:

(I) WHETHER ADDITIONAL PROVISIONS FOR SEALING CRIMINAL CONVICTION RECORDS SHOULD BE ENACTED;

(II) WHETHER A CERTIFICATE OF REHABILITATION THAT PROVIDES RELIEF FROM COLLATERAL CONSEQUENCES SHOULD BE CREATED IN STATUTE;

(III) BEST PRACTICES FOR PROSECUTORS AND DEFENSE ATTORNEYS FOR ADVISING DEFENDANTS IN CRIMINAL ACTIONS AS TO THE POTENTIAL COLLATERAL CONSEQUENCES PRIOR TO ENTERING A PLEA;

(IV) WHETHER A STANDARD REGULATORY AND LICENSING APPROACH FOR THE IMPOSITION OF COLLATERAL CONSEQUENCES SHOULD BE DEVELOPED INCLUDING TREATMENT OF CRIMINAL CONVICTIONS, DEFERRED JUDGMENTS, DEFERRED PROSECUTIONS, AND OTHER CRIMINAL SANCTIONS;

(V) METHODS TO IMPROVE ACCURACY OF CRIMINAL HISTORY RECORDS, PARTICULARLY ARREST RECORDS WHEN A FINAL DISPOSITION IS NOT INDICATED; AND

(VI) ANY OTHER RECOMMENDATIONS TO IMPROVE REINTEGRATION OF OFFENDERS, REDUCE RECIDIVISM, AND TAKE AN EVIDENCE-BASED APPROACH TO THE APPLICATION OF COLLATERAL CONSEQUENCES.

(b) BY DECEMBER 15, 2013, THE COMMISSION SHALL PROVIDE TO THE JUDICIARY COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR THEIR SUCCESSOR COMMITTEES, A WRITTEN REPORT OF THE COMMISSION'S RECOMMENDATIONS. IF THE COMMISSION IS UNABLE TO BRING FORTH RECOMMENDATIONS, FOR EACH ISSUE IN PARAGRAPH (a) OF SUBSECTION (2.8) OF THIS SECTION, TO THE GENERAL ASSEMBLY TO CONSIDER, THE COMMISSION SHALL PROVIDE IN THE REPORT THE REASONS THE COMMISSION COULD NOT MAKE ANY RECOMMENDATIONS AND, IF POSSIBLE, DESCRIBE THE SPECIFIC AREAS OF DISAGREEMENT THAT PREVENTED THE COMMISSION FROM MAKING ANY RECOMMENDATIONS.

(c) THIS SUBSECTION (2.8) IS REPEALED, EFFECTIVE JULY 1, 2014.

SECTION 14. In Colorado Revised Statutes, 24-72-308, **add** (3) (f) as follows:

24-72-308. Sealing of arrest and criminal records other than convictions. (3) **Exceptions.** (f) IF A PERSON WHO SEEKS TO HAVE HIS OR HER ARREST RECORDS SEALED FOR CHARGES THAT ARE NOT COVERED BY PARAGRAPH (a) OF THIS SUBSECTION, THE FACT THAT THE PERSON WAS CHARGED FOR A CRIME COVERED IN PARAGRAPH (a) OF THIS SUBSECTION AS A PART OF THE SAME ARREST DOES NOT PROHIBIT A COURT FROM SEALING THE ARREST RECORDS RELATED TO THE CHARGES THAT ARE NOT COVERED IN PARAGRAPH (a) OF THIS SUBSECTION."

Strike pages 8 through 16.

Page 17, strike lines 1 through 25.

Renumber succeeding section accordingly.

Judiciary After consideration on the merits, the Committee recommends that **HB13-1243** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Judiciary After consideration on the merits, the Committee recommends that **HB13-1258** be referred to the Committee of the Whole with favorable recommendation.

SENATE SERVICES REPORT

Correctly Printed: SB13-241, 242, 243, 244, 245, 246, 247, 248, 249, 250 and 251.
Correctly Engrossed: SB13-213; SJR018, 024 and 025.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for an expression of personal privilege.

THIRD READING OF BILLS -- FINAL PASSAGE

On third reading, the titles of the following bill was publicly read, the reading at length having been dispensed with by unanimous consent:

SB13-213 by Senator(s) Johnston and Heath; also Representative(s) Hamner--Concerning the financing of public schools, and, in connection therewith, creating the "Public School Finance Act".

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	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Aguilar, Carroll, Giron, Guzman, Hodge, Hudak, Jahn, Jones, Kefalas, Kerr, Morse, Newell, Nicholson, Tochtrop, Todd and Ulibarri.

Committee of the Whole	On motion of Senator Hodge, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Hodge was called to the chair to act as Chairman.	1 2 3 4
	GENERAL ORDERS -- SECOND READING OF BILLS	5 6
	The Committee of the Whole having risen, the Chairman reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:	7 8 9 10
SB13-158	by Senator(s) Balmer; also Representative(s) Ryden--Concerning the continuation of the preparation of cost-benefit analysis of proposed rules of executive branch agencies, and, in connection therewith, implementing the recommendations of the 2012 sunset report of the department of regulatory agencies.	11 12 13 14 15
	<u>Amendment No. 1, Business, Labor & Technology Committee Amendment.</u> (Printed in Senate Journal, March 21, page(s) 567-570 and placed in members' bill files.)	16 17 18 19
	<u>Amendment No. 2(L.009), by Senator Balmer.</u>	20 21
	Amend the Senate Business, Labor, and Technology Committee, dated March 20, 2013, page 3, line 38, strike "RULES;". and substitute "RULES;".	22 23 24 25
	Page 3, after line 38 insert:	26 27
	"(V) RULES OR AMENDMENTS PROPOSED OR PROMULGATED BY THE SECRETARY OF STATE AFFECTING MATTERS SPECIFIED IN TITLE 1, C.R.S., OR UNDER SECTION 9 OF ARTICLE XXVIII;".	28 29 30 31
	<u>Amendment No. 3(L.010), by Senator Balmer.</u>	32 33
	Amend the Senate Business, Labor, and Technology Committee Report, dated March 20, 2013, page 4, line 3, strike "OF" and substitute "OR".	34 35 36 37
	As amended, ordered engrossed and placed on the calendar for third reading and final passage.	38 39 40
HB13-1147	by Representative(s) Melton, Buckner, Court, Duran, Exum, Fields, Fischer, Lebsock, Mitsch Bush, Moreno, Ryden, Salazar, Singer, Tyler, Williams; also Senator(s) Newell, Todd, Ulibarri--Concerning voter registration facilitated by state institutions of higher education.	41 42 43 44 45 46
	Ordered revised and placed on the calendar for third reading and final passage.	47 48
	(For further action, see amendments to the report of the Committee of the Whole.)	49 50 51
SB13-205	by Senator(s) Hodge and Roberts; also Representative(s) Gardner--Concerning revisions to the Colorado medicaid false claims act to comply with federal law.	52 53 54 55
	<u>Amendment No. 1(L.001), by Senators Hodge and Roberts.</u>	56 57
	Amend printed bill, page 3, line 25, strike "five" and substitute "five".	58 59
	Page 3, strike line 26 and substitute "thousand FIVE HUNDRED dollars and not more than ten ELEVEN thousand dollars, PROVIDED THAT THESE UPPER AND LOWER LIMITS ON LIABILITY SHALL AUTOMATICALLY INCREASE TO EQUAL THE CIVIL".	60 61 62 63
	Page 4, line 1, strike "AS" and substitute "IF AND AS THE PENALTIES IN SUCH FEDERAL ACT".	64 65 66 67

	Page 5, strike line 18 and substitute "section. that is based on the information. ".	1
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		3
	Page 6, strike lines 20 through 25 and substitute "BROUGHT MORE THAN THREE YEARS AFTER THE DATE WHEN THE RETALIATION OCCURRED.".	4
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	As amended, ordered engrossed and placed on the calendar for third reading and final passage.	8
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HB13-1223	by Representative(s) Primavera; also Senator(s) Newell--Concerning the authority of the commissioner of insurance to promulgate rules regarding an insurance carrier's requirement to submit cost information to the commissioner.	11
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	<u>Amendment No. 1, Health & Human Services Committee Amendment.</u>	16
	(Printed in Senate Journal, March 21, page(s) 572 and placed in members' bill files.)	17
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	As amended, ordered revised and placed on the calendar for third reading and final passage.	19
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HB13-1202	by Representative(s) Gerou and Ferrandino; also Senator(s) Kefalas--Concerning counseling by medicaid providers relating to medical orders for scope of treatment.	23
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	Ordered revised and placed on the calendar for third reading and final passage.	26
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SB13-201	by Senator(s) Kerr, Balmer, Guzman, Tochtrop; also Representative(s) Pettersen, Conti, Court, Hullinghorst, Kraft-Tharp, Rankin, Tyler--Concerning the designation of dogs and cats that are adopted from Colorado animal shelters and rescues as the state pets.	29
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	Laid over until Wednesday, April 3, retaining its place on the calendar.	33
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SB13-191	by Senator(s) Hodge; also Representative(s) Williams and Sonnenberg--Concerning the acquisition of rights-of-way by pipeline companies.	36
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	Laid over until Friday, April 5, retaining its place on the calendar.	39
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		41
HB13-1060	by Representative(s) McLachlan; also Senator(s) Newell--Concerning raising the maximum fine that may be assessed by a municipal court.	42
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		44
	Ordered revised and placed on the calendar for third reading and final passage.	45
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		47
SB13-212	by Senator(s) Jones and Schwartz, Johnston; also Representative(s) Tyler--Concerning increased options for financing available through the Colorado new energy improvement district for the completion of new energy improvements, and, in connection therewith, allowing commercial buildings to access district financing, requiring consent for subordination of mortgage liens, and facilitating private third-party financing.	48
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	<u>Amendment No. 1, Agriculture, Natural Resources, and Energy Committee Amendment.</u>	54
	(Printed in Senate Journal, March 22, page(s) 580-581 and placed in members' bill files.)	55
		56
	<u>Amendment No. 2(L.007), by Senator Jones.</u>	57
		58
	Amend the Agriculture, Natural Resources, and Energy Committee Report, dated March 21, 2013, page 1, line 17, strike "AN OWNERS".	59
		60
		61
	Page 1 of the report, line 18, strike "AND ENCUMBRANCES STATEMENT" and substitute "A COMMITMENT OF TITLE INSURANCE".	62
		63
		64
	Page 2 of the report, after line 18 insert "Page 11 of the printed bill, line 22, strike "OVER A" and substitute "OVER".	65
		66
		67

Page 11 of the bill, line 23, strike "LIEN ONLY IF THE MORTGAGE HOLDER"
and substitute "LIENS ONLY IF EACH LIENHOLDER".

Page 2 of the report, line 24, strike "THE OWNERS AND ENCUMBRANCES
STATEMENT" and substitute "A COMMITMENT OF TITLE INSURANCE".

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

SB13-185 by Senator(s) Nicholson; also Representative(s) Primavera--Concerning expansion of the
types of activities that are eligible for grants under the tobacco education, prevention, and
cessation grant program.

Laid over until Friday, April 5, retaining its place on the calendar.

HB13-1025 by Representative(s) Swalm; also Senator(s) Jahn--Concerning an increase in the amount of
the authorized deductible for workers' compensation insurance policies.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate journal, March 19, page(s) 537, was **lost**.)

Amendment No. 2(L.005), by Senator Jahn.

Amend reengrossed bill, page 3, before line 10 insert:

"(e) NOTHING IN THIS SUBSECTION (1) ALLOWS A CARRIER TO STOP
OFFERING NO-DEDUCTIBLE POLICIES."

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

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

HB13-1147 by Representative(s) Melton, Buckner, Court, Duran, Exum, Fields, Fischer, Lebsock,
Mitsch Bush, Moreno, Ryden, Salazar, Singer, Tyler, Williams; also Senator(s) Newell,
Todd, Ulibarri--Concerning voter registration facilitated by state institutions of higher
education.

Senator Harvey moved to amend the Report of the Committee of the Whole to show that the
following Harvey floor amendment, (L.005) to HB 13-1147, did pass.

Amend reengrossed bill, page 3, after line 9 insert:

"(3) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO
AUTHORIZE OR REQUIRE A STATE INSTITUTION OF HIGHER EDUCATION TO
PROVIDE ANY FORM OF FACILITATION, ENCOURAGEMENT, OR ASSISTANCE
IN VOTER REGISTRATION TO ANY STUDENT:

(a) WHO PROVIDES TO THE INSTITUTION AN OUT-OF-STATE
ADDRESS AS HIS OR HER PERMANENT HOME ADDRESS; OR

(b) WHO DOES NOT QUALIFY FOR IN-STATE TUITION AT THE
INSTITUTION."

Call of the Senate. Call raised.

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	18	EXCUSED	0	ABSENT	0
Aguilar	N	Guzman	N	Kefalas	N	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	N	Scheffel	Y
Baumgardner	Y	Heath	N	King	Y	Schwartz	N
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	N	Lundberg	Y	Tochtrop	N
Carroll	N	Hudak	N	Marble	Y	Todd	N
Crowder	Y	Jahn	Y	Newell	N	Ulibarri	N
Giron	N	Johnston	N	Nicholson	N	President	N
Grantham	Y	Jones	N	Renfroe	Y		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Hodge, 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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB13-158 as amended, SB13-205 as amended SB13-212 as amended, HB13-1147, HB13-1223 as amended, HB13-1202, HB13-1060, HB13-1025 as amended.
Laid over until Wednesday, April 3: SB13-201.
Laid over until Friday, April 5: SB13-191, SB13-185.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB13-070 by Senator(s) Schwartz, Jones; also Representative(s) Scott and Tyler, Fischer, Hamner, Young--Concerning the purchase of vehicles that operate on alternative fuels for the state motor vehicle fleet system.

Senator Schwartz moved that the Senate concur in House amendments to **SB13-070**, as printed in House journal, March 20, page(s) 643-644. The motion was **adopted** by the following roll call vote:

YES	33	NO	2	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	Y	Lambert	N	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

YES	32	NO	3	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	N	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB13-126 by Senator(s) Guzman; also Representative(s) Duran--Concerning the removal of unreasonable restrictions on the ability of the owner of an electric vehicle to access charging facilities.

Laid over until Wednesday, April 3, retaining its place on the calendar.

SB13-149 by Senator(s) Kefalas; also Representative(s) Kagan--Concerning the repeal of the advisory committee to establish an all-payer health claims database.

Senator Kefalas moved that the Senate concur in House amendments to **SB13-149**, as printed in House journal, March 27, page(s) 707. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

YES	22	NO	13	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB13-048 by Senator(s) Todd, Jones, Cadman, Heath, Hudak, Kerr, Newell; also Representative(s) Tyler and Labuda, Fields, Melton, Peniston, Ryden, Salazar--Concerning the use of highway user tax fund moneys allocated to local governments for multimodal transportation infrastructure.

Senator Todd moved that the Senate concur in House amendments to **SB13-048**, as printed in House journal, March 27, page(s) 707-708. The motion was **adopted** by the following roll call vote:

YES	24	NO	11	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

YES	22	NO	13	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Co-sponsor(s) removed: Cadman.

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

HB13-1058 by Representative(s) McCann; also Senator(s) Kerr--Concerning guidelines for the determination of spousal maintenance.

Laid over until Monday, April 8, retaining its place on the calendar.

MESSAGE FROM THE HOUSE

April 2, 2013

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1268.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1260, amended as printed in House Journal, April 1, page 736.

HB13-1160, amended as printed in House Journal, April 1, page 737.

HB13-1262, amended as printed in House Journal, April 1, page 737.

HB13-1235, amended as printed in House Journal, April 1, pages 740-741.

HB13-1265, amended as printed in House Journal, April 1, page 741.

The House has passed on Third Reading and returns herewith SB13-184, 139, 157, 071, 199, 186.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB13-182, amended as printed in House Journal, April 1, pages 735-736.

SB13-027, amended as printed in House Journal, April 1, page 736.

MESSAGE FROM THE REVISOR OF STATUTES

April 2, 2013

We herewith transmit:

Without comment, HB13-1268.

Without comment, as amended, HB13-1160, 1235, 1260, 1262, and 1265.

Without comment, as amended, SB13-027 and 182.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB13-005, 023, 030, 041, 042, 053, 059, 081, 108, 116 and 190.

On motion of Majority Leader Carroll, the Senate adjourned until 9:00 a.m., Wednesday,
April 3, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

85th Legislative Day

Wednesday, April 3, 2013

Prayer By Senator Grantham.

Call to Order By the President at 9:00 a.m.

Pledge By Senator Jones.

Roll Call Present--34
Excused--1, Johnston.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Todd, reading of the Journal of Tuesday, April 2, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Transportation After consideration on the merits, the Committee recommends that **SB13-189** be referred to the Committee on Finance with favorable recommendation.

Transportation After consideration on the merits, the Committee recommends that **SB13-203** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 3, line 9, before "OR" insert "THE AURARIA HIGHER EDUCATION CENTER ESTABLISHED IN ARTICLE 70 OF TITLE 23, C.R.S.,".

Finance After consideration on the merits, the Committee recommends that **HB13-1237** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Business, Labor, & Technology After consideration on the merits, the Committee recommends that **SB13-162** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill page 2, line 12, strike "EXAMINING BOARD OF PLUMBERS," and substitute "STATE PLUMBING BOARD,".

Page 2, strike lines 14 and 15 and substitute:

"SECTION 2. In Colorado Revised Statutes, 12-58-102, **amend** (1), (4), and (5) (a) introductory portion; **repeal** (5) (a) (I) and (5) (a) (II); and **add** (4.1) as follows:".

Page 2, after line 17 insert:

"(1) "Board" means ~~the examining board of plumbers STATE PLUMBING BOARD.~~".

Page 2, strike lines 18 through 20.

Page 3, strike line 1.

Page 3, line 3, strike everything after "the" and substitute "board".

Page 3, after line 6 insert:

"(4.1) "COLORADO FUEL GAS CODE" MEANS A CODE ADOPTED BY
RULE BY THE BOARD FOR THE INSPECTION OF PLUMBING FUEL GAS PIPE
INSTALLATIONS.
(5) (a) "Plumbing" includes the following items located within the
building or extending five feet from the building foundation, excluding
any service line extending from the first joint to the property line: All
potable water supply and distribution pipes and piping; all plumbing
fixtures and traps; all drainage and vent pipes; all building drains,
including their respective joints and connections, devices, receptacles,
and appurtenances; all multipurpose residential fire sprinkler systems in
one- and two-family dwellings and townhouses that are part of the
potable water supply; and all medical gas and vacuum systems in health
care facilities. "Plumbing" does not include:
(I) ~~The installation, extension, alteration, or maintenance,
including the related water piping and the indirect waste piping
therefrom, of domestic appliances equipped with backflow preventers,
including lawn sprinkling systems, residential ice makers, humidifiers,
electrostatic filter washers, water heating appliances, water conditioning
appliances not directly connected to the sanitary sewer system, building
heating appliances and systems, fire protection systems except for
multipurpose residential fire sprinkler systems in one- and two-family
dwellings and townhouses that are part of the potable water supply, air
conditioning installations, process and industrial equipment and piping
systems, or indirect drainage systems not a part of a sanitary sewer
system; or~~
(II) ~~The repair and replacement of garbage disposal units and
dishwashers directly connected to the sanitary sewer system, including
the necessary replacement of all tail pipes and traps, or the repair,
maintenance, and replacement of sinks, faucets, drains, showers, tubs,
and toilets."~~

Page 3, line 7, after "amend" insert "(1), (3) (a), and".

Page 3, strike line 10 and substitute "(1) There is hereby established
within the division of professions and occupations of the department of
regulatory agencies the ~~examining board of plumbers~~. STATE PLUMBING
BOARD. The board shall exercise its powers and perform its duties and
functions in the department of regulatory agencies as if it were
transferred to the department by a **type 1** transfer, as such transfer is
defined in the "Administrative Organization Act of 1968", article 1 of
title 24, C.R.S.
(3) (a) The governor, with power of removal, shall appoint the
members of the board, subject to confirmation by the senate. ~~except that
the five members serving on June 30, 1982, shall continue to serve until
the expiration of their respective terms of office. The governor shall
appoint one additional member to serve until July 1, 1983, and another
additional member to serve until July 1, 1986. Thereafter, members shall
be BOARD MEMBERS ARE appointed for four-year terms. Any vacancy
occurring in the membership of the board shall be filled by the governor
by appointment for the unexpired term of such member.~~
(5) This article is repealed, effective ~~July 1, 2013~~ SEPTEMBER 1,
2024."

Page 3, line 11, strike "examining board of plumbers" and substitute
"~~examining board of plumbers~~ STATE PLUMBING BOARD".

Page 3, strike line 21 and substitute "governing the plumbing ~~drainage,
sewerage, and plumbing ventilation~~ SYSTEMS of".

Page 3, line 22, strike everything after "state.".

Page 3, strike lines 23 through 27.

Page 4, strike lines 1 through 20.

Page 4, line 21, after "Employ" insert "PLUMBERS LICENSED UNDER THIS ARTICLE AS JOURNEYMAN OR MASTER PLUMBERS AS STATE PLUMBING".

Page 5, line 23, strike "International plumbing code - statewide" and substitute "Colorado plumbing code - amendments - variances".

Page 5, line 24, strike "applicability - local amendments".

Page 6, after line 9 insert:

"SECTION 6. In Colorado Revised Statutes, 12-58-107, **amend** (1) (a) as follows:

12-58-107. License issuance - examination. (1) (a) The board shall issue licenses to persons who have by examination and experience shown themselves competent and qualified to engage in the business, trade, or calling of a residential plumber, journeyman plumber, or master plumber. The board shall establish the minimum level of experience required for an applicant to receive a residential, journeyman, or master plumber's license. The maximum experience the board may require for an applicant to qualify to receive TEST FOR a residential plumber's license is ~~two years or three thousand four hundred hours of practical experience.~~ The maximum experience the board may require for an applicant to qualify to receive TEST FOR a journeyman plumber's license is ~~four years or six thousand eight hundred hours of practical experience.~~ ~~An applicant for a master plumber's license shall furnish evidence that he has five years of practical experience.~~ THE MAXIMUM EXPERIENCE THE BOARD MAY REQUIRE FOR AN APPLICANT TO TEST FOR A MASTER PLUMBER'S LICENSE IS EIGHT THOUSAND FIVE HUNDRED HOURS OF PRACTICAL EXPERIENCE.

SECTION 7. In Colorado Revised Statutes, **repeal and reenact, with amendments,** 12-58-107.5 as follows:

12-58-107.5. Credit for experience received outside of Colorado. FOR ALL APPLICANTS SEEKING WORK EXPERIENCE CREDIT TOWARD LICENSURE FOR PLUMBING WORK EXPERIENCE RECEIVED OUTSIDE OF COLORADO, THE BOARD SHALL GIVE CREDIT FOR SUCH WORK EXPERIENCE IF THE APPLICANT CAN SHOW TO THE SATISFACTION OF THE BOARD THAT THE PARTICULAR EXPERIENCE IS ADEQUATE TO COMPLY WITH THE REQUIREMENTS OF THIS ARTICLE.

SECTION 8. In Colorado Revised Statutes, **amend** 12-58-108 as follows:

12-58-108. License renewal - reinstatement. (1) All license AND CONTRACTOR REGISTRATION renewal and renewal fees shall be in accordance with the provisions of sections 24-34-102 and 24-34-105, C.R.S.

(2) Any license OR CONTRACTOR REGISTRATION that has lapsed shall be deemed to have expired. Prior to reinstatement, the board is authorized to require the licensee to demonstrate competency. Licenses shall be renewed or reinstated pursuant to a schedule established by the director of the division of professions and occupations within the department of regulatory agencies and pursuant to section 24-34-102 (8), C.R.S. The director of the division of professions and occupations within the department of regulatory agencies may establish renewal fees and delinquency fees for reinstatement pursuant to section 24-34-105, C.R.S. If a person fails to renew his or her license pursuant to the schedule established by the director of the division of professions and occupations, such license OR CONTRACTOR REGISTRATION shall expire. Any person whose license OR CONTRACTOR REGISTRATION has expired shall be subject to the penalties provided in this article or section 24-34-102 (8), C.R.S.

SECTION 9. In Colorado Revised Statutes, 12-58-110, **amend** (1) (p) as follows:

12-58-110. Disciplinary action by board - licenses or registrations denied, suspended, or revoked - cease-and-desist orders. (1) The board may deny, suspend, revoke, or refuse to renew any license or registration issued or applied for under the provisions of this article or place a licensee or a registrant on probation for any of the following reasons:

(p) Selling or fraudulently obtaining or furnishing a license OR REGISTRATION to practice as a residential, journeyman, or master plumber OR PLUMBING CONTRACTOR or aiding or abetting in such activity;

SECTION 10. In Colorado Revised Statutes, 12-58-113, **add** (6) as follows:

12-58-113. Exemptions. (6) (a) NOTHING IN THIS ARTICLE REQUIRES A PLUMBING LICENSE, CONTRACTOR REGISTRATION, OR PERMIT TO PERFORM:

(I) THE INSTALLATION, EXTENSION, ALTERATION, OR MAINTENANCE, INCLUDING THE RELATED WATER PIPING AND THE INDIRECT WASTE PIPING, OF DOMESTIC APPLIANCES EQUIPPED WITH BACKFLOW PREVENTERS, INCLUDING LAWN SPRINKLING SYSTEMS; RESIDENTIAL ICE MAKERS, HUMIDIFIERS, ELECTROSTATIC FILTER WASHERS, OR WATER HEATING APPLIANCES; BUILDING HEATING APPLIANCES AND SYSTEMS; FIRE PROTECTION SYSTEMS EXCEPT FOR MULTIPURPOSE RESIDENTIAL FIRE SPRINKLER SYSTEMS IN ONE- AND TWO-FAMILY DWELLINGS AND TOWNHOUSES THAT ARE PART OF THE POTABLE WATER SUPPLY; AIR CONDITIONING INSTALLATIONS; PROCESS AND INDUSTRIAL EQUIPMENT AND PIPING SYSTEMS; OR INDIRECT DRAINAGE SYSTEMS NOT A PART OF A SANITARY SEWER SYSTEM; OR

(II) THE REPAIR AND REPLACEMENT OF GARBAGE DISPOSAL UNITS AND DISHWASHERS DIRECTLY CONNECTED TO THE SANITARY SEWER SYSTEM, INCLUDING THE NECESSARY REPLACEMENT OF ALL TAIL PIPES AND TRAPS, OR THE REPAIR, MAINTENANCE, AND REPLACEMENT OF SINKS, FAUCETS, DRAINS, SHOWERS, TUBS, AND TOILETS.

(b) NOTWITHSTANDING PARAGRAPH (a) OF THIS SUBSECTION (6), "PLUMBING" DOES NOT INCLUDE:

(I) INSTALLATIONS, EXTENSIONS, IMPROVEMENTS, REMODELING, ADDITIONS, AND ALTERATIONS IN WATER AND SEWER SYSTEMS OWNED OR ACQUIRED BY COUNTIES PURSUANT TO ARTICLE 20 OF TITLE 30, C.R.S., CITIES AND TOWNS PURSUANT TO ARTICLE 35 OF TITLE 31, C.R.S., OR WATER AND SANITATION DISTRICTS PURSUANT TO ARTICLE 1 OR ARTICLE 4 OF TITLE 32, C.R.S.;

(II) INSTALLATIONS, EXTENSIONS, IMPROVEMENTS, REMODELING, ADDITIONS, AND ALTERATIONS PERFORMED BY CONTRACTORS EMPLOYED BY COUNTIES, CITIES, TOWNS, OR WATER AND SEWER DISTRICTS THAT CONNECT TO THE PLUMBING SYSTEM WITHIN A PROPERTY LINE; OR

(III) PERFORMANCE, LOCATION, CONSTRUCTION, ALTERATION, INSTALLATION, AND USE OF ON-SITE WASTEWATER TREATMENT SYSTEMS PURSUANT TO ARTICLE 10 OF TITLE 25, C.R.S., WHICH ARE LOCATED WITHIN A PROPERTY LINE.

SECTION 11. In Colorado Revised Statutes, 12-58-114.2, **amend** (1); and **add** (3) as follows:

12-58-114.2. Plumbing inspectors - qualifications. (1) The director of the division of professions and occupations is authorized to appoint or employ competent persons LICENSED UNDER THIS ARTICLE AS JOURNEYMAN OR MASTER PLUMBERS as state plumbing inspectors.

(3) (a) BEGINNING JULY 1, 2014, PERSONS LICENSED UNDER THIS ARTICLE OR WHO ARE CERTIFIED AS A RESIDENTIAL PLUMBING INSPECTOR BY A NATIONALLY RECOGNIZED MODEL CODE ORGANIZATION ARE AUTHORIZED TO INSPECT RESIDENTIAL PLUMBING. ANY NEWLY HIRED INSPECTORS NOT LICENSED UNDER THIS ARTICLE OR CERTIFIED BY A NATIONALLY RECOGNIZED MODEL CODE ORGANIZATION HAVE ONE YEAR FROM THE DATE OF HIRE TO ACQUIRE THE NECESSARY LICENSE OR CERTIFICATION OR MEET THE HIRING REQUIREMENTS OF THE HIRING AUTHORITY, WHICHEVER IS MORE STRINGENT.

(b) BEGINNING JULY 1, 2014, PERSONS LICENSED UNDER THIS ARTICLE OR WHO ARE CERTIFIED AS A COMMERCIAL PLUMBING INSPECTOR BY A NATIONALLY RECOGNIZED MODEL CODE ORGANIZATION ARE AUTHORIZED TO INSPECT COMMERCIAL PLUMBING. ANY NEWLY HIRED INSPECTORS NOT LICENSED UNDER THIS ARTICLE OR CERTIFIED BY A

NATIONALLY RECOGNIZED MODEL CODE ORGANIZATION HAVE ONE YEAR FROM THE DATE OF HIRE TO ACQUIRE THE NECESSARY LICENSE OR CERTIFICATION OR MEET THE HIRING REQUIREMENTS OF THE HIRING AUTHORITY, WHICHEVER IS MORE STRINGENT.

SECTION 12. In Colorado Revised Statutes, 12-58-117, **amend** (1) as follows:

12-58-117. Apprentices. (1) Any person may work as a plumbing apprentice for a ~~licensed plumber~~ REGISTERED PLUMBING CONTRACTOR but shall not do any plumbing work for which a license is required pursuant to this article except under the supervision of a licensed plumber. Supervision requires that ~~the~~ A licensed plumber supervise apprentices at the jobsite. One licensed journeyman plumber, master plumber, or residential plumber shall not supervise more than three apprentice plumbers at the same jobsite."

Renumber succeeding sections accordingly.

Page 6, strike line 11 and substitute "(1) and (3) (a) introductory portion; and **add** (8) as follows:".

Page 7, after line 4 insert:

"(3) (a) All inspection permits issued by the board ~~shall be~~ ARE valid for a period of twelve months, ~~and the board shall cancel the permit and remove it from its files at the end of the twelve-month period;~~ MONTHS. THE BOARD SHALL CLOSE A PERMIT AND MARK ITS STATUS AS "EXPIRED" AT THE END OF THE TWELVE-MONTH RENEWAL PERIOD, except in the following circumstances:".

Local After consideration on the merits, the Committee recommends that **HB13-1208** be
Government **referred** to the Committee of the Whole with favorable recommendation.

SENATE SERVICES REPORT

Correctly Engrossed: SB13-158, 205 and 212.
Correctly Reengrossed: SB13-213.
Correctly Revised: HB13-1025, 1060, 1147, 1202 and 1223.
Correctly Enrolled: SJR13-024 and 025.

INTRODUCTION OF BILLS -- FIRST READING

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

- SB13-252** by Senator(s) Morse and Schwartz, Carroll, Giron, Jahn, Jones, Nicholson, Steadman; also Representative(s) Ferrandino and Duran, Court, Hamner, Hulinghorst, Kraft-Tharp, McLachlan, Moreno, Rosenthal, Ryden, Schafer, Vigil, Young--Concerning measures to increase Colorado's renewable energy standard so as to encourage the deployment of methane capture technologies.
State, Veterans, & Military Affairs
- HB13-1194** by Representative(s) Everett, Saine, Holbert, Nordberg, Rankin, Wright, Priola, Murray, Buck, DelGrosso, Garcia, Landgraf, Lawrence, Melton, Navarro, Pabon, Scott, Wilson; also Senator(s) Marble, Lundberg--Concerning in-state student classification for dependants of members of the armed forces, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of Memorials.

CONSIDERATION OF MEMORIALS

SM13-001 by Senator(s) Steadman, Lambert, Hodge; --Memorializing former Senator William Joseph Shoemaker.

On motion of Senator Steadman, the memorial was read at length.

On motion of Majority Leader Carroll, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, the rules were suspended to allow former Representatives to speak in the well of the Senate.

Senate in recess. Senate reconvened.

On motion of Senator Steadman, the memorial was adopted by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	E	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Co-sponsor(s) added: Aguilar, Balmer, Baumgardner, Brophy, Cadman, Carroll, Crowder, Giron, Grantham, Guzman, Harvey, Heath, Hill, Hudak, Jahn, Jones, Kefalas, Kerr, King, Lundberg, Marble, Morse, Newell, Nicholson, Renfroe, Roberts, Scheffel, Schwartz, Tochtrop, Todd and Ulibarri.

Senate in recess. Senate reconvened.

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:

SB13-158 by Senator(s) Balmer; also Representative(s) Ryden--Concerning the continuation of the preparation of cost-benefit analysis of proposed rules of executive branch agencies, and, in connection therewith, implementing the recommendations of the 2012 sunset report of the department of regulatory agencies.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	E	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Kefalas, Newell, Nicholson and Tochtrop.

HB13-1147 by Representative(s) Melton, Buckner, Court, Duran, Exum, Fields, Fischer, Lebsock, Mitsch Bush, Moreno, Ryden, Salazar, Singer, Tyler, Williams; also Senator(s) Newell, Todd, Ulibarri--Concerning voter registration facilitated by state institutions of higher education.

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

YES	19	NO	15	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	E	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Aguilar, Carroll, Giron, Guzman, Heath, Hodge, Hudak, Jones, Morse, Nicholson, Schwartz, Steadman and Tochtrop.

SB13-205 by Senator(s) Hodge and Roberts; also Representative(s) Gardner--Concerning revisions to the Colorado medicaid false claims act to comply with federal law.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	E	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Aguilar, Carroll, Giron, Guzman, Jahn, Kefalas, King, Morse, Newell, Schwartz, Tochtrop and Todd.

HB13-1223 by Representative(s) Primavera; also Senator(s) Newell--Concerning the authority of the commissioner of insurance to promulgate rules regarding an insurance carrier's requirement to submit cost information to the commissioner.

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

YES	33	NO	1	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	E	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Aguilar, Heath, Kefalas, Nicholson, Schwartz and Todd.

HB13-1202 by Representative(s) Gerou and Ferrandino; also Senator(s) Kefalas--Concerning counseling by medicaid providers relating to medical orders for scope of treatment.

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

YES	22	NO	12	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	E	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Carroll, Giron, Guzman, Heath, Hodge, Jahn, King, Morse, Newell, Nicholson, Roberts, Schwartz, Steadman, Tochtrop, Todd and Ulibarri.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the Third Reading of Bills Calendar (HB13-1060, SB13-212, HB13-1025) of Wednesday, April 3 was laid over until Thursday, April 4, retaining its place on the calendar.

Committee of the Whole On motion of Senator Newell, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Newell was called to the chair to act as Chairman.

GENERAL 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:

SB13-201 by Senator(s) Kerr, Balmer, Guzman, Tochtrop; also Representative(s) Pettersen, Conti, Court, Hullinghorst, Kraft-Tharp, Rankin, Tyler--Concerning the designation of dogs and cats that are adopted from Colorado animal shelters and rescues as the state pets.

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

YES	27	NO	7	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	Y	Lambert	N	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	E	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

The Committee of the Whole took the following action:

Passed on second reading: SB13-201.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Wednesday, April 3 was laid over until Thursday, April 4, retaining its place on the calendar.

Consideration of Resolutions: SR13-003, HJR13-1017.
Consideration of House Amendments to Senate Bills: SB13-126, SB13-182, SB13-027.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Wednsday, April 3, 2013, at 10:47 a.m.:
SB13-005, 030, 041, 053, 059, 081, 108, 116 and 190.

MESSAGE FROM THE GOVERNOR

March 29, 2013

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

Ladies and Gentlemen:

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

SB13-008: CONCERNING ELIMINATION OF THE WAITING PERIOD FOR CHILDREN'S ELIGIBILITY UNDER THE CHILDREN'S BASIC HEALTH PLAN.

Approved March 29, 2013 at 3:08 p.m.

SB13-113: CONCERNING THE NATURAL RESOURCE DAMAGE RECOVERY FUND.

Approved March 29, 2013 at 3:29 p.m.

SB13-134: CONCERNING THE PROCESS FOR COLLECTING SALES TAX DUE ON MOTOR VEHICLES PURCHASED THROUGH AN AUCTION SALE.

Approved March 29, 2013 at 3:17 p.m.

SB13-152: CONCERNING THE CONTINUATION OF THE ASBESTOS ABATEMENT CERTIFICATION PROCESS CONDUCTED BY THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, AND, IN CONNECTION THEREWITH, IMPLEMENTING THE DEPARTMENT OF REGULATORY AGENCIES' RECOMMENDATIONS IN THE 2012 SUNSET REPORT.

Approved March 29, 2013 at 3:29 p.m.

SB13-163: CONCERNING THE SUNSET REVIEW OF THE ADVISORY COMMITTEE ON HEARING IN NEWBORN INFANTS, AND, IN CONNECTION THEREWITH, IMPLEMENTING THE RECOMMENDATIONS OF THE DEPARTMENT OF REGULATORY AGENCIES TO CONTINUE THE ADVISORY COMMITTEE INDEFINITELY.

Approved March 29, 2013 at 3:15 p.m.

SB13-177: CONCERNING CHANGES TO JUVENILE CORRECTIONS PROGRAMS RESULTING IN COST REDUCTIONS, AND, IN CONNECTION THEREWITH, REDUCING THE JUVENILE DETENTION BED CAP, REDUCING THE APPROPRIATION FOR COMMITMENT BEDS AND ASSESSMENT SERVICES, AND MAKING AN APPROPRIATION FOR TRANSPORTATION.

Approved March 29, 2013 at 3:30 p.m.

Sincerely,
(signed)
John W. Hickenlooper
Governor

April 1, 2013

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

Ladies and Gentlemen:

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

SB13-194: CONCERNING A REPEAL OF A TELEPHONE ASSISTANCE PROGRAM FOR LOW-INCOME INDIVIDUALS, AND, IN CONNECTION THEREWITH, REDUCING AN APPROPRIATION.

Approved April 1, 2013 at 9:26 a.m.

Sincerely,
(signed)
John W. Hickenlooper
Governor

TRIBUTES

Honoring:

- Mandy Guevara, Dedication and achievement for the Youth Leadership Jefferson County Program -- By Senator Andy Kerr.
- Autumn Braley, Dedication and achievement for the Youth Leadership Jefferson County Program -- By Senator Andy Kerr.
- In recognition of excellence in teaching by Anthony Bruno -- By Senator Andy Kerr.
- In recognition of excellence in teaching by Terry Carlson -- By Senator Andy Kerr.
- In recognition of excellence in teaching by Milo Carpenter -- By Senator Andy Kerr.
- In recognition of excellence in teaching by Dale Clark -- By Senator Andy Kerr.
- In recognition of excellence in teaching by Kyle Davern -- By Senator Andy Kerr.
- In recognition of excellence in teaching by Susan Doy -- By Senator Andy Kerr.
- In recognition of excellence in teaching by Tierre Duran -- By Senator Andy Kerr.
- In recognition of excellence in teaching by Vicki Flower -- By Senator Andy Kerr.
- In recognition of excellence in teaching by Michelle Guerra -- By Senator Andy Kerr.
- In recognition of excellence in teaching by Bill Heldman -- By Senator Andy Kerr.
- In recognition of excellence in teaching by Kristin Hepting -- By Senator Andy Kerr.
- In recognition of excellence in teaching by Lela Hill -- By Senator Andy Kerr.
- In recognition of excellence in teaching by Phillip Klinger -- By Senator Andy Kerr.
- In recognition of excellence in teaching by Denis Majewski -- By Senator Andy Kerr.
- In recognition of excellence in teaching by Andy Michaud -- By Senator Andy Kerr.
- In recognition of excellence in teaching by Amy Nelson -- By Senator Andy Kerr.
- In recognition of excellence in teaching by Sarah Palmer -- By Senator Andy Kerr.
- In recognition of excellence in teaching by Meaghan Payne -- By Senator Andy Kerr.
- In recognition of excellence in teaching by Stephanie Pellaegrino -- By Senator Andy Kerr.
- In recognition of excellence in teaching by Erika Porras -- By Senator Andy Kerr.
- In recognition of excellence in teaching by Mike Prosser -- By Senator Andy Kerr.
- In recognition of excellence in teaching by Mark Sherman -- By Senator Andy Kerr.
- In recognition of excellence in teaching by Patricia Spitzer -- By Senator Andy Kerr.
- In recognition of excellence in teaching by Clark Stukeby -- By Senator Andy Kerr.
- In recognition of excellence in teaching by Keary Sullivan -- By Senator Andy Kerr.
- In recognition of excellence in teaching by Nkin Suwannakorn -- By Senator Andy Kerr.
- In recognition of excellence in teaching by Dennis Svaldi -- By Senator Andy Kerr.
- In recognition of excellence in teaching by Katie Tennessen -- By Senator Andy Kerr.
- In recognition of excellence in teaching by Scott Thomas -- By Senator Andy Kerr.
- Emmy Tran, Dedication and achievement for the Youth Leadership Jefferson County

Program -- By Senator Andy Kerr.

In recognition of excellence in teaching by Jason Webb -- By Senator Andy Kerr.

In recognition of excellence in teaching by Sherry Weber -- By Senator Andy Kerr.

In recognition of excellence in teaching by Cris Welsh -- By Senator Andy Kerr.

In recognition of excellence in teaching by Pat White -- By Senator Andy Kerr.

Josh Williams, Dedication and achievement for the Youth Leadership Jefferson County

Program. -- By Senator Andy Kerr.

Triston Cloyd, Dedication and achievement for the Youth Leadership Jefferson County

Program -- By Senator Andy Kerr.

Sheyna Marshall, In recognition as the Colorado Young Mother of the Year

Representative -- By Senator Nancy Todd.

Lois Ann Bell Schulte, In recognition as the Colorado Mother of the Year -- By Senator

Nancy Todd.

On motion of Majority Leader Carroll, the Senate adjourned until 9:00 a.m., Thursday,
April 4, 2013.

Approved:

John P. Morse

President of the Senate

Attest:

Cindi L. Markwell

Secretary of the Senate

SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

86th Legislative Day Thursday, April 4, 2013

Prayer By the chaplain, Reverend Robert T. Schlipp, My Hope America, Brighton.

Call to Order By the President at 9:00 a.m.

Pledge By Senator Jones.

Roll Call Present--31
Excused--4, Brophy, Jahn, Johnston, Lundberg.
Present later--3, Brophy, Jahn, Lundberg.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Todd, reading of the Journal of Wednesday, April 3, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Judiciary After consideration on the merits, the Committee recommends that SB13-249 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend printed bill, page 2, line 19, after "INSURER" insert "OR SELF-INSURED EMPLOYER".

Judiciary After consideration on the merits, the Committee recommends that SB13-246 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Judiciary After consideration on the merits, the Committee recommends that SB13-226 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend printed bill, page 3, strike lines 6 through 27.

Strike page 4.

Page 5, strike lines 1 through 22.

Reletter succeeding paragraphs accordingly.

Page 7, line 14, strike "a matter of" and substitute "necessary and appropriate".

Page 7, line 15, strike "statewide concern".

Page 8, line 11, strike "AND A".

Page 8, line 12, strike "MATTER OF STATEWIDE CONCERN".

Page 10, line 22, after "(II)" insert "(A)".

Page 11, after line 1 insert:
"(B) NOTHING IN SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (II) REQUIRES LIVE, IN-PERSON TRAINING BE PROVIDED TO LOCAL LAW ENFORCEMENT AGENCIES BY QUALIFIED ANIMAL BEHAVIOR EXPERTS OR LICENSED VETERINARIANS."

Page 12, line 2, strike "TWENTY-THREE" and substitute "NINETEEN".

Page 12, line 8, strike "REPRESENTATIVE OF" and substitute "ANIMAL BEHAVIORIST OR ANIMAL BEHAVIOR EXPERT APPOINTED BY".

Page 12, strike lines 24 through 27.

ReNUMBER succeeding subparagraphs accordingly.

Page 13, line 4, strike "PERSON" and substitute "PERSON, WHO NEED NOT BE AN ATTORNEY,".

Page 13, line 6, strike "THREE MEMBERS," and substitute "ONE MEMBER,".

Page 13, line 7, strike "CRIMINAL JUSTICE,".

Page 13, strike line 8 and substitute "BEHAVIOR OR OTHER ANIMAL BEHAVIOR. LICENSED VETERINARIANS AND ATTORNEYS ARE INELIGIBLE FOR APPOINTMENT UNDER THIS SUB-SUBPARAGRAPH (I).".

Page 14, line 24, strike "DEVELOP" and substitute "DEVELOP, USING VOLUNTEERED AND DONATED RESOURCES TO THE GREATEST EXTENT POSSIBLE,".

Page 14, after line 26 insert:
"(e) THE TASK FORCE SHALL NOT RECOMMEND THAT THE TRAINING REQUIRED UNDER THIS SECTION BE CONDUCTED BY THE PEACE OFFICERS STANDARDS AND TRAINING BOARD CREATED IN PART 3 OF ARTICLE 31 OF TITLE 24, C.R.S.".

Reletter succeeding paragraphs accordingly.

Page 16, line 15, strike "(a)".

Page 16, strike lines 18 through 22.

Page 17, strike lines 10 through 22.

ReNUMBER succeeding section accordingly.

Health & Human Services

After consideration on the merits, the Committee recommends that **SB13-220** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, line 7, strike "PROVIDER," and substitute "PROVIDERS,".

Page 2, line 8, strike "SECTION" and substitute "SECTIONS" and strike "(8)," and substitute "(8) AND 25-3.5-103 (12),".

Page 2, strike lines 9 through 12 and substitute "ARTICLE 3.5 OF TITLE 25, C.R.S.".

Health & Human Services	After consideration on the merits, the Committee recommends that SB13-209 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.	1 2 3 4 5
	Amend printed bill, page 2, line 9, strike "the mentally retarded shall be fifty" and substitute " the mentally retarded shall be fifty INDIVIDUALS WITH INTELLECTUAL DISABILITIES IS".	6 7 8 9 10
Health & Human Services	After consideration on the merits, the Committee recommends that SB13-208 be referred to the Committee of the Whole with favorable recommendation.	11 12 13 14 15
	After consideration on the merits, the Committee recommends that SB13-125 be amended as follows, and as so amended, be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	16 17 18 19 20
	Amend page 2, strike lines 8 and 9 and substitute "contract."	21 22
Business, Labor, & Technology	Page 3, line 2, strike " written contract, ORAL" and substitute "written contract,".	23 24 25
	Page 3, line 5, strike "ORAL".	26 27
	Page 3, strike lines 11 and 12 and substitute "benefits."	28 29
	Page 4, strike line 2 and substitute "(1) (a) and (4) as follows:".	30 31
	Page 4, line 12, strike "IS SOUND AND".	32 33
	Page 5, strike line 27.	34 35
	Strike page 6.	36 37
	Page 8, strike line 9 and substitute "(9); and add (10) as follows:".	38 39
	Page 8, strike lines 11 through 27.	40 41
	Page 9, strike lines 1 through 4.	42 43
	Page 9, strike lines 15 through 18 and substitute "CONTRACT BUYER, MAY TRANSFER THE TRUST FUNDS TO ANOTHER FUNERAL PROVIDER. THE ORIGINAL PRENEED SELLER MAY RETAIN UP TO FIFTEEN PERCENT OF THE ORIGINAL PRENEED".	44 45 46 47
	Page 9, strike lines 20 through 24 and substitute:	48 49 50
	(10) (a) THE CONTRACT SELLER SHALL:	51
	(I) DISCLOSE THE NAME AND ADDRESS OF THE TRUSTEE WHO HOLDS THE PRENEED CONTRACT FUNDS; AND	52 53
	(II) NOTIFY THE BUYER WHEN THE PRENEED CONTRACT FUNDS ARE DEPOSITED INTO TRUST.	54 55
	(b) TO COMPLY WITH THIS SUBSECTION".	56 57
	Page 9, strike line 27.	58 59
	Page 10, strike lines 1 through 11.	60 61
	Renumber succeeding sections accordingly.	62 63
	Page 10, strike lines 14 through 27 and substitute:	64 65
	"10-15-111.5. Change of ownership - rules. (1) (a) A SALE OF AN EXISTING PRENEED CONTRACT THAT CHANGES WHO PROVIDES	66 67

FUNERAL GOODS AND SERVICES IS VOID UNLESS APPROVED BY THE COMMISSIONER UNDER THIS SECTION. TO TRANSFER OWNERSHIP, THE CONTRACT SELLER MUST REPORT A PENDING SALE OF THE PRENEED CONTRACT TO THE COMMISSIONER IN WRITING AT LEAST FOURTEEN DAYS BEFORE THE SALE CLOSING. THE NOTICE MUST INCLUDE:

- (I) THE NAME AND ADDRESS OF THE CONTRACT SELLER;
- (II) THE NAME AND ADDRESS OF THE ORGANIZATION PROPOSING TO ACQUIRE OWNERSHIP OF THE PRENEED CONTRACT, REFERRED TO IN THIS SECTION AS THE "TRANSFeree";
- (III) THE NAME AND ADDRESS OF THE OWNERS, OPERATORS, CORPORATE OFFICERS, PARTNERS, OR MEMBERS OF THE TRANSFeree;
- (IV) THE NAME AND ADDRESS OF THE FINANCIAL INSTITUTION WHERE PRENEED FUNDS ARE HELD;
- (V) THE NAME UNDER WHICH PRENEED FUNDS ARE HELD;
- (VI) A DESCRIPTION OF EACH PRENEED CONTRACT, ARRANGEMENT, OR AGREEMENT INCLUDED IN THE SALE;
- (VII) AN ACCOUNTING OF THE TRUST FUND AND ALL TRANSFERRED AND OUTSTANDING PRENEED CONTRACTS, INCLUDING THE NUMBER OF PENDING CONTRACTS, THE FULL CONTRACT VALUE, THE CURRENT VALUE FOR EACH CONTRACT, A RECORD OF ALL DISBURSEMENTS FROM PRENEED TRUST ACCOUNTS WITHIN THE LAST TWENTY-FOUR MONTHS, AND THE INFORMATION REQUIRED IN THE ANNUAL REPORT;
- (VIII) ANY DOCUMENTS OR AMENDMENTS THERETO CONCERNING THE TRUST OR INSURANCE FUNDS, OR ANY OTHER PREPLANNING OR PREFUNDING AGREEMENTS;
- (IX) A COPY OF THE NOTICE PROPOSED TO BE SENT TO THE CONTRACT BUYERS AFTER THE TRANSFER; AND
- (X) ANY OTHER INFORMATION THAT IS REASONABLY REQUIRED BY THE COMMISSIONER BY RULE.

(b) THE COMMISSIONER MAY, BY RULE OR ORDER, WAIVE OR REDUCE ANY OR ALL OF THE REQUIREMENTS IN SUBPARAGRAPHS (I) TO (X) OF PARAGRAPH (a) OF THIS SUBSECTION (1) AS UNNECESSARY OR INAPPROPRIATE IN THE PUBLIC INTEREST OR FOR THE PROTECTION OF THE CONTRACT BUYERS.

(2) THE COMMISSIONER SHALL APPROVE THE CONTRACT SELLER'S APPLICATION FOR CHANGE OF OWNERSHIP BY WRITTEN AUTHORIZATION IF:

- (a) THE ACCOUNTING IS COMPLETE, ACCURATE, AND SHOWS THE TRUST FUND IS WHOLE AND INTACT;
- (b) ALL REQUIRED INFORMATION AND DOCUMENTS ARE FILED WITH THE COMMISSIONER; AND
- (c) THE TRANSFeree HOLDS A VALID CONTRACT SELLER'S LICENSE, OR IS QUALIFIED UNDER SECTION 10-15-103 FOR A CONTRACT SELLER'S LICENSE, AND IS ABLE TO PERFORM ALL TRANSFERRED PRENEED CONTRACTS IN ACCORDANCE WITH THIS ARTICLE.

(3) (a) THE CONTRACT SELLER, OR PERSON WITH AN INTEREST IN THE CONTRACT, REMAINS LIABLE FOR ALL FUNDS AND TRANSACTIONS UNTIL THE EFFECTIVE DATE OF THE TRANSFER.

(b) ANY DISCREPANCIES, MALFEASANCE, OR FRAUD PRIOR TO THE SALE OF THE PRENEED CONTRACT IS THE RESPONSIBILITY OF THE SELLER, FOR WHICH THE SELLER IS LIABLE.

(4) WITHIN THIRTY DAYS AFTER APPROVAL BY THE COMMISSIONER, THE TRANSFeree OF A PRENEED CONTRACT SHALL SEND A NOTICE TO THE LAST-KNOWN ADDRESS OF EACH CONTRACT BUYER INFORMING THE BUYER OF THE CHANGE IN OWNERSHIP AND THE ASSUMPTION OF THE OBLIGATION TO PERFORM THE PRENEED CONTRACT."

Strike pages 11 and 12.

Page 13, strike lines 1 through 4.

Page 14, after line 16 insert:

"SECTION 8. In Colorado Revised Statutes, 12-54-110, **amend** (2) (a) introductory portion, (2) (a) (IV) (C), and (2) (a) (IV) (D); and **add** (2) (a) (IV) (E) as follows:

12-54-110. Registration required. (2) (a) Each funeral

establishment shall register with the director using forms as determined by the director. The registration shall include ~~without limitation~~, the following:

(IV) A list of each of the following services provided at each funeral establishment location:

(C) Transporting human remains to or from the funeral establishment or the place of final disposition; ~~and~~

(D) Providing funeral goods or services to the public; AND

(E) SELLING PRENEED CONTRACTS.

SECTION 9. In Colorado Revised Statutes, 12-54-303, **amend** (2) (a) introductory portion, (2) (a) (IV) (C), and (2) (a) (IV) (D); and **add** (2) (a) (IV) (E) as follows:

12-54-303. Registration required. (2) (a) Each crematory shall register with the director using forms as determined by the director. The registration shall include ~~without limitation~~, the following:

(IV) A list of each of the following services provided at each crematory location:

(C) Providing funeral goods or services to the public; ~~and~~

(D) Cremating human remains; AND

(E) SELLING PRENEED CONTRACTS.".

Renumber succeeding section accordingly.

Education After consideration on the merits, the Committee recommends that **HB13-1095** be **referred** to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Education After consideration on the merits, the Committee recommends that **HB13-1047** be **referred** to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

State, Veterans, & Military Affairs After consideration on the merits, the Committee recommends that **HB13-1167** be **referred** to the Committee on Appropriations with favorable recommendation.

State, Veterans, & Military Affairs After consideration on the merits, the Committee recommends that **SB13-001** be **amended** as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, strike everything below the enacting clause and substitute:

"SECTION 1. Short title. This act shall be known and may be cited as the "Colorado Working Families Economic Opportunity Act of 2013".

SECTION 2. In Colorado Revised Statutes, 39-22-123, **add** (6) as follows:

39-22-123. Earned income tax credit - refund of state excess revenues for fiscal years commencing on or after July 1, 1998.

(6) NO CREDIT IS ALLOWED UNDER THIS SECTION FOR AN INCOME TAX YEAR FOR WHICH A CREDIT IS ALLOWED UNDER SECTION 39-22-123.5.

SECTION 3. In Colorado Revised Statutes, **add** 39-22-123.5 as follows:

39-22-123.5. Earned income tax credit - not a refund of excess state revenues - trigger - legislative declaration. (1) THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT:

(a) THE FEDERAL EARNED INCOME TAX CREDIT IS A REFUNDABLE TAX CREDIT FOR LOW- AND MIDDLE-INCOME WORKING INDIVIDUALS AND FAMILIES WHOSE EARNINGS ARE BELOW AN INCOME THRESHOLD;

(b) THE AMOUNT OF THE CREDIT INCREASES WITH INCOME UNTIL THE CREDIT REACHES A MAXIMUM LEVEL AND THEN PHASES OUT, AND

THIS STRUCTURE CREATES AN INCENTIVE FOR PEOPLE TO WORK AND EARN MORE INCOME;

(c) SINCE ITS ESTABLISHMENT IN 1975, THE CREDIT HAS INCREASED FAMILY INCOME, REDUCED CHILD POVERTY, AND PROMOTED EMPLOYMENT BY SUPPLEMENTING THE EARNINGS OF LOW-WAGE WORKERS, INCLUDING MILITARY FAMILIES;

(d) THE CREDIT HAS A POSITIVE IMPACT ON THE EDUCATION AND HEALTH OF CHILDREN LIVING IN POVERTY;

(e) THE CREDIT HAS A POSITIVE ECONOMIC IMPACT ON LOCAL ECONOMIES AND BUSINESSES BECAUSE IT PUTS MORE MONEY IN THE HANDS OF LOW- AND MIDDLE-INCOME WORKING PEOPLE WHO SPEND THE MONEY ON IMMEDIATE NEEDS, SUCH AS GROCERIES, SCHOOL SUPPLIES, CAR REPAIRS, RENT, AND HEALTH CARE;

(f) THE COLORADO EARNED INCOME TAX CREDIT, WHICH IS CURRENTLY TEN PERCENT OF THE FEDERAL EARNED INCOME TAX CREDIT, IS A MECHANISM TO REFUND EXCESS STATE REVENUES AS REQUIRED BY SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION;

(g) THE COLORADO EARNED INCOME TAX CREDIT HAS NOT BEEN IN EFFECT SINCE 2001 BECAUSE THE REFUND HAS NOT BEEN TRIGGERED; AND

(h) NOW, THEREFORE, IT IS THE INTENT OF THE GENERAL ASSEMBLY TO ESTABLISH A PERMANENT AND REFUNDABLE STATE EARNED INCOME TAX CREDIT FOR ELIGIBLE COLORADO TAXPAYERS, WHICH IS EQUAL TO A PERCENTAGE OF THE FEDERAL EARNED INCOME TAX CREDIT. THE INTENDED PURPOSE OF THIS CREDIT IS TO HELP INDIVIDUALS AND FAMILIES ACHIEVE GREATER FINANCIAL SECURITY AND TO HELP COLORADO'S ECONOMY.

(2) FOR AN INCOME TAX YEAR SPECIFIED IN PARAGRAPH (a) OF SUBSECTION (3) OF THIS SECTION, A RESIDENT INDIVIDUAL WHO CLAIMS AN EARNED INCOME TAX CREDIT ON THE INDIVIDUAL'S FEDERAL TAX RETURN IS ALLOWED AN EARNED INCOME TAX CREDIT AGAINST THE TAXES DUE UNDER THIS ARTICLE. THE AMOUNT OF THE CREDIT IS A PORTION OF THE FEDERAL CREDIT CLAIMED ON THE RESIDENT INDIVIDUAL'S FEDERAL TAX RETURN THAT DEPENDS ON THE YEAR IN WHICH IT IS CLAIMED. THE CREDIT IS EQUAL TO SEVEN PERCENT OF THE FEDERAL CREDIT FOR THE FIRST INCOME TAX YEAR THAT THE CREDIT IS ALLOWED AS A RESULT OF THE OPERATION OF SUBSECTION (3) OF THIS SECTION, EIGHT AND ONE-HALF PERCENT FOR THE NEXT INCOME TAX YEAR, AND TEN PERCENT OF THE FEDERAL CREDIT FOR ALL INCOME TAX YEARS THEREAFTER.

(3) (a) IF THE ESTIMATE OF GROSS GENERAL FUND REVENUE FOR THE FISCAL YEAR 2013-14, OR THE NEXT TWO FISCAL YEARS THEREAFTER, INCREASES BY AT LEAST ONE HUNDRED MILLION DOLLARS FROM THE MARCH ESTIMATE THAT PRECEDES THE FISCAL YEAR TO ANY OF THE NEXT FOUR QUARTERLY ESTIMATES AFTER THE MARCH ESTIMATE, THE TAX CREDIT ALLOWED UNDER THIS SECTION MAY BE CLAIMED FOR ANY INCOME TAX YEAR COMMENCING ON OR AFTER JANUARY 1 OF THE FISCAL YEAR FOR WHICH THE ESTIMATE INCREASED.

(b) FOR PURPOSES OF PARAGRAPH (a) OF THIS SUBSECTION (3), ALL OF THE ESTIMATES OF GROSS GENERAL FUND REVENUE FOR A GIVEN FISCAL YEAR ARE SOLELY FROM LEGISLATIVE COUNCIL STAFF OR THE OFFICE OF STATE PLANNING AND BUDGETING, WHICHEVER AGENCY HAS THE LOWER MARCH ESTIMATE FOR THE FISCAL YEAR.

(c) IF THE ESTIMATE OF GROSS GENERAL FUND REVENUE HAS INCREASED ENOUGH TO TRIGGER THE TAX CREDIT, LEGISLATIVE COUNCIL STAFF OR THE OFFICE OF STATE PLANNING AND BUDGETING, DEPENDING ON PARAGRAPH (b) OF THIS SUBSECTION (3), SHALL CERTIFY SUCH FACT IN THE APPLICABLE QUARTERLY ESTIMATE.

(4) THE AMOUNT OF THE CREDIT ALLOWED UNDER THIS SECTION THAT EXCEEDS THE RESIDENT INDIVIDUAL'S INCOME TAXES DUE IS REFUNDED TO THE INDIVIDUAL.

(5) IN THE CASE OF A PART-YEAR RESIDENT, THE CREDIT ALLOWED UNDER THIS SECTION IS APPORTIONED IN THE RATIO DETERMINED UNDER SECTION 39-22-110 (1).

(6) THE CREDIT ALLOWED UNDER THIS SECTION IS NOT CONSIDERED TO BE INCOME OR RESOURCES FOR THE PURPOSE OF DETERMINING ELIGIBILITY FOR THE PAYMENT OF PUBLIC ASSISTANCE

BENEFITS AND MEDICAL ASSISTANCE BENEFITS AUTHORIZED UNDER STATE LAW OR FOR A PAYMENT MADE UNDER ANY OTHER PUBLICLY FUNDED PROGRAMS.

SECTION 4. In Colorado Revised Statutes, **add** 39-22-129 as follows:

39-22-129. Child tax credit - trigger - legislative declaration - definitions. (1) (a) THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT:

(I) THE FEDERAL CHILD TAX CREDIT, WHICH INCLUDES THE REFUNDABLE PORTION OF THE CREDIT COMMONLY KNOWN AS THE ADDITIONAL CHILD TAX CREDIT, SUPPORTS LOW- AND MIDDLE-INCOME WORKING FAMILIES WHOSE EARNINGS ARE BELOW AN INCOME THRESHOLD AND WHO HAVE CHILDREN UNDER SEVENTEEN YEARS OF AGE;

(II) SINCE ITS ESTABLISHMENT AT THE FEDERAL LEVEL IN 1997, THE CREDIT HAS INCREASED FAMILY INCOME, REDUCED CHILD POVERTY AMONG FAMILIES WITH CHILDREN, AND SUPPORTED LOCAL ECONOMIES; AND

(III) THE CREDIT HAS A POSITIVE IMPACT ON THE EARLY CHILDHOOD DEVELOPMENT AND HEALTH OF CHILDREN WHOSE FAMILIES GAIN INCOME FROM THE CREDIT.

(b) NOW, THEREFORE, IT IS THE INTENT OF THE GENERAL ASSEMBLY TO ESTABLISH A PERMANENT AND REFUNDABLE STATE CHILD TAX CREDIT FOR ELIGIBLE COLORADO TAXPAYERS, WHICH IS EQUAL TO A PERCENTAGE OF THE FEDERAL CREDIT BASED ON A FAMILY'S ADJUSTED GROSS INCOME. THE INTENDED PURPOSE OF THIS CREDIT IS TO SUPPORT COLORADO WORKING FAMILIES WITH YOUNG CHILDREN, REDUCE CHILD POVERTY, AND TO HELP COLORADO'S ECONOMY.

(2) AS USED IN THIS SECTION:

(a) "ELIGIBLE CHILD" MEANS A QUALIFYING CHILD FOR PURPOSES OF THE FEDERAL CHILD TAX CREDIT WHO IS UNDER SIX YEARS OF AGE AT THE END OF THE TAXABLE YEAR FOR WHICH THE CREDIT IS CLAIMED.

(b) "FEDERAL CHILD TAX CREDIT" MEANS THE CHILD TAX CREDIT ALLOWED UNDER SECTION 24 OF THE INTERNAL REVENUE CODE, OR ANY SUCCESSOR SECTION, AND INCLUDES THE REFUNDABLE PORTION OF THE TAX CREDIT, WHICH PORTION IS REFERRED TO AS THE ADDITIONAL CHILD CREDIT.

(3) (a) FOR AN INCOME TAX YEAR SPECIFIED IN PARAGRAPH (a) OF SUBSECTION (4) OF THIS SECTION, A RESIDENT INDIVIDUAL WHO CLAIMS A FEDERAL CHILD TAX CREDIT FOR AN ELIGIBLE CHILD ON THE INDIVIDUAL'S FEDERAL TAX RETURN IS ALLOWED A CHILD TAX CREDIT AGAINST THE INCOME TAXES DUE UNDER THIS ARTICLE.

(b) (I) FOR A RESIDENT INDIVIDUAL WHO FILES A SINGLE RETURN, THE AMOUNT OF THE CREDIT IS EQUAL TO:

(A) THIRTY PERCENT OF THE FEDERAL CHILD TAX CREDIT THAT THE RESIDENT INDIVIDUAL CLAIMED ON HIS OR HER FEDERAL TAX RETURN FOR EACH ELIGIBLE CHILD, IF THE INDIVIDUAL'S FEDERAL ADJUSTED GROSS INCOME IS TWENTY-FIVE THOUSAND DOLLARS OR LESS;

(B) FIFTEEN PERCENT OF THE FEDERAL CHILD TAX CREDIT THAT THE RESIDENT INDIVIDUAL CLAIMED ON HIS OR HER FEDERAL TAX RETURN FOR EACH ELIGIBLE CHILD, IF THE INDIVIDUAL'S FEDERAL ADJUSTED GROSS INCOME IS GREATER THAN TWENTY-FIVE THOUSAND DOLLARS BUT LESS THAN OR EQUAL TO FIFTY THOUSAND DOLLARS; AND

(C) FIVE PERCENT OF THE FEDERAL CHILD TAX CREDIT THAT THE RESIDENT INDIVIDUAL CLAIMED ON HIS OR HER FEDERAL TAX RETURN FOR EACH ELIGIBLE CHILD, IF THE INDIVIDUAL'S FEDERAL ADJUSTED GROSS INCOME IS GREATER THAN FIFTY THOUSAND DOLLARS BUT LESS THAN OR EQUAL TO SEVENTY-FIVE THOUSAND DOLLARS.

(II) A RESIDENT INDIVIDUAL WHO FILES A SINGLE RETURN AND WHOSE FEDERAL ADJUSTED GROSS INCOME IS GREATER THAN SEVENTY-FIVE THOUSAND DOLLARS IS NOT ALLOWED A CREDIT UNDER THIS SECTION.

(c) (I) FOR TWO RESIDENT INDIVIDUALS WHO FILE A JOINT RETURN, THE AMOUNT OF THE CREDIT IS EQUAL TO:

(A) THIRTY PERCENT OF THE FEDERAL CHILD TAX CREDIT THAT THE RESIDENT INDIVIDUALS CLAIMED ON THEIR FEDERAL TAX RETURN FOR EACH ELIGIBLE CHILD, IF THE INDIVIDUALS' FEDERAL ADJUSTED GROSS INCOME IS THIRTY-FIVE THOUSAND DOLLARS OR LESS;

(B) FIFTEEN PERCENT OF THE FEDERAL CHILD TAX CREDIT THAT THE RESIDENT INDIVIDUALS CLAIMED ON THEIR FEDERAL TAX RETURN FOR EACH ELIGIBLE CHILD, IF THE INDIVIDUALS' FEDERAL ADJUSTED GROSS INCOME IS GREATER THAN THIRTY-FIVE THOUSAND DOLLARS BUT LESS THAN OR EQUAL TO SIXTY THOUSAND DOLLARS; AND

(C) FIVE PERCENT OF THE FEDERAL CHILD TAX CREDIT THAT THE RESIDENT INDIVIDUALS CLAIMED ON THEIR FEDERAL TAX RETURN FOR EACH ELIGIBLE CHILD, IF THE INDIVIDUALS' FEDERAL ADJUSTED GROSS INCOME IS GREATER THAN SIXTY THOUSAND DOLLARS BUT LESS THAN OR EQUAL TO EIGHTY-FIVE THOUSAND DOLLARS.

(II) TWO RESIDENT INDIVIDUALS WHO FILE A JOINT RETURN AND WHOSE FEDERAL ADJUSTED GROSS INCOME IS GREATER THAN EIGHTY-FIVE THOUSAND DOLLARS ARE NOT ALLOWED A CREDIT UNDER THIS SECTION.

(4) (a) IF THE ESTIMATE OF GROSS GENERAL FUND REVENUE FOR THE FISCAL YEAR 2013-14, OR THE NEXT TWO FISCAL YEARS THEREAFTER, INCREASES BY AT LEAST ONE HUNDRED MILLION DOLLARS FROM THE MARCH ESTIMATE THAT PRECEDES THE FISCAL YEAR TO ANY OF THE NEXT FOUR QUARTERLY ESTIMATES AFTER THE MARCH ESTIMATE, THE TAX CREDIT ALLOWED UNDER THIS SECTION MAY BE CLAIMED FOR ANY INCOME TAX YEAR COMMENCING ON OR AFTER JANUARY 1 OF THE FISCAL YEAR FOR WHICH THE ESTIMATE INCREASED.

(b) FOR PURPOSES OF PARAGRAPH (a) OF THIS SUBSECTION (4), ALL OF THE ESTIMATES OF GROSS GENERAL FUND REVENUE FOR A GIVEN FISCAL YEAR ARE SOLELY FROM LEGISLATIVE COUNCIL STAFF OR THE OFFICE OF STATE PLANNING AND BUDGETING, WHICHEVER AGENCY HAS THE LOWER MARCH ESTIMATE FOR THE FISCAL YEAR.

(c) IF THE ESTIMATE OF GROSS GENERAL FUND REVENUE HAS INCREASED ENOUGH TO TRIGGER THE TAX CREDIT, LEGISLATIVE COUNCIL STAFF OR THE OFFICE OF STATE PLANNING AND BUDGETING, DEPENDING ON PARAGRAPH (b) OF THIS SUBSECTION (3), SHALL CERTIFY SUCH FACT IN THE APPLICABLE QUARTERLY ESTIMATE.

(5) THE AMOUNT OF THE CREDIT ALLOWED UNDER THIS SECTION THAT EXCEEDS THE RESIDENT INDIVIDUAL'S INCOME TAXES DUE IS REFUNDED TO THE INDIVIDUAL.

(6) IN THE CASE OF A PART-YEAR RESIDENT, THE CREDIT ALLOWED UNDER THIS SECTION IS APPORTIONED IN THE RATIO DETERMINED UNDER SECTION 39-22-110 (1).

(7) THE CREDIT ALLOWED UNDER THIS SECTION IS NOT CONSIDERED TO BE INCOME OR RESOURCES FOR THE PURPOSE OF DETERMINING ELIGIBILITY FOR THE PAYMENT OF PUBLIC ASSISTANCE BENEFITS AND MEDICAL ASSISTANCE BENEFITS AUTHORIZED UNDER STATE LAW OR FOR A PAYMENT MADE UNDER ANY OTHER PUBLICLY FUNDED PROGRAMS.

SECTION 5. In Colorado Revised Statutes, 39-22-627, add (9) as follows:

39-22-627. Temporary adjustment of rate of income tax - refund of excess state revenues - authority of executive director.

(9) IF, BY OPERATION OF SECTION 39-22-123 (6), EXCESS STATE REVENUES ARE NO LONGER REFUNDED THROUGH AN EARNED INCOME TAX CREDIT, THE TOTAL OF THE ADJUSTED AMOUNT SET FORTH IN SECTION 39-22-123 (4) (c) IS NOT ADDED TO THE ESTIMATED AMOUNT BY WHICH STATE REVENUES WOULD BE DECREASED AS THE RESULT OF A REDUCTION IN THE STATE INCOME TAX RATE FOR PURPOSES OF THE CALCULATIONS SET FORTH IN PARAGRAPH (b) OF SUBSECTION (1) AND SUBSECTIONS (3) AND (6) OF THIS SECTION.

SECTION 6. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 7, 2013, if adjournment sine die is on May 8, 2013); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2014 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor."

SENATE SERVICES REPORT

Correctly Printed: SB13-252.
Correctly Engrossed: SB13-201.
Correctly Reengrossed: SB13-158 and 205.
Correctly Rerevised: HB13-1147, 1202 and 1223.
Correctly Enrolled: SB13-018, 058 and 192.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of Memorials.

CONSIDERATION OF MEMORIALS

SJM13-001 by Senator(s) Carroll; also Representative(s) Ryden--Memorializing former Senator Frank Weddig.

On motion of Majority Leader Carroll, the memorial was read at length.

On motion of Majority Leader Carroll, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, the rules were suspended to allow former Representatives to speak in the well of the Senate and to allow a current registered lobbyist to enter the Senate chamber and also to speak in the well.

Senate in recess. Senate reconvened.

On motion of Majority Leader Carroll, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, the rules were suspended to allow a former Representative to speak in the well of the Senate.

Senate in recess. Senate reconvened.

On motion of Majority Leader Carroll, the memorial was adopted by the following roll call vote:

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YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	E	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Co-sponsor(s) added: Aguilar, Balmer, Baumgardner, Brophy, Cadman, Crowder, Giron, Grantham, Guzman, Harvey, Heath, Hill, Hodge, Hudak, Jahn, Jones, Kefalas, Kerr, King, Lambert, Lundberg, Marble, Morse, Newell, Nicholson, Renfroe, Roberts, Scheffel, Schwartz, Steadman, Tochtrop, Todd and Ulibarri.

Senate in recess.Senate reconvened.

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:

HB13-1060 by Representative(s) McLachlan; also Senator(s) Newell--Concerning raising the maximum fine that may be assessed by a municipal court.

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

YES	21	NO	13	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	N
Cadman	N	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	E	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Morse and Nicholson.

SB13-212 by Senator(s) Jones and Schwartz, Johnston; also Representative(s) Tyler--Concerning increased options for financing available through the Colorado new energy improvement district for the completion of new energy improvements, and, in connection therewith, allowing commercial buildings to access district financing, requiring consent for subordination of mortgage liens, and facilitating private third-party financing.

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

YES	24	NO	10	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	Y	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	N	Lambert	Y	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	E	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Aguilar, Carroll, Giron, Guzman, Heath, Kefalas, Kerr, Morse, Newell, Nicholson and Steadman.

HB13-1025 by Representative(s) Swalm; also Senator(s) Jahn--Concerning an increase in the amount of the authorized deductible for workers' compensation insurance policies.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	E	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Guzman, King, Newell and Tochtrop.

SB13-201 by Senator(s) Kerr, Balmer, Guzman, Tochtrop; also Representative(s) Pettersen, Conti, Court, Hullinghorst, Kraft-Tharp, Rankin, Tyler--Concerning the designation of dogs and cats that are adopted from Colorado animal shelters and rescues as the state pets.

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

YES	23	NO	11	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	E	Nicholson	Y	President	Y
Grantham	N	Jones	N	Renfroe	N		

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

Co-sponsor(s) added: Aguilar, Crowder, Giron, Newell, Schwartz and Todd.

IMMEDIATE RECONSIDERATION OF SB13-201

SB13-201 by Senator(s) Kerr, Balmer, Guzman, Tochtrop; also Representative(s) Pettersen, Conti, Court, Hullinghorst, Kraft-Tharp, Rankin, Tyler--Concerning the designation of dogs and cats that are adopted from Colorado animal shelters and rescues as the state pets.

Having voted on the prevailing side, Majority Leader Carroll moved for immediate reconsideration of the last Senate action, Third Reading of Bills -- Final Passage, on **SB13-201**.

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

On third reading, the titles of the following bill was publicly read, the reading at length having been dispensed with by unanimous consent:

SB13-201 by Senator(s) Kerr, Balmer, Guzman, Tochtrop; also Representative(s) Pettersen, Conti, Court, Hullinghorst, Kraft-Tharp, Rankin, Tyler--Concerning the designation of dogs and cats that are adopted from Colorado animal shelters and rescues as the state pets.

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

YES	24	NO	10	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	E	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Jones.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Thursday, April 4 was laid over until Friday, April 5, retaining its place on the calendar.

General Orders -- Second Reading of Bills -- Consent Calendar: HB13-1179, HB13-1243.
General Orders -- Second Reading of Bills: HB13-1123, HB13-1204, HB13-1258.
Consideration of Resolutions: SR13-003, HJR13-1017.
Consideration of House Amendments to Senate Bills: SB13-126, SB13-182, SB13-027.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SJR13-024 and 025.

On motion of Majority Leader Carroll, the Senate adjourned until 9:00 a.m., Friday, April 5, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

87th Legislative Day Friday, April 5, 2013

Prayer By the chaplain, Rabbi Yossi Serebryanski, Chabad of South Denver.

Call to Order By the President at 9:00 a.m.

Pledge By Senator Jones.

Roll Call Present--34
Excused--1, Johnston.

Musical Presentation By the El Jebel Shrine Pipe Band, Colorado's oldest continuous pipe band.
Led by Pipe Major Tom Johnson, Drum Major Kent Burns, and Chieftain Tony Datillo.
The Pipe Band plays many of the Celtic and Highland festivals throughout Colorado, as well as Honor Flights for service members returning to the state.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Todd, reading of the Journal of Thursday, April 4, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Appropriations After consideration on the merits, the Committee recommends that SB13-200 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 5, after line 14 insert:

"SECTION 3. Appropriation - adjustments to 2013 long bill.

(1) In addition to any other appropriation, there is hereby appropriated to the department of health care policy and financing, for the fiscal year beginning July 1, 2013, the sum of \$1,752,297 and 17.4 FTE, or so much thereof as may be necessary, comprised of \$876,150 from the hospital provider fee cash fund created in section 25.5-4-402.3 (4), Colorado Revised Statutes and \$876,147 from federal funds, to be allocated to the executive director's office for general administration for the implementation of this act as follows:

(a) \$1,105,847 and 17.4 FTE for personal services;

(b) \$115,368 for health, life, and dental;

(c) \$1,883 for short-term disability;

(d) \$35,672 for S.B. 04-257 amortization equalization disbursement;

(e) \$32,204 for S.B. 06-235 supplemental amortization equalization disbursement;

(f) \$146,190 for operating expenses;

(g) \$24,910 for the purchase of legal services;

(h) \$12,122 for the purchase of administrative law judge services;

(i) \$78,101 for leased space; and

(j) \$200,000 for general professional services and special projects.

(2) In addition to any other appropriation, there is hereby appropriated to the department of health care policy and financing, for

the fiscal year beginning July 1, 2013 the sum of \$1,554,374, or so much thereof as may be necessary, to be allocated to the executive director's office for information technology contracts for the implementation of this act as follows:

(a) \$201,600, comprised of \$100,800 from the hospital provider fee cash fund created in section 25.5-4-402.3 (4), Colorado Revised Statutes and \$100,800 from federal funds, for medicaid management information system maintenance and projects;

(b) \$595,214, comprised of \$297,607 from the hospital provider fee cash fund created in section 25.5-4-402.3 (4), Colorado Revised Statutes and \$297,607 from federal funds, for the centralized eligibility vendor; and

(c) \$757,560, comprised of \$378,780 from the hospital provider fee cash fund created in section 25.5-4-402.3 (4), Colorado Revised Statutes and \$378,780 from federal funds, for the Colorado benefits management system modernization project.

(3) In addition to any other appropriation, there is hereby appropriated to the department of health care policy and financing, for the fiscal year beginning July 1, 2013 the sum of \$2,883,599, or so much thereof as may be necessary, to be allocated to the executive director's office for eligibility determinations and client services for the implementation of this act as follows:

(a) \$11,017, comprised of \$197 from the general fund, \$5,312 from the hospital provider fee cash fund created in section 25.5-4-402.3 (4), Colorado Revised Statutes, and \$5,508 from federal funds, for medical identification cards;

(b) \$1,537,200, comprised of \$768,600 from the hospital provider fee cash fund created in section 25.5-4-402.3 (4), Colorado Revised Statutes and \$768,600 from federal funds, for contracts for special eligibility determinations;

(c) \$104,712, comprised of \$31,414 from the general fund, \$20,942 from local funds, and \$52,356 from federal funds, for county administration;

(d) \$1,023,453, comprised of \$451,727 from the hospital provider fee cash fund created in section 25.5-4-402.3 (4), Colorado Revised Statutes and \$571,726 from federal funds for hospital provider fee county administration costs; and

(e) \$207,217, comprised of \$4,132 from the general fund, \$99,477 from the hospital provider fee cash fund created in section 25.5-4-402.3 (4), Colorado Revised Statutes, and \$103,608 from federal funds for customer outreach.

(4) For the implementation of this act, appropriations made in the annual general appropriation act to the department of health care policy and financing for the fiscal year beginning July 1, 2013, for medical service premiums are adjusted as follows:

(a) The general fund appropriation is decreased by \$934,367;

(b) The cash funds appropriation from the hospital provider fee cash fund created in section 25.5-4-402.3 (4), Colorado Revised Statutes, is decreased by \$138,501,252;

(c) The cash funds appropriation from the old age pension health and medical care fund created in section 7 (c) of Article XXIV of the Colorado constitution is increased by \$1,745,639; and

(d) The federal funds appropriation is increased by \$412,433,097.

(5) For the implementation of this act, appropriations made in the annual general appropriation act to the department of health care policy and financing for the fiscal year beginning July 1, 2013, for behavioral health community programs for behavioral health capitation payments are adjusted as follows:

(a) The general fund appropriation is increased \$76,907;

(b) The appropriation from the hospital provider fee cash fund created in section 25.5-4-402.3 (4), Colorado Revised Statutes, is decreased by \$19,260,944; and

(c) The federal funds appropriation is increased by \$52,601,870.

(6) In addition to any other appropriation, there is hereby appropriated, to the department of health care policy and financing, for the fiscal year beginning July 1, 2013, the sum of \$2,007,812, or so much thereof as may be necessary, for allocation to the indigent care program

for children's basic health plan medical and dental costs related to the implementation of this act. Of said sum, \$694,706 is from the general fund, \$22,938 is from the children's basic health plan trust created in section 25.5-8-105 (1), Colorado Revised Statutes, and \$1,290,168 is from federal funds.

(7) For the implementation of this act, appropriations made in the annual general appropriation act to the department of health care policy and financing for the fiscal year beginning July 1, 2013, for other medical services are adjusted as follows:

(a) The cash funds appropriation from the old age pension health and medical care fund created in section 7 (c) of Article XXIV of the Colorado constitution is decreased by \$1,745,639, for the old age pension state medical program.

SECTION 4. Appropriation - adjustments to 2013 long bill.

(1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of corrections, for the fiscal year beginning July 1, 2013, the sum of \$28,249 and 0.4 FTE, or so much thereof as may be necessary, to be allocated to management for the executive director's office subprogram for the implementation of this act as follows:

(a) \$23,546 and 0.4 FTE for personal services; and

(b) \$4,703 for operating expenses.

(2) For the implementation of this act, appropriations made in the annual general appropriation act to the department of corrections for the fiscal year beginning July 1, 2013, for institutions for the medical services subprogram are adjusted as follows:

(a) The general fund appropriation for purchase of medical services from other medical facilities is decreased by \$950,000; and

(b) The general fund appropriation for catastrophic medical expenses is decreased by \$1,550,000.

SECTION 5. Appropriation - adjustments to 2013 long bill.

(1) For the implementation of this act, appropriations made in the annual general appropriation act to the department of human services for the fiscal year beginning July 1, 2013, for behavioral health services for mental health community programs are adjusted as follows:

(a) The general fund appropriation for mental health services for the medically indigent is decreased by \$651,875.

SECTION 6. Appropriation.

In addition to any other appropriation, there is hereby appropriated to the department of law, for the fiscal year beginning July 1, 2013, the sum of \$24,910, or so much thereof as may be necessary, for the provision of legal services for the department of health care policy and financing related to the implementation of this act. Said sum is from reappropriated funds received from the department of health care policy and financing out of the appropriation made in paragraph (g) of subsection (1) as contained in section 3 of this act.

SECTION 7. Appropriation.

In addition to any other appropriation, there is hereby appropriated to the department of personnel, for the fiscal year beginning July 1, 2013, the sum of \$12,122, or so much thereof as may be necessary, for the provision of administrative law judge services for the department of health care policy and financing related to the implementation of this act. Said sum is from reappropriated funds received from the department of health care policy and financing out of the appropriation made in paragraph (h) of subsection (1) as contained in section 3 of this act."

Renumber succeeding section accordingly.

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

Appropriations

After consideration on the merits, the Committee recommends that SB13-204 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

	Amend printed bill, page 2, after line 14 insert:	1
		2
	"SECTION 2. Appropriation. In addition to any other	3
	appropriation, there is hereby appropriated, out of any moneys in the	4
	division of professions and occupations cash fund created in section 24-	5
	34-105 (2) (b) (I), Colorado Revised Statutes, not otherwise	6
	appropriated, to the department of regulatory agencies, for the fiscal year	7
	beginning July 1, 2013, the sum of \$2,100, or so much thereof as may be	8
	necessary, for allocation to the division of professions and occupations	9
	for board member expenses related to the implementation of this act."	10
	Renumber succeeding section accordingly.	11
		12
	Page 1, line 102, strike "EXAMINERS." and substitute "EXAMINERS, AND,	13
	IN CONNECTION THEREWITH, MAKING AN APPROPRIATION."	14
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Appropriations	After consideration on the merits, the Committee recommends that SB13-193 be amended	18
	as follows, and as so amended, be referred to the Committee of the Whole with favorable	19
	recommendation.	20
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	Amend printed bill, page 14, after line 23 insert:	23
		24
	"SECTION 10. Appropriation. (1) In addition to any other	25
	appropriation, there is hereby appropriated, out of any moneys in the	26
	general fund not otherwise appropriated, to the department of education,	27
	for the fiscal year beginning July 1, 2013, the sum of \$150,093 and 1.0	28
	FTE, or so much thereof as may be necessary, to be allocated to the	29
	management and administration division for accountability and	30
	improvement planning programs for the implementation of this act as	31
	follows:	32
	(a) \$100,440 and 1.0 FTE for personal services; and	33
	(b) \$49,653 for operating expenses and other costs."	34
	Renumber succeeding section accordingly.	35
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	Page 1, line 101, strike "SCHOOLS." and substitute "SCHOOLS, AND, IN	38
	CONNECTION THEREWITH, MAKING AN APPROPRIATION."	39
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Appropriations	After consideration on the merits, the Committee recommends that SB13-148 be referred	42
	to the Committee of the Whole with favorable recommendation.	43
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Appropriations	After consideration on the merits, the Committee recommends that SB13-082 be referred	46
	to the Committee of the Whole with favorable recommendation.	47
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Appropriations	After consideration on the merits, the Committee recommends that SB13-166 be referred	50
	to the Committee of the Whole with favorable recommendation.	51
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Appropriations	After consideration on the merits, the Committee recommends that SB13-170 be amended	54
	as follows, and as so amended, be referred to the Committee of the Whole with favorable	55
	recommendation.	56
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	Amend the Senate Judiciary Committee Report dated February 27, 2013,	59
	page 2, after line 7, insert:	60
		61
	"Page 4, line 13, after "Appropriation." insert "(1)".	62
		63
	Page 4, line 16, strike "office of the governor," and substitute "governor -	64
	lieutenant governor - state planning and budgeting,"."	65
		66
	Page 2 of the Report, after line 8 insert:	67

"Page 4, after line 19 insert:

"(2) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the disability-benefit support fund created in section 24-30-2205, Colorado Revised Statutes, not otherwise appropriated, to the department of personnel, for the fiscal year beginning July 1, 2013, the sum of \$15,648 and 0.3 FTE, or so much thereof as may be necessary, for allocation to executive director's office, department administration, for personal services related to the implementation of the laura hershey disability-benefit support act (H.B. 11-1216).

(3) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of revenue, for the fiscal year beginning July 1, 2013, the sum of \$16,000, or so much thereof as may be necessary, for allocation to the taxation business group for contract computer programming services related to the implementation of this act."."

Appropriations

After consideration on the merits, the Committee recommends that **SB13-040** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend printed bill, page 3, before line 24 insert:

"SECTION 2. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of human services, for the fiscal year beginning July 1, 2013, the sum of \$99,575, or so much thereof as may be necessary, for allocation to the homelake military veterans cemetery line item for construction costs related to the implementation of this act."

Renumber succeeding section accordingly.

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

Appropriations

After consideration on the merits, the Committee recommends that **SB13-047** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, after line 23 insert:

"SECTION 2. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated out of any moneys in the general fund, not otherwise appropriated, to the department of human services, for the fiscal year beginning July 1, 2013, the sum of \$24,334, or so much thereof as may be necessary, for the implementation of this act as follows:

(a) \$19,650 to the division of child welfare for credit report remediation; and

(b) \$4,684 to the division of youth corrections for credit report remediation.

(2) (a) In addition to said appropriation, the general assembly anticipates that, for the fiscal year beginning July 1, 2013, the department of human services will receive the sum of \$6,766 in federal funds for the implementation of this act as follows:

(I) \$6,550 to the division of child welfare for credit report remediation; and

(II) \$216 to the division of youth corrections for credit report remediation.

(b) Although the federal funds identified in paragraph (a) of this

	subsection (2) are not appropriated in this act, they are noted for the purpose of indicating the assumptions used relative to these funds in developing the state appropriation amounts."	1
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	Renumber succeeding section accordingly.	5
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	Page 1, line 102, strike "THEFT." and substitute "THEFT, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION."	7
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Appropriations	After consideration on the merits, the Committee recommends that SB13-073 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	11
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Appropriations	After consideration on the merits, the Committee recommends that SB13-111 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	16
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	Amend printed bill, page 23, after line 4 insert:	21
		22
	"SECTION 18. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of human services, for the fiscal year beginning July 1, 2013, the sum of \$3,286,208 and 1.0 FTE, or so much thereof as may be necessary, to be allocated to the adult assistance programs division for the implementation of this act as follows:	23
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	(a) \$2,200,000 for the reduction of county adult protective services worker caseloads;	30
		31
	(b) \$1,000,000 for the county provision of adult protective services to at risk adults; and	32
		33
	(c) \$86,208 and 1.0 FTE for adult protective services training and quality assurance activities."	34
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	Renumber succeeding section accordingly.	37
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	Page 1, line 101, strike "ADULTS." and substitute "ADULTS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION."	39
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Appropriations	After consideration on the merits, the Committee recommends that HB13-1039 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	43
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Health & Human Services	The Committee on Health & Human Services has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:	48
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	MEMBERS OF THE	53
	STATE BOARD OF HUMAN SERVICES	54
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	for a term expiring March 1, 2013:	57
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	Jerene Carol Petersen of Denver, Colorado, a member of the public, and occasioned by the resignation of Regina D. Richards of Aurora, Colorado, appointed;	59
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	for terms expiring March 1, 2015:	62
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	Honorable Connie McLain of Black Hawk, Colorado, to serve as a county commissioner, and occasioned by the resignation of the Honorable Dave Long of New Raymer, Colorado, appointed;	64
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Honorable David Allen Foy of Otis, Colorado, to serve as a county commissioner, and
occasioned by the resignation of the Honorable Samuel Pace of Crestone, Colorado,
appointed.

Health & Human Services The Committee on Health & Human Services has had under consideration and has had a
hearing on the following appointments and recommends that the appointments be
confirmed:

MEMBERS OF THE
HOSPITAL PROVIDER FEE OVERSIGHT
AND ADVISORY BOARD

for a term expiring May 15, 2015:

Henry Garvin of Alamosa, Colorado, an employee of a rural hospital in Colorado, to fill
the vacancy occasioned by the resignation of Michelle Lynn Joy of Sterling, Colorado,
appointed

for a term expiring May 15, 2016:

Dan E. Enderson of Castle Rock, Colorado, an employee of a hospital in Colorado,
appointed.

Health & Human Services The Committee on Health & Human Services has had under consideration and has had a
hearing on the following appointments and recommends that the appointments be
confirmed:

MEMBERS OF THE
COLORADO TRAUMATIC BRAIN INJURY
TRUST FUND BOARD

for terms expiring on June 30, 2015:

Susan Beth Charlifue of Littleton, Colorado, appointed;

James Pinkney, III of Henderson, Colorado, appointed;

for a term expiring on June 30, 2015:

Deborah A. Boyle of Franktown, Colorado, to serve as a member of the public,
reappointed.

Health & Human Services After consideration on the merits, the Committee recommends that **SB13-144** be
postponed indefinitely.

Health & Human Services After consideration on the merits, the Committee recommends that **SCR13-002** be
referred to the Committee of the Whole with favorable recommendation.

Finance After consideration on the merits, the Committee recommends that **HB13-1077** 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 16, after "TITLE," insert "WHERE THE
HEARING OFFICER IS ENGAGED IN FINDING FACTS AND APPLYING LAW FOR
AN INCIDENT OR OFFENSE REPORTED DIRECTLY TO THE DEPARTMENT BY
A LAW ENFORCEMENT OFFICER, AND WHERE THE REVOCATION WAS NOT
TRIGGERED IN WHOLE OR IN PART BY A RECORD OF A CONVICTION,".

Agriculture, Natural Resources, & Energy	After consideration on the merits, the Committee recommends that SB13-223 be referred to the Committee of the Whole with favorable recommendation.	1
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Health & Human Services	After consideration on the merits, the Committee recommends that SJR13-021 be amended as follows, and as so amended, be referred to the Senate for final action.	6
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	Amend printed joint resolution, page 2, line 19, strike ".03%" and substitute ".3%".	10
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	Page 2, line 28, strike "16" and substitute "19".	12
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	Page 2, after line 32 insert:	14
		15
	"(II) Two members of the House of Representatives who serve on either on the Health, Insurance, and Environment Committee or the Public Health Care and Human Services Committee, one appointed by the Speaker of the House of Representatives and one appointed by the minority leader of the House of Representatives;"	16
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	Renumber succeeding subparagraphs accordingly.	23
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	Page 3, line 18, strike "system; and" and substitute "system, appointed by the Governor;"	25
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	Page 3, line 19, strike "provider;" and substitute "provider, appointed by the Governor; and	28
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	(XI) One member who represents dentists, appointed by the Governor;"	31
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	Page 3, strike line 20 and substitute:	34
		35
	"(b) The individuals making the appointments shall make a"	36
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	Page 3, line 23, strike "appointees" and substitute "individuals making the appointments".	38
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	SENATE SERVICES REPORT	44
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	Correctly Engrossed: SJM13-001.	46
	Correctly Reengrossed: SB13-201 and 212.	47
	Correctly Rerevised: HB13-1025 and 1060.	48
	Correctly Enrolled: SB13-013, 071, 139 and 184.	49
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	INTRODUCTION OF BILLS -- FIRST READING	54
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	The following bills were read by title and referred to the committees indicated:	56
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HB13-1121	by Representative(s) Schafer and Murray, Priola, Ginal, Joshi, McCann, Singer, Sonnenberg, Stephens, Young, Landgraf, Primavera; also Senator(s) Heath and Roberts, Tochtrop, Brophy, Todd, Johnston--Concerning the ability of a pharmacist to substitute a biosimilar product for a prescribed biological product when certain conditions are satisfied. Health & Human Services	59
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HB13-1160	by Representative(s) Pabon; also Senator(s) King--Concerning criminal theft, and, in connection therewith, reducing an appropriation. Judiciary	1 2 3 4 5
HB13-1260	by Representative(s) Singer; also Senator(s) Roberts--Concerning the regulation of bingo, and, in connection therewith, repealing the existing limit on the number of bingo games that may be conducted on any one occasion and allowing a player to play bingo by means of an electronic device. State, Veterans, & Military Affairs	6 7 8 9 10 11 12
HB13-1265	by Representative(s) Hullinghorst; also Senator(s) Heath--Concerning the income tax credit for business facility employees under the "Urban and Rural Enterprise Zone Act". Finance	13 14 15 16 17
HB13-1268	by Representative(s) Moreno, Foote, Hullinghorst, Lebsock, Mitsch Bush, Pabon, Singer; also Senator(s) Hodge--Concerning a disclosure of possible separate ownership of the mineral estate in the sale of real property. State, Veterans, & Military Affairs	18 19 20 21 22 23 24 25
Committee of the Whole	On motion of Senator Schwartz, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Schwartz was called to the Chair to act as Chairman.	26 27 28 29
GENERAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR		30 31 32
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:		33 34 35 36 37
HB13-1179	by Representative(s) Levy, Duran, Gerou; also Senator(s) Steadman, Hodge, Lambert--Concerning deadlines for state agencies to submit documents related to appropriations to the joint budget committee. Ordered revised and placed on the calendar for third reading and final passage.	38 39 40 41 42 43 44
HB13-1243	by Representative(s) Young, Buckner, Court, Duran, Gardner, Kagan, Lee, McLachlan, Pettersen, Salazar; also Senator(s) Ulibarri--Concerning factual findings included in parenting time orders. Ordered revised and placed on the calendar for third reading and final passage.	45 46 47 48 49 50 51
HB13-1237	by Representative(s) Young and Buckner; also Senator(s) Hodge--Concerning the voluntary contribution benefiting the Special Olympics Colorado fund that appears on the state individual income tax return forms. Ordered revised and placed on the calendar for third reading and final passage.	52 53 54 55 56 57 58 59
ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE		60 61 62 63
On motion of Senator Schwartz, the report of the Committee of the Whole was adopted on the following roll call vote:		64 65 66 67

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	E	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB13-1179, HB13-1243, HB13-1237.

Committee of the Whole On motion of Senator Schwartz, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Schwartz was called to the chair to act as Chairman.

GENERAL 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:

HB13-1123 by Representative(s) Exum; also Senator(s) Kerr--Concerning the right of a person to waive confidentiality requirements protecting personal work information obtained by the department of labor and employment for unemployment benefit claims to permit the department to forward certain information to potential employers.

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

HB13-1204 by Representative(s) Gardner; also Senator(s) Ulibarri--Concerning the "Uniform Premarital and Marital Agreements Act".

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, April 2, page(s) 665-666, was lost.)

Amendment No. 2(L.003), by Senator Ulibarri.

Amend reengrossed bill, page 3, line 3, strike "STATUS:" and substitute "STATUS OR BETWEEN PARTNERS IN A CIVIL UNION BECAUSE OF THEIR STATUS AS PARTIES TO A CIVIL UNION:".

Page 9, after line 20 insert:
"SECTION 2. In Colorado Revised Statutes, add with relocated provisions 14-2-303.5 as follows:
14-2-303.5. Applicability of part and case law to marital agreements relating to civil unions. [Formerly 14-2-307.5 as added by Senate Bill 13-011] Prospective parties to a civil union and present parties to a civil union may contract to make an agreement relating to the civil union that includes any of the rights and obligations that may be included in a marital agreement pursuant to section 14-2-304, but only if the agreement is signed by both parties prior to the filing of an action for legal separation of the civil union, dissolution of the civil union, or for declaration of invalidity of the civil union ENTER INTO A PREMARITAL AGREEMENT OR MARITAL AGREEMENT PURSUANT TO THE PROVISIONS OF THIS PART 3, AND the provisions of this article PART 3 and any case law construing this article PART 3 apply to any agreement made by prospective parties to a civil union or between present parties to a civil union SUCH AGREEMENTS.

SECTION 3. Repeal of relocated provisions in this act. In Colorado Revised Statutes, **repeal as added by Senate Bill 13-011, 14-2-307.5**, as follows:

14-2-307.5. Applicability of article and case law to agreements relating to civil unions. ~~Prospective parties to a civil union and present parties to a civil union may contract to make an agreement relating to the civil union that includes any of the rights and obligations that may be included in a marital agreement pursuant to section 14-2-304, but only if the agreement is signed by both parties prior to the filing of an action for legal separation of the civil union, dissolution of the civil union, or for declaration of invalidity of the civil union. The provisions of this article and any case law construing this article apply to any agreement made by prospective parties to a civil union or between present parties to a civil union."~~

Renumber succeeding sections accordingly.

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

HB13-1258 by Representative(s) Salazar, Buckner, Court, Duran, Ferrandino, Fields, Fischer, Foote, Garcia, Ginal, Hamner, Hullinghorst, Labuda, Lebsock, Levy, May, McCann, Melton, Mitsch Bush, Moreno, Pabon, Schafer, Singer, Vigil, Williams; also Senator(s) Aguilar and Carroll--Concerning local government involvement with federal immigration issues.

Ordered revised 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.)

SB13-191 by Senator(s) Hodge; also Representative(s) Williams and Sonnenberg--Concerning the acquisition of rights-of-way by pipeline companies.

Laid over until Wednesday, April 10, retaining its place on the calendar.

SB13-185 by Senator(s) Nicholson; also Representative(s) Primavera--Concerning expansion of the types of activities that are eligible for grants under the tobacco education, prevention, and cessation grant program.

Laid over until Wednesday, April 10, retaining its place on the calendar.

SB13-203 by Senator(s) Schwartz, Giron, King; also Representative(s) Coram, DelGrosso, Priola, Singer, Tyler--Concerning limitations on the use of certain public land for automotive service stations in order to limit government competition.

Laid over until Wednesday, April 10, retaining its place on the calendar.

HB13-1208 by Representative(s) Duran; also Senator(s) Newell--Concerning creative districts, and, in connection therewith, authorizing the creative industries division of the Colorado office of economic development to offer incentives in the form of need-based funding for infrastructure development in state-certified creative districts and to provide such funding from any moneys appropriated to the creative industries cash fund for that purpose.

Ordered revised and placed on the calendar for third reading and final passage.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

HB13-1258 by Representative(s) Salazar, Buckner, Court, Duran, Ferrandino, Fields, Fischer, Foote, Garcia, Ginal, Hamner, Hullinghorst, Labuda, Lebsock, Levy, May, McCann, Melton, Mitsch Bush, Moreno, Pabon, Schafer, Singer, Vigil, Williams; also Senator(s) Aguilar and Carroll--Concerning local government involvement with federal immigration issues.

Senator Lundberg moved to amend the Report of the Committee of the Whole to show that the following Lundberg floor amendment, (L.002) to HB 13-1258, did pass.

Amend reengrossed bill, page 2, strike lines 2 through 22 and substitute:

"SECTION 1. In Colorado Revised Statutes, 29-29-103, repeal (2) and amend (3) as follows:
 29-29-103. Cooperation with federal officials regarding immigration status. (2) (a) (I) A peace officer who has probable cause that an arrestee for a criminal offense is not legally present in the United States shall report such arrestee to the United States immigration and customs enforcement office if the arrestee is not held at a detention facility. If the arrestee is held at a detention facility and the county sheriff reasonably believes that the arrestee is not legally present in the United States, the sheriff shall report such arrestee to the federal immigration and customs enforcement office.
 (H) This subsection (2) shall not apply to arrestees who are arrested for a suspected act of domestic violence as defined by section 18-6-800.3, C.R.S., until such time as the arrestee is convicted of a domestic violence offense.
 (b) The governing body of each local government shall provide notice in writing to peace officers of the duty to cooperate with state and federal officials with regards to enforcement of state and federal laws regarding immigration and comply with paragraph (a) of this subsection (2). Each governing body shall provide written confirmation to the general assembly that it has provided such notice and shall annually, on or before March 1 of each year, report to the legislative council of the general assembly the number of reports made to the United States immigration and customs enforcement office pursuant to this article.
 (c) The general assembly finds and declares that the state attorney general and all appropriate state and local law enforcement agencies should vigorously pursue all federal moneys to which the state may be entitled for the reimbursement of moneys spent to enforce federal immigration laws.
 (3) A local government that violates subsection (1) of this section or paragraph (b) of subsection (2) of this section shall not be eligible to receive local government financial assistance through grants administered by the department of local affairs until such time as the ordinance or policy is no longer in effect."

Renumber succeeding section 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 was lost on the following roll call vote:

YES	16	NO	18	EXCUSED	1	ABSENT	0
Aguilar	N	Guzman	N	Kefalas	N	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	N	Scheffel	Y
Baumgardner	Y	Heath	N	King	Y	Schwartz	N
Brophy	Y	Hill	Y	Lambert	Y	Steadman	N
Cadman	Y	Hodge	N	Lundberg	Y	Tochtrop	N
Carroll	N	Hudak	N	Marble	Y	Todd	N
Crowder	Y	Jahn	N	Newell	N	Ulibarri	N
Giron	N	Johnston	E	Nicholson	Y	President	N
Grantham	Y	Jones	N	Renfroe	Y		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Schwartz, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	E	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB13-1123, HB13-1204 as amended, HB13-1258, HB13-1208.

Laid over until Wednesday, April 10: SB13-191, SB13-185, SB13-203.

CONSIDERATION OF RESOLUTIONS

SR13-003 by Senator(s) Carroll; --Concerning the creation of a Senate committee of reference for the implementation of amendment 64.

Laid over until Wednesday, April 10, retaining its place on the calendar.

HJR13-1017 by Representative(s) Landgraf; also Senator(s) Aguilar--Concerning encouraging medical care professionals to provide perinatal bereavement services to parents who receive a fetal anomaly diagnosis.

On motion of Senator Aguilar, the resolution was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	E	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Co-sponsor(s) added: Baumgardner, Crowder, Giron, Grantham, Guzman, Jahn, Jones, Kerr, King, Lundberg, Marble, Roberts, Scheffel, Schwartz, Steadman and Ulibarri.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB13-126 by Senator(s) Guzman; also Representative(s) Duran--Concerning the removal of unreasonable restrictions on the ability of the owner of an electric vehicle to access charging facilities.

Senator Guzman moved that the Senate concur in House amendments to **SB13-126**, as printed in House journal, March 27, page(s) 707. The motion was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	E	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	22	NO	12	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	Y	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	Y	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	E	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB13-182 by Senator(s) Nicholson, Todd, Schwartz; also Representative(s) Williams, Hamner, Mitsch Bush--Concerning deceptive trade practices related to time share resale services.

Laid over until Monday, April 8, retaining its place on the calendar.

SB13-027 by Senator(s) Todd; also Representative(s) Priola--Concerning the provision of parking facilities by third parties at or near regional transportation district mass transit stations.

Senator Todd moved that the Senate concur in House amendments to **SB13-027**, as printed in House journal, April 1, page(s) 736. The motion was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	E	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	24	NO	10	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	E	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

RECONSIDERATION OF SB13-126

SB13-126 by Senator(s) Guzman; also Representative(s) Duran--Concerning the removal of unreasonable restrictions on the ability of the owner of an electric vehicle to access charging facilities.

Having voted on the prevailing side, Majority Leader Carroll moved for reconsideration of the last Senate action, Repassage of SB13-126.

A majority of all members elected to the Senate having voted in the affirmative, reconsideration was granted.

REPASSAGE OF SB13-126

SB13-126 by Senator(s) Guzman; also Representative(s) Duran--Concerning the removal of unreasonable restrictions on the ability of the owner of an electric vehicle to access charging facilities.

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	21	NO	13	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	Y	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	E	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

SJR13-026 by Senator(s) Nicholson and Grantham; also Representative(s) Schafer and Gardner, Buck, Buckner, Conti, Coram, Court, DelGrosso, Dore, Duran, Everett, Exum, Ferrandino, Fields, Fischer, Foote, Garcia, Gerou, Ginal, Hamner, Holbert, Hullinghorst, Humphrey, Joshi, Kagan, Kraft-Tharp, Labuda, Landgraf, Lawrence, Lebsock, Lee, Levy, May, McCann, McLachlan, McNulty, Melton, Mitsch Bush, Moreno, Murray, Navarro, Nordberg, Pabon, Peniston, Pettersen, Primavera, Priola, Rankin, Rosenthal, Ryden, Saine, Salazar, Scott, Singer, Sonnenberg, Stephens, Swalm, Szabo, Tyler, Vigil, Waller, Williams, Wilson, Wright, Young--Concerning the declaration of April 7 through 14, 2013, as "Holocaust Awareness Week".

Laid over until Thursday, April 11, retaining its place on the calendar.

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

SB13-253 by Senator(s) Steadman; also Representative(s) Levy--Concerning a deferred judgment for a drug offense when there is a violation of the deferred judgment.
Judiciary

SB13-254 by Senator(s) Jones; also Representative(s) Tyler, Levy--Concerning an expansion of the utility cost-savings measures law to allow a governmental entity to enter into a vehicle fleet maintenance and fuel cost-savings contract.
Agriculture, Natural Resources, & Energy

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB13-1068, 1139, 1202, 1221.

MESSAGE FROM THE GOVERNOR

April 4, 2013

To the Honorable Senate
Sixty-Ninth General Assembly
First Regular Session
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

SB13-067: CONCERNING THE OPERATION OF VEHICLES OFF-ROAD.

Approved April 4, 2013 at 12:10 p.m.

SB13-074: CONCERNING THE RESOLUTION OF AMBIGUITIES IN OLD WATER RIGHT DECREES REGARDING THE PLACE OF USE OF IRRIGATION WATER.

Approved April 4, 2013 at 12:10 p.m.

SB13-190: CONCERNING THE IMPLEMENTATION OF THE COLORADO FINANCIAL REPORTING SYSTEM MODERNIZATION PROJECT.

Approved April 4, 2013 at 12:10 p.m.

Sincerely,
(signed)
John W. Hickenlooper
Governor

On motion of Majority Leader Carroll, the Senate adjourned until 10:00 a.m., Monday, April 8, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

90th Legislative Day Monday, April 8, 2013

Prayer By the chaplain, Father Eustace Sequeira, Regis University Jesuit Community, Denver.

Call to Order By the President at 10:00 a.m.

Pledge By Senator Crowder.

Roll Call Present--30
Excused--5, Cadman, Guzman, Hudak, Schwartz, Tochtrop.
Present later--4, Guzman, Hudak, Schwartz, Tochtrop.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Marble, reading of the Journal of Friday, April 5, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Education After consideration on the merits, the Committee recommends that SB13-217 be referred to the Committee on Appropriations with favorable recommendation.

Health & Human Services After consideration on the merits, the Committee recommends that SB13-242 be referred to the Committee on Appropriations with favorable recommendation.

Health & Human Services After consideration on the merits, the Committee recommends that SB13-231 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 3, line 22, strike "DEVELOP," and substitute "DEVELOP".

Page 3, line 23, strike "BY RULE,".

Health & Human Services After consideration on the merits, the Committee recommends that SB13-222 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 3, line 25, strike the second "and".

Page 3, after line 25 insert:

"(k) Allowing provider choice in any purchasing system aids in the most effective and efficient management of a patient's care and supports stable vaccine supply for the community; and".

Reletter succeeding paragraph accordingly.

Page 6, after line 25 insert:

"(VI) A REPRESENTATIVE FROM A COLORADO-BASED INNOVATIVE VACCINE COMPANY;".

Renumber succeeding subparagraphs paragraphs accordingly.

Page 7, line 9, strike "MANAGEMENT;" and substitute "MANAGEMENT, INCLUDING VACCINE CHOICES, COMBINATION VACCINES, AND EQUIVALENT VACCINES;".

Page 8, after line 10 insert:

"(d) "EQUIVALENT VACCINES" MEANS TWO OR MORE VACCINES THAT:
(I) PROTECT A RECIPIENT OF THE VACCINE AGAINST THE SAME INFECTION;
(II) HAVE SIMILAR SAFETY AND EFFICACY PROFILES; AND
(III) ARE RECOMMENDED FOR COMPARABLE POPULATIONS BY THE FEDERAL CENTERS FOR DISEASE CONTROL AND PREVENTION."

EducationThe Committee on Education has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

MEMBERS OF THE
CHARTER SCHOOL INSTITUTE BOARD

for terms expiring July 1, 2015:

Patricia M. Hayes of Aurora, Colorado, to serve as a member with experience as a charter school board member or founder of a charter school, experience as a public school administrator with experience working with charter schools, other board or public service experience, and as a Republican, reappointed;

Anthony Scott Lewis of Longmont, Colorado, to serve as a member with experience as a charter school board member or founder of a charter school, experience as a public school administrator with experience working with charter schools, other board or public service experience, and as a Democrat, reappointed;

Donahue Cassius Quashie of Colorado Springs, Colorado, as a representative of a parent of a student who is, or who has been, enrolled in an institute charter school, and as a Republican, reappointed.

SENATE SERVICES REPORT

Correctly Printed: SB13-253 and 254; SJR13-026.
Correctly Revised: HB13-1123, 1179, 1204, 1208, 1237, 1243 and 1258; HJR13-1017.
Correctly Enrolled: SM13-001.

MESSAGE FROM THE HOUSE

April 5, 2013

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1080.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1129, amended as printed in House Journal, April 2, page 773.

HB13-1272, amended as printed in House Journal, April 2, page 773.
HB13-1156, amended as printed in House Journal, April 2, pages 774-775,
and amended on Third Reading, as printed in House Journal, April 5.
HB13-1031, amended as printed in House Journal, April 2, page 775.
HB13-1042, amended as printed in House Journal, April 2, pages 775-776.
HB13-1044, amended as printed in House Journal, April 2, page 776.
HB13-1056, amended as printed in House Journal, April 2, page 776.
HB13-1079, amended as printed in House Journal, April 2, pages 776-777.
HB13-1114, amended as printed in House Journal, April 2, page 778.
HB13-1171, amended as printed in House Journal, April 2, pages 778-779.

The House has passed on Third Reading and returns herewith SB13-232, 233, 237.

The House has passed on Third Reading and transmitted to the Revisor of Statutes;
SB13-077, amended as printed in House Journal, April 2, pages 771-773.
SB13-234, amended as printed in House Journal, April 4, pages 794-795.
SB13-230, amended as printed in House Journal, April 4, pages 795-802.
SB13-236, amended as printed in House Journal, April 4, page 803, and
amended on Third Reading, as printed in House Journal, April 5.

MESSAGE FROM THE REVISOR OF STATUTES

April 5, 2013

We herewith transmit:

Without comment, HB13-1080.
Without comment, as amended, HB13-1031, 1042, 1044, 1056, 1079, 1114, 1129, 1171,
and 1272.
Without comment, as amended, SB13-077, 230, 234, and 236.
With comment, as amended, HB13-1156.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

SJR13-027 by Senator(s) Giron; --Concerning the designation of April 9, 2013, as "Equal Pay Day" in
Colorado, and, in connection therewith, acknowledging the persisting problem of wage
disparity among various groups.

Laid over one day under Senate Rule 30(b).

**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:

HB13-1179 by Representative(s) Levy, Duran, Gerou; also Senator(s) Steadman, Hodge, Lambert--
Concerning deadlines for state agencies to submit documents related to appropriations to
the joint budget committee.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	E	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

HB13-1243 by Representative(s) Young, Buckner, Court, Duran, Gardner, Kagan, Lee, McLachlan, Pettersen, Salazar; also Senator(s) Ulibarri--Concerning factual findings included in parenting time orders.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	E	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar and Newell.

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:

HB13-1237 by Representative(s) Young and Buckner; also Senator(s) Hodge--Concerning the voluntary contribution benefiting the Special Olympics Colorado fund that appears on the state individual income tax return forms.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	29	NO	5	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	N	Steadman	Y
Cadman	E	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Kefalas, Kerr, Newell and Todd.

HB13-1123 by Representative(s) Exum; also Senator(s) Kerr--Concerning the right of a person to waive confidentiality requirements protecting personal work information obtained by the department of labor and employment for unemployment benefit claims to permit the department to forward certain information to potential employers.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	31	NO	3	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	N	Steadman	Y
Cadman	E	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Guzman, Heath, Newell, Schwartz, Steadman, Tochtrop and Todd.

HB13-1204 by Representative(s) Gardner; also Senator(s) Ulibarri--Concerning the "Uniform Premarital and Marital Agreements Act".

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	23	NO	11	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	E	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Carroll, Giron, Guzman, Heath, Hodge, Jones, Morse, Nicholson, Steadman and Tochtrop.

HB13-1258by Representative(s) Salazar, Buckner, Court, Duran, Ferrandino, Fields, Fischer, Foote, Garcia, Ginal, Hamner, Hullinghorst, Labuda, Lebsock, Levy, May, McCann, Melton, Mitsch Bush, Moreno, Pabon, Schafer, Singer, Vigil, Williams; also Senator(s) Aguilar and Carroll--Concerning local government involvement with federal immigration issues.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	21	NO	13	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	E	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Giron, Guzman, Heath, Hodge, Hudak, Johnston, Jones, Morse, Newell, Nicholson, Schwartz, Steadman, Tochtrop, Todd and Ulibarri.

HB13-1208by Representative(s) Duran; also Senator(s) Newell--Concerning creative districts, and, in connection therewith, authorizing the creative industries division of the Colorado office of economic development to offer incentives in the form of need-based funding for infrastructure development in state-certified creative districts and to provide such funding from any moneys appropriated to the creative industries cash fund for that purpose.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	22	NO	12	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	E	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Giron, Guzman, Heath, Hodge, Jahn, Kefalas, Morse, Nicholson, Schwartz, Steadman, Todd and Ulibarri.

Committee of the WholeOn motion of Senator Jones, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Jones was called to the Chair to act as Chairman.

**GENERAL ORDERS -- SECOND READING OF BILLS --
CONSENT CALENDAR**

The Committee of the Whole having risen, the Chairman reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB13-249 by Senator(s) Tochtrop; also Representative(s) Williams--Concerning procedures regarding independent medical examiners' reports in workers' compensation cases.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, April 4, page(s) 697 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB13-246 by Senator(s) Lambert, Hodge, Steadman; also Representative(s) Levy, Duran, Gerou--Concerning creation of a task force to study discovery costs in criminal cases.

Ordered engrossed and placed on the calendar for third reading and final passage.

SB13-226 by Senator(s) Balmer and Guzman; also Representative(s) Court and Coram--Concerning the creation of the "Dog Protection Act".

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, April 4, page(s) 697-698 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB13-1095 by Representative(s) Stephens; also Senator(s) Marble--Concerning participation in extracurricular school activities by students enrolled in nonpublic home-based educational programs.

Ordered revised and placed on the calendar for third reading and final passage.

HB13-1047 by Representative(s) Schafer; also Senator(s) Todd--Concerning clarifying that, if a student chooses to participate in an activity at a public school other than the student's school of attendance, the school district in which the student chooses to participate shall choose the public school at which the student participates.

Ordered revised and placed on the calendar for third reading and final passage.

**ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE --
CONSENT CALENDAR**

On motion of Senator Jones, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	E	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB13-249 as amended, SB13-246, SB13-226 as amended, HB13-1095, HB13-1047.

Committee of the Whole

On motion of Senator Jones, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Jones was called to the chair to act as Chairman.

GENERAL 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:

SB13-220

by Senator(s) Nicholson; also Representative(s) Fields--Concerning adding emergency medical service providers to the list of persons who must report possible instances of child abuse.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, April 4, page(s) 698 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB13-208

by Senator(s) Steadman, Aguilar, Guzman, Hudak, Nicholson, Ulibarri; also Representative(s) May--Concerning limitations on drug paraphernalia laws.

Ordered engrossed and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Jones, the report of the Committee of the Whole was adopted on the following roll call vote:

YES	31	NO	3	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	N	Steadman	Y
Cadman	E	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB13-220 as amended, SB13-208.

On motion of Majority Leader Carroll, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, the General Orders - Second Reading of Bills Consent Calendar (SB13-040, SB13-073, HB13-1039) of Tuesday, April 9 and the Consideration of Governor's Appointments Consent Calendar for Tuesday, April 9 (Members of the State Board of Human Services, Members of the Hospital Provider Fee Oversight and Advisory Board, and the Members of the Colorado Traumatic Brain Injury Trust Fund Board) were made Special Orders at 11:00 a.m.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for expressions of personal privilege.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB13-182 by Senator(s) Nicholson, Todd, Schwartz; also Representative(s) Williams, Hamner, Mitsch Bush--Concerning deceptive trade practices related to time share resale services.

Senator Nicholson moved that the Senate concur in House amendments to SB13-182, as printed in House journal, April 1, page(s) 735-736. The motion was adopted by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	E	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	E	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB13-230 by Senator(s) Steadman, Hodge; also Representative(s) Levy, Duran, Gerou--Concerning the provision for payment of the expenses of the executive, legislative, and judicial departments of the state of Colorado, and of its agencies and institutions, for and during the fiscal year beginning July 1, 2013, except as otherwise noted.

Senator Steadman moved that the Senate not concur in House amendments to **SB13-230**, as printed in House journal, April 4, page(s) 795-802, and that a conference committee be appointed.

A majority of all members elected to the Senate having voted in the affirmative, the motion was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	E	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The President appointed Senators Steadman, Chair, Hodge, and Lambert as Senate conferees on the first conference committee on **SB13-230**.

Senator Steadman moved that the Senate conferees on the first conference committee on **SB13-230** 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** on the following roll call vote:

YES	33	NO	1	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	E	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	N		

SB13-234 by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Gerou, Duran, Levy--Concerning the state's authority to prepay its obligation for the unfunded accrued liability of old hire pension plans that are affiliated with the fire and police pension association.

Senator Steadman moved that the Senate not concur in House amendments to **SB13-234**, as printed in House journal, April 4, page(s) 794-795, and that a conference committee be appointed.

A majority of all members elected to the Senate having voted in the affirmative, the motion was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	E	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The President appointed Senators Steadman, Chair, Hodge, and Lambert as Senate conferees on the first conference committee on **SB13-234**.

SB13-236 by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou-- Concerning transfers of moneys related to capital construction.

Senator Steadman moved that the Senate not concur in House amendments to **SB13-236**, as printed in House journal, April 4, page(s) 803, and as amended on Third Reading, as printed in House journal, April 5, page(s) 826, and that a conference committee be appointed.

A majority of all members elected to the Senate having voted in the affirmative, the motion was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	E	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The President appointed Senators Steadman, Chair, Hodge, and Lambert as Senate conferees on the first conference committee on **SB13-236**.

Committee of the Whole The hour of 11:00 a.m. having arrived, Senator Jones moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders -- Second Reading of Bills -- Consent Calendar, and Senator Jones was called to the chair to act as Chairman.

**SPECIAL ORDERS -- SECOND READING OF BILLS --
CONSENT CALENDAR**

The Committee of the Whole having risen, the Chairman reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

- SB13-040

by Senator(s) Crowder; also Representative(s) Vigil--Concerning the completion of the cemetery expansion project at the Homelake military veterans cemetery, and, in connection therewith, making an appropriation.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.

(Printed in Senate Journal, February 12, page(s) 207-208 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.

(Printed in Senate Journal, April 5, page(s) 715 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.
- SB13-073

by Senator(s) Brophy, Baumgardner, Roberts; also Representative(s) Sonnenberg--Concerning a requirement that the division of administration of the department of public health and environment follow rule-making procedures when proposing changes to general permits related to water quality control.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.

(Printed in Senate Journal, February 14, page(s) 236 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.
- HB13-1039

by Representative(s) Court, Coram, Williams; also Senator(s) Todd--Concerning additional sources of moneys to be credited to the legislative department cash fund.

Ordered revised and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE --
CONSENT CALENDAR

On motion of Senator Jones the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	E	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:
Passed on second reading: SB13-040 as amended, SB13-073 as amended, HB13-1039.

**SPECIAL ORDERS -- CONSIDERATION OF GOVERNOR'S APPOINTMENTS --
CONSENT CALENDAR**

On motion of Majority Leader Carroll, the following Governor's appointments were confirmed by the following roll call votes:

**MEMBERS OF THE
STATE BOARD OF HUMAN SERVICES**

for a term expiring March 1, 2013:

Jerene Carol Petersen of Denver, Colorado, a member of the public, and occasioned by the resignation of Regina D. Richards of Aurora, Colorado, appointed;

for terms expiring March 1, 2015:

Honorable Connie McLain of Black Hawk, Colorado, to serve as a county commissioner, and occasioned by the resignation of the Honorable Dave Long of New Raymer, Colorado, appointed;

Honorable David Allen Foy of Otis, Colorado, to serve as a county commissioner, and occasioned by the resignation of the Honorable Samuel Pace of Crestone, Colorado, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	E	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

**MEMBERS OF THE
HOSPITAL PROVIDER FEE OVERSIGHT
AND ADVISORY BOARD**

for a term expiring May 15, 2015:

Henry Garvin of Alamosa, Colorado, an employee of a rural hospital in Colorado, to fill the vacancy occasioned by the resignation of Michelle Lynn Joy of Sterling, Colorado, appointed

for a term expiring May 15, 2016:

Dan E. Enderson of Castle Rock, Colorado, an employee of a hospital in Colorado, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	E	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

MEMBERS OF THE
COLORADO TRAUMATIC BRAIN INJURY
TRUST FUND BOARD

for terms expiring on June 30, 2015:

Susan Beth Charlifue of Littleton, Colorado, appointed;

James Pinkney, III of Henderson, Colorado, appointed.

for a term expiring on June 30, 2015:

Deborah A. Boyle of Franktown, Colorado, to serve as a member of the public, reappointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	E	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

HB13-1058 by Representative(s) McCann; also Senator(s) Kerr--Concerning guidelines for the determination of spousal maintenance.

Laid over until Tuesday, April 9, retaining its place on the calendar.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SM13-001.

On motion of Majority Leader Carroll, the Senate adjourned until 9:00 a.m., Tuesday, April 9, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

SENATE JOURNAL

Sixty-ninth General Assembly

STATE OF COLORADO

First Regular Session

91st Legislative Day

Tuesday, April 9, 2013

Prayer

By Senator Scheffel.

Call to Order

By the President at 9:00 a.m.

Pledge

By Senator Crowder.

Roll Call

Present--30

Excused--5, Balmer, Baumgardner, Cadman, Giron, Schwartz.

Present later--4, Baumgardner, Cadman, Giron, Schwartz.

Quorum

The President announced a quorum present.

Reading of Journal

On motion of Senator Marble, reading of the Journal of Monday, April 8, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Judiciary

After consideration on the merits, the Committee recommends that **SB13-227** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 14, line 5, strike "13-____," and substitute "13-227,".

Page 15, after line 13 insert:

"(g) AN ATTORNEY WHO REPRESENTS A COUNTY AND WHO IS APPOINTED BY THE ASSOCIATION THAT REPRESENTS COUNTY HUMAN SERVICES DIRECTORS IN COLORADO;".

Reletter succeeding paragraphs accordingly.

Page 15, line 22, strike "AND".

Page 15, line 24, strike "COUNCIL." and substitute "COUNCIL; AND".

Page 15, after line 24 insert:

"(l) A PERSON WHO IS A SURVIVOR OF A SEXUAL ASSAULT APPOINTED BY A STATEWIDE ORGANIZATION THAT ADVOCATES ON BEHALF OF SEXUAL ASSAULT VICTIMS.".

Judiciary

After consideration on the merits, the Committee recommends that **SB13-216** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Judiciary

After consideration on the merits, the Committee recommends that **SB13-210** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 2, line 5, strike "**criteria.**" and substitute

Page 744	Senate Journal-91st Day-April 9, 2013	
	"criteria - definitions."	1
	Page 3, strike lines 9 and 10.	2
	Reletter succeeding paragraphs accordingly.	3
	Page 3, after line 22 insert:	4
	"(4) FOR PURPOSES OF THIS SECTION, "CORRECTIONS OFFICER"	5
	MEANS AN EMPLOYEE OF THE DEPARTMENT OF CORRECTIONS WHO IS	6
	SUBJECT TO THE EXEMPTION IN 9 U.S.C.A. SEC. 207 (k)."	7
	Page 3, line 24, strike "and (1) (r)".	8
	Page 4, line 1, strike "SYSTEM; AND" and substitute "SYSTEM."	9
	Page 4, strike lines 2 through 8.	10
Judiciary	After consideration on the merits, the Committee recommends that SB13-244 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	11
Business, Labor, & Technology	After consideration on the merits, the Committee recommends that SB13-147 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	12
	Amend printed bill, page 2, line 16, strike "AN EMPLOYER" and substitute "A BUYER OF GOODS".	13
	Page 2, line 18, after "EMPLOYEE," insert "WHO IS DELIVERING THE GOODS TO THE BUYER,".	14
	Page 2, line 19, strike "EMPLOYER'S" and substitute "BUYER'S" and after the period add "NOTHING IN THIS SUBPARAGRAPH (II) CREATES A PRESUMPTION OF A STATUTORY EMPLOYER-EMPLOYEE RELATIONSHIP WHEN AN INJURY OCCURS ON THE BUYER'S PREMISES."	15
State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that SB13-252 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	16
	Amend printed bill, page 2, line 4, strike "(1) (c) (V) (D),".	17
	Page 2, line 5, before "(f)" insert "(c) (VII) (A), (1)".	18
	Page 2, line 6, strike "(V.5)" and substitute "(V.5), (1) (c) (X),"	19
	Page 3, line 16, strike "ARE" and substitute "IS".	20
	Page 4, line 12, after "TO" insert "ELECTRICITY GENERATED BY".	21
	Page 5, line 26, strike "(I) AND" and substitute "(I),".	22
	Page 5, line 27, strike "(V)" and substitute "(V), AND SUBPARAGRAPH (V.5)".	23
	Page 6, line 1, change the period to a semicolon and add "EXCEPT THAT THIS SUB-SUBPARAGRAPH (A) DOES NOT APPLY TO A QUALIFYING RETAIL UTILITY THAT IS A MUNICIPAL UTILITY."	24
	Page 6, strike lines 16 through 18.	25
	Page 7, after line 1 insert:	26

"(VII) (A) For purposes of compliance with the standards set forth in ~~subparagraph~~ SUBPARAGRAPHS (V) AND (V.5) of this paragraph (c), each kilowatt-hour of renewable electricity generated from solar electric generation technologies shall be counted as three kilowatt-hours.

(X) OF THE MINIMUM AMOUNTS OF ELECTRICITY REQUIRED TO BE GENERATED OR CAUSED TO BE GENERATED BY QUALIFYING RETAIL UTILITIES IN ACCORDANCE WITH SUBPARAGRAPH (V.5) AND SUB-SUBPARAGRAPH (D) OF SUBPARAGRAPH (V) OF THIS PARAGRAPH (c), ONE-TENTH, OR ONE PERCENT OF TOTAL RETAIL ELECTRICITY SALES, MUST BE FROM DISTRIBUTED GENERATION; EXCEPT THAT THIS SUBPARAGRAPH (X) DOES NOT APPLY TO A QUALIFYING RETAIL UTILITY THAT IS A MUNICIPAL UTILITY."

Page 7, strike lines 10 and 11 and substitute "a maximum retail rate impact for this section FOR COMPLIANCE WITH THE ELECTRIC RESOURCE STANDARDS of two percent of the total electric bill"

Page 8, line 5, change the comma to a period.

Page 8, strike lines 6 through 10 and substitute "If, AND TO THE EXTENT THAT, THE PURCHASE OF ENERGY GENERATED FROM ELIGIBLE ENERGY RESOURCES BY A COLORADO MEMBER FROM A QUALIFYING WHOLESALE UTILITY WOULD CAUSE AN INCREASE IN RATES FOR THE COLORADO MEMBER THAT EXCEEDS THE RETAIL RATE IMPACT LIMITATION IN SUB-SUBPARAGRAPH (A) OF SUBPARAGRAPH (IV) OF PARAGRAPH (g) OF SUBSECTION (1) OF THIS SECTION, THE OBLIGATION IMPOSED ON THE QUALIFYING WHOLESALE UTILITY IS REDUCED BY THE AMOUNT OF SUCH ENERGY NECESSARY TO ENABLE THE COLORADO MEMBER TO COMPLY WITH THE RATE IMPACT LIMITATION."

SENATE SERVICES REPORT

- Correctly Printed: SJR13-027.
- Correctly Engrossed: SB13-040, 073, 208, 220, 226, 246 and 249.
- Correctly Revised: HB13-1039, 1047 and 1095.
- Correctly Rerevised: HB13-1123, 1179, 1204, 1208, 1237, 1243 and 1258.
- Correctly Enrolled: SB13-048, 070, 076, 149, 157, 186 and 199.

MESSAGE FROM THE HOUSE

April 8, 2013

Mr. President:

The Speaker has appointed Representatives Levy, chairman, Duran, and Gerou as House conferees on the First Conference Committee on SB13-230. The House has granted authorization to go beyond the scope of the differences.

The Speaker has appointed Representatives Gerou, chairman, Levy, and Duran as House conferees on the First Conference Committee on SB13-234.

The Speaker has appointed Representatives Levy, chairman, Duran, and Gerou as House conferees on the First Conference Committee on SB13-236.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of Memorials.

CONSIDERATION OF MEMORIALS

SM13-003 by Senator(s) Guzman, Steadman; --Memorializing former Senator Paul J. Sandoval.

On motion of Senator Guzman, the memorial was read at length.

On motion of Majority Leader Carroll, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, the rules were suspended to allow a former Representative who is also a current registered lobbyist to enter the Senate chamber and also to speak in the well.

Senate in recess. Senate reconvened.

On motion of Senator Guzman, the memorial was adopted by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	E	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Brophy, Cadman, Carroll, Crowder, Giron, Grantham, Harvey, Heath, Hill, Hodge, Hudak, Jahn, Johnston, Jones, Kefalas, Kerr, King, Lambert, Lundberg, Marble, Morse, Newell, Nicholson, Renfroe, Roberts, Scheffel, Schwartz, Tochtrop, Todd and Ulibarri.

Senate in recess. Senate reconvened.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of Resolutions.

CONSIDERATION OF RESOLUTIONS

SJR13-027 by Senator(s) Giron; --Concerning the designation of April 9, 2013, as "Equal Pay Day" in Colorado, and, in connection therewith, acknowledging the persisting problem of wage disparity among various groups.

On motion of Senator Giron, the resolution was adopted by the following roll call vote:

YES	31	NO	3	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	E	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	N	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Co-sponsor(s) added: Aguilar, Carroll, Guzman, Heath, Hodge, Hudak, Johnston, Jones, Kefalas, Kerr, Morse, Newell, Nicholson, Schwartz, Steadman, Tochtrop, Todd and Ulibarri.

SJR13-021 by Senator(s) Aguilar; also Representative(s) Ginal--Concerning the creation of an interim committee to study ways to create a comprehensive health care system for all Coloradans.

Laid over until Friday, April 12, 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:

SB13-249 by Senator(s) Tochtrop; also Representative(s) Williams--Concerning procedures regarding independent medical examiners' reports in workers' compensation cases.

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	Kefalas	Y	Roberts	Y
Balmer	E	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

SB13-246 by Senator(s) Lambert, Hodge, Steadman; also Representative(s) Levy, Duran, Gerou--Concerning creation of a task force to study discovery costs in criminal cases.

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	Kefalas	Y	Roberts	Y
Balmer	E	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Guzman and King.

SB13-226 by Senator(s) Balmer and Guzman; also Representative(s) Court and Coram--Concerning the creation of the "Dog Protection Act".

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	Kefalas	Y	Roberts	Y
Balmer	E	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Giron, Jahn, Jones, Kefalas, King, Lundberg, Newell, Tochtrop and Todd.

HB13-1095 by Representative(s) Stephens; also Senator(s) Marble--Concerning participation in extracurricular school activities by students enrolled in nonpublic home-based educational programs.

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	Kefalas	Y	Roberts	Y
Balmer	E	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Grantham, Jahn, Kefalas, King, Lambert, Lundberg, Roberts, Scheffel and Todd.

HB13-1047 by Representative(s) Schafer; also Senator(s) Todd--Concerning clarifying that, if a student chooses to participate in an activity at a public school other than the student's school of attendance, the school district in which the student chooses to participate shall choose the public school at which the student participates.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	27	NO	7	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	E	Harvey	N	Kerr	Y	Scheffel	Y
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	Y	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

SB13-040 by Senator(s) Crowder; also Representative(s) Vigil--Concerning the completion of the cemetery expansion project at the Homelake military veterans cemetery, and, in connection therewith, making an appropriation.

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	Kefalas	Y	Roberts	Y
Balmer	E	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Brophy, Cadman, Giron, Grantham, Heath, Jahn, Jones, Kerr, King, Lambert, Morse, Newell, Scheffel, Schwartz, Tochtrop and Todd.

SB13-073 by Senator(s) Brophy, Baumgardner, Roberts; also Representative(s) Sonnenberg--Concerning a requirement that the division of administration of the department of public health and environment follow rule-making procedures when proposing changes to general permits related to water quality control.

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	Kefalas	Y	Roberts	Y
Balmer	E	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Cadman, Crowder, Grantham, King, Lambert and Lundberg.

HB13-1039 by Representative(s) Court, Coram, Williams; also Senator(s) Todd--Concerning additional sources of moneys to be credited to the legislative department cash fund.

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	Kefalas	Y	Roberts	Y
Balmer	E	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

NOTICE OF INTENT TO MOVE FOR RECONSIDERATION OF SB13-226

Majority Leader Carroll gave notice of intent to reconsider SB13-226.

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:

SB13-220 by Senator(s) Nicholson; also Representative(s) Fields--Concerning adding emergency medical service providers to the list of persons who must report possible instances of child abuse.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	22	NO	12	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	E	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Carroll, Giron, Guzman, Heath, Hudak, Jones, Kefalas, Kerr, Morse, Newell, Schwartz, Tochtrop and Todd.

SB13-208 by Senator(s) Steadman, Aguilar, Guzman, Hudak, Nicholson, Ulibarri; also Representative(s) May--Concerning limitations on drug paraphernalia laws.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	28	NO	6	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	E	Harvey	Y	Kerr	Y	Scheffel	N
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Committee of the Whole On motion of Senator Aguilar, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills and Senator Aguilar was called to the Chair to act as Chairman.

GENERAL 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:

SB13-200 by Senator(s) Aguilar, Kefalas; also Representative(s) Ferrandino--Concerning an increase in the income eligibility for certain optional groups in the medicaid program to one hundred thirty-three percent of the federal poverty line.

Laid over until Friday, April 12, retaining its place on the calendar.

SB13-204 by Senator(s) Aguilar; also Representative(s) Primavera and Young--Concerning the addition of two members to the Colorado state board of chiropractic examiners.

Laid over until Friday, April 12, retaining its place on the calendar.

Page 752	Senate Journal-91st Day-April 9, 2013	
SB13-193	by Senator(s) Hudak, Todd, Giron, Heath, Kerr, Ulibarri; also Representative(s) Kraft-Tharp--Concerning increasing parent engagement in public schools.	1
	<u>Amendment No. 1, Education Committee Amendment.</u>	2
	(Printed in Senate Journal, March 1, page(s) 365-366 and placed in members' bill files.)	3
	<u>Amendment No. 2, Appropriations Committee Amendment.</u>	4
	(Printed in Senate Journal, April 5, page(s) 714 and placed in members' bill files.)	5
	As amended, ordered engrossed and placed on the calendar for third reading and final passage.	6
SB13-148	by Senator(s) Kefalas and Roberts, Newell; also Representative(s) Peniston and Navarro--Concerning continuation of the Colorado youth advisory council.	7
	<u>Amendment No. 1(L.003), by Senator Kefalas.</u>	8
	Amend printed bill, page 2, before line 1 insert:	9
	" SECTION 1. In Colorado Revised Statutes, amend 2-2-1302	10
	as follows:	11
	2-2-1302. Colorado youth advisory council - creation - purpose. (1) There is hereby created in the legislative branch the Colorado youth advisory council to examine, evaluate, and discuss the issues, interests, and needs affecting Colorado youth now and in the future and to formally advise and make recommendations to elected officials regarding those issues. The issues may include, but need not be limited to:	12
	(a) Education AND SKILL DEVELOPMENT;	13
	(b) Employment and economic opportunities EDUCATIONAL OPPORTUNITIES, INCLUDING INCREASED ACCESSIBILITY TO OPPORTUNITIES FOR YOUTH IN RURAL COMMUNITIES;	14
	(c) Access to state and local government services;	15
	(d) The environment;	16
	(e) Behavioral and physical health, INCLUDING SUICIDE PREVENTION;	17
	(f) Safe environments for youth, INCLUDING PREVENTING BULLYING;	18
	(g) Substance abuse;	19
	(h) Driver's license requirements;	20
	(h) Poverty; and	21
	(i) Increased youth participation in state and local government.	22
	SECTION 2. In Colorado Revised Statutes, amend 2-2-1303 as follows:	23
	2-2-1303. Membership - selection - terms. (1) The council shall consist of forty-four members as follows:	24
	(a) Four nonvoting legislative members, two of whom shall be members of the house of representatives and two of whom shall be members of the senate; and	25
	(b) Thirty-five voting members representing each of the senate districts in the state and five at-large members. THE FIVE AT-LARGE MEMBERS MUST BE SELECTED TO HELP ENSURE DIVERSITY ON THE COUNCIL, WITH AN EXPRESS CONCERN FOR ADEQUATE RURAL REPRESENTATION. Members described in this paragraph (b) shall meet the following qualifications at the time of appointment:	26
	(I) Be at least fourteen years of age but not older than nineteen years of age; and	27
	(II) Be enrolled in and attending a Colorado junior high, middle, or high school, including an on-line OR CHARTER school OR APPROVED FACILITY SCHOOL AS DEFINED IN SECTION 22-2-402, C.R.S.; participating in a nonpublic, home-based educational program; participating in a general equivalency degree program; or have obtained a high school or general equivalency diploma.	28
	(2) (a) Nonlegislative council members shall be appointed as follows:	29
	(I) On or before September 1, 2008, each senator elected to	30

~~represent a senatorial district in the state shall appoint one nonlegislative council member from his or her district.~~

~~(II) On or before September 1, 2008, the speaker of the house of representatives shall appoint the five at-large nonlegislative members. The five at-large members shall be selected to help ensure diversity on the council, with an express concern for adequate rural representation.~~

~~(III) (A) On or before September 1, 2009 MAY 31, 2014, and on or before September 1 MAY 31 each year thereafter, the council members shall approve subsequent appointments to the council by a majority vote. A youth who meets the criteria set forth in subsection (1) of this section may apply to the council to be considered for participation in the council.~~

~~(B) No later than January 1, 2009, The council shall develop UTILIZE an application process to facilitate council appointments, including the content and availability of the application form, additional selection criteria, and an application review process.~~

~~(IV) Every effort shall be made to create a council that represents the racial, ethnic, geographic, socioeconomic, cultural, religious, physical, and educational diversity of the YOUTH OF THE state.~~

~~(b) Legislative members of the council shall be appointed as follows:~~

~~(I) On or before September 1, 2008 DECEMBER 15, 2014, and on or before September 1 DECEMBER 15 every two years thereafter, the speaker and minority leader of the house of representatives shall each appoint one member from the house of representatives; and~~

~~(II) On or before September 1, 2008 DECEMBER 15, 2014, and on or before September 1 DECEMBER 15 every two years thereafter, the president and minority leader of the senate shall each appoint one member from the senate.~~

~~(3) Except for the members initially appointed, Council members shall serve two-year terms and, if eligible, may be reappointed SELECTED for a subsequent two-year term. One-half of the initial members shall be appointed to one-year terms, and the other half of the initial members shall be appointed to two-year terms. In all cases, every effort shall be made to maintain or expand the diversity of the council.~~

~~(4) The council shall elect two co-chairs and two vice-chairs at its first meeting and annually thereafter. One of the co-chairs and one of the vice-chairs shall be legislative members, TO BE ELECTED AT THE FIRST COUNCIL MEETING AFTER DECEMBER 15. The other co-chair and the other vice-chair shall be nonlegislative members, TO BE ELECTED AT THE FIRST MEETING FOLLOWING THE ANNUAL MAY 31 APPOINTMENT OF NEW NONLEGISLATIVE MEMBERS. The co-chairs and vice-chairs shall serve for terms of one year. A vacancy on the council shall be filled through a vote of the members for the remainder of the unexpired term. Vacancies of nonlegislative members on the council shall be filled pursuant to the application process described in subparagraph (III) of paragraph (a) of subsection (2) of this section for biennial appointments. Vacancies of legislative members shall be filled by the appointing authority. Vacancies of nonlegislative members on the council who are not designated as at-large members shall be filled by a youth coming from the same senate district as the departing nonlegislative member.~~

~~(5) Subject to available appropriations, LEGISLATIVE members of the council shall be compensated for attendance at meetings of the council in the same manner as is provided in section 2-2-307 for legislative members attending meetings during the legislative interim. All expenditures incurred by the council shall be approved by the chair of the legislative council and paid for by vouchers and warrants drawn as provided by law from moneys allocated to the legislative council for legislative committees from appropriations made by the general assembly or from the youth advisory council cash fund created in section 2-2-1306.~~

~~SECTION 3. In Colorado Revised Statutes, 2-2-1304, repeal (2) (a) as follows:~~

~~**2-2-1304. Duties - meetings - community outreach - designation of organization to accept donations - authority to contract.** (2) (a) The four legislative members shall convene the first meeting of the council on or before October 30, 2008. At the first meeting, the council shall determine the location and time of future meetings, as well as any other procedural issues it deems necessary.~~

SECTION 4. In Colorado Revised Statutes, 2-2-1304, **repeal and reenact, with amendments,** (4) (a) as follows:

2-2-1304. Duties - meetings - community outreach - designation of organization to accept donations - authority to contract.

(4) (a) ON OR BEFORE SEPTEMBER 1, 2013, AND EVERY SEPTEMBER 1 THEREAFTER, THE COUNCIL SHALL, IN CONJUNCTION WITH THE DIRECTOR OF THE LEGISLATIVE COUNCIL, USE A REQUEST FOR PROPOSAL PROCESS TO CONTRACT WITH AND DESIGNATE ONE OR MORE NONPROFIT ORGANIZATIONS TO PROVIDE STAFFING AND OPERATIONAL ASSISTANCE AND TO SERVE AS THE CUSTODIAN OF MONEYS DONATED TO THE COUNCIL THROUGH THE DESIGNATED ORGANIZATION. THE DESIGNATED ORGANIZATION SHALL NOT BE THE CUSTODIAN OF ANY MONEYS APPROPRIATED BY THE STATE AND CREDITED TO THE FUND CREATED IN SECTION 2-2-1306. THE DESIGNATED ORGANIZATION IS AUTHORIZED TO EXPEND ANY MONEYS IT RECEIVES AS IS NECESSARY FOR THE OPERATION OF THE COUNCIL AND MAY SOLICIT AND ACCEPT MONETARY AND IN-KIND GIFTS, GRANTS, AND DONATIONS USED TO FURTHER THE COUNCIL'S DUTIES AND RESPONSIBILITIES. ANY SUCH MONEYS DONATED OR AWARDED TO THE DESIGNATED ORGANIZATION FOR THE BENEFIT OF THE COUNCIL ARE NOT SUBJECT TO APPROPRIATION BY THE GENERAL ASSEMBLY. ANY SUCH MONEYS OBTAINED BY THE COUNCIL OR THE DESIGNATED ORGANIZATION AND NOT IN THE FUND THAT ARE UNEXPENDED AND UNENCUMBERED AT THE TIME THE COUNCIL IS DISSOLVED SHALL BE DISTRIBUTED ACCORDING TO APPROPRIATE FEDERAL AND STATE LAWS GOVERNING NONPROFIT ORGANIZATIONS. IF A DIFFERENT NONPROFIT OR PRIVATE ORGANIZATION IS SUBSEQUENTLY DESIGNATED AS THE CUSTODIAN OF DONATED MONEYS IN ACCORDANCE WITH THIS PARAGRAPH (a), ANY MONEYS THAT ARE UNEXPENDED AND UNENCUMBERED AT THE TIME OF THE CHANGE IN DESIGNATION SHALL BE PROMPTLY TRANSFERRED BY THE PREVIOUSLY DESIGNATED ORGANIZATION TO THE NEWLY DESIGNATED ORGANIZATION.

SECTION 5. In Colorado Revised Statutes, **amend** 2-2-1305 as follows:

2-2-1305. Reporting requirements. On or before ~~January 30, 2009~~ APRIL 30, 2014, and on or before ~~January 30~~ APRIL 30 each year thereafter, the council shall make joint reports to legislative committees of the senate and the house of representatives as appropriate. The reports shall include, at a minimum, a summary of the council's recommendations concerning key issues for youth for the current legislative session and ~~beginning January 30, 2010,~~ a summary of the council's work during the previous legislative session and interim."

Renumber succeeding sections accordingly.

Page 2, strike lines 10 through 27.

Page 3, strike lines 1 through 8.

Renumber succeeding section accordingly.

Amendment No. 2(L.002), by Senator Roberts.

Amend printed bill, page 2, line 2, strike "(V)" and substitute "(V); and **add** (3) (ee) (V)".

Page 2, after line 8 insert:

"(ee) July 1, 2018:
(V) THE COLORADO YOUTH ADVISORY COUNCIL CREATED IN SECTION 2-2-1302."

Page 2, strike line 9 and substitute:

"SECTION 2. In Colorado Revised Statutes, **amend** 2-2-1307 as follows:

2-2-1307. Repeal of part. This part 13 is repealed, effective July 1, ~~2013~~ 2018. Prior to the repeal of this part 13, the council shall be reviewed as provided for in section 2-3-1203.".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB13-082 by Senator(s) Nicholson and Roberts; also Representative(s) Levy--Concerning the creation of a permanent interim committee of the general assembly to review matters relating to wildfires in the state.

Amendment No. 1, Local Government Committee Amendment.
(Printed in Senate Journal, February 13, page(s) 227 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Aguilar, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	E	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB13-193 as amended, SB13-148 as amended, SB13-082 as amended.

Laid over until Friday, April 12: SB13-200, SB13-204.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Tuesday, April 9 was laid over until Wednesday, April 10, retaining its place on the calendar.

General Orders -- Second Reading of Bills: SB13-166, SB13-170, SB13-047, SB13-111, SCR13-002, HB13-1077, SB13-223.
Consideration of House Amendments to Senate Bills: SB13-077.
Conference Committees to Report: SB13-230, SB13-234, SB13-236.

MESSAGE FROM THE HOUSE

April 9, 2013

Mr. President:

The House has postponed indefinitely SB13-165. The bill is returned herewith.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1252.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1193, amended as printed in House Journal, April 8, page 840.
HB13-1230, amended as printed in House Journal, April 8, pages 840-844.
HB13-1266, amended as printed in House Journal, April 8, page 845.
HB13-1142, amended as printed in House Journal, April 8, pages 845 and 850.
HB13-1269, amended as printed in House Journal, April 8, pages 848-850.
HB13-1244, amended as printed in House Journal, April 8, page 850.

The House has passed on Third Reading and returns herewith SB13-181.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB13-119, amended as printed in House Journal, April 8, pages 850-851.
SB13-019, amended as printed in House Journal, April 8, page 851.

The House has voted to concur in the Senate amendments to HB13-1074, 1223 1025 and has repassed the bills as so amended.

MESSAGE FROM THE REVISOR OF STATUTES

April 9, 2013

We herewith transmit:

Without comment, HB13-1252.
Without comment, as amended, HB13-1142, 1193, 1230, 1244, 1266, and 1269.
Without comment, as amended, SB13-019 and 119.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB13-013, 018, 058, 071, 139, 184 and 192, HB13-1060, 1147.

MESSAGE FROM THE GOVERNOR

April 8, 2013

To the Honorable Senate
Sixty-Ninth General Assembly
First Regular Session
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

SB13-005: CONCERNING DESIGNATING FORT CARSON POLICE OFFICERS AS PEACE OFFICERS.

Approved April 8, 2013 at 10:44 a.m.

SB13-030: CONCERNING AN ADDITIONAL REVIEW OF RULES
PROMULGATED PURSUANT TO THE "STATE ADMINISTRATIVE PROCEDURE
ACT" BY COMMITTEES OF REFERENCE OF THE GENERAL ASSEMBLY.

Approved April 8, 2013 at 10:45 a.m.

SB13-041: CONCERNING THE PROTECTION OF STORED WATER, AND, IN
CONNECTION THEREWITH, PRESERVING SUPPLIES FOR DROUGHT AND
LONG-TERM NEEDS.

Approved April 8, 2013 at 10:45 a.m.

SB13-053: CONCERNING ESTABLISHING A PROCEDURE BETWEEN THE
DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF HIGHER
EDUCATION THAT ALLOWS FOR THE TRANSFER OF AVAILABLE STUDENT
DATA RELEVANT TO THE TRANSITION FROM HIGH SCHOOL TO THE
POSTSECONDARY SYSTEM.

Approved April 8, 2013 at 10:45 a.m.

SB13-059: CONCERNING THE ABILITY OF A PEACE OFFICER TO OBTAIN AN
ALCOHOL BEVERAGE LICENSE.

Approved April 8, 2013 at 10:46 a.m.

SB13-081: CONCERNING VEHICLE REGISTRATION.

Approved April 8, 2013 at 10:47 a.m.

SB13-108: CONCERNING ADJUSTMENTS IN THE AMOUNT OF TOTAL
PROGRAM FUNDING FOR PUBLIC SCHOOLS FOR THE 2012-13 BUDGET YEAR,
AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved April 8, 2013 at 10:48 a.m.

SB13-116: CONCERNING THE AUTHORITY OF FORENSIC PSYCHOLOGISTS
TO CONDUCT MENTAL HEALTH EVALUATIONS UNDER ARTICLE 8 OF TITLE
16, COLORADO REVISED STATUTES.

Approved April 8, 2013 at 10:47 a.m.

Sincerely,
(signed)
John W. Hickenlooper
Governor

Senate in recess. Senate reconvened.

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

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SB13-255	by Senator(s) Kefalas and Newell, Morse; also Representative(s) May and Singer--	6
	Concerning child fatality review teams, and, in connection therewith, increasing the	7
	capacity and resources and clarifying the responsibilities and processes of state and local	8
	child fatality review teams in the departments of public health and environment and human	9
	services.	10
	Health & Human Services	11
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SB13-256	by Senator(s) Hill, Johnston; also Representative(s) Nordberg, Moreno--Concerning	14
	authorization for any county or city and county to elect to use an alternate property tax	15
	valuation protest and appeal procedure previously created for the city and county of	16
	Denver.	17
	Finance	18
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SB13-257	by Senator(s) King and Tochtrop, Guzman, Hill; also Representative(s) Ryden, Nordberg,	21
	Williams--Concerning exemptions from the motor vehicle emissions inspection program.	22
	Transportation	23
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SB13-258	by Senator(s) Hodge; also Representative(s) Moreno--Concerning a clarification that each	26
	application included in the definition of development permit constitutes a stage in the	27
	development permit approval process.	28
	Local Government	29
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SB13-259	by Senator(s) Newell; also Representative(s) Melton--Concerning the regulation of private	32
	investigators by the department of regulatory agencies.	33
	Judiciary	34
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SB13-260	by Senator(s) Hudak and Steadman; also Representative(s) Hamner--Concerning the	37
	financing of public schools, and, in connection therewith, making an appropriation.	38
	Education	39
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HB13-1031	by Representative(s) Gerou, Levy; also Senator(s) Nicholson and Roberts--Concerning	42
	statewide all-hazards resource mobilization, and, in connection therewith, clarifying the	43
	powers and duties of the department of public safety with respect to the statewide all-	44
	hazards resource mobilization plan, specifying how mobilized entities receive	45
	reimbursement for expenses incurred by rendering assistance, and making an appropriation.	46
	Agriculture, Natural Resources, & Energy	47
		48
		49
HB13-1042	by Representative(s) Kagan; also Senator(s) Guzman--Concerning a state income tax	50
	deduction for a taxpayer who is prohibited from claiming a federal income tax deduction by	51
	section 280E of the internal revenue code because marijuana is a controlled substance	52
	under federal law, and, in connection therewith, making an appropriation.	53
	Finance	54
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HB13-1044	by Representative(s) Fischer; also Senator(s) Schwartz--Concerning the authorization of the	57
	use of graywater, and, in connection therewith, making an appropriation.	58
	Agriculture, Natural Resources, & Energy	59
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HB13-1056	by Representative(s) Wilson; also Senator(s) Giron--Concerning the creation of the	62
	advanced placement incentives pilot program, and, in connection therewith, making an	63
	appropriation.	64
	Education	65
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- HB13-1079** by Representative(s) Tyler; also Senator(s) Newell--Concerning the creation of the joint technology committee of the senate and house of representatives, and, in connection therewith, making an appropriation.
Business, Labor, & Technology
- HB13-1080** by Representative(s) Holbert and Kraft-Tharp, Priola, Lawrence, McNulty, Murray, Swalm; also Senator(s) Harvey, Renfroe, Scheffel--Concerning modifications to the Colorado aircraft manufacturer new employee income tax credit.
Finance
- HB13-1114** by Representative(s) Waller and Fields; also Senator(s) King--Concerning penalties for persons who drive while under the influence of alcohol or drugs, and, in connection therewith, making an appropriation.
Judiciary
- HB13-1129** by Representative(s) Pettersen; also Senator(s) Newell--Concerning creating the evidence-based practices implementation for capacity resource center, and, in connection therewith, making an appropriation.
Judiciary
- HB13-1156** by Representative(s) Levy; also Senator(s) Steadman--Concerning creation of an adult diversion program, and, in connection therewith, making an appropriation.
Judiciary
- HB13-1171** by Representative(s) Primavera, McCann, Melton, Ryden, Schafer, Singer, Tyler; also Senator(s) Todd, Aguilar, Giron, Guzman, Hudak, Jahn, Kefalas, Newell--Concerning the use of epinephrine auto-injectors in emergency situations in school settings, and, in connection therewith, making an appropriation.
Health & Human Services
- HB13-1193** by Representative(s) Kraft-Tharp and McLachlan; also Senator(s) Jahn and Roberts--Concerning the creation of the advanced industries export acceleration program.
Business, Labor, & Technology
- HB13-1206** by Representative(s) DelGrosso, Holbert, Buck, Everett, Gardner, Lawrence, Murray, Nordberg, Saine, Swalm, Waller, Hullinghorst, McNulty, Pabon, Priola, Young; also Senator(s) Scheffel, Baumgardner, Jahn, Renfroe, Cadman, Kefalas, Lundberg--Concerning the expansion of a local government's ability to enter into a business incentive agreement with a taxpayer.
State, Veterans, & Military Affairs
- HB13-1215** by Representative(s) Peniston, Court, Fields, Labuda, McCann, Singer, Young; also Senator(s) Tochtrop--Concerning restricting access by minors to artificial tanning devices.
Health & Human Services
- HB13-1230** by Representative(s) Williams and Pabon, Buckner, Court, Hullinghorst, Melton, Pettersen, Salazar; also Senator(s) Guzman--Concerning compensation for persons who are exonerated of their crimes after a period of incarceration, and, in connection therewith, making an appropriation.
Judiciary
- HB13-1235** by Representative(s) Szabo, Fischer, Vigil; also Senator(s) Baumgardner, Giron, Schwartz--Concerning requirements related to the valuation of real property prior to a state agency entering into contracts related to such real property.
State, Veterans, & Military Affairs

- HB13-1244

by Representative(s) Fields and Young; also Senator(s) Hudak--Concerning continuation of the educational success task force, and, in connection therewith, making an appropriation.
Education

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- HB13-1252

by Representative(s) Hamner and Scott; also Senator(s) Jahn and King--Concerning the petroleum cleanup and redevelopment fund.
Agriculture, Natural Resources, & Energy

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- HB13-1266

by Representative(s) McCann and Gardner; also Senator(s) Aguilar--Concerning the alignment of state health insurance laws with the requirements of the federal "Patient Protection and Affordable Care Act".
Health & Human Services

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- HB13-1272

by Representative(s) Hulinghorst; also Senator(s) Steadman--Concerning the modification of a special district's sales and use tax base to make it the same as the state's sales and use tax base.
Finance

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REPORT OF CONFERENCE COMMITTEE

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON HB13-1058

THIS REPORT ADOPTS THE
REREVISED BILL

To the President of the Senate and the
Speaker of the House of Representatives:

Your first conference committee appointed on HB13-1058,
concerning guidelines for the determination of spousal maintenance, has
met and reports that it has agreed upon the following:

That the House accede to the Senate amendments made to the bill
and that the rerevised bill be adopted without change.

Respectfully submitted,

House Committee:	Senate Committee:
(signed)	(signed)
Beth McCann, Chairman	Andy Kerr, Chairman
Claire Levy	Jessie Ulibarri
	Ellen S. Roberts

On motion of Majority Leader Carroll, the Senate adjourned until 9:00 a.m., Wednesday,
April 10, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

92nd Legislative DayWednesday, April 10, 2013

Prayer By the chaplain, Pastor Vern Rempel, First Mennonite Church, Denver.

Call to Order By the President at 9:00 a.m.

Pledge By Senator Crowder.

Roll Call Present--33
Excused--2, Cadman, Scheffel.
Present later--2, Cadman, Scheffel.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Marble, reading of the Journal of Tuesday, April 9, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Local Government After consideration on the merits, the Committee recommends that **HB13-1036** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reegrossed bill, page 4, line 1, strike "PUBLISHED," and substitute "POSTED,".

Page 4, line 17, strike "AN ORDINANCE" and substitute "A RESOLUTION".

Page 4, line 18, strike "FILE A CERTIFIED COPY OF THE ORDINANCE" and substitute "RECORD A CERTIFIED COPY OF THE RESOLUTION".

Local Government After consideration on the merits, the Committee recommends that **HB13-1250** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend reengrossed bill, page 4, strike lines 7 and 8 and substitute "~~the same shall be collected by the county treasurer as delinquent taxes~~ SHALL FILE A LIEN ON THE PROPERTY. THE LIEN'S PRIORITY IS BASED UPON THE DATE OF RECORDING IN ACCORDANCE WITH ARTICLE 35 OF TITLE 38, C.R.S. The board of county".

Local Government	The Committee on <u>Local Government</u> has had under consideration and has had a hearing on the following appointment and recommends that the appointment be confirmed:	1 2 3 4 5 6 7 8 9
	<p style="text-align: center;"><u>MEMBER OF THE STATE HOUSING BOARD</u></p>	10 11 12 13
	for a term expiring January 31, 2015:	14 15 16 17
	Barbara Cleland of Aurora, Colorado, to serve as a member from the Sixth Congressional District and as a Republican, appointed.	18 19 20 21
Finance	After consideration on the merits, the Committee recommends that SB13-206 be referred to the Committee of the Whole with favorable recommendation.	22 23 24 25 26
Finance	After consideration on the merits, the Committee recommends that SB13-221 be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	27 28 29 30 31
Finance	After consideration on the merits, the Committee recommends that HB13-1205 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	32 33 34 35 36 37
Finance	After consideration on the merits, the Committee recommends that SB13-247 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	38 39 40 41 42 43 44 45
	Amend printed bill, page 3, line 19, strike "NO MONEY".	46 47 48 49 50 51 52
	Page 3, strike lines 20 and 21.	53 54 55 56 57 58 59
	Page 3, line 22, strike "RENDERED.".	60 61 62 63 64 65 66
	Page 5, line 25, after "AND" insert "THEN TO THE LIQUIDATED DEBTS CERTIFIED".	67 68 69 70 71 72 73
Trans- portation	After consideration on the merits, the Committee recommends that SB13-224 be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	74 75 76 77 78 79 80
Trans- portation	After consideration on the merits, the Committee recommends that HB13-1110 be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	81 82 83 84 85 86 87
	<p style="text-align: center;">SENATE SERVICES REPORT</p>	88 89 90 91 92 93 94
	<p>Correctly Printed: SB13-255, 256, 257, 258, 259 and 260. Correctly Engrossed: SB13-082, 148 and 193; SJR13-027; SM13-003. Correctly Reengrossed: SB13-040, 073, 208, 220, 226, 246 and 249. Correctly Rerevised: HB13-1039, 1047 and 1095.</p>	95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545 546 547 548 549 550 551 552 553 554 555 556 557 558 559 560 561 562 563 564 565 566 567 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608 609 610 611 612 613 614 615 616 617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 689 690 691 692 693 694 695 696 697 698 699 700 701 702 703 704 705 706 707 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800 801 802 803 804 805 806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823 824 825 826 827 828 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 862 863 864 865 866 867 868 869 870 871 872 873 874 875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900 901 902 903 904 905 906 907 908 909 910 911 912 913 914 915 916 917 918 919 920 921 922 923 924 925 926 927 928 929 930 931 932 933 934 935 936 937 938 939 940 941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of Memorials.

CONSIDERATION OF MEMORIALS

SM13-002 by Senator(s) Lundberg; --Memorializing former Senator James Michael Roberts.

On motion of Senator Lundberg, the memorial was read at length.

On motion of Majority Leader Carroll, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, the rules were suspended to allow a former Representative to speak in the well.

Senate in recess. Senate reconvened.

Amendment No. 1(L.001), by Senator Lundberg.

Amend printed memorial, page 1, strike line 13 and substitute "degree; and".

Page 2, strikes lines 12 through 14 and substitute:

"WHEREAS, In 1980, Senator Roberts relocated to Loveland, Colorado, where he established a private law practice and served his local community by sitting on the planning commission and library board; and".

The amendment was passed on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

On motion of Senator Lundberg, the memorial, as amended, was adopted by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Co-sponsor(s) added: Aguilar, Balmer, Baumgardner, Brophy, Cadman, Carroll, Crowder, Giron, Grantham, Guzman, Harvey, Heath, Hill, Hodge, Hudak, Jahn, Johnston, Jones, Kefalas, Kerr, King, Lambert, Marble, Morse, Newell, Nicholson, Renfroe, Roberts, Scheffel, Schwartz, Steadman, Tochtrop, Todd and Ulibarri.

Senate in recess. Senate reconvened.

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:

SB13-193 by Senator(s) Hudak, Todd, Giron, Heath, Kerr, Ulibarri; also Representative(s) Kraft-Tharp--Concerning increasing parent engagement in public schools, 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	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Jones, Morse, Newell, Schwartz, Steadman and Tochtrop.

SB13-148 by Senator(s) Kefalas and Roberts, Newell; also Representative(s) Peniston and Navarro--Concerning continuation of the Colorado youth advisory council.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	28	NO	7	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	Y
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Carroll, Giron, Heath, Hudak, Jahn, Johnston, Jones, Kerr, King, Morse, Schwartz, Todd and Ulibarri.

SB13-082 by Senator(s) Nicholson and Roberts; also Representative(s) Levy--Concerning the creation of a permanent interim committee of the general assembly to review matters relating to wildfires in the state.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	27	NO	8	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	N	Lambert	N	Steadman	N
Cadman	Y	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Carroll, Giron, Guzman, Heath, Hudak, Jahn, Kefalas, Kerr, King, Newell, Schwartz, Todd and Ulibarri.

RECONSIDERATION OF SB13-193

SB13-193 by Senator(s) Hudak, Todd, Giron, Heath, Kerr, Ulibarri; also Representative(s) Kraft-Tharp--Concerning increasing parent engagement in public schools, and, in connection therewith, making an appropriation.

Having voted on the prevailing side, Majority Leader Carroll moved for reconsideration of the last Senate action, Third Reading of Bills -- Final Passage, on SB13-193.

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

On third reading, the title of the following bill was publicly read, the reading at length having been dispensed with by unanimous consent:

SB13-193
by Senator(s) Hudak, Todd, Giron, Heath, Kerr, Ulibarri; also Representative(s) Kraft-Tharp--Concerning increasing parent engagement in public schools, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	19	NO	16	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	N	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was passed.

Co-sponsor(s) added: Carroll.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for an expression of personal privilege.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Reconsideration of SB13-226.

RECONSIDERATION OF SB13-226

SB13-226
by Senator(s) Balmer and Guzman; also Representative(s) Court and Coram--Concerning the creation of the "Dog Protection Act".

Having voted on the prevailing side, Majority Leader Carroll moved for reconsideration of the last Senate action, Third Reading of Bills -- Final Passage, on SB13-226.

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

On third reading, the title of the following bill was publicly read, the reading at length having been dispensed with by unanimous consent:

SB13-226
by Senator(s) Balmer and Guzman; also Representative(s) Court and Coram--Concerning the creation of the "Dog Protection 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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Steadman.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of House Amendments to Senate Bills.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB13-077 by Senator(s) Roberts; also Representative(s) Pabon--Concerning certain provisions of the Colorado probate code.

Senator Roberts moved that the Senate concur in House amendments to **SB13-077**, as printed in House journal, April 2, page(s) 771-773 The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB13-119 by Senator(s) Jones, Brophy, Harvey, Jahn; also Representative(s) Scott, Swalm, McLachlan, Ryden--Concerning clarification of the requirement for a certificate of taxes due in connection with title insurance.

Senator Jones moved that the Senate concur in House amendments to **SB13-119**, as printed in House journal, April 8, page(s) 850-851. The motion was **adopted** by the following roll call vote:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	N		

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB13-019 by Senator(s) Schwartz; also Representative(s) Fischer--Concerning the promotion of water conservation measures.

Senator Schwartz moved that the Senate concur in House amendments to **SB13-019**, as printed in House journal, April 8, page(s) 851. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Co-sponsor(s) added: Crowder.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of Conference Committee Reports.

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

HB13-1058 by Representative(s) McCann; also Senator(s) Kerr--Concerning guidelines for the determination of spousal maintenance.

Senator Kerr moved for the adoption of the first report of the first conference committee on **HB13-1058**, as printed in Senate journal, April 9, page(s) 760. The motion was **adopted** by the following roll call vote:

YES	30	NO	5	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	N	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	23	NO	12	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Committee of the Whole On motion of Senator Steadman, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Steadman was called to the chair to act as Chairman.

GENERAL 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:

SB13-166 by Senator(s) Aguilar; also Representative(s) Schafer--Concerning the development of standardized rules for use in processing medical claims, and, in connection therewith, extending the deadlines for development and implementation of the standardized rules, authorizing an appropriation of state moneys to help fund the development of the rules, and making an appropriation.

Ordered engrossed and placed on the calendar for third reading and final passage.

SB13-170 by Senator(s) Aguilar; also Representative(s) Gerou--Concerning the sale of uniquely valuable registration numbers for vehicles, and, in connection therewith, making an appropriation.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, February 28, page(s) 358 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 5, page(s) 714-715 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB13-047 by Senator(s) Newell; also Representative(s) Fields--Concerning protections for youth in foster care against identity theft, and, in connection therewith, making an appropriation.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, February 7, page(s) 152-153 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 5, page(s) 715-716 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB13-231 by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou--Concerning the creation of the Title IV-E waiver demonstration project.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, April 8, page(s) 729 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Steadman, 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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB13-166, SB13-170 as amended, SB13-047 as amended, SB13-231 as amended.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Wednesday, April 10 was laid over until Thursday, April 11, retaining its place on the calendar.

General Orders -- Second Reading of Bills: SB13-111, SCR13-002, HB13-1077, SB13-223, SB13-191, SB13-185, SB13-203.
Consideration of Resolutions: SR13-003.
Consideration of Governor's Appointments - Consent Calendar:
Members of the Charter School Institute Board.
Conference Committees to Report: SB13-230, SB13-234, SB13-236.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Wednesday, April 10, 2013, at 10:09 a.m.: SB13-013, 018, 023, 042, 058, 071, 139, 184 and 192.

TRIBUTES

Honoring:

Denver's Civic Center, Recognition for Denver's first National Historic Landmark -- By Senator Lucia Guzman and Representative Crisanta Duran.
Timothy R. Palese, Achieved Eagle Scout -- By Senator Andrew Kerr.
Susan Beth Charlifue, Appointed to Colorado Traumatic Brain Injury Board -- By Senator Andrew Kerr.
Mary Pat Graham-Kelly, Appointed to the Colorado Commission for The Deaf and Hard of Hearing -- By Senator Andrew Kerr.
In recognition of students of Jefferson County Schools for eliminating bullying and school violence through a day of awareness -- By Senator Andrew Kerr.
Tyson Lynn Worrell, Appointed to Colorado Fire and Police Pension Association Board of Directors -- By Senator Andrew Kerr.
Metropolitan State University of Denver Men's Basketball Team, NCAA Regional Champions and Division II Runners-up -- By Senator Lucia Guzman and Representative Crisanta Duran.

On motion of Majority Leader Carroll, the Senate adjourned until 9:00 a.m., Thursday,
April 11, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

93rd Legislative Day Thursday, April 11, 2013

Prayer By the chaplain, Dr. Gene Selander, Crystal Clear Ministries, Denver.

Call to Order By the President at 9:00 a.m.

Pledge By Senator Crowder.

Roll Call Present--35

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Marble, reading of the Journal of Wednesday, April 10, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Judiciary After consideration on the merits, the Committee recommends that **HB13-1236** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend reengrossed bill, page 9, line 12, after "BOND" insert "BY A BAIL BONDING AGENT, AS DEFINED IN SECTION 16-1-104 (3.5)".

Page 16, strike lines 20 through 22 and substitute "ADVISORY BOARD AT LEAST ONE REPRESENTATIVE OF THE BAIL BOND INDUSTRY WHO CONDUCTS BUSINESS IN THE JUDICIAL DISTRICT, WHICH MAY INCLUDE A BAIL BONDSMAN, A BAIL SURETY, OR OTHER DESIGNATED BAIL INDUSTRY REPRESENTATIVE. THE PLAN".

Page 37, after line 3 insert:
"16-4-115. Severability. IF ANY PROVISION OF THIS PART (1) OR THE APPLICATION THEREOF TO ANY PERSON OR CIRCUMSTANCE IS HELD INVALID, SUCH INVALIDITY DOES NOT AFFECT OTHER PROVISIONS OR APPLICATIONS OF THIS PART (1) THAT CAN BE GIVEN EFFECT WITHOUT THE INVALID PROVISION OR APPLICATION, AND TO THIS END THE PROVISIONS OF PART (1) ARE DECLARED TO BE SEVERABLE."

Judiciary After consideration on the merits, the Committee recommends that **SB13-248** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Judiciary After consideration on the merits, the Committee recommends that **SB13-229** be referred to the Committee of the Whole with favorable recommendation.

Judiciary

After consideration on the merits, the Committee recommends that **SB13-251** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

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Amend printed bill, strike everything below the enacting clause and substitute:

"**SECTION 1.** In Colorado Revised Statutes, 42-2-104, **add** (6) as follows:

42-2-104. Licenses issued - denied. (6) THE DEPARTMENT SHALL NOT ISSUE A DRIVER'S LICENSE, MINOR DRIVER'S LICENSE, OR INSTRUCTION PERMIT TO AN INDIVIDUAL WHOSE AUTHORIZATION TO BE PRESENT IN THE UNITED STATES IS TEMPORARY UNLESS THE INDIVIDUAL APPLIES UNDER AND COMPLIES WITH PART 5 OF THIS ARTICLE.

SECTION 2. In Colorado Revised Statutes, 42-2-302, **add** (7) as follows:

42-2-302. Department may issue - limitations. (7) THE DEPARTMENT SHALL NOT ISSUE AN IDENTIFICATION CARD TO AN INDIVIDUAL WHOSE AUTHORIZATION TO BE PRESENT IN THE UNITED STATES IS TEMPORARY UNLESS THE INDIVIDUAL APPLIES UNDER AND COMPLIES WITH PART 5 OF THIS ARTICLE.

SECTION 3. In Colorado Revised Statutes, **add** part 5 of article 2 of title 42 as follows:

PART 5
COLORADO ROAD AND COMMUNITY SAFETY ACT
42-2-501. Short title. THIS PART 5 MAY BE KNOWN AND CITED AS THE "COLORADO ROAD AND COMMUNITY SAFETY ACT".

42-2-502. Legislative declaration. THE PURPOSE OF THIS PART 5 IS TO AUTHORIZE AN INDIVIDUAL TO QUALIFY FOR A DRIVER'S LICENSE, MINOR DRIVER'S LICENSE, INSTRUCTION PERMIT, OR IDENTIFICATION CARD DESPITE THE INDIVIDUAL NOT BEING LAWFULLY PRESENT OR BEING TEMPORARILY LAWFULLY PRESENT IN THE UNITED STATES. THIS PART 5 IS NOT INTENDED TO CHANGE ANY OTHER BASIC REQUIREMENTS OR CONSEQUENCES OF HOLDING THE DOCUMENT UNDER ANY OTHER PROVISION OF LAW. THE SUSPENSION OF DRIVING PRIVILEGES, THE RULES OF THE ROAD, THE NEED TO PASS A DRIVING TEST, AND SIMILAR PROVISIONS ARE NOT BE AFFECTED BY THIS PART 5.

42-2-503. Definitions. AS USED IN THIS PART 5, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "IDENTIFICATION DOCUMENT" MEANS A DRIVER'S LICENSE, MINOR DRIVER'S LICENSE, INSTRUCTION PERMIT, OR IDENTIFICATION CARD ISSUED BY THE DEPARTMENT OF REVENUE UNDER THIS ARTICLE 2.

(2) "PROOF OF RETURN FILING" MEANS THE DOCUMENT ISSUED UNDER 39-21-113 (4) (b), C.R.S., THAT CERTIFIES THAT THE APPLICANT FILED A COLORADO RESIDENT INCOME TAX RETURN.

42-2-504. Applicability. (1) **This part 5.** THIS PART 5 APPLIES TO IDENTIFICATION DOCUMENTS FOR INDIVIDUALS WHO ARE NOT CITIZENS OF THE UNITED STATES AND WHO DO NOT HAVE PERMANENT RESIDENCY STATUS.

(2) **Other provisions.** PARTS 1 TO 4 OF THIS ARTICLE AND ARTICLE 7 OF THIS TITLE APPLY TO IDENTIFICATION DOCUMENTS ISSUED UNDER THIS PART 5, BUT THIS PART 5 SUPERCEDES PARTS 1 TO 4 OF THIS ARTICLE AND ARTICLE 7 OF THIS TITLE FOR IDENTIFICATION DOCUMENTS ISSUED IN ACCORDANCE WITH THIS PART 5.

42-2-505. Identification documents - individuals not lawfully present. (1) **Documents issued.** AN INDIVIDUAL WHO IS NOT LAWFULLY PRESENT MAY APPLY FOR AN IDENTIFICATION DOCUMENT IN ACCORDANCE WITH THIS PART 5. THE DEPARTMENT SHALL ISSUE AN IDENTIFICATION DOCUMENT TO AN APPLICANT WHO:

(a) QUALIFIES FOR THE DOCUMENT APPLIED FOR EXCEPT FOR QUALIFICATIONS THAT CONFLICT WITH THIS SECTION;

(b) PRESENTS PROOF OF RETURN FILING FOR THE IMMEDIATELY PRECEDING YEAR;

(c) DOCUMENTS AN INDIVIDUAL TAXPAYER IDENTIFICATION NUMBER ISSUED BY THE UNITED STATES INTERNAL REVENUE SERVICE; AND

(d) PRESENTS ONE OF THE FOLLOWING FROM THE APPLICANT'S COUNTRY OF ORIGIN:

(I) A PASSPORT;

(II) A CONSULAR IDENTIFICATION CARD; OR

(III) A MILITARY IDENTIFICATION DOCUMENT.

(2) **Document contents.** ON AN IDENTIFICATION DOCUMENT

ISSUED UNDER THIS SECTION, THE DEPARTMENT SHALL PLACE THE PHRASE "NOT REAL ID COMPLIANT" CLEARLY DISPLAYED ON THE FACE.

42-2-506. Identification documents - individuals temporarily lawfully present. (1) AN INDIVIDUAL WHOSE AUTHORITY TO LAWFULLY REMAIN WITHIN THE UNITED STATES IS TEMPORARY MAY APPLY FOR AN IDENTIFICATION DOCUMENT UNDER THIS SECTION. THE DEPARTMENT SHALL ISSUE AN IDENTIFICATION DOCUMENT IF:

- (a) THE INDIVIDUAL:
 - (I) QUALIFIES FOR THE DOCUMENT APPLIED FOR EXCEPT FOR QUALIFICATIONS THAT CONFLICT WITH THIS SECTION; AND
 - (II) PRODUCES DOCUMENTS THAT SATISFY THE DEPARTMENT THAT THE INDIVIDUAL IS LAWFULLY PRESENT IN THE UNITED STATES; AND
- (b) THE FEDERAL GOVERNMENT CONFIRMS THE INDIVIDUAL'S STATUS, INCLUDING ELECTRONICALLY THROUGH THE SAVE OR SOLVE SYSTEMS.

(2) **Document contents.** ON AN IDENTIFICATION DOCUMENT ISSUED UNDER THIS SECTION, THE DEPARTMENT SHALL PLACE THE PHRASE "NOT REAL ID COMPLIANT" CLEARLY DISPLAYED ON THE FACE.

42-2-507. Taxpayer identification document - confidentiality. THE DEPARTMENT SHALL KEEP THE APPLICANT'S INDIVIDUAL TAXPAYER IDENTIFICATION NUMBER CONFIDENTIAL AND SHALL NOT PLACE IT ON THE APPLICANT'S DOCUMENT; EXCEPT THAT THIS CONFIDENTIALITY REQUIREMENT DOES NOT EXTEND TO THE STATE CHILD SUPPORT ENFORCEMENT AGENCY, THE DEPARTMENT, OR A COURT OF COMPETENT JURISDICTION WHEN REQUESTING INFORMATION IN THE COURSE OF ACTIVITIES AUTHORIZED UNDER ARTICLE 13 OF TITLE 26, C.R.S., OR ARTICLE 14 OF TITLE 14, C.R.S.

42-2-508. Fees - rule. THE DEPARTMENT MAY PROMULGATE A RULE IMPOSING AN ADDITIONAL FEE FOR ISSUANCE OF A DOCUMENT ISSUED UNDER THIS PART 5 TO COVER THE DIRECT AND INDIRECT COST OF IMPLEMENTING THIS PART 5.

42-2-509. Renewal. AN IDENTIFICATION DOCUMENT ISSUED UNDER THIS PART 5 EXPIRES THREE YEARS AFTER ISSUANCE. THE HOLDER OF THE DOCUMENT MUST APPLY FOR RENEWAL TO CONTINUE TO HOLD A VALID IDENTIFICATION DOCUMENT.

42-2-510. Peace officers - arrest authority. AN IMMIGRATION STATUS VIOLATION IS A FEDERAL OFFENSE. A PEACE OFFICER IS NOT AUTHORIZED TO ARREST AN INDIVIDUAL MERELY FOR POSSESSING AN IDENTIFICATION DOCUMENT ISSUED UNDER THIS PART 5.

SECTION 4. In Colorado Revised Statutes, **amend** 24-72.1-103 as follows:

24-72.1-103. Identity documents - verifiable. (1) EXCEPT AS PROVIDED IN PART 5 OF ARTICLE 2 OF TITLE 42, C.R.S., a public entity that provides services shall not accept, rely upon, or utilize an identification document to provide services unless it is a secure and verifiable document.

(2) EXCEPT AS PROVIDED IN PART 5 OF ARTICLE 2 OF TITLE 42, C.R.S., a public entity that is issuing an identification card, license, permit, or official document shall not authorize acceptance of an identification document, nor shall a public official acting in an official capacity accept an identification document before issuing such documents, unless such identification document is a secure and verifiable document.

SECTION 5. In Colorado Revised Statutes, 24-76.5-103, **amend** (4) (a) (I) as follows:

24-76.5-103. Verification of lawful presence - exceptions - reporting - rules. (4) An agency or a political subdivision shall verify the lawful presence in the United States of each applicant eighteen years of age or older for federal public benefits or state or local public benefits by requiring the applicant to:

- (a) Produce:
 - (I) A valid Colorado driver's license or a Colorado identification card issued pursuant to UNDER article 2 of title 42, C.R.S., UNLESS THE APPLICANT HOLDS A LICENSE OR CARD ISSUED UNDER PART 5 OF ARTICLE 2 OF TITLE 42; or

SECTION 6. In Colorado Revised Statutes, 39-21-113, **amend** (4) (b) as follows:

39-21-113. Reports and returns - repeal - rule. (4) (b) (I) ~~Nothing in This section shall be construed to~~ DOES NOT prohibit the delivery to a person or his or her duly authorized representative of a copy of any return or report filed in connection with his or her tax. ~~Such copies~~ THE COPY may be certified by the executive

director of the department of revenue or the head of ~~any~~ A group, division, or subordinate department, as appointed by the executive director in accordance with article 35 of title 24, C.R.S., and when so certified ~~shall be~~ is evidence equally with and in like manner as the originals and may be ~~received~~ USED by ~~the courts of this state~~ A COURT as evidence of the contents of the originals.

(II) AN INDIVIDUAL OR HIS OR HER DULY AUTHORIZED REPRESENTATIVE MAY ALSO REQUEST PROOF OF RETURN FILING FOR PARTICULAR TAX YEARS. FOLLOWING REQUEST AND PAYMENT OF THE APPLICABLE FEE, THE DEPARTMENT SHALL PROVIDE PROOF OF RETURN FILING FOR A PERIOD FOR WHICH THE TAXPAYER HAS FILED A RETURN AND REQUESTED PROOF OF RETURN FILING. THE DEPARTMENT SHALL INCLUDE IN THE PROOF OF FILING:

- (A) THE INDIVIDUAL'S NAME;
 (B) THE INDIVIDUAL'S ADDRESS AS SHOWN ON THE MOST RECENTLY FILED RETURN;
 (C) THE DATES OF THE TAX PERIODS OF THE REQUESTED RETURNS;
 AND
 (D) A STATEMENT AS TO WHETHER THE MOST RECENTLY FILED RETURN WAS FILED AS A RESIDENT OF COLORADO, OR, IF A PART-YEAR RESIDENT, THE DATE THE INDIVIDUAL ACQUIRED OR ABANDONED RESIDENCY.

(III) THE DEPARTMENT SHALL PROMULGATE A RULE ESTABLISHING AND CHARGING A FEE FOR THE ISSUANCE OF PROOF OF RETURN FILING. TO BE VALID, THE CHARGE MUST BE BASED ON THE ACTUAL COST OF ISSUING THE PROOF OF RETURN FILING.

SECTION 7. Act subject to petition - effective date - applicability. (1) This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 7, 2013, if adjournment sine die is on May 8, 2013); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2014 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

(2) This act applies to applications submitted on or after January 1, 2014.".

Business,
 Labor, &
 Technology

The Committee on Business, Labor, & Technology has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

MEMBERS OF THE
BOARD OF ASSESSMENT APPEALS

effective July 1, 2012, for a term expiring July 1, 2013:

Brooke Blair Leer of Greenwood Village, Colorado, appointed;

effective July 1, 2012, for a term expiring July 1, 2015:

Diane M. DeVries of Wheat Ridge, Colorado, and occasioned by the resignation of Sondra Mercier of Denver, appointed.

Business,
 Labor, &
 Technology

After consideration on the merits, the Committee recommends that **HB13-1190** be **referred** to the Committee of the Whole with favorable recommendation.

Business,
 Labor, &
 Technology

After consideration on the merits, the Committee recommends that **SB13-240** be **referred** to the Committee of the Whole with favorable recommendation.

Education	After consideration on the merits, the Committee recommends that HB13-1220 be referred to the Committee of the Whole with favorable recommendation.	1 2 3 4
Education	After consideration on the merits, the Committee recommends that SB13-218 be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	5 6 7 8
Health & Human Services	After consideration on the merits, the Committee recommends that SB13-207 be amended as follows, and as so amended, be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	9 10 11 12 13
	Amend printed bill, page 2, line 8, after "HAS" insert "PROVIDED DOCUMENTATION THAT HE OR SHE HAS" and after "ACUDETOK" insert "IN COMPLIANCE WITH PARAGRAPH (d) OF THIS SUBSECTION (3)".	14 15 16 17
	Page 2, after line 24 insert:	18 19
	"(d) IN ORDER TO PERFORM AURICULAR ACUDETOK PURSUANT TO THIS SUBSECTION (3), A MENTAL HEALTH CARE PROFESSIONAL MUST SUCCESSFULLY COMPLETE A TRAINING PROGRAM IN AURICULAR ACUDETOK FOR THE TREATMENT OF ALCOHOLISM, SUBSTANCE ABUSE, OR CHEMICAL DEPENDENCY THAT MEETS OR EXCEEDS STANDARDS OF TRAINING ESTABLISHED BY THE NATIONAL ACUPUNCTURE DETOXIFICATION ASSOCIATION OR ANOTHER ORGANIZATION APPROVED BY THE DIRECTOR."	20 21 22 23 24 25 26 27 28 29
State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that HB13-1152 be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	30 31 32 33 34
State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that SB13-243 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	35 36 37 38 39 40
Agriculture, Natural Resources, & Energy	After consideration on the merits, the Committee recommends that HB13-1105 be referred to the Committee on <u>Finance</u> with favorable recommendation.	41 42 43 44 45
Agriculture, Natural Resources, & Energy	The Committee on <u>Agriculture, Natural Resources, & Energy</u> has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:	46 47 48 49
	MEMBERS OF THE <u>PARKS AND WILDLIFE COMMISSION</u>	50 51 52 53
	for a term expiring July 1, 2013:	54 55
	James C. Pribyl of Boulder, Colorado, as a member at large, appointed;	56 57
	for a term expiring July 1, 2015:	58 59
	William G. Kane of Basalt, Colorado, as a representative of outdoor recreation and utilizes parks resources appointed.	60 61 62 63
Agriculture, Natural Resources, & Energy	After consideration on the merits, the Committee recommends that SB13-241 be amended as follows, and as so amended, be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	64 65 66 67 68
	Amend printed bill, page 6, line 1, after "(1)" insert "(a)".	69

Page 6, after line 14 insert:

"(b) IF A PERSON REGISTERED UNDER THE INDUSTRIAL HEMP REMEDIATION PILOT PROGRAM PRIOR TO THE EFFECTIVE DATE OF THIS ARTICLE APPLIES FOR A REGISTRATION PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (1) WITHIN SIXTY DAYS AFTER THE APPLICATIONS ARE MADE AVAILABLE, THE PERSON MAY CONTINUE TO ENGAGE IN INDUSTRIAL HEMP ACTIVITIES AS AUTHORIZED UNDER THE PILOT PROGRAM UNTIL THE COMMISSIONER MAKES A DETERMINATION ON THE PERSON'S APPLICATION."

Page 10, line 21, strike "AND" and substitute "OR".

Page 10, line 26, after "OF" insert "ONE OF".

Page 11, line 1, strike "THE CONDITIONS HAVE" and substitute "ONE OF THE CONDITIONS HAS".

SENATE SERVICES REPORT

Correctly Engrossed: SB13-047, 166 and 170; SM13-002.
Correctly Reengrossed: SB13-082, 148 and 193.
Correctly Enrolled: SB13-027, 232, 233 and 237; SM13-002 and 003.

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

- SB13-261

by Senator(s) Nicholson; also Representative(s) McCann--Concerning the restructuring of the oral health programs administered by the department of public health and environment, and, in connection therewith, eliminating the oversight of complaints regarding dentists for the dental assistance program for seniors and creating the oral health community grants program.
Health & Human Services
- SB13-262

by Senator(s) Tochtrop, Baumgardner; also Representative(s) Primavera, DelGrosso, Ryden--Concerning the exemption of representative services of enrolled agents from the definition of debt management services.
Business, Labor, & Technology

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of Resolutions.

CONSIDERATION OF RESOLUTIONS

SJR13-026 by Senator(s) Nicholson and Grantham; also Representative(s) Schafer and Gardner, Buck, Buckner, Conti, Coram, Court, DelGrosso, Dore, Duran, Everett, Exum, Ferrandino, Fields, Fischer, Foote, Garcia, Gerou, Ginal, Hamner, Holbert, Hullinghorst, Humphrey, Joshi, Kagan, Kraft-Tharp, Labuda, Landgraf, Lawrence, Lebsock, Lee, Levy, May, McCann, McLachlan, McNulty, Melton, Mitsch Bush, Moreno, Murray, Navarro, Nordberg, Pabon, Peniston, Pettersen, Primavera, Priola, Rankin, Rosenthal, Ryden, Saine, Salazar, Scott, Singer, Sonnenberg, Stephens, Swalm, Szabo, Tyler, Vigil, Waller, Williams, Wilson, Wright, Young--Concerning the declaration of April 7 through 14, 2013, as "Holocaust Awareness Week".

On motion of Senator Grantham, the resolution was read at length and **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	E	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Co-sponsor(s) added: Aguilar, Balmer, Baumgardner, Brophy, Cadman, Carroll, Crowder, Giron, Guzman, Harvey, Heath, Hill, Hodge, Hudak, Jahn, Jones, Kefalas, Kerr, King, Lambert, Lundberg, Marble, Morse, Newell, Renfroe, Roberts, Scheffel, Schwartz, Steadman, Tochtrop, Todd and Ulibarri.

Senate in recess. Senate reconvened.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Conference Committees to Report.

CONFERENCE COMMITTEES TO REPORT

SB13-230 by Senator(s) Steadman, Hodge; also Representative(s) Levy, Duran, Gerou--Concerning the provision for payment of the expenses of the executive, legislative, and judicial departments of the state of Colorado, and of its agencies and institutions, for and during the fiscal year beginning July 1, 2013, except as otherwise noted.

Laid over until Friday, April 12, retaining its place on the calendar.

SENATE RECEDES ON SB13-234

SB13-234 by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Gerou, Duran, Levy--Concerning the state's authority to prepay its obligation for the unfunded accrued liability of old hire pension plans that are affiliated with the fire and police pension association.

Senator Steadman moved that the Senate recede from its position on **SB13-234**. The motion was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	E	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Senator Steadman moved that the Senate concur in House amendments to **SB13-234**, as printed in House journal, April 2, page(s) 794-795. The motion was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	E	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	E	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Co-sponsor(s) added: Brophy, Giron and Guzman.

SENATE RECEDES ON SB13-236

SB13-236 by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou-- Concerning transfers of moneys related to capital construction.

Senator Steadman moved that the Senate recede from its position on **SB13-236**. The motion was **adopted** by the following roll call vote:

YES	32	NO	2	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	N
Brophy	N	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	E	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Senator Steadman moved that the Senate concur in House amendments to **SB13-236**, as printed in House journal, April 2, page(s) 803, and amended on Third Reading, as printed in House Journal, April 5, page(s) 826. The motion was **adopted** by the following roll call vote:

YES	32	NO	2	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	N
Brophy	N	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	E	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	21	NO	12	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	E	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	E	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Thursday, April 11 was laid over until Friday, April 12, retaining its place on the calendar.

Third Reading of Bills -- Final Passage: SB13-166, SB13-170, SB13-047, SB13-231.
General Orders -- Second Reading of Bills -- Consent Calendar: SB13-216, SB13-244.
General Orders -- Second Reading of Bills: SB13-111, SCR13-002, HB13-1077, SB13-223, SB13-191, SB13-185, SB13-203, SB13-147, SB13-252.
Consideration of Resolutions: SR13-003.
Consideration of Governor's Appointments:
Members of the Charter School Institute Board.

MESSAGE FROM THE HOUSE

April 11, 2013
Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes
HB13-1082, amended as printed in House Journal, April 11, pages 893-894.
HB13-1248, amended as printed in House Journal, April 11, page 894.
HB13-1005, amended as printed in House Journal, April 11, page 894.
HB13-1115, amended as printed in House Journal, April 11, pages 894-895.
HB13-1163, amended as printed in House Journal, April 11, page 895.
HB13-1195, amended as printed in House Journal, April 11, page 895.
HB13-1196, amended as printed in House Journal, April 11, pages 895-896.
HB13-1241, amended as printed in House Journal, April 11, page 896.

The House has passed on Third Reading and transmitted to the Revisor of Statutes;
SB13-043, amended as printed in House Journal, April 11, pages 892-893.
SB13-079, amended as printed in House Journal, April 11, page 894.

The House has adopted and returns herewith SJR13-027.

The House has voted not to concur in the Senate amendments to HB13-1204 and requests
that a conference committee be appointed. The Speaker has appointed Representatives
Gardner, chairman, Levy, and McCann as House conferees on the First Conference
Committee on HB13-1204. The bill is transmitted herewith.

The House has adopted and transmits herewith HJR13-1019, and amended as printed in
House Journal, April 11.

The House has voted not to concur in the Senate amendments to HB13-1081 and requests
that a conference committee be appointed. The Speaker has appointed Representatives
Duran, chairman, Ginal, and Stephens as House conferees on the First Conference
Committee on HB13-1081. The bill is transmitted herewith.

MESSAGE FROM THE REVISOR OF STATUTES

April 11, 2013

We herewith transmit:

Without comment, as amended, HB13-1005, 1082, 1163, 1195, 1196, 1241, and 1248.
Without comment, as amended, SB13-043 and 079.
With comment, as amended, HB13-1115.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB13-1039, 1179, 1208, 1237, 1243; HJR13-1017.

MESSAGE FROM THE GOVERNOR

Appointment A letter of designation and appointment from Governor John W. Hickenlooper was
read and assigned to committee as follows:

March 22, 2013 1
2
To the Honorable 3
Colorado Senate 4
Colorado General Assembly 5
State Capitol Building 6
Denver, CO 80203 7
8
Ladies and Gentlemen: 9
10
Pursuant to the powers conferred upon me by the Constitution and Laws of the State of 11
Colorado, I have the honor to designate, appoint, reappoint and submit to your 12
consideration, the following: 13
14
MEMBERS OF THE 15
COLORADO COMMISSION ON HIGHER EDUCATION 16
17
for terms expiring July 1, 2017: 18
19
20
Regina Marie Rodriguez of Denver, Colorado, a resident of the 7th Congressional 21
District and a Democrat, reappointed; 22
23
Luis Alberto Colon of Lone Tree, Colorado, a resident of the 4th Congressional District 24
and a Republican, appointed. 25
26
Sincerely, 27
(signed) 28
John W. Hickenlooper 29
Governor 30
Rec'd: 4/10/2013 31
Cindi L. Markwell, Secretary of the Senate 32
33
Committee on Education 34
35
36
37
38
On motion of Majority Leader Carroll, the Senate adjourned until 9:00 a.m., Friday, April 39
12, 2013. 40
41
Approved: 42
43
44
45
John P. Morse 46
President of the Senate 47
48
Attest: 49
50
51
52
Cindi L. Markwell 53
Secretary of the Senate 54

SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

94th Legislative Day Friday, April 12, 2013

Prayer By the chaplain, Rabbi Yossi Serebryanski, Chabad of South Denver.

Call to Order By the President at 9:00 a.m.

Pledge By Senator Crowder.

Roll Call Present--32
Excused--3, Harvey, Johnston, Scheffel.
Present later--3, Harvey, Johnston, Scheffel.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Marble, reading of the Journal of Thursday, April 11, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Education After consideration on the merits, the Committee recommends that SB13-214 be referred to the Committee of the Whole with favorable recommendation.

Education After consideration on the merits, the Committee recommends that SB13-260 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 5, line 9, strike "amend".

Page 5, strike line 10 and substitute "add (7) (e) (VI) as follows:".

Page 6, strike lines 2 through 27.

Strike page 7.

Page 8, strike lines 1 through 3.

Page 8, line 4, strike "(V)" and substitute "(e)(VI)", and strike "(f)" and substitute "(e)".

Page 9, line 7, strike "____;" and substitute "FIVE BILLION FIVE HUNDRED MILLION TWO HUNDRED SEVENTY-SIX THOUSAND SEVEN HUNDRED NINETY-FOUR DOLLARS (\$5,500,276,794);".

Page 11, line 4, strike "and each budget year thereafter" and substitute "~~and each budget year thereafter~~".

Page 11, strike lines 5 through 8 and substitute "million dollars. THE TOTAL AMOUNT OF STATE EDUCATION FUND MONEYS TO BE APPROPRIATED FOR ALL ELIGIBLE DISTRICTS AND FOR ALL ELIGIBLE INSTITUTE CHARTER SCHOOLS FOR THE 2013-14 BUDGET YEAR AND EACH BUDGET YEAR THEREAFTER IS SEVEN MILLION DOLLARS.".

Page 11, after line 8 insert:

"SECTION 6. In Colorado Revised Statutes, 22-54-129, amend (2); repeal (1) (e); and add (1) (g) as follows:

22-54-129. Facility school funding - definitions - legislative declaration. (1) As used in this section, unless the context otherwise requires:

(e) ~~"State average per pupil revenue" means the total program of all districts for any budget year divided by the total funded pupil count of all districts for said budget year.~~

(g) "STATEWIDE BASE PER PUPIL FUNDING" MEANS THE AMOUNT ANNUALLY SPECIFIED IN SECTION 22-54-104 (5) (a).

(2) (a) THE GENERAL ASSEMBLY FINDS THAT:

(I) THE UNIQUE ENVIRONMENTS OF APPROVED FACILITY SCHOOLS AND STATE PROGRAMS AND THE POPULATION OF STUDENTS THAT THEY SERVE CREATE OBSTACLES TO LEARNING AND ACADEMIC GROWTH THAT OTHER PUBLIC SCHOOLS AND STUDENTS DO NOT ENCOUNTER;

(II) BECAUSE APPROVED FACILITY SCHOOLS AND STATE PROGRAMS MUST OPERATE YEAR-ROUND, THEIR NEED FOR FUNDING REMAINS CONSTANT YEAR-ROUND; AND

(III) ALTHOUGH STUDENTS IN APPROVED FACILITY SCHOOLS MAY OR MAY NOT BE ECONOMICALLY AT-RISK, THE CIRCUMSTANCES THAT HAVE RESULTED IN THEIR PLACEMENT IN APPROVED FACILITY SCHOOLS AND STATE PROGRAMS MAKE IT LIKELY THAT THEY ARE ACADEMICALLY AT-RISK AND REQUIRE COSTLY EDUCATIONAL SUPPORT SERVICES TO ACHIEVE ACADEMIC GROWTH.

(b) THE GENERAL ASSEMBLY FINDS, THEREFORE, THAT IT IS APPROPRIATE TO FUND APPROVED FACILITY SCHOOLS AND STATE PROGRAMS:

(I) BY AN ADDITIONAL ONE-THIRD ABOVE THE STATEWIDE BASE PER PUPIL FUNDING AMOUNT TO RECOGNIZE THE INCREASED COSTS OF EDUCATING STUDENTS IN APPROVED FACILITY SCHOOLS AND STATE PROGRAMS YEAR-ROUND; AND

(II) BY AN ADDITIONAL FORTY PERCENT ABOVE THE STATEWIDE BASE PER PUPIL FUNDING AMOUNT TO OFFSET THE INCREASED COSTS INHERENT IN PROVIDING EDUCATION SERVICES TO THE STUDENTS WHO ARE PLACED IN APPROVED FACILITY SCHOOLS AND STATE PROGRAMS.

(c) (I) For the 2008-09 budget year ~~and each budget year thereafter~~, THROUGH THE 2012-13 BUDGET YEAR, each approved facility school and state program that meets the requirements of this section shall receive education program funding, which shall be distributed pursuant to subsection (4) of this section. The amount of funding available for all approved facility schools and state programs in a budget year shall be an amount equal to the pupil enrollment of each approved facility school and state program for the applicable budget year multiplied by an amount equal to one and one-third of the state average per pupil revenue for the applicable budget year.

(II) FOR THE 2013-14 BUDGET YEAR AND EACH BUDGET YEAR THEREAFTER, EACH APPROVED FACILITY SCHOOL AND STATE PROGRAM THAT MEETS THE REQUIREMENTS OF THIS SECTION MUST RECEIVE EDUCATION PROGRAM FUNDING, WHICH MUST BE DISTRIBUTED PURSUANT TO SUBSECTION (4) OF THIS SECTION. THE AMOUNT OF FUNDING AVAILABLE FOR ALL APPROVED FACILITY SCHOOLS AND STATE PROGRAMS IN A BUDGET YEAR IS AN AMOUNT EQUAL TO THE PUPIL ENROLLMENT OF EACH APPROVED FACILITY SCHOOL AND STATE PROGRAM FOR THE APPLICABLE BUDGET YEAR MULTIPLIED BY AN AMOUNT EQUAL TO ONE AND SEVENTY-THREE HUNDREDTHS OF THE STATEWIDE BASE PER PUPIL FUNDING FOR THE APPLICABLE BUDGET YEAR."

Renumber succeeding sections accordingly.

Page 22, strike lines 10 through 18.

Renumber succeeding sections accordingly.

Page 26, after line 23 insert:

"SECTION 14. In Colorado Revised Statutes, 24-75-220, add (4) as follows:

24-75-220. Transfer of general fund surplus to state education fund. (4) NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY, ON THE DATE ON WHICH THE STATE CONTROLLER PUBLISHES THE COMPREHENSIVE ANNUAL FINANCIAL REPORT OF THE STATE FOR THE FISCAL YEAR 2013-14, AFTER MAKING THE TRANSFER REQUIRED PURSUANT TO SECTION 24-75-222, AS ENACTED IN SENATE BILL 13-236, THE STATE TREASURER SHALL TRANSFER TO THE STATE EDUCATION FUND CREATED IN SECTION 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION, ONE-HALF OF THE REMAINING GENERAL FUND SURPLUS DESIGNATED IN ACCORDANCE WITH SECTION 24-75-201 (1) FOR THE FISCAL YEAR 2013-14."

Renumber succeeding sections accordingly.

Health &
Human
Services

After consideration on the merits, the Committee recommends that **HB13-1222** be **referred** to the Committee of the Whole with favorable recommendation.

Health &
Human
Services

After consideration on the merits, the Committee recommends that **SB13-219** be **amended** as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 6, line 8, strike "rules." and substitute "rules AND PARAGRAPH (c) OF THIS SUBSECTION (1).".

Page 6, after line 12, insert:

"(c) A PERSON WHO REMOVES PERSONAL PROPERTY OR DEBRIS FROM A DRUG LABORATORY SHALL SECURE THE PROPERTY AND DEBRIS TO PREVENT THEFT OR EXPOSING ANOTHER PERSON TO ANY TOXIC OR HAZARDOUS CHEMICALS UNTIL THE PROPERTY AND DEBRIS IS APPROPRIATELY DISPOSED OF OR CLEANED ACCORDING TO BOARD RULES."

Page 7, strike lines 10 through 14 and substitute:

~~"(3) A person who removes personal property or debris from a drug laboratory shall secure the property and debris to prevent theft or exposing another person to any toxic or hazardous chemicals until the property and debris is appropriately disposed of or cleaned according to board rules."~~

Page 8, line 5, strike "AND".

Page 8, strike lines 7 and 8 and substitute "services agencies and officials; and charging reasonable inspection and testing fees."

Page 11, strike line 11 and substitute:

"25-18.5-108. Illegal drug laboratory fund. THE ILLEGAL DRUG LABORATORY FUND IS HEREBY ESTABLISHED IN THE STATE TREASURY. THE DEPARTMENT SHALL TRANSFER THE FEES COLLECTED UNDER 25-18.5-102 (2) TO THE STATE TREASURER WHO SHALL CREDIT THESE FEES TO THE FUND. THE GENERAL ASSEMBLY SHALL APPROPRIATE THE MONEYS IN THE FUND FOR THE IMPLEMENTATION OF THIS ARTICLE. THE TREASURER SHALL CREDIT TO THE FUND ALL INTEREST DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEYS IN THE FUND. THE MONEYS IN THE FUND STAY IN THE FUND AT THE END OF THE FISCAL YEAR AND DO NOT REVERT TO THE GENERAL FUND OR ANY OTHER FUND.

25-18.5-109. Judicial review. THE DEPARTMENT'S DECISIONS ARE".

Page 11, line 27, after "environment" insert "AND GOVERNING BODY".

Finance	After consideration on the merits, the Committee recommends that HB13-1183 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	1 2 3 4 5
Appropriations	After consideration on the merits, the Committee recommends that HB13-1180 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	6 7 8 9 10
	Amend reengrossed bill, page 6, line 5, strike "YEAR AND FOR EACH FISCAL YEAR".	11 12 13
	Page 6, line 6, strike "THEREAFTER," and substitute "YEAR,".	14 15
	Page 6, line 7, strike "STATE." and substitute "STATE LESS ONE MILLION DOLLARS, WHICH ONE MILLION DOLLARS SHALL BE TRANSFERRED TO THE TOBACCO SETTLEMENT DEFENSE ACCOUNT OF THE TOBACCO LITIGATION SETTLEMENT CASH FUND; AND	16 17 18 19
	(XII) FOR THE 2016-17 FISCAL YEAR AND FOR EACH FISCAL YEAR THEREAFTER, NINETEEN PERCENT OF THE TOTAL AMOUNT OF SETTLEMENT MONEYS RECEIVED BY THE STATE.".	20 21 22 23
	Page 6, line 9, after "(F)" insert "and add (2) (d) (III) (G)".	24 25
	Page 7, strike line 1.	26 27
	Page 7, line 2 strike "year thereafter," and substitute:	28 29
	"(F) For the 2017-18 fiscal year and for each fiscal year thereafter; 2015-16 FISCAL YEAR,".	30 31 32 33
	Page 7, line 3, strike "state." and substitute "STATE LESS ONE MILLION DOLLARS.	34 35
	(G) FOR THE 2016-17 FISCAL YEAR AND FOR EACH FISCAL YEAR THEREAFTER, THE STATE TREASURER SHALL TRANSFER TO THE FUND NINETEEN PERCENT OF THE TOTAL AMOUNT OF MONEYS RECEIVED BY THE STATE.".	36 37 38 39 40
	Page 7, strike line 4 and substitute:	41 42
	"SECTION 4. Appropriation - adjustments to 2013 long bill.	43
	(1) For the implementation of this act, appropriations made in the annual general appropriation act to the department of law for the fiscal year beginning July 1, 2013, are adjusted as follows:	44 45 46
	(a) The general fund appropriation for various centrally appropriated line items in the administration section is decreased by \$29,556.	47 48 49
	(b) The general fund appropriation for consumer protection and antitrust is decreased by \$153,795.	50 51
	(c) The general fund appropriation for tobacco litigation is decreased by \$1,250,000.	52 53
	(2) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the tobacco settlement defense account of the tobacco litigation settlement cash fund created in section 24-22-115 (2) (a), Colorado Revised Statutes, not otherwise appropriated, to the department of law, for the fiscal year beginning July 1, 2013, the sum of \$1,433,351, or so much thereof as may be necessary, to be allocated for the implementation of this act as follows:	54 55 56 57 58 59 60
	(a) \$29,556 for various centrally appropriated line items in the administration section;	61 62
	(b) \$153,795 for consumer protection and antitrust; and	63
	(c) \$1,250,000 for tobacco litigation.	64
	(3) In addition to any other".	65 66
	Page 1, line 108, after "MAKING" insert "AND REDUCING".	67

Appropriations

After consideration on the merits, the Committee recommends that **HB13-1234** be **amended** as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 7, line 15, strike "13-____," and substitute "13-1234,".

Appropriations

After consideration on the merits, the Committee recommends that **SB13-202** be **amended** as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, line 26, strike "**rules.**" and substitute "**rules - repeal.**".

Page 3, line 20, strike everything after the first "OF" and substitute "VIOLATIONS AND THAT PRIORITIZES MORE IN-DEPTH INSPECTIONS. THE COMMISSION SHALL:

(a) (I) SUBMIT A REPORT BY FEBRUARY 1, 2014, TO THE GENERAL ASSEMBLY'S JOINT BUDGET COMMITTEE AND THE SENATE AND HOUSE OF REPRESENTATIVES COMMITTEES OF REFERENCE WITH JURISDICTION OVER ENERGY THAT INCLUDES FINDINGS, RECOMMENDATIONS, AND A PLAN, INCLUDING STAFFING AND EQUIPMENT NEEDS.

(II) THIS PARAGRAPH (b) IS REPEALED, EFFECTIVE SEPTEMBER 1, 2014.

(b) IMPLEMENT THE SYSTEMATIC RISK-BASED STRATEGY BY JULY 1, 2014. THE COMMISSION MAY USE A PILOT PROJECT TO TEST THE RISK-BASED STRATEGY.".

Page 3, strike lines 21 through 23.

Amend printed bill, page 3, after line 23 insert:

"SECTION 3. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the oil and gas conservation and environmental response fund created in section 34-60-122 (5), Colorado Revised Statutes, not otherwise appropriated, to the department of natural resources, for the fiscal year beginning July 1, 2013, the sum of \$100,000, or so much thereof as may be necessary, for allocation to the oil and gas conservation commission for a risk-based inspection study related to the implementation of this act.".

Renumber succeeding sections accordingly.

Page 1, line 101, strike "**FACILITIES.**" and substitute "**FACILITIES, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appropriations

After consideration on the merits, the Committee recommends that **SB13-125** be **amended** as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend printed bill, page 4, strike lines 9 and 10 and substitute "MUST be accompanied by payment of five hundred dollars and EITHER:".

Page 14, after line 16 insert:

"SECTION 9. Appropriation - adjustments to 2013 long bill.
(1) For the implementation of this act, appropriations made in the annual general appropriation act to the department of regulatory agencies for the fiscal year beginning July 1, 2013, are adjusted as follows:
(a) The cash funds appropriation from the division of insurance

	cash fund created in section 10-1-103 (3), Colorado Revised Statutes, for the division of insurance for personal services, is decreased by \$2,400."	1
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	Renumber succeeding section accordingly.	3
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	Page 1, line 101, strike "CONTRACTS." and substitute "CONTRACTS, AND, IN CONNECTION THEREWITH, REDUCING AN APPROPRIATION."	5
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Appropriations	After consideration on the merits, the Committee recommends that SB13-235 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	10
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Appropriations	After consideration on the merits, the Committee recommends that HB13-1046 be referred to the Committee of the Whole with favorable recommendation.	14
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Appropriations	After consideration on the merits, the Committee recommends that HB13-1233 be referred to the Committee of the Whole with favorable recommendation.	18
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Appropriations	After consideration on the merits, the Committee recommends that HB13-1135 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	22
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	Amend the State, Veterans, & Military Affairs Committee report, dated March 20, 2013, strike lines 1 through 8 and substitute:	28
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	"Amend reengrossed bill, page 5, strike lines 26 and 27.	30
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	Page 6 of reengrossed bill, strike lines 1 through 3 and substitute:".	32
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	Page 1 of the report, line 9, strike ""(b)" and substitute ""(2)".	34
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	Page 1 of the report, strike line 16 and substitute "THIS SUBSECTION (2).".	37
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	Page 1 of the report, after line 16 insert:	40
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	"Page 6 of the reengrossed bill, after line 23 insert:	42
		43
	"(3) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the department of state cash fund created in section 24-21-104 (3) (b), Colorado Revised Statutes, not otherwise appropriated, to the department of state, for the fiscal year beginning July 1, 2013, the sum of \$26,640, or so much thereof as may be necessary, to be allocated to information technology services for the implementation of this act.".	44
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Appropriations	After consideration on the merits, the Committee recommends that HB13-1119 be referred to the Committee of the Whole with favorable recommendation.	53
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Appropriations	After consideration on the merits, the Committee recommends that SB13-162 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	57
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	Amend printed bill, page 7, after line 23 insert:	62
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	"SECTION 8. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the division of professions and occupations cash fund created in section 24-34-105 (2) (b) (I), Colorado Revised Statutes, not otherwise	64
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appropriated, to the department of regulatory agencies, for the fiscal year beginning July 1, 2013, the sum of \$259,175 and 3.6 FTE, or so much thereof as may be necessary, to be allocated for the implementation of this act as follows:

(a) \$190,338 and 3.6 FTE to the division of professions and occupations for personal services;

(b) \$7,848 to the division of professions and occupations for operating expenses and capital outlay;

(c) \$55,195 to the executive director's office and administrative services and to the division of professions and occupations for travel expenses including vehicle lease payments, expenses, and mileage; and

(d) \$5,794 to the executive director's office and administrative services 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, 2013, the sum of \$5,794, 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 (d) of subsection (1) of this section."

Renumber succeeding section accordingly.

Page 1, line 102, strike "PLUMBERS." and substitute "PLUMBERS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION."

Appropriations

After consideration on the merits, the Committee recommends that **HB13-1101** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **HB13-1071** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 3, after line 9 insert:

"**SECTION 2. Appropriation.** (1) In addition to any other appropriation, there is hereby appropriated, to the department of revenue, for the fiscal year beginning July 1, 2013, the sum of \$193,489 cash funds, or so much thereof as may be necessary, to be allocated for the implementation of this act as follows:

(a) \$604 from the Colorado state titling and registration account in the highway users tax fund created in section 42-1-211 (2), Colorado Revised Statutes to the information technology division for the purchase of computer center services; and

(b) \$192,885 from the license plate cash fund created in section 42-3-301 (1) (b), Colorado Revised Statutes, to the division of motor vehicles for the purchase of license plates.

(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, 2013, the sum of \$604, 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 revenue out of the appropriation made in paragraph (a) of subsection (1) of this section."

Renumber succeeding section accordingly.

Page 1, line 102, strike "VEHICLE." and substitute "VEHICLE, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION."

Appropriations	After consideration on the merits, the Committee recommends that HB13-1022 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	1 2 3 4 5
Appropriations	After consideration on the merits, the Committee recommends that HB13-1006 be referred to the Committee of the Whole with favorable recommendation.	6 7 8 9
Appropriations	After consideration on the merits, the Committee recommends that HB13-1191 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	10 11 12 13 14
	Amend reengrossed bill, page 3, strike lines 7 through 14 and substitute:	15 16
	" SECTION 2. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of public health and environment, for the fiscal year beginning July 1, 2013, the sum of \$15,000,000, or so much thereof as may be necessary, for allocation to the nutrients grant fund created in section 25-8-608.5 (1), Colorado Revised Statutes, related to the implementation of this act.".	17 18 19 20 21 22 23 24 25
Appropriations	After consideration on the merits, the Committee recommends that SB13-001 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	26 27 28 29
	Amend the State, Veterans, & Military Affairs Committee Report dated April 3, 2013, page 6, after line 21 insert:	30 31 32
	" SECTION 6. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of revenue, for the fiscal year beginning July 1, 2013, the sum of \$106,000, or so much thereof as may be necessary, for allocation to the taxation business group for contract programming services related to the implementation of this act.".	33 34 35 36 37 38 39 40
	Page 6 of the Report, line 22, strike " SECTION 6. " and substitute " SECTION 7. ".	41 42 43
	Page 6 of the Report, after line 31 insert:	44 45
	"Page 1, line 103, strike " 2013 ." and substitute " 2013 " AND MAKING AN APPROPRIATION.".	46 47 48 49
Health & Human Services	After consideration on the merits, the Committee recommends that SB13-215 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	50 51 52 53 54
	Amend printed bill, page 5, line 2, strike "THERAPY".	55 56
	Page 5, line 9, strike "INCLUDE HEALING" and substitute "INCLUDE: (A) HEALING".	57 58 59
	Page 5, strike line 10.	60 61
	Page 5, line 11, strike "ENZYMES;" and substitute "DIETARY SUPPLEMENTS, AS DEFINED IN THE FEDERAL "DIETARY SUPPLEMENT HEALTH AND EDUCATION ACT OF 1994", PUB.L. 103-417;" and before "THE" insert "AND".	62 63 64 65 66
	Page 5, line 13, strike "AND MIND-BODY" and substitute:	67

"(B) STRESS REDUCTION HEALING PRACTICES; AND
(C) MIND-BODY".

Page 5, line 25, strike "LAW" and substitute "STATUTE".

Page 6, strike lines 19 and 20 and substitute:

"(a) PERFORM SURGERY OR ANY INVASIVE PROCEDURE REQUIRING ENTRY INTO THE BODY THROUGH SKIN, PUNCTURE, MUCOSA, INCISION, OR OTHER INTRUSIVE METHOD, EXCEPT AS PERMITTED UNDER PARAGRAPH (g) OF THIS SUBSECTION (6);".

Page 6, strike lines 23 and 24 and substitute:

"(c) PRESCRIBE, ADMINISTER, INJECT, OR DISPENSE A PRESCRIPTION OR LEGEND DRUG OR A CONTROLLED SUBSTANCE OR DEVICE IDENTIFIED IN THE FEDERAL "CONTROLLED SUBSTANCES ACT", 21 U.S.C. SEC. 801 ET SEQ., AS AMENDED;

(d) USE GENERAL OR SPINAL ANESTHETICS, OTHER THAN TOPICAL ANESTHETICS;

(e) ADMINISTER IONIZING RADIOACTIVE SUBSTANCES FOR THERAPEUTIC PURPOSES;

(f) USE A LASER DEVICE THAT PUNCTURES THE SKIN, INCISES THE BODY, OR IS OTHERWISE USED AS AN INVASIVE INSTRUMENT. IF A COMPLEMENTARY AND ALTERNATIVE HEALTH CARE PRACTITIONER USES A LASER DEVICE AS A NONINVASIVE INSTRUMENT, THE LASER DEVICE MUST BE APPROVED BY THE FEDERAL FOOD AND DRUG ADMINISTRATION FOR OVER-THE-COUNTER USE.

(g) PERFORM ENEMAS OR COLONIC IRRIGATION UNLESS THE COMPLEMENTARY AND ALTERNATIVE HEALTH CARE PRACTITIONER:

(I) MAINTAINS BOARD CERTIFICATION THROUGH THE INTERNATIONAL ASSOCIATION OF COLON HYDROTHERAPY OR THE NATIONAL BOARD FOR COLON HYDROTHERAPY OR THEIR SUCCESSOR ENTITIES;

(II) DISCLOSES THAT HE OR SHE IS NOT A PHYSICIAN LICENSED PURSUANT TO ARTICLE 36 OF TITLE 12, C.R.S.; AND

(III) RECOMMENDS THAT THE CLIENT HAVE A RELATIONSHIP WITH A LICENSED PHYSICIAN;

(h) DIRECTLY ADMINISTER MEDICAL PROTOCOLS TO A PREGNANT WOMAN OR TO A CLIENT WHO HAS CANCER;

(i) TREAT A CHILD UNDER TWO YEARS OF AGE UNLESS THE COMPLEMENTARY AND ALTERNATIVE HEALTH CARE PRACTITIONER:

(I) OBTAINS THE INFORMED CONSENT OF THE CHILD'S PARENT OR LEGAL GUARDIAN;

(II) DISCLOSES THAT HE OR SHE IS NOT A PHYSICIAN LICENSED PURSUANT TO ARTICLE 36 OF TITLE 12, C.R.S.; AND

(III) RECOMMENDS THAT THE CHILD HAVE A RELATIONSHIP WITH A LICENSED PHYSICIAN WHO IS A BOARD-CERTIFIED PEDIATRICIAN;

(j) PROVIDE DENTAL PROCEDURES OR INTERVENTIONS THAT CONSTITUTE THE PRACTICE OF DENTISTRY, AS DEFINED IN ARTICLE 35 OF TITLE 12, C.R.S.;".

Reletter succeeding paragraphs accordingly.

Page 7, strike lines 15 through 17 and substitute:

"(o) RECOMMEND THE DISCONTINUATION OF A COURSE OF CARE, INCLUDING A PRESCRIPTION DRUG, THAT WAS RECOMMENDED OR PRESCRIBED BY ANOTHER HEALTH CARE PROFESSIONAL; OR".

Page 8, line 15, strike "AND".

Page 8, strike line 19 and substitute "PHYSICIAN, OBSTETRICIAN, GYNECOLOGIST, ONCOLOGIST, CARDIOLOGIST, PEDIATRICIAN, OR OTHER BOARD-CERTIFIED PHYSICIAN; AND

(VI) A STATEMENT INDICATING WHETHER OR NOT THE COMPLEMENTARY AND ALTERNATIVE HEALTH CARE PRACTITIONER IS

	COVERED BY LIABILITY INSURANCE APPLICABLE TO ANY INJURY CAUSED BY AN ACT OR OMISSION OF THE COMPLEMENTARY AND ALTERNATIVE HEALTH CARE PRACTITIONER IN PROVIDING COMPLEMENTARY AND ALTERNATIVE HEALTH CARE SERVICES PURSUANT TO THIS SECTION."	1
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	Page 9, strike lines 4 through 9.	6
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	Reletter succeeding paragraph accordingly.	8
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	Page 10, after line 2 insert:	10
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	"(9) (a) A COMPLEMENTARY AND ALTERNATIVE HEALTH CARE PRACTITIONER WHO RENDERS COMPLEMENTARY AND ALTERNATIVE HEALTH CARE SERVICES CONSISTENT WITH THIS SECTION IS NOT ENGAGING IN THE PRACTICE OF MEDICINE, AS DEFINED IN ARTICLE 36 OF TITLE 12, C.R.S., AND IS NOT VIOLATING THE "COLORADO MEDICAL PRACTICE ACT", ARTICLE 36 OF TITLE 12, C.R.S., AS LONG AS THE COMPLEMENTARY AND ALTERNATIVE HEALTH CARE PRACTITIONER DOES NOT ENGAGE IN AN ACT PROHIBITED IN SUBSECTION (6) OF THIS SECTION.	12
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	(b) NOTHING OTHERWISE AUTHORIZES A COMPLEMENTARY AND ALTERNATIVE HEALTH CARE PRACTITIONER PRACTICING WITHIN THE SCOPE OF PRACTICE IN THIS SECTION TO ENGAGE IN THE PRACTICE OF MEDICINE."	20
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	Renumber succeeding subsections accordingly.	25
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	Page 10, line 16, after "CIVIL" insert "OR COMMON LAW".	27
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	Page 10, after line 18 insert:	29
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	"(12) NOTHING IN THIS SECTION RELIEVES A LICENSED, CERTIFIED, OR REGISTERED HEALTH CARE PROFESSIONAL FROM LIABILITY ARISING FROM ANY INJURY CAUSED BY THE HEALTH CARE PROFESSIONAL IN THE COURSE OF PROVIDING COMPLEMENTARY OR ALTERNATIVE HEALTH CARE SERVICES."	31
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	Renumber succeeding subsection accordingly.	37
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Appropriations	After consideration on the merits, the Committee recommends that SB13-123 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	40
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	Amend the Judiciary Committee Report, dated April 1, 2013, page 15, strike lines 25 through 42.	45
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	Page 16 of the report, strike lines 1 through 20.	48
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	Renumber succeeding section accordingly.	50
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	Page 16 of the report, line 30 strike "SUBSECTION." and substitute "SUBSECTION (3)."	52
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	Page 16 of the report, after line 30 insert:	55
		56
	"SECTION 14. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the judicial department, for the fiscal year beginning July 1, 2013, the sum of \$533,199 and 6.9 FTE, or so much thereof as may be necessary, to be allocated for the implementation of this act as follows:	57
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	(a) \$424,913 and 6.9 FTE to be allocated to trial court programs for personal services;	63
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	(b) \$13,680 to be allocated to trial court programs for operating expenses; and	65
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	(c) \$94,606 to be allocated to centrally administered programs for	67

courthouse capital/infrastructure maintenance.

(2) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the Colorado bureau of investigation identification unit fund created in section 24-33.5-426, Colorado Revised Statutes, not otherwise appropriated, to the department of public safety, for the fiscal year beginning July 1, 2013, the sum of \$169,902 and 3.0 FTE, or so much thereof as may be necessary, to be allocated for the implementation of this act as follows:

(a) \$152,943 and 3.0 FTE to be allocated to the Colorado bureau of investigation, Colorado crime information center, identification, for personal services;

(b) \$2,850 to be allocated to the Colorado bureau of investigation, Colorado crime information center, identification, for operating expenses; and

(c) \$14,109 to be allocated to the Colorado bureau of investigation, Colorado crime information center, identification, for capital outlay.

(3) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of public safety, for the fiscal year beginning July 1, 2013, the sum of \$15,000, or so much thereof as may be necessary, to be allocated to the Colorado bureau of investigation, Colorado crime information center, identification, personal services, for contractual software modifications related to the implementation of this act."."

Page 16 of the report, after line 33 insert:

"Page 1, line 103, strike "SYSTEM." and substitute "SYSTEM, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION."."

Agriculture, Natural Resources, & Energy After consideration on the merits, the Committee recommends that **SB13-245** be **referred** to the Committee on Appropriations with favorable recommendation.

Agriculture, Natural Resources, & Energy After consideration on the merits, the Committee recommends that **HJR13-1004** be **amended**, and as so amended, be referred to the Senate for final action.

Amend engrossed resolution, page 4, strike lines 4 and 5 and substitute:

"Be It Resolved by the House of Representatives of the Sixty-ninth General Assembly of the State of Colorado, the Senate concurring herein:".

Page 4, line 20, after "Agriculture;" insert "Daniel Jiron, Rocky Mountain Regional Forester, United States Forest Service;"

SENATE SERVICES REPORT

Correctly Printed: SB13-261 and 262.
Correctly Engrossed: SJR13-026.

MESSAGE FROM THE HOUSE

April 11, 2013
Mr. President:

In response to the request of the Senate SB13-234 and SB13-236, are transmitted herewith.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for expressions of personal privilege.

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:

SB13-166 by Senator(s) Aguilar; also Representative(s) Schafer--Concerning the development of standardized rules for use in processing medical claims, and, in connection therewith, extending the deadlines for development and implementation of the standardized rules, authorizing an appropriation of state moneys to help fund the development of the rules, and making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	23	NO	10	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	E	Kerr	Y	Scheffel	E
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	Y	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Kefalas.

SB13-170 by Senator(s) Aguilar; also Representative(s) Gerou--Concerning the sale of uniquely valuable registration numbers for vehicles, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	29	NO	4	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	E	Kerr	Y	Scheffel	E
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	Y	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Jones and Newell.

SB13-047 by Senator(s) Newell; also Representative(s) Fields--Concerning protections for youth in foster care against identity theft, 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	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	E	Kerr	Y	Scheffel	E
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Baumgardner, Giron, Guzman, Heath, Hodge, Hudak, Johnston, Jones, Kefalas, Kerr, King, Morse, Nicholson, Roberts, Schwartz, Steadman, Tochtrop, Todd and Ulibarri.

SB13-231 by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Levy, Duran, Gerou--Concerning the creation of the Title IV-E waiver demonstration project.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	32	NO	1	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	E	Kerr	Y	Scheffel	E
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Carroll, Giron, Guzman, Kefalas, Lundberg, Newell and Todd.

Committee of the Whole
On motion of Senator Guzman, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Guzman was called to the Chair to act as Chairman.

GENERAL ORDERS -- SECOND READING OF BILLS --
CONSENT CALENDAR

The Committee of the Whole having risen, the Chairman reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB13-216
by Senator(s) Giron; also Representative(s) Rosenthal--Concerning youthful offenders within the state department of corrections.

Ordered engrossed and placed on the calendar for third reading and final passage.

SB13-244
by Senator(s) Guzman, Balmer, Baumgardner, Cadman, Giron, Grantham, Hodge, Hudak, Jahn, Johnston, Kefalas, King, Lundberg, Newell, Renfroe, Roberts, Scheffel, Tochtrop, Todd, Ulibarri; also Representative(s) Kagan, Gardner, Lawrence, Lee, McNulty, Pabon, Pettersen, Priola, Salazar, Schafer, Stephens, Szabo, Vigil, Waller--Concerning a task force to study substance abuse.

Ordered engrossed and placed on the calendar for third reading and final passage.

HB13-1250
by Representative(s) Sonnenberg; also Senator(s) Tochtrop--Concerning the administration of county powers to maintain the landscape.

Amendment No. 1, Local Government Committee Amendment.
(Printed in Senate Journal, April 10, page(s) 763 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB13-1205
by Representative(s) Swalm and Pabon; also Senator(s) Schwartz--Concerning the investment of state moneys by the state treasurer.

Ordered revised and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE --
CONSENT CALENDAR

On motion of Senator Guzman, the report of the Committee of the Whole was adopted on the following roll call vote:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	E	Kerr	Y	Scheffel	E
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB13-216, SB13-244, HB13-1250 as amended, HB13-1205.

Committee of the Whole On motion of Senator Guzman, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Guzman was called to the chair to act as Chairman.

GENERAL 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:

SB13-111 by Senator(s) Hudak, Giron, Guzman, Heath, Johnston, Morse, Todd, Ulibarri; also Representative(s) Schafer and Stephens--Concerning abuse of at-risk adults.
Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, February 22, page(s) 309-310 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 5, page(s) 716 and placed in members' bill files.)

Amendment No. 3(L.017), by Senator Hudak.

Amend printed bill, page 16, line 14, strike "A PERSON" and substitute "CERTAIN PERSONS".

Page 16, line 15, strike "OBSERVES" and substitute "OBSERVE".

Page 16, line 17, strike "HAS" and substitute "HAVE".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SCR13-002 by Senator(s) Aguilar, Kefalas; also Representative(s) Ginal--Submitting to the registered electors of the state of Colorado an amendment to the Colorado constitution concerning the creation of a Colorado health care cooperative to ensure access to a statewide health care system that provides health care services to all persons whose domicile is Colorado for all health-related issues, and, in connection therewith, creating an interim and then a permanent board of directors to administer the cooperative; requiring the cooperative to contract with health care providers to deliver specific health care benefits; assessing a six percent payroll premium from employers, a three percent payroll premium from employees, comparable employer and employee premiums from self-employed individuals, and a nine percent premium on other specified income; assessing premiums at a lower rate until the cooperative assumes fiduciary responsibility for health care payments; placing a cap on the amount of income subject to the premiums; authorizing the board to increase the premiums in specified circumstances; and requiring the department of revenue to collect and transfer the premiums to pay for health care services provided through the cooperative.

Laid over until January 8, 2014, retaining its place on the calendar.

HB13-1077 by Representative(s) Salazar; also Senator(s) Ulibarri--Concerning a driver's right to challenge the lawfulness of a law enforcement officer's initial contact in an administrative proceeding for a revocation of a driver's license, and, in connection therewith, making an appropriation.

A majority of all members elected to the Senate having voted in the affirmative, the bill was referred to the Committee on Appropriations.

SB13-223	by Senator(s) Brophy; also Representative(s) Mitsch Bush--Concerning the continuation of the noxious weed advisory committee.	1 2 3 4
	<u>Amendment No. 1(L.002), by Senator Brophy.</u>	5 6
	Amend printed bill, page 2, line 3, strike "(I)" and substitute "(I); and add (3)(jj)(I)".	7 8 9
	Page 2, after line 9 insert:	10
	"(jj) SEPTEMBER 1, 2023:	11 12
	(I) THE STATE NOXIOUS WEED ADVISORY COMMITTEE CREATED IN SECTION 35-5.5-108.7, C.R.S.;".	13 14 15
	Page 4, strike lines 2 through 4 and substitute:	16 17
	"(5) This section is repealed, effective July 1, 2013 SEPTEMBER 1, 2023. Prior to such THE repeal, the state noxious weed advisory committee shall be IS reviewed as provided for in UNDER section 2-3-1203, C.R.S.".	18 19 20 21 22 23 24
	As amended, ordered engrossed and placed on the calendar for third reading and final passage.	25 26 27
SB13-191	by Senator(s) Hodge; also Representative(s) Williams and Sonnenberg--Concerning the acquisition of rights-of-way by pipeline companies.	28 29 30
	<u>Amendment No. 1, Local Government Committee Amendment.</u> (Printed in Senate Journal, March 22, page(s) 580 and placed in members' bill files.)	31 32 33 34
	As amended, ordered engrossed and placed on the calendar for third reading and final passage.	35 36 37
SB13-185	by Senator(s) Nicholson; also Representative(s) Primavera--Concerning expansion of the types of activities that are eligible for grants under the tobacco education, prevention, and cessation grant program.	38 39 40 41
	Laid over until Monday, April 15, retaining its place on the calendar.	42 43 44
SB13-203	by Senator(s) Schwartz, Giron, King; also Representative(s) Coram, DelGrosso, Priola, Singer, Tyler--Concerning limitations on the use of certain public land for automotive service stations in order to limit government competition.	45 46 47 48 49
	<u>Amendment No. 1, Transportation Committee Amendment.</u> (Printed in Senate Journal, April 3, page(s) 685 and placed in members' bill files.)	50 51 52
	<u>Amendment No. 2(L.002), by Senator Schwartz.</u>	53 54
	Amend the Transportation Committee Report, dated April 2, 2013, page 1, after line 3 insert:	55 56 57
	"Page 4, line 8, after "USE" insert "OR ELECTRICITY FOR ELECTRIC VEHICLE CHARGING FOR PUBLIC USE".	58 59 60
	Page 4, line 9, strike "STATION, EXCEPT" and substitute "STATION.".	61 62
	Page 4, strike lines 10 through 13.".	63 64 65
	As amended, ordered engrossed and placed on the calendar for third reading and final passage.	66 67

SB13-200	by Senator(s) Aguilar, Kefalas; also Representative(s) Ferrandino--Concerning an increase in the income eligibility for certain optional groups in the medicaid program to one hundred thirty-three percent of the federal poverty line.	1 2 3 4
	<u>Amendment No. 1, Appropriations Committee Amendment.</u> (Printed in Senate Journal, April 5, page(s) 711-713 and placed in members' bill files.)	5 6 7
	As amended, ordered engrossed and placed on the calendar for third reading and final passage.	8 9 10 11
SB13-204	by Senator(s) Aguilar; also Representative(s) Primavera and Young--Concerning the addition of two members to the Colorado state board of chiropractic examiners.	12 13 14
	<u>Amendment No. 1, Appropriations Committee Amendment.</u> (Printed in Senate Journal, April 5, page(s) 713-714 and placed in members' bill files.)	15 16 17
	As amended, ordered engrossed and placed on the calendar for third reading and final passage.	18 19 20 21
SB13-252	by Senator(s) Morse and Schwartz, Carroll, Giron, Jahn, Jones, Nicholson, Steadman; also Representative(s) Ferrandino and Duran, Court, Hamner, Hulinghorst, Kraft-Tharp, McLachlan, Moreno, Rosenthal, Ryden, Schafer, Vigil, Young--Concerning measures to increase Colorado's renewable energy standard so as to encourage the deployment of methane capture technologies.	22 23 24 25 26 27
	<u>Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.</u> (Printed in Senate Journal, April 9, page(s) 744-745 and placed in members' bill files.)	28 29 30 31 32 33
	Majority Leader Carroll moved that the Committee of the Whole rise, report progress, and beg leave to sit again. A majority of those elected to the Senate having voted in the affirmative, the motion was adopted.	34 35 36 37 38 39 40
	Committee of the Whole in recess.	41 42 43 44 45
	MESSAGE FROM THE HOUSE	46 47
	April 12, 2013	48 49
	Mr. President:	50 51
	The House has voted to reject the Conference Committee Report on SB13-230, and requests the Conferees be discharged and that a second Conference Committee be appointed. The Speaker has appointed Representative(s) Levy, Chairman, Duran, Gerou as House Conferees on the Second Conference Committee on SB13-230. The House has granted authorization to go beyond the scope of the differences. The bill is transmitted herewith.	52 53 54 55 56 57 58
	The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1263.	59 60 61
	The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1247, amended as printed in House Journal, April 12, page 914-915. HB13-1253, amended as printed in House Journal, April 12, page 915.	62 63 64 65
	The House has adopted and returns herewith SJR13-026.	66 67

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APPOINTMENTS TO CONFERENCE COMMITTEE

The President appointed Senators Steadman, Chair, Hodge, and Lambert as Senate conferees on the second conference committee on **SB13-230**.

CONFERENCE COMMITTEE GRANTED FURTHER POWERS

SB13-230 by Senator(s) Steadman, Hodge; also Representative(s) Levy, Duran, Gerou--Concerning the provision for payment of the expenses of the executive, legislative, and judicial departments of the state of Colorado, and of its agencies and institutions, for and during the fiscal year beginning July 1, 2013, except as otherwise noted.

Senator Steadman moved that the Senate conferees on the second conference committee on **SB13-230** 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 the Whole reconvened.

GENERAL ORDERS -- SECOND READING OF BILLS - cont'd

SB13-252 by Senator(s) Morse and Schwartz, Carroll, Giron, Jahn, Jones, Nicholson, Steadman; also Representative(s) Ferrandino and Duran, Court, Hamner, Hulinghorst, Kraft-Tharp, McLachlan, Moreno, Rosenthal, Ryden, Schafer, Vigil, Young--Concerning measures to increase Colorado's renewable energy standard so as to encourage the deployment of methane capture technologies.

Majority Leader Carroll moved that the Committee of the Whole rise, report progress, and beg leave to sit again at 6:30 p.m. A majority of those elected to the Senate having voted in the affirmative, the motion was adopted.

Committee of the Whole in recess.

MESSAGE FROM THE HOUSE

April 12, 2013

Mr. President:

The House has adopted the First Report of the Second Conference Committee on SB13-230, as printed in House Journal, April 12, and has repassed the bill as so amended. The bill is returned herewith.

REPORT OF CONFERENCE COMMITTEE

FIRST REPORT OF SECOND CONFERENCE COMMITTEE
ON SB13-230

THIS REPORT AMENDS THE
REENGROSSED BILL

To the President of the Senate and the
Speaker of the House of Representatives:

Your second conference committee appointed on SB13-230, concerning the provision for payment of the expenses of the executive, legislative, and judicial departments of the state of Colorado, and of its agencies and institutions, for and during the fiscal year beginning July 1, 2013, except as otherwise noted, has met and reports that it has agreed upon the following:

1. That the House 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 108, line 1, strike "PREMIUMS^{8,9,10}" and substitute "PREMIUMS^{8, 9, 10, 10a}".

Page 108, line 4, in the TOTAL column strike "4,437,682,794" and substitute "4,438,829,600", in the GENERAL FUND column strike "1,044,071,030(M)" and substitute "1,044,644,433(M)", and in the FEDERAL FUNDS column strike "2,203,317,631" and substitute "2,203,891,034".

Adjust affected totals accordingly.

Page 121, after line 14 insert:

"10a Department of Health Care Policy and Financing, Medical Services Premiums -- The appropriation in this line item includes \$1,146,806 total funds comprised of \$573,403 General Fund and \$573,403 federal funds for treatment of women with breast and cervical cancer regardless of the clinic responsible for the diagnoses."

Page 190, line 2, in the ITEM & SUBTOTAL column strike "2,487,431" and substitute "2,987,431".

Page 190, line 4, in the ITEM & SUBTOTAL column strike "421,362,499" and substitute "421,862,499" and in the GENERAL FUND column strike "15,984,491" and substitute "16,484,491".

Adjust affected totals accordingly.

Page 203, line 9, in the ITEM & SUBTOTAL column strike "670,857" and substitute "170,857" and in the GENERAL FUND column strike "650,000" and substitute "150,000".

Adjust affected totals accordingly.

Page 283, line 12, in the ITEM & SUBTOTAL column strike "680,552" and substitute "780,552" and in the GENERAL FUND column strike "638,355" and substitute "738,355".

Page 283, line 13, in the ITEM & SUBTOTAL column strike "(9.8 FTE)" and substitute "(11.8 FTE)".

Adjust affected totals accordingly.

Page 296, line 4, in the ITEM & SUBTOTAL column strike "7,911,972" and substitute "8,407,012" and in the CASH FUNDS column strike "7,911,972^a" and substitute "8,407,012^a".

Page 296, line 5, in the CASH FUNDS column strike "(88.4 FTE)" and substitute "(93.4 FTE)".

Adjust affected totals accordingly.

Page 297, line 7, strike "\$4,699,940" and substitute "\$5,194,980".

Page 317, line 3, in the GENERAL FUND column strike "472,747" and substitute "1,123,815" and in the REAPPROPRIATED FUNDS column strike "1,451,841^b" and substitute "800,773^b".

Adjust affected totals accordingly.

Page 317, line 13, strike "\$6,904,523" and substitute "\$6,267,078" and strike "\$1,950,092" and substitute "\$1,936,469".

Page 327, line 5, in the ITEM & SUBTOTAL column strike "65,463" and substitute "51,840".

Page 327, line 6, in the ITEM & SUBTOTAL column strike "773,158" and substitute "759,535", in the CASH FUNDS column strike "13,623^a", and in the REAPPROPRIATED FUNDS column strike "759,535^b" and substitute "759,535^a".

Adjust affected totals accordingly.

Page 327, strike line 8.

Page 327, line 9, strike "^bThis" and substitute "^aThis".

Page 323, strike lines 7 through 9.

Page 323, line 10, strike "12-1361^{55a}" and substitute "Additional Payments from Recommendation by the State Claims Board Pursuant to Section 24-10-114 (5) (b), C.R.S.".

Page 335, strike lines 12 through 15.

Page 477, strike lines 5 and 6.

Adjust affected totals accordingly.

Page 484, strike line 3.	1
Adjust affected totals accordingly.	2
Page 487, strike lines 6 through 7.	3
Adjust affected totals accordingly.	4
Page 488, strike lines 6 through 9.	5
Adjust affected totals accordingly.	6
Page 490, strike line 4.	7
Adjust affected totals accordingly.	8
Page 490, line 14, in the ITEM & SUBTOTAL column strike "935,700" and in the TOTAL column insert "935,700".	9
Page 490, strike lines 15 and 16.	10
Page 491, strike line 1.	11
Adjust affected totals accordingly.	12
Page 499, strike lines 7 through 9.	13
Adjust affected totals accordingly.	14
Page 501, strike lines 6 through 8.	15
Page 501, line 12, in the ITEM & SUBTOTAL column strike "2,000,000" and in the TOTAL column insert "2,000,000".	16
Page 501, strike line 13.	17
Adjust affected totals accordingly.	18
Page 501 strike lines 15 and 16.	19
Page 502, strike lines 1 and 2.	20
Adjust affected totals accordingly.	21
ReNUMBER succeeding subsection accordingly.	22
Page 504, line 6, in the ITEM & SUBTOTAL column strike "1,148,050" and in the TOTAL column insert "1,148,050".	23
Page 504, strike lines 7 through 10.	24
Adjust affected totals accordingly.	25
Page 508, strike lines 10 and 11.	26
ReNUMBER succeeding subsection accordingly.	27
Adjust affected totals accordingly.	28
2. That, under the authority granted the committee to consider matters not at issue between the two houses, the following amendments be recommended:	29
Page 523, after line 21 insert:	30
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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

"SECTION 8. Appropriation to the department of corrections for the fiscal year beginning July 1, 2012. In Session Laws of Colorado 2012, section 2 of chapter 305, (HB 12-1335), as amended by Senate Bill 13-086, add footnotes to Part II (5) (A) and (5) (B) as follows:

Section 2. **Appropriation.**

**PART II
DEPARTMENT OF CORRECTIONS**

(5) COMMUNITY SERVICES

(A) Parole Subprogram

Personal Services SERVICES ^{4a}	9,811,825	9,811,825 (154.0 FTE)	
Operating Expenses	1,080,877	1,080,877	
Administrative Law Judge Services	4,604	4,604	
Contract Services	3,489,563	1,707,463	1,782,100 ^a
Wrap-Around Services Program	1,207,225	1,207,225	
Start-up Costs	25,652	25,652	
	<u>15,619,746</u>		

^a Of this amount \$1,757,100 shall be transferred from appropriations made to the Judicial Department, Probation and Related Services, Offender Treatment and Services, pursuant to Section 18-19-103 (3.5) (a), C.R.S. (H.B. 10-1352), and \$25,000 shall be transferred from appropriations made to the Judicial Department for day reporting services.

(B) Parole Intensive Supervision Subprogram

Personal Services SERVICES ^{4a}	4,544,186 (77.7 FTE)
Operating Expenses	451,495
Contract Services	1,486,319
Non-residential Services	1,109,270
Home Detention	69,383

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Start-up Costs	<u>15,391</u>						
	7,676,044		7,676,044				

FOOTNOTES -- The following statements are referenced to the numbered footnotes throughout section 2.

4a DEPARTMENT OF CORRECTIONS, COMMUNITY SERVICES, PAROLE SUBPROGRAM, PERSONAL SERVICES AND PAROLE INTENSIVE SUPERVISION SUBPROGRAM, PERSONAL SERVICES – A TOTAL OF \$500,000 OF THESE APPROPRIATIONS MAY ROLL FORWARD TO FY 2013-14."

Renumber succeeding sections accordingly.

Page 325, line 5, strike "Compensation" and substitute "Compensation^{55a}".

Page 335, after line 15 insert:

"55a Department of Personnel and Administration, Division of Human Resources, Risk Management Services, Workers' Compensation -- It is the intent of the General Assembly that the Department of Personnel be authorized to transfer spending authority for the Workers' Compensation subsection among the line items within this subsection."

Page 61, line 5, strike "\$470,240,736" and substitute "\$471,776,852" and strike "\$76,904,505" and substitute "\$75,368,389".

Page 61, line 7, strike "\$67,142,522" and substitute "\$65,606,406".

Page 525, line 9, strike "\$327,464,882" and substitute "\$332,464,882" and strike "\$186,922,411" and substitute "\$181,922,411".

Page 525, line 12, strike "\$66,824,000" and substitute "\$61,824,000".

Page 82, line 1, strike "\$17,404,527" and substitute "\$17,921,661".

Page 82, line 2, strike "\$1,446,413" and substitute "\$929,279".

Page 131, line 10, strike "Mesa State" and substitute "Colorado Mesa".

Page 146, line 5, strike "Mesa State" and substitute "Colorado Mesa".

Page 146, line 11, strike "Mesa State" and substitute "Colorado Mesa".

Page 482, line 11, strike "MESA STATE" and substitute "COLORADO MESA".

Page 242, line 3, strike "Support" and substitute "and Training Technology" and strike "(a) (1)," and substitute "(a.9) (I) (A),".

Page 337, line 1, in the ITEM & SUBTOTAL column strike "881,681" and substitute "983,956", in the GENERAL FUND column strike "122,616" and substitute "136,839", in the CASH FUNDS column strike "590,057^b" and substitute "658,504^b", and in the REAPPROPRIATED FUNDS column strike "169,008^c" and substitute "188,613^c".

Adjust affected totals accordingly.

Page 339, line 2, strike "\$5,831,339" and substitute "\$5,899,786".

Page 339, line 6, strike "\$92,124" and substitute "\$111,729".

Page 337, line 2, in the ITEM & SUBTOTAL column strike "608,253" and substitute "600,659" and in the GENERAL FUND column strike "91,128" and substitute "83,534".

Adjust affected totals accordingly.

Page 337, line 13, in the ITEM & SUBTOTAL column strike "286,552" and substitute "257,112" and in the GENERAL FUND column strike "30,060" and substitute "620".

Adjust affected totals accordingly.

Page 350, line 3, in the ITEM & SUBTOTAL column strike "589,297" and substitute "618,737" and in the GENERAL FUND column strike "126,950" and substitute "156,390".

Adjust affected totals accordingly.

Page 351, line 10, in the ITEM & SUBTOTAL column strike "8,837,991" and substitute "8,826,371" and in the GENERAL FUND column strike "1,860,793" and substitute "1,849,173".

Page 351, line 11, in the GENERAL FUND column strike "(27.8 FTE)" and substitute "(27.5 FTE)".

Adjust affected totals accordingly.

Page 352, line 10, in the ITEM & SUBTOTAL column strike "6,031,728" and substitute "6,024,756" and in the GENERAL FUND column strike "897,532" and substitute "890,560".

Page 352, line 11, in the GENERAL FUND column strike "(15.6 FTE)" and substitute "(15.5 FTE)".

Adjust affected totals accordingly.

Page 397, line 13, strike "\$45,958" and substitute "\$35,993" and strike "\$2,584" and substitute "\$12,549".

Respectfully submitted,

Senate Committee:
Pat Steadman, Chairman
Mary Hodge
Kent D. Lambert

House Committee:
Claire Levy, Chairman
Crisanta Duran
Cheri Gerou

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of Conference Committee Reports.

On motion of Majority Leader Carroll, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, the rules were suspended for Consideration of Conference Committee Reports.

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

SB13-230 by Senator(s) Steadman, Hodge; also Representative(s) Levy, Duran, Gerou--Concerning the provision for payment of the expenses of the executive, legislative, and judicial departments of the state of Colorado, and of its agencies and institutions, for and during the fiscal year beginning July 1, 2013, except as otherwise noted.

Senator Steadman moved for the adoption of the first report of the second conference committee on **SB13-230**, as printed in Senate journal, April 12, page(s) 805-811. The motion was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	E
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	20	NO	14	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	E
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

MESSAGE FROM THE REVISOR OF STATUTES

April 12, 2013

We herewith transmit:

Without comment, HB13-1263.

Without comment, as amended, HB13-1247 and 1253.

GENERAL ORDERS -- SECOND READING OF BILLS - cont'd

HB13-1036 by Representative(s) Singer; also Senator(s) Heath and Nicholson--Concerning the authority of a local improvement district.

Amendment No. 1, Local Government Committee Amendment.

(Printed in Senate Journal, April 10, page(s) 763 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

SB13-252 by Senator(s) Morse and Schwartz, Carroll, Giron, Jahn, Jones, Nicholson, Steadman; also Representative(s) Ferrandino and Duran, Court, Hamner, Hullinghorst, Kraft-Tharp, McLachlan, Moreno, Rosenthal, Ryden, Schafer, Vigil, Young--Concerning measures to increase Colorado's renewable energy standard so as to encourage the deployment of methane capture technologies.

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.)

SB13-206 by Senator(s) Hudak and Renfroe; also Representative(s) Pettersen and Priola--Concerning the direct deposit of an individual taxpayer's state income tax refund to a collegeinvest savings account administered by collegeinvest.

Ordered engrossed and placed on the calendar for third reading and final passage.

- SB13-247

by Senator(s) Heath; --Concerning the collection of debt owed to governmental entities, and, in connection therewith, specifying procedural requirements for offsetting such debts against state tax refunds and authorizing the state to enter into reciprocal debt collection agreements with the federal government and other states.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, April 10, page(s) 764 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.
- SB13-147

by Senator(s) Jahn; also Representative(s) Gardner--Concerning an employer's workers' compensation liability to a person when the person is injured while not on the employer's premises.

Laid over until Monday, April 15, retaining its place on the calendar.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

- SB13-252

by Senator(s) Morse and Schwartz, Carroll, Giron, Jahn, Jones, Nicholson, Steadman; also Representative(s) Ferrandino and Duran, Court, Hamner, Hullinghorst, Kraft-Tharp, McLachlan, Moreno, Rosenthal, Ryden, Schafer, Vigil, Young--Concerning measures to increase Colorado's renewable energy standard so as to encourage the deployment of methane capture technologies.

Senator Harvey moved to amend the Report of the Committee of the Whole to show that the following amendment to SB 13-252 did pass.

Amend printed bill, page 6, line 3, strike "resources, in Colorado," and substitute "resources in Colorado,".

Page 7, line 5, strike "in the state".

Page 7, line 6, strike "of Colorado." and substitute "in the state of Colorado".

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	14	NO	20	EXCUSED	1	ABSENT	0
Aguilar	N	Guzman	N	Kefalas	N	Roberts	E
Balmer	Y	Harvey	Y	Kerr	N	Scheffel	Y
Baumgardner	Y	Heath	N	King	Y	Schwartz	N
Brophy	Y	Hill	Y	Lambert	Y	Steadman	N
Cadman	Y	Hodge	N	Lundberg	Y	Tochtrop	N
Carroll	N	Hudak	N	Marble	Y	Todd	N
Crowder	Y	Jahn	N	Newell	N	Ulibarri	N
Giron	N	Johnston	N	Nicholson	N	President	N
Grantham	Y	Jones	N	Renfroe	Y		

- Senator Renfroe moved to amend the Report of the Committee of the Whole to show that the following amendment to SB 13-252 did pass.

Amend printed bill, page 4, strike lines 4 through 7 and substitute "THE ATMOSPHERE".

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 **passed** on the following roll call vote:

YES	20	NO	14	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	N	Kefalas	N	Roberts	E
Balmer	Y	Harvey	Y	Kerr	N	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	N
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	N
Carroll	N	Hudak	N	Marble	Y	Todd	N
Crowder	Y	Jahn	N	Newell	N	Ulibarri	N
Giron	N	Johnston	Y	Nicholson	N	President	N
Grantham	Y	Jones	Y	Renfroe	Y		

RECONSIDERATION OF SB13-230

SB13-230 by Senator(s) Steadman, Hodge; also Representative(s) Levy, Duran, Gerou--Concerning the provision for payment of the expenses of the executive, legislative, and judicial departments of the state of Colorado, and of its agencies and institutions, for and during the fiscal year beginning July 1, 2013, except as otherwise noted.

Having voted on the prevailing side, Senator Johnston moved for reconsideration of the last Senate action, Amendments to the Report of the Committee of the Whole, on SB13-230.

A majority of all members elected to the Senate having voted in the affirmative, reconsideration was granted.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

SB13-230 by Senator(s) Steadman, Hodge; also Representative(s) Levy, Duran, Gerou--Concerning the provision for payment of the expenses of the executive, legislative, and judicial departments of the state of Colorado, and of its agencies and institutions, for and during the fiscal year beginning July 1, 2013, except as otherwise noted.

Senator Renfroe moved to amend the Report of the Committee of the Whole to show that the following amendment to SB 13-252 did pass.

Amend printed bill, page 4, strike lines 4 through 7 and substitute "THE ATMOSPHERE.".

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	14	NO	20	EXCUSED	1	ABSENT	0
Aguilar	N	Guzman	N	Kefalas	N	Roberts	E
Balmer	Y	Harvey	Y	Kerr	N	Scheffel	Y
Baumgardner	Y	Heath	N	King	Y	Schwartz	N
Brophy	Y	Hill	Y	Lambert	Y	Steadman	N
Cadman	Y	Hodge	N	Lundberg	Y	Tochtrop	N
Carroll	N	Hudak	N	Marble	Y	Todd	N
Crowder	Y	Jahn	N	Newell	N	Ulibarri	N
Giron	N	Johnston	N	Nicholson	N	President	N
Grantham	Y	Jones	N	Renfroe	Y		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Guzman, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	24	NO	10	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	E
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	Y	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

The Committee of the Whole took the following action:

Passed on second reading: SB13-111 as amended, SB13-223 as amended, SB13-191 as amended, SB13-203 as amended, SB13-200 as amended, SB13-204 as amended, SB11-252 as amended, SB13-206, SB13-247 as amended, HB13-1036 as amended.
Laid over until Monday, April 15, 2013: SB13-185, SB13-147.
Laid over until Wednesday, January 8, 2014: SCR13-002.
Referred to Appropriations: HB13-1077.

CONSIDERATION OF RESOLUTIONS

SR13-003 by Senator(s) Carroll; --Concerning the creation of a Senate committee of reference for the implementation of amendment 64.

Laid over until Monday, April 15, retaining its place on the calendar.

SJR13-021 by Senator(s) Aguilar; also Representative(s) Ginal--Concerning the creation of an interim committee to study ways to create a comprehensive health care system for all Coloradans.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, April 5, page(s) 718 and placed in members' bill files.)

The amendment was **passed** on the following roll call vote:

YES	20	NO	14	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	E
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

On motion of Senator Aguilar, the resolution, as amended, was **adopted** by the following roll call vote:

YES	20	NO	14	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	E
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title and referred to the committees indicated:

HJR13-1019

by Representative(s) Levy and Navarro, Gardner, Dore, Duran, Exum, Labuda, Rosenthal, Szabo; also Senator(s) Giron and Harvey--Concerning creation of an interim committee to study legal defense in juvenile justice proceedings.

Judiciary

Legislative Council

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

SB13-263

by Senator(s) Schwartz and Giron; also Representative(s) Vigil, Fischer--Concerning the development of a master plan for the capitol complex.

State, Veterans, & Military Affairs

SB13-264

by Senator(s) Aguilar and Kefalas, Schwartz; also Representative(s) McLachlan and Vigil--Concerning requiring the commission on family medicine to support the development of rural family medicine residency programs.

Health & Human Services

SB13-265

by Senator(s) Kerr and Balmer; also Representative(s) Holbert and Kagan--Concerning applicability of Colorado statutes to franchise agreements between vehicle dealers and the suppliers of these vehicles.

Judiciary

SB13-266

by Senator(s) Aguilar and Nicholson, Carroll, Giron, Guzman, Jahn, Kefalas, Kerr, Newell, Ulibarri, Todd, Hudak, Roberts; also Representative(s) Kraft-Tharp and Young, McCann--Concerning a request for proposals process to create a coordinated behavioral health crisis response system for communities throughout the state.

Health & Human Services

SB13-267

by Senator(s) Ulibarri; also Representative(s) Kagan--Concerning judicial review of land use determinations by local governments.

Local Government

SB13-268

by Senator(s) Steadman; --Concerning the repeal of certain requirements in connection with any bill enacted by the general assembly that relies on gifts, grants, or donations as its funding source.

State, Veterans, & Military Affairs

SB13-269	by Senator(s) Nicholson and Roberts, Schwartz, Aguilar, Baumgardner, Carroll, Giron, Guzman, Heath, Hodge, Hudak, Johnston, Jones, Kefalas, Kerr, King, Morse, Newell, Steadman, Tochtrop, Todd, Ulibarri; also Representative(s) Coram and McLachlan, Fischer--Concerning the creation of a grant program to assist with efforts to reduce the risk of catastrophic wildfires to forested lands in Colorado, and, in connection therewith, making an appropriation. Agriculture, Natural Resources, & Energy	1 2 3 4 5 6 7 8 9
SB13-270	by Senator(s) Nicholson and Roberts; also Representative(s) Coram and Fischer--Concerning funding for certain activities relating to wildfire. Agriculture, Natural Resources, & Energy	10 11 12 13 14
SB13-271	by Senator(s) Nicholson; --Concerning funding for the address confidentiality program. Business, Labor, & Technology	15 16 17 18
HB13-1005	by Representative(s) Fields and Buckner; also Senator(s) Todd--Concerning postsecondary certificate programs that combine basic education course work with skills training, and, in connection therewith, making an appropriation. Education	19 20 21 22 23 24
HB13-1082	by Representative(s) Labuda; also Senator(s) Steadman--Concerning juvenile delinquency records. Judiciary	25 26 27 28 29
HB13-1115	by Representative(s) McCann, Fields, Labuda, Levy, Schafer, Swalm, Tyler, Joshi, Primavera, Ryden, Young; also Senator(s) Steadman and Roberts--Concerning the repeal of CoverColorado, and, in connection therewith, terminating health care coverage for all CoverColorado participants effective April 1, 2014, as part of the transition to health insurance coverage regardless of preexisting medical conditions under the federal "Patient Protection and Affordable Care Act". Health & Human Services	30 31 32 33 34 35 36 37 38
HB13-1163	by Representative(s) Kagan, Ferrandino; also Senator(s) Aguilar--Concerning payment for medical costs associated with obtaining a medical forensic examination for victims of sexual offenses, and, in connection therewith, making an appropriation. Judiciary Appropriations	39 40 41 42 43 44 45
HB13-1195	by Representative(s) Wright and Nordberg, Waller; also Senator(s) Hill--Concerning human trafficking, and, in connection therewith, making an appropriation. Judiciary Appropriations	46 47 48 49 50 51
HB13-1196	by Representative(s) Stephens; also Senator(s) Newell--Concerning reporting relating to the medicaid coordinated care system. Health & Human Services	52 53 54 55 56
HB13-1241	by Representative(s) Fields and Gardner, Buckner, Exum, Hamner, Kagan, Labuda, Lebsock, Lee, McCann, Melton, Pabon, Salazar, Singer, Williams, Young; also Senator(s) Guzman--Concerning a statewide automated victim information notification system, and, in connection therewith, making and reducing appropriations. Judiciary	57 58 59 60 61 62 63
HB13-1247	by Representative(s) Duran and Singer; also Senator(s) Johnston and Ulibarri--Concerning the innovative motor vehicle income tax credit. Transportation	64 65 66 67

HB13-1248 by Representative(s) Fischer; also Senator(s) Schwartz--Concerning an authorization of pilot projects for the leasing of water for municipal use.
Agriculture, Natural Resources, & Energy

HB13-1253 by Representative(s) Lee, Court, Exum, Garcia, Hamner, Kraft-Tharp, Pabon, Ryden, Tyler; also Senator(s) Kerr--Concerning a study to assess the availability of capital for small businesses in Colorado, and, in connection therewith, making an appropriation.
Business, Labor, & Technology

HB13-1263 by Representative(s) Primavera, Buckner, Court, Hamner, Peniston, Pettersen; also Senator(s) Heath--Concerning the regulation of private occupational schools by the private occupational school board, and, in connection therewith, making nonprofit private occupational schools subject to regulation by the private occupational school board.
Education

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB13-043 by Senator(s) Kerr; also Representative(s) Gardner--Concerning the prohibition against knowingly permitting removal of alcohol beverages from an establishment licensed to sell alcohol beverages for on-premises consumption.

Senator Kerr moved that the Senate concur in House amendments to **SB13-043**, as printed in House journal, April 11, page(s) 892-893. The motion was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	E
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	E
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB13-079 by Senator(s) Morse, Carroll, Roberts, Schwartz; also Representative(s) Gardner, Labuda, Levy, Murray, Waller--Concerning implementation of recommendations of the committee on legal services in connection with legislative review of rules and regulations of state agencies.

Senator Morse moved that the Senate concur in House amendments to **SB13-079**, as printed in House journal, April 11, page(s) 894. The motion was **adopted** by the following roll call vote:

YES	33	NO	1	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	E
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	E
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

**CONSIDERATION OF GOVERNOR'S APPOINTMENTS --
CONSENT CALENDAR**

On motion of Majority Leader Carroll, the following Governor's appointments were confirmed by the following roll call votes:

**MEMBERS OF THE
CHARTER SCHOOL INSTITUTE BOARD**

for terms expiring July 1, 2015:

Patricia M. Hayes of Aurora, Colorado, to serve as a member with experience as a charter school board member or founder of a charter school, experience as a public school administrator with experience working with charter schools, other board or public service experience, and as a Republican, reappointed;

Anthony Scott Lewis of Longmont, Colorado, to serve as a member with experience as a charter school board member or founder of a charter school, experience as a public school administrator with experience working with charter schools, other board or public service experience, and as a Democrat, reappointed;

Donahue Cassius Quashie of Colorado Springs, Colorado, as a representative of a parent of a student who is, or who has been, enrolled in an institute charter school, and as a Republican, reappointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	E
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

MEMBER OF THE
STATE HOUSING BOARD

for a term expiring January 31, 2015:

Barbara Cleland of Aurora, Colorado, to serve as a member from the Sixth Congressional District and as a Republican, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	E
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

APPOINTMENTS TO CONFERENCE COMMITTEE

The President appointed Senators Ulibarri, Chair, Steadman, and Roberts as Senate conferees on the first conference committee on [HB13-1204](#).

The President appointed Senators Todd, Chair, Nicholson, and Roberts as Senate conferees on the first conference committee on [HB13-1081](#).

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SM13-002 and 003.

MESSAGE FROM THE GOVERNOR

Appointment Letters of designation and appointment from Governor John W. Hickenlooper were read and assigned to committees as follows:

April 5, 2013

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint, and submit to your consideration, the following:

MEMBER OF THE
STATE BOARD OF PAROLE

effective July 1, 2013 for a term expiring July 1, 2017:

Rebecca Lynn Oakes of Denver, Colorado, to serve as a citizen member, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 4/10/13
Cindi L. Markwell, Secretary of the Senate

Committee on Judiciary

April 5, 2013

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, reappoint and submit to your consideration, the following:

MEMBERS OF THE
STATE AGRICULTURAL COMMISSION

for terms expiring March 1, 2017:

Alex C. Gerace of Denver, Colorado, an Unaffiliated from the First Agricultural District to serve as a member from the State at-large, reappointed;

Brett Brand Rutledge of Yuma, Colorado, a Democrat from the Second Agricultural District, appointed;

Steve Dale Young of Holyoke, Colorado, a Republican from the Second Agricultural District, to serve as a member from the State at-large, appointed;

Michael Conrad Hiramkata of La Junta, Colorado, a Republican from the Third Agricultural District to serve as a member from the State at-large, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 4/10/13
Cindi L. Markwell, Secretary of the Senate

Committee on Agriculture, Natural Resources, and Energy

April 5, 2013

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, reappoint and submit to your consideration, the following:

MEMBERS OF THE
COLORADO STATE FAIR AUTHORITY
BOARD OF COMMISSIONERS

for terms expiring November 1, 2016:

Arthur H. Bosworth II of Denver, Colorado, a Republican residing in the First Congressional District, reappointed;

Virginia "Ginny" Vietti of Silverthorne, Colorado, a Democrat residing in the Second Congressional District, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 4/10/2013
Cindi L. Markwell, Secretary of the Senate

Committee on Agriculture, Natural Resources, and Energy

CHANGE IN SPONSORSHIP

Upon announcement of President Morse, Senator Jahn will be added as joint prime sponsor with Senator Harvey and Representatives Holbert and Kraft-Tharp on HB13-1080.

Upon announcement of President Morse, Senator King will be added as joint prime sponsor with Senator Guzman and Representatives Fields and Gardner on HB13-1241.

On motion of Majority Leader Carroll, the Senate adjourned until 10:00 a.m., Monday,
April 15, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

97th Legislative Day Monday, April 15, 2013

Prayer By the chaplain, Father Eustace Sequeira, Regis University Jesuit Community, Denver.

Call to Order By the President at 10:00 a.m.

Pledge By Senator Hill.

Roll Call Present--35

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Ulibarri, reading of the Journal of Friday, April 12, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Printed: SB13-263, 264, 265, 266, 267, 268, 269, 270 and 271.

Correctly Engrossed: SB13-111, 191, 200, 203, 204, 206, 216, 223, 244, 247 and 252.

Correctly Reengrossed: SB13-047, 166, 170 and 231.

Correctly Revised: HB13-1036, 1205 and 1250.

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:

SB13-216 by Senator(s) Giron; also Representative(s) Rosenthal--Concerning youthful offenders within the state department of corrections.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was passed.

Co-sponsor(s) added: Aguilar, Guzman, Hodge, Hudak, Jahn, Jones, King, Newell, Nicholson, Tochtrop, Todd and Ulibarri.

SB13-244

by Senator(s) Guzman, Balmer, Baumgardner, Cadman, Giron, Grantham, Hodge, Hudak, Jahn, Johnston, Kefalas, King, Lundberg, Newell, Renfroe, Roberts, Scheffel, Tochtrop, Todd, Ulibarri; also Representative(s) Kagan, Gardner, Lawrence, Lee, McNulty, Pabon, Pettersen, Priola, Salazar, Schafer, Stephens, Szabo, Vigil, Waller--Concerning a task force to study substance abuse.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Jones, Nicholson, Schwartz and Steadman.

HB13-1250

by Representative(s) Sonnenberg; also Senator(s) Tochtrop--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	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

HB13-1205

by Representative(s) Swalm and Pabon; also Senator(s) Schwartz--Concerning the investment of state moneys by the state treasurer.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Newell.

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:

SB13-111 by Senator(s) Hudak, Giron, Guzman, Heath, Johnston, Morse, Todd, Ulibarri; also Representative(s) Schafer and Stephens--Concerning abuse of at-risk adults, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	24	NO	11	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Carroll, Hodge, Jones, Kefalas, Kerr, King, Newell, Nicholson, Roberts, Steadman and Tochtrop.

SB13-223 by Senator(s) Brophy; also Representative(s) Mitsch Bush--Concerning the continuation of the noxious weed advisory committee.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Giron, Guzman, Jones, Nicholson and Schwartz.

SB13-191 by Senator(s) Hodge; also Representative(s) Williams and Sonnenberg--Concerning the acquisition of rights-of-way by pipeline companies.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	25	NO	10	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	N
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	N	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	N	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	N	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

SB13-203 by Senator(s) Schwartz, Giron, King; also Representative(s) Coram, DelGrosso, Priola, Singer, Tyler--Concerning limitations on the use of certain public land for automotive service stations in order to limit government competition.

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.003), by Senator Schwartz.

Amend engrossed bill, page 4, line 13, strike "If" and substitute "IN ORDER TO ENSURE THAT A COMPETITIVE ENVIRONMENT EXISTS, IF"

Page 4, line 15, strike "SHALL ADDRESS WHETHER" and substitute "MUST INCLUDE A DETERMINATION THAT".

The amendment was **passed** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	26	NO	9	EXCUSED	0	ABSENT	0
Aguilar	N	Guzman	N	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	N
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	N
Carroll	N	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	N
Giron	N	Johnston	N	Nicholson	Y	President	Y
Grantham	Y	Jones	N	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Senator Giron requested her name be removed as sponsor on SB13-203.

Co-sponsor(s) added: Crowder.

SB13-200 by Senator(s) Aguilar, Kefalas; also Representative(s) Ferrandino--Concerning an increase in the income eligibility for certain optional groups in the medicaid program to one hundred thirty-three percent of the federal poverty line, and, in connection therewith, making and reducing an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	21	NO	14	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Carroll, Giron, Guzman, Heath, Hodge, Hudak, Johnston, Jones, Morse, Newell, Nicholson, Schwartz, Steadman, Tochtrop, Todd and Ulibarri.

SB13-204 by Senator(s) Aguilar; also Representative(s) Primavera and Young--Concerning the addition of two members to the Colorado state board of chiropractic examiners, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	25	NO	10	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Kefalas, Newell, Nicholson and Tochtrop.

HB13-1036 by Representative(s) Singer; also Senator(s) Heath and Nicholson--Concerning the authority of a local improvement district.

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	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Senate in recess.
Senate reconvened.

MESSAGE FROM THE HOUSE

April 15, 2013

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1283.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1267, amended as printed in House Journal, April 12, page 945.
HB13-1134, amended as printed in House Journal, April 12, page 947.
HB13-1276, amended as printed in House Journal, April 12, pages 947-948.
HB13-1153, amended as printed in House Journal, April 12, page 948.
HB13-1165, amended as printed in House Journal, April 12, page 948.
HB13-1211, amended as printed in House Journal, April 12, page 949.
HB13-1259, amended as printed in House Journal, April 12, pages 950-951.
HB13-1261, amended as printed in House Journal, April 12, page 949.
HB13-1020, amended as printed in House Journal, April 12, page 950.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; HB13-1239, amended as printed in House Journal, April 12, page 949, and amended on Third Reading as printed in House Journal, April 15.

MESSAGE FROM THE REVISOR OF STATUTES

April 15, 2013

We herewith transmit:

Without comment, HB13-1283.
Without comment, as amended, HB13-1020, 1134, 1153, 1165, 1211, 1239, 1261, 1267, and 1276.
With comment, as amended, HB13-1259.

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:

SB13-252 by Senator(s) Morse and Schwartz, Carroll, Giron, Jahn, Jones, Nicholson, Steadman; also Representative(s) Ferrandino and Duran, Court, Hamner, Hullinghorst, Kraft-Tharp, McLachlan, Moreno, Rosenthal, Ryden, Schafer, Vigil, Young--Concerning measures to increase Colorado's renewable energy standard so as to encourage the deployment of methane capture technologies.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	18	NO	17	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	N	Lundberg	N	Tochtrop	N
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Guzman, Heath, Kefalas and Kerr.

SB13-206 by Senator(s) Hudak and Renfroe; also Representative(s) Pettersen and Priola--Concerning the direct deposit of an individual taxpayer's state income tax refund to a collegeinvest savings account administered by collegeinvest.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Carroll, Giron, Guzman, Heath, Kerr, Newell, Nicholson, Steadman, Todd and Ulibarri.

SB13-247 by Senator(s) Heath; --Concerning the collection of debt owed to governmental entities, and, in connection therewith, specifying procedural requirements for offsetting such debts against state tax refunds and authorizing the state to enter into reciprocal debt collection agreements with the federal government and other states.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	25	NO	10	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	Y	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Monday, April 15 was laid over until Tuesday, April 16, retaining its place on the calendar.

- General Orders -- Second Reading of Bills -- Consent Calendar: SB13-248, SB13-243, HB13-1190, SB13-240.
- General Orders -- Second Reading of Bills: SB13-185, SB13-147, SB13-229, HB13-1220, HB13-1236.
- Consideration of Resolutions: SR13-003.
- Consideration of Governor's Appointments:
 - Members of the Board of Assessment Appeals.
 - Members of the Parks and Wildlife Commission.
- Requests for Conference Committee: HB13-1204, HB13-1081.

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

- SB13-272**
by Senator(s) Schwartz; also Representative(s) Fischer--Concerning modifications to energy demand-side management programs, and, in connection therewith, creating a pathway for inclusion of innovative and emerging technologies to offset the consumption of natural gas.
 - Agriculture, Natural Resources, & Energy
- SB13-273**
by Senator(s) Schwartz and Nicholson; also Representative(s) Hamner, Coram--Concerning incentives for the beneficial use of forest biomass.
 - Agriculture, Natural Resources, & Energy
- SB13-274**
by Senator(s) Steadman; also Representative(s) Levy and Gerou--Concerning the compensation paid to elected state officials.
 - State, Veterans, & Military Affairs
- SB13-275**
by Senator(s) Hodge; --Concerning the creation of an interim committee of the general assembly to review matters relating to pipeline safety.
 - Local Government

On motion of Majority Leader Carroll, the Senate adjourned until 9:00 a.m., Tuesday, April 16, 2013.

Approved:

John P. Morse
 President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

98th Legislative Day Tuesday, April 16, 2013

Prayer By Senator Newell.

Call to Order By the President at 10:00 a.m.

Pledge By Senator Hill.

Roll Call Present--35

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Ulibarri, reading of the Journal of Monday, April 15, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Business, Labor, & Technology After consideration on the merits, the Committee recommends that **SB13-124** be **postponed indefinitely**.

Business, Labor, & Technology After consideration on the merits, the Committee recommends that **HB13-1079** be **referred** to the Committee on Legislative Council with favorable recommendation.

Judiciary After consideration on the merits, the Committee recommends that **HJR13-1019** be **referred** to the Committee on Legislative Council with favorable recommendation.

Judiciary After consideration on the merits, the Committee recommends that **HB13-1129** be **referred** to the Committee on Appropriations with favorable recommendation.

Judiciary After consideration on the merits, the Committee recommends that **HB13-1156** be **amended** as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 11, after line 10 insert:
"SECTION 3. In Colorado Revised Statutes, 16-4-110, **amend as amended in House Bill 13-1236** (3) as follows:
16-4-110. Exoneration from bond liability. (3) Upon entry of an order for deferred prosecution AS IT EXISTED BEFORE THE EFFECTIVE DATE OF HOUSE BILL 13-1156, ENACTED IN 2013, A DIVERSION AUTHORIZED BY SECTION 18-1.3-101,C.R.S., or deferred judgment as authorized in sections 18-1.3-101 and 18-1.3-102, C.R.S., sureties upon any bond given for the appearance of the defendant shall be released from liability on such bond."

Renumber succeeding sections accordingly.

Page 21, line 12, strike "This" and substitute "(1) This".

	Page 21, strike line 22 and substitute:	1
	"(2) Section 3 of this act takes effect only if House Bill 13-1236	2
	becomes law and takes effect either upon the effective date of this act or	3
	House Bill 13-1236, whichever is later. If section 3 of this act takes	4
	effect, then section 2 of this act will not take effect."	5
		6
		7
Judiciary	After consideration on the merits, the Committee recommends that SB13-250 be amended	8
	as follows, and as so amended, be referred to the Committee on <u>Appropriations</u> with	9
	favorable recommendation.	10
		11
		12
	Amend printed bill, page 70, line 20, strike "13-____," and substitute	13
	"13-250,".	14
		15
	Page 73, line 16, strike "13-____," and substitute "13-250,".	16
		17
	Page 73, line 24, strike "13-____," and substitute "13-250,".	18
		19
		20
		21
		22
		23
	SENATE SERVICES REPORT	24
		25
	Correctly Printed: SB13-272, 273, 274 and 275.	26
	Correctly Reengrossed: SB13-111, 191, 200, 203, 204, 206, 216, 223, 244, 247 and 252 .	27
	Correctly Rerevised: HB13-1036, 1205 and 1250.	28
		29
		30
		31
		32
Committee of the Whole	On motion of Senator Johnston, the Senate resolved itself into the Committee of the	33
	Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar,	34
	and Senator Johnston was called to the Chair to act as Chairman.	35
		36
	GENERAL ORDERS -- SECOND READING OF BILLS --	37
	CONSENT CALENDAR	38
		39
	The Committee of the Whole having risen, the Chairman reported that the following bills,	40
	reading at length having been dispensed with by unanimous consent, had been considered	41
	and action taken thereon as follows:	42
		43
		44
SB13-248	by Senator(s) Aguilar; also Representative(s) Priola--Concerning the authority of the	45
	attorney general or a district attorney to enforce subpoenas for consumer protection	46
	violations against persons located outside Colorado.	47
		48
	Ordered engrossed and placed on the calendar for third reading and final passage.	49
		50
		51
SB13-243	by Senator(s) Hodge, Tochtrop, Ulibarri; also Representative(s) Peniston, Lebsock, May,	52
	Moreno, Priola, Salazar--Concerning requirements affecting the designation by petition of	53
	candidates in connection with the election of members of the boards of commissioners of	54
	counties following a change in the membership of said boards.	55
		56
	Ordered engrossed and placed on the calendar for third reading and final passage.	57
		58
		59
HB13-1190	by Representative(s) Moreno, Young; also Senator(s) Heath--Concerning allowing a	60
	taxpayer to make a donation to an intermediary nonprofit organization for the enterprise	61
	zone contribution tax credit.	62
		63
	Ordered revised and placed on the calendar for third reading and final passage.	64
		65
		66
		67

- SB13-240

by Senator(s) Tochtrop; also Representative(s) Exum--Concerning voting requirements for approval of modifications to the statewide defined benefit plan administered by the fire and police pension association.
- Ordered engrossed and placed on the calendar for third reading and final passage.
- HB13-1183

by Representative(s) Levy and Gerou, Duran; also Senator(s) Lambert, Hodge, Steadman--Concerning the imposition of a cap of forty-five million dollars on the total amount of state income tax credits that may be claimed by all taxpayers each year for the donation of a conservation easement in gross.
- Ordered revised and placed on the calendar for third reading and final passage.
- SB13-125

by Senator(s) Todd; also Representative(s) DelGrosso--Concerning preneed funeral contracts.
- Amendment No. 1, Business, Labor & Technology Committee Amendment.

(Printed in Senate Journal, April 4, page(s) 699-701 and placed in members' bill files.)
- Amendment No. 2, Appropriations Committee Amendment.

(Printed in Senate Journal, April 12, page(s) 791-792 and placed in members' bill files.)
- As amended, ordered engrossed and placed on the calendar for third reading and final passage.
- SB13-235

by Senator(s) Lambert, Hodge, Steadman; also Representative(s) Levy, Duran, Gerou--Concerning a transfer of moneys from the state general fund to the Colorado state veterans trust fund for the purpose of repaying moneys from the trust fund that were used to build National Guard armories.
- Ordered engrossed and placed on the calendar for third reading and final passage.
- HB13-1022

by Representative(s) Holbert; also Senator(s) Jahn--Concerning proof of motor vehicle insurance, and, in connection therewith, making an appropriation.
- Ordered revised and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Johnston, 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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB13-248, SB13-243,SB13-240, SB13-125 as amended, SB13-235, HB13-1190, HB13-1183, HB13-1022.

On motion of Majority Leader Carroll, 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 Consent Calendar.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -
CONSENT CALENDAR

On motion of Majority Leader Carroll, the following Governor's appointments were confirmed by the following roll call votes:

MEMBERS OF THE
BOARD OF ASSESSMENT APPEALS

effective July 1, 2012 for a term expiring July 1, 2013:
Brooke Blair Leer of Greenwood Village, Colorado, appointed;
effective July 1, 2012 for a term expiring July 1, 2015:
Diane M. DeVries of Wheat Ridge, Colorado and occasioned by the resignation of Sondra Mercier of Denver, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

MEMBERS OF THE
PARKS AND WILDLIFE COMMISSION

for a term expiring July 1, 2013:
James C. Pribyl of Boulder, Colorado, as a member at large, appointed;
for a term expiring July 1, 2015:
William G. Kane of Basalt, Colorado, as a representative of outdoor recreation and utilizes parks resources appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for expressions of personal privilege.

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS

Appropriations

After consideration on the merits, the Committee recommends that SB13-260 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 26, line 25, before "For" insert "(1)".

Page 26, after line 27 insert:

- "(a) The cash funds appropriation from the state education fund created in section 17 (4) (a) of article IX of the state constitution, for the state share of districts' total program funding, is increased by \$35,240,757.
- (b) The cash funds appropriation from the state education fund created in section 17 (4) (a) of article IX of the state constitution, for the state share of districts' total program funding, is increased by \$11,602,977 to support additional Colorado preschool program participants authorized in section 22-28-104.3, Colorado Revised Statutes.
- (c) The cash funds appropriation from the state education fund created in section 17 (4) (a) of article IX of the state constitution, for hold-harmless full-day kindergarten funding, is increased by \$44,823.
- (d) The cash funds appropriation from the state education fund created in section 17 (4) (a) of article IX of the state constitution, for state aid to charter school facilities, is increased by \$1,000,000.
- (e) The cash funds appropriation from the early literacy fund created in section 22-7-1210 (1), Colorado Revised Statutes, from interest and income earned on the investment of moneys in the public school fund that is credited to the early literacy fund pursuant to section 22-41-102 (3) (c), Colorado Revised Statutes, for the early literacy competitive grant program, is decreased by \$566,062.
- (f) The cash funds appropriation from the early literacy fund created in section 22-7-1210 (1), Colorado Revised Statutes, from interest and income earned on the investment of moneys in the public school fund that is credited to the early literacy fund pursuant to section 22-41-102 (3) (c), Colorado Revised Statutes, for early literacy program per pupil intervention funding, is decreased by \$9,850,000.
- (g) The cash funds appropriation from the state education fund created in section 17 (4) (a) of article IX of the state constitution, for special education programs for children with disabilities, is increased by \$20,000,000 pursuant to section 22-20-114 (c) (III) (A), Colorado Revised Statutes.
- (h) The cash funds appropriation from the state education fund created in section 17 (4) (a) of article IX of the state constitution, for facility school funding, is increased by \$2,506,290 pursuant to section 22-54-129, Colorado Revised Statutes."

Page 27, line 1, strike "(1)" and substitute "(i)".

Page 27, line 5, strike "(2)" and substitute "(j)".

Page 27, after line 9 insert:

"(2) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the state education fund created in section 17 (4) (a) of article IX of the state constitution, not otherwise appropriated, to the department of education, for the fiscal year beginning July 1, 2013, the sum of \$5,000,000, or so much thereof as may be necessary, to be allocated to grant programs, distributions, and other assistance for the expanding quality incentive program.

(3) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the early literacy fund created in section 22-7-1210 (1), Colorado Revised Statutes, not otherwise appropriated, to the department of education, for the fiscal year beginning July 1, 2013, the sum of \$16,000,000, or so much thereof as may be necessary, to be allocated to the early literacy program. Said sum is from moneys transferred from the state education fund created in section 17 (4) (a) of article IX of the state constitution pursuant to section 22-7-1210 (1) (d) (I), Colorado Revised Statutes, to be allocated as follows:

- (a) \$566,062 for the early literacy competitive grant program; and
(b) \$15,433,938 for early literacy program per pupil intervention funding.

(4) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the state education fund created in section 17 (4) (a) of article IX of the state constitution, not otherwise appropriated, to the department of education, for the fiscal year beginning July 1, 2013, the sum of \$3,000,000, or so much thereof as may be necessary, to be allocated to grant programs, distributions, and other assistance for the quality teacher recruitment program.

(5) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the great teachers and leaders fund created in section 22-9-105.7 (1), Colorado Revised Statutes, not otherwise appropriated, to the department of education, for the fiscal year beginning July 1, 2013, the sum of \$200,000, or so much thereof as may be necessary, to be allocated to management and administration for educator effectiveness implementation. Said sum is from moneys transferred from the state education fund created in section 17 (4) (a) of article IX of the state constitution pursuant to section 22-9-105.7 (3) (b) (I), Colorado Revised Statutes.

(6) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund, not otherwise appropriated, to the department of human services, for the fiscal year beginning July 1, 2013, the sum of \$43,898 and 0.7 FTE, or so much thereof as may be necessary, to be allocated to the division of child care for child care licensing and administration activities."

Page 27, line 10, strike "(3)" and substitute "(7)".

Page 27, before line 19 insert:

"SECTION 15. Appropriation to the department of education for the fiscal year beginning July 1, 2013. In section 2 of Senate Bill 13-230, amend Part III (2) (A) Footnote 4, as follows:

- Section 2. Appropriation.
4 Department of Education, Assistance to Public Schools, Public School Finance, State Share of Districts' Total Program Funding -- Pursuant to Section 22-35-108 (2) (a), C.R.S., the purpose of this footnote is to specify what portion of this appropriation is intended to be available for the Accelerating Students Through Concurrent Enrollment (ASCENT) Program for FY 2013-14. It is the intent of the General Assembly that the Department of Education be authorized to utilize up to ~~\$2,709,450~~ \$2,727,900 of this appropriation to fund qualified students designated as ASCENT Program participants. This amount is calculated based on an estimated 450 FTE participants funded at a rate of ~~\$6,021~~

\$6,062 per FTE pursuant to Section 22-54-104 (4.7), C.R.S."

Renumber succeeding section accordingly.

Page 1, line 102, after "MAKING" insert "AND REDUCING".

Appropriations

After consideration on the merits, the Committee recommends that **SB13-242** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 6, strike lines 16 through 25 and substitute:

"SECTION 4. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated to the department of health care policy and financing, for the fiscal year beginning July 1, 2013, the sum of \$999,490 and 1.3 FTE, or so much thereof as may be necessary, comprised of \$272,112 from the adult dental fund created in section 25.5-5-207 (4) (a), Colorado Revised Statutes, and \$727,378 from federal funds, to be allocated to the executive director's office for the implementation of this act as follows:

(a) \$78,410, comprised of \$39,205 from the adult dental fund created in section 25.5-5-207 (4) (a), Colorado Revised Statutes, and \$39,205 from federal funds, and 1.3 FTE, for personal services;

(b) \$10,546, comprised of \$5,273 from the adult dental fund created in section 25.5-5-207 (4) (a), Colorado Revised Statutes, and \$5,273 from federal funds, for operating expenses;

(c) \$555,534, comprised of \$138,884 from the adult dental fund created in section 25.5-5-207 (4) (a), Colorado Revised Statutes, and \$416,650 from federal funds, for information technology contracts and projects for medicaid management information system maintenance and projects; and

(d) \$355,000, comprised of \$88,750 from the adult dental fund created in section 25.5-5-207 (4) (a), Colorado Revised Statutes, and \$266,250 from federal funds, for professional services contracts.

SECTION 5. Appropriation - adjustments to 2013 long bill.

(1) For the implementation of this act, appropriations made in the annual general appropriation act to the department of health care policy and financing for the fiscal year beginning July 1, 2013, for medical service premiums are adjusted as follows:

(a) The general fund appropriation is decreased by \$738,262;

(b) The cash funds appropriation from the adult dental fund created in section 25.5-5-207 (4) (a), Colorado Revised Statutes, is increased by \$11,150,016;

(c) The cash funds appropriation from the hospital provider fee cash fund created in section 25.5-4-402.3 (4) (a), Colorado Revised Statutes, is increased by \$3,013,248; and

(d) The federal funds appropriation is increased by \$13,425,002.

SECTION 6. Appropriation - adjustments to 2013 long bill.

(1) For the implementation of this act, appropriations made in the annual general appropriation act to the department of health care policy and financing for the fiscal year beginning July 1, 2013, for medical service premiums are adjusted as follows:

(a) The general fund appropriation is decreased by \$738,262;

(b) The cash funds appropriation from the adult dental fund created in section 25.5-5-207 (4) (a), Colorado Revised Statutes, is increased by \$11,185,718;

(c) The cash funds appropriation from the hospital provider fee cash fund created in section 25.5-4-402.3 (4), Colorado Revised Statutes, is decreased by \$213,659; and

(d) The federal funds appropriation is increased by \$22,625,118.

SECTION 7. Act subject to petition - effective date. (1) Except

as otherwise provided in subsection (2) of this section, this act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 7, 2013, if adjournment sine die is on May 8, 2013); except that, if a referendum

petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2014 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

(2) (a) Section 5 of this act takes effect only if Senate Bill 13-200 is not enacted and does not become law.

(b) Section is 6 of this act takes effect only if Senate Bill 13-200 is enacted and becomes law."

Page 1, line 102, strike "PROGRAM." and substitute "PROGRAM, AND, IN CONNECTION THEREWITH, MAKING AND REDUCING AN APPROPRIATION."

Appropriations

After consideration on the merits, the Committee recommends that **SB13-241** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend printed bill, page 11, after line 6 insert:

"SECTION 3. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund, not otherwise appropriated, to the department of agriculture, for the fiscal year beginning July 1, 2013, the sum of \$21,205, or so much thereof as may be necessary, to be allocated for the implementation of this act as follows:

(a) \$7,300 for personal services and operating expenditures;

(b) \$13,905 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, 2013, the sum of \$13,905, or so much thereof as may be necessary, for the provision of legal services for the department of agriculture related to the implementation of this act. Said sum is from reappropriated funds received from the department of agriculture out of the appropriation made in paragraph (b) of subsection (1) of this section."

Renumber succeeding section accordingly.

Page 1, line 102, strike "PRODUCTION." and substitute "PRODUCTION, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION."

Appropriations

After consideration on the merits, the Committee recommends that **HB13-1167** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **SB13-227** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 16, after line 16 insert:

"SECTION 9. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of human services, for the fiscal year beginning July 1, 2013, the sum of \$9,000, or so much thereof as may be necessary, for allocation to the division of child welfare, administration, for the provision of assistance to the task force on children conceived by rape that is created by this act."

Renumber succeeding sections accordingly.

Page 1, line 103, strike "ASSAULT." and substitute "ASSAULT, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION."

Appropriations

After consideration on the merits, the Committee recommends that SB13-217 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend printed bill, page 2, after line 20 insert:

"SECTION 2. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of education, for the fiscal year beginning July 1, 2013, the sum of \$17,580 and 0.2 FTE, or so much thereof as may be necessary, for accountability and improvement planning activities related to the implementation of this act."

Renumber succeeding section accordingly.

Page 1, line 105, strike "INSTITUTE." and substitute "INSTITUTE, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION."

Appropriations

After consideration on the merits, the Committee recommends that SB13-207 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, before line 25 insert:

"SECTION 2. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the division of professions and occupations 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, 2013, the sum of \$10,020, or so much thereof as may be necessary, to be allocated for the implementation of this act as follows:

(a) \$3,840 to the division of professions and occupations for expert consulting; and

(b) \$6,180 to the executive director's office and administrative services 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, 2013, the sum of \$6,180, 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 (b) of subsection (1) of this section."

Renumber succeeding sections accordingly.

Page 1, line 102, strike "PROFESSIONALS." and substitute "PROFESSIONALS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION."

Appropriations

After consideration on the merits, the Committee recommends that SB13-210 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 4, before line 9 insert:

"SECTION 3. Appropriation. In addition to any other

	appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of corrections, for the fiscal year beginning July 1, 2013, the sum of \$2,394,282, or so much thereof as may be necessary, to be allocated for personal services related to the implementation of this act as follows:	1
	(1) \$82,626 to the management division;	2
	(2) \$2,162,732 to the institutions division; and	3
	(3) \$148,924 to the community services division."	4
		5
	Renumber succeeding section accordingly.	6
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	Page 1, strike line 102 and substitute "OFFICERS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION."	8
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Appropriations	After consideration on the merits, the Committee recommends that HB13-1110 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	10
		11
	Amend reengrossed bill, page 20, strike lines 6 through 9 and substitute:	12
	"beginning July 1, 2013, the sum of \$82,822, or so much thereof as may be necessary, to be allocated for the implementation of this act as follows:	13
	(a) \$14,610 to the central department operations division for postage; and	14
	(b) \$68,212 to the information technology division for the purchase of computer center services."	15
		16
	Page 20, line 17, after "in" insert: "paragraph (b) of".	17
		18
	Page 20, line 23, strike "\$110,400," and substitute "\$160,675,".	19
		20
	Page 21, line 3, strike "\$9,204," and substitute "\$10,599,".	21
		22
Appropriations	After consideration on the merits, the Committee recommends that SB13-224 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	23
		24
	Amend printed bill, page 4, after line 16 insert:	25
		26
	"SECTION 3. 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, 2013, the sum of \$2,972, or so much thereof as may be necessary, to be allocated to the information technology division for the purchase of computer programming services related to the implementation of this act.	27
	(2) 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, 2013, the sum of \$5,920, or so much thereof as may be necessary, for allocation to the division of motor vehicles for the purchase of special license plates related to the implementation of this act.	28
	(3) 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, 2013, the sum of \$2,972, 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	29
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revenue out of the appropriation made in subsection (1) of this section."

Renumber succeeding section accordingly.

Page 1, line 102, strike "UNLIMITED." and substitute "UNLIMITED, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION."

Appropriations

After consideration on the merits, the Committee recommends that **SB13-218** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 11, after line 1 insert:

"SECTION 3. Appropriation. (1) In addition to any other appropriation, for the fiscal year beginning July 1, 2013, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of higher education to be credited to the Colorado key industries workforce program fund created in section 23-19.6-106, Colorado Revised Statutes, the sum of \$500,000, to be used for purposes consistent with the creation of the fund.

(2) In addition to any other appropriation, there is hereby appropriated, out of the Colorado key industries workforce program fund, to the department of higher education, for the fiscal year beginning July 1, 2013, the sum of \$500,000 and 0.2 FTE, or so much thereof as may be necessary, for allocation to the division of occupational education to facilitate partnerships between key industries and institutions of higher education."

Renumber succeeding section accordingly.

Page 1, line 102, strike "COLORADO." and substitute "COLORADO, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION."

Appropriations

After consideration on the merits, the Committee recommends that **HB13-1152** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **SB13-221** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend printed bill, page 21, line 10, after "(3.5)," insert"(6),".

Page 27, after line 22, insert the following:

"(c) THE INFORMATION REQUIRED IN PARAGRAPH (f) OF SUBSECTION (3) OF THIS SECTION WILL NO LONGER BE REQUIRED FROM THE HOLDER OF THE CONSERVATION EASEMENT.

(6) A taxpayer may claim only one tax credit under this section per income tax year; except that a transferee of a tax credit under subsection (7) of this section may claim an unlimited number of credits. ~~A taxpayer who has carried forward or elected to receive a refund of part of the tax credit in accordance with subsection (5) of this section shall not claim an additional tax credit under this section for any income tax year in which the taxpayer applies the amount carried forward against income tax due or receives a refund. A taxpayer who has transferred a credit to a transferee pursuant to subsection (7) of this section shall not claim an additional tax credit under this section for any income tax year in which the transferee uses such transferred credit."~~

Page 30, strike lines 20 through 24 and substitute:

"created in section 12-61-723 (6), Colorado Revised Statutes, not otherwise appropriated, to the department of regulatory agencies, for the fiscal year beginning July 1, 2013, the sum of \$275,046 and 3.5 FTE, or so much thereof as may be necessary, to be allocated for the implementation of this act as follows:

- (a) \$100,735 and 3.5 FTE to the division of real estate for personal services;
- (b) \$3,325 to the division of real estate for operating expenses;
- (c) \$16,461 to the division of real estate for capital expenses;
- (d) \$10,000 to the division of real estate for consulting;
- (e) \$75,000 to the division of real estate for computer programming; and
- (f) \$69,525 to the executive director's office and administrative services 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, 2013, the sum of \$69,525 and 0.5 FTE, 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 (f) of subsection (1) of this section.

(3) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of revenue, for the fiscal year beginning July 1, 2013, the sum of \$48,000, or so much thereof as may be necessary, for allocation to the taxation business group for computer programming related to the implementation of this act.

(4) For the purpose of implementing this act prior to sufficient".

Page 1, line 104, strike "EASEMENT." and substitute "EASEMENT, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.".

Appropriations

After consideration on the merits, the Committee recommends that **SB13-222** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 8, after line 21 insert:

"SECTION 6. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund, not otherwise appropriated, to the department of public health and environment, for the fiscal year beginning July 1, 2013, the sum of \$68,054 and 1.0 FTE, or so much thereof as may be necessary, to be allocated to the disease control and environmental epidemiology division for the implementation of this act as follows:

Immunization Personal Services	\$62,401 and 1.0 FTE
Immunization Operating Expenses	\$5,653.".

Renumber succeeding section accordingly.

Page 1, line 101, strike "IMMUNIZATIONS." and substitute "IMMUNIZATIONS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.".

MESSAGE FROM THE HOUSE

April 16, 2013
Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1281.

The House has passed on Third Reading and transmitted to the Revisor of Statutes
HB13-1210, amended as printed in House Journal, April 15, page 984.

MESSAGE FROM THE REVISOR OF STATUTES

April 16, 2013

We herewith transmit:

Without comment, HB13-1281.
Without comment, as amended, HB13-1210.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

SJR13-028 by Senator(s) Scheffel; also Representative(s) Murray--Concerning the designation of
September 27, 2013, as "First Responder Appreciation Day".

Laid over until Wednesday, May 1, retaining its place on the calendar.

Committee On motion of Senator Johnston, the Senate resolved itself into the Committee of the
of the Whole Whole for consideration of General Orders--Second Reading of Bills and
Senator Johnston was called to the Chair to act as Chairman.

GENERAL 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:

SB13-185 by Senator(s) Nicholson; also Representative(s) Primavera--Concerning expansion of the
types of activities that are eligible for grants under the tobacco education, prevention, and
cessation grant program.

Laid over until Friday, April 19, retaining its place on the calendar.

SB13-147 by Senator(s) Jahn; also Representative(s) Gardner--Concerning an employer's workers'
compensation liability to a person when the person is injured while not on the employer's
premises.

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, April 9, page(s) 744 and placed in members' bill files.)

Amendment No. 2(L.002), by Senator Jahn.

Strike the Business, Labor, and Technology Committee Report, dated
April 8, 2013.

Amend printed bill, page 2, line 16, strike "AN EMPLOYER".

Page 2, strike lines 17 through 19 and substitute "IT IS PRESUMED THAT

A BUYER OF GOODS IS NOT LIABLE AS A STATUTORY EMPLOYER WHEN A LESSEE, SUBLESSEE, CONTRACTOR, OR SUBCONTRACTOR, OR THEIR EMPLOYEE WHO IS DELIVERING THE GOODS TO THE BUYER INJURES HIMSELF OR HERSELF WHILE NOT ON THE BUYER'S PREMISES. THE PRESUMPTION MAY BE OVERCOME BY A SHOWING THAT THE LESSEE, SUBLESSEE, CONTRACTOR, OR SUBCONTRACTOR, OR THEIR EMPLOYEE WAS PERFORMING A JOB FUNCTION THAT WOULD NORMALLY BE PERFORMED BY AN EMPLOYEE OF THE BUYER OF THE GOODS BEING DELIVERED. NOTHING IN THIS SUBPARAGRAPH (II) CREATES A PRESUMPTION OF A STATUTORY EMPLOYER-EMPLOYEE RELATIONSHIP WHEN AN INJURY OCCURS ON THE BUYER'S PREMISES."

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB13-229 by Senator(s) Guzman; also Representative(s) Kagan--Concerning changes to statutory provisions related to criminal proceedings.
Laid over until Wednesday, April 17, retaining its place on the calendar.

SB13-215 by Senator(s) Jahn, Aguilar, Newell, Nicholson, Ulibarri, Crowder, Marble, Todd; also Representative(s) Ginal, Stephens--Concerning alternative health care practitioners, and, in connection therewith, enacting the "Colorado Natural Health Consumer Protection Act" to provide an exemption from state regulation for unlicensed complementary and alternative health care practitioners, require a person providing complementary and alternative health care services to disclose to clients the person's educational background and the nature of the services to be provided, and prohibit complementary and alternative health care practitioners from engaging in specified activities that only state-regulated health care professionals may perform.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, April 12, page(s) 794-796 and placed in members' bill files.)
Amendment No. 2(L.010), by Senator Jahn.

Amend the Health and Human Services Committee Report, dated April 11, 2013, page 1, line 14, strike "PROCEDURE REQUIRING" and substitute "PROCEDURE, INCLUDING A PROCEDURE THAT REQUIRES".

Page 2 of the committee report, line 3, strike "OR DISPENSE" and substitute "DISPENSE, SUGGEST, OR RECOMMEND".

Page 2 of the committee report, after line 26 insert:

"(h) PRACTICE MIDWIFERY;
(i) PRACTICE PSYCHOTHERAPY, AS DEFINED IN SECTION 12-43-201 (9), C.R.S.;"

Reletter succeeding paragraphs accordingly.

Amendment No. 3(L.011), by Senator Jahn.

Amend the Health and Human Services Committee Report, dated April 11, 2013, page 2, line 2, strike "and 24" and substitute "through 26".

Page 2 of the committee report, line 15, strike "APPROVED" and substitute "CLEARED".

Page 2 of the committee report, after line 26 insert:

"(h) PERFORM SPINAL ADJUSTMENT, MANIPULATION, OR MOBILIZATION;
(i) PROVIDE OPTOMETRIC PROCEDURES OR INTERVENTIONS THAT

	CONSTITUTE THE PRACTICE OF OPTOMETRY, AS DEFINED IN ARTICLE 40 OF TITLE 12, C.R.S.;".	1
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	Reletter succeeding paragraphs accordingly.	3
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	As amended, ordered engrossed and placed on the calendar for third reading and final passage.	7
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SB13-202	by Senator(s) Jones; also Representative(s) Singer--Concerning additional inspections of oil and gas facilities.	10
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	<u>Amendment No. 1, Agriculture, Natural Resources, and Energy Committee Amendment.</u>	12
	(Printed in Senate Journal, March 22, page(s) 580 and placed in members' bill files.)	13
		14
	<u>Amendment No. 2, Appropriations Committee Amendment.</u>	15
	(Printed in Senate Journal, April 12, page(s) 791 and placed in members' bill files.)	16
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	<u>Amendment No. 3(L.004), by Senator Jones.</u>	18
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	Amend the Appropriations Committee Report, dated April 12, 2013, page 1, line 11, strike "(b)" and substitute "(a)".	20
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	As amended, ordered engrossed and placed on the calendar for third reading and final passage.	25
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SB13-162	by Senator(s) Tochtrop; also Representative(s) Kraft-Tharp--Concerning the continuation of the examining board of plumbers.	30
		31
	<u>Amendment No. 1, Business, Labor & Technology Committee Amendment.</u>	32
	(Printed in Senate Journal, April 3, page(s) 685-689 and placed in members' bill files.)	33
		34
	<u>Amendment No. 2, Appropriations Committee Amendment.</u>	35
	(Printed in Senate Journal, April 12, page(s) 792-793 and placed in members' bill files.)	36
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	<u>Amendment No. 3(L.010), by Senator Tochtrop.</u>	38
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	Amend Business, Labor, and Technology Committee Report, dated April 1, 2013, page 2, line 6, after "pipes;" insert "ALL WATER CONDITIONING APPLIANCES CONNECTED TO THE POTABLE WATER SYSTEM;".	41
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	As amended, ordered engrossed and placed on the calendar for third reading and final passage.	46
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HB13-1233	by Representative(s) Pabon, DelGrosso, Holbert, Nordberg, Rosenthal, Szabo, Williams; also Senator(s) King, Heath, Jahn, Tochtrop--Concerning permitting an insurer to conduct insurance transactions in a foreign language.	50
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	<u>Amendment No. 1(L.004), by Senator King.</u>	53
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	Amend reengrossed bill, page 2, strike lines 6 and 7 and substitute "THAN ENGLISH.".	56
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	As amended, ordered revised and placed on the calendar for third reading and final passage.	59
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SB13-001

by Senator(s) Kefalas and Morse, Aguilar, Guzman, Ulibarri; also Representative(s) Kagan, Levy--Concerning income tax credits to support working families, and, in connection therewith, enacting the "Colorado Working Families Economic Opportunity Act of 2013".

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, April 4, page(s) 701-704 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 12, page(s) 794 and placed in members' bill files.)

As amended, ordered revised 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

SB13-001

by Senator(s) Kefalas and Morse, Aguilar, Guzman, Ulibarri; also Representative(s) Kagan, Levy--Concerning income tax credits to support working families, and, in connection therewith, enacting the "Colorado Working Families Economic Opportunity Act of 2013".

Senator Cadman moved to amend the Report of the Committee of the Whole to show that the following amendment to SB13-001 did pass.

Amend the State, Veterans, and Military Affairs Committee Report, dated 2013, page 3, line 14, strike "IS" and substitute "SHALL NOT BE".

Page 5, line 39, strike "IS" and substitute "SHALL NOT BE".

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	15	NO	19	EXCUSED	1	ABSENT	0
Aguilar	N	Guzman	N	Kefalas	N	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	N	Scheffel	Y
Baumgardner	Y	Heath	N	King	Y	Schwartz	N
Brophy	Y	Hill	Y	Lambert	Y	Steadman	E
Cadman	Y	Hodge	N	Lundberg	Y	Tochtrop	N
Carroll	N	Hudak	N	Marble	Y	Todd	N
Crowder	Y	Jahn	N	Newell	N	Ulibarri	N
Giron	N	Johnston	N	Nicholson	N	President	N
Grantham	Y	Jones	N	Renfroe	Y		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Johnston, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	E
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB13-147 as amended, SB13-215 as amended, SB13-202 as amended, SB13-162 as amended, SB13-001 as amended, HB13-1233 as amended.

Laid over until Wednesday, April 17: SB13-229.

Laid over until Friday, April 19: SB13-185.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Tuesday, April 16 was laid over until Wednesday, April 17, retaining its place on the calendar.

General Orders -- Second Reading of Bills: SB13-123, SB13-214, HB13-1220, HB13-1236, HB13-1222, HB13-1234, HB13-1046, HB13-1135, HB13-1119, HB13-1101, HB13-1071, HB13-1006, HB13-1191, HB13-1180.

Consideration of Resolutions: SR13-003, HJR13-1004.

Conference Committees to Report: HB13-1204, HB13-1081.

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

- SB13-276

by Senator(s) Steadman; also Representative(s) Gerou--Concerning the disability investigation and pilot support fund.
Finance
- SB13-277

by Senator(s) Aguilar, Morse; also Representative(s) Ginal--Concerning the development of a prior authorization process to be used in obtaining prior approval from carriers for coverage of drug benefits.
Health & Human Services
- HB13-1020

by Representative(s) McNulty; also Senator(s) Roberts--Concerning evidence collected in connection with a sexual assault, and, in connection therewith, making an appropriation.
Judiciary
- HB13-1134

by Representative(s) Ryden; also Senator(s) Carroll--Concerning unit owners' associations under the "Colorado Common Interest Ownership Act".
Local Government
- HB13-1153

by Representative(s) Tyler, Fischer, Priola, Scott, Young; also Senator(s) Hudak--Concerning the authorization of owners of rental special mobile machinery to pay specific ownership tax through an electronic reporting process, and, in connection therewith, making an appropriation.
Transportation

HB13-1165	by Representative(s) Wilson; also Senator(s) Heath--Concerning the creation of a manufacturing career pathway for Colorado, and, in connection therewith, making an appropriation. Education	1 2 3 4 5 6
HB13-1211	by Representative(s) Buckner and Navarro, Duran; also Senator(s) Kerr and Roberts--Concerning English language proficiency programs in public schools, and, in connection therewith, making an appropriation. Education	7 8 9 10 11 12
HB13-1239	by Representative(s) McCann; also Senator(s) Hodge--Concerning the creation of a statewide youth development plan, and, in connection therewith, making an appropriation. Health & Human Services	13 14 15 16 17
HB13-1267	by Representative(s) Foote; also Senator(s) Jones--Concerning increased penalties for violations by oil and gas operators, and, in connection therewith, making an appropriation. State, Veterans, & Military Affairs	18 19 20 21 22
HB13-1269	by Representative(s) Foote, Court, Duran, Fields, Fischer, Ginal, Hamner, Hullinghorst, Kagan, Labuda, Lee, Levy, Melton, Mitsch Bush, Moreno, Pabon, Primavera, Ryden, Salazar, Schafer, Singer, Williams; also Senator(s) Jones, Ulibarri, Kefalas--Concerning the reduction of conflicts of interest within the Colorado oil and gas conservation commission. State, Veterans, & Military Affairs	23 24 25 26 27 28 29
HB13-1276	by Representative(s) Williams, Buckner, Court, Dore, Exum, Ferrandino, Fields, Gardner, Hullinghorst, Labuda, Lebsock, McCann, Melton, Moreno, Murray, Navarro, Pabon, Peniston, Primavera, Rosenthal, Ryden, Salazar, Schafer, Scott, Singer, Szabo, Tyler; also Senator(s) Carroll and Balmer--Concerning limitations on the actions a unit owners' association under the "Colorado Common Interest Ownership Act" may take against a unit owner with respect to the collection of debt owed to the unit owners' association. Local Government	30 31 32 33 34 35 36 37 38
HB13-1283	by Representative(s) Fischer; also Senator(s) Schwartz--Concerning the species conservation trust fund. Agriculture, Natural Resources, & Energy	39 40 41 42 43 44 45
On motion of Majority Leader Carroll, the Senate adjourned until 9:00 a.m., Wednesday, April 17, 2013.		46 47 48
Approved:		49 50 51 52
John P. Morse President of the Senate		53 54 55
Attest:		56 57 58 59
Cindi L. Markwell Secretary of the Senate		60 61

SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

99th Legislative Day

Wednesday, April 17, 2013

Prayer By the chaplain, Pastor Vern Rempel, First Mennonite Church, Denver.

Call to Order By the President at 9:00 a.m.

Pledge By Senator Hill.

Roll Call Present--29
 Excused--6, Brophy, Crowder, Johnston, King, Marble, Scheffel.
 Present later--6, Brophy, Crowder, Johnston, King, Marble, Scheffel.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Ulibarri, reading of the Journal of Tuesday, April 16, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Printed: SB13-276 and 277.

Correctly Engrossed: SB13-001, 125, 147, 162, 202, 215, 235, 240, 243 and 248.

Correctly Revised: HB13-1022, 1183, 1190 and 1233.

Correctly Enrolled: SB13-126, 182 and 230.

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:

SB13-248 by Senator(s) Aguilar; also Representative(s) Priola--Concerning the authority of the attorney general or a district attorney to enforce subpoenas for consumer protection violations against persons located outside Colorado.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	31	NO	0	EXCUSED	4	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	E	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	E	Todd	Y
Crowder	E	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	E	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

SB13-243

Co-sponsor(s) added: Heath, Jahn, Morse, Newell and Todd.
by Senator(s) Hodge, Tochtrop, Ulibarri; also Representative(s) Peniston, Lebsock, May, Moreno, Priola, Salazar--Concerning requirements affecting the designation by petition of candidates in connection with the election of members of the boards of commissioners of counties following a change in the membership of said boards.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	31	NO	0	EXCUSED	4	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	E	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	E	Todd	Y
Crowder	E	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	E	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

HB13-1190

by Representative(s) Moreno, Young; also Senator(s) Heath--Concerning allowing a taxpayer to make a donation to an intermediary nonprofit organization for the enterprise zone contribution tax credit.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	31	NO	0	EXCUSED	4	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	E	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	E	Todd	Y
Crowder	E	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	E	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

SB13-240

by Senator(s) Tochtrop; also Representative(s) Exum--Concerning voting requirements for approval of modifications to the statewide defined benefit plan administered by the fire and police pension association.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	31	NO	0	EXCUSED	4	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	E	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	E	Todd	Y
Crowder	E	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	E	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

HB13-1183 by Representative(s) Levy and Gerou, Duran; also Senator(s) Lambert, Hodge, Steadman-- Concerning the imposition of a cap of forty-five million dollars on the total amount of state income tax credits that may be claimed by all taxpayers each year for the donation of a conservation easement in gross.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	31	NO	0	EXCUSED	4	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	E	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	E	Todd	Y
Crowder	E	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	E	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Jones and Ulibarri.

SB13-125 by Senator(s) Todd; also Representative(s) DelGrosso--Concerning preneed funeral contracts, and, in connection therewith, reducing an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	31	NO	0	EXCUSED	4	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	E	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	E	Todd	Y
Crowder	E	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	E	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Jahn.

SB13-235 by Senator(s) Lambert, Hodge, Steadman; also Representative(s) Levy, Duran, Gerou-- Concerning a transfer of moneys from the state general fund to the Colorado state veterans trust fund for the purpose of repaying moneys from the trust fund that were used to build National Guard armories.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	31	NO	0	EXCUSED	4	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	E	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	E	Todd	Y
Crowder	E	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	E	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Balmer, Baumgardner, Brophy, Cadman, Giron, Grantham, Heath, Hill, Jahn, Jones, Kefalas, Kerr, Lundberg, Morse, Newell, Nicholson, Renfroe, Roberts, Scheffel, Schwartz, Tochtrop and Todd.

HB13-1022 by Representative(s) Holbert; also Senator(s) Jahn--Concerning proof of motor vehicle insurance, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	31	NO	0	EXCUSED	4	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	E	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	E	Todd	Y
Crowder	E	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	E	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Cadman and Newell.

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:

SB13-147 by Senator(s) Jahn; also Representative(s) Gardner--Concerning an employer's workers' compensation liability to a person when the person is injured while not on the employer's premises.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	E	Todd	Y
Crowder	E	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Newell.

SB13-215 by Senator(s) Jahn, Aguilar, Newell, Nicholson, Ulibarri, Crowder, Marble, Todd; also Representative(s) Ginal, Stephens--Concerning alternative health care practitioners, and, in connection therewith, enacting the "Colorado Natural Health Consumer Protection Act" to provide an exemption from state regulation for unlicensed complementary and alternative health care practitioners, require a person providing complementary and alternative health care services to disclose to clients the person's educational background and the nature of the services to be provided, and prohibit complementary and alternative health care practitioners from engaging in specified activities that only state-regulated health care professionals may perform.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	29	NO	4	EXCUSED	2	ABSENT	0
Aguilar	N	Guzman	Y	Kefalas	N	Roberts	N
Balmer	N	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	E	Todd	Y
Crowder	E	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Giron and Tochtrop.

Senator Aguilar requested her name be removed as sponsor.

SB13-202 by Senator(s) Jones; also Representative(s) Singer--Concerning additional inspections of oil and gas facilities, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	22	NO	11	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	E	Todd	Y
Crowder	E	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Carroll, Giron, Guzman, Heath, Jahn, Kefalas, Kerr, Morse, Newell, Nicholson, Schwartz, Todd and Ulibarri.

SB13-162 by Senator(s) Tochtrop; also Representative(s) Kraft-Tharp--Concerning the continuation of the examining board of plumbers, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	23	NO	10	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	Y	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	E	Todd	Y
Crowder	E	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Giron, Heath, Jones and Todd.

HB13-1233 by Representative(s) Pabon, DelGrosso, Holbert, Nordberg, Rosenthal, Szabo, Williams; also Senator(s) King, Heath, Jahn, Tochtrop--Concerning permitting an insurer to conduct insurance transactions in a foreign language.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	E	Todd	Y
Crowder	E	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Giron, Guzman, Hodge, Newell, Steadman and Ulibarri.

SB13-001 by Senator(s) Kefalas and Morse, Aguilar, Guzman, Ulibarri; also Representative(s) Kagan, Levy--Concerning income tax credits to support working families, and, in connection therewith, enacting the "Colorado Working Families Economic Opportunity Act of 2013" and 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	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Carroll, Giron, Hudak, Jones, Nicholson and Tochtrop.

MESSAGE FROM THE HOUSE

April 17, 2013

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1284, 1282, 1280.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1289, amended as printed in House Journal, April 16, page 991.
HB13-1212, amended as printed in House Journal, April 16, page 992.
HB13-1002, amended as printed in House Journal, April 16, page 992.

Committee of the Whole On motion of Senator Hudak, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Hudak was called to the chair to act as Chairman.

GENERAL 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:

SB13-229 by Senator(s) Guzman; also Representative(s) Kagan--Concerning changes to statutory provisions related to criminal proceedings.

Amendment No. 1(L.008), by Senator Hill.

Amend printed bill, page 15, strike lines 17 through 27.

Strike page 16.

Page 17, strike lines 1 through 8.

Renumber succeeding sections accordingly.

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB13-123 by Senator(s) Steadman; also Representative(s) Levy--Concerning provisions that improve the reintegration opportunities for persons involved in the criminal justice system.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, April 2, page(s) 666-676 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 12, page(s) 796-797 and placed in members' bill files.)

Amendment No. 3(L.010), by Senator Steadman.

Amend printed bill, page 6, strike line 15 and substitute "(1) (b) (II) and (2) (b); and **add** (4) as follows:".

Page 6, strike line 17 and substitute "**convictions.** (1) (b) (II) (A) Upon the filing of a petition, the court shall review the petition and determine whether there are grounds under this section to proceed to a hearing on the petition. If the court determines that the petition on its face is insufficient or if the court determines that, after taking judicial notice of matters outside the petition, the petitioner is not entitled to relief under this section, the court shall enter an order denying the petition and mail a copy of the order to the petitioner. The court's order shall specify the reasons for the denial of the petition. IF THE PETITION PERTAINS TO A DISMISSAL THAT IS NOT THE RESULT OF A COMPLETION OF A DEFERRED

DISPOSITION OR A MULTI-CASE DISPOSITION, THE COURT SHALL ORDER A RECORD SEALED IF THE PETITION IS SUFFICIENT ON ITS FACE.

(B) If the court determines that the petition is sufficient on its face and that no other grounds exist at that time for the court to deny the petition under this section, the court shall set a date for a hearing and the petitioner shall notify the prosecuting attorney by certified mail, the arresting agency, and any other person or agency identified by the petitioner. IF THE PETITION PERTAINS TO A DISMISSAL THAT IS NOT THE RESULT OF A COMPLETION OF A DEFERRED DISPOSITION OR A MULTI-CASE DISPOSITION, THE COURT SHALL ORDER A RECORD SEALED IF THE PETITION IS SUFFICIENT ON ITS FACE.

(2) **Advisements.** (b) In addition to, and not in lieu of, the".

Page 7, after line 3 insert:

"(4) A PERSON MAY FILE A PETITION WITH THE COURT FOR SEALING OF EACH CASE ONCE EVERY TWELVE-MONTH PERIOD."

Page 7, line 5, strike "(I)" and substitute "(I); and **add** (6)".

Page 7, after line 20 insert:

"(6) A PERSON MAY FILE A PETITION WITH THE COURT FOR SEALING OF EACH CASE ONCE EVERY TWELVE-MONTH PERIOD.

SECTION 9. In Colorado Revised Statutes, 24-72-308.6, **add** (6) as follows:

24-72-308.6. Sealing of criminal conviction records information for offenses involving controlled substances for convictions entered on or after July 1, 2011. (6) A PERSON MAY FILE A PETITION WITH THE COURT FOR sealing of EACH CASE ONCE EVERY TWELVE-MONTH PERIOD."

Renumber succeeding sections accordingly.

Amendment No. 4(L.009), by Senator Steadman.

Amend the Judiciary Committee Report, dated April 1, 2013, page 2, line 37, strike "LATER." and substitute "LATER; AND

(C) THE CONVICTION RECORDS TO BE SEALED ARE NOT FOR A TRAFFIC OFFENSE COMMITTED EITHER BY A HOLDER OF A COMMERCIAL LEARNER'S PERMIT OR A COMMERCIAL DRIVER'S LICENSE, AS DEFINED IN SECTION 42-2-402, C.R.S., OR BY THE OPERATOR OF A COMMERCIAL MOTOR VEHICLE AS DEFINED IN SECTION 42-2-402, C.R.S."

Amendment No. 5(L.008), by Senator Steadman.

Amend the Judiciary Committee Report, dated April 1, 2013, page 9, line 29, strike "OR AN ADJUDICATION FOR AN OFFENSE THAT".

Page 9, line 30, strike "WOULD CONSTITUTE A CRIMINAL OFFENSE IF COMMITTED BY AN ADULT,".

Page 9, line 35, strike "SENTENCE OR" and substitute "SENTENCE;".

Page 9, line 36, strike "A DEFERRED ADJUDICATION;".

Page 9, strike line 38 and substitute "COMPLETED A DEFERRED SENTENCE."

Page 11, strike lines 5 and 6 and substitute:

"(II) HAS BEEN CONVICTED OF A CRIME OF VIOLENCE AS DESCRIBED IN SECTION 18-1.3-406; OR".

Page 12, line 20, strike "OR AN ADJUDICATION FOR AN OFFENSE THAT".

Page 12, line 21, strike "WOULD CONSTITUTE A CRIMINAL OFFENSE IF COMMITTED BY AN ADULT,".

Page 12, line 26, strike "SENTENCE OR" and substitute "SENTENCE;".

Page 12, line 27, strike "A DEFERRED ADJUDICATION;".

Page 12, strike line 29 and substitute "COMPLETED A DEFERRED SENTENCE.".

Page 15, line 10, strike "OR AN ADJUDICATION FOR AN OFFENSE THAT".

Page 15, line 11, strike "WOULD CONSTITUTE A CRIMINAL OFFENSE IF COMMITTED BY AN ADULT,".

Page 15, line 16, strike "SENTENCE OR" and substitute "SENTENCE;".

Page 15, line 17, strike "A DEFERRED ADJUDICATION;".

Page 15, strike line 19 and substitute "COMPLETED A DEFERRED SENTENCE.".

Page 16, line 15, strike "SUBSECTION (2.8) OF THIS SECTION," and substitute "THIS SUBSECTION (2.8),".

Page 16, line 26, strike "SUBSECTION," and substitute "SUBSECTION (3),".

Page 16, line 30, strike "SUBSECTION." and substitute "SUBSECTION (3).".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB13-1220 by Representative(s) Salazar; also Senator(s) Heath--Concerning the confidentiality of an individual educator's performance data.

Ordered revised and placed on the calendar for third reading and final passage.

HB13-1236 by Representative(s) Levy, Labuda, Lee; also Senator(s) Ulibarri, Giron, Guzman--Concerning pre-trial release from custody.

Amendment No. 1, Judiciary Committee Amendment.

(Printed in Senate Journal, April 11, page(s) 775 and placed in members' bill files.)

Amendment No. 2(L.020), by Senator Ulibarri.

Amend the Judiciary Committee Report, dated April 10, 2013, strike lines 1 and 2 and substitute:

"Amend reengrossed bill, page 9, line 23, strike "AGENT OR A CASH BONDING AGENT" and substitute "agent, as defined in section 16-1-104 (3.5).".

Page 9, strike lines 24 and 25.

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB13-1222 by Representative(s) Peniston, Court, Fischer, Ginal, Hamner, Hullinghorst, Labuda, Lebsock, Melton, Rosenthal, Salazar, Singer, Tyler, Young; also Senator(s) Ulibarri, Aguilar, Carroll, Giron, Hudak, Kefalas, Todd--Concerning the expansion of the group of family members for whom Colorado employees are entitled to take leave from work under the federal "Family and Medical Leave Act of 1993".

Ordered revised 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.)

SB13-214 by Senator(s) Schwartz, Baumgardner, Giron; also Representative(s) Fischer, Szabo, Vigil--Concerning legislative oversight of the funding of P-12 public school capital construction projects that receive funding under the "Building Excellent Schools Today Act".

Amendment No. 1(L.001), by Senators Schwartz and Renfro.

Amend printed bill, page 3, strike line 12.

Page 3, line 13, strike "THE TRANSFER IS EFFECTIVE" and substitute "STATE DURING THE NEXT FISCAL YEAR".

Page 5, strike lines 25 through 27.

Page 6, line 1, strike "SUBSECTION (5) OF THIS SECTION." and substitute "COMMITTEE CONCLUDES THAT THE INCLUSION OF ONE OR MORE OF THE PROJECTS ON THE LIST WILL UNREASONABLY INCREASE THE COST OF PROVIDING FINANCIAL ASSISTANCE THAT INVOLVES LEASE-PURCHASE AGREEMENTS FOR ALL OF THE PROJECTS ON THE LIST."

Page 6, line 10, after "THE" insert "ENTIRE" and after "DISAPPROVE" insert "ONE OR MORE PROJECTS ON".

Page 6, strike lines 12 through 14.

Page 6, line 15, strike "OF THIS SECTION." and substitute "INCLUSION OF THE PROJECT OR PROJECTS WILL UNREASONABLY INCREASE THE COST OF PROVIDING FINANCIAL ASSISTANCE THAT INVOLVES LEASE-PURCHASE AGREEMENTS FOR ALL OF THE PROJECTS ON THE LIST. IF THE CAPITAL DEVELOPMENT COMMITTEE DISAPPROVES A PROJECT ON THE RESUBMITTED LIST, THE PROJECT SHALL NOT RECEIVE FINANCIAL ASSISTANCE THAT INVOLVES LEASE-PURCHASE AGREEMENTS, AND THE REMAINING PROJECTS ON THE RESUBMITTED LIST SHALL RECEIVE SUCH FINANCIAL ASSISTANCE AS RECOMMENDED BY THE STATE BOARD."

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB13-1234 by Representative(s) Fischer and Vigil, Szabo; also Senator(s) Schwartz and Giron, Baumgardner--Concerning the authority of the state to enter into lease-purchase agreements for the department of agriculture's office consolidation.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 12, page(s) 791 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for an expression of personal privilege.

GENERAL ORDERS -- SECOND READING OF BILLS - cont'd

HB13-1046 by Representative(s) Williams; also Senator(s) Ulibarri--Concerning employer access to personal information through electronic communication devices, and, in connection therewith, making an appropriation.

Amendment No. 1(L.009), by Senator Ulibarri.

Amend reengrossed bill, page 4, after line 22 insert:

"(7) NOTHING IN THIS SECTION PERMITS AN EMPLOYEE TO DISCLOSE INFORMATION THAT IS CONFIDENTIAL UNDER FEDERAL OR STATE LAW OR PURSUANT TO A CONTRACT AGREEMENT BETWEEN THE EMPLOYER AND THE EMPLOYEE."

As amended, ordered revised and placed on the calendar for third reading and final passage.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

HB13-1222 by Representative(s) Peniston, Court, Fischer, Ginal, Hamner, Hullinghorst, Labuda, Lebsock, Melton, Rosenthal, Salazar, Singer, Tyler, Young; also Senator(s) Ulibarri, Aguilar, Carroll, Giron, Hudak, Kefalas, Todd--Concerning the expansion of the group of family members for whom Colorado employees are entitled to take leave from work under the federal "Family and Medical Leave Act of 1993".

Senator Lundberg moved to amend the Report of the Committee of the Whole to show that the following amendment to HB 13-1222 did pass.

Amend reengrossed bill, page 4, line 12, strike "**Enforcement.**" and substitute "**Enforcement - religious liberty protection.** (1)".

Page 4, after line 21, insert:

"(2) (a) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (1) OF THIS SECTION, A RELIGIOUS ENTITY SHALL NOT BE REQUIRED TO PROVIDE STATE FMLA LEAVE TO AN EMPLOYEE TO CARE FOR THE EMPLOYEE'S PARTNER IN A CIVIL UNION OR TO CARE FOR THE EMPLOYEE'S DOMESTIC PARTNER, IF PROVIDING SUCH LEAVE WOULD BE CONTRARY TO THE SINCERELY HELD RELIGIOUS BELIEFS OF THE RELIGIOUS ENTITY. A RELIGIOUS ENTITY WHO REFUSES TO PROVIDE STATE FMLA LEAVE BASED ON SINCERELY HELD RELIGIOUS BELIEFS IS NOT SUBJECT TO DAMAGES OR EQUITABLE RELIEF AND AN EMPLOYEE WHO WAS DENIED STATE FMLA LEAVE BASED UPON A SINCERELY HELD RELIGIOUS BELIEF HAS NO STANDING TO BRING AN ACTION IN STATE COURT AGAINST THE RELIGIOUS ENTITY.

(b) AS USED IN THIS SECTION, "RELIGIOUS ENTITY" INCLUDES BUT IS NOT LIMITED TO A RELIGIOUS CORPORATION, ASSOCIATION, INSTITUTION, ORGANIZATION, OR SOCIETY; A NONPROFIT ENTITY OPERATED, SUPERVISED, OR CONTROLLED BY A RELIGIOUS CORPORATION, ASSOCIATION, INSTITUTION, ORGANIZATION, OR SOCIETY; OR A PRIVATELY HELD BUSINESS THAT IS OPERATED CONSISTENT WITH STATED RELIGIOUS VALUES, REGARDLESS OF NONPROFIT STATUS."

Call of the Senate. Call raised.

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	14	NO	21	EXCUSED	0	ABSENT	0
Aguilar	N	Guzman	N	Kefalas	N	Roberts	N
Balmer	Y	Harvey	Y	Kerr	N	Scheffel	Y
Baumgardner	Y	Heath	N	King	Y	Schwartz	N
Brophy	Y	Hill	Y	Lambert	Y	Steadman	N
Cadman	Y	Hodge	N	Lundberg	Y	Tochtrop	N
Carroll	N	Hudak	N	Marble	Y	Todd	N
Crowder	Y	Jahn	N	Newell	N	Ulibarri	N
Giron	N	Johnston	N	Nicholson	N	President	N
Grantham	Y	Jones	N	Renfroe	Y		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Hudak, 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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB13-229 as amended, SB13-123 as amended, SB13-214 as amended, HB13-1220, HB13-1236 as amended, HB13-1222, HB13-1234 as amended, HB13-1046 as amended.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Wednesday, April 17 was laid over until Thursday, April 18, retaining its place on the calendar.

General Orders -- Second Reading of Bills: HB13-1135, HB13-1119, HB13-1101, HB13-1071, HB13-1006, HB13-1191, HB13-1180.
Consideration of Resolutions: SR13-003, HJR13-1004.
Conference Committees to Report: HB13-1204, HB13-1081.

COMMITTEE OF REFERENCE REPORTS

- Finance

After consideration on the merits, the Committee recommends that **HB13-1080** be **referred** to the Committee of the Whole with favorable recommendation.
- Finance

After consideration on the merits, the Committee recommends that **HB13-1265** be **referred** to the Committee of the Whole with favorable recommendation.
- Finance

After consideration on the merits, the Committee recommends that **HB13-1142** be **referred** to the Committee on Appropriations with favorable recommendation.
- Finance

After consideration on the merits, the Committee recommends that **SB13-189** be **referred** to the Committee on Appropriations with favorable recommendation.
- Finance

After consideration on the merits, the Committee recommends that **HB13-1272** be **referred** to the Committee of the Whole with favorable recommendation.
- Finance

After consideration on the merits, the Committee recommends that **SB13-176** be **amended** as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, after line 1 insert:
"SECTION 1. Legislative declaration. The general assembly

hereby finds and declares that the only purpose of this act is to clarify the scope of the state treasurer's investment authority and that this act is not intended to express any position of the general assembly regarding foreign policy of the United States."

Renumber succeeding sections accordingly.

Amend printed bill, page 2, line 7, strike "THE STATE OF ISRAEL." and substitute "A STATE WHOSE BONDS ARE RATED IN ONE OF THE TWO HIGHEST RATING CATEGORIES BY A NATIONALLY RECOGNIZED RATING ORGANIZATION."

Local
Government

After consideration on the merits, the Committee recommends that **SB13-275** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 2, strike lines 2 through 4 and substitute:

"SECTION 1. In Colorado Revised Statutes, **add** part 16 to article 3 of title 2 as follows:

PART 16
PIPELINE SAFETY REVIEW COMMITTEE
2-3-1601. Pipeline safety review committee - creation -"

Page 5, strike lines 8 through 13 and substitute:

"(f) (I) THE LEGISLATIVE MEMBERS OF THE COMMITTEE SHALL BE COMPENSATED FOR ATTENDANCE AT MEETINGS OF THE COMMITTEE AS PROVIDED IN SECTION 2-2-307.

(II) THE NONLEGISLATIVE MEMBER OF THE COMMITTEE SHALL SERVE WITHOUT COMPENSATION AND WITHOUT REIMBURSEMENT FOR EXPENSES."

Page 5, strike lines 18 through 20 and substitute:

"(h) THE COMMITTEE SHALL MAKE A REPORT TO THE LEGISLATIVE COUNCIL BY THE DATE SPECIFIED IN JOINT RULE 25 (b) (1) (D). THE REPORT MAY INCLUDE RECOMMENDATIONS FOR LEGISLATION. LEGISLATION RECOMMENDED BY THE COMMITTEE SHALL BE TREATED AS LEGISLATION RECOMMENDED BY ANY OTHER INTERIM COMMITTEE FOR THE PURPOSES OF ANY INTRODUCTION DEADLINES OR BILL LIMITATIONS IMPOSED BY THE JOINT RULES OF THE SENATE AND HOUSE OF REPRESENTATIVES.

(i) THE LEGISLATIVE COUNCIL STAFF AND THE OFFICE OF LEGISLATIVE LEGAL SERVICES ARE AVAILABLE TO ASSIST THE COMMITTEE IN CARRYING OUT ITS DUTIES."

Page 5, line 21, strike "(IV)" and substitute "(j)".

Local
Government

After consideration on the merits, the Committee recommends that **SB13-258** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, line 8, strike "SUFFICIENT" and substitute "ADEQUATE".

Page 2, line 10, strike "IS NOT ONLY TO MAKE THE" and substitute "NOT ONLY MAKES THE".

Page 2, line 16, strike the first "COMPONENTS," and substitute "APPLICATIONS," and strike the second "COMPONENTS," and substitute "APPLICATIONS,".

Page 2, line 19, strike "APPROVALS" and substitute "APPROVAL

Local
Government

PROCESSES".

Page 3, strike line 13 and substitute:
"development permits that are either pending on or are submitted on or
after the effective date of this act."

After consideration on the merits, the Committee recommends that **HB13-1225** be
amended as follows, and as so amended, be referred to the Committee of the Whole with
favorable recommendation.

- Amend reengrossed bill, page 5, line 23, strike "FOR A DWELLING".
- Page 5, line 27, strike "FOR A DWELLING".
- Page 6, line 3, strike "FOR A DWELLING".
- Page 7, line 7, strike "POLICY FOR A".
- Page 7, line 8, strike "DWELLING," and substitute "POLICY,".
- Page 7, line 16, after the period insert "EVERY HOMEOWNER'S INSURANCE
CARRIER SHALL MAKE AVAILABLE TO A POLICYHOLDER A CERTIFIED COPY
OF THE POLICYHOLDER'S INSURANCE POLICY WITHIN THIRTY DAYS AFTER
A REQUEST FROM THE POLICYHOLDER.".
- Page 7, line 17, strike "CONTENTS OF A" and substitute "CONTENTS OF
AN".
- Page 7, line 18, strike "DWELLING" and substitute "OWNER-OCCUPIED
PRIMARY RESIDENCE".
- Page 7, line 19, strike "PERCENT" and substitute "PERCENT, OR A LARGER
PERCENT BY MUTUAL AGREEMENT OF THE POLICYHOLDER AND INSURER,".
- Page 8, strike lines 3 through 10 and substitute:
"(c) (I) AN INSURER SHALL ALLOW THE POLICYHOLDER AT LEAST
THREE HUNDRED SIXTY-FIVE DAYS AFTER A TOTAL LOSS CLAIM TO SUBMIT
AN INVENTORY OF LOST OR DAMAGED PROPERTY.".
- Page 8, line 11, strike "ONE".
- Page 8, line 12, strike "HUNDRED EIGHTY" and substitute "THREE
HUNDRED SIXTY-FIVE".
- Page 9, strike lines 7 and 8 and substitute:
"**SECTION 3.** In Colorado Revised Statutes, 10-4-111, **amend**
(3) as follows:".
- Page 9, strike lines 20 through 27.
- Page 10, strike lines 1 through 23.

MESSAGE FROM THE REVISOR OF STATUTES

April 17, 2013

We herewith transmit:

Without comment, HB13-1280, 1282, and 1284.
Without comment, as amended, HB13-1002, 1212, and 1289.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB13-1047, 1095, 1123, 1223.

CHANGE IN SPONSORSHIP

Upon announcement of President Morse, Representative Coram will be added as a House joint prime sponsor with Representative Hamner and Senators Schwartz and Nicholson on SB13-273.

TRIBUTES

Honoring:

- Harold L. "Mack" McCormick, Honoring "Mack" and his outstanding service to the community as well as our country -- Senator Kevin Grantham.
- John Barry, Commending upon his retirement as Superintendent of the Aurora Public Schools -- By Senator Nancy Todd.
- Aaron Cisneros, Jefferson High School, Placed first in the state wrestling tournament -- By Senator Andy Kerr.
- Indian Ridge Elementary School, Congratulating the Fourth Grade Students of 2013-2014 in their project "Wheels of Hope" -- By Senator Nancy Todd.
- Colorado Dream Baskets & Gifts, Commending its success -- By Senator Andrew Kerr.
- Brian Mayberry, Columbine High School, Placed first in the state wrestling tournament -- By Senator Andy Kerr.
- Susan K. Petrocco, Leadership and service to United Power, Inc. -- By Senator Mary Hodge.
- Laura Schoenhals, Placed first in the Underwater Robotics and Techno Talk Event -- By Senator Andy Kerr.
- Cindy Stevenson, Recognition by the Education Week in its annual Leaders to Learn From report -- By Senator Andy Kerr.
- Anaya Tandri, Placed first in the Underwater Robotics and Techno Talk Event -- By Senator Andy Kerr.
- The Edge Theater, Commending the cultural enrichment that the theater provides with its exhibition of old and new dramatic works -- By Senator Andy Kerr.

On motion of Majority Leader Carroll, the Senate adjourned until 9:00 a.m., Thursday, April 18, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

100th Legislative Day Thursday, April 18, 2013

Prayer By the chaplain, Reverend Cynthia James, Mile Hi Church, Lakewood.

Call to Order By the President at 9:00 a.m.

Pledge By Senator Hill.

Roll Call Present--32
Excused--3, Cadman, Giron, Schwartz.
Present later--3, Cadman, Giron, Schwartz.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Ulibarri, reading of the Journal of Wednesday, April 17, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Business, Labor, & Technology After consideration on the merits, the Committee recommends that SB13-262 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend printed bill, page 2, line 16, after "RELATIONSHIP" insert "FOR TAX PURPOSES".

Page 2, line 18, strike "TREASURY." and substitute "TREASURY, IF THE ENROLLED AGENT IS NOT ENGAGING IN OTHER DEBT MANAGEMENT SERVICES.".

Business, Labor, & Technology After consideration on the merits, the Committee recommends that HB13-1138 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 2, strike lines 5 through 20.

Strike pages 3 through 12.

Page 13, strike lines 1 through 25 and substitute:

"PUBLIC BENEFIT CORPORATIONS

7-101-501. Short title. THIS PART 5 SHALL BE KNOWN AND MAY BE CITED AS THE "PUBLIC BENEFIT CORPORATION ACT OF COLORADO".

7-101-502. Law applicable to public benefit corporations - how formed. THIS PART 5 APPLIES TO ALL PUBLIC BENEFIT CORPORATIONS. IF A CORPORATION ELECTS TO BECOME A PUBLIC BENEFIT CORPORATION UNDER THIS PART 5 IN THE MANNER PRESCRIBED IN THIS PART 5, IT IS SUBJECT IN ALL RESPECTS TO THE "COLORADO BUSINESS CORPORATION ACT", ARTICLES 101 TO 117 OF THIS TITLE, AND THE "COLORADO CORPORATIONS AND ASSOCIATIONS ACT", ARTICLE 90 OF THIS TITLE, EXCEPT TO THE EXTENT THIS PART 5 IMPOSES ADDITIONAL OR DIFFERENT REQUIREMENTS, IN WHICH CASE SUCH ADDITIONAL OR

DIFFERENT REQUIREMENTS APPLY.

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7-101-503. Public benefit corporation - definitions - contents of articles of incorporation. (1) A PUBLIC BENEFIT CORPORATION IS A FOR-PROFIT CORPORATION ORGANIZED UNDER AND SUBJECT TO THE REQUIREMENTS OF THE "COLORADO BUSINESS CORPORATION ACT", ARTICLES 101 TO 117 OF THIS TITLE, OR A DOMESTIC COOPERATIVE ORGANIZED UNDER ARTICLE 55 OR 56 OF THIS TITLE THAT IS SUBJECT TO THE "COLORADO BUSINESS CORPORATION ACT", THAT IS INTENDED TO PRODUCE A PUBLIC BENEFIT OR PUBLIC BENEFITS AND TO OPERATE IN A RESPONSIBLE AND SUSTAINABLE MANNER. TO THAT END, A PUBLIC BENEFIT CORPORATION SHALL BE MANAGED IN A MANNER THAT BALANCES THE SHAREHOLDERS' PECUNIARY INTERESTS, THE BEST INTEREST OF THOSE MATERIALLY AFFECTED BY THE CORPORATION'S CONDUCT, AND THE PUBLIC BENEFIT IDENTIFIED IN ITS ARTICLES OF INCORPORATION. IN ITS ARTICLES OF INCORPORATION, A PUBLIC BENEFIT CORPORATION SHALL:

(a) IDENTIFY WITHIN ITS STATEMENT OF BUSINESS OR PURPOSE PURSUANT TO SECTION 7-103-101 (1) ONE OR MORE SPECIFIC PUBLIC BENEFITS TO BE PROMOTED BY THE CORPORATION; AND

(b) STATE AT THE BEGINNING OF THE ARTICLES OF INCORPORATION THAT IT IS A PUBLIC BENEFIT CORPORATION.

(2) "PUBLIC BENEFIT" MEANS ONE OR MORE POSITIVE EFFECTS OR REDUCTION OF NEGATIVE EFFECTS ON ONE OR MORE CATEGORIES OF PERSONS, ENTITIES, COMMUNITIES, OR INTERESTS OTHER THAN SHAREHOLDERS IN THEIR CAPACITIES AS SHAREHOLDERS, INCLUDING EFFECTS OF AN ARTISTIC, CHARITABLE, CULTURAL, ECONOMIC, EDUCATIONAL, ENVIRONMENTAL, LITERARY, MEDICAL, RELIGIOUS, SCIENTIFIC, OR TECHNOLOGICAL NATURE.

(3) "PUBLIC BENEFIT PROVISIONS" MEANS THE PROVISIONS OF ARTICLES OF INCORPORATION CONTEMPLATED BY THIS PART 5.

(4) THE DOMESTIC ENTITY NAME OF A PUBLIC BENEFIT CORPORATION MUST, WITHOUT EXCEPTION, CONTAIN THE WORDS "PUBLIC BENEFIT CORPORATION", THE ABBREVIATION "P.B.C.", OR THE DESIGNATION "PBC", AND OTHERWISE SATISFY THE REQUIREMENTS OF SECTION 7-102-102 (1) (a).

7-101-504. Certain amendments and mergers - votes required - dissenter's rights. (1) NOTWITHSTANDING ANY OTHER PROVISIONS OF THIS PART 5 OTHER THAN SUBSECTION (2) OF THIS SECTION, A CORPORATION THAT IS NOT A PUBLIC BENEFIT CORPORATION SHALL NOT, WITHOUT THE APPROVAL OF TWO-THIRDS OF THE OUTSTANDING SHARES OF EACH CLASS OF SHARES OF THE CORPORATION OF WHICH THERE ARE OUTSTANDING SHARES, WHETHER VOTING OR NON-VOTING:

(a) AMEND ITS ARTICLES OF INCORPORATION TO INCLUDE A PROVISION AUTHORIZED BY SECTION 7-101-503 (1) (a);

(b) CONVERT INTO A DOMESTIC OR FOREIGN PUBLIC BENEFIT CORPORATION OR SIMILAR ENTITY; OR

(c) MERGE WITH OR INTO ANOTHER ENTITY IF, AS A RESULT OF THE MERGER, THE SHARES IN SUCH CORPORATION WOULD BECOME, OR BE CONVERTED INTO OR EXCHANGED FOR THE RIGHT TO RECEIVE, SHARES OR OTHER EQUITY INTERESTS IN A DOMESTIC OR FOREIGN PUBLIC BENEFIT CORPORATION OR SIMILAR ENTITY.

(2) THE RESTRICTIONS OF THIS SECTION DO NOT APPLY BEFORE THE CORPORATION HAS RECEIVED PAYMENT FOR ANY OF ITS CAPITAL STOCK. IN THE CASE OF A DOMESTIC COOPERATIVE FORMED UNDER ARTICLE 55 OR 56 OF THIS TITLE THAT IS SUBJECT TO THE "COLORADO BUSINESS CORPORATION ACT", ARTICLES 101 TO 117 OF THIS TITLE, AN ACTION DESCRIBED IN SUBSECTION (1) OF THIS SECTION MUST BE APPROVED BY VOTE OR CONSENT OF THE HOLDERS OF EVERY CLASS OR SERIES OF EQUITY INTEREST IN THE ENTITY THAT ARE ENTITLED TO VOTE ON THE ACTION BY AT LEAST TWO-THIRDS OF THE VOTES OR CONSENTS THAT ALL OF THOSE HOLDERS ARE ENTITLED TO CAST ON THE ACTION.

(3) A SHAREHOLDER OF A CORPORATION THAT IS NOT A PUBLIC BENEFIT CORPORATION IS ENTITLED TO EXERCISE THE RIGHT TO DISSENT PURSUANT TO ARTICLE 113 OF THIS TITLE IF THE SHAREHOLDER HAS NEITHER VOTED IN FAVOR OF AN AMENDMENT, MERGER, OR CONVERSION SPECIFIED IN THIS SUBSECTION (3) NOR CONSENTED THERETO IN WRITING PURSUANT TO SECTION 7-107-104 AND HOLDS SHARES OF SUCH

CORPORATION IMMEDIATELY BEFORE THE EFFECTIVE TIME OF:

(a) AN AMENDMENT TO THE CORPORATION'S ARTICLES OF INCORPORATION TO INCLUDE A PROVISION AUTHORIZED BY SECTION 7-101-503 (1) (a);

(b) A CONVERSION INTO A DOMESTIC OR FOREIGN PUBLIC BENEFIT CORPORATION OR SIMILAR ENTITY; OR

(c) A MERGER THAT WOULD RESULT IN THE CONVERSION OF THE CORPORATION'S SHARES INTO, OR EXCHANGE OF THE CORPORATION'S SHARES FOR, THE RIGHT TO RECEIVE SHARES OR OTHER EQUITY INTERESTS IN A DOMESTIC OR FOREIGN PUBLIC BENEFIT CORPORATION OR SIMILAR ENTITY.

(4) NOTWITHSTANDING ANY OTHER PROVISION OF THIS PART 5, A CORPORATION THAT IS A PUBLIC BENEFIT CORPORATION SHALL NOT, WITHOUT THE APPROVAL OF TWO-THIRDS OF THE OUTSTANDING SHARES OF EACH CLASS OF SHARES OF THE CORPORATION OF WHICH THERE ARE OUTSTANDING SHARES, WHETHER VOTING OR NONVOTING:

(a) AMEND ITS ARTICLES OF INCORPORATION TO DELETE OR AMEND A PROVISION AUTHORIZED BY SECTION 7-101-503 (1) (a);

(b) CONVERT INTO ANOTHER DOMESTIC OR FOREIGN ENTITY THAT IS NOT A PUBLIC BENEFIT CORPORATION OR SIMILAR ENTITY; OR

(c) MERGE WITH OR INTO ANOTHER ENTITY IF:

(I) AS A RESULT OF THE MERGER, THE SHARES IN SUCH CORPORATION WOULD BECOME, BE CONVERTED INTO, OR BE EXCHANGED FOR THE RIGHT TO RECEIVE SHARES OR OTHER EQUITY INTERESTS IN A DOMESTIC OR FOREIGN CORPORATION THAT IS NOT A PUBLIC BENEFIT CORPORATION OR SIMILAR ENTITY; AND

(II) THE ARTICLES OF INCORPORATION OR SIMILAR GOVERNING INSTRUMENT OF THE DOMESTIC OR FOREIGN CORPORATION THAT IS NOT A PUBLIC BENEFIT CORPORATION OR SIMILAR ENTITY DO NOT CONTAIN THE IDENTICAL PROVISIONS IDENTIFYING THE PUBLIC BENEFIT PURSUANT TO SECTION 7-101-503 (1).

(5) A NONPROFIT CORPORATION CANNOT BE A CONSTITUENT CORPORATION IN CONNECTION WITH A MERGER OR CONVERSION GOVERNED BY THIS SECTION.

7-101-505. Share certificates - notices regarding uncertificated shares. A SHARE CERTIFICATE ISSUED BY A PUBLIC BENEFIT CORPORATION MUST NOTE CONSPICUOUSLY THAT THE CORPORATION IS A PUBLIC BENEFIT CORPORATION FORMED PURSUANT TO THIS PART 5. A STATEMENT SENT BY A PUBLIC BENEFIT CORPORATION PURSUANT TO SECTION 7-106-207 MUST STATE CONSPICUOUSLY THAT THE CORPORATION IS A PUBLIC BENEFIT CORPORATION FORMED PURSUANT TO THIS PART 5.

7-101-506. Duties of directors. (1) THE BOARD OF DIRECTORS SHALL MANAGE OR DIRECT THE BUSINESS AND AFFAIRS OF A PUBLIC BENEFIT CORPORATION IN A MANNER THAT BALANCES THE PECUNIARY INTERESTS OF THE SHAREHOLDERS, THE BEST INTERESTS OF THOSE MATERIALLY AFFECTED BY THE CORPORATION'S CONDUCT, AND THE SPECIFIC PUBLIC BENEFIT IDENTIFIED IN ITS ARTICLES OF INCORPORATION.

(2) A DIRECTOR OF A PUBLIC BENEFIT CORPORATION:

(a) DOES NOT, BY VIRTUE OF THE PUBLIC BENEFIT PROVISIONS OF SECTION 7-101-503 (1), HAVE A DUTY TO ANY PERSON ON ACCOUNT OF AN INTEREST OF THE PERSON IN THE PUBLIC BENEFIT IDENTIFIED IN THE ARTICLES OF INCORPORATION OR ON ACCOUNT OF AN INTEREST MATERIALLY AFFECTED BY THE CORPORATION'S CONDUCT; AND

(b) WITH RESPECT TO A DECISION IMPLICATING THE BALANCE REQUIREMENT IN SUBSECTION (1) OF THIS SECTION, WILL BE DEEMED TO SATISFY THE DIRECTOR'S FIDUCIARY DUTIES TO SHAREHOLDERS AND THE CORPORATION IF THE DIRECTOR'S DECISION IS BOTH INFORMED AND DISINTERESTED AND NOT SUCH THAT NO PERSON OF ORDINARY, SOUND JUDGMENT WOULD APPROVE.

(3) THE ARTICLES OF INCORPORATION OF A PUBLIC BENEFIT CORPORATION MAY INCLUDE A PROVISION THAT A DISINTERESTED DIRECTOR'S FAILURE TO SATISFY THIS SECTION DOES NOT, FOR THE PURPOSES OF SECTION 7-108-401 OR ARTICLE 109 OF THIS TITLE, CONSTITUTE AN ACT OR OMISSION NOT IN GOOD FAITH OR A BREACH OF THE DUTY OF LOYALTY.

7-101-507. Benefit report - definition. (1) A PUBLIC BENEFIT

CORPORATION SHALL PREPARE A REPORT THAT INCLUDES:

(a) A NARRATIVE DESCRIPTION OF:

(I) THE WAYS IN WHICH THE PUBLIC BENEFIT CORPORATION PROMOTED THE PUBLIC BENEFIT IDENTIFIED IN THE ARTICLES OF INCORPORATION AND THE BEST INTERESTS OF THOSE MATERIALLY AFFECTED BY THE CORPORATION'S CONDUCT;

(II) ANY CIRCUMSTANCES THAT HAVE HINDERED THE PUBLIC BENEFIT CORPORATION'S PROMOTION OF THE IDENTIFIED PUBLIC BENEFIT AND THE BEST INTERESTS OF THOSE MATERIALLY AFFECTED BY THE CORPORATION'S CONDUCT; AND

(III) THE PROCESS AND RATIONALE FOR SELECTING OR CHANGING THE THIRD-PARTY STANDARD USED TO PREPARE THE BENEFIT REPORT; AND

(b) AN ASSESSMENT OF THE OVERALL SOCIAL AND ENVIRONMENTAL PERFORMANCE OF THE PUBLIC BENEFIT CORPORATION AGAINST A THIRD-PARTY STANDARD:

(I) APPLIED CONSISTENTLY WITH ANY APPLICATION OF THAT STANDARD IN PRIOR BENEFIT REPORTS; OR

(II) ACCOMPANIED BY AN EXPLANATION OF THE REASONS FOR ANY INCONSISTENT APPLICATION. THE ASSESSMENT DOES NOT NEED TO BE PERFORMED, AUDITED, OR CERTIFIED BY A THIRD PARTY.

(2) FOR PURPOSES OF SUBSECTION (1) OF THIS SECTION, "THIRD-PARTY STANDARD" MEANS A STANDARD FOR DEFINING, REPORTING, AND ASSESSING THE OVERALL CORPORATE SOCIAL AND ENVIRONMENTAL PERFORMANCE, WHICH STANDARD IS DEVELOPED BY AN ORGANIZATION THAT IS NOT CONTROLLED BY THE PUBLIC BENEFIT CORPORATION OR ANY OF ITS AFFILIATES AND THAT MAKES PUBLICLY AVAILABLE THE FOLLOWING INFORMATION:

(a) THE CRITERIA CONSIDERED WHEN MEASURING THE SOCIAL AND ENVIRONMENTAL PERFORMANCE OF A BUSINESS, THE RELATIVE WEIGHTINGS OF THOSE CRITERIA, IF ANY, AND THE PROCESS FOR DEVELOPMENT AND REVISION OF THE STANDARD; AND

(b) ANY MATERIAL OWNERS OF THE ORGANIZATION THAT DEVELOPED THE THIRD-PARTY STANDARD, THE MEMBERS OF ITS GOVERNING BODY AND HOW THEY ARE SELECTED, AND THE SOURCES OF FINANCIAL SUPPORT FOR THE ORGANIZATION, IN SUFFICIENT DETAIL TO DISCLOSE ANY RELATIONSHIPS THAT COULD REASONABLY BE CONSIDERED TO COMPROMISE ITS INDEPENDENCE.

(3) A PUBLIC BENEFIT CORPORATION THAT PREPARES A REPORT PURSUANT TO THIS SECTION SHALL SEND IT TO EACH SHAREHOLDER.

(4) A PUBLIC BENEFIT CORPORATION SHALL POST ALL OF ITS REPORTS PREPARED PURSUANT TO THIS SECTION ON THE PUBLIC PORTION OF ITS WEB SITE, IF ANY, BUT THE PUBLIC BENEFIT CORPORATION MAY OMIT FROM THE POSTED REPORTS ANY FINANCIAL OR PROPRIETARY INFORMATION INCLUDED IN THE REPORTS.

(5) IF A PUBLIC BENEFIT CORPORATION DOES NOT HAVE A WEB SITE, THE PUBLIC BENEFIT CORPORATION SHALL PROVIDE A COPY OF ITS MOST RECENT REPORT, WITHOUT CHARGE, TO A PERSON THAT REQUESTS A COPY, BUT THE PUBLIC BENEFIT CORPORATION MAY OMIT ANY FINANCIAL OR PROPRIETARY INFORMATION FROM THE COPY OF THE BENEFIT REPORT SO PROVIDED.

7-101-508. Derivative suits. (1) SHAREHOLDERS OF A PUBLIC BENEFIT CORPORATION MAY MAINTAIN A DERIVATIVE LAWSUIT TO ENFORCE THE REQUIREMENTS OF SECTION 7-101-506 (1) IF THE SHAREHOLDERS OWN, INDIVIDUALLY OR COLLECTIVELY, AS OF THE DATE OF INSTITUTING A DERIVATIVE SUIT, EITHER:

(a) AT LEAST TWO PERCENT OF THE CORPORATION'S OUTSTANDING SHARES; OR

(b) IN THE CASE OF A CORPORATION WITH SHARES LISTED ON A NATIONAL SECURITIES EXCHANGE, THE LESSER OF TWO PERCENT OF THE CORPORATION'S OUTSTANDING SHARES OR SHARES OF AT LEAST TWO MILLION DOLLARS IN MARKET VALUE.

7-101-509. No effect on other corporations. THIS PART 5 DOES NOT AFFECT A STATUTE OR RULE OF LAW THAT APPLIES TO A CORPORATION THAT IS NOT A PUBLIC BENEFIT CORPORATION, EXCEPT AS PROVIDED IN SECTION 7-101-504.

SECTION 2. In Colorado Revised Statutes, 7-113-102, **amend**

(1) (d) and (1) (e); and **add** (1) (f) and (1) (g) as follows:
7-113-102. Right to dissent. (1) A shareholder, whether or not entitled to vote, is entitled to dissent and obtain payment of the fair value of the shareholder's shares in the event of any of the following corporate actions:
(d) Consummation of a sale, lease, exchange, or other disposition of all, or substantially all, of the property of an entity controlled by the corporation if the shareholders of the corporation were entitled to vote upon the consent of the corporation to the disposition pursuant to section 7-112-102 (2); **and**
(e) Consummation of a conversion in which the corporation is the converting entity as provided in section 7-90-206 (2);
(f) AN AMENDMENT, CONVERSION, OR MERGER DESCRIBED IN SECTION 7-101-504 (3); AND
(g) CONSUMMATION OF A PLAN BY WHICH A PUBLIC BENEFIT CORPORATION TERMINATES PUBLIC BENEFIT CORPORATION STATUS BY MERGER OR CONVERSION INTO A CORPORATION THAT HAS NOT ELECTED PUBLIC BENEFIT CORPORATION STATUS AS PROVIDED IN SECTION 7-101-504 (4) OR BY AMENDMENT OF ITS ARTICLES OF INCORPORATION."

Judiciary After consideration on the merits, the Committee recommends that **SB13-051** be **postponed indefinitely**.

Judiciary After consideration on the merits, the Committee recommends that **SB13-052** be **postponed indefinitely**.

Judiciary After consideration on the merits, the Committee recommends that **SB13-1154** be **referred** to the Committee on Appropriations with favorable recommendation.

Judiciary After consideration on the merits, the Committee recommends that **SB13-253** be **referred** to the Committee of the Whole with favorable recommendation.

Judiciary After consideration on the merits, the Committee recommends that **SB13-239** be **amended** as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, line 13, after the period add "If A PRIVATE TREATMENT AGENCY IS NOT AVAILABLE WITHIN FIFTY MILES OF THE DEFENDANT'S HOME, A WAIVER MAY BE OBTAINED BY A PRIVATE PROBATION PROVIDER OR OTHER COMMUNITY AGENCY TO PROVIDE COURT-ORDERED TREATMENT TO THE SAME CLIENT THEY SUPERVISE FOR PROBATION SERVICES."

Judiciary After consideration on the merits, the Committee recommends that **HB13-1200** be **amended** as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend reengrossed bill, page 3, line 13, strike "IMPORTANT" and substitute "MAJOR".

Page 6, line 17, before "A" insert "IN CASES WHERE THERE HAS BEEN A PRIOR DETERMINATION OF CUSTODY,".

Page 8, line 2, after the period insert "THIS NOTICE PROVISION DOES NOT ALTER THE PROVISIONS OF SECTION 14-10-129,".

Page 8, line 12, strike "A COURT MAY NOT".

Page 8, strike lines 13 and 14 and substitute "A PARENT'S PAST DEPLOYMENT OR POSSIBLE FUTURE DEPLOYMENT IN ITSELF MAY NOT SERVE AS THE SOLE BASIS IN DETERMINING THE BEST INTEREST OF THE CHILD. NOTHING IN THIS SECTION SHALL BE CONSTRUED AS PROHIBITING THE COURT FROM APPLYING SECTION 14-10-124 IN DETERMINING THE BEST INTEREST OF THE CHILD.".

Page 8, line 20, strike "A TEMPORARY" and substitute "AN INTERIM".

Page 9, line 22, strike "AGREEMENT," and substitute "AGREEMENT ALONE,".

Page 9, line 24, strike "IN THE APPROPRIATE COURT;" and substitute "BY COURT ORDER;".

Page 10, after line 6 insert:
"(5) THE AGREEMENT MAY BE SUBMITTED TO THE COURT FOR APPROVAL TO BECOME AN ENFORCEABLE ORDER.".

Page 10, line 8, strike "TEMPORARY" and substitute "AN INTERIM AGREEMENT".

Page 11, line 6, strike "AGREEMENT." and substitute "AGREEMENT, AND THE MODIFIED AGREEMENT MAY BE SUBMITTED TO THE COURT FOR APPROVAL TO BECOME AN ENFORCEABLE ORDER.".

Page 11, line 8, after the second "OF" insert "HIS OR HER".

Page 12, line 5, strike "ORDER" and substitute "ORDER, CONSISTENT WITH THE BEST INTERESTS OF THE CHILD,".

Page 14, line 24, strike "TEMPORARY" and substitute "AN INTERIM GRANT OF AUTHORITY".

Page 15, line 10, strike "TEMPORARY;" and substitute "AN INTERIM ORDER;".

Page 17, line 1, strike "TEMPORARY" and substitute "AN INTERIM MODIFICATION".

Page 17, line 6, strike "CONTACT." and substitute "CONTACT, UNLESS IT IS NOT IN THE BEST INTERESTS OF THE CHILD.".

Page 17, line 9, strike "**temporary**" and substitute "**interim**".

Page 17, line 11, strike "A TEMPORARY" and substitute "AN INTERIM".

Page 17, line 15, strike "A TEMPORARY" and substitute "AN INTERIM".

Page 17, line 23, strike "A TEMPORARY" and substitute "AN INTERIM".

Page 17, line 25, strike "SEVEN" and substitute "THIRTY-FIVE".

Page 17, line 27, strike "A TEMPORARY" and substitute "AN INTERIM".

Page 18, line 2, strike "TEMPORARY" and substitute "INTERIM".

Page 18, line 7, strike "**temporary**" and substitute "**interim**".

Page 18, line 17, strike "**temporary**" and substitute "**interim**".

Page 18, line 19, strike "A TEMPORARY" and substitute "AN INTERIM".

Page 18, line 21, after "SHALL" insert "IMMEDIATELY".

Page 18, line 23, after "CHILD" insert "CONSISTENT WITH THE DEPLOYED PARENT'S POST DEPLOYMENT LEAVE,".

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- Page 18, line 26, strike "temporary" and substitute "interim".
- Page 19, line 3, strike "SEVEN" and substitute "THIRTY-FIVE".
- Page 19, line 8, strike "LAW OF" and substitute "SECTIONS 14-10-124 AND 14-10-129".
- Page 19, strike line 9.
- Page 19, line 15, strike "IT." and substitute "IT IF IT IS CONSISTENT WITH THE PUBLIC POLICY OF THE STATE.".
- Page 19, line 24, strike "A TEMPORARY" and substitute "AN INTERIM".
- Page 20, strike lines 11 through 21.
- Renumber succeeding section accordingly.

After consideration on the merits, the Committee recommends that **SB13-266** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

- Amend printed bill, page 2, line 11, after "STATE." insert "THE STATE DEPARTMENT SHALL COLLABORATE WITH THE BEHAVIORAL HEALTH TRANSFORMATION COUNCIL, CREATED IN SECTION 27-61-102, TO ENSURE THAT SERVICES RESULTING FROM THE REQUEST FOR PROPOSALS ARE ALIGNED THROUGHOUT THE SYSTEM, INTEGRATED, AND COMPREHENSIVE.".
- Page 3, line 12, after "ASSESSING" insert "CHILD, ADOLESCENT, AND ADULT".
- Page 3, line 19, strike "HEALTH AND" and substitute "HEALTH,".
- Page 3, line 20, strike "CARE." and substitute "CARE, AND THAT ARE LINKED TO MOBILE CRISIS SERVICES AND CRISIS RESPITE SERVICES.".
- Page 3, line 21, after "UNITS" insert "THAT ARE LINKED TO THE WALK-IN CRISIS SERVICES AND CRISIS RESPITE SERVICES AND".
- Page 3, line 24, after "SERVICES" insert "THAT ARE LINKED TO THE WALK-IN CRISIS SERVICES AND CRISIS RESPITE SERVICES AND".
- Page 4, line 4, after "CRITERIA." insert "PRIORITY MAY BE GIVEN TO ENTITIES THAT HAVE DEMONSTRATED PARTNERSHIPS WITH COLORADO-BASED RESOURCES.".
- Page 4, line 8, strike "PRACTICES;" and substitute "PRACTICES THAT SHOW EVIDENCE OF COLLABORATION WITH EXISTING SYSTEMS OF CARE TO BUILD ON CURRENT STRENGTHS AND MAXIMIZE RESOURCES;".
- Page 4, line 9, strike "CONSULT" and substitute "COORDINATE CLOSELY".
- Page 4, line 11, after "ORGANIZATIONS," insert "COMMUNITY MENTAL HEALTH CENTERS,".
- Page 4, line 12, after "ORGANIZATIONS," insert "SUBSTANCE USE TREATMENT PROVIDERS,".
- Page 4, strike line 14 and substitute:
 - "(c) SERVE INDIVIDUALS REGARDLESS OF THEIR ABILITY TO PAY;".
- Page 4, line 20, strike "SERVE" and substitute "PROVIDE SERVICES THAT ARE SPECIALIZED FOR".

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After consideration on the merits, the Committee recommends that **SB13-225** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, strike everything below the enacting clause and substitute:

"**SECTION 1.** In Colorado Revised Statutes, add 25-3-114, 25-3-115, and 25-3-116 as follows:

25-3-114. STEMI task force - creation - membership - duties - report - repeal. (1) (a) THERE IS HEREBY CREATED IN THE DEPARTMENT THE STEMI TASK FORCE. NO LATER THAN AUGUST 1, 2013, THE GOVERNOR SHALL APPOINT FIFTEEN MEMBERS TO THE TASK FORCE AS FOLLOWS:

(I) ONE MEMBER WHO IS A COLORADO RESIDENT REPRESENTING A NATIONAL ASSOCIATION WHOSE GOAL IS TO ELIMINATE CARDIOVASCULAR DISEASE AND STROKE;

(II) ONE MEMBER WHO IS A CARDIOLOGIST PRACTICING IN THIS STATE;

(III) ONE MEMBER WHO IS AN INTERVENTIONAL CARDIOLOGIST PRACTICING IN THE WESTERN SLOPE AREA OF THE STATE;

(IV) ONE MEMBER WHO IS AN INTERVENTIONAL CARDIOLOGIST PRACTICING IN THE FRONT RANGE AREA OF THE STATE;

(V) ONE MEMBER REPRESENTING A STATEWIDE ASSOCIATION OF CARDIOLOGISTS;

(VI) ONE MEMBER REPRESENTING A STATEWIDE ASSOCIATION OF PHYSICIANS;

(VII) ONE MEMBER REPRESENTING A STATEWIDE HOSPITAL ASSOCIATION;

(VIII) ONE MEMBER REPRESENTING AN EMERGENCY PHYSICIANS ASSOCIATION;

(IX) ONE MEMBER WHO IS AN EMERGENCY MEDICAL SERVICE PROVIDER, AS DEFINED IN SECTION 25-3.5-103 (8);

(X) ONE MEMBER WHO IS A REGISTERED NURSE INVOLVED IN CARDIAC CARE;

(XI) ONE HOSPITAL ADMINISTRATOR FROM A HOSPITAL LOCATED IN A RURAL AREA OF THE STATE;

(XII) ONE HOSPITAL ADMINISTRATOR FROM A HOSPITAL LOCATED IN AN URBAN AREA OF THE STATE;

(XIII) ONE MEMBER OF THE PUBLIC WHO HAS SUFFERED A STEMI HEART ATTACK; AND

(XIV) TWO MEMBERS WITH EXPERTISE IN CARDIOVASCULAR DATA REGISTRIES, ONE OF WHOM IS A CARDIOLOGIST.

(b) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OR THE EXECUTIVE DIRECTOR'S DESIGNEE SHALL SERVE AS AN EX OFFICIO MEMBER OF THE TASK FORCE.

(2) (a) THE TASK FORCE SHALL STUDY AND MAKE RECOMMENDATIONS FOR DEVELOPING A STATEWIDE PLAN TO IMPROVE QUALITY OF CARE TO STEMI PATIENTS. IN CONDUCTING THE STUDY, THE TASK FORCE SHALL EXPLORE THE FOLLOWING ISSUES, WITHOUT LIMITATION:

(I) CREATION OF A STATE DATABASE OR REGISTRY CONSISTING OF DATA ON STEMI CARE THAT MIRRORS THE DATA HOSPITALS SUBMIT TO NATIONALLY RECOGNIZED ORGANIZATIONS;

(II) ACCESS TO AGGREGATED STEMI DATA, WHICH MUST EXCLUDE ANY IDENTIFYING OR CONFIDENTIAL INFORMATION ABOUT THE REPORTING HOSPITAL OR PATIENTS TREATED BY THE HOSPITAL, FROM A STATE DATABASE THAT MAY BE DEVELOPED OR FROM A NATIONALLY RECOGNIZED ORGANIZATION;

(III) A PLAN THAT WOULD ENCOURAGE RURAL AND URBAN HOSPITALS TO COORDINATE SERVICES FOR THE NECESSARY REFERRAL OR RECEIPT OF PATIENTS REQUIRING STEMI CARE IN THE STATE; AND

(IV) THE CRITERIA USED BY NATIONALLY RECOGNIZED BODIES FOR DESIGNATING A HOSPITAL IN STEMI CARE AND WHETHER A DESIGNATION IS APPROPRIATE OR NEEDED TO ASSURE ACCESS TO THE BEST QUALITY CARE FOR COLORADO RESIDENTS WITH STEMI EVENTS..

(b) BY JANUARY 31, 2014, THE TASK FORCE SHALL SUBMIT AN INITIAL REPORT, AND BY JULY 31, 2015, THE TASK FORCE SHALL SUBMIT ITS FINAL REPORT, SPECIFYING ITS FINDINGS AND RECOMMENDATIONS TO THE HEALTH AND HUMAN SERVICES COMMITTEE OF THE SENATE, THE HEALTH, INSURANCE, AND ENVIRONMENT COMMITTEE OF THE HOUSE OF REPRESENTATIVES, OR THEIR SUCCESSOR COMMITTEES, AND THE DEPARTMENT. THE TASK FORCE SHALL INCLUDE IN ITS REPORTS A RECOMMENDATION ON WHETHER A DESIGNATION OF A HOSPITAL IN STEMI CARE IS APPROPRIATE OR NEEDED TO ASSURE ACCESS TO THE BEST QUALITY CARE FOR COLORADO RESIDENTS WITH STEMI EVENTS.

(3) THE DEPARTMENT MAY ACCEPT AND EXPEND, SUBJECT TO APPROPRIATION BY THE GENERAL ASSEMBLY, GIFTS, GRANTS, AND DONATIONS TO PAY THE DIRECT EXPENSES OF THE TASK FORCE. THE DEPARTMENT SHALL TRANSMIT ANY MONETARY GIFTS, GRANTS, OR DONATIONS IT RECEIVES TO THE STATE TREASURER FOR DEPOSIT IN THE HEALTH FACILITIES GENERAL LICENSURE CASH FUND, AND THOSE MONEYS MAY BE USED ONLY TO PAY THE DIRECT EXPENSES OF THE TASK FORCE.

(4) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "DEPARTMENT" MEANS THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT.

(b) "STEMI" MEANS ST-ELEVATION MYOCARDIAL INFARCTION.

(5) THIS SECTION IS REPEALED, EFFECTIVE AUGUST 1, 2015.

25-3-115. Stroke advisory board - creation - membership - duties - report - repeal. (1) (a) THERE IS HEREBY CREATED IN THE DEPARTMENT THE STROKE ADVISORY BOARD, THE PURPOSE OF WHICH IS TO EVALUATE POTENTIAL STRATEGIES FOR STROKE PREVENTION AND TREATMENT AND DEVELOP A STATEWIDE NEEDS ASSESSMENT IDENTIFYING RELEVANT RESOURCES. NO LATER THAN AUGUST 1, 2013, THE GOVERNOR SHALL APPOINT SEVENTEEN MEMBERS TO THE STROKE ADVISORY BOARD AS FOLLOWS:

(I) SIX PHYSICIANS WHO ARE ACTIVELY INVOLVED IN STROKE CARE AND WHO SATISFY THE FOLLOWING CRITERIA: ONE PHYSICIAN WHO IS BOARD-CERTIFIED IN PRIMARY CARE; ONE PHYSICIAN WHO IS BOARD-CERTIFIED IN VASCULAR NEUROLOGY; ONE PHYSICIAN WHO IS PRIVILEGED AND ACTIVELY PRACTICING INTERVENTIONAL NEURORADIOLOGY; ONE PHYSICIAN WHO IS BOARD-CERTIFIED IN NEUROSURGERY; ONE PHYSICIAN REPRESENTING A STATEWIDE CHAPTER OF EMERGENCY PHYSICIANS; AND ONE PHYSICIAN WHO IS A BOARD-CERTIFIED NEUROLOGIST SERVING PATIENTS IN A RURAL AREA OF THE STATE;

(II) ONE MEMBER REPRESENTING A STATEWIDE ASSOCIATION OF PHYSICIANS;

(III) ONE MEMBER REPRESENTING A STATEWIDE HOSPITAL ASSOCIATION;

(IV) ONE MEMBER WHO IS AN EMERGENCY MEDICAL SERVICE PROVIDER, AS DEFINED IN SECTION 25-3.5-103 (8);

(V) ONE MEMBER WHO IS A REGISTERED NURSE INVOLVED IN STROKE CARE;

(VI) ONE HOSPITAL ADMINISTRATOR FROM A HOSPITAL LOCATED IN A RURAL AREA OF THE STATE;

(VII) ONE HOSPITAL ADMINISTRATOR FROM A HOSPITAL LOCATED IN AN URBAN AREA OF THE STATE;

(VIII) ONE REPRESENTATIVE FROM A STROKE REHABILITATION FACILITY;

(IX) ONE MEMBER WHO IS A COLORADO RESIDENT REPRESENTING A NATIONAL ASSOCIATION WHOSE GOAL IS TO ELIMINATE CARDIOVASCULAR DISEASE AND STROKE;

(X) ONE MEMBER WHO IS A PHYSICAL OR OCCUPATIONAL THERAPIST ACTIVELY INVOLVED IN STROKE CARE;

(XI) ONE MEMBER OF THE PUBLIC WHO HAS SUFFERED A STROKE OR IS THE CARE GIVER OF A PERSON WHO HAS SUFFERED A STROKE; AND

(XII) ONE MEMBER WHO IS AN EXPERT IN STROKE DATABASE MANAGEMENT.

(b) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OR THE EXECUTIVE DIRECTOR'S DESIGNEE SHALL SERVE AS AN EX OFFICIO MEMBER OF THE STROKE ADVISORY BOARD.

(2) (a) THE STROKE ADVISORY BOARD SHALL STUDY AND MAKE RECOMMENDATIONS FOR DEVELOPING A STATEWIDE PLAN TO IMPROVE QUALITY OF CARE FOR STROKE PATIENTS. IN CONDUCTING THE STUDY, THE STROKE ADVISORY BOARD SHALL EXPLORE THE FOLLOWING ISSUES, WITHOUT LIMITATION:

(I) CREATION OF A STATE DATABASE OR REGISTRY CONSISTING OF DATA ON STROKE CARE THAT MIRRORS THE DATA HOSPITALS SUBMIT TO NATIONALLY RECOGNIZED ORGANIZATIONS;

(II) ACCESS TO AGGREGATED STROKE DATA, WHICH MUST EXCLUDE ANY IDENTIFYING OR CONFIDENTIAL INFORMATION ABOUT THE REPORTING HOSPITAL OR PATIENTS TREATED BY THE HOSPITAL, FROM A STATE DATABASE THAT MAY BE DEVELOPED OR FROM A NATIONALLY RECOGNIZED ORGANIZATION BY THE ADVISORY BOARD, BY ANY PERSON WHO SUBMITS A WRITTEN REQUEST FOR THE DATA;

(III) EVALUATION OF CURRENTLY AVAILABLE STROKE TREATMENTS AND THE DEVELOPMENT OF RECOMMENDATIONS, BASED ON MEDICAL EVIDENCE, FOR WAYS TO IMPROVE STROKE PREVENTION AND TREATMENT;

(IV) A PLAN THAT WOULD ENCOURAGE RURAL AND URBAN HOSPITALS TO COORDINATE SERVICES FOR THE NECESSARY REFERRAL OR RECEIPT OF PATIENTS REQUIRING STROKE CARE IN THE STATE; AND

(V) THE CRITERIA USED BY NATIONALLY RECOGNIZED BODIES FOR DESIGNATING A HOSPITAL IN STROKE CARE AND WHETHER A DESIGNATION IS APPROPRIATE OR NEEDED TO ASSURE ACCESS TO THE BEST QUALITY CARE FOR COLORADO RESIDENTS WITH STROKE EVENTS.

(b) BY JANUARY 31, 2014, AND BY EACH JANUARY 1 THEREAFTER, THE STROKE ADVISORY BOARD SHALL SUBMIT A REPORT SPECIFYING ITS FINDINGS AND RECOMMENDATIONS TO THE HEALTH AND HUMAN SERVICES COMMITTEE OF THE SENATE, THE HEALTH, INSURANCE, AND ENVIRONMENT COMMITTEE OF THE HOUSE OF REPRESENTATIVES, OR THEIR SUCCESSOR COMMITTEES, AND THE DEPARTMENT. THE STROKE ADVISORY BOARD SHALL INCLUDE IN ITS REPORT A RECOMMENDATION ON WHETHER A DESIGNATION OF A HOSPITAL IN STROKE CARE IS APPROPRIATE OR NEEDED TO ASSURE ACCESS TO THE BEST QUALITY CARE FOR COLORADO RESIDENTS WITH STROKE EVENTS.

(3) THE DEPARTMENT MAY ACCEPT AND EXPEND, SUBJECT TO APPROPRIATION BY THE GENERAL ASSEMBLY, GIFTS, GRANTS, AND DONATIONS TO PAY THE DIRECT EXPENSES OF THE STROKE ADVISORY BOARD. THE DEPARTMENT SHALL TRANSMIT ANY MONETARY GIFTS, GRANTS, OR DONATIONS IT RECEIVES TO THE STATE TREASURER FOR DEPOSIT IN THE HEALTH FACILITIES GENERAL LICENSURE CASH FUND, AND THOSE MONEYS MAY BE USED ONLY TO PAY THE DIRECT EXPENSES OF THE STROKE ADVISORY BOARD.

(4) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES, "DEPARTMENT" MEANS THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT.

(5) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2018. PRIOR TO THE REPEAL, THE DEPARTMENT OF REGULATORY AGENCIES SHALL REVIEW THE FUNCTIONS OF THE STROKE ADVISORY BOARD IN ACCORDANCE WITH SECTION 2-3-1203, C.R.S.

25-3-116. Department recognition of national certification - suspension or revocation of recognition. (1) A HOSPITAL THAT HAS AN ACCREDITATION, CERTIFICATION, OR DESIGNATION IN STROKE OR STEMI CARE FROM A NATIONALLY RECOGNIZED ACCREDITING BODY, INCLUDING BUT NOT LIMITED TO A CERTIFICATION AS A COMPREHENSIVE STROKE CENTER OR PRIMARY STROKE CENTER BY THE JOINT COMMISSION ON ACCREDITATION OF HEALTH CARE ORGANIZATIONS AND PROGRAMS OR ITS SUCCESSOR ORGANIZATION OR AN ACCREDITATION AS A STEMI RECEIVING CENTER OR STEMI REFERRAL CENTER BY THE SOCIETY FOR CARDIOVASCULAR PATIENT CARE OR ITS SUCCESSOR ORGANIZATION, MAY SEND INFORMATION AND SUPPORTING DOCUMENTATION TO THE DEPARTMENT. THE DEPARTMENT SHALL MAKE A HOSPITAL'S NATIONAL ACCREDITATION, CERTIFICATION, OR DESIGNATION AVAILABLE TO THE PUBLIC IN A MANNER DETERMINED BY THE DEPARTMENT.

(2) THE DEPARTMENT SHALL DEEM A HOSPITAL THAT IS CURRENTLY ACCREDITED, CERTIFIED, OR DESIGNATED BY A NATIONALLY RECOGNIZED ACCREDITING BODY AS SATISFYING THE REQUIREMENTS FOR

RECOGNITION AND PUBLICATION BY THE DEPARTMENT. THE DEPARTMENT MAY SUSPEND OR REVOKE A RECOGNITION AND PUBLICATION OF A HOSPITAL'S ACCREDITATION, CERTIFICATION, OR DESIGNATION IF THE DEPARTMENT DETERMINES, AFTER NOTICE AND HEARING IN ACCORDANCE WITH THE "STATE ADMINISTRATIVE PROCEDURE ACT", ARTICLE 4 OF TITLE 24, C.R.S., THAT THE HOSPITAL NO LONGER HOLDS AN ACTIVE ACCREDITATION, CERTIFICATION, OR DESIGNATION FROM A NATIONALLY RECOGNIZED CERTIFYING BODY.

(3) WHETHER A HOSPITAL ATTAINS A NATIONAL ACCREDITATION, CERTIFICATION, OR DESIGNATION IN STROKE OR STEMI CARE HAS NO BEARING ON, OR CONNECTION WITH, THE LICENSING OR CERTIFICATION OF THE HOSPITAL BY THE DEPARTMENT PURSUANT TO SECTION 25-1.5-103 (1) (a).

(4) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "DEPARTMENT" MEANS THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT.

(b) "STEMI" MEANS ST-ELEVATION MYOCARDIAL INFARCTION.

SECTION 2. In Colorado Revised Statutes, 2-3-1203, **add** (3) (ee.5) as follows:

2-3-1203. Sunset review of advisory committees. (3) The following dates are the dates for which the statutory authorization for the designated advisory committees is scheduled for repeal:

(ee.5) SEPTEMBER 1, 2018:

(I) THE STROKE ADVISORY BOARD CREATED IN SECTION 25-3-115, C.R.S.;

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety."

Page 1, line 102, strike "INCIDENTS," and substitute "INCIDENTS."

Page 1, strike lines 103 through 110.

Health &
Human
Services

The Committee on Health & Human Services has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

MEMBERS OF THE
STATE BOARD OF HEALTH

for a term expiring March 1, 2015:

Rick L. Brown of Lakewood, Colorado, a resident of the 7th Congressional District and an Unaffiliated, and occasioned by the relocation of Christopher Scott Stanley from the 7th Congressional District, appointed;

for terms expiring March 1, 2017:

Christopher Scott Stanley of Denver, Colorado, a resident of the 1st Congressional District and a Republican, reappointed;

Gary Lynn Teague of Fort Morgan, Colorado, a resident of the 4th Congressional District and an Unaffiliated, appointed;

Betty B. McLain of Colorado Springs, Colorado, a resident of the 5th Congressional District and a Republican, appointed.

Health & Human Services	The Committee on <u>Health & Human Services</u> has had under consideration and has had a hearing on the following appointment and recommends that the appointment be confirmed:	1
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State, Veterans, & Military Affairs	MEMBER OF THE <u>HOSPITAL PROVIDER FEE OVERSIGHT AND ADVISORY BOARD</u>	16
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State, Veterans, & Military Affairs	effective immediately for a term expiring May 15, 2016:	31
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Agriculture, Natural Resources, & Energy	George Montgomery O'Brien of Pueblo, Colorado, a person with a disability, who is living with a disability, and who is not a representative or an employee of a hospital, health insurance carrier, or other health care industry entity, appointed	46
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Agriculture, Natural Resources, & Energy	After consideration on the merits, the Committee recommends that HB13-1194 be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	61
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Agriculture, Natural Resources, & Energy	After consideration on the merits, the Committee recommends that HB13-1235 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	76
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Agriculture, Natural Resources, & Energy	Amend reengrossed bill, page 3, line 9, before "APPRAISER" insert "INDEPENDENT".	91
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Agriculture, Natural Resources, & Energy	Page 4, line 5, strike "A BROKER" and substitute "AN INDEPENDENT BROKER".	106
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Agriculture, Natural Resources, & Energy	Page 4, line 6, before "APPRAISER" insert "INDEPENDENT".	121
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Agriculture, Natural Resources, & Energy	The Committee on <u>Agriculture, Natural Resources, & Energy</u> has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:	136
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Agriculture, Natural Resources, & Energy	MEMBERS OF THE <u>MINED LAND RECLAMATION BOARD</u>	151
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Agriculture, Natural Resources, & Energy	effective March 1, 2013 for terms expiring March 1, 2017:	166
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Agriculture, Natural Resources, & Energy	Forrest Von Luke of Craig, Colorado, an individual with substantial experience in the mining industry, appointed;	181
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Agriculture, Natural Resources, & Energy	Jill Heeringa Van Noord of Boulder, Colorado, an individual with substantial experience in conservation, appointed.	196
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Agriculture, Natural Resources, & Energy	After consideration on the merits, the Committee recommends that SB13-254 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	211
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Agriculture, Natural Resources, & Energy	Amend printed bill, page 7, line 3, after "section," insert "AND IN ACCORDANCE WITH SECTION 24-30-1104 (2), WHERE APPLICABLE,".	226
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Agriculture, Natural Resources, & Energy	Page 9, line 14, strike "IN".	241
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Agriculture, Natural Resources, & Energy	Page 9, line 15, strike "COORDINATION WITH" and substitute "WITH INPUT FROM".	256
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Agriculture, Natural Resources, & Energy	After consideration on the merits, the Committee recommends that HB13-1044 be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	1
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Agriculture, Natural Resources, & Energy	After consideration on the merits, the Committee recommends that HB13-1130 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	6
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	Amend reengrossed bill, page 2, line 3, strike "(2) and (3) (c);" and substitute "(2), (3) (a), (3) (b), (3) (c), and (4);".	12
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	Page 2, after line 25 insert:	15
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	"(a) The AN applicant for approval of an interruptible water supply agreement shall provide written notice of the application by first-class mail or electronic mail to all parties who have subscribed to the substitute water supply plan notification list, as described in section 37-92-308 (6), for the division or divisions in which the water right is located and in which it will be used, and proof of such notice shall be filed with the state engineer. MUST:	17
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	(I) SUBMIT TO THE WATER CLERK IN EACH WATER DIVISION IN WHICH A LOANED WATER RIGHT IS LOCATED A RESUME OF THE APPLICATION FOR APPROVAL OF AN INTERRUPTIBLE WATER SUPPLY AGREEMENT SUBMITTED TO THE STATE ENGINEER, AND THE WATER CLERK SHALL PUBLISH THE RESUMES IN THE MANNER SET FORTH IN SECTION 37-92-302 (3) (a) AND (3) (b), NOTWITHSTANDING THE FACT THAT THE APPLICATIONS WERE FILED WITH THE STATE ENGINEER;	24
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	(II) FILE PROOF OF THE SUBMISSION OF THE RESUME TO THE WATER CLERK WITH THE STATE ENGINEER NOT LATER THAN TEN DAYS AFTER THE SUBMISSION;	31
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	(III) FILE PROOF OF THE NOTICE TO ALL PARTIES WHO HAVE SUBSCRIBED TO THE SUBSTITUTE WATER SUPPLY PLAN NOTIFICATION LIST, AS DESCRIBED IN SECTION 37-92-308 (6), WITH THE STATE ENGINEER WITHIN TEN DAYS AFTER PROVIDING THE NOTICE; AND	34
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	(IV) ENSURE THAT the application shall be IS accompanied by a detailed written report, prepared by a professional engineer or other professional acceptable to the state engineer, that evaluates the historical consumptive use, return flows, and the potential for material injury to other water rights relating to the interruptible water supply agreement, and that proposes conditions to prevent such injury AND MITIGATE SUCH IMPACTS. The state engineer shall give the owners of water rights thirty-five ONE HUNDRED TWENTY-SIX days after the date of mailing of such THE LAST notice REQUIRED UNDER THIS SECTION IS PROVIDED to file comments on the operation of the interruptible water supply agreement. Such comments shall MAY include any claim of injury or any terms and conditions that should be imposed upon the agreement so that it will not cause injury to a party's water rights or decreed conditional water rights, if such conditional rights will be exercised during operation of the interruptible water supply agreement, and any other information the party wishes the state engineer to consider in reviewing the application.	38
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	(b) The state engineer, after consideration of the comments from any party submitting comments, shall make a determination of the operation and administration of the interruptible water supply agreement to assure that such operation and administration will effect only a temporary change in the historical consumptive use of the water right in a manner that will not cause injury to other water rights and decreed conditional water rights, if such conditional rights will be exercised during operation of the interruptible water supply agreement, and will not impair compliance with any interstate compact. The interruptible water supply agreement shall MUST include but shall not be limited to , a quantification of the historical consumptive use of the water right, an accurate description of the land where the water is decreed for use, and, if the loaned water right is being used for irrigation, a plan to prevent erosion and blowing soils, PROOF OF COMPLIANCE WITH DITCH COMPANY	54
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BYLAWS, and a description of compliance with local county noxious weed regulations and other land use provisions. The state engineer shall impose such terms and conditions as are necessary to ensure that these standards are met. In making the determinations specified in this paragraph (b), the state engineer ~~shall~~ IS not ~~be~~ required to hold any formal hearing or conduct any other formal proceedings, but may conduct a hearing or formal proceeding if the state engineer finds it necessary to address the issues. THE STATE ENGINEER'S APPROVAL OR DISAPPROVAL OF AN APPLICATION FOR AN INTERRUPTIBLE WATER SUPPLY AGREEMENT CONSTITUTES FINAL AGENCY ACTION SUBJECT TO APPEAL IN THE WATER COURT IN THE WATER DIVISION IN WHICH THE LOANED WATER RIGHTS ARE LOCATED."

Page 3, strike line 13 and substitute:

"(4) (a) When the state engineer approves or denies an interruptible water supply agreement, the state engineer shall serve a copy of the decision upon all parties to the application by first-class mail or, if such parties have so elected, by electronic mail. Neither the approval nor the denial of the agreement by the state engineer ~~shall create~~ CREATES any presumptions, ~~shift~~ SHIFTS the burden of proof, or ~~serve~~ SERVES as a defense in any legal action that may be initiated concerning the interruptible water supply agreement. ~~Any~~ THE WATER JUDGE SHALL EXPEDITE AN appeal of a decision made by the state engineer concerning the operation of an interruptible water supply agreement pursuant to this section ~~shall be expedited, shall be~~ ONLY UPON THE REQUEST OF A PARTY TO THE APPEAL. THE APPEAL IS limited to the ~~issue~~ ISSUES of injury. ~~and shall~~ THE APPEAL MUST be made within thirty-five days after mailing of the decision to the water judge in the applicable water division. All parties to the appeal shall pay to the water clerk a fee to cover the direct costs associated with ~~the~~ ANY expedited appeal. FOR PURPOSES OF DETERMINING FILING FEES, THE APPLICANT OR COMMENTER THAT INITIATES THE APPEAL SHALL PAY FEES ESTABLISHED FOR WATER COURT CHANGE APPLICANTS, AND ALL OTHERS SHALL PAY FEES ESTABLISHED FOR PERSONS FILING STATEMENTS OF OPPOSITION. The water judge shall hear and determine such appeal DE NOVO using the procedures and standards set forth in sections 37-92-304 and 37-92-305 for determination of ~~matters~~ CHANGES OF WATER RIGHTS AND AUGMENTATION PLANS rereferred to the water judge by the referee; except that the water judge shall not deem any failure to appeal all or any part of the decision of the state engineer or failure to state any grounds for appeal to preclude any party from raising any claims of injury in a future proceeding before the water judge. The proponent of the interruptible water supply agreement ~~shall be~~ IS deemed to be the applicant for purposes of application of such procedures and standards. Moneys from such fee shall be transmitted to the state treasurer and deposited in the water adjudication cash fund, which fund is hereby created in the state treasury. The general assembly shall appropriate moneys in the fund for the judicial department's expedited adjudications pursuant to this section.

(b) A party to the original application may file comments concerning potential injury to ~~such~~ A party's water rights or decreed conditional water rights due to the operation of the interruptible water supply agreement with the state engineer by January 1 of the year following the first year that the interruptible water supply agreement has been exercised. The procedures of subsection (3) of this section regarding notice, opportunity to comment, and the state engineer's decision, and the procedures of this subsection (4) regarding an appeal of such decision, shall again be followed with regard to such party's comments.

(6) THE STATE ENGINEER MAY ALSO APPROVE AN INTERRUPTIBLE WATER SUPPLY AGREEMENT PURSUANT TO THIS SUBSECTION (6) FOR ANOTHER TEN-YEAR PERIOD WITHIN WATER DISTRICTS 14, 17, AND 67 IN WATER DIVISION 2 IF:

(a) (I) ALL OF THE SUBSTANTIVE AND PROCEDURAL".

Page 3, line 14, strike "THROUGH" and substitute "TO".

Page 3, strike lines 22 through 27.

Page 4, strike lines 1 through 14 and substitute:

"(c) THE STATE ENGINEER SHALL NOT APPROVE AN APPLICATION FOR SUBSEQUENT APPROVAL THAT WOULD TRANSFER OR FACILITATE THE TRANSFER OF WATER ACROSS THE CONTINENTAL DIVIDE BY DIRECT DIVERSION, EXCHANGE, OR OTHERWISE; AND".

Reletter succeeding paragraphs accordingly.

Page 5, strike lines 9 through 21.

SENATE SERVICES REPORT

Correctly Engrossed: SB13-123, 214 and 229.
Correctly Reengrossed: SB13-001, 125, 147, 162, 202, 215, 235, 240, 243 and 248.
Correctly Revised: HB13-1046, 1220, 1222, 1234 and 1236.
Correctly Rerevised: HB13-1022, 1183, 1190 and 1233.

MEMORANDUM
REPORT FROM THE SENATE AND HOUSE
COMMITTEES ON DELAYED BILLS

Pursuant to Joint Rule 23 (c), the Senate and House Committees on Delayed Bills, acting jointly, extend the following deadline for Senate Bill 13-260, Concerning the Financing of Public Schools:

The Friday, April 19 deadline (the 101st legislative day) for final passage, including any conference committee report, for any bill prescribing all or a substantial portion of the total funding for public schools pursuant to the "Public School Finance Act of 1994", article 54 of title 22, Colorado Revised Statutes, is extended until Wednesday, May 8, 2013 (the 120th legislative day).

This memorandum shall be printed in the journal of each house as is required by said Joint Rule 23 (c).

(signed)
Senator Morse
President of the Senate

(signed)
Representative Ferrandino
Speaker of the House of Representatives

(signed)
Senator Carroll
Senate Majority Leader

(signed)
Representative Hullinghorst
House Majority Leader

(signed)
Senator Cadman
Senate Minority Leader

(signed)
Representative Waller
House Minority Leader

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:

SB13-229 by Senator(s) Guzman; also Representative(s) Kagan--Concerning changes to statutory provisions related to criminal proceedings.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	26	NO	9	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	Y
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	Y	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Giron, Heath, King, Newell, Nicholson and Ulibarri.

SB13-123 by Senator(s) Steadman; also Representative(s) Levy--Concerning provisions that improve the reintegration opportunities for persons involved in the criminal justice system, 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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Carroll, Giron, Guzman, Heath, Hodge, Hudak, Jahn, Johnston, Kefalas, Kerr, King, Morse, Newell, Nicholson, Tochtrop, Todd and Ulibarri.

HB13-1220 by Representative(s) Salazar; also Senator(s) Heath--Concerning the confidentiality of an individual educator's performance data.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	24	NO	11	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	Y	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Carroll, Giron, Guzman, Hodge, Hudak, Johnston, Jones, Kefalas, Morse, Newell, Nicholson and Todd.

HB13-1236 by Representative(s) Levy, Labuda, Lee; also Senator(s) Ulibarri, Giron, Guzman-- Concerning pre-trial release from custody.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Carroll, Heath, Hodge, King, Morse, Newell, Nicholson, Steadman and Tochtrop.

HB13-1222 by Representative(s) Peniston, Court, Fischer, Ginal, Hamner, Hullinghorst, Labuda, Lebsock, Melton, Rosenthal, Salazar, Singer, Tyler, Young; also Senator(s) Ulibarri, Aguilar, Carroll, Giron, Hudak, Kefalas, Todd--Concerning the expansion of the group of family members for whom Colorado employees are entitled to take leave from work under the federal "Family and Medical Leave Act of 1993".

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	21	NO	14	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Guzman, Heath, Hodge, Johnston, Jones, Kerr, Morse, Newell, Nicholson, Schwartz, Steadman and Tochtrop.

SB13-214 by Senator(s) Schwartz, Baumgardner, Giron; also Representative(s) Fischer, Szabo, Vigil--Concerning legislative oversight of the funding of P-12 public school capital construction projects that receive funding under the "Building Excellent Schools Today 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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Kerr, Nicholson, Steadman and Todd.

HB13-1234 by Representative(s) Fischer and Vigil, Szabo; also Senator(s) Schwartz and Giron, Baumgardner--Concerning the authority of the state to enter into lease-purchase agreements for the department of agriculture's office consolidation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	23	NO	12	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	Y	Heath	Y	King	N	Schwartz	Y
Brophy	Y	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Jones.

HB13-1046 by Representative(s) Williams; also Senator(s) Ulibarri--Concerning employer access to personal information through electronic communication devices, and, in connection therewith, making an appropriation.

Laid over until Friday, April 19, retaining its place on the calendar.

Committee of the Whole On motion of Senator Kerr, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Kerr was called to the Chair to act as Chairman.

**GENERAL ORDERS -- SECOND READING OF BILLS --
CONSENT CALENDAR**

The Committee of the Whole having risen, the Chairman reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB13-241 by Senator(s) Schwartz and Crowder, Nicholson, Ulibarri; also Representative(s) Coram and Fischer--Concerning the creation of a program in the department of agriculture to regulate industrial hemp production.

Amendment No. 1, Agriculture, Natural Resources, and Energy Committee Amendment.
(Printed in Senate Journal, April 11, page(s) 779 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 16, page(s) 840 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB13-217 by Senator(s) Hudak; also Representative(s) Pettersen--Concerning authorizing the state board of education to consider alternative education campuses in establishing the criteria for accreditation categories for each school district and the state charter school institute.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 16, page(s) 841 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB13-221 by Senator(s) King, Guzman, Tochtrop; also Representative(s) Ryden, Sonnenberg, Williams--Concerning an application and review process for issuing tax credit certificates for a state income tax credit allowed for the donation of a perpetual conservation easement.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 16, page(s) 843-844 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Kerr, 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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB13-241 as amended, SB13-217 as amended, SB13-221 as amended.

Committee of the Whole

On motion of Senator Kerr, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Kerr was called to the chair to act as Chairman.

GENERAL 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:

SB13-242

by Senator(s) Nicholson; also Representative(s) Primavera--Concerning dental services for adults in the medicaid program.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 16, page(s) 839-840 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB13-260

by Senator(s) Hudak and Steadman; also Representative(s) Hamner--Concerning the financing of public schools, and, in connection therewith, making an appropriation.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, April 12, page(s) 787 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 16, page(s) 837-839 and placed in members' bill files.)

Amendment No. 3(L.020), by Senator Steadman.

Amend printed bill, page 13, line 8, after "(III)" insert "and (7)".

Page 14, after line 15 insert:

"(7) IT IS THE GENERAL ASSEMBLY'S INTENT THAT, AS A RESULT OF RECEIVING AN INCREASE IN THE DISTRIBUTION OF STATE MONEYS, AN ADMINISTRATIVE UNIT, IN COMPLYING WITH THE MAINTENANCE OF EFFORT REQUIREMENT SPECIFIED IN THE FEDERAL "NO CHILD LEFT BEHIND ACT OF 2001", 20 U.S.C. SEC. 6381 ET SEQ., SHALL NOT REDUCE THE LEVEL OF STATE AND LOCAL EXPENDITURES BELOW THE LEVEL OF STATE AND LOCAL EXPENDITURES FOR THE PRECEDING BUDGET YEAR. ANY ADDITIONAL APPROPRIATION OF MONEYS FOR DISTRIBUTION PURSUANT TO THIS SECTION IS INTENDED TO ALTER THE RATIO BETWEEN STATE AND LOCAL EXPENDITURES, BUT THE OVERALL LEVEL OF EXPENDITURES MAY REMAIN THE SAME, THEREBY SATISFYING THE FEDERAL MAINTENANCE OF EFFORT REQUIREMENTS."

Amendment No. 4(L.024), by Senator Hudak.

Amend printed bill, page 15, line 19, strike "**Expanding**" and substitute "**Early childhood**".

Page 16, line 13, strike "EXPANDING" and substitute "EARLY CHILDHOOD".

Page 19, line 5, strike "EXPANDING" and substitute "EARLY CHILDHOOD".

Page 20, line 23, strike "EXPANDING" and substitute "EARLY CHILDHOOD".

Amend the Appropriations Committee Report, dated April 16, 2013, page 2, line 26, strike "expanding" and substitute "early childhood".

Amendment No. 5(L.025), by Senator Hudak.

Amend printed bill, page 14, line 24, strike "PROGRAM." and substitute "PROGRAM, FOR A TOTAL OF TWENTY-THREE THOUSAND THREE HUNDRED SIXTY CHILDREN WHO MAY ANNUALLY PARTICIPATE IN THE COLORADO PRESCHOOL PROGRAM.".

Page 15, line 1, strike "IN" and substitute "NOTWITHSTANDING THE PROVISIONS OF SECTION 22-28-104 (2) (b), IN".

Page 15, line 25, strike "EDUCATION AND STIMULATION;" and substitute "INTERACTIONS WITH RESPONSIVE AND CARING ADULTS, STRONG PEER MODELS, SAFE AND STIMULATING ENVIRONMENTS, AND ENGAGING AGE-APPROPRIATE LEARNING AND DEVELOPMENT ACTIVITIES;".

Page 16, line 3, strike "ACADEMIC".

Page 16, strike line 4 and substitute "DEVELOPMENTAL AND ACADEMIC GROWTH TRAJECTORIES;".

Page 16, strike line 6 and substitute "IN GREATER NUMBERS OF CHILDREN WHO ARE ON TRACK FOR SUCCESS IN KINDERGARTEN AND BEYOND;".

Amendment No. 6(L.023), by Senator Hill.

Amend printed bill, page 15, strike lines 17 through 27.

Strike pages 16 through 20.

Renumber succeeding sections accordingly.

Amend the Appropriations Committee Report, dated April 16, 2013 page 2, strike lines 20 through 26.

Renumber succeeding subsections accordingly.

Page 2 of the Appropriations Committee Report, line 27, strike "(3)" and substitute ""(3)".

Page 1 of the Appropriation Committee Report, line 6, strike "\$35,240,757." and substitute "\$40,240,757.".

Amend the Education Committee Report, dated April 11, 2013, page 1, line 8, after "HUNDRED" insert "FIVE".

Page 1 of the Education Committee Report, line 10, strike "(\$5,500,276,794);"." and substitute "(\$5,505,276,794);".".

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.)

SB13-227 by Senator(s) Carroll and Hudak, Aguilar, Cadman, Giron, Guzman, Harvey, Heath, Jahn, Jones, Kerr, King, Morse, Newell, Nicholson, Roberts, Schwartz, Todd, Ulibarri; also Representative(s) Landgraf, Buck, Gardner, Humphrey, Lebsock, Melton, Mitsch Bush, Navarro, Priola, Rankin, Saine, Schafer, Stephens, Vigil, Wilson, Young--Concerning methods to protect the victim of a sexual assault in cases where a child was conceived as a result of the sexual assault.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, April 9, page(s) 743 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 16, page(s) 840-841 and placed in members' bill files.)

Amendment No. 3(L.005), by Senator Carroll.

Amend printed bill, page 8, strike lines 5 and 6 and substitute "SECTION 19-5-105, 19-5-103.5, OR 19-3-604.

SECTION 4. In Colorado Revised Statutes, **add** 14-10-124.3 as follows:

14-10-124.3. Stay of proceedings - criminal charges of allegations of sexual assault. IF CRIMINAL CHARGES ALLEGING AN ACT OF SEXUAL ASSAULT, AS DEFINED IN SECTION 19-1-103 (96.5), C.R.S., ARE BROUGHT AGAINST THE PARENT OF A CHILD ALLEGING THAT A CHILD WAS CONCEIVED AS A RESULT OF THE ALLEGED SEXUAL ASSAULT COMMITTED BY THAT PARENT AGAINST THE PARENT WHO IS THE ALLEGED VICTIM OF THE SEXUAL ASSAULT, THE COURT SHALL ISSUE AN AUTOMATIC STAY OF ANY CIVIL DOMESTIC PROCEEDINGS UNDER THIS ARTICLE OR OF ANY PATERNITY PROCEEDINGS UNDER THE "UNIFORM PARENTAGE ACT", ARTICLE 4 OF TITLE 19, C.R.S., INVOLVING BOTH THE CHILD AND THE PARENT WHO IS THE ALLEGED PERPETRATOR. THE STAY SHALL NOT BE LIFTED UNTIL THERE IS A FINAL DISPOSITION OF THE CRIMINAL CHARGES. IN ANY FUTURE DOMESTIC PROCEEDINGS UNDER THIS ARTICLE OR ANY PATERNITY PROCEEDINGS UNDER THE "UNIFORM PARENTAGE ACT", ARTICLE 4 OF TITLE 19, C.R.S., CONTINUED AFTER THE FINAL DISPOSITION OF THE CRIMINAL CHARGES, ANY DENIAL OF PARENTING TIME BY THE VICTIM OF THE ALLEGED SEXUAL ASSAULT WHILE THE CRIMINAL CHARGES WERE PENDING SHALL NOT BE USED IN ANY WAY AGAINST THE VICTIM.

SECTION 5. In Colorado Revised Statutes, **add** 19-4-105.7 as follows:

19-4-105.7. Stay of paternity proceedings - criminal charges of allegations of sexual assault. IF CRIMINAL CHARGES ALLEGING AN ACT OF SEXUAL ASSAULT, AS DEFINED IN SECTION 19-1-103 (96.5), C.R.S., ARE BROUGHT AGAINST A PRESUMED OR POSSIBLE PARENT WHO IS THE SUBJECT OF AN ACTION TO DETERMINE PATERNITY ALLEGING THAT A CHILD WAS CONCEIVED AS A RESULT OF THAT SEXUAL ASSAULT COMMITTED BY THAT PRESUMED OR POSSIBLE PARENT AGAINST THE PARENT WHO IS THE ALLEGED VICTIM OF THE SEXUAL ASSAULT, THE COURT SHALL ISSUE AN AUTOMATIC STAY OF ANY PATERNITY PROCEEDINGS UNDER THIS ARTICLE INVOLVING BOTH THE CHILD AND THE PRESUMED OR POSSIBLE PARENT WHO IS THE ALLEGED PERPETRATOR. THE STAY SHALL NOT BE LIFTED UNTIL THERE IS A FINAL DISPOSITION OF THE CRIMINAL CHARGES. IN ANY FUTURE PATERNITY PROCEEDINGS UNDER THIS ARTICLE THAT ARE CONTINUED AFTER THE FINAL DISPOSITION OF THE CRIMINAL CHARGES, ANY DENIAL OF PARENTING TIME BY THE VICTIM OF THE ALLEGED SEXUAL ASSAULT WHILE THE CRIMINAL CHARGES WERE PENDING SHALL NOT BE USED IN ANY WAY AGAINST THE VICTIM."

Renumber succeeding sections accordingly.

Page 11, strike lines 1 through 5 and substitute:

"(III) THERE REMAIN UNRESOLVED AND DIFFICULT POLICY ISSUES RELATED TO THE PARENTAL RIGHTS OF THE PARTIES IN THE CIRCUMSTANCES DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (a) IN WHICH A CONVICTION OCCURRED AND ALSO IN THOSE CIRCUMSTANCES DESCRIBED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH (a) IN WHICH A CONVICTION DID NOT OCCUR AND THAT DO NOT QUALIFY FOR THE PROCESS AFFORDED IN SECTION 19-5-105.5, C.R.S."

Page 11, line 7, after "EXPERTS" insert "TO REVIEW AND EVALUATE THE PROCESS IN SECTION 19-5-105.5, C.R.S., AND".

Page 11, line 21, strike "THOSE" and substitute "CASES INVOLVING CONVICTIONS AND IN".

Page 11, after line 26 insert:

"(a) WHETHER A PROCESS FOR ADDRESSING THE PARENTAL RIGHTS OF BOTH PARENTS IN CASES INVOLVING CONVICTIONS FOR SEXUAL ASSAULT AND IN CASES INVOLVING ALLEGATIONS OF SEXUAL ASSAULT WHERE THERE WERE NO CONVICTIONS IS MORE APPROPRIATELY ADDRESSED BY DISTRICT COURTS PURSUANT TO ARTICLE 10 OF TITLE 14, C.R.S., OR BY JUVENILE COURTS PURSUANT TO ARTICLE 5 OF TITLE 19, C.R.S. THE TASK FORCE MUST CONDUCT AN ANALYSIS THAT INCLUDES, BUT IS NOT LIMITED TO, THE ADVANTAGES AND DISADVANTAGES OF EACH APPROACH, WHETHER THERE IS A POTENTIAL FOR UNINTENDED CONSEQUENCES FROM EITHER APPROACH, THE FISCAL IMPACT TO THE STATE, COUNTY DEPARTMENTS OF HUMAN SERVICES, AND THE JUDICIAL BRANCH TO STAFF THE DIFFERENT APPROACHES, AND THE IMPACT OF EACH APPROACH ON THE PARTIES, THE STATE, THE COUNTY DEPARTMENTS OF HUMAN SERVICES, AND THE JUDICIAL BRANCH."

Reletter succeeding paragraphs accordingly.

Page 12, line 5, strike "(a)" and substitute "(b)".

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.)

SB13-207 by Senator(s) Giron; also Representative(s) Levy--Concerning the performance of auricular acudetox by trained mental health professionals.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, April 11, page(s) 779-780 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 16, page(s) 841 and placed in members' bill files.)

Amendment No. 3(L.002), by Senator Giron.
Amend printed bill, page 2, line 6 strike "LICENSED,".

Page 2, line 7, strike "REGISTERED, OR," and substitute "LICENSED PURSUANT TO THIS ARTICLE 43 AND A CERTIFIED ADDICTION COUNSELOR III WHO IS".

Page 2, after line 24 insert:

"**SECTION 2.** In Colorado Revised Statutes, **add** 12-43-228.5 as follows:

12-43-228.5. Auricular detox by mental health professionals - training. (1) A MENTAL HEALTH CARE PROFESSIONAL WHO IS LICENSED PURSUANT TO THIS ARTICLE AND A CERTIFIED ADDICTION COUNSELOR III WHO IS CERTIFIED PURSUANT TO THIS ARTICLE AND WHO HAS PROVIDED DOCUMENTATION THAT HE OR SHE HAS BEEN TRAINED TO

PERFORM AURICULAR ACUDETUX IN ACCORDANCE WITH SUBSECTION (4) OF THIS SECTION MAY PERFORM AURICULAR ACUDETUX. THE AURICULAR ACUDETUX MUST BE PERFORMED UNDER THE MENTAL HEALTH CARE PROFESSIONAL'S CURRENT SCOPE OF PRACTICE.

(2) A MENTAL HEALTH CARE PROFESSIONAL PERFORMING AURICULAR ACUDETUX PURSUANT TO SUBSECTION (1) OF THIS SECTION SHALL NOT USE THE TITLE "ACUPUNCTURIST" OR OTHERWISE CLAIM TO BE A PERSON QUALIFIED TO PERFORM ACUPUNCTURE BEYOND THE SCOPE OF THIS SECTION.

(3) AS USED IN THIS SECTION "AURICULAR ACUDETUX" MEANS THE SUBCUTANEOUS INSERTION OF STERILE, DISPOSABLE ACUPUNCTURE NEEDLES IN THE FOLLOWING FIVE CONSISTENT, PREDETERMINED BILATERAL LOCATIONS:

(I) SYMPATHETIC;
(II) SHEN MEN;
(III) KIDNEY;
(IV) LIVER; AND
(V) LUNG.

(4) IN ORDER TO PERFORM AURICULAR ACUDETUX PURSUANT TO SUBSECTION (1) OF THIS SECTION, A MENTAL HEALTH CARE PROFESSIONAL MUST SUCCESSFULLY COMPLETE A TRAINING PROGRAM IN AURICULAR ACUDETUX FOR THE TREATMENT OF ALCOHOLISM, SUBSTANCE ABUSE, OR CHEMICAL DEPENDENCY THAT MEETS OR EXCEEDS STANDARDS OF TRAINING ESTABLISHED BY THE NATIONAL ACUPUNCTURE DETOXIFICATION ASSOCIATION OR ANOTHER ORGANIZATION APPROVED BY THE DIRECTOR."

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB13-210 by Senator(s) Giron; also Representative(s) Duran--Concerning employment conditions for correctional officers.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, April 9, page(s) 743-744 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 16, page(s) 841-842 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

Majority Leader Carroll moved that the Committee of the Whole rise, report progress, and beg leave to sit again at 5:00 p.m. A majority of those elected to the Senate having voted in the affirmative, the motion was adopted.

Committee of the Whole in recess.

REPORT OF CONFERENCE COMMITTEE

**FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON HB13-1204**

THIS REPORT AMENDS THE
REREVISED BILL

To the President of the Senate and the
Speaker of the House of Representatives:

Your first conference committee appointed on HB13-1204,
concerning the "Uniform Premarital and Marital Agreements Act", has
met and reports that it has agreed upon the following:

That the House accede to the Senate amendments made to the bill,
as the amendments appear in the rerevised bill, with the following
changes:

Amend rerevised bill, page 3, strike lines 3 and 4 and substitute "OF
THEIR MARITAL STATUS:".

Page 9, line 24, strike "**marital**".

Page 9, line 27, strike "~~contract to make an agreement relating to the~~" and
substitute "contract to make an agreement relating to the".

Page 10, strike lines 1 through 10 and substitute "civil union that
includes any of the rights and obligations that may be included in a
marital agreement pursuant to ~~section 14-2-304, but only if the agreement~~
~~is signed by both parties prior to the filing of an action for legal~~
~~separation of the civil union, dissolution of the civil union, or for~~
~~declaration of invalidity of the civil union~~ THIS PART 3. The provisions
of this ~~article~~ PART 3 and any case law construing this ~~article~~ PART 3
apply to any agreement made by prospective parties to a civil union or
between present parties to a civil union.".

Respectfully submitted,

House Committee:

Senate Committee:

(signed)
Bob Gardner, Chairman
Claire Levy
Beth McCann

(signed)
Jessie Ulibarri, Chairman
Pat Steadman
Ellen Roberts

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON HB13-1081

THIS REPORT AMENDS THE
REREVISED BILL

To the President of the Senate and the
Speaker of the House of Representatives:

Your first conference committee appointed on HB13-1081,
concerning human sexuality education, has met and reports that it has
agreed upon the following:

That the House accede to the Senate amendments made to the bill,
as the amendments appear in the rerevised bill, with the following
changes:

Amend rerevised bill, page 3, strike lines 13 through 19 and substitute:

"(V) IT IS IMPORTANT FOR YOUTH TO UNDERSTAND THE
CONSEQUENCES OF THE INCONSISTENT OR IMPROPER USE OF SEXUAL
ABSTINENCE, BIRTH CONTROL, OR CONDOMS. ALL COMPREHENSIVE
HUMAN SEXUALITY EDUCATION MUST STRESS THE IMPORTANCE OF THE
CORRECT AND CONSISTENT USE OF SEXUAL ABSTINENCE, BIRTH CONTROL,
AND CONDOMS TO PREVENT PREGNANCY AND SEXUALLY TRANSMITTED
INFECTIONS;"

Respectfully submitted,

House Committee:

Senate Committee:

(signed)
Crisanta Duran, Chairman
Joann Ginal
Amy Stephens

(signed)
Nancy Todd, Chairman
Jeanne Nicholson

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB13-070, 076, 149, 157, 199, 230, 232, 233 and 237.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Thursday, April 18, 2013, at 8:53 a.m.:
SB13-070, 076, 149, 157, 199, 230, 232, 233 and 237.

CHANGE IN SPONSORSHIP

Upon announcement of President Morse, Senator Tochtrop replaced Senator Giron as the
Senate prime sponsor on SJR13-023.

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS

Finance After consideration on the merits, the Committee recommends that SB13-256 be referred to the Committee of the Whole with favorable recommendation.

Agriculture, Natural Resources, & Energy After consideration on the merits, the Committee recommends that SB13-273 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 5, line 7, strike "IN" and substitute "EFFECTIVE JULY 1, 2016, IN".

Page 6, after line 2 insert:

"SECTION 6. In Colorado Revised Statutes, 37-95-103, amend (4.9) as follows:

37-95-103. Definitions. As used in this article: (4.9) "Forest health project" means: (a) An undertaking that improves the health of a forest, including, but not limited to: (a) (I) Reducing the threat of uncharacteristically large or intense insect diseases and epidemics; (b) (II) Reducing the impact of uncharacteristically large or high-intensity wildfires; (c) (III) Reducing the impact of undesirable nonnative species; (d) (IV) Replanting trees in deforested areas; or (e) (V) Improving the use of, or adding value to, small diameter trees; AND (b) A PROJECT TO HARVEST WOODY VEGETATION FOR, OR USE WOODY VEGETATION IN, THE PRODUCTION OF ENERGY, FUELS, FOREST PRODUCTS, OR OTHER APPLICATIONS. THE PROJECT MAY, BUT NEED NOT, CONSTITUTE ALL OR PART OF A PLAN ADOPTED BY A COMMUNITY UNDER SECTION 23-31-312 (3.5), C.R.S.

SECTION 7. In Colorado Revised Statutes, 39-22-104, amend as amended by House Bill 13-1012 (4) (n.5) (I) and (4) (n.5) (II) as follows:

39-22-104. Income tax imposed on individuals, estates, and trusts - single rate - definitions - repeal. (4) There shall be subtracted from federal taxable income:

(n.5) (I) (A) For income tax years commencing on or after January 1, 2014, but prior to January 1, 2025, an amount equal to fifty percent of a landowner's costs incurred in performing wildfire mitigation measures in that income tax year on his or her property located within the state; except that the amount of the deduction claimed in an income tax year shall not exceed two thousand five hundred dollars or the total amount of the landowner's federal taxable income for the income tax year for which the deduction is claimed, whichever is less.

(B) FOR THE INCOME TAX YEAR COMMENCING ON JANUARY 1, 2016, TWO THOUSAND FIVE HUNDRED DOLLARS OR THE TOTAL AMOUNT OF BUSINESS INCOME FOR THAT INCOME TAX YEAR, WHICHEVER IS LESS, FOR A BUSINESS THAT HARVESTS OR PROCESSES WOODY VEGETATION FOR, OR USES WOODY VEGETATION IN, THE PRODUCTION OF ENERGY, FUELS, OR FOREST PRODUCTS OR A BUSINESS THAT SELLS OR INSTALLS FURNACES FUELED BY WOODY VEGETATION AND THAT ARE SMALLER THAN ONE MILLION BRITISH THERMAL UNITS, AS DEFINED IN SECTION 8-20-201 (1.3), C.R.S.

~~(B)~~ (C) In the case of two individuals filing a joint return, the amount subtracted from federal taxable income shall not exceed two thousand five hundred dollars in any taxable year. In the case of a married individual who files a separate return, only one individual in the marriage may claim the deduction specified in this paragraph (n.5).
~~(C)~~ (D) In the case of real property owned as tenants in common, the deduction allowed pursuant to this paragraph (n.5) shall only be allowed to one of the individuals of the ownership group.
(II) A landowner who performs wildfire mitigation measures on his or her real property located within the state may claim the deduction authorized by SUBPARAGRAPH (I) OF this paragraph (n.5) if the wildfire mitigation measures are performed in a wildland-urban interface area."

Page 6, strike lines 3 through 14 and substitute:

"**SECTION 8.** In Colorado Revised Statutes, 39-30-103, **add** (1.2) as follows:
39-30-103. Zones established - review - termination - repeal.
(1.2) EFFECTIVE JANUARY 1, 2016, EVERY RED ZONE, AS DEFINED IN SECTION 23-31-312, C.R.S., IS CONSIDERED AN ENTERPRISE ZONE SO THAT ANY PERSON IN THE FOREST PRODUCTS INDUSTRY, AND ANY OWNER OF A BIOMASS ENERGY PROJECT, IN A RED ZONE MAY AVAIL HIMSELF OR HERSELF OF THE TAX CREDITS SET FORTH IN THIS ARTICLE. ".

Renumber succeeding sections accordingly.

Agriculture,
Natural
Resources, &
Energy

After consideration on the merits, the Committee recommends that **SB13-270** be referred to the Committee on Appropriations with favorable recommendation.

Agriculture,
Natural
Resources, &
Energy

After consideration on the merits, the Committee recommends that **SB13-269** be referred to the Committee on Appropriations with favorable recommendation.

Agriculture,
Natural
Resources, &
Energy

The Committee on Agriculture, Natural Resources, & Energy has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

**MEMBERS OF THE
COLORADO WILDLIFE HABITAT STAMP COMMITTEE**

for terms expiring December 31, 2014:

Luke B. Schafer of Craig, Colorado, to serve as a representative of national or regionally recognized conservation organizations whose missions are focused on nongame wildlife and whose membership is composed primarily of nongame wildlife users, and occasioned by the resignation of Michelle Zimmerman of Denver, Colorado, appointed;

Daniel J. Larkin of Salida, Colorado, a sportsperson, reappointed;

for terms expiring December 31, 2016:

Don O. Cook of Craig, Colorado, a landowner actively engaged in agriculture, reappointed;

John H. Thatcher of Pueblo, Colorado, a landowner actively engaged in agriculture, appointed.

Agriculture, Natural Resources, & Energy The Committee on Agriculture, Natural Resources, & Energy has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

MEMBERS OF THE
COAL MINE BOARD OF EXAMINERS

for terms expiring July 1, 2016:

Richard Clair Chermak of Hotchkiss, Colorado, to serve as a coal miner of known experience and practice in underground coal mining residing in the State of Colorado and actively engaged in the coal mining industry during the term of office, reappointed

Justin Kenneth Evans of Crawford, Colorado, to serve as a Colorado mine owner, operator, manager or other mine official actively engaged in the underground coal mining industry during the term of office, appointed

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

SJR13-029 by Senator(s) Morse and King; --Concerning declaring the week of May 12 - 18, 2013, as Police Week, and in connection therewith, declaring May 15, 2013, as Peace Officers' Memorial Day.

Laid over until Wednesday, May 1, retaining its place on the calendar.

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

SB13-278 by Senator(s) Kerr and Newell; also Representative(s) Young--Concerning creating a definition of a "drug-endangered child" with respect to child abuse or neglect.
Health & Human Services

SB13-279 by Senator(s) Kerr; also Representative(s) Gerou--Concerning increasing energy resource efficiency in public schools.
Education

SB13-280 by Senator(s) Tochtrop; also Representative(s) Priola--Concerning the issuance of certificates of title for off-highway vehicles.
Agriculture, Natural Resources, & Energy

SB13-281 by Senator(s) Crowder; --Concerning the expeditious resolution of disputed claims for state income tax credits allowed for the donation of a perpetual conservation easement.
State, Veterans, & Military Affairs

SB13-282 by Senator(s) Guzman; --Concerning a medical exemption from tiered electricity rates.
State, Veterans, & Military Affairs

HB13-1002 by Representative(s) Tyler, Lee, Moreno, Primavera, Ryden, Schafer, Williams, Young; also Senator(s) Jahn--Concerning moneys for small business development centers, and, in connection therewith, making an appropriation.
Business, Labor, & Technology

HB13-1210	by Representative(s) Kagan; also Senator(s) Steadman--Concerning appointment of legal counsel during plea negotiations for indigent adult defendants, and, in connection therewith, making an appropriation. Judiciary	1 2 3 4 5 6
HB13-1212	by Representative(s) Moreno; also Senator(s) Todd--Concerning the ability of local governments to form job creation districts. Local Government	7 8 9 10
HB13-1259	by Representative(s) McCann; also Senator(s) Newell--Concerning court orders in civil actions for persons at risk of abuse or neglect, and, in connection therewith, procedures for allocating parental rights and responsibilities in the best interests of the child in cases involving child abuse and neglect and domestic violence; provisions relating to parenting time orders; provisions relating to parenting time evaluations and reports; amending and relocating provisions relating to civil protection orders; and making an appropriation. Judiciary	11 12 13 14 15 16 17 18 19 20
HB13-1280	by Representative(s) Gerou, Duran, Levy; also Senator(s) Hodge, Steadman, Lambert--Concerning a two-year waiver from the target reserve requirement for the building regulation fund. Finance	21 22 23 24 25 26
HB13-1281	by Representative(s) Gerou, Duran, Levy; also Senator(s) Hodge, Steadman, Lambert--Concerning the authority for the department of health care policy and financing to expend an appropriation for the medicaid management information system over two fiscal years. Health & Human Services	27 28 29 30 31 32
HB13-1284	by Representative(s) Gardner; also Senator(s) Roberts--Concerning documents that can be filed regarding security interests under the "Uniform Commercial Code". Judiciary	33 34 35 36 37
HB13-1289	by Representative(s) Moreno and Dore; also Senator(s) Jahn and Balmer--Concerning authority for the electronic transmission of information relating to motor vehicles. Transportation	38 39 40 41 42
<hr/>		43
Committee of the Whole reconvened.		44 45 46 47
<hr/>		48
GENERAL ORDERS -- SECOND READING OF BILLS - cont'd		49 50
SB13-224	by Senator(s) Kerr and Baumgardner; also Representative(s) Hamner and Wright, McLachlan--Concerning the creation of a "Protect Our Rivers" license plate for Colorado trout unlimited. <u>Amendment No. 1, Appropriations Committee Amendment.</u> (Printed in Senate Journal, April 16, page(s) 842-843 and placed in members' bill files.) As amended, ordered engrossed and placed on the calendar for third reading and final passage.	51 52 53 54 55 56 57 58 59 60 61 62
SB13-218	by Senator(s) Heath; also Representative(s) Young--Concerning workforce development for key industries in Colorado. <u>Amendment No. 1, Appropriations Committee Amendment.</u> (Printed in Senate Journal, April 16, page(s) 843 and placed in members' bill files.)	63 64 65 66 67

Amendment No. 2(L.008), by Senator Heath.

Amend the Appropriations Committee Report, dated April 16, 2013, page 1, line 13, strike "division of occupational education" and substitute "Colorado commission on higher education".

Page 1 of the report, line 15, strike "education." and substitute "education as provided in article 19.6 of title 23, Colorado Revised Statutes.".

Amendment No. 3(L.007), by Senator Heath.

Amend printed bill, page 5, line 20, strike "FOR" and substitute "THAT IS THE SUBJECT OF THE GRANT APPLICATION;".

Page 5, strike line 21.

Page 9, line 15, after "WORKFORCE" insert "PROGRAM".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB13-222 by Senator(s) Aguilar, Newell, Nicholson; also Representative(s) Pabon, Kraft-Tharp, Levy, May, Melton, Peniston, Rosenthal, Salazar, Singer, Tyler--Concerning improving access to childhood immunizations.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, April 8, page(s) 729-730 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 16, page(s) 844 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB13-1135 by Representative(s) Singer, Court, Melton, Salazar; also Senator(s) Kerr--Concerning the ability of a person to preregister to vote if the person has reached sixteen years of age but will not be eighteen years of age by the date of the next election, and, in connection therewith, making an appropriation.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, March 21, page(s) 570, was **lost**.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 12, page(s) 792, was **lost**.)

Lost on second reading.

(For further action, see amendments to the report of the Committee of the Whole.)

HB13-1119 by Representative(s) Exum; also Senator(s) Kerr--Concerning placement of the word "veteran" for veterans with proper documentation on identity documents issued by the department of revenue, and, in connection therewith, making an appropriation.

Amendment No. 1(L.003), by Senator Kerr.

Amend reengrossed bill, page 2, line 11, after "DOCUMENTATION" insert "THAT THE HOLDER IS A VETERAN OF THE UNITED STATES ARMED FORCES".

Page 2, line 25, after "DOCUMENTATION" insert "THAT THE HOLDER IS A VETERAN OF THE UNITED STATES ARMED FORCES".

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB13-1101 by Representative(s) Singer; also Senator(s) Tochtrop--Concerning progressive raffles, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB13-1071 by Representative(s) Holbert; also Senator(s) Tochtrop--Concerning the type of vehicle that qualifies to register as a collector vehicle.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 12, page(s) 793 and placed in members' bill files.)

Amendment No. 2(L.005), by Senator Tochtrop.

Amend reengrossed bill, page 3, after line 9, insert:

"**SECTION 3.** In Colorado Revised Statutes, 42-4-304, **amend** (3) (b) (II) as follows:

42-4-304. Definitions relating to automobile inspection and readjustment program. As used in sections 42-4-301 to 42-4-316, unless the context otherwise requires:

(3) (b) (II) Except as provided in paragraph (c) of this subsection ~~(3) and in section 42-4-309, THE EXECUTIVE DIRECTOR SHALL ESTABLISH a biennial inspection schedule shall be established for 1982 and newer model vehicles, and an annual INSPECTION schedule shall be established for 1981 and older model vehicles, AND A FIVE-YEAR INSPECTION SCHEDULE FOR A 1976 OR NEWER MOTOR VEHICLE REGISTERED AS A COLLECTOR'S ITEM.~~

SECTION 4. In Colorado Revised Statutes, 42-4-310, **add** (1) (a) (II) (D) as follows:

42-4-310. Periodic emissions control inspection required. (1) (a) (II) (D) TO BE SOLD OR TRANSFERRED OR TO RENEW THE REGISTRATION, 1976 AND NEWER MODEL MOTOR VEHICLES REGISTERED AS A COLLECTOR'S ITEM UNDER ARTICLE 12 OF THIS TITLE MUST BE INSPECTED AND HAVE A CERTIFICATION OF EMISSIONS CONTROL. THE CERTIFICATION OF EMISSIONS CONTROL IS VALID FOR SIXTY MONTHS.

SECTION 5. In Colorado Revised Statutes, 42-4-311, **amend** (3) (a) (II) as follows:

42-4-311. Operation of inspection and readjustment stations - inspection-only facilities - fleet inspection stations - motor vehicle dealer test facilities - enhanced inspection centers. (3) (a) (II) EXCEPT AS REQUIRED BY SECTION 42-12-404, no verification of emissions test is required to be issued to or required for any motor vehicle that is registered as a collector's item pursuant to UNDER section 42-12-401."

Renumber succeeding sections accordingly.

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB13-1006 by Representative(s) Moreno and Exum, Peniston, Court, McCann, Primavera, Salazar, Schafer, Tyler, Williams; also Senator(s) Giron, Hodge, Ulibarri--Concerning requiring certain schools to offer breakfast to all students following the first bell.

Ordered revised and placed on the calendar for third reading and final passage.

HB13-1191 by Representative(s) Fischer, Vigil; also Senator(s) Schwartz, Giron--Concerning grants for domestic wastewater treatment plants to comply with the water quality control commission's nutrients management control regulation, and, in connection therewith, making an appropriation.

Laid over until Friday, April 19, retaining its place on the calendar.

HB13-1167 by Representative(s) Pettersen and Duran; also Senator(s) Crowder--Concerning the collection of business information by the secretary of state, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB13-1180 by Representative(s) Gerou, Duran, Levy; also Senator(s) Steadman, Hodge, Lambert--Concerning the allocation of tobacco litigation settlement moneys that were originally to be allocated to the nurse home visitor program but are currently scheduled to be transferred to the general fund, and, in connection therewith, requiring such moneys to be allocated to the nurse home visitor program and the tobacco settlement defense account of the tobacco litigation settlement cash fund and making an appropriation.

Amendment No. 1, Appropriations Committee Amendment.

(Printed in Senate Journal, April 12, page(s) 790 and placed in members' bill files.)

Amendment No. 2(L.002), by Senator Steadman.

Amend the Appropriations Committee Report, dated April 12, 2013, page 2, strike line 5 and substitute "Page 7, after line 3 insert:".

Page 2, line 27, strike "litigation." and substitute "litigation.".

Page 2, strike line 28 and substitute:

"Page 7, line 4, strike "4." and substitute "5.".

Page 7, after line 11 insert:

"SECTION 6. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the nurse home visitor program fund created in section 26-6.4-107 (2) (b), Colorado Revised Statutes, not otherwise appropriated, to the department of human services, for the fiscal year beginning July 1, 2013, the sum of \$803,330, or so much thereof as may be necessary for allocation to the nurse home visitor program related to the implementation of this act.

SECTION 7. Effective date. (1) Except as otherwise provided in this section, this act takes effect upon passage.

(2) Section 5 of this act takes effect only if House Bill 13-1117 does not become law.

(3) Section 6 of this act takes effect only if House Bill 13-1117 becomes law and takes effect either upon the effective date of this act or upon the effective date of House Bill 13-1117, whichever is later.".

Renumber succeeding section accordingly.".

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB13-1110 by Representative(s) Fischer; also Senator(s) Jones--Concerning charges related to motor vehicles that travel on the public highways of the state, and, in connection therewith, making an appropriation.

Amendment No. 1, Appropriations Committee Amendment.

(Printed in Senate Journal, April 16, page(s) 842 and placed in members' bill files.)

Amendment No. 2(L.017), by Senator Jones.

Amend reengrossed bill, page 4, line 7, after "purpose" insert "of a portion".

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB13-1152 by Representative(s) Levy and Gerou, Duran; also Senator(s) Hodge, Steadman, Lambert--Concerning the general fund portion of the per diem rates paid to nursing facilities, and, in connection therewith, reducing an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

SB13-260 by Senator(s) Hudak and Steadman; also Representative(s) Hamner--Concerning the financing of public schools, and, in connection therewith, making an appropriation.

Senator Renfroe moved to amend the Report of the Committee of the Whole to show that the following Renfroe floor amendment, (L.018) to SB 13-260, did pass.

Amend printed bill, page 26, before line 24 insert:

"SECTION 14. In Colorado Revised Statutes, add 22-54-103.5 as follows:

22-54-103.5. Calculation of funding - average daily membership - definitions. (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "ASCENT PROGRAM AVERAGE DAILY MEMBERSHIP" MEANS THE NUMBER OF PUPILS WHO ARE ENROLLED EACH SCHOOL DAY IN A DISTRICT OR AN INSTITUTE CHARTER SCHOOL AND ARE PARTICIPANTS IN THE ASCENT PROGRAM, TOTALED FOR THE AVERAGING PERIOD AND DIVIDED BY THE NUMBER OF SCHOOL DAYS IN THE AVERAGING PERIOD. THE ASCENT PROGRAM AVERAGE DAILY MEMBERSHIP OF A DISTRICT INCLUDES THE ASCENT PROGRAM PARTICIPANTS ENROLLED IN EACH DISTRICT CHARTER SCHOOL OF THE DISTRICT. AN ASCENT PROGRAM PARTICIPANT WHO IS ENROLLED IN AT LEAST TWELVE CREDIT HOURS OF POSTSECONDARY COURSES, INCLUDING ACADEMIC COURSES AND CAREER AND TECHNICAL EDUCATION COURSES, IS INCLUDED IN THE ASCENT PROGRAM AVERAGE DAILY MEMBERSHIP AS A FULL-TIME PUPIL. AN ASCENT PROGRAM PARTICIPANT WHO IS ENROLLED IN LESS THAN TWELVE CREDIT HOURS OF POSTSECONDARY COURSES, INCLUDING ACADEMIC COURSES AND CAREER AND TECHNICAL EDUCATION COURSES, IS INCLUDED IN THE ASCENT PROGRAM AVERAGE DAILY MEMBERSHIP AS A PART-TIME PUPIL.

(b) "AT-RISK PUPIL AVERAGE DAILY MEMBERSHIP" MEANS THE GREATER OF:

(I) THE NUMBER OF AT-RISK PUPILS ENROLLED IN A DISTRICT OR AN INSTITUTE CHARTER SCHOOL EACH SCHOOL DAY, TOTALED FOR THE AVERAGING PERIOD AND DIVIDED BY THE NUMBER OF SCHOOL DAYS IN THE AVERAGING PERIOD; OR

(II) THE DISTRICT'S OR INSTITUTE CHARTER SCHOOL'S AT-RISK PUPIL PERCENTAGE MULTIPLIED BY THE DISTRICT'S OR INSTITUTE CHARTER SCHOOL'S ADJUSTED AVERAGE DAILY MEMBERSHIP.

(c) "AT-RISK PUPIL PERCENTAGE" MEANS THE NUMBER OF AT-RISK PUPILS ENROLLED IN GRADES ONE THROUGH EIGHT IN A DISTRICT OR AN INSTITUTE CHARTER SCHOOL EACH SCHOOL DAY, TOTALED FOR THE AVERAGING PERIOD AND DIVIDED BY THE NUMBER OF SCHOOL DAYS IN THE AVERAGING PERIOD, THEN DIVIDED BY THE DISTRICT'S OR INSTITUTE CHARTER SCHOOL'S AVERAGE DAILY MEMBERSHIP FOR THE SAME

AVERAGING PERIOD FOR GRADES ONE THROUGH EIGHT.

(d) "AVERAGE DAILY MEMBERSHIP" MEANS THE MEMBERSHIP OF A DISTRICT OR INSTITUTE CHARTER SCHOOL FOR EACH SCHOOL DAY, TOTALED FOR THE AVERAGING PERIOD AND DIVIDED BY THE NUMBER OF SCHOOL DAYS IN THE AVERAGING PERIOD. THE AVERAGE DAILY MEMBERSHIP OF A DISTRICT INCLUDES THE PUPILS ENROLLED IN EACH DISTRICT CHARTER SCHOOL OF THE DISTRICT.

(e) "AVERAGING PERIOD" MEANS A QUARTER OF A SCHOOL YEAR OR THE FULL SCHOOL YEAR, WHICHEVER IS APPLICABLE.

(f) "FUNDED MEMBERSHIP" MEANS:

(I) THE TOTAL OF A DISTRICT'S OR AN INSTITUTE CHARTER SCHOOL'S PRESCHOOL PROGRAM AVERAGE DAILY MEMBERSHIP FOR THE FUNDING AVERAGING PERIOD, ON-LINE AVERAGE DAILY MEMBERSHIP FOR THE FUNDING AVERAGING PERIOD, AND ASCENT PROGRAM AVERAGE DAILY MEMBERSHIP FOR THE FUNDING AVERAGING PERIOD, AND THE GREATER OF:

(A) THE DISTRICT'S OR INSTITUTE CHARTER SCHOOL'S AVERAGE DAILY MEMBERSHIP FOR THE FUNDING AVERAGING PERIOD; OR

(B) THE AVERAGE OF THE DISTRICT'S OR INSTITUTE CHARTER SCHOOL'S AVERAGE DAILY MEMBERSHIP FOR THE FUNDING AVERAGING PERIOD AND THE AVERAGE DAILY MEMBERSHIP FOR THE PRECEDING FUNDING AVERAGING PERIOD; OR

(C) THE AVERAGE OF THE DISTRICT'S OR INSTITUTE CHARTER SCHOOL'S AVERAGE DAILY MEMBERSHIP FOR THE FUNDING AVERAGING PERIOD AND THE AVERAGE DAILY MEMBERSHIP FOR THE TWO PRECEDING FUNDING AVERAGING PERIODS; OR

(D) THE AVERAGE OF THE DISTRICT'S OR INSTITUTE CHARTER SCHOOL'S AVERAGE DAILY MEMBERSHIP FOR THE FUNDING AVERAGING PERIOD AND THE AVERAGE DAILY MEMBERSHIP FOR THE THREE PRECEDING FUNDING AVERAGING PERIODS; OR

(E) THE AVERAGE OF THE DISTRICT'S OR INSTITUTE CHARTER SCHOOL'S AVERAGE DAILY MEMBERSHIP FOR THE FUNDING AVERAGING PERIOD AND THE AVERAGE DAILY MEMBERSHIP FOR THE FOUR PRECEDING FUNDING AVERAGING PERIODS.

(II) NOTWITHSTANDING ANY PROVISION OF SUBPARAGRAPH (I) OF THIS PARAGRAPH (f) TO THE CONTRARY, FOR A BUDGET YEAR IN WHICH AVERAGE DAILY MEMBERSHIP FOR THE FUNDING AVERAGING PERIOD IS NOT AVAILABLE, THE DEPARTMENT SHALL USE THE DISTRICT'S OR THE INSTITUTE CHARTER SCHOOL'S PUPIL ENROLLMENT FOR THAT BUDGET YEAR FOR PURPOSES OF CALCULATING FUNDED MEMBERSHIP.

(III) NOTWITHSTANDING ANY PROVISION OF THIS ARTICLE TO THE CONTRARY, FOR PURPOSES OF CALCULATING A DISTRICT'S FUNDED MEMBERSHIP PURSUANT TO SUBPARAGRAPH (I) OF THIS PARAGRAPH (f) ONLY, PUPILS WHO ARE ENROLLED IN THE COLORADO PRESCHOOL PROGRAM ARE INCLUDED IN THE DISTRICT'S PRESCHOOL PROGRAM AVERAGE DAILY MEMBERSHIP AND ARE NOT INCLUDED IN THE DISTRICT'S AVERAGE DAILY MEMBERSHIP.

(IV) NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY, FOR PURPOSES OF SUBPARAGRAPH (I) OF THIS PARAGRAPH (f), A DISTRICT'S FUNDED MEMBERSHIP DOES NOT INCLUDE A PUPIL WHO IS OR WAS ENROLLED IN A CHARTER SCHOOL THAT THE DISTRICT ORIGINALLY AUTHORIZED AND THAT WAS SUBSEQUENTLY CONVERTED ON OR AFTER JULY 1, 2010, TO AN INSTITUTE CHARTER SCHOOL OR TO A CHARTER SCHOOL OF A DISTRICT THAT IS CONTIGUOUS TO THE ORIGINAL AUTHORIZING DISTRICT.

(g) "FUNDING AVERAGING PERIOD" MEANS THE PERIOD THAT BEGINS ON THE FIRST DAY OF THE FIRST QUARTER OF THE PRECEDING BUDGET YEAR AND CONTINUES THROUGH THE LAST DAY OF THE FIRST QUARTER OF THE THEN-CURRENT BUDGET YEAR.

(h) "MEMBERSHIP" HAS THE SAME MEANING AS PROVIDED FOR THE TERM "PUPIL ENROLLMENT". THE STATE BOARD, BY RULE, SHALL SPECIFY THE POINT AT WHICH A PUPIL IS ENROLLED IN A LOCAL EDUCATION PROVIDER AND THE CIRCUMSTANCES UNDER WHICH A PUPIL CEASES TO BE ENROLLED IN A LOCAL EDUCATION PROVIDER.

(i) "ON-LINE AVERAGE DAILY MEMBERSHIP" MEANS THE NUMBER OF ON-LINE PUPILS ENROLLED EACH SCHOOL DAY IN A MULTI-DISTRICT ON-LINE SCHOOL OPERATED BY A DISTRICT OR AN INSTITUTE CHARTER

SCHOOL, TOTALED FOR THE AVERAGING PERIOD AND DIVIDED BY THE
NUMBER OF SCHOOL DAYS IN THE AVERAGING PERIOD. THE STATE BOARD
BY RULE SHALL DEFINE "ENROLLMENT" FOR PURPOSES OF MULTI-DISTRICT
ON-LINE SCHOOLS. THE ON-LINE AVERAGE DAILY MEMBERSHIP OF A
DISTRICT INCLUDES THE PUPILS ENROLLED IN A DISTRICT CHARTER
SCHOOL OF THE DISTRICT THAT IS A MULTI-DISTRICT ON-LINE SCHOOL.

(j) "PRESCHOOL PROGRAM AVERAGE DAILY MEMBERSHIP" MEANS
THE NUMBER OF PUPILS, COUNTED AS HALF-DAY PUPILS, ENROLLED EACH
SCHOOL DAY PURSUANT TO ARTICLE 28 OF THIS TITLE IN A DISTRICT
PRESCHOOL PROGRAM OR AN INSTITUTE CHARTER SCHOOL PRESCHOOL
PROGRAM, TOTALED FOR THE AVERAGING PERIOD AND DIVIDED BY THE
NUMBER OF SCHOOL DAYS IN THE AVERAGING PERIOD.

(k) "SCHOOL DAY" MEANS:

(I) FOR A DISTRICT, A DAY ON WHICH AT LEAST ONE SCHOOL OF
THE DISTRICT IS PROVIDING EDUCATIONAL SERVICES TO PUPILS ENROLLED
IN THE DISTRICT, INCLUDING PUPILS ENROLLED IN A DISTRICT CHARTER
SCHOOL OF THE DISTRICT; OR

(II) FOR AN INSTITUTE CHARTER SCHOOL, A DAY ON WHICH THE
INSTITUTE CHARTER SCHOOL IS PROVIDING EDUCATIONAL SERVICES TO
PUPILS ENROLLED IN THE INSTITUTE CHARTER SCHOOL.

(2) NOTWITHSTANDING ANY PROVISION OF THIS ARTICLE TO THE
CONTRARY, BEGINNING IN THE 2015-16 BUDGET YEAR AND FOR BUDGET
YEARS THEREAFTER, THE DEPARTMENT OF EDUCATION SHALL CALCULATE
TOTAL PROGRAM FUNDING FOR ALL DISTRICTS, INCLUDING ALL INSTITUTE
CHARTER SCHOOLS, USING FUNDED MEMBERSHIP RATHER THAN FUNDED
PUPIL COUNT. BEGINNING IN THE 2014-15 BUDGET YEAR, EACH DISTRICT
AND EACH INSTITUTE CHARTER SCHOOL SHALL CERTIFY TO THE
DEPARTMENT FOR EACH QUARTER OF THE SCHOOL YEAR THE DISTRICT'S
OR INSTITUTE CHARTER SCHOOL'S MEMBERSHIP FOR EACH SCHOOL DAY
DURING THE QUARTER, INCLUDING SPECIFYING THE NUMBER OF
PRESCHOOL PUPILS AND AT-RISK PUPILS. THE DISTRICT AND THE
INSTITUTE CHARTER SCHOOL SHALL ALSO CERTIFY TO THE DEPARTMENT
FOR EACH QUARTER OF THE SCHOOL YEAR THE NUMBER OF THE DISTRICT'S
OR INSTITUTE CHARTER SCHOOL'S PUPILS WHO ARE ENROLLED EACH
SCHOOL DAY DURING THE QUARTER IN A MULTI-DISTRICT ON-LINE
SCHOOL, INCLUDING SPECIFYING THE NUMBER OF AT-RISK PUPILS, OR IN
THE ASCENT PROGRAM. THE STATE BOARD BY RULE SHALL ESTABLISH
THE TIMELINES AND REPORTING REQUIREMENTS FOR SUBMITTING
QUARTERLY MEMBERSHIP AND ENROLLMENT REPORTS THROUGHOUT THE
SCHOOL YEAR.

(3) THE DEPARTMENT SHALL CALCULATE EACH DISTRICT'S AND
EACH INSTITUTE CHARTER SCHOOL'S AVERAGE DAILY MEMBERSHIP,
PRESCHOOL PROGRAM AVERAGE DAILY MEMBERSHIP, AT-RISK PUPIL
AVERAGE DAILY MEMBERSHIP, ENGLISH LANGUAGE LEARNER AVERAGE
DAILY MEMBERSHIP, ON-LINE AVERAGE DAILY MEMBERSHIP, AND
ASCENT PROGRAM AVERAGE DAILY MEMBERSHIP FOR:

(a) EACH QUARTER OF THE SCHOOL YEAR BY TOTALING THE
DAILY, PRESCHOOL PROGRAM, AT-RISK PUPIL, OR ENGLISH LANGUAGE
LEARNER MEMBERSHIP OR THE DAILY MULTI-DISTRICT ON-LINE SCHOOL
OR ASCENT PROGRAM ENROLLMENT FOR THE QUARTER AND DIVIDING
EACH RESPECTIVE SUM BY THE NUMBER OF SCHOOL DAYS IN THE
RESPECTIVE DISTRICT'S OR INSTITUTE CHARTER SCHOOL'S QUARTER OF
THE SCHOOL YEAR;

(b) EACH SCHOOL YEAR BY TOTALING THE DAILY, PRESCHOOL
PROGRAM, AT-RISK PUPIL, OR ENGLISH LANGUAGE LEARNER MEMBERSHIP
OR THE DAILY MULTI-DISTRICT ON-LINE SCHOOL OR ASCENT PROGRAM
ENROLLMENT FOR THE SCHOOL YEAR AND DIVIDING EACH RESPECTIVE
SUM BY THE TOTAL NUMBER OF SCHOOL DAYS IN THE RESPECTIVE
DISTRICT'S OR INSTITUTE CHARTER SCHOOL'S SCHOOL YEAR; AND

(c) EACH FUNDING AVERAGING PERIOD BY TOTALING THE DAILY,
PRESCHOOL PROGRAM, AT-RISK PUPIL, OR ENGLISH LANGUAGE LEARNER
MEMBERSHIP OR THE DAILY MULTI-DISTRICT ON-LINE SCHOOL OR
ASCENT PROGRAM ENROLLMENT FOR THE FUNDING AVERAGING PERIOD
AND DIVIDING EACH RESPECTIVE SUM BY THE TOTAL NUMBER OF SCHOOL
DAYS IN THE RESPECTIVE DISTRICT'S OR INSTITUTE CHARTER SCHOOL'S
FUNDING AVERAGING PERIOD.

(4) THE DEPARTMENT SHALL USE THE AVERAGE DAILY

MEMBERSHIP, PRESCHOOL PROGRAM AVERAGE DAILY MEMBERSHIP, AT-RISK PUPIL AVERAGE DAILY MEMBERSHIP, ENGLISH LANGUAGE LEARNER AVERAGE DAILY MEMBERSHIP, ON-LINE AVERAGE DAILY MEMBERSHIP, AND ASCENT PROGRAM AVERAGE DAILY MEMBERSHIP FOR THE APPLICABLE FUNDING AVERAGING PERIOD TO CALCULATE EACH DISTRICT'S AND EACH INSTITUTE CHARTER SCHOOL'S FUNDED MEMBERSHIP AND TOTAL PROGRAM FOR THE 2015-16 BUDGET YEAR AND BUDGET YEARS THEREAFTER."

Renumber succeeding sections 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 was **lost** on the following roll call vote:

YES	14	NO	20	EXCUSED	1	ABSENT	0
Aguilar	N	Guzman	N	Kefalas	N	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	N	Scheffel	Y
Baumgardner	Y	Heath	N	King	Y	Schwartz	N
Brophy	Y	Hill	Y	Lambert	Y	Steadman	N
Cadman	E	Hodge	N	Lundberg	Y	Tochtrop	N
Carroll	N	Hudak	N	Marble	Y	Todd	N
Crowder	Y	Jahn	N	Newell	N	Ulibarri	N
Giron	N	Johnston	N	Nicholson	N	President	N
Grantham	Y	Jones	N	Renfroe	Y		

Senator Renfroe moved to amend the Report of the Committee of the Whole to show that the following amendment to SB13-260 did pass.

Amend printed bill, page 14, line 22, strike "THREE THOUSAND TWO" and substitute "ONE THOUSAND SIX".

Page 26, before line 24 insert:

"**SECTION 14.** In Colorado Revised Statutes, **add** 22-54-103.5 as follows:

22-54-103.5. Calculation of funding - average daily membership - definitions. (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "ASCENT PROGRAM AVERAGE DAILY MEMBERSHIP" MEANS THE NUMBER OF PUPILS WHO ARE ENROLLED EACH SCHOOL DAY IN A DISTRICT OR AN INSTITUTE CHARTER SCHOOL AND ARE PARTICIPANTS IN THE ASCENT PROGRAM, TOTALED FOR THE AVERAGING PERIOD AND DIVIDED BY THE NUMBER OF SCHOOL DAYS IN THE AVERAGING PERIOD. THE ASCENT PROGRAM AVERAGE DAILY MEMBERSHIP OF A DISTRICT INCLUDES THE ASCENT PROGRAM PARTICIPANTS ENROLLED IN EACH DISTRICT CHARTER SCHOOL OF THE DISTRICT. AN ASCENT PROGRAM PARTICIPANT WHO IS ENROLLED IN AT LEAST TWELVE CREDIT HOURS OF POSTSECONDARY COURSES, INCLUDING ACADEMIC COURSES AND CAREER AND TECHNICAL EDUCATION COURSES, IS INCLUDED IN THE ASCENT PROGRAM AVERAGE DAILY MEMBERSHIP AS A FULL-TIME PUPIL. AN ASCENT PROGRAM PARTICIPANT WHO IS ENROLLED IN LESS THAN TWELVE CREDIT HOURS OF POSTSECONDARY COURSES, INCLUDING ACADEMIC COURSES AND CAREER AND TECHNICAL EDUCATION COURSES, IS INCLUDED IN THE ASCENT PROGRAM AVERAGE DAILY MEMBERSHIP AS A PART-TIME PUPIL.

(b) "AT-RISK PUPIL AVERAGE DAILY MEMBERSHIP" MEANS THE GREATER OF:

(I) THE NUMBER OF AT-RISK PUPILS ENROLLED IN A DISTRICT OR AN INSTITUTE CHARTER SCHOOL EACH SCHOOL DAY, TOTALED FOR THE AVERAGING PERIOD AND DIVIDED BY THE NUMBER OF SCHOOL DAYS IN THE AVERAGING PERIOD; OR

(II) THE DISTRICT'S OR INSTITUTE CHARTER SCHOOL'S AT-RISK PUPIL PERCENTAGE MULTIPLIED BY THE DISTRICT'S OR INSTITUTE CHARTER

SCHOOL'S ADJUSTED AVERAGE DAILY MEMBERSHIP.

(c) "AT-RISK PUPIL PERCENTAGE" MEANS THE NUMBER OF AT-RISK PUPILS ENROLLED IN GRADES ONE THROUGH EIGHT IN A DISTRICT OR AN INSTITUTE CHARTER SCHOOL EACH SCHOOL DAY, TOTALED FOR THE AVERAGING PERIOD AND DIVIDED BY THE NUMBER OF SCHOOL DAYS IN THE AVERAGING PERIOD, THEN DIVIDED BY THE DISTRICT'S OR INSTITUTE CHARTER SCHOOL'S AVERAGE DAILY MEMBERSHIP FOR THE SAME AVERAGING PERIOD FOR GRADES ONE THROUGH EIGHT.

(d) "AVERAGE DAILY MEMBERSHIP" MEANS THE MEMBERSHIP OF A DISTRICT OR INSTITUTE CHARTER SCHOOL FOR EACH SCHOOL DAY, TOTALED FOR THE AVERAGING PERIOD AND DIVIDED BY THE NUMBER OF SCHOOL DAYS IN THE AVERAGING PERIOD. THE AVERAGE DAILY MEMBERSHIP OF A DISTRICT INCLUDES THE PUPILS ENROLLED IN EACH DISTRICT CHARTER SCHOOL OF THE DISTRICT.

(e) "AVERAGING PERIOD" MEANS A QUARTER OF A SCHOOL YEAR OR THE FULL SCHOOL YEAR, WHICHEVER IS APPLICABLE.

(f) "FUNDED MEMBERSHIP" MEANS:

(I) THE TOTAL OF A DISTRICT'S OR AN INSTITUTE CHARTER SCHOOL'S PRESCHOOL PROGRAM AVERAGE DAILY MEMBERSHIP FOR THE FUNDING AVERAGING PERIOD, ON-LINE AVERAGE DAILY MEMBERSHIP FOR THE FUNDING AVERAGING PERIOD, AND ASCENT PROGRAM AVERAGE DAILY MEMBERSHIP FOR THE FUNDING AVERAGING PERIOD, AND THE GREATER OF:

(A) THE DISTRICT'S OR INSTITUTE CHARTER SCHOOL'S AVERAGE DAILY MEMBERSHIP FOR THE FUNDING AVERAGING PERIOD; OR

(B) THE AVERAGE OF THE DISTRICT'S OR INSTITUTE CHARTER SCHOOL'S AVERAGE DAILY MEMBERSHIP FOR THE FUNDING AVERAGING PERIOD AND THE AVERAGE DAILY MEMBERSHIP FOR THE PRECEDING FUNDING AVERAGING PERIOD; OR

(C) THE AVERAGE OF THE DISTRICT'S OR INSTITUTE CHARTER SCHOOL'S AVERAGE DAILY MEMBERSHIP FOR THE FUNDING AVERAGING PERIOD AND THE AVERAGE DAILY MEMBERSHIP FOR THE TWO PRECEDING FUNDING AVERAGING PERIODS; OR

(D) THE AVERAGE OF THE DISTRICT'S OR INSTITUTE CHARTER SCHOOL'S AVERAGE DAILY MEMBERSHIP FOR THE FUNDING AVERAGING PERIOD AND THE AVERAGE DAILY MEMBERSHIP FOR THE THREE PRECEDING FUNDING AVERAGING PERIODS; OR

(E) THE AVERAGE OF THE DISTRICT'S OR INSTITUTE CHARTER SCHOOL'S AVERAGE DAILY MEMBERSHIP FOR THE FUNDING AVERAGING PERIOD AND THE AVERAGE DAILY MEMBERSHIP FOR THE FOUR PRECEDING FUNDING AVERAGING PERIODS.

(II) NOTWITHSTANDING ANY PROVISION OF SUBPARAGRAPH (I) OF THIS PARAGRAPH (f) TO THE CONTRARY, FOR A BUDGET YEAR IN WHICH AVERAGE DAILY MEMBERSHIP FOR THE FUNDING AVERAGING PERIOD IS NOT AVAILABLE, THE DEPARTMENT SHALL USE THE DISTRICT'S OR THE INSTITUTE CHARTER SCHOOL'S PUPIL ENROLLMENT FOR THAT BUDGET YEAR FOR PURPOSES OF CALCULATING FUNDED MEMBERSHIP.

(III) NOTWITHSTANDING ANY PROVISION OF THIS ARTICLE TO THE CONTRARY, FOR PURPOSES OF CALCULATING A DISTRICT'S FUNDED MEMBERSHIP PURSUANT TO SUBPARAGRAPH (I) OF THIS PARAGRAPH (f) ONLY, PUPILS WHO ARE ENROLLED IN THE COLORADO PRESCHOOL PROGRAM ARE INCLUDED IN THE DISTRICT'S PRESCHOOL PROGRAM AVERAGE DAILY MEMBERSHIP AND ARE NOT INCLUDED IN THE DISTRICT'S AVERAGE DAILY MEMBERSHIP.

(IV) NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY, FOR PURPOSES OF SUBPARAGRAPH (I) OF THIS PARAGRAPH (f), A DISTRICT'S FUNDED MEMBERSHIP DOES NOT INCLUDE A PUPIL WHO IS OR WAS ENROLLED IN A CHARTER SCHOOL THAT THE DISTRICT ORIGINALLY AUTHORIZED AND THAT WAS SUBSEQUENTLY CONVERTED ON OR AFTER JULY 1, 2010, TO AN INSTITUTE CHARTER SCHOOL OR TO A CHARTER SCHOOL OF A DISTRICT THAT IS CONTIGUOUS TO THE ORIGINAL AUTHORIZING DISTRICT.

(g) "FUNDING AVERAGING PERIOD" MEANS THE PERIOD THAT BEGINS ON THE FIRST DAY OF THE FIRST QUARTER OF THE PRECEDING BUDGET YEAR AND CONTINUES THROUGH THE LAST DAY OF THE FIRST QUARTER OF THE THEN-CURRENT BUDGET YEAR.

(h) "MEMBERSHIP" HAS THE SAME MEANING AS PROVIDED FOR THE

TERM "PUPIL ENROLLMENT". THE STATE BOARD, BY RULE, SHALL SPECIFY THE POINT AT WHICH A PUPIL IS ENROLLED IN A LOCAL EDUCATION PROVIDER AND THE CIRCUMSTANCES UNDER WHICH A PUPIL CEASES TO BE ENROLLED IN A LOCAL EDUCATION PROVIDER.

(i) "ON-LINE AVERAGE DAILY MEMBERSHIP" MEANS THE NUMBER OF ON-LINE PUPILS ENROLLED EACH SCHOOL DAY IN A MULTI-DISTRICT ON-LINE SCHOOL OPERATED BY A DISTRICT OR AN INSTITUTE CHARTER SCHOOL, TOTALED FOR THE AVERAGING PERIOD AND DIVIDED BY THE NUMBER OF SCHOOL DAYS IN THE AVERAGING PERIOD. THE STATE BOARD BY RULE SHALL DEFINE "ENROLLMENT" FOR PURPOSES OF MULTI-DISTRICT ON-LINE SCHOOLS. THE ON-LINE AVERAGE DAILY MEMBERSHIP OF A DISTRICT INCLUDES THE PUPILS ENROLLED IN A DISTRICT CHARTER SCHOOL OF THE DISTRICT THAT IS A MULTI-DISTRICT ON-LINE SCHOOL.

(j) "PRESCHOOL PROGRAM AVERAGE DAILY MEMBERSHIP" MEANS THE NUMBER OF PUPILS, COUNTED AS HALF-DAY PUPILS, ENROLLED EACH SCHOOL DAY PURSUANT TO ARTICLE 28 OF THIS TITLE IN A DISTRICT PRESCHOOL PROGRAM OR AN INSTITUTE CHARTER SCHOOL PRESCHOOL PROGRAM, TOTALED FOR THE AVERAGING PERIOD AND DIVIDED BY THE NUMBER OF SCHOOL DAYS IN THE AVERAGING PERIOD.

(k) "SCHOOL DAY" MEANS:

(I) FOR A DISTRICT, A DAY ON WHICH AT LEAST ONE SCHOOL OF THE DISTRICT IS PROVIDING EDUCATIONAL SERVICES TO PUPILS ENROLLED IN THE DISTRICT, INCLUDING PUPILS ENROLLED IN A DISTRICT CHARTER SCHOOL OF THE DISTRICT; OR

(II) FOR AN INSTITUTE CHARTER SCHOOL, A DAY ON WHICH THE INSTITUTE CHARTER SCHOOL IS PROVIDING EDUCATIONAL SERVICES TO PUPILS ENROLLED IN THE INSTITUTE CHARTER SCHOOL.

(2) NOTWITHSTANDING ANY PROVISION OF THIS ARTICLE TO THE CONTRARY, BEGINNING IN THE 2015-16 BUDGET YEAR AND FOR BUDGET YEARS THEREAFTER, THE DEPARTMENT OF EDUCATION SHALL CALCULATE TOTAL PROGRAM FUNDING FOR ALL DISTRICTS, INCLUDING ALL INSTITUTE CHARTER SCHOOLS, USING FUNDED MEMBERSHIP RATHER THAN FUNDED PUPIL COUNT. BEGINNING IN THE 2014-15 BUDGET YEAR, EACH DISTRICT AND EACH INSTITUTE CHARTER SCHOOL SHALL CERTIFY TO THE DEPARTMENT FOR EACH QUARTER OF THE SCHOOL YEAR THE DISTRICT'S OR INSTITUTE CHARTER SCHOOL'S MEMBERSHIP FOR EACH SCHOOL DAY DURING THE QUARTER, INCLUDING SPECIFYING THE NUMBER OF PRESCHOOL PUPILS AND AT-RISK PUPILS. THE DISTRICT AND THE INSTITUTE CHARTER SCHOOL SHALL ALSO CERTIFY TO THE DEPARTMENT FOR EACH QUARTER OF THE SCHOOL YEAR THE NUMBER OF THE DISTRICT'S OR INSTITUTE CHARTER SCHOOL'S PUPILS WHO ARE ENROLLED EACH SCHOOL DAY DURING THE QUARTER IN A MULTI-DISTRICT ON-LINE SCHOOL, INCLUDING SPECIFYING THE NUMBER OF AT-RISK PUPILS, OR IN THE ASCENT PROGRAM. THE STATE BOARD BY RULE SHALL ESTABLISH THE TIMELINES AND REPORTING REQUIREMENTS FOR SUBMITTING QUARTERLY MEMBERSHIP AND ENROLLMENT REPORTS THROUGHOUT THE SCHOOL YEAR.

(3) THE DEPARTMENT SHALL CALCULATE EACH DISTRICT'S AND EACH INSTITUTE CHARTER SCHOOL'S AVERAGE DAILY MEMBERSHIP, PRESCHOOL PROGRAM AVERAGE DAILY MEMBERSHIP, AT-RISK PUPIL AVERAGE DAILY MEMBERSHIP, ENGLISH LANGUAGE LEARNER AVERAGE DAILY MEMBERSHIP, ON-LINE AVERAGE DAILY MEMBERSHIP, AND ASCENT PROGRAM AVERAGE DAILY MEMBERSHIP FOR:

(a) EACH QUARTER OF THE SCHOOL YEAR BY TOTALING THE DAILY, PRESCHOOL PROGRAM, AT-RISK PUPIL, OR ENGLISH LANGUAGE LEARNER MEMBERSHIP OR THE DAILY MULTI-DISTRICT ON-LINE SCHOOL OR ASCENT PROGRAM ENROLLMENT FOR THE QUARTER AND DIVIDING EACH RESPECTIVE SUM BY THE NUMBER OF SCHOOL DAYS IN THE RESPECTIVE DISTRICT'S OR INSTITUTE CHARTER SCHOOL'S QUARTER OF THE SCHOOL YEAR;

(b) EACH SCHOOL YEAR BY TOTALING THE DAILY, PRESCHOOL PROGRAM, AT-RISK PUPIL, OR ENGLISH LANGUAGE LEARNER MEMBERSHIP OR THE DAILY MULTI-DISTRICT ON-LINE SCHOOL OR ASCENT PROGRAM ENROLLMENT FOR THE SCHOOL YEAR AND DIVIDING EACH RESPECTIVE SUM BY THE TOTAL NUMBER OF SCHOOL DAYS IN THE RESPECTIVE DISTRICT'S OR INSTITUTE CHARTER SCHOOL'S SCHOOL YEAR; AND

(c) EACH FUNDING AVERAGING PERIOD BY TOTALING THE DAILY,

PRESCHOOL PROGRAM, AT-RISK PUPIL, OR ENGLISH LANGUAGE LEARNER MEMBERSHIP OR THE DAILY MULTI-DISTRICT ON-LINE SCHOOL OR ASCENT PROGRAM ENROLLMENT FOR THE FUNDING AVERAGING PERIOD AND DIVIDING EACH RESPECTIVE SUM BY THE TOTAL NUMBER OF SCHOOL DAYS IN THE RESPECTIVE DISTRICT'S OR INSTITUTE CHARTER SCHOOL'S FUNDING AVERAGING PERIOD.

(4) THE DEPARTMENT SHALL USE THE AVERAGE DAILY MEMBERSHIP, PRESCHOOL PROGRAM AVERAGE DAILY MEMBERSHIP, AT-RISK PUPIL AVERAGE DAILY MEMBERSHIP, ENGLISH LANGUAGE LEARNER AVERAGE DAILY MEMBERSHIP, ON-LINE AVERAGE DAILY MEMBERSHIP, AND ASCENT PROGRAM AVERAGE DAILY MEMBERSHIP FOR THE APPLICABLE FUNDING AVERAGING PERIOD TO CALCULATE EACH DISTRICT'S AND EACH INSTITUTE CHARTER SCHOOL'S FUNDED MEMBERSHIP AND TOTAL PROGRAM FOR THE 2015-16 BUDGET YEAR AND BUDGET YEARS THEREAFTER.".

Renumber succeeding sections accordingly.

Amend the Hudak floor amendment (SB260_L.025), page 1, line 2, strike "TWENTY-THREE THOUSAND THREE HUNDRED" and substitute "TWENTY-ONE THOUSAND SEVEN HUNDRED".

Amend the Appropriations Committee Report, dated April 16, 2013, page 1, line 9, strike "\$11,602,977" and substitute "\$5,801,488".

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	14	NO	20	EXCUSED	1	ABSENT	0
Aguilar	N	Guzman	N	Kefalas	N	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	N	Scheffel	Y
Baumgardner	Y	Heath	N	King	Y	Schwartz	N
Brophy	Y	Hill	Y	Lambert	Y	Steadman	N
Cadman	E	Hodge	N	Lundberg	Y	Tochtrop	N
Carroll	N	Hudak	N	Marble	Y	Todd	N
Crowder	Y	Jahn	N	Newell	N	Ulibarri	N
Giron	N	Johnston	N	Nicholson	N	President	N
Grantham	Y	Jones	N	Renfroe	Y		

SB13-227 by Senator(s) Carroll and Hudak, Aguilar, Cadman, Giron, Guzman, Harvey, Heath, Jahn, Jones, Kerr, King, Morse, Newell, Nicholson, Roberts, Schwartz, Todd, Ulibarri; also Representative(s) Landgraf, Buck, Gardner, Humphrey, Lebsock, Melton, Mitsch Bush, Navarro, Priola, Rankin, Saine, Schafer, Stephens, Vigil, Wilson, Young--Concerning methods to protect the victim of a sexual assault in cases where a child was conceived as a result of the sexual assault.

Senators Carroll and Cadman moved to amend the Report of the Committee of the Whole to show that the following amendment to SB13-227 did pass.

Amend the Carroll floor amendment (SB227_L.005), page 2, line 28, strike "HUMAN" and substitute "SOCIAL".

Page 2, line 31, strike "HUMAN" and substitute "SOCIAL".

Page 2, after line 33 insert:

"Page 16 of the printed bill, line 19, strike "7" and substitute "9".".

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 **passed** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	E	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

HB13-1135 by Representative(s) Singer, Court, Melton, Salazar; also Senator(s) Kerr--Concerning the ability of a person to preregister to vote if the person has reached sixteen years of age but will not be eighteen years of age by the date of the next election, and, in connection therewith, making an appropriation.

Senator Kerr moved to amend the Report of the Committee of the Whole to show that the State, Veterans, and Military Affairs Committee amendment, the Appropriations Committee amendment, the following amendment (L.013), and HB13-1135, as amended, did pass.

Amend the State, Veterans, & Military Affairs Committee Report, dated March 20, 2013, page 1, strike lines 11 through 13 and substitute "ELECTION SHALL BE KEPT CONFIDENTIAL IN THE SAME MANNER AS, AND USING THE PROGRAMS DEVELOPED FOR, INFORMATION THAT IS KEPT CONFIDENTIAL PURSUANT TO SECTION 24-72-204 (3.5), C.R.S. NOTHING IN THIS SUBSECTION (2) SHALL BE CONSTRUED TO REQUIRE ANY REQUEST, APPLICATION, OR FEE FOR SUCH CONFIDENTIALITY. WHEN THE".

Amend the reengrossed bill, page 2, line 4, strike "**preregistration.**" and substitute "**preregistration - repeal.**".

Page 2 of the bill, line 5, after "(a)" insert "(I)".

Page 2 of the bill, after line 13 insert:
"(II) (A) NOTWITHSTANDING ANY PROVISION OF SUBPARAGRAPH (I) OF THIS PARAGRAPH (a) TO THE CONTRARY, A PERSON MAY ONLY PREREGISTER TO VOTE AT DRIVER'S LICENSE EXAMINATION FACILITIES PURSUANT TO SECTION 1-2-213 ON OR AFTER JANUARY 1, 2014.
(B) THIS SUBPARAGRAPH (II) IS REPEALED, EFFECTIVE JULY 1, 2014."

Page 6 of the bill, line 24, strike "This" and substitute "(1) Except as provided in subsection (2) of this section, this".

Page 6 of the bill, strike lines 25 through 27 and substitute "takes effect January 1, 2014; except that, if a".

Page 7 of the bill, after line 6 insert:
"(2) Section 4 of this act takes effect January 1, 2014."

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 **passed** on the following roll call vote:

YES	20	NO	14	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	N	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	E	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Kerr, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	E	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB13-242 as amended, SB13-260 as amended, SB13-227 as amended, SB13-207 as amended, SB13-210 as amended, SB13-224 as amended, SB13-218 as amended, SB13-222 as amended, HB13-1135 as amended, HB13-1119 as amended, HB13-1101, HB13-1071 as amended, HB13-1006, HB13-1167, HB13-1180 as amended, HB13-1110 as amended, HB13-1152.
Laid over until Friday, April 19: HB13-1191.

INTRODUCTION OF RESOLUTIONS

The following resolutions were read by title and referred to the committees indicated:

- SJR13-030

by Senator(s) Cadman; also Representative(s) McNulty--Concerning recognition of Scott Strode, and, in connection therewith, honoring his work with Phoenix Multisport and his nomination for CNN's Hero of the Year award.
- Laid over one day under Senate Rule 30(b).
- SJR13-031

by Senator(s) Renfroe; also Representative(s) Sonnenberg--Concerning a request to the federal government to cede title to agricultural public lands to the state.
State, Veterans, & Military Affairs
- SJR13-032

by Senator(s) Marble; also Representative(s) Buck--Concerning the designation of a portion of Highway 34 as the Staff Sergeant Christopher J. Birdwell Memorial Highway.
Transportation

SJR13-033 by Senator(s) Grantham; also Representative(s) Lawrence--Concerning the designation of Colorado Highway 67 between Divide and Cripple Creek as the "POW/MIA Memorial Highway".
Transportation

SJR13-034 by Senator(s) Lambert; also Representative(s) Lebsock--Concerning honoring the veterans of World War II, and, in connection therewith, recognizing May 8, 2013, June 6, 2013, September 2, 2013, and December 7, 2013, as World War II remembrance days in Colorado.
Laid over one day under Senate Rule 30(b).

SR13-004 by Senator(s) Brophy and Hudak; --Concerning modifications to the Rules of the Senate to permit the use of wireless electronic devices in a manner that protects the deliberations of the Senate from disruption.
Laid over one day under Senate Rule 30(b).

INTRODUCTION OF MEMORIALS

The following memorials were read by title and referred to the committee indicated:

SJM13-002 by Senator(s) Hill, Baumgardner, Brophy, Lambert, Lundberg, Marble, Harvey, King; -- Memorializing the United States Congress to enact legislation regarding the regulation of commercial and investment banks.
State, Veterans, & Military Affairs

SJM13-003 by Senator(s) Aguilar, Cadman; also Representative(s) Salazar, Sonnenberg--Concerning comprehensive immigration reform and urging action by the 113th Congress.
Laid over one day under Senate Rule 30(d).

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Thursday, April 18 was laid over until Friday, April 19, retaining its place on the calendar.

Consideration of Resolutions: SR13-003, HJR13-1004.

On motion of Majority Leader Carroll, the Senate adjourned until 9:00 a.m., Friday, April 19, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

101st Legislative Day Friday, April 19, 2013

Prayer By the chaplain, Rabbi Yossi Serebryanski, Chabad of South Denver.

Call to Order By the President at 9:00 a.m.

Pledge By Senator Hill.

Roll Call Present--35

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Ulibarri, reading of the Journal of Thursday, April 18, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Education The Committee on Education has had under consideration and has had a hearing on the following appointment and recommends that the appointment be confirmed:

MEMBER OF THE
COLORADO COMMISSION ON HIGHER EDUCATION

for a term expiring July 1, 2017:

Luis Alberto Colon of Lone Tree, Colorado, a resident of the 4th Congressional District and a Republican, appointed.

Education After consideration on the merits, the Committee recommends that HB13-1005 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 2, after line 7 insert:

"(1) "ACCELERATED CERTIFICATES PROGRAM" MEANS THE CERTIFICATE PROGRAMS THAT THE BOARD MAY DESIGN PURSUANT TO SECTION 23-60-902 TO PROVIDE CAREER AND TECHNICAL EDUCATION CERTIFICATES ON AN ACCELERATED SCHEDULE FOR ELIGIBLE ADULTS WHO HAVE AN INSUFFICIENT LEVEL OF INFORMATION OR MATH LITERACY AND ARE SEEKING TO ENTER OR RE-ENTER THE WORKFORCE OR OBTAIN BETTER EMPLOYMENT."

ReNUMBER succeeding subsections accordingly.

Page 3, strike lines 8 through 13.

Page 3, line 15, strike "SHALL" and substitute "MAY".

Page 3, line 19, strike "AT LEAST TWENTY".

Page 3, line 24, strike "THE BOARD SHALL ENSURE THAT EACH" and substitute "EACH".

	Page 3, line 25, strike "CONSISTS" and substitute "MUST CONSIST".	1
		2
	Page 4, strike lines 1 through 5 and substitute "MUST NOT EXCEED TWELVE MONTHS.".	3
		4
		5
	Page 4, strike lines 9 through 13 and substitute "PROGRAM.".	6
		7
	Page 4, line 19, strike "PILOT" and substitute "ACCELERATED CERTIFICATES".	8
		9
		10
	Page 4, strike line 21 and substitute:	11
		12
	"(2) IN IMPLEMENTING THE ACCELERATED CERTIFICATES PROGRAM, THE BOARD MUST ENSURE THAT, AT A MINIMUM, THE".	13
		14
		15
	Page 5, line 15, strike "PILOT" and substitute "ACCELERATED CERTIFICATES".	16
		17
		18
	Page 5, line 16, strike "PILOT" and substitute "ACCELERATED CERTIFICATES".	19
		20
		21
	Page 5, line 18, strike "PILOT" and substitute "ACCELERATED CERTIFICATES".	22
		23
		24
	Page 5, line 20, strike "THROUGH 2017," and substitute "IN WHICH THE INSTITUTION OR PROGRAM PARTICIPATES IN THE ACCELERATED CERTIFICATES PROGRAM,".	25
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		27
		28
	Page 6, strike lines 5 and 6.	29
		30
		31
Education	After consideration on the merits, the Committee recommends that HB13-1244 be amended as follows, and as so amended, be referred to the Committee on Legislative Council.	32
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	Amend reengrossed bill, page 9, strike line 12 and substitute:	37
	"(4) The department of education and the department of higher education LEGISLATIVE COUNCIL STAFF AND THE STAFF OF THE OFFICE OF LEGISLATIVE LEGAL SERVICES".	38
		39
		40
		41
	Page 9, line 13, strike "education".	42
		43
	Page 13, strike lines 6 through 19.	44
		45
	Renumber succeeding section accordingly.	46
		47
	Page 1, strike lines 102 and 103 and substitute " FORCE. ".	48
		49
		50
Health & Human Services	After consideration on the merits, the Committee recommends that SB13-264 be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	51
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		55
Health & Human Services	After consideration on the merits, the Committee recommends that SB13-261 be referred to the Committee of the Whole with favorable recommendation.	56
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Health &
Human
Services

After consideration on the merits, the Committee recommends that **SB13-255** be **amended** as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 8, line 4, strike "REVIEW" and substitute "CONDUCT INDIVIDUAL, CASE-SPECIFIC REVIEWS OF".

Page 10, line 27, after "FATALITY;" insert "AND

(h) REQUEST CAPACITY ASSISTANCE AS NECESSARY FROM THE DEPARTMENT FOR THE PURPOSE OF CONDUCTING A CHILD FATALITY REVIEW."

Page 15, line 17, after "RECOMMENDATIONS." insert "THE TRAINING AND TECHNICAL ASSISTANCE FOR LOCAL OR REGIONAL REVIEW TEAMS MUST BE PROVIDED THROUGH FEDERALLY FUNDED TRAINING PROGRAMS FOR IMPROVING EFFECTIVENESS IN CONDUCTING CHILD FATALITY REVIEWS; EXCEPT THAT, IF SUCH FEDERALLY FUNDED PROGRAMS ARE UNAVAILABLE, THE STATE, SUBJECT TO AVAILABLE APPROPRIATIONS, MAY PROVIDE THE TRAINING AND TECHNICAL ASSISTANCE."

Page 15, line 19, strike "FOR" and substitute "OR ASSISTANCE WITH".

Page 20, line 18, strike "CHILD WELFARE" and after "DELIVERY" insert "OF CHILD WELFARE SERVICES,".

Page 20, line 19, strike "SYSTEM,".

Page 21, strike line 18 and substitute "system THAT IS RELATED TO THE PROVISION OF CHILD WELFARE SERVICES. FOR THE PURPOSES OF THIS SECTION, "CHILD WELFARE SERVICES" MEANS A SPECIALIZED SET OF SERVICES THAT ARE INTENDED TO STRENGTHEN THE ABILITY OF FAMILIES TO PROTECT AND CARE FOR THEIR OWN CHILDREN, MINIMIZE HARM TO CHILDREN AND YOUTH, AND ENSURE PERMANENCY PLANNING."

Page 21, line 19, strike "SECTION 19-1-103, C.R.S.;".

Page 25, line 21, strike "commissioners" and substitute "commissioners BOARD OF HUMAN SERVICES".

Page 27, line 13, strike "FAMILY;" and substitute "FAMILY, INCLUDING THE BIRTH ORDER OF THE CHILD WHOSE DEATH IS BEING REVIEWED;".

Page 27, line 15, after "(3)," insert "AND ANY OTHER GOVERNMENT ASSISTANCE OR SERVICES THAT".

Page 27, line 20, strike "AND".

Page 27, before line 21 insert:

"(V) THE AGE, INCOME LEVEL, AND EDUCATION LEVEL OF THE LEGAL CARETAKER AT THE TIME OF THE FATALITY;

(VI) INFORMATION ON THE PERSON OR PERSONS CARING FOR THE CHILD AT THE TIME OF THE FATALITY; AND".

Reletter succeeding subparagraph accordingly.

Page 28, line 5, after "(3)," insert "AND ANY OTHER GOVERNMENT ASSISTANCE OR SERVICES".

Health &
Human
Services

After consideration on the merits, the Committee recommends that **SB13-238** be **amended** as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 2, strike lines 14 through 17.

Renumber succeeding subsections accordingly.	1
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Page 3, strike lines 3 through 5 and substitute:	3
	4
"(4) "DISPENSE", WITH REGARD TO A HEARING AID, MEANS TO	5
SELL OR TRANSFER TITLE, POSSESSION, OR THE RIGHT TO USE BY LEASE,	6
BAILMENT, OR ANY OTHER METHOD. THE TERM DOES NOT APPLY TO	7
WHOLESALE TRANSACTIONS WITH DISTRIBUTORS OR DEALERS."	8
	9
Page 3, strike lines 8 through 11 and substitute:	10
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"(6) (a) "HEARING AID" MEANS A WEARABLE DEVICE DESIGNED	12
OR OFFERED TO BE CUSTOMIZED FOR THE PURPOSE OF COMPENSATING FOR	13
IMPAIRED HUMAN HEARING AND INCLUDES:	14
(I) ANY PARTS, ATTACHMENTS, OR ACCESSORIES TO THE	15
INSTRUMENT OR DEVICE, AS DEFINED IN RULES ADOPTED BY THE	16
DIRECTOR; AND	17
(II) EAR MOLDS, EXCLUDING BATTERIES AND CORDS.	18
(b) THE TERM DOES NOT INCLUDE A SURGICALLY IMPLANTED	19
HEARING DEVICE."	20
	21
Page 3, strike lines 16 through 19 and substitute:	22
	23
"(9) "PRACTICE OF DISPENSING, FITTING, OR DEALING IN HEARING	24
AIDS" INCLUDES:	25
(a) SELECTING AND ADAPTING HEARING AIDS FOR SALE;	26
(b) TESTING HUMAN HEARING FOR PURPOSES OF SELECTING AND	27
ADAPTING HEARING AIDS FOR SALE; AND	28
(c) MAKING IMPRESSIONS FOR EAR MOLDS AND COUNSELING AND	29
INSTRUCTING PROSPECTIVE USERS FOR PURPOSES OF SELECTING, FITTING,	30
ADAPTING, OR SELLING HEARING AIDS.	31
(10) "SURGICALLY IMPLANTED HEARING DEVICE" MEANS A	32
DEVICE THAT IS DESIGNED TO PRODUCE USEFUL HEARING SENSATIONS TO	33
A PERSON WITH A HEARING IMPAIRMENT AND THAT HAS, AS ONE OR MORE	34
COMPONENTS, A UNIT THAT IS SURGICALLY IMPLANTED INTO THE EAR,	35
SKULL, OR OTHER INTERIOR PART OF THE BODY. THE TERM INCLUDES ANY	36
ASSOCIATED UNIT THAT MAY BE WORN ON THE BODY."	37
	38
Renumber succeeding subsection accordingly.	39
	40
Page 3, strike lines 20 through 22.	41
	42
Page 5, line 12, strike "COCHLEAR".	43
	44
Page 5, line 13, strike "IMPLANT" and substitute "SURGICALLY	45
IMPLANTED HEARING DEVICE".	46
	47
Page 6, strike lines 6 through 13.	48
	49
Renumber succeeding C.R.S. sections accordingly.	50
	51
Page 7, line 15, strike "NUMBER;" and substitute "NUMBER AND OTHER	52
CONTACT INFORMATION AS DETERMINED BY THE DIRECTOR;"	53
	54
Page 8, strike lines 22 through 24 and substitute "ARTICLE."	55
	56
Page 8, line 25, strike "THIRTY" and substitute "SIXTY".	57
	58
Page 10, line 8, strike "THE" and substitute "ON AND AFTER JUNE 1, 2014,	59
THE".	60
	61
Page 10, line 27, strike "EXPIRES".	62
	63
Page 11, strike line 1 and substitute "IS RENEWABLE AND IS SUBJECT TO	64
SECTION 12-5.5-202 (2), C.R.S."	65
	66
Page 11, after line 5 insert:	67

"(7) ON AND AFTER JUNE 1, 2014, A PERSON IN THIS STATE TRAINING TO BE A LICENSED HEARING AID PROVIDER MUST POSSESS A VALID APPRENTICE LICENSE ISSUED BY THE DIRECTOR PURSUANT TO THIS ARTICLE AND RULES PROMULGATED PURSUANT TO THIS ARTICLE."

Page 11, after line 12 insert:

"12-5.5-206. Retention of records - licensee's obligation. EACH LICENSEE WHO SELLS A HEARING AID OR PROVIDES GOODS OR SERVICES TO A CUSTOMER SHALL DEVELOP A WRITTEN PLAN TO ENSURE THE MAINTENANCE OF CUSTOMER RECORDS. THE RECORDS MUST BE RETAINED FOR AT LEAST SEVEN YEARS AND IDENTIFY THE CUSTOMER BY NAME; THE GOODS OR SERVICES, EXCEPT BATTERIES, MINOR PARTS, AND ACCESSORIES, PROVIDED TO EACH CUSTOMER; AND THE DATE AND PRICE OF EACH TRANSACTION."

Page 11, strike lines 13 through 27.

Strike pages 12 through 14.

Page 15, strike lines 1 through 17.

Renumber succeeding parts accordingly.

Page 17, strike lines 1 through 18 and substitute "ENFORCEMENT OR ADMINISTRATION OF THIS ARTICLE."

12-5.5-302. Disciplinary actions. (1) IF THE DIRECTOR DETERMINES THAT AN APPLICANT"

Page 17, line 23, before "FIVE" insert "TWO THOUSAND".

Page 18, line 24, strike "(a)".

Page 19, strike lines 4 through 13.

Page 26, line 15, strike "COCHLEAR IMPLANTS" and substitute "SURGICALLY IMPLANTED HEARING DEVICES".

Page 26, line 24, strike "any provision of part 3 of" and substitute "~~any provision of part 3 of~~".

Page 27, strike lines 11 through 17 and substitute:

"SECTION 4. Effective date. This act takes effect July 1, 2013."

Health &
Human
Services

After consideration on the merits, the Committee recommends that **SB13-228** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend printed bill, page 2, line 12, after "(c)" insert "(I)".

Page 2, strike lines 14 through 16 and substitute "HUMAN HEARING AND INCLUDES:

(A) ANY PARTS, ATTACHMENTS, OR ACCESSORIES TO THE INSTRUMENT OR DEVICE, AS DEFINED IN RULES ADOPTED BY THE DIRECTOR OF THE DIVISION OF PROFESSIONS AND OCCUPATIONS IN THE DEPARTMENT OF REGULATORY AGENCIES; AND

(B) EAR MOLDS, EXCLUDING BATTERIES AND CORDS.

(II) "HEARING AID" DOES NOT INCLUDE A SURGICALLY".

Page 5, line 16, strike "THIRTY-DAY-RESCISSION" and substitute "MINIMUM THIRTY-DAY RESCISSION".

Page 5, line 23, strike "THIRTY-DAY".

Page 6, strike lines 5 through 10.

Page 6, line 18, strike "30TH" and substitute "[INSERT APPLICABLE RESCISSION PERIOD, WHICH MUST BE NO SHORTER THAN THIRTY DAYS AFTER RECEIPT OF THE HEARING AID]".

Page 6, strike lines 26 and 27 and substitute "BUYER'S CONTROL".

Page 7, strike lines 1 through 6.

Page 9, line 13, strike "CANCEL;" and substitute "CANCEL, OR REFUSES TO HONOR A BUYER'S REQUEST TO CANCEL A CONTRACT FOR THE PURCHASE OF A HEARING AID, IF THE REQUEST WAS MADE DURING THE RESCISSION PERIOD SET FORTH IN PARAGRAPH (e) OF THIS SUBSECTION (2);

(j) EMPLOYS A DEVICE, A SCHEME, OR ARTIFICE WITH THE INTENT TO DEFRAUD A BUYER OF A HEARING AID;

(k) INTENTIONALLY DISPOSES OF, CONCEALS, DIVERTS, CONVERTS, OR OTHERWISE FAILS TO ACCOUNT FOR ANY FUNDS OR ASSETS OF A BUYER OF A HEARING AID THAT IS UNDER THE DISPENSER'S CONTROL; OR".

Reletter succeeding paragraph accordingly.

Health &
Human
Services

After consideration on the merits, the Committee recommends that **HB13-1115** be **amended** as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 4, line 21, after "DISTRIBUTED" insert "STATEWIDE".

Page 5, line 3, after the period add "LOSS OF COVERAGE UNDER THE COVERCOLORADO PROGRAM UNDER PARAGRAPH (a) OF SUBSECTION (1) OF THIS SECTION IS AN INVOLUNTARY LOSS OR TERMINATION OF EXISTING CREDITABLE COVERAGE FOR THE PURPOSES OF QUALIFYING A PARTICIPANT FOR SPECIAL ENROLLMENT IN AN INDIVIDUAL OR GROUP HEALTH PLAN IN THE STATE OF COLORADO.".

Page 11, strike lines 9 through 21.

Renumber succeeding sections accordingly.

Page 13, strike lines 9 through 11 and substitute:

"SECTION 20. Effective date. (1) Sections 6, 7, 10, 11, 12, 16, and 17 of this act take effect March 31, 2015, and the remainder of this act takes effect upon passage.

(2) Sections 7, 8, and 9 of this act take effect only if House Bill 13-1266 does not become law.".

Health &
Human
Services

The Committee on Health & Human Services has had under consideration and has had a hearing on the following appointment and recommends that the appointment be confirmed:

MEMBER OF THE
HOSPITAL PROVIDER FEE OVERSIGHT
AND ADVISORY BOARD

for a term expiring May 15, 2016:

Peggy Jordan Burnette of Denver, Colorado, an employee of a hospital in Colorado, reappointed.

Health &
Human
Services

The Committee on Health & Human Services has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

MEMBERS OF THE
COLORADO CHILDREN'S TRUST FUND BOARD

for terms expiring November 7, 2015:

Laura Jean Hazen of Centennial, Colorado, to serve as a member with knowledge of child abuse prevention, appointed;

Beth Ann Klein of Erie, Colorado, to serve as a member with knowledge of child abuse prevention, appointed.

Appro-
priations

After consideration on the merits, the Committee recommends that **HB13-1129** be **referred** to the Committee of the Whole with favorable recommendation.

Appro-
priations

After consideration on the merits, the Committee recommends that **SB13-219** be **amended** as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 12, after line 15 insert:

"SECTION 3. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the illegal drug laboratory fund created in section 25-18.5-108, Colorado Revised Statutes, not otherwise appropriated, to the department of public health and environment, for the fiscal year beginning July 1, 2013, the sum of \$61,491 and 0.5 FTE, or so much thereof as may be necessary, to be allocated to hazardous materials and waste management division for the implementation of this act as follows:

- (a) \$39,363 and 0.5 FTE for the hazardous waste control program for personal services;
- (b) \$6,678 for the hazardous waste control program for operating expenses; and
- (c) \$15,450 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, 2013, the sum of \$15,450 and 0.1 FTE, or so much thereof as may be necessary, for the provision of legal services for the department of public health and environment related to the implementation of this act. Said sum is from reappropriated funds received from the department of public health and environment out of the appropriation made in paragraph (c) of subsection (1) of this section."

Renumber succeeding section accordingly.

Page 1, line 102, strike "**LABORATORY.**" and substitute "**LABORATORY, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appro-
priations

After consideration on the merits, the Committee recommends that **SB13-245** be **amended** as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, line 15, strike "SHALL:" and substitute "MAY:"

Appropriations	After consideration on the merits, the Committee recommends that SB13-266 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	1 2 3 4 5 6
	Amend printed bill, page 6, after line 11 insert:	7
	"SECTION 2. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund, not otherwise appropriated, to the department of human services, for the fiscal year beginning July 1, 2013, the sum of \$19,792,028 and 0.9 FTE, or so much thereof as may be necessary, to be allocated to behavioral health services for the implementation of this act as follows:	8 9 10 11 12 13 14 15
	(a) \$17,672,420 for co-occurring behavioral health services, crisis response system—crisis stabilization units, mobile crisis response, respite services, and marketing;	16
	(b) \$2,046,675 for co-occurring behavioral health services, crisis response system—telephone hotlines;	17 18
	(c) \$67,280 and 0.9 FTE for administration, personal services; and	19
	(d) \$5,653 for administration, operating expenses."	20 21 22
	Renumber succeeding section accordingly.	23 24
	Page 1, line 103, strike "STATE." and substitute "STATE, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION."	25 26 27
		28
Appropriations	After consideration on the merits, the Committee recommends that HB13-1077 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	29 30 31 32
	Amend reengrossed bill, page 2, strike lines 20 through 23.	33 34 35
	Page 3, strike lines 1 through 11.	36 37
	Renumber succeeding section accordingly.	38 39
	Page 1, strike lines 104 and 105 and substitute "DRIVER'S LICENSE."	40 41 42
		43
	After consideration on the merits, the Committee recommends that SB13-251 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	44 45 46
	Amend the Senate Judiciary Committee Report, dated April 10, 2013, page 5, after line 18 insert:	47 48 49 50
	"SECTION 7. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated to the department of revenue, for the fiscal year beginning July 1, 2013, the sum of \$855,686 and 6.2 FTE, or so much thereof as may be necessary for the implementation of this act as follows:	51 52 53 54 55 56
	(a) \$423,924 is from the general fund, of which \$33,924 is allocated to the information technology division for the purchase of computer center services and \$390,000 is allocated to the division of motor vehicles for contract services;	57 58 59 60
	(b) \$403,194 and 6.2 FTE is from the licensing services cash fund created in section 42-2-114.5 (1), Colorado Revised Statutes, for allocation to the division of motor vehicles; and	61 62 63
	(c) \$28,568 is from the identification security fund created in section 42-1-220 (1), Colorado Revised Statutes, for allocation to the division of motor vehicles.	64 65 66
	(2) In addition to any other appropriation, there is hereby	67

appropriated to the governor - lieutenant governor - state planning and budgeting, for the fiscal year beginning July 1, 2013, the sum of \$33,924, 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 revenue out of the appropriation made in paragraph (a) of subsection (1) of this section."

Page 5, line 19, strike "SECTION 7." and substitute "SECTION 8."

Page 5, after line 30 insert:

"Page 1 of the bill, line 103, strike "REVENUE." and substitute "REVENUE, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION."."

Appropriations

After consideration on the merits, the Committee recommends that [HB13-1117](#) be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 63, after line 2 insert:

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	"SECTION 27. Appropriation to the department of health care policy and financing for the fiscal year beginning July 1, 2013. In Senate Bill 13-230, section 2, amend						
2	Part V (1) (B) and (6) (G) and add Part V (6) (D.5) as follows:						
3	PART V						
4	DEPARTMENT OF HEALTH CARE POLICY AND FINANCING						
5							
6	(1) EXECUTIVE DIRECTOR'S OFFICE						
7	(B) Transfers to Other Departments						
8	Transfer to Department of						
9	Public Health and						
10	Environment Facility for						
11	Survey and Certification	5,297,765		1,651,255(M)			3,646,510

		APPROPRIATION FROM						
		ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
		\$	\$	\$	\$	\$	\$	\$
1	Transfer to Department of							
2	Public Health and							
3	Environment FROM							
4	DEPARTMENT OF HUMAN							
5	SERVICES for Nurse Home							
6	Visitor Program	3,010,000					1,505,000 ^a	1,505,000(I)
7	Transfer to Department of							
8	Public Health and							
9	Environment for Prenatal							
10	Statistical Information	5,887		2,944(M)				2,943
11	Transfer to Department of							
12	Regulatory Agencies for							
13	Nurse Aide Certification	324,041		147,369(M)			14,652 ^b	162,020
14	Transfer to Department of							
15	Regulatory Agencies for							
16	Reviews	4,160		2,080(M)				2,080

		APPROPRIATION FROM						
		ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
		\$	\$	\$	\$	\$	\$	\$
1	Administration	133,070		66,535(M)				66,535
2	Child Welfare Services	14,579,137		7,289,569(M)				7,289,568
3		<u>14,712,207</u>						
4								
5	(D.5) OFFICE OF EARLY CHILDHOOD - MEDICAID FUNDING							
6	DIVISION OF COMMUNITY							
7	AND FAMILY SUPPORT,							
8	EARLY INTERVENTION							
9	SERVICES	4,582,485		2,291,243(M)				2,291,242
10								
11	(G) Services for People with Disabilities - Medicaid Funding							
12	Community Services for							
13	People with Developmental							
14	Disabilities, Administration	2,897,037		1,448,519(M)				1,448,518

		APPROPRIATION FROM					
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	SECTION 28. Appropriation to the department of human services for the fiscal year beginning July 1, 2013. In Senate Bill 13-230, section 2, amend Part VII (5) , (6),						
2	(8) (A), (8) (B), (9) (A), Footnote 32, and the affected totals as follows:						
3	PART VII						
4	DEPARTMENT OF HUMAN SERVICES						
5							
6	(5) DIVISION OF CHILD WELFARE²³						
7	Administration	4,476,717	3,630,439(M)			133,070 ^a	713,208^b
8		5,876,717	4,880,439(M)				863,208 ^b
9		(44.6 FTE)					
10		(61.6 FTE)					
11	Training	6,444,548	3,248,229(M)		37,230 ^c		3,159,089 ^d
12		(6.0 FTE)					
13	Foster and Adoptive Parent						
14	Recruitment, Training, and						
15	Support	335,562	268,395(M)				67,167 ^b

			APPROPRIATION FROM				
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	(1.0 FTE)						
2	Child Welfare Services ²⁴	338,029,998 ^e	172,690,086		62,068,186 ^c	14,579,137 ^a	88,692,589 ^f
3	Title IV-E Waiver and						
4	Evaluation Development	500,018	250,009				250,009 ^b
5	Family and Children's						
6	Programs ²⁵	51,805,244	43,441,810		5,292,541 ^c		3,070,893 ^f
7	Performance-based						
8	Collaborative Management						
9	Incentives	3,100,000			3,100,000 ^g		
10	Independent Living Programs	2,826,582					2,826,582(I) ^h
11							(4.0 FTE)
12	Promoting Safe and Stable						
13	Families Program	4,456,680	50,265(M)		1,064,160^e		3,342,255ⁱ
14	(2.0 FTE)						

		APPROPRIATION FROM					
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Federal Child Abuse						
2	Prevention and Treatment						
3	Act Grant	436,054					436,054(I) ^j
4							(3.0 FTE)
5	Community-based Child						
6	Abuse Prevention Services	4,879,297	4,879,297				
7			(2.8 FTE)				
8	Workforce Tools-Mobile						
9	Computing Technology	723,000	600,090				122,910 ^b
10	Workload Study	468,555	388,901				79,654
11	TONY GRAMPSAS YOUTH						
12	SERVICES PROGRAM	5,060,499	1,453,849		3,606,650 ^k		
13					(3.0 FTE)		
14		418,482,255					
15		420,486,074					

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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

^b These amounts shall be from Title IV-E of the Social Security Act. They are reflected pursuant to Section 26-1-111 (2) (d) (II) (B), C.R.S., and shall be used in determining the amount to be deposited to the Excess Federal Title IV-E Reimbursements Cash Fund pursuant to Section 26-1-111 (2) (d) (II) (C), C.R.S.

^c These amounts shall be from local funds. The (L) notation and the (I) notation apply to these amounts.

^d Of this amount, \$2,903,373 shall be from Title IV-E of the Social Security Act, and \$255,716 shall be from the Title XX Social Services Block Grant.

^e For informational purposes, this amount includes \$4,605,011 that is anticipated to be initially held out from state and federal funds that are allocated to county departments of social services for the administration and provision of child welfare services, including the following estimated amounts: \$3,208,511 for parental fee reimbursements to counties pursuant to Section 26-5-104 (2), C.R.S., \$950,000 for tribal placements of Native American children, \$346,500 for a statewide insurance policy for county-administered foster homes, and \$100,000 for contractual services related to the allocation of funds among counties. The remaining \$333,424,987 includes the state and federal funds to be allocated to county departments of social services pursuant to Section 26-5-104, C.R.S., the estimated local share of child welfare services expenditures, and federal Medicaid funds estimated to be available to county departments of social services for certain expenditures.

			APPROPRIATION FROM				
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Child Care Licensing and						
2	Administration	6,583,810	2,239,932(M)		770,824*		3,573,054 ^b
3		(64.4 FTE)					
4	Fines Assessed Against						
5	Licensees	20,000			20,000(†) ^c		
6	Child Care Assistance						
7	Program	75,456,123	13,604,221		9,366,274 ^d		52,485,628 ^e
8	Grants to Improve the						
9	Quality and Availability of						
10	Child Care and to Comply						
11	with Federal Targeted Funds						
12	Requirements	3,473,633					3,473,633 ^f
13	Early Childhood Councils	1,978,317					1,978,317 ^f
14							(1.0 FTE)

			APPROPRIATION FROM				
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	School-readiness Quality						
2	Improvement Program	2,228,586					2,228,586^f
3							(1.0 FTE)
4	(A) DIVISION OF EARLY CARE AND LEARNING						
5	PROMOTING SAFE AND						
6	STABLE FAMILIES PROGRAM	4,456,680	50,265		1,064,160 ^a		3,342,255 ^b
7		(2.0 FTE)					
8	CHILD CARE LICENSING AND						
9	ADMINISTRATION	5,183,810	989,932 (M)		770,824 ^c		3,423,054 ^d
10		(47.4 FTE)					
11	FINE ASSESSED AGAINST						
12	LICENSEES	20,000			20,000(I) ^e		
13	CHILD CARE ASSISTANCE						
14	PROGRAM	75,456,123	13,604,221		9,366,274 ^f		52,485,628 ^g

			APPROPRIATION FROM				
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	CHILD CARE GRANTS FOR						
2	QUALITY AND AVAILABILITY						
3	AND FEDERAL TARGETED						
4	FUNDS REQUIREMENTS	3,473,633					3,473,633 ^h
5	SCHOOL-READINESS QUALITY						
6	IMPROVEMENT PROGRAM	2,228,586					2,228,586 ^h
7		90,818,832					(1.0 FTE)
8							
9	^a THIS AMOUNT SHALL BE FROM LOCAL FUNDS. THE (L) NOTATION AND THE (I) NOTATION APPLY TO THIS AMOUNT.						
10	^b THIS AMOUNT SHALL BE FROM TITLE IV-B, SUBPART 2, OF THE SOCIAL SECURITY ACT.						
11	^c THIS AMOUNT SHALL BE FROM THE CHILD CARE LICENSING CASH FUND CREATED IN SECTION 26-6-105 (4), C.R.S.						
12	^d OF THIS AMOUNT, \$3,273,054 SHALL BE FROM CHILD CARE DEVELOPMENT FUNDS AND \$150,000(I) SHALL BE FROM TITLE IV-E OF THE SOCIAL SECURITY ACT. THE AMOUNT FROM TITLE						
13	IV-E OF THE SOCIAL SECURITY ACT IS REFLECTED PURSUANT TO SECTION 26-1-111 (2) (D) (II) (B), C.R.S., AND SHALL BE USED IN DETERMINING THE AMOUNT TO BE DEPOSITED TO THE						
14	EXCESS FEDERAL TITLE IV-E REIMBURSEMENTS CASH FUND PURSUANT TO SECTION 26-1-111 (2) (D) (II) (C), C.R.S.						

		APPROPRIATION FROM					
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	^e THIS AMOUNT SHALL BE FROM THE CHILD CARE CASH FUND CREATED IN SECTION 26-6-114 (5), C.R.S. THIS AMOUNT IS SHOWN FOR INFORMATIONAL PURPOSES AS IT IS CONTINUOUSLY						
2	APPROPRIATED TO THE DEPARTMENT OF HUMAN SERVICES FOR ACTIVITIES RELATED TO THE IMPROVEMENT OF THE QUALITY OF CHILD CARE IN COLORADO, PURSUANT TO SECTION 26-6-114						
3	(5), C.R.S.						
4	^f THIS AMOUNT SHALL BE FROM LOCAL FUNDS AND REFLECTS THE LOCAL SHARE OF THE COSTS OF ADMINISTERING THE CHILD CARE ASSISTANCE PROGRAM AND THE LOCAL SHARE OF CHILD						
5	CARE SUBSIDIES. THE (L) NOTATION AND THE (I) NOTATION APPLY TO THIS AMOUNT. COUNTY MAINTENANCE OF EFFORT FOR THIS PROGRAM, PURSUANT TO FEDERAL REQUIREMENTS, TOTALS						
6	\$8,985,901.						
7	^g OF THIS AMOUNT, \$52,385,628 SHALL BE FROM CHILD CARE DEVELOPMENT FUNDS AND \$100,000 SHALL BE FROM THE TITLE XX SOCIAL SERVICES BLOCK GRANT.						
8	^h THESE AMOUNTS SHALL BE FROM CHILD CARE DEVELOPMENT FUNDS.						
9							
10	(B) DIVISION OF COMMUNITY AND FAMILY SUPPORT						
11	EARLY CHILDHOOD						
12	COUNCILS	1,978,317					1,978,317 ^a
13							(1.0 FTE)
14	EARLY CHILDHOOD MENTAL						
15	HEALTH SERVICES	2,355,399	2,355,399				

			APPROPRIATION FROM				
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1			(0.2 FTE)				
2	EARLY INTERVENTION						
3	SERVICES	36,115,007	17,177,707		10,895,900(I) ^b		8,041,400(I) ^c
4							(6.5 FTE)
5	EARLY INTERVENTION						
6	SERVICES CASE						
7	MANAGEMENT	7,315,534	2,733,049			4,582,485 ^d	
8	COLORADO CHILDREN'S						
9	TRUST FUND	1,114,514			470,914 ^e		643,600(I)
10					(1.5 FTE)		
11	NURSE HOME VISITOR						
12	PROGRAM	13,729,550			13,524,950 ^f		204,600(I)
13					(3.0 FTE)		
14		<hr/> 62,608,321					

15 ^a THIS AMOUNT SHALL BE FROM CHILD CARE DEVELOPMENT FUNDS.

		APPROPRIATION FROM					
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	^bOf this amount, \$3,423,054 shall be from Child Care Development Funds and \$150,000(I) shall be from Title IV-E of the Social Security Act. The amount from Title IV-E of the Social						
2	Security Act is reflected pursuant to Section 26-1-111 (2) (d) (H) (B), C.R.S., and shall be used in determining the amount to be deposited to the Excess Federal Title IV-E						
3	Reimbursements Cash Fund pursuant to Section 26-1-111 (2) (d) (H) (C), C.R.S.						
4	^cThis amount shall be from the Child Care Cash Fund created in Section 26-6-114 (5), C.R.S. This amount is shown for informational purposes as it is continuously appropriated to						
5	the Department of Human Services for activities related to the improvement of the quality of child care in Colorado, pursuant to Section 26-6-114 (5), C.R.S.						
6	^dThis amount shall be from local funds and reflects the local share of the costs of administering the Child Care Assistance Program and the local share of child care subsidies. The (L)						
7	notation and the (I) notation apply to this amount. County maintenance of effort for this program, pursuant to federal requirements, totals \$8,985,901.						
8	^eOf this amount, \$52,385,628 shall be from Child Care Development Funds and \$100,000 shall be from the Title XX Social Services Block Grant.						
9	^fThese amounts shall be from Child Care Development Funds.						
10							
11	(8) BEHAVIORAL HEALTH SERVICES						
12	(A) Administration						
13	Personal Services	4,527,215	1,214,878		305,206 ^a	804,054 ^b	2,203,077(I) ^c
14		4,511,035	1,198,698				
15		(57.8 FTE)					

		APPROPRIATION FROM					
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	(57.6 FTE)						
2	Operating Expenses	289,230	18,729		36,524 ^d	16,266 ^e	217,711(I) ^c
3	Indirect Cost Assessment	270,861			3,280 ^f		267,581(I) ^c
4	Federal Programs and Grants	2,307,608					2,307,608(I) ^c
5							(1.5 FTE)
6	Other Federal Grants	258,209					258,209(I) ^c
7		<u>7,653,123</u>					
8		7,636,943					
9							

10 ^a Of this amount, \$95,333 shall be from the Offender Mental Health Services Fund created in Section 27-66-104 (4) (a), C.R.S., \$95,221 shall be from patient revenues earned by the
 11 Mental Health Institutes, \$55,382 shall be from the Alcohol and Drug Abuse Community Prevention and Treatment Fund created in Section 24-75-1104.5 (1.5) (a) (VIII), C.R.S., \$27,423
 12 shall be from the Law Enforcement Assistance Fund pursuant to Section 43-4-402 (2), C.R.S., \$22,721 shall be from the Persistent Drunk Driver Cash Fund created in Section 42-3-303
 13 (1), C.R.S., \$5,719 shall be from the Controlled Substances Program Fund created in Section 27-80-206, C.R.S., and \$3,407 shall be from the Addiction Counselor Training Fund pursuant
 14 to Section 27-80-111 (2), C.R.S.

		APPROPRIATION FROM					
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Services for Indigent						
2	Mentally Ill Clients	39,825,825	33,430,347			161,909 ^a	6,233,569(I) ^b
3	Medications for Indigent						
4	Mentally Ill Clients	1,748,273	1,748,273				
5	School-based Mental Health						
6	Services	2,339,219	2,339,219				
7	Assertive Community						
8	Treatment Programs	1,316,208	658,104		658,104 ^c		
9	Alternatives to Inpatient						
10	Hospitalization at a Mental						
11	Health Institute	3,201,657	3,201,657				
12	Mental Health Services for						
13	Juvenile and Adult Offenders	3,297,476			3,297,476 ^d		
14		<u>51,728,658</u>					
15		49,389,439					

		APPROPRIATION FROM					
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1							
2	^a This amount shall be transferred from the Division of Vocational Rehabilitation.						
3	^b Of this amount, it is estimated that \$5,459,809 shall be from the Mental Health Services Block Grant and \$773,760 shall be from the Projects for Assistance in Transition from						
4	Homelessness (PATH) Grant.						
5	^c This amount shall be from local matching funds. The (L) notation and the (I) notation apply to this amount.						
6	^d This amount shall be from the Offender Mental Health Services Fund created in Section 27-66-104 (4) (a), C.R.S.						
7							
8	(2) Residential Treatment for						
9	Youth (H.B. 99-1116)	987,149	568,556		300,000 ^a	118,593 ^b	
10							
11	^a This amount shall be from the Tobacco Litigation Settlement Cash Fund created in Section 24-22-115 (1) (a), C.R.S., pursuant to Section 24-75-1104.5 (1) (k), C.R.S.						
12	^b This amount shall be from Medicaid funds transferred from the Department of Health Care Policy and Financing.						
13							
14		208,295,172					
15		205,939,773					

		APPROPRIATION FROM					
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1							
2	(9) SERVICES FOR PEOPLE WITH DISABILITIES						
3	(A) Community Services for People with Developmental Disabilities						
4	(1) Administration						
5	Personal Services	2,821,868	226,958			2,594,910 ^a	
6	(34.0 FTE)						
7	Operating Expenses	148,523				148,523 ^a	
8	Community and Contract						
9	Management System	137,480	41,244			96,236 ^a	
10	Support Level Administration	57,368				57,368 ^a	
11		<u>3,165,239</u>					
12							
13	^a These amounts shall be from Medicaid cash funds transferred from the Community Services for People with Developmental Disabilities, Administration line item in the Department						
14	of Health Care Policy and Financing.						
15							

		APPROPRIATION FROM					
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	(2) Program Costs ³⁰						
2	Adult Comprehensive						
3	Services for 4,471.2						
4	Medicaid Full Program						
5	Equivalents (FPE)	329,907,455					
6	Adult Supported Living						
7	Services for 692 General						
8	Fund FPE and 3,417.5						
9	Medicaid FPE	46,728,721					
10	Family Support Services	3,255,842					
11	Children's Extensive Support						
12	Services for 659 Medicaid						
13	FPE	13,201,051					
14	Case Management for 692						
15	General Fund and 8,547.7						
16	Medicaid FPE	25,717,760					

			APPROPRIATION FROM				
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Eligibility Determination and						
2	Waiting List Management	2,987,431					
3	Preventive Dental Hygiene ³¹	64,239					
4		421,862,499	16,484,491		30,802,357 ^a	374,575,651 ^b	
5							
6	^a Of this amount, \$30,798,715 shall be from client cash sources, and \$3,642 shall be from local funds. The (L) and (I) notation shall apply to \$3,642.						
7	^b This amount shall be from Medicaid funds transferred from the Community Services for People with Developmental Disabilities, Program Costs line item in the Department of Health						
8	Care Policy and Financing.						
9							
10	(3) Early Intervention Services³²						
11	Early Intervention Services	36,115,007	17,177,707		10,895,900(I)^r		8,041,400(I)^b
12							(6.5 FTE)
13	Early Intervention Services						
14	Case Management	7,315,534	2,733,049			4,582,485^c	
15		43,430,541					

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

1

~~2 "Of this amount, an estimated \$5,969,466 (L) shall be from local funds and \$4,926,434 shall be from the Early Intervention Services Trust Fund created in Section 27-10.5-709 (2) (a),~~
~~3 C.R.S. The \$4,926,434 is exempt from the restrictions on state spending imposed by Section 20 of Article X, of the State Constitution pursuant to Section 27-10.5-709 (2) (a), C.R.S.~~

~~^bThis amount reflects funds anticipated to be received pursuant to Part C of the federal Individuals with Disabilities Education Improvement Act.~~

~~This amount shall be from Medicaid funds transferred from the Community Services for People with Developmental Disabilities, Early Intervention Services line item in the Department of Health Care Policy and Financing.~~

7

8 ~~615,309,388~~

9 571,878.847

10

11 **TOTALS PART VII**

12	(HUMAN SERVICES)	\$2,163,229,846	\$696,785,662	\$338,613,036^a	\$517,852,655^b	\$609,978,493^c
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13	\$2,183,134.409	\$698,239,511	\$356,215,550 ^a	\$610,826,693 ^c
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14

15 ^a Of this amount, \$126,014,974 contains an (L) notation and \$226,061,001 contains an (I) notation.

		APPROPRIATION FROM					
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$

1 ^b Of this amount, \$1,330,200 contains an (I) notation.

2 ^c Of this amount, ~~\$273,402,352~~ \$274,250,552 contains an (I) notation.

3

4 **FOOTNOTES** -- The following statements are referenced to the numbered footnotes throughout section 2.

5

6 ~~32 Department of Human Services, Services for People with Disabilities, Community Services for People with Developmental Disabilities, Early Intervention~~
7 ~~Services -- It is the intent of the General Assembly that expenditures for these services be recorded only against the Long Bill group total for Early Intervention~~
8 ~~Services.~~

9

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	SECTION 29. Appropriation to the department of public health and environment for the fiscal year beginning July 1, 2013. In Senate Bill 13-230, section 2, amend						
2	Part XVI (9) (D) and the affected totals as follows:						
3	PART XVI						
4	DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT						
5							
6	(9) PREVENTION SERVICES DIVISION						
7	(D) Family and Community Health						
8	(1) Women's Health						
9	Family Planning Program						
10	Administration ⁵⁸	1,050,698	395,998				654,700(I)
11			(5.8 FTE)				(6.2 FTE)
12	Family Planning Purchase						
13	of Services ⁵⁸	4,932,026	1,223,326				3,708,700(I)
14	Family Planning Federal						
15	Grants	351,400					351,400(I)
16							(3.8 FTE)

			APPROPRIATION FROM				
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Health Care Program for						
2	Children with Special						
3	Needs	1,381,567	697,467(M)				684,100 ^a
4			(8.5 FTE)				(7.1 FTE)
5	Health Care Program for						
6	Children with Special						
7	Needs Purchase of Services	3,409,973	1,847,899(M)		40,874 ^b		1,521,200 ^a
8	Genetics Counseling						
9	Program Costs	1,654,417			1,654,417 ^c		
10					(1.0 FTE)		
11	School-based Health						
12	Centers ⁵⁹	5,260,817	5,260,817				
13			(2.9 FTE)				
14	Interagency Prevention						
15	Programs Coordination	133,284	133,284				
16			(2.0 FTE)				

			APPROPRIATION FROM				
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Federal Grants	1,108,700					1,108,700(I)
2							(9.0 FTE)
3	<hr/>	12,948,758					
4							
5	^a These amounts shall be from the Maternal and Child Health Block Grant.						
6	^b This amount shall be from client fees.						
7	^c This amount shall be from the Newborn Screening and Genetic Counseling Cash Fund created in Section 25-4-1006 (1), C.R.S.						
8							
9	(3) Injury, Suicide, and Violence Prevention						
10	Colorado Children's Trust						
11	Fund Personal Services	196,577			75,777*		120,800(I)
12					(1.5 FTE)		
13	Colorado Children's Trust						
14	Fund Operating Expenses	917,937			395,137*		522,800(I)
15	Tony Gramscas Youth						
16	Services Program	5,060,499	1,453,849		3,606,650 ^b		

		ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				FEDERAL FUNDS
				GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	
		\$	\$	\$	\$	\$	\$	\$
1						(3.0 FTE)		
2	Suicide Prevention	384,348		384,348				
3				(2.0 FTE)				
4	Injury Prevention	1,971,500						1,971,500(I)
5								(11.4 FTE)
6		<u>8,530,861</u>						
7		2,355,848						
8								
9	*These amounts shall be from the Colorado Children's Trust Fund created in Section 19-3.5-106 (1), C.R.S.							
10	^b This amount shall be from the Youth Services Program Fund created in Section 25-20.5-201 (2) (c), C.R.S., which is received as a damage award and, as such, does not constitute fiscal							
11	year spending for the purposes of Section 20 of Article X of the State Constitution.							
12								
13			237,303,151					
14			217,398,588					
15								
16	TOTALS PART XVI							

		APPROPRIATION FROM					
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	(PUBLIC HEALTH AND						
2	ENVIRONMENT)	\$527,884,495	\$38,985,158	\$438,300 ^a	\$166,674,257	\$29,677,710	\$292,109,070 ^b
3		\$507,979,932	\$37,531,309		\$149,071,743		\$291,260,870 ^b
4							

5 ^a This amount is not subject to the limitation on General Fund appropriations set forth in Section 24-75-201.1, C.R.S., and shall be General Fund Exempt pursuant to Section 24-22-117

6 (1) (c) (I) (B), C.R.S.

7 ^b Of this amount, ~~\$271,200,374~~ \$270,352,174 contains an (I) notation."

8

9 Renumber succeeding sections accordingly.

10

11 Page 1, line 101, strike "**PROGRAMS.**" and substitute "**PROGRAMS, AND, IN CONNECTION THEREWITH, MAKING AND REDUCING AN APPROPRIATION.**".

12

13

Appropriations After consideration on the merits, the Committee recommends that **HB13-1142** be referred to the Committee of the Whole with favorable recommendation.

Appropriations After consideration on the merits, the Committee recommends that **SB13-275** be referred to the Committee of the Whole with favorable recommendation.

Appropriations After consideration on the merits, the Committee recommends that **SB13-189** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 5, after line 1 insert:

"SECTION 5. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the moving outreach fund created in section 40-10.1-509, Colorado Revised Statutes, not otherwise appropriated, to the department of regulatory agencies, for the fiscal year beginning July 1, 2013, the sum of \$5,000, or so much thereof as may be necessary, for allocation to the executive director's office and administrative services for consumer outreach and education related to the implementation of this act."

Renumber succeeding section accordingly.

Page 1, line 102, strike "VIOLATIONS." and substitute "VIOLATIONS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION."

Appropriations After consideration on the merits, the Committee recommends that **HB13-1156** be referred to the Committee of the Whole with favorable recommendation.

SENATE SERVICES REPORT

Correctly Printed: SB13-278, 279, 280, 281 and 282; SJR13-029, 030, 031, 032, 033, and 034; SR004; SJM002 and 003.
Correctly Engrossed: SB13-207, 210,217, 218, 221,222, 224, 227, 241, 242 and 260.
Correctly Reengrossed: SB13-123, 214 and 229.
Correctly Revised: HB13-1006, 1071, 1101, 1110, 1119, 1135, 1152, 1167 and 1180.
Correctly Rerevised: HB13-1220, 1222, 1234 and 1236.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of Resolutions.

CONSIDERATION OF RESOLUTIONS

SJR13-022 by Senator(s) Tochtrop; also Representative(s) Ryden--Concerning the "Colorado Day of Remembrance of the Armenian Genocide" on April 24, 2013.

On motion of Senator Tochtrop, the resolution was read at length and adopted by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Co-sponsor(s) added: Aguilar, Balmer, Carroll, Crowder, Grantham, Guzman, Heath, Hill, Hodge, Hudak, Jahn, Johnston, Jones, Kerr, King, Lundberg, Marble, Morse, Newell, Nicholson, Roberts, Scheffel, Schwartz, Steadman, Todd and Ulibarri.

SJR13-023 by Senator(s) Tochtrop, Baumgardner, Newell, Schwartz; also Representative(s) Vigil, Fischer, Hullinghorst, Szabo--Concerning the installation of a replica khachkar and explanatory plaque in the renovated Armenian Garden on the capitol grounds.

On motion of Senator Tochtrop, the resolution was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Co-sponsor(s) added: Aguilar, Crowder, Giron, Guzman, Hodge, Hudak, Jahn, Johnston, Jones, Kerr, Morse, Nicholson, Steadman, Todd and Ulibarri.

**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:

SB13-217 by Senator(s) Hudak; also Representative(s) Pettersen--Concerning authorizing the state board of education to consider alternative education campuses in establishing the criteria for accreditation categories for each school district and the state charter school institute, 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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill

was **passed**.

Co-sponsor(s) added: Giron, Jahn, Kerr, Newell, Schwartz, Tochtrop and Todd.

SB13-221 by Senator(s) King, Guzman, Tochtrop; also Representative(s) Ryden, Sonnenberg, Williams--Concerning an application and review process for issuing tax credit certificates for a state income tax credit allowed for the donation of a perpetual conservation easement, 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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Cadman, Crowder, Grantham, Harvey, Jahn, Jones, Kefalas, Newell, Renfroe, Roberts, Scheffel and Todd.

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:

SB13-241 by Senator(s) Schwartz and Crowder, Nicholson, Ulibarri; also Representative(s) Coram and Fischer--Concerning the creation of a program in the department of agriculture to regulate industrial hemp production, and, in connection therewith, making an appropriation.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Brophy, Giron, Grantham, Guzman, Harvey, Heath, Hodge, Jones, Kefalas, Steadman, Tochtrop and Todd.

SB13-242 by Senator(s) Nicholson; also Representative(s) Primavera--Concerning dental services for adults in the medicaid program, and, in connection therewith, making and reducing an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	21	NO	14	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Giron, Guzman, Heath, Hodge, Hudak, Jones, Kefalas, Kerr, Morse, Newell, Schwartz, Steadman, Tochtrop, Todd and Ulibarri.

SB13-260 by Senator(s) Hudak and Steadman; also Representative(s) Hamner--Concerning the financing of public schools, and, in connection therewith, making and reducing an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	23	NO	12	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Carroll, Giron, Guzman, Heath, Jahn, Jones, Kefalas, Kerr, Morse, Newell, Nicholson, Schwartz, Tochtrop, Todd and Ulibarri.

SB13-227 by Senator(s) Carroll and Hudak, Aguilar, Cadman, Giron, Guzman, Harvey, Heath, Jahn, Jones, Kerr, King, Morse, Newell, Nicholson, Roberts, Schwartz, Todd, Ulibarri; also Representative(s) Landgraf, Buck, Gardner, Humphrey, Lebsock, Melton, Mitsch Bush, Navarro, Priola, Rankin, Saine, Schafer, Stephens, Vigil, Wilson, Young--Concerning methods to protect the victim of a sexual assault in cases where a child was conceived as a result of the sexual assault, 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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Brophy, Crowder, Grantham, Hodge, Kefalas, Lambert, Lundberg, Marble, Renfroe, Scheffel and Tochtrop.

SB13-207 by Senator(s) Giron; also Representative(s) Levy--Concerning the performance of auricular acudetox by trained mental health professionals, and, in connection therewith, making an appropriation.

A majority of those elected to the Senate having voted in the affirmative, Senator Kerr was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.003), by Senator Giron.

Amend engrossed bill, page 2, line 7, strike "THIS ARTICLE 43" and substitute "ARTICLE 43 OF THIS TITLE".

Page 4, line 1, strike "(I)" and substitute "(a)".

Page 4, line 2, strike "(II)" and substitute "(b)".

Page 4, line 3, strike "(III)" and substitute "(c)".

Page 4, line 4, strike "(IV)" and substitute "(d)".

Page 4, line 5, strike "(V)" and substitute "(e)".

The amendment was **passed** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	32	NO	3	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	Y	Harvey	N	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Carroll, Crowder, Guzman, Kefalas, Newell, Nicholson, Steadman and Todd.

SB13-210 by Senator(s) Giron; also Representative(s) Duran--Concerning employment conditions for correctional officers, 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	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Heath, Hodge, Jones, Kefalas, Morse, Newell, Schwartz, Steadman, Tochtrop and Todd.

SB13-224 by Senator(s) Kerr and Baumgardner; also Representative(s) Hamner and Wright, McLachlan--Concerning the creation of a "Protect Our Rivers" license plate for Colorado trout unlimited, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	26	NO	9	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	Y	Lambert	N	Steadman	N
Cadman	N	Hodge	N	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	N	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Guzman, Roberts, Schwartz, Tochtrop and Todd.

SB13-218 by Senator(s) Heath; also Representative(s) Young--Concerning workforce development for key industries in Colorado, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	22	NO	13	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Giron, Guzman, Hodge, Hudak, Jones, Kefalas, Kerr, Morse, Newell, Nicholson, Schwartz, Tochtrop and Todd.

SB13-222 by Senator(s) Aguilar, Newell, Nicholson; also Representative(s) Pabon, Kraft-Tharp, Levy, May, Melton, Peniston, Rosenthal, Salazar, Singer, Tyler--Concerning improving access to

childhood immunizations, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	24	NO	11	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Giron, Guzman, Heath, Hudak, Kefalas, Morse, Roberts, Schwartz and Ulibarri.

HB13-1135 by Representative(s) Singer, Court, Melton, Salazar; also Senator(s) Kerr--Concerning the ability of a person to preregister to vote if the person has reached sixteen years of age but will not be eighteen years of age by the date of the next election, and, in connection therewith, making an appropriation.

A majority of those elected to the Senate having voted in the affirmative, Senator Ker was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.014), by Senator Kerr.

Amend revised bill, page 7, strike lines 16 through 25 and substitute:

"SECTION 10. Act subject to petition - effective date. Section 4 of this act takes effect January 1, 2014, and the remainder of this act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 7, 2013, if adjournment sine die is on May 8, 2013); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2014 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor."

The amendment was **passed** on the following roll call vote:

YES	32	NO	3	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	N	Lambert	Y	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	20	NO	15	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Carroll, Giron, Guzman, Heath, Jones, Kefalas, Morse, Newell, Nicholson, Schwartz, Steadman, Tochtrop, Todd and Ulibarri.

HB13-1119 by Representative(s) Exum; also Senator(s) Kerr--Concerning placement of the word "veteran" for veterans with proper documentation on identity documents issued by the department of revenue, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	32	NO	3	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	Y	Lambert	Y	Steadman	N
Cadman	N	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Carroll, Crowder, Grantham, Guzman, Heath, Kefalas, King, Newell, Nicholson, Tochtrop and Todd.

HB13-1101 by Representative(s) Singer; also Senator(s) Tochtrop--Concerning progressive raffles, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	26	NO	9	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	Y	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	N	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	N	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

HB13-1071 by Representative(s) Holbert; also Senator(s) Tochtrop--Concerning the type of vehicle that qualifies to register as a collector vehicle, 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	2	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder and Nicholson.

HB13-1006 by Representative(s) Moreno and Exum, Peniston, Court, McCann, Primavera, Salazar, Schafer, Tyler, Williams; also Senator(s) Giron, Hodge, Ulibarri--Concerning requiring certain schools to offer breakfast to all students following the first bell.

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	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Carroll, Guzman, Heath, Jahn, Jones, Kefalas, Morse, Newell, Nicholson, Steadman, Tochtrop and Todd.

HB13-1167 by Representative(s) Pettersen and Duran; also Senator(s) Crowder--Concerning the collection of business information by the secretary of state, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	26	NO	9	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	Y	Kerr	Y	Scheffel	N
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Carroll, Giron, Hudak, Newell and Ulibarri.

HB13-1180 by Representative(s) Gerou, Duran, Levy; also Senator(s) Steadman, Hodge, Lambert--

Concerning the allocation of tobacco litigation settlement moneys that were originally to be allocated to the nurse home visitor program but are currently scheduled to be transferred to the general fund, and, in connection therewith, requiring such moneys to be allocated to the nurse home visitor program and the tobacco settlement defense account of the tobacco litigation settlement cash fund and making and reducing 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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Carroll, Giron, Guzman, Heath, Hudak, Jahn, Kefalas, Kerr, Newell, Nicholson, Todd and Ulibarri.

HB13-1110 by Representative(s) Fischer; also Senator(s) Jones--Concerning charges related to motor vehicles that travel on the public highways of the state, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	23	NO	12	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Heath and Schwartz.

HB13-1152 by Representative(s) Levy and Gerou, Duran; also Senator(s) Hodge, Steadman, Lambert--Concerning the general fund portion of the per diem rates paid to nursing facilities, and, in connection therewith, reducing an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	26	NO	9	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	Y	Lambert	Y	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

HB13-1046 by Representative(s) Williams; also Senator(s) Ulibarri--Concerning employer access to personal information through electronic communication devices, 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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was declared **passed**.

Co-sponsor(s) added: Aguilar, Carroll, Crowder, Giron, Guzman, Heath, Hudak, Jahn, Jones, Kefalas, Kerr, King, Morse, Newell, Nicholson, Steadman, Tochtrop and Todd.

MESSAGE FROM THE HOUSE

April 19, 2013

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1299, amended as printed in House Journal, April, page 1007.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; HB13-1136, amended as printed in House Journal, April 17, page 1008 1013, and amended on Third Reading as printed in House Journal, April 19.

MESSAGE FROM THE REVISOR OF STATUTES

April 19, 2013

We herewith transmit:

Without comment, as amended, HB13-1136.

With comment, as amended, HB13-1299.

Committee of the Whole On motion of Senator Newell, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills and Senator Newell was called to the Chair to act as Chairman.

GENERAL 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:

HB13-1191 by Representative(s) Fischer, Vigil; also Senator(s) Schwartz, Giron--Concerning grants for domestic wastewater treatment plants to comply with the water quality control commission's nutrients management control regulation, and, in connection therewith, making an appropriation.

Amendment No. 1, Agriculture, Natural Resources, and Energy Committee Amendment.
(Printed in Senate Journal, March 25, page(s) 565 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 12, page(s) 794 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

SB13-185 by Senator(s) Nicholson; also Representative(s) Primavera--Concerning expansion of the types of activities that are eligible for grants under the tobacco education, prevention, and cessation grant program.

Amendment No. 1(L.001), by Senator Nicholson.

Amend printed bill, page 2, strike line 3 and substitute "(1) (j); and **add** (1) (k) as follows:".

Page 2, strike lines 9 through 12.

Page 2, line 13, strike "OR ACTIVITIES".

Page 2, line 15, strike "burdens." and substitute "burdens; OR
(k) ACTIVITIES TO EXPAND SMOKE-FREE AREAS IN COMMUNITIES,
INCLUDING BUT NOT LIMITED TO ON CAMPUSES, AT WORK SITES, IN PUBLIC
OUTDOOR AREAS, AND IN MULTI-UNIT HOUSING.".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB13-1080 by Representative(s) Holbert and Kraft-Tharp, Priola, Lawrence, McNulty, Murray, Swalm; also Senator(s) Harvey and Jahn, Renfroe, Scheffel--Concerning modifications to the Colorado aircraft manufacturer new employee income tax credit.

Ordered revised and placed on the calendar for third reading and final passage.

HB13-1265 by Representative(s) Hullinghorst; also Senator(s) Heath--Concerning the income tax credit for business facility employees under the "Urban and Rural Enterprise Zone Act".

Ordered revised and placed on the calendar for third reading and final passage.

HB13-1272 by Representative(s) Hullinghorst; also Senator(s) Steadman--Concerning the modification of a special district's sales and use tax base to make it the same as the state's sales and use tax base.

Amendment No. 1(L.012), by Senator Steadman.

Amend reengrossed bill, page 2, strike lines 5 and 6 and substitute
"cultural facilities district have the same sales and use tax base as the state
with respect to tangible personal property, but the districts and the state
have different exemptions for several types of such property;".

As amended, ordered revised and placed on the calendar for third reading and final passage.

SB13-176	by Senator(s) Scheffel and Carroll, Baumgardner, Cadman, Grantham, Hudak, Lambert, Lundberg, Marble; also Representative(s) Everett and Williams, Buck, DelGrosso, Hamner, Holbert, Humphrey, Joshi, Kraft-Tharp, Landgraf, Lawrence, McNulty, Melton, Moreno, Murray, Nordberg, Rankin, Saine, Scott, Wilson, Wright--Concerning authorization for the state treasurer to invest state moneys in debt obligations backed by the full faith and credit of the state of Israel.	1 2 3 4 5 6 7
	Laid over until Monday, April 22, retaining its place on the calendar.	8 9
SB13-258	by Senator(s) Hodge; also Representative(s) Moreno--Concerning a clarification that each application included in the definition of development permit constitutes a stage in the development permit approval process.	10 11 12 13 14
	<u>Amendment No. 1, Local Government Committee Amendment.</u> (Printed in Senate Journal, April 17, page(s) 863 and placed in members' bill files.)	15 16 17
	As amended, ordered engrossed and placed on the calendar for third reading and final passage.	18 19 20
HB13-1225	by Representative(s) Levy, Fischer; also Senator(s) Kefalas and Nicholson--Concerning additional protections for homeowner's insurance policyholders in Colorado, and, in connection therewith, enacting the "Homeowner's Insurance Reform Act of 2013".	21 22 23 24 25
	<u>Amendment No. 1, Local Government Committee Amendment.</u> (Printed in Senate Journal, April 17, page(s) 863-864 and placed in members' bill files.)	26 27 28
	<u>Amendment No. 2(L.011), by Senators Kefalas and Nicholson.</u>	29
	Amend reengrossed bill, page 8, line 16, strike "FOR A DWELLING".	30
	Page 9, line 2, strike "FOR A DWELLING".	31
	As amended, ordered revised and placed on the calendar for third reading and final passage.	32 33 34 35
	<hr/>	36
	Call of the Senate.	37
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	On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for an expression of personal privilege.	39 40 41 42
	Call raised.	43
	<hr/>	44
ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE		45
	On motion of Senator Newell, the report of the Committee of the Whole was adopted on the following roll call vote:	46 47 48 49 50
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YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB13-185 as amended, SB13-258 as amended, HB13-1191 as amended, HB13-1080, HB13-1265, HB13-1272 as amended, HB13-1225 as amended.
Laid over until Monday, April 22: SB13-176.

CONSIDERATION OF RESOLUTIONS

SR13-003 by Senator(s) Carroll; --Concerning the creation of a Senate committee of reference for the implementation of amendment 64.

Laid over until May 9, retaining its place on the calendar.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Consideration of Resolutions Calendar (HJR13-1004, SJR13-030, SJR13-034, SR13-004) of Friday, April 19 was laid over until Monday, April 22, retaining its place on the calendar.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for consideration of Conference Committee Reports.

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

HB13-1204 by Representative(s) Gardner; also Senator(s) Ulibarri--Concerning the "Uniform Premarital and Marital Agreements Act".

Senator Ulibarri moved for the adoption of the first report of the first conference committee on **HB13-1204**, as printed in Senate journal, April 5, page(s) 665-666. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	24	NO	11	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	Y	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

HB13-1081 by Representative(s) Duran, Buckner, Fields, Hamner, Kagan, McCann, Moreno; also Senator(s) Todd--Concerning human sexuality education.

Senator Todd moved for the adoption of the first report of the first conference committee on **HB13-1081**, as printed in Senate journal, March 18, page(s) 524-525. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	20	NO	15	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Friday, April 19 was laid over until Monday, April 22, retaining its place on the calendar.

Consideration of Memorials: SJM13-003.

INTRODUCTION OF BILLS -- FIRST READING

The following bill was read by title and referred to the committee indicated:

HB13-1136 by Representative(s) Levy and Salazar, Buckner, Court, Duran, Exum, Fields, Fischer, Garcia, Ginal, Hullinghorst, Kagan, Labuda, Lebsock, McCann, Melton, Mitsch Bush, Moreno, Peniston, Pettersen, Primavera, Ryden, Schafer, Singer, Tyler, Vigil, Williams, Ferrandino, Foote, Pabon, Rosenthal; also Senator(s) Carroll and Guzman, Aguilar, Giron, Hodge, Hudak, Jones, Kefalas, Morse, Newell, Nicholson, Steadman, Tochtrop, Todd, Ulibarri, Heath, Johnston, Schwartz--Concerning the creation of remedies in employment discrimination cases brought under state law.
Judiciary

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB13-1022, 1025, 1074, 1205, 1258.

On motion of Majority Leader Carroll, the Senate adjourned until 10:00 a.m., Monday, April 22, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

104th Legislative Day	Monday, April 22, 2013
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Prayer	By the chaplain, Father Eustace Sequeira, Regis University Jesuit Community, Denver.
Call to Order	By the President at 10:00 a.m.
Pledge	By Senator Kefalas.
Roll Call	Present--33 Excused--2, Hudak, Schwartz. Present later--2, Hudak, Schwartz.
Quorum	The President announced a quorum present.
Reading of Journal	On motion of Senator Balmer, reading of the Journal of Friday, April 19, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Engrossed: SB13-185 and 258; SJR13-002 and 003.
Correctly Reengrossed: SB13-207, 210, 217, 218, 221, 222, 224, 227, 241, 242 and 260.
Correctly Revised: HB13-1080, 1191, 1225, 1265 and 1272.
Correctly Rerevised: HB13-1006, 1046, 1071, 1101, 1110, 1119, 1135, 1152, 1167 and 1180.

MESSAGE FROM THE HOUSE

April 19, 2013

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1287.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1238, amended as printed in House Journal, April 17, pages 1013-1014.
HB13-1003, amended as printed in House Journal, April 17, pages 1014-1015.
HB13-1293, amended as printed in House Journal, April 17, page 1016.
HB13-1214, amended as printed in House Journal, April 17, page 1050.
HB13-1004, amended as printed in House Journal, April 17, page 1050.
HB13-1240, amended as printed in House Journal, April 17, page1050.
HB13-1245, amended as printed in House Journal, April 17, pages 1050-1051.
HB13-1254, amended as printed in House Journal, April 17, pages 1057-1058.
HB13-1257, amended as printed in House Journal, April 17, page 1058.
HB13-1271, amended as printed in House Journal, April 17, pages 1058-1059.
HB13-1277, amended as printed in House Journal, April 17, page 1059.
HB13-1278, amended as printed in House Journal, April 17, pages 1059-1060.
HB13-1285, amended as printed in House Journal, April 17, page 1060.
HB13-1303, amended as printed in House Journal, April 17, pages 1064-1066.
HB13-1296, amended as printed in House Journal, April 17, page 1066,
and amended on Third Reading as printed in House Journal, April 19.
HB13-1255, amended as printed in House Journal, April 17, pages 1066-1067,

and amended on Third Reading as printed in House Journal, April 19.
HB13-1273, amended as printed in House Journal, April 17, pages 1067-1069.
HB13-1286, amended as printed in House Journal, April 17, page 1069.
HB13-1301, amended as printed in House Journal, April 17, page 1069.

The House has passed on Third Reading and transmitted to the Revisor of Statutes;
SB13-025, amended as printed in House Journal, April 17, pages 1015-1016.

MESSAGE FROM THE REVISOR OF STATUTES

April 19, 2013

We herewith transmit:

Without comment, HB13-1287.
Without comment, as amended, HB13-1003, 1004, 1214, 1238, 1240, 1245, 1254, 1255,
1257, 1271, 1273, 1277, 1278, 1285, 1286, 1293, 1296, 1301, and 1303.
Without comment, as amended, SB13-025.

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

- SB13-283

by Senator(s) Jahn and Baumgardner, Schwartz, Carroll, Grantham, Kerr, Newell, Todd, Ulibarri; --Concerning implementation of amendment 64.
Business, Labor, & Technology
- HB13-1003

by Representative(s) Lee and Garcia, Tyler; also Senator(s) Heath--Concerning the creation of an economic gardening pilot project in the Colorado office of economic development, and, in connection therewith, making an appropriation.
Business, Labor, & Technology
- HB13-1004

by Representative(s) Duran and Melton; also Senator(s) Kerr--Concerning the Colorado Careers Act of 2013, and, in connection therewith, establishing a transitional jobs program and making an appropriation.
Business, Labor, & Technology
- HB13-1238

by Representative(s) McCann; also Senator(s) Newell--Concerning funding issues related to medical marijuana.
Finance
- HB13-1240

by Representative(s) Young; also Senator(s) King--Concerning penalties for persistent drunk drivers, and, in connection therewith, making an appropriation.
Transportation
- HB13-1254

by Representative(s) Lee, Buck, Buckner, Court, Duran, Exum, Fischer, Foote, Ginal, Hamner, Hullinghorst, Kagan, Kraft-Tharp, Labuda, Lebsock, Levy, May, McCann, McLachlan, Melton, Mitsch Bush, Moreno, Pabon, Peniston, Pettersen, Primavera, Rosenthal, Ryden, Salazar, Schafer, Singer, Tyler, Vigil, Williams, Young; also Senator(s) Newell--Concerning restorative justice, and, in connection therewith, making an appropriation.
Judiciary
- HB13-1257

by Representative(s) Hamner; also Senator(s) Todd--Concerning working collaboratively with educators to develop a distinctive local-level personnel evaluation system for educators, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

- HB13-1271** by Representative(s) Singer and May, Ferrandino, Hullinghorst, McCann; also Senator(s) Newell and Nicholson--Concerning methods to respond to initial contacts made to a child abuse reporting hotline system, and, in connection therewith, authorizing the state board of human services to adopt rules governing the hotline system, providing consistent practices in response to contacts and to reports of known or suspected child abuse or neglect, and making an appropriation.
Health & Human Services
- HB13-1277** by Representative(s) Williams; also Senator(s) Carroll and Todd--Concerning the regulation of persons who manage the affairs of common interest communities under the "Colorado Common Interest Ownership Act".
Local Government
- HB13-1282** by Representative(s) Gerou, Duran, Levy; also Senator(s) Lambert, Hodge, Steadman--Concerning the repayment of certain moneys transferred by the governor to the disaster emergency fund.
State, Veterans, & Military Affairs
- HB13-1287** by Representative(s) Primavera and DelGrosso; also Senator(s) Scheffel and Heath--Concerning an extension of the income tax years for which the Colorado job growth incentive tax credit is available.
Business, Labor, & Technology
- HB13-1299** by Representative(s) Ferrandino; also Senator(s) Steadman--Concerning changes to the "State Measurement for Accountable, Responsive, and Transparent (SMART) Government Act" of 2010.
State, Veterans, & Military Affairs
- HB13-1303** by Representative(s) Hullinghorst and Pabon, Buckner; also Senator(s) Giron--Concerning measures to strengthen the participation of individuals in the electoral process, and, in connection therewith, reducing the minimum durational requirement for an elector to qualify as a state resident, allowing electors to register to vote through election day, repealing the category of voter inactivity triggered by an elector's failure to vote, requiring mail ballots to be sent to active electors for elections conducted under the "Uniform Election Code of 1992", replacing polling places with voter service and polling centers and ballot drop-off locations for mail ballot elections, and making an appropriation.
State, Veterans, & Military Affairs

On motion of Majority Leader Carroll, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, SB13-262, HB13-1200, HB13-1235, SB13-254, SB13-228 were made Special Orders at 10:18 a.m.

Committee of the Whole The hour of 10:18 a.m. having arrived, Senator Todd moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders -- Second Reading of Bills Consent Calendar, and Senator Todd was called to the Chair to act as Chairman.

SPECIAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

The Committee of the Whole having risen, the Chairman reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

- SB13-262** by Senator(s) Tochtrop, Baumgardner; also Representative(s) Primavera, DelGrosso, Ryden--Concerning the exemption of representative services of enrolled agents from the definition of debt management services.

Amendment No. 1, Business, Labor & Technology Committee Amendment.

(Printed in Senate Journal, April 18, page(s) 867 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB13-1200 by Representative(s) Gardner; also Senator(s) Roberts--Concerning the "Uniform Deployed Parents Custody and Visitation Act".

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, April 18, page(s) 871-873 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB13-1235 by Representative(s) Szabo, Fischer, Vigil; also Senator(s) Baumgardner, Giron, Schwartz--Concerning requirements related to the valuation of real property prior to a state agency entering into contracts related to such real property.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, April 18, page(s) 878 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

SB13-254 by Senator(s) Jones; also Representative(s) Tyler, Levy--Concerning an expansion of the utility cost-savings measures law to allow a governmental entity to enter into a vehicle fleet maintenance and fuel cost-savings contract.

Amendment No. 1, Agriculture, Natural Resources, and Energy Committee Amendment.
(Printed in Senate Journal, April 18, page(s) 878 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB13-228 by Senator(s) Aguilar, Tochtrop; also Representative(s) Kraft-Tharp--Concerning deceptive trade practices related to the dispensing of hearing aids.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, April 19, page(s) 915-916 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Todd, 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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB13-262 as amended, SB13-254 as amended, SB13-228 as amended, HB13-1200 as amended, HB13-1235 as amended.

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:

HB13-1191 by Representative(s) Fischer, Vigil; also Senator(s) Schwartz, Giron--Concerning grants for domestic wastewater treatment plants to comply with the water quality control commission's nutrients management control regulation, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	23	NO	12	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Heath, Hudak, Jones, King, Newell, Nicholson, Roberts, Steadman and Todd.

SB13-185 by Senator(s) Nicholson; also Representative(s) Primavera--Concerning expansion of the types of activities that are eligible for grants under the tobacco education, prevention, and cessation grant program.

Laid over until Tuesday, April 23, retaining its place on the calendar.

HB13-1080 by Representative(s) Holbert and Kraft-Tharp, Priola, Lawrence, McNulty, Murray, Swalm; also Senator(s) Harvey and Jahn, Renfroe, Scheffel--Concerning modifications to the Colorado aircraft manufacturer new employee income tax credit.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	33	NO	2	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	N	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Hodge, King, Lambert, Newell, Todd and Ulibarri.

HB13-1265 by Representative(s) Hullinghorst; also Senator(s) Heath--Concerning the income tax credit for business facility employees under the "Urban and Rural Enterprise Zone Act".

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	23	NO	12	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Guzman, Jones, Newell, Schwartz and Todd.

HB13-1272 by Representative(s) Hullinghorst; also Senator(s) Steadman--Concerning the modification of a special district's sales and use tax base to make it the same as the state's sales and use tax base.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	19	NO	16	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	N	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Heath.

SB13-258 by Senator(s) Hodge; also Representative(s) Moreno--Concerning a clarification that each application included in the definition of development permit constitutes a stage in the development permit approval process.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	30	NO	5	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	N
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	N	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	N	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	N	President	Y
Grantham	Y	Jones	N	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Tochtrop.

HB13-1225 by Representative(s) Levy, Fischer; also Senator(s) Kefalas and Nicholson--Concerning additional protections for homeowner's insurance policyholders in Colorado, and, in connection therewith, enacting the "Homeowner's Insurance Reform Act of 2013".

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	27	NO	8	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	Y	Kerr	Y	Scheffel	N
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Carroll, Giron, Guzman, Hudak, Jones, Morse, Newell, Schwartz, Steadman, Tochtrop, Todd and Ulibarri.

RECONSIDERATION OF HB13-1272

HB13-1272 by Representative(s) Hullinghorst; also Senator(s) Steadman--Concerning the modification of a special district's sales and use tax base to make it the same as the state's sales and use tax base.

Having voted on the prevailing side, Majority Leader Carroll moved for reconsideration of the last Senate action, Third Reading of Bills -- Final Passage, on HB13-1272.

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

On third reading, the title of the following bill was publicly read, the reading at length having been dispensed with by unanimous consent:

HB13-1272 by Representative(s) Hullinghorst; also Senator(s) Steadman--Concerning the modification of a special district's sales and use tax base to make it the same as the state's sales and use tax base.

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	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Jones

Committee of the Whole On motion of Senator Todd, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Todd was called to the chair to act as Chairman.

GENERAL 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:

SB13-176 by Senator(s) Scheffel and Carroll, Baumgardner, Cadman, Grantham, Hudak, Lambert, Lundberg, Marble; also Representative(s) Everett and Williams, Buck, DelGrosso, Hamner, Holbert, Humphrey, Joshi, Kraft-Sharp, Landgraf, Lawrence, McNulty, Melton, Moreno, Murray, Nordberg, Rankin, Saine, Scott, Wilson, Wright--Concerning authorization for the state treasurer to invest state moneys in debt obligations backed by the full faith and credit of the state of Israel.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, April 17, page(s) 862 and placed in members' bill files.)

Amendment No. 2(L.004), by Senator Scheffel.

Amend the Finance Committee Report, dated April 16, 2013, page 1, line 8, strike ""THE STATE OF ISRAEL."" and substitute ""ISRAEL."".

Page 1, line 9, strike ""A STATE WHOSE BONDS" and substitute ""ISRAEL THAT".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB13-253 by Senator(s) Steadman; also Representative(s) Levy--Concerning a deferred judgment for a drug offense when there is a violation of the deferred judgment.

Laid over until Tuesday, April 23, retaining its place on the calendar.

SB13-239 by Senator(s) Ulibarri, Guzman; also Representative(s) Salazar--Concerning avoiding potential conflicts of interest in the provision of services to a person on probation.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, April 18, page(s) 871, was **lost**.)

Amendment No. 2(L.002), by Senator Ulibarri.

Amend printed bill, page 2, line 16, before "CORPORATION" insert "FOR-PROFIT".

Page 2, line 18, after "INCLUDE" insert "PRIVATE NONPROFIT CRIMINAL JUSTICE PROVIDERS,".

As amended, **lost** on second reading.

HB13-1130 by Representative(s) Sonnenberg and Fischer; also Senator(s) Todd and Baumgardner--Concerning extended operation of interruptible water supply agreements.

Amendment No. 1, Agriculture, Natural Resources, and Energy Committee Amendment.
(Printed in Senate Journal, April 18, page(s) 879-881 and placed in members' bill files.)

Amendment No. 2(L.008), by Senator Todd.

Amend the Agriculture, Natural Resources, and Energy Committee Report, dated April 17, 2013, page 4, line 9, after "(6)" insert "(a) (I)".

Page 4, line 12, strike "IF:" and substitute "IF THE AGREEMENT MEETS ALL OF THE REQUIREMENTS OF THIS SUBSECTION (6).".

Page 4, line 13, strike "(a) (I)" and substitute "(II)".

Page 4, after line 14 insert "Page 3 of the reengrossed bill, line 18, strike "(II)" and substitute "(III)".".

As amended, ordered revised and placed on the calendar for third reading and final passage.

SB13-256 by Senator(s) Hill, Johnston; also Representative(s) Nordberg, Moreno--Concerning authorization for any county or city and county to elect to use an alternate property tax valuation protest and appeal procedure previously created for the city and county of Denver.

Lost on second reading.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Todd, 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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB13-176 as amended, HB13-1130 as amended.
Lost on second reading: SB13-239 as amended, SB13-256.
Laid over until Tuesday, April 23: SB13-253.

MESSAGE FROM THE HOUSE

April 22, 2013

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1304.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1290, amended as printed in House Journal, April 19, page 1100.
HB13-1291, amended as printed in House Journal, April 19, page 1109.
HB13-1305, amended as printed in House Journal, April 19, pages 1109-1110.
HB13-1292, amended as printed in House Journal, April 19, page 1114.

The House has adopted and transmits herewith HJR13-1029.

On motion of Majority Leader Carroll, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, the Consideration of Governor's Appointment Consent Calendars for Monday, April 22 and Tuesday, April 23, including appointments to the State Board of Health, the Hospital Provider Fee Oversight and Advisory Board, the Mined Land Reclamation Board, the Colorado Wildlife Habitat Stamp Committee, the Coal Mine Board of Examiners, the Colorado Commission on Higher Education, and the Colorado Children's Trust Fund Board, were made Special Orders at 11:28 a.m.

SPECIAL ORDERS -- CONSIDERATION OF GOVERNOR'S APPOINTMENTS --
CONSENT CALENDAR

The hour of 11:28 a.m. having arrived, on motion of Majority Leader Carroll, the following Governor's appointments were confirmed by the following roll call vote:

MEMBERS OF THE
STATE BOARD OF HEALTH

for a term expiring March 1, 2015:

Rick L. Brown of Lakewood, Colorado, a resident of the 7th Congressional District and an Unaffiliated, and occasioned by the relocation of Christopher Scott Stanley from the 7th Congressional District, appointed;

for terms expiring March 1, 2017:

Christopher Scott Stanley of Denver, Colorado, a resident of the 1st Congressional District and a Republican, reappointed;

Gary Lynn Teague of Fort Morgan, Colorado, a resident of the 4th Congressional District and an Unaffiliated, appointed;

Betty B. McLain of Colorado Springs, Colorado, a resident of the 5th Congressional District and a Republican, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

MEMBER OF THE
HOSPITAL PROVIDER FEE OVERSIGHT AND ADVISORY BOARD

effective immediately for a term expiring May 15, 2016:

George Montgomery O'Brien of Pueblo, Colorado, a person with a disability, who is living with a disability, and who is not a representative or an employee of a hospital, health insurance carrier, or other health care industry entity, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

MEMBERS OF THE
MINED LAND RECLAMATION BOARD

effective March 1, 2013 for terms expiring March 1, 2017:

Forrest Von Luke of Craig, Colorado, an individual with substantial experience in the mining industry, appointed;

Jill Heeringa Van Noord of Boulder, Colorado, an individual with substantial experience in conservation, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

MEMBERS OF THE
COLORADO WILDLIFE HABITAT STAMP COMMITTEE

for terms expiring December 31, 2014:

Luke B. Schafer of Craig, Colorado, to serve as a representative of national or regionally recognized conservation organizations whose missions are focused on nongame wildlife and whose membership is composed primarily of nongame wildlife users, and occasioned by the resignation of Michelle Zimmerman of Denver, Colorado, appointed;

Daniel J. Larkin of Salida, Colorado, a sportsperson, reappointed.

for terms expiring December 31, 2016:

Don O. Cook of Craig, Colorado, a landowner actively engaged in agriculture, reappointed;

John H. Thatcher of Pueblo, Colorado, a landowner actively engaged in agriculture, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

MEMBERS OF THE
COAL MINE BOARD OF EXAMINERS

for terms expiring July 1, 2016:

Richard Clair Chermak of Hotchkiss, Colorado, to serve as a coal miner of known experience and practice in underground coal mining residing in the State of Colorado and actively engaged in the coal mining industry during the term of office, reappointed;

Justin Kenneth Evans of Crawford, Colorado, to serve as a Colorado mine owner, operator, manager or other mine official actively engaged in the underground coal mining industry during the term of office, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

MEMBER OF THE
COLORADO COMMISSION ON HIGHER EDUCATION

for a term expiring July 1, 2017:

Luis Alberto Colon of Lone Tree, Colorado, a resident of the 4th Congressional District and a Republican, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

MEMBER OF THE
HOSPITAL PROVIDER FEE OVERSIGHT
AND ADVISORY BOARD

for a term expiring May 15, 2016:

Peggy Jordan Burnette of Denver, Colorado, an employee of a hospital in Colorado, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

MEMBERS OF THE
COLORADO CHILDREN'S TRUST FUND BOARD

for terms expiring November 7, 2015:

Laura Jean Hazen of Centennial, Colorado, to serve as a member with knowledge of child abuse prevention, appointed;

Beth Ann Klein of Erie, Colorado, to serve as a member with knowledge of child abuse prevention, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

HJR13-1029 by Representative(s) Moreno; also Senator(s) Johnston--Concerning recognition of the Daniels Fund for its years of community service.

On motion of Senator Johnston, the resolution was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Co-sponsor(s) added: Aguilar, Balmer, Baumgardner, Brophy, Cadman, Carroll, Crowder, Giron, Grantham, Guzman, Harvey, Heath, Hill, Hodge, Hudak, Jahn, Jones, Kefalas, Kerr, King, Lambert, Lundberg, Marble, Morse, Newell, Nicholson, Renfroe, Roberts, Scheffel, Schwartz, Steadman, Tochtrop, Todd and Ulibarri.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Monday, April 22 was laid over until Tuesday, April 23, retaining its place on the calendar.

Consideration of Resolutions: HJR13-1004, SJR13-030, SJR13-034, SR13-004.
Consideration of Memorials: SJM13-003.

Senate in recess.Senate reconvened.

COMMITTEE OF REFERENCE REPORTS

Business,After consideration on the merits, the Committee recommends that SB13-211 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable Technologyrecommendation.

Amend printed bill, page 2, strike lines 5 through 13 and substitute "insurance policies. (3) (a) No AN insurer shall NOT cancel or refuse to renew a policy of homeowner's insurance unless such THE insurer mails by first-class mail to the named insured BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, at the last address shown in the insurer's records, at least thirty days in advance, a notice of its intended action pursuant to section 10-4-110 that specifically states the reasons for proposing to take such THE action. pursuant to section 10-4-110, except that, where cancellation is for nonpayment of premium, at least ten days' notice of cancellation accompanied by the reasons therefor shall be given.
(b) AN INSURER SHALL NOT REFUSE TO RENEW A POLICY OF HOMEOWNER'S INSURANCE UNLESS THE INSURER MAILES BY FIRST-CLASS MAIL TO THE NAMED INSURED, AT THE LAST ADDRESS SHOWN IN THE INSURER'S RECORDS, AT LEAST THIRTY DAYS IN ADVANCE, A NOTICE OF ITS INTENDED ACTION.
(c) THE INSURER NEED MAKE ONLY ONE ATTEMPT TO SEND THE NOTICE REQUIRED UNDER PARAGRAPH (a) OR (b) OF THIS SUBSECTION (3). IF THE NOTICE IS SENT TO THE CORRECT ADDRESS, AS SHOWN IN THE INSURER'S RECORDS, THE INSURER HAS FULFILLED ITS OBLIGATIONS UNDER THIS SUBSECTION (3) REGARDLESS OF WHETHER A RETURN RECEIPT IS OBTAINED OR THE NOTICE IS RETURNED AS UNDELIVERABLE."

Business,After consideration on the merits, the Committee recommends that HB13-1193 be amended as follows, and as so amended, be referred to the Committee on Appropriations Technologywith favorable recommendation.

Amend reengrossed bill, page 6, strike lines 3 and 4 and substitute:
"(e) THE OFFICE SHALL NOT REIMBURSE A BUSINESS UNDER THIS SUBSECTION (4) FOR ANY EXPENSE THAT A STATE AGENCY WOULD BE PROHIBITED UNDER STATE LAW TO REIMBURSE AN EMPLOYEE FOR."
Reletter succeeding paragraphs accordingly.
Page 10, line 3, strike "(1) Except".
Page 10, line 4, strike "as set forth in subsection (2) of this section, this" and substitute "This".
Page 10, strike lines 14 through 17.

State,After consideration on the merits, the Committee recommends that SB13-263 be referred to the Committee of the Whole with favorable recommendation and with a Veterans, & recommendation that it be placed on the Consent Calendar. Military Affairs

State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that SB13-282 be referred to the Committee of the Whole with favorable recommendation.	1 2 3 4 5 6
State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that SB13-268 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation. Amend printed bill, page 4, line 20, strike "24-75-1304" and substitute "24-75-1304". Page 4, strike line 21.	7 8 9 10 11 12 13 14 15 16 17
State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that SB13-274 be postponed indefinitely .	18 19 20 21 22 23
State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that HB13-1206 be referred to the Committee of the Whole with favorable recommendation.	24 25 26 27 28 29
State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that HB13-1267 be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	30 31 32 33 34 35
Judiciary	The Committee on <u>Judiciary</u> has had under consideration and has had a hearing on the following appointment and recommends that the appointment be confirmed: MEMBER OF THE STATE BOARD OF PAROLE effective July 1, 2013, for a term expiring July 1, 2017: Rebecca Lynn Oakes of Denver, Colorado, to serve as a citizen member, reappointed.	36 37 38 39 40 41 42 43 44 45 46 47
Judiciary	After consideration on the merits, the Committee recommends that HB13-1114 be postponed indefinitely .	48 49 50 51
Judiciary	After consideration on the merits, the Committee recommends that HB13-1136 be referred to the Committee of the Whole with favorable recommendation.	52 53 54 55 56 57
<hr/> MESSAGE FROM THE HOUSE		58
April 22, 2013		59 60
Mr. President:		61 62 63
The House has passed on Third Reading and returns herewith SB13-195, 178, 167, 188, 226, 220, 014, 120, 129, 150, 156, 159, 171,172.		64 65 66
The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB13-083, amended as printed in House Journal, April 19, pages 1101-1102. SB13-183, amended as printed in House Journal, April 19, page 1107.		67 68 69

SB13-212, amended as printed in House Journal, April 19, page 1106.
SB13-174, amended as printed in House Journal, April 19, page 1107.
SB13-179, amended as printed in House Journal, April 19, pages 1107-1108.
SB13-050, amended as printed in House Journal, April 19, page 1109.
SB13-004, amended as printed in House Journal, April 19, page 1110.
SB13-026, amended as printed in House Journal, April 19, page 1110.
SB13-039, amended as printed in House Journal, April 19, page 1110.
SB13-138, amended as printed in House Journal, April 19, page 1111.
SB13-146, amended as printed in House Journal, April 19, page 1111.
SB13-151, amended as printed in House Journal, April 19, page 1112.
SB13-154, amended as printed in House Journal, April 19, page 1112.
SB13-155, amended as printed in House Journal, April 19, page 1112.
SB13-161, amended as printed in House Journal, April 19, page 1113.
SB13-007, amended as printed in House Journal, April 19, pages 1114-1115.

The House has passed on Third Reading and transmitted to the Revisor of Statutes;
SB13-197, amended as printed in House Journal, April 19, pages 1102-1106,
and amended on Third Reading as printed in House Journal, April 22.
SB13-175, amended as printed in House Journal, April 19, pages 1113-1114,
and amended on Third Reading as printed in House Journal, April 22.

The House has voted to concur in the Senate amendments to HB13-1036, 1233, 1234,
1236, 1046, 1110, 1119, 1135, 1180 and has repassed the bills as so amended.

MESSAGE FROM THE REVISOR OF STATUTES

April 22, 2013

We herewith transmit:

Without comment, HB13-1304.
Without comment, as amended, HB13-1290, 1291, 1292, and 1305.
Without comment, as amended, SB13-004, 007, 026, 039, 050, 083, 138, 146, 151, 154,
155, 161, 174, 175, 179, 183, 197, and 212.

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

- HB13-1214

by Representative(s) Waller; also Senator(s) Morse--Concerning the classification of certain drunk driving offenses as felonies, and, in connection therewith, making an appropriation.
Finance
- HB13-1245

by Representative(s) McCann; also Senator(s) Steadman--Concerning funding mechanisms for the Colorado health benefit exchange.
Health & Human Services
- HB13-1273

by Representative(s) Fischer, Foote, Ginal, Hullinghorst, Lebsock, Levy, May, Pabon, Primavera, Ryden, Singer; also Senator(s) Kefalas, Jones--Concerning additional financial resources for local governments to address impacts caused by new oil and gas development, and, in connection therewith, making an appropriation.
Local Government

- HB13-1278** by Representative(s) Mitsch Bush; also Senator(s) Todd and Jahn--Concerning the reporting of oil spills, and, in connection therewith, making an appropriation.
Transportation
- HB13-1285** by Representative(s) Williams and Salazar; also Senator(s) Giron and Ulibarri--Concerning the commission of a study to determine whether disparities involving certain historically underutilized businesses exist within the state procurement process, and, in connection therewith, requiring the report setting forth the findings of such study to include recommendations to improve equity in the state procurement process if disparities are found and making an appropriation.
Business, Labor, & Technology
- HB13-1286** by Representative(s) Williams, Ryden; also Senator(s) Tochtrop, Guzman, King--Concerning the suspension of recovery audits of state agencies until the data needed to conduct the audits is included in a modernized Colorado financial reporting system, and, in connection therewith, reducing an appropriation.
Business, Labor, & Technology
- HB13-1290** by Representative(s) McCann; also Senator(s) Aguilar--Concerning the regulation of stop-loss health insurance used in conjunction with self-insured health care coverage in employer benefit plans.
Health & Human Services
- HB13-1291** by Representative(s) Duran; also Senator(s) Kefalas--Concerning early childhood programs in Colorado, and, in connection therewith, expanding the capacity and improving the quality of the programs through the creation of the Colorado infant and toddler quality and availability grant program and making an appropriation.
Health & Human Services
- HB13-1292** by Representative(s) Lee and Pabon, Buckner, Court, Duran, Exum, Ferrandino, Fields, Fischer, Foote, Garcia, Ginal, Hamner, Hullinghorst, Kagan, Kraft-Tharp, Labuda, Lebsock, Levy, May, McCann, McLachlan, Melton, Mitsch Bush, Moreno, Peniston, Pettersen, Primavera, Rosenthal, Ryden, Salazar, Schafer, Singer, Tyler, Vigil, Williams, Young; also Senator(s) Kerr and Nicholson, Aguilar, Carroll, Giron, Guzman, Heath, Hodge, Hudak, Jahn, Johnston, Jones, Kefalas, Morse, Newell, Schwartz, Steadman, Tochtrop, Todd, Ulibarri--Concerning modifications to procurement requirements for government contracts related to United States domestic employment, and, in connection therewith, making an appropriation.
Finance
- HB13-1293** by Representative(s) Rosenthal, Foote, Melton, Tyler; also Senator(s) Heath--Concerning the creation of a position by the governor for climate change matters.
Transportation
- HB13-1296** by Representative(s) McCann and Kraft-Tharp; also Senator(s) Newell--Concerning civil commitment statutes, and, in connection therewith, creating the civil commitment statute review task force and redefining certain terms related to civil commitment.
Finance
- HB13-1301** by Representative(s) Ryden and Gardner; also Senator(s) Todd and Grantham--Concerning the future operation of centers that offer procurement technical assistance in Colorado, and, in connection therewith, making an appropriation.
Business, Labor, & Technology
- HB13-1304** by Representative(s) Moreno, Exum, Hamner, Kraft-Tharp, Rosenthal, Ryden, Williams; also Senator(s) Guzman, Aguilar, Carroll, Giron, Heath, Hodge, Hudak, Johnston, Jones, Kefalas, Kerr, Morse, Newell, Nicholson, Schwartz, Steadman, Tochtrop, Todd, Ulibarri--Concerning eligibility for unemployment compensation benefits when unemployment is due to a lockout.
Judiciary

HB13-1305

by Representative(s) Gerou and Levy, Duran; also Senator(s) Steadman, Hodge, Lambert--
Concerning limited authorization for the governor to order moneys to be transferred from
the general fund to the tobacco litigation settlement cash fund if any payment of tobacco
litigation settlement moneys to be made to the state is reduced due to a finding by an
arbitration panel that the state must repay disputed payments of tobacco litigation
settlement moneys already made to the state.
Finance

MESSAGE FROM THE GOVERNOR

April 19, 2013

To the Honorable Senate
Sixty-Ninth General Assembly
First Regular Session
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State
the following Acts:

SB13-013: CONCERNING PEACE OFFICER AUTHORITY FOR CERTAIN
EMPLOYEES OF THE UNITED STATES SECRET SERVICE.

Approved April 19, 2013 at 2:52 p.m.

SB13-018: CONCERNING THE USE OF CONSUMER CREDIT INFORMATION BY
EMPLOYERS.

Approved April 19, 2013 at 2:50 p.m.

SB13-023: CONCERNING AN INCREASE IN THE LIMITATION ON THE
AMOUNT OF DAMAGES THAT MAY BE RECOVERED BY AN INJURED PARTY
UNDER THE "COLORADO GOVERNMENTAL IMMUNITY ACT."

Approved April 19, 2013 at 3:14 p.m.

SB13-042: CONCERNING THE RENEWAL OF DISTINGUISHED FOREIGN
TEACHING PHYSICIAN LICENSES BY A PERSON RANKED LOWER THAN AN
ASSOCIATE PROFESSOR.

Approved April 19, 2013 at 3:19 p.m.

SB13-058: CONCERNING THE VERIFICATION REQUIREMENT FOR PARKING
PRIVILEGES FOR PERSONS WITH A PERMANENT DISABILITY.

Approved April 19, 2013 at 3:21 p.m.

SB13-071: CONCERNING UNIQUELY IDENTIFYING STUDENT NUMBERS FOR
PERSONS ENROLLED IN ADULT EDUCATION PROGRAMS.

Approved April 19, 2013 at 3:04 p.m.

SB13-139: CONCERNING SUPPLEMENTAL ON-LINE EDUCATION SERVICES.

Approved April 19, 2013 at 2:55 p.m.

SB13-184: CONCERNING REPEAL OF THE CRIMINAL PENALTIES FOR DISCRIMINATION IN PLACES OF PUBLIC ACCOMMODATION.

Approved April 19, 2013 at 2:54 p.m.

SB13-192: CONCERNING THE ABILITY OF GOVERNMENT AGENCIES TO EXTEND THE TIME PERMITTED FOR ACTION BASED ON THE RESULTS OF FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECKS.

Approved April 19, 2013 at 2:58 p.m.

Sincerely,
(signed)
John W. Hickenlooper
Governor

On motion of Majority Leader Carroll, the Senate adjourned until 9:00 a.m., Tuesday, April 23, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

105th Legislative Day Tuesday, April 23, 2013

Prayer By the chaplain, Reverend Steve Bibb and Reverend Linda Hansen Bibb, United Methodist Church (retired).

Call to Order By the President at 9:00 a.m.

Pledge By Senator Kefalas.

Roll Call Present--31
Excused--4, Balmer, Hodge, Marble, Scheffel.
Present later--4, Balmer, Hodge, Marble, Scheffel.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Johnston, the reading of the Journal of Monday, April 22, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Printed: SB13-283.
Correctly Engrossed: SB13-176, 228, 254 and 262.
Correctly Reengrossed: SB13-258.
Correctly Revised: HB13-1130, 1200 and 1235; HJR13-1029.
Correctly Rerevised: HB13-1080, 1191, 1225, 1265 and 1272.
Correctly Enrolled: SB13-019, 033, 079 and 236.

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:

SB13-262 by Senator(s) Tochtrop, Baumgardner; also Representative(s) Primavera, DelGrosso, Ryden--Concerning the exemption of representative services of enrolled agents from the definition of debt management services.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	31	NO	0	EXCUSED	4	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	E	Harvey	Y	Kerr	Y	Scheffel	E
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	E	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	E	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

HB13-1200 by Representative(s) Gardner; also Senator(s) Roberts--Concerning the "Uniform Deployed Parents Custody and Visitation Act".

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	31	NO	0	EXCUSED	4	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	E	Harvey	Y	Kerr	Y	Scheffel	E
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	E	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	E	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Grantham, Guzman, Heath, King and Newell.

HB13-1235 by Representative(s) Szabo, Fischer, Vigil; also Senator(s) Baumgardner, Giron, Schwartz--Concerning requirements related to the valuation of real property prior to a state agency entering into contracts related to such real property.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	31	NO	0	EXCUSED	4	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	E	Harvey	Y	Kerr	Y	Scheffel	E
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	E	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	E	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

SB13-254 by Senator(s) Jones; also Representative(s) Tyler, Levy--Concerning an expansion of the utility cost-savings measures law to allow a governmental entity to enter into a vehicle fleet maintenance and fuel cost-savings contract.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	31	NO	0	EXCUSED	4	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	E	Harvey	Y	Kerr	Y	Scheffel	E
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	E	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	E	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Guzman and Schwartz.

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:

SB13-228 by Senator(s) Aguilar, Tochtrop; also Representative(s) Kraft-Tharp--Concerning deceptive trade practices related to the dispensing of hearing aids.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	25	NO	7	EXCUSED	3	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	Y	Kerr	Y	Scheffel	E
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	Y	Hodge	E	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	E	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Giron, Kefalas, Nicholson and Todd.

SB13-185 by Senator(s) Nicholson; also Representative(s) Primavera--Concerning expansion of the types of activities that are eligible for grants under the tobacco education, prevention, and cessation grant program.

Laid over until Wednesday, April 24, retaining its place on the calendar.

HB13-1130 by Representative(s) Sonnenberg and Fischer; also Senator(s) Todd and Baumgardner--Concerning extended operation of interruptible water supply agreements.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	29	NO	3	EXCUSED	3	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	N	Kerr	Y	Scheffel	E
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	E	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	E	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	N	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Committee On motion of Senator Guzman, the Senate resolved itself into the Committee of the
of the Whole Whole for consideration of General Orders--Second Reading of Bills and
Senator Guzman was called to the Chair to act as Chairman.

GENERAL 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:

SB13-253 by Senator(s) Steadman; also Representative(s) Levy--Concerning a deferred judgment for
a drug offense when there is a violation of the deferred judgment.

Laid over until Wednesday, April 24, retaining its place on the calendar.

SB13-261 by Senator(s) Nicholson; also Representative(s) McCann--Concerning the restructuring of
the oral health programs administered by the department of public health and environment,
and, in connection therewith, eliminating the oversight of complaints regarding dentists for
the dental assistance program for seniors and creating the oral health community grants
program.

Ordered engrossed and placed on the calendar for third reading and final passage.

SB13-219 by Senator(s) Tochtrop; also Representative(s) Peniston--Concerning the remediation
performed on property contaminated by an illegal drug laboratory.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, April 12, page(s) 789 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 19, page(s) 917 and placed in members' bill files.)

Amendment No. 3(L.003), by Senator Tochtrop.

Amend printed bill, page 5, line 20, strike "used to manufacture
methamphetamine" and substitute "~~used to manufacture~~
methamphetamine".

Page 7, line 10, strike "a drug" and substitute "a AN ILLEGAL drug".

Page 12, line 5, strike "once used for the production of
methamphetamine" and substitute "~~once used for the production of~~
methamphetamine AN ILLEGAL DRUG LABORATORY".

Page 12, strike lines 11 and 12 and substitute:

"(a) ~~The seller shall not be required to disclose that the property~~
~~was used as a methamphetamine laboratory to a buyer, and~~".

Amendment No. 4(L.004), by Senator Tochtrop.

Amend the Tochtrop floor amendment (SB219_L.003), page 1, strike
line 4.

As amended, ordered engrossed and placed on the calendar for third reading and final
passage.

SB13-245 by Senator(s) King and Jahn; --Concerning the creation of the Colorado firefighting air
corps in the division of fire prevention and control of the department of public safety.

Laid over until Wednesday, April 24, retaining its place on the calendar.

SB13-266 by Senator(s) Aguilar and Nicholson, Carroll, Giron, Guzman, Jahn, Kefalas, Kerr, Newell, Ulibarri, Todd, Hudak, Roberts; also Representative(s) Kraft-Tharp and Young, McCann--Concerning a request for proposals process to create a coordinated behavioral health crisis response system for communities throughout the state.

Amendment No. 1, Health & Human Services Committee Amendment.

(Printed in Senate Journal, April 18, page(s) 873 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.

(Printed in Senate Journal, April 19, page(s) 918 and placed in members' bill files.)

Amendment No. 3(L.008), by Senator Aguilar.

Amend printed bill, page 5, line 7, before "REQUEST" insert "INITIAL".

Page 5, line 8, strike "AND,".

Page 5, strike lines 9 through 13 and substitute "AVAILABLE APPROPRIATIONS. PURSUANT TO THE STATE PROCUREMENT CODE, ARTICLES 101 AND 102 OF TITLE 24, C.R.S., THE DEPARTMENT SHALL MAKE AWARDS ON OR BEFORE JANUARY 1, 2014. IF ADDITIONAL MONEYS ARE APPROPRIATED, THE DEPARTMENT MAY ISSUE ADDITIONAL REQUESTS FOR PROPOSALS CONSISTENT WITH THIS SECTION AND THE STATE PROCUREMENT CODE, ARTICLES 101 AND 102 OF TITLE 24, C.R.S.".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB13-251 by Senator(s) Ulibarri and Morse, Aguilar, Carroll, Giron, Guzman, Heath, Hodge, Hudak, Johnston, Jones, Kefalas, Newell, Schwartz, Steadman, Tochtrop, Todd; also Representative(s) Melton, Moreno, Salazar--Concerning documentary evidence needed for an individual to be issued an identity document by the department of revenue.

Laid over until Wednesday, April 24, retaining its place on the calendar.

SB13-275 by Senator(s) Hodge; --Concerning the creation of an interim committee of the general assembly to review matters relating to pipeline safety.

Amendment No. 1, Local Government Committee Amendment.

(Printed in Senate Journal, April 17, page(s) 862-863 and placed in members' bill files.)

As amended, **lost** on second reading.

SB13-189 by Senator(s) Heath; also Representative(s) Tyler--Concerning civil penalties imposed on motor carriers for legal violations.

Amendment No. 1, Appropriations Committee Amendment.

(Printed in Senate Journal, April 19, page(s) 953 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Guzman, 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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB13-261, SB13-219 as amended, SB13-266 as amended, SB13-189 as amended.
Lost on second reading: SB13-275 as amended.
Laid over until Wednesday, April 24: SB13-253, SB13-245, SB13-251.

MESSAGE FROM THE HOUSE

April 23, 2013

Mr. President:

The House has adopted and transmits herewith HJR13-1020.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

HJR13-1020 by Representative(s) Gardner and Fields; also Senator(s) Jahn and King--Concerning celebrating the twentieth anniversary of the Colorado Victims' Rights Amendment.

On motion of Senator Jahn, the resolution was adopted by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Co-sponsor(s) added: Aguilar, Balmer, Baumgardner, Brophy, Cadman, Carroll, Crowder, Giron, Grantham, Guzman, Harvey, Heath, Hill, Hodge, Hudak, Johnston, Jones, Kefalas, Kerr, Lambert, Lundberg, Marble, Morse, Newell, Nicholson, Renfroe, Roberts, Scheffel, Schwartz, Steadman, Tochtrop, Todd and Ulibarri.

COMMITTEE OF REFERENCE REPORTS

Business, Labor, & Technology The Committee on Business, Labor, & Technology has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

MEMBERS OF THE
SECURITIES BOARD

for terms expiring July 1, 2015:
Glen L. Jammaron of Glenwood Springs, Colorado, a member of the public at large residing west of the continental divide, appointed;
Darren R. Hensley of Lakewood, Colorado, who is licensed by the state supreme court to practice law in the state of Colorado and who is conversant in securities law, appointed.

Agriculture, Natural Resources, & Energy After consideration on the merits, the Committee recommends that **SB13-272** be **postponed indefinitely**.

Agriculture, Natural Resources, & Energy After consideration on the merits, the Committee recommends that **HB13-1252** be **referred** to the Committee on Finance with favorable recommendation.

MESSAGE FROM THE HOUSE

April 23, 2013
Mr. President:
The House has passed on Third Reading and transmitted to the Revisor of Statute HB13-1294.
The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1251, amended as printed in House Journal, April 22, pages 1159-1160.
The House has passed on Third Reading and returns herewith SB13-060.
The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB13-198, amended as printed in House Journal, April 22, pages 1147-1148.
SB13-137, amended as printed in House Journal, April 22, page 1148.

INTRODUCTION OF BILLS -- FIRST READING

The following bill was read by title and referred to the committee indicated:
SB13-284 by Senator(s) Carroll; also Representative(s) Hullinghorst--Concerning streamlining the environmental permitting of oil and gas development that meets enhanced environmental protection standards.
Agriculture, Natural Resources, & Energy

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for consideration of House Amendments to Senate Bills.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB13-025 by Senator(s) Tochtrop; also Representative(s) Williams--Concerning collective bargaining by firefighters.
Laid over until Wednesday, April 24, retaining its place on the calendar.

SB13-083 by Senator(s) Roberts and Nicholson; also Representative(s) Gerou and Levy--Concerning the creation of a prescribed burning program under the division of fire prevention and control in the department of public safety, and, in connection therewith, specifying the powers and duties of the division and its director with respect to that program and making an appropriation.
Laid over until Wednesday, April 24, retaining its place on the calendar.

SB13-183 by Senator(s) Carroll, Giron, Schwartz; also Representative(s) Fields--Concerning water conservation measures in common interest communities.
Senator Carroll moved that the Senate concur in House amendments to **SB13-183**, as printed in House journal, April 19, page(s) 1107. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	23	NO	12	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB13-212 by Senator(s) Jones and Schwartz, Johnston; also Representative(s) Tyler--Concerning increased options for financing available through the Colorado new energy improvement district for the completion of new energy improvements, and, in connection therewith, allowing commercial buildings to access district financing, requiring consent for subordination of mortgage liens, and facilitating private third-party financing.
Senator Jones moved that the Senate concur in House amendments to **SB13-212**, as printed in House journal, April 19, page(s) 1106. The motion was **adopted** by the following roll call vote:

YES	26	NO	9	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	N		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	24	NO	11	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	Y	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB13-174 by Senator(s) Schwartz, Giron, Jones; also Representative(s) Lebsock--Concerning the continuation of the Colorado food systems advisory council.

Senator Schwartz moved that the Senate concur in House amendments to **SB13-174**, as printed in House journal, April 19, page(s) 1107. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	22	NO	13	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB13-179 by Senator(s) Tochtrop; also Representative(s) Williams--Concerning the authority to continue to simulcast greyhound races after June 30, 2014.

Senator Tochtrop moved that the Senate concur in House amendments to **SB13-179**, as printed in House journal, April 19, page(s) 1107-1108. The motion was **adopted** by the following roll call vote:

YES	33	NO	2	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	N	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	28	NO	7	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	N	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	N	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB13-050 by Senator(s) Todd, Jones, Newell, Schwartz; also Representative(s) Coram, Fischer, Melton--Concerning the recycling resources economic opportunity fund, and, in connection therewith, incrementally increasing certain fees collected for the fund, extending repeal dates of laws associated with the fund, making rebates paid from the fund discretionary, removing obsolete provisions, and making an appropriation.

Senator Todd moved that the Senate concur in House amendments to **SB13-050**, as printed in House journal, April 19, page(s) 1109. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	22	NO	13	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB13-004 by Senator(s) Kefalas; also Representative(s) Ginal--Concerning authorization to renew a state-issued identification card by electronic means, and, in connection therewith, making an appropriation.

Senator Kefalas moved that the Senate concur in House amendments to **SB13-004**, as printed in House journal, April 19, page(s) 1110. The motion was **adopted** by the following roll call vote:

YES	33	NO	2	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	N		

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB13-026 by Senator(s) Carroll and Aguilar; also Representative(s) Primavera--Concerning expansion of the "Michael Skolnik Medical Transparency Act of 2010" to require additional health care providers to disclose information about their practice history, and, in connection therewith, making an appropriation.

Laid over until Wednesday, April 24, retaining its place on the calendar.

SB13-039 by Senator(s) Aguilar; also Representative(s) McCann--Concerning the regulation of audiologists, and, in connection therewith, making an appropriation.

Senator Aguilar moved that the Senate concur in House amendments to **SB13-039**, as printed in House journal, April 19, page(s) 1110. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	25	NO	10	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	Y	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB13-138 by Senator(s) King; also Representative(s) Garcia and McLachlan--Concerning school resource officer programs, and, in connection therewith, making an appropriation.

Senator King moved that the Senate concur in House amendments to **SB13-138**, as printed in House journal, April 19, page(s) 1111. The motion was **adopted** by the following roll call vote:

YES	25	NO	10	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	N	Lambert	N	Steadman	N
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	N		

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Co-sponsor(s) added: Grantham.

SB13-146 by Senator(s) Tochtrop, Renfroe; also Representative(s) DelGrosso and Ryden--Concerning procedures governing the board of assessment appeals in the department of local affairs, and, in connection therewith, making and reducing an appropriation.

Senator Tochtrop moved that the Senate concur in House amendments to **SB13-146**, as printed in House journal, April 19, page(s) 1111. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB13-151 by Senator(s) Nicholson; also Representative(s) Primavera--Concerning the continuation of the regulation of massage therapists, and, in connection therewith, requiring licensure of massage therapists, implementing other recommendations contained in the sunset report prepared by the department of regulatory agencies, and making an appropriation.

Laid over until Wednesday, April 24, retaining its place on the calendar.

SB13-154

by Senator(s) Jahn; also Representative(s) Williams--Concerning continuation of the division of banking, and, in connection therewith, implementing the recommendations of the 2012 sunset report by the department of regulatory agencies.

Senator Jahn moved that the Senate concur in House amendments to **SB13-154**, as printed in House journal, April 19, page(s) 1112. The motion was **adopted** by the following roll call vote:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	N		

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB13-155

by Senator(s) Baumgardner; also Representative(s) Ryden--Concerning the continuation of the board of real estate appraisers, and, in connection therewith, implementing the recommendations of the 2012 sunset report by the department of regulatory agencies.

Laid over until Wednesday, April 24, retaining its place on the calendar.

SB13-161

by Senator(s) Heath; also Representative(s) Fischer and Hamner--Concerning continuation of the state board for licensure of architects, professional engineers, and professional land surveyors, and, in connection therewith, implementing the recommendations of the 2012 sunset report by the department of regulatory agencies.

Senator Heath moved that the Senate concur in House amendments to **SB13-161**, as printed in House journal, April 19, page(s) 1113. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	27	NO	8	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	Y	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB13-007 by Senator(s) Morse; also Representative(s) Waller--Concerning the repeal date of the Colorado commission on criminal and juvenile justice, and, in connection therewith, making an appropriation.

President Morse moved that the Senate concur in House amendments to **SB13-007**, as printed in House journal, April 19, page(s) 1114-1115. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB13-197 by Senator(s) Hudak, Newell; also Representative(s) McCann and Fields--Concerning preventing persons who have committed domestic violence from possessing firearms, and, in connection therewith, making an appropriation.

Senator Hudak moved that the Senate concur in House amendments to **SB13-197**, as printed in House journal, April 19, page(s) 1102-1106, and amended on Third Reading as printed in House journal, April 22, page(s) 1129. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	20	NO	15	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB13-175 by Senator(s) Schwartz, Giron, Jones, Roberts, Hodge, Tochtrop; also Representative(s) Hamner and McLachlan, Coram, Fischer, Mitsch Bush, Rosenthal, Vigil--Concerning the continuation of programs benefiting the preservation of wildlife habitat, and, in connection therewith, continuing the wildlife habitat stamp committee.

Senator Schwartz moved that the Senate concur in House amendments to **SB13-175**, as printed in House journal, April 19, page(s) 1113-1114, and amended on Third Reading as pirnted in House journal, April 22, page(s) 1146. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	23	NO	12	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

THIRD READING OF BILLS -- FINAL PASSAGE - cont'd

On third reading, the title of the following bill was publicly read, the reading at length having been dispensed with by unanimous consent:

SB13-176 by Senator(s) Scheffel and Carroll, Baumgardner, Cadman, Grantham, Hudak, Lambert, Lundberg, Marble; also Representative(s) Everett and Williams, Buck, DelGrosso, Hamner, Holbert, Humphrey, Joshi, Kraft-Tharp, Landgraf, Lawrence, McNulty, Melton, Moreno, Murray, Nordberg, Rankin, Saine, Scott, Wilson, Wright--Concerning authorization for the state treasurer to invest state moneys in debt obligations backed by the full faith and credit of the state of Israel.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	29	NO	6	EXCUSED	0	ABSENT	0
Aguilar	N	Guzman	Y	Kefalas	N	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	N
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	N	Newell	Y	Ulibarri	N
Giron	Y	Johnston	Y	Nicholson	N	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Balmer, Brophy, Crowder, Harvey, King, Renfroe, Roberts and Todd.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Tuesday, April 23 was laid over until Wednesday, April 24, retaining its place on the calendar.

Second Reading of Bills: HB13-1115, HB13-1129, HB13-1077, HB13-1117, HB13-1142, HB13-1156.
Consideration of Resolutions: HJR13-1004, SJR13-030, SJR13-034, SR13-004.
Consideration of Memorials: SJM13-003.

MESSAGE FROM THE REVISOR OF STATUTES

April 23, 2013

We herewith transmit:

- Without comment, HB13-1294.
- Without comment, as amended, HB13-1251.
- Without comment, as amended, SB13-137 and 198.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB13-027, 033, 048, 126, 182 and 186.

On motion of Majority Leader Carroll, the Senate adjourned until 9:00 a.m., Wednesday, April 24, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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Page 3, line 18, after "renewal" insert "license" and strike "license OR PRIVATE".

Page 3, line 19, strike "INVESTIGATOR APPRENTICE".

Page 3, strike lines 20 and 21 and substitute:
 "(4) ~~"Licensed private investigator" means a private investigator licensed by the director pursuant to this article.~~
 (5) "Private investigation" means an investigation for the purpose of obtaining information pertaining to:
 (f) ~~The causes and origin AND CAUSE of, or responsibility for, a fire, libel, slander, a loss, an accident, damage, or an injury to a person or to real or personal property;".~~

Page 3, strike line 26 and substitute "INVESTIGATORS OR WITH PERSONS EXEMPTED FROM THIS ARTICLE PURSUANT TO SECTION 12-58.5-104.5".

Page 4, line 3, strike "INVESTIGATOR APPRENTICE"" and substitute "INVESTIGATOR"".

Page 4, line 5, strike "12-58.5-105.5." and substitute "12-58.5-105."

Page 4, line 8, strike "**Licensure - registration**" and substitute "**Registration**".

Page 4, line 11, strike "license, as applicable," and substitute "~~license, as applicable,~~ REGISTRATION".

Page 4, line 12, strike "license" and substitute "~~license~~ REGISTRATION".

Page 4, line 14, strike ""licensed" and substitute ""~~licensed~~ REGISTERED".

Page 4, line 15, strike ""LICENSED" and substitute ""REGISTERED".

Page 4, line 18, strike "LICENSE" and substitute "REGISTRATION".

Page 4, like 24, strike "investigator" ON AND AFTER MARCH 1," and substitute "~~investigator~~".

Page 4, strike lines 25 through 27.

Page 5, strike lines 1 and 2.

Page 5, line 3, strike "(a)".

Page 5, line 6, strike ""LICENSED" and substitute ""REGISTERED" and strike ""licensed" and substitute ""~~licensed~~ REGISTERED".

Page 5, line 7, strike "license" and substitute "~~license~~ REGISTRATION".

Page 5, strike lines 12 through 22 and substitute:
 "**SECTION 5.** In Colorado Revised Statutes, **amend** 12-58.5-105 as follows:".

Page 5, line 23, strike "**license**" and substitute "**license registration**".

Page 6, line 1, strike "license" and substitute "~~license~~ REGISTRATION".

Page 6, strike lines 3 through 9 and substitute:
 "(a) Is at least twenty-one years of age;
 (b) Is lawfully present in the United States; AND"
 (c) ~~(I) Has at least four thousand hours of verifiable, applicable experience, as determined by the director within the five years immediately preceding the date of application; or~~
 ~~(H) Has at least two thousand hours of verifiable, applicable experience, as determined by the director, within the five years immediately preceding the date of application plus an amount of~~

~~postsecondary education determined by the director; and~~

(d) Has knowledge and understanding of the statutes and rules affecting the ethics and activities of ~~licensed~~ REGISTERED private investigators in this state, AS EVIDENCED BY PASSAGE OF A JURISPRUDENCE EXAMINATION DEVELOPED AND APPROVED BY THE DIVISION.

(2) In addition to the requirements of subsection (1) of this section, each ~~license~~ REGISTRATION applicant shall have his or her fingerprints taken by a local law enforcement agency for the purpose of obtaining a fingerprint-based criminal history record check. The applicant is required to submit payment by certified check or money order for the fingerprints and for the actual costs of the record check at the time the fingerprints are submitted to the Colorado bureau of investigation. Upon receipt of fingerprints and receipt of the payment for costs, the Colorado bureau of investigation shall conduct a state and national fingerprint-based criminal history record check utilizing records of the Colorado bureau of investigation and the federal bureau of investigation and shall forward the results of the criminal history record check to the director."

Page 6, line 11, strike "license" and substitute "~~license~~ REGISTRATION".

Page 6, line 15, strike "licensure" and substitute "~~licensure~~ REGISTRATION".

Page 6, line 16, strike "license," and substitute "~~license~~ REGISTRATION,".

Page 6, line 18, strike "LICENSEE" and substitute "REGISTRANT" and strike "LICENSE" and substitute "REGISTRATION".

Page 6, line 20, strike "LICENSEE" and substitute "REGISTRANT".

Page 6, line 21, strike "license" and substitute "~~license~~ REGISTRATION".

Page 6, strike line 22 and substitute "~~license~~ REGISTRATION expires, and the person shall not hold himself or herself out as a ~~licensed~~ REGISTERED private investigator OR".

Page 6, line 23, strike "~~licensed private investigator~~".

Page 6, line 24, strike "license" and substitute "~~license~~ REGISTRATION".

Page 6, line 25, strike "LICENSE." and substitute "REGISTRATION." and strike "LICENSE" and substitute "REGISTRATION".

Page 7, line 1, strike "12-58.5-105.5,".

Page 7, line 2, strike "12-58.5-106.5, and".

Page 7, line 12, after "An" insert "ATTORNEY LICENSED TO PRACTICE LAW IN THIS STATE, AN" and strike "of," and substitute "of ~~an~~ A LICENSED ATTORNEY,".

Page 7, line 13, strike "FOR, an attorney" and substitute "FOR A LICENSED attorney;".

Page 7, strike line 14 and substitute "~~licensed to practice law in this state~~;".

Page 7, line 20, strike "title" and substitute "title, ~~and~~ AN EMPLOYEE OF A CERTIFIED PUBLIC ACCOUNTANT, OR".

Page 7, line 21, strike "and".

Page 7, line 23, after "employed" insert "OR CONTRACTED".

Page 8, line 7, strike "OR".

Page 8, line 12, strike "QUALIFIED." and substitute "QUALIFIED;
(j) AN OWNER, EMPLOYEE, OR INDEPENDENT CONTRACTOR OF AN
AGENCY CONDUCTING AN INVESTIGATION TO DETERMINE THE ORIGIN AND
CAUSE OF A FIRE OR EXPLOSION; OR
(k) AN OWNER, EMPLOYEE, OR INDEPENDENT CONTRACTOR OF AN
AGENCY CONDUCTING AN INVESTIGATION FOR CAUSE ANALYSIS OR
FAILURE ANALYSIS WHERE THE INVESTIGATION IS CONDUCTED BY AN
ENGINEER LICENSED PURSUANT TO PART 1 OF ARTICLE 25 OF THIS TITLE
ACTING WITHIN HIS OR HER AREA OF EXPERTISE WITHIN THE SCOPE OF THE
PRACTICE OF ENGINEERING.".

Page 8, strike lines 13 through 27.

Strike pages 9 and 10.

Page 11, strike lines 1 through 23.

Page 11, line 24, strike "LICENSED" and substitute "REGISTERED PRIVATE
INVESTIGATOR".

Page 11, strike line 25.

Page 11, line 26, strike "APPRENTICE".

Page 11, strike line 27 and substitute "UNLESS THE REGISTERED PRIVATE
INVESTIGATOR".

Page 12, line 1, strike "INVESTIGATOR APPRENTICE".

Page 12, line 5, strike "(1) (f), (1) (g), and (1)" and substitute "and (1)
(f)".

Page 12, line 6, strike "(h)".

Page 12, line 8, strike "LICENSE OR".

Page 12, line 9, strike "APPLICANT, LICENSEE," and substitute
"APPLICANT".

Page 12, line 11, strike "APPLICANT, LICENSEE," and substitute
"APPLICANT".

Page 12, line 12, strike "applicant, LICENSEE," and substitute "applicant".

Page 12, line 13, strike "OR".

Page 12, line 14, strike "12-58.5-105.5".

Page 12, line 15, strike "license OR" and substitute "license".

Page 12, line 18, strike "license OR" and substitute "license".

Page 12, line 23, after "INVESTIGATIONS;" insert "OR".

Page 12, line 25, strike "12-58.5-106.7;" and substitute "12-58.5-106.7".

Page 12, strike lines 26 and 27.

Page 13, strike lines 1 through 7.

Page 13, line 9, strike "licensee OR" and substitute "licensee".

Page 13, line 12, strike "licensee OR" and substitute "licensee".

Page 13, line 15, strike "licensee OR" and substitute "licensee".

Page 13, line 16, strike "licensee OR" and substitute "licensee".

Page 13, line 20, strike "licensee OR" and substitute "~~licensee~~".

Page 13, line 23, strike "witness, ~~or~~ licensee, OR" and substitute "witness or ~~licensee~~".

Page 13, line 25, strike "person, ~~or~~ licensee, OR" and substitute "person or ~~licensee~~".

Page 13, line 27, strike "person, ~~or~~ licensee, OR" and substitute "person or ~~licensee~~".

Page 14, line 1, strike "person, ~~or~~ licensee, OR" and substitute "person or ~~licensee~~" and strike "person, ~~or~~" and substitute "person or".

Page 14, line 2, strike "licensee, OR" and substitute "~~licensee~~".

Page 14, line 5, strike "person, ~~or~~ licensee, OR" and substitute "person or ~~licensee~~".

Page 14, line 6, strike "person, ~~or~~ licensee, OR" and substitute "person or ~~licensee~~".

Page 14, line 9, strike "licensee OR" and substitute "~~licensee~~".

Page 14, strike line 13 and substitute "investigator" OR "PRIVATE DETECTIVE".

Page 14, line 14, strike "APPRENTICE", and strike "license OR REGISTRATION, AS" and substitute "~~license~~ REGISTRATION,".

Page 14, line 15, strike "APPLICABLE,".

Page 14, line 18, strike "~~unregistered~~" and substitute "unregistered".

Page 14, line 19, strike "UNLICENSED OR UNREGISTERED".

Page 14, line 25, strike "~~unregistered~~ UNLICENSED OR" and substitute "unregistered".

Page 14, line 26, strike "UNREGISTERED".

Page 15, line 2, strike "LICENSE OR".

Page 15, line 5, strike "UNLICENSED OR".

Page 15, line 9, strike "LICENSEE OR".

Page 15, line 12, strike "licensed" and substitute "~~licensed~~ REGISTERED".

Page 15, strike line 13 and substitute "private investigator,".

Page 15, line 14, strike "LICENSEE OR".

Page 15, line 19, strike "licensed" and substitute "~~licensed~~ REGISTERED" and strike "OR REGISTERED PRIVATE".

Page 15, line 20, strike "INVESTIGATOR APPRENTICE".

Page 15, line 26, strike "licensed" and substitute "~~licensed~~ REGISTERED".

Page 15, strike line 27 and substitute "private investigator".

Page 16, line 2, strike "LICENSEE OR".

Page 16, line 6, strike "license OR" and substitute "~~license~~".

Page 16, line 7, strike "license OR" and substitute "~~license~~".

	Page 16, line 9, strike "license OR" and substitute "license".	1
		2
	Page 16, line 11, strike "license OR" and substitute "license".	3
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	Page 16, line 12, strike "license OR" and substitute "license".	5
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	Page 16, line 18, strike "licensure" and substitute "licensure	7
	REGISTRATION".	8
		9
	Page 16, line 19, strike "AND THE REGISTRATION OF PRIVATE".	10
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	Page 16, line 20, strike "INVESTIGATOR APPRENTICES".	12
		13
	Page 17, line 9, strike "LICENSING" and substitute "REGISTERING" and	14
	strike "AND THE".	15
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	Page 17, strike line 10 and substitute "BY THE DIRECTOR".	17
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	Page 17, strike lines 13 through 22.	19
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	Renumber succeeding section accordingly.	21
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	Page 18, strike line 7 and substitute "registration submitted on or".	23
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Appropriations	After consideration on the merits, the Committee recommends that SB13-264 be amended	26
	as follows, and as so amended, be referred to the Committee of the Whole with favorable	27
	recommendation.	28
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	Amend printed bill, page 2, after line 11 insert:	31
		32
	"SECTION 2. Appropriation. In addition to any other	33
	appropriation, there is hereby appropriated, out of any moneys in the	34
	general fund not otherwise appropriated, to the department of health care	35
	policy and financing, for the fiscal year beginning July 1, 2013, the sum	36
	of \$500,000, or so much thereof as may be necessary, for allocation to	37
	other medical services, for the commission on family medicine residency	38
	training programs, for the development of family medicine residency	39
	programs in rural areas. Said sum is subject to the "(M)" notation as	40
	defined in the general appropriation act. In addition to said appropriation,	41
	the general assembly anticipates that, for the fiscal year beginning July	42
	1, 2013, the department of health care policy and financing will receive	43
	the sum of \$500,000 in federal funds, for allocation to other medical	44
	services, for the commission on family medicine residency training	45
	programs, for the development of family medicine residency programs	46
	in rural areas. Although the federal funds are not appropriated in this act,	47
	they are noted for the purpose of indicating the assumptions used relative	48
	to these funds in developing the state appropriation amounts.".	49
		50
	Renumber succeeding section.	51
		52
	Page 1, line 103, strike "PROGRAMS." and substitute "PROGRAMS, AND,	53
	IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.".	54
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Appropriations	After consideration on the merits, the Committee recommends that SB13-238 be amended	57
	as follows, and as so amended, be referred to the Committee of the Whole with favorable	58
	recommendation.	59
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	Amend printed bill, page 27, after line 10 insert:	62
		63
	"SECTION 4. Appropriation. (1) In addition to any other	64
	appropriation, there is hereby appropriated, out of any moneys in the	65
	division of professions and occupations cash fund created in section 24-	66
	34-105 (2) (b) (I), Colorado Revised Statutes, not otherwise	67

appropriated, to the department of regulatory agencies, for the fiscal year beginning July 1, 2013, the sum of \$5,794, or so much thereof as may be necessary, to be allocated to the executive director's office and administrative services for legal services related to the implementation of this act.

(2) In addition to any other appropriation, there is hereby appropriated to the department of law, for the fiscal year beginning July 1, 2013, the sum of \$5,794, 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 subsection (1) of this section."

Renumber succeeding sections accordingly.

Page 1, line 103, strike "AGENCIES." and substitute "AGENCIES, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION."

Appropriations

After consideration on the merits, the Committee recommends that [HB13-1194](#) be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 3, strike lines 19 through 27.

Page 4, strike lines 1 through 13 and substitute the following:

"SECTION 2. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of higher education, for the fiscal year beginning July 1, 2013, the sum of \$22,621, or so much thereof as may be necessary, to be allocated for the implementation of this act as follows:

(a) \$3,421 for Colorado commission on higher education financial aid for need based grants; and

(b) \$19,200 for college opportunity fund program stipends for students attending state institutions.

(2) In addition to any other appropriation, there is hereby appropriated to the department of higher education, for the fiscal year beginning July 1, 2013, the sum of \$19,200 from reappropriated funds received from the appropriation made in paragraph (b) of subsection (1) of this section. Said sum, or so much thereof as may be necessary, is allocated for the implementation of this act as follows:

trustees of Metropolitan state university of Denver	\$1,920
board of governors of the Colorado state university system	3,840
regents of the university of Colorado	3,840
university of Northern Colorado	1,920
state board for community colleges and occupational education state system community colleges	7,680

(3) The general assembly anticipates that, for the fiscal year beginning July 1, 2013, the department of higher education will receive the sum of \$68,790 in student tuition for the implementation of this act. This amount is subject to the (I) notation as defined in the annual general appropriations act. Although these funds are not appropriated in this act, they are noted for the purpose of indicating the assumptions used relative to these funds. Said sum shall be allocated to the governing boards as follows:

trustees of Metropolitan state university of Denver	\$5,571
board of governors of the Colorado state university system	17,422
regents of the university of Colorado	21,806
university of Northern Colorado	7,159
state board for community colleges and occupational education state system community colleges	16,832".

Appropriations	After consideration on the merits, the Committee recommends that HB13-1154 be referred to the Committee of the Whole with favorable recommendation.	1 2 3 4
Appropriations	After consideration on the merits, the Committee recommends that HB13-1005 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 April 18, 2013, page 2, after line 16 insert: "Page 6 of reengrossed bill, strike lines 7 through 18. Renumber succeeding section accordingly. Page 1 of the bill, strike lines 103 through 104 and substitute "TRAINING."."	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20
Appropriations	After consideration on the merits, the Committee recommends that SB13-270 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar. Amend printed bill, page 11, line 8, strike "FOR THE STATE FISCAL YEAR COMMENCING" and substitute "NO LATER THAN".	21 22 23 24 25 26 27 28 29
Appropriations	After consideration on the merits, the Committee recommends that SB13-255 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation. Amend printed bill, page 28, after line 13 insert: "SECTION 12. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of public health and environment, for the fiscal year beginning July 1, 2013, the sum of \$456,966 and 4.0 FTE, or so much thereof as may be necessary, for allocation to the prevention services division, for the child fatality prevention line item for costs related to the implementation of this act. (2) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of human services, for the fiscal year beginning July 1, 2013, the sum of \$63,755 and 1.0 FTE, or so much thereof as may be necessary, for allocation to the executive director's office, special purpose subdivision for the administrative review unit for costs related to the implementation of this act." Renumber succeeding section accordingly. Page 1, line 102, strike "RESOURCESAND" and substitute "RESOURCES,". Page 1, line 106, strike "SERVICES." and substitute "SERVICES, AND MAKING AN APPROPRIATION.".	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
Appropriations	After consideration on the merits, the Committee recommends that HB13-1138 be referred to the Committee of the Whole with favorable recommendation.	60 61 62 63 64

Appropriations	After consideration on the merits, the Committee recommends that SB13-273 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	1
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	Amend the Agriculture, Natural Resources, and Energy Committee Report, dated April 18, 2013, page 1, strike lines 1 through 3 and substitute:	6
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	"Amend printed bill, page 6, strike lines 3 through 16 and substitute:".	10
Appropriations		11
	Page 1 of the committee report, line 22, strike "C.R.S.". and substitute "C.R.S."..	12
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	Strike pages 2 and 3 of the committee report.	15
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	After consideration on the merits, the Committee recommends that HB13-1044 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	18
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Appropriations		21
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	Amend reengrossed bill, page 10, strike lines 17 through 27.	24
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	Page 11, strike lines 1 through 9.	26
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	Page 11, before line 10 insert:	28
		29
	" SECTION 12. No appropriation. The general assembly has determined that this act can be implemented within existing appropriations, and therefore no separate appropriation of state moneys is necessary to carry out the purposes of this act.".	30
Appropriations		31
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	Page 1, line 101, strike " GRAYWATER, AND, " and substitute " GRAYWATER. "	35
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	Page 1, strike line 102.	38
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Appropriations	After consideration on the merits, the Committee recommends that SB13-225 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	41
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	Amend the Health and Human Services Committee Report, dated April 17, 2013, page 2, after line 18 insert:	46
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		48
	"(c) MEMBERS OF THE TASK FORCE SERVE WITHOUT COMPENSATION AND ARE NOT ENTITLED TO REIMBURSEMENT OF EXPENSES INCURRED IN SERVING ON OR PERFORMING DUTIES OF THE TASK FORCE.".	49
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Appropriations		51
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	Page 3, line 10, before "TASK" insert "DEPARTMENT IN ASSISTING AND STAFFING THE".	54
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	Page 3, line 14, strike "TASK FORCE." and substitute "DEPARTMENT.".	57
		58
	Page 4, after line 23 insert:	59
		60
Appropriations		61
	"(c) MEMBERS OF THE STROKE ADVISORY BOARD SERVE WITHOUT COMPENSATION AND ARE NOT ENTITLED TO REIMBURSEMENT OF EXPENSES INCURRED IN SERVING ON OR PERFORMING DUTIES OF THE ADVISORY BOARD.".	62
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	Page 5, line 20, before "STROKE" insert "DEPARTMENT IN ASSISTING AND STAFFING THE".	66
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	Page 5, strike line 25 and substitute "DEPARTMENT."	1
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	Page 6, after line 34, insert:	3
		4
	"SECTION 3. Appropriation. In addition to any other	5
	appropriation, there is hereby appropriated, out of any moneys in the	6
	general fund not otherwise appropriated, to the department of public	7
	health and environment, for the fiscal year beginning July 1, 2013, the	8
	sum of \$41,402 and 0.6 FTE, or so much thereof as may be necessary, for	9
	allocation to the emergency preparedness and response division for the	10
	stroke and STEMI heart attack designation line item related to the	11
	implementation of this act."	12
		13
	Page 6 of the report, line 35, strike "SECTION 3." and substitute	14
	"SECTION 4."	15
		16
	Page 6 of the report, line 38, strike ""INCIDENTS."" and substitute	17
	""INCIDENTS, AND, IN CONNECTION THEREWITH, MAKING AN	18
	APPROPRIATION.""	19
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Appropriations	After consideration on the merits, the Committee recommends that SB13-269 be amended	22
	as follows, and as so amended, be referred to the Committee of the Whole with favorable	23
	recommendation.	24
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	Amend printed bill, page 12, line 4, strike "TEN MILLION THREE HUNDRED	27
	THOUSAND" and substitute "NINE MILLION EIGHT HUNDRED THOUSAND".	28
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	Page 12, strike lines 22 through 27.	30
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	Page 13, strike lines 1 and 2.	32
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	Renumber succeeding section accordingly.	34
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	Page 1, line 103, strike "COLORADO, AND, IN CONNECTION" and	36
	substitute "COLORADO."	37
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	Page 1, strike line 104.	39
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Finance	After consideration on the merits, the Committee recommends that HB13-1246 be	42
	referred to the Committee of the Whole with favorable recommendation and with a	43
	recommendation that it be placed on the Consent Calendar.	44
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Finance	After consideration on the merits, the Committee recommends that HB13-1105 be	47
	amended as follows, and as so amended, be referred to the Committee of the Whole with	48
	favorable recommendation.	49
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	Amend reengrossed bill, page 6, line 8, strike "NOT" and substitute	52
	"RENEWABLE ENERGY OR ON-SITE GENERATION IMPROVEMENTS THAT ARE	53
	NOT SUBJECT TO NET METERING AND MAY NOT BE USED".	54
		55
	Page 6, line 9, strike "IMPROVEMENTS." and substitute "IMPROVEMENTS	56
	THAT ARE SUBJECT TO NET METERING."	57
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Finance	After consideration on the merits, the Committee recommends that HB13-1042 be	60
	referred to the Committee on Appropriations with favorable recommendation.	61
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Trans-
portation

The Committee on Transportation has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

MEMBERS OF THE
COLORADO AERONAUTICAL BOARD

effective February 1, 2013, for terms expiring December 19, 2015:

John William Reams of Naturita, Colorado, to serve as a member from the western slope and who represents local governments which operate airports, appointed;

William L. Thompson of Colorado Springs, Colorado, to serve as a member from the eastern slope and who represents local governments which operate airports, appointed;

Jeffrey Scott Forrest of Littleton, Colorado, to serve as a member from the eastern slope and who represents local governments which operate airports, appointed.

Trans-
portation

After consideration on the merits, the Committee recommends that **SB13-257** be **amended** as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 2, line 2, strike "(8)" and substitute "(8)".

Page 2, line 3, strike "and (9)" and substitute "(9), and (10)".

Page 2, line 10, strike "2014." and substitute "2016".

Page 2, line 14, strike "2014." and substitute "2016".

Page 2, before line 15 insert:

"(10) THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT AND THE DEPARTMENT OF REVENUE ARE AUTHORIZED TO CONTINUE EXISTING PROGRAMS AND CONTRACTS UNTIL THE RULES IMPLEMENTING EXTENSION OF THE EXEMPTION FROM EMISSIONS CONTROL INSPECTIONS ARE EFFECTIVE.".

Page 4, line 8, strike "2014." and substitute "2016".

Trans-
portation

After consideration on the merits, the Committee recommends that **HB13-1153** be **amended** as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 3, line 14, after the period, add "THIS SUBPARAGRAPH (III) DOES NOT RELIEVE THE OWNER OF THE REQUIREMENT TO REMIT PAYMENT OF THE TAX TO THE COUNTY IN ACCORDANCE WITH SUBPARAGRAPH (II) OF PARAGRAPH (c) OF THIS SUBSECTION (16)".

Page 3, strike lines 22 through 27 and substitute:

"SECTION 3. Act subject to petition - effective date - applicability. (1) This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 7, 2013, if adjournment sine die is on May 8, 2013); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2014 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

(2) This act applies to reports filed on or after January 1, 2014."

Strike page 4.

Trans- After consideration on the merits, the Committee recommends that **HB13-1247** be
portation **referred** to the Committee on Appropriations with favorable recommendation.

Local The Committee on Local Government has had under consideration and has had a hearing
Government on the following appointment and recommends that the appointment be confirmed:

MEMBER OF THE
STATE HOUSING BOARD

for a term expiring January 31, 2017:

Jacalyn Reynolds of Sterling, Colorado, a Democrat and resident of the 4th Congressional District, appointed.

Local After consideration on the merits, the Committee recommends that **SB13-267** be
Government **postponed indefinitely**.

Local After consideration on the merits, the Committee recommends that **HB13-1276** be
Government **referred** to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Local After consideration on the merits, the Committee recommends that **HB13-1134** be
Government **referred** to the Committee of the Whole with favorable recommendation.

Health & The Committee on Health & Human Services has had under consideration and has had a
Human hearing on the following appointments and recommends that the appointments be
Services confirmed:

MEMBERS OF THE
STATE BOARD OF HEALTH

for terms expiring March 1, 2017:

Honorable Jill Hunsaker Ryan of Edwards, Colorado, a resident of the 3rd Congressional District and a Democrat, appointed;

Joan W. Sowinski of Centennial, Colorado, a resident of the 6th Congressional District and a Republican, reappointed.

SENATE SERVICES REPORT

Correctly Printed: SB13-284.
Correctly Engrossed: SB13-189, 219, 261 and 266.
Correctly Reengrossed: SB13-176, 228, 254 and 262.
Correctly Revised: HJR13-1020.
Correctly Rerevised: HB13-1130, 1200 and 1235.

INTRODUCTION OF BILLS -- FIRST READING

The following bill was read by title and referred to the committee indicated:

SB13-285 by Senator(s) Tochtrop; also Representative(s) Williams--Concerning the procedures in workers' compensation claims for the resolution of disputes.
Business, Labor, & Technology

Call of the Senate. Call raised.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for expressions of personal privilege.

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:

SB13-185 by Senator(s) Nicholson; also Representative(s) Primavera--Concerning expansion of the types of activities that are eligible for grants under the tobacco education, prevention, and cessation grant program.

Laid over until Thursday, April 25, retaining its place on the calendar.

SB13-261 by Senator(s) Nicholson; also Representative(s) McCann--Concerning the restructuring of the oral health programs administered by the department of public health and environment, and, in connection therewith, eliminating the oversight of complaints regarding dentists for the dental assistance program for seniors and creating the oral health community grants program.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	22	NO	13	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	Y	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Giron, Guzman, Heath, Hodge, Hudak, Jahn, Jones, Kerr, Morse, Newell, Tochtrop and Todd.

SB13-219
by Senator(s) Tochtrop; also Representative(s) Peniston--Concerning the remediation performed on property contaminated by an illegal drug laboratory, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	23	NO	12	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Carroll, Giron, Guzman, Heath, Hudak, Jahn, Jones, Kerr, Newell, Nicholson, Schwartz and Todd.

SB13-266
by Senator(s) Aguilar and Nicholson, Carroll, Giron, Guzman, Jahn, Kefalas, Kerr, Newell, Ulibarri, Todd, Hudak, Roberts; also Representative(s) Kraft-Tharp and Young, McCann--Concerning a request for proposals process to create a coordinated behavioral health crisis response system for communities throughout the state, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	22	NO	13	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Heath, Hodge, Jones, Morse, Schwartz, Steadman and Tochtrop.

SB13-189
by Senator(s) Heath; also Representative(s) Tyler--Concerning civil penalties imposed on motor carriers for legal violations, 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	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of Memorials.

CONSIDERATION OF MEMORIALS

SJM13-003 by Senator(s) Aguilar, Cadman; also Representative(s) Salazar, Sonnenberg--Concerning comprehensive immigration reform and urging action by the 113th Congress.

On motion of Senator Aguilar, the memorial was read at length.

Amendment No. 1(L.001), by Senators Cadman, Aguilar, and Lambert.

Amend printed joint memorial, page 4, line 1, strike "Memorial that addresses" and substitute "Memorial."

Page 4, strikes lines 2 and 3.

The amendment was **passed** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

On motion of Senator Aguilar, the memorial, as amended, was **adopted** by the following roll call vote:

YES	33	NO	2	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Co-sponsor(s) added: Baumgardner, Carroll, Crowder, Giron, Guzman, Heath, Hill, Hodge, Hudak, Jahn, Johnston, Jones, Kefalas, Kerr, King, Morse, Newell, Nicholson, Roberts, Scheffel, Schwartz, Steadman, Tochtrop, Todd and Ulibarri.

Committee of the Whole
On motion of Senator Heath, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Heath was called to the chair to act as Chairman.

GENERAL 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:

SB13-263
by Senator(s) Schwartz and Giron; also Representative(s) Vigil, Fischer--Concerning the development of a master plan for the capitol complex.

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.)

SB13-253
by Senator(s) Steadman; also Representative(s) Levy--Concerning a deferred judgment for a drug offense when there is a violation of the deferred judgment.

Laid over until Thursday, April 25, retaining its place on the calendar.

SB13-245
by Senator(s) King and Jahn; --Concerning the creation of the Colorado firefighting air corps in the division of fire prevention and control of the department of public safety.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 19, page(s) 917 and placed in members' bill files.)

Majority Leader Carroll moved that the Committee of the Whole rise, report progress, and beg leave to sit again at 1:30 p.m. A majority of those elected to the Senate having voted in the affirmative, the motion was adopted.

Committee of the Whole in recess.

Senate in recess. Senate reconvened.

Committee of the Whole reconvened.

GENERAL ORDERS -- SECOND READING OF BILLS - cont'd

SB13-245 by Senator(s) King and Jahn; --Concerning the creation of the Colorado firefighting air corps in the division of fire prevention and control of the department of public safety.

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.)

SB13-251 by Senator(s) Ulibarri and Morse, Aguilar, Carroll, Giron, Guzman, Heath, Hodge, Hudak, Johnston, Jones, Kefalas, Newell, Schwartz, Steadman, Tochtrop, Todd; also Representative(s) Melton, Moreno, Salazar--Concerning documentary evidence needed for an individual to be issued an identity document by the department of revenue.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, April 11, page(s) 776-778 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 19, page(s) 918-919 and placed in members' bill files.)

Amendment No. 3(L.008), by Senator Ulibarri.

Amend the Senate Judiciary Committee Report, dated April 10, 2013, page 3, strike lines 2 through 4 and substitute:

"(2) **Document contents.** (a) ON AN IDENTIFICATION DOCUMENT ISSUED UNDER THIS SECTION, THE DEPARTMENT SHALL PLACE THE PHRASE "NOT VALID FOR FEDERAL IDENTIFICATION, VOTING, OR PUBLIC BENEFIT PURPOSES" CLEARLY DISPLAYED ON THE FACE AND INCORPORATED INTO THE MACHINE READABLE ZONE. THE DEPARTMENT MAY USE A SUBSTANTIALLY SIMILAR PHRASE IF REQUIRED BY FEDERAL LAW.

(b) THE DEPARTMENT SHALL DESIGN THE IDENTIFICATION DOCUMENT ISSUED UNDER THIS SECTION TO BE DISTINGUISHABLE FROM ANOTHER IDENTIFICATION DOCUMENT ISSUED UNDER THIS ARTICLE IN COMPLIANCE WITH FEDERAL LAW."

Amendment No. 4(L.006), by Senator Ulibarri.

Amend the Senate Judiciary Committee Report, dated April 10, 2013, page 1, line 3, before "**add**" insert "**amend** (3) introductory portion and (3) (e); and".

Page 1, strike line 5 and substitute:

"**42-2-104. Licenses issued - denied.** (3) The department shall not issue any A license to:

(e) ~~Any~~ A person whose presence in the United States is in violation of federal immigration laws;

(6) THE DEPARTMENT SHALL".

Page 1, after line 9 insert:

"**SECTION 2.** In Colorado Revised Statutes, 42-2-107, **amend** (1) (c) as follows:

42-2-107. Application for license or instruction permit -

anatomical gifts - donations to Emily Maureen Ellen Keyes organ and tissue donation awareness fund - legislative declaration - repeal.

(1) (c) The department ~~may~~ SHALL not issue a driver's or minor driver's license to ~~any~~ A person who is not lawfully present in the United States."

Renumber succeeding sections accordingly.

Page 2, strike lines 4 through 8 and substitute "IS NOT INTENDED TO CHANGE OTHER QUALIFICATIONS, REQUIREMENTS, OR CONSEQUENCES OF HOLDING THE DOCUMENT UNDER PARTS 1 TO 3 OF THIS ARTICLE, ARTICLE 7 OF THIS TITLE, OR ANY OTHER PROVISION OF LAW. THE SUSPENSION OR REVOCATION OF DRIVING PRIVILEGES, THE REQUIRED FEES, FINANCIAL RESPONSIBILITY REQUIREMENTS, RULES OF THE ROAD, ADMINISTRATIVE PROCEDURES AND HEARINGS, QUALIFICATIONS FOR A DRIVER'S LICENSE, VIOLATIONS AND PENALTIES, AND OTHER PROVISIONS THAT APPLY TO DRIVER'S LICENSES, MINOR DRIVER'S LICENSES, INSTRUCTION PERMITS, AND IDENTIFICATION CARDS ARE NOT INTENDED TO BE AFFECTED BY THIS PART 5."

Page 2, line 13, strike "THIS ARTICLE 2." and substitute "PARTS 1 AND 3 OF THIS ARTICLE."

Page 2, after line 16, insert:

"(3) "TEMPORARILY PRESENT" MEANS A PERSON WHOSE AUTHORITY TO LAWFULLY REMAIN IN THE UNITED STATES IS TEMPORARY AND WHO QUALIFIES FOR A TEMPORARY IDENTIFICATION DOCUMENT CARD UNDER 49 U.S.C. SEC. 202 (c) (2) (C)."

Page 2, line 23, strike "4" and substitute "3".

Page 2, line 25, strike "ACCORDANCE" and substitute "COMPLIANCE";

Page 2, after line 25 insert:

"(3) **Commercial driver's licenses.** THIS PART 5 DOES NOT AUTHORIZE THE ISSUANCE OF A COMMERCIAL DRIVER'S LICENSE OR COMMERCIAL DRIVING LEARNER'S PERMIT UNDER PART 4 OF THIS ARTICLE TO A PERSON WHO IS NOT LAWFULLY PRESENT IN THE UNITED STATES."

Page 3, line 6, strike "WHOSE AUTHORITY TO LAWFULLY" and substitute "WHO IS TEMPORARILY PRESENT IN THE UNITED STATES".

Page 3, line 7, strike "REMAIN WITHIN THE UNITED STATES IS TEMPORARY".

Page 3, line 21, strike "**document**" and substitute "**number**".

Page 4, strike lines 3 through 14 and substitute:

"24-72.1-103. Identity documents - verifiable. (1) EXCEPT AS PROVIDED IN SUBSECTION (3) OF THIS SECTION, a public entity that provides services shall not accept, rely upon, or utilize an identification document to provide services unless it is a secure and verifiable document.

(2) EXCEPT AS PROVIDED IN SUBSECTION (3) OF THIS SECTION, a public entity that is issuing an identification card, license, permit, or official document shall not authorize acceptance of an identification document, nor shall a public official acting in an official capacity accept ~~an~~ THE HOLDER'S identification document before issuing ~~such~~ OFFICIAL documents, unless ~~such~~ THE identification document is a secure and verifiable document.

(3) THE DEPARTMENT OF REVENUE MAY ISSUE A DRIVER'S LICENSE, MINOR DRIVER'S LICENSE, INSTRUCTION PERMIT, OR IDENTIFICATION CARD IN ACCORDANCE WITH PART 5 OF ARTICLE 2 OF TITLE 42, C.R.S., BUT THE LICENSE, PERMIT, OR CARD IS NOT A SECURE AND VERIFIABLE DOCUMENT."

Page 5, line 29, strike "January" and substitute "August".

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

SB13-245 by Senator(s) King and Jahn; --Concerning the creation of the Colorado firefighting air corps in the division of fire prevention and control of the department of public safety.

Senator Harvey moved to amend the Report of the Committee of the Whole to show that the following amendment to SB 13-245 did pass, and that SB 13-245, as amended, did pass.

Strike the Appropriations Committee Report, dated April 19, 2013.

Amend printed bill, page 4, after line 8 insert:

"SECTION 3. In Colorado Revised Statutes, 25-75-302, amend as added by Senate Bill 13-236 (2) (z) as follows:

24-75-302. Capital construction fund - capital assessment fees - calculation. (2) On July 1 of each year through July 1, 2013, the state treasurer and the controller shall transfer a sum as specified in this subsection (2) out of the general fund and into the capital construction fund as moneys become available in the general fund during the fiscal year beginning on said July 1. Transfers between funds pursuant to this subsection (2) are not appropriations subject to the limitations of section 24-75-201.1. The amounts transferred pursuant to this subsection (2) are as follows:

(z) On July 1, 2013, ~~one hundred eighty-six million two hundred fifteen thousand four hundred ninety-three~~ TWO HUNDRED THREE MILLION SIX HUNDRED FIFTEEN THOUSAND FOUR HUNDRED NINETY-THREE DOLLARS."

Renumber succeeding section accordingly.

Call of the Senate. Call raised.

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	16	NO	19	EXCUSED	0	ABSENT	0
Aguilar	N	Guzman	N	Kefalas	N	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	N	Scheffel	Y
Baumgardner	Y	Heath	N	King	Y	Schwartz	N
Brophy	Y	Hill	Y	Lambert	Y	Steadman	N
Cadman	Y	Hodge	N	Lundberg	Y	Tochtrop	N
Carroll	N	Hudak	N	Marble	Y	Todd	N
Crowder	Y	Jahn	Y	Newell	N	Ulibarri	N
Giron	N	Johnston	N	Nicholson	N	President	N
Grantham	Y	Jones	N	Renfroe	Y		

Senator Brophy moved to amend the Report of the Committee of the Whole to show that the following Brophy floor amendment, (L.002) to SB 13-245, did pass, and that SB 13-245, as amended, did pass.

Amend printed bill, page 4, after line 8 insert:

"SECTION 3. In Colorado Revised Statutes, 24-75-302, **amend as added by Senate Bill 13-236** (2) (z) as follows:

24-75-302. Capital construction fund - capital assessment fees - calculation. (2) On July 1 of each year through July 1, 2013, the state treasurer and the controller shall transfer a sum as specified in this subsection (2) out of the general fund and into the capital construction fund as moneys become available in the general fund during the fiscal year beginning on said July 1. Transfers between funds pursuant to this subsection (2) are not appropriations subject to the limitations of section 24-75-201.1. The amounts transferred pursuant to this subsection (2) are as follows:

(z) On July 1, 2013, ~~one hundred eighty-six million two hundred fifteen thousand four hundred ninety-three~~ TWO HUNDRED THREE MILLION SIX HUNDRED FIFTEEN THOUSAND FOUR HUNDRED NINETY-THREE dollars.

SECTION 4. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of public safety, for the fiscal year beginning July 1, 2013, the sum of \$113,488 and 2.0 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.

(2) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the capital construction fund created in section 24-75-302 (1) (a), Colorado Revised Statutes, not otherwise appropriated, to the department of public safety, for the fiscal year beginning July 1, 2013, the sum of \$17,400,000, or so much thereof as may be necessary, for the acquisition of aircraft for the Colorado firefighting air corps related to the implementation of this act.

SECTION 5. Effective date. (1) Except as otherwise provided in this section, this act takes effect upon passage.

(2) Section 24-75-302 (2) (z), Colorado Revised Statutes, as amended in section 3 of this act, and section 4 of this act, take effect only if Senate Bill 13-266 does not become law."

ReNUMBER succeeding section accordingly.

Page 1, line 103, strike "SAFETY." and substitute "SAFETY, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION."

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	18	EXCUSED	0	ABSENT	0
Aguilar	N	Guzman	N	Kefalas	N	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	N	Scheffel	Y
Baumgardner	Y	Heath	N	King	Y	Schwartz	N
Brophy	Y	Hill	Y	Lambert	Y	Steadman	N
Cadman	Y	Hodge	N	Lundberg	Y	Tochtrop	N
Carroll	N	Hudak	N	Marble	Y	Todd	N
Crowder	Y	Jahn	Y	Newell	N	Ulibarri	N
Giron	N	Johnston	Y	Nicholson	N	President	N
Grantham	Y	Jones	N	Renfroe	Y		

SB13-251 by Senator(s) Ulibarri and Morse, Aguilar, Carroll, Giron, Guzman, Heath, Hodge, Hudak, Johnston, Jones, Kefalas, Newell, Schwartz, Steadman, Tochtrop, Todd; also Representative(s) Melton, Moreno, Salazar--Concerning documentary evidence needed for an individual to be issued an identity document by the department of revenue.

Senator Harvey moved to amend the Report of the Committee of the Whole to show that the following Harvey floor amendment, (L.010) to SB 13-251, did pass.

Amend the Judiciary Committee Report, dated April 10, 2013, page 2, after line 34 insert:

"(c) HAS SUBMITTED FINGERPRINTS TO THE DEPARTMENT AND WHO THE DEPARTMENT HAS VERIFIED THROUGH THE FEDERAL SECURE COMMUNITIES PROGRAM UNDER SUBSECTION (3) OF THIS SECTION THAT THE APPLICANT HAS NOT BEEN CONVICTED OF A CRIME WITHIN THE UNITED STATES;"

Reletter succeeding paragraphs accordingly.

Page 3, after line 4 insert:

"(3) **Verification - crime.** TO BE ISSUED A LICENSE, AN APPLICANT MUST SUBMIT HIS OR HER FINGERPRINTS. THE DEPARTMENT SHALL SUBMIT THE FINGERPRINTS TO THE SECURE COMMUNITIES PROGRAM WITHIN THE UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT AGENCY OF THE DEPARTMENT OF HOMELAND SECURITY TO VERIFY THAT THE APPLICANT IS NOT LISTED AS HAVING BEEN CONVICTED OF A CRIME WITHIN THE UNITED STATES."

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	15	NO	20	EXCUSED	0	ABSENT	0
Aguilar	N	Guzman	N	Kefalas	N	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	N	Scheffel	Y
Baumgardner	Y	Heath	N	King	Y	Schwartz	N
Brophy	Y	Hill	Y	Lambert	Y	Steadman	N
Cadman	Y	Hodge	N	Lundberg	Y	Tochtrop	N
Carroll	N	Hudak	N	Marble	Y	Todd	N
Crowder	Y	Jahn	N	Newell	N	Ulibarri	N
Giron	N	Johnston	N	Nicholson	N	President	N
Grantham	Y	Jones	N	Renfroe	Y		

SB13-263 by Senator(s) Schwartz and Giron; also Representative(s) Vigil, Fischer--Concerning the development of a master plan for the capitol complex.

Senator Renfroe moved to amend the Report of the Committee of the Whole to show that the following amendment to SB 13-263 did pass.

Amend printed bill, page 2, strike lines 8 through 12 and substitute "**capitol complex master plan.** (3) (a) THE DEPARTMENT OF PERSONNEL SHALL ISSUE A REQUEST FOR PROPOSALS TO DEVELOP A MASTER PLAN FOR THE CAPITOL COMPLEX. IF, AFTER ISSUING THE REQUEST FOR PROPOSALS, THE DEPARTMENT OF PERSONNEL FINDS THAT THE PROPOSALS WOULD BE COST PROHIBITIVE OR DO NOT MEET THE NEEDS OF THE DEPARTMENT, THE DEPARTMENT OF PERSONNEL MAY DEVELOP THE MASTER PLAN.

(b) THE MASTER PLAN IS SUBJECT TO FINAL APPROVAL FROM THE OFFICE OF STATE PLANNING AND BUDGETING AND THE CAPITAL DEVELOPMENT COMMITTEE. THE MASTER PLAN MUST BE COMPLETED NO LATER THAN DECEMBER 1, 2014, AND SHALL:"

Page 2, line 13, strike "DETERMINES" and substitute "DETERMINE".

Page 2, line 15, strike "PRIORITIZES" and substitute "PRIORITIZE".

Page 2, line 17, strike "CONSIDERS" and substitute "CONSIDER".

Page 2, line 19, strike "IDENTIFIES" and substitute "IDENTIFY".

Page 3, line 2, strike "IDENTIFIES" and substitute "IDENTIFY".

Page 3, line 4, strike "IDENTIFIES" and substitute "IDENTIFY".

Page 3, line 6, strike "ASSESES" and substitute "ASSESS".

Page 3, line 9, strike "ESTABLISHES" and substitute "ESTABLISH".

Page 3, line 11, strike "ASSESES" and substitute "ASSESS".

Page 3, line 14, strike "ESTABLISHES" and substitute "ESTABLISH".

Page 3, line 20, strike "REVIEWS" and substitute "REVIEW".

Page 3, line 22, strike "SUGGESTS" and substitute "SUGGEST".

Page 3, line 24, strike "MAKES" and substitute "MAKE".

Page 4, line 1, strike "ADDRESSES" and substitute "ADDRESS".

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 **passed** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Heath, 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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB13-263 as amended, SB13-245 as amended, SB13-251 as amended.

Laid over until Thursday, April 25: SB13-253, SB13-282.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Wednesday, April 24 was laid over until Thursday, April 25, retaining its place on the calendar.

General Orders -- Second Reading of Bills: SB13-211, SB13-268, HB13-1115, HB13-1129, HB13-1077, HB13-1117, HB13-1142, HB13-1156, HB13-1136, HB13-1206.

Consideration of Resolutions: HJR13-1004, SJR13-030, SJR13-0334, SR13-004.

Consideration of House Amendments to Senate Bills: SB13-025, SB13-083, SB13-026, SB13-151, SB13-155, SB13-198, SB13-137.

Consideration of Governor's Appointments:
Member of the State Board of Parole.

INTRODUCTION OF RESOLUTIONS

The following resolutions were read by title:

SJR13-035 by Senator(s) Lambert and Carroll; also Representative(s) Gerou and Hullinghorst-- Concerning a repeal of the requirement that the executive committee of the legislative council review the status of the revenue estimate resolution in the event of a declared disaster emergency.

Laid over one day under Senate Rule 30(b).

SJR13-036 by Senator(s) Carroll, Morse, Cadman; also Representative(s) Hullinghorst, Ferrandino, Waller--Concerning modifications to the joint rules of the Senate and House of Representatives that address sexual harassment and bill requests submitted to the Office of Legislative Legal Services by subject only.

Laid over one day under Senate Rule 30(b).

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

SB13-286 by Senator(s) Hodge and Brophy; also Representative(s) Levy and Sonnenberg-- Concerning an extension of the number of years that a renewable energy company may claim excess enterprise zone investment income tax credits as credit carryovers.
Finance

HB13-1251 by Representative(s) Pabon, Foote; also Senator(s) Morse--Concerning collection of a DNA sample from offenders convicted of a class 1 misdemeanor in the Colorado criminal code, and, in connection therewith, making an appropriation.
Finance

HB13-1294 by Representative(s) Gardner; also Senator(s) Guzman--Concerning a clarification that the state's judicial department is included within the definition of "public entity" for purposes of the "Colorado Governmental Immunity Act".
Judiciary

DELIVERY TO THE GOVERNOR

To the Governor for signature on Tuesday, April 23, 2013, at 1:45 p.m.:
SB13-027, 033, 048, 126, 182 and 186.

TRIBUTES

Honoring:

Allan Skorpen, For dedicated volunteer work at Stein Elementary School -- By Senator Andy Kerr.

Frank DeAngelis, Named the 2013 Colorado High School Principal of the Year by the Colorado Association of School Executives -- By Senator Andy Kerr.

Fourth grade students Indian Ridge Elementary School, For their advocacy for water conservation through Project Citizen -- By Senator Nancy Todd.

Max Warnock, For his artistic contribution in support of the Colorado Tree Coalition -- By Senator John Kefalas.

Andrew Maddox, For service with the Arkansas Headwaters Recreation Area -- By Senator Gail Schwartz.

Rosemary's Baby Bookstore, For being a valued and vital local business of Jefferson County -- By Senator Andy Kerr.

Wystone's World Teas, For being a valued and vital local business of Jefferson County -- By Senator Andy Kerr.

Panorama Orthopedics, 34 years in business and serving the community -- By Senator Cheri Jahn.

Denver West Realty, 32 years in business and serving the community -- By Senator Cheri Jahn.

Aspen Mortuaries, 29 years in business and serving the community -- By Senator Cheri Jahn.

Table Mountain Travel, 26 years in business and serving the community -- By Senator Cheri Jahn.

Oswego Creative, Inc., 24 years in business and serving the community -- By Senator Cheri Jahn.

Ralph's Foothills Service, Inc., 20 years in business and serving the community -- By Senator Cheri Jahn.

Kitchen Masters, Inc., 15 years in business and serving the community -- By Senator Cheri Jahn.

Bridgewater Grill at the Golden Hotel, 9 years in business and serving the community -- By Senator Cheri Jahn.

Best Western Southwest Denver, 8 years in business and serving the community -- By Senator Cheri Jahn.

Brooks Furniture & Design, Inc., 8 years in business and serving the community -- By Senator Cheri Jahn.

Lowell House/Alterations Plus, 7 years in business and serving the community -- By Senator Cheri Jahn.

Five Rings Financial, 7 years in business and serving the community -- By Senator Cheri Jahn.

Bachman Auto, 6 years in business and serving the community -- By Senator Cheri Jahn.

Denver West Office Suites, 6 years in business and serving the community -- By Senator Cheri Jahn.

J & B Image Promotions, 6 years in business and serving the community -- By Senator Cheri Jahn.

Solera National Bank, 6 years in business and serving the community -- By Senator Cheri Jahn.

Day Design Solutions, 5 years in business and serving the community -- By Senator Cheri Jahn.

Aspire Technology Solutions, Inc., 5 years in business and serving the community -- By Senator Cheri Jahn.

Net-Results, 5 years in business and serving the community -- By Senator Cheri Jahn.

Simms Steakhouse, 4 years in business and serving the community -- By Senator Cheri Jahn.

Corfee & Associates, 4 years in business and serving the community -- By Senator Cheri Jahn.

The Manor House, 3 years in business and serving the community -- By Senator Cheri Jahn.

Denver Roofers, 2 years in business and serving the community -- By Senator Cheri Jahn.

Elite Pest Control, 2 years in business and serving the community -- By Senator Cheri Jahn.

Belmar Academy, Inc., 2 years in business and serving the community -- By Senator Cheri Jahn.

RelyLocal Littleton, 2 years in business and serving the community -- By Senator Cheri Jahn.

Aspen Leaf Yogurt, 2 years in business and serving the community -- By Senator Cheri Jahn.

Grant Sustainable Builders, Inc., 2 years in business and serving the community -- By Senator Cheri Jahn.

Chase Chiropractic Clinic, 1 year in business and serving the community -- By Senator Cheri Jahn.

Dwayne Abeyta, For tireless and invaluable work at the State Capitol -- By President John P. Morse.

Joe Ahrens, honoring Staff of the State Capitol for the tireless and invaluable work -- By President John P. Morse.

Eddy Bartels, For tireless and invaluable work at the State Capitol -- By President John P. Morse.

Andre Bowser, For tireless and invaluable work at the State Capitol -- By President John P. Morse.

Bill Bradley, For tireless and invaluable work at the State Capitol -- By President John P. Morse.

Ryan Davis, For tireless and invaluable work at the State Capitol -- By President John P. Morse.

Jose Esquibel, For tireless and invaluable work at the State Capitol -- By President John P. Morse.

Anthony Gallegos, For tireless and invaluable work at the State Capitol -- By President John P. Morse.

Mike Garretson, For tireless and invaluable work at the State Capitol -- By President John P. Morse.

Darrell Geist, For tireless and invaluable work at the State Capitol -- By President John P. Morse.

Chris Hallgren, For tireless and invaluable work at the State Capitol -- By President John P. Morse.

Chris Johnson, For tireless and invaluable work at the State Capitol -- By President John P. Morse.

Ben Martinez, For tireless and invaluable work at the State Capitol -- By President John P. Morse.

David Montoya, For tireless and invaluable work at the State Capitol -- By President John P. Morse.

Mark Mountjoy, For tireless and invaluable work at the State Capitol -- By President John P. Morse.

Ken Naranjo, For tireless and invaluable work at the State Capitol -- By President John P. Morse.

Marisela Nunez, For tireless and invaluable work at the State Capitol -- By President John P. Morse.

Ellen Olson, For tireless and invaluable work at the State Capitol -- By President John P. Morse.

Greg Phillips, For tireless and invaluable work at the State Capitol -- By President John P. Morse.

Paul Qualieri, For tireless and invaluable work at the State Capitol -- By President John P. Morse.

Alice Quintana, For tireless and invaluable work at the State Capitol -- By President John P. Morse.

Paul Reeves, For tireless and invaluable work at the State Capitol -- By President John P. Morse.
Ron Schley, For tireless and invaluable work at the State Capitol -- By President John P. Morse.
Brad Skeers, For tireless and invaluable work at the State Capitol -- By President John P. Morse.
Bryan Stahl, For tireless and invaluable work at the State Capitol -- By President John P. Morse.
Terry Phillips, For tireless and invaluable work at the State Capitol -- By President John P. Morse.
Chris Vasquez, For tireless and invaluable work at the State Capitol -- By President John P. Morse.
Scott Villalva, For tireless and invaluable work at the State Capitol -- By President John P. Morse.
Steve Ziemer, For tireless and invaluable work at the State Capitol -- By President John P. Morse.
Chris Martinez, For tireless and invaluable work at the State Capitol -- By President John P. Morse.
Vincent Gallegos, For tireless and invaluable work at the State Capitol -- By President John P. Morse.

On motion of Majority Leader Carroll, the Senate adjourned until 9:00 a.m., Thursday, April 25, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

107th Legislative Day Thursday, April 25, 2013

Prayer	By Senator Grantham.
Call to Order	By the President at 9:00 a.m.
Pledge	By Senator Kefalas.
Roll Call	Present--33 Excused--2, Crowder, Roberts. Present later--2, Crowder, Roberts.
Quorum	The President announced a quorum present.
Reading of Journal	On motion of Senator Balmer, reading of the Journal of Wednesday, April 24, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Judiciary	After consideration on the merits, the Committee recommends that HB13-1020 be amended as follows, and as so amended, referred to the Committee on <u>Appropriations</u> with favorable recommendation. Amend reengrossed bill, page 5, strike lines 22 through 26 and substitute: "AND THAT IS FOR AN ACTIVE CRIMINAL INVESTIGATION."
Judiciary	After consideration on the merits, the Committee recommends that HB13-1082 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.
Judiciary	After consideration on the merits, the Committee recommends that HB13-1230 be referred to the Committee on <u>Appropriations</u> with favorable recommendation.
Judiciary	After consideration on the merits, the Committee recommends that HB13-1195 be referred to the Committee on <u>Appropriations</u> with favorable recommendation.
Judiciary	After consideration on the merits, the Committee recommends that SB13-265 be referred to the Committee of the Whole with favorable recommendation.
State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that HB13-1303 be referred to the Committee on <u>Appropriations</u> with favorable recommendation.
Business, Labor, & Technology	After consideration on the merits, the Committee recommends that HB13-1253 be referred to the Committee on <u>Legislative Council</u> with favorable recommendation.

Business, Labor, & Technology	After consideration on the merits, the Committee recommends that SB13-283 be amended as follows, and as so amended, be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	1 2 3 4 5
	Amend printed bill, page 22, strike lines 19 through 27.	6 7
	Page 23, strike line 1 and substitute:	8 9
	" SECTION 14. In Colorado Revised Statutes, add 25-1.5-111 as follows:".	10 11 12 13
		14
Business, Labor, & Technology	After consideration on the merits, the Committee recommends that HB13-1301 be referred to the Committee on <u>Legislative Council</u> with favorable recommendation.	15 16 17
		18
		19
Business, Labor, & Technology	After consideration on the merits, the Committee recommends that SB13-271 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	20 21 22 23
	Amend printed bill, page 2, strike lines 2 through 7 and substitute:	24 25
	" SECTION 1. In Colorado Revised Statutes, repeal 24-30-2114.	26
	SECTION 2. In Colorado Revised Statutes, 16-18.5-110, repeal (1) (c.5) as follows:	27 28
	16-18.5-110. Order of crediting payments. (1) Payments received shall be credited in the following order:	29 30
	(c.5) Surcharges related to the address confidentiality program pursuant to section 24-30-2114, C.R.S.;	31 32
	SECTION 3. In Colorado Revised Statutes, amend 24-30-2113 as follows:	33 34
	24-30-2113. Rule-making authority. The executive director or his or her designee is authorized to adopt any rules in accordance with article 4 of this title deemed necessary to carry out the provisions of this part 21. excluding section 24-30-2114.	35 36 37 38
	SECTION 4. Effective date - applicability. This act takes effect July 1, 2013, and applies to convictions entered on and after said date.".	39 40 41
	Renumber succeeding section accordingly.	42 43 44
		45 46
	SENATE SERVICES REPORT	47 48
	Correctly Printed: SB13-285 and 286; SJR13-035 and 036.	49
	Correctly Engrossed: SB13-245, 251 and 263; SJM13-003.	50
	Correctly Reengrossed: SB13-189, 219, 261 and 266.	51 52 53
		54 55
	INTRODUCTION OF BILLS -- FIRST READING	56 57
	The following bill was read by title and referred to the committee indicated:	58 59 60
HB13-1111	by Representative(s) Ginal, Hamner, Hulinghorst; also Senator(s) Newell, Hill-- Concerning the regulation of naturopathic doctors, and, in connection therewith, making an appropriation. Judiciary	61 62 63 64 65 66 67

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for an expression of personal privilege.

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:

SB13-185 by Senator(s) Nicholson; also Representative(s) Primavera--Concerning expansion of the types of activities that are eligible for grants under the tobacco education, prevention, and cessation grant program.

Laid over until Thursday, May 9, retaining its place on the calendar.

SB13-263 by Senator(s) Schwartz and Giron; also Representative(s) Vigil, Fischer--Concerning the development of a master plan for the capitol complex.

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 3, line 10, strike "IMPROVES" and substitute "IMPROVE".

Page 3, line 15, strike "IDENTIFIES" and substitute "IDENTIFY".

Page 4, line 8, strike "(b)" and substitute "(c)".

Page 4, line 15, strike "(c)" and substitute "(d)".

Page 4, line 17, strike "(d)" and substitute "(e)".

Page 4, line 27, strike "(e)" and substitute "(f)".

Page 5, line 21, strike "AND".

Page 5, line 23, strike "DENVER." and substitute "DENVER; AND".

Page 5, after line 23 add:

"(XVII) ANY OTHER BUILDINGS, FACILITIES, AND SURFACE PARKING LOTS ACQUIRED AFTER THE EFFECTIVE DATE OF THIS SUBPARAGRAPH (XVII).".

The amendment was **passed** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Newell.

SB13-245 by Senator(s) King and Jahn; also Representative(s) Gardner and Kraft-Tharp--Concerning the creation of the Colorado firefighting air corps in the division of fire prevention and control of the department of public safety.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Baumgardner, Brophy, Cadman, Crowder, Grantham, Guzman, Harvey, Heath, Johnston, Jones, Kefalas, Lambert, Lundberg, Marble, Morse, Newell, Nicholson, Roberts, Scheffel, Schwartz, Tochtrop, Todd and Ulibarri.

SB13-251 by Senator(s) Ulibarri and Morse, Aguilar, Carroll, Giron, Guzman, Heath, Hodge, Hudak, Johnston, Jones, Kefalas, Newell, Schwartz, Steadman, Tochtrop, Todd; also Representative(s) Melton, Moreno, Salazar--Concerning documentary evidence needed for an individual to be issued an identity document by the department of revenue, and, in connection therewith, making an appropriation.

A majority of those elected to the Senate having voted in the affirmative, Senator Ulibarri was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.011), by Senator Ulibarri.

Amend engrossed bill, page 6, strike lines 11 through 13.

The amendment was **passed** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	20	NO	15	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Nicholson.

MESSAGE FROM THE HOUSE

April 25, 2013

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1297, amended as printed in House Journal, April 23, page 1217.

Committee of the Whole On motion of Senator Jones, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills and Senator Jones was called to the Chair to act as Chairman.

GENERAL 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:

HB13-1115 by Representative(s) McCann, Fields, Labuda, Levy, Schafer, Swalm, Tyler, Joshi, Primavera, Ryden, Young; also Senator(s) Steadman and Roberts--Concerning the repeal of CoverColorado, and, in connection therewith, terminating health care coverage for all CoverColorado participants effective April 1, 2014, as part of the transition to health insurance coverage regardless of preexisting medical conditions under the federal "Patient Protection and Affordable Care Act".

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, April 19, page(s) 916 and placed in members' bill files.)
As amended, ordered revised and placed on the calendar for third reading and final passage.

HB13-1136 by Representative(s) Levy and Salazar, Buckner, Court, Duran, Exum, Fields, Fischer, Garcia, Ginal, Hulinghorst, Kagan, Labuda, Lebsock, McCann, Melton, Mitsch Bush, Moreno, Peniston, Pettersen, Primavera, Ryden, Schafer, Singer, Tyler, Vigil, Williams, Ferrandino, Foote, Pabon, Rosenthal; also Senator(s) Carroll and Guzman, Aguilar, Giron, Hodge, Hudak, Jones, Kefalas, Morse, Newell, Nicholson, Steadman, Tochtrop, Todd, Ulibarri, Heath, Johnston, Schwartz--Concerning the creation of remedies in employment discrimination cases brought under state law.

Majority Leader Carroll moved that the Committee of the Whole rise, report progress, and beg leave to sit again at 5:00 p.m. A majority of those elected to the Senate having voted in the affirmative, the motion was adopted.

Committee of the Whole in recess.

MESSAGE FROM THE REVISOR OF STATUTES

April 25, 2013

We herewith transmit:

Without comment, as amended, HB13-1297.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for expressions of personal privilege.

Senate in recess. Senate reconvened.

Call of the Senate. Call raised.

COMMITTEE OF REFERENCE REPORTS

Health & Human Services After consideration on the merits, the Committee recommends that **HB13-1215** be referred to the Committee of the Whole with favorable recommendation.

Health &
Human
Services

After consideration on the merits, the Committee recommends that **HB13-1266** be **amended** as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 10, line 4, after "spouse," insert " A PARTNER IN A CIVIL UNION,".

Page 10, line 22, after "SPOUSE" insert "OR PARTNER IN A CIVIL UNION".

Page 10, line 25, strike "SPOUSE;" and substitute "SPOUSE OR PARTNER IN A CIVIL UNION;".

Page 10, line 26, after "SPOUSE" insert "OR PARTNER IN A CIVIL UNION".

Page 11, line 1, after "SPOUSE" insert "OR PARTNER IN A CIVIL UNION".

Page 40, line 13, after "MARITAL" insert "OR CIVIL UNION".

Page 40, line 18, strike "OR RESTRICT".

Page 41, line 1, before "LEGAL" insert "PERMANENT".

Page 60, line 7, after "MARRIAGE," insert "CIVIL UNION,".

Page 61, line 14, strike "SPOUSE;" and substitute "SPOUSE OR PARTNER IN A CIVIL UNION;".

Page 61, line 16, after "MARRIAGE," inert "CIVIL UNION,".

Page 67, line 14, strike "PLANS, TO INCLUDE" and substitute "PLANS. THE RULES MUST INCLUDE, AS SUPPLEMENTAL CRITERIA THAT WILL BE CONSIDERED DURING REVIEW, REQUIREMENTS FOR CARRIERS TO PROVIDE INFORMATION ON".

Page 87, line 7, after "MARITAL" insert "OR CIVIL UNION".

Page 101, line 23, strike "STRICTLY".

Page 101, line 25, strike "IS" and substitute "MAY BE".

Page 101, line 26, strike "SECTION," and substitute "SECTION IF THE COMMISSIONER DETERMINES THAT THE CARRIER DID NOT SUBSTANTIALLY COMPLY".

Page 101, strike line 27.

Page 102, line 1, strike "COMPLIED" and strike "UNLESS" and substitute "THAT".

Page 102, line 2, strike "IT COMMITTED WAS" and substitute "THE CARRIER COMMITTED WAS NOT".

Page 102, line 3, strike "AND AN" and substitute "IN WHICH CASE THE".

Page 118, line 25, after "spouse" insert "OR PARTNER IN A CIVIL UNION".

Page 131, line 4, strike "PERIOD." and substitute "PERIOD FOR THE PAYMENT OF ANY PREMIUM DUE OTHER THAN THE FIRST PREMIUM.".

Page 149, line 18, strike "10-16-104(1)," and substitute "10-16-140(1),".

Trans-
portation

After consideration on the merits, the Committee recommends that **HB13-1240** be **referred** to the Committee on Appropriations with favorable recommendation.

Finance	After consideration on the merits, the Committee recommends that HB13-1252 be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	1 2 3 4 5
Finance	After consideration on the merits, the Committee recommends that HB13-1296 be amended as follows, and as so amended, be referred to the Committee on <u>Local Government</u> with favorable recommendation. Amend reengrossed bill, page 3, line 11, strike "TWENTY-NINE" and substitute "THIRTY". Page 4, line 4, strike "ONE MEMBER WHO REPRESENTS" and substitute "TWO MEMBERS WHO REPRESENT".	6 7 8 9 10 11 12 13 14 15 16
Finance	After consideration on the merits, the Committee recommends that SB13-276 be amended as follows, and as so amended, be referred to the Committee on <u>Appropriations</u> with favorable recommendation. Amend printed bill, page 2, strike line 2 and substitute: "SECTION 1. In Colorado Revised Statutes, 25.5-6-111, repeal (1), (2), (3), (5), (6), and (7). SECTION 2. In Colorado Revised Statutes, 25.5-6-111, amend (4) as follows: 25.5-6-111. Pilot program for coordinated care for people with a disability - fund - report - rules - repeal. (4) (a) There is hereby created in the state treasury the coordinated care for people with disabilities fund, referred to in this section as the "fund", that shall consist of moneys transferred to the fund pursuant to section 25.5-5-308 (8), any moneys that may be appropriated to the fund by the general assembly, and any gifts, grants, or donations received by the state department for the purpose of implementing this section. The moneys in the fund shall be subject to annual appropriation by the general assembly for the direct and indirect costs associated with the implementation of the pilot program. Any moneys in the fund not expended for the purpose of this section may be invested by the state treasurer as provided by law. All interest and income derived from the investment and deposit of moneys in the fund shall be credited to the fund. Any unexpended and unencumbered moneys remaining in the fund at the end of a fiscal year AS OF JULY 1, 2013, shall remain in the fund and shall not be credited or BE transferred to the general fund or another fund. DISABILITY INVESTIGATIONAL AND PILOT SUPPORT CREATED IN SECTION 24-30-2205.5, C.R.S. If this section is repealed, prior to its repeal, all unexpended and unencumbered moneys remaining in the fund shall be transferred to the general fund. (b) THIS SUBSECTION (4) IS REPEALED, EFFECTIVE JULY 1, 2014." Renumber succeeding sections accordingly. Page 4, line 8, after "(a)" insert "(I)". Page 4, line 11, strike "(b)" and substitute "(II)". Page 4, line 14, strike "DISABILITIES." and substitute "DISABILITIES; OR (b) BE THE LICENSE PLATE AUCTION GROUP ESTABLISHED IN SECTION 42-1-403, C.R.S." Page 4, after line 20 insert: "SECTION 7. In Colorado Revised Statutes, amend 24-30-2206 as follows: 24-30-2206. Implementation. (1) (a) EXCEPT AS PROVIDED FOR IN PARAGRAPH (b) OF THIS SUBSECTION (1), the general assembly does not intend to require the department of personnel to expend moneys to implement this part 22. Notwithstanding any other section of this part 22, the department of personnel and the committee need not implement this part 22 until the disability-benefit support fund contains enough money	17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69

to implement this part 22.
(b) THE DEPARTMENT OF PERSONNEL SHALL BEGIN IMPLEMENTATION OF SECTION 24-30-2204.5 AT SUCH TIME AS THE DISABILITY INVESTIGATIONAL AND PILOT SUPPORT FUND CONTAINS SUFFICIENT FUNDS FOR IMPLEMENTATION, AS DETERMINED BY THE COMMITTEE."

Renumber succeeding sections accordingly.

Page 6, strike lines 7 through 16 and substitute:

"SECTION 11. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety."

Trans-
portation

After consideration on the merits, the Committee recommends that **HB13-1289** be **amended** as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend reengrossed bill, page 3, line 2, strike everything after "(a)" and substitute "THE DEPARTMENT IS AUTHORIZED TO SEEK AND ACCEPT GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF THIS SECTION; EXCEPT THAT THE DEPARTMENT MAY NOT ACCEPT A GIFT, GRANT, OR DONATION THAT IS SUBJECT TO CONDITIONS THAT ARE INCONSISTENT WITH THIS SECTION OR ANY OTHER LAW OF THE STATE. THE DEPARTMENT SHALL ENSURE THAT ANY FUNDS CONTRIBUTED TO THE DEPARTMENT FOR THE IMPLEMENTATION OF THE SYSTEM FOR THE ELECTRONIC TRANSMISSION OF REGISTRATION, LIEN, AND TITLING INFORMATION FOR MOTOR VEHICLES ARE TRACKED SEPARATELY AND USED ONLY FOR THE IMPLEMENTATION OF THE SYSTEM."

Page 3, strike lines 3 through 16.

Health &
Human
Services

After consideration on the merits, the Committee recommends that **HB13-1281** be **referred** to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Health &
Human
Services

After consideration on the merits, the Committee recommends that **HB13-1239** be **amended** as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 4, after line 23 insert:

"(II) THE COLORADO YOUTH ADVISORY COUNCIL, CREATED IN SECTION 2-2-1302, C.R.S.;".

Renumber succeeding subparagraphs accordingly.

Page 11, after line 10 insert:

"(II) THE COLORADO YOUTH ADVISORY COUNCIL, CREATED IN SECTION 2-2-1302, C.R.S.;".

Renumber succeeding subparagraphs accordingly.

Agriculture,
Natural
Resources, &
Energy

After consideration on the merits, the Committee recommends that **HB13-1031** be **referred** to the Committee on Appropriations with favorable recommendation.

Agriculture,
Natural
Resources, &
Energy

After consideration on the merits, the Committee recommends that **HB13-1283** be **referred** to the Committee on Appropriations with favorable recommendation.

Agriculture, After consideration on the merits, the Committee recommends that **SB13-280** be **amended** 1
Natural as follows, and as so amended, be referred to the Committee on Appropriations with 2
Resources, & favorable recommendation. 3
Energy 4

Amend printed bill, page 2, after line 1 insert: 5
6

"SECTION 1. In Colorado Revised Statutes, 33-14.5-103, 7
amend (1) as follows: 8

33-14.5-103. Proof of ownership for registration purposes. 9
(1) The division shall require proof of ownership for an off-highway 10
vehicle prior to the initial registration required under this article, but ~~such~~ 11
~~proof shall not be dependent upon any certificate of title, and no~~ 12
~~certificate of title shall be issued by the division~~ SHALL NOT ISSUE A 13
CERTIFICATE OF TITLE FOR THE VEHICLE." 14
15

Renumber succeeding sections accordingly. 16
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Page 2, strike lines 9 and 10 and substitute "OFF-HIGHWAY VEHICLE AS 18
DEFINED IN SECTION 42-6-102, C.R.S., or for a ~~mobile~~ MANUFACTURED 19
home ~~by the department of revenue or its authorized agent~~ AS DEFINED IN 20
SECTION 38-29-106, C.R.S., until any tax due on the sale and purchase". 21
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Page 3, line 14, strike "POWERSPORTS" and substitute "OFF-HIGHWAY". 23
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Page 3, line 15, strike "POWERSPORTS" and substitute "OFF-HIGHWAY". 25
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Page 3, line 20, after "**amend**" insert "(1) and". 27
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Page 3, line 21, strike "(11.5)" and substitute "(1.5), (11.5)". 29
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Page 3, after line 23 insert: 31
 ~~"(1) "Authorized agents" means the county clerk and recorder in~~ 32
~~each of the counties of the state, including the city and county of~~ 33
~~Broomfield, and the manager of revenue or such other official of the city~~ 34
~~and county of Denver as may be appointed by the mayor to perform~~ 35
~~functions related to the registration of motor vehicles. "ALL-TERRAIN~~ 36
~~VEHICLE" MEANS A THREE- OR FOUR-WHEELED VEHICLE THAT TRAVELS~~ 37
~~ON LOW-PRESSURE TIRES WITH A SEAT THAT IS STRADDLED BY THE RIDER~~ 38
~~AND WITH HANDLEBARS FOR STEERING CONTROL.~~ 39
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 (1.5) "AUTHORIZED AGENT" MEANS THE COUNTY CLERK AND 41
RECORDER IN EACH OF THE COUNTIES OF THE STATE OR SUCH OTHER 42
OFFICIAL OF A CITY AND COUNTY APPOINTED TO PERFORM THE FUNCTION 43
OF TITLING OF OR RECORDING LIENS ON MOTOR VEHICLES." 44
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Page 9, strike lines 6 and 7 and substitute "**chattel mortgage. In order to** 46
~~facilitate initial registration of a vehicle;~~ A dealer of motor OR 47
OFF-HIGHWAY vehicles shall, ~~have not more than~~". 48
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Page 34, line 3, strike "OR". 50
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Page 34, line 4, strike "REGISTRATION". 52
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Page 34, line 8, strike "OR REGISTRATION". 54
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Page 34, line 9, strike "CARD". 56
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Page 34, line 13, strike "OR REGISTRATION". 58
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Page 35, strike lines 23 through 26 and substitute: 60
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 "(2) A CURRENT OFF-HIGHWAY VEHICLE REGISTRATION ISSUED 62
UNDER ARTICLE 14.5 OF TITLE 33, C.R.S., IS SUFFICIENT". 63
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Agriculture, After consideration on the merits, the Committee recommends that **HB13-1248** be 65
Natural **amended** as follows, and as so amended, be referred to the Committee on Finance with 66
Resources, & favorable recommendation. 67
Energy 68
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Amend reengrossed bill, page 4, strike lines 12 through 18 and substitute "WATER FOR TEMPORARY MUNICIPAL USE, DEMONSTRATE COOPERATION AMONG DIFFERENT TYPES OF WATER USERS, INCLUDING COOPERATION AMONG SHAREHOLDERS, DITCH COMPANIES, WATER USER ASSOCIATIONS, IRRIGATION DISTRICTS, WATER CONSERVANCY DISTRICTS, WATER CONSERVATION DISTRICTS, AND MUNICIPALITIES;".

Page 5, strike lines 14 through 16 and substitute:

"(III) THE TRANSFER OR FACILITATION OF THE TRANSFER OF WATER ACROSS THE CONTINENTAL DIVIDE BY DIRECT DIVERSION, EXCHANGE, OR OTHERWISE; OR

(IV) THE TRANSFER OR FACILITATION OF THE TRANSFER OF WATER OUT OF THE RIO GRANDE BASIN BY DIRECT DIVERSION, EXCHANGE, OR OTHERWISE.".

Page 6, line 17, after "THE" insert "CONFERENCE".

Page 6, line 19, before "PARTICIPANTS" insert "CONFERENCE".

Page 9, line 11, strike "SETTLEMENT".

Page 9, line 16, strike "SETTLEMENT".

Health &
Human
Services

After consideration on the merits, the Committee recommends that **SB13-277** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend printed bill, page 3, line 21, strike "A" and substitute "(a) EXCEPT AS PROVIDED IN PARAGRAPH (b) OF THIS SUBSECTION (2), A".

Page 3, line 23, strike "(a)" and substitute "(I)".

Page 3, line 25, strike "(b)" and substitute "(II)".

Page 3, line 27, strike "(I)" and substitute "(A)".

Page 4, line 6, strike "(II)" and substitute "(B)".

Page 4, line 9, strike "SUBPARAGRAPH (I) OF THIS PARAGRAPH (a)," and substitute "SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (II),".

Page 4, line 11, strike "(c)" and substitute "(III)".

Page 4, line 13, strike "SEVENTY-TWO HOURS" and substitute "THREE BUSINESS DAYS".

Page 4, line 15, strike "(d)" and substitute "(IV)".

Page 4, line 17, strike "TWENTY-FOUR HOURS" and substitute "ONE DAY".

Page 4, after line 18 insert:

"(b) IF A CARRIER OR PHARMACY BENEFIT MANAGEMENT FIRM NOTIFIES THE PRESCRIBING PROVIDER PURSUANT TO SUB-SUBPARAGRAPH (A) OF SUBPARAGRAPH (II) OF PARAGRAPH (a) OF THIS SUBSECTION (2) THAT A PRIOR AUTHORIZATION REQUEST IS INCOMPLETE AND THAT ADDITIONAL INFORMATION IS REQUIRED, THE PRESCRIBING PROVIDER SHALL SUBMIT THE ADDITIONAL INFORMATION WITHIN TWO BUSINESS DAYS AFTER RECEIPT OF THE NOTICE FROM THE CARRIER OR PHARMACY BENEFIT MANAGEMENT FIRM. IF THE PRESCRIBING PROVIDER FAILS TO SUBMIT THE REQUIRED ADDITIONAL INFORMATION WITHIN TWO BUSINESS DAYS AFTER RECEIPT OF THE NOTICE, THE REQUEST IS NOT DEEMED GRANTED PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (2). AFTER RECEIPT OF THE REQUIRED ADDITIONAL INFORMATION, THE CARRIER OR PHARMACY BENEFIT MANAGEMENT FIRM SHALL RESPOND TO THE PRIOR AUTHORIZATION REQUEST IN ACCORDANCE WITH SUB-SUBPARAGRAPH (B)

	OF SUBPARAGRAPH (II) OF PARAGRAPH (a) OF THIS SUBSECTION (2).".	1
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	Page 5, line 21, strike the first "THE" and substitute "A LINK TO THE	3
	CURRENT".	4
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	Page 5, line 22, after "AUTHORIZATION;" insert "AND".	6
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	Page 5, strike lines 23 through 26.	8
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	Renumber succeeding subparagraphs accordingly.	10
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	Page 6, line 4, strike "10-16-113.5; AND" and substitute "10-16-113.5".	12
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	Page 6, strike lines 5 through 10.	14
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	Page 6, strike line 16 and substitute "AUTHORIZATION, INCLUDING, BUT	16
	NOT LIMITED TO, STANDARDS REFERENCED IN FEDERAL LAW;".	17
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	Page 7, after line 7 insert:	19
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	"(c) IN ADDITION TO THE PRIOR AUTHORIZATION PROCESS, THE	21
	COMMISSIONER SHALL DEVELOP, BY RULE, A STANDARDIZED PRIOR	22
	AUTHORIZATION FORM, NOT TO EXCEED TWO PAGES IN LENGTH, FOR USE	23
	IN SUBMITTING ELECTRONIC AND NONELECTRONIC PRIOR AUTHORIZATION	24
	REQUESTS. IN DEVELOPING THE FORM, THE COMMISSIONER SHALL TAKE	25
	INTO CONSIDERATION EXISTING FORMS, INCLUDING EXISTING PRIOR	26
	AUTHORIZATION FORMS ESTABLISHED BY THE FEDERAL CENTERS FOR	27
	MEDICARE AND MEDICAID SERVICES OR THE DEPARTMENT OF HEALTH	28
	CARE POLICY AND FINANCING.".	29
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	Page 7, line 22, strike "DIRECTOR" and substitute "COMMISSIONER".	31
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	Page 8, line 6, strike "AND".	33
		34
	Page 8, strike lines 7 through 9 and substitute "ON AND AFTER".	35
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	Page 9, line 12, before "OPINION" insert "REASONABLE".	37
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	Page 9, after line 20 insert:	39
		40
	"SECTION 3. No appropriation. The general assembly has	41
	determined that this act can be implemented within existing	42
	appropriations, and therefore no separate appropriation of state moneys	43
	is necessary to carry out the purposes of this act.".	44
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	Renumber succeeding section accordingly.	46
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Health & Human Services	After consideration on the merits, the Committee recommends that HB13-1196 be	48
	referred to the Committee of the Whole with favorable recommendation and with a	49
	recommendation that it be placed on the Consent Calendar.	50
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Education	After consideration on the merits, the Committee recommends that SB13-263 be referred	53
	to the Committee of the Whole with favorable recommendation.	54
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Education	After consideration on the merits, the Committee recommends that HB13-1165 be	57
	referred to the Committee on <u>Appropriations</u> with favorable recommendation.	58
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Education	After consideration on the merits, the Committee recommends that SB13-279 be amended	61
	as follows, and as so amended, be referred to the Committee of the Whole with favorable	62
	recommendation.	63
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	Amend printed bill, page 3, line 3, strike the first "DISTRICT" and	67
	substitute "DISTRICT, INSTITUTE CHARTER SCHOOL,".	68
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Page 3, line 16, strike the first "DISTRICT" and substitute "DISTRICT, INSTITUTE CHARTER SCHOOL,".

Page 3, line 19, strike the first "DISTRICT" and substitute "DISTRICT, INSTITUTE CHARTER SCHOOL,".

Page 3, line 21, strike "DISTRICT" and substitute "DISTRICT, INSTITUTE CHARTER SCHOOL,".

Page 3, line 27, strike "SCHOOL" and substitute "SCHOOL DISTRICT, INSTITUTE CHARTER SCHOOL, OR DISTRICT CHARTER SCHOOL".

Page 4, line 11, strike the first "DISTRICT" and substitute "DISTRICT, INSTITUTE CHARTER SCHOOL,".

Page 4, line 16, strike "DISTRICT" and substitute "DISTRICT, INSTITUTE CHARTER SCHOOL,".

Page 5, line 5, strike "TWENTY-FIVE" and substitute "FIFTY".

Page 5, line 6, after "ALTERATIONS" insert "WITHIN THE IDENTIFIED SCOPE OF THE PROJECT" and strike "TWENTY-FIVE" AND SUBSTITUTE "FIFTY".

Page 5, line 8, after "REQUIRING" insert "MODIFICATIONS OUTSIDE THE IDENTIFIED SCOPE OF THE PROJECT TO".

Page 5, strike lines 15 and 16 and substitute "**definitions.** (1) (c.5) IN CONSTRUCTING BUILDINGS AND STRUCTURES, A SCHOOL DISTRICT, DISTRICT CHARTER SCHOOL, OR INSTITUTE CHARTER SCHOOL SHALL CONSULT THE".

Page 5, line 17, strike "CONSTRUCTION".

MESSAGE FROM THE HOUSE

April 25, 2013

Mr. President:

The House has postponed indefinitely SB13-191. The bill is returned herewith.

Committee of the Whole reconvened.

GENERAL ORDERS -- SECOND READING OF BILLS - cont'd

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:

HB13-1136 by Representative(s) Levy and Salazar, Buckner, Court, Duran, Exum, Fields, Fischer, Garcia, Ginal, Hullinghorst, Kagan, Labuda, Lebsock, McCann, Melton, Mitsch Bush, Moreno, Peniston, Pettersen, Primavera, Ryden, Schafer, Singer, Tyler, Vigil, Williams, Ferrandino, Foote, Pabon, Rosenthal; also Senator(s) Carroll and Guzman, Aguilar, Giron, Hodge, Hudak, Jones, Kefalas, Morse, Newell, Nicholson, Steadman, Tochtrop, Todd, Ulibarri, Heath, Johnston, Schwartz--Concerning the creation of remedies in employment discrimination cases brought under state law.

Ordered revised 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.)

SB13-253	by Senator(s) Steadman; also Representative(s) Levy--Concerning a deferred judgment for a drug offense when there is a violation of the deferred judgment.	1
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	Laid over until Friday, April 26, retaining its place on the calendar.	4
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SB13-282	by Senator(s) Guzman; also Representative(s) Pabon and Levy, Tyler--Concerning a medical exemption from tiered electricity rates.	6
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	<u>Amendment No. 1(L.001), by Senator Guzman.</u>	10
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	Amend printed bill, strike everything below the enacting clause and substitute:	12
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	"SECTION 1. In Colorado Revised Statutes, amend 40-3-103.5 as follows:	15
	40-3-103.5. Medical exemption - tiered electricity rates - rules.	16
	The commission may adopt rules creating an exemption from any tiered electricity rate plan based on a customer's medical condition or use of an essential life support device. (1) NOTWITHSTANDING ANY PROVISION OF	17
	ARTICLES 1 TO 7 OF THIS TITLE TO THE CONTRARY, THE COMMISSION SHALL ADOPT RULES BY JANUARY 31, 2014, TO CREATE AN EXEMPTION	18
	FROM ANY TIERED ELECTRICITY RATE PLAN BASED ON A CUSTOMER'S MEDICAL CONDITION. THE RULES MUST IMPLEMENT THE MEDICAL	19
	EXEMPTION BY JUNE 1, 2014. THE COMMISSION MAY CONSIDER IN ITS RULES HOW THE COST OF PROVIDING THIS EXEMPTION MAY BE ASSESSED	20
	BY THE PUBLIC UTILITY ON OTHER CUSTOMERS.	21
	(2) THE COMMISSION MAY DETERMINE THE DEFINITION OF "MEDICAL CONDITION"; EXCEPT THAT THE DEFINITION MUST INCLUDE	22
	MULTIPLE SCLEROSIS AND EPILEPSY.	23
	(3) IF THE COMMISSION DETERMINES THAT A MEANS TEST IS NECESSARY FOR THE MEDICAL EXEMPTION, THE COMMISSION SHALL USE	24
	NO LESS THAN TWO HUNDRED FIFTY PERCENT OF THE FEDERAL POVERTY LEVEL AS THE MAXIMUM INCOME A CUSTOMER MAY HAVE TO BE ELIGIBLE	25
	FOR THE MEDICAL EXEMPTION.	26
	(4) IF THE LOW-INCOME ENERGY ASSISTANCE PROGRAM IS USED TO CERTIFY ELIGIBILITY, THE MEDICAL EXEMPTION UNDER THIS SECTION MUST	27
	BE DISTINGUISHABLE FROM THE HEAT ASSISTANCE BENEFITS OFFERED UNDER THE LOW-INCOME ENERGY ASSISTANCE PROGRAM BECAUSE THESE	28
	PROGRAMS MAY HAVE DIFFERENT ELIGIBILITY REQUIREMENTS.	29
	SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate	30
	preservation of the public peace, health, and safety."	31
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	<u>Amendment No. 2(L.002), by Senator Guzman.</u>	46
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	Amend the Guzman floor amendment (SB282_L.001), page 1, strike line 18 and substitute "MULTIPLE SCLEROSIS, EPILEPSY, QUADRIPLÉGIA, AND PARAPLEGIA."	48
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	As amended, ordered engrossed and placed on the calendar for third reading and final passage.	53
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SB13-211	by Senator(s) Heath; also Representative(s) Hullinghorst--Concerning the requirements for notice of termination of homeowners' insurance coverage.	57
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	<u>Amendment No. 1, Business, Labor & Technology Committee Amendment.</u>	60
	(Printed in Senate Journal, April 22, page(s) 982 and placed in members' bill files.)	61
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	As amended, lost on second reading.	63
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- HB13-268

by Senator(s) Steadman; also Representative(s) May--Concerning the repeal of certain requirements in connection with any bill enacted by the general assembly that relies on gifts, grants, or donations as its funding source.

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- Amendment No. 1, State, Veterans, and Military Affairs Committee Amendment.
(Printed in Senate Journal, April 22, page(s) 983 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

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- HB13-1129

by Representative(s) Pettersen; also Senator(s) Newell--Concerning creating the evidence-based practices implementation for capacity resource center, and, in connection therewith, making an appropriation.

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- Ordered revised and placed on the calendar for third reading and final passage.

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- HB13-1077

by Representative(s) Salazar; also Senator(s) Ulibarri--Concerning a driver's right to challenge the lawfulness of a law enforcement officer's initial contact in an administrative proceeding for a revocation of a driver's license, and, in connection therewith, making an appropriation.

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- Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, April 5, page(s) 717 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 19, page(s) 918 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

- HB13-1136

by Representative(s) Levy and Salazar, Buckner, Court, Duran, Exum, Fields, Fischer, Garcia, Ginal, Hullinghorst, Kagan, Labuda, Lebsock, McCann, Melton, Mitsch Bush, Moreno, Peniston, Pettersen, Primavera, Ryden, Schafer, Singer, Tyler, Vigil, Williams, Ferrandino, Foote, Pabon, Rosenthal; also Senator(s) Carroll and Guzman, Aguilar, Giron, Hodge, Hudak, Jones, Kefalas, Morse, Newell, Nicholson, Steadman, Tochtrop, Todd, Ulibarri, Heath, Johnston, Schwartz--Concerning the creation of remedies in employment discrimination cases brought under state law.

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- Senator Cadman moved to amend the Report of the Committee of the Whole to show that the following Cadman floor amendment, (L.054) to HB 13-1136, did pass.

Amend reengrossed bill, page 4, strike lines 16 and 17 and substitute:
"(b) (I) EXCEPT AS PROVIDED IN".
Page 4, line 19, strike "DEFENDANT, OTHER THAN THE" and substitute "DEFENDANT IF THE PLAINTIFF".
Page 4, strike lines 20 and 21.
Page 8, line 13, strike "DAMAGES; EXCEPT THAT" and substitute "DAMAGES".
Page 8, strike lines 14 through 16.
- 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	18	EXCUSED	0	ABSENT	0
Aguilar	N	Guzman	N	Kefalas	N	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	N	Scheffel	Y
Baumgardner	Y	Heath	N	King	Y	Schwartz	N
Brophy	Y	Hill	Y	Lambert	Y	Steadman	N
Cadman	Y	Hodge	N	Lundberg	Y	Tochtrop	N
Carroll	N	Hudak	N	Marble	Y	Todd	N
Crowder	Y	Jahn	Y	Newell	N	Ulibarri	N
Giron	N	Johnston	Y	Nicholson	N	President	N
Grantham	Y	Jones	N	Renfroe	Y		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Jones, 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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB13-282 as amended, SB13-268 as amended, HB13-1115 as amended, HB13-1136, HB13-1129, HB13-1077 as amended.
Lost on second reading: SB13-211 as amended.
Laid over until Friday, April 26: SB13-253.

MESSAGE FROM THE HOUSE

April 25, 2013

Mr. President:

The House has postponed indefinitely SJR13-021. The resolution is returned herewith.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of House Amendments to Senate Bills.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB13-025 by Senator(s) Tochtrop; also Representative(s) Williams--Concerning collective bargaining by firefighters.

Senator Tochtrop moved that the Senate not concur in House amendments to **SB13-025**, as printed in House journal, April 17, page(s) 1015-1016, and that a conference committee be appointed.

A majority of all members elected to the Senate having voted in the affirmative, the motion was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The President appointed Senators Tochtrop, Chair, Ulibarri, and Crowder as Senate conferees on the first conference committee on **SB13-025**.

SB13-083 by Senator(s) Roberts and Nicholson; also Representative(s) Gerou and Levy--Concerning the creation of a prescribed burning program under the division of fire prevention and control in the department of public safety, and, in connection therewith, specifying the powers and duties of the division and its director with respect to that program and making an appropriation.

Senator Nicholson moved that the Senate concur in House amendments to **SB13-083**, as printed in House journal, April 19, page(s) 1101-1102. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB13-026 by Senator(s) Carroll and Aguilar; also Representative(s) Primavera--Concerning expansion of the "Michael Skolnik Medical Transparency Act of 2010" to require additional health care providers to disclose information about their practice history, and, in connection therewith, making an appropriation.

Senator Carroll moved that the Senate concur in House amendments to **SB13-026**, as printed in House journal, April 19, page(s) 1110. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	21	NO	14	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB13-151 by Senator(s) Nicholson; also Representative(s) Primavera--Concerning the continuation of the regulation of massage therapists, and, in connection therewith, requiring licensure of massage therapists, implementing other recommendations contained in the sunset report prepared by the department of regulatory agencies, and making an appropriation.

Senator Nicholson moved that the Senate concur in House amendments to **SB13-151**, as printed in House journal, April 19, page(s) 1112. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	21	NO	14	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB13-155 by Senator(s) Baumgardner; also Representative(s) Ryden--Concerning the continuation of the board of real estate appraisers, and, in connection therewith, implementing the recommendations of the 2012 sunset report by the department of regulatory agencies.

Senator Baumgardner moved that the Senate not concur in House amendments to **SB13-155**, as printed in House journal, April 19, page(s) 1112, and that a conference committee be appointed.

A majority of all members elected to the Senate having voted in the affirmative, the motion was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The President appointed Senators Baumgardner, Chair, Jahn, and Tochtrop as Senate conferees on the first conference committee on **SB13-155**.

SB13-198 by Senator(s) Jahn; also Representative(s) Gardner--Concerning closing a court to the public when sexually exploitative material related to a specific child is being presented as evidence.

Laid over until Friday, April 26, retaining its place on the calendar.

SB13-137 by Senator(s) Roberts; also Representative(s) Navarro--Concerning system improvements to prevent fraud in the medicaid program, and, in connection therewith, employing advanced data analytics.

Senator Roberts moved that the Senate concur in House amendments to **SB13-137**, as printed in House journal, April 22, page(s) 1148. The motion was **adopted** by the following roll call vote:

YES	33	NO	2	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	N	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	N	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Thursday, April 25 was laid over until Friday, April 26, retaining its place on the calendar.

General Orders -- Second Reading of Bills: HB13-1117, HB13-1142, HB13-1156, HB13-1206.
Consideration of Resolutions: HJR13-1004, SJR13-030, SJR13-034, SJR13-035, SJR13-036, SR13-004.
Consideration of Governor's Appointments:
Members of the State Board of Parole.
Members of the Securities Board.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB13-1101, 1152, 1167, 1190, 1220, 1222, 1265; HJR13-1029.

On motion of Majority Leader Carroll, the Senate adjourned until 9:00 a.m., Friday, April 26, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

108th Legislative Day Friday, April 26, 2013

Prayer By the chaplain, Rabbi Yossi Serebryanski, Chabad of South Denver.

Call to Order By the President at 9:00 a.m.

Pledge By Senator Kefalas.

Roll Call Present--35

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Balmer, reading of the Journal of Thursday, April 25, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Engrossed: SB13-268 and 282.

Correctly Reengrossed: SB13-245, 251 and 263.

Correctly Revised: HB13-1077, 1115, 1129 and 1136.

Correctly Enrolled: SB13-043, 077, 119, 159, 181, 220, 226 and 234.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for expressions of personal privilege.

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:

HB13-1115 by Representative(s) McCann, Fields, Labuda, Levy, Schafer, Swalm, Tyler, Joshi, Primavera, Ryden, Young; also Senator(s) Steadman and Roberts--Concerning the repeal of CoverColorado, and, in connection therewith, terminating health care coverage for all CoverColorado participants effective April 1, 2014, as part of the transition to health insurance coverage regardless of preexisting medical conditions under the federal "Patient Protection and Affordable Care Act".

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	25	NO	10	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Giron, Guzman, Heath, Jahn, Jones, Kefalas, Kerr, Newell, Nicholson, Schwartz, Tochtrop and Todd.

HB13-1136 by Representative(s) Levy and Salazar, Buckner, Court, Duran, Exum, Fields, Fischer, Garcia, Ginal, Hullinghorst, Kagan, Labuda, Lebsock, McCann, Melton, Mitsch Bush, Moreno, Peniston, Pettersen, Primavera, Ryden, Schafer, Singer, Tyler, Vigil, Williams, Ferrandino, Foote, Pabon, Rosenthal; also Senator(s) Carroll and Guzman, Aguilar, Giron, Hodge, Hudak, Jones, Kefalas, Morse, Newell, Nicholson, Steadman, Tochtrop, Todd, Ulibarri, Heath, Johnston, Schwartz--Concerning the creation of remedies in employment discrimination cases brought under state law.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	19	NO	16	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	N	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

SB13-282 by Senator(s) Guzman; also Representative(s) Pabon and Levy, Tyler--Concerning a medical exemption from tiered electricity rates.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	25	NO	10	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Carroll, Giron, Heath, Jones, Kefalas, Kerr, Morse, Newell, Nicholson, Schwartz, Steadman, Tochtrop and Ulibarri.

SB13-268 by Senator(s) Steadman; also Representative(s) May--Concerning the repeal of certain requirements in connection with any bill enacted by the general assembly that relies on gifts, grants, or donations as its funding source.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Ulibarri.

HB13-1129 by Representative(s) Pettersen; also Senator(s) Newell--Concerning creating the evidence-based practices implementation for capacity resource center, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	24	NO	11	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Kefalas and Steadman.

HB13-1077 by Representative(s) Salazar; also Senator(s) Ulibarri--Concerning a driver's right to challenge the lawfulness of a law enforcement officer's initial contact in an administrative proceeding for a revocation of a driver's license.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

MESSAGE FROM THE HOUSE

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1310, 1311, 1315, 1319, 1302, 1298.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1300, amended as printed in House Journal, April 25, page 1266. HB13-1307, amended as printed in House Journal, April 25, page 1266. HB13-1314, amended as printed in House Journal, April 25, page 1267. HB13-1295, amended as printed in House Journal, April 25, pages 1277-1278. HB13-1242, amended as printed in House Journal, April 25, pages 1278-1279. HB13-1308, amended as printed in House Journal, April 25, page 1271. HB13-1309, amended as printed in House Journal, April 25, page 1278, and amended on Third Reading as printed in House Journal, April 26.

RECONSIDERATION OF HB13-1115

HB13-1115 by Representative(s) McCann, Fields, Labuda, Levy, Schafer, Swalm, Tyler, Joshi, Primavera, Ryden, Young; also Senator(s) Steadman and Roberts--Concerning the repeal of CoverColorado, and, in connection therewith, terminating health care coverage for all CoverColorado participants effective April 1, 2014, as part of the transition to health insurance coverage regardless of preexisting medical conditions under the federal "Patient Protection and Affordable Care Act".

Having voted on the prevailing side, Majority Leader Carroll moved for reconsideration of the last Senate action, Third Reading of Bills -- Final Passage, on HB13-1115.

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

On third reading, the title of the following bill was publicly read, the reading at length having been dispensed with by unanimous consent:

HB13-1115 by Representative(s) McCann, Fields, Labuda, Levy, Schafer, Swalm, Tyler, Joshi, Primavera, Ryden, Young; also Senator(s) Steadman and Roberts--Concerning the repeal of CoverColorado, and, in connection therewith, terminating health care coverage for all CoverColorado participants effective April 1, 2014, as part of the transition to health insurance coverage regardless of preexisting medical conditions under the federal "Patient Protection and Affordable Care Act".

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	21	NO	14	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Committee of the Whole On motion of Senator Nicholson, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Nicholson was called to the Chair to act as Chairman.

**GENERAL ORDERS -- SECOND READING OF BILLS --
CONSENT CALENDAR**

The Committee of the Whole having risen, the Chairman reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB13-1282 by Representative(s) Gerou, Duran, Levy; also Senator(s) Lambert, Hodge, Steadman--Concerning the repayment of certain moneys transferred by the governor to the disaster emergency fund.

Ordered revised and placed on the calendar for third reading and final passage.

SB13-270 by Senator(s) Nicholson and Roberts; also Representative(s) Coram and Fischer--Concerning funding for certain activities relating to wildfire.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 24, page(s) 1014 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB13-1044 by Representative(s) Fischer; also Senator(s) Schwartz--Concerning the authorization of the use of graywater, and, in connection therewith, making an appropriation.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 24, page(s) 1015 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB13-1246 by Representative(s) Court; also Senator(s) Steadman--Concerning modifications in connection with current property tax exemptions for nonprofit organizations.

Ordered revised and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Nicholson, 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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB13-270 as amended, HB13-1282, HB13-1044 as amended, HB13-1246.

Laid over to the end of the General Orders -- Second Reading of Bills calendar, Friday, April 26: HB13-1276.

Committee On motion of Senator Nicholson, the Senate resolved itself into the Committee of the
of the Whole Whole for consideration of General Orders--Second Reading of Bills, and Senator
Nicholson was called to the chair to act as Chairman.

GENERAL 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:

SB13-253 by Senator(s) Steadman; also Representative(s) Levy--Concerning a deferred judgment for
a drug offense when there is a violation of the deferred judgment.

Laid over until Monday, April 29, retaining its place on the calendar.

SB13-264 by Senator(s) Aguilar and Kefalas, Schwartz; also Representative(s) McLachlan and Vigil--
Concerning requiring the commission on family medicine to support the development of
rural family medicine residency programs.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 24, page(s) 1012-1013 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final
passage.

SB13-238 by Senator(s) Tochtrop; also Representative(s) Ryden--Concerning the regulation of
hearing aid providers by the division of professions and occupations within the department
of regulatory agencies.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, April 19, page(s) 913-915 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 24, page(s) 1012-1013 and placed in members' bill files.)

Amendment No. 3(L.013), by Senator Tochtrop.

Amend the Health and Human Services Committee Report, dated April
18, 2013, page 3, after line 20 insert "Page 15 of the printed bill, line 20,
strike "**12-5.5-401.**" and substitute "**12-5.5-301.**".

Renumber succeeding C.R.S. sections accordingly."

Page 3 of the committee report, after line 24 insert "Page 17 of the
printed bill, line 19, strike "PART 5" and substitute "PART 4".

Page 4 of the committee report, before line 1 insert "Page 24, line 5,
strike "**12-5.5-501.**" and substitute "**12-5.5-401.**".

Renumber succeeding C.R.S. sections accordingly."

As amended, ordered engrossed and placed on the calendar for third reading and final
passage.

SB13-255 by Senator(s) Kefalas and Newell, Morse; also Representative(s) May and Singer--
Concerning child fatality review teams, and, in connection therewith, increasing the
capacity and resources and clarifying the responsibilities and processes of state and local
child fatality review teams in the departments of public health and environment and human
services.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, April 19, page(s) 913 and placed in members' bill files.)

	<u>Amendment No. 2, Appropriations Committee Amendment.</u> (Printed in Senate Journal, April 24, page(s) 1014 and placed in members' bill files.)	1 2 3
	As amended, ordered engrossed and placed on the calendar for third reading and final passage.	4 5 6 7
SB13-273	by Senator(s) Schwartz and Nicholson; also Representative(s) Hamner and Coram-- Concerning incentives for the beneficial use of forest biomass.	8 9 10
	<u>Amendment No. 1, Agriculture, Natural Resources, and Energy Committee Amendment.</u> (Printed in Senate Journal, April 24, page(s) 893-894 and placed in members' bill files.)	11 12 13
	<u>Amendment No. 2, Appropriations Committee Amendment.</u> (Printed in Senate Journal, April 24, page(s) 1015 and placed in members' bill files.)	14 15 16
	As amended, ordered engrossed and placed on the calendar for third reading and final passage.	17 18 19 20
SB13-269	by Senator(s) Nicholson and Roberts, Schwartz, Aguilar, Baumgardner, Carroll, Giron, Guzman, Heath, Hodge, Hudak, Johnston, Jones, Kefalas, Kerr, King, Morse, Newell, Steadman, Tochtrop, Todd, Ulibarri; also Representative(s) Coram and McLachlan, Fischer--Concerning the creation of a grant program to assist with efforts to reduce the risk of catastrophic wildfires to forested lands in Colorado, and, in connection therewith, making an appropriation.	21 22 23 24 25 26 27
	<u>Amendment No. 1, Appropriations Committee Amendment.</u> (Printed in Senate Journal, April 24, page(s) 1016 and placed in members' bill files.)	28 29 30
	As amended, ordered engrossed and placed on the calendar for third reading and final passage.	31 32 33 34
HB13-1276	by Representative(s) Williams, Buckner, Court, Dore, Exum, Ferrandino, Fields, Gardner, Hullinghorst, Labuda, Lebsock, McCann, Melton, Moreno, Murray, Navarro, Pabon, Peniston, Primavera, Rosenthal, Ryden, Salazar, Schafer, Scott, Singer, Szabo, Tyler; also Senator(s) Carroll and Balmer--Concerning limitations on the actions a unit owners' association under the "Colorado Common Interest Ownership Act" may take against a unit owner with respect to the collection of debt owed to the unit owners' association.	35 36 37 38 39 40 41
	<u>Amendment No. 1(L.006), by Senators Carroll and Balmer.</u>	42 43
	Amend reengrossed bill, page 2, line 6, strike " accounts. " and substitute " accounts - definition. ".	44 45 46
	Page 2, line 10, strike "DEBT" and substitute "DEBT, WHETHER THE HOLDER OR ASSIGNEE OF THE ASSOCIATION'S DEBT IS AN ENTITY OR A NATURAL PERSON,".	47 48 49 50
	Page 4, line 9, strike "AND".	51 52
	Page 4, line 12, strike "LAW." and substitute "LAW; AND".	53 54
	Page 4, after line 12 insert:	55 56
	"(h) AS USED IN THIS SUBSECTION (5), "ENTITY" MEANS AN ASSOCIATION OR A HOLDER OR ASSIGNEE OF THE ASSOCIATION'S DEBT, WHETHER THE HOLDER OR ASSIGNEE OF THE ASSOCIATION'S DEBT IS AN ENTITY OR A NATURAL PERSON.".	57 58 59 60 61
	Page 4, line 20, strike the first "LIEN" and substitute "LIEN, WHETHER THE HOLDER OR ASSIGNEE OF THE ASSOCIATION'S LIEN IS AN ENTITY OR A NATURAL PERSON,".	62 63 64 65
	Page 5, line 13, strike "LIEN" and substitute "LIEN, WHETHER THE HOLDER OR ASSIGNEE OF THE ASSOCIATION'S LIEN IS AN ENTITY OR A NATURAL PERSON,".	66 67 68 69
	Page 6, line 8, strike "DEBT" and substitute "DEBT, WHETHER THE HOLDER OR ASSIGNEE OF THE ASSOCIATION'S DEBT IS AN ENTITY OR A NATURAL PERSON,".	70 71 72

Page 6, line 19, strike "ENTITY" and substitute "ASSOCIATION OR A HOLDER OR ASSIGNEE OF THE ASSOCIATION'S DEBT".

Page 6, line 23, strike "DEBT" and substitute "DEBT, WHETHER THE HOLDER OR ASSIGNEE OF THE ASSOCIATION'S DEBT IS AN ENTITY OR A NATURAL PERSON,".

As amended, ordered revised and placed on the calendar for third reading and final passage.

Majority Leader Carroll moved that the Committee of the Whole rise, report progress, and beg leave to sit again at 1:30 p.m. A majority of those elected to the Senate having voted in the affirmative, the motion was adopted.

Committee of the Whole in recess.

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS

Appropriations

After consideration on the merits, the Committee recommends that **HB13-1303** be amended as follows, and as so amended, be referred to the Committee on Legislative Council with favorable recommendation.

Amend reengrossed bill, page 127, line 27, strike "\$1,029,181" and substitute "\$1,317,181".

Page 128, line 3, strike "\$772,905" and substitute "\$1,060,905".

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS

Appropriations

After consideration on the merits, the Committee recommends that **HB13-1247** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **SB13-250** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 64, line 21, strike "(2)" and insert "(2); and add (3.5) (c)".

Page 65, after line 21, insert:

"(3.5) (c) THE GENERAL ASSEMBLY SHALL APPROPRIATE TO THE CORRECTIONAL TREATMENT CASH FUND CREATED PURSUANT TO SUBSECTION (4) OF THIS SECTION AT LEAST THREE MILLION FIVE HUNDRED THOUSAND DOLLARS IN FISCAL YEAR 2014-15 FROM THE GENERAL FUND GENERATED FROM ESTIMATED SAVINGS FROM SENATE BILL 13-250, ENACTED IN 2013."

Page 74, strike lines 13 through 19 and substitute:

"SECTION 63. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the judicial department, for the fiscal year beginning July 1, 2013, the sum of \$339,764 and 4.8 FTE, or so much thereof as may be necessary, to be allocated for the implementation of this act as follows:

(a) \$111,407 and 1.5 FTE for general courts administration, personal services;

(b) \$1,425 for general courts administration, operating expenses;

(c) \$24,195 for courthouse capital/infrastructure maintenance;

(d) \$194,202 and 3.3 FTE for probation programs, personal services; and

(e) \$8,535 for probation programs, operating expenses.

(2) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of corrections, for the fiscal year beginning July 1, 2013, the sum of \$521,850, or so much thereof as may be necessary, for allocation to the information systems subprogram for the purchase of computer center services.

(3) 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, 2013, the sum of \$521,850 and 1.5 FTE, 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 corrections related to the implementation of this act. Said sum is from reappropriated funds received from the department of corrections out of the appropriation made in subsection (2) of this section."

Page 1, line 102, strike "CRIMES." and substitute "CRIMES, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION."

Appropriations

After consideration on the merits, the Committee recommends that **HB13-1153** be **amended** as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend reengrossed bill, page 3, line 18, strike "\$120,348 and 0.9 FTE," and substitute "\$98,411 and 0.4 FTE,".

Appropriations

After consideration on the merits, the Committee recommends that **SB13-259** be **amended** as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 17, before line 23 insert:

"SECTION 13. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the division of professions and occupations 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, 2013, the sum of \$4,113, or so much thereof as may be necessary, to be allocated for the implementation of this act as follows:

(a) \$250 to the division of professions and occupations for jurisprudence exam start up costs; and

(b) \$3,863 to the executive director's office and administrative

	services for the purchase of legal services.	1
	(2) In addition to any other appropriation, there is hereby	2
	appropriated to the department of law, for the fiscal year beginning July	3
	1, 2013, the sum of \$3,863, or so much thereof as may be necessary, for	4
	the provision of legal services for the department of regulatory agencies	5
	related to the implementation of this act. Said sum is from reappropriated	6
	funds received from the department of regulatory agencies out of the	7
	appropriation made in paragraph (b) of subsection (1) of this section.	8
	(3) In addition to any other appropriation, there is hereby	9
	appropriated, out of any moneys in the Colorado bureau of investigation	10
	identification unit fund created in section 24-33.5-426, Colorado Revised	11
	Statutes, not otherwise appropriated, to the department of public safety,	12
	for allocation to the Colorado bureau of investigation, for the Colorado	13
	crime information center, identification, for the fiscal year beginning July	14
	1, 2013, the sum of \$9,875, or so much thereof as may be necessary for	15
	fingerprint-based criminal history checks related to the implementation	16
	of this act.".	17
	Renumber succeeding section accordingly.	18
	Page 1, line 102, strike "AGENCIES." and substitute "AGENCIES, AND, IN	19
	CONNECTION THEREWITH, MAKING AN APPROPRIATION.".	20
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Appropriations	After consideration on the merits, the Committee recommends that HB13-1267 be	25
	amended as follows, and as so amended, be referred to the Committee of the Whole with	26
	favorable recommendation.	27
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	Amend reengrossed bill, page 2, line 8, strike everything after "such".	30
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	Page 2, strike lines 9 through 11.	32
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	Page 2, line 12, strike everything before "THE".	34
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Appropriations	After consideration on the merits, the Committee recommends that HB13-1193 be	37
	amended as follows, and as so amended, be referred to the Committee of the Whole with	38
	favorable recommendation.	39
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	Amend reengrossed bill, page 10, after line 2 insert:	42
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	"SECTION 2. Appropriation. In addition to any other	44
	appropriation, there is hereby appropriated, out of any moneys in the	45
	advanced industry export acceleration fund created in section 24-47-103 (8)	46
	(a), Colorado Revised Statutes, not otherwise appropriated, to the	47
	governor - lieutenant governor - state planning and budgeting, for the	48
	fiscal year beginning July 1, 2013, the sum of \$300,000, or so much	49
	thereof as may be necessary, for allocation to economic development	50
	programs for the implementation of the advanced industry export	51
	acceleration program related to the implementation of this act.".	52
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	Renumber succeeding section accordingly.	54
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	Page 1, line 102, strike " PROGRAM. " and substitute " PROGRAM, AND, IN	56
	CONNECTION THEREWITH, MAKING AN APPROPRIATION. ".	57
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Appropriations	After consideration on the merits, the Committee recommends that SB13-257 be referred	60
	to the Committee of the Whole with favorable recommendation.	61
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Appropriations	After consideration on the merits, the Committee recommends that HB13-1160 be	64
	referred to the Committee of the Whole with favorable recommendation.	65
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Appropriations	After consideration on the merits, the Committee recommends that HB13-1163 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	1 2 3 4 5
Appropriations	After consideration on the merits, the Committee recommends that HB13-1241 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	6 7 8 9 10
Appropriations	After consideration on the merits, the Committee recommends that HB13-1042 be referred to the Committee of the Whole with favorable recommendation.	11 12 13 14
Legislative Council	After consideration on the merits, the Committee recommends that HB13-1301 be amended as follows, and as so amended, be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	15 16 17 18 19
	Amend reengrossed bill, page 5, line 20, after "ALL" insert "NONLEGISLATIVE".	20 21 22
	Page 5, line 21, after "PREVENT" insert "NONLEGISLATIVE"	23 24
	Page 5, after line 24 insert:	25 26
	"(8) THE LEGISLATIVE MEMBERS OF THE TASK FORCE SHALL BE COMPENSATED FOR ATTENDANCE AT MEETINGS OF THE TASK FORCE AND SHALL RECEIVE REIMBURSEMENT FOR ACTUAL AND NECESSARY EXPENSES INCURRED IN THE PERFORMANCE OF THEIR DUTIES AS MEMBERS OF THE TASK FORCE, AS PROVIDED IN SECTION 2-2-307, C.R.S. THE TOTAL AMOUNT AVAILABLE FOR REIMBURSEMENT AND COMPENSATION PURSUANT TO THIS PARAGRAPH (8) SHALL NOT EXCEED FIVE THOUSAND DOLLARS."	27 28 29 30 31 32 33 34 35
	Renumber succeeding sections accordingly.	36 37 38
Legislative Council	After consideration on the merits, the Committee recommends that HB13-1296 be amended as follows, and as so amended, be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	39 40 41 42 43
	Amend reengrossed bill, page 5, after line 18 insert:	44 45
	"(d) THE LEGISLATIVE MEMBERS OF THE COMMITTEE SHALL BE COMPENSATED FOR ATTENDANCE AT MEETINGS OF THE COMMITTEE AND SHALL RECEIVE REIMBURSEMENT FOR ACTUAL AND NECESSARY EXPENSES INCURRED IN THE PERFORMANCE OF THEIR DUTIES AS MEMBERS OF THE COMMITTEE, AS PROVIDED IN SECTION 2-2-307, C.R.S. THE TOTAL AMOUNT AVAILABLE FOR REIMBURSEMENT AND COMPENSATION PURSUANT TO THIS PARAGRAPH (d) SHALL NOT EXCEED FIVE THOUSAND DOLLARS."	46 47 48 49 50 51 52 53 54 55
Legislative Council	After consideration on the merits, the Committee recommends that HB13-1253 be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	56 57 58 59
Legislative Council	After consideration on the merits, the Committee recommends that HB13-1182 be referred to the Committee of the Whole with favorable recommendation.	60 61 62 63
Legislative Council	After consideration on the merits, the Committee recommends that HB13-1079 be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	64 65 66 67
Legislative Council	After consideration on the merits, the Committee recommends that HB13-1244 be postponed indefinitely .	68 69

Legislative Council After consideration on the merits, the Committee recommends that **HJR13-1019** be referred to the Senate for final action.

Legislative Council After consideration on the merits, the Committee recommends that **HB13-1303** be referred to the Committee of the Whole with favorable recommendation.

MESSAGE FROM THE HOUSE

April 26, 2013

Mr. President:

In response to the request of the Senate, the Speaker has appointed Representatives Ryden, chairman, Williams, and Sonnenberg as House conferees on the First Conference Committee on SB13-155.

In response to the request of the Senate, the Speaker has appointed Representatives Williams, chairman, Salazar, and McNulty as House conferees on the First Conference Committee on SB13-025.

MESSAGE FROM THE REVISOR OF STATUTES

April 26, 2013

We herewith transmit:

Without comment, HB13-1298, 1302, 1310, 1311, 1315, and 1319.
Without comment, as amended, HB13-1242, 1295, 1307, 1308.
Without comment, as amended, HB13-1314.
With comment, as amended, HB13-1309.

Committee of the Whole reconvened.

GENERAL ORDERS -- SECOND READING OF BILLS - cont'd

SB13-225 by Senator(s) Giron, Guzman, Aguilar, Newell, Nicholson; also Representative(s) Ginal and Primavera, Schafer--Concerning the development of a system to improve quality of care to patients suffering specified acute incidents, and, in connection therewith, requiring the department of public health and environment to develop a system for designating hospitals based on their ability to treat stroke and heart attack patients and to maintain stroke and STEMI heart attack databases to enable the compilation of information and statistics on the care provided to stroke and STEMI heart attack patients.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, April 18, page(s) 874-877 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 24, page(s) 1015-1016 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB13-1117 by Representative(s) Hamner, Ferrandino, Labuda, May, Peniston, Primavera, Singer, Tyler, Young; also Senator(s) Hodge and Kerr, Aguilar, Heath, Hudak, Johnston, Kefalas, Nicholson, Schwartz, Todd, Ulibarri--Concerning alignment of child development programs.

Amendment No. 1, Health & Human Services Committee Amendment.

(Printed in Senate Journal, March 14, page(s) 513 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.

(Printed in Senate Journal, April 19, page(s) 919-952 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB13-1142 by Representative(s) Hulinghorst, Court, Ferrandino, Kagan, Pabon; also Senator(s) Heath--Concerning reforms to the "Urban and Rural Enterprise Zone Act", and, in connection therewith, making an appropriation.

Amendment No. 1(L.014), by Senator Heath.

Amend reengrossed bill, page 3, strike lines 16 and 17 and substitute:

"**SECTION 3.** In Colorado Revised Statutes, 39-30-103, **amend** (2) (a) and (2) (c) (I); and **add** (8) as follows:".

Page 4, after line 18 insert:

"(8) NOTWITHSTANDING ANY OTHER PROVISION TO THE CONTRARY, FOR TAX YEARS COMMENCING ON OR AFTER JANUARY 1, 2014, ONLY A TAXPAYER THAT IS ENGAGED IN A BUSINESS THAT IS LEGAL UNDER BOTH STATE AND FEDERAL LAW IS ELIGIBLE TO CLAIM A CREDIT PURSUANT TO THE PROVISIONS OF THIS ARTICLE.".

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB13-1156 by Representative(s) Levy; also Senator(s) Steadman--Concerning creation of an adult diversion program, and, in connection therewith, making an appropriation.

Amendment No. 1, Judiciary Committee Amendment.

(Printed in Senate Journal, April 16, page(s) 833-834 and placed in members' bill files.)

Amendment No. 2(L.015), by Senator Steadman.

Amend reengrossed bill, page 18, strike lines 6 and 7 and substitute:

"(e) THE STATE COURT ADMINISTRATOR OR HIS OR HER DESIGNEE;".

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB13-1194 by Representative(s) Everett, Saine, Holbert, Nordberg, Rankin, Wright, Priola, Murray, Buck, DelGrosso, Garcia, Landgraf, Lawrence, Melton, Navarro, Pabon, Scott, Wilson; also Senator(s) Marble, Lundberg--Concerning in-state student classification for dependants of members of the armed forces, and, in connection therewith, making an appropriation.

Amendment No. 1, Appropriations Committee Amendment.

(Printed in Senate Journal, April 24, page(s) 1013 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

- HB13-1154

by Representative(s) Foote and Levy, Court, Duran, Fields, Ginal, Hamner, Hullinghorst, Lee, McCann, Moreno, Pabon, Primavera, Ryden, Singer, Williams; also Senator(s) Steadman--Concerning crimes against pregnant women, and, in connection therewith, making an appropriation.

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- Ordered revised 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.)
- HB13-1005

by Representative(s) Fields and Buckner; also Senator(s) Todd--Concerning postsecondary certificate programs that combine basic education course work with skills training, and, in connection therewith, making an appropriation.

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- Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, April 19, page(s) 911 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 24, page(s) 1014 and placed in members' bill files.)

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- As amended, ordered revised and placed on the calendar for third reading and final passage.
- HB13-1138

by Representative(s) Lee; also Senator(s) Kefalas--Concerning benefit corporations, and, in connection therewith, making an appropriation.

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- Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, April 18, page(s) 867-871 and placed in members' bill files.)

Amendment No. 2(L.007), by Senator Kefalas.

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- Amend reengrossed bill, page 14, strike lines 7 and 8 and substitute:
- "SECTION 4. Act subject to petition - effective date - applicability.** (1) Sections 1 and 2 of this act take effect April 1, 2014, and the remainder of this act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 7, 2013, if adjournment sine die is on May 8, 2013); except that, if a".

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- Amendment No. 3(L.008), by Senator Kefalas.

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- Amend the Business, Labor, and Technology Committee Report, dated April 17, 2013, page 4, line 11, strike "CORPORATION" and substitute "ENTITY".

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- Amendment No. 4(L.009), by Senator Kefalas.

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- Amend reengrossed bill, page 14, line 3, strike "\$79,920," and substitute "\$91,760,".

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- As amended, ordered revised and placed on the calendar for third reading and final passage.

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- HB13-1105

by Representative(s) Tyler and Foote; also Senator(s) Schwartz--Concerning the energy saving mortgage program, and, in connection therewith, defining the program, establishing program requirements, and providing an incentive to public utilities to participate in the program.

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- Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, April 24, page(s) 1016, was **lost**.)

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- Ordered revised and placed on the calendar for third reading and final passage.

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- HB13-1134

by Representative(s) Ryden; also Senator(s) Carroll--Concerning unit owners' associations under the "Colorado Common Interest Ownership Act".

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- Ordered revised and placed on the calendar for third reading and final passage.

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AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

HB13-1154 by Representative(s) Foote and Levy, Court, Duran, Fields, Ginal, Hamner, Hullinghorst, Lee, McCann, Moreno, Pabon, Primavera, Ryden, Singer, Williams; also Senator(s) Steadman--Concerning crimes against pregnant women, and, in connection therewith, making an appropriation.

Senators Hill and Harvey moved to amend the Report of the Committee of the Whole to show that the following amendment to HB13-1154 did pass.

Amend reengrossed bill, page 15, line 3, strike "part 1 of" and substitute "18-6-101, 18-6-102, 18-6-103, 18-6-105,".

Page 15, line 4, strike "article 6 of title 18,".

Page 15, after line 5 insert:

"**SECTION 4.** In Colorado Revised Statutes, **amend** 18-6-104 as follows:

18-6-104. Failure to comply. Nothing in ~~sections 18-6-101 to 18-6-104~~ requires a hospital to admit any patient ~~under said sections~~ for the purposes of performing an abortion, nor is any hospital required to appoint a special hospital board. ~~as defined in section 18-6-101 (4).~~ A person who is a member of or associated with the staff of a hospital or any employee of a hospital in which a justified medical termination has been authorized and who states in writing an objection to the termination on moral or religious grounds is not required to participate in the medical procedures which result in the termination of a pregnancy, and the refusal of any such person to participate does not form the basis for any disciplinary or other recriminatory action against the person.".

Renumber succeeding sections 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 was **lost** on the following roll call vote:

YES	15	NO	20	EXCUSED	0	ABSENT	0
Aguilar	N	Guzman	N	Kefalas	N	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	N	Scheffel	Y
Baumgardner	Y	Heath	N	King	Y	Schwartz	N
Brophy	Y	Hill	Y	Lambert	Y	Steadman	N
Cadman	Y	Hodge	N	Lundberg	Y	Tochtrop	N
Carroll	N	Hudak	N	Marble	Y	Todd	N
Crowder	Y	Jahn	N	Newell	N	Ulibarri	N
Giron	N	Johnston	N	Nicholson	N	President	N
Grantham	Y	Jones	N	Renfroe	Y		

Senator Lundberg moved to amend the Report of the Committee of the Whole to show that the following Lundberg floor amendment, (L.033) to HB 13-1154, did pass, and that HB13-1154, as amended, did pass.

Amend reengrossed bill, strike everything below the enacting clause and substitute:

"**SECTION 1.** In Colorado Revised Statutes, **add** 18-1-506 as follows:

18-1-506. Construction of statutes regarding unborn members of the species homo sapiens. IF THE COMMISSION OF ANY CRIME CODIFIED IN THIS TITLE OR TITLE 42, C.R.S., IS THE CAUSE OF DEATH OR INJURY TO AN UNBORN HUMAN BEING, THE RESPECTIVE HOMICIDE AND ASSAULT CHARGES FOR THAT DEATH OR INJURY MAY BE

BROUGHT SIMULTANEOUSLY WITH THE UNDERLYING CHARGES.

SECTION 2. Potential appropriation. Pursuant to section 2-2-703, Colorado Revised Statutes, any bill that results in a net increase in periods of imprisonment in the state correctional facilities must include an appropriation of moneys that is sufficient to cover any increased capital construction and operational costs for the first five fiscal years in which there is a fiscal impact. Because this act may increase periods of imprisonment, this act may require a five-year appropriation.

SECTION 3. Effective date - applicability. This act takes effect July 1, 2013, and applies to offenses committed on or after said date.

SECTION 4. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.".

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	14	NO	20	EXCUSED	1	ABSENT	0	
Aguilar		N	Guzman	N	Kefalas	N	Roberts	E
Balmer		Y	Harvey	Y	Kerr	N	Scheffel	Y
Baumgardner		Y	Heath	N	King	Y	Schwartz	N
Brophy		Y	Hill	Y	Lambert	Y	Steadman	N
Cadman		Y	Hodge	N	Lundberg	Y	Tochtrop	N
Carroll		N	Hudak	N	Marble	Y	Todd	N
Crowder		Y	Jahn	N	Newell	N	Ulibarri	N
Giron		N	Johnston	N	Nicholson	N	President	N
Grantham		Y	Jones	N	Renfroe	Y		

Senator Harvey moved to amend the Report of the Committee of the Whole to show that the following amendment to HB13-1154 did pass.

Amend reengrossed bill, page 2, strike lines 2 through 20.

Strike pages 3 through 17.

Page 18, strike lines 1 through 17 and substitute:

"SECTION 1. In Colorado Revised Statutes, **add** 18-6-106 as follows:

18-6-106. Forced or coerced sex-selection termination of pregnancy - definitions. (1) A PERSON SHALL NOT KNOWINGLY:

(a) TERMINATE A PREGNANCY KNOWING THAT THE WOMAN WAS COERCED OR FORCED INTO SEEKING THE TERMINATION OF THE PREGNANCY BASED ON THE SEX OF THE CHILD; OR

(b) USE COERCION, FORCE, OR THE THREAT OF FORCE TO INTENTIONALLY INJURE OR INTIMIDATE A PERSON FOR THE PURPOSE OF COERCING A SEX-SELECTION TERMINATION OF A PREGNANCY.

(2) A PERSON WHO VIOLATES SUBSECTION (1) OF THIS SECTION COMMITS A CLASS 2 FELONY, AND THE COURT SHALL SENTENCE THE DEFENDANT BETWEEN THE MINIMUM AND TWICE THE MAXIMUM OF THE PRESUMPTIVE RANGE FOR A CLASS 2 FELONY.".

Renumber succeeding sections 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 was **lost** on the following roll call vote:

YES	14	NO	20	EXCUSED	1	ABSENT	0
Aguilar	N	Guzman	N	Kefalas	N	Roberts	E
Balmer	Y	Harvey	Y	Kerr	N	Scheffel	Y
Baumgardner	Y	Heath	N	King	Y	Schwartz	N
Brophy	Y	Hill	Y	Lambert	Y	Steadman	N
Cadman	Y	Hodge	N	Lundberg	Y	Tochtrop	N
Carroll	N	Hudak	N	Marble	Y	Todd	N
Crowder	Y	Jahn	N	Newell	N	Ulibarri	N
Giron	N	Johnston	N	Nicholson	N	President	N
Grantham	Y	Jones	N	Renfroe	Y		

Senator Harvey moved to amend the Report of the Committee of the Whole to show that the following Harvey floor amendment, (L.028) to HB 13-1154, did pass.

Amend reengrossed bill, page 5, line 4, strike "CLASS 3 FELONY, BUT IS A CLASS 2" and substitute "CLASS 2 FELONY, BUT IS A CLASS 1".

Page 15, strike lines 3 through 27.

Strike page 16.

Page 17, strike lines 1 through 7 and substitute:

"SECTION 3. In Colorado Revised Statutes, 18-6-102, amend (2) as follows:
18-6-102. Criminal abortion. (2) Criminal abortion is a ~~class 4~~ CLASS 2 felony, but if the woman dies as a result of the criminal abortion, it is a ~~class 2~~ CLASS 1 felony."

Renumber succeeding sections 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 was **lost** on the following roll call vote:

YES	14	NO	20	EXCUSED	1	ABSENT	0
Aguilar	N	Guzman	N	Kefalas	N	Roberts	E
Balmer	Y	Harvey	Y	Kerr	N	Scheffel	Y
Baumgardner	Y	Heath	N	King	Y	Schwartz	N
Brophy	Y	Hill	Y	Lambert	Y	Steadman	N
Cadman	Y	Hodge	N	Lundberg	Y	Tochtrop	N
Carroll	N	Hudak	N	Marble	Y	Todd	N
Crowder	Y	Jahn	N	Newell	N	Ulibarri	N
Giron	N	Johnston	N	Nicholson	N	President	N
Grantham	Y	Jones	N	Renfroe	Y		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Nicholson, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	23	NO	11	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	E
Balmer	Y	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	Y	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

The Committee of the Whole took the following action:

Passed on second reading: SB13-264 as amended, SB13-238 as amended, SB13-255 as amended, SB13-273 as amended, SB13-269 as amended, SB13-225 as amended, HB13-1276 as amended, HB13-1117 as amended, HB13-1142 as amended, HB13-1156 as amended, HB13-1194 as amended, HB13-1154, HB13-1005 as amended, HB13-1138 as amended, HB13-1105, HB13-1134.
Laid over until Monday, April 29: SB13-253.

MESSAGE FROM THE HOUSE

April 26, 2013

Mr. President:

The House has adopted the First Report of the First Conference Committee on SB13-025, as printed in House Journal, April 26, and has repassed the bill as so amended. The bill is returned herewith.
The House has voted to concur in the Senate amendments to HB13-1115 and has repassed the bill as so amended.

MESSAGE FROM THE REVISOR OF STATUTES

April 26, 2013

We herewith transmit:

Without comment, as amended, SB13-040, 200, 223, and 244.
With comments, as amended, HB13-1300.

REPORT OF CONFERENCE COMMITTEE

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON SB13-025

THIS REPORT AMENDS THE
REREVISED BILL

To the President of the Senate and the
Speaker of the House of Representatives:

Your first conference committee appointed on SB13-025, concerning collective bargaining by firefighters, has met and reports that it has agreed upon the following:

That the Senate accede to the House amendments made to the bill, as the amendments appear in the rerevised bill, with the following changes:

Amend rerevised bill, page 10, line 7, after "29-5-206." add "THE OBLIGATION TO MEET AND CONFER INCLUDES THE OBLIGATION TO RECOGNIZE THE EMPLOYEE ORGANIZATION THAT REQUESTS THE MEET AND CONFER PROCESS."

Page 10, line 13, strike "AUTHORITY" and substitute "AUTHORITY, UNLESS PETITION REQUIREMENTS ARE OTHERWISE OUTLINED BY CITY CHARTER OR LOCAL ORDINANCE,".

Page 12, after line 1 insert:

"(6) THE COLLECTIVE BARGAINING PROVISIONS OF THIS PART 2 APPLY ONLY TO A PUBLIC EMPLOYER THAT EMPLOYS TWENTY-FOUR OR MORE FIREFIGHTERS."

Respectfully submitted,

Senate Committee:

House Committee:

Lois Tochtrop, Chairman
Jessie Ulibarri
Larry W. Crowder

Angela Williams, Chairman
Joe Salazar
Frank McNulty

On motion of Majority Leader Carroll, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, the rules were suspended for Consideration of Conference Committee Reports.

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

SB13-025 by Senator(s) Tochtrop; also Representative(s) Williams--Concerning collective bargaining by firefighters.

Senator Tochtrop moved for the adoption of the first report of the first conference committee on SB13-025, as printed in Senate journal, April 26, page(s) 1070-1071. The motion was adopted by the following roll call vote:

YES	21	NO	13	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	E
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	N
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	20	NO	14	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	E
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of House Amendments to Senate Bills.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB13-198 by Senator(s) Jahn; also Representative(s) Gardner--Concerning closing a court to the public when sexually exploitative material related to a specific child is being presented as evidence.

Senator Jahn moved that the Senate concur in House amendments to **SB13-198**, as printed in House journal, April 22, page(s) 1147-1148. The motion was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	E
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	E
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

On motion of Majority Leader Carroll, 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 Consent Calendar.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS --
CONSENT CALENDAR

On motion of Majority Leader Carroll, the following Governor's appointments were confirmed by the following roll call votes:

MEMBER OF THE
STATE BOARD OF PAROLE

effective July 1, 2013, for a term expiring July 1, 2017:

Rebecca Lynn Oakes of Denver, Colorado, to serve as a citizen member, reappointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	E
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

MEMBERS OF THE
SECURITIES BOARD

for terms expiring July 1, 2015:

Glen L. Jammaron of Glenwood Springs, Colorado, a member of the public at large residing west of the continental divide, appointed;

Darren R. Hensley of Lakewood, Colorado, who is licensed by the state supreme court to practice law in the state of Colorado and who is conversant in securities law, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	E
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

MEMBERS OF THE
COLORADO AERONAUTICAL BOARD

effective February 1, 2013, for terms expiring December 19, 2015:

- John William Reams of Naturita, Colorado, to serve as a member from the western slope and who represents local governments which operate airports, appointed;
- William L. Thompson of Colorado Springs, Colorado, to serve as a member from the eastern slope and who represents local governments which operate airports, appointed;
- Jeffrey Scott Forrest of Littleton, Colorado, to serve as a member from the eastern slope and who represents local governments which operate airports, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	E
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

MEMBER OF THE
STATE HOUSING BOARD

for a term expiring January 31, 2017:

- Jacalyn Reynolds of Sterling, Colorado, a Democrat and resident of the 4th Congressional District, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	E
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

MEMBERS OF THE
STATE BOARD OF HEALTH

for terms expiring March 1, 2017:

- Honorable Jill Hunsaker Ryan of Edwards, Colorado, a resident of the 3rd Congressional District and a Democrat, appointed;
- Joan W. Sowinski of Centennial, Colorado, a resident of the 6th Congressional District and a Republican, reappointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	E
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

- HB13-1242

by Representative(s) Pettersen, Hulinghorst, Kagan; also Senator(s) King--Concerning a repeal of the mandatory sentencing requirement for violation of bail bond conditions for certain offenders.
Judiciary
- HB13-1295

by Representative(s) Ferrandino, Court, Hulinghorst, Levy, Pabon; also Senator(s) Heath--Concerning the implementation of the minimum simplification requirements of the proposed federal "Marketplace Fairness Act of 2013" in order for the state to be authorized by the federal government to require remote sellers to collect sales tax on taxable sales made within the state.
Finance
- HB13-1297

by Representative(s) McLachlan and Schafer, Gerou; also Senator(s) Roberts and Nicholson--Concerning the authority of certain institutions of higher education to invest moneys.
Finance
- HB13-1298

by Representative(s) Ryden; also Senator(s) Giron--Concerning employment policies related to nonclassified employees of the state.
State, Veterans, & Military Affairs
- HB13-1302

by Representative(s) Moreno; also Senator(s) Ulibarri--Concerning a modification of the requirements governing proceedings to consolidate special districts.
Local Government
- HB13-1307

by Representative(s) Kagan, Gardner; also Senator(s) Guzman--Concerning the effect of the inclusion of a legal description on the validity of documents affecting title to real property.
Judiciary
- HB13-1308

by Representative(s) Kagan and Gardner; also Senator(s) Ulibarri and King--Concerning allowing a law enforcement agency to acquire call location information from a telecommunications device without a court order in an emergency situation.
Judiciary
- HB13-1309

by Representative(s) Primavera; also Senator(s) Nicholson--Concerning health insurance coverage for preventive breast imaging.
Health & Human Services

HB13-1310 by Representative(s) May, Fields, Gerou, Melton, Primavera, Priola, Schafer; also Senator(s) Hodge, Todd--Concerning the repeal of a portion of the definition of a pharmacy intern.
Health & Human Services

HB13-1311 by Representative(s) Fischer; also Senator(s) Schwartz--Concerning a clarification of the definition of veterinary premises in the "Colorado Veterinary Practice Act".
Agriculture, Natural Resources, & Energy

HB13-1314 by Representative(s) Levy and Gerou, Duran; also Senator(s) Hodge, Steadman, Lambert--Concerning the transfer of the administration of long-term services for persons with intellectual and developmental disabilities to the department of health care policy and financing.
Health & Human Services

HB13-1315 by Representative(s) Fischer; also Senator(s) Kefalas--Concerning the authority of a governing board of an institution of higher education to mandate purchases relating to health care.
Local Government

HB13-1319 by Representative(s) Court, DelGrosso; also Senator(s) Johnston--Concerning the establishment of the ratio of valuation for assessment for residential real property.
Finance

MESSAGE FROM THE GOVERNOR

April 26, 2013

To the Honorable Senate
Sixty-Ninth General Assembly
First Regular Session
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

SB13-027: CONCERNING THE PROVISION OF PARKING FACILITIES BY THIRD PARTIES AT OR NEAR REGIONAL TRANSPORTATION DISTRICT MASS TRANSIT STATIONS.

Approved April 26, 2013 at 10:36 a.m.

SB13-048: CONCERNING THE PROVISION OF PARKING FACILITIES BY THIRD PARTIES AT OR NEAR REGIONAL TRANSPORTATION DISTRICT MASS TRANSIT STATIONS.

Approved April 26, 2013 at 10:45 a.m.

SB13-070: CONCERNING THE PURCHASE OF VEHICLES THAT OPERATE ON ALTERNATIVE FUELS FOR THE STATE MOTOR VEHICLE FLEET SYSTEM.

Approved April 26, 2013 at 12:21 p.m.

SB13-076: CONCERNING THE ELIMINATION OF FEES RELATED TO
ARCHIVED MATERIAL FOR THE LEGISLATIVE BRANCH OF THE STATE.

Approved April 26, 2013 at 12:53 p.m.

SB13-149: CONCERNING THE REPEAL OF THE ADVISORY COMMITTEE TO
ESTABLISH AN ALL-PAYER HEALTH CLAIMS DATABASE.

Approved April 26, 2013 at 12:53 p.m.

SB13-157: CONCERNING THE REPEAL OF THE ADVISORY COMMITTEE TO
ESTABLISH AN ALL-PAYER HEALTH CLAIMS DATABASE.

Approved April 26, 2013 at 12:35 p.m.

SB13-199: CONCERNING MODIFICATION OF THE STANDARD FOR
DETERMINING WHETHER BONDS ISSUED BY A STATE-SUPPORTED
INSTITUTION OF HIGHER EDUCATION QUALIFY FOR THE HIGHER
EDUCATION REVENUE BOND INTERCEPT PROGRAM.

Approved April 26, 2013 at 12:31 p.m.

Sincerely,
(signed)
John W. Hickenlooper
Governor

On motion of Majority Leader Carroll, the Senate adjourned until 10:00 a.m., Monday,
April 29, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

111th Legislative Day Monday, April 29, 2013

Prayer By the chaplain, Father Eustace Sequeira, Regis University Jesuit Community, Denver.

Call to Order By the President at 10:00 a.m.

Pledge By Senator Kerr.

Roll Call Present--35

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Baumgardner, reading of the Journal of Friday, April 26, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Engrossed: SB13-225, 238, 255, 264, 269, 270 and 273.

Correctly Reengrossed: SB13-268 and 282.

Correctly Revised: HB13-1005, 1044, 1105, 1117, 1134, 1138, 1142, 1154, 1156, 1194, 1246, 1276 and 1282.

Correctly Rerevised: HB13-1077, 1115, 1129 and 1136.

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:

HB13-1282 by Representative(s) Gerou, Duran, Levy; also Senator(s) Lambert, Hodge, Steadman-- Concerning the repayment of certain moneys transferred by the governor to the disaster emergency fund.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was passed.

SB13-270
by Senator(s) Nicholson and Roberts; also Representative(s) Coram and Fischer--Concerning funding for certain activities relating to wildfire.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Carroll, Kefalas, Kerr, Newell, Schwartz, Steadman and Ulibarri.

HB13-1044
by Representative(s) Fischer; also Senator(s) Schwartz--Concerning the authorization of the use of graywater.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Giron, Guzman, Heath, Jahn, Jones, Kefalas, Kerr, Morse, Newell, Nicholson, Steadman, Tochtrop, Todd and Ulibarri.

HB13-1246
by Representative(s) Court; also Senator(s) Steadman--Concerning modifications in connection with current property tax exemptions for nonprofit organizations.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

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:

SB13-264 by Senator(s) Aguilar and Kefalas, Schwartz; also Representative(s) McLachlan and Vigil-- Concerning requiring the commission on family medicine to support the development of rural family medicine residency programs, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	24	NO	11	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Carroll, Crowder, Giron, Guzman, Heath, Hodge, King, Morse, Newell, Steadman, Tochtrop and Todd.

SB13-238 by Senator(s) Tochtrop; also Representative(s) Ryden--Concerning the regulation of hearing aid providers by the division of professions and occupations within the department of regulatory agencies, 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	2	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	Y	Lambert	Y	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Crowder, Giron, Kefalas, Morse, Nicholson and Todd.

SB13-255 by Senator(s) Kefalas and Newell, Morse; also Representative(s) May and Singer-- Concerning child fatality review teams, and, in connection therewith, increasing the capacity and resources, clarifying the responsibilities and processes of state and local child fatality review teams in the departments of public health and environment and human services, and making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	22	NO	13	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Carroll, Giron, Guzman, Heath, Hudak, Jahn, Jones, Kerr, King, Nicholson, Schwartz, Steadman, Tochtrop, Todd and Ulibarri.

SB13-273 by Senator(s) Schwartz and Nicholson; also Representative(s) Hamner and Coram-- Concerning incentives for the beneficial use of forest biomass.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	21	NO	14	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Guzman, Heath, Jones, Kefalas, Todd and Ulibarri.

SB13-269 by Senator(s) Nicholson and Roberts, Schwartz, Aguilar, Baumgardner, Carroll, Giron, Guzman, Heath, Hodge, Hudak, Johnston, Jones, Kefalas, Kerr, King, Morse, Newell, Steadman, Tochtrop, Todd, Ulibarri; also Representative(s) Coram and McLachlan, Fischer--Concerning the creation of a grant program to assist with efforts to reduce the risk of catastrophic wildfires to forested lands in Colorado.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Cadman and Crowder.

SB13-225 by Senator(s) Giron, Guzman, Aguilar, Newell, Nicholson; also Representative(s) Ginal and Primavera, Schafer--Concerning the development of a system to improve quality of care to patients suffering specified acute incidents, and, in connection therewith, making an appropriation.

A majority of those elected to the Senate having voted in the affirmative, Senator Giron was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.008), by Senator Giron.

Amend engrossed bill, page 5, line 24, strike "SEVENTEEN" and substitute "EIGHTEEN".

Page 6, after line 25 insert:

"(X) ONE MEMBER WHO IS A COLORADO RESIDENT REPRESENTING A NATIONAL STROKE ASSOCIATION;"

Renumber succeeding subparagraphs accordingly.

The amendment was **passed** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	23	NO	12	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Carroll, Heath, Kefalas, Morse and Todd.

RECONSIDERATION OF SB13-264

SB13-264 by Senator(s) Aguilar and Kefalas, Schwartz; also Representative(s) McLachlan and Vigil-- Concerning requiring the commission on family medicine to support the development of rural family medicine residency programs, and, in connection therewith, making an appropriation.

Having voted on the prevailing side, Majority Leader Carroll moved for reconsideration of the last Senate action, Third Reading of Bills -- Final Passage, on SB13-264.

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

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

SB13-264 by Senator(s) Aguilar and Kefalas, Schwartz; also Representative(s) McLachlan and Vigil-- Concerning requiring the commission on family medicine to support the development of rural family medicine residency programs, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	25	NO	10	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was passed.

Co-sponsor(s) added: Nicholson.

On motion of Majority Leader Carroll, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, were made Special Orders at

On motion of Majority Leader Carroll, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, HB13-1082, HB13-1289, HB13-1281, HB13-1196, HB13-1153, HB13-1163, HB13-1241 were made Special Orders at 10:25 a.m.

Upon request of Majority Leader Carroll, HB13-1082 was removed from the General Orders--Second Reading of Bills Consent Calendar of Monday, April 29 and was placed at the end of the Special Orders--Second Reading of Bills Calendar of Monday, April 29.

Committee of the Whole The hour of 10:25 a.m. having arrived, Senator Schwartz moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders -- Second Reading of Bills, and Senator Schwartz 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:

HB13-1289	by Representative(s) Moreno and Dore; also Senator(s) Jahn and Balmer--Concerning authority for the electronic transmission of information relating to motor vehicles.	1
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	<u>Amendment No. 1, Transportation Committee Amendment.</u>	4
	(Printed in Senate Journal, April 25, page(s) 1041 and placed in members' bill files.)	5
		6
	As amended, ordered revised and placed on the calendar for third reading and final passage.	7
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HB13-1281	by Representative(s) Gerou, Duran, Levy; also Senator(s) Hodge, Steadman, Lambert--Concerning the authority for the department of health care policy and financing to expend an appropriation for the medicaid management information system over two fiscal years.	11
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	Ordered revised and placed on the calendar for third reading and final passage.	15
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HB13-1196	by Representative(s) Stephens; also Senator(s) Newell--Concerning reporting relating to the medicaid coordinated care system.	18
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	Ordered revised and placed on the calendar for third reading and final passage.	21
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		23
HB13-1153	by Representative(s) Tyler, Fischer, Priola, Scott, Young; also Senator(s) Hudak--Concerning the authorization of owners of rental special mobile machinery to pay specific ownership tax through an electronic reporting process, and, in connection therewith, making an appropriation.	24
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	<u>Amendment No. 1, Transportation Committee Amendment.</u>	29
	(Printed in Senate Journal, April 26, page(s) 1017-1018 and placed in members' bill files.)	30
		31
	<u>Amendment No. 2, Appropriations Committee Amendment.</u>	32
	(Printed in Senate Journal, April 26, page(s) 1061 and placed in members' bill files.)	33
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	As amended, ordered revised and placed on the calendar for third reading and final passage.	35
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HB13-1163	by Representative(s) Kagan, Ferrandino; also Senator(s) Aguilar--Concerning payment for medical costs associated with obtaining a medical forensic examination for victims of sexual offenses, and, in connection therewith, making an appropriation.	39
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	Ordered revised and placed on the calendar for third reading and final passage.	43
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HB13-1241	by Representative(s) Fields and Gardner, Buckner, Exum, Hamner, Kagan, Labuda, Lebsock, Lee, McCann, Melton, Pabon, Salazar, Singer, Williams, Young; also Senator(s) Guzman and King--Concerning a statewide automated victim information notification system, and, in connection therewith, making and reducing appropriations.	46
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	Ordered revised and placed on the calendar for third reading and final passage.	51
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	ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE --	56
	CONSENT CALENDAR	57
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	On motion of Senator Schwartz, the report of the Committee of the Whole was adopted	60
	on the following roll call vote:	61
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		64

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB13-1289 as amended, HB13-1281, HB13-1196, HB13-1153 as amended, HB13-1163, HB13-1241.

Committee of the Whole
On motion of Senator Schwartz, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills and Senator Schwartz was called to the Chair to act as Chairman.

GENERAL 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:

SB13-253
by Senator(s) Steadman; also Representative(s) Levy--Concerning a deferred judgment for a drug offense when there is a violation of the deferred judgment.

Laid over until Tuesday, April 30, retaining its place on the calendar.

SB13-271
by Senator(s) Nicholson; --Concerning funding for the address confidentiality program.

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, April 25, page(s) 1034, was lost.)

Ordered engrossed and placed on the calendar for third reading and final passage.

SB13-277
by Senator(s) Aguilar, Morse; also Representative(s) Ginal--Concerning the development of a prior authorization process to be used in obtaining prior approval from carriers for coverage of drug benefits.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, April 25, page(s) 1043-1044 and placed in members' bill files.)

Amendment No. 2(L.007), by Senator Lundberg.

Amend printed bill, page 8, line 25, after the period add "NOTHING IN THIS SUBSECTION (6) SHALL LIMIT A CARRIER FROM SUBSTITUTING A GENERIC DRUG, WITH THE PHYSICIAN'S APPROVAL AND PATIENT'S CONSENT, FOR A PREVIOUSLY APPROVED BRAND-NAMED DRUG ACCORDING TO THE TERMS OF THE HEALTH BENEFIT PLAN IN CONFORMITY WITH SECTION 12-22-124 (2), C.R.S.".

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.)

SB13-279
by Senator(s) Kerr; also Representative(s) Gerou--Concerning increasing energy resource efficiency in public schools.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, April 25, page(s) 1044-1045 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB13-265 by Senator(s) Kerr and Balmer; also Representative(s) Holbert and Kagan--Concerning applicability of Colorado statutes to franchise agreements between vehicle dealers and the suppliers of these vehicles.

Ordered engrossed and placed on the calendar for third reading and final passage.

HB13-1266 by Representative(s) McCann and Gardner; also Senator(s) Aguilar--Concerning the alignment of state health insurance laws with the requirements of the federal "Patient Protection and Affordable Care Act".

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, April 25, page(s) 1039 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB13-1263 by Representative(s) Primavera, Buckner, Court, Hamner, Peniston, Pettersen; also Senator(s) Heath--Concerning the regulation of private occupational schools by the private occupational school board, and, in connection therewith, making nonprofit private occupational schools subject to regulation by the private occupational school board.

Ordered revised and placed on the calendar for third reading and final passage.

HB13-1082 by Representative(s) Labuda; also Senator(s) Steadman--Concerning juvenile delinquency records.

Ordered revised and placed on the calendar for third reading and final passage.

HB13-1215 by Representative(s) Peniston, Court, Fields, Labuda, McCann, Singer, Young; also Senator(s) Tochtrop--Concerning restricting access by minors to artificial tanning devices.

Amendment No. 1(L.009), by Senator Nicholson.

Amend reengrossed bill, page 2, line 7, strike "FIFTEEN" and substitute "EIGHTEEN".

Page 2, strike line 11 through 20.

Strike page 3.

Page 4, strike line 1.

Reletter succeeding paragraphs accordingly.

Page 4, strike lines 5 through 9 and substitute "TANNING DEVICE.".

Page 4, line 17, strike "DOES NOT INCLUDE" and substitute "INCLUDES".

As amended, ordered revised 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

HB13-1215 by Representative(s) Peniston, Court, Fields, Labuda, McCann, Singer, Young; also Senator(s) Tochtrop--Concerning restricting access by minors to artificial tanning devices.

Senator Hill moved to amend the Report of the Committee of the Whole to show that the following Nicholson floor amendment, (L.009) to HB 13-1215, did not pass.

Amend reengrossed bill, page 2, line 7, strike "FIFTEEN" and substitute "EIGHTEEN".

Page 2, strike line 11 through 20.

Strike page 3.

Page 4, strike line 1.

Reletter succeeding paragraphs accordingly.

Page 4, strike lines 5 through 9 and substitute "TANNING DEVICE.".

Page 4, line 17, strike "DOES NOT INCLUDE" and substitute "INCLUDES".

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 **passed** on the following roll call vote:

YES	18	NO	17	EXCUSED	0	ABSENT	0
Aguilar	N	Guzman	N	Kefalas	N	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	N	Scheffel	Y
Baumgardner	Y	Heath	N	King	Y	Schwartz	N
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	N	Lundberg	Y	Tochtrop	N
Carroll	N	Hudak	N	Marble	Y	Todd	N
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	N
Giron	N	Johnston	N	Nicholson	N	President	N
Grantham	Y	Jones	N	Renfroe	Y		

Senator Steadman moved to amend the Report of the Committee of the Whole to show that the following amendment to HB 13-1215 did pass.

Amend reengrossed bill, page 3, line 21, strike "FOR SIX MONTHS UNLESS" and substitute "UNTIL".

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 **passed** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Senator Newell moved to amend the Report of the Committee of the Whole to show that the following amendment to HB 13-1215 did pass.

Amend reengrossed bill, page 3, line 15, strike "LIST" and substitute

"LIST, IN SIXTEEN-POINT, BOLD-FACED TYPE,".

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 **passed** on the following roll call vote:

YES	20	NO	15	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	N	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

SB13-277 by Senator(s) Aguilar, Morse; also Representative(s) Ginal, Duran, Fields, Garcia, Gerou, Hamner, Hullinghorst, Joshi, Melton, Moreno, Peniston, Pettersen, Primavera, Rosenthal, Ryden, Salazar, Schafer, Singer, Williams--Concerning the development of a prior authorization process to be used in obtaining prior approval from carriers for coverage of drug benefits.

Senator Lundberg moved to amend the Report of the Committee of the Whole to show that the following Lundberg floor amendment, (L.007) to SB 13-277, did not pass, and that the following new amendment did pass.

L.007

Amend printed bill, page 8, line 25, after the period add "NOTHING IN THIS SUBSECTION (6) SHALL LIMIT A CARRIER FROM SUBSTITUTING A GENERIC DRUG, WITH THE PHYSICIAN'S APPROVAL AND PATIENT'S CONSENT, FOR A PREVIOUSLY APPROVED BRAND-NAME DRUG ACCORDING TO THE TERMS OF THE HEALTH BENEFIT PLAN IN CONFORMITY WITH SECTION 12-22-124 (2), C.R.S.".

New amendment

Amend printed bill, page 8, line 25, after the period add "NOTHING IN THIS SUBSECTION (6) LIMITS THAT ABILITY OF A CARRIER OR PHARMACY BENEFIT MANAGEMENT FIRM, IN ACCORDANCE WITH THE TERMS OF THE HEALTH BENEFIT PLAN, TO SUBSTITUTE A GENERIC DRUG, WITH THE PRESCRIBING PROVIDER'S APPROVAL AND PATIENT'S CONSENT, FOR A PREVIOUSLY APPROVED BRAND-NAME DRUG.".

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 **passed** on the following roll call vote:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	N	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Schwartz, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB13-271, SB13-277 as amended, SB13-279 as amended, SB13-265, HB13-1266 as amended, HB13-1263, HB13-1082, HB13-1215 as amended. Laid over until Tuesday, April 30: SB13-253.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Monday, April 29 was laid over until Tuesday, April 30 retaining its place on the calendar.

Third Reading of Bills -- Final Passage: HB13-1276, HB13-1117, HB13-1142, HB13-1156, HB13-1194, HB13-1154, HB13-1005, HB13-1138, HB13-1105, HB13-1134.
General Orders -- Second Reading of Bills: HB13-1206.
Consideration of Resolutions: HJR13-1004, SJR13-030, SJR13-034, SJR13-035, SJR13-036, SR13-004.
Consideration of House Amendments to Senate Bills: SB13-040, SB13-223, SB13-244, SB13-200.
Conference Committees to Report: SB13-155.

INTRODUCTION OF BILLS -- FIRST READING

The following bill was read by title and referred to the committee indicated:

HB13-1300 by Representative(s) Gardner, Labuda, Levy, Murray, Waller; also Senator(s) Morse, Brophy, Carroll, Roberts, Schwartz--Concerning nonsubstantive revisions of statutes in the Colorado Revised Statutes, as amended, and, in connection therewith, amending or repealing obsolete, inconsistent, and conflicting provisions of law and clarifying the language to reflect the legislative intent of the laws.
Judiciary

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS

Appropriations After consideration on the merits, the Committee recommends that **HB13-1296** be **amended** as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 8, after line 23 insert:

"SECTION 3. Appropriation. In addition to any other appropriation, there is hereby appropriated to the legislative department, for the fiscal year beginning July 1, 2013, the sum of \$5,000, or so much thereof as may be necessary, for allocation to legislative council, for reimbursement and compensation of task force members related to the implementation of this act. Said sum is from reappropriated funds received from the department of human services' executive director's office."

Renumber succeeding sections accordingly.

Page 1, line 103, strike "FORCE AND" and substitute "FORCE,".

Page 1, line 104, strike "COMMITMENT." and substitute "COMMITMENT, AND MAKING AN APPROPRIATION.".

Appropriations After consideration on the merits, the Committee recommends that **HB13-1230** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Appropriations After consideration on the merits, the Committee recommends that **HB13-1283** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Appropriations After consideration on the merits, the Committee recommends that **HB13-1031** be referred to the Committee of the Whole with favorable recommendation.

Appropriations After consideration on the merits, the Committee recommends that **HB13-1240** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Appropriations After consideration on the merits, the Committee recommends that **SB13-283** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 5, strike lines 13 through 27.

Strike pages 6 through 18.

Page 19, strike lines 1 through 8 and substitute the following:

"SECTION 5. In Colorado Revised Statutes, 16-11.3-103, add (2.8) as follows:

16-11.3-103. Duties of commission - mission - staffing - repeal.
(2.8) (a) ON OR BEFORE DECEMBER 15, 2013, THE COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE SHALL MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY REGARDING CRIMINAL LAWS THAT NEED TO BE REVISED TO ENSURE THAT TITLE 18, C.R.S., AND OTHER RELEVANT CRIMINAL STATUTES ARE COMPATIBLE WITH THE INTENT AND PLAIN MEANING OF SECTION 16 OF ARTICLE XVIII OF THE STATE CONSTITUTION. IN MAKING THE RECOMMENDATIONS, THE COMMISSION SHALL:

(I) CONSIDER THAT THE INTENT OF SECTION 16 OF ARTICLE XVIII OF THE STATE CONSTITUTION WAS TO DECRIMINALIZE CONSUMPTION OF SMALL AMOUNTS OF MARIJUANA, TO CREATE A LAWFUL MARKETPLACE FOR ADULTS TO OBTAIN SAFE AND LEGAL MARIJUANA, TO PROTECT AGAINST YOUTH ACCESS AND CONSUMPTION OF MARIJUANA, AND TO ELIMINATE THE ILLICIT DRUG MARKETPLACE FOR MARIJUANA;

(II) CONSIDER THE RECOMMENDATIONS OF THE AMENDMENT 64 IMPLEMENTATION TASK FORCE ESTABLISHED PURSUANT TO EXECUTIVE

ORDER B 2012-004 IN DEVELOPING ITS RECOMMENDATIONS;
(III) CONSIDER WAYS TO HARMONIZE CONFLICTS RAISED BY SECTIONS 5 TO 10 OF THE INTRODUCED VERSION OF HOUSE BILL 13-1317 AND SECTIONS 12-43.3-901, 12-43.4-901, AND 18-18-414, C.R.S.;
(IV) CONSIDER PENALTIES FOR UNLAWFUL ACTIVITIES BY PERSONS EIGHTEEN YEARS OF AGE OR OLDER BUT UNDER TWENTY-ONE YEARS OF AGE INVOLVING MARIJUANA PURSUANT TO SECTION 16 OF ARTICLE XVIII OF THE STATE CONSTITUTION; AND
(V) MAKE RECOMMENDATIONS THAT ASSIST IN ELIMINATING PARTICIPATION IN THE ILLICIT DRUG MARKET FOR MARIJUANA BY BUYERS, SELLERS, AND PRODUCERS, INCLUDING INCREASED FINES AND CRIMINAL SANCTIONS ON ALL ACTIVITY THAT OCCURS OUTSIDE THE LEGAL MARKETPLACE.
(b) THIS SUBSECTION (2.8) IS REPEALED, EFFECTIVE JULY 1, 2014."

Renumber succeeding sections accordingly.

Page 21, strike lines 1 through 6.

Page 20, strike lines 26 and 27 and substitute:
"training. ON AND AFTER OCTOBER 1, 2013, THE P.O.S.T. BOARD IS ENCOURAGED TO INCLUDE ADVANCED ROADSIDE IMPAIRED DRIVING ENFORCEMENT TRAINING IN THE CURRICULUM FOR PERSONS WHO ENROLL IN A TRAINING ACADEMY FOR BASIC PEACE OFFICER TRAINING."

Page 22, strike lines 15 through 18 and substitute:
"(3) THE DIVISION IS NOT REQUIRED TO PERFORM THE DUTIES REQUIRED BY THIS SECTION UNTIL THE MARIJUANA CASH FUND, CREATED IN SECTION 12-43.3-501, C.R.S., HAS RECEIVED SUFFICIENT REVENUE TO FULLY FUND THE APPROPRIATIONS MADE TO THE DEPARTMENT OF REVENUE RELATED TO ARTICLES 43.3 AND 43.4 OF TITLE 12, C.R.S., AND THE APPROPRIATION TO THE DIVISION FOR SUCH DUTIES."

Page 23, strike lines 18 through 22 and substitute:
"BEHAVIORAL RISK FACTORS. THE DEPARTMENT AND PANEL ARE NOT REQUIRED TO PERFORM THE DUTIES REQUIRED BY THIS SECTION UNTIL THE MARIJUANA CASH FUND, CREATED IN SECTION 12-43.3-501, C.R.S., HAS RECEIVED SUFFICIENT REVENUE TO FULLY FUND THE APPROPRIATIONS MADE TO THE DEPARTMENT OF REVENUE RELATED TO ARTICLES 43.3 AND 43.4 OF TITLE 12, C.R.S., THE APPROPRIATION TO THE DIVISION OF CRIMINAL JUSTICE RELATED TO SECTION 24-33.5-514, C.R.S., AND THE APPROPRIATION TO THE DEPARTMENT RELATED TO THIS SECTION."

Page 29, after line 19, insert:
"SECTION 25. In Colorado Revised Statutes, 12-43.3-501, amend (1) as follows:
12-43.3-501. Marijuana cash fund - repeal. (1) (a) All moneys collected by the state licensing authority pursuant to this article AND ARTICLE 43.4 OF THIS TITLE shall be transmitted to the state treasurer, who shall credit the same to the ~~medical marijuana license~~ cash fund, which fund is hereby created and referred to in this section as the "fund". THE FUND CONSISTS OF the moneys in the fund SO COLLECTED, ANY EXCISE TAX OR ADDITIONAL SALES TAX IMPOSED PURSUANT TO ARTICLE 28.8 OF TITLE 39, C.R.S., ANY OTHER SALES TAX, AND ANY ADDITIONAL GENERAL FUND MONEYS APPROPRIATED TO THE FUND THAT ARE NECESSARY FOR THE OPERATION OF THE STATE LICENSING AUTHORITY. MONEY IN THE FUND shall be subject to annual appropriation by the general assembly to the department of revenue for the direct and indirect costs associated with implementing this article AND ARTICLE 43.4 OF THIS TITLE. Any moneys in the fund not expended for the purpose of this article OR ARTICLE 43.4 OF THIS TITLE may be invested by the state treasurer as provided by law. All interest and income derived from the investment and deposit of moneys in the fund shall be credited to the fund. Any unexpended and unencumbered moneys remaining in the fund at the end of a fiscal year shall remain in the fund and shall not be credited or transferred to the general fund or another fund. UPON A DETERMINATION BY THE GENERAL ASSEMBLY THAT THE DEPARTMENT OF REVENUE HAS ESTABLISHED A

SUFFICIENT REVENUE STREAM TO FUND THE STATE LICENSING AUTHORITY'S REGULATORY EFFORTS AND ALL OTHER PROGRAMS TO BE FUNDED BY THE FUND, THE GENERAL ASSEMBLY SHALL DIRECT THE STATE TREASURER TO TRANSFER ANY EXCESS BALANCE IN THE FUND TO THE GENERAL FUND TO REPAY ANY APPROPRIATION MADE FROM THE GENERAL FUND TO INITIALLY SUPPORT THE SPENDING AUTHORITY OF THE STATE LICENSING AUTHORITY.

(b) (I) ANY UNEXPENDED AND UNENCUMBERED MONEYS IN THE FUND AS OF JULY 1, 2013, IS APPROPRIATED TO THE STATE LICENSING AUTHORITY FOR THE 2013-14 FISCAL YEAR.

(II) THIS PARAGRAPH (b) IS REPEALED, EFFECTIVE JULY 1, 2014.

SECTION 26. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the marijuana cash fund created in section 12-43.3-501 (1) (a), Colorado Revised Statutes, not otherwise appropriated, to the department of public health and environment, for the fiscal year beginning July 1, 2013, the sum of \$307,542 and 4.0 FTE, or so much thereof as may be necessary, for allocation to the disease control and environmental epidemiology division, environmental epidemiology subdivision, for the cannabis health environmental and epidemiological training, outreach, and surveillance line item related to the implementation of this act.

(2) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the marijuana cash fund created in section 12-43.3-501 (1) (a), Colorado Revised Statutes, not otherwise appropriated, to the department of public safety, for the fiscal year beginning July 1, 2013, the sum of \$154,034, or so much thereof as may be necessary, for allocation to the division of criminal justice for the DCJ administrative services line item related to the implementation of this act.

SECTION 27. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of revenue, for the fiscal year beginning July 1, 2013, the sum of \$280,000, or so much thereof as may be necessary, for allocation to the taxation business group for computer programming costs related to the implementation of this act.

SECTION 28. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the P.O.S.T. board cash fund created in section 24-31-303 (2) (b), Colorado Revised Statutes, not otherwise appropriated, to the department of law, for the fiscal year beginning July 1, 2013, the sum of \$20,000, or so much thereof as may be necessary, for allocation to the criminal justice and appellate unit for peace officers standards and training board support expenses related to the implementation of section 24-31-313, Colorado Revised Statutes."

Renumber succeeding sections accordingly.

Page 29, strike lines 22 through 26 and substitute:

"(a) Section 27 takes effect only if House Bill 13-1042 does not become law."

Page 1, line 101, strike "AMENDMENT 64." and substitute "AMENDMENT 64, AND, IN CONNECTION THEREWITH, MAKING AND REDUCING AN APPROPRIATION."

Appropriations

After consideration on the merits, the Committee recommends that **HB13-1239** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 14, strike lines 6 through 19.

Renumber succeeding sections accordingly.

Page 14, line 22, strike "2 and 3, 5 to 9, and 12" and substitute "2 and 3, and 5 to 9".

Page 14, line 25, strike "10, 11, and 13" and substitute "10, and 11".

Appropriations After consideration on the merits, the Committee recommends that **HB13-1301** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 6, after line 24 insert:

"SECTION 3. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the legislative department, for the fiscal year beginning July 1, 2013, the sum of \$5,000, or so much thereof as may be necessary, for allocation to legislative council for reimbursement and compensation related to the implementation of this act."

Renumber succeeding section accordingly.

Appropriations After consideration on the merits, the Committee recommends that **HB13-1253** be postponed indefinitely.

Appropriations After consideration on the merits, the Committee recommends that **HB13-1079** be referred to the Committee of the Whole with favorable recommendation.

Appropriations After consideration on the merits, the Committee recommends that **HB13-1252** be referred to the Committee of the Whole with favorable recommendation.

Appropriations After consideration on the merits, the Committee recommends that **SB13-280** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 36, after line 7 insert:

"SECTION 39. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the Colorado state titling and registration account in 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, 2013, the sum of \$25,900, or so much thereof as may be necessary, to be allocated to the information technology division for the purchase of computer center services.

(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, 2013, the sum of \$25,900, 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 revenue out of the appropriation made in subsection (1) of this section."

Renumber succeeding sections accordingly.

Page 1, line 102, strike "**VEHICLES.**" and substitute "**VEHICLES, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appropriations After consideration on the merits, the Committee recommends that **HB13-1195** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Appropriations

After consideration on the merits, the Committee recommends that **SB13-276** be **amended** as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 6, after line 6 insert:

"SECTION 9. Appropriation - adjustments to 2013 long bill.
(1) For the implementation of this act, appropriations made in the annual general appropriation act to the department of health care policy and financing for the fiscal year beginning July 1, 2013, are adjusted as follows:
(a) The appropriation for the executive's director's office, is decreased by \$65,392 and 1.0 FTE. Of said sum, \$32,696 is from the coordinated care for people with disabilities fund created in Section 25.5-6-111 (4), Colorado Revised Statutes, and \$32,696 is from federal funds.
(b) The appropriation for the executive director's office, indirect cost recoveries, is increased by \$1,743. Of said sum, \$1,402 is from the hospital provider fee cash fund created in section 25.5-4-402.3 (4), Colorado Revised Statutes, \$202 is from the children's basic health plan trust created in section 25.5-8-105 (1), Colorado Revised Statutes, \$48 is from the medical nursing facility cash fund created in section 25.5-6-203 (2) (a), Colorado Revised Statutes, \$45 is from the primary care fund created in section 24-22-117 (2) (b) (I), Colorado Revised Statutes, \$26 is from the Colorado autism treatment fund created in section 25.5-6-805 (1), Colorado Revised Statutes, and \$20 is from the breast and cervical cancer prevention and treatment fund created in section 25.5-5-308 (8) (a) (I), Colorado Revised Statutes.
(c) The appropriation for medical services premiums is decreased by \$100,000. Of said sum, \$50,000 is from the coordinated care for people with disabilities fund created in Section 25.5-6-111 (4), Colorado Revised Statutes, and \$50,000 is from federal funds.

SECTION 10. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the disability investigational and pilot support fund created in section 24-30-2205.5, Colorado Revised Statutes, not otherwise appropriated, to the department of personnel, for the fiscal year beginning July 1, 2013, the sum of \$1,173,976, or so much thereof as may be necessary, for allocation to the state purchasing office for the dips procurement line item related to the implementation of this act."

Renumber succeeding section accordingly.

Page 1, line 102, strike **"FUND."** and substitute **"FUND, AND, IN CONNECTION THEREWITH, MAKING AND REDUCING AN APPROPRIATION."**

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB13-1257** be **amended** as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 5, line 10, after the period insert "If THE DEPARTMENT DETERMINES THAT THE NONCOMPLIANCE REQUIRES INVALIDATING THE SCHOOL DISTRICT'S OR BOARD OF COOPERATIVE SERVICES' EDUCATOR RATINGS:
(A) A TEACHER WHO RECEIVED A RATING OF EFFECTIVE OR HIGHLY EFFECTIVE SHALL RETAIN THAT RATING; AND
(B) A TEACHER WHO RECEIVED A RATING OF PARTIALLY EFFECTIVE OR INEFFECTIVE SHALL RECEIVE A "NO SCORE" RATING FOR THE YEAR IN QUESTION. HOWEVER, IF IN THE FOLLOWING ACADEMIC YEAR, THE DEPARTMENT DETERMINES THAT THE SCHOOL DISTRICT'S OR BOARD OF COOPERATIVE SERVICES' LOCAL LICENSED PERSONNEL EVALUATION SYSTEM IS COMPLIANT WITH THE REQUIREMENTS OF THIS ARTICLE AND THE TEACHER RECEIVES A PERFORMANCE EVALUATION RATING OF INEFFECTIVE OR PARTIALLY EFFECTIVE, THIS RATING SHALL HAVE THE CONSEQUENCE OF A SECOND CONSECUTIVE INEFFECTIVE RATING."

State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that HB13-1260 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	1 2 3 4 5 6 7 8 9 10
	Amend reengrossed bill, page 2, strike lines 9 through 17.	11 12 13
	Renumber succeeding section accordingly.	14 15 16
	Page 1, strike lines 104 and 105 and substitute "OCCASION."	17 18 19 20
		21 22 23 24
	After consideration on the merits, the Committee recommends that HB13-1299 be amended as follows, and as so amended, be referred to the Committee on <u>Legislative Council</u> with favorable recommendation.	25 26 27 28 29 30 31 32
	Amend reengrossed bill, page 3 strike lines 10 through 15.	33 34 35 36 37 38 39
	Page 4, strike lines 1 through 7.	40 41 42 43 44 45 46 47
	Reletter succeeding paragraphs accordingly.	48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69
	Page 10, strike lines 11 through 27.	
	Strike pages 11 through 54.	
	Page 55, strike lines 1 through 15 and substitute:	
	"2-7-203. Departmental presentations to legislative committees of reference - departmental regulatory agendas. (1) THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT OF THE SENATE SHALL ASSIGN EACH DEPARTMENT TO A HOUSE AND SENATE COMMITTEE OF REFERENCE FOR THEIR RESPECTIVE HOUSES. IN MAKING THE ASSIGNMENTS, THE SPEAKER AND THE PRESIDENT SHALL ENSURE THAT THE PRIMARY FUNCTIONS AND RESPONSIBILITIES OF THE DEPARTMENT ARE WITHIN THE SUBJECT MATTER JURISDICTION OF THE COMMITTEES OF REFERENCE TO WHICH IT IS ASSIGNED.	
	(2) (a) EACH JOINT COMMITTEE OF REFERENCE SHALL CONDUCT HEARINGS AS SPECIFIED IN PARAGRAPH (b) OF THIS SUBSECTION (2) DURING THE INTERIM BETWEEN LEGISLATIVE SESSIONS BETWEEN NOVEMBER 1 AND THE COMMENCEMENT OF THE FOLLOWING REGULAR LEGISLATIVE SESSION, DURING WHICH HEARINGS THE JOINT COMMITTEE SHALL HEAR A PRESENTATION FROM EACH DEPARTMENT THAT IS ASSIGNED TO SUCH COMMITTEE PURSUANT TO SUBSECTION (1) OF THIS SECTION REGARDING:	
	(I) THE DEPARTMENT'S PERFORMANCE PLAN DEVELOPED PURSUANT TO SECTION 2-7-204 (3);	
	(II) THE DEPARTMENT'S REGULATORY AGENDA REQUIRED PURSUANT TO SUBSECTION (4) OF THIS SECTION; AND	
	(III) THE DEPARTMENT'S LEGISLATIVE AGENDA FOR THE UPCOMING REGULAR LEGISLATIVE SESSION.	
	(b) IN THE PERIOD SPECIFIED IN PARAGRAPH (a) OF THIS SUBSECTION (2), EACH JOINT COMMITTEE OF REFERENCE MUST MEET:	
	(I) AT LEAST ONCE IN EVERY EVEN-NUMBERED YEAR; AND	
	(II) AT LEAST TWICE IN EVERY ODD-NUMBERED YEAR.	
	(c) EACH JOINT COMMITTEE OF REFERENCE SHALL ALLOW TIME FOR PUBLIC TESTIMONY REGARDING EACH SUCH DEPARTMENT PRESENTATION.	
	(3) (a) THE CHAIR OF EACH JOINT COMMITTEE OF REFERENCE SHALL ASSIGN TWO MEMBERS OF THE JOINT COMMITTEE, ONE FROM EACH MAJOR POLITICAL PARTY, TO SERVE AS LIAISONS WITH THE DEPARTMENTS ASSIGNED TO THEIR JOINT COMMITTEE OF REFERENCE REGARDING THE PERFORMANCE MANAGEMENT SYSTEM AND PERFORMANCE PLAN.	
	(b) THE CHAIR OF THE JOINT BUDGET COMMITTEE SHALL ASSIGN ONE MEMBER OF THE JOINT BUDGET COMMITTEE TO SERVE AS A LIAISON FOR EACH DEPARTMENT. THE JOINT BUDGET COMMITTEE LIAISON SHALL WORK WITH THE LIAISONS ASSIGNED PURSUANT TO PARAGRAPH (a) OF	

THIS SUBSECTION (3) TO INFORM THE JOINT COMMITTEE OF REFERENCE REGARDING THE DEPARTMENT'S PROGRESS.

(c) THE EXECUTIVE DIRECTOR OF EACH DEPARTMENT, OR THE EXECUTIVE DIRECTOR'S DESIGNEE, AND ANY APPROPRIATE STAFF OF THE DEPARTMENT SHALL WORK WITH THE LIAISONS AS NECESSARY.

(4) ON NOVEMBER 1, 2013, AND EACH NOVEMBER 1 THEREAFTER, EACH DEPARTMENT SHALL FILE A DEPARTMENTAL REGULATORY AGENDA WITH THE STAFF OF THE LEGISLATIVE COUNCIL, WHO SHALL DISTRIBUTE THE DEPARTMENTAL REGULATORY AGENDA TO THE APPLICABLE COMMITTEE OF REFERENCE PRIOR TO THE DEPARTMENTAL PRESENTATIONS TO THE COMMITTEE OF REFERENCE. ON NOVEMBER 1, 2013, AND EACH NOVEMBER 1 THEREAFTER, EACH DEPARTMENT SHALL ALSO POST ITS DEPARTMENTAL REGULATORY AGENDA ON THE DEPARTMENT'S WEB SITE AND SHALL SUBMIT ITS DEPARTMENTAL REGULATORY AGENDA TO THE SECRETARY OF STATE FOR PUBLICATION IN THE COLORADO REGISTER.

(5) ALL LOCAL GOVERNMENT ENTITIES ARE ENCOURAGED TO ATTEND THE HEARINGS DESCRIBED IN SUBSECTION (2) OF THIS SECTION TO PROVIDE TESTIMONY OR TO SUBMIT AN OFFICIAL POSITION LETTER TO THE JOINT COMMITTEES OF REFERENCE REGARDING ANY LOCAL IMPACT OF A DEPARTMENT'S PERFORMANCE MANAGEMENT SYSTEM AND PERFORMANCE PLAN."

Renumber succeeding C.R.S. sections accordingly.

Page 56, line 8, after "THEREAFTER," insert "THE DEPARTMENT OF STATE, THE DEPARTMENT OF THE TREASURY,".

Page 56, line 17, strike "FOCUS ON" and substitute "ADDRESS, AMONG OTHER STRATEGIC GOALS AND PRIORITIES THAT ARE CONSISTENT WITH THE CHARGE OF EACH DEPARTMENT, STRATEGIES FOR".

Page 57, line 4, strike "NOVEMBER 1, 2013," and substitute "JULY 1, 2014,".

Page 57, line 5, strike "NOVEMBER 1" and substitute "JULY 1".

Page 57, strike line 8.

Page 57, line 9, strike "COMMITTEE." and substitute "COMMITTEE AND THE APPROPRIATE JOINT COMMITTEE OF REFERENCE AS DETERMINED PURSUANT TO SECTION 2-7-203.".

Page 57, strike lines 22 and 23 and substitute "COMMITTEE AND THE APPROPRIATE JOINT COMMITTEE OF REFERENCE AS DETERMINED PURSUANT TO SECTION 2-7-203, AND SHALL POST THE MASTER PLAN AND PERFORMANCE".

Page 59, line 27, after the period add "THE LEGISLATIVE AUDIT COMMITTEE SHALL APPROVE THE PROGRAMS OR SERVICES SELECTED BY THE AUDITOR FOR PERFORMANCE AUDITS.".

Page 60, line 15, strike "STANDING INTERIM COMMITTEE." and substitute "JOINT COMMITTEE OF REFERENCE AS DETERMINED PURSUANT TO SECTION 2-7-203.".

Page 60, line 17, strike "STANDING INTERIM COMMITTEE'S" and substitute "JOINT COMMITTEE OF REFERENCE'S".

Page 60, line 23, strike "EVALUATIONS," and substitute "EVALUATIONS AND ITS CONSIDERATION OF EACH DEPARTMENT'S LEGAL RESPONSIBILITIES AND STRATEGIC GOALS AND OBJECTIVES,".

Page 62, line 11, strike "2-7-212" and substitute "2-7-204".

Page 62, strike lines 22 and 23 and substitute "APPROPRIATE JOINT COMMITTEE OF REFERENCE AS DETERMINED PURSUANT TO SECTION 2-7-203 WHEN A DEPARTMENT HAS NOT COMPLETED RECOMMENDATIONS".

Page 62, strike lines 25 through 27.

Page 63, strike lines 1 through 12.

Renumber succeeding sections accordingly.

Page 63, line 21, strike "EVALUATIONS," and substitute "EVALUATIONS AND ITS CONSIDERATION OF EACH DEPARTMENT'S LEGAL RESPONSIBILITIES AND STRATEGIC GOALS AND OBJECTIVES,".

Page 63, strike line 27.

Strike pages 64 and 65.

Page 66, strike lines 1 through 23 and substitute:

"SECTION 4. In Colorado Revised Statutes, repeal and reenact, with amendments, 2-3-303.3 as follows:

2-3-303.3. Interim studies. (1) COMMENCING ON AND AFTER THE EFFECTIVE DATE OF THIS SECTION, INTERIM STUDIES MAY NOT BE REQUESTED BY A LEGISLATIVE MEMBER BY BILL OR RESOLUTION. NO LATER THAN THE NINETY-FOURTH DAY OF A REGULAR LEGISLATIVE SESSION, A LEGISLATIVE MEMBER MAY SUBMIT A REQUEST IN WRITING TO THE LEGISLATIVE COUNCIL REGARDING AN ISSUE THAT HE OR SHE WISHES TO STUDY DURING THE NEXT INTERIM BETWEEN SESSIONS. AT MINIMUM, THE REQUEST MUST SPECIFY:

- (a) THE SCOPE OF THE POLICY ISSUES TO BE STUDIED;
- (b) THE NUMBER OF MEETINGS THAT WOULD BE NECESSARY TO STUDY THE ISSUES;
- (c) THE SUGGESTED NUMBER AND COMPOSITION OF LEGISLATIVE MEMBERS ON THE INTERIM COMMITTEE;
- (d) WHETHER OTHER NONLEGISLATIVE MEMBERS SHOULD HAVE A ROLE IN THE INTERIM COMMITTEE;
- (e) WHETHER A TASK FORCE WOULD BE NECESSARY TO ASSIST THE INTERIM COMMITTEE IN STUDYING THE SCOPE OF ISSUES AND, IF SO, THE MEMBERS AND COMPOSITION OF SUCH A TASK FORCE; AND
- (f) (I) AN ESTIMATE OF THE MAXIMUM NUMBER OF BILLS THE INTERIM COMMITTEE WILL NEED IN ORDER TO ADDRESS THE ISSUES STUDIED BY THE INTERIM COMMITTEE.

(II) ANY INTERIM COMMITTEE BILLS ARE EXEMPT FROM THE FIVE-BILL LIMITATION SPECIFIED IN RULE 24 OF THE JOINT RULES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES.

(2) NO LATER THAN THE ONE HUNDREDTH DAY OF A REGULAR LEGISLATIVE SESSION, THE DIRECTOR OF RESEARCH OF THE LEGISLATIVE COUNCIL SHALL DETERMINE THE NUMBER OF INTERIM COMMITTEE MEETINGS THAT MAY BE HELD WITHIN THE LEGISLATIVE BUDGET AND SHALL PROVIDE THAT INFORMATION TO THE EXECUTIVE COMMITTEE OF THE LEGISLATIVE COUNCIL.

(3) (a) NO LATER THAN THE ONE HUNDRED EIGHTH DAY OF A REGULAR LEGISLATIVE SESSION, THE LEGISLATIVE COUNCIL SHALL MEET TO REVIEW AND PRIORITIZE REQUESTS MADE BY LEGISLATIVE MEMBERS PURSUANT TO SUBSECTION (1) OF THIS SECTION. SUCH REVIEW AND PRIORITIZATION MUST TAKE INTO ACCOUNT THE INFORMATION PROVIDED BY THE DIRECTOR OF RESEARCH OF THE LEGISLATIVE COUNCIL AS SPECIFIED IN SUBSECTION (2) OF THIS SECTION. THE LEGISLATIVE COUNCIL SHALL ALSO DETERMINE IF ANY OF THE PRIORITIZED INTERIM COMMITTEES MAY CREATE A TASK FORCE. IF A TASK FORCE IS APPROVED, SUCH TASK FORCE SHALL INCLUDE NO MORE THAN TWO LEGISLATIVE MEMBERS OF THE INTERIM COMMITTEE, ONE FROM THE MAJORITY PARTY AND ONE FROM THE MINORITY PARTY. LEGISLATIVE MEMBERS ON A TASK FORCE ARE ONLY ENTITLED TO RECEIVE NECESSARY TRAVEL COSTS AND ARE NOT ENTITLED TO PER DIEM PURSUANT TO SECTION 2-2-307.

(b) THE PRESIDENT OF THE SENATE, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, AND THE MINORITY AND MAJORITY LEADERS OF BOTH HOUSES SHALL APPOINT THE LEGISLATIVE MEMBERS TO ANY PRIORITIZED INTERIM COMMITTEES OR APPROVED TASK FORCES.

(c) AFTER THE GENERAL ASSEMBLY HAS ADJOURNED, IF AN ISSUE IS BROUGHT TO THE ATTENTION OF THE EXECUTIVE COMMITTEE OF THE LEGISLATIVE COUNCIL AND THE EXECUTIVE COMMITTEE DETERMINES

THAT THE ISSUE IS THE RESULT OF CHANGED CIRCUMSTANCES OR NEW CIRCUMSTANCES AND IS APPROPRIATE MATERIAL FOR AN INTERIM COMMITTEE THAT IS MEETING DURING THAT INTERIM BETWEEN LEGISLATIVE SESSIONS, THE EXECUTIVE COMMITTEE OF THE LEGISLATIVE COUNCIL MAY ADD THE INTERIM COMMITTEE BY ADOPTING A RESOLUTION. THE RESOLUTION MUST INCLUDE THE ITEMS SPECIFIED IN THE LEGISLATIVE MEMBER'S WRITTEN REQUEST FOR AN INTERIM STUDY."

Renumber succeeding sections accordingly.

Page 67, line 1, strike "2-7-213," and substitute "2-7-204,".

Page 67, strike lines 3 through 11 and substitute:

"**amend** (3) (a) as follows:

24-38.5-102. Colorado energy office - duties and powers.

(3) The Colorado energy office shall notify the house of representatives and senate committees of reference to which the office is assigned pursuant to section 2-7-203 (1), C.R.S., as part of its "State Measurement for Accountable, Responsive, and Transparent (SMART) Government Act" hearing required by section 2-7-203 (2), C.R.S., if it has made any changes to:".

Page 67, strike lines 16 through 27.

Strike pages 68 through 75.

Page 76, strike lines 1 through 16.

Renumber succeeding section accordingly.

MESSAGE FROM THE HOUSE

April 29, 2013

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1288, amended as printed in House Journal, April 26, page 1305.
HB13-1274, amended as printed in House Journal, April 26, page 1318.

The House has passed on Third Reading and returns herewith SB13-248, 208, 169.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB13-249, amended as printed in House Journal, April 26, pages 1304-1305.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB13-213, amended as printed in House Journal, April 22, pages 1148-1149, and amended on Third Reading as printed in House Journal, April 29.

The House has adopted the First Report of the First Conference Committee on HB13-1058, as printed in House Journal, April 10, pages 902-903, and has repassed the bill as amended.

The House has adopted the First Report of the First Conference Committee on HB13-1204, as printed in House Journal, April 19, pages 1116-1117, and has repassed the bill as amended.

The House has voted to concur in the Senate amendments to HB13-1225, 1272, 1200, 1235, 1077, 1250, 1071, and has repassed the bills as so amended.

The House has voted not to concur in the Senate amendments to HB13-1191 and requests that a conference committee be appointed. The Speaker has appointed Representatives Fischer, chairman, Vigil, and Szabo as House conferees on the First Conference

Committee on HB13-1191. The bill is transmitted herewith.

The House has voted not to concur in the Senate amendments to HB13-1130 and requests that a conference committee be appointed. The Speaker has appointed Representatives Fischer, chairman, Sonnenberg, and Ryden as House conferees on the First Conference Committee on HB13-1130. The bill is transmitted herewith.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1317, amended as printed in House Journal, April 26, page 1299-1318.

MESSAGE FROM THE REVISOR OF STATUTES

April 29, 2013

We herewith transmit:

Without comment, as amended, HB13-1274 and 1288.
Without comment, as amended, SB13-213 and 249.
Without comment, as amended, HB13-1317.

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

- SB13-287**

by Senator(s) Nicholson and Brophy, Morse, Aguilar, Giron; also Representative(s) McLachlan and Sonnenberg, Coram--Concerning telecommunications.
State, Veterans, & Military Affairs
- SB13-288**

by Senator(s) Cadman and Morse, Nicholson, Lambert, Aguilar, Baumgardner, Brophy, Carroll, Crowder, Giron, Grantham, Guzman, Harvey, Heath, Hill, Hodge, Hudak, Jahn, Johnston, Jones, Kefalas, Kerr, King, Lundberg, Marble, Newell, Renfroe, Roberts, Scheffel, Schwartz, Steadman, Tochtrop, Todd, Ulibarri; also Representative(s) Levy and Gerou--Concerning the process by which the general assembly approves recommendations made by the state claims board for an additional payment to claimants that exceeds the maximum liability under the "Colorado Governmental Immunity Act".
Finance
- HB13-1261**

by Representative(s) Garcia and Dore, Buckner, Conti, Coram, Court, Exum, Fischer, Foote, Hamner, Hullinghorst, Kagan, Labuda, Landgraf, Lawrence, Lebsock, Lee, McLachlan, McNulty, Melton, Mitsch Bush, Moreno, Murray, Navarro, Pabon, Primavera, Rankin, Rosenthal, Ryden, Salazar, Singer, Stephens, Szabo, Tyler, Vigil, Wilson, Ferrandino, Ginal, Pettersen; also Senator(s) Crowder--Concerning the use of the property where the Fort Lyon correctional facility was located, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs
- HB13-1274**

by Representative(s) Hullinghorst; also Senator(s) Kerr--Concerning the state board of land commissioners' investment in commercial real property, and, in connection therewith, granting the state board of land commissioners the authority to enter into lease-purchase agreements.
Local Government
- HB13-1288**

by Representative(s) Conti and Kagan; also Senator(s) Steadman and Hill--Concerning the development of recommendations to the general assembly to establish a uniform sales and use tax base throughout the state, and, in connection therewith, making an appropriation.
Finance

REPORT OF CONFERENCE COMMITTEE

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON SB13-155

THIS REPORT AMENDS THE
REREVISED BILL

To the President of the Senate and the
Speaker of the House of Representatives:

Your first conference committee appointed on SB13-155,
concerning the continuation of the board of real estate appraisers, and, in
connection therewith, implementing the recommendations of the 2012
sunset report by the department of regulatory agencies, has met and
reports that it has agreed upon the following:

That the Senate accede to the House amendments made to the bill,
as said amendments appear in the rerevised bill, with the following
changes:

Amend rerevised bill, page 11, strike line 27 and substitute "(1) (a), (1)
(i), (2), (2.5), (3), (5) (a), (10), and (11) as".

Page 12, after line 4, insert:

"(a) Has been convicted of a felony or has had accepted by a court
a plea of guilty or nolo contendere to a ~~felony if the felony is related to~~
~~the ability to act as a real property appraiser~~ FELONY. A certified copy of
the judgment of a court of competent jurisdiction of such conviction or
plea shall be conclusive evidence of such conviction or plea. In
considering the disciplinary action, the board shall be governed by the
provisions of section 24-5-101, C.R.S."

Page 12, strike lines 16 through 21.

Respectfully submitted,

Senate Committee:

House Committee:

Randy Baumgardner, Chairman
Cheri Jahn
Lois Tochtrop

Su Ryden, Chairman
Angela Williams
Jerry Sonnenberg

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB13-1006, 1036, 1080, 1110, 1119, 1135, 1136, 1183, 1234,
1236.

MESSAGE FROM THE GOVERNOR

April 19, 2013

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint, reappoint, and submit to your consideration, the following:

MEMBERS OF THE
MEDICAL SERVICES BOARD

for a term expiring July 1, 2014:

Patricia L. Givens of Denver, Colorado, an Unaffiliated from the First Congressional District, with knowledge of medical assistance programs, and occasioned by the resignation of Alan I. Eisenberg of Denver, Colorado, appointed;

effective July 1, 2013 for terms expiring July 1, 2015:

Dr. Paul Melinkovich of Evergreen, Colorado, a Democrat from the Second Congressional District with knowledge of medical assistance programs, reappointed;

Virginia E. Riley of Loveland, Colorado, a Democrat from the Second Congressional District with knowledge of medical assistance programs, reappointed;

for a term expiring July 1, 2016:

Christy S. Blakley of Littleton, Colorado, a Republican from the Sixth Congressional District and who represents a family member of a person with a disability, appointed;

effective July 1, 2013 for terms expiring July 1, 2017:

Timothy P. Fox of Denver, Colorado, a Democrat from the First Congressional District, a person with a disability and with knowledge of medical assistance programs, appointed;

Bregitta Hughes of Colorado Springs, Colorado, a Democrat from the Fifth Congressional District with knowledge of medical assistance programs, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 4/23/2013
Cindi L. Markwell, Secretary of the Senate
Committee on Health and Human Services

On motion of Senator Newell, the Senate adjourned until 9:00 a.m., Tuesday, April 30, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

112th Legislative Day Tuesday, April 30, 2013

Prayer By Reverend Robert T. Schlipp, My Hope America, Brighton.

Call to Order By the President at 9:00 a.m.

Pledge By Senator Kerr.

Roll Call Present--35

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Baumgardner, reading of the Journal of Monday, April 29, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Business, Labor, & Technology After consideration on the merits, the Committee recommends that **HB13-1287** be **referred** to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Business, Labor, & Technology After consideration on the merits, the Committee recommends that **HB13-1004** be **amended** as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 6, line 25, strike "ALL OF THE FOLLOWING CATEGORIES:" and substitute "ONE OR MORE OF THE FOLLOWING CATEGORIES:".

Business, Labor, & Technology After consideration on the merits, the Committee recommends that **SB13-285** be **amended** as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 3, line 15, strike "WRITTEN NOTICE TO" and substitute "RECEIPT OF WRITTEN NOTICE BY".

Page 7, strike lines 10 through 19 and substitute:

"SECTION 7. Effective date - applicability. This act takes effect July 1, 2013, and applies to claims in existence on or after said date.

SECTION 8. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.".

State,
Veterans, &
Military
Affairs

After consideration on the merits, the Committee recommends that **HB13-1269** be **amended** as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 3, strike lines 1 through 16 and substitute:

"**SECTION 2.** In Colorado Revised Statutes, 34-60-104, **amend** (2) (a) (I) as follows:
34-60-104. Oil and gas conservation commission - report - publication. (2) (a) (I) Effective July 1, 2007 2014, the commission ~~shall consist~~ CONSISTS of nine members, seven of whom shall be appointed by the governor with the consent of the senate and two of whom, the executive director of the department of natural resources and the executive director of the department of public health and environment, ~~shall be~~ ARE ex officio voting members. At least two members shall be appointed from west of the continental divide, and, to the extent possible, consistent with this paragraph (a), the other members shall be appointed taking into account the need for geographical representation of other areas of the state with high levels of oil and gas activity or employment. Three members ~~shall~~ MUST be individuals with substantial experience in the oil and gas industry and at least two of ~~said~~ THESE three members ~~shall~~ MUST have a college degree in petroleum geology or petroleum engineering; one member ~~shall~~ MUST be a local government official; one member ~~shall~~ MUST have formal training or substantial experience in environmental or wildlife protection; one member ~~shall~~ MUST have formal training or substantial experience in soil conservation or reclamation; and one member ~~shall~~ MUST be actively engaged in agricultural production and also be a royalty owner. Excluding the executive directors from consideration, no more than four members of the commission ~~shall~~ MAY be members of the same political party AND NONE OF THE MEMBERS APPOINTED ON OR AFTER THE EFFECTIVE DATE OF THIS SUBPARAGRAPH (I), AS AMENDED, MAY BE AN EMPLOYEE, OFFICER, OR DIRECTOR OF AN OPERATOR OR OIL AND GAS SERVICE COMPANY WHILE SERVING ON THE COMMISSION."

Page 3, strike lines 25 through 27.

Page 4, strike lines 1 through 24.

Renumber succeeding sections accordingly.

Judiciary

After consideration on the merits, the Committee recommends that **HB13-1284** be **referred** to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Judiciary

After consideration on the merits, the Committee recommends that **HB13-1294** be **referred** to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Judiciary

After consideration on the merits, the Committee recommends that **HB13-1300** be **amended** as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend reengrossed bill, page 94, before line 19 insert:

"(2) Section 14 of this act takes effect only if House Bill 13-1266 does not become law.
(3) Sections 28, 29, and 30 of this act takes effect only if Senate Bill 13-162 does not become law.
(4) Section 143 of this act takes effect only if House Bill 13-1299 does not become law."

Renumber succeeding subsection accordingly.

Judiciary	After consideration on the merits, the Committee recommends that HB13-1210 be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	1 2 3 4
Judiciary	After consideration on the merits, the Committee recommends that HB13-1254 be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	5 6 7 8
Judiciary	After consideration on the merits, the Committee recommends that HB13-1259 be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	9 10 11 12
Judiciary	After consideration on the merits, the Committee recommends that HB13-1304 be referred to the Committee of the Whole with favorable recommendation.	13 14 15 16
Education	After consideration on the merits, the Committee recommends that HB13-1021 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	17 18 19 20 21

Amend reengrossed bill, page 3, after line 1, insert:

"**SECTION 1.** In Colorado Revised Statutes, 22-33-104, **add** (4) (b.5) as follows:

22-33-104. Compulsory school attendance. (4) (b.5) EACH BOARD OF EDUCATION IS ENCOURAGED TO ESTABLISH ATTENDANCE PROCEDURES FOR IDENTIFYING STUDENTS WHO ARE CHRONICALLY ABSENT AND TO IMPLEMENT BEST PRACTICES AND RESEARCH-BASED STRATEGIES TO IMPROVE THE ATTENDANCE OF STUDENTS WHO ARE CHRONICALLY ABSENT.

SECTION 2. In Colorado Revised Statutes, 22-33-107, **amend** (3) (a), (3) (b) introductory portion; and **add** (3) (b) (I.5) as follows:

22-33-107. Enforcement of compulsory school attendance - definitions. (3) (a) As used in this subsection (3): a

(I) "Child who is habitually truant" means a child who has attained the age of six years on or before August 1 of the year in question and is under the age of seventeen years ~~having~~ AND WHO HAS four unexcused absences from public school in any one month or ten unexcused absences from public school during any school year. Absences due to suspension or expulsion of a child ~~shall be~~ ARE considered excused absences for purposes of this subsection (3).

(II) "LOCAL COMMUNITY SERVICES GROUP" MEANS THE LOCAL JUVENILE SERVICES PLANNING COMMITTEE CREATED PURSUANT TO SECTION 19-2-211, C.R.S., THE LOCAL COLLABORATIVE MANAGEMENT GROUP CREATED BY A MEMORANDUM OF UNDERSTANDING ENTERED INTO PURSUANT TO SECTION 24-1.9-102, C.R.S., OR ANOTHER LOCAL GROUP OF PUBLIC AGENCIES THAT COLLABORATE WITH THE SCHOOL DISTRICT TO IDENTIFY AND PROVIDE SUPPORT SERVICES FOR STUDENTS.

(b) The board of education of each school district shall adopt and implement policies and procedures concerning ~~children~~ ELEMENTARY AND SECONDARY SCHOOL ATTENDANCE, INCLUDING BUT NOT LIMITED TO POLICIES AND PROCEDURES TO WORK WITH CHILDREN who are habitually truant. The policies and procedures ~~shall~~ MUST include provisions for the development of a plan. The plan ~~shall~~ MUST be developed with the goal of assisting the child to remain in school and, when practicable, with the full participation of the child's parent, guardian, or legal custodian. Appropriate school personnel shall make all reasonable efforts to meet with the parent, guardian, or legal custodian of the child to review and evaluate the reasons for the child's truancy. THE APPROPRIATE SCHOOL PERSONNEL ARE ENCOURAGED TO WORK WITH THE LOCAL COMMUNITY SERVICES GROUP TO DEVELOP THE PLAN. The policies and procedures may also include but need not be limited to the following:

(I.5) PROCEDURES TO MONITOR THE ATTENDANCE OF EACH CHILD ENROLLED IN THE SCHOOL DISTRICT TO IDENTIFY EACH CHILD WHO HAS A SIGNIFICANT NUMBER OF UNEXCUSED ABSENCES AND TO WORK WITH THE LOCAL COMMUNITY SERVICE GROUP AND THE CHILD'S PARENT TO IDENTIFY AND ADDRESS THE LIKELY ISSUES UNDERLYING THE CHILD'S TRUANCY, INCLUDING ANY NONACADEMIC ISSUES;".

	Renumber succeeding sections accordingly.	1
		2
	Page 4, after line 19, insert:	3
		4
	"(II) WHETHER THE CHILD WAS IDENTIFIED AS CHRONICALLY	5
	ABSENT AND, IF SO, THE STRATEGIES THE SCHOOL DISTRICT USED TO	6
	IMPROVE THE CHILD'S ATTENDANCE;".	7
		8
	Renumber succeeding subparagraphs accordingly.	9
		10
Agriculture,	After consideration on the merits, the Committee recommends that SB13-284 be amended	11
Natural	as follows, and as so amended, be referred to the Committee on <u>Appropriations</u> with	12
Resources, &	favorable recommendation.	13
Energy		14
		15
	Amend printed bill, page 2, line 18, after "OPERATOR'S" insert	16
	"COLORADO".	17
		18
	Page 3, line 8, strike "FACILITY THAT IS OUT OF" and substitute	19
	"COLORADO FACILITY THAT IS CURRENTLY OUT OF SUBSTANTIVE".	20
		21
		22
	Page 3, line 26, after "OPERATOR'S" insert "COLORADO".	23
		24
	Page 4, line 1, strike "FACILITY THAT IS OUT OF" and substitute	25
	"COLORADO FACILITY THAT IS CURRENTLY OUT OF SUBSTANTIVE".	26
		27
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Health &	After consideration on the merits, the Committee recommends that SB13-278 be amended	29
Human	as follows, and as so amended, be referred to the Committee of the Whole with favorable	30
Services	recommendation.	31
		32
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	Amend printed bill, page 2, line 19, strike "and".	34
		35
	Page 2, line 26, strike "risk." and substitute "risk; and	36
	(g) Nothing in this bill shall be construed to provide an	37
	affirmative basis for investigation solely on the use, possession,	38
	cultivation, or manufacture of marijuana, marijuana concentrate, or	39
	marijuana products pursuant to the provisions of section 12 of article	40
	XVIII or section 16 of article XVIII of the Colorado constitution or an	41
	ordinance of a county, city or county, or municipality.".	42
		43
	Page 3, line 20, after "(44.7)" insert "(a)".	44
		45
	Page 3, line 21, strike "(a)" and substitute "(I)".	46
		47
	Page 3, strike lines 22 and 23 and substitute "AS A RESULT OF THE USE	48
	AND ABUSE, POSSESSION, DISTRIBUTION, PRODUCTION, OR MANUFACTURE,	49
	OR THE ATTEMPTED USE AND ABUSE, POSSESSION, DISTRIBUTION,	50
	PRODUCTION, OR MANUFACTURE,".	51
		52
	Page 3, line 27, strike "ACCESSIBILITY" and substitute "UNRESTRICTED	53
	ACCESS".	54
		55
	Page 4, line 4, strike "ACTIVITY; OR" and substitute "ACTIVITY. FOR	56
	PURPOSES OF THIS PARAGRAPH (a), "USE AND ABUSE" MEANS THE	57
	CONTINUED USE OR ABUSE, AS THAT TERM IS USED IN SECTION 27-82-102	58
	(8), BY A PERSON OF A CONTROLLED SUBSTANCE OR OF MARIJUANA IN	59
	VIOLATION OF THE PROVISIONS OF SECTION 12 OF ARTICLE XVIII OR	60
	SECTION 16 OF ARTICLE XVIII OF THE COLORADO CONSTITUTION IN A	61
	MANNER THAT WOULD THREATEN THE HEALTH OR WELFARE OF A CHILD.	62
	IF A COURT ORDER PROHIBITS THE USE OF MARIJUANA OR OTHER	63
	CONTROLLED SUBSTANCE, THE PROVISIONS OF THIS SUBSECTION (44.7)	64
	SHALL APPLY. THIS SUBSECTION (44.7) ONLY APPLIES IN THOSE	65
	SITUATIONS WHERE THE HEALTH OR WELFARE OF A CHILD IS ENDANGERED	66
	OR THREATENED;".	67
		68
	Page 4, line 5, strike "(b)" and substitute "(II)".	69

Health &
Human
Services

Page 4, after line 10 insert:

"(b) FOR PURPOSES OF THIS SUBSECTION (44.7), "CONTROLLED SUBSTANCE" DOES NOT INCLUDE INDUSTRIAL HEMP, AS DEFINED IN SECTION 35-61-101 (5), C.R.S."

After consideration on the merits, the Committee recommends that **HB13-1171** be **amended** as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 3, strike lines 5 through 8 and substitute:

"(II) "DESIGNATED SCHOOL PERSONNEL" MEANS:
(A) AN EMPLOYEE IN A SCHOOL WHO HAS BEEN TRAINED ON THE ADMINISTRATION OF EPINEPHRINE AUTO-INJECTORS CONSISTENT WITH THE RULES ON ADMINISTRATION OF EPINEPHRINE AUTO-INJECTORS AND TO WHOM THE SCHOOL NURSE HAS DELEGATED THE NURSING TASK OF ADMINISTERING EPINEPHRINE AUTO-INJECTORS TO STUDENTS; OR
(B) AN EMPLOYEE IN A SCHOOL WHO HAS BEEN TRAINED ON THE ADMINISTRATION OF EPINEPHRINE AUTO-INJECTORS CONSISTENT WITH THE RULES ON ADMINISTRATION OF EPINEPHRINE AUTO-INJECTORS AND TO WHOM THE REGISTERED NURSE HAS DELEGATED THE NURSING TASK OF ADMINISTERING EPINEPHRINE AUTO-INJECTORS TO STUDENTS OR HAS BEEN TRAINED BY ANOTHER MEDICAL PROFESSIONAL LICENSED UNDER ARTICLE 36 OR ARTICLE 38 OF TITLE 12, C.R.S., AND TO WHOM THE LICENSEE HAS DELEGATED THE ADMINISTRATION OF EPINEPHRINE AUTO-INJECTORS UNDER THE AUTHORITY OF THAT PERSON'S LICENSE."

Page 3, strike line 18 and substitute "12-38-111.6, C.R.S."

Page 6, after line 23 insert:

"(f) REQUIREMENTS FOR SCHOOL NURSES IN SCHOOLS THAT HAVE ADOPTED A POLICY ALLOWING FOR THE ADMINISTRATION OF EPINEPHRINE AUTO-INJECTORS PURSUANT TO SUBSECTION (5.5) OF THIS SECTION TO REPORT TO THE DEPARTMENT WHETHER THE SCHOOL NURSE HAS TRAINED AND DESIGNATED ANY SCHOOL PERSONNEL TO ADMINISTER EPINEPHRINE AUTO-INJECTORS AND, IF SO, THE NUMBER OF EMPLOYEES IN THE SCHOOL OR SCHOOL DISTRICT THAT HAVE BEEN TRAINED AND DESIGNATED TO ADMINISTER EPINEPHRINE AUTO-INJECTORS."

Reletter succeeding paragraph accordingly.

Page 7, after line 7 insert:

"**SECTION 2.** In Colorado Revised Statutes, 12-36-117, **add** (1.7) as follows:

12-36-117. Unprofessional conduct. (1.7) A LICENSEE SHALL NOT BE SUBJECT TO DISCIPLINARY ACTION BY THE BOARD FOR ISSUING STANDING ORDERS AND PROTOCOLS REGARDING THE USE OF EPINEPHRINE AUTO-INJECTORS IN A PUBLIC OR NONPUBLIC SCHOOL IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 22-1-119.5, C.R.S., OR FOR THE ACTIONS TAKEN BY A SCHOOL NURSE OR BY ANY DESIGNATED SCHOOL PERSONNEL WHO ADMINISTER EPINEPHRINE AUTO-INJECTORS IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 22-1-119.5, C.R.S.

SECTION 3. In Colorado Revised Statutes, 12-38-125, **add** (1) (n) as follows:

12-38-125. Exclusions. (1) No provision of this article shall be construed to prohibit:

(n) (I) THE ADMINISTRATION OF EPINEPHRINE AUTO-INJECTORS BY A LICENSEE IN A PUBLIC SCHOOL OR NONPUBLIC SCHOOL PURSUANT TO A POLICY ADOPTED IN ACCORDANCE WITH SECTION 22-1-119.5, C.R.S.;

(II) THE ISSUANCE BY AN ADVANCED PRACTICE NURSE WITH PRESCRIPTIVE AUTHORITY OF STANDING ORDERS AND PROTOCOLS FOR THE USE OF EPINEPHRINE AUTO-INJECTORS FOR EMERGENCY USE IN A PUBLIC SCHOOL OR NONPUBLIC SCHOOL PURSUANT TO A POLICY ADOPTED IN ACCORDANCE WITH SECTION 22-1-119.5, C.R.S.; OR

(III) THE TRAINING BY A LICENSEE OF AND THE DELEGATION TO DESIGNATED SCHOOL PERSONNEL ON THE RECOGNITION OF THE SYMPTOMS OF ANAPHYLACTIC SHOCK AND ON THE ADMINISTRATION OF EPINEPHRINE AUTO-INJECTORS IN A PUBLIC SCHOOL OR NONPUBLIC SCHOOL PURSUANT TO A POLICY ADOPTED IN ACCORDANCE WITH SECTION 22-1-119.5, C.R.S.

SECTION 4. In Colorado Revised Statutes, 12-42.5-102, add (42) (b) (XIV) as follows:

12-42.5-102. Definitions. As used in this article, unless the context otherwise requires or the term is otherwise defined in another part of this article:

(42) (b) "Wholesale distribution" does not include:

(XIV) THE DISTRIBUTION, DONATION, OR SALE BY A MANUFACTURER OR WHOLESALE OF A STOCK SUPPLY OF EPINEPHRINE AUTO-INJECTORS TO PUBLIC SCHOOLS OR NONPUBLIC SCHOOLS FOR EMERGENCY USE BY DESIGNATED SCHOOL PERSONNEL IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 22-1-119.5, C.R.S.".

Renumber succeeding sections accordingly.

Health &
Human
Services

After consideration on the merits, the Committee recommends that **HB13-1245** be **amended** as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation.

Amend reengrossed bill, page 3, line 17 after "(3)" insert "and (4)".

Page 3, after line 21, insert:

"(4) THE BOARD MAY ENTER INTO AN AGREEMENT WITH THE DEPARTMENT OF PERSONNEL AND ADMINISTRATION TO AUTHORIZE ADMINISTRATIVE LAW JUDGES EMPLOYED BY THE OFFICE OF ADMINISTRATIVE COURTS TO HEAR AND DECIDE MATTERS ARISING FROM ELIGIBILITY AND OTHER DETERMINATIONS MADE BY THE EXCHANGE CONSISTENT WITH APPLICABLE STATE AND FEDERAL LAW.".

SENATE SERVICES REPORT

- Correctly Printed: SB13-287 and 288.
- Correctly Engrossed: SB13-265, 271, 277 and 279.
- Correctly Reengrossed: SB13-225, 238, 255, 264, 269, 270 and 273.
- Correctly Revised: HB13-1082, 1153, 1163, 1196, 1215, 1241, 1263, 1266, 1281 and 1289.
- Correctly Rerevised: HB13-1044, 1246 and 1282.
- Correctly Enrolled: SB13-138, 179 and 183.

MESSAGE FROM THE HOUSE

April 29, 2013

Mr. President:

The House has discharged the First Conference Committee and requests a Second Conference Committee on HB13-1081. The Speaker has appointed Representatives Duran, chairman, Ginal and Stephens as House conferees on the Second Conference Committee on HB13-1081. The bill is transmitted herewith.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of Resolutions.

CONSIDERATION OF RESOLUTIONS

SJR13-030 by Senator(s) Cadman; also Representative(s) McNulty--Concerning recognition of Scott Strode, and, in connection therewith, honoring his work with Phoenix Multisport and his nomination for CNN's Hero of the Year award.

Amendment No. 1(L.001), by Senator Cadman.

Amend printed resolution, page 1, strike lines 1 through 8 and substitute:

"WHEREAS, Scott Strode, an accomplished tri-athlete, mountaineer, ice climber, outdoorsman, and recovering alcoholic, is the founder and executive director of Phoenix Multisport, which was launched in 2007 in Boulder, Colorado; and

WHEREAS, Phoenix Multisport is based on Scott's own experience of discovering the transformative effect that a healthy, active lifestyle can have on long-term sobriety; and

WHEREAS, Phoenix Multisport is a nonprofit that has received national recognition as a leading peer-based organization dedicated to fostering a supportive, physically active community for individuals who are recovering from alcohol and substance abuse and those who choose to live a sober life; and

WHEREAS, Through pursuits such as climbing, hiking, running, strength training, yoga, road and mountain biking, CrossFit, boxing, socials, and other activities, Phoenix Multisport seeks to help their members develop and maintain the emotional strength they need to stay sober; and

WHEREAS, In five years of operation, Phoenix Multisport has served over 7,000 individuals, providing over 50 weekly activities in Denver, Boulder, and Colorado Springs, and, thanks to donor support, all of these activities are free; and

WHEREAS, As our nation's service men and women return home from the wars in Iraq and Afghanistan, many suffer from the trauma of combat and live with post-traumatic stress disorder, traumatic brain injury, and pain caused from other physical injuries and turn to alcohol or drugs to help ease their suffering; and

WHEREAS, Phoenix Multisport recognized the need to support our service men and women and veterans and created specific programs and events for this special community; and

WHEREAS, Phoenix also partners with drug courts and in-patient treatment programs to reach people who may be early in their recovery and to introduce them to a peer-led, sober, supportive community that offers a powerful message of hope; and

WHEREAS, Addiction is a disease that affects not only the addict but also millions of family members; and

WHEREAS, Addicts can be moms, dads, sons, daughters, brothers, sisters, other family members, or friends; and

WHEREAS, Scott Strode believes that, by working together, we can help struggling addicts and alcoholics rise from the ashes of their addiction; and

WHEREAS, Each year CNN news searches the globe to find

everyday people changing the world who are making extraordinary contributions and a real difference in their communities; and

WHEREAS, In February of 2012, Scott Strode was selected as a CNN Hero, and in September, CNN announced that Scott was selected as a Top 10 CNN Hero; and

WHEREAS, Scott Strode, along with nine others from around the world, was recently recognized on the award-winning television show "CNN Heroes: An All-Star Tribute" for the extraordinary contributions these Heroes have made to their communities; now, therefore,

Be It Resolved by the Senate of the Sixty-ninth General Assembly of the State of Colorado, the House of Representatives concurring herein:

That we, the members of the Colorado General Assembly, commend the work and achievements of Scott Strode and Phoenix Multisport and offer congratulations to Scott for his award as a Top 10 CNN Hero for 2012.

Be It Further Resolved, That copies of this Joint Resolution be sent to President Barack Obama, Secretary Chuck Hagel, Secretary Kathleen Sebelius, Ambassador Marilyn Ware, Governor John Hickenlooper, Lieutenant Governor Garcia, Denver Mayor Michael Hancock, Denver Police Chief Robert White, Colorado's Congressional delegation, and Scott Strode.".

Strike page 2.

The amendment was **passed** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

On motion of Senator Cadman, the resolution, as amended, was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Co-sponsor(s) added: Aguilar, Balmer, Baumgardner, Brophy, Carroll, Crowder, Giron, Grantham, Guzman, Harvey, Heath, Hill, Hodge, Hudak, Jahn, Johnston, Jones, Kefalas, Kerr, King, Lambert, Lundberg, Marble, Morse, Newell, Nicholson, Renfroe, Roberts, Scheffel, Schwartz, Steadman, Tochtrop, Todd and Ulibarri.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for expressions of personal privilege.

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:

HB13-1289 by Representative(s) Moreno and Dore; also Senator(s) Jahn and Balmer--Concerning authority for the electronic transmission of information relating to motor vehicles.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

HB13-1281 by Representative(s) Gerou, Duran, Levy; also Senator(s) Hodge, Steadman, Lambert--Concerning the authority for the department of health care policy and financing to expend an appropriation for the medicaid management information system over two fiscal years.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

HB13-1196 by Representative(s) Stephens; also Senator(s) Newell--Concerning reporting relating to the medicaid coordinated care system.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

HB13-1153 by Representative(s) Tyler, Fischer, Priola, Scott, Young; also Senator(s) Hudak--Concerning the authorization of owners of rental special mobile machinery to pay specific ownership tax through an electronic reporting process, 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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Newell.

HB13-1163 by Representative(s) Kagan, Ferrandino; also Senator(s) Aguilar--Concerning payment for medical costs associated with obtaining a medical forensic examination for victims of sexual offenses, 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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Carroll, Giron, Guzman, Heath, Kefalas, Kerr, Morse, Newell, Schwartz, Todd and Ulibarri.

HB13-1241 by Representative(s) Fields and Gardner, Buckner, Exum, Hamner, Kagan, Labuda, Lebsock, Lee, McCann, Melton, Pabon, Salazar, Singer, Williams, Young; also Senator(s) Guzman and King--Concerning a statewide automated victim information notification system, 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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Carroll, Giron, Heath, Hudak, Jahn, Jones, Kefalas, Kerr, Morse, Newell, Nicholson, Schwartz, Steadman, Tochtrop, Todd and Ulibarri.

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:

HB13-1276 by Representative(s) Williams, Buckner, Court, Dore, Exum, Ferrandino, Fields, Gardner, Hullinghorst, Labuda, Lebsock, McCann, Melton, Moreno, Murray, Navarro, Pabon, Peniston, Primavera, Rosenthal, Ryden, Salazar, Schafer, Scott, Singer, Szabo, Tyler; also Senator(s) Carroll and Balmer--Concerning limitations on the actions a unit owners' association under the "Colorado Common Interest Ownership Act" may take against a unit owner with respect to the collection of debt owed to the unit owners' association.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Jahn, Kefalas, Kerr, Newell, Nicholson, Schwartz and Todd.

HB13-1117 by Representative(s) Hamner, Ferrandino, Labuda, May, Peniston, Primavera, Singer, Tyler, Young; also Senator(s) Hodge and Kerr, Aguilar, Heath, Hudak, Johnston, Kefalas, Nicholson, Schwartz, Todd, Ulibarri--Concerning alignment of child development programs, and, in connection therewith, making and reducing an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	21	NO	14	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Jahn, Newell and Tochtrop.

HB13-1142 by Representative(s) Hullinghorst, Court, Ferrandino, Kagan, Pabon; also Senator(s) Heath--Concerning reforms to the "Urban and Rural Enterprise Zone Act", and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	21	NO	14	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Carroll, Guzman, Jones, Kefalas, Steadman and Tochtrop.

HB13-1156 by Representative(s) Levy; also Senator(s) Steadman--Concerning creation of an adult diversion program, 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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Carroll, Giron, Guzman, Hudak, Jahn, Johnston, Kerr, Morse, Nicholson, Tochtrop and Ulibarri.

HB13-1194 by Representative(s) Everett, Saine, Holbert, Nordberg, Rankin, Wright, Priola, Murray, Buck, DelGrosso, Garcia, Landgraf, Lawrence, Melton, Navarro, Pabon, Scott, Wilson; also Senator(s) Marble, Lundberg--Concerning in-state student classification for dependants of members of the armed forces, and, in connection therewith, making an appropriation.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	N	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Baumgardner, Brophy, Cadman, Carroll, Crowder, Grantham, Heath, Hill, Hudak, Jahn, Johnston, Kefalas, Kerr, King, Lambert, Morse, Newell, Nicholson, Roberts, Scheffel, Tochtrop and Todd.

HB13-1154 by Representative(s) Foote and Levy, Court, Duran, Fields, Ginal, Hamner, Hulinghorst, Lee, McCann, Moreno, Pabon, Primavera, Ryden, Singer, Williams; also Senator(s) Steadman--Concerning crimes against pregnant women, and, in connection therewith, making an appropriation.

Laid over until Wednesday, May 1, retaining its place on the calendar.

HB13-1005 by Representative(s) Fields and Buckner; also Senator(s) Todd--Concerning postsecondary certificate programs that combine basic education course work with skills training.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Giron, Heath, Hudak, Jahn, Johnston, Kefalas, Kerr, Newell, Steadman, Tochtrop and Ulibarri.

HB13-1138 by Representative(s) Lee; also Senator(s) Kefalas--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	15	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Giron, Guzman, Heath, Johnston, Jones, Kerr, Morse, Newell, Nicholson, Schwartz and Steadman.

HB13-1105 by Representative(s) Tyler and Foote; also Senator(s) Schwartz--Concerning the energy saving mortgage program, and, in connection therewith, defining the program, establishing program requirements, and providing an incentive to public utilities to participate in the program.

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	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Carroll, Giron, Guzman, Heath, Jones, Kefalas, Kerr, Morse, Newell, Nicholson, Steadman and Todd.

HB13-1134 by Representative(s) Ryden; also Senator(s) Carroll--Concerning unit owners' associations under the "Colorado Common Interest Ownership Act".

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	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Kefalas, Kerr, Newell, Nicholson, Schwartz, Tochtrop and Todd.

SB13-271 by Senator(s) Nicholson; also Representative(s) Primavera--Concerning funding for the address confidentiality program.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Heath, Jahn, Kefalas, Kerr, Morse, Newell, Tochtrop and Todd.

SB13-277 by Senator(s) Aguilar, Morse; also Representative(s) Ginal, Duran, Fields, Garcia, Gerou, Hamner, Hullinghorst, Joshi, Melton, Moreno, Peniston, Pettersen, Primavera, Rosenthal, Ryden, Salazar, Schafer, Singer, Williams--Concerning the development of a prior authorization process to be used in obtaining prior approval from carriers for coverage of drug benefits.

A majority of those elected to the Senate having voted in the affirmative, Senator Aguilar was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.009) , by Senator Aguilar.

Amend engrossed bill, page 8, strike line 3 and substitute:

"(I) THE DEPARTMENT OF REGULATORY AGENCIES;"

The amendment was **passed** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Balmer, Giron, Guzman, Jahn, Kefalas, King, Lundberg, Newell, Nicholson, Tochtrop and Todd.

SB13-279 by Senator(s) Kerr; also Representative(s) Gerou--Concerning increasing energy resource efficiency in public schools.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	18	NO	17	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	N
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	N	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Jones and Nicholson.

SB13-265 by Senator(s) Kerr and Balmer; also Representative(s) Holbert and Kagan--Concerning applicability of Colorado statutes to franchise agreements between vehicle dealers and the suppliers of these vehicles.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	30	NO	5	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	N
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	N	Lundberg	Y	Tochtrop	N
Carroll	Y	Hudak	N	Marble	Y	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Giron, Newell and Todd.

HB13-1266 by Representative(s) McCann and Gardner; also Senator(s) Aguilar--Concerning the alignment of state health insurance laws with the requirements of the federal "Patient Protection and Affordable Care Act".

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	21	NO	14	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Carroll, Giron, Guzman, Heath, Hodge, Hudak, Jones, Kefalas, Morse, Newell, Nicholson, Schwartz, Tochtrop and Todd.

HB13-1263 by Representative(s) Primavera, Buckner, Court, Hamner, Peniston, Pettersen; also Senator(s) Heath--Concerning the regulation of private occupational schools by the private occupational school board, and, in connection therewith, making nonprofit private occupational schools subject to regulation by the private occupational school board.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	24	NO	11	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	Y
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	Y	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Carroll and Todd.

HB13-1082 by Representative(s) Labuda; also Senator(s) Steadman--Concerning juvenile delinquency records.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Cadman, Giron, Guzman, Jahn, Johnston, Kerr, King, Morse, Newell, Nicholson, Tochtrop, Todd and Ulibarri.

HB13-1215 by Representative(s) Peniston, Court, Fields, Labuda, McCann, Singer, Young; also Senator(s) Tochtrop--Concerning restricting access by minors to artificial tanning devices.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	19	NO	16	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	N	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar and Nicholson.

RECONSIDERATION OF SB13-265

SB13-265 by Senator(s) Kerr and Balmer; also Representative(s) Holbert and Kagan--Concerning applicability of Colorado statutes to franchise agreements between vehicle dealers and the suppliers of these vehicles.

Having voted on the prevailing side, Majority Leader Carroll moved for reconsideration of the last Senate action, Third Reading of Bills -- Final Passage, on SB13-265.

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

On third reading, the title of the following bill was publicly read, the reading at length having been dispensed with by unanimous consent:

SB13-265 by Senator(s) Kerr and Balmer; also Representative(s) Holbert and Kagan--Concerning applicability of Colorado statutes to franchise agreements between vehicle dealers and the suppliers of these vehicles.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	N	Lundberg	Y	Tochtrop	N
Carroll	Y	Hudak	N	Marble	Y	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: King.

Committee of the Whole On motion of Senator Steadman, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Steadman was called to the chair to act as Chairman.

GENERAL 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:

SB13-250 by Senator(s) Steadman and King, Aguilar, Guzman, Newell, Ulibarri; also Representative(s) Levy--Concerning changes to sentencing of persons convicted of drug crimes.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, April 26, page(s) 834 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 26, page(s) 1060-1061 and placed in members' bill files.)

Amendment No. 3(L.002), by Senator Steadman.

Amend the Judiciary Committee Report, dated April 15, 2013, strike lines 3 and 4 and substitute:

"Page 73, line 16, strike "SENATE BILL 13-____, ENACTED" and substitute "THIS SUB-SUBPARAGRAPH (C), AS AMENDED,".

Page 73, line 17, strike "IN 2013,".

Page 73, line 24, strike "SENATE BILL 13-____, ENACTED" and substitute "THIS SUB-SUBPARAGRAPH (C), AS AMENDED,".

Page 73, line 25, strike "IN 2013,".

Amendment No. 4(L.005), by Senator Steadman.

Amend printed bill, page 74, after line 12, insert:

"SECTION 63. In Colorado Revised Statutes, 18-1.3-102, **amend** (2) as follows:
18-1.3-102. Deferred sentencing of defendant. (2) Prior to entry of a plea of guilty to be followed by deferred judgment and sentence, the district attorney, in the course of plea discussion as provided in sections 16-7-301 and 16-7-302, C.R.S., is authorized to enter into a written stipulation, to be signed by the defendant, the defendant's attorney of record, and the district attorney, under which the defendant is obligated to adhere to such stipulation. The conditions imposed in the stipulation shall be similar in all respects to conditions permitted as part of probation. ~~Any~~ A person convicted of a crime, the underlying factual basis of which included an act of domestic violence, as defined in section 18-6-800.3 (1), shall stipulate to the conditions specified in section 18-1.3-204 (2) (b). In addition, the stipulation may require the defendant to perform community or charitable work service projects or make donations thereto. Upon full compliance with such conditions by the defendant, the plea of guilty previously entered shall be withdrawn and the charge upon which the judgment and sentence of the court was deferred shall be dismissed with prejudice. ~~Such~~ THE stipulation shall specifically provide that, upon a breach by the defendant of any condition regulating the conduct of the defendant, the court shall enter judgment and impose sentence upon ~~such~~ THE guilty plea; EXCEPT THAT, IF THE OFFENSE IS A VIOLATION OF ARTICLE 18 OF THIS TITLE, THE

COURT MAY ACCEPT AN ADMISSION OR FIND A VIOLATION OF THE STIPULATION WITHOUT ENTERING JUDGMENT AND IMPOSING SENTENCE IF THE COURT FIRST MAKES FINDINGS OF FACT ON THE RECORD STATING THE ENTRY OF JUDGMENT AND SENTENCING WOULD NOT BE CONSISTENT WITH THE PURPOSES OF SENTENCING, THAT THE DEFENDANT WOULD BE BETTER SERVED BY CONTINUING THE DEFERRED JUDGMENT PERIOD, AND THAT PUBLIC SAFETY WOULD NOT BE JEOPARDIZED BY THE CONTINUATION OF THE DEFERRED JUDGMENT. IF THE COURT MAKES THOSE FINDINGS AND CONTINUES THE DEFERRED JUDGMENT OVER THE OBJECTION OF THE PROSECUTION, THE COURT SHALL ALSO IMPOSE ADDITIONAL AND IMMEDIATE SANCTIONS UPON THE DEFENDANT TO ADDRESS THE VIOLATION, TO INCLUDE, BUT NOT BE LIMITED TO, THE IMPOSING FURTHER TERMS AND CONDITIONS THAT WILL ENHANCE THE LIKELIHOOD OF THE DEFENDANT'S SUCCESS, RESPONDING TO THE DEFENDANT'S NON-COMPLIANCE, AND PROMOTING FURTHER INDIVIDUAL ACCOUNTABILITY, INCLUDING EXTENDING THE TIME PERIOD OF THE DEFERRED JUDGMENT FOR UP TO TWO ADDITIONAL YEARS OR INCARCERATION IN THE COUNTY JAIL FOR A PERIOD NOT TO EXCEED NINETY DAYS, OR BOTH, CONSISTENT WITH THE PROVISIONS OF SECTION 18-1.3-202 (1). When, as a condition of the deferred sentence, the court orders the defendant to make restitution, evidence of failure to pay the said restitution shall constitute prima facie evidence of a violation. Whether a breach of condition has occurred shall be determined by the court without a jury upon application of the district attorney or a probation officer and upon notice of hearing thereon of not less than seven days to the defendant or the defendant's attorney of record. Application for entry of judgment and imposition of sentence may be made by the district attorney or a probation officer at any time within the term of the deferred judgment or within thirty-five days thereafter. The burden of proof at such THE hearing shall be by a preponderance of the evidence, and the procedural safeguards required in a revocation of probation hearing shall apply.".

Renumber succeeding sections accordingly.

Amendment No. 5(L.004), by Senator Steadman.

Amend printed bill, page 3, line 18, strike "18-18-404." and substitute "18-18-403.5. UPON ENTRY OF THE JUDGMENT OF CONVICTION PURSUANT TO SECTION 18-18-403.5, THE COURT SHALL INDICATE IN ITS ORDER THAT THE JUDGMENT OF CONVICTION IS ENTERED PURSUANT TO THE PROVISIONS OF THIS SECTION.".

Page 7, line 27, strike "MISDEMEANOR".

Page 8, line 14, strike "JULY" and substitute "OCTOBER".

Page 8, line 17, strike "JULY" and substitute "OCTOBER".

Page 9, line 6, strike "JULY" and substitute "OCTOBER".

Page 15, line 12, strike "JULY" and substitute "OCTOBER".

Page 20, line 4, strike "OFFENSES" and substitute "OFFENDERS AS PROVIDED".

Page 20, after line 6, insert:

- "(a) COMMITS A LEVEL 1 DRUG FELONY AND IS SUBJECT TO THE MANDATORY SENTENCING PROVISIONS IN SECTION 18-1.3-401.5 (7) IF:
 - (I) THE VIOLATION INVOLVES ANY MATERIAL, COMPOUND, MIXTURE, OR PREPARATION THAT WEIGHS:
 - (A) MORE THAN TWO HUNDRED TWENTY-FIVE GRAMS AND CONTAINS A SCHEDULE I OR SCHEDULE II CONTROLLED SUBSTANCE; OR
 - (B) MORE THAN ONE HUNDRED TWELVE GRAMS AND CONTAINS METHAMPHETAMINE, HEROIN, KETAMINE, OR CATHINONE; OR
 - (C) MORE THAN FIFTY MILLIGRAMS AND CONTAINS FLUNITRAZEPAM; OR

(II) AN ADULT SELLS, DISPENSES, DISTRIBUTES, OR OTHERWISE TRANSFERS ANY QUANTITY OF A SCHEDULE I OR SCHEDULE II CONTROLLED SUBSTANCE OR ANY MATERIAL, COMPOUND, MIXTURE, OR PREPARATION THAT CONTAINS ANY AMOUNT OF A SCHEDULE I OR SCHEDULE II CONTROLLED SUBSTANCE, OTHER THAN MARIJUANA OR MARIJUANA CONCENTRATE, TO A MINOR AND THE ADULT IS AT LEAST TWO YEARS OLDER THAN THE MINOR;".

Reletter succeeding paragraphs accordingly.

Page 20, line 8, strike "AN AMOUNT THAT IS:" and substitute "ANY MATERIAL, COMPOUND, MIXTURE, OR PREPARATION THAT WEIGHS:".

Page 20, line 10, strike "OF" and substitute "AND CONTAINS".

Page 20, line 13, strike "OF" and substitute "AND CONTAINS".

Page 20, line 16, strike "OF" and substitute "AND CONTAINS".

Page 20, line 19, after "SUBSTANCE" insert "OR ANY MATERIAL, COMPOUND, MIXTURE, OR PREPARATION THAT CONTAINS ANY QUANTITY OF A SCHEDULE III OR SCHEDULE IV CONTROLLED SUBSTANCE".

Page 20, line 22, strike "AN AMOUNT THAT IS" and substitute "ANY MATERIAL, COMPOUND, MIXTURE, OR PREPARATION THAT WEIGHS:".

Page 20, line 23, strike "OF" and substitute "AND CONTAINS".

Page 20, line 25, strike "OF" and substitute "AND CONTAINS".

Page 20, line 27, strike "OF" and substitute "AND CONTAINS".

Page 21, line 1, strike "OF" and substitute "AND CONTAINS".

Page 21, line 4, strike "AN AMOUNT THAT IS" and substitute "ANY MATERIAL, COMPOUND, MIXTURE, OR PREPARATION THAT WEIGHS:".

Page 21, line 5, strike "OF" and substitute "AND CONTAINS".

Page 21, strike lines 7 through 15 and substitute:

"(II) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (c) OF THIS SUBSECTION (2), THE VIOLATION INVOLVES DISTRIBUTION OR TRANSFER OF THE CONTROLLED SUBSTANCE FOR THE PURPOSE OF CONSUMING ALL OF THE CONTROLLED SUBSTANCE WITH ANOTHER PERSON OR PERSONS AT A TIME SUBSTANTIALLY CONTEMPORANEOUS WITH THE TRANSFER; EXCEPT THAT THIS SUBPARAGRAPH (II) APPLIES ONLY IF THE DISTRIBUTION OR TRANSFER INVOLVES NOT MORE THAN FOUR GRAMS OF A SCHEDULE I OR II CONTROLLED SUBSTANCE OR NOT MORE THAN TWO GRAMS OF METHAMPHETAMINE, HEROIN, KETAMINE, OR CATHINONE.".

Page 25, strike line 18 and substitute "**concentrate.** (1) (a) THE SALE, TRANSFER, OR DISPENSING OF MORE THAN TWO AND ONE HALF POUNDS OF MARIJUANA OR MORE THAN ONE POUND OF MARIJUANA CONCENTRATE TO A MINOR IF THE PERSON IS AN ADULT AND TWO YEARS OLDER THAN THE MINOR IS A LEVEL 1 DRUG FELONY SUBJECT TO THE MANDATORY SENTENCING PROVISION IN SECTION 18-1.3-401.5 (7).

(b) THE SALE, TRANSFER, OR DISPENSING OF MORE THAN".

Reletter succeeding paragraphs accordingly.

Page 27, after line 2, insert:

"(A) A LEVEL 1 DRUG FELONY AND IS SUBJECT TO THE MANDATORY SENTENCING PROVISION IN SECTION 18-1.3-401.5 (7) IF THE AMOUNT OF MARIJUANA IS MORE THAN FIFTY POUNDS OR THE AMOUNT OF MARIJUANA CONCENTRATE IS MORE THAN TWENTY-FIVE POUNDS;".

Reletter succeeding sub-subparagraphs accordingly.

Page 27, strike lines 18 and 19 and substitute:	1
"(3) IT IS UNLAWFUL FOR A PERSON TO KNOWINGLY".	2
Page 28, strike lines 13 and 14 and substitute:	3
"(5) (a) (I) EXCEPT AS DESCRIBED IN SECTION 18-1-711, A".	4
Page 35, strike lines 15 through 27.	5
Page 36, strike lines 1 through 15 and substitute:	6
"(1) UPON A FELONY CONVICTION UNDER THIS PART 4, THE PRESENCE OF ANY ONE OR MORE OF THE FOLLOWING AGGRAVATING CIRCUMSTANCES DESIGNATED THE DEFENDANT A SPECIAL OFFENDER SHALL REQUIRE THE COURT TO SENTENCE THE DEFENDANT TO THE DEPARTMENT OF CORRECTIONS FOR AT LEAST THE MINIMUM TERM OF YEARS WITHIN THE PRESUMPTIVE RANGE FOR A LEVEL 1 DRUG FELONY:".	7
Reletter succeeding paragraphs accordingly.	8
Page 39, strike lines 18 through 21.	9
Page 39, line 22, strike "(3)" and substitute "(3) (2)" and strike "(c)" and substitute "(a)".	10
Page 39, line 27, strike "(c)" and substitute "(a)".	11
Page 40, line 8, strike "(c)" and substitute "(a)".	12
Page 40, line 18, strike "(b) and (c) AND (d)" and substitute "(a) AND (b) and (c)".	13
Page 45, after line 26 insert:	14
"SECTION 31. In Colorado Revised Statutes, add 18-18-433 as follows:	15
18-18-433. Constitutional provisions. THE PROVISIONS OF THIS PART 4 DO NOT APPLY TO A PERSON TWENTY-ONE YEARS OF AGE OR OLDER ACTING IN CONFORMANCE WITH SECTION 16 OF ARTICLE XVIII OF THE STATE CONSTITUTION AND DO NOT APPLY TO A PERSON ACTING IN CONFORMANCE WITH SECTION 14 OF ARTICLE XVIII OF THE STATE CONSTITUTION."	16
Renumber succeeding sections accordingly.	17
Page 46, line 12, strike "MISDEMEANOR," and substitute "OFFENSE,".	18
Page 46, after line 19, insert:	19
"SECTION 33. In Colorado Revised Statutes, 18-8-208, add (11) as follows:	20
18-8-208. Escapes. (11) A PERSON WHO IS PLACED IN A COMMUNITY CORRECTIONS PROGRAM FOR PURPOSES OF OBTAINING RESIDENTIAL TREATMENT AS A CONDITION OF PROBATION PURSUANT TO SECTION 18-1.3-204 (2.2) OR 18-1.3-301 (4) (b), IS NOT IN CUSTODY OR CONFINEMENT FOR PURPOSES OF THIS SECTION."	21
Renumber succeeding sections accordingly.	22
Page 47, line 10, strike "SERVICE" and substitute "SERVICES".	23
Page 47, line 20, strike "at least" and substitute "at least".	24
Page 48, line 7, strike "program." and substitute "program BY PROBATION."	25
Page 48, line 9, strike "A MISDEMEANOR" and substitute "AN".	26
Page 48, strike lines 15 through 17 and substitute "17-27-102 (6), C.R.S."	27

Page 49, line 6, strike "JULY 1, 2015." and substitute "OCTOBER 1, 2013.".

Page 49, line 9, after "REOFFENDING." insert "THE JUDICIAL DEPARTMENT SHALL DEVELOP ACCEPTANCE CRITERIA FOR PLACEMENT IN ALL INTENSIVE SUPERVISION PROBATION PROGRAMS.".

Page 56, line 14, after "him" insert "OR HER".

Page 56, line 16, after "his" insert "OR HER".

Page 56, line 17, strike "him" and substitute "him THE PERSON".

Page 56, line 19, after "his" insert "OR HER".

Page 59, line 13, strike "JULY" and substitute "OCTOBER".

Page 66, strike lines 16 through 23.

Renumber succeeding sections accordingly.

Page 70, line 20, strike "13-____," and substitute "13-250,".

Page 70, strike lines 22 through 27 and substitute:

"(a) THE TOTAL NUMBER OF DRUG CASES DIVERTED FROM PROSECUTION PRIOR TO FILING THROUGH REFERRAL TO LAW ENFORCEMENT OR DISTRICT ATTORNEY DIVERSION PROGRAMS;

(b) THE TOTAL NUMBER OF DRUG CASES FILED STATEWIDE BY JURISDICTION;

(c) ALL DEMOGRAPHIC INFORMATION AND RELEVANT BACKGROUND INFORMATION ON THE DEFENDANTS FOR WHICH A DRUG CASE HAS BEEN FILED OR DIVERTED INCLUDING PRIOR CRIMINAL HISTORY; AND

(d) FOR ALL CASES FILED, THE NATURE OF THE CHARGES BY STATUTORY CITATION AND THE OUTCOME OR DISPOSITION INFORMATION ON ALL THE CASES FILED WHICH SHALL INCLUDE BUT NOT BE LIMITED TO:

(I) DISMISSAL WITHOUT PROSECUTION;

(II) DISMISSAL AS A RESULT OF A PLEA BARGAIN;

(III) DEFERRED JUDGMENT TO THE ORIGINAL CHARGE OR A LESSER CHARGE;

(IV) ANY PLEA BARGAIN THAT REDUCES THE ORIGINAL CHARGE OR CHARGES FILED;

(V) ANY SENTENCE BARGAIN INCLUDING, BUT NOT LIMITED TO, A STIPULATION TO A CERTAIN SENTENCE OR A LIMIT ON THE AMOUNT OF JAIL OR DEPARTMENT OF CORRECTIONS IMPOSED;

(VI) ANY PLEA BARGAIN THAT INVOLVES MULTIPLE CASES;

(VII) ANY SENTENCE BARGAIN THAT INVOLVES CONCURRENT OR CONSECUTIVE TIME IN THE CUSTODY OF THE DEPARTMENT OF CORRECTIONS;

(VIII) ANY PROBATION OR DEFERRED JUDGMENT REVOCATION FILED AND THE RESULT OF ANY REVOCATION;

(IX) ANY SUCCESSFUL COMPLETION OF PROBATION OR A DEFERRED JUDGMENT; AND

(X) ANY SUCCESSFUL COMPLETION OF SUPERVISION RESULTING IN CONVERSION OF THE FELONY TO A MISDEMEANOR PURSUANT TO THE PROVISIONS OF 18-1.3-103.5(2)."

Page 71, strike lines 1 through 11.

Page 73, line 24, strike "13-____," and substitute "13-250,".

Page 74, after line 12, insert:

"**SECTION 63.** In Colorado Revised Statutes, 2-4-401, **add** (3.5) as follows:

2-4-401. Definitions. The following definitions apply to every statute, unless the context otherwise requires:

(3.5) "FELONY" INCLUDES A DRUG FELONY DESCRIBED IN ARTICLE

	18 OF TITLE 18, C.R.S.	1
	SECTION 64. In Colorado Revised Statutes, 18-2-101, add (10)	2
	as follows:	3
	18-2-101. Criminal attempt. (10) (a) EXCEPT AS OTHERWISE	4
	PROVIDED BY LAW, CRIMINAL ATTEMPT TO COMMIT A LEVEL 1 DRUG	5
	FELONY IS A LEVEL 2 DRUG FELONY; CRIMINAL ATTEMPT TO COMMIT A	6
	LEVEL 2 DRUG FELONY IS A LEVEL 3 DRUG FELONY; CRIMINAL ATTEMPT	7
	TO COMMIT A LEVEL 3 DRUG FELONY IS A LEVEL 4 DRUG FELONY; AND	8
	CRIMINAL ATTEMPT TO COMMIT A LEVEL 4 DRUG FELONY IS A LEVEL 1	9
	DRUG MISDEMEANOR.	10
	(b) EXCEPT AS OTHERWISE PROVIDED BY LAW, CRIMINAL ATTEMPT	11
	TO COMMIT A LEVEL 1 DRUG MISDEMEANOR IS A LEVEL 2 DRUG	12
	MISDEMEANOR; AND CRIMINAL ATTEMPT TO COMMIT A LEVEL 2	13
	MISDEMEANOR IS A LEVEL 2 MISDEMEANOR.	14
	SECTION 65. In Colorado Revised Statutes, 18-2-206, add (7)	15
	as follows:	16
	18-2-206. Penalties for criminal conspiracy - when convictions	17
	barred. (7) (a) EXCEPT AS OTHERWISE PROVIDED BY LAW, CONSPIRACY	18
	TO COMMIT A LEVEL 1 DRUG FELONY IS A LEVEL 2 DRUG FELONY;	19
	CONSPIRACY TO COMMIT A LEVEL 2 DRUG FELONY IS A LEVEL 3 DRUG	20
	FELONY; CONSPIRACY TO COMMIT A LEVEL 3 DRUG FELONY IS A LEVEL 4	21
	DRUG FELONY; AND CONSPIRACY TO COMMIT A LEVEL 4 DRUG FELONY IS	22
	A LEVEL 1 DRUG MISDEMEANOR.	23
	(b) EXCEPT AS OTHERWISE PROVIDED BY LAW, CONSPIRACY TO	24
	COMMIT A LEVEL 1 DRUG MISDEMEANOR IS A LEVEL 2 DRUG	25
	MISDEMEANOR; AND CONSPIRACY TO COMMIT A LEVEL 2 DRUG	26
	MISDEMEANOR IS A LEVEL 2 DRUG MISDEMEANOR.	27
	SECTION 66. In Colorado Revised Statutes, 18-1.3-202, amend	28
	(2) as follows:	29
	18-1.3-202. Probationary power of court. (2) The probation	30
	department in each judicial district may enter into agreements with any	31
	state agency or other public agency, any corporation, and any private	32
	agency or person to provide supervision or other services for defendants	33
	placed on probation by the court. THE AGREEMENTS SHALL NOT INCLUDE	34
	MANAGEMENT OF ANY INTENSIVE SUPERVISION PROBATION PROGRAMS	35
	CREATED PURSUANT TO SECTION 18-1.3-208."	36
	Renumber succeeding sections accordingly.	37
		38
		39
		40
	As amended, ordered engrossed and placed on the calendar for third reading and final	41
	passage.	42
		43
		44
SB13-253	by Senator(s) Steadman; also Representative(s) Levy--Concerning a deferred judgment for	45
	a drug offense when there is a violation of the deferred judgment.	46
		47
	Laid over until Thursday, May 9, retaining its place on the calendar.	48
		49
		50
SB13-259	by Senator(s) Newell; also Representative(s) Melton--Concerning the regulation of private	51
	investigators by the department of regulatory agencies.	52
		53
	Amendment No. 1, Judiciary Committee Amendment.	54
	(Printed in Senate Journal, April 24, page(s) 1007-1010 and placed in members' bill files.)	55
		56
	Amendment No. 2, Appropriations Committee Amendment.	57
	(Printed in Senate Journal, April 26, page(s) 1061-1062 and placed in members' bill files.)	58
		59
	Amendment No. 3(L.006), by Senator Newell.	60
		61
	Amend printed bill, page 16, line 10, strike "licensure OR" and substitute	62
	"licensure".	63
		64
	Amendment No. 4(L.010), by Senator Newell.	65
		66
	Amend printed bill, page 7, line 10, strike "conducting an" and substitute	67
	"OF AN EMPLOYER conducting an INTERNAL" and strike "the" and	68
	substitute "the HIS OR HER".	69

Page 16, line 10, strike "licensure OR" and substitute "licensure".

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.)

HB13-1303 by Representative(s) Hullinghorst and Pabon, Buckner; also Senator(s) Giron--Concerning measures to strengthen the participation of individuals in the electoral process, and, in connection therewith, reducing the minimum durational requirement for an elector to qualify as a state resident, allowing electors to register to vote through election day, repealing the category of voter inactivity triggered by an elector's failure to vote, requiring mail ballots to be sent to active electors for elections conducted under the "Uniform Election Code of 1992", replacing polling places with voter service and polling centers and ballot drop-off locations for mail ballot elections, and making an appropriation.

Laid over until later in the day on Tuesday, April 30, retaining its place on the calendar.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the General Orders -- Second Reading of Bills Calendar (SB13-257, HB13-1206, HB13-1247, HB13-1267, HB13-1193, HB13-1160, HB13-1042, HB13-1182) of Tuesday, April 30 was laid over until Wednesday, May 1, retaining its place on the calendar.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

SB13-259 by Senator(s) Newell; also Representative(s) Melton--Concerning the regulation of private investigators by the department of regulatory agencies.

Senator Lambert moved to amend the Report of the Committee of the Whole to show that the following Lambert floor amendment, (L.008) to SB 13-259, did pass.

Strike the Judiciary Committee Report, dated April 23, 2013.

Strike the Appropriations Committee Report, dated April 26, 2013.

Amend printed bill, strike everything below the enacting clause and substitute:

"SECTION 1. In Colorado Revised Statutes, 12-58.5-104, **amend** (1) (a) as follows:

12-58.5-104. Voluntary license - title protection - penalty. (1) (a) ~~By July 1, 2012~~ BEFORE JULY 1, 2013, a private investigator conducting private investigations in this state who meets the requirements of section 12-58.5-105 may obtain a license from the director. Only a private investigator who obtains a license pursuant to section 12-58.5-105 shall hold himself or herself out as, or use the title of, a "licensed private investigator".

SECTION 2. In Colorado Revised Statutes, 12-58.5-105, **amend** (1) introductory portion and (4) as follows:

12-58.5-105. Private investigator voluntary license - qualifications - fees - renewal. (1) BEFORE JULY 1, 2013, upon application in the form and manner determined by the director, payment of the required fee, submission of business registration documentation as required by subsection (3) of this section, and satisfaction of the requirements of subsection (2) of this section, the director shall issue an initial or renewal license to an applicant who provides evidence satisfactory to the director that he or she:

(4) An applicant for licensure shall pay license ~~renewal, and reinstatement~~ fees established by the director pursuant to section

24-34-105, C.R.S. All licenses shall be renewed or reinstated pursuant to a schedule established by the director and pursuant to section 24-34-102 (8), C.R.S. If a person fails to renew his or her license pursuant to the schedule established by the director, the license expires and the person shall not hold himself or herself out as a licensed private investigator until he or she pays the appropriate fees to reinstate the license ON OR AFTER JULY 1, 2013, THE DIRECTOR SHALL NOT ACCEPT ANY NEW LICENSE APPLICATIONS AND SHALL NOT RENEW A LICENSE ISSUED PURSUANT TO THIS SECTION PRIOR TO THAT DATE.

SECTION 3. In Colorado Revised Statutes, **amend** 12-58.5-110 as follows:

12-58.5-110. Repeal of article - review of functions. This article is repealed, effective September 1, 2016. Prior to its repeal, the powers, duties, and functions of the director regarding the licensure of private investigators as specified in this article shall be reviewed as provided in section 24-34-104, C.R.S. WHEN ALL LICENSES ISSUED PURSUANT TO THIS ARTICLE EXPIRE. THE DIRECTOR SHALL NOTIFY THE REVISOR OF STATUTES UPON THE OCCURRENCE OF THE CONDITION SPECIFIED IN THIS SECTION.

SECTION 4. In Colorado Revised Statutes, 24-34-104, **amend** (47.5) introductory portion; and **repeal** (47.5) (i) as follows:

24-34-104. General assembly review of regulatory agencies and functions for termination, continuation, or reestablishment. (47.5) The following agencies, functions, or both, shall terminate on September 1, 2016:

(i) The voluntary licensing of private investigators by the director of the division of professions and occupations in accordance with article 58.5 of title 12, C.R.S.

SECTION 5. Effective date. This act takes effect July 1, 2013.

SECTION 6. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.".

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	16	NO	19	EXCUSED	0	ABSENT	0
Aguilar	N	Guzman	N	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	N	Scheffel	Y
Baumgardner	Y	Heath	N	King	Y	Schwartz	N
Brophy	Y	Hill	Y	Lambert	Y	Steadman	N
Cadman	Y	Hodge	N	Lundberg	Y	Tochtrop	N
Carroll	N	Hudak	N	Marble	Y	Todd	N
Crowder	Y	Jahn	N	Newell	N	Ulibarri	N
Giron	N	Johnston	N	Nicholson	N	President	N
Grantham	Y	Jones	N	Renfroe	Y		

Senator King moved to amend the Report of the Committee of the Whole to show that the following King floor amendment, (L.012) to SB 13-259, did pass.

Amend the Judiciary Committee Report, dated April 23, 2013, page 4, after line 24 insert:

"(j) A PEACE OFFICER REQUIRED TO BE CERTIFIED BY THE P.O.S.T. BOARD PURSUANT TO SECTION 16-2.5-102, C.R.S.; A PERSON WHOSE CERTIFICATION AS A PEACE OFFICER PURSUANT TO SAID SECTION EXPIRED DUE TO RETIREMENT OR SEPARATION FROM EMPLOYMENT, AS LONG AS THE CERTIFICATION WAS NOT REVOKED OR DENIED BY THE P.O.S.T. BOARD DUE TO MISCONDUCT AS DEFINED BY RULES OF THE P.O.S.T. BOARD; OR A QUALIFIED RETIRED LAW ENFORCEMENT OFFICER AS DEFINED IN 18 U.S.C. SEC. 926C (c);".

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 was **lost** on the following roll call vote:

YES	16	NO	19	EXCUSED	0	ABSENT	0	
Aguilar		N	Guzman	N	Kefalas	N	Roberts	Y
Balmer		Y	Harvey	Y	Kerr	N	Scheffel	Y
Baumgardner		Y	Heath	N	King	Y	Schwartz	N
Brophy		Y	Hill	Y	Lambert	Y	Steadman	N
Cadman		Y	Hodge	N	Lundberg	Y	Tochtrop	Y
Carroll		N	Hudak	N	Marble	Y	Todd	N
Crowder		Y	Jahn	N	Newell	N	Ulibarri	N
Giron		N	Johnston	N	Nicholson	N	President	N
Grantham		Y	Jones	N	Renfroe	Y		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Steadman, 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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB13-250 as amended, SB13-259 as amended.
Laid over until later in the day, Tuesday, April 30: HB13-1303.
Laid over until Wednesday, May 1: SB13-257, HB13-1206, HB13-1247, HB13-1267, HB13-1193, HB13-1160, HB13-1042, HB13-1182.
Laid over until Thursday, May 9: SB13-253.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Tuesday, April 30 was laid over until Wednesday, May 1, retaining its place on the calendar.

Consideration of Resolutions: HJR13-1004, HJR13-1019, SJR13-034, SJR13-035, SJR13-036, SR13-004.
Consideration of House Amendments to Senate Bills: SB13-040, SB13-223, SB13-244, SB13-200, SB13-249, SB13-213.
Consideration of Conference Committee Reports: SB13-155.

APPOINTMENTS TO CONFERENCE COMMITTEE

The President appointed Senators Schwartz, Chair, Steadman, and Roberts as Senate conferees on the first conference committee on **HB13-1191**.

The President appointed Senators Todd, Chair, Baumgardner, and Schwartz as Senate conferees on the first conference committee on **HB13-1130**.

The President appointed Senators Todd, Chair, Roberts, and Nicholson as Senate conferees on the first conference committee on **HB13-1081**.

MESSAGE FROM THE GOVERNOR

April 29, 2013

To the Honorable Senate
Sixty-Ninth General Assembly
First Regular Session
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

SB13-033: CONCERNING IN-STATE CLASSIFICATION AT INSTITUTIONS OF HIGHER EDUCATION FOR STUDENTS WHO COMPLETE HIGH SCHOOL IN COLORADO.

Approved April 29, 2013 at 1:43 p.m.

SB13-230: CONCERNING THE PROVISION FOR PAYMENT OF THE EXPENSES OF THE EXECUTIVE, LEGISLATIVE, AND JUDICIAL DEPARTMENTS OF THE STATE OF COLORADO, AND OF ITS AGENCIES AND INSTITUTIONS, FOR AND DURING THE FISCAL YEAR BEGINNING JULY 1, 2013, EXCEPT AS OTHERWISE NOTED.

Approved April 29, 2013 at 11:38 a.m.

SB13-232: CONCERNING CONTINUATION OF TRANSFERS FOR MEDICAID DISEASE MANAGEMENT PROGRAMS, AND, IN CONNECTION THEREWITH, MAKING AND REDUCING APPROPRIATIONS.

Approved April 29, 2013 at 11:38 a.m.

SB13-233: CONCERNING THE TRANSFER TO THE GENERAL FUND OF THE BALANCES FROM REPEALED CASH FUNDS.

Approved April 29, 2013 at 11:39 a.m.

SB13-237: CONCERNING THE INCREASE IN THE GENERAL FUND RESERVE.

Approved April 29, 2013 at 11:40 a.m.

Sincerely,
(signed)
John W. Hickenlooper
Governor

Appointment Letters of designation and appointment from Governor John W. Hickenlooper were read and assigned to committees as follows:

April 23, 2013

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, reappoint and submit to your consideration, the following:

MEMBERS OF THE
COLORADO HEALTH FACILITIES AUTHORITY
BOARD OF DIRECTORS

effective June 30, 2013 for a term expiring June 30, 2015:

Lance L. Luckett of Carbondale, Colorado, a Democrat, reappointed;

effective June 30, 2013 for a term expiring June 30, 2016:

Ann Cannon Kiley of Denver, Colorado, a Democrat, reappointed;

effective June 30, 2013 for terms expiring June 30, 2017:

Randall J. Baum of Aurora, Colorado, a Republican, appointed;

Tamara K. Vincelette of Denver, Colorado, a Democrat, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 4/26/2013
Cindi L. Markwell, Secretary of the Senate
Committee on Health and Human Services

April 26, 2013

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, reappoint and submit to your consideration, the following:

MEMBERS OF THE
FIRE AND POLICE PENSION ASSOCIATION
BOARD OF DIRECTORS

for a term expiring September 1, 2014:

David Leroy Bomberger of Castle Rock, Colorado, who has experience in insurance disability claims, and occasioned by the resignation of Monica Cortez-Sangster of Aurora, Colorado, appointed;

for a term expiring September 1, 2015:

Manuel A. Esquibel of Brighton, Colorado, a representative of Colorado municipal employers, and occasioned by the resignation of Terri L. Velasquez of Colorado Springs, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 4/26/2013
Cindi L. Markwell, Secretary of the Senate

Committee on Business, Labor, and Technology

April 26, 2013

To the Honorable Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint and submit to your consideration, the following:

MEMBER OF THE
COLORADO TOURISM OFFICE BOARD OF DIRECTORS

for a term expiring June 1, 2015:

Matthew Skinner of Telluride, Colorado, to serve as a representative of tourism-related transportation industries, and occasioned by the resignation of Edwin A Garcia of Aurora, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 4/26/2013
Cindi L. Markwell, Secretary of the Senate

Committee on Agriculture, Natural Resources, and Energy

April 26, 2013

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint, and submit to your consideration, the following:

MEMBERS OF THE
ADVISORY COMMITTEE ON
GOVERNMENTAL ACCOUNTING

for terms expiring May 18, 2017:

Kathleen R. Askelson of Indian Hills, Colorado, a finance officer representing school and junior college districts, reappointed;

Alta Joanne Gosselink of Brush, Colorado, a finance officer representing city and town government, appointed;

Andrew Copland of Castle Rock, Colorado, a finance officer representing county government, appointed.

Sincerely,
(signed)

John W. Hickenlooper
Governor

Rec'd: 4/26/2013

Cindi L. Markwell, Secretary of the Senate

Committee on Finance

April 26, 2013

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint, reappoint and submit to your consideration, the following:

MEMBER OF THE
STATE BOARD OF LAND COMMISSIONERS

effective June 30, 2013 for a term expiring June 30, 2017:

Robert Carl Bledsoe of Wild Horse, Colorado, a person with substantial experience in production agriculture and a Republican, and occasioned by the resignation of Keith Berlin Bath of Fort Morgan, Colorado, appointed.

Sincerely,
(signed)

John W. Hickenlooper
Governor

Rec'd: 4/26/2013

Cindi L. Markwell, Secretary of the Senate

Committee on Agriculture, Natural Resources, and Energy

April 26, 2013

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint, reappoint and submit to your consideration, the following:

MEMBERS OF THE
STATE BOARD OF HUMAN SERVICES

for terms expiring March 1, 2017:

- Jerene Carol Petersen of Denver, Colorado, a member of the public, reappointed;
- Catherine Anne Silburn of Lakewood, Colorado, a member of the public, reappointed;
- Jeffrey Gordon Kuhr of Grand Junction, Colorado, a member of the public, appointed;
- Stephanie A. Garcia of Pueblo, Colorado, a member of the public, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 4/26/2013
Cindi L. Markwell, Secretary of the Senate

Committee on Health and Human Services

April 26, 2013

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint, reappoint and submit to your consideration, the following:

MEMBERS OF THE
COLORADO HOUSING AND FINANCE AUTHORITY
BOARD OF DIRECTORS

effective July 2, 2013 for terms expiring July 1, 2017:

- James M. Hahn of Englewood, Colorado, to serve as a person experienced in mortgage banking transactions, reappointed;
- David J. Myler of Carbondale, Colorado, to serve as a person experienced in real estate transactions, reappointed;
- Paul Eric Washington of Boulder, Colorado, to serve as a public member, appointed;
- Steven Hutt of Denver, Colorado, to serve as a public member, appointed;
- Jody M. Kole of Grand Junction, Colorado, to serve as a public member, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 4/26/2013
Cindi L. Markwell, Secretary of the Senate

Committee on Business, Labor, and Technology

Senate in recess. Senate reconvened.

Call of the Senate. Call raised.

COMMITTEE OF REFERENCE REPORTS

Trans- The Committee on Transportation has had under consideration and has had a hearing on
portation the following appointments and recommends that the appointments be confirmed:

MEMBERS OF THE
WASTE TIRE ADVISORY COMMITTEE

for terms expiring September 9, 2015:

Cyrus Wheeler Hardy, Jr., of Black Hawk, Colorado, to serve as a representative of law
enforcement from jurisdictions that have a waste tire facility, appointed;

Christopher B. Houtchens of Colorado Springs, Colorado, to serve as a waste tire hauler,
reappointed;

Larry G. Hudson of Denver, Colorado, to serve as a representative of tire manufacturers,
reappointed.

Trans- After consideration on the merits, the Committee recommends that **SJR13-032** be **referred**
portation to the Senate for final action.

Trans- After consideration on the merits, the Committee recommends that **HB13-1278** be
portation **referred** to the Committee on Appropriations with favorable recommendation.

Trans- After consideration on the merits, the Committee recommends that **HB13-1293** be
portation **referred** to the Committee of the Whole with favorable recommendation.

Business, After consideration on the merits, the Committee recommends that **HB13-1002** be
Labor, & **amended** as follows, and as so amended, be referred to the Committee on Appropriations
Technology with favorable recommendation.

Amend reengrossed bill, page 2, line 6, strike "2013-14 AND 2014-15"
and substitute "2013-14, 2014-15, AND 2015-16".

Page 2, line 7, strike "THREE" and substitute "TWO".

Page 3, line 5, strike "AND".

Page 3, line 6, after "2015," insert "AND ON OR BEFORE JANUARY 15,
2016,".

Page 3, line 14, strike "2015." and substitute "2016.".

Business, After consideration on the merits, the Committee recommends that **HB13-1286** be
Labor, & **referred** to the Committee on Appropriations with favorable recommendation.
Technology

Trans-
portation

After consideration on the merits, the Committee recommends that **SJR13-033** be amended as follows, and as so amended, be referred to the Senate for final action.

Amend printed resolution, page 3, line 20, strike "and".

Page 3, line 21, strike "11411." and substitute "11411, and the United Veterans Committee of Colorado.".

MESSAGE FROM THE HOUSE

April 30, 2013

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes; HB13-1318, amended as printed in House Journal, April 29, pages 1318-1319, and on April 29, page 1357-1358.
HB13-1306, amended as printed in House Journal, April 29, pages 1360-1361.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB13-252, amended as printed in House Journal, April 29, page 1318.
SB13-158, amended as printed in House Journal, April 29, pages 1358-1360.
SB13-260, amended as printed in House Journal, April 29, page 1360.

MESSAGE FROM THE REVISOR OF STATUTES

April 30, 2013

We herewith transmit:

Without comment, as amended, HB13-1306 and 1318.
Without comment, as amended, SB13-158, 252, and 260.

MESSAGE FROM THE GOVERNOR

Appointment

A letter of designation and appointment from Governor John W. Hickenlooper was read and assigned to committee as follows:

April 26, 2013

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint, reappoint and submit to your consideration, the following:

MEMBERS OF THE
COLORADO CIVIL RIGHTS COMMISSION

for terms expiring March 13, 2017:

Heidi Jeanne Hess of Clifton, Colorado, a Democrat and member of the community at large, appointed;

Dulce Saenz of Denver, Colorado, an Unaffiliated and member of the community at large, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 4/30/2013
Cindi L. Markwell, Secretary of the Senate

Committee on Judiciary

Pursuant to Senate Rule 9 (a) and (c), Majority Leader Carroll moved that the time for the debate on HB13-1303 be limited to 11:45 p.m. on April 30.

With a majority of those elected to the Senate having voted in the affirmative, the motion was adopted.

Committee of the Whole On motion of Senator Steadman, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills and Senator Steadman was called to the Chair to act as Chairman.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chairman reported that the following bill, having been read at length, had been considered and action taken thereon as follows:

HB13-1303 by Representative(s) Hullinghorst and Pabon, Buckner; also Senator(s) Giron--Concerning measures to strengthen the participation of individuals in the electoral process, and, in connection therewith, reducing the minimum durational requirement for an elector to qualify as a state resident, allowing electors to register to vote through election day, repealing the category of voter inactivity triggered by an elector's failure to vote, requiring mail ballots to be sent to active electors for elections conducted under the "Uniform Election Code of 1992", replacing polling places with voter service and polling centers and ballot drop-off locations for mail ballot elections, and making an appropriation.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 26, page(s) 1060 and placed in members' bill files.)

Amendment No. 2(L.114), by Senator Giron.

Amend reengrossed bill, page 91, line 26, strike "center." and substitute "center,".

Page 92, line 5, before "THE" insert "AND, FOR COUNTIES WITH FEWER THAN TWENTY-FIVE THOUSAND ACTIVE ELECTORS, AS THAT TERM IS DESCRIBED IN SECTION 1-5-102.9 (1) (b), ONLY ONE VOTER SERVICE AND POLLING CENTER IS REQUIRED.".

Page 114, after line 24 insert:

"SECTION 101. In Colorado Revised Statutes, 1-8.3-107, **amend** (2) as follows:
1-8.3-107. Methods of registering to vote. (2) A covered voter

may use the declaration accompanying a federal write-in absentee ballot to apply to register to vote simultaneously with the submission of the federal write-in absentee ballot if the declaration is received no later than ~~twenty-nine~~ TWENTY-TWO days before the election. If the declaration is received after that date, it shall be treated as an application to register to vote for subsequent elections."

Renumber succeeding sections accordingly.

Amendment No. 3(L.119), by Senator Ulibarri.

Amend reengrossed bill, page 15, line 5, strike "(e)" and substitute "(b), (1) (e)".

Page 15, after line 9 insert:

"(b) In determining what is the principal or primary place of abode of a person, the following circumstances relating to the person shall be taken into account: Business pursuits, employment, income sources, residence for income or other tax purposes, age, marital status, residence of parents, spouse OR CIVIL UNION PARTNER, and children, if any, leaseholds, situs of personal and real property, existence of any other residences and the amount of time spent at each residence, and motor vehicle registration."

Page 63, line 15, strike "(5)" and substitute "(2) (e), (5), and (7) (c) (VI)".

Page 63, strike line 18 and substitute "**judges - student election judges - definition - legislative declaration.** (2) The persons appointed as election judges, except for persons appointed as student election judges pursuant to the provisions of subsection (7) of this section, shall certify in writing that they meet the following qualifications:

(e) They are neither a candidate whose name appears on the ballot in the precinct that they are appointed to serve nor a member of the immediate family, related by blood, ~~or~~ marriage, OR CIVIL UNION to the second degree, of a candidate whose name appears on the ballot in the precinct that they are appointed to serve.

(5) The county clerk and"

Page 63, after line 22 insert:

"(7) (c) The designated election officials may work with school districts and public or private secondary educational institutions to identify students willing and able to serve as student election judges. Such school districts or educational institutions may submit the names of the students to the designated election official of the jurisdiction in which the school district or educational institution is located for appointment as student election judges. Home-schooled students may apply to the designated election official for appointment as a student election judge pursuant to this section. From among the names submitted, the designated election officials may select students to serve as student election judges who meet the following qualifications:

(VI) They are not a member of the immediate family, related by blood, ~~or~~ marriage, OR CIVIL UNION to the second degree, of a candidate whose name appears on the ballot in the precinct that they are appointed to serve;"

Page 70, before line 1 insert:

"**SECTION 62.** In Colorado Revised Statutes, 1-7-108, **amend** (2) as follows:

1-7-108. Requirements of watchers. (2) Neither candidates nor members of their immediate families by blood, ~~or~~ marriage, OR CIVIL UNION to the second degree may be poll watchers for that candidate."

Renumber succeeding sections accordingly.

Page 111, after line 21 insert:

"**SECTION 96.** In Colorado Revised Statutes, 1-8-114, **amend** (3) as follows:

1-8-114. Self-affirmation on return envelope. (3) Assistance

to mail-in voters may be given by any person selected by the mail-in voter. No person other than an elector authorized by the designated election official pursuant to sections 1-8-112 and 1-8-205 shall be permitted to assist more than one mail-in voter unless the person is at least eighteen years of age and is the spouse OR CIVIL UNION PARTNER, parent, grandparent, sibling, or child of the mail-in voter seeking assistance. No elector who assists a mail-in voter shall attempt to persuade or unreasonably influence the voter to vote in a particular manner while the mail-in voter is voting.

SECTION 97. In Colorado Revised Statutes, 1-8-115, **amend** (1) (a) as follows:

1-8-115. Emergency mail-in voting. (1) (a) In the event an eligible elector or a member of an eligible elector's immediate family, related by blood, or marriage, OR CIVIL UNION to the second degree, is confined in a hospital or place of residence on election day and the confinement occurred because of conditions arising after the last day to apply for a mail-in ballot, the elector may request in a personally signed written statement that the designated election official send a mail-in ballot with the word "EMERGENCY" stamped on the stubs. The designated election official shall deliver the emergency mail-in ballot, at the official's office during the regular hours of business, to any authorized representative of the elector. For the purposes of this paragraph (a), "authorized representative" means a person who possesses a written statement from the elector containing the elector's signature, name, and address and indicating that the elector is or will be confined in a hospital or place of residence on election day and requesting that the emergency absentee ballot be given to the authorized person as identified by name and address. The authorized person shall acknowledge receipt of the emergency mail-in ballot with a signature, name, and address."

Renumber succeeding sections accordingly.

Page 114, after line 24 insert:

"SECTION 104. In Colorado Revised Statutes, 1-8.3-102, **amend** (3) and (9) (d) as follows:

1-8.3-102. Definitions. In this article:

(3) "Dependent" means a spouse, CIVIL UNION PARTNER, or dependent of a covered voter described in subsection (2) of this section who is a resident of this state but who is absent from the state by reason of the active duty or service of the covered voter.

(9) "Uniformed-service voter" means an individual who is qualified to vote and is:

(d) A spouse, CIVIL UNION PARTNER, or dependent of a member referred to in this subsection (9)."

Renumber succeeding sections accordingly.

Page 117, line 24, after "**amend**" insert "(5) introductory portion, (5) (a), and".

Page 117, strike line 27 and substitute "(5) If the person is challenged as not eligible because the person is not a property owner or the spouse OR CIVIL UNION PARTNER of a property owner, an election judge shall ask the following questions:

(a) Are you a property owner or the spouse OR CIVIL UNION PARTNER of a property owner in this political subdivision and therefore eligible to vote?

(7) If the person challenged answers satisfactorily the questions asked in".

Page 119, after line 6 insert:

"SECTION 115. In Colorado Revised Statutes, 1-10-201, **amend** (2) as follows:

1-10-201. Canvass of nonpartisan elections. (2) To the fullest extent possible, no member of the canvass board nor the member's spouse OR CIVIL UNION PARTNER shall have a direct interest in the election."

Renumber succeeding sections accordingly.

Amendment No. 4(L.077), by Senator Harvey.

Amend reengrossed bill, page 6, line 19, strike "1-5-102.9 (3) (k)." and substitute "1-5-102.9 (3) (l).".

Amendment No. 5(L.120), by Senator Steadman.

Amend reengrossed bill, page 125, line 22, strike "THIS TITLE." and substitute "PART 2 OF ARTICLE 10 OF TITLE 31, COLORADO REVISED STATUTES.".

Majority Leader Carroll moved that the Committee of the Whole rise, report progress, and beg leave to sit again at 12:15 a.m., Wednesday, May 1. A majority of those elected to the Senate having voted in the affirmative, the motion was adopted.

Committee of the Whole in recess.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Tuesday, April 30 was laid over until Wednesday, May 1, retaining its place on the calendar.

On motion of Majority Leader Carroll, the Senate adjourned until 12:15 a.m., Wednesday, May 1, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

113th Legislative DayWednesday, May 1, 2013

Prayer By Senator Newell.

Call to Order By the President at 12:15 a.m.

Pledge By Senator Kerr.

Roll Call Present--35

Quorum The President announced a quorum present.

Reading of Journal On motion of Majority Leader Carroll, reading of the Journal of Tuesday, April 30, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Finance After consideration on the merits, the Committee recommends that **HB13-1292** be **amended** as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 5, line 16, strike "PROJECT." and substitute "PROJECT AND IF COMPLIANCE WITH THIS ARTICLE WOULD CREATE AN UNDUE BURDEN THAT WOULD SUBSTANTIALLY PREVENT A PROJECT FROM PROCEEDING TO COMPLETION."

Page 10, line 6, after "ARTICLE" insert "APPLIES TO ANY PROJECT THAT RECEIVES FEDERAL MONEYS. IN ADDITION, NOTHING IN THIS ARTICLE".

Page 10, line 13, strike "STATES." and substitute "STATES, OR WOULD CAUSE DENIAL OF FEDERAL MONEYS OR PRECLUDE THE ABILITY TO ACCESS FEDERAL MONEYS THAT WOULD OTHERWISE BE AVAILABLE."

Page 13, line 7, after "ARTICLE" insert "APPLIES TO ANY PROJECT THAT RECEIVES FEDERAL MONEYS. IN ADDITION, NOTHING IN THIS ARTICLE".

Page 13, line 14, strike "STATES." and substitute "STATES, OR WOULD CAUSE DENIAL OF FEDERAL MONEYS OR PRECLUDE THE ABILITY TO ACCESS FEDERAL MONEYS THAT WOULD OTHERWISE BE AVAILABLE."

Page 13, line 18, after "shall" insert "THAT DO NOT RECEIVE FEDERAL MONEYS".

Page 13, line 25, after "PROJECTS" insert "THAT DO NOT RECEIVE FEDERAL MONEYS".

Page 16, line 8, strike "FOR PUBLIC".

Page 16, strike line 9 and substitute "TO THE PUBLIC; AND".

Page 16, line 11, strike "ON THE DEPARTMENT'S WEB SITE".

Page 16, line 18, after "ARTICLE" insert "THAT IS NOT FUNDED IN ANY PART WITH FEDERAL MONEYS".

Page 17, line 26, strike " subcontractors -".	1
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Page 18, line 3, strike "DUTIES" and substitute "SERVICES".	3
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Page 18, line 4, strike " including " and substitute "including".	5
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Page 18, strike line 5 and substitute "any subcontracts, and whether any SUBCONTRACTED services under the".	7
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Page 18, line 6, strike " contract or any subcontracts " and substitute "contract or any subcontracts".	10
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Page 18, line 8, strike " the contract or " and substitute "the contract or".	13
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Page 18, line 11, strike " the " and substitute "the".	15
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Page 18, line 12, strike " contract or " and substitute "contract or".	17
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Page 18, strike lines 17 and 18 and substitute "AWARDED, TO PERFORM SERVICES UNDER THE CONTRACT OUTSIDE THE UNITED STATES OR THE STATE OR TO SUBCONTRACT SERVICES UNDER THE CONTRACT TO A SUBCONTRACTOR THAT WILL PERFORM SUCH SERVICES".	19
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Page 18, line 21, after "VENDOR" insert "DECIDES TO PERFORM SERVICES UNDER THE CONTRACT OUTSIDE THE UNITED STATES OR THE STATE OR".	24
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	26
Page 18, line 22, strike "DUTIES" and substitute "SERVICES".	27
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Page 18, line 23, strike "DUTIES" and substitute "SERVICES".	29
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Page 18, line 27, strike "SPECIFIC DUTIES" and substitute "TYPE OF SERVICES".	31
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Page 19, line 3, strike "DUTIES." and substitute "SERVICES.".	34
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Page 19, line 7, after "VENDOR" insert "OR THE VENDOR'S SUBCONTRACTOR".	36
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Page 19, strike lines 8 through 10 and substitute "PERFORM SERVICES UNDER THE CONTRACT OUTSIDE THE UNITED STATES OR THE STATE.".	39
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Page 19, line 12, strike "DUTIES" and substitute "SERVICES".	42
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Page 19, line 24, after "SECTION" insert "APPLIES TO ANY PROJECT THAT RECEIVES FEDERAL MONEYS. IN ADDITION, NOTHING IN THIS SECTION".	44
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	46
Page 20, line 4, strike "STATES." and substitute "STATES, OR WOULD CAUSE DENIAL OF FEDERAL MONEYS OR PRECLUDE THE ABILITY TO ACCESS FEDERAL MONEYS THAT WOULD OTHERWISE BE AVAILABLE.".	47
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Page 20, strike line 7 through 27.	51
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Strike page 21.	53
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Page 22, strike lines 1 through 4 and substitute:	55
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"24-102-206.5. Contract performance outside the United States or Colorado - annual report. (1) ON JANUARY 1, 2014, AND ON EACH JANUARY 1 THEREAFTER, A GOVERNMENTAL BODY SHALL SUBMIT AN ANNUAL REPORT TO THE GENERAL ASSEMBLY IF THE GOVERNMENTAL BODY ENTERED INTO ONE OR MORE CONTRACTS WITH A VENDOR DURING THE PREVIOUS STATE FISCAL YEAR AND RECEIVED WRITTEN NOTICE FROM ONE OR MORE VENDORS PURSUANT TO SECTION 24-102-206 (1) (b), THAT THE VENDOR OR THE VENDOR'S SUBCONTRACTOR WOULD PERFORM SERVICES UNDER THE CONTRACT OUTSIDE THE UNITED STATES OR THE STATE.	57
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(2) (a) THE PURPOSE OF THE REPORT REQUIRED IN SUBSECTION (1)	67

OF THIS SECTION IS TO NOTIFY TAXPAYERS AND THE GENERAL ASSEMBLY REGARDING THE USE OF UNITED STATES AND STATE TAX DOLLARS ON STATE CONTRACTS IN WHICH SERVICES UNDER THE CONTRACT ARE PERFORMED OUTSIDE THE UNITED STATES OR THE STATE. THE GOVERNMENTAL BODY SHALL PROVIDE INFORMATION REQUIRED IN THE REPORT BASED ON THE INFORMATION THAT VENDORS SUBMITTED TO THE GOVERNMENTAL BODY PURSUANT TO SECTION 24-102-206 DURING THE PREVIOUS STATE FISCAL YEAR.

(b) THE REPORT MUST SEPARATE DATA BY STATE CONTRACT TYPE AND PROVIDE INFORMATION REGARDING THE TYPE AND THE PERCENTAGE OF THE TOTAL SERVICES THAT WERE PERFORMED OUTSIDE THE UNITED STATES OR THE STATE BY EACH VENDOR OR A VENDOR'S SUBCONTRACTOR UNDER EACH STATE CONTRACT.

(c) THE REPORT REQUIRED BY SUBSECTION (1) OF THIS SECTION MUST ALSO INCLUDE A DESCRIPTION OF ANY INITIATIVES THAT THE GOVERNMENTAL BODY HAS TAKEN TO ACTIVELY REDUCE THE NUMBER OF CONTRACTS IN WHICH A VENDOR OR VENDOR'S SUBCONTRACTOR PERFORM SERVICES UNDER THE CONTRACT OUTSIDE THE UNITED STATES OR THE STATE.

(d) A GOVERNMENTAL BODY THAT IS REQUIRED TO SUBMIT A REPORT PURSUANT TO SUBSECTION (1) OF THIS SECTION MAY INCLUDE THE REPORT IN ITS ANNUAL REPORT TO THE GENERAL ASSEMBLY REQUIRED BY THE "STATE MEASUREMENT FOR ACCOUNTABLE, RESPONSIVE, AND TRANSPARENT (SMART) GOVERNMENT ACT".

Page 22, line 10, after "C.R.S.," insert "THAT DOES NOT RECEIVE ANY FEDERAL MONEYS,".

Page 22, line 15, strike "GOODS." and substitute "GOODS; EXCEPT THAT, FOR PUBLIC PROJECTS UNDER THE SUPERVISION OF THE DEPARTMENT OF TRANSPORTATION, THE CONTRACTOR SHALL DISCLOSE SUCH INFORMATION TO THE DEPARTMENT OF TRANSPORTATION.".

Page 23, line 19, after "DEPARTMENT" insert "AND TO THE DEPARTMENT OF TRANSPORTATION".

Page 24, line 11, after "SECTION" insert "APPLIES TO ANY PROJECT THAT RECEIVES FEDERAL MONEYS. IN ADDITION, NOTHING IN THIS SECTION".

Page 24, line 18, strike "STATES." and substitute "STATES, OR WOULD CAUSE DENIAL OF FEDERAL MONEYS OR PRECLUDE THE ABILITY TO ACCESS FEDERAL MONEYS THAT WOULD OTHERWISE BE AVAILABLE.".

Finance

After consideration on the merits, the Committee recommends that [HB13-1295](#) be **amended** as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 4, line 13, after "STATE" insert "AS SPECIFIED IN SUBSECTION (9) OF THIS SECTION".

Page 4, line 27, strike "sales, AND INCLUDES REMOTE SALES." and substitute "sales.".

Page 13, after line 3 insert:

"(b) NOTWITHSTANDING THE PROVISIONS OF SECTION 39-21-113 (4), THE DEPARTMENT OF REVENUE SHALL MAKE AVAILABLE TO ALL QUALIFIED PURCHASERS AN ELECTRONIC LIST OF ALL REMOTE SELLERS AND THEIR COLORADO ACCOUNT NUMBERS IN ORDER TO FACILITATE THE QUALIFIED PURCHASER'S APPROPRIATE REMITTANCE OF TAX PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (5). SUCH LIST MUST REMAIN CONFIDENTIAL IN THE HANDS OF THE QUALIFIED PURCHASER, AND THE QUALIFIED PURCHASER IS SUBJECT TO THE SAME LIMITATIONS SPECIFIED IN SECTION 39-21-113 (4) THAT APPLY TO THE DEPARTMENT OF REVENUE, INCLUDING THE REQUIREMENT THAT SUCH LIST BE USED ONLY FOR THE

	PURPOSE OF PROPER ADMINISTRATION OF THE TAX."	1
		2
	Reletter succeeding paragraph accordingly.	3
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	Page 20, strike lines 10 through 12.	5
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Finance	After consideration on the merits, the Committee recommends that HB13-1319 be	8
	referred to the Committee of the Whole with favorable recommendation and with a	9
	recommendation that it be placed on the Consent Calendar.	10
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Finance	After consideration on the merits, the Committee recommends that HB13-1238 be	13
	amended as follows, and as so amended, be referred to the Committee of the Whole with	14
	favorable recommendation.	15
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	Amend reengrossed bill, page 3, line 2, after "UPON" insert	18
	"SATISFACTORY".	19
		20
	Page 3, line 8, strike "MAY" and substitute "SHALL".	21
		22
	Page 3, line 20, strike "MAY" and substitute "SHALL".	23
		24
	Page 3, line 27, strike " the local licensing authority and " and substitute	25
	"the local licensing authority and".	26
		27
	Page 4, line 4, strike "MAY" and substitute "SHALL".	28
		29
	Page 5, after line 27, insert:	30
	" SECTION 4. In Colorado Revised Statutes, 12-43.3-301,	31
	amend (3) and (4) as follows:	32
	12-43.3-301. Local licensing authority - applications - licenses.	33
	(3) An application for a license specified in subsection (1) of this section	34
	shall be filed with the STATE LICENSING AUTHORITY AND THE appropriate	35
	local licensing authority on forms provided by the state licensing	36
	authority and shall contain such information as the state licensing	37
	authority may require and any forms as the local licensing authority may	38
	require. Each application shall be verified by the oath or affirmation of	39
	the persons prescribed by the state licensing authority.	40
	(4) An applicant shall file, at the time of application for a local	41
	license, plans and specifications for the interior of the building if the	42
	building to be occupied is in existence at the time. If the building is not	43
	in existence, the applicant shall file a plot plan and a detailed sketch for	44
	the interior and submit an architect's drawing of the building to be	45
	constructed. In its discretion, the local or state licensing authority may	46
	impose additional requirements necessary for the approval of the	47
	application.	48
	SECTION 5. In Colorado Revised Statutes, 12-43.3-302, amend	49
	(5) as follows:	50
	12-43.3-302. Public hearing notice - posting and publication.	51
	(5) (a) A local licensing authority, or a license applicant with local	52
	licensing authority approval, may request that the state licensing authority	53
	conduct a concurrent review of a new license application prior to the	54
	local licensing authority's final approval of the license application. Local	55
	licensing authorities who permit a concurrent review will continue to	56
	independently review the applicant's license application.	57
	(b) When conducting a concurrent ITS application review, the	58
	state licensing authority may advise the local licensing authority of any	59
	items that it finds that could result in the denial of the license application.	60
	Upon correction of the noted discrepancies, if the correction is permitted	61
	by the state licensing authority, the state licensing authority shall notify	62
	the local licensing authority of its conditional approval of the license	63
	application subject to the final approval by the local licensing authority	64
	AMENDMENTS. The state licensing authority shall then issue the	65
	applicant's state license upon receiving evidence of final approval by the	66
	local licensing authority WHICH SHALL REMAIN CONDITIONED UPON	67

LOCAL AUTHORITY APPROVAL.

(c) All applications submitted for ~~concurrent~~ review shall be accompanied by all applicable state AND LOCAL license and application fees. Any applications that are later denied or withdrawn may allow for a refund of license fees only. All application fees provided by an applicant shall be retained by the respective licensing authority.

SECTION 6. In Colorado Revised Statutes, 12-43.3-303, **amend** (4) and (5) as follows:

12-43.3-303. Results of investigation - decision of authorities.
(4) After approval of an application, ~~a~~ NEITHER THE STATE NOR local licensing authority shall ~~not~~ issue a local license until the building in which the business to be conducted is ready for occupancy with such furniture, fixtures, and equipment in place as are necessary to comply with the applicable provisions of this article, and then only after the STATE OR local licensing authority has inspected the premises to determine that the applicant has complied with the architect's drawing and the plot plan and detailed sketch for the interior of the building submitted with the application.

(5) AFTER APPROVAL OF AN APPLICATION FOR CONDITIONAL STATE LICENSURE, THE STATE LICENSING AUTHORITY SHALL NOTIFY THE LOCAL LICENSING AUTHORITY OF SUCH APPROVAL. After approval of an application for local licensure, the local licensing authority shall notify the state licensing authority of such approval, who shall investigate and either approve or disapprove the application for state licensure.".

Renumber succeeding section accordingly.

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| Finance | After consideration on the merits, the Committee recommends that HB13-1248 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 HB13-1297 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 HB13-1305 be referred to the Committee on <u>Appropriations</u> with favorable recommendation. |
| Finance | After consideration on the merits, the Committee recommends that SB13-286 be referred to the Committee of the Whole with favorable recommendation. |
| Finance | After consideration on the merits, the Committee recommends that HB13-1280 be referred to the Committee of the Whole with favorable recommendation. |
| Local Government | After consideration on the merits, the Committee recommends that HB13-1273 be postponed indefinitely . |
| Local Government | After consideration on the merits, the Committee recommends that HB13-1315 be referred to the Committee of the Whole with favorable recommendation. |
| Local Government | After consideration on the merits, the Committee recommends that HB13-1212 be postponed indefinitely . |
| Local Government | After consideration on the merits, the Committee recommends that HB13-1302 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar. |

Local Government	After consideration on the merits, the Committee recommends that HB13-1277 be	1
	amended as follows, and as so amended, be referred to the Committee on <u>Appropriations</u>	2
	with favorable recommendation.	3
		4
	Amend reengrossed bill, page 4, strike lines 1 and 2 and substitute "OF	5
	THE COMMON INTEREST COMMUNITY, PREPARING BUDGETS, OR	6
	PREPARING OTHER FINANCIAL DOCUMENTS;".	7
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	Reletter succeeding paragraphs accordingly.	9
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	Page 5, strike lines 3 and 4 and substitute:	11
		12
	"(I) A PERSON WHO PERFORMS NOT MORE THAN ONE OF THE	13
	PRACTICES LISTED IN PARAGRAPHS (a) TO (g) OF SUBSECTION (3) OF THIS	14
	SECTION, OR ANY CLERICAL, MINISTERIAL, ACCOUNTING, OR	15
	MAINTENANCE FUNCTION NOT REQUIRING".	16
		17
	Page 9, line 14, strike "ANY" and substitute "COLORADO OR ANY OTHER".	18
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	Page 9, line 15, strike "THAT, IF" and substitute "THAT THE".	20
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	Page 9, strike line 16.	22
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	Page 9, line 17, strike "MAY" and substitute "HAS THE DISCRETION TO".	24
		25
	Page 9, strike line 19 and substitute "SUSPENSION AND THE APPLICANT	26
	HAS PROVED TO THE DIRECTOR THAT HE OR SHE IS FIT TO BE LICENSED AS	27
	A COMMUNITY MANAGER IN COLORADO.".	28
		29
	Page 10, after line 9 insert:	30
		31
	"(II) CERTIFY COMPLETION OF ANY EDUCATIONAL OR CONTINUING	32
	EDUCATIONAL REQUIREMENTS AS DETERMINED BY THE DIRECTOR IN	33
	RULES AND PUBLISHED ON THE DIVISION'S WEB SITE; AND".	34
		35
	Page 10, line 10, strike "(II)" and substitute "(III)".	36
		37
	Page 10, line 27, strike "(II)" and substitute "(III)".	38
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	Page 17, after line 4 insert:	40
		41
	"(e) KNOWINGLY VIOLATING OR KNOWINGLY DIRECTING OTHERS	42
	TO VIOLATE CCIOA;".	43
		44
	Reletter succeeding paragraphs accordingly.	45
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	Page 18, line 14, strike "(h)" and substitute "(i)".	47
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Local Government	After consideration on the merits, the Committee recommends that SB13-021 be	50
	postponed indefinitely .	51
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Local Government	After consideration on the merits, the Committee recommends that HB13-1274 be	55
	referred to the Committee on <u>Appropriations</u> with favorable recommendation.	56
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SENATE SERVICES REPORT

Correctly Engrossed: SB13-250 and 259; SJR13-030.
Correctly Reengrossed: SB13-265, 271, 277 and 279.
Correctly Rerevised: HB13-1005, 1082, 1105, 1117, 1134, 1138, 1142, 1153, 1156, 1163, 1194, 1196, 1215, 1241, 1263, 1266, 1276, 1281 and 1289.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB13-019, 077, 079, 119, 138, 220, 226, 234 and 236; HB13-1046, 1233; HJR13-1020.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of HB13-1303 on General Orders -- Second Reading of Bills.

Committee of the Whole On motion of Senator Steadman, the Senate resolved itself into the Committee of the Whole for continuation of General Orders--Second Reading of Bills, and Senator Steadman was called to the chair to act as Chairman.

GENERAL 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:

HB13-1303 by Representative(s) Hullinghorst and Pabon, Buckner; also Senator(s) Giron--Concerning measures to strengthen the participation of individuals in the electoral process, and, in connection therewith, reducing the minimum durational requirement for an elector to qualify as a state resident, allowing electors to register to vote through election day, repealing the category of voter inactivity triggered by an elector's failure to vote, requiring mail ballots to be sent to active electors for elections conducted under the "Uniform Election Code of 1992", replacing polling places with voter service and polling centers and ballot drop-off locations for mail ballot elections, and making an appropriation.

(Amended in General Orders as printed in Senate Journal, April 30, pages 1139-1142.)

As amended, ordered revised 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

HB13-1303 by Representative(s) Hullinghorst and Pabon, Buckner; also Senator(s) Giron--Concerning measures to strengthen the participation of individuals in the electoral process, and, in connection therewith, reducing the minimum durational requirement for an elector to qualify as a state resident, allowing electors to register to vote through election day, repealing the category of voter inactivity triggered by an elector's failure to vote, requiring mail ballots to be sent to active electors for elections conducted under the "Uniform Election Code of 1992", replacing polling places with voter service and polling centers and ballot drop-off locations for mail ballot elections, and making an appropriation.

Senator Lundberg moved to amend the Report of the Committee of the Whole to show that the following Lundberg floor amendment, (L.118) to HB 13-1303, did pass.

Amend reengrossed bill, page 4, strike line 3 and substitute "cited as the "Same-Day Voter Fraud Act".".

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	15	NO	20	EXCUSED	0	ABSENT	0
Aguilar	N	Guzman	N	Kefalas	N	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	N	Scheffel	Y
Baumgardner	Y	Heath	N	King	Y	Schwartz	N
Brophy	Y	Hill	Y	Lambert	Y	Steadman	N
Cadman	Y	Hodge	N	Lundberg	Y	Tochtrop	N
Carroll	N	Hudak	N	Marble	Y	Todd	N
Crowder	Y	Jahn	N	Newell	N	Ulibarri	N
Giron	N	Johnston	N	Nicholson	N	President	N
Grantham	Y	Jones	N	Renfroe	Y		

Senator Harvey moved to amend the Report of the Committee of the Whole to show that the following Harvey floor amendment, (L.095) to HB 13-1303, did pass.

Amend reengrossed bill, page 69, after line 3 insert:

"SECTION 61. In Colorado Revised Statutes, 1-7-105, **add** (1.5) as follows:
1-7-105. Watchers at primary elections. (1.5) AT PRIMARY ELECTION POLLING LOCATIONS IN WHICH SEPARATE ROOMS ARE UTILIZED FOR ELECTION ACTIVITIES, INCLUDING CASTING, SEPARATING, OR COUNTING BALLOTS, EACH POLITICAL PARTY PARTICIPATING IN THE PRIMARY ELECTION IS ENTITLED TO HAVE ONE WATCHER IN EACH SUCH ROOM."

Renumber succeeding sections accordingly.

Page 69, line 7, after "**elections.**" insert "(1)".

Page 69, after line 27 insert:

"(2) NOTWITHSTANDING ANY PROVISION OF SUBSECTION (1) OF THIS SECTION TO THE CONTRARY, AT GENERAL OR CONGRESSIONAL VACANCY ELECTION VOTER SERVICE AND POLLING CENTERS IN WHICH SEPARATE ROOMS ARE UTILIZED FOR ELECTION ACTIVITIES, INCLUDING CASTING, SEPARATING, OR COUNTING BALLOTS, EACH ENTITY OR PERSON ENTITLED TO HAVE A WATCHER AT A VOTER SERVICE AND POLLING CENTER PURSUANT TO SUBSECTION (1) OF THIS SECTION PARTICIPATING IN THE PRIMARY ELECTION IS ENTITLED TO HAVE ONE WATCHER IN EACH SUCH ROOM."

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	15	NO	20	EXCUSED	0	ABSENT	0
Aguilar	N	Guzman	N	Kefalas	N	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	N	Scheffel	Y
Baumgardner	Y	Heath	N	King	Y	Schwartz	N
Brophy	Y	Hill	Y	Lambert	Y	Steadman	N
Cadman	Y	Hodge	N	Lundberg	Y	Tochtrop	N
Carroll	N	Hudak	N	Marble	Y	Todd	N
Crowder	Y	Jahn	N	Newell	N	Ulibarri	N
Giron	N	Johnston	N	Nicholson	N	President	N
Grantham	Y	Jones	N	Renfroe	Y		

Senator Harvey moved to amend the Report of the Committee of the Whole to show that the

following Harvey floor amendment, (L.096) to HB 13-1303, did pass.

Amend reengrossed bill, page 80, line 27, strike "(1)" and substitute "(1)".

Page 81, line 11, strike "(2)" and substitute "(2) (a)".

Page 81, line 20, after "~~article~~:" add "NOTWITHSTANDING SUBSECTION (1) OF THIS SECTION, ANY ELECTOR WHOSE RECORDS ARE KEPT CONFIDENTIAL PURSUANT TO SECTION 24-72-204, C.R.S., MUST AFFIRMATIVELY ELECT TO RECEIVE MAIL BALLOTS. SUCH REQUEST TO RECEIVE MAIL BALLOTS SHALL BE MADE IN ACCORDANCE WITH RULES PROMULGATED BY THE SECRETARY OF STATE.

(b) PARAGRAPH (a) OF THIS SUBSECTION (2) DOES NOT APPLY TO PERSONS TREATED AS CONFIDENTIAL VOTERS SOLELY PURSUANT TO SECTION 1-2-227 (2)".

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	15	NO	20	EXCUSED	0	ABSENT	0
Aguilar	N	Guzman	N	Kefalas	N	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	N	Scheffel	Y
Baumgardner	Y	Heath	N	King	Y	Schwartz	N
Brophy	Y	Hill	Y	Lambert	Y	Steadman	N
Cadman	Y	Hodge	N	Lundberg	Y	Tochtrop	N
Carroll	N	Hudak	N	Marble	Y	Todd	N
Crowder	Y	Jahn	N	Newell	N	Ulibarri	N
Giron	N	Johnston	N	Nicholson	N	President	N
Grantham	Y	Jones	N	Renfroe	Y		

Senator Harvey moved to amend the Report of the Committee of the Whole to show that the following Harvey floor amendment, (L.106) to HB 13-1303, did pass.

Amend reengrossed bill, page 45, line 7, strike "FOR" and substitute "EXCEPT AS PROVIDED IN PARAGRAPH (e) OF THIS SUBSECTION (1), FOR".

Page 47, line 16, after "(e)" insert "(I)".

Page 47, after line 18 insert:

"(II) UPON A FINDING THAT FEWER VOTER SERVICE AND POLLING CENTERS THAN ARE REQUIRED UNDER PARAGRAPH (a) OF THIS SUBSECTION (1) ARE APPROPRIATE FOR ANY ELECTION, A BOARD OF COUNTY COMMISSIONERS MAY VOTE TO REDUCE THE NUMBER OF VOTER SERVICE AND POLLING CENTERS IN THAT ELECTION."

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	15	NO	20	EXCUSED	0	ABSENT	0
Aguilar	N	Guzman	N	Kefalas	N	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	N	Scheffel	Y
Baumgardner	Y	Heath	N	King	Y	Schwartz	N
Brophy	Y	Hill	Y	Lambert	Y	Steadman	N
Cadman	Y	Hodge	N	Lundberg	Y	Tochtrop	N
Carroll	N	Hudak	N	Marble	Y	Todd	N
Crowder	Y	Jahn	N	Newell	N	Ulibarri	N
Giron	N	Johnston	N	Nicholson	N	President	N
Grantham	Y	Jones	N	Renfroe	Y		

Senator Harvey moved to amend the Report of the Committee of the Whole to show that the following Harvey floor amendment, (L.108) to HB 13-1303, did pass.

Amend reengrossed bill, page 85, line 11, strike "(6)" and substitute "(6); and **add** (4.2)".

Page 91, after line 1 insert:

"(4.2) IF ANY PERSON MAILS OR DELIVERS ANOTHER PERSON'S MAIL BALLOT PURSUANT TO SUB-SUBPARAGRAPH (B) OF SUBPARAGRAPH (I) OF PARAGRAPH (b) OF SUBSECTION (4) OF THIS SECTION, HE OR SHE SHALL PROVIDE HIS OR HER NAME, ADDRESS OF RESIDENCE, AND SIGNATURE ON THE RETURN ENVELOPE CONTAINING THAT MAIL BALLOT."

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	15	NO	20	EXCUSED	0	ABSENT	0
Aguilar	N	Guzman	N	Kefalas	N	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	N	Scheffel	Y
Baumgardner	Y	Heath	N	King	Y	Schwartz	N
Brophy	Y	Hill	Y	Lambert	Y	Steadman	N
Cadman	Y	Hodge	N	Lundberg	Y	Tochtrop	N
Carroll	N	Hudak	N	Marble	Y	Todd	N
Crowder	Y	Jahn	N	Newell	N	Ulibarri	N
Giron	N	Johnston	N	Nicholson	N	President	N
Grantham	Y	Jones	N	Renfroe	Y		

Senator Harvey moved to amend the Report of the Committee of the Whole to show that the following Harvey floor amendment, (L.122) to HB 13-1303, did pass.

Amend reengrossed bill, page 26, after line 25 insert:
"(III) PROVIDES VALID IDENTIFICATION, ISSUED BY A FEDERAL, STATE, OR TRIBAL GOVERNMENT, THAT CONTAINS A FULL-FACE PHOTOGRAPH OF THE ELIGIBLE ELECTOR. SUCH IDENTIFICATION INCLUDES A UNITED STATES MILITARY IDENTIFICATION CARD WITH A PHOTOGRAPH OF THE ELIGIBLE ELECTOR, A COLORADO DRIVER'S LICENSE, AN IDENTIFICATION CARD ISSUED BY THE DEPARTMENT OF REVENUE IN ACCORDANCE WITH PART 3 OF ARTICLE 2 OF TITLE 42, C.R.S., AN IDENTIFICATION CARD ISSUED BY A FEDERALLY RECOGNIZED TRIBAL GOVERNMENT CERTIFYING TRIBAL MEMBERSHIP, AND OTHER SUCH DOCUMENTATION AS SET FORTH BY RULE PROMULGATED BY THE SECRETARY OF STATE."

Renumber succeeding subparagraphs 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 was **lost** on the following roll call vote:

YES	15	NO	20	EXCUSED	0	ABSENT	0
Aguilar	N	Guzman	N	Kefalas	N	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	N	Scheffel	Y
Baumgardner	Y	Heath	N	King	Y	Schwartz	N
Brophy	Y	Hill	Y	Lambert	Y	Steadman	N
Cadman	Y	Hodge	N	Lundberg	Y	Tochtrop	N
Carroll	N	Hudak	N	Marble	Y	Todd	N
Crowder	Y	Jahn	N	Newell	N	Ulibarri	N
Giron	N	Johnston	N	Nicholson	N	President	N
Grantham	Y	Jones	N	Renfroe	Y		

Senator Brophy moved to amend the Report of the Committee of the Whole to show that the following amendment to HB 13-1303 did pass.

Amend reengrossed bill, page 5, line 18, after "**repeal**", insert "(19.5) (a) (VII), and".

Page 6, after line 19 insert:

"(19.5) (a) "Identification" means:
(VII) ~~A copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the elector;~~".

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	15	NO	20	EXCUSED	0	ABSENT	0
Aguilar	N	Guzman	N	Kefalas	N	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	N	Scheffel	Y
Baumgardner	Y	Heath	N	King	Y	Schwartz	N
Brophy	Y	Hill	Y	Lambert	Y	Steadman	N
Cadman	Y	Hodge	N	Lundberg	Y	Tochtrop	N
Carroll	N	Hudak	N	Marble	Y	Todd	N
Crowder	Y	Jahn	N	Newell	N	Ulibarri	N
Giron	N	Johnston	N	Nicholson	N	President	N
Grantham	Y	Jones	N	Renfroe	Y		

Senator Harvey moved to amend the Report of the Committee of the Whole to show that the following Harvey floor amendment, (L.113) to HB 13-1303, did pass.

Amend reengrossed bill, strike everything below the enacting clause and substitute:

"SECTION 1. In Colorado Revised Statutes, 1-1-104, **amend** (2), (11), (19.5) (c), and (36) (b); and **add** (9.8) and (45.7) as follows:
1-1-104. Definitions. As used in this code, unless the context otherwise requires:
(2) "Ballot box" means the locked and sealed container in which ballots are deposited by eligible electors. The term includes the container in which ballots are transferred from a polling place OR SERVICE CENTER to the office of the designated election official and the transfer case in which electronic ballot cards and paper tapes and the "prom" or any other electronic tabulation device are sealed by election judges for transfer to the central counting center.

(9.8) "DROP-OFF LOCATION" MEANS THE LOCATION ESTABLISHED FOR THE RECEIPT OF MAIL BALLOTS AS SPECIFIED IN SECTION 1-7.5-107 (4.3).

(11) "Election records" includes but is not limited to accounting forms, certificates of registration, pollbooks, certificates of election, signature cards, all affidavits, ~~mail-in voter applications, mail-in~~ MAIL voter lists and records, ~~mail-in~~ MAIL voter return envelopes, voted ballots, unused ballots, spoiled ballots, and replacement ballots.

(19.5) (c) Verification that a voter is a resident of a group residential facility, as defined in subsection (18.5) of this section, shall be considered sufficient identification. ~~for the purposes of section 1-7-110 (1).~~

(36) "Registration book" means the original elector registration records for each county retained and stored by one of the following methods:

(b) On film and computer with access to the registration records available both alphabetically and by precinct. The system shall have the capability to print out active and inactive registration records, to retain the voting history for each active and inactive registration by surname, and to film completed voter signature forms by precinct for each election. Computer lists of registration records shall be furnished for use at the precinct polling places on election days OR SERVICE CENTERS FOR MAIL BALLOT ELECTIONS.

(45.7) "SERVICE CENTER" MEANS THE PLACE ESTABLISHED FOR PROVIDING CERTAIN SERVICES, AS SPECIFIED IN SECTION 1-7.5-107, TO ELECTORS DURING MAIL BALLOT ELECTIONS CONDUCTED IN ACCORDANCE WITH ARTICLE 7.5 OF THIS TITLE.

SECTION 2. In Colorado Revised Statutes, 1-2-102, **amend** (1) (e) as follows:

1-2-102. Rules for determining residence. (1) The following rules shall be used to determine the residence of a person intending to register or to vote in any precinct in this state and shall be used by election judges in challenge procedures:

(e) If a person moves to any other state with the intention of making it a permanent residence, that person shall be considered to have lost Colorado residence after thirty days' absence from this state unless the person has evidenced an intent to retain a residence in this state by a self-affirmation executed pursuant to ~~section 1-8-114~~ SECTION 1-7.5-107.

SECTION 3. In Colorado Revised Statutes, 1-2-202.5, **amend** (1) (a), (2), (4) (c), (4) (d), (6), (7) (b), and (7) (c) as follows:

1-2-202.5. On-line voter registration - on-line changes in elector information. (1) (a) An elector may register to vote, and a registered elector may change his or her residence on the registration record OR change or withdraw his or her affiliation, ~~apply for permanent mail-in ballot status, or amend his or her existing mail-in ballot status,~~ by completing an electronic form on the official web site of the secretary of state if the elector's signature is stored in digital form in the database systems maintained by the department of state pursuant to section 1-2-301 (1) or accessible to the department of state in accordance with the requirements of sections 1-2-302 (6) and 42-1-211 (1.5), C.R.S.

(2) No later than April 1, 2010, the secretary of state shall make available on the secretary of state's official web site electronic forms for persons to apply to register to vote and for a registered elector to change his or her residence OR change or withdraw his or her affiliation. ~~apply for permanent mail-in ballot status, or amend his or her existing mail-in ballot status.~~

(4) (c) ~~The electronic form for a registered elector to apply for permanent mail-in ballot status shall meet the requirements of section 1-8-104.5 (1).~~

(d) In addition to any other requirements of this section, in order for a registered elector to access the electronic form to change his or her residence OR change or withdraw his or her affiliation, ~~apply for permanent mail-in ballot status, or amend his or her existing mail-in ballot status,~~ the registered elector shall submit his or her birth date and the last four digits of his or her social security number.

(6) The county clerk and recorder shall determine if the information submitted on the electronic form is complete prior to

approving a new registration or approving an elector's change in residence OR change in or withdrawal of his or her affiliation. ~~or change to permanent mail-in ballot status.~~

(7) (b) When a registered elector completes an electronic form to change his or her residence OR change or withdraw his or her affiliation, ~~or apply for permanent mail-in ballot status,~~ the county clerk and recorder shall search for the registered elector's signature in the database systems specified in subsection (1) of this section. In the case of a change in residence, the county clerk and recorder shall also send a nonforwardable postcard to the registered elector at his or her old address of record, by regular mail, giving notice to the registered elector that a change in residence form has been submitted by the registered elector and asking the registered elector to contact the county clerk and recorder within ten calendar days of receiving the postcard if it is not the registered elector's intent to change his or her address of record. If the signature is found and, in the case of a change in residence, if the registered elector has not timely contacted the county clerk and recorder pursuant to this paragraph (b), the county clerk and recorder shall approve the change in status pursuant to subsection (6) of this section and shall make the changes indicated on the electronic form in the computerized statewide voter registration list maintained by the secretary of state pursuant to section 1-2-301 (1).

(c) A voter registration, change of residence, OR change or withdrawal of affiliation ~~or application for permanent mail-in ballot status~~ made in accordance with this section shall apply to an election if the elector completes the electronic form no later than twenty-nine days before the election.

SECTION 4. In Colorado Revised Statutes, 1-2-204, **amend** (4)

(a) (II) as follows:

1-2-204. Questions answered by elector - rules. (4) (a) In the event that the registration record of a registered elector does not contain the last four digits of the elector's social security number, the county clerk and recorder shall request the elector to provide either the last four digits of the elector's social security number or the elector's full social security number if the elector wishes to state such number. Such a request may be made of the registered elector by the county clerk and recorder:

(II) At the registered elector's polling place OR SERVICE CENTER on the day of the election;

SECTION 5. In Colorado Revised Statutes, 1-2-216, **amend** (4)

(a) and (4) (c) as follows:

1-2-216. Change of residence. (4) (a) For the twenty-eight days before and on the day of any election, any eligible elector, by appearing in person at the office of the clerk and recorder of the county in which the elector resides OR AT ANY SERVICE CENTER IN THE COUNTY IN WHICH THE ELECTOR RESIDES, or by submitting by mail a change of address form that is received by the county clerk and recorder no later than the close of business on the seventh day before any election, may complete a change of address form stating, under penalty of perjury, that the elector moved no later than the thirtieth day before the election and that, on the day of the election, the elector will have lived at the new address in the new precinct for at least thirty days. Upon the receipt of the request, the county clerk and recorder shall verify the registration of the elector and, upon verification, if the elector does not choose to vote at the time the request is verified, shall issue or authorize a certificate of registration showing the information required in section 1-2-215 plus the change of address; except that the county shall only be required to issue or authorize a certificate of registration in accordance with the provisions of this paragraph (a) where it has printed its pollbooks.

(c) If the request is received by the county clerk and recorder ~~on or after the time early voting has begun~~ AFTER MAIL BALLOTS HAVE BEEN DELIVERED, the elector may vote at the time the change of address request is received. The elector may also vote by ~~mail-in~~ MAIL ballot if the ballots have been prepared. If the request is received on the election day, the elector may, at the discretion of the county clerk and recorder, vote in the office of the county clerk and recorder rather than voting in AT THE POLLING PLACE OR SERVICE CENTER FOR the precinct where the new address is located.

SECTION 6. In Colorado Revised Statutes, 1-2-217, **amend** (1)as follows:

1-2-217. Change in residence after close of registration. (1) Notwithstanding the provisions of subsection (2) of this section and sections 1-2-101 and 1-2-102, an elector who moves from the precinct where registered during the twenty-nine days before any election shall be permitted to cast a ballot at the election ~~by one of the following methods:~~ at the polling place OR SERVICE CENTER for the precinct where registered ~~by a mail-in ballot, or by early voting~~ OR BY MAIL BALLOT.

SECTION 7. In Colorado Revised Statutes, 1-2-218, **amend** (1) as follows:

1-2-218. Change of name. (1) Any eligible elector who has been registered in the county and who subsequently has had a name change by reason of marriage, divorce, or other legal means may have his or her name changed on the registration book by appearing before the county clerk and recorder by submitting the change on forms prescribed by the secretary of state or in the form of a personal letter at any time during which registration is permitted or on election day by an election judge on forms prescribed by the secretary of state and supplied to each polling place OR SERVICE CENTER by the county clerk and recorder.

SECTION 8. In Colorado Revised Statutes, 1-2-301, **amend** (4) (a) (II) as follows:

1-2-301. Centralized statewide registration system - secretary of state to maintain computerized statewide voter registration list - county computer records - agreement to match information. (4) (a) (II) The centralized statewide registration system shall enable county clerk and recorders to maintain voter registration information and shall include such additional capabilities as may be necessary or desirable to enable county clerk and recorders and the secretary of state to carry out their responsibilities related to the conduct of elections. Such additional capabilities may include but need not be limited to the preparation of ballots, the identification of voting districts for each address, access by county clerk and recorders to the master list of registered electors and, on or after January 1, 2006, the computerized statewide voter registration list maintained pursuant to this section and section 1-2-302, the management of ~~mail-in and~~ mail ballots, the preparation of official abstracts of votes cast, the transmission of voting data from county clerk and recorders to the secretary of state, and reporting of voting results on election night. County clerk and recorders shall have access to the digitized signatures of electors in the centralized statewide registration system for the purpose of comparing an elector's signature in the system with the signature on the return envelope of a ~~mail-in ballot or~~ mail ballot, including by using a signature verification device in accordance with ~~sections 1-7.5-107.3 (5) and 1-8-114.5 (5)~~ SECTION 1-7.5-107.3 (5).

SECTION 9. In Colorado Revised Statutes, 1-2-302, **amend** (8) as follows:

1-2-302. Maintenance of computerized statewide voter registration list - confidentiality. (8) The secretary of state shall provide adequate technological security measures to prevent unauthorized access to the computerized statewide voter registration list. The secretary of state, the department of revenue, and the clerk and recorders shall not sell, disclose, or otherwise release a social security number, a driver's license or a state-issued identification number, or the unique identification number assigned by the secretary of state to the voter pursuant to section 1-2-204 (2.5) or electronic copies of signatures created, transferred, or maintained pursuant to this section ~~part 1 of article 8 of this title;~~ or section 42-1-211, C.R.S., to any individual other than the elector who created such signature absent such elector's consent; except that nothing in this subsection (8) shall prohibit the sale, disclosure, or release of an electronic copy of such signature for use by any other public entity in carrying out its functions, or the sale, disclosure, or release of a photocopied or microfilmed image of an elector's signature.

SECTION 10. In Colorado Revised Statutes, 1-2-305, **amend** (1) as follows:

1-2-305. Postelection procedures - voting history - definitions. (1) Not later than sixty days after a state election, the secretary of state

shall generate a list of electors showing who voted and who did not vote in the election. The list shall be drawn from the statewide voter registration database. For electors who voted, the list shall show such elector's method of voting, whether by ~~early voting, mail-in ballot~~, mail ballot, polling place OR SERVICE CENTER voting, or otherwise.

SECTION 11. In Colorado Revised Statutes, 1-2-501, **amend** (1) (e) and (1.5) (b) as follows:

1-2-501. Form for mail and agency registration - procedures for registration by mail for first-time electors - additional identifying information to be provided by first-time registrants. (1) The secretary of state, in consultation with the federal election assistance commission, shall develop an application form that may be used for mail voter registration, voter registration at voter registration agencies, and voter change of address. The form developed shall:

(e) ~~Include the question, "Do you wish to be designated as a permanent mail-in voter?" and boxes for the applicant to indicate whether the applicant does or does not wish such designation. An elector who requests designation as a permanent mail-in voter that meets the requirements of section 1-8-104.5 shall be added to the list of permanent mail-in voters maintained pursuant to section 1-8-108.~~

(1.5) An elector who submits a voter registration form by mail and has not previously voted in the county, or in the state if the statewide voter registration system required by section 1-2-301 is operating, shall:

(b) Submit a copy of identification as defined in section 1-1-104 (19.5) with the elector's mail ballot in accordance with section 1-7.5-107 (3.5). ~~or with the elector's mail-in ballot in accordance with section 1-8-113 (3).~~

SECTION 12. In Colorado Revised Statutes, 1-2-605, **amend** (1) (a), (4) (c), (5), and (10) as follows:

1-2-605. Canceling registration - voter information card. (1) (a) (I) Communication by mail from the county clerk and recorder to the registered ~~eligible~~ electors of a county shall be in the form of a voter information card, including but not limited to the elector's name, ~~and~~ address, AND precinct number, ~~and polling place~~, which shall be mailed to the elector's address of record unless the elector has requested that the card be sent to his or her deliverable mailing address pursuant to section 1-2-204 (2) (k). The county clerk and recorder shall send a voter information card by forwardable mail to each active registered ~~eligible~~ elector of the county, as defined in ~~section 1-1-104 (16)~~ SECTION 1-1-104 (35), and by nonforwardable mail to each inactive registered ~~eligible~~ elector, except an elector whose previous communication from the county clerk and recorder was returned by the United States postal service as undeliverable or an elector whose registration record was marked "Inactive" by the county clerk and recorder pursuant to subsection (2) of this section before the general election of 2006.

(II) ~~The voter information card shall inform the elector of whether he or she is designated as a permanent mail-in voter and shall have a returnable portion that allows the elector to request designation as a permanent mail-in voter pursuant to section 1-8-104.5.~~

(4) Any "Inactive" elector shall be deemed "Active" if:

(c) ~~The elector applies for a mail-in ballot for any election which the county clerk and recorder conducts, regardless of whether or not the ballot is returned; or~~

(5) If a mail ~~or mail-in~~ ballot that was mailed pursuant to the requirements of this article to an elector who has been deemed "Active" is returned to the county clerk and recorder by the United States postal service as undeliverable, the county clerk and recorder shall send to the elector's address of record, unless the elector has requested that such communication be sent to his or her deliverable mailing address pursuant to section 1-2-204 (2) (k), a notice pursuant to section 1-2-509 by forwardable mail and a postage prepaid, preaddressed form by which the elector may verify or correct the address information. If the elector verifies that he or she resides in a county other than the county mailing the mail ~~or mail-in~~ ballot, the county clerk and recorder shall forward the address information to the county clerk and recorder of the county in which the voter resides. If the elector fails to respond, the county clerk and recorder shall mark the registration record of that elector with the

word "Inactive".

(10) During the twenty-eight days prior to an election, if any previously registered elector finds that his or her registration record has been canceled during the prior six years pursuant to this section, the elector shall have the canceled notation deleted and shall be reinstated and given a "Certificate of Reinstatement" if the elector provides proof to the county clerk and recorder that he or she has not moved outside the county since the last three general elections. The "Certificate of Reinstatement" may be issued any time during the twenty-eight days before or on election day, and the elector may then vote at his or her ~~precinct~~ polling place OR SERVICE CENTER or, if authorized by the county clerk and recorder, at the office of the county clerk and recorder. The county clerk and recorder shall not issue a provisional ballot in lieu of or to substitute for a "Certificate of Reinstatement" to an elector who is entitled to receive a "Certificate of Reinstatement" pursuant to this section.

SECTION 13. In Colorado Revised Statutes, 1-4-101, **amend** (1) and (2) as follows:

1-4-101. Primary election nominations made. (1) Except as provided in section 1-4-104.5, a primary election shall be ~~held at the regular polling places in each precinct~~ on the last Tuesday in June of even-numbered years to nominate candidates of political parties to be voted for at the succeeding general election. Except as provided by section 1-4-1304 (1.5), only a major political party, as defined in section 1-1-104 (22), shall be entitled to nominate candidates in a primary election.

(2) Each political party that is entitled to participate in the primary election shall have a separate party ballot. The primary election of all political parties shall be held at the same time ~~and at the same polling places~~ and shall be conducted by the same election officials.

SECTION 14. In Colorado Revised Statutes, **amend** 1-5-102 as follows:

1-5-102. Establishing precincts and polling places or service centers for nonpartisan elections. (1) For nonpartisan elections other than coordinated elections, no later than twenty-five days prior to the election, the designated election official, with the approval of the governing body with authority to call elections, shall divide the jurisdiction into as many election precincts as it deems expedient for the convenience of eligible electors of the jurisdiction and shall designate the polling place OR SERVICE CENTER for each precinct. The election precincts shall consist of one or more whole general election precincts wherever practicable, and the designated election official and governing body shall cooperate with the county clerk and recorder and the board of county commissioners of their political subdivisions to accomplish this purpose. Wherever possible, the polling places OR SERVICE CENTERS shall be the same as those designated by the county for partisan elections.

(2) The county clerk and recorder, no later than one hundred twenty days prior to a regular special district election or regular election of any other political subdivision, shall prepare a map of the county showing the location of the polling places OR SERVICE CENTERS and precinct boundaries utilized in the last November election. Copies of the map shall be available for inspection at the office of the county clerk and recorder and for distribution to the designated election official of each political subdivision.

(3) The county clerk and recorder shall maintain a list of owners or contact persons who, to the clerk's knowledge, may grant permission to political subdivisions to use the locations identified on the map for polling places OR SERVICE CENTERS. The clerk shall, upon request of the designated election official of a political subdivision, provide a copy of the list, or a part of the list as requested by the designated election official.

SECTION 15. In Colorado Revised Statutes, 1-5-102.5, **amend** (1) as follows:

1-5-102.5. Establishing polling places or service centers for coordinated elections. (1) No later than ninety days prior to a coordinated election, the county clerk and recorder, in consultation with the other designated election officials of each political subdivision

participating in the election, shall assure that one polling place OR SERVICE CENTER be designated to allow an individual elector to vote for all ballot issues, ballot questions, and candidates voted on the same date.

SECTION 16. 1-5-105, Colorado Revised Statutes, is amended to read:

1-5-105. Restrictions. (1) No election-related activity shall be conducted within one hundred feet of any building in which a polling place, DROP-OFF LOCATION, OR SERVICE CENTER is located except that of the conduct of the election at the polling place, DROP-OFF LOCATION, OR SERVICE CENTER.

(2) No polling place, DROP-OFF LOCATION, OR SERVICE CENTER shall be located in a room in which any intoxicating malt, spirituous, or vinous liquors are being served.

(3) The polling places, DROP-OFF LOCATIONS, AND SERVICE CENTERS shall be in public locations wherever possible. A private location may be used only when no appropriate public location is available.

(4) For purposes of subsection (1) of this section and sections 1-6-119 and 1-13-714, when a polling place, DROP-OFF LOCATION, OR SERVICE CENTER is within A multi-use ~~buildings~~ BUILDING such as a shopping mall or county office building, the "building" shall be considered the room in which ballots are cast, any waiting room or hall where electors wait to vote, as well as a primary corridor where electors walk to an interior polling place, DROP-OFF LOCATION, OR SERVICE CENTER, and the designated exterior door to the multi-use building in which the polling place, DROP-OFF LOCATION, OR SERVICE CENTER is located.

SECTION 17. In Colorado Revised Statutes, **amend** 1-5-106 as follows:

1-5-106. Polling place or service center - designation by sign. All polling places OR SERVICE CENTERS shall be designated by a sign conspicuously posted at least twelve days before each POLLING PLACE election OR, FOR MAIL BALLOT ELECTIONS, DURING THE PERIOD SERVICE CENTERS ARE OPEN. The sign shall be substantially in the following form: "~~Polling place~~ (POLLING PLACE/SERVICE CENTER) for precinct no." The lettering on the sign and the precinct number shall be black on a white background. The letters and numerals of the title shall be at least four inches in height. In addition, the sign shall state the hours the polling place OR SERVICE CENTER will be open.

SECTION 18. In Colorado Revised Statutes, **amend** 1-5-108 as follows:

1-5-108. Election judges may change polling places or service centers. (1) If it becomes impossible or impracticable to hold an election because of an emergency at the designated polling place OR SERVICE CENTER, the election judges, after assembling at or as near as practicable to the original designated polling place OR SERVICE CENTER, may move to the nearest convenient place for holding the election and at the newly designated place forthwith proceed with the election. The election judges shall notify the designated election official of the change as soon as possible.

(2) Upon moving to a new polling place OR SERVICE CENTER, the election judges shall display a proclamation of the change at the original polling place OR SERVICE CENTER to notify all electors of the new location for holding the election. The proclamation shall contain a statement explaining the specific nature of the emergency that required the change in the polling place OR SERVICE CENTER and shall provide the street address of the new location.

SECTION 19. In Colorado Revised Statutes, 1-5-205, **amend** (1) introductory portion, (1) (b), (1) (c), and (1) (d) as follows:

1-5-205. Published and posted notice of election. (1) The designated election official, or the coordinated election official if so provided by an intergovernmental agreement, no later than ~~ten~~ TWENTY-FIVE days before each election, shall provide notice by publication of the election as described by section 1-1-104 (34), which notice shall state, as applicable for the particular election for which notice is provided, the following:

(b) The hours during which the ~~polls will be open on election day~~

~~and for early voting~~ POLLING PLACES, DROP-OFF LOCATIONS, AND SERVICE CENTERS WILL BE OPEN;

~~(c) The address of the walk-in location and hours during which the walk-in location for the delivery of mail ballots and receipt of replacement ballots will be open~~ ADDRESSES OF THE POLLING PLACES OR DROP-OFF LOCATIONS AND SERVICE CENTERS;

~~(d) The address of the location for application and the return of mail-in ballots and the hours during which the office will be open;~~

SECTION 20. In Colorado Revised Statutes, **amend** 1-5-206 as follows:

1-5-206. Postcard notice - reimbursement of mailing cost.

(1) ~~(a)~~ No later than twenty-five days before ~~the~~ A general election or a special legislative election, the county clerk and recorder shall mail a voter information card concerning the ~~general election or special legislative~~ election by forwardable mail to each active registered eligible elector of the county, as defined in section 1-1-104 (16), and by nonforwardable mail to each inactive registered eligible elector, except an elector whose previous communication from the county clerk and recorder was returned by the United States postal service as undeliverable or an elector whose registration record was marked "Inactive" by the county clerk and recorder pursuant to section 1-2-605 (2) before the general election of 2006.

~~(b)~~ (2) As used in this section, unless the context otherwise requires, "voter information card" means written communication in the form of a card or letter that is mailed to the elector's address of record, unless the elector has requested that such communication be sent to the elector's deliverable mailing address pursuant to section 1-2-204 (2) (k), and shall contain the eligible elector's name and address, precinct number, polling location for the election, ~~a returnable portion that allows the elector to request designation as a permanent mail-in voter pursuant to section 1-8-104.5;~~ and any other information the designated election official deems applicable.

~~(2)-(a)~~ (3) No later than ~~fifteen~~ TWENTY-FIVE days before a nonpartisan election and in addition to the publication required by section 1-5-205, the designated election official or coordinated election official may mail to each household where one or more active eligible electors reside a voter information card. The information on the voter information card may be included with the ballot issue notice.

~~(a.5) and (b) (Deleted by amendment, L. 2002, p. 1629, § 6, effective June 7, 2002.)~~

~~(3) and (4) (Deleted by amendment, L. 94, p. 1158, § 25, effective July 1, 1994.)~~

~~(5) Repeated.~~

SECTION 21. In Colorado Revised Statutes, 1-5-208, **amend** (6) as follows:

1-5-208. Election may be canceled - when. (6) The governing body shall provide notice by publication of the cancellation of the election. A copy of the notice shall be posted at each polling place OR SERVICE CENTER of the political subdivision, in the office of the designated election official, and in the office of the clerk and recorder for each county in which the political subdivision is located and, for special districts, a copy of the notice shall be filed in the office of the division of local government. The governing body shall also notify the candidates that the election was canceled and that they were elected by acclamation.

SECTION 22. In Colorado Revised Statutes, 1-5-301, **amend** (1) as follows:

1-5-301. Registration record for partisan elections. (1) The original registration records shall be retained in the office of the county clerk and recorder and may be provided for use by election judges at precinct polling places OR SERVICE CENTERS in primary, general, and congressional vacancy elections.

SECTION 23. In Colorado Revised Statutes, **amend** 1-5-401 as follows:

1-5-401. Method of voting. The method of voting SHALL BE BY MAIL BALLOT for all GENERAL, PRIMARY, CONGRESSIONAL VACANCY, ODD-YEAR, AND RECALL elections CONDUCTED ON OR AFTER JULY 1, 2011, AND FOR ANY ELECTION IN WHICH THE GOVERNING BODY OF A

POLITICAL SUBDIVISION OTHER THAN A COUNTY DETERMINES THAT AN ELECTION SHALL BE BY MAIL BALLOT; EXCEPT THAT VOTES CAST AT SERVICE CENTERS UPON THE SURRENDER OF A MAIL BALLOT may be by paper ballots or by electronic or electromechanical voting systems.

SECTION 24. In Colorado Revised Statutes, 1-5-408, **amend** (3) and (4) as follows:

1-5-408. Form of ballots - electronic voting. (3) Polling places OR SERVICE CENTERS that use electromechanical voting systems may use ballot cards of different colors to ensure that electors receive a full ballot. Such polling places OR SERVICE CENTERS may also use ballot cards of different colors for each party at primary elections.

~~(4) In polling places using electromechanical voting systems, each ballot card may have two stubs attached. Stubs shall be separated from the ballot card and from each other by perforated lines or other means of removal approved by the designated election official so that they may be readily detached. Stubs shall have the serial ballot number printed on them. The size of the ballot stubs and the spacing of the printed material may be varied to suit the conditions imposed by the use of the ballot cards. The ballot stub may also include color marking or wording to indicate that the stub must show when the ballot is voted and placed in the privacy envelope for deposit in the ballot box. The face of the ballot card shall include the endorsement "Official ballot for", and after the word "for" shall follow the designation of the precinct, if appropriate, and the political subdivision for which the ballot is prepared, the date of the election, and a facsimile of the signature of the designated election official.~~

SECTION 25. In Colorado Revised Statutes, **amend** 1-5-410 as follows:

1-5-410. Printing and distribution of ballots - applicability.

(1) In political subdivisions using paper ballots or electronic ballot cards, the designated election official shall have a sufficient number of ballots printed and distributed to the election judges in the respective ~~precincts~~ POLLING PLACES OR SERVICE CENTERS. The ballots shall be sent in one or more sealed packages for each precinct with marks on the outside of each clearly stating the precinct and polling place OR SERVICE CENTER for which it is intended, together with the beginning and ending sequence number of the ballots enclosed. The packages shall be delivered on any day on which a judges' school of instruction is held or by 8 p.m. on the Monday before election day. Receipts for ballots thus delivered shall be given by the election judges who receive the ballots. The receipts shall be filed with the designated election official, who shall also keep a record of the time when and the manner in which each of the packages was delivered. The election judges receiving the packages shall produce them, with the seals unbroken, in the proper polling place OR SERVICE CENTER at the ~~opening of the polls on election day~~ BEGINNING OF THE PERIOD DURING WHICH MAIL BALLOTS MAY BE RETURNED and, in the presence of all election judges, shall open the packages.

(2) THIS SECTION SHALL NOT APPLY TO ANY ELECTION IN WHICH A BALLOT-ON-DEMAND SYSTEM IS USED.

SECTION 26. In Colorado Revised Statutes, **amend** 1-5-501 as follows:

1-5-501. Sufficient voting booths, voting machines, or electronic voting equipment. (1) At all elections in political subdivisions ~~which~~ THAT use paper ballots, the governing body shall provide in each polling place OR SERVICE CENTER a sufficient number of voting booths. Each voting booth shall be situated so as to permit eligible electors to prepare their ballots screened from observation and shall be furnished with supplies and conveniences necessary for voting.

(2) ~~(a)~~ At all elections in political subdivisions that use electronic or electromechanical voting systems, the designated election official shall supply each ~~precinct~~ POLLING PLACE OR SERVICE CENTER with sufficient voting equipment.

~~(b) At general elections in counties that use electronic or electromechanical voting systems, the county clerk and recorder shall supply each precinct with one voting booth for each four hundred active registered electors or fraction thereof.~~

SECTION 27. In Colorado Revised Statutes, **amend** 1-5-502 as

follows:

1-5-502. Ballot boxes for nonmachine voting. The governing body of each political subdivision using paper ballots or an electronic vote counting system EQUIPMENT shall provide at least one ballot box for each polling place OR SERVICE CENTER. For elections which THAT have both receiving and counting judges, the governing body shall provide no less than one ballot box for each set of receiving judges and one ballot box for each set of counting judges at each place of voting. The ballot boxes shall be strongly constructed so as to prevent tampering, with a small opening at the top and with a lid to be locked. The ballot boxes and keys shall be kept by the designated election official and delivered to the election judges no later than the day preceding any election, OR, FOR A MAIL BALLOT ELECTION, THE DAY PRECEDING THE PERIOD DURING WHICH MAIL BALLOTS MAY BE RETURNED, to be returned as provided in section 1-6-109.5.

SECTION 28. In Colorado Revised Statutes, **amend** 1-5-503 as follows:

1-5-503. Arrangement of voting equipment or voting booths and ballot boxes. The voting equipment or voting booths and the ballot box shall be situated in the polling place OR SERVICE CENTER so as to be in plain view of the election officials and watchers. No person other than the election officials and those admitted for the purpose of voting shall be permitted within the immediate voting area, which shall be considered as within six feet of the voting equipment or voting booths and the ballot box, except by authority of the election judges or the designated election official, and then only when necessary to keep order and enforce the law.

SECTION 29. In Colorado Revised Statutes, 1-5-504, **amend** (1) introductory portion as follows:

1-5-504. Instruction cards. (1) The designated election official of each political subdivision shall furnish to the election judges a sufficient number of instruction cards for the guidance of eligible electors in preparing their ballots. The election judges shall post at least one of the cards in each polling place upon the day of the election OR IN EACH SERVICE CENTER ON THE FIRST DAY THAT MAIL BALLOTS MAY BE RETURNED. The cards shall be printed in large, clear type and shall contain full instructions to the eligible electors as to what should be done:

SECTION 30. In Colorado Revised Statutes, 1-5-504.5, **amend** (1) introductory portion, (1) (a) and (1) (b), as follows:

1-5-504.5. Items to be posted at the polling place on or before election day. (1) The following items shall be posted at each polling place on or before election day OR AT EACH SERVICE CENTER DURING THE PERIOD FOR WHICH ELECTORS MAY RETURN A MAIL BALLOT OR SURRENDER A MAIL BALLOT AND CAST A VOTE AT THE SERVICE CENTER:

(a) A polling place OR SERVICE CENTER sign visible from the outside of the closest entrance to the polling place OR SERVICE CENTER pursuant to section 1-5-106;

(b) A sign notifying persons outside and inside of the polling place OR SERVICE CENTER that no electioneering is permitted within one hundred feet of the polling place OR SERVICE CENTER pursuant to section 1-13-714;

SECTION 31. In Colorado Revised Statutes, 1-5-612, **amend** (1) as follows:

1-5-612. Use of electronic and electromechanical voting systems. (1) The governing body of any political subdivision may, upon consultation with the designated election official, adopt an electronic or electromechanical voting system, including any upgrade in hardware, firmware, or software, for use at the polling places OR SERVICE CENTERS in the political subdivision. The system may be used for recording, counting, and tabulating votes at all elections held by the political subdivision.

SECTION 32. In Colorado Revised Statutes, **amend** 1-5-701 as follows:

1-5-701. Legislative declaration - federal funds. (1) The general assembly hereby finds and declares that:

(a) It is the intent of the general assembly that all state requirements should meet or exceed the minimum federal requirements

for accessibility of voting systems and polling places OR SERVICE CENTERS to persons with disabilities.

(b) All state laws, rules, standards, and codes governing voting systems and polling place OR SERVICE CENTER accessibility shall be maintained to ensure that the state is eligible for federal funds.

SECTION 33. In Colorado Revised Statutes, **amend** 1-5-703 as follows:

1-5-703. Accessibility of polling places or service centers to persons with disabilities. (1) Each polling place OR SERVICE CENTER shall be made accessible to persons with disabilities by complying with the following standards of accessibility:

(a) Doors, entrances, and exits used to enter or exit the polling place OR SERVICE CENTER shall have a minimum width of thirty-two inches.

(b) Any curb adjacent to the main entrance to a polling place OR SERVICE CENTER shall have curb cuts or temporary ramps.

(c) Any steps necessarily used to enter the polling place OR SERVICE CENTER shall have a temporary handrail and ramp with edge protection.

(d) At the polling place OR SERVICE CENTER, no barrier shall impede the path of electors with disabilities to the voting booth.

(2) Emergency polling places OR SERVICE CENTERS are exempt from compliance with this section.

(3) Except as otherwise provided in subsection (2) of this section, a designated election official shall only select as polling places OR SERVICE CENTERS sites that meet the standards of accessibility set forth in subsection (1) of this section.

(4) Before selecting polling places OR SERVICE CENTERS, the designated election official shall submit to the secretary of state an accessibility survey in the form prescribed by the secretary of state identifying the criteria for selecting accessible polling places AND SERVICE CENTERS and applying the criteria to proposed polling places OR SERVICE CENTERS.

SECTION 34. In Colorado Revised Statutes, 1-5-704, **amend** (1) (f) as follows:

1-5-704. Standards for accessible voting systems.

(1) Notwithstanding any other provision of this article, each voting system certified by the secretary of state for use in local, state, and federal elections shall have the capability to accept accessible voter interface devices in the voting system configuration to allow the voting system to meet the following minimum standards:

(f) Any voting system that requires any visual perception shall allow the font size as it appears to the voter to be set from a minimum of fourteen points to a maximum of twenty-four points before the voting system is delivered to the polling place OR SERVICE CENTER.

SECTION 35. In Colorado Revised Statutes, **amend** 1-5-705 as follows:

1-5-705. Accessible voter interface devices - minimum requirement. (1) A voting system shall include at least one direct recording electronic voting system specially equipped for individuals with disabilities or other accessible voter interface device installed at each polling place OR SERVICE CENTER that meets the requirements of this section.

~~(2) Repealed.~~

SECTION 36. In Colorado Revised Statutes, 1-6-101, **add** (1.5) as follows:

1-6-101. Definitions - applicability of article - qualifications for election judges - student election judges - legislative declaration.

(1.5) THIS ARTICLE APPLIES ONLY TO POLLING PLACE ELECTIONS THAT ARE CONDUCTED BY A MUNICIPALITY OR SPECIAL DISTRICT OR BY A CATEGORY V OR CATEGORY VI COUNTY, AS SPECIFIED IN SECTION 30-2-102 (1), C.R.S., THAT HAS OPTED OUT OF A MAIL BALLOT ELECTION PURSUANT TO SECTION 1-7.5-117.

SECTION 37. In Colorado Revised Statutes, 1-7-101, **amend** (1) as follows:

1-7-101. Hours of voting. (1) All polls shall be opened continuously from 7 a.m. until 7 p.m. of each election day. If a full set of

election judges is not present at the hour of 7 a.m. and it is necessary for judges to be appointed to conduct the election as provided in section 1-6-113 (2), the election may commence when two judges who are not of the same political affiliation for partisan elections are present at any hour before the time for closing the polls. The polls shall remain open after 7 p.m. until every eligible elector who was at the polling place OR SERVICE CENTER at or before 7 p.m. has been allowed to vote. Any person arriving after 7 p.m. shall not be entitled to vote.

SECTION 38. In Colorado Revised Statutes, 1-7-103, **amend** (3), (4), and (5) (b) as follows:

1-7-103. No voting unless eligible - first-time voters casting a ballot in person after having registered by mail to vote. (3) The election judges, or any one of them, shall promptly contact the county clerk and recorder or the county assessor for the verbal verification so that every eligible elector present at the polling place OR SERVICE CENTER is allowed to vote. Notation of verbal verification of registration or property ownership shall be made in the records of the election judges and in the records of the county clerk and recorder and assessor. All certificates of registration shall be surrendered to the election judges and returned to the designated election official with other election records and supplies.

(4) The self-affirming oath or affirmation provided in section 32-1-806 (2), C.R.S., if applicable to the election, may be accepted by an election judge in place of the oath and certificate or verbal verification required by subsection (2) of this section so that every eligible elector present at the polling place OR SERVICE CENTER is allowed to vote.

(5) (b) Any person who matches either of the descriptions specified in subparagraph (I) or (II) of paragraph (a) of this subsection (5) and intends to cast his or her ballot in person shall present to the appropriate election official at the polling place OR SERVICE CENTER identification within the meaning of section 1-1-104 (19.5).

SECTION 39. In Colorado Revised Statutes, **amend** 1-7-104 as follows:

1-7-104. Affidavits of eligibility. (1) In any election where the list of registered electors and property owners is not divided by precinct, where an eligible elector may vote at any polling place OR SERVICE CENTER in a political subdivision, or where an elector's name is not on the list of registered electors or property owners, an affidavit signed by the eligible elector stating that the elector has not previously voted in the election may be required prior to allowing the elector to cast a ballot.

(2) ~~(Deleted by amendment, L. 96, p. 1745, § 40, effective July 1, 1996.)~~

SECTION 40. In Colorado Revised Statutes, **amend** 1-7-106 as follows:

1-7-106. Watchers at general and congressional vacancy elections. Each participating political party or issue committee whose candidate or issue is on the ballot, and each unaffiliated and write-in candidate whose name is on the ballot for a general or congressional vacancy election, shall be entitled to have no more than one watcher at any one time in each precinct polling place, DROP-OFF LOCATION, OR SERVICE CENTER in the county and at each place where votes are counted in accordance with this article. The chairperson of the county central committee of each major political party, the county chairperson or other authorized official of each minor political party, the issue committee, or the write-in or unaffiliated candidate shall certify the names of one or more persons selected as watchers on forms provided by the county clerk and recorder and submit the names of the persons selected as watchers to the county clerk and recorder. To the extent possible, the chairperson, authorized official, issue committee, or candidate shall submit the names by the close of business on the Friday immediately preceding the election OR DURING THE TIME THE SERVICE CENTER OR DROP-OFF LOCATION IS OPEN. The watchers shall surrender the certificates to the election judges at the time they enter ARRIVE AT the polling place, DROP-OFF LOCATION, OR SERVICE CENTER and are sworn by the judges. This section shall not prevent party candidates or county party officers from visiting polling places, DROP-OFF LOCATIONS, OR SERVICE CENTERS to observe the progress of voting in the precincts.

SECTION 41. In Colorado Revised Statutes, **amend** 1-7-107 as follows:

1-7-107. Watchers at nonpartisan elections. Candidates for office in nonpartisan elections, and proponents and opponents of a ballot issue, are each entitled to appoint one person to act as a watcher ~~in every~~ AT EACH polling place, DROP-OFF LOCATION, OR SERVICE CENTER in which they are a candidate or in which the issue is on the ballot. The candidates or proponents and opponents shall certify the names of persons so appointed to the designated election official on forms provided by the official and submit the names of the persons selected as watchers to the county clerk and recorder. To the extent possible, the candidate, proponent, or opponent shall submit the names by the close of business on the Friday immediately preceding the election OR DURING THE TIME THE SERVICE CENTER OR DROP-OFF LOCATION IS OPEN.

SECTION 42. In Colorado Revised Statutes, 1-7-111, **amend** (2) and (3) as follows:

1-7-111. Disabled registered elector - assistance. (2) Notwithstanding the provisions of ~~sections 1-8-115 and 1-8-302~~ SECTIONS 1-7.5-114 AND 1-7.5-202, in every political subdivision, ~~physically disabled~~ eligible electors WITH A PHYSICAL DISABILITY shall be allowed to vote at the ~~mail-in voters' polling place~~ SERVICE CENTER on election day. More than one ~~mail-in voters' polling place~~ SERVICE CENTER may be established in a county for the purposes of this subsection (2). Prior to voting, if possible, the ~~disabled~~ eligible elector WITH A DISABILITY intending to vote at the ~~mail-in voters' polling place~~ SERVICE CENTER on election day shall complete the following self-affirmation form. If the ~~disabled~~ elector WITH A DISABILITY cannot read or write, or is unable to sign his or her name, the election official or person assisting the elector shall read the form aloud to the elector, and, upon the affirmation of the elector, will mark that the elector requesting assistance has affirmed that the facts on the form are true and correct. If the ~~disabled~~ elector WITH A DISABILITY is able to read and write, he or she shall complete the voter ~~assistance/disabled voter~~ ASSISTANCE/VOTER WITH A DISABILITY self-affirmation form. The form shall provide:

"I,, affirm that I am an eligible elector in this political subdivision located in the county of, state of Colorado; that I shall vote today at this polling place OR SERVICE CENTER. I further affirm that I have not, nor will I, cast a vote by any other means in this election."

(3) After the voter ~~assistance/disabled voter~~ ASSISTANCE/VOTER WITH A DISABILITY self-affirmation form is completed, a corresponding entry shall be made on the back of the printed list or computer list. If assistance to a ~~disabled~~ AN eligible elector WITH A DISABILITY occurs at the precinct polling place OR SERVICE CENTER, an entry shall be made on the pollbook or list of the name of each eligible elector assisted and the name of each person assisting.

SECTION 43. In Colorado Revised Statutes, 1-7-201, **amend** (1) as follows:

1-7-201. Voting at primary election. (1) Any registered elector who has declared an affiliation with a political party that is participating in a primary election and who desires to vote for candidates of that party at a primary election shall show identification, as defined in section 1-1-104 (19.5), and write his or her name and address on a form available at the polling place OR SERVICE CENTER and give the form to one of the election judges. ~~who shall clearly and audibly announce the name.~~

SECTION 44. In Colorado Revised Statutes, **amend** 1-7-303 as follows:

1-7-303. Spoiled ballots. No person shall remove any ballot from the polling place OR SERVICE CENTER before the close of the polls. Any eligible elector who spoils a ballot may obtain others, one at a time, not exceeding three in all, upon returning each spoiled ballot. The spoiled ballots thus returned shall be immediately canceled and shall be preserved and returned to the designated election official. ~~as provided in section 1-7-701.~~

SECTION 45. In Colorado Revised Statutes, **amend** 1-7-402 as follows:

1-7-402. Sample ballots - ballot labels. (1) The designated election official shall provide each ~~election~~ precinct POLLING PLACE OR

SERVICE CENTER in which voting machines are to be used with two sample ballots, which shall be arranged in the form of a diagram showing the front of the voting machine as it will appear after the official ballot labels are arranged thereon for voting on election day. The sample ballots may be either in full or reduced size and shall be delivered and submitted for public inspection in the same manner as provided by law for sample ballots used in nonmachine voting.

(2) The designated election official shall also prepare the official ballot for each voting machine and shall place the official ballot on each voting machine to be used in precinct polling places OR SERVICE CENTERS under the election official's supervision and shall deliver the required number of voting machines to each ~~election~~ precinct POLLING PLACE OR SERVICE CENTER no later than the day before the ~~polls~~ POLLING PLACE OR SERVICE CENTER IS TO open.

SECTION 46. In Colorado Revised Statutes, **amend** 1-7-406 as follows:

1-7-406. Close of polls and count - seals. As soon as the polls are closed, the election judges shall immediately lock and seal each voting machine against further voting, and it shall so remain for a period of thirty days unless otherwise ordered by the court. ~~and except as provided in section 1-7-407.~~ Immediately after each machine is locked and sealed, the election judges shall open the counting compartment and proceed to count the votes. After the total vote for each candidate and ballot issue has been ascertained, the election judges shall record on a certificate the number of votes cast, in numerical figures only, and return it ~~in the manner prescribed by section 1-7-701~~ TO THE DESIGNATED ELECTION OFFICIAL.

SECTION 47. In Colorado Revised Statutes, 1-7-503, **amend** (4) as follows:

1-7-503. Manner of voting. (4) Notwithstanding any provision of subsection (1) or (2) of this section to the contrary, at a polling place OR SERVICE CENTER at which a ballot marking device, as defined in section 1-5-702 (2.5), is available for accessible voting, the election judge in charge of the ballot box shall deposit every elector's ballot card in the ballot box.

SECTION 48. In Colorado Revised Statutes, **amend** 1-7-504 as follows:

1-7-504. Spoiled ballots or ballot card. In precincts in which voting is on a ballot or ballot card, no person shall remove any ballot or ballot card from the polling place OR SERVICE CENTER before the close of the polls. Any eligible elector who spoils a ballot or ballot card may successively obtain others, one at a time, not exceeding three in all, upon returning each spoiled ballot or ballot card. The spoiled ballots or ballot cards thus returned shall be immediately canceled and shall be preserved and returned to the designated election official. ~~as provided in section 1-7-701.~~

SECTION 49. In Colorado Revised Statutes, 1-7-509, **amend** (1) (b) as follows:

1-7-509. Electronic and electromechanical vote counting - testing of equipment required. (1) (b) The designated election official shall conduct at least three tests on all electronic and electromagnetic voting equipment, including a hardware test, a public logic and accuracy test conducted in accordance with subsection (2) of this section, and a postelection test or audit conducted in accordance with rules promulgated by the secretary of state. Each type of ballot, including ~~mail-in, early voting~~ MAIL, provisional, precinct, and audio ballots, shall be tested in accordance with rules promulgated by the secretary of state. The tests shall ensure that the equipment will correctly count the votes cast for all offices and on all ballot questions and ballot issues and that the voting system will accurately count ballots of all types.

SECTION 50. In Colorado Revised Statutes, **amend** 1-7-602 as follows:

1-7-602. Judges to post returns. At any election at a polling place OR SERVICE CENTER where ~~voting is~~ AN ELECTOR MAY CAST A VOTE by paper ballot, voting machine, or electronic or electromechanical voting system, the election judges shall make an abstract of the count of votes, which abstract shall contain the names of the offices, names of the

candidates, ballot titles, and submission clauses of all initiated, referred, or other ballot issues voted upon and the number of votes counted for or against each candidate or ballot issue. The abstract shall be posted in a conspicuous place that can be seen from the outside of the polling place OR SERVICE CENTER immediately upon completion of the counting. The abstract may be removed at any time after forty-eight hours following the election. Suitable blanks for the abstract required by this section shall be prepared, printed, and furnished to all election judges at the same time and in the same manner as other election supplies.

SECTION 51. In Colorado Revised Statutes, 1-7-905.5, **amend** (1) as follows:

1-7-905.5. Form of notice. (1) The ballot issue notice shall begin with the words "All registered voters", regardless of whether the electors of the political subdivision must be registered electors to be eligible to vote in the election, and shall end at the conclusion of the summary of comments. Any information included pursuant to section 1-5-206, information concerning procedure for a mail ballot election, ballot, OR polling place OR SERVICE CENTER, or other information included with the ballot issue notice prior to the words "All registered voters" or after the conclusion of the summary of comments shall not be deemed to be part of the ballot issue notice.

SECTION 52. In Colorado Revised Statutes, 1-7-1003, **amend** (5) (a), (6), and (7) (a) (II) as follows:

1-7-1003. Conduct of elections using ranked voting methods - instant runoff voting - choice voting or proportional voting - reports. (5) (a) In an election conducted using a ranked voting method, an explanation of ranked voting and instructions for electors in the form approved by the secretary of state by rule shall be posted at each polling place OR SERVICE CENTER and included with each ~~mail-in~~ MAIL ballot.

(6) In an election using a ranked voting method, the election judges shall not count votes at the polling place OR SERVICE CENTER but shall deliver all ballots cast in the election to the canvass board, which shall count the votes in accordance with this section and the rules adopted by the secretary of state pursuant to section 1-7-1004 (1).

(7) (a) For an election conducted using a ranked voting method, the designated election official shall issue the following reports:

(II) A ballot image report listing for each ballot the order in which the elector ranked the candidates, the precinct of the ballot, and whether the ballot is a ~~mail-in~~ MAIL ballot; and

SECTION 53. In Colorado Revised Statutes, 1-7.5-103, **amend** (4) as follows:

1-7.5-103. Definitions. As used in this article, unless the context otherwise requires:

(4) "Mail ballot election" means an election for which eligible electors RECEIVE BALLOTS BY MAIL AND may cast ~~ballots~~ A BALLOT by mail ~~and in accordance with this article in a primary election or an election that involves only nonpartisan candidates or ballot questions or ballot issues~~ OR MAY SURRENDER THE MAIL BALLOT AND CAST A BALLOT AT THE SERVICE CENTER.

SECTION 54. In Colorado Revised Statutes, **add with relocated provisions** 1-7.5-103.3 and 1-7.5-103.5 as follows:

1-7.5-103.3. [Formerly 1-8-103] Effect of "Uniformed and Overseas Citizens Absentee Voting Act" - emergency authority of secretary of state. (1) In the event of any conflict between this ~~part~~ ~~+~~ ARTICLE and any provisions of the federal "Uniformed and Overseas Citizens Absentee Voting Act", 42 U.S.C. sec. 1973ff et seq., OR THE "MILITARY AND OVERSEAS VOTER EMPOWERMENT ACT", PUB.L. 111-84, the provisions of the federal ~~act~~ ACTS shall control, and all designated election officials who are charged with the performance of duties under this code shall perform the duties and discharge the obligations placed upon them by the federal ~~act~~ ACTS.

(2) If a national or local emergency arises ~~which~~ THAT makes substantial compliance with the provisions of this ~~part~~ ~~+~~ ARTICLE impossible or unreasonable, such as when congress has declared a national emergency or the president has ordered into active military service of the United States any units and members of the National Guard of this state, the secretary of state may prescribe, by emergency orders or

rules, such special procedures or requirements as may be necessary to facilitate absentee voting by those members of the military or military support personnel directly affected by the emergency.

1-7.5-103.5. [Formerly 1-8-103.5] Voting by persons residing overseas and military personnel - definitions. (1) (a) The designated or coordinated election official of a county or other COUNTY CLERK AND RECORDER OR DESIGNATED ELECTION OFFICIAL OF A political subdivision that meets the requirements of the rules promulgated by the secretary of state pursuant to subsection (3) of this section shall provide a ~~mail-in~~ MAIL ballot by electronic means NOT LATER THAN FIFTY DAYS BEFORE THE ELECTION to ~~an~~ ANY eligible elector who is an absent uniformed services elector, a nonresident overseas elector, or a resident overseas elector, as defined in section 1-2-208 (2.5), if the elector ~~timely filed a mail-in ballot application with the designated or coordinated election official requesting that the mail-in~~ HAS FILED A REQUEST WITH THE COUNTY CLERK AND RECORDER OR DESIGNATED ELECTION OFFICIAL NOT LATER THAN FIFTY DAYS BEFORE THE ELECTION REQUESTING THAT THE MAIL ballot be sent by electronic means.

(b) ~~A mail-in ballot shall be provided by the same electronic means available under paragraph (a) of this subsection (1) to an absent uniformed services elector serving outside the United States not later than thirty days before the election if the elector:~~

(I) ~~Filed a mail-in ballot application or has been placed on the permanent mail-in voter list pursuant to section 1-8-104.5 (2) not later than thirty-five days before such election; and~~

(II) ~~Requested that the mail-in ballot be sent by electronic means.~~

(1.5) ~~Notwithstanding section 1-8-104 (3), a designated or coordinated election official shall not refuse to accept or process any otherwise valid mail-in ballot submitted by an absent uniformed services elector, as defined in section 1-2-208 (2.5), during a year on the grounds that the elector submitted the application before the first date on which the designated or coordinated election official otherwise accepts or processes such applications for that year.~~

(2) (a) The eligible elector may return the voted ballot to the ~~designated or coordinated~~ COUNTY CLERK AND RECORDER OR DESIGNATED election official by electronic means. The returned ballot shall be counted if it arrives in the office of the ~~designated or coordinated~~ COUNTY CLERK AND RECORDER OR DESIGNATED election official no later than the close of business on the eighth day following the day of the election, so long as the ballot is transmitted by electronic means by 7 p.m. mountain standard time on the day of the election. When the ballot is received, ~~by the designated or coordinated election official;~~ a bipartisan team of judges shall duplicate the ballot, and the ballot shall be counted as all other ~~mail-in~~ MAIL ballots. The judges who duplicate the ballot shall not reveal to any other person how the elector has cast his or her ballot.

(b) The instructions for completing a ~~mail-in~~ MAIL ballot pursuant to this section shall inform the elector that a ~~mail-in~~ MAIL ballot returned by electronic means is not a confidential ballot.

(c) In handling a ballot returned pursuant to this section, all reasonable means shall be taken to ensure that only the judges who receive and duplicate the ballot are aware of information connecting the elector to the returned ballot.

(d) The provisions of ~~sections 1-7.5-107.3 (2) (a) and 1-8-114.5 (2) (a)~~ SECTION 1-7.5-107.3 (2) (a) pertaining to signature verification shall be extended for purposes of signature comparison and verification of absent uniformed services electors serving outside the United States whose ballots are received no later than the close of business on the eighth day following the day of the election, pursuant to paragraph (a) of this subsection (2).

(3) The secretary of state shall prescribe by rule the procedures or requirements necessary to implement the provisions of this section. The rules shall specify the procedures for sending and returning a ballot by electronic means. The rules shall be promulgated in accordance with article 4 of title 24, C.R.S.

(4) For purposes of this section, "electronic means" means facsimile transmission; except that the secretary of state may by rule

promulgated in accordance with article 4 of title 24, C.R.S., establish procedures by which a uniformed services elector serving outside the United States may receive and return a ballot by electronic mail in circumstances where another more secure voting method is not available or feasible.

SECTION 55. In Colorado Revised Statutes, 1-7.5-104, **amend** (1); and **add with relocated provisions** (4) as follows:

1-7.5-104. Mail ballot elections for general and primary elections - optional for political subdivisions other than a county - when voters may vote by mail. (1) If FOR ALL GENERAL, PRIMARY, ODD-YEAR, RECALL, AND CONGRESSIONAL VACANCY ELECTIONS CONDUCTED ON OR AFTER JULY 1, 2011, AND FOR ANY ELECTION IN WHICH the governing board of ~~any~~ A political subdivision OTHER THAN A COUNTY determines that an election shall be by mail ballot, the COUNTY CLERK AND RECORDER OR designated election official for the political subdivision, AS APPLICABLE, shall conduct ~~any election for the political subdivision~~ THE ELECTION by mail ballot under the supervision of the secretary of state and shall be subject to rules ~~which shall be~~ promulgated by the secretary of state.

[Formerly 1-8-102] (4) Any ~~eligible~~ ACTIVE REGISTERED elector AND ANY REGISTERED ELECTOR WHOSE REGISTRATION RECORD HAS BEEN MARKED AS "INACTIVE - FAILED TO VOTE" may vote by ~~mail-in~~ MAIL ballot at any election under the ~~regulations~~ RULES and in the manner provided in this ~~part~~ ARTICLE.

SECTION 56. In Colorado Revised Statutes, **add with relocated provisions** 1-7.5-104.5 as follows:

1-7.5-104.5. [Formerly 1-8-101] Ballots and supplies for mail voting. (1) ~~Mail-in~~ MAIL ballots, ~~applications~~, affidavits, certificates, envelopes, instruction cards, and other necessary supplies shall be provided by the COUNTY CLERK AND RECORDER OR designated election official in the same manner as other election supplies are provided for in all elections and shall be furnished without cost to any eligible elector wishing to vote pursuant to this article. ~~Mail-in ballots shall be ready for delivery or mailing to mail-in voters as soon as available.~~

(2) The ballots shall be in the same form as other official ballots for the same election. ~~On the stub of the mail-in ballot shall be printed "Mail-in Ballot No. M. I. V.(number)", and such stubs shall be numbered consecutively, commencing with number 1.~~

(3) In counties including more than one state senatorial district or more than one state representative district, or both, ~~mail-in~~ MAIL ballots shall be provided in a manner to be determined by the county clerk and recorder for each combination of state legislative districts. Distinctive markings or colors may be used to identify political subdivisions when such colors or distinctive markings will aid in the distribution and tabulation of the ballots. A complete ballot may consist of one or more pages or cards so long as each page or card is numbered and identified as provided for paper ballots in sections 1-5-407 and 1-5-410. This subsection (3) shall apply to ballots to be cast on voting machines as well as to paper ballots and ballot cards that can be electronically counted.

(4) (a) On the ~~mail-in~~ MAIL ballot instruction card and the secrecy envelope or sleeve or on the combined instruction card and secrecy envelope or sleeve, whichever is applicable, shall be printed "All ballots, both polling place and ~~mail-in~~ MAIL, are counted in the same manner."

(b) The ~~mail-in~~ MAIL ballot instruction card shall contain information on how the elector may verify that his or her ~~mail-in~~ MAIL ballot has been received by the county clerk and recorder OR DESIGNATED ELECTION OFFICIAL as provided in section 1-8-307.5.

SECTION 57. In Colorado Revised Statutes, **amend** 1-7.5-105 as follows:

1-7.5-105. Preelection process. (1) The COUNTY CLERK AND RECORDER OR designated election official responsible for conducting an election that is to be by mail ballot pursuant to section 1-7.5-104 (1) shall ~~notify~~ SEND A PROPOSED ELECTION PLAN FOR CONDUCTING THE MAIL BALLOT ELECTION TO the secretary of state no later than fifty-five days prior to a nonpartisan election or, for any mail ballot election that is coordinated with or conducted by the county clerk and recorder, no later than ninety days prior to the election. The ~~notification shall include a~~

proposed plan for conducting the mail ballot election, which PROPOSED PLAN may be based on the standard plan adopted by the secretary of state BY RULE.

(1.5) (a) ~~Notwithstanding subsection (1) of this section, if a primary election is conducted as a mail ballot election pursuant to this article, the designated election official shall notify the secretary of state no later than ninety days prior to the election. The notification shall include a proposed plan for conducting the mail ballot election, which may be based on the standard plan adopted by the secretary of state.~~

(b) ~~Prior to making a determination to conduct a primary election as a mail ballot election, a county clerk and recorder shall give public notice and seek public comment on such determination. The secretary of state shall adopt rules in accordance with article 4 of title 24, C.R.S., as needed to implement this requirement.~~

(2) (a) The secretary of state shall approve or disapprove the written plan for conducting a mail ballot election, in accordance with section 1-7.5-106, within fifteen days after receiving the plan and shall provide a written notice to the affected political subdivision.

(b) In the case of a GENERAL OR primary election conducted as a mail ballot election, the secretary of state shall provide notice on the secretary of state's official web site that a GENERAL OR primary election is to be conducted by mail ballot.

(3) The COUNTY CLERK AND RECORDER OR designated election official shall supervise the ~~distributing~~ DISTRIBUTION, handling, AND counting of ballots and the survey of returns in accordance with rules promulgated by the secretary of state as provided in section 1-7.5-106 (2) and shall take the necessary steps to protect the confidentiality of the ballots cast and the integrity of the election.

(4) No elector information shall be delivered in the form of a sample ballot.

SECTION 58. In Colorado Revised Statutes, **add with relocated provisions** 1-7.5-106.5 as follows:

1-7.5-106.5. [Formerly 1-8-107] Registration record - list of mail ballots. (1) Before any ~~mail-in~~ MAIL ballot is delivered or mailed or before any eligible elector is permitted to cast a vote at an election where the county clerk and recorder is the designated election official, the designated election official shall record ~~the number of the ballot, together with the date the ballot is delivered or mailed. The supply judge for the mail-in voter's precinct shall receive the list of mail-in ballots prepared pursuant to section 1-8-108. Mail-in Voters for each precinct shall be recorded on the precinct registration list for use at the polls as provided in section 1-5-302~~ IN THE STATEWIDE VOTER REGISTRATION DATABASE.

(2) For nonpartisan elections, ~~mail-in voters shall be recorded on the precinct registration list for use at the polls as provided in section 1-5-303~~ IN THE STATEWIDE VOTER REGISTRATION DATABASE.

[Formerly 1-8-108 (1)] ~~(1)~~ (3) The COUNTY CLERK AND RECORDER OR designated election official shall keep a list of names and precinct numbers of eligible electors, ~~applying for mail-in ballots and permanent mail-in voters placed on the list pursuant to section 1-8-104.5 (2); together with the date on which each application was made, the date on which the mail-in~~ THE MAIL ballot was sent and the date on which each ~~mail-in~~ MAIL ballot was returned OR SURRENDERED. If a ~~mail-in~~ MAIL ballot is not returned or SURRENDERED, OR if it is rejected and not counted, that fact shall be noted on the list. The list is open to public inspection under proper regulations.

SECTION 59. In Colorado Revised Statutes, 1-7.5-107, **amend** (2) (a), (2.3) (a), (2.5) (a), (3) (a), (3) (c), (3) (d), (3.5) (c), (3.5) (d), (4) (b), (4.3), (4.5) (a), (4.5) (b) (I), (4.5) (b) (II), (4.5) (b) (VII), (4.5) (c), and (6); and **add with relocated provisions** (4.5) (d) as follows:

1-7.5-107. Procedures for conducting mail ballot election - first-time voters casting a mail ballot after having registered by mail to vote. (2) (a) ~~Except for coordinated elections conducted as a mail ballot election where the county clerk and recorder is the coordinated election official~~ FOR A MUNICIPAL MAIL BALLOT ELECTION THAT IS NOT COORDINATED WITH THE COUNTY CLERK AND RECORDER, no later than thirty days prior to election day, the county clerk and recorder shall

submit to the designated election official of the ~~political subdivision~~ MUNICIPALITY conducting the mail ballot election a full and complete preliminary list of registered electors. For A special district mail ballot ~~ELECTIONS~~ ELECTION THAT IS NOT COORDINATED WITH THE COUNTY CLERK AND RECORDER, the county clerk and recorder and county assessor of each county in which a special district is located shall certify and submit to the designated election official a list of property owners and a list of registered electors residing within the affected district.

(2.3) (a) FOR A PRIMARY MAIL BALLOT ELECTION, not less than thirty days nor more than forty-five days before ~~a primary~~ THE election, ~~that is conducted as a mail ballot election pursuant to this article;~~ the county clerk and recorder shall mail a notice by forwardable mail to each unaffiliated active registered eligible elector and to each unaffiliated registered eligible elector whose registration record has been marked as "Inactive - failed to vote".

(2.5) (a) (I) No later than twenty days before ~~an~~ A GENERAL, PRIMARY, OR OTHER MAIL BALLOT election, the COUNTY CLERK AND RECORDER OR designated election official ~~or the coordinated election official if so provided by an intergovernmental agreement;~~ shall provide notice by publication of a mail ballot election conducted pursuant to the provisions of this article, which notice shall state, as applicable for the particular election for which the notice is provided, the items set forth in ~~section 1-5-205 (1) (a) to (1) (d)~~ SECTION 1-5-205 (1) (a) TO (1) (c).

(II) ~~If a primary election is conducted as a mail ballot election pursuant to this article~~ FOR A PRIMARY MAIL BALLOT ELECTION, in addition to the items described in the notice required by subparagraph (I) of this paragraph (a), such notice shall advise eligible electors who are not affiliated with a political party of the ability to declare an affiliation with a political party and vote in the primary election.

(3) (a) (I) Not sooner than twenty-two days before ~~an~~ A GENERAL, PRIMARY, OR OTHER MAIL BALLOT election, and no later than eighteen days before ~~an~~ THE election, except as provided in subparagraph (II) of this paragraph (a), the COUNTY CLERK AND RECORDER OR designated election official shall mail to each active registered elector AND TO EACH REGISTERED ELECTOR WHOSE REGISTRATION RECORD HAS BEEN MARKED AS "INACTIVE - FAILED TO VOTE", at the last mailing address appearing in the registration records and in accordance with United States postal service regulations, a mail ballot packet, which shall be marked "DO NOT FORWARD. ADDRESS CORRECTION REQUESTED.", or any other similar statement that is in accordance with United States postal service regulations; EXCEPT THAT, FOR PRIMARY ELECTIONS, THE COUNTY CLERK AND RECORDER SHALL MAIL THE BALLOT PACKET ONLY TO ACTIVE REGISTERED ELECTORS AND REGISTERED ELECTORS WHOSE REGISTRATION RECORD HAS BEEN MARKED "INACTIVE - FAILED TO VOTE" WHO ARE ALSO AFFILIATED ELECTORS AS SPECIFIED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH (a). Nothing in this subsection (3) shall affect any provision of this code governing the delivery of mail ballots to an absent uniformed services elector, nonresident overseas elector, or resident overseas elector covered by the federal "Uniformed and Overseas Citizens Absentee Voting Act", 42 U.S.C. sec. 1973ff et seq.

(II) (A) ~~If a primary election is conducted as a mail ballot election pursuant to this article~~ FOR A PRIMARY MAIL BALLOT ELECTION, in addition to active registered electors who are affiliated with a political party, the mail ballot packet shall be mailed to each registered elector who is affiliated with a political party and whose registration record has been marked as "Inactive - failed to vote".

(B) ~~If a primary election is conducted as a~~ FOR A PRIMARY mail ballot election for a minor political party candidate, the mail ballot packet shall be mailed only to those registered electors described in sub-subparagraph (A) of this subparagraph (II) who are affiliated with the minor political party of such candidate.

(c) FOR SPECIAL DISTRICT MAIL BALLOT ELECTIONS, no sooner than twenty-two days prior to election day, and until 7 p.m. on election day, mail ballots shall be made available at the designated election official's office, or the office designated in the mail ballot plan filed with the secretary of state, for eligible electors who are not listed ~~or who are listed as "Inactive" on the county voter registration records or, for special~~

~~district mail ballot elections, on the list of property owners or the registration list but who are authorized to vote pursuant to section 32-1-806, C.R.S., or other applicable law.~~

(d) (I) An eligible elector may obtain a replacement ballot if the ballot was destroyed, spoiled, lost, or for some other reason not received by the eligible elector. An eligible elector may obtain a ballot if a mail ballot packet was not sent to the elector because the eligibility of the elector could not be determined at the time the mail ballot packets were mailed. In order to obtain a ballot in such cases, the eligible elector must sign a sworn statement specifying the reason for requesting the ballot. The statement shall be presented to the COUNTY CLERK AND RECORDER OR designated election official no later than 7 p.m. on election day. The COUNTY CLERK AND RECORDER OR designated election official shall keep a record of each ballot issued in accordance with this paragraph (d) together with a list of each ballot obtained pursuant to paragraph (c) of this subsection (3).

(II) A COUNTY CLERK AND RECORDER OR designated election official shall not transmit a mail ballot packet under this paragraph (d) unless a sworn statement requesting the ballot is received on or before election day. A ballot may be transmitted directly to the eligible elector requesting the ballot at the OFFICE OF THE COUNTY CLERK AND RECORDER OR designated election official's office OFFICIAL or the office designated in the mail ballot plan filed with the secretary of state or may be mailed to the eligible elector at the address provided in the sworn statement. Ballots may be cast no later than 7 p.m. on election day.

(3.5) (c) The COUNTY CLERK AND RECORDER OR designated election official shall include with the mail ballot packet required by paragraph (a) of subsection (3) of this section written instructions advising an elector who matches the description specified in paragraph (a) of this subsection (3.5) of the manner in which the elector shall be in compliance with the requirements contained in paragraph (a) of this subsection (3.5).

(d) Any person who desires to cast his or her ballot by mail but does not satisfy the requirements of paragraph (b) of this subsection (3.5) may cast such ballot by mail. The COUNTY CLERK AND RECORDER OR designated election official shall, within three days after the receipt of a mail ballot that does not contain a copy of identification as defined in section 1-1-104 (19.5), but in no event later than two days after election day, send to the eligible elector at the address indicated in the registration records a letter explaining the lack of compliance with paragraph (b) of this subsection (3.5). If the COUNTY CLERK AND RECORDER OR designated election official receives a copy of identification in compliance with paragraph (b) of this subsection (3.5) within eight days after election day, and if the mail ballot is otherwise valid, the mail ballot shall be counted.

(4) (b) (I) The eligible elector may:

(A) Return the marked ballot to the COUNTY CLERK AND RECORDER OR designated election official by United States mail or by depositing the ballot at the office of the COUNTY CLERK AND RECORDER OR DESIGNATED ELECTION official or any place SERVICE CENTER OR DROP-OFF LOCATION designated by the COUNTY CLERK AND RECORDER OR DESIGNATED ELECTION official AS SPECIFIED IN THE MAIL BALLOT PLAN FILED WITH THE SECRETARY OF STATE. The ballot must be returned in the return envelope.

(B) DELIVER THE BALLOT TO ANY PERSON OF THE ELECTOR'S OWN CHOICE OR TO ANY DULY AUTHORIZED AGENT OF THE COUNTY CLERK AND RECORDER OR DESIGNATED ELECTION OFFICIAL FOR MAILING OR PERSONAL DELIVERY; EXCEPT THAT NO PERSON OTHER THAN A DULY AUTHORIZED AGENT OF THE COUNTY CLERK AND RECORDER OR DESIGNATED ELECTION OFFICIAL MAY RECEIVE MORE THAN TEN MAIL BALLOTS IN ANY ELECTION FOR MAILING OR DELIVERY; OR

(C) SURRENDER THE MAIL BALLOT AT THE SERVICE CENTER AND CAST HIS OR HER VOTE IN PERSON AT THE SERVICE CENTER.

(II) If an eligible elector returns the ballot by mail, the elector must provide postage. The ballot shall be received at the office of the COUNTY CLERK AND RECORDER OR designated election official or a designated ~~depository~~ DROP-OFF LOCATION, which shall remain open until 7 p.m. on election day. ALL ENVELOPES CONTAINING MAIL BALLOTS

SHALL BE IN THE HANDS OF THE COUNTY CLERK AND RECORDER OR DESIGNATED ELECTION OFFICIAL NO LATER THAN 7 P.M. ON THE DAY OF THE ELECTION. MAIL BALLOT ENVELOPES RECEIVED AFTER 7 P.M. ON THE DAY OF THE ELECTION BUT POSTMARKED ON OR BEFORE THE DAY OF THE ELECTION WILL REMAIN SEALED AND UNCOUNTERED, BUT THE ELECTOR'S REGISTRATION RECORD SHALL NOT BE CANCELED FOR FAILURE TO VOTE IN A GENERAL ELECTION. For an election coordinated by the county clerk and recorder, the ~~depository~~ DROP-OFF LOCATION shall be designated by the county clerk and recorder and located in a secure place under the supervision of a ~~municipal clerk~~, an election judge or a member of the clerk and recorder's staff. For an A MAIL BALLOT election not coordinated by the county clerk and recorder, the ~~depository~~ DROP-OFF LOCATION shall be designated by the designated election official and located in a secure place under the supervision of the designated election official, an election judge, or another person designated by the designated election official.

(4.3) (a) ~~If a primary election is conducted as a mail ballot election pursuant to this article~~ FOR A GENERAL OR PRIMARY MAIL BALLOT ELECTION, there shall be a minimum number of mail ballot drop-off locations where mail ballots may be deposited equal to at least one drop-off location for each thirty thousand affiliated active registered electors in the county. The drop-off locations shall be arrayed throughout the county in a manner that provides the greatest convenience to electors. The number and location of the drop-off locations shall be approved by the secretary of state as part of the mail ballot election plan required pursuant to section 1-7.5-105.

(b) The minimum number of drop-off locations described in paragraph (a) of this subsection (4.3) shall accept mail ballots delivered by electors during, at A minimum, the ~~fourteen~~ EIGHT days prior to and including the day of the GENERAL OR primary MAIL BALLOT election; except that mail ballots shall not be required to be accepted on Sundays or the first Saturday of such period. Mail ballots shall be accepted from electors at drop-off locations during, at a minimum, reasonable business hours.

(4.5) (a) (I) Except as provided in subparagraph (II) of this paragraph (a), ~~if a primary election is conducted as a mail ballot election pursuant to this article~~ FOR A GENERAL OR PRIMARY MAIL BALLOT ELECTION, the county clerk and recorder shall designate service centers equal to no fewer than the number of county motor vehicle offices in the county; except that each county shall have no fewer than one service center for every sixty thousand affiliated active registered electors. Notwithstanding any provision of this subsection (4.5) to the contrary, if a county has fewer than fifteen thousand affiliated active registered electors for each county motor vehicle office in the county, the county clerk and recorder shall designate at least one service center for each twenty-five thousand affiliated active registered electors. FOR ANY MAIL BALLOT ELECTION THAT IS NOT A GENERAL OR PRIMARY ELECTION, THE OFFICE OF THE COUNTY CLERK AND RECORDER SHALL SERVE AS THE SERVICE CENTER. THE COUNTY CLERK AND RECORDER MAY ADD ADDITIONAL SERVICE CENTER LOCATIONS AS NECESSARY.

(II) Any county having thirty thousand or fewer affiliated active registered electors shall have a minimum of one service center, regardless of the number of motor vehicle offices in such county.

(b) Each service center shall provide the following for electors:

(I) FOR A PRIMARY MAIL BALLOT ELECTION, the ability for unaffiliated registered electors to affiliate with a political party and cast ballots;

(II) Secure computer access TO THE COMPUTERIZED STATEWIDE VOTER REGISTRATION LIST;

(VII) The ability to accept VOTED mail ballots that are deposited by electors AND TO ACCEPT SURRENDERED MAIL BALLOTS IF AN ELECTOR CHOOSES TO CAST HIS OR HER VOTE AT THE SERVICE CENTER INSTEAD OF BY MAIL BALLOT;

(c) The minimum number of service centers shall be open during, at minimum, the eight days prior to and including the day of the ~~primary~~ election; except that service centers shall not be required to be open on Sundays.

[Formerly 1-8-205 (2)] ~~(2)~~ (d) For ~~partisan elections~~ A GENERAL OR PRIMARY MAIL BALLOT ELECTION, the county clerk and recorder shall appoint at least three ~~receiving~~ SERVICE CENTER judges who meet the affiliation requirements contained in section 1-6-109. Regular employees of the county clerk and recorder may serve as ~~receiving~~ SERVICE CENTER judges as long as they meet the party affiliation requirements of section 1-6-109.

(6) All deposited ballots shall be counted as provided in this article and by rules promulgated by the secretary of state. A mail ballot shall be valid and counted only if it is returned in the return envelope, the self-affirmation on the return envelope is signed and completed by the eligible elector to whom the ballot was issued, and the information on the return envelope is verified in accordance with subsection (5) of this section. ~~Mail ballots shall be counted in the same manner provided by section 1-7-307 for counting paper ballots or section 1-7-507 for counting electronic ballots.~~ If the election official determines that an eligible elector to whom a replacement ballot has been issued has voted more than once, the first ballot returned by the elector shall be considered the elector's official ballot. Rejected ballots shall be handled in the same manner as provided in ~~section 1-8-310~~ SECTIONS 1-7.5-204 AND 1-7.5-210.

SECTION 60. In Colorado Revised Statutes, 1-7.5-107.3, **amend** (4) (b) and (5) (a); and **add with relocated provisions** (6) as follows:

1-7.5-107.3. Verification of signatures. (4) (b) The ~~designated election official~~ COUNTY CLERK AND RECORDER may provide training in the technique and standards of signature comparison to election judges who compare signatures pursuant to this section.

(5) (a) A ~~designated election official~~ COUNTY CLERK AND RECORDER may allow an election judge to use a signature verification device to compare the signature on the self-affirmation on a return envelope of an eligible elector's ballot with the signature of the elector stored in the statewide voter registration system in accordance with this subsection (5) and ~~the rules adopted~~ ANY RULES PROMULGATED by the secretary of state pursuant to ~~section 1-8-114.5 (5) (c)~~ SUBSECTION (6) OF THIS SECTION.

[Formerly 1-8-114.5 (5) (c)] ~~(5) (c)~~ (6) The secretary of state shall adopt rules in accordance with article 4 of title 24, C.R.S., establishing procedures for using signature verification devices to process ~~mail-in ballots pursuant to this article and~~ ballots used in mail ballot elections pursuant to ~~article 7.5 of this title~~ THIS ARTICLE.

SECTION 61. In Colorado Revised Statutes, 1-7.5-108.5, **amend** (1), (2) (b), and (2) (c) as follows:

1-7.5-108.5. Voter information card - verification of active status - designation of inactive status - mailing of mail ballots.

(1) Not less than ninety days before a PRIMARY mail ballot election, ~~conducted pursuant to this article~~ AND NOT LESS THAN TWENTY-FIVE DAYS BEFORE A GENERAL, SPECIAL LEGISLATIVE, OR NONPARTISAN MAIL BALLOT ELECTION, the county clerk and recorder shall mail a voter information card to any registered elector whose registration record has been marked "Inactive - failed to vote". For purposes of this section, "Inactive - failed to vote" shall mean a registered elector who is deemed "Active" but who failed to vote in a general election in accordance with the provisions of section 1-2-605 (2); except that the term "Inactive - failed to vote" shall not include an elector whose previous communication from the county clerk and recorder was returned by the United States postal service as undeliverable and is, accordingly, referred to in the registration records of the county as "Inactive - undeliverable" pursuant to section 1-2-605 (2). The voter information card required by this section may be sent as part of the voter information card required to be mailed pursuant to section 1-5-206 (1). The voter information card shall be sent to the elector's address of record unless the elector has requested that such communication be sent to his or her deliverable mailing address pursuant to section 1-2-204 (2) (k) and shall be marked "DO NOT FORWARD".

(2) (b) ~~(f)~~ ~~In connection with any mail ballot election to be conducted in November 2009, a mail ballot shall be mailed to all~~

~~registered electors whose registration record has been marked as "Inactive - failed to vote". Such mail ballot shall not be sent to registered electors whose registration record has been marked as "Inactive - undeliverable".~~

~~(H) This paragraph (b) is repealed, effective July 1, 2011.~~

~~(c) In any mail ballot election conducted on or after July 1, 2008, If a mail ballot sent to a registered elector is returned by the United States postal service as undeliverable, the county clerk and recorder shall mark the registration record of that elector with the words "Inactive - undeliverable".~~

SECTION 62. In Colorado Revised Statutes, **amend** 1-7.5-109 as follows:

1-7.5-109. Write-in candidates. Write-in candidates shall be allowed on mail ballot elections provided that the candidate has filed an affidavit of intent with the designated election official pursuant to section 1-4-1101. Ballots for write-in candidates are to be counted pursuant to ~~section 1-7-114~~ **SECTION 1-7.5-206.**

SECTION 63. In Colorado Revised Statutes, **add with relocated provisions** 1-7.5-109.8, 1-7.5-113, 1-7.5-114, and 1-7.5-115 as follows:

1-7.5-109.5. [Formerly 1-8-109] Watchers at service centers. Any political party, candidate, or proponents or opponents of a ballot issue entitled to have watchers ~~at polling places~~ PURSUANT TO PART 1 OF ARTICLE 7 OF THIS TITLE shall each have the right to maintain one watcher in the office of the COUNTY CLERK AND RECORDER OR designated election official and ~~mail-in polling places~~ AT DROP-OFF LOCATIONS AND SERVICE CENTERS during the period in which ~~mail-in~~ MAIL ballots may be ~~applied for or~~ received.

1-7.5-113. [Formerly 1-8-112] Voting at group residential facilities. (1) ~~When~~ IF A GROUP RESIDENTIAL FACILITY, AS DEFINED IN SECTION 1-1-104 (18.5), DOES NOT HAVE MAIL BOXES IN WHICH A REPRESENTATIVE OF THE UNITED STATES POSTAL SERVICE MAY DIRECTLY DEPOSIT MAIL AND more than ~~seven mail-in~~ TEN MAIL ballots are to be sent to the same group residential facility, ~~as defined in section 1-1-104 (18.5);~~ a committee consisting of one employee of the county clerk and recorder of the county in which the facility is located and, where available, a representative appointed by each of the major political parties shall deliver the ~~mail-in~~ MAIL ballots and return those ballots to the office of the county clerk and recorder.

(2) For nonpartisan elections, ~~upon the request of an eligible elector;~~ the designated election official may appoint a committee ~~which~~ THAT consists of two or more election judges or employees or representatives of the designated election official.

1-7.5-114. [Formerly 1-8-115] Emergency mail voting - rules. (1) (a) In the event an eligible elector or a member of an eligible elector's immediate family, related by blood or marriage to the second degree, is confined in a hospital or place of residence on election day, ~~and the confinement occurred because of conditions arising after the last day to apply for a mail-in ballot;~~ the elector may request in a personally signed written statement that the COUNTY CLERK AND RECORDER OR designated election official send a ~~mail-in~~ MAIL ballot. ~~with the word "EMERGENCY" stamped on the stubs.~~ The COUNTY CLERK AND RECORDER OR designated election official shall deliver the emergency ~~mail-in~~ MAIL ballot, at the ~~official's~~ office OF THE COUNTY CLERK AND RECORDER OR DESIGNATED ELECTION OFFICIAL during the regular hours of business, to any authorized representative of the elector. For the purposes of this paragraph (a), "authorized representative" means a person who possesses a written statement from the elector containing the elector's signature, name, and address and indicating that the elector is or will be confined in a hospital or place of residence on election day and requesting that the emergency ~~absentee~~ MAIL ballot be given to the authorized person as identified by name and address. The authorized person shall acknowledge receipt of the emergency ~~mail-in~~ MAIL ballot with a signature, name, and address.

(b) A request for an emergency ~~mail-in~~ MAIL ballot under this section shall be made before 5 p.m. on the day of the election, and the ballot shall be returned no later than 7 p.m. on the day of the election.

(c) If the eligible elector is unable to have an authorized

representative pick up the ballot at the office of the COUNTY CLERK AND RECORDER OR designated election official and deliver it to the eligible elector, the designated election official shall deliver a ~~mail-in~~ MAIL ballot to the eligible elector by electronic transfer in accordance with the rules of the secretary of state. If the ~~mail-in~~ MAIL ballot is delivered to the eligible elector by electronic transfer, the eligible elector may return the ballot by electronic transfer as set forth in subsection (5) of this section.

(2) ~~Any eligible elector, including any election official, who is unable to go to the polls because of conditions arising after the closing date for mail-in ballot applications that will result in the elector's absence from the precinct on election day may apply at the office of the designated election official for an emergency mail-in ballot. Upon receipt of an affidavit signed by the elector on a form provided by the designated election official attesting to the fact that the elector will be absent from the precinct on election day because of conditions arising after the last day to apply for a mail-in ballot, the designated election official shall provide the elector with a mail-in ballot with the word "EMERGENCY" stamped on the stubs. The request for the ballot shall be made, and the ballot shall be voted at the designated election official's office or outside of the office and returned, by 7 p.m. on the day of the election.~~

(3) Except as otherwise provided in subsection (5) of this section, after marking the ballot, the eligible elector shall place it in a return envelope provided by the COUNTY CLERK AND RECORDER OR designated election official. The elector shall then fill out and sign the self-affirmation on the envelope, as provided in ~~section 1-8-114~~ SECTION 1-7.5-107, on or before election day and return it to the office of the COUNTY CLERK AND RECORDER OR designated election official. Upon receipt of the envelope, the COUNTY CLERK AND RECORDER OR designated election official shall verify the elector's name on the return envelope and shall deposit the envelope in the office in a ballot box that is locked and secured with a numbered seal.

(4) If, following the procedure set forth in this section, the COUNTY CLERK AND RECORDER OR designated election official is unable to provide a ~~mail-in~~ MAIL ballot to an elector, the COUNTY CLERK AND RECORDER OR designated election official shall seek authority from the secretary of state to provide a ~~mail-in~~ MAIL ballot to the elector by electronic transfer in accordance with the election rules of the secretary of state. If the ~~mail-in~~ MAIL ballot is delivered to the eligible elector by electronic transfer, the eligible elector may return the ballot by electronic transfer as set forth in subsection (5) of this section.

(5) (a) If a ~~mail-in~~ MAIL ballot is delivered to an eligible elector by electronic transfer pursuant to paragraph (c) of subsection (1) of this section or subsection (4) of this section, the eligible elector may return the voted ballot to the COUNTY CLERK AND RECORDER OR designated election official by electronic transfer. In order to be counted, the returned ballot shall be received in the office of the COUNTY CLERK AND RECORDER OR designated election official by 7 p.m. on election day. Once the ballot is received, ~~by the designated election official,~~ a bipartisan team of judges shall duplicate the ballot, and the ballot shall be counted as all other ~~mail-in~~ MAIL ballots. Duplicating judges shall not reveal how the elector has cast his or her ballot.

(b) Any elector who receives a ~~mail-in~~ MAIL ballot by electronic transfer pursuant to paragraph (c) of subsection (1) of this section or subsection (4) of this section shall be informed in the instructions for completing the ballot that, if the ballot is returned by electronic transfer, the ballot will not be a confidential ballot.

(c) In handling a returned ballot pursuant to this subsection (5), all reasonable means shall be taken to ensure that only the ~~receiving~~ judge is aware of information connecting the elector to the returned ballot.

(d) The secretary of state may prescribe by rule any procedures or requirements as may be necessary to implement the provisions of this subsection (5). Such rules shall be promulgated in accordance with article 4 of title 24, C.R.S.

1-7.5-115. [Formerly 1-8-118] Opt-out from mail ballot requirements. (1) In the case of any general OR PRIMARY MAIL BALLOT election in which registered electors who live in specified precincts in a

particular county are required to cast their ballots by mail in the form of ~~mail-in~~ MAIL ballots in accordance with the requirements of this ~~part 1~~ ARTICLE, the COUNTY clerk and recorder of the PARTICULAR county shall notify such electors that they may opt-out from casting their ballots in such manner. In such cases, the COUNTY clerk and recorder shall further direct such electors to cast their ballots by any of the following means:

- (a) ~~Early voting prior to election day in accordance with the requirements of part 2 of this article~~ AT A SERVICE CENTER;
- (b) At the office of the COUNTY clerk and recorder; ~~on election day~~; or
- (c) At such other locations as the COUNTY clerk and recorder may designate.

(2) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A COUNTY CLERK AND RECORDER OF A CATEGORY V OR CATEGORY VI COUNTY, AS SPECIFIED IN SECTION 30-2-102 (1), C.R.S., MAY OPT-OUT FROM ADMINISTERING A MAIL BALLOT ELECTION UPON DEMONSTRATING TO THE SECRETARY OF STATE THAT THE MAIL BALLOT ELECTION WILL RESULT IN HIGHER COSTS INCURRED BY THE COUNTY THAN WOULD BE THE CASE FOR A TRADITIONAL POLLING PLACE ELECTION.

SECTION 64. In Colorado Revised Statutes, **add with relocated provisions** part 2 to article 7.5 of title 1 as follows:

PART 2

COUNTING MAIL BALLOTS

1-7.5-201. [Formerly 1-8-301] Appointment of election judges for counting mail ballots. (1) ~~If in any political subdivision, the COUNTY CLERK AND RECORDER OR designated election official has mailed or delivered mail-in MAIL ballots to five hundred or more electors, the COUNTY CLERK AND RECORDER OR designated election official shall appoint, in addition to the receiving SERVICE CENTER judges appointed as provided in section 1-8-205 SECTION 1-7.5-107 (4.5) (d), at least three counting judges, not more than two of whom shall be from any one political party. and whose powers and duties shall be the same as provided in section 1-7-305 for counting judges in precinct polling places.~~ For each additional five hundred ~~mail-in~~ MAIL ballots so mailed or delivered, the COUNTY CLERK AND RECORDER OR designated election official may appoint additional counting judges as needed.

(2) In all political subdivisions in which electronic or electromechanical voting systems are used, the COUNTY CLERK AND RECORDER OR designated election official, for each five hundred ~~mail-in~~ MAIL ballots mailed or delivered, may appoint, in addition to the ~~receiving~~ SERVICE CENTER judges appointed as provided in ~~section 1-8-205~~ SECTION 1-7.5-107 (4.5) (d), five counting judges, not more than three of whom shall be from any one political party in a partisan election.

(3) In political subdivisions to which this section applies AND IN THE EVENT THAT ONLY TWO MAJOR POLITICAL PARTIES ARE REPRESENTED, the COUNTY CLERK AND RECORDER OR designated election official shall make the appointments so that one major political party is represented by a majority of election judges on the ~~mail-in~~ MAIL BALLOT receiving board and the other major political party is represented by a majority of election judges on the ~~mail-in~~ MAIL BALLOT counting board. ~~of the county.~~ The COUNTY CLERK AND RECORDER OR designated election official shall appoint those electors certified by the county party chairpersons of the major political parties to the ~~designated election official~~ COUNTY CLERK AND RECORDER as ~~mail-in~~ MAIL BALLOT receiving judges and ~~mail-in~~ MAIL BALLOT counting judges. If an elector certified by a major political party is not willing or able to serve, then the major political party that certified the elector may certify a replacement judge to the ~~designated election official~~ COUNTY CLERK AND RECORDER. If the major political parties do not certify a sufficient number of ~~mail-in~~ MAIL BALLOT receiving and counting judges, ~~to the designated election official~~, the ~~designated election official~~ COUNTY CLERK AND RECORDER may appoint a sufficient number of qualified electors to serve as ~~mail-in~~ MAIL BALLOT receiving and counting judges.

(4) In all political subdivisions to which this section applies, where the COUNTY CLERK AND RECORDER OR designated election official has appointed one or more student election judges pursuant to article 6 of this title, the student election judge shall be appointed to serve as a

judge for the purpose of counting ~~mail-in and early~~ MAIL ballots pursuant to this section; except that the student election judge need not satisfy any party affiliation required of election judges by this section.

1-7.5-202. [Formerly 1-8-302] Hours counting place open for receiving and counting mail ballots.

~~(1) (Deleted by amendment, L. 99, p. 777, § 61, effective May 20, 1999.)~~

~~(2) (a) (1) The election officials at the mail-in and early voters' counting place may receive, cast, and prepare for tabulation mail-in and early voters' MAIL ballots delivered and turned over to them by the COUNTY CLERK AND RECORDER OR designated election official.~~

~~(b) (2) Counting of the mail-in MAIL ballots may begin fifteen days prior to the election and shall continue until counting is completed.~~

~~(c) Counting of the early voters' ballots may begin ten days prior to the election and shall continue until counting is completed.~~

~~(d) (3) The election officials in charge of the mail-in and early voters' ballot counting place shall take all precautions necessary to ensure the secrecy of the counting procedures, and no information concerning the count shall be released by the election officials or watchers until after 7 p.m. on election day.~~

1-7.5-203. [Formerly 1-8-303] Delivery of mail ballots to supply judge. At any time during the ~~ten~~ FIFTEEN days prior to and including the election day, the COUNTY CLERK AND RECORDER OR designated election official shall deliver to the COUNTING PLACE judges ~~of the mail-in and early voters' ballot counting place all the mail-in~~ ALL THE MAIL BALLOT envelopes received up to that time in packages or in ballot boxes that are locked and secured with a numbered seal together with the ~~signed applications for the mail-in ballots, the count and the list of mail-in and early electors, and the record of mail-in~~ MAIL ballots as provided for in ~~section 1-8-108~~ SECTION 1-7.5-106.5 (3) for which a receipt will be given. The COUNTY CLERK AND RECORDER OR designated election official shall continue to deliver any envelopes containing ~~mail-in~~ MAIL ballots that may be received thereafter up to and including 7 p.m. on election day. On the sealed packages and boxes of ~~mail-in~~ MAIL BALLOT envelopes shall be printed or written "This package (or box) contains (number) ~~mail-in~~ MAIL BALLOT envelopes." With the envelopes, the COUNTY CLERK AND RECORDER OR designated election official shall deliver to the supply judge written instructions, which shall be followed by the election judges in casting and counting the ballots, and all the lists, records, and supplies needed for tabulating, recording, and certifying the ~~mail-in and early voters' MAIL~~ ballots.

1-7.5-204. [Formerly 1-8-304] Preparing to count mail ballots - rejections. (1) (a) Before opening any ~~mail-in~~ MAIL ballot, one of the receiving judges, in the presence of a majority of the receiving judges, shall inspect the self-affirmation on the return envelope.

(b) The self-affirmation is valid if:
(I) The self-affirmation was completed by the elector or a person acting in the elector's behalf;

(II) The self-affirmation was signed by the elector or, if the elector is unable to sign, marked by the elector with or without assistance and witnessed by another person; and

(III) ~~In an election coordinated by the county clerk and recorder~~ A GENERAL OR PRIMARY MAIL BALLOT ELECTION, the signature on the self-affirmation matches the signature stored in the statewide voter registration system, or the eligible elector's marks on the application and the self-affirmation were witnessed by other persons.

(c) If the self-affirmation is valid, the receiving judge shall tear open the envelope without defacing the self-affirmation or mutilating the enclosed ballot. One of the election judges shall enter or verify the name of the ~~mail-in~~ voter in the pollbook, and another election judge shall deposit the ballot in the ballot box.

(d) For purposes of subparagraph (III) of paragraph (b) of this subsection (1), the signatures on an eligible elector's self-affirmation and stored in the statewide voter registration system shall be compared in the manner prescribed by ~~section 1-8-114.5~~ SECTION 1-7.5-107.3.

(2) If the self-affirmation on the return envelope is invalid, the election judges shall mark the envelope "rejected" and shall write on the

envelope the reason for the rejection. The envelope shall be set aside without being opened, and the ballot shall not be counted.

(3) If it appears to the election judges, by sufficient proof, that a ~~mail-in~~ MAIL ballot sent to an elector who died after requesting BEFORE RECEIVING the ballot contains a forged affidavit, the envelope containing the ballot of the deceased ~~mail-in~~ voter shall not be opened, and the election judges shall make notation of the death and fraudulent signature on the back of the envelope. The ballot shall be forwarded to the district attorney for investigation of a violation of section 1-13-106. If a ~~mail-in~~ MAIL BALLOT envelope contains more than one marked ballot of any one kind, none of the ballots shall be counted, and the election judges shall write the reason for rejection on the back of the ballots.

~~(4) Repealed.~~
1-7.5-205. [Formerly 1-8-305] Counting mail ballots.

(1) ~~Mail-in and early voters' ballots~~ MAIL BALLOTS AND ANY BALLOTS CAST AT A SERVICE CENTER IN LIEU OF A MAIL BALLOT shall be counted after delivery of the ballots as provided in ~~section 1-8-303~~ SECTION 1-7.5-203 and after preparation of the ballots as provided in ~~section 1-8-304~~ SECTION 1-7.5-204.

(2) ~~Mail-in and early voters'~~ MAIL ballots shall be counted in one of the following ways:

(a) In counties that use paper ballots, the ~~mail-in and early voters'~~ MAIL ballots may be counted in the SAME manner ~~provided in section 1-7-307 for counting~~ AS paper ballots.

~~(b) (Deleted by amendment, L. 2004, p. 1360, § 26, effective May 28, 2004.)~~

~~(c)~~ (b) Any county may use electronic vote-tabulating equipment for the counting of ~~mail-in~~ MAIL ballots in the same manner provided for the counting of precinct ballots in part 6 of article 5 and parts 4 and 5 of article 7 of this title.

~~(d)~~ (c) ~~Early voters'~~ Ballots that are cast directly on electronic or electromechanical vote-tabulating equipment AT A SERVICE CENTER IN LIEU OF A MAIL BALLOT shall be counted in the same manner as provided for the counting of precinct ballots in part 6 of article 5 and parts 4 and 5 of article 7 of this title.

~~(3) Votes for or against any ballot issue or measure shall be cast in the same manner as provided in section 1-8-202.~~

1-7.5-206. [Formerly 1-8-307] Paper ballots or electronic system. In political subdivisions using a ballot card electronic voting system, ~~mail-in and early voters'~~ MAIL ballots may be cast on paper ballots and counted as provided in ~~section 1-7-307~~ or may be cast on ballot cards and counted by electronic voting equipment, as provided in part 6 of article 5 and parts 4 and 5 of article 7 of this title, or both methods may be used.

1-7.5-207. [Formerly 1-8-307.5] Voter verification - mail ballot information. Each county clerk and recorder shall maintain the capability for providing electors, upon request, with information on whether the ~~mail-in~~ MAIL ballot cast by the elector was received by the clerk, including, but not limited to, an on-line ~~mail-in~~ MAIL ballot tracking system or response by other electronic or telephonic means.

1-7.5-208. [Formerly 1-8-308] Certificate of mail ballots cast - survey of returns. (1) Upon the completion of the count of ~~mail-in and early voters'~~ MAIL ballots, the election judges shall ~~make the certificate and perform all the official acts required by sections 1-7-601 and~~ SECTION 1-7-602.

(2) Upon the survey of the returns of the political subdivision by the board of canvassers formed pursuant to section 1-10-101 or 1-10-201, the board shall include in its abstract of votes the votes cast in the ~~early voters' polling place~~ SERVICE CENTER and counted at the ~~mail-in and early voters'~~ counting place in the manner provided for abstracting votes cast and counted at ~~precinct polling places~~, as provided in article 10 of this title.

(3) (a) ~~Beginning with the 2008 general election, and for all elections thereafter,~~ The returns certified by the judges and the abstract of votes cast certified by the canvass board shall indicate the number of votes cast by ~~early voters' or mail-in ballot~~ in each precinct for each candidate and for and against each ballot issue and ballot question and

the number of ballots rejected, except as otherwise provided in paragraph (b) of this subsection (3).

(b) If the total number of votes cast and counted in any precinct by ~~early voters' and mail-in ballot~~ is less than ten, the returns for all such precincts in the political subdivision shall be reported together.

1-7.5-209. [Formerly 1-8-309] Return of registration list. The ~~mail-in and early voters'~~ registration list shall be returned to the COUNTY CLERK AND RECORDER OR designated election official with the certificate required to be filed by ~~section 1-8-308~~ SECTION 1-7.5-208.

1-7.5-210. [Formerly 1-8-310] Preservation of rejected mail ballots. All ~~mail-in~~ identification envelopes ~~ballot stubs~~, and ~~mail-in and early voters'~~ MAIL ballots rejected by the election judges in accordance with the provisions of ~~section 1-8-304~~ SECTION 1-7.5-204 shall be returned to the designated election official. All ~~mail-in~~ MAIL ballots received by the COUNTY CLERK AND RECORDER OR designated election official after 7 p.m. on the day of the election, together with the rejected ~~mail-in and early voters'~~ MAIL ballots returned by the election judges as provided in this section, shall remain in the sealed identification envelopes and shall be destroyed later as provided in section 1-7-802.

1-7.5-211. [Formerly 1-8-311] Maintenance of mail ballot election voting records - transmittal of such records to secretary of state. The COUNTY CLERK AND RECORDER OR designated election official shall maintain a record identifying the name and voting address of each elector who casts a ballot by ~~mail-in or early voting~~ MAIL OR AT A SERVICE CENTER at any election.

SECTION 65. In Colorado Revised Statutes, 1-8.5-101, **amend** (1) and (2) as follows:

1-8.5-101. Provisional ballot - entitlement to vote. (1) At any election conducted pursuant to this title, a voter ~~claiming~~ WHO CLAIMS to be properly registered but whose qualification or entitlement to vote cannot be immediately established upon examination of the registration list for the precinct or upon examination of the records on file with the county clerk and recorder BY ELECTION JUDGES AT THE SERVICE CENTER shall be entitled to cast a provisional ballot in accordance with this article.

(2) An elector who desires to vote but does not show identification ~~in accordance with section 1-7-110~~ (2) may cast a provisional ballot.

SECTION 66. In Colorado Revised Statutes, 1-8.5-102, **amend** (3) as follows:

1-8.5-102. Form of provisional ballot. (3) Each polling place OR SERVICE CENTER using paper provisional ballots shall have on hand a sufficient number of provisional ballots in all ballot styles applicable to that polling place OR SERVICE CENTER and a sufficient number of provisional ballot envelopes.

SECTION 67. In Colorado Revised Statutes, 1-8.5-103, **amend** (2) (b) as follows:

1-8.5-103. Provisional ballot affidavit. (2) (b) This subsection (2) shall not apply to an elector who casts a provisional ballot pursuant to section 1-8.5-101 (2). ~~or (3).~~

SECTION 68. In Colorado Revised Statutes, 1-8.5-105, **amend** (5) as follows:

1-8.5-105. Verification of provisional ballot information - counting procedure. (5) The designated election official shall complete the verification and counting of all provisional ballots within ten days after a primary election and within fourteen days after a general, odd-year, or coordinated election. The designated election official shall count all ~~mail-in~~ MAIL ballots cast in an election before counting any provisional ballots. ~~cast by electors who requested mail-in ballots for the election.~~

SECTION 69. In Colorado Revised Statutes, 1-8.5-107, **amend** (2) (a) and (2) (b) as follows:

1-8.5-107. Electors who move before close of registration - effect of provisional ballot. (2) (a) A registered elector who moves from the county in which the elector is registered to another county in the state no less than thirty days before an election but fails to register to vote in the new county of residence before the close of registration may

complete ~~an emergency registration form~~ A CHANGE OF ADDRESS at the office of the county clerk and recorder pursuant to section 1-2-217.5 or may cast a provisional ballot at a ~~polling place, vote center, or early voter's polling place~~ SERVICE CENTER.

(b) If the elector completes ~~an emergency registration form on an election day~~ A CHANGE OF ADDRESS DURING THE PERIOD THAT MAIL BALLOTS MAY BE RETURNED and the county clerk and recorder is unable to verify the elector's qualification to vote, the elector may cast a provisional ballot.

SECTION 70. In Colorado Revised Statutes, **amend** 1-8.5-109 as follows:

1-8.5-109. Electors who vote outside of county where registered - effect of provisional ballot. ~~If an elector casts a provisional ballot at a polling place in a precinct other than the precinct in which the elector is registered but within the elector's county of residence, the elector's votes for federal offices for which the elector is eligible to vote and the elector's votes for statewide offices and statewide ballot issues and ballot questions shall be counted.~~ Except for ballots cast in accordance with section 1-8.5-107 (2) or 1-8.5-108 (2) by electors who moved from one county to another county, a provisional ballot cast by an elector in a county other than the elector's county of residence shall not be counted.

SECTION 71. In Colorado Revised Statutes, 1-8.5-110, **amend** (2) as follows:

1-8.5-110. Handling of provisional ballots - reporting of results. (2) If twenty-five or more provisional ballots are cast and counted in a county, the designated election official shall report the results of voting by provisional ballot as a separate total. If fewer than twenty-five provisional ballots are cast and counted, the results of voting by provisional ballot shall be included in the results of REGULAR voting. ~~by mail-in ballot.~~

SECTION 72. In Colorado Revised Statutes, **amend** 1-9-201 as follows:

1-9-201. Right to vote may be challenged. (1) (a) A person's right to vote at a polling place or SERVICE CENTER in an election may be challenged.

(b) If a person whose right to vote is challenged AT A SERVICE CENTER refuses to answer the questions asked or sign the challenge form in accordance with section 1-9-203 or take the oath pursuant to section 1-9-204, the person shall be ASKED TO SURRENDER HIS OR HER MAIL BALLOT AND BE offered a provisional ballot. If the person casts a provisional ballot, the election judge shall attach the challenge form to the provisional ballot envelope and indicate "Challenge" on the provisional ballot envelope.

(2) An election judge shall challenge any person intending to vote who the judge believes is not an eligible elector. In addition, challenges may be made by watchers or any eligible elector. ~~of the precinct.~~

(3) A challenge at a polling place OR SERVICE CENTER shall be made in the presence of the person whose right to vote is challenged.

SECTION 73. In Colorado Revised Statutes, 1-9-203, **amend** (7) as follows:

1-9-203. Challenge questions asked person intending to vote. (7) If the person WHO IS challenged WISHES TO CAST A REGULAR BALLOT AT THE SERVICE CENTER AND answers satisfactorily the questions asked in accordance with this section and signs the oath pursuant to section 1-9-204, the election judge shall offer the person challenged a regular ballot, and the challenger may withdraw the challenge. The election judge shall indicate in the proper place on the challenge form whether the challenge was withdrawn or whether the challenged elector refused to answer the questions and left the ~~polling place~~ SERVICE CENTER without ~~voting~~ a CASTING A MAIL BALLOT, REGULAR BALLOT, OR provisional ballot.

SECTION 74. In Colorado Revised Statutes, 1-9-204, **amend** (1) as follows:

1-9-204. Oath of challenged elector. (1) An election judge shall tender an oath substantially in the following form: "I do solemnly swear or affirm that I have fully and truthfully answered all questions that have

been put to me concerning my place of residence and my qualifications as an eligible elector at this election. I further swear or affirm that I am a citizen of the United States of the age of eighteen years or older; that I have been a resident of this state and OF THE precinct INDICATED ON MY REGISTRATION RECORD for thirty days immediately preceding this election and have not maintained a home or domicile elsewhere; that I am a registered elector in ~~this~~ THE precinct INDICATED ON MY REGISTRATION RECORD; that I am eligible to vote at this election; and that I have not previously CAST A MAIL BALLOT OR OTHERWISE voted at this election."

SECTION 75. In Colorado Revised Statutes, **amend** 1-9-208 as follows:

1-9-208. Challenges of provisional ballots. The ballot of any provisional voter may be challenged using a challenge form signed by the challenger under penalty of perjury setting forth the name of the person challenged and the basis for the challenge. Challenged provisional ballots, except those rejected for an incomplete, incorrect, or unverifiable provisional ballot affidavit, forgery of a deceased person's signature on a ~~mail-in~~ MAIL ballot affidavit, or submission of multiple ballots, shall be counted if the other requirements for counting provisional ballots are satisfied. The election judges shall deliver all challenges, together with the affidavits of the persons challenged, to the county clerk and recorder or the designated election official.

SECTION 76. In Colorado Revised Statutes, **amend** 1-9-209 as follows:

1-9-209. Challenges delivered to district attorney. The county clerk and recorder or designated election official shall forthwith deliver a challenge that is not withdrawn, along with the affidavit of the elector on the ~~mail-in~~, provisional ballot or mail ballot return envelope, to the district attorney for investigation and action. When practicable, the district attorney shall complete the investigation within ten days after receiving the challenge.

SECTION 77. In Colorado Revised Statutes, **amend** 1-9-210 as follows:

1-9-210. Copy of challenge delivered to elector. When a challenge is made to a person who cast a ~~mail-in-ballot~~, mail ballot or provisional ballot and the person was not present at the time of the challenge, the county clerk and recorder or designated election official shall notify and mail a copy of the challenge to the person challenged in accordance with the rules of the secretary of state.

SECTION 78. In Colorado Revised Statutes, 1-11-201, **amend** (1) (b) and (3) (a) as follows:

1-11-201. Causes of contest. (1) The election of any candidate to any office may be contested on any of the following grounds:

(b) That illegal votes were received or legal votes rejected ~~at the polls~~ in sufficient numbers to change the result of the election;

(3) The result of any election to determine a ballot issue or ballot question may be contested on any of the following grounds:

(a) That illegal votes were received or legal votes were rejected ~~at the polls~~ in sufficient numbers to change the result of the election;

SECTION 79. In Colorado Revised Statutes, **amend** 1-13-106 as follows:

1-13-106. Forgery. Any person who falsely makes, alters, forges, or counterfeits any ballot before or after it has been cast, or who forges any name of a person as a signer or witness to a petition or nomination paper, or who forges any letter of acceptance, declination, or withdrawal, or who forges the name of a registered elector to a ~~mail-in~~ MAIL voter's ballot commits forgery as set forth in section 18-5-102, C.R.S., and shall be punished as provided in section 18-1.3-401, C.R.S.

SECTION 80. In Colorado Revised Statutes, 1-13-706, **amend** (3) as follows:

1-13-706. Delivering and receiving ballots at polling place or service center. (3) Any voter who does not vote the ballot ~~received by him~~ shall return ~~his~~ THE ballot to the judge from whom ~~he received the same~~ THE BALLOT WAS RECEIVED before leaving the polling place OR SERVICE CENTER.

SECTION 81. In Colorado Revised Statutes, **amend** 1-13-709 as follows:

1-13-709. Voting in wrong polling place or service center. Any person who, at any election provided by law, knowingly votes or offers to vote in any ~~election precinct~~ POLLING PLACE OR SERVICE CENTER in which he or she is not qualified to vote shall be punished by a fine of not more than five thousand dollars or by imprisonment in the county jail for not more than eighteen months, or by both such fine and imprisonment.

SECTION 82. In Colorado Revised Statutes, **amend** 1-13-710 as follows:

1-13-710. Voting twice - penalty. EXCEPT AS PROVIDED IN SECTION 1-7.5-107 (4) (b), any voter who votes more than once or, having voted once, offers to vote again or offers to deposit in the ballot box more than one ballot shall be punished by a fine of not more than five thousand dollars or by imprisonment in the county jail for not more than eighteen months, or by both such fine and imprisonment.

SECTION 83. In Colorado Revised Statutes, **amend** 1-13-714 as follows:

1-13-714. Electioneering - removing and return of ballot. No person shall do any electioneering on the day of any election within any polling place OR SERVICE CENTER or in any public street or room or in any public manner within one hundred feet of any building in which a polling place OR SERVICE CENTER is located, as publicly posted by the designated election official. As used in this section, the term "electioneering" includes campaigning for or against any candidate who is on the ballot or any ballot issue or ballot question that is on the ballot. "Electioneering" also includes soliciting signatures for a candidate petition, a recall petition, or a petition to place a ballot issue or ballot question on a subsequent ballot. "Electioneering" shall not include a respectful display of the American flag. EXCEPT AS NECESSARY FOR BALLOT COUNTING, no person shall remove any official ballot from the polling place before the closing of the polls. Any person who violates any provision of this section is guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided in section 1-13-111.

SECTION 84. In Colorado Revised Statutes, 1-13-715, **amend** (1) and (2) as follows:

1-13-715. Liquor in or near polling place or service center. (1) It is unlawful for any election official or other person to introduce into any polling place OR SERVICE CENTER, or to use therein, or to offer to another for use therein, at any time while any election is in progress or the result thereof is being ascertained by the counting of the ballots, any intoxicating malt, spirituous, or vinous liquors.

(2) It is unlawful for any officer or board of officers of any county or any municipality, whether incorporated under general law or by special charter, who may at any time be by law charged with the duty of designating polling places OR SERVICE CENTERS for the holding of any general or congressional election therein, to select therefor a room wherein any intoxicating malt, spirituous, or vinous liquors are usually sold for consumption on the premises.

SECTION 85. In Colorado Revised Statutes, 1-13-716, **amend** (1) as follows:

1-13-716. Destroying, removing, or delaying delivery of election records. (1) No person shall willfully destroy, deface, or alter any ballot or any election records or willfully delay the delivery of any such ballots or election records, or take, carry away, conceal, or remove any ballot, ballot box, or election records from the polling place or from the possession of a person authorized by law to have the custody thereof, or aid, counsel, procure, advise, or assist any person to do any of the aforesaid acts.

SECTION 86. In Colorado Revised Statutes, **amend** 1-13-718 as follows:

1-13-718. Release of information concerning count. Any election official, watcher, or other person who releases information concerning the count of ballots cast at ~~precinct~~ polling places OR SERVICE CENTERS or of ~~mail-in~~ MAIL voters' ballots prior to 7 p.m. on the day of the election is guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided in section 1-13-111.

SECTION 87. In Colorado Revised Statutes, **amend** 1-13-722 as follows:

1-13-722. Defacing or removing abstract of votes. Any person who defaces, mutilates, alters, or removes the abstract of votes cast posted ~~upon the outside of the polling place~~ in accordance with section 1-7-602 is guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided in section 1-13-111.

SECTION 88. In Colorado Revised Statutes, **amend** 1-13-801 as follows:

1-13-801. Mailing other materials with mail ballot. It is unlawful for any county clerk and recorder to deliver or mail to a registered elector, as a part of or in connection with the ~~mail-in voter's~~ MAIL ballot, anything other than the voting material as provided in ~~article 8~~ ARTICLE 7.5 of this title. Each such offense is a misdemeanor, and, upon conviction thereof, the offender shall be punished as provided in section 1-13-111.

SECTION 89. In Colorado Revised Statutes, **amend** 1-13-802 as follows:

1-13-802. Delivery of a mail ballot outside county clerk and recorder's office. No county clerk and recorder shall ~~accept any application for any mail-in voter's ballot nor~~ make personal delivery of any such MAIL ballot to the applicant ANELECTOR unless such acceptance and delivery occurs within the confines of the official office of such county clerk and recorder, except as otherwise provided in ~~sections 1-8-104, 1-8-106, and 1-8-112~~ SECTION 1-7.5-113. Any acceptance or delivery contrary to the provisions of this section renders void the ballot to which it relates. Each violation of this section is a misdemeanor, and, upon conviction thereof, the offender shall be punished as provided in section 1-13-111.

SECTION 90. In Colorado Revised Statutes, **amend** 1-13-803 as follows:

1-13-803. Offenses relating to voting by mail ballot. Any election official or other person who knowingly violates any of the provisions of ~~article 8~~ ARTICLE 7.5 of this title relative to the casting of ~~mail-in voters'~~ MAIL ballots or who aids or abets fraud in connection with any vote cast, or to be cast, or attempted to be cast by a ~~mail-in~~ voter shall be punished by a fine of not more than five thousand dollars or by imprisonment in the county jail for not more than eighteen months, or by both such fine and imprisonment.

SECTION 91. In Colorado Revised Statutes, **amend** 27-10.5-119 as follows:

27-10.5-119. Right to vote. Each person receiving services who is eligible to vote according to law has the right to vote in all primary and general elections. As necessary, all service agencies shall assist such persons to register to vote, ~~to obtain applications for mail-in ballots and~~ to obtain ~~mail-in~~ MAIL ballots, to comply with other requirements ~~which~~ THAT are prerequisite to voting, and to vote.

SECTION 92. In Colorado Revised Statutes, **amend** 27-65-120 as follows:

27-65-120. Voting in public elections. Any person receiving evaluation, care, or treatment under any provision of this article shall be given the opportunity to exercise his or her right to register and to vote in primary and general elections. The agency or facility providing evaluation, care, or treatment shall assist such persons, upon their request, to obtain voter registration forms ~~applications for mail-in ballots,~~ and ~~mail-in~~ MAIL ballots and to comply with any other prerequisite for voting.

SECTION 93. In Colorado Revised Statutes, 32-1-805, **amend** (5) (a) and (5) (b) as follows:

32-1-805. Time for holding elections - type of election - manner of election - notice. (5) (a) At least sixty days prior to a metropolitan district election, a designated election official of the metropolitan district shall request a clerk and recorder of a county in which the metropolitan district is wholly or partially located to provide the designated election official with a list of the names and addresses of registered electors of the county who are also registered electors of the metropolitan district. ~~and who have applied to the county clerk and recorder for permanent mail-in voter status in accordance with section 1-8-104.5 (1), C.R.S.~~ Along with the request, the designated election

official shall certify that the metropolitan district has provided the county clerk and recorder with a current, accurate map of its boundaries in accordance with section 32-1-306. After receipt of the request, the clerk and recorder shall provide the designated election official with such list of the names and addresses of registered electors. ~~except that, if the designated election official has not certified that the special district has provided the county clerk and recorder with a current, accurate map of its boundaries, the clerk and recorder shall provide to the designated election official the names and addresses of all registered electors of the county who have applied for permanent mail-in voter status in accordance with section 1-8-104.5 (1), C.R.S.~~ If, within ten days of receiving the list of the names and addresses of registered electors pursuant to this paragraph (a), a designated election official notifies the county clerk and recorder of any problems with the list, the county clerk and recorder may provide the designated election official with a corrected list.

(b) In an election conducted by the board of a metropolitan district having fewer than ten thousand registered electors, the designated election official shall mail a ~~mail-in~~ MAIL ballot to each eligible elector on the list provided to the designated election official pursuant to paragraph (a) of this subsection (5).

SECTION 94. In Colorado Revised Statutes, 32-1-806, **amend** (3) as follows:

32-1-806. Persons entitled to vote at special district elections.

(3) For electors who vote at any election by ~~mail-in ballot~~ or mail ballot, the affidavit on the envelope of the ballot as required by title 1, C.R.S., may be substituted for the self-affirming oath or affirmation required by subsection (2) of this section.

SECTION 95. In Colorado Revised Statutes, 32-1-809, **amend** (1) (g) and (1) (h) as follows:

32-1-809. Notice to electors. (1) No more than sixty days prior to and not later than January 15 of each year, the board shall provide notice to the eligible electors of the special district in the manner set forth in subsection (2) of this section. The notice shall contain the following:

(g) Information on the procedure and time for an eligible elector of the special district to submit a self-nomination form for election to the board pursuant to section 32-1-804.3; AND

(h) ~~A statement that an application to request permanent mail-in voter status can be obtained from the county clerk and recorder, or on-line from the office of the secretary of state, and can be returned to the county clerk and recorder of the county or counties in which the district is wholly or partially located; and~~

SECTION 96. In Colorado Revised Statutes, 37-46-137, **amend** (3) and (9) as follows:

37-46-137. Conduct of election. (3) An elector of the district may vote in any election by absent voter's ballot under such terms and conditions, and in substantially the same manner insofar as is practicable, as prescribed in ~~article 8~~ ARTICLE 7.5 of title 1, C.R.S., of the "Uniform Election Code of 1992" for general elections, except as specifically modified in this article.

(9) The district or subdistrict may provide for ~~mail-in~~ voters to cast their ~~mail-in voters'~~ MAIL ballots on voting machines expressly provided for that purpose, if each ~~mail-in~~ MAIL voter indicates by affidavit that he or she is qualified to vote at the election. ~~and will be a mail-in voter, pursuant to section 1-8-102, C.R.S., of the "Uniform Election Code of 1992" and all laws supplemental thereto.~~

SECTION 97. In Colorado Revised Statutes, 37-47-137, **amend** (3) and (9) as follows:

37-47-137. Conduct of election. (3) An elector of the district may vote in any election by absent voter's ballot under such terms and conditions, and in substantially the same manner insofar as is practicable, as prescribed in ~~article 8~~ ARTICLE 7.5 of title 1, C.R.S., of the "Colorado Election Code of 1980" for general elections, except as specifically modified in this article.

(9) The district or subdistrict may provide for ~~mail-in~~ voters to cast their ~~mail-in voters'~~ MAIL ballots on voting machines expressly provided for that purpose, if each ~~mail-in~~ MAIL voter indicates by

affidavit that he or she is qualified to vote at the election. ~~and will be a mail-in voter, pursuant to section 1-8-102, C.R.S., of the "Uniform Election Code of 1992" and all laws supplemental thereto.~~

SECTION 98. In Colorado Revised Statutes, 37-48-179, **amend** (3) and (9) as follows:

37-48-179. Conduct of election. (3) An elector of the district may vote in any election by absent voter's ballot under such terms and conditions, and in substantially the same manner insofar as is practicable, as prescribed in ~~article 8~~ ARTICLE 7.5 of title 1, C.R.S., of the "Uniform Election Code of 1992" for general elections, except as specifically modified in this article.

(9) The district or subdistrict may provide for ~~mail-in~~ voters to cast their ~~mail-in voters'~~ MAIL ballots on voting machines expressly provided for that purpose, if each ~~mail-in~~ MAIL voter indicates by affidavit that he or she is qualified to vote at the election. ~~and will be a mail-in voter, pursuant to section 1-8-102, C.R.S., of the "Uniform Election Code of 1992" and all laws supplemental thereto.~~

SECTION 99. In Colorado Revised Statutes, 37-50-128, **amend** (3) and (9) as follows:

37-50-128. Conduct of election. (3) An elector of the district may vote in an election by absent voter's ballot under such terms and conditions, and in substantially the same manner insofar as is practicable, as prescribed in ~~article 8~~ ARTICLE 7.5 of title 1, C.R.S., of the "Uniform Election Code of 1992", for general elections, except as specifically modified in this article.

(9) The district may provide for ~~mail-in~~ voters to cast their ~~mail-in voters'~~ MAIL ballots on voting machines expressly provided for that purpose, if each ~~mail-in~~ MAIL voter indicates by affidavit that he or she is qualified to vote at the election. ~~and will be a mail-in voter, pursuant to section 1-8-102, C.R.S.~~

SECTION 100. Repeal of provisions being relocated in this act. In Colorado Revised Statutes, **repeal** 1-8-101, 1-8-102, 1-8-103, 1-8-103.5, 1-8-107, 1-8-108 (1), 1-8-109, 1-8-112, 1-8-114.5 (5) (c), 1-8-115, 1-8-118, 1-8-205 (2), 1-8-301, 1-8-302, 1-8-303, 1-8-304, 1-8-305, 1-8-307, 1-8-307.5, 1-8-308, 1-8-309, 1-8-310, and 1-8-311.

SECTION 101. Repeal of provisions not being relocated in this act. In Colorado Revised Statutes, **repeal** 1-1-104 (49.8), 1-2-204 (4) (a) (III) and (4) (a) (IV), 1-5-101 (6), 1-5-102.7, 1-6-111 (6), 1-7-109, 1-7-110, 1-7-115, 1-7-202, 1-7-203, 1-7-304, 1-7-305, 1-7-306, 1-7-307, 1-7-308, 1-7-401, 1-7-407, 1-7-408, 1-7-502, 1-7-505, 1-7-507, 1-7-508 (3), 1-7-601, part 7 of article 7 of title 1, 1-7.5-104 (2), 1-7.5-107 (5) (c), 1-7.5-108, 1-8-103.3, 1-8-104, 1-8-104.5, 1-8-105, 1-8-106, 1-8-108 (2), 1-8-110, 1-8-111, 1-8-113, 1-8-114, 1-8-114.5 (1), (2), (3), (4), (5) (a), and (5) (b), 1-8-201, 1-8-202, 1-8-203, 1-8-204, 1-8-205 (1), 1-8-206, 1-8-207, 1-8-208, 1-8-209, 1-8-306, 1-8.5-101 (3) and (5), 1-8.5-104 (4), 1-10-106 (1) (b) and (1) (c), 1-11-308, 1-11-309, 1-12-114, 1-13-706, and 31-10-1002 (2.5).

SECTION 102. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety."

Page 1, strike lines 103 through 112.

Page 2, strike line 101 and substitute "**THEREWITH, REQUIRING MAIL BALLOTS TO BE SENT TO ACTIVE ELECTORS FOR ELECTIONS CONDUCTED UNDER THE "UNIFORM ELECTION CODE OF 1992."**

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	15	NO	20	EXCUSED	0	ABSENT	0	
Aguilar		N	Guzman	N	Kefalas	N	Roberts	Y
Balmer		Y	Harvey	Y	Kerr	N	Scheffel	Y
Baumgardner		Y	Heath	N	King	Y	Schwartz	N
Brophy		Y	Hill	Y	Lambert	Y	Steadman	N
Cadman		Y	Hodge	N	Lundberg	Y	Tochtrop	N
Carroll		N	Hudak	N	Marble	Y	Todd	N
Crowder		Y	Jahn	N	Newell	N	Ulibarri	N
Giron		N	Johnston	N	Nicholson	N	President	N
Grantham		Y	Jones	N	Renfroe	Y		

Senator Baumgardner moved to amend the Report of the Committee of the Whole to show that the following Baumgardner floor amendment, (L.099) to HB 13-1303, did pass.

Amend reengrossed bill, page 128, line 10, strike "subsection (2)" and substitute "subsections (2) and (3)".

Page 128, after line 23 insert:
"(3) This act shall not take effect until the clerk and recorder of each county of the state reports to the secretary of state that his or her county has the high-speed internet capability to effectively enact the provisions of this bill. The clerk and recorder of each county shall report such capability as soon as practicable, and the secretary of state shall notify the revisor of statutes as soon as possible upon receipt of the final county's notification of high-speed internet capability."

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	15	NO	20	EXCUSED	0	ABSENT	0	
Aguilar		N	Guzman	N	Kefalas	N	Roberts	Y
Balmer		Y	Harvey	Y	Kerr	N	Scheffel	Y
Baumgardner		Y	Heath	N	King	Y	Schwartz	N
Brophy		Y	Hill	Y	Lambert	Y	Steadman	N
Cadman		Y	Hodge	N	Lundberg	Y	Tochtrop	N
Carroll		N	Hudak	N	Marble	Y	Todd	N
Crowder		Y	Jahn	N	Newell	N	Ulibarri	N
Giron		N	Johnston	N	Nicholson	N	President	N
Grantham		Y	Jones	N	Renfroe	Y		

Senator Baumgardner moved to amend the Report of the Committee of the Whole to show that the following Baumgardner floor amendment, (L.100) to HB 13-1303, did pass.

Amend reengrossed bill, page 23, line 26, strike "~~have lived~~ BE LIVING" and substitute "have lived".

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	15	NO	20	EXCUSED	0	ABSENT	0
Aguilar	N	Guzman	N	Kefalas	N	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	N	Scheffel	Y
Baumgardner	Y	Heath	N	King	Y	Schwartz	N
Brophy	Y	Hill	Y	Lambert	Y	Steadman	N
Cadman	Y	Hodge	N	Lundberg	Y	Tochtrop	N
Carroll	N	Hudak	N	Marble	Y	Todd	N
Crowder	Y	Jahn	N	Newell	N	Ulibarri	N
Giron	N	Johnston	N	Nicholson	N	President	N
Grantham	Y	Jones	N	Renfroe	Y		

Senator Baumgardner moved to amend the Report of the Committee of the Whole to show that the following Baumgardner floor amendment, (L.117) to HB 13-1303, did pass.

Amend reengrossed bill, page 21, line 12, strike "1 MISDEMEANOR:" and substitute "4 FELONY:".

Page 21, line 13, after "vote." insert "A CLASS 4 FELONY IS PUNISHABLE, UPON CONVICTION, BY A PENALTY OF UP TO SIX YEARS' IMPRISONMENT OR A FINE OF UP TO FIVE HUNDRED THOUSAND DOLLARS, OR BY BOTH SUCH FINE AND IMPRISONMENT.".

Page 23, line 4, strike "1 misdemeanor" and substitute "4 FELONY".

Page 23, line 5, strike "vote." and substitute "vote. A CLASS 4 FELONY IS PUNISHABLE, UPON CONVICTION, BY A PENALTY OF UP TO SIX YEARS' IMPRISONMENT OR A FINE OF UP TO FIVE HUNDRED THOUSAND DOLLARS, OR BY BOTH SUCH FINE AND IMPRISONMENT.".

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	15	NO	20	EXCUSED	0	ABSENT	0
Aguilar	N	Guzman	N	Kefalas	N	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	N	Scheffel	Y
Baumgardner	Y	Heath	N	King	Y	Schwartz	N
Brophy	Y	Hill	Y	Lambert	Y	Steadman	N
Cadman	Y	Hodge	N	Lundberg	Y	Tochtrop	N
Carroll	N	Hudak	N	Marble	Y	Todd	N
Crowder	Y	Jahn	N	Newell	N	Ulibarri	N
Giron	N	Johnston	N	Nicholson	N	President	N
Grantham	Y	Jones	N	Renfroe	Y		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Steadman, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	20	NO	15	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

The Committee of the Whole took the following action:

Passed on second reading: HB13-1303 as amended.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Wednesday, May 1 was laid over until later in the day on Wednesday, May 1, retaining its place on the calendar.

Third Reading of Bills -- Final Passage: HB13-1154, SB13-250, SB13-259.
General Orders -- Second Reading of Bills -- Consent Calendar: HB13-1230, HB13-1283, HB13-1240, HB13-1195, HB13-1260.
General Orders -- Second Reading of Bills: SB13-257, HB13-1206, HB13-1247, HB13-1267, HB13-1193, HB13-1160, HB13-1042, HB13-1182, HB13-1296, HB13-1031, SB13-283, HB13-1239, HB13-1301, HB13-1079, HB13-1252, SB13-280, SB13-276.
Consideration of Resolutions: HJR13-1004, HJR13-1019, SJR13-028, SJR13-029, SJR13-034, SJR13-035, SJR13-036, SR13-004.
Consideration of House Amendments to Senate Bills: SB13-040, SB13-223, SB13-244, SB13-200, SB13-249, SB13-213, SB13-252, SB13-158, SB13-260.
Consideration of Conference Committee Reports: SB13-155.
Conference Committees to Report: HB13-1191, HB13-1130, HB13-1081.

Senate in recess. Senate reconvened.

Call of the Senate. Call raised.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for consideration of Resolutions.

CONSIDERATION OF RESOLUTIONS

SJR13-028 by Senator(s) Scheffel; also Representative(s) Murray--Concerning the designation of September 27, 2013, as "First Responder Appreciation Day".

On motion of Senator Scheffel, a portion of the resolution was read.

A majority of those elected to the Senate having voted in the affirmative, Senator Scheffel was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.002), by Senator Scheffel.

Amend printed joint resolution, page 2, strike lines 17 through 19 and substitute: "Chiefs of Police; Christopher Olson, County Sheriffs of Colorado; Ron Graton, Colorado State Fire Fighters Association; Mike Rogers, Colorado Professional Fire Fighters; Paul Cooke, Division of Fire Prevention and Control,"

Page 3, line 7, after "Sheriff;" insert "Kimberly Culp, Executive Director of the Larimer Emergency Telephone Authority; Stan Hilkey, Mesa County Sheriff; Michael Morgan, Colorado State Fire Chiefs; Brian Shepherd, National Public Safety Broadband Network; Daniel Brennan, City of Wheatridge Chief of Police; Shayne Heap, Elbert County Sheriff; Edward Deveau, City of Waterton, Massachusetts, Chief of Police; Jennifer Schaffer, City of West, Texas, City Secretary;"

The amendment was **passed** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	E	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

On motion of Senator Scheffel, the resolution, as amended, was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	E	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Co-sponsor(s) added: Aguilar, Balmer, Baumgardner, Brophy, Cadman, Carroll, Crowder, Giron, Grantham, Guzman, Harvey, Heath, Hill, Hodge, Hudak, Jahn, Johnston, Jones, Kefalas, Kerr, King, Lambert, Lundberg, Morse, Newell, Nicholson, Renfroe, Roberts, Schwartz, Steadman, Tochtrop, Todd and Ulibarri.

SJR13-029 by Senator(s) Morse and King; also Representative(s) McNulty--Concerning declaring the week of May 12 - 18, 2013, as Police Week, and in connection therewith, declaring May 15, 2013, as Peace Officers' Memorial Day.

On motion of Senator King, a portion of the resolution was read, and the resolution was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Co-sponsor(s) added: Aguilar, Balmer, Baumgardner, Brophy, Cadman, Carroll, Crowder, Giron, Grantham, Guzman, Harvey, Heath, Hill, Hodge, Hudak, Jahn, Johnston, Jones, Kefalas, Kerr, Lambert, Lundberg, Marble, Newell, Nicholson, Renfroe, Roberts, Scheffel, Schwartz, Steadman, Tochtrop, Todd and Ulibarri.

Senate in recess. Senate reconvened.

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:

HB13-1154 by Representative(s) Foote and Levy, Court, Duran, Fields, Ginal, Hamner, Hullinghorst, Lee, McCann, Moreno, Pabon, Primavera, Ryden, Singer, Williams; also Senator(s) Steadman--Concerning crimes against pregnant women, and, in connection therewith, making an appropriation.

Laid over until Thursday, May 2, retaining its place on the calendar.

SB13-250 by Senator(s) Steadman and King, Aguilar, Guzman, Newell, Ulibarri; also Representative(s) Levy--Concerning changes to sentencing of persons convicted of drug crimes, and, in connection therewith, making an appropriation.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	N	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Tochtrop.

SB13-259 by Senator(s) Newell; also Representative(s) Melton--Concerning the regulation of private investigators by the department of regulatory agencies, 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	Kefalas	N	Roberts	N
Balmer	Y	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Todd.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for an expression of personal privilege.

COMMITTEE OF REFERENCE REPORTS

Appropriations

After consideration on the merits, the Committee recommends that **HB13-1004** be **amended** as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 11, after line 18 insert:

"SECTION 2. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the governor - lieutenant governor - state planning and budgeting, for the fiscal year beginning July 1, 2013, the sum of \$1,500,000, or so much thereof as may be necessary, to be allocated to economic development programs for the Colorado first customized job training program related to the implementation of this act.
(2) In addition to any other appropriation, there is hereby appropriated to the department of higher education, for the fiscal year beginning July 1, 2013, the sum of \$1,500,000, or so much thereof as may be necessary, for allocation to the division of occupational education, for the Colorado first customized job training program related to the implementation of this act. Said sum is from reappropriated funds received from the governor - lieutenant governor - state planning and budgeting out of the appropriation made in subsection (1) of this section."

Renumber succeeding sections accordingly.

Page 11, line 23, strike "\$2,400,000," and substitute "\$2,400,000 and 2.0 FTE,".

Appropriations

After consideration on the merits, the Committee recommends that **SB13-284** 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 4 insert:

"SECTION 3. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the stationary sources control fund created in section 25-7-114.7 (2) (b) (I), Colorado Revised Statutes, not otherwise appropriated, to the department of public health and environment, for the fiscal year beginning July 1, 2013, the sum of \$222,291 and 2.9 FTE, or so much thereof as may be necessary, to be allocated to the air pollution control division, stationary sources for the implementation of this act as follows:

Personal Services	\$205,897 and 2.9 FTE
Operating Expenses	\$16,394."

Re-number succeeding sections accordingly.

Page 1, line 103, strike "STANDARDS." and substitute "STANDARDS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION."

Appropriations

After consideration on the merits, the Committee recommends that **SB13-285** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 7, after line 9 insert:

"SECTION 7. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the state employee workers' compensation account in the risk management fund created in section 24-30-1510.7 (1) (a), Colorado Revised Statutes, not otherwise appropriated, to the department of personnel, for the fiscal year beginning July 1, 2013, the sum of \$100,000, or so much thereof as may be necessary, for allocation to the division of human resources, risk management services, workers' compensation, workers' compensation claims for claims related to the implementation of this act."

Re-number succeeding section accordingly.

Page 1, line 102, strike "DISPUTES." and substitute "DISPUTES, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION."

Appropriations

After consideration on the merits, the Committee recommends that **HB13-1210** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **HB13-1254** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **HB13-1259** be referred to the Committee of the Whole with favorable recommendation.

Agriculture, The Committee on Agriculture, Natural Resources, & Energy has had under consideration 1
Natural and has had a hearing on the following appointment and recommends that the 2
Resources, & appointment be confirmed: 3
Energy 4

MEMBERS OF THE
STATE BOARD OF LAND COMMISSIONERS

effective June 30, 2013, for terms expiring June 30, 2017: 5
Buck Blessing of Denver, Colorado, a citizen at large and an Unaffiliated, reappointed. 6
7
8
9
10

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate 11
having voted in the affirmative, the Senate proceeded out of order for an expression of 12
personal privilege. 13
14
15

Committee On motion of Senator Guzman, the Senate resolved itself into the Committee of the 16
of the Whole Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, 17
and Senator Guzman was called to the Chair to act as Chairman. 18
19
20

GENERAL ORDERS -- SECOND READING OF BILLS --
CONSENT CALENDAR

The Committee of the Whole having risen, the Chairman reported that the following bills, 21
reading at length having been dispensed with by unanimous consent, had been considered 22
and action taken thereon as follows: 23
24
25
26

HB13-1230 by Representative(s) Williams and Pabon, Buckner, Court, Hullinghorst, Melton, Pettersen, 27
Salazar; also Senator(s) Guzman--Concerning compensation for persons who are 28
exonerated of their crimes after a period of incarceration, and, in connection therewith, 29
making an appropriation. 30
31
32

Ordered revised and placed on the calendar for third reading and final passage. 33
34
35

HB13-1283 by Representative(s) Fischer; also Senator(s) Schwartz--Concerning the species 36
conservation trust fund. 37
38
39

Ordered revised and placed on the calendar for third reading and final passage. 40
41
42

HB13-1240 by Representative(s) Young; also Senator(s) King--Concerning penalties for persistent 43
drunk drivers, and, in connection therewith, making an appropriation. 44
45
46

Ordered revised and placed on the calendar for third reading and final passage. 47
48
49

HB13-1195 by Representative(s) Wright and Nordberg, Waller; also Senator(s) Hill--Concerning 50
human trafficking, and, in connection therewith, making an appropriation. 51
52
53

Ordered revised and placed on the calendar for third reading and final passage. 54
55
56

HB13-1260 by Representative(s) Singer; also Senator(s) Roberts--Concerning the regulation of bingo, 57
and, in connection therewith, repealing the existing limit on the number of bingo games 58
that may be conducted on any one occasion and allowing a player to play bingo by means 59
of an electronic device. 60
61
62
63
64
65

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment. 66
(Printed in Senate Journal, April 29, page(s) 1096 and placed in members' bill files.) 67

As amended, ordered revised and placed on the calendar for third reading and final passage.

**ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE --
CONSENT CALENDAR**

On motion of Senator Guzman, 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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB13-1230, HB13-1283, HB13-1240, HB13-1195, HB13-1260 as amended.

Committee of the Whole On motion of Senator Guzman, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills and Senator Guzman was called to the Chair to act as Chairman.

GENERAL 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:

SB13-257 by Senator(s) King and Tochtrop, Guzman, Hill; also Representative(s) Ryden, Nordberg, Williams--Concerning exemptions from the motor vehicle emissions inspection program.

Amendment No. 1, Transportation Committee Amendment.
(Printed in Senate Journal, April 24, page(s) 1017 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB13-280 by Senator(s) Tochtrop; also Representative(s) Vigil--Concerning the issuance of certificates of title for off-highway vehicles, and, in connection therewith, making an appropriation.

Amendment No. 1, Agriculture, Natural Resources, and Energy Committee Amendment.
(Printed in Senate Journal, April 25, page(s) 1042-1043 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 29, page(s) 1094 and placed in members' bill files.)

Amendment No. 3(L.006), by Senator Brophy.

Amend printed bill, page 5, line 10, after "TO" insert "AN OFF-HIGHWAY VEHICLE THAT IS USED EXCLUSIVELY FOR AGRICULTURE ON PRIVATE PROPERTY OR".

Amendment No. 4(L.005), by Senator Brophy.

Amend printed bill, page 5, strike lines 8 through 13 and substitute:
"42-6-103. Application. (1) ~~The provisions of~~ EXCEPT AS PROVIDED IN SUBSECTION (2) OF THIS SECTION, this part 1 ~~shall apply~~ APPLIES to motor vehicles ~~as defined in section 42-6-102~~ AND OFF-HIGHWAY VEHICLES.
(2) (a) THIS PART 1 DOES NOT APPLY TO AN OFF-HIGHWAY VEHICLE THAT WAS SOLD OR TRANSFERRED BEFORE JULY 1, 2014, UNTIL THE OFF-HIGHWAY VEHICLE IS SOLD OR TRANSFERRED AFTER JULY 1, 2014.
(b) (I) THIS PART 1 DOES NOT APPLY TO AN OFF-HIGHWAY VEHICLE:
(A) THAT HAS NEVER BEEN ISSUED A CERTIFICATE OF TITLE IN COLORADO; AND
(B) THE OWNER ELECTS NOT TO OBTAIN A CERTIFICATE OF TITLE WHEN THE OFF-HIGHWAY VEHICLE IS PURCHASED FOR THE FIRST TIME BY A PERSON WHO IS NOT A DEALER.
(II) IF AN OFF-HIGHWAY VEHICLE HAS NOT BEEN ISSUED A CERTIFICATE OF TITLE IN COLORADO UNDER THIS PARAGRAPH (b), AN OWNER OR SUBSEQUENT OWNER MAY ELECT TO OBTAIN A CERTIFICATE OF TITLE.
(III) THE OWNER IS AUTHORIZED TO NOT HAVE A CERTIFICATE OF TITLE UNDER THIS PARAGRAPH (b) ONLY WHEN THE OFF-HIGHWAY VEHICLE IS FIRST SOLD IN COLORADO BY A DEALER OR BROUGHT BY THE OWNER AND USER INTO COLORADO. IF AN OFF-HIGHWAY VEHICLE HAS BEEN ISSUED A CERTIFICATE OF TITLE IN COLORADO, THEN THIS PART 1 APPLIES TO THE OWNER AND VEHICLE NOTWITHSTANDING SUBPARAGRAPH (I) OF THIS PARAGRAPH (b).".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB13-276
by Senator(s) Steadman; also Representative(s) Gerou--Concerning the disability investigational and pilot support fund.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, April 25, page(s) 1040-1041 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 29, page(s) 1095 and placed in members' bill files.)

Amendment No. 3(L.007), by Senator Steadman.

Amend the Finance Committee Report, dated April 25, 2013, page 1, line 23, after "SUPPORT" insert "FUND".

Page 2, strike line 25 and substitute:

""SECTION 11. In Colorado Revised Statutes, **amend** 42-1-407 (1), (2), and (3) (a) (I); and **add** (3) (c) as follows:
42-1-407. Registration number fund. (1) The registration number fund is hereby created in the state treasury. The moneys in the fund consist of the proceeds from the sale of registration numbers under section 42-1-404, ~~and~~ the royalty from private sales of registration numbers under section 42-1-405, AND ANY LOANS, GIFTS, GRANTS, OR DONATIONS MADE TO THE FUND. THE FUND IS HEREBY AUTHORIZED TO SEEK AND ACCEPT SUCH LOANS, GIFTS, GRANTS, OR DONATIONS FOR THE

PURPOSES OF IMPLEMENTING AND ADMINISTRATING THIS SECTION; EXCEPT THAT THE FUND SHALL NOT ACCEPT A LOAN, GIFT, GRANT, OR DONATION THAT IS SUBJECT TO CONDITIONS THAT ARE INCONSISTENT WITH THIS SECTION OR STATE LAW.

(2) The general assembly shall appropriate the amounts necessary, not to exceed five percent of ~~the fund~~ REVENUE, to implement this part 4 from the registration number fund to the department, the governor's office, and the group.

(3) (a) (1) Except as specified in ~~paragraph (b)~~ PARAGRAPHS (b) AND (c) of this subsection (3), at the end of each fiscal year, the state treasurer shall transfer one million five hundred thousand dollars, or the balance of the registration number fund if the balance is a lesser amount, from the registration number fund to the disability-benefit support fund created in section 24-30-2205, C.R.S.

(c) THE TREASURER SHALL ADJUST THE TRANSFERS REQUIRED BY PARAGRAPH (a) OF THIS SUBSECTION (3) TO EXCLUDE ANY LOANS, GIFTS, GRANTS, OR DONATIONS MADE TO THE FUND FROM THE DISABILITY INVESTIGATIONAL AND PILOT SUPPORT FUND CREATED IN SECTION 24-30-2205.5, C.R.S.

SECTION 12. Safety clause. The general assembly hereby finds,".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB13-1160 by Representative(s) Pabon; also Senator(s) King--Concerning criminal theft, and, in connection therewith, reducing an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Guzman, 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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB13-257 as amended, SB13-280 as amended, SB13-276 as amended, HB13-1160.

Laid over to the end of the General Orders -- Second Reading of Bills calendar, Wednesday, May 1: SB13-283, HB13-1267.

MESSAGE FROM THE REVISOR OF STATUTES

May 1, 2013

We herewith transmit:

Without comment, as amended, HB13-1007, 1316, and 1320.
Without comment, as amended, SB13-047, 111, 125, and 170.

CHANGE IN SPONSORSHIP

Upon announcement of President Morse, Senator Giron will be added as a Senate joint prime sponsor with Senator Crowder and Representatives Garcia and Dore on HB13-1261.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Wednesday, May 1 was laid over until 4:00 p.m., Wednesday, May 1, retaining its place on the calendar.

General Orders -- Second Reading of Bills: HB13-1247, HB13-1193, HB13-1042, HB13-1182, HB13-1031, HB13-1239, HB13-1301, HB13-1079, HB13-1252, HB13-1206, HB13-1296, SB13-283, HB13-1267.
Consideration of Resolutions: HJR13-1004, HJR13-1019, SJR13-034, SJR13-035, SJR13-036, SR13-004.
Consideration of House Amendments to Senate Bills: SB13-040, SB13-223, SB13-244, SB13-200, SB13-249, SB13-213, SB13-252, SB13-158, SB13-260.
Consideration of Conference Committee Reports: SB13-155.
Conference Committees to Report: HB13-1191, HB13-1130, HB13-1081.

Senate in recess. Senate reconvened.

Call of the Senate.

COMMITTEE OF REFERENCE REPORTS

Health &
Human
Services

After consideration on the merits, the Committee recommends that **HB13-1291** be **amended** as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 5, line 8, after "SYSTEM," insert "OR IS" and strike "NATIONAL" and substitute "STATE DEPARTMENT-APPROVED ACCREDITING BODY,".

Page 5, strike line 9.

Page 5, line 10, strike "ASSOCIATION FOR FAMILY CHILD CARE,".

Page 6, line 11, after "THROUGH" insert "HIGH-QUALITY".

Business, Labor, & Technology	The Committee on <u>Business, Labor, & Technology</u> has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:	1
		2
		3
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	11	effective July 2, 2013, for terms expiring July 1, 2017:
	12	David J. Myler of Carbondale, Colorado, to serve as a person experienced in real estate
	13	transactions, reappointed;
	14	
	15	Paul Eric Washington of Boulder, Colorado, to serve as a public member, appointed;
	16	
	17	Steven Hutt of Denver, Colorado, to serve as a public member, appointed;
	18	
	19	Jody M. Kole of Grand Junction, Colorado, to serve as a public member, appointed.
	20	
	21	
Business, Labor, & Technology	The Committee on <u>Business, Labor, & Technology</u> has had under consideration and has had a hearing on the following appointment and recommends that the appointment be confirmed:	22
		23
		24
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	31	for a term expiring September 1, 2015:
	32	
	33	Manuel A. Esquibel of Brighton, Colorado, a representative of Colorado municipal
	34	employers, and occasioned by the resignation of Terri L. Velasquez of Colorado Springs,
	35	Colorado, appointed.
	36	
	37	
Business, Labor, & Technology	After consideration on the merits, the Committee recommends that HB13-1003 be	38
	amended as follows, and as so amended, be referred to the Committee on <u>Appropriations</u>	39
	with favorable recommendation.	40
		41
		42
	43	Amend reengrossed bill, page 8, strikes lines 1 and 2 and substitute:
	44	
	45	"(5) THERE IS HEREBY CREATED IN THE STATE TREASURY THE
	46	ECONOMIC GARDENING PILOT PROJECT FUND, TO BE ADMINISTERED BY
	47	THE STATE DIRECTOR. THE FUND CONSISTS OF ALL FEES RECEIVED
	48	PURSUANT TO SUBPARAGRAPH (II) OF PARAGRAPH (b) OF SUBSECTION (4)
	49	OF THIS SECTION AND ANY MONEYS APPROPRIATED BY THE GENERAL
	50	ASSEMBLY FOR THE PURPOSES OF THIS SECTION. THE GENERAL ASSEMBLY
	51	SHALL MAKE ANNUAL APPROPRIATIONS OF THE MONEYS IN THE FUND TO
	52	THE OFFICE FOR ADMINISTERING THE PILOT PROJECT. ANY MONEYS IN THE
	53	FUND NOT APPROPRIATED SHALL REMAIN IN THE FUND AND SHALL NOT BE
	54	TRANSFERRED OR REVERT TO THE GENERAL FUND OF THE STATE AT THE
	55	END OF ANY FISCAL YEAR."
	56	
	57	
Business, Labor, & Technology	After consideration on the merits, the Committee recommends that HB13-1285 be	58
	postponed indefinitely .	59
		60
	61	
	62	
Judiciary	After consideration on the merits, the Committee recommends that HB13-1308 be	63
	referred to the Committee of the Whole with favorable recommendation and with a	64
	recommendation that it be placed on the Consent Calendar.	65
		66
		67

Judiciary	After consideration on the merits, the Committee recommends that HB13-1242 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	1 2 3 4 5
Judiciary	After consideration on the merits, the Committee recommends that HB13-1307 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	6 7 8 9 10
Judiciary	After consideration on the merits, the Committee recommends that HB13-1111 be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	11 12 13 14
Agriculture, Natural Resources, & Energy	After consideration on the merits, the Committee recommends that HB13-1311 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	15 16 17 18 19
Agriculture, Natural Resources, & Energy	The Committee on <u>Agriculture, Natural Resources, & Energy</u> has had under consideration and has had a hearing on the following appointment and recommends that the appointment be confirmed: <div>MEMBER OF THE COLORADO TOURISM OFFICE BOARD OF DIRECTORS</div> for a term expiring June 1, 2016: Steven Craig Kaverman of Canon City, Colorado, to serve as a representative of private travel attractions and casinos, appointed.	20 21 22 23 24 25 26 27 28 29 30 31 32 33
Education	After consideration on the merits, the Committee recommends that HB13-1056 be amended as follows, and as so amended, be referred to the Committee on <u>Appropriations</u> with favorable recommendation. Amend reengrossed bill, page 2, strike lines 13 through 15 and substitute "RURAL SCHOOL DISTRICT." Page 2, line 17, strike "RURAL AFTER GIVING" and substitute "RURAL." Page 2, strike lines 18 through 22. Page 3, line 17, after "OF" insert "SOCIAL STUDIES,". Page 4, line 2, strike "(I)" and substitute "(a)". Page 4, line 5, strike "(II)" and substitute "(b)". Page 4, line 9, strike "(III)" and substitute "(c)". Page 4, line 12, strike "AND". Page 4, line 13, strike "(IV)" and substitute "(d)". Page 4, line 15, strike "PROGRAM." and substitute "PROGRAM; AND". Page 4, strike lines 16 through 26 and substitute: "(e) PROVIDING TO ANY TEACHER OR MENTOR OF AN ADVANCED PLACEMENT CLASS A BONUS OF FIFTY DOLLARS FOR EACH OF HIS OR HER STUDENTS WHO COMPLETES THE ADVANCED PLACEMENT CLASS AND TAKES THE ADVANCED PLACEMENT EXAM FOR THAT TEACHER'S OR MENTOR'S ADVANCED PLACEMENT CLASS. A TEACHER OR MENTOR MAY NOT RECEIVE MORE THAN TWO THOUSAND DOLLARS PER YEAR IN	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

BONUSES PURSUANT TO THIS PARAGRAPH (e).".

MESSAGE FROM THE HOUSE

May 1, 2013

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1007, amended as printed in House Journal, April 30, page 1376. HB13-1320, amended as printed in House Journal, April 30, pages 1376-1377. HB13-1316, amended as printed in House Journal, April 30, pages 1377-1378.

The House has passed on Third Reading and returns herewith SB13-162, 176, 258, 202, 082, 246, 207.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB13-125, amended as printed in House Journal, April 30, page 1377. SB13-047, amended as printed in House Journal, April 30, page 1378. SB13-111, amended as printed in House Journal, April 30, page 1379. SB13-170, amended as printed in House Journal, April 30, pages 1379-1380.

The House has voted not to concur in the Senate amendments to HB13-1215 and requests that a conference committee be appointed. The Speaker has appointed Representatives Peniston, chairman, Primavera, and Stephens as House conferees on the First Conference Committee on HB13-1215. The bill is transmitted herewith.

The House has voted to concur in the Senate amendments to HB13-1266, 1044, 1005, 1117, 1138, 1153, 1194, 1276, 1289, 1156, and has repassed the bills as so amended.

The House has adopted and returns herewith SJR13-028.

The House has adopted and returns herewith SJR13-029, amended as printed in House Journal, May 1.

REPORT OF CONFERENCE COMMITTEE

FIRST REPORT OF SECOND CONFERENCE COMMITTEE
ON HB13-1081

THIS REPORT AMENDS THE
REREVISED BILL

To the President of the Senate and the
Speaker of the House of Representatives:

Your second conference committee appointed on HB13-1081, concerning human sexuality education, has met and reports that it has agreed upon the following:

That the House accede to the Senate amendments made to the bill, as the amendments appear in the rerevised bill, with the following changes:

Amend rerevised bill, page 3, strike lines 13 through 19 and substitute:

"(V) IT IS IMPORTANT FOR YOUTH TO UNDERSTAND THE CONSEQUENCES OF THE INCONSISTENT OR IMPROPER USE OF SEXUAL ABSTINENCE, BIRTH CONTROL, OR CONDOMS. ALL COMPREHENSIVE HUMAN SEXUALITY EDUCATION MUST STRESS THE IMPORTANCE OF THE CORRECT AND CONSISTENT USE OF SEXUAL ABSTINENCE, BIRTH CONTROL, AND CONDOMS TO PREVENT PREGNANCY AND SEXUALLY TRANSMITTED INFECTIONS;"

Page 12, line 13, after "710." insert "A SCHOOL DISTRICT, BOARD OF COOPERATIVE SERVICES, CHARTER SCHOOL, OR INSTITUTE CHARTER SCHOOL MAY USE FEDERAL MONEYS FOR HUMAN SEXUALITY EDUCATION, AS LONG AS THE HUMAN SEXUALITY PROGRAM OF THE SCHOOL DISTRICT BOARD OF COOPERATIVE SERVICES, CHARTER SCHOOL, OR INSTITUTE CHARTER SCHOOL MEETS THE COMPREHENSIVE HUMAN SEXUALITY EDUCATION MODEL SET FORTH IN THIS SECTION."

Respectfully submitted,

House Committee:

Senate Committee:

Crisanta Duran, Chairman
Joann Ginal

Nancy Todd, Chairman
Jeanne Nicholson

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

- HB13-1306** by Representative(s) McCann; also Senator(s) Todd--Concerning creating a task force to consider persons who pose a threat of harm to themselves or others, and, in connection therewith, making an appropriation.
Business, Labor, & Technology
- HB13-1316** by Representative(s) Hullinghorst and Salazar, Young; also Senator(s) Ulibarri--Concerning the Colorado oil and gas conservation commission's adoption of uniform statewide groundwater sampling rules, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs
- HB13-1317** by Representative(s) Pabon; also Senator(s) Jahn--Concerning the recommendations made in the public process for the purpose of implementing retail marijuana legalized by section 16 of article XVIII of the Colorado constitution, and, in connection therewith, making an appropriation.
Finance
- HB13-1318** by Representative(s) Singer; also Senator(s) Jahn--Concerning the recommendations made in the public process for the purpose of implementing certain state taxes on retail marijuana legalized by section 16 of article XVIII of the Colorado constitution, and, in connection therewith, making an appropriation.
Finance

DELIVERY TO THE GOVERNOR

To the Governor for signature on Wednesday, May 1, 2013, at 11:13 a.m.:
SB13-019, 077, 079, 119, 138, 220, 226, 234 and 236.

Call raised.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of House Amendments to Senate Bills.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB13-040 by Senator(s) Crowder; also Representative(s) Vigil--Concerning the completion of the cemetery expansion project at the Homelake military veterans cemetery, and, in connection therewith, making an appropriation.

Senator Crowder moved that the Senate concur in House amendments to **SB13-040**, as printed in House journal, April 25, page(s) 1280-1281. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB13-223
by Senator(s) Brophy; also Representative(s) Mitsch Bush--Concerning the continuation of the noxious weed advisory committee.

Senator Brophy moved that the Senate concur in House amendments to **SB13-223**, as printed in House journal, April 25, page(s) 1281. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB13-200
by Senator(s) Aguilar, Kefalas; also Representative(s) Ferrandino--Concerning an increase in the income eligibility for certain optional groups in the medicaid program to one hundred thirty-three percent of the federal poverty line, and, in connection therewith, making and reducing an appropriation.

Senator Aguilar moved that the Senate concur in House amendments to **SB13-200**, as printed in House journal, April 25, page(s) 1280. The motion was **adopted** by the following roll call vote:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	22	NO	13	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB13-244 by Senator(s) Guzman, Balmer, Baumgardner, Cadman, Giron, Grantham, Hodge, Hudak, Jahn, Johnston, Kefalas, King, Lundberg, Newell, Renfroe, Roberts, Scheffel, Tochtrop, Todd, Ulibarri; also Representative(s) Kagan, Gardner, Lawrence, Lee, McNulty, Pabon, Pettersen, Priola, Salazar, Schafer, Stephens, Szabo, Vigil, Waller--Concerning a task force to study substance abuse.

Senator Guzman moved that the Senate concur in House amendments to **SB13-244**, as printed in House journal, April 25, page(s) 1281. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB13-249 by Senator(s) Tochtrop; also Representative(s) Williams--Concerning procedures regarding independent medical examiners' reports in workers' compensation cases.

Senator Tochtrop moved that the Senate concur in House amendments to **SB13-249**, as printed in House journal, April 26, page(s) 1304-1305. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB13-213 by Senator(s) Johnston and Heath; also Representative(s) Hamner--Concerning the financing of public schools, and, in connection therewith, creating the "Public School Finance Act".

Senator Heath moved that the Senate concur in House amendments to **SB13-213**, as printed in House journal, April 22, page(s) 1148-1149, and April 29, page(s) 1337-1340. The motion was **adopted** by the following roll call vote:

YES	32	NO	3	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	N	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	20	NO	15	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB13-252 by Senator(s) Morse and Schwartz, Carroll, Giron, Jahn, Jones, Nicholson, Steadman; also Representative(s) Ferrandino and Duran, Court, Hamner, Hullinghorst, Kraft-Tharp, McLachlan, Moreno, Rosenthal, Ryden, Schafer, Vigil, Young--Concerning measures to increase Colorado's renewable energy standard so as to encourage the deployment of methane capture technologies.

Senator Schwartz moved that the Senate concur in House amendments to **SB13-252**, as printed in House journal, April 29, page(s) 1318. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	18	NO	17	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	N	Lundberg	N	Tochtrop	N
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB13-158 by Senator(s) Balmer; also Representative(s) Ryden--Concerning the continuation of the preparation of cost-benefit analysis of proposed rules of executive branch agencies, and, in connection therewith, implementing the recommendations of the 2012 sunset report of the department of regulatory agencies.

Senator Balmer moved that the Senate concur in House amendments to **SB13-158**, as printed in House journal, April 29, page(s) 1358-1360. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	N	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB13-260 by Senator(s) Hudak and Steadman; also Representative(s) Hamner--Concerning the financing of public schools, and, in connection therewith, making and reducing an appropriation.

Senator Steadman moved that the Senate concur in House amendments to **SB13-260**, as printed in House journal, April 29, page(s) 1360. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	23	NO	12	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

RECONSIDERATION OF SB13-200

SB13-200 by Senator(s) Aguilar, Kefalas; also Representative(s) Ferrandino--Concerning an increase in the income eligibility for certain optional groups in the medicaid program to one hundred thirty-three percent of the federal poverty line, and, in connection therewith, making and reducing an appropriation.

Having voted on the prevailing side, Majority Leader Carroll moved for reconsideration of the last Senate action, Third Reading of Bills -- Final Passage, on SB13-200.

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

On third reading, the title of the following bill was publicly read, the reading at length having been dispensed with by unanimous consent:

SB13-200 by Senator(s) Aguilar, Kefalas; also Representative(s) Ferrandino--Concerning an increase in the income eligibility for certain optional groups in the medicaid program to one hundred thirty-three percent of the federal poverty line, and, in connection therewith, making and reducing an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	21	NO	14	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Committee of the Whole	On motion of Senator Guzman, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Guzman was called to the chair to act as Chairman.	1 2 3 4
	GENERAL ORDERS -- SECOND READING OF BILLS - cont'd	5
	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:	6 7 8 9 10
HB13-1247	by Representative(s) Duran and Singer; also Senator(s) Johnston and Ulibarri--Concerning the innovative motor vehicle income tax credit.	11 12 13 14
	Ordered revised and placed on the calendar for third reading and final passage.	15 16 17
HB13-1193	by Representative(s) Kraft-Tharp and McLachlan; also Senator(s) Jahn and Roberts--Concerning the creation of the advanced industries export acceleration program.	18 19 20
	<u>Amendment No. 1, Business, Labor & Technology Committee Amendment.</u> (Printed in Senate Journal, April 22, page(s) 982 and placed in members' bill files.)	21 22 23
	<u>Amendment No. 2, Appropriations Committee Amendment.</u> (Printed in Senate Journal, April 26, page(s) 1062 and placed in members' bill files.)	24 25 26
	As amended, ordered revised and placed on the calendar for third reading and final passage.	27 28 29 30
HB13-1042	by Representative(s) Kagan; also Senator(s) Guzman--Concerning a state income tax deduction for a taxpayer who is prohibited from claiming a federal income tax deduction by section 280E of the internal revenue code because marijuana is a controlled substance under federal law, and, in connection therewith, making an appropriation.	31 32 33 34 35
	Ordered revised and placed on the calendar for third reading and final passage.	36 37 38
SB13-283	by Senator(s) Jahn and Baumgardner, Schwartz, Carroll, Grantham, Kerr, Newell, Todd, Ulibarri; also Representative(s) May--Concerning implementation of amendment 64.	39 40 41
	<u>Amendment No. 1, Business, Labor & Technology Committee Amendment.</u> (Printed in Senate Journal, April 30, page(s) 1034 and placed in members' bill files.)	42 43 44
	<u>Amendment No. 2, Appropriations Committee Amendment.</u> (Printed in Senate Journal, April 29, page(s) 1091-1093 and placed in members' bill files.)	45 46 47
	<u>Amendment No. 3(L.012), by Senator Jahn.</u>	48 49
	Amend printed bill, page 3, line 9, strike "(1)" and substitute "(1); and add (2.5)".	50 51 52
	Page 3, after line 22 insert:	53 54
	"(2.5) WHEN PROMULGATING PROGRAM STANDARDS PURSUANT TO SUBSECTION (2) OF THIS SECTION, THE STATE LICENSING AUTHORITY SHALL CONSIDER INPUT FROM OTHER STATE AGENCIES, LOCAL JURISDICTIONS, THE MEDICAL AND RETAIL MARIJUANA INDUSTRY, AND ANY OTHER STATE OR NATIONAL SELLER SERVER PROGRAM.".	55 56 57 58 59 60
	<u>Amendment No. 4(L.015), by Senator Hodge.</u>	61 62 63
	Amend the Appropriations Committee Report, page 2, line 16, after "training." insert "(a)".	64 65 66
	Page 2 of the Committee Report, strike line 19 and substitute "IN A	67

TRAINING ACADEMY FOR BASIC PEACE OFFICER TRAINING.
(b) SUBJECT TO THE AVAILABILITY OF SUFFICIENT MONEYS, THE
P.O.S.T. BOARD SHALL ARRANGE TO PROVIDE TRAINING IN ADVANCED
ROADSIDE IMPAIRED DRIVING ENFORCEMENT TO DRUG RECOGNITION
EXPERTS WHO WILL ACT AS TRAINERS IN ADVANCED ROADSIDE IMPAIRED
DRIVING ENFORCEMENT FOR ALL PEACE OFFICERS DESCRIBED IN SECTION
16-2.5-101, C.R.S.". "

Page 2 of the Committee Report, strike line 26 and substitute:
"AND THE GENERAL ASSEMBLY HAS APPROPRIATED SUFFICIENT MONEYS
FROM THE FUND FOR SUCH DUTIES.". "

Page 2 of the Committee Report, line 33, after "C.R.S.," insert "AND".

Page 2 of the Committee Report, strike line 35 and substitute:
"GENERAL ASSEMBLY HAS APPROPRIATED SUFFICIENT MONEYS FROM THE
FUND TO THE DEPARTMENT TO PAY FOR THE MONITORING REQUIRED BY
THIS SECTION.". "

Amendment No. 5(L.010), by Senator Jahn.

Amend the Appropriations Committee Report, dated April 29, 2013,
page 4, line 28, strike "27" and substitute "22".

Amendment No. 6(L.016), by Senator Jahn.

Amend printed bill, page 19, line 15, after "CULTIVATION", insert "OR
PROCESSING"

Page 20, line 13, strike "MARIJUANA INDUSTRY EXPERTISE." and
substitute "RELEVANT EXPERIENCE IN MARIJUANA ISSUES.". "

Amendment No. 7(L.020), by Senator Baumgardner.

Amend the Appropriations Committee Report, dated April 29, 2013,
page 2 of the committee report, after line 13, insert:

"**SECTION 6.** In Colorado Revised Statutes, 18-18-426, **add** (2)
as follows:

18-18-426. Drug paraphernalia - definitions. As used in
sections 18-18-425 to 18-18-430, unless the context otherwise requires:
(2) "DRUG PARAPHERNALIA" DOES NOT INCLUDE ANY MARIJUANA
ACCESSORIES AS DEFINED IN SECTION 16 (2) (g) OF ARTICLE XVIII OF THE
STATE CONSTITUTION IF POSSESSED OR USED BY A PERSON AGE TWENTY-
ONE OR OLDER.". "

Amendment No. 8(L.022), by Senator Jahn.

Amend the Appropriations Committee Report, dated April 29, 2013,
strike line 1 and substitute:
"Amend the printed bill, page 5, line 10, strike "ON THE BASIS THAT" and
substitute "AS AGAINST PUBLIC POLICY IF".
Page 5, strike lines 13 through 27.". "

Page 2 of the Committee Report, line 10, strike "INCREASED" and
substitute "APPROPRIATE".

Page 2 of the Committee Report, after line 14, insert:
"Page 19, line 27, strike "43.3" and substitute "43.4".
Page 20, line 22, after "AGE." add "IN ESTABLISHING EDUCATIONAL
MATERIALS, TO THE GREATEST EXTENT POSSIBLE, THE STATE AGENCY
SHALL UTILIZE ESTABLISHED BEST PRACTICES AND EXISTING FEDERAL AND
STATE RESOURCES.". "

Page 2 of the Committee Report, after line 19, insert:
"Page 21, strike lines 13 and 14 and substitute: "CONSTITUTION OVER THE
TWO-YEAR PERIOD BEGINNING JANUARY 1, 2006 AND OVER THE
TWO-YEAR PERIOD BEGINNING JANUARY 1, 2014."
Page 21, line 15, after "(2)" insert "TO BE INCLUDED IN THE STUDY, THE
DIVISION OR CONTRACTOR MUST HAVE DATA FOR BOTH OF THE TWO-YEAR
PERIODS DESCRIBED IN SUBSECTION (1) IN THIS SECTION."
Page 21, line 17, after "BY" insert "JUDICIAL DISTRICT AND BY".
Page 21, strike lines 18 and 19.
Reletter succeeding paragraphs accordingly.
Page 21, line 20, strike "SCHOOL DATA," and substitute "COMPREHENSIVE
SCHOOL DATA, BOTH STATEWIDE AND BY INDIVIDUAL SCHOOL,".
Page 21, line 24, after "BY" insert "JUDICIAL DISTRICT AND BY".
Page 22, strike line 5 and substitute:
"(h) UTILIZATION OF PARCEL SERVICES FOR THE TRANSFER OF
MARIJUANA;"
Page 22, strike line 8.
Reletter succeeding paragraphs accordingly.
Page 22, strike line 10.
Reletter succeeding paragraphs accordingly.
Page 22, line 11, strike "EMERGENCY ROOM DATA," and substitute "DATA
ON EMERGENCY ROOM VISITS RELATED TO THE USE OF MARIJUANA AND
THE OUTCOMES OF THOSE VISITS,".
Page 22, line 14, strike "LAUNDERING." and substitute "LAUNDERING
RELATING TO BOTH LICENSED AND UNLICENSED MARIJUANA; AND".
Page 22, after line 14, insert:
"(m) THE ROLE OF ORGANIZED CRIME IN MARIJUANA."."

Page 2 of the Committee Report, after line 26, insert:
"Page 23, line 3, after "MONITOR" insert "CHANGES IN DRUG USE
PATTERNS, BROKEN DOWN BY COUNTY AND RACE AND ETHNICITY, AND".
Page 23, line 14, after "OF" insert "MARIJUANA OR".".

Page 2 of the Committee Report, after line 35, insert:
"Page 24, line 3, after "ALL" insert "RETAIL MARIJUANA OR".
Page 28, line 4, after "RECEPTACLE" insert "OR MARIJUANA ACCESSORY".
Page 28, line 6, strike "OR".
Page 28, line 7, strike "REMOVED." and substitute "REMOVED; OR".
Page 28, after line 7, insert:
"(III) THERE IS EVIDENCE THAT MARIJUANA HAS BEEN CONSUMED
WITHIN THE MOTOR VEHICLE."."

Amendment No. 9(L.023), by Senator Jahn.

Amend the Appropriations Committee Report, dated April 29, 2013,
page 1, line 7, after "THE" insert "DRUG POLICY TASK FORCE OF THE".

Page 1, line 9, after "THE" insert "COMMISSION WHO SHALL, IN TURN,
MAKE RECOMMENDATIONS TO THE".

As amended, ordered engrossed and placed on the calendar for third reading and final
passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Guzman, 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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB13-283 as amended, HB13-1247, HB13-1193 as amended, HB13-1042.

COMMITTEE OF REFERENCE REPORTS

- State, Veterans, & Military Affairs
- After consideration on the merits, the Committee recommends that **HB13-1298** be **referred** to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.
- State, Veterans, & Military Affairs
- After consideration on the merits, the Committee recommends that **HB13-1268** be **postponed indefinitely**.
- State, Veterans, & Military Affairs
- After consideration on the merits, the Committee recommends that **SB13-287** be **amended** as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.
- Amend printed bill, page 7, strike line 2 and substitute "(1) introductory portion; and **add** (1) (q), (1) (r), (1) (s), (2), and (3) as".
- Page 7, line 7, strike "SUBSECTION (2)" and substitute "SUBSECTIONS (2) AND (3)".
- Page 7, line 9, strike "SERVICE;" and substitute "SERVICE PROVIDED BY:
(I) INCUMBENT LOCAL EXCHANGE CARRIERS IN GEOGRAPHIC AREAS IN WHICH THE COMMISSION HAS DETERMINED, PURSUANT TO SECTION 40-15-207, THAT EFFECTIVE COMPETITION EXISTS; OR
(II) COMPETITIVE LOCAL EXCHANGE CARRIERS;"
- Page 7, line 21, after "TARIFFS;" insert "OR".
- Page 7, line 23, strike "COMPENSATION; OR" and substitute "COMPENSATION."
- Page 7, strike lines 24 through 27 and substitute:

"(3) NOTWITHSTANDING ANY PROVISION OF THIS ARTICLE TO THE CONTRARY, THE COMMISSION HAS AUTHORITY TO REGULATE THE IMPLEMENTATION AND PROVISION OF NEXT-GENERATION 911 SERVICE, REGARDLESS OF THE TECHNOLOGY UTILIZED, WHICH IS LIMITED TO:
(a) THE REGULATION OF SYSTEM ENHANCEMENTS TO MAINTAIN INTEROPERABILITY; AND
(b) THE ESTABLISHMENT AND ENFORCEMENT OF RULES FOR:
(I) PRICING;
(II) EMERGENCY SERVICE PROVIDER AUTHORITY; AND
(III) PERFORMANCE, OPERATIONAL, AND SYSTEM STANDARDS FOR THE OPERATION OF 911 SERVICES."
- Page 8, strike line 1.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Wednesday, May 1 was laid over until Thursday, May 2, retaining its place on the calendar.

General Orders -- Second Reading of Bills: HB13-1182, HB13-1031, HB13-1239, HB13-1301, HB13-1079, HB13-1252, HB13-1206, HB13-1296, HB13-1267.
Consideration of Resolutions: HJR13-1004, HJR13-1019, SJR13-034, SJR13-035, SJR13-036, SR13-004.
Consideration of Conference Committee Reports: SB13-155.
Conference Committees to Report: HB13-1191, HB13-1130.

TRIBUTES

Honoring:

Advocates for Hydrocephalus Awareness in Colorado, raising public awareness through the annual Colorado Hydrocephalus Walk -- By Senator David Balmer.
Law Day in Colorado, proclaimed May 1, 2013, as Law Day in Colorado -- By Senator Morgan Carroll and Representative Bob Gardner.
Melissa "Missy" Franklin, An inspiration to Coloradans and Americans, but to athletes and young women everywhere -- By Senator Linda Newell and Representative John Buckner.
Polton Elementary School, commemerating as they celebrate their Ruby Jubilee -- By Senator Nancy Todd.
Alexander Miller, for the outstanding service provided to the Colorado State Senate -- By Senator Gail Schwartz.
Alex Cobell, For the outstanding service provided to the Colorado State Senate -- By Senator Mary Hodge.
Andrea Tagtow, For the outstanding service provided to the Colorado State Senate -- By Senator Linda Newell.
Andrew Sand, For the outstanding service provided to the Colorado State Senate -- By Senator Gail Schwartz.
Angelina Sandoval, For the outstanding service provided to the Colorado State Senate -- By Senator Morgan Carroll.
Anna Issenberg, For the outstanding service provided to the Colorado State Senate -- By Senator Andy Kerr.
Arlene Lang, For the outstanding service provided to the Colorado State Senate -- By Senator Irene Aguilar.
Ashley Smith, For the outstanding service provided to the Colorado State Senate -- By Senator Mike Johnston.
Audrey Kline, For the outstanding service provided to the Colorado State Senate -- By Senator Cheri Jahn.
Blaine McFeeley, For the outstanding service provided to the Colorado State Senate -- By Senator Andy Kerr.
Brennan Croy, For the outstanding service provided to the Colorado State Senate -- By Senator Mike Johnston.
Charles Oldaker, For the outstanding service provided to the Colorado State Senate -- By Senator Gail Schwartz.
Chelsea McDonald, For the outstanding service provided to the Colorado State Senate -- By Senator John Kefalas.
Chris Griswold, For the outstanding service provided to the Colorado State Senate -- By Senator Matt Jones.
Colleen Murphy, For the outstanding service provided to the Colorado State Senate -- By Senator Rollie Heath.
Connor Marvin, For the outstanding service provided to the Colorado State Senate -- By Senator Angela Giron.
Damion Lee Natali, For the outstanding service provided to the Colorado State Senate -- By Senator Mike Johnston.
David Mallie, For the outstanding service provided to the Colorado State Senate -- By Senator By Senator Jeanne Nicholson.

Deb Williams, For the outstanding service provided to the Colorado State Senate -- By	1
Senator Jeanne Nicholson.	2
Derek Ketner, For the outstanding service provided to the Colorado State Senate -- By	3
Senator John Kefalas.	4
Diane Wright, For the outstanding service provided to the Colorado State Senate -- By	5
Senator Lois Tochtrop.	6
Donna Johnson, For the outstanding service provided to the Colorado State Senate --	7
By Senator Jessie Ulibarri.	8
Emily Miller, For the outstanding service provided to the Colorado State Senate -- By	9
Senator Andy Kerr.	10
Erin McCann, For the outstanding service provided to the Colorado State Senate -- By	11
Senator Jeanne Nicholson.	12
Erik Shinkle, For the outstanding service provided to the Colorado State Senate --	13
Senator Gail Schwartz.	14
Evan Spencer, For the outstanding service provided to the Colorado State Senate -- By	15
Senator Irene Aguilar.	16
Fred Franko, For the outstanding service provided to the Colorado State Senate -- By	17
Senator Evie Hudak.	18
Gail Lambert, For the outstanding service provided to the Colorado State Senate -- By	19
Senator Evie Hudak.	20
Gloria Knutson, For the outstanding service provided to the Colorado State Senate --	21
By Senator Evie Hudak.	22
Grace Donalley, For the outstanding service provided to the Colorado State Senate --	23
By Senator John Kefalas.	24
Heather Wilson, For the outstanding service provided to the Colorado State Senate --	25
By Senator, John Kefalas.	26
Jaqueline Ruiz, For the outstanding service provided to the Colorado State Senate -- By	27
Senator Mike Johnston.	28
Jaque McIntyre, For the outstanding service provided to the Colorado State Senate --	29
By Senator Linda Newell.	30
Jaime Mengus, For the outstanding service provided to the Colorado State Senate -- By	31
Senator Irene Aguilar.	32
Jay Jackson, For the outstanding service provided to the Colorado State Senate -- By	33
Senator Jeanne Nicholson.	34
Jean Greenberg, For the outstanding service provided to the Colorado State Senate --	35
By Senator Linda Newell.	36
Jennifer Hubbard, For the outstanding service provided to the Colorado State Senate --	37
By Senator John Kefalas.	38
Joanne Rupperecht, For the outstanding service provided to the Colorado State Senate --	39
By Senator Irene Aguilar.	40
Joel Kioh, For the outstanding service provided to the Colorado State Senate -- By	41
Senator Rollie Heath.	42
Jordan Logan, For the outstanding service provided to the Colorado State Senate -- By	43
Senator Cheri Jahn.	44
Jordan Oliver Poche, For the outstanding service provided to the Colorado State Senate	45
-- By Senator Morgan Carroll.	46
Jose Sanchez, For the outstanding service provided to the Colorado State Senate -- By	47
Senator Jessie Ulibarri.	48
Justin Hill, For the outstanding service provided to the Colorado State Senate -- By	49
Senator Cheri Jahn.	50
Karen Conover, For the outstanding service provided to the Colorado State Senate --	51
By Senator Pat Steadman.	52
Katherine Sotos, For the outstanding service provided to the Colorado State Senate --	53
Senator Gail Schwartz.	54
Kathy Gardiner, For the outstanding service provided to the Colorado State Senate --	55
By Senator Nancy Todd.	56
Kathy Glatz, For the outstanding service provided to the Colorado State Senate -- By	57
Senator Irene Aguilar.	58
Kelsy Guziak, For the outstanding service provided to the Colorado State Senate -- By	59
Senator Linda Newell.	60
Kristen Schrader, For the outstanding service provided to the Colorado State Senate --	61
By Senator Jeanne Nicholson.	62
Kyle Robinson, For the outstanding service provided to the Colorado State Senate -- By	63
By Senator Irene Aguilar.	64
Lacy Hayes, For the outstanding service provided to the Colorado State Senate -- By	65
Senator, Matt Jones	66
	67

Larry Myers, For the outstanding service provided to the Colorado State Senate -- By	1
Senator Nancy Todd.	2
Laura Roth, For the outstanding service provided to the Colorado State Senate -- By	3
Senator Irene Aguilar.	4
Lauren Granstorm, For the outstanding service provided to the Colorado State Senate --	5
By Senator Evie Hudak.	6
Leslie Colwell, For the outstanding service provided to the Colorado State Senate -- By	7
Senator Mike Johnston.	8
Linda Cerva, For the outstanding service provided to the Colorado State Senate -- By	9
Senator Evie Hudak.	10
Lou Irwin, For the outstanding service provided to the Colorado State Senate -- By	11
Senator Irene Aguilar.	12
Mark Spitz, For the outstanding service provided to the Colorado State Senate -- By	13
Senator Mike Johnston.	14
Mary Lindsey, For the outstanding service provided to the Colorado State Senate -- By	15
By Senator Evie Hudak.	16
Mary Ulibarri, For the outstanding service provided to the Colorado State Senate -- By	17
Senator Jessie Ulibarri.	18
Mathhew Gorenc, For the outstanding service provided to the Colorado State Senate --	19
By Senator Lucia Guzman.	20
Megan Graves, For the outstanding service provided to the Colorado State Senate -- By	21
Senator Lucia Guzman.	22
Molly Snook, For the outstanding service provided to the Colorado State Senate -- By	23
Senator Angela Giron.	24
Nathan Greenberg, For the outstanding service provided to the Colorado State Senate --	25
By Senator Linda Newell.	26
Nicholas Horvath, For the outstanding service provided to the Colorado State Senate --	27
By Senator Morgan Carroll.	28
Norma Ryan, For the outstanding service provided to the Colorado State Senate -- By	29
Senator Lucia Guzman.	30
Patricia Connell, For the outstanding service provided to the Colorado State Senate	31
--By Senator Evie Hudak.	32
Patrick Thibault, For the outstanding service provided to the Colorado State Senate --	33
By Senator Linda Newell.	34
Peggy Dahms, For the outstanding service provided to the Colorado State Senate -- By	35
Senator Pat Steadman.	36
Randy Sachter, For the outstanding service provided to the Colorado State Senate -- By	37
Senator Jeanne Nicholson.	38
Renee Sanders, For the outstanding service provided to the Colorado State Senate -- By	39
Senator Pat Steadman.	40
Renee Sheeder, For the outstanding service provided to the Colorado State Senate -- By	41
Senator Irene Aguilar.	42
Richard Francescon, For the outstanding service provided to the Colorado State Senate	43
-- Senator Gail Schwartz.	44
Richard Valenty, For the outstanding service provided to the Colorado State Senate --	45
By Senator Rollie Heath	46
Ricky Colmenero, For the outstanding service provided to the Colorado State Senate --	47
By Senator Angela Giron.	48
Ron Brady, For the outstanding service provided to the Colorado State Senate -- By	49
Senator Evie Hudak.	50
Ryan Bell, For the outstanding service provided to the Colorado State Senate -- By By	51
Senator Evie Hudak.	52
Sasha Milonova, For the outstanding service provided to the Colorado State Senate --	53
By Senator Angela Giron.	54
Shadi Barzideh, For the outstanding service provided to the Colorado State Senate --	55
By Senator John Kefalas.	56
Sharon Majeres, For the outstanding service provided to the Colorado State Senate --	57
By Senator Irene Aguilar.	58
Sharrae Ivie, For the outstanding service provided to the Colorado State Senate -- By	59
Senator Andy Kerr.	60
Shawn Johnson, For the outstanding service provided to the Colorado State Senate --	61
By Senator Jessie Ulibarri.	62
Sonia Gutierrez, For the outstanding service provided to the Colorado State Senate --	63
By Senator Jessie Ulibarri.	64
Sue Marinelli, For the outstanding service provided to the Colorado State Senate -- By	65
Senator Evie Hudak.	66
	67

Susan Lontine, For the outstanding service provided to the Colorado State Senate -- By 1
Senator Irene Aguilar. 2
Terri Slivka, For the outstanding service provided to the Colorado State Senate -- By 3
Senator Irene Aguilar. 4
Tyler Drum, For the outstanding service provided to the Colorado State Senate -- John 5
Kefalas. 6
Tyler Maybee, For the outstanding service provided to the Colorado State Senate -- By 7
Senator Nancy Todd. 8
William Gohl, For the outstanding service provided to the Colorado State Senate -- By 9
Senator Mike Johnston. 10
Zach Noriega, For the outstanding service provided to the Colorado State Senate -- By 11
Senator Evie Hudak. 12

13
14
15
16
On motion of Majority Leader Carroll, the Senate adjourned until 9:00 a.m., Thursday, 17
May 2, 2013. 18

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Approved: 20
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22
23
John P. Morse 24
President of the Senate 25

26
Attest: 27
28
29
30
Cindi L. Markwell 31
Secretary of the Senate 32

SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

114th Legislative Day Thursday, May 2, 2013

Prayer By Dr. Gene Selander, Crystal Clear Ministries, Denver.

Call to Order By the President at 9:00 a.m.

Pledge By Senator Kerr.

Roll Call Present-- 32
Excused--3, Hill, Johnston, Lundberg.
Present later--3, Hill, Johnston, Lundberg.

Quorum The President announced a quorum present.

Reading of Journal On motion of Majority Leader Carroll, reading of the Journal of Wednesday, May 1, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Appropriations After consideration on the merits, the Committee recommends that **HB13-1277** be referred to the Committee of the Whole with favorable recommendation.

Appropriations After consideration on the merits, the Committee recommends that **HB13-1274** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 7, line 18, after "REVIEWED" insert "AND RECOMMENDED".

Page 13, line 1, after "ASSEMBLY" insert "IN THE CAPITAL SECTION OF THE ANNUAL GENERAL APPROPRIATION ACT".

Appropriations After consideration on the merits, the Committee recommends that **HB13-1002** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 3, line 19, strike "\$300,000," and substitute "\$200,000,".

Appropriations After consideration on the merits, the Committee recommends that **HB13-1257** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 5, after line 10 insert:

"(d) THE GENERAL ASSEMBLY FINDS THAT, FOR PURPOSES OF SECTION 17 OF ARTICLE IX OF THE STATE CONSTITUTION, THE REVIEW OF LOCAL LICENSED PERSONNEL EVALUATION SYSTEMS AS PROVIDED FOR IN THIS SUBSECTION (1.5) IS AN IMPORTANT COMPONENT OF AN

ACCOUNTABLE PROGRAM TO MEET STATE ACADEMIC STANDARDS AND, THEREFORE, MAY BE FUNDED FROM MONEYS IN THE STATE EDUCATION FUND CREATED IN SECTION 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION."

Page 6, line 11, strike "general fund," and substitute "state education fund created in section 17 (4) (a) of article IX of the state constitution,".

Appropriations After consideration on the merits, the Committee recommends that **HB13-1171** be referred to the Committee of the Whole with favorable recommendation.

Appropriations After consideration on the merits, the Committee recommends that **HB13-1278** be referred to the Committee of the Whole with favorable recommendation.

Appropriations After consideration on the merits, the Committee recommends that **HB13-1292** be referred to the Committee of the Whole with favorable recommendation.

Appropriations After consideration on the merits, the Committee recommends that **HB13-1286** be referred to the Committee of the Whole with favorable recommendation.

Appropriations After consideration on the merits, the Committee recommends that **HB13-1165** be referred to the Committee of the Whole with favorable recommendation.

Appropriations After consideration on the merits, the Committee recommends that **HB13-1295** be referred to the Committee of the Whole with favorable recommendation.

Appropriations After consideration on the merits, the Committee recommends that **HB13-1305** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Agriculture, Natural Resources, & Energy The Committee on Agriculture, Natural Resources, & Energy has had under consideration and has had a hearing on the following appointment and recommends that the appointment be confirmed:

MEMBER OF THE
STATE BOARD OF LAND COMMISSIONERS

effective June 30, 2013, for a term expiring June 30, 2017:

Robert Carl Bledsoe of Wild Horse, Colorado, a person with substantial experience in production agriculture and a Republican, and occasioned by the resignation of Keith Berlin Bath of Fort Morgan, Colorado, appointed.

SENATE SERVICES REPORT

Correctly Printed: SR13-005.
Correctly Engrossed: SB13-257, 276, 280 and 283; SJR13-028 and 029.
Correctly Reengrossed: SB13-250 and 259.
Correctly Revised: HB13-1042, 1160, 1193, 1195, 1230, 1240, 1247, 1260, 1283 and 1303.

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:

HB13-1230 by Representative(s) Williams and Pabon, Buckner, Court, Hullinghorst, Melton, Pettersen, Salazar; also Senator(s) Guzman--Concerning compensation for persons who are exonerated of their crimes after a period of incarceration, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	32	NO	0	EXCUSED	3	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	E	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	E	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	E	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Carroll, Giron, Harvey, Heath, Hodge, Jahn, Jones, Kerr, King, Morse, Newell, Nicholson, Schwartz, Steadman, Tochtrop, Todd and Ulibarri.

HB13-1283 by Representative(s) Fischer; also Senator(s) Schwartz--Concerning the species conservation trust fund.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	32	NO	0	EXCUSED	3	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	E	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	E	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	E	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Baumgardner, Crowder, Giron, Jones, Kefalas, Kerr, Newell, Nicholson and Todd.

HB13-1240 by Representative(s) Young; also Senator(s) King--Concerning penalties for persistent drunk drivers, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	32	NO	0	EXCUSED	3	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	E	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	E	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	E	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Heath, Kefalas, Kerr, Morse, Newell and Todd.

HB13-1195 by Representative(s) Wright and Nordberg, Waller; also Senator(s) Hill--Concerning human trafficking, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	32	NO	0	EXCUSED	3	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	E	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	E	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	E	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Brophy, Cadman, Crowder, Grantham, Heath, Kefalas, King, Lambert, Marble, Morse, Newell, Roberts and Scheffel.

HB13-1260 by Representative(s) Singer; also Senator(s) Roberts--Concerning the regulation of bingo, and, in connection therewith, repealing the existing limit on the number of bingo games that may be conducted on any one occasion.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	29	NO	3	EXCUSED	3	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	E	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	E	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	E	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder.

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:

SB13-257 by Senator(s) King and Tochtrop, Guzman, Hill; also Representative(s) Ryden, Nordberg, Williams--Concerning exemptions from the motor vehicle emissions inspection program.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	E	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was passed.

Co-sponsor(s) added: Brophy, Crowder, Harvey, Marble, Steadman and Todd.

SB13-280 by Senator(s) Tochtrop; also Representative(s) Vigil--Concerning the issuance of certificates of title for off-highway vehicles, 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	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	N	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	E	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was passed.

Co-sponsor(s) added: Guzman and Nicholson.

SB13-276 by Senator(s) Steadman; also Representative(s) Gerou--Concerning the disability investigational and pilot support fund, and, in connection therewith, making and reducing an appropriation.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	E	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, King, Newell and Roberts.

HB13-1160 by Representative(s) Pabon; also Senator(s) King--Concerning criminal theft, and, in connection therewith, reducing an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	33	NO	1	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	N	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	E	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Guzman, Jahn, Morse, Newell, Nicholson, Steadman, Todd and Ulibarri.

HB13-1247 by Representative(s) Duran and Singer; also Senator(s) Johnston and Ulibarri--Concerning the innovative motor vehicle income tax credit.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	24	NO	10	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	E	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Giron, Heath, Jones, Kefalas, King, Newell, Nicholson, Schwartz, Steadman and Todd.

HB13-1193 by Representative(s) Kraft-Tharp and McLachlan; also Senator(s) Jahn and Roberts--
Concerning the creation of the advanced industries export acceleration program.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	22	NO	12	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	E	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Guzman, Heath, Johnston, Jones, Kefalas, Kerr, King, Morse, Newell, Nicholson, Schwartz and Todd.

HB13-1042 by Representative(s) Kagan; also Senator(s) Guzman--Concerning a state income tax deduction for a taxpayer who is prohibited from claiming a federal income tax deduction by section 280E of the internal revenue code because marijuana is a controlled substance under federal law, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	32	NO	2	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	N	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	N	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	E	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Hodge, Jahn and Steadman.

SB13-283 by Senator(s) Jahn and Baumgardner, Schwartz, Carroll, Grantham, Kerr, Newell, Todd, Ulibarri; also Representative(s) May--Concerning implementation of amendment 64, and, in connection therewith, making and reducing an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	32	NO	2	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	N	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	E	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Tochtrop.

HB13-1303 by Representative(s) Hullinghorst and Pabon, Buckner; also Senator(s) Giron--Concerning measures to strengthen the participation of individuals in the electoral process, and, in connection therewith, reducing the minimum durational requirement for an elector to qualify as a state resident, allowing electors to register to vote through election day, repealing the category of voter inactivity triggered by an elector's failure to vote, requiring mail ballots to be sent to active electors for elections conducted under the "Uniform Election Code of 1992", replacing polling places with voter service and polling centers and ballot drop-off locations for mail ballot elections, and making an appropriation.

Senator Lundberg moved that **SB13-1303** lay over until Friday, May 3. Less than a majority of all members elected to the Senate having voted in the affirmative, the motion was lost.

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	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Carroll, Guzman, Heath, Hudak, Jahn, Johnston, Jones, Kefalas, Kerr, Morse, Newell, Nicholson, Schwartz, Steadman, Tochtrop, Todd and Ulibarri.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Thursday, May 2 was laid over until 4:00 p.m. on Thursday, May 2, retaining its place on the calendar.

Third Reading of Bills -- Final Passage: HB13-1154.
General Orders -- Second Reading of Bills -- Consent Calendar: HB13-1287, HB13-1284, HB13-1294, HB13-1300.
General Orders -- Second Reading of Bills: HB13-1182, HB13-1031, HB13-1239, HB13-1301, HB13-1079, HB13-1252, HB13-1206, HB13-1296, HB13-1267, HB13-1269, HB13-1304, HB13-1021, SB13-278, HB13-1293.
Consideration of Resolutions: HJR13-1004, HJR13-1019, SJR13-032, SJR13-033, SJR13-034, SJR13-035, SJR13-036, SR13-004.
Consideration of House Amendments to Senate Bills: SB13-047, SB13-111, SB13-125, SB13-170.

Consideration of House Amendments to Senate Resolutions: SJR13-029.
Consideration of Governor's Appointments:
Members of the Waste Tire Advisory Committee.
Consideration of Conference Committee Reports: SB13-155, HB13-1081.
Conference Committees to Report: HB13-1191, HB13-1130.
Requests for Conference Committee: HB13-1215.

CHANGE IN SPONSORSHIP

Upon announcement of President Morse, Senator(s) Baumgardner will be added as a
Senate joint prime sponsor with Senator Jahn and Representative Pabon on HB13-1317.

MESSAGE FROM THE HOUSE

May 2, 2013

Mr. President:

The House has adopted and returns herewith SJM13-001.

The House has voted to recede from its position and discharge the First Conference
Committee on HB13-1191. The House voted to concur in Senate amendments, and
has repassed the bill as amended. The House requests return of the bill.

The House has postponed indefinitely SB13-203. The bill is returned herewith.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB13-043, 159, 176, 179, 181 and 183; HB13-1058, 1077,
1129, 1180, 1200.

Senate in recess. Senate reconvened.

Call of the Senate. Call raised.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate
having voted in the affirmative, the Senate proceeded out of order for an expression of
personal privilege.

On motion of Majority Leader Carroll, and with a two-thirds majority of those elected to
the Senate having voted in the affirmative, the Senate Rule 31 (a) was suspended to allow
former Senate Chief Assignable Clerk Royda Kimball to enter the well of the Senate to
receive a tribute for her years of service with the Senate.

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS

Agriculture, Natural Resources, & Energy
The Committee on Agriculture, Natural Resources, & Energy has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

MEMBERS OF THE
STATE AGRICULTURAL COMMISSION

for terms expiring March 1, 2017:

Alex C. Gerace of Denver, Colorado, an Unaffiliated from the First Agricultural District to serve as a member from the State at-large, reappointed;

Brett Brand Rutledge of Yuma, Colorado, a Democrat from the Second Agricultural District, appointed;

Steve Dale Young of Holyoke, Colorado, a Republican from the Second Agricultural District, to serve as a member from the State at-large, appointed;

Michael Conrad Hirakata of La Junta, Colorado, a Republican from the Third Agricultural District to serve as a member from the State at-large, appointed.

Agriculture, Natural Resources, & Energy
The Committee on Agriculture, Natural Resources, & Energy has had under consideration and has had a hearing on the following appointment and recommends that the appointment be confirmed:

MEMBER OF THE
STATE BOARD OF LAND COMMISSIONERS

effective June 30, 2013, for terms expiring June 30, 2017:

Gary A. Butterworth of Colorado Springs, Colorado, a person with substantial experience in natural resource conservation and a Republican, appointed.

Agriculture, Natural Resources, & Energy
The Committee on Agriculture, Natural Resources, & Energy has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

MEMBERS OF THE
COLORADO TOURISM OFFICE BOARD OF DIRECTORS

for a term expiring June 1, 2014:

Robert Stinchcomb of Lafayette, Colorado, to serve as an at large member from tourism-based industries, appointed;

for a term expiring June 1, 2015:

Matthew Skinner of Telluride, Colorado, to serve as a representative of tourism-related transportation industries, and occasioned by the resignation of Edwin A Garcia of Aurora, Colorado, appointed;

for terms expiring June 1, 2016:

Daniel R. Grunig of Denver, Colorado, to serve as a representative of tourism-related retail industry, small community, and small business, and occasioned by the resignation of

Troy Allan Rarick of Fruita, Colorado, appointed;

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Christian M. Knapp of Basalt, Colorado, to serve as a representative of the ski industry, reappointed.

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Agriculture, Natural Resources, & Energy

The Committee on Agriculture, Natural Resources, & Energy has had under consideration and has had a hearing on the following appointment and recommends that the appointment be confirmed:

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MEMBER OF THE

OIL AND GAS CONSERVATION COMMISSION

OF THE STATE OF COLORADO

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for a term expiring July 1, 2016:

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Dr. DeAnn "Dolly" Craig of Denver, Colorado, to serve as a member with substantial experience in the oil and gas industry and with a college degree in petroleum geology or petroleum engineering, and as a Republican, reappointed

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Agriculture, Natural Resources, & Energy

The Committee on Agriculture, Natural Resources, & Energy has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

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MEMBERS OF THE

COLORADO STATE FAIR AUTHORITY

BOARD OF COMMISSIONERS

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for terms expiring November 1, 2016:

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Arthur H. Bosworth II of Denver, Colorado, a Republican residing in the First Congressional District, reappointed;

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Virginia "Ginny" Vietti of Silverthorne, Colorado, a Democrat residing in the Second Congressional District, appointed.

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Finance

After consideration on the merits, the Committee recommends that **HB13-1288** be **referred** to the Committee on Appropriations with favorable recommendation.

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Finance

After consideration on the merits, the Committee recommends that **SB13-173** be **amended** as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

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Amend printed bill, page 11, after line 14 insert:

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"SECTION 15. In Colorado Revised Statutes, 12-47.1-1601, **amend** (4) (a.5) (I) and (4) (a.5) (III) as follows:

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12-47.1-1601. Local government limited gaming impact fund - rules - repeal. (4) (a.5) (I) For the 2008-09 fiscal year and each fiscal year thereafter, the executive director of the department of human services shall use the moneys in the gambling addiction account to award grants for the purpose of providing gambling addiction counseling services to Colorado residents. The department of human services may use a portion of the moneys in the gambling addiction account, not to exceed ten percent in the 2008-09 fiscal year and five percent in each fiscal year thereafter, to cover the department's direct and indirect costs associated with administering the grant program authorized in this paragraph (a.5). ~~Grants~~ THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HUMAN SERVICES shall ~~be awarded~~ AWARD GRANTS to state or local public or private entities or programs that provide gambling addiction counseling services and that have or are seeking nationally accredited

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	gambling addiction counselors. For the 2008-09 through 2011-12 fiscal years, The executive director of the department of human services shall award ten percent of the moneys in the gambling addiction account in grants to addiction counselors who are actively pursuing national accreditation as gambling addiction counselors. In order to qualify for an accreditation grant, an addiction counselor applicant shall MUST provide sufficient proof that he or she has completed at least half of the counseling hours required for national accreditation. The executive director of the department of human services shall adopt rules establishing the procedure for applying for a grant from the gambling addiction account, the criteria for awarding grants and prioritizing applications, and any other provision necessary for the administration of the grant applications and awards. Neither the entity, program, or gambling addiction counselor providing the gambling addiction counseling services nor the recipients of the counseling services need to be located within the jurisdiction of an eligible local governmental entity in order to receive a grant or counseling services. At the end of any A fiscal year, all unexpended and unencumbered moneys in the gambling addiction account shall remain in the account and shall DO not revert to the general fund or any other fund or account.	1
	(III) This paragraph (a.5) is repealed, effective July 1, 2013. Any SEPTEMBER 1, 2022. THE STATE TREASURER SHALL TRANSFER ANY moneys remaining in the gambling addiction account on June 30, 2013, shall be transferred AUGUST 31, 2022, to the limited gaming impact account.".	2
	Renumber succeeding sections accordingly.	3
Finance	After consideration on the merits, the Committee recommends that HB13-1245 be referred to the Committee of the Whole with favorable recommendation.	4
Finance	After consideration on the merits, the Committee recommends that SB13-288 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	5
Finance	The Committee on <u>Health & Human Services</u> has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:	6
	MEMBERS OF THE STATE BOARD OF HUMAN SERVICES	7
	for terms expiring March 1, 2017:	8
	Jerene Carol Petersen of Denver, Colorado, a member of the public, reappointed	9
	Catherine Anne Silburn of Lakewood, Colorado, a member of the public, reappointed	10
	Jeffrey Gordon Kuhr of Grand Junction, Colorado, a member of the public, appointed	11
	Stephanie A. Garcia of Pueblo, Colorado, a member of the public, appointed	12
Health & Human Services	The Committee on <u>Health & Human Services</u> has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:	13
	MEMBER OF THE COLORADO TRAUMATIC BRAIN INJURY TRUST FUND BOARD	14
	for terms expiring on June 30, 2015:	15
	Laetitia L. Thompson, Ph.D., of Denver, Colorado, to serve as a neuropsychologist, reappointed.	16

Health & Human Services	The Committee on <u>Health & Human Services</u> has had under consideration and has had a hearing on the following appointment and recommends that the appointment be confirmed:	1 2 3 4 5 6 7 8 9
	<div>MEMBER OF THE COLORADO COMMISSION ON THE AGING</div>	10 11 12 13
	for a term expiring July 1, 2014: Robert H. Spuhler of Glenwood Springs, Colorado, to serve as a Republican from the Third Congressional District, appointed.	14 15 16 17 18
Health & Human Services	After consideration on the merits, the Committee recommends that HB13-1271 be amended as follows, and as so amended, be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	19 20 21 22
	Amend reengrossed bill, page 9, line 3, strike "STANDING INTERIM" and substitute "LEGISLATIVE".	23 24 25 26 27
Health & Human Services	After consideration on the merits, the Committee recommends that HB13-1290 be referred to the Committee of the Whole with favorable recommendation.	28 29 30 31 32
Health & Human Services	After consideration on the merits, the Committee recommends that HB13-1121 be postponed indefinitely .	33 34 35 36 37
Health & Human Services	After consideration on the merits, the Committee recommends that HB13-1310 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	38 39 40 41 42
Health & Human Services	After consideration on the merits, the Committee recommends that HB13-1309 be postponed indefinitely .	43 44 45 46 47
Health & Human Services	After consideration on the merits, the Committee recommends that HB13-1314 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64
	Amend reengrossed bill, page 3, line 21, strike "ON" and substitute "BY".	65
	Page 3, line 27, strike "ON MARCH 1, 2014, ALL" and substitute "ALL".	66
	Page 4, line 7, strike "ON" and substitute "BY".	67
	Page 28, line 17, after "the" insert "INTELLECTUAL AND".	
	Page 28, line 18, strike "assembly." and substitute "assembly AND ANY MONEYS TRANSFERRED TO THE INTELLECTUAL AND DEVELOPMENTAL DISABILITIES SERVICES CASH FUND PURSUANT TO SUBSECTION (1.5) OF THIS SECTION.".	
	Page 28, line 19, before "developmental" insert "INTELLECTUAL AND".	
	Page 28, after line 22, insert:	
	"(1.5) THE STATE TREASURER SHALL TRANSFER TO THE DEVELOPMENTAL DISABILITIES SERVICES CASH FUND ANY AVAILABLE MONEYS THAT ARE APPROPRIATED BY THE GENERAL ASSEMBLY FOR A	

FISCAL YEAR FOR ADULT COMPREHENSIVE SERVICES, ADULT SUPPORTED LIVING SERVICES, CHILDREN'S EXTENSIVE SUPPORT SERVICES, AND FAMILY SUPPORT SERVICES FOR PERSONS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES PROVIDED PURSUANT TO THIS ARTICLE OR PART 4 OF ARTICLE 6 OF THIS TITLE THAT ARE UNEXPENDED AND UNENCUMBERED AT THE END OF A FISCAL YEAR."

Page 29, line 1, after the first "services," insert "CHILDREN'S EXTENSIVE SUPPORT SERVICES,".

Page 29, line 5, before "developmental" insert "INTELLECTUAL AND".

Page 29, line 8, before "developmental" insert "INTELLECTUAL AND".

Page 29, line 10, after the second "services," insert "CHILDREN'S EXTENSIVE SUPPORT SERVICES,".

Page 29, line 18, before "developmental" insert "INTELLECTUAL AND".

Page 29, line 22, before "developmental" insert "INTELLECTUAL AND".

Page 94, before line 21 insert:

"SECTION 5. In Colorado Revised Statutes, 27-10.5-104.2, **amend** (1), (2), and (3) (a); and **add** (1.5) as follows:

27-10.5-104.2. Services and supports - waiting list reduction - cash fund. (1) There is hereby created in the state treasury the developmental disabilities services cash fund, consisting of moneys appropriated thereto by the general assembly AND ANY MONEYS TRANSFERRED TO THE DEVELOPMENTAL DISABILITIES SERVICES CASH FUND PURSUANT TO SUBSECTION (1.5) OF THIS SECTION. Any interest derived from the deposit and investment of moneys in the developmental disabilities services cash fund shall be credited to the fund. Any moneys remaining in the fund at the end of a fiscal year shall remain in the fund and shall not revert to the general fund or any other fund.

(1.5) THE STATE TREASURER SHALL TRANSFER TO THE DEVELOPMENTAL DISABILITIES SERVICES CASH FUND ANY AVAILABLE MONEYS THAT ARE APPROPRIATED BY THE GENERAL ASSEMBLY FOR A FISCAL YEAR FOR ADULT COMPREHENSIVE SERVICES, ADULT SUPPORTED LIVING SERVICES, CHILDREN'S EXTENSIVE SUPPORT SERVICES, AND FAMILY SUPPORT SERVICES FOR PERSONS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES PROVIDED PURSUANT TO THIS ARTICLE OR PART 4 OF ARTICLE 6 OF TITLE 25.5, C.R.S., THAT ARE UNEXPENDED AND UNENCUMBERED AT THE END OF A FISCAL YEAR.

(2) During each regular session of the general assembly, the joint budget committee and the health and human services committees of the senate and the house of representatives, or any successor committees, shall hold a joint hearing and take public testimony on the status of the waiting lists for adult comprehensive services, adult supported living services, CHILDREN'S EXTENSIVE SUPPORT SERVICES, and family support services for persons with developmental disabilities and the availability of general fund moneys to reduce the number of persons on the waiting lists and the amount of time eligible persons wait for such services. The goal of the hearing shall be to propose an appropriation from the general fund to the developmental disabilities services cash fund.

(3) The general assembly may annually appropriate moneys in the developmental disabilities services cash fund to:

(a) The department for program costs for adult comprehensive services, adult supported living services, CHILDREN'S EXTENSIVE SUPPORT SERVICES, and family support services for persons with developmental disabilities provided pursuant to this article or part 4 of article 6 of title 25.5, C.R.S.; and".

Renumber succeeding sections accordingly.

Page 123, line 23, strike "subsection (2)" and substitute "subsections (2) and (3)".

Page 123, line 24, strike "Section" and substitute "Part 1 of article 10 of title 25.5, Colorado Revised Statutes, as enacted in section".

Page 123, after line 24 insert:

"(3) Section 5 of the bill takes effect upon passage."

Education After consideration on the merits, the Committee recommends that **HB13-1211** be referred to the Committee on Appropriations with favorable recommendation.

Education After consideration on the merits, the Committee recommends that **HB13-1007** be referred to the Committee of the Whole with favorable recommendation.

THIRD READING OF BILLS -- FINAL PASSAGE - cont'd

On third reading, the title of the following bill was publicly read, the reading at length having been dispensed with by unanimous consent:

HB13-1154 by Representative(s) Foote and Levy, Court, Duran, Fields, Ginal, Hamner, Hullinghorst, Lee, McCann, Moreno, Pabon, Primavera, Ryden, Singer, Williams; also Senator(s) Steadman--Concerning crimes against pregnant women, and, in connection therewith, making an appropriation.

Laid over until Friday, May 3, retaining its place on the calendar.

Committee of the Whole On motion of Senator Aguilar, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Aguilar was called to the Chair to act as Chairman.

**GENERAL ORDERS -- SECOND READING OF BILLS --
CONSENT CALENDAR**

The Committee of the Whole having risen, the Chairman reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB13-1287 by Representative(s) Primavera and DelGrosso; also Senator(s) Scheffel and Heath--Concerning an extension of the income tax years for which the Colorado job growth incentive tax credit is available.

Ordered revised and placed on the calendar for third reading and final passage.

HB13-1284 by Representative(s) Gardner; also Senator(s) Roberts--Concerning documents that can be filed regarding security interests under the "Uniform Commercial Code".

Ordered revised and placed on the calendar for third reading and final passage.

HB13-1294 by Representative(s) Gardner; also Senator(s) Guzman--Concerning a clarification that the state's judicial department is included within the definition of "public entity" for purposes of the "Colorado Governmental Immunity Act".

Ordered revised and placed on the calendar for third reading and final passage.

HB13-1300 by Representative(s) Gardner, Labuda, Levy, Murray, Waller; also Senator(s) Morse, Brophy, Carroll, Roberts, Schwartz--Concerning nonsubstantive revisions of statutes in the Colorado Revised Statutes, as amended, and, in connection therewith, amending or repealing obsolete, inconsistent, and conflicting provisions of law and clarifying the language to reflect the legislative intent of the laws.

Amendment No. 1, Judiciary Committee Amendment.

Amendment NO. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, April 30, page(s) 1210-1212 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Aguilar, 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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB13-1287, HB13-1284, HB13-1294, HB13-1300 as amended.

Committee On motion of Senator Aguilar, the Senate resolved itself into the Committee of the
of the Whole Whole for consideration of General Orders--Second Reading of Bills, and Senator Aguilar
was called to the chair to act as Chairman.

GENERAL 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:

HB13-1182 by Representative(s) Levy, Duran, Gerou; also Senator(s) Lambert, Hodge, Steadman--
Concerning the creation of the legislative digital policy advisory committee.

Ordered revised and placed on the calendar for third reading and final passage.

HB13-1031 by Representative(s) Gerou, Levy; also Senator(s) Nicholson and Roberts--Concerning statewide all-hazards resource mobilization, and, in connection therewith, clarifying the powers and duties of the department of public safety with respect to the statewide all-hazards resource mobilization plan, specifying how mobilized entities receive reimbursement for expenses incurred by rendering assistance, and making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

- HB13-1239** by Representative(s) McCann; also Senator(s) Hodge--Concerning the creation of a statewide youth development plan, and, in connection therewith, making an appropriation. 1
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Amendment No. 1, Health & Human Services Committee Amendment. 4
(Printed in Senate Journal, April 25, page(s) 1041 and placed in members' bill files.) 5
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Amendment No. 2, Appropriations Committee Amendment. 7
(Printed in Senate Journal, April 29, page(s) 1093-1094 and placed in members' bill files.) 8
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Amendment No. 3(L.012), by Senator Hodge. 10
11
Strike the Senate Appropriations Committee Report, dated April 29, 12
2013, and substitute: 13
14
"Amend reengrossed bill, page 14, strike lines 6 through 19 and 15
substitute: 16
"SECTION 12. Appropriation - adjustments to 2013 long bill. 17
(1) For the implementation of this act, appropriations made in the annual 18
general appropriation act to the department of public health and 19
environment for the fiscal year beginning July 1, 2013, are adjusted as 20
follows: 21
(a) The general fund appropriation for the prevention services 22
division, interagency prevention programs coordination, is decreased by 23
\$133,284 and 2.0 FTE. 24
(2) In addition to any other appropriation, there is hereby 25
appropriated, out of any moneys in the general fund not otherwise 26
appropriated, to the department of human services, for the fiscal year 27
beginning July 1, 2013, the sum of \$133,284 and 1.0 FTE, or so much 28
thereof as may be necessary, for allocation to the division of child 29
welfare for the interagency prevention programs coordination line item 30
related to the implementation of this act.". 31
32
Renumber succeeding sections accordingly. 33
34
Page 14 of the reengrossed bill, line 25, strike "11, and 13" and substitute 35
"and 11". 36
37
Page 1 of the reengrossed bill, line 102, after "MAKING" insert "AND 38
REDUCING".". 39
40
41
As amended, ordered revised and placed on the calendar for third reading and final 42
passage. 43
44
45
HB13-1301 by Representative(s) Ryden and Gardner; also Senator(s) Todd and Grantham--Concerning 46
the future operation of centers that offer procurement technical assistance in Colorado, and, 47
in connection therewith, making an appropriation. 48
49
Amendment No. 1, Legislative Council Committee Amendment. 50
(Printed in Senate Journal, April 26, page(s) 1063 and placed in members' bill files.) 51
52
Amendment No. 2, Appropriations Committee Amendment. 53
(Printed in Senate Journal, April 29, page(s) 1094 and placed in members' bill files.) 54
55
As amended, ordered revised and placed on the calendar for third reading and final 56
passage. 57
58
59
HB13-1079 by Representative(s) Tyler; also Senator(s) Newell--Concerning the creation of the joint 60
technology committee of the senate and house of representatives, and, in connection 61
therewith, making an appropriation. 62
63
Ordered revised and placed on the calendar for third reading and final passage. 64
65
66
67

HB13-1252	by Representative(s) Hamner and Scott; also Senator(s) Jahn and King--Concerning the petroleum cleanup and redevelopment fund.	1
		2
		3
	Ordered revised and placed on the calendar for third reading and final passage.	4
		5
		6
SB13-278	by Senator(s) Kerr and Newell; also Representative(s) Young--Concerning creating a definition of a "drug-endangered child" with respect to child abuse or neglect.	7
		8
		9
	<u>Amendment No. 1, Health & Human Services Committee Amendment.</u>	10
	(Printed in Senate Journal, April 30, page(s) 1108-1109 and placed in members' bill files.)	11
		12
	<u>Amendment No. 2(L.009), by Senator Newell.</u>	13
		14
	Amend printed bill, page 2, strike line 27.	15
		16
	Strike page 3.	17
		18
	Page 4, strike lines 1 through 10 and substitute:	19
		20
	" SECTION 2. In Colorado Revised Statutes, 18-18.5-103, add	21
	(4) (i) as follows:	22
	18-18.5-103. State methamphetamine task force - creation - membership - duties. (4) The task force shall:	23
	(i) DEVELOP A DEFINITION OF A "DRUG-ENDANGERED CHILD" TO	24
	BE USED IN THE CONTEXT OF THE DEFINITION OF "CHILD ABUSE OR	25
	NEGLECT" AS SET FORTH IN SECTION 19-1-103 (1), C.R.S., AND INCLUDE	26
	THE DEFINITION IN ITS JANUARY 1, 2014, REPORT TO THE JUDICIARY	27
	COMMITTEES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES, OR	28
	ANY SUCCESSOR COMMITTEES.	29
	SECTION 3. Effective date. This act takes effect upon passage	30
	only if House Bill 13-1283 becomes law and takes effect either upon the	31
	effective date of this act or House Bill 13-1283, whichever is later."	32
		33
		34
	Renumber succeeding sections accordingly.	35
		36
		37
	As amended, ordered engrossed and placed on the calendar for third reading and final	38
	passage.	39
		40
		41
HB13-1206	by Representative(s) DelGrosso, Holbert, Buck, Everett, Gardner, Lawrence, Murray,	42
	Nordberg, Saine, Swalm, Waller, Hullinghorst, McNulty, Pabon, Priola, Young; also	43
	Senator(s) Scheffel, Baumgardner, Jahn, Renfro, Cadman, Kefalas, Lundberg--	44
	Concerning the expansion of a local government's ability to enter into a business incentive	45
	agreement with a taxpayer.	46
		47
	<u>Amendment No. 1(L.007), by Senator Scheffel.</u>	48
		49
	Amend reengrossed bill, page 2, line 17, after the period add "IN ORDER	50
	TO BE ELIGIBLE FOR A PAYMENT OR CREDIT UNDER THIS SUBSECTION (1.5),	51
	A TAXPAYER MUST IDENTIFY THE SPECIFIC REASONS WHY THE TAXPAYER	52
	IS CONSIDERING LEAVING THE STATE."	53
		54
	Page 3, line 5, after the period add "A COUNTY SHALL NOT GIVE AN	55
	ANNUAL INCENTIVE PAYMENT OR CREDIT UNDER THIS SUBSECTION (1.5),	56
	UNLESS THE BOARD OF COUNTY COMMISSIONERS APPROVES THE PAYMENT	57
	OR CREDIT AT A PUBLIC HEARING."	58
		59
	Page 3, line 26, after the period add "IN ORDER TO BE ELIGIBLE FOR A	60
	PAYMENT OR CREDIT UNDER THIS SUBSECTION (1.5), A TAXPAYER MUST	61
	IDENTIFY THE SPECIFIC REASONS WHY THE TAXPAYER IS CONSIDERING	62
	LEAVING THE STATE."	63
		64
	Page 4, line 8, after the period add "A MUNICIPALITY SHALL NOT GIVE AN	65
	ANNUAL INCENTIVE PAYMENT OR CREDIT UNDER THIS SUBSECTION (1.5),	66
	UNLESS THE GOVERNING BODY OF THE MUNICIPALITY APPROVES THE	67

PAYMENT OR CREDIT AT A PUBLIC HEARING.".

Page 5, line 2, after the period add "IN ORDER TO BE ELIGIBLE FOR A PAYMENT OR CREDIT UNDER THIS SUBSECTION (1.5), A TAXPAYER MUST IDENTIFY THE SPECIFIC REASONS WHY THE TAXPAYER IS CONSIDERING LEAVING THE STATE.".

Page 5, line 11, after the period add "A SPECIAL DISTRICT SHALL NOT GIVE AN ANNUAL INCENTIVE PAYMENT OR CREDIT UNDER THIS SUBSECTION (1.5), UNLESS THE BOARD OF THE SPECIAL DISTRICT APPROVES THE PAYMENT OR CREDIT AT A PUBLIC HEARING.".

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB13-1296 by Representative(s) McCann and Kraft-Tharp; also Senator(s) Newell--Concerning civil commitment statutes, and, in connection therewith, creating the civil commitment statute review task force and redefining certain terms related to civil commitment.

Laid over until Friday, May 3, retaining its place on the calendar.

HB13-1267 by Representative(s) Foote; also Senator(s) Jones--Concerning increased penalties for violations by oil and gas operators, and, in connection therewith, making an appropriation.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 26, page(s) 1062 and placed in members' bill files.)

As amended, ordered revised 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.)

HB13-1269 by Representative(s) Foote, Court, Duran, Fields, Fischer, Ginal, Hamner, Hulinghorst, Kagan, Labuda, Lee, Levy, Melton, Mitsch Bush, Moreno, Pabon, Primavera, Ryden, Salazar, Schafer, Singer, Williams; also Senator(s) Jones, Ulibarri, Kefalas--Concerning the reduction of conflicts of interest within the Colorado oil and gas conservation commission.

Laid over until Friday, May 3, retaining its place on the calendar.

HB13-1304 by Representative(s) Moreno, Exum, Hamner, Kraft-Tharp, Rosenthal, Ryden, Williams; also Senator(s) Guzman, Aguilar, Carroll, Giron, Heath, Hodge, Hudak, Johnston, Jones, Kefalas, Kerr, Morse, Newell, Nicholson, Schwartz, Steadman, Tochtrop, Todd, Ulibarri--Concerning eligibility for unemployment compensation benefits when unemployment is due to a lockout.

Laid over until Friday, May 3, retaining its place on the calendar.

HB13-1021 by Representative(s) Fields; also Senator(s) Hudak--Concerning measures to ensure that students comply with compulsory school attendance requirements, and, in connection therewith, limiting the length of detention that a court may impose to enforce compulsory school attendance, allowing students who are under juvenile court jurisdiction to obtain a GED, and specifying minimum requirements for education services provided in juvenile detention facilities.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, April 30, page(s) 1107-1108 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB13-1293 by Representative(s) Rosenthal, Foote, Melton, Tyler; also Senator(s) Heath--Concerning the creation of a position by the governor for climate change matters.

Ordered revised and placed on the calendar for third reading and final passage.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

HB13-1267 by Representative(s) Foote; also Senator(s) Jones--Concerning increased penalties for violations by oil and gas operators, and, in connection therewith, making an appropriation.

Senator Jones moved to amend the Report of the Committee of the Whole to show that the following amendment to HB 13-1267 did pass.

Strike the Appropriations Committee Report, dated April 26, 2013, and substitute "Amend reengrossed bill, strike everything below the enacting clause and substitute:

"SECTION 1. In Colorado Revised Statutes, 34-60-121, **amend** (1) as follows:

34-60-121. Violations - penalties - rules. (1) (a) Any operator who violates any provision of this article, any rule or order of the commission, or any permit ~~shall be~~ IS subject to a penalty of not more than ~~one~~ FIFTEEN thousand dollars for each act of violation per day that such violation continues. ~~Any such~~ THE MINIMUM PENALTY FOR A VIOLATION THAT RESULTS IN A SIGNIFICANT ADVERSE IMPACT ON PUBLIC HEALTH, SAFETY, OR WELFARE, INCLUDING THE ENVIRONMENT AND WILDLIFE RESOURCES, IS FIVE THOUSAND DOLLARS FOR EACH ACT OF VIOLATION PER DAY THAT SUCH VIOLATION CONTINUES. THE COMMISSION SHALL IMPOSE A penalty ~~shall be imposed by order, of the commission,~~ after a hearing in accordance with section 34-60-108, or by an administrative order by consent entered into by the commission and an operator. ~~For a violation that does not result in significant waste of oil and gas resources or damage to correlative rights or does not result in a significant adverse impact on public health, safety, or welfare, the maximum penalty shall not exceed ten thousand dollars.~~ The commission shall promulgate rules that establish a penalty schedule appropriate to the nature of the violation and that provide for the consideration of any aggravating or mitigating circumstances.

(b) An operator subject to a penalty order shall pay the amount due within thirty days after its imposition, unless ~~such~~ THE operator files a judicial appeal. The COMMISSION MAY RECOVER penalties owed under this section ~~may be recovered~~ in a civil action brought by the attorney general at the request of the commission in the second judicial district. Moneys collected through the imposition of penalties shall be credited first to any legal costs and attorney fees incurred by the attorney general in ~~such a~~ THE recovery action and then to the environmental response account in the oil and gas conservation and environmental response fund created in section 34-60-122.

SECTION 2. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the oil and gas conservation and environmental response fund created in section 34-60-122 (5), Colorado Revised Statutes, not otherwise appropriated, to the department of natural resources, for the fiscal year beginning July 1, 2013, the sum of \$157,125 and 0.9 FTE, or so much thereof as may be necessary, to be allocated for the implementation of this act as follows:

- (a) \$66,290 and 0.9 FTE for the oil and gas conservation commission for personal services;
- (b) \$15,130 for the oil and gas conservation commission for operating expenses and board meeting costs; and
- (c) \$75,705 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, 2013, the sum of \$75,705 and 0.6 FTE, or so much thereof as may be necessary, for the provision of legal services for the department of

natural resources related to the implementation of this act. Said sum is from reappropriated funds received from the department of natural resources out of the appropriation made in paragraph (c) of subsection (1) of this section.

SECTION 3. Applicability. This act applies to conduct occurring on or after the effective date of this act.

SECTION 4. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.".

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	13	NO	21	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	N
Brophy	N	Hill	N	Lambert	N	Steadman	N
Cadman	N	Hodge	N	Lundberg	E	Tochtrop	N
Carroll	Y	Hudak	Y	Marble	N	Todd	N
Crowder	N	Jahn	N	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	N
Grantham	N	Jones	Y	Renfroe	N		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Aguilar, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	E	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB13-278 as amended, HB13-1182, HB13-1031, HB13-1239 as amended, HB13-1301 as amended, HB13-1079, HB13-1252, HB13-1206 as amended, HB13-1267 as amended, HB13-1021 as amended, HB13-1293.
Laid over until Friday, May 3: HB13-1296, HB13-1269, HB13-1304.

On motion of Majority Leader Carroll, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, HB13-1319, HB13-1248, HB13-1297, HB13-1302, and HB13-1298 were made Special Orders at 6:35 p.m.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of House Amendments to Senate Resolutions.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE AMENDMENTS

SJR13-029 by Senator(s) Morse and King; also Representative(s) McNulty--Concerning declaring the week of May 12 - 18, 2013, as Police Week, and in connection therewith, declaring May 15, 2013, as Peace Officers' Memorial Day.

Senator King moved that the Senate concur in House amendments to **SJR13-029**, as printed in House journal, May 2, page(s) 1403. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

APPOINTMENTS TO CONFERENCE COMMITTEE

The President appointed Senators Tochtrop, Chair, Nicholson, and Roberts as Senate conferees on the first conference committee on **HB13-1215**.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of House Amendments to Senate Resolutions.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB13-047 by Senator(s) Newell; also Representative(s) Fields--Concerning protections for youth in foster care against identity theft, and, in connection therewith, making an appropriation.

Senator Newell moved that the Senate concur in House amendments to **SB13-047**, as printed in House journal, April 30, page(s) 1378. The motion was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	E	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	E	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB13-111 by Senator(s) Hudak, Giron, Guzman, Heath, Johnston, Morse, Todd, Ulibarri; also Representative(s) Schafer and Stephens--Concerning abuse of at-risk adults, and, in connection therewith, making an appropriation.

Senator Hudak moved that the Senate concur in House amendments to **SB13-111**, as printed in House journal, April 30, page(s) 1379. The motion was **adopted** by the following roll call vote:

YES	32	NO	2	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	N	Kerr	Y	Scheffel	Y
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	E	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	24	NO	10	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	E	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB13-125 by Senator(s) Todd; also Representative(s) DelGrosso--Concerning preneed funeral contracts, and, in connection therewith, reducing an appropriation.

Senator Todd moved that the Senate concur in House amendments to **SB13-125**, as printed in House journal, April 30, page(s) 1377. The motion was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	E	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	E	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB13-170 by Senator(s) Aguilar; also Representative(s) Gerou--Concerning the sale of uniquely valuable registration numbers for vehicles, and, in connection therewith, making an appropriation.

Senator Aguilar moved that the Senate concur in House amendments to **SB13-170**, as printed in House journal, April 30, page(s) 1379-1380. The motion was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	E	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	28	NO	6	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	Y	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	E	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Committee of the Whole The hour of 6:35 p.m. having arrived, Senator Aguilar moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders -- Second Reading of Bills Consent Calendar and Majority Leader Carroll was called to the Chair to act as Chairman.

**SPECIAL ORDERS -- SECOND READING OF BILLS --
CONSENT CALENDAR**

The Committee of the Whole having risen, the Chairman reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB13-1319 by Representative(s) Court, DelGrosso; also Senator(s) Johnston--Concerning the establishment of the ratio of valuation for assessment for residential real property.

Ordered revised and placed on the calendar for third reading and final passage.

HB13-1248 by Representative(s) Fischer; also Senator(s) Schwartz--Concerning an authorization of pilot projects for the leasing of water for municipal use.

Amendment No. 1, Agriculture, Natural Resources, and Energy Committee Amendment.
(Printed in Senate Journal, April 25, page(s) 1042-1042 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB13-1297 by Representative(s) McLachlan and Schafer, Gerou; also Senator(s) Roberts and Nicholson--Concerning the authority of certain institutions of higher education to invest moneys.

Ordered revised and placed on the calendar for third reading and final passage.

HB13-1302 by Representative(s) Moreno; also Senator(s) Ulibarri--Concerning a modification of the requirements governing proceedings to consolidate special districts.

Ordered revised and placed on the calendar for third reading and final passage.

HB13-1298 by Representative(s) Ryden; also Senator(s) Giron--Concerning employment policies related to nonclassified employees of the state.

Ordered revised and placed on the calendar for third reading and final passage.

**ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE --
CONSENT CALENDAR**

On motion of Senator Aguilar, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	E	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB13-1319, HB13-1248 as amended, HB13-1297, HB13-1302, HB13-1298.

MESSAGE FROM THE HOUSE

May 2, 2013

Mr. President:

The House has adopted the First Report of the First Conference Committee on SB13-155, as printed in House Journal, April 29, page 1353, and has repassed the bill as so amended. The bill is returned herewith.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of Conference Committee Reports.

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

HB13-1081 by Representative(s) Duran, Buckner, Fields, Hamner, Kagan, McCann, Moreno; also Senator(s) Todd--Concerning human sexuality education.

Senator Todd moved for the adoption of the first report of the second conference committee on **HB13-1081**, as printed in Senate journal, April 29, page(s) 1201-1202. The motion was **adopted** by the following roll call vote:

YES	32	NO	2	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	Y	Lambert	N	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	E	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	20	NO	13	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	E	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	E	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SENATE RECEDE ON SB13-155

SB13-155 by Senator(s) Baumgardner; also Representative(s) Ryden--Concerning the continuation of the board of real estate appraisers, and, in connection therewith, implementing the recommendations of the 2012 sunset report by the department of regulatory agencies.

Senator Baumgardner moved that the Senate recede from its position on **SB13-155**, that the conference committee be dissolved, and that the Senate conferees be discharged. The motion was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	E	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Senator Baumgardner moved that the Senate concur in House amendments. The motion was **adopted** by the following roll call vote:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	E	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	E	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	E	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	E	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

On motion of Majority Leader Carroll, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, the Consideration of Governor's Appointment Consent Calendar for Thursday, May 2 and Friday, May 3, including appointments to the Waste Tire Advisory Committee, State Board of Land Commissioners, Colorado Housing and Finance Authority Board of Directors, Fire and Police Pension Association Board of Directors, and Colorado Tourism Office Board of Directors, were made Special Orders at 7:17 p.m.

**SPECIAL ORDERS - CONSIDERATION OF GOVERNOR'S APPOINTMENTS --
CONSENT CALENDAR**

The hour of 7:17 p.m. having arrived, on motion of Majority Leader Carroll, the following Governor's appointments were confirmed by the following roll call votes:

MEMBERS OF THE
WASTE TIRE ADVISORY COMMITTEE

for terms expiring September 9, 2015:

Cyrus Wheeler Hardy, Jr., of Black Hawk, Colorado, to serve as a representative of law enforcement from jurisdictions that have a waste tire facility, appointed;

Christopher B. Houtchens of Colorado Springs, Colorado, to serve as a waste tire hauler, reappointed;

Larry G. Hudson of Denver, Colorado, to serve as a representative of tire manufacturers, reappointed.

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	E	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	E	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

MEMBER OF THE
STATE BOARD OF LAND COMMISSIONERS

effective June 30, 2013, for terms expiring June 30, 2017:

Buck Blessing of Denver, Colorado, a citizen at large and an Unaffiliated, reappointed.

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	E	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	E	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

MEMBERS OF THE
COLORADO HOUSING AND FINANCE AUTHORITY
BOARD OF DIRECTORS

effective July 2, 2013, for terms expiring July 1, 2017:

David J. Myler of Carbondale, Colorado, to serve as a person experienced in real estate transactions, reappointed;

Paul Eric Washington of Boulder, Colorado, to serve as a public member, appointed;

Steven Hutt of Denver, Colorado, to serve as a public member, appointed;

Jody M. Kole of Grand Junction, Colorado, to serve as a public member, appointed.

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	E	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	E	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

MEMBER OF THE
FIRE AND POLICE PENSION ASSOCIATION
BOARD OF DIRECTORS

for a term expiring September 1, 2015:

Manuel A. Esquibel of Brighton, Colorado, a representative of Colorado municipal employers, and occasioned by the resignation of Terri L. Velasquez of Colorado Springs, Colorado, appointed.

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	E	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	E	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

MEMBER OF THE
COLORADO TOURISM OFFICE BOARD OF DIRECTORS

for a term expiring June 1, 2016:

Steven Craig Kaverman of Canon City, Colorado, to serve as a representative of private travel attractions and casinos, appointed.

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	E	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	E	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Thursday, May 2 was laid over until Friday, May 3, retaining its place on the calendar.

Consideration of Resolutions: HJR13-1004, HJR13-1019, SJR13-032, SJR13-033, SJR13-034, SJR13-035, SJR13-036, SR13-004.
Conference Committees to Report: HB13-1130.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Thursday, May 2, 2013, at 4:50 p.m.:
SB13-043, 159, 176, 179, 181 and 183.

Journal correction:

Page 1080, line 22, after "Aguilar" insert "Carroll" and after "Schwartz" insert
"Steadman".

Page 1142, line 30, strike "Monday" and substitute "Wednesday".

On motion of Majority Leader Carroll, the Senate adjourned until 9:00 a.m., Friday,
May 3, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

115th Legislative Day Friday, May 3, 2013

Prayer By the chaplain, Rabbi Yossi Serebryanski, Chabad of South Denver.

Call to Order By the President at 9:00 a.m.

Pledge By Senator Crowder.

Roll Call Present--34
Excused--1, Cadman.
Present later--1, Cadman.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Brophy, reading of the Journal of Thursday, May 2, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Appropriations After consideration on the merits, the Committee recommends that **HB13-1001** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 15, after line 15 insert:

"(IV) FIVE MILLION DOLLARS, WHICH THE STATE TREASURER SHALL TRANSFER FROM THE GENERAL FUND TO THE FUND ON SEPTEMBER 1, 2013;"

Renumber succeeding subparagraphs accordingly.

Page 17, after line 27 insert:

"SECTION 9. Appropriation - adjustments to 2013 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, 2013, are adjusted as follows:

(a) The cash funds appropriation from the bioscience discovery evaluation cash fund created in section 24-48.5-108 (5) (a), Colorado Revised Statutes, for bioscience discovery evaluation, is decreased by \$2,463,016."

Renumber succeeding section accordingly.

Page 1, line 107, strike "AND".

Appropriations After consideration on the merits, the Committee recommends that **HB13-1271** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 10, line 24, strike "\$25,000," and substitute "\$200,000,".

	Page 10, line 27, strike "act." and substitute "act. Any moneys appropriated in this section not expended prior to July 1, 2013, are further appropriated to the department for the fiscal year beginning July 1, 2013, for the same purposes.".	1 2 3 4 5
	Page 11, line 4, strike "\$704,800," and substitute "\$529,800,".	6 7
	Page 11, line 6, strike "act as follows:" and substitute "act.".	8 9
	Page 11, strike lines 7 and 8.	10 11
	Page 11, line 17, strike "paragraph (b) of".	12 13 14
Appropriations	After consideration on the merits, the Committee recommends that HB13-1111 be referred to the Committee of the Whole with favorable recommendation.	15 16 17 18
Appropriations	After consideration on the merits, the Committee recommends that HB13-1020 be referred to the Committee of the Whole with favorable recommendation.	19 20 21 22
Appropriations	After consideration on the merits, the Committee recommends that HB13-1261 be postponed indefinitely .	23 24 25 26
Appropriations	After consideration on the merits, the Committee recommends that HB13-1211 be postponed indefinitely .	27 28 29 30
Appropriations	After consideration on the merits, the Committee recommends that HB13-1291 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	31 32 33 34 35
	Amend reengrossed bill, page 4, strike lines 15 through 17.	36 37
	Renumber succeeding subsections accordingly.	38 39
	Page 7, strike lines 9 through 26.	40 41
	Renumber succeeding C.R.S. sections accordingly.	42 43
	Page 9, strike lines 1 through 27 and substitute:	44 45
	SECTION 3. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of human services, for the fiscal year beginning July 1, 2013, the sum of \$3,000,000 and 1.0 FTE, or so much thereof as may be necessary, for allocation to the office of early childhood for the Colorado infant and toddler quality and availability grant program created by this act.	46 47 48 49 50 51 52
	SECTION 4. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of human services, for the fiscal year beginning July 1, 2013, the sum of \$3,000,000 and 1.0 FTE, or so much thereof as may be necessary, for allocation to the division of child care for the Colorado infant and toddler quality and availability grant program created by this act.".	53 54 55 56 57 58 59 60
	Page 10, strike lines 1 through 3.	61 62 63
Appropriations	After consideration on the merits, the Committee recommends that HB13-1056 be postponed indefinitely .	64 65 66 67

Appropriations

After consideration on the merits, the Committee recommends that **HB13-1288** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **HB13-1003** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 8, line 23, strike "**Appropriation.**" and substitute "**Appropriation.** (1)".

Page 9, after line 2 insert:

"(2) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the economic gardening pilot project fund created in section 24-48.5-102.5 (5), Colorado Revised Statutes, not otherwise appropriated, to the governor - lieutenant governor - state planning and budgeting, for the fiscal year beginning July 1, 2013, the sum of \$18,750, or so much thereof as may be necessary, for allocation to economic development programs for the economic development gardening pilot project created by this act."

Judiciary

The Committee on Judiciary has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

**MEMBERS OF THE
COLORADO CIVIL RIGHTS COMMISSION**

for terms expiring March 13, 2017:

Heidi Jeanne Hess of Clifton, Colorado, a Democrat and member of the community at large, appointed;

Dulce Saenz of Denver, Colorado, an Unaffiliated and member of the community at large, appointed.

SENATE SERVICES REPORT

- Correctly Engrossed:** SB13-278.
- Correctly Reengrossed:** SB13-257, 276, 280 and 283.
- Correctly Revised:** HB13-1021, 1031, 1079, 1182, 1206, 1239, 1248, 1252, 1267, 1284, 1287, 1293, 1294, 1297, 1298, 1300, 1301, 1302 and 1319.
- Correctly Rerevised:** HB13-1042, 1160, 1193, 1195, 1230, 1240, 1247, 1260, 1283 and 1303.
- Correctly Enrolled:** SB13-176.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of Resolutions.

CONSIDERATION OF RESOLUTIONS

SJR13-032 by Senator(s) Marble; also Representative(s) Buck--Concerning the designation of a portion of Highway 34 as the Staff Sergeant Christopher J. Birdwell Memorial Highway.

On motion of Senator Marble, the resolution was read at length and **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Co-sponsor(s) added: Aguilar, Balmer, Baumgardner, Brophy, Cadman, Carroll, Crowder, Giron, Grantham, Guzman, Harvey, Heath, Hill, Hodge, Hudak, Jahn, Johnston, Jones, Kefalas, Kerr, King, Lambert, Lundberg, Morse, Newell, Nicholson, Renfroe, Roberts, Scheffel, Schwartz, Steadman, Tochtrop, Todd and Ulibarri.

Senate in recess.
Senate reconvened.

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:

HB13-1287 by Representative(s) Primavera and DelGrosso; also Senator(s) Scheffel and Heath--Concerning an extension of the income tax years for which the Colorado job growth incentive tax credit is available.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Kefalas, Newell, Tochtrop and Todd.

HB13-1284 by Representative(s) Gardner; also Senator(s) Roberts--Concerning documents that can be filed regarding security interests under the "Uniform Commercial Code".

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

HB13-1294 by Representative(s) Gardner; also Senator(s) Guzman--Concerning a clarification that the state's judicial department is included within the definition of "public entity" for purposes of the "Colorado Governmental Immunity Act".

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Morse.

HB13-1300 by Representative(s) Gardner, Labuda, Levy, Murray, Waller; also Senator(s) Morse, Brophy, Carroll, Roberts, Schwartz--Concerning nonsubstantive revisions of statutes in the Colorado Revised Statutes, as amended, and, in connection therewith, amending or repealing obsolete, inconsistent, and conflicting provisions of law and clarifying the language to reflect the legislative intent of the laws.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Co-sponsor(s)	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Cadman, Newell and Steadman.

HB13-1319 by Representative(s) Court, DelGrosso; also Senator(s) Johnston--Concerning the establishment of the ratio of valuation for assessment for residential real property.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

HB13-1248 by Representative(s) Fischer; also Senator(s) Schwartz--Concerning an authorization of pilot projects for the leasing of water for municipal use.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Todd.

HB13-1297 by Representative(s) McLachlan and Schafer, Gerou; also Senator(s) Roberts and Nicholson--Concerning the authority of certain institutions of higher education to invest moneys.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder and Todd.

HB13-1302 by Representative(s) Moreno; also Senator(s) Ulibarri--Concerning a modification of the requirements governing proceedings to consolidate special districts.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

HB13-1298 by Representative(s) Ryden; also Senator(s) Giron--Concerning employment policies related to nonclassified employees of the state.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Newell.

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:

HB13-1154 by Representative(s) Foote and Levy, Court, Duran, Fields, Ginal, Hamner, Hullinghorst, Lee, McCann, Moreno, Pabon, Primavera, Ryden, Singer, Williams; also Senator(s) Steadman--Concerning crimes against pregnant women, and, in connection therewith, making an appropriation.

Call of the Senate. Call raised.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	21	NO	14	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Giron, Guzman, Heath, Hudak, Jahn, Jones, Kerr, Morse, Newell, Nicholson, Schwartz, Tochtrop, Todd and Ulibarri.

HB13-1182 by Representative(s) Levy, Duran, Gerou; also Senator(s) Lambert, Hodge, Steadman--Concerning the creation of the legislative digital policy advisory committee.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

HB13-1031 by Representative(s) Gerou, Levy; also Senator(s) Nicholson and Roberts--Concerning statewide all-hazards resource mobilization, and, in connection therewith, clarifying the powers and duties of the department of public safety with respect to the statewide all-hazards resource mobilization plan, specifying how mobilized entities receive reimbursement for expenses incurred by rendering assistance, and making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	22	NO	13	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Giron, Heath, Jones, King, Morse, Newell, Schwartz and Todd.

HB13-1239 by Representative(s) McCann; also Senator(s) Hodge--Concerning the creation of a statewide youth development plan, and, in connection therewith, making and reducing an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	23	NO	12	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Giron, Heath, Jones, Kefalas, Newell, Nicholson, Schwartz, Todd and Ulibarri.

HB13-1301 by Representative(s) Ryden and Gardner; also Senator(s) Todd and Grantham--Concerning the future operation of centers that offer procurement technical assistance in Colorado, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	28	NO	7	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	Y	Lambert	N	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Kerr and Newell.

HB13-1079 by Representative(s) Tyler; also Senator(s) Newell--Concerning the creation of the joint technology committee of the senate and house of representatives, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	21	NO	14	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

HB13-1252 by Representative(s) Hamner and Scott; also Senator(s) Jahn and King--Concerning the petroleum cleanup and redevelopment fund.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Cadman, Giron, Grantham, Harvey, Heath, Jones, Kefalas, Scheffel, Schwartz, Tochtrop and Todd.

SB13-278 by Senator(s) Kerr and Newell; also Representative(s) Young--Concerning creating a definition of a "drug-endangered child" with respect to child abuse or neglect.

A majority of those elected to the Senate having voted in the affirmative, Senator Kerr was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.010), by Senator Kerr.

Amend engrossed bill, page 3, line 12, strike "House Bill 13-1283" and substitute "Senate Bill 13-244".

Page 3, line 13, strike "House Bill 13-1283," and substitute "Senate Bill 13-244,".

The amendment was **passed** on the following roll call vote:

YES	32	NO	3	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	N	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	N		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	24	NO	11	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

HB13-1206 by Representative(s) DelGrosso, Holbert, Buck, Everett, Gardner, Lawrence, Murray, Nordberg, Saine, Swalm, Waller, Hullinghorst, McNulty, Pabon, Priola, Young; also Senator(s) Scheffel, Baumgardner, Jahn, Renfroe, Cadman, Kefalas, Lundberg-- Concerning the expansion of a local government's ability to enter into a business incentive agreement with a taxpayer.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Grantham, Heath, King, Lambert, Newell, Tochtrop, Todd and Ulibarri.

HB13-1267
by Representative(s) Foote; also Senator(s) Jones--Concerning increased penalties for violations by oil and gas operators, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	30	NO	5	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Carroll, Giron, Guzman, Heath, Hudak, Johnston, Kefalas, Nicholson, Schwartz, Todd and Ulibarri.

HB13-1021
by Representative(s) Fields; also Senator(s) Hudak--Concerning measures to ensure that students comply with compulsory school attendance requirements, and, in connection therewith, limiting the length of detention that a court may impose to enforce compulsory school attendance, allowing students who are under juvenile court jurisdiction to obtain a GED, and specifying minimum requirements for education services provided in juvenile detention facilities.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	21	NO	14	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Heath, Jahn, Johnston, Kerr, Newell, Nicholson, Schwartz, Tochtrop and Todd.

HB13-1293
by Representative(s) Rosenthal, Foote, Melton, Tyler; also Senator(s) Heath--Concerning the creation of a position by the governor for climate change matters.

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	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Schwartz.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for an expression of personal privilege.

MESSAGE FROM THE HOUSE

May 3, 2013

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1324.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1323, amended as printed in House Journal, May 2, page 1423.

The House has passed on Third Reading and returns herewith SB13-222, 214, 228, 204, 261, 205, 206, 247, 254, 265.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB13-148, amended as printed in House Journal, May 2, page 1422.
SB13-262, amended as printed in House Journal, May 2, pages 1422-1423.
SB13-279, amended as printed in House Journal, May 2, page 1426.
SB13-263, amended as printed in House Journal, May 2, page 1427.
SB13-282, amended as printed in House Journal, May 2, page 1427.

The House has voted to concur in the Senate amendments to HB13-1193, 1260, 1303 and has repassed the bills as so amended.

The House has adopted and returns herewith SJR13-032.

MESSAGE FROM THE REVISOR OF STATUTES

May 3, 2013

We herewith transmit:

Without comment, HB13-1324.
Without comment, as amended, HB13-1323.
Without comment, as amended, SB13-148, 262, 263, 279, and 282.

Committee of the Whole On motion of Senator Ulibarri, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Ulibarri was called to the Chair to act as Chairman.

**GENERAL ORDERS -- SECOND READING OF BILLS --
CONSENT CALENDAR**

The Committee of the Whole having risen, the Chairman reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB13-1308 by Representative(s) Kagan and Gardner; also Senator(s) Ulibarri and King--Concerning allowing a law enforcement agency to acquire call location information from a telecommunications device without a court order in an emergency situation.

Laid over to the end of the General Orders -- Second Reading of Bills calendar for Friday, May 3, retaining its place on the calendar.

HB13-1242 by Representative(s) Pettersen, Hullinghorst, Kagan; also Senator(s) King--Concerning a repeal of the mandatory sentencing requirement for violation of bail bond conditions for certain offenders.

Ordered revised and placed on the calendar for third reading and final passage.

HB13-1307 by Representative(s) Kagan, Gardner; also Senator(s) Guzman--Concerning the effect of the inclusion of a legal description on the validity of documents affecting title to real property.

Ordered revised and placed on the calendar for third reading and final passage.

HB13-1311 by Representative(s) Fischer; also Senator(s) Schwartz--Concerning a clarification of the definition of veterinary premises in the "Colorado Veterinary Practice Act".

Ordered revised and placed on the calendar for third reading and final passage.

**ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE --
CONSENT CALENDAR**

On motion of Senator Ulibarri, 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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB13-1242, HB13-1307, HB13-1311.
Laid over to the end of the General Orders -- Second Reading of Bills calendar, Friday, May 3: HB13-1308.

On motion of Majority Leader Carroll, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, SB13-173 was made Special Orders at 11:35 a.m.

Committee of the Whole The hour of 11:35 a.m. having arrived, Senator Ulibarri moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders -- Second Reading of Bills and, Senator Ulibarri 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:

SB13-173 by Senator(s) Kerr and Nicholson; also Representative(s) Pabon--Concerning the continuation of the division of gaming, and, in connection therewith, implementing the recommendations in the 2012 sunset report by the department of regulatory agencies.

A majority of all members elected to the Senate having voted in the affirmative, the bill was referred to the Committee on Appropriations.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Ulibarri, the report of the Committee of the Whole was adopted on the following roll call vote:

YES	32	NO	3	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	N		

The Committee of the Whole took the following action:

Referred to Appropriations: SB13-173.

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

HB13-1323 by Representative(s) Levy and McNulty; also Senator(s) Guzman and Scheffel--Concerning requiring the department of corrections to obtain clarification if a court-issued mittimus omits instruction concerning whether a defendant's sentences are to be served consecutively or concurrently.

Judiciary

HB13-1324 by Representative(s) Murray and Tyler; also Senator(s) Nicholson--Concerning the addition of members of the general assembly to the board of directors of the statewide internet portal authority.
Judiciary

Senate in recess. Senate reconvened.

Call of the Senate. Call raised.

COMMITTEE OF REFERENCE REPORTS

Legislative Council After consideration on the merits, the Committee recommends that **HB13-1299** be referred to the Committee on Appropriations with favorable recommendation.

Appropriations After consideration on the merits, the Committee recommends that **SB13-173** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend printed bill, page 12, after line 20 insert:

"SECTION 19. Appropriation. In addition to any other appropriation, there is hereby appropriated to the department of human services, for the fiscal year beginning July 1, 2013, the sum of \$70,000, or so much thereof as may be necessary, for allocation to behavioral health services, for gambling addiction counseling services related to the implementation of this act. Said sum is from reappropriated funds received from the department of local affairs' division of local government."

Renumber succeeding sections accordingly.

Page 1, line 104, strike "AGENCIES." and substitute "AGENCIES, AND MAKING AN APPROPRIATION."

Judiciary After consideration on the merits, the Committee recommends that **HB13-1324** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Judiciary After consideration on the merits, the Committee recommends that **HB13-1323** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

State, Veterans, & Military Affairs After consideration on the merits, the Committee recommends that **HB13-1316** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 2, strike lines 16 through 23.

Page 3, strike lines 1 through 17 and substitute:

"SECTION 2. No appropriation. The general assembly has

determined that this act can be implemented within existing appropriations, and therefore no separate appropriation of state moneys is necessary to carry out the purposes of this act."

- State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SJR13-031** be **postponed indefinitely**.
- State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SJM13-002** be **postponed indefinitely**.
- State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB13-281** be **postponed indefinitely**.
- Education

After consideration on the merits, the Committee recommends that **HB13-1320** be **amended** as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 4, strike lines 12 through 27.

Page 5, strike lines 1 through 4.

Renumber succeeding section accordingly.

Page 1, strike lines 103 and 104 and substitute "EDUCATION."

- Committee of the Whole

On motion of Senator Ulibarri, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Ulibarri was called to the chair to act as Chairman.
- GENERAL 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:
- SB13-286**

by Senator(s) Hodge and Brophy; also Representative(s) Levy and Sonnenberg-- Concerning an extension of the number of years that a renewable energy company may claim excess enterprise zone investment income tax credits as credit carryovers.

Amendment No. 1(L.003), by Senator Brophy.

Amend printed bill, page 2, line 11, strike "FOR RENEWABLE ENERGY COMPANIES, ANY" and substitute "ANY".

Page 2, line 12, after "SECTION" insert "FOR A RENEWABLE ENERGY INVESTMENT".

Page 2, line 24, strike "RENEWABLE ENERGY COMPANIES ARE" and substitute "A TAXPAYER IS".

Page 2, line 25, after the first "CREDIT" insert "DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (b) FOR A RENEWABLE ENERGY INVESTMENT".

	Page 3, strike lines 6 through 9.	1
		2
	Page 3, line 10, strike "PASS-THROUGH ENTITY THAT IS IN THE" and substitute "INVESTMENT" MEANS AN INVESTMENT THAT QUALIFIES FOR THE CREDIT SPECIFIED IN PARAGRAPH (a) OF SUBSECTION (1) OF THIS SECTION FOR".	3
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	Page 3, line 13, strike "BUSINESS." and substitute "PROJECTS.".	8
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	Page 3, line 21, strike "FOR RENEWABLE ENERGY COMPANIES, ANY" and substitute "ANY".	10
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	Page 3, line 22, after "(c)" insert "FOR A RENEWABLE ENERGY INVESTMENT".	13
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	Page 1, line 102, strike "RENEWABLE ENERGY COMPANY" and substitute "TAXPAYER".	16
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	Page 1, line 104, strike "CARRYOVERS." and substitute "CARRYOVERS FOR RENEWABLE ENERGY INVESTMENTS.".	19
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	As amended, ordered engrossed and placed on the calendar for third reading and final passage.	23
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	(For further action, see amendments to the report of the Committee of the Whole.)	26
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SB13-284	by Senator(s) Carroll; also Representative(s) Hullinghorst--Concerning streamlining the environmental permitting of oil and gas development that meets enhanced environmental protection standards.	29
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	<u>Amendment No. 1, Agriculture, Natural Resources, and Energy Committee Amendment.</u>	33
	(Printed in Senate Journal, April 30, page(s) 1108 and placed in members' bill files.)	34
		35
	<u>Amendment No. 2, Appropriations Committee Amendment.</u>	36
	(Printed in Senate Journal, May 1, page(s) 1193 and placed in members' bill files.)	37
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	<u>Amendment No. 3(L.004), by Senator Carroll.</u>	39
		40
	Strike the Agriculture, Natural Resources, and Energy Committee Report, dated April 30, 2013, and substitute:	41
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		43
	"Amend printed bill, page 2, line 18, after "OPERATOR'S" insert "COLORADO" and after "HISTORY" insert "AND PRESENT COMPLIANCE STATUS".	44
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	Page 3, line 4, after the semicolon add "AND".	48
		49
	Page 3, line 7, strike "THRESHOLD; AND" and substitute "THRESHOLD.".	50
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	Page 3, strike lines 8 through 10.	52
		53
	Page 3, line 26, after "OPERATOR'S" insert "COLORADO" and after "HISTORY" insert AND PRESENT COMPLIANCE STATUS".	54
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	Page 4, line 1, strike "A FACILITY THAT IS OUT OF".	57
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	Page 4, strike lines 2 through 4.".	59
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	As amended, ordered engrossed and placed on the calendar for third reading and final passage.	62
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- SB13-285** by Senator(s) Tochtrop; also Representative(s) Williams--Concerning the procedures in workers' compensation claims for the resolution of disputes. 1
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Amendment No. 1, Business, Labor & Technology Committee Amendment. 4
(Printed in Senate Journal, April 30, page(s) 1105 and placed in members' bill files.) 5
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Amendment No. 2, Appropriations Committee Amendment. 7
(Printed in Senate Journal, May 1, page(s) 1192 and placed in members' bill files.) 8
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As amended, ordered engrossed and placed on the calendar for third reading and final 10
passage. 11
12
- SB13-287** by Senator(s) Nicholson and Brophy, Morse, Aguilar, Giron; also Representative(s) 13
McLachlan and Sonnenberg, Coram--Concerning telecommunications. 14
15
Amendment No. 1, State, Veterans & Military Affairs Committee Amendment. 16
(Printed in Senate Journal, May 1, page(s) 1213 and placed in members' bill files.) 17
18
Amendment No. 2(L.008), by Senator Brophy. 19
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Amend printed bill, page 12, strike lines 4 through 10. 21
22
Renumber succeeding section accordingly. 23
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Amendment No. 3(L.009), by Senator Brophy. 26
27
Amend the State, Veterans, and Military Affairs Committee Report, 28
dated May 1, 2013, page 1, strike lines 5 through 9 and substitute "Page 29
7, line 9, after "SERVICE;" insert "EXCEPT THAT, IN A GEOGRAPHIC AREA 30
WHERE THE COMMISSION HAS DESIGNATED A PROVIDER AS THE PROVIDER 31
OF LAST RESORT, PURSUANT TO SECTION 40-15-502 (6), AND THE 32
COMMISSION HAS NOT DETERMINED THAT THE GEOGRAPHIC AREA HAS 33
EFFECTIVE COMPETITION, PURSUANT TO SECTION 40-15-207, THE 34
COMMISSION SHALL REGULATE VOICE-OVER-INTERNET-PROTOCOL 35
SERVICE IF VOICE-OVER-INTERNET-PROTOCOL SERVICE IS THE PROVIDER'S 36
MECHANISM FOR DELIVERING BASIC LOCAL EXCHANGE SERVICE.".". 37
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As amended, ordered engrossed and placed on the calendar for third reading and final 40
passage. 41
42
(For further action, see roll call vote on **SB13-287**.) 43
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- HB13-1308** by Representative(s) Kagan and Gardner; also Senator(s) Ulibarri and King--Concerning 46
allowing a law enforcement agency to acquire call location information from a 47
telecommunications device without a court order in an emergency situation. 48
49
Ordered revised and placed on the calendar for third reading and final passage. 50
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52
- HB13-1296** by Representative(s) McCann and Kraft-Tharp; also Senator(s) Newell--Concerning civil 53
commitment statutes, and, in connection therewith, creating the civil commitment statute 54
review task force and redefining certain terms related to civil commitment. 55
56
Laid over until Saturday, May 4, retaining its place on the calendar. 57
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59
- HB13-1304** by Representative(s) Moreno, Exum, Hamner, Kraft-Tharp, Rosenthal, Ryden, Williams; 60
also Senator(s) Guzman, Aguilar, Carroll, Giron, Heath, Hodge, Hudak, Johnston, Jones, 61
Kefalas, Kerr, Morse, Newell, Nicholson, Schwartz, Steadman, Tochtrop, Todd, Ulibarri-- 62
Concerning eligibility for unemployment compensation benefits when unemployment is 63
due to a lockout. 64
65
Laid over until Monday, May 13, retaining its place on the calendar. 66
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HB13-1238	by Representative(s) McCann; also Senator(s) Newell--Concerning funding issues related to medical marijuana.	1
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	<u>Amendment No. 1, Finance Committee Amendment.</u>	4
	(Printed in Senate Journal, May 1, page(s) 1146-1147 and placed in members' bill files.)	5
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	As amended, ordered revised and placed on the calendar for third reading and final passage.	7
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HB13-1280	by Representative(s) Gerou, Duran, Levy; also Senator(s) Hodge, Steadman, Lambert--Concerning a two-year waiver from the target reserve requirement for the building regulation fund.	11
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	Ordered revised and placed on the calendar for third reading and final passage.	15
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HB13-1210	by Representative(s) Kagan; also Senator(s) Steadman--Concerning appointment of legal counsel during plea negotiations for indigent adult defendants, and, in connection therewith, making an appropriation.	18
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	Ordered revised and placed on the calendar for third reading and final passage.	22
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HB13-1254	by Representative(s) Lee, Buck, Buckner, Court, Duran, Exum, Fischer, Foote, Ginal, Hamner, Hullinghorst, Kagan, Kraft-Tharp, Labuda, Lebsock, Levy, May, McCann, McLachlan, Melton, Mitsch Bush, Moreno, Pabon, Peniston, Pettersen, Primavera, Rosenthal, Ryden, Salazar, Schafer, Singer, Tyler, Vigil, Williams, Young; also Senator(s) Newell--Concerning restorative justice, and, in connection therewith, making an appropriation.	25
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	Ordered revised and placed on the calendar for third reading and final passage.	32
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HB13-1259	by Representative(s) McCann; also Senator(s) Newell--Concerning court orders in civil actions for persons at risk of abuse or neglect, and, in connection therewith, procedures for allocating parental rights and responsibilities in the best interests of the child in cases involving child abuse and neglect and domestic violence; provisions relating to parenting time orders; provisions relating to parenting time evaluations and reports; amending and relocating provisions relating to civil protection orders; and making an appropriation.	35
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	Ordered revised and placed on the calendar for third reading and final passage.	42
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HB13-1269	by Representative(s) Foote, Court, Duran, Fields, Fischer, Ginal, Hamner, Hullinghorst, Kagan, Labuda, Lee, Levy, Melton, Mitsch Bush, Moreno, Pabon, Primavera, Ryden, Salazar, Schafer, Singer, Williams; also Senator(s) Jones, Ulibarri, Kefalas--Concerning the reduction of conflicts of interest within the Colorado oil and gas conservation commission.	45
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	Laid over until Saturday, May 4, retaining its place on the calendar.	50
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HB13-1315	by Representative(s) Fischer; also Senator(s) Kefalas--Concerning the authority of a governing board of an institution of higher education to mandate purchases relating to health care.	53
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	<u>Amendment No. 1(L.002), by Senator Lundberg.</u>	57
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	Amend reengrossed bill, page 2, line 2, strike " repeal " and substitute " amend ".	59
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	Page 2, line 10, after the period add "If A GOVERNING BOARD OF AN INSTITUTION OF HIGHER EDUCATION REQUIRES A STUDENT TO PURCHASE HEALTH CARE INSURANCE, THE BOARD MUST ALLOW THE SAME EXEMPTION FOR THOSE PARTICIPATING IN A HEALTH CARE SHARING MINISTRY AS SPECIFIED IN THE FEDERAL "PATIENT PROTECTION AND AFFORDABLE CARE ACT".".	62
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As amended, ordered revised and placed on the calendar for third reading and final passage.

HB13-1004 by Representative(s) Duran and Melton; also Senator(s) Kerr--Concerning the Colorado Careers Act of 2013, and, in connection therewith, establishing a transitional jobs program and making an appropriation.

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, April 30, page(s) 1105 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, May 1, page(s) 1192 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

SB13-286 by Senator(s) Hodge and Brophy; also Representative(s) Levy and Sonnenberg-- Concerning an extension of the number of years that a renewable energy company may claim excess enterprise zone investment income tax credits as credit carryovers.

Senators Baumgardner and Harvey moved to amend the Report of the Committee of the Whole to show that the following Baumgardner floor amendment, (L.002) to SB 13-286, did pass.

Amend printed bill, page 3, line 10, after "ELECTRIC," insert "COAL MINE METHANE,".

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	15	NO	20	EXCUSED	0	ABSENT	0
Aguilar		N Guzman		N Kefalas		N Roberts	Y
Balmer		Y Harvey		Y Kerr		N Scheffel	Y
Baumgardner		Y Heath		N King		Y Schwartz	N
Brophy		Y Hill		Y Lambert		Y Steadman	N
Cadman		Y Hodge		N Lundberg		Y Tochtrop	N
Carroll		N Hudak		N Marble		Y Todd	N
Crowder		Y Jahn		N Newell		N Ulibarri	N
Giron		N Johnston		N Nicholson		N President	N
Grantham		Y Jones		N Renfroe		Y	

ROLL CALL VOTE ON SB13-287

SB13-287 by Senator(s) Nicholson and Brophy, Morse, Aguilar, Giron; also Representative(s) McLachlan and Sonnenberg, Coram--Concerning telecommunications.

Senator Steadman requested a roll call vote on **SB13-287**.

YES	16	NO	19	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	N	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	Y	Hill	N	Lambert	N	Steadman	N
Cadman	N	Hodge	N	Lundberg	N	Tochtrop	N
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	N	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	N
Grantham	N	Jones	Y	Renfroe	N		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Ulibarri, 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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB13-286 as amended, SB13-284 as amended, SB13-285 as amended, HB13-1308, HB13-1238 as amended, HB13-1280, HB13-1210, HB13-1254, HB13-1259, HB13-1315 as amended, HB13-1004 as amended.
Lost on second reading: SB13-287 as amended.
Laid over until Saturday, May 4: HB13-1296, HB13-1269.
Laid over until Monday, May 13: HB13-1304.

NOTICE OF INTENT TO RECONSIDER THE ADOPTION OF THE COMMITTEE OF THE WHOLE REPORT

Having voted on the prevailing side, President Morse gave notice of intent to reconsider the Adoption of the Report of the Committee of the Whole, as printed in Senate Journal, May 3, page 1272.

MESSAGE FROM THE HOUSE

May 3, 2013

Mr. President:

The House has postponed indefinitely SB13-218, 259. The bills are returned herewith.

On motion of Majority Leader Carroll, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, the General Orders -- Second Reading of Bills Consent Calendar of Saturday, May 4 (HB13-1305, HB13-1310, and HB13-1314), the General Orders -- Second Reading of Bills Calendar of Saturday, May 4 (HB13-1296, HB13-1269, HB13-1277, HB13-1274, HB13-1002, HB13-1257, HB13-1171, HB13-1278, HB13-1292, HB13-1286, HB13-1165, HB13-1295, HB13-1245, HB13-1290, HB13-1007, and SB13-288), and the Consideration of Governor's Appointments Consent Calendar for Saturday, May 4 (Members of the State Agricultural Commission, Member of the State Board of Land Commissioners, Members of the Colorado Tourism Board of Directors, Member of the Oil and Gas Conservation Commission of the State of Colorado, Members of the Colorado State Fair Authority Board of Commissioners, Members of the State Board of Human Services, Member of the Colorado Traumatic Brain Injury Trust Fund Board, Member of the Colorado Commission on the Aging) were made Special Orders at 6:37 p.m.

On motion of Majority Leader Carroll, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, the Finance Committee was given leave to meet during a session of the Senate pursuant to Senate Rule 21 (c).

Committee of the Whole The hour of 6:37 p.m. having arrived, Senator Ulibarri moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders -- Second Reading of Bills Consent Calendar and, Senator Ulibarri was called to the chair to act as Chairman.

**SPECIAL ORDERS -- SECOND READING OF BILLS --
CONSENT CALENDAR**

The Committee of the Whole having risen, the Chairman reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB13-1305 by Representative(s) Gerou and Levy, Duran; also Senator(s) Steadman, Hodge, Lambert-- Concerning limited authorization for the governor to order moneys to be transferred from the general fund to the tobacco litigation settlement cash fund if any payment of tobacco litigation settlement moneys to be made to the state is reduced due to a finding by an arbitration panel that the state must repay disputed payments of tobacco litigation settlement moneys already made to the state.

Ordered revised and placed on the calendar for third reading and final passage.

HB13-1310 by Representative(s) May, Fields, Gerou, Melton, Primavera, Priola, Schafer; also Senator(s) Hodge, Todd--Concerning the repeal of a portion of the definition of a pharmacy intern.

Ordered revised and placed on the calendar for third reading and final passage.

HB13-1314 by Representative(s) Levy and Gerou, Duran; also Senator(s) Hodge, Steadman, Lambert-- Concerning the transfer of the administration of long-term services for persons with intellectual and developmental disabilities to the department of health care policy and financing.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, May 2, page(s) 1231-1233 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE --
CONSENT CALENDAR

On motion of Senator Ulibarri, 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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB13-1305, HB13-1310, HB13-1314 as amended.

Committee of the Whole
On motion of Senator Ulibarri, the Senate resolved itself into the Committee of the Whole for consideration of Special Orders--Second Reading of Bills, and Senator Ulibarri 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:

HB13-1257
by Representative(s) Hamner; also Senator(s) Todd--Concerning working collaboratively with educators to develop a distinctive local-level personnel evaluation system for educators, and, in connection therewith, making an appropriation.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, April 29, page(s) 1095 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, May 2, page(s) 1219-1220 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB13-1171
by Representative(s) Primavera, McCann, Melton, Ryden, Schafer, Singer, Tyler; also Senator(s) Todd, Aguilar, Giron, Guzman, Hudak, Jahn, Kefalas, Newell--Concerning the use of epinephrine auto-injectors in emergency situations in school settings, and, in connection therewith, making an appropriation.

Amendment No. 1, Health and Human Services Committee Amendment.
(Printed in Senate Journal, May 2, page(s) 1109-1110 and placed in members' bill files.)

Amendment No. 2(L.016), by Senator Todd.

Amend the Health and Human Services Committee Report, dated April 30, 2013, page 1, line 6, strike the first "THE" and substitute "A".

Page 1, line 11, strike "THE REGISTERED" and substitute "A".

Page 1, line 13, strike "ANOTHER" and substitute "A".

As amended, ordered revised 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.)

HB13-1278 by Representative(s) Mitsch Bush; also Senator(s) Todd and Jahn--Concerning the reporting of oil spills, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB13-1277 by Representative(s) Williams; also Senator(s) Carroll and Todd--Concerning the regulation of persons who manage the affairs of common interest communities under the "Colorado Common Interest Ownership Act".

Amendment No. 1, Local Government Committee Amendment.
(Printed in Senate Journal, May 1, page(s) 1148 and placed in members' bill files.)

Amendment No. 2(L.016), by Senator Steadman.

Amend reengrossed bill, page 9, strike lines 6 through 13 and substitute:

"(b) AN APPLICANT IS INELIGIBLE FOR A LICENSE IF THE PERSON HAS, WITHIN THE IMMEDIATELY PRECEDING TEN YEARS, HAD A LICENSE OR CERTIFICATION AS A COMMUNITY".

Page 9, after line 19 insert:

"(c) IF THE DIRECTOR DETERMINES THAT THE APPLICANT HAS BEEN CONVICTED OF A CRIME, THE DIRECTOR SHALL CONSIDER THE FOLLOWING FACTORS WHEN DETERMINING WHETHER THE CONVICTION DISQUALIFIES THE APPLICANT FOR A LICENSE:

(I) THE NATURE OF THE CONVICTION;

(II) WHETHER THERE IS A DIRECT RELATIONSHIP BETWEEN THE CONVICTION AND THE DUTIES AND RESPONSIBILITIES OF LICENSURE AND THE BEARING, IF ANY, THE CONVICTION MAY HAVE ON THE APPLICANT'S FITNESS OR ABILITY TO PERFORM ONE OR MORE SUCH DUTIES AND RESPONSIBILITIES, INCLUDING WHETHER THE CONVICTION WAS FOR UNLAWFUL SEXUAL BEHAVIOR AS LISTED IN SECTION 16-22-102 (9), C.R.S., AND WHETHER THE APPLICANT WOULD PLACE A RESIDENT OR THE PUBLIC IN A VULNERABLE POSITION;

(III) ANY INFORMATION PRODUCED BY THE APPLICANT OR PRODUCED ON THE APPLICANT'S BEHALF REGARDING HIS OR HER REHABILITATION AND GOOD CONDUCT; AND

(IV) THE TIME THAT HAS ELAPSED SINCE THE CONVICTION.

(d) NOTWITHSTANDING PARAGRAPH (c) OF THIS SUBSECTION (3), AN APPLICANT IS INELIGIBLE FOR LICENSURE IF THE APPLICANT HAS, WITHIN THE IMMEDIATELY PRECEDING TEN YEARS, BEEN CONVICTED OF AN OFFENSE INVOLVING UNLAWFUL SEXUAL BEHAVIOR AS LISTED IN SECTION 16-22-102 (9), C.R.S., A BURGLARY OFFENSE, AS DEFINED IN SECTION 18-4-202 OR 18-4-203, C.R.S., OR ANY FELONY INVOLVING FRAUD, THEFT, LARCENY, EMBEZZLEMENT, FRAUDULENT CONVERSION, OR MISAPPROPRIATION OF PROPERTY."

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB13-1286 by Representative(s) Williams, Ryden; also Senator(s) Tochtrop, Guzman, King-- Concerning the suspension of recovery audits of state agencies until the data needed to conduct the audits is included in a modernized Colorado financial reporting system, and, in connection therewith, reducing an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

- HB13-1274

by Representative(s) Hulinghorst; also Senator(s) Kerr--Concerning the state board of land commissioners' investment in commercial real property, and, in connection therewith, granting the state board of land commissioners the authority to enter into lease-purchase agreements.

Amendment No. 1, Appropriations Committee Amendment.

(Printed in Senate Journal, May 2, page(s) 1219 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB13-1165

by Representative(s) Wilson; also Senator(s) Heath--Concerning the creation of a manufacturing career pathway for Colorado, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB13-1295

by Representative(s) Ferrandino, Court, Hulinghorst, Levy, Pabon; also Senator(s) Heath--Concerning the implementation of the minimum simplification requirements of the proposed federal "Marketplace Fairness Act of 2013" in order for the state to be authorized by the federal government to require remote sellers to collect sales tax on taxable sales made within the state.

Amendment No. 1, Agriculture, Natural Resources, and Energy Committee Amendment.

(Printed in Senate Journal, May 1, page(s) 1145-1146 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB13-1245

by Representative(s) McCann; also Senator(s) Steadman--Concerning funding mechanisms for the Colorado health benefit exchange.

Amendment No. 1, Health & Human Services Committee Amendment.

(Printed in Senate Journal, April 30, page(s) 1110 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB13-1002

by Representative(s) Tyler, Lee, Moreno, Primavera, Ryden, Schafer, Williams, Young; also Senator(s) Jahn--Concerning moneys for small business development centers, and, in connection therewith, making an appropriation.

Amendment No. 1, Business, Labor, & Technology Committee Amendment.

(Printed in Senate Journal, April 30, page(s) 1137 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.

(Printed in Senate Journal, May 2, page(s) 1219 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB13-1292

by Representative(s) Lee and Pabon, Buckner, Court, Duran, Exum, Ferrandino, Fields, Fischer, Foote, Garcia, Ginal, Hamner, Hulinghorst, Kagan, Kraft-Tharp, Labuda, Lebsock, Levy, May, McCann, McLachlan, Melton, Mitsch Bush, Moreno, Peniston, Pettersen, Primavera, Rosenthal, Ryden, Salazar, Schafer, Singer, Tyler, Vigil, Williams, Young; also Senator(s) Kerr and Nicholson, Aguilar, Carroll, Giron, Guzman, Heath, Hodge, Hudak, Jahn, Johnston, Jones, Kefalas, Morse, Newell, Schwartz, Steadman, Tochtrop, Todd, Ulibarri--Concerning modifications to procurement requirements for government contracts related to United States domestic employment, and, in connection therewith, making an appropriation.

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Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, April 30, page(s) 1143-1145 and placed in members' bill files.)

Amendment No. 2(L.015), by Senator Kerr.

Amend reengrossed bill, page 26, line 13, strike "\$364,099 and 2.0 FTE,"
and substitute "\$36,588,".

Page 26, strike lines 16 and 17.

Reletter succeeding paragraphs accordingly.

Page 26, line 18, strike "\$225,000" and substitute "\$25,000".

Page 26, line 26, strike "(c)" and substitute "(b)".

As amended, ordered revised and placed on the calendar for third reading and final
passage.

HB13-1290 by Representative(s) McCann; also Senator(s) Aguilar--Concerning the regulation of stop-
loss health insurance used in conjunction with self-insured health care coverage in
employer benefit plans.

Ordered revised and placed on the calendar for third reading and final passage.

SB13-288 by Senator(s) Cadman and Morse, Nicholson, Lambert, Aguilar, Baumgardner, Brophy,
Carroll, Crowder, Giron, Grantham, Guzman, Harvey, Heath, Hill, Hodge, Hudak, Jahn,
Johnston, Jones, Kefalas, Kerr, King, Lundberg, Marble, Newell, Renfroe, Roberts,
Scheffel, Schwartz, Steadman, Tochtrop, Todd, Ulibarri; also Representative(s) Levy and
Gerou--Concerning the process by which the general assembly approves recommendations
made by the state claims board for an additional payment to claimants that exceeds the
maximum liability under the "Colorado Governmental Immunity Act".

Ordered engrossed and placed on the calendar for third reading and final passage.

HB13-1007 by Representative(s) Peniston; also Senator(s) Hudak--Concerning recreation of the early
childhood and school readiness legislative commission.

Amendment No. 1(L.005), by Senator Hudak.

Amend reengrossed bill, page 5, strike lines 4 and 5 and substitute:

"(c) THE PRESIDENT OF THE SENATE SHALL SELECT THE FIRST
CHAIR OF THE COMMISSION, AND THE SPEAKER OF THE HOUSE OF
REPRESENTATIVES".

Page 5, line 6, strike "SENATE".

As amended, ordered revised and placed on the calendar for third reading and final
passage.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

HB13-1171 by Representative(s) Primavera, McCann, Melton, Ryden, Schafer, Singer, Tyler; also
Senator(s) Todd, Aguilar, Giron, Guzman, Hudak, Jahn, Kefalas, Newell--Concerning the
use of epinephrine auto-injectors in emergency situations in school settings, and, in
connection therewith, making an appropriation.

Senator Harvey moved to amend the Report of the Committee of the Whole to show that the following amendment to HB 13-1171 did pass.

Amend reengrossed bill, page 7, strike lines 8 through 13 and substitute:

"SECTION 2. No appropriation. The general assembly has determined that this act can be implemented within existing appropriations, and therefore no separate appropriation of state moneys is necessary to carry out the purposes of this act."

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 passed on the following roll call vote:

YES	33	NO	1	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	N
Crowder	E	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Ulibarri, the report of the Committee of the Whole was adopted on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	E	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB13-288, HB13-1257 as amended, HB13-1171 as amended, HB13-1278, HB13-1277 as amended, HB13-1286, HB13-1274 as amended, HB13-1165, HB13-1295 as amended, HB13-1245 as amended, HB13-1002 as amended, HB13-1292 as amended, HB13-1290, HB13-1007 as amended.

COMMITTEE OF REFERENCE REPORTS

Finance
 After consideration on the merits, the Committee recommends that HB13-1317 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 3, line 11, after "MARIJUANA" insert "AND

RETAIL MARIJUANA PRODUCTS".

Page 4, strike lines 8 through 19 and substitute "FUND CONSISTS OF:

(I) The moneys ~~in the fund~~ COLLECTED BY THE STATE LICENSING AUTHORITY;

(II) ANY APPLICABLE RETAIL MARIJUANA EXCISE TAX TRANSFERRED PURSUANT TO SECTION 39-28.8-306 (1) (b), C.R.S.;

(III) ANY APPLICABLE RETAIL MARIJUANA SALES TAX TRANSFERRED PURSUANT TO SECTION 39-28.8-203 (1) (b), C.R.S.;

(IV) ANY SALES TAX IMPOSED PURSUANT TO SECTION 39-26-106, C.R.S., ON THE RETAIL SALE OF PRODUCTS UNDER THIS ARTICLE AND ARTICLE 43.4 OF THIS TITLE; AND

(V) ANY ADDITIONAL GENERAL FUND MONEYS APPROPRIATED TO THE FUND THAT ARE NECESSARY FOR THE OPERATION OF THE STATE LICENSING AUTHORITY.

(b) MONEYS IN THE FUND shall be subject to annual appropriation by the general assembly to:

(I) The department of revenue for the direct and indirect costs associated with implementing this article AND ARTICLE 43.4 OF THIS TITLE;

(II) THE DIVISION OF CRIMINAL JUSTICE IN THE DEPARTMENT OF PUBLIC SAFETY FOR THE STUDY OF MARIJUANA IMPLEMENTATION PURSUANT TO SECTION 24-33.5-514, C.R.S.;

(III) THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT FOR THE MONITERING OF THE HEALTH EFFECTS OF MARIJUANA PUSUANT TO SECTION 25-1.5-111, C.R.S.; AND

(IV) THE GENERAL FUND TO REPAY TWO MILLION DOLLARS TO THE GENERAL FUND FOR THE TRANSFERS REQUIRED BY SECTION 39-26-123 (6), C.R.S.

(c) Any moneys in the fund not expended for ~~the purposes of this article~~ THESE PURPOSES may be invested by the state".

Page 5, line 6, strike "(b)" and substitute "(d)".

Page 5, line 9, strike "(b)" and substitute "(d)".

Page 6, line 8, strike "MARIJUANA," insert "MARIJUANA AND RETAIL MARIJUANA PRODUCTS,".

Page 6, line 27, after "MARIJUANA" insert "AND RETAIL MARIJUANA PRODUCTS".

Page 7, strike lines 18 and 19.

Renumber succeeding subsections accordingly.

Page 7, line 22, strike "GOVERNMENT" and substitute "JURISDICTION".

Page 7, line 24, strike "BUSINESSES" and substitute "RETAIL MARIJUANA ESTABLISHMENTS".

Page 8, line 8, strike the first "AND" and substitute "THAT".

Page 8, after line 16, insert:

"(17) "RETAIL MARIJUANA PRODUCTS" MEANS "MARIJUANA PRODUCTS AS DEFINED IN SECTION 16 (2) (k) OF ARTICLE XVIII OF THE STATE CONSTITUTION THAT ARE PRODUCED AT A RETAIL MARIJUANA PRODUCTS MANUFACTURER.".

Renumber succeeding subsections accordingly.

Page 8, line 24, strike "HAS THE SAME" and substitute "MEANS".

Page 8, line 25, strike "MEANING AS".

Page 8, line 26, strike "CONSTITUTION." and substitute "CONSTITUTION

THAT IS LICENSED PURSUANT TO THIS ARTICLE."	1
	2
Page 9, line 7, strike "OR HIGH SCHOOL," and substitute "HIGH SCHOOL, OR	3
INSTITUTE OF HIGHER EDUCATION."	4
	5
Page 11, line 13, strike "DEDUCTED FROM" and substitute "APPLIED TO"	6
and strike "LICENSE" and substitute "APPLICATION".	7
	8
Page 11, line 15, strike "FEE." and substitute "FEE UNLESS THE LOCAL	9
JURISDICTION HAS PROHIBITED THE OPERATION OF RETAIL MARIJUANA	10
ESTABLISHMENTS PURSUANT TO SECTION 16 (5) (f) OF ARTICLE XVIII OF	11
THE STATE CONSTITUTION."	12
	13
Page 11, line 19, after "ARTICLE." add "A LICENSE ISSUED TO A PERSON	14
PURSUANT TO THIS SUBPARAGRAPH (II) IS NOT EFFECTIVE UNTIL OCTOBER	15
1, 2014."	16
	17
Page 11, line 25, strike "IMMEDIATELY" and substitute "WITHIN SEVEN	18
DAYS".	19
	20
Page 11, line 26, strike "JURISDICTION." and substitute "JURISDICTION	21
UNLESS THE LOCAL JURISDICTION HAS PROHIBITED THE OPERATION OF	22
RETAIL MARIJUANA ESTABLISHMENTS PURSUANT TO SECTION 16 (5) (f) OF	23
ARTICLE XVIII OF THE STATE CONSTITUTION."	24
	25
Page 12, line 24, after "MARIJUANA" insert "AND RETAIL MARIJUANA	26
PRODUCTS".	27
	28
Page 13, line 12, after "TO" insert "THE JOINT BUDGET COMMITTEE AND".	29
	30
Page 13, line 16, strike "MARKET," and substitute "AND RETAIL	31
MARIJUANA PRODUCTS MARKETS,".	32
	33
Page 13, strike lines 19 and 20 and substitute:	34
	35
"(c) DETAILING THE AMOUNT OF REVENUE GENERATED BY	36
MEDICAL AND RETAIL MARIJUANA, INCLUDING APPLICABLE EXCISE TAXES,	37
SALES TAXES, APPLICATION AND LICENSE FEES, AND ANY OTHER FEES,	38
AND DETAILING THE EXPENSES INCURRED BY THE STATE LICENSING	39
AUTHORITY, BROKEN DOWN INTO CATEGORIES AS DETERMINED BY THE	40
AUTHORITY;".	41
	42
Page 14, line 5, strike "IS" and substitute "AND RETAIL MARIJUANA	43
PRODUCTS ARE".	44
	45
Page 14, line 15, after "MARIJUANA" insert "AND RETAIL MARIJUANA	46
PRODUCTS".	47
	48
Page 14, line 18, after "MARIJUANA" insert "AND RETAIL MARIJUANA	49
PRODUCTS".	50
	51
Page 14, line 23, strike the first "THE" and substitute "EITHER SEED OR"	52
and after "MARIJUANA" insert "OR RETAIL MARIJUANA PRODUCT".	53
	54
Page 15, line 3, after "MARIJUANA" insert "AND RETAIL MARIJUANA	55
PRODUCTS".	56
	57
Page 15, line 12, strike "ALL".	58
	59
Page 15, line 14, after "MARIJUANA" insert "AND RETAIL MARIJUANA	60
PRODUCTS".	61
	62
Page 15, line 25, strike "HEARINGS UNDER SECTION 24-4-105," and	63
substitute "HEARINGS."	64
	65
Page 15, line 26, strike "C.R.S."	66
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Page 16, line 5, after "MARIJUANA" insert "OR RETAIL MARIJUANA PRODUCTS".

Page 17, line 10, after "MARIJUANA" insert "AND RETAIL MARIJUANA PRODUCTS".

Page 17, line 12, strike "AGENCY" and substitute "STATE LICENSING AUTHORITY" and strike "ARE FREE FROM" and substitute "DO NOT CONTAIN HARMFUL LEVELS OF".

Page 17, line 13, strike "HARMFUL".

Page 17, strike line 17 and substitute "CORRECT. IN THE EVENT THAT TEST RESULTS FOR AN END PRODUCT VARY FROM LABELED LEVELS BY FIFTEEN PERCENT OR MORE, THE PRODUCER SHALL DOCUMENT THE STEPS TAKEN TO BRING THE VARIANCE WITHIN THE ALLOWABLE LEVEL. THIS TESTING IS TO BE INITIATED AND PAID FOR BY THE PERTINENT PRODUCTION ENTITY AND COMPLETED AT A LICENSED TESTING FACILITY.".

Page 17, strike lines 18 through 23 and substitute:

 "(B) THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT SHALL RECOMMEND TO THE STATE LICENSING AUTHORITY STANDARDS AND CRITERIA FOR INDEPENDENT TESTING AND CERTIFICATION UNDER SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (IV)".

Page 19, line 1, strike "PRODUCT";" and substitute "PRODUCT.";".

Page 19, line 7, before "MARIJUANA" insert "RETAIL".

Page 19, line 10, after "EDIBLE" insert "MARIJUANA".

Page 19, strike line 12 and substitute: "MARIJUANA.".

Page 19, line 19, strike "MARIJUANA;" and substitute "MARIJUANA AND RETAIL MARIJUANA PRODUCTS;".

Page 19, line 20, strike "STORES," and substitute "ESTABLISHMENTS,".

Page 19, line 26, strike "STORES;" and substitute "STORES AND ANY APPLICABLE EXCISE TAX PAYMENTS BY RETAIL MARIJUANA CULTIVATION FACILITIES;".

Page 23, line 11, after "ANY" insert "RETAIL".

Page 23, line 27, strike "MARIJUANA." and substitute "MARIJUANA AND RETAIL MARIJUANA PRODUCTS.".

Page 24, strike lines 9 through 17 and substitute:

 (b) (I) THE STATE LICENSING AUTHORITY MAY ESTABLISH LIMITATIONS UPON RETAIL MARIJUANA PRODUCTION THROUGH ONE OR MORE OF THE FOLLOWING METHODS:

 (A) PLACING OR MODIFYING A LIMIT ON THE NUMBER OF LICENSES THAT IT ISSUES, BY CLASS OR OVERALL, BUT IN PLACING OR MODIFYING THE LIMITS, THE AUTHORITY SHALL CONSIDER THE REASONABLE AVAILABILITY OF NEW LICENSES AFTER A LIMIT IS ESTABLISHED OR MODIFIED;

 (B) PLACING OR MODIFYING A LIMIT ON THE AMOUNT OF PRODUCTION PERMITTED BY A RETAIL MARIJUANA CULTIVATION LICENSE OR CLASS OF LICENSES BASED UPON SOME REASONABLE METRIC OR SET OF METRICS INCLUDING, BUT NOT LIMITED TO, THOSE ITEMS DETAILED IN PARAGRAPH (a) OF THIS SUBSECTION (4), PREVIOUS MONTHS' SALES, PENDING SALES, OR OTHER REASONABLE METRICS AS DETERMINED BY THE STATE LICENSING AUTHORITY; AND

 (C) PLACING OR MODIFYING A LIMIT ON THE TOTAL AMOUNT OF PRODUCTION BY RETAIL MARIJUANA CULTIVATION LICENSEES IN THE

STATE, COLLECTIVELY, BASED UPON SOME REASONABLE METRIC OR SET OF METRICS INCLUDING, BUT NOT LIMITED TO, THOSE ITEMS DETAILED IN PARAGRAPH (a) OF THIS SUBSECTION (4), AS DETERMINED BY THE STATE LICENSING AUTHORITY.

(II) NOTWITHSTANDING ANYTHING CONTAINED IN THIS ARTICLE TO".

Page 24, line 21, strike "(I)" and substitute "(A)".

Page 24, line 22, after "MARIJUANA" insert "AND RETAIL MARIJUANA PRODUCTS".

Page 24, line 23, strike "(II)" and substitute "(B)".

Page 25, line 3, after "SHALL", insert "WITHIN SEVEN DAYS".

Page 25, line 5, strike "BUSINESS" and substitute "ESTABLISHMENT" and strike "LOCATED." and substitute "LOCATED UNLESS THE LOCAL JURISDICTION HAS PROHIBITED THE OPERATION OF RETAIL MARIJUANA ESTABLISHMENTS PURSUANT TO SECTION 16 (5) (f) OF ARTICLE XVIII OF THE STATE CONSTITUTION."

Page 25, strike lines 15 and 16 and substitute "REQUIREMENTS, BUT A LOCAL JURISDICTION SHALL NOTIFY THE STATE LICENSING AUTHORITY THAT IT EITHER APPROVES OR DENIES EACH APPLICATION FORWARDED TO IT."

Page 27, line 16, strike "AND, IF REQUIRED," and substitute "AND".

Page 28, line 4, strike "12-43.4-104 (1) (c) OR".

Page 28, line 25, strike "LICENSING AUTHORITY" and substitute "JURISDICTION".

Page 29, line 2, strike "A PERSON" and substitute "AN INDIVIDUAL".

Page 29, line 4, strike "AN ENTITY OTHER THAN A PERSON," and substitute "A PERSON OTHER THAN AN INDIVIDUAL".

Page 30, line 9, strike "FACILITY" and substitute "ESTABLISHMENT".

Page 30, strike line 18 and substitute:

 "(k) AN OWNER".

Page 30, line 19, strike "AUTHORITY,".

Page 31, line 14, strike "A".

Page 32, line 19, after "LOCATION;" insert "OR".

Page 32, line 24, strike "PREMISES;" and substitute "PREMISES."

Page 32, strike lines 25 through 27.

Strike page 33.

Page 34, strike lines 1 through 3.

Page 34, line 8 strike "(13)." and substitute "(12)".

Page 35, line 2, strike "12-43.4-302." and substitute "12-43.4-304."

Page 35, line 22, strike "OWNER OR OFFICER" and substitute "OWNER, OFFICER, OR MANAGER".

Page 38, line 3, strike "TWO BUSINESS" and substitute "SEVEN".

Page 38, line 22, strike "TWO" and substitute "SEVEN".	1
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Page 38, line 23, strike "BUSINESS".	3
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Page 40, line 24, strike "MARIJUANA," and substitute "MARIJUANA AND RETAIL MARIJUANA PRODUCTS,".	5
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Page 41, line 18, strike "WITH".	8
	9
Page 41, line 19, strike "SEPARATE LICENSED PREMISES".	10
	11
Page 42, line 14, after "MARIJUANA" insert "OR RETAIL MARIJUANA PRODUCTS".	12
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	14
Page 42, line 16, after "(b)" insert "(I)".	15
	16
Page 42, strike line 19 and substitute: "RETAIL MARIJUANA CULTIVATION FACILITY.	17
(II) A RETAIL MARIJUANA STORE".	18
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Page 42, line 25, strike "PARAGRAPH (b) OF" and substitute "SUBPARAGRAPH (I) OF THIS PARAGRAPH (c)".	21
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	23
Page 42, line 26, strike "THIS SUBSECTION (1)".	24
	25
Page 43, line 11 strike "STORE; EXCEPT THAT" and substitute "STORE. NOTWITHSTANDING THE PROVISIONS OF THIS SUBPARAGRAPH (II),".	26
	27
	28
Page 43, strike lines 19 through 21.	29
	30
Re-number succeeding subparagraph accordingly.	31
	32
Page 44, after line 1 insert:	33
	34
"(e) THE RETAIL MARIJUANA STORE SHALL TRACK ALL OF ITS RETAIL MARIJUANA FROM THE POINT THAT IT IS TRANSFERRED FROM A RETAIL MARIJUANA CULTIVATION FACILITY TO THE POINT OF SALE.".	35
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Page 44, line 2, strike "ANY APPLICABLE" and substitute "THE".	39
	40
Page 44, strike lines 16 through 20 and substitute "OF THE STATE OF COLORADO.".	41
	42
	43
Page 44, line 24, after "OLDER." insert "IF A PERSON UNDER TWENTY-ONE YEARS OF AGE PRESENTS A FRAUDULENT PROOF OF AGE, ANY ACTION RELYING ON THE FRAUDULENT PROOF OF AGE SHALL NOT BE GROUNDS FOR THE REVOCATION OR SUSPENSION OF ANY LICENSE ISSUED UNDER THIS ARTICLE.".	44
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	49
Page 45, line 4, after "MARIJUANA" insert "AND RETAIL MARIJUANA PRODUCTS".	50
	51
	52
Page 45, line 19, after "ANY" insert "RETAIL MARIJUANA OR".	53
	54
Page 46, line 5, after "MARIJUANA" insert "OR RETAIL MARIJUANA PRODUCTS".	55
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	57
Page 46, line 7, strike "MARIJUANA," and substitute "MARIJUANA AND RETAIL MARIJUANA PRODUCTS,".	58
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Page 46, after line 10, insert:	61
	62
"(11) NOTWITHSTANDING ANY OTHER PROVISION OF STATE LAW, SALES OF RETAIL MARIJUANA PRODUCTS ARE NOT EXEMPT FROM STATE OR LOCAL SALES TAX.".	63
	64
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	66
Page 48, strike line 11 and substitute "FACILITY, THE IDENTITY OF THE	67

TESTING FACILITY, AND THE TESTING RESULTS."	1
	2
Page 48, line 12, after "RETAIL", insert "MARIJUANA OR RETAIL".	3
	4
Page 48, strike lines 23 through 26 and substitute "A".	5
	6
Page 49, line 5, strike "SALE." and substitute "TRANSFER TO A LICENSED RETAIL MARIJUANA STORE."	7
	8
	9
Page 49, after line 5, insert:	10
	11
"(c) (I) BEFORE OCTOBER 1, 2014, EXCEPT AS PERMITTED BY SECTION 12-43.4-402 (1) (c) (II), A RETAIL MARIJUANA PRODUCTS MANUFACTURER LICENSEE THAT HAS A RETAIL MARIJUANA CULTIVATION FACILITY LICENSE SHALL NOT SELL ANY OF THE RETAIL MARIJUANA THAT IT CULTIVATES EXCEPT FOR THE RETAIL MARIJUANA THAT IS CONTAINED IN ITS RETAIL MARIJUANA PRODUCTS.	12
(II) THIS PARAGRAPH (c) IS REPEALED, EFFECTIVE JANUARY 1, 2015."	13
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	20
Reletter succeeding paragraph accordingly.	21
	22
Page 49, line 9, strike "THE" and substitute "ANY APPLICABLE".	23
	24
Page 49, line 24, strike "(2)" and substitute "(3)".	25
	26
Page 50, strike lines 4 through 6.	27
	28
Re-number succeeding subsections accordingly.	29
	30
Page 52, strike lines 16 through 25.	31
	32
Re-number succeeding subsection accordingly.	33
	34
Page 53, line 26, strike "OF RECORD." and substitute "FURNISHED TO THE AUTHORITY BY THE LICENSEE."	35
	36
	37
Page 59, line 11, strike "IS" and substitute "OR RETAIL MARIJUANA PRODUCTS ARE".	38
	39
	40
Page 60, line 9, after "MARIJUANA", insert "OR RETAIL MARIJUANA PRODUCTS".	41
	42
	43
Page 60, line 11, after "MARIJUANA" insert "OR RETAIL MARIJUANA PRODUCTS".	44
	45
	46
Page 60, line 15, after "MARIJUANA" insert "OR RETAIL MARIJUANA PRODUCTS".	47
	48
	49
Page 61, line 6, strike "(11);" and substitute "(10);".	50
	51
Page 61, line 8, strike "(12)." and substitute "(11).".	52
	53
Page 61, line 11, after "MARIJUANA" insert "OR RETAIL MARIJUANA PRODUCTS".	54
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	56
Page 61, line 17, after "MARIJUANA" insert "OR RETAIL MARIJUANA PRODUCTS".	57
	58
	59
Page 61, line 20, strike "RETAIL".	60
	61
Page 61, line 27, strike "MARIJUANA" and substitute "MARIJUANA, RETAIL MARIJUANA PRODUCTS,".	62
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Finance

After consideration on the merits, the Committee recommends that **HB13-1318** be **amended** as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 6, line 22, strike "TRANSFER, EXCHANGE," and substitute "EXCHANGE".

Page 6, line 23, strike "A".

Page 6, after line 23 insert:

"(14) "TRANSFER" MEANS TO GRANT, CONVEY, HAND OVER, ASSIGN, SELL, EXCHANGE, OR BARTER, IN ANY MANNER OR BY ANY MEANS, WITH OR WITHOUT CONSIDERATION."

Re-number succeeding subsection accordingly.

Page 8, strike line 2 and substitute "GENERAL ASSEMBLY AND THAT BECOMES LAW:".

Page 8, strike lines 23 through 27.

Page 9, strike lines 1 through 6.

Page 10, line 25, strike "RETAILS" and substitute "RETAIL".

Page 13, strike line 17 and substitute "THE GENERAL ASSEMBLY AND THAT BECOMES LAW:".

Page 15, line 3, strike "(a)".

Page 15, strike lines 10 through 13.

Page 16, line 9, strike "A FACILITY MAY" and substitute "THE DEPARTMENT MAY REQUIRE A FACILITY TO FILE OR A FACILITY MAY CHOOSE TO".

Page 16, line 10, strike "ANTICIPATED" and substitute "ACTUAL".

Page 16, strike lines 13 through 27.

Strike page 17.

Page 18, strike lines 1 through 12.

Re-number succeeding C.R.S. sections accordingly.

Page 20, line 10, strike "FORTY MILLION DOLLARS" and substitute "\$40,000,000".

Page 20, after line 27 insert:

"39-28.8-402. Repeal of article. (1) THIS ARTICLE IS REPEALED, EFFECTIVE FEBRUARY 1, 2014, IF THE VOTERS AT THE NOVEMBER 2013 STATEWIDE ELECTION DO NOT APPROVE THE QUESTION DESCRIBED IN SECTION 39-28.8-401 AND THE GOVERNOR ISSUES AN OFFICIAL DECLARATION OF THE VOTE THEREON.

(2) THIS SECTION IS REPEALED, EFFECTIVE FEBRUARY 1, 2014, IF THE VOTERS AT THE NOVEMBER 2013 STATEWIDE ELECTION APPROVE THE QUESTION DESCRIBED IN SECTION 39-28.8-401 AND THE GOVERNOR ISSUES AN OFFICIAL DECLARATION OF THE VOTE THEREON."

Page 21, line 9, strike "article." and substitute "article AND ARTICLE 28.8 OF TITLE 39, C.R.S."

Page 21, line 10, after "article" insert "OR ARTICLE 28.8 OF TITLE 39, C.R.S."

MESSAGE FROM THE GOVERNOR

May 3, 2013

To the Honorable Senate
Sixty-Ninth General Assembly
First Regular Session
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

SB13-126: CONCERNING THE REMOVAL OF UNREASONABLE RESTRICTIONS ON THE ABILITY OF THE OWNER OF AN ELECTRIC VEHICLE TO ACCESS CHARGING FACILITIES.

Approved May 3, 2013 at 1:51 p.m.

SB13-182: CONCERNING DECEPTIVE TRADE PRACTICES RELATED TO TIME SHARE RESALE SERVICES.

Approved May 3, 2013 at 1:51 p.m.

SB13-186: CONCERNING UPDATING REQUIREMENTS FOR NEW BUILDING-INTEGRATED PHOTOVOLTAIC TECHNOLOGIES.

Approved May 3, 2013 at 1:44 p.m.

Sincerely,
(signed)
John W. Hickenlooper
Governor

**SPECIAL ORDERS -- CONSIDERATION OF GOVERNOR'S APPOINTMENTS --
CONSENT CALENDAR**

On motion of Majority Leader Carroll, the following Governor's appointments were confirmed by the following roll call votes:

**MEMBERS OF THE
STATE AGRICULTURAL COMMISSION**

for terms expiring March 1, 2017:

Alex C. Gerace of Denver, Colorado, an Unaffiliated from the First Agricultural District to serve as a member from the State at-large, reappointed;

Brett Brand Rutledge of Yuma, Colorado, a Democrat from the Second Agricultural District, appointed;

Steve Dale Young of Holyoke, Colorado, a Republican from the Second Agricultural District, to serve as a member from the State at-large, appointed;

Michael Conrad Hiramata of La Junta, Colorado, a Republican from the Third Agricultural District to serve as a member from the State at-large, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	E	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

MEMBERS OF THE
STATE BOARD OF LAND COMMISSIONERS

effective June 30, 2013, for terms expiring June 30, 2017:

Gary A. Butterworth of Colorado Springs, Colorado, a person with substantial experience in natural resource conservation and a Republican, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	E	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

MEMBERS OF THE
COLORADO TOURISM OFFICE BOARD OF DIRECTORS

for a term expiring June 1, 2014:

Robert Stinchcomb of Lafayette, Colorado, to serve as an at large member from tourism-based industries, appointed;

for a term expiring June 1, 2015:

Matthew Skinner of Telluride, Colorado, to serve as a representative of tourism-related transportation industries, and occasioned by the resignation of Edwin A Garcia of Aurora, Colorado, appointed;

for terms expiring June 1, 2016:

Daniel R. Grunig of Denver, Colorado, to serve as a representative of tourism-related retail industry, small community, and small business, and occasioned by the resignation of Troy Allan Rarick of Fruita, Colorado, appointed;

Christian M. Knapp of Basalt, Colorado, to serve as a representative of the ski industry, reappointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	E	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

MEMBER OF THE
OIL AND GAS CONSERVATION COMMISSION
OF THE STATE OF COLORADO

for a term expiring July 1, 2016:

Dr. DeAnn "Dolly" Craig of Denver, Colorado, to serve as a member with substantial experience in the oil and gas industry and with a college degree in petroleum geology or petroleum engineering, and as a Republican, reappointed.

YES	33	NO	1	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	E	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	N	Renfroe	Y		

MEMBERS OF THE
COLORADO STATE FAIR AUTHORITY
BOARD OF COMMISSIONERS

for terms expiring November 1, 2016:

Arthur H. Bosworth II of Denver, Colorado, a Republican residing in the First Congressional District, reappointed;

Virginia "Ginny" Vietti of Silverthorne, Colorado, a Democrat residing in the Second Congressional District, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	E	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

MEMBERS OF THE
STATE BOARD OF HUMAN SERVICES

for terms expiring March 1, 2017:

- Jerene Carol Petersen of Denver, Colorado, a member of the public, reappointed;
- Catherine Anne Silburn of Lakewood, Colorado, a member of the public, reappointed;
- Jeffrey Gordon Kuhr of Grand Junction, Colorado, a member of the public, appointed;
- Stephanie A. Garcia of Pueblo, Colorado, a member of the public, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	E	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

MEMBER OF THE
COLORADO TRAUMATIC BRAIN INJURY TRUST FUND BOARD

for terms expiring on June 30, 2015:

- Laetitia L. Thompson, Ph.D., of Denver, Colorado, to serve as a neuropsychologist, reappointed

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	E	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

MEMBER OF THE
COLORADO COMMISSION ON THE AGING

for a term expiring July 1, 2014:

- Robert H. Spuhler of Glenwood Springs, Colorado, to serve as a Republican from the Third Congressional District, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	E	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

CONSIDERATION OF RESOLUTIONS

HJR13-1019 by Representative(s) Levy and Navarro, Gardner, Dore, Duran, Exum, Labuda, Rosenthal, Szabo; also Senator(s) Giron and Harvey--Concerning creation of an interim committee to study legal defense in juvenile justice proceedings.

On motion of Senator Giron, the resolution was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	E	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Co-sponsor(s) added: Aguilar, Carroll, Heath, Hudak, Jahn, Jones, Kefalas, Kerr, Lambert, Morse, Newell, Nicholson, Renfroe, Steadman, Tochtrop, Todd and Ulibarri.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Friday, May 3 was laid over until Monday, May 6, retaining its place on the calendar.

Consideration of Resolutions: HJR13-1004, SJR13-033, SJR13-034, SJR13-035, SJR13-036, SR13-004, SR13-005.
Conference Committees to Report: HB13-1130, HB13-1215.

On motion of Majority Leader Carroll, the Senate adjourned until 10:00 a.m., Monday, May 6, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

118th Legislative Day Monday, May 6, 2013

- Prayer By the chaplain, Father Eustace Sequeira, Regis University Jesuit Community.
- Call to Order By the President at 10:00 a.m.
- Pledge By Senator Hill.
- Roll Call Present--35
- Quorum The President announced a quorum present.
- Reading of Journal On motion of Senator Ulibarri, reading of the Journal of Friday, May 3, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Engrossed: SB13-288; SJR13-032.

Correctly Reengrossed: SB13-278.

Correctly Revised: HB13-1002, 1007, 1165, 1171, 1242, 1245, 1257, 1274, 1277, 1278, 1286, 1290, 1292, 1295, 1305, 1307, 1310, 1311 and 1314; HJR13-1019.

Correctly Rerevised: HB13-1021, 1031, 1079, 1154, 1182, 1206, 1239, 1248, 1252, 1267, 1284, 1287, 1293, 1294, 1297, 1298, 1300, 1301, 1302 and 1319.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

- SJR13-037 by Senator(s) Carroll, Morse, Cadman; also Representative(s) Hullinghorst, Ferrandino, Waller--Concerning the appointment of a joint committee to notify the Governor that the First Regular Session of the Sixty-ninth General Assembly is about to adjourn sine die.
- Laid over one day under Senate Rule 30(b).

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

- HB13-1262 by Representative(s) Young, DelGrosso, Nordberg, Williams; also Senator(s) Baumgardner, Cadman, Jahn, Tochtrop--Concerning secondary agencies under the "Fraudulent Claims and Arson Reporting Act".
- Business, Labor, & Technology

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:

HB13-1242 by Representative(s) Pettersen, Hulinghorst, Kagan; also Senator(s) King--Concerning a repeal of the mandatory sentencing requirement for violation of bail bond conditions for certain offenders.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar and Nicholson.

HB13-1307 by Representative(s) Kagan, Gardner; also Senator(s) Guzman--Concerning the effect of the inclusion of a legal description on the validity of documents affecting title to real property.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar.

HB13-1311 by Representative(s) Fischer; also Senator(s) Schwartz--Concerning a clarification of the definition of veterinary premises in the "Colorado Veterinary Practice 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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder and Newell.

HB13-1305 by Representative(s) Gerou and Levy, Duran; also Senator(s) Steadman, Hodge, Lambert-- Concerning limited authorization for the governor to order moneys to be transferred from the general fund to the tobacco litigation settlement cash fund if any payment of tobacco litigation settlement moneys to be made to the state is reduced due to a finding by an arbitration panel that the state must repay disputed payments of tobacco litigation settlement moneys already made to the state.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar.

HB13-1310 by Representative(s) May, Fields, Gerou, Melton, Primavera, Priola, Schafer; also Senator(s) Hodge, Todd--Concerning the repeal of a portion of the definition of a pharmacy intern.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Guzman and Kefalas.

HB13-1314 by Representative(s) Levy and Gerou, Duran; also Senator(s) Hodge, Steadman, Lambert-- Concerning the transfer of the administration of long-term services for persons with intellectual and developmental disabilities to the department of health care policy and financing.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Carroll, Giron, Guzman, Jahn, Kefalas, Kerr, Newell and Todd.

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:

HB13-1257 by Representative(s) Hamner; also Senator(s) Todd--Concerning working collaboratively with educators to develop a distinctive local-level personnel evaluation system for educators, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	21	NO	14	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Hudak, Jones, Kerr, Newell, Steadman and Tochtrop.

HB13-1171 by Representative(s) Primavera, McCann, Melton, Ryden, Schafer, Singer, Tyler; also Senator(s) Todd, Aguilar, Giron, Guzman, Hudak, Jahn, Kefalas, Newell--Concerning the use of epinephrine auto-injectors in emergency situations in school settings, and, in connection therewith, making an appropriation.

A majority of those elected to the Senate having voted in the affirmative, Senator Todd was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.017), by Senator Todd.

Amend revised bill, page 1, line 102, strike "SETTINGS, AND, IN" and substitute "SETTINGS".

Page 1, strike line 103.

The amendment was **passed** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	26	NO	9	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Brophy, Heath and Nicholson.

HB13-1278 by Representative(s) Mitsch Bush; also Senator(s) Todd and Jahn--Concerning the reporting of oil spills, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	25	NO	10	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Guzman and Heath.

HB13-1286 by Representative(s) Williams, Ryden; also Senator(s) Tochtrop, Guzman, King--Concerning the suspension of recovery audits of state agencies until the data needed to conduct the audits is included in a modernized Colorado financial reporting system, and, in connection therewith, reducing 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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Cadman, Lambert and Ulibarri.

HB13-1274 by Representative(s) Hullinghorst; also Senator(s) Kerr--Concerning the state board of land commissioners' investment in commercial real property, and, in connection therewith, granting the state board of land commissioners the authority to enter into lease-purchase agreements.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	22	NO	13	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	Y	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Guzman, Hodge, Hudak, Jones, Kefalas, Nicholson and Steadman.

HB13-1165 by Representative(s) Wilson; also Senator(s) Heath--Concerning the creation of a manufacturing career pathway for Colorado, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	21	NO	14	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Guzman, Hudak, Kefalas, Kerr, Morse, Newell, Nicholson, Schwartz, Tochtrop, Todd and Ulibarri.

HB13-1295 by Representative(s) Ferrandino, Court, Hullinghorst, Levy, Pabon; also Senator(s) Heath-- Concerning the implementation of the minimum simplification requirements of the proposed federal "Marketplace Fairness Act of 2013" in order for the state to be authorized by the federal government to require remote sellers to collect sales tax on taxable sales made within the state.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	21	NO	14	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Carroll, Giron, Guzman, Hodge, Hudak, Jones, Kefalas, Kerr, Morse, Newell, Nicholson, Schwartz, Steadman, Todd and Ulibarri.

HB13-1245 by Representative(s) McCann; also Senator(s) Steadman--Concerning funding mechanisms for the Colorado health benefit exchange.

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	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Giron, Guzman, Heath, Jones, Kefalas, Morse, Newell, Nicholson, Tochtrop and Todd.

HB13-1002 by Representative(s) Tyler, Lee, Moreno, Primavera, Ryden, Schafer, Williams, Young; also Senator(s) Jahn--Concerning moneys for small business development centers, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	21	NO	14	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Giron, Guzman, Heath, Hodge, Hudak, Johnston, Jones, Kefalas, Kerr, Morse, Newell, Nicholson, Schwartz, Steadman, Tochtrop, Todd and Ulibarri.

HB13-1292 by Representative(s) Lee and Pabon, Buckner, Court, Duran, Exum, Ferrandino, Fields, Fischer, Foote, Garcia, Ginal, Hamner, Hullinghorst, Kagan, Kraft-Tharp, Labuda, Lebsock, Levy, May, McCann, McLachlan, Melton, Mitsch Bush, Moreno, Peniston, Pettersen, Primavera, Rosenthal, Ryden, Salazar, Schafer, Singer, Tyler, Vigil, Williams, Young; also Senator(s) Kerr and Nicholson, Aguilar, Carroll, Giron, Guzman, Heath, Hodge, Hudak, Jahn, Johnston, Jones, Kefalas, Morse, Newell, Schwartz, Steadman, Tochtrop, Todd, Ulibarri--Concerning modifications to procurement requirements for government contracts related to United States domestic employment, 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	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

HB13-1290 by Representative(s) McCann; also Senator(s) Aguilar--Concerning the regulation of stop-loss health insurance used in conjunction with self-insured health care coverage in employer benefit plans.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	21	NO	14	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Giron, Guzman, Jones and Kefalas.

SB13-288 by Senator(s) Cadman and Morse, Nicholson, Lambert, Aguilar, Baumgardner, Brophy, Carroll, Crowder, Giron, Grantham, Guzman, Harvey, Heath, Hill, Hodge, Hudak, Jahn, Johnston, Jones, Kefalas, Kerr, King, Lundberg, Marble, Newell, Renfroe, Roberts, Scheffel, Schwartz, Steadman, Tochtrop, Todd, Ulibarri; also Representative(s) Levy and Gerou--Concerning the process by which the general assembly approves recommendations made by the state claims board for an additional payment to claimants that exceeds the maximum liability under the "Colorado Governmental Immunity 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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Balmer.

HB13-1007 by Representative(s) Peniston; also Senator(s) Hudak--Concerning recreation of the early childhood and school readiness legislative commission.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	21	NO	14	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Giron, Guzman, Hodge, Jones, Kefalas, Newell, Nicholson, Steadman, Tochtrop, Todd and Ulibarri.

HB13-1277 by Representative(s) Williams; also Senator(s) Carroll and Todd--Concerning the regulation of persons who manage the affairs of common interest communities under the "Colorado Common Interest Ownership Act".

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.017), by Senator Steadman.

Amend revised bill, page 19, line 5, strike "18-18-404,".

Page 19, line 6, strike "18-18-412.8, 18-18-415, 18-18-416," and substitute "18-18-415,".

The amendment was **passed** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	20	NO	15	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Giron, Guzman, Hodge, Kefalas, Newell, Nicholson, Schwartz and Tochtrop.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of House Amendments to Senate Bills.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB13-148 by Senator(s) Kefalas and Roberts, Newell; also Representative(s) Peniston and Navarro-- Concerning continuation of the Colorado youth advisory council.

Senator Kefalas moved that the Senate not concur in House amendments to **SB13-148**, as printed in House journal, May 2, page(s) 1422, and that a conference committee be appointed.

A majority of all members elected to the Senate having voted in the affirmative, the motion was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The President appointed Senators Kefalas, Chair, Roberts, and Kerr as Senate conferees on the first conference committee on **SB13-148**.

Senator Kefalas moved that the Senate conferees on the first conference committee on **SB13-148** 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**.

SB13-262 by Senator(s) Tochtrop, Baumgardner; also Representative(s) Primavera, DelGrosso, Ryden--Concerning the exemption of representative services of enrolled agents from the definition of debt management services.

Senator Tochtrop moved that the Senate concur in House amendments to **SB13-262**, as printed in House journal, May 2, page(s) 1422-1423. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB13-279 by Senator(s) Kerr; also Representative(s) Gerou--Concerning increasing energy resource efficiency in public schools.

Senator Kerr moved that the Senate concur in House amendments to **SB13-279**, as printed in House journal, May 2, page(s) 1426. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	20	NO	15	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB13-263 by Senator(s) Schwartz and Giron; also Representative(s) Vigil, Fischer--Concerning the development of a master plan for the capitol complex.

Senator Schwartz moved that the Senate concur in House amendments to **SB13-263**, as printed in House journal, May 2, page(s) 1427. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB13-282 by Senator(s) Guzman; also Representative(s) Pabon and Levy, Tyler--Concerning a medical exemption from tiered electricity rates.

Senator Guzman moved that the Senate concur in House amendments to **SB13-148**, as printed in House journal, May 2, page(s) 1421. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	25	NO	10	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

MESSAGE FROM THE HOUSE

May 6, 2013

Mr. President:

The House has adopted and returns herewith SJR13-030.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1325, amended as printed in House Journal, May 3, page 1454.

The House has passed on Third Reading and returns herewith SB13-231, 268, 127, 166, 180.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB13-001, amended as printed in House Journal, May 3, pages 1454-1455.
SB13-227, amended as printed in House Journal, May 3, pages 1458-1460.
SB13-123, amended as printed in House Journal, May 3, page 1460.
SB13-189, amended as printed in House Journal, May 3, page 1461.
SB13-193, amended as printed in House Journal, May 3, page 1461.
SB13-219, amended as printed in House Journal, May 3, pages 1461-1462.
SB13-221, amended as printed in House Journal, May 3, page 1436.

The House has adopted and transmits herewith HJR13-1022.

RECONSIDERATION OF SB13-279

SB13-279 by Senator(s) Kerr; also Representative(s) Gerou--Concerning increasing energy resource efficiency in public schools.

Having voted on the prevailing side, Majority Leader Carroll moved for reconsideration of the last Senate action, Repassage of SB13-279.

A majority of all members elected to the Senate having voted in the affirmative, reconsideration was granted.

REPASSAGE OF SB13-279

SB13-279 by Senator(s) Kerr; also Representative(s) Gerou--Concerning increasing energy resource efficiency in public schools.

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	19	NO	16	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	N	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Kefalas.

On motion of Majority Leader Carroll, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, HB13-1324, HB13-1323, SB13-173 were made Special Orders Consent Calendar at 11:08 a.m.

Committee of the Whole The hour of 11:08 a.m. having arrived, Senator Johnston moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders -- Second Reading of Bills -- Consent Calendar, and Senator Johnston was called to the Chair to act as Chairman.

SPECIAL ORDERS -- SECOND READING OF BILLS --
CONSENT CALENDAR

The Committee of the Whole having risen, the Chairman reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB13-1324 by Representative(s) Murray and Tyler; also Senator(s) Nicholson--Concerning the addition of members of the general assembly to the board of directors of the statewide internet portal authority.

Ordered revised and placed on the calendar for third reading and final passage.

HB13-1323 by Representative(s) Levy and McNulty; also Senator(s) Guzman and Scheffel--Concerning requiring the department of corrections to obtain clarification if a court-issued mittimus omits instruction concerning whether a defendant's sentences are to be served consecutively or concurrently.

Ordered revised and placed on the calendar for third reading and final passage.

SB13-173 by Senator(s) Kerr and Nicholson; also Representative(s) Pabon--Concerning the continuation of the division of gaming, and, in connection therewith, implementing the recommendations in the 2012 sunset report by the department of regulatory agencies.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, May 2, page(s) 1229-1230 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, May 3, page(s) 1265-1266 and placed in members' bill files.)

As amended, ordered engrosed and placed on the calendar for third reading and final passage.

**ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE --
CONSENT CALENDAR**

On motion of Senator Johnston, 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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB13-173 as amended, HB13-1324, HB13-1323.

On motion of Majority Leader Carroll, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, HB13-1001, HB13-1271, HB13-1111, HB13-1020, HB13-1291, HB13-1288, HB13-1003, HB13-1316, HB13-1320 were made Special Orders at 11:20 a.m.

Committee of the Whole The hour of 11:20 a.m. having arrived, Senator Johnston moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders -- Second Reading of Bills and, Senator Johnston 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:

HB13-1001 by Representative(s) Young and Gerou, Ferrandino; also Senator(s) Heath and Steadman--Concerning an advanced industry grant program, and, in connection therewith, enacting the "Advanced Industries Acceleration Act"; adding representatives from advanced industries to the economic development commission; repealing the bioscience discovery evaluation grant program and the clean technology discovery evaluation grant program; and creating the Colorado advanced industries acceleration cash fund to be used to provide proof-of-concept grants, early-stage capital and retention grants, and infrastructure funding grants.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, May 3, page(s) 1251 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB13-1271 by Representative(s) Singer and May, Ferrandino, Hulinghorst, McCann; also Senator(s) Newell and Nicholson--Concerning methods to respond to initial contacts made to a child abuse reporting hotline system, and, in connection therewith, authorizing the state board of human services to adopt rules governing the hotline system, providing consistent practices in response to contacts and to reports of known or suspected child abuse or neglect, and making an appropriation.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, May 4, page(s) 1231 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, May 3, page(s) 1251-1252 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB13-1111 by Representative(s) Ginal, Hamner, Hulinghorst; also Senator(s) Newell, Hill--Concerning the regulation of naturopathic doctors, and, in connection therewith, making an appropriation.

Amendment No. 1(L.023), by Senator Aguilar.

Amend reengrossed bill, page 34, after line 24 insert:

"12-37.3-119. Sunrise review of naturopathic doctors - repeal.
(1) IF, AS OF THE EFFECTIVE DATE OF THIS ARTICLE, THE DEPARTMENT OF REGULATORY AGENCIES IS CONDUCTING A SUNRISE REVIEW OF NATUROPATHIC DOCTORS PURSUANT TO SECTION 24-34-104.1, C.R.S., THE DEPARTMENT SHALL COMPLETE ITS REVIEW IN ACCORDANCE WITH THAT SECTION.
(2) THIS SECTION IS REPEALED, EFFECTIVE JANUARY 1, 2014."

Renumber succeeding C.R.S. section accordingly.

Majority Leader Carroll moved that the Committee of the Whole rise, report progress, and beg leave to sit again at 3:00 p.m. A majority of those elected to the Senate having voted in the affirmative, the motion was adopted.

Committee of the Whole in recess.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for expressions of personal privilege.

MESSAGE FROM THE HOUSE

May 6, 2013

Mr. President:

The House has passed on Third Reading and returns herewith SB13-224, 225, 235, 238. 242, 264, 266, 269, 270, 271, 283.

The House has passed on Third Reading and transmitted to the Revisor of Statutes;
SB13-241, amended as printed in House Journal, May 3, page 1463.
SB13-245, amended as printed in House Journal, May 3, page 1463.
SB13-255, amended as printed in House Journal, May 3, page 1463.
SB13-250, amended as printed in House Journal, May 3, page 1464.
SB13-210, amended as printed in House Journal, May 3, pages 1464-1465.
SB13-277, amended as printed in House Journal, May 3, page 1466.
SB13-276, amended as printed in House Journal, May 3, page 1467.

MESSAGE FROM THE REVISOR OF STATUTES

May 6, 2013

We herewith transmit:

Without comment, as amended, HB13-1325.
Without comment, as amended, SB13-001, 123, 189, 193, 210, 219, 221, 227, 241, 245,
250, 255, 276, and 277.

INTRODUCTION OF BILLS -- FIRST READING

The following bill was read by title and referred to the committee indicated:

HB13-1325 by Representative(s) Fields and Waller; also Senator(s) King--Concerning penalties for
persons who drive while under the influence of alcohol or drugs, and, in connection
therewith, making an appropriation.
Finance

CHANGE IN SPONSORSHIP

Upon announcement of President Morse, Senator Jones will be added as a Senate joint
prime sponsor with Senator Ulibarri and Representatives Hullinghorst and Salazar on
HB13-1316.

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS

Appropriations After consideration on the merits, the Committee recommends that HB13-1318 be
amended as follows, and as so amended, be referred to the Committee of the Whole with
favorable recommendation.

Amend reengrossed bill, page 22, after line 1 insert:

"(b) FOR THE FISCAL YEAR BEGINNING JULY 1, 2015, IN ADDITION
TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE
DEPARTMENT, OUT OF ANY MONEYS IN THE GENERAL FUND NOT
OTHERWISE APPROPRIATED, THE SUM OF FOURTEEN THOUSAND NINE
HUNDRED EIGHTY-SEVEN DOLLARS (\$14,987).".

Page 22, line 2, strike "2015" and substitute "2016".

Page 22, line 7, strike "\$4,113,952" and substitute "\$4,246,090".

Page 22, line 11, strike "\$93,415" and substitute "\$92,376".

Page 22, line 13, strike "\$19,913" and substitute "\$9,956".

Page 22, line 17, strike "\$516,455" and substitute "\$576,696".

Page 22, line 19, strike "\$84,169" and substitute "\$167,062".

Appropriations

After consideration on the merits, the Committee recommends that **HB13-1299** be **amended** as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend reengrossed bill, page 76, before line 17 insert:

"SECTION 31. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the legislative department, for the fiscal year beginning July 1, 2013, the sum of \$89,971 and 0.3 FTE, or so much thereof as may be necessary for the implementation of this act."

Renumber succeeding section accordingly.

Page 1, line 103, strike **"2010."** and substitute **"2010, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION."**

Appropriations

After consideration on the merits, the Committee recommends that **HB13-1317** be **amended** as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend the Finance Committee Report, dated May 3, 2013, page 2, line 2, strike "AND".

Page 2 of the committee report, after line 2 insert:

"(IV) THE DEPARTMENT OF LAW FOR THE TRAINING DESCRIBED IN SECTION 24-31-313, C.R.S.; AND"

Renumber succeeding subparagraph accordingly.

Amend reengrossed bill, page 5, after line 9, insert:

"(c) ON JUNE 30, 2014, AND ON EACH JUNE 30 THEREAFTER, THE STATE TREASURER SHALL TRANSFER TWO MILLION DOLLARS FROM THE FUND TO THE GENERAL FUND.

SECTION 3. In Colorado Revised Statutes, 12-43.3-501, **amend as amended by Senate Bill 13-283** (1) as follows:

12-43.3-501. Marijuana cash fund - repeal. (1) (a) All moneys collected by the state licensing authority pursuant to this article and article 43.4 of this title shall be transmitted to the state treasurer, who shall credit the same to the marijuana cash fund, which fund is hereby created and referred to in this section as the "fund". The fund consists of:

(I) The moneys ~~in the fund so~~ collected BY THE STATE LICENSING AUTHORITY;

(II) Any APPLICABLE RETAIL MARIJUANA excise tax ~~or additional sales tax imposed~~ TRANSFERRED pursuant to ~~article 28.8 of title 39~~ SECTION 39-28.8-306 (1) (b), C.R.S.;

(III) Any ~~other~~ APPLICABLE RETAIL MARIJUANA sales tax TRANSFERRED PURSUANT TO SECTION 39-28.8-203 (1) (b), C.R.S.;

(IV) ANY SALES TAX IMPOSED PURSUANT TO SECTION 39-26-106,

C.R.S., ON THE RETAIL SALE OF PRODUCTS UNDER THIS ARTICLE AND ARTICLE 43.4 OF THIS TITLE; and

(V) Any additional general fund moneys appropriated to the fund that are necessary for the operation of the state licensing authority.

(b) Moneys in the fund shall be subject to annual appropriation by the general assembly to:

(I) The department of revenue for the direct and indirect costs associated with implementing this article and article 43.4 of this title;

(II) THE DIVISION OF CRIMINAL JUSTICE IN THE DEPARTMENT OF PUBLIC SAFETY FOR THE STUDY OF MARIJUANA IMPLEMENTATION PURSUANT TO SECTION 24-33.5-514, C.R.S.;

(III) THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT FOR THE MONITORING OF THE HEALTH EFFECTS OF MARIJUANA PURSUANT TO SECTION 25-1.5-111, C.R.S.;

(IV) THE DEPARTMENT OF LAW FOR THE TRAINING DESCRIBED IN SECTION 24-31-313, C.R.S.; AND

(V) THE GENERAL FUND TO REPAY TWO MILLION DOLLARS TO THE GENERAL FUND FOR THE TRANSFERS REQUIRED BY SECTION 39-26-123 (6), C.R.S.

(c) Any moneys in the fund not expended for the purpose of this article or article 43.4 of this title THESE PURPOSES may be invested by the state treasurer as provided by law. All interest and income derived from the investment and deposit of moneys in the fund shall be credited to the fund. Any unexpended and unencumbered moneys remaining in the fund at the end of a fiscal year shall remain in the fund and shall not be credited or transferred to the general fund or another fund. Upon a determination by the general assembly that the department of revenue has established a sufficient revenue stream to fund the state licensing authority's regulatory efforts and all other programs to be funded by the fund, the general assembly shall direct the state treasurer to transfer any excess balance in the fund to the general fund to repay any appropriation made from the general fund to initially support the spending authority of the state licensing authority.

(b) (d) (I) Any unexpended and unencumbered moneys in the fund as of July 1, 2013, is ARE appropriated to the state licensing authority for the 2013-14 fiscal year.

(II) This paragraph (b) (d) is repealed, effective July 1, 2014.

(e) ON JUNE 30, 2014, AND ON EACH JUNE 30 THEREAFTER, THE STATE TREASURER SHALL TRANSFER TWO MILLION DOLLARS FROM THE FUND TO THE GENERAL FUND."

Renumber succeeding sections accordingly.

Page 63, strike lines 22 through 27.

Strike pages 64 through 82.

Page 83, strike lines 1 through 4.

Renumber succeeding sections accordingly.

Page 83, strike lines 13 through 27 and substitute:

"SECTION 7. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the marijuana cash fund created in section 12-43.3-501 (1) (a), Colorado Revised Statutes, not otherwise appropriated, to the department of revenue, for the fiscal year beginning July 1, 2013, the sum of \$1,227,026 and 2.7 FTE, or so much thereof as may be necessary, for personal services, legal services, the purchase of computer center services and other costs related to the implementation of this act.

(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, 2013, the sum of \$73,700, 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 revenue out of the appropriation made in subsection (1) of this section.

(3) In addition to any other appropriation, there is hereby appropriated to the department of law, for the fiscal year beginning July 1, 2013, the sum of \$70,684 and 0.5 FTE, or so much thereof as may be necessary, for the provision of legal services for the department of revenue related to the implementation of this act. Said sum is from reappropriated funds received from the department of revenue out of the appropriation made in subsection (1) of this section.

(4) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the marijuana cash fund created in section 12-43.3-501 (1) (a), Colorado Revised Statutes, not otherwise appropriated, to the department of law, for the fiscal year beginning July 1, 2013, the sum of \$76,000, or so much thereof as may be necessary, for allocation to the criminal justice and appellate unit for peace officers standards and training board support expenses related to the implementation of section 24-31-313, Colorado Revised Statutes.

(5) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the laboratory cash fund created in section 25-1.5-101 (1) (e) (II), Colorado Revised Statutes, not otherwise appropriated, to the department of public health and environment, for the fiscal year beginning July 1, 2013, the sum of \$87,615 and 1.0 FTE, or so much thereof as may be necessary, to be allocated to laboratory services for chemistry and microbiology operating expenses for the implementation of this act as follows:

(a) \$72,815 and 1.0 FTE for personal services and operating expenses; and

(b) \$14,800 for the purchase of computer center services.

(6) 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, 2013, the sum of \$14,800, 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 public health and environment related to the implementation of this act. Said sum is from reappropriated funds received from the department of public health and environment out of the appropriation made in paragraph (b) of subsection (6) of this section.

(7) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the Colorado bureau of investigation identification unit fund created in section 24-33.5-426, Colorado Revised Statutes, not otherwise appropriated, to the department of public safety, for the fiscal year beginning July 1, 2013, the sum of \$155,760 and 0.7 FTE, or so much thereof as may be necessary, for allocation to the Colorado bureau of investigation for fingerprint-based background checks related to the implementation of this act.".

Strike pages 84 and 85.

Renumber succeeding section accordingly.

Page 86, before line 1 insert:

"SECTION 8. Effective date. (1) Except as otherwise provided in this section, this act takes effect upon passage.

(2) Section 2 of this act takes effect only if Senate Bill 13-283 does not become law.

(3) Section 3 of this act takes effect only if Senate Bill 13-283 becomes law.".

Renumber succeeding section accordingly.

Business,
Labor, &
Technology

After consideration on the merits, the Committee recommends that **HB13-1262** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Business,
Labor, &

After consideration on the merits, the Committee recommends that **HB13-1306** be postponed indefinitely.

Technology

Finance

After consideration on the merits, the Committee recommends that **HB13-1325** be referred to the Committee of the Whole with favorable recommendation.

REPORT OF CONFERENCE COMMITTEE

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON HB13-1130

THIS REPORT AMENDS THE
REREVISED BILL

To the President of the Senate and the
Speaker of the House of Representatives:

Your first conference committee appointed on HB13-1130, concerning extended operation of interruptible water supply agreements, has met and reports that it has agreed upon the following:

That the House accede to the Senate amendments made to the bill, as the amendments appear in the rerevised bill, with the following changes:

Amend rerevised bill, page 2, line 3, strike everything before the second "and" and substitute "(2) and (3) (c);".

Strike pages 3 and 4.

Page 5, strike lines 1 through 9.

Page 5, strike lines 22 through 27.

Strike page 6.

Page 7, strike lines 1 through 15.

Page 7, line 16, strike "(II)" and substitute "(6) (a) (I)".

Re-number succeeding subparagraph accordingly.

Page 7, after line 23 insert:

- "(c) AN APPLICANT FOR SUBSEQUENT APPROVAL OF AN INTERRUPTIBLE WATER SUPPLY AGREEMENT MUST:
 - (I) SUBMIT TO THE WATER CLERK IN EACH WATER DIVISION IN WHICH A LOANED WATER RIGHT IS LOCATED A RESUME OF THE APPLICATION FOR APPROVAL OF AN INTERRUPTIBLE WATER SUPPLY AGREEMENT SUBMITTED TO THE STATE ENGINEER, AND THE WATER CLERK SHALL PUBLISH THE RESUMES IN THE MANNER SET FORTH IN SECTION 37-92-302 (3) (a) AND (3) (b), NOTWITHSTANDING THE FACT THAT THE APPLICATIONS WERE FILED WITH THE STATE ENGINEER;
 - (II) FILE PROOF OF THE SUBMISSION OF THE RESUME TO THE WATER CLERK WITH THE STATE ENGINEER NOT LATER THAN TEN DAYS AFTER THE SUBMISSION; AND
 - (III) FILE PROOF OF THE NOTICE TO ALL PARTIES WHO HAVE SUBSCRIBED TO THE SUBSTITUTE WATER SUPPLY PLAN NOTIFICATION LIST, AS DESCRIBED IN SECTION 37-92-308 (6), WITH THE STATE ENGINEER WITHIN TEN DAYS AFTER PROVIDING THE NOTICE.
- (d) OWNERS OF WATER RIGHTS HAVE UNTIL THE LAST DAY OF THE FOURTH MONTH FOLLOWING THE MONTH IN WHICH THE RESUME WAS SUBMITTED TO THE WATER CLERK TO FILE COMMENTS ON THE OPERATION

OF THE INTERRUPTIBLE WATER SUPPLY AGREEMENT."

Reletter succeeding paragraphs accordingly.

Page 8, line 1, strike "OTHERWISE; AND" and substitute "OTHERWISE."

Page 8, after line 22 insert:

"(g) THE STATE ENGINEER'S APPROVAL OR DISAPPROVAL OF A SUBSEQUENT APPLICATION FOR AN INTERRUPTIBLE WATER SUPPLY AGREEMENT UNDER THIS SUBSECTION (6) CONSTITUTES FINAL AGENCY ACTION SUBJECT TO APPEAL IN THE WATER COURT IN THE WATER DIVISION IN WHICH THE LOANED WATER RIGHTS ARE LOCATED.

(h) THE WATER JUDGE SHALL EXPEDITE AN APPEAL OF THE STATE ENGINEER'S DECISION ONLY UPON THE REQUEST OF ANY PARTY TO THE APPEAL.

(i) FOR PURPOSES OF DETERMINING FILING FEES, THE APPLICANT OR COMMENTER THAT INITIATES THE APPEAL SHALL PAY FEES ESTABLISHED FOR WATER COURT CHANGE APPLICANTS, AND ALL OTHERS SHALL PAY FEES ESTABLISHED FOR PERSONS FILING STATEMENTS OF OPPOSITION."

Respectfully submitted,

House Committee:

Senate Committee:

Randy Fischer, Chairman
Jerry Sonnenberg
Su Ryden

Nancy Todd, Chairman
Randy Baumgardner

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON HB13-1215

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 HB13-1215, concerning restricting access by minors to artificial tanning devices, has met and reports that it has agreed upon the following:

That the Senate recede from its amendments made to the bill, as the amendments appear in the rerevised bill, and that the following amendment be substituted therefor:

Amend reengrossed bill, page 3, line 15, strike "LIST" and substitute "LIST, IN SIXTEEN-POINT, BOLD-FACED TYPE,".

Respectfully submitted,

House Committee:

Senate Committee:

Cherylin Peniston, Chairman
Dianne Primavera

Lois Tochtrop, Chairman
Jeanne Nicholson

Committee of the Whole reconvened

SPECIAL ORDERS -- SECOND READING OF BILLS - cont'd

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:

HB13-1111 by Representative(s) Ginal, Hamner, Hulinghorst; also Senator(s) Newell, Hill-- Concerning the regulation of naturopathic doctors, and, in connection therewith, making an appropriation.

(Amended in general orders as printed in Senate journal, May 6, page(s) 1306.)

Amendment No. 2(L.026), by Senator Newell.

Amend reengrossed bill, page 4, strike line 18 and substitute "LACERATIONS AND ABRASIONS;"

Amendment No. 3(L.016), by Senator Newell.

Amend reengrossed bill, page 4, line 10, strike "DIVISION." and substitute "DIVISION OR THE DIRECTOR'S DESIGNEE."

Page 4, line 25, strike "INCLUDES:" and substitute "INCLUDES, BUT IS NOT LIMITED TO:"

Page 9, line 11, strike "OR" and substitute "AND"

Page 9, after line 25 insert:

"(I) PROVIDES TO THE PARENT OR LEGAL GUARDIAN OF THE CHILD A COPY OF THE MOST RECENT IMMUNIZATIONS SCHEDULE RECOMMENDED BY THE ADVISORY COMMITTEE ON IMMUNIZATION PRACTICES TO THE CENTERS FOR DISEASE CONTROL AND PREVENTION IN THE FEDERAL DEPARTMENT OF HEALTH AND HUMAN SERVICES AND RECOMMENDS THAT THE PARENT OR LEGAL GUARDIAN FOLLOW THE IMMUNIZATIONS SCHEDULE;"

Renumber succeeding subparagraphs accordingly.

Page 12, line 17, strike "SECTION;" and substitute "SECTION OR A PRESCRIPTION DRUG OR CONTROLLED SUBSTANCE OR DEVICE IDENTIFIED IN THE FEDERAL "CONTROLLED SUBSTANCES ACT", 21 U.S.C. SEC. 801 ET SEQ., AS AMENDED;"

Page 14, line 17, strike "ITS EQUIVALENT," and substitute "DOCUMENTED EXPERIENCE THAT PROVIDES THE SAME KIND, AMOUNT, AND LEVEL OF KNOWLEDGE AS A BACCALAUREATE DEGREE,"

Page 15, line 20, strike "SHALL" and substitute "MAY"

Page 16, strike line 1 and substitute "THE DIRECTOR'S RULES MAY REQUIRE QUALIFICATIONS THE DIRECTOR DEEMS APPROPRIATE AND MAY INCLUDE DOCUMENTED"

Amendment No. 4(L.022), by Senator Newell.

Amend reengrossed bill, page 6, line 13, strike "SEVEN" and substitute "NINE"

Page 6, line 16, strike "ONE MEMBER WHO IS A DOCTOR" and substitute "THREE MEMBERS WHO ARE DOCTORS"

Amendment No. 5(L.033), by Senator Renfroe.

Amend reengrossed bill, page 14, after line 2 insert:

"(6) MANY THERAPIES USED BY NATUROPATHIC DOCTORS, SUCH AS THE USE OF NUTRITIONAL SUPPLEMENTS, HERBS, FOODS, HOMEOPATHIC PREPARATIONS, AND PHYSICAL FORCES SUCH AS HEAT, COLD, WATER, TOUCH, AND LIGHT, ARE NOT THE EXCLUSIVE PRIVILEGE OF NATUROPATHIC DOCTORS, AND THIS ARTICLE DOES NOT PROHIBIT THE USE OR PRACTICE OF THOSE THERAPIES BY A PERSON WHO IS NOT REGISTERED UNDER THIS ARTICLE TO PRACTICE NATUROPATHIC MEDICINE."

Amendment No. 6(L.032), by Senator Newell.

Strike the Aguilar floor amendment (HB1111_L.023).

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB13-1020 by Representative(s) McNulty; also Senator(s) Roberts--Concerning evidence collected in connection with a sexual assault, and, in connection therewith, making an appropriation.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, April 25, page(s) 1033 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB13-1291 by Representative(s) Duran; also Senator(s) Kefalas--Concerning early childhood programs in Colorado, and, in connection therewith, expanding the capacity and improving the quality of the programs through the creation of the Colorado infant and toddler quality and availability grant program and making an appropriation.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, May 1, page(s) 1198 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, May 3, page(s) 1252 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB13-1288 by Representative(s) Conti and Kagan; also Senator(s) Steadman and Hill--Concerning the development of recommendations to the general assembly to establish a uniform sales and use tax base throughout the state, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB13-1003 by Representative(s) Lee and Garcia, Tyler; also Senator(s) Heath--Concerning the creation of an economic gardening pilot project in the Colorado office of economic development, and, in connection therewith, making an appropriation.

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, May 3, page(s) 1199 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, May 3, page(s) 1253 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB13-1320 by Representative(s) Waller and Hulinghorst, Foote, Melton, Pettersen, Priola, Singer, Young, Ferrandino, Gardner, Gerou, Landgraf, Lawrence, Levy, Murray, Wilson, Wright; also Senator(s) Heath, Guzman, Hudak, Kerr--Concerning financial support for meritorious Colorado students at state-supported institutions of higher education, and, in connection therewith, making an appropriation.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, May 3, page(s) 1267 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB13-1316 by Representative(s) Hulinghorst and Salazar, Young; also Senator(s) Ulibarri and Jones-- Concerning the Colorado oil and gas conservation commission's adoption of uniform statewide groundwater sampling rules, and, in connection therewith, making an appropriation.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, May 3, page(s) 1266 and placed in members' bill files.)

Amendment No. 2(L.007), by Senator Schwartz.

Amend reengrossed bill, page 2, line 15, after the period add "THE DIRECTOR MAY IMPLEMENT ALTERNATIVE COMPLIANCE MEASURES BASED ON SUBSTANTIAL ECONOMIC INFEASIBILITY OR A CASE-BY-CASE DETERMINATION THAT THE ALTERNATIVE COMPLIANCE MEASURE WILL RESULT IN DATA THAT IS BOTH SUFFICIENT AND RELIABLE."

Amendment No. 3(L.006), by Senator Ulibarri.

Amend reengrossed bill, page 1, line 103, strike "RULES, AND, IN CONNECTION" and substitute "RULES."

Page 1, strike line 104.

As amended, **lost** on second reading.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Johnston, 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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB13-1001 as amended, HB13-1271 as amended, HB13-1111 as amended, HB13-1020 as amended, HB13-1291 as amended, HB13-1288, HB13-1003 as amended, HB13-1320 as amended.
Lost on second reading: HB13-1316 as amended.

MESSAGE FROM THE HOUSE

May 6, 2013

Mr. President:

The House has reconsidered it's action on SB13-155. SB13-155 is now in the same form as passed by the Senate.

The House has voted to concur in the Senate amendments to HB13-1002, 1007, 1245, 1257, 1292, 1295, 1314, 1021, 1206, 1248, 1300, 1301, 1274, 1277, and has repassed the bills as so amended.

The House has voted not to concur in the Senate amendments to HB13-1239 and requests that a conference committee be appointed. The Speaker has appointed Representatives McCann, chairman, Williams, and Gerou as House conferees on the First Conference Committee on HB13-1239. The bill is transmitted herewith.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for reconsideration of the last Senate action, a roll call vote, on SB13-287.

RECONSIDERATION OF ROLL CALL VOTE ON SB13-287

SB13-287 by Senator(s) Nicholson and Brophy, Morse, Aguilar, Giron; also Representative(s) McLachlan and Sonnenberg, Coram--Concerning telecommunications.

Having voted on the prevailing side, President Morse moved for the Senate reconsideration of the last Senate action, a roll call vote, on SB13-287.

A majority of all members elected to the Senate having voted in the affirmative, reconsideration was granted.

GENERAL ORDERS -- SECOND READING OF BILLS

SB13-287 by Senator(s) Nicholson and Brophy, Morse, Aguilar, Giron; also Representative(s) McLachlan and Sonnenberg, Coram--Concerning telecommunications.

Laid over until Friday, May 10, retaining its place on the calendar.

NOTICE OF INTENT TO RECONSIDER ADOPTION OF COMMITTEE OF THE WHOLE REPORT WITHDRAWN

President Morse withdrew his notice of intent to reconsider the adoption of the report of the Committee of the Whole, as printed in Senate Journal, May 3, page 1272.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Third Reading of Bills - Final Passage.

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:

SB13-286 by Senator(s) Hodge and Brophy; also Representative(s) Levy and Sonnenberg-- Concerning an extension of the number of years that a taxpayer may claim excess enterprise zone investment income tax credits as credit carryovers for renewable energy investments.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was passed.

Co-sponsor(s) added: Guzman, Kefalas and Newell.

SB13-284 by Senator(s) Carroll; also Representative(s) Hullinghorst--Concerning streamlining the environmental permitting of oil and gas development that meets enhanced environmental protection standards, 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	2	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	N	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was passed.

Co-sponsor(s) added: Aguilar, Giron, Guzman, Heath, Jones, Kefalas, Nicholson, Schwartz, Steadman, Todd and Ulibarri.

SB13-285 by Senator(s) Tochtrop; also Representative(s) Williams--Concerning the procedures in workers' compensation claims for the resolution of disputes, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	24	NO	11	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	N
Baumgardner	Y	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Guzman.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the Third Reading of Bills -- Final Passage Calendar (HB13-1308, HB13-1238, HB13-1280, HB13-1210, HB13-1254, HB13-1259, HB13-1315, HB13-1004) of Monday, May 6 was laid over until later in the day on Monday, May 6, retaining its place on the calendar.

On motion of Majority Leader Carroll, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, HB13-1325 was made Special Orders at 5:40 p.m.

Committee of the Whole
The hour of 5:40 p.m. having arrived, Senator Johnston moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders -- Second Reading of Bills and Senator Johnston 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:

HB13-1325
by Representative(s) Fields and Waller; also Senator(s) King--Concerning penalties for persons who drive while under the influence of alcohol or drugs, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Johnston, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	29	NO	6	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	N
Cadman	Y	Hodge	Y	Lundberg	N	Tochtrop	N
Carroll	Y	Hudak	N	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	N
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB13-1325.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

SJR13-038 by Senator(s) Morse and Schwartz, Newell; also Representative(s) Hullinghorst-- Concerning measures to increase the percentage of discarded materials that are beneficially used rather than disposed of in landfills.

Laid over one day under Senate Rule 30(b).

INTRODUCTION OF BILLS -- FIRST READING

The following bill was read by title and referred to the committee indicated:

SCR13-003 by Senator(s) Cadman and Morse, Balmer, Baumgardner, Crowder, Giron, Grantham, Guzman, Harvey, Heath, Hodge, Johnston, Kefalas, Kerr, King, Lambert, Lundberg, Newell, Nicholson, Renfroe, Scheffel, Schwartz, Tochtrop, Todd; --Submitting to the registered electors of the state of Colorado amendments to the Colorado constitution concerning marijuana, and, in connection therewith, allowing the registered electors to vote on two separate but related questions: 1) Imposing a state excise tax of 15% on the first sale or transfer of unprocessed retail marijuana by a retail marijuana cultivation facility, imposing an additional state sales tax of 15% on the sale of retail marijuana and retail marijuana products, allowing the general assembly to decrease or increase the rate of either or both taxes without further voter approval so long as the rate of either tax does not exceed 15%, and allowing the resulting tax revenues to be collected and spent regardless of any limitations imposed by law; and 2) If a majority of the electors voting on the question fail to approve the imposition of a state excise tax and a state sales tax on retail marijuana at the election held in November of 2013, suspending the provisions of section 16 of article XVIII of the Colorado constitution relating to the regulation of marijuana until a majority of the electors approve the imposition of new state taxes or increases in state tax rates sufficient to annually fund the estimated costs of state regulation of marijuana.
Business, Labor, & Technology

APPOINTMENTS TO CONFERENCE COMMITTEE

The President appointed Senators Hodge, Chair, Kefalas, and Roberts as Senate conferees on the first conference committee on [HB13-1239](#).

Senate in recess. Senate reconvened.

MESSAGE FROM THE HOUSE

May 6, 2013

Mr. President:

The House has postponed indefinitely SB13-257. The bill is returned herewith.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for consideration of General Orders -- Second Reading of Bills.

Committee of the Whole On motion of Senator Johnston, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Johnston was called to the chair to act as Chairman.

GENERAL 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:

HB13-1296 by Representative(s) McCann and Kraft-Tharp; also Senator(s) Newell--Concerning civil commitment statutes, and, in connection therewith, creating the civil commitment statute review task force and redefining certain terms related to civil commitment.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, April 25, page(s) 1040 and placed in members' bill files.)

Amendment No. 2, Legislative Council Committee Amendment.
(Printed in Senate Journal, April 26, page(s) 1063 and placed in members' bill files.)

Amendment No. 3, Appropriations Committee Amendment.
(Printed in Senate Journal, April 29, page(s) 1090-1091 and placed in members' bill files.)

Amendment No. 4(L.012), by Senator Newell.

Amend reengrossed bill, page 3, after line 9 insert:

"(3) THE TASK FORCE SHALL STUDY THE DEFINITION OF "DANGER TO SELF OR OTHERS" AS SET FORTH IN SECTION 27-65-102 (4.5) AND SHALL CONSIDER THE CIVIL LIBERTIES AND PUBLIC SAFETY CONCERNS OF THAT DEFINITION. UPON A MAJORITY OF THE TASK FORCE MEMBERS VOTING TO RATIFY THE DEFINITION SET FORTH IN SECTION 27-65-102 (4.5), THE TASK FORCE SHALL SUBMIT A LETTER STATING AS SUCH TO THE EXECUTIVE DIRECTOR AND THE REVISOR OF STATUTES NO LATER THAN NOVEMBER 1, 2013."

Renumber succeeding subsections accordingly.

Page 8, line 26, strike "2014." and substitute "2014; except that section 27-65-102 (4.5), Colorado Revised Statutes, as added in section 2 of this act, shall only take effect upon the receipt of the letter to the Revisor of Statutes required by section 27-60-102 (3), Colorado Revised Statutes. If such letter is not received by November 1, 2013, section 27-65-102 (4.5) shall not take effect."

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB13-1269 by Representative(s) Foote, Court, Duran, Fields, Fischer, Ginal, Hamner, Hullinghorst, Kagan, Labuda, Lee, Levy, Melton, Mitsch Bush, Moreno, Pabon, Primavera, Ryden, Salazar, Schafer, Singer, Williams; also Senator(s) Jones, Ulibarri, Kefalas--Concerning the reduction of conflicts of interest within the Colorado oil and gas conservation commission.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, April 30, page(s) 1106 and placed in members' bill files.)

Amendment No. 2(L.029), by Senator Jones.

Amend the State, Veterans, and Military Affairs Committee Report, dated April 29, 2013, page 2, line 2, strike everything after "political" and substitute "party. A COMMISSIONER WHO HAS A DIRECT FINANCIAL INTEREST IN A MATTER BEFORE THE COMMISSION SHALL DISCLOSE THE FACT TO THE COMMISSION AND SHALL NOT VOTE UPON THE MATTER. A COMMISSIONER HAS A DIRECT FINANCIAL INTEREST IF THE COMMISSIONER RECEIVES A SALARY OR OTHER REMUNERATION FOR BEING AN EMPLOYEE OR BOARD MEMBER OF AN ENTITY THAT IS SUBJECT TO THE JURISDICTION OF THE COMMISSION."."

Page 2, strike lines 3 through 6.

As amended, **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

HB13-1269 by Representative(s) Foote, Court, Duran, Fields, Fischer, Ginal, Hamner, Hullinghorst, Kagan, Labuda, Lee, Levy, Melton, Mitsch Bush, Moreno, Pabon, Primavera, Ryden, Salazar, Schafer, Singer, Williams; also Senator(s) Jones, Ulibarri, Kefalas--Concerning the reduction of conflicts of interest within the Colorado oil and gas conservation commission.

Senator Jones moved to amend the Report of the Committee of the Whole to show that the following Jones floor amendment, (L.029) to HB 13-1269, did pass, and that HB 13-1269, as amended, did pass.

Amend the State, Veterans, and Military Affairs Committee Report, dated April 29, 2013, page 2, line 2, strike everything after "political" and substitute "party. A COMMISSIONER WHO HAS A DIRECT FINANCIAL INTEREST IN A MATTER BEFORE THE COMMISSION SHALL DISCLOSE THE FACT TO THE COMMISSION AND SHALL NOT VOTE UPON THE MATTER. A COMMISSIONER HAS A DIRECT FINANCIAL INTEREST IF THE COMMISSIONER RECEIVES A SALARY OR OTHER REMUNERATION FOR BEING AN EMPLOYEE OR BOARD MEMBER OF AN ENTITY THAT IS SUBJECT TO THE JURISDICTION OF THE COMMISSION."."

Page 2, strike lines 3 through 6.

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	15	NO	20	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	N
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	N	Lundberg	N	Tochtrop	N
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	N	Newell	N	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Johnston, 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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB13-1296 as amended.
Lost on second reading: HB13-1269 as amended.

COMMITTEE OF REFERENCE REPORTS

Business, Labor, & Technology
After consideration on the merits, the Committee recommends that **SCR13-003** be **amended** as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed concurrent resolution, page 3, line 8, strike "**amend** (9); and", strike the second "and", and strike "(d.3)" and substitute "(d.3), and (5) (k)".

Page 7, strike lines 1 through 17 and substitute:

"(5) (k) (I) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE CONTRARY:
(A) EXCEPT FOR THE LIMITATION ON THE RATE OF ANY EXCISE TAX IMPOSED BY PARAGRAPH (d) AND THE PROVISIONS OF PARAGRAPH (j) OF THIS SUBSECTION (5), THE IMPLEMENTATION OF THIS SUBSECTION (5) SHALL BE CONDITIONAL UPON THE ELECTORS APPROVING AT A STATEWIDE ELECTION ONE OR MORE NEW TAXES OR INCREASES IN EXISTING TAX RATES SUFFICIENT TO FUND THE ESTIMATED COSTS OF STATE REGULATION OF MARIJUANA;
(B) ANY REGULATIONS ADOPTED BY THE DEPARTMENT, ANY ORDINANCES OR REGULATIONS ADOPTED BY ANY LOCALITY, AND ANY LICENSES ISSUED IN ACCORDANCE WITH THE PROVISIONS OF THIS SUBSECTION (5) PRIOR TO THE EFFECTIVE DATE OF THIS PARAGRAPH (k) SHALL BE EFFECTIVE AND ENFORCEABLE ONLY UPON THE ELECTORS APPROVING AT A STATEWIDE ELECTION ONE OR MORE NEW TAXES OR

INCREASES IN EXISTING TAX RATES SUFFICIENT TO FUND THE ESTIMATED COSTS OF STATE REGULATION OF MARIJUANA; AND

(C) UNLESS ELECTORS APPROVE THE TAXES SET FORTH IN PARAGRAPHS (d.1) AND (d.2) OF THIS SUBSECTION (5) AT THE STATEWIDE ELECTION HELD ON NOVEMBER 5, 2013, ANY DATE SPECIFIED IN THIS SUBSECTION (5) SHALL MEAN THAT DATE OF THE CALENDAR YEAR IMMEDIATELY SUBSEQUENT TO THE STATEWIDE ELECTION AT WHICH THE ELECTORS APPROVE ONE OR MORE NEW TAXES OR INCREASES IN EXISTING TAX RATES SUFFICIENT TO FUND THE ESTIMATED COSTS OF STATE REGULATION.

(II) THIS PARAGRAPH (k) SHALL TAKE EFFECT NOVEMBER 5, 2013."

Page 8, strike lines 7 through 14 and substitute the following:

"(2) Shall the implementation of subsection (5) of section 16 of article XVIII of the Colorado constitution relating to the regulation of marijuana be conditional upon voter approval of the imposition of one or more state taxes or increases in state tax rates that will provide sufficient revenues to annually fund the estimated costs of state regulation of marijuana if a majority of the electors voting on the question fail to approve the imposition of a state excise tax and a state sales tax on retail marijuana at the November 2013 election?"

Page 2, strike lines 107 through 110 and substitute the following:

"HELD IN NOVEMBER OF 2013, MAKING THE IMPLEMENTATION OF REGULATED MARIJUANA CONDITIONAL UPON VOTER APPROVAL OF THE IMPOSITION".

Senate in recess. Senate reconvened.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of House Amendments to Senate Bills.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB13-001 by Senator(s) Kefalas and Morse, Aguilar, Guzman, Ulibarri; also Representative(s) Kagan, Levy--Concerning income tax credits to support working families, and, in connection therewith, enacting the "Colorado Working Families Economic Opportunity Act of 2013" and making an appropriation.

Senator Kefalas moved that the Senate concur in House amendments to SB13-001, as printed in House journal, May 3, page(s) 1454-1455. The motion was adopted by the following roll call vote:

YES	32	NO	3	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	N	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	20	NO	15	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB13-227 by Senator(s) Carroll and Hudak, Aguilar, Cadman, Giron, Guzman, Harvey, Heath, Jahn, Jones, Kerr, King, Morse, Newell, Nicholson, Roberts, Schwartz, Todd, Ulibarri; also Representative(s) Landgraf, Buck, Gardner, Humphrey, Lebsock, Melton, Mitsch Bush, Navarro, Priola, Rankin, Saine, Schafer, Stephens, Vigil, Wilson, Young--Concerning methods to protect the victim of a sexual assault in cases where a child was conceived as a result of the sexual assault, and, in connection therewith, making an appropriation.

Senator Carroll moved that the Senate concur in House amendments to **SB13-227**, as printed in House journal, May 3, page(s) 1458-1460. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB13-123 by Senator(s) Steadman; also Representative(s) Levy--Concerning provisions that improve the reintegration opportunities for persons involved in the criminal justice system, and, in connection therewith, making an appropriation.

Senator Steadman moved that the Senate concur in House amendments to **SB13-123**, as printed in House journal, May 3, page(s) 1460. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB13-189 by Senator(s) Heath; also Representative(s) Tyler--Concerning civil penalties imposed on motor carriers for legal violations, and, in connection therewith, making an appropriation.

Senator Heath moved that the Senate concur in House amendments to **SB13-189**, as printed in House journal, May 3, page(s) 1461. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Harvey	Y	Scheffel	Y	Aguilar	Y	Crowder	Y
Renfroe	Y	Hodge	Y	Nicholson	Y	Hill	Y
Schwartz	Y	Hudak	Y	Lambert	Y	Kerr	Y
Cadman	Y	Lundberg	Y	Grantham	Y	Baumgardner	Y
Tochtrop	Y	Steadman	Y	Roberts	Y	Marble	Y
Brophy	Y	Johnston	Y	Jahn	Y	Kefalas	Y
President	Y	Guzman	Y	Ulibarri	Y	Balmer	Y
Newell	Y	Giron	Y	Jones	Y	King	Y
Heath	Y	Carroll	Y	Todd	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	20	NO	15	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB13-193 by Senator(s) Hudak, Todd, Giron, Heath, Kerr, Ulibarri; also Representative(s) Kraft-Tharp--Concerning increasing parent engagement in public schools, and, in connection therewith, making an appropriation.

Senator Hudak moved that the Senate concur in House amendments to **SB13-193**, as printed in House journal, May 3, page(s) 1461. The motion was **adopted** by the following roll call vote:

YES	30	NO	5	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	N	Kerr	Y	Scheffel	Y
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	N	Lambert	N	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	20	NO	15	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Co-sponsor(s) added: Nicholson.

SB13-219 by Senator(s) Tochtrop; also Representative(s) Peniston--Concerning the remediation performed on property contaminated by an illegal drug laboratory, and, in connection therewith, making an appropriation.

Senator Tochtrop that the Senate concur in House amendments to **SB13-219**, as printed in House journal, May 3, page(s) 1461-1462. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	23	NO	12	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB13-221 by Senator(s) King, Guzman, Tochtrop; also Representative(s) Ryden, Sonnenberg, Williams--Concerning an application and review process for issuing tax credit certificates for a state income tax credit allowed for the donation of a perpetual conservation easement, and, in connection therewith, making an appropriation.

Senator King that the Senate concur in House amendments to **SB13-221**, as printed in House journal, May 3, page(s) 1461. The motion was **adopted** by the following roll call vote:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	30	NO	5	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	N	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	Y	Lambert	N	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Co-sponsor(s) added: Schwartz.

SB13-241 by Senator(s) Schwartz and Crowder, Nicholson, Ulibarri; also Representative(s) Coram and Fischer, Sonnenberg--Concerning the creation of a program in the department of agriculture to regulate industrial hemp production, and, in connection therewith, making an appropriation.

Senator Schwartz moved that the Senate concur in House amendments to **SB13-241**, as printed in House journal, May 3, page(s) 1463. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB13-245 by Senator(s) King and Jahn; also Representative(s) Gardner--Concerning the creation of the Colorado firefighting air corps in the division of fire prevention and control of the department of public safety.

Senator King moved that the Senate concur in House amendments to **SB13-245**, as printed in House journal, May 3, page(s) 1463. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB13-255 by Senator(s) Kefalas and Newell, Morse; also Representative(s) May and Singer-- Concerning child fatality review teams, and, in connection therewith, increasing the capacity and resources, clarifying the responsibilities and processes of state and local child fatality review teams in the departments of public health and environment and human services, and making an appropriation.

Senator Kefalas moved that the Senate concur in House amendments to **SB13-255**, as printed in House journal, May 3, page(s) 1463. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	22	NO	13	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB13-250 by Senator(s) Steadman and King, Aguilar, Guzman, Newell, Ulibarri; also Representative(s) Levy and DelGrosso--Concerning changes to sentencing of persons convicted of drug crimes, and, in connection therewith, making an appropriation.

Senator Steadman moved that the Senate concur in House amendments to **SB13-250**, as printed in House journal, May 3, page(s) 1464. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	N	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Co-sponsor(s) added: Kefalas.

SB13-210 by Senator(s) Giron; also Representative(s) Duran--Concerning employment conditions for correctional officers, and, in connection therewith, making an appropriation.

Senator Giron moved that the Senate concur in House amendments to **SB13-210**, as printed in House journal, May 3, page(s) 1464-1465. The motion was **adopted** by the following roll call vote:

YES	21	NO	14	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	N
Cadman	N	Hodge	N	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	N		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	21	NO	14	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Co-sponsor(s) added: Crowder.

SB13-277 by Senator(s) Aguilar, Morse; also Representative(s) Ginal, Duran, Fields, Garcia, Gerou, Hamner, Hullinghorst, Joshi, Melton, Moreno, Peniston, Pettersen, Primavera, Rosenthal, Ryden, Salazar, Schafer, Singer, Williams--Concerning the development of a prior authorization process to be used in obtaining prior approval from carriers for coverage of drug benefits, and, in connection therewith, making an appropriation.

Senator Aguilar moved that the Senate concur in House amendments to **SB13-277**, as printed in House journal, May 3, page(s) 1466.

On a substitute motion, Senator Harvey moved that the Senate not concur in House amendments to **SB13-277** and form a conference committee. The motion was **lost** by the following roll call vote:

YES	15	NO	20	EXCUSED	0	ABSENT	0
Aguilar	N	Guzman	N	Kefalas	N	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	N	Scheffel	Y
Baumgardner	Y	Heath	N	King	Y	Schwartz	N
Brophy	Y	Hill	Y	Lambert	Y	Steadman	N
Cadman	Y	Hodge	N	Lundberg	Y	Tochtrop	N
Carroll	N	Hudak	N	Marble	Y	Todd	N
Crowder	Y	Jahn	N	Newell	N	Ulibarri	N
Giron	N	Johnston	N	Nicholson	N	President	N
Grantham	Y	Jones	N	Renfroe	Y		

Senator Aguilar's motion to concur in House amendments to **SB13-277** was **adopted** by the following roll call vote:

YES	21	NO	14	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB13-276 by Senator(s) Steadman; also Representative(s) Gerou--Concerning the disability investigational and pilot support fund, and, in connection therewith, making and reducing an appropriation.

Senator Steadman moved that the Senate concur in House amendments to **SB13-276**, as printed in House journal, May 3, page(s) 1467. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

RECONSIDERATION OF SB13-221

SB13-221 by Senator(s) King, Guzman, Tochtrop; also Representative(s) Ryden, Sonnenberg, Williams--Concerning an application and review process for issuing tax credit certificates for a state income tax credit allowed for the donation of a perpetual conservation easement, and, in connection therewith, making an appropriation.

Having voted on the prevailing side, Majority Leader Carroll moved for reconsideration of the last Senate action, Repassage on SB13-221.

A majority of all members elected to the Senate having voted in the affirmative, reconsideration was granted.

REPASSAGE OF SB13-221

SB13-221 by Senator(s) King, Guzman, Tochtrop; also Representative(s) Ryden, Sonnenberg, Williams--Concerning an application and review process for issuing tax credit certificates for a state income tax credit allowed for the donation of a perpetual conservation easement, and, in connection therewith, making an appropriation.

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar		Y Guzman	Y	Kefalas	Y	Roberts	Y
Balmer		Y Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner		Y Heath	Y	King	Y	Schwartz	Y
Brophy		Y Hill	Y	Lambert	Y	Steadman	Y
Cadman		Y Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll		Y Hudak	Y	Marble	N	Todd	Y
Crowder		Y Jahn	Y	Newell	Y	Ulibarri	Y
Giron		Y Johnston	Y	Nicholson	Y	President	Y
Grantham		Y Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

MESSAGE FROM THE HOUSE

May 6, 2013

Mr. President:

In response to the request of the Senate, the Speaker has appointed Representatives Peniston, chairman, Navarro, and Pettersen as House conferees on the First Conference Committee on SB13-148.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Monday, May 6 was laid over until Tuesday, May 7, retaining its place on the calendar.

Third Reading of Bills -- Final Passage: HB13-1308, HB13-1238, HB13-1280, HB13-1210, HB13-1254, HB13-1259, HB13-1315, HB13-1004.
Consideration of Resolutions: HJR13-1004, SJR13-033, SJR13-034, SJR13-035, SJR13-036, SR13-004, SR13-005.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB13-1005, 1071, 1082, 1105, 1115, 1117, 1163, 1194, 1196, 1204, 1225, 1235, 1246, 1250, 1272, 1282.

MESSAGE FROM THE GOVERNOR

May 5, 2013

To the Honorable Senate
Sixty-Ninth General Assembly
First Regular Session
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

SB13-176: CONCERNING AUTHORIZATION FOR THE STATE TREASURER TO INVEST STATE MONEYS IN DEBT OBLIGATION BACKED BY THE FULL FAITH AND CREDIT OF THE STATE OF ISRAEL.

Approved May 5, 2013 at 12:43 p.m.

Sincerely,
(signed)
John W. Hickenlooper
Governor

On motion of Majority Leader Carroll, the Senate adjourned until 9:00 a.m., Tuesday, May 7, 2013.

Approved:

Lucia Guzman
President *pro tem* of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

119th Legislative Day Tuesday, May 7, 2013

Prayer	By Senator Renfroe.	
Call to Order	By the President at 9:00 a.m.	
Pledge	By Senator Hill.	
Roll Call	Present--34 Excused--1, Johnston. Present later--1, Johnston.	
Quorum	The President announced a quorum present.	
Reading of Journal	On motion of Senator Ulibarri, reading of the Journal of Monday, May 6, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.	

COMMITTEE OF REFERENCE REPORTS

Judiciary	The Committee on <u>Judiciary</u> has had under consideration and has had a hearing on the following appointment and recommends that the appointment be confirmed:	
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MEMBER OF THE
JUVENILE PAROLE BOARD

for a term expiring at the pleasure of the Governor:
Margaret "Meg" H. Williams of Golden, Colorado, to serve as a representative of the Colorado Department of Public Safety and to fill the vacancy occasioned by the resignation Jan D. Simkins of Littleton, Colorado, appointed.

Health & Human Services	The Committee on <u>Health & Human Services</u> has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:	
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MEMBERS OF THE
MEDICAL SERVICES BOARD

for a term expiring July 1, 2014:
Patricia L. Givens of Denver, Colorado, an Unaffiliated from the First Congressional District, with knowledge of medical assistance programs, and occasioned by the resignation of Alan I. Eisenberg of Denver, Colorado, appointed;
effective July 1, 2013 for terms expiring July 1, 2015:
Dr. Paul Melinkovich of Evergreen, Colorado, a Democrat from the Second Congressional District with knowledge of medical assistance programs, reappointed;
Virginia E. Riley of Loveland, Colorado, a Democrat from the Second Congressional District with knowledge of medical assistance programs, reappointed;

for a term expiring July 1, 2016:

Christy S. Blakley of Littleton, Colorado, a Republican from the Sixth Congressional District and who represents a family member of a person with a disability, appointed;

effective July 1, 2013 for terms expiring July 1, 2017:

Timothy P. Fox of Denver, Colorado, a Democrat from the First Congressional District, a person with a disability and with knowledge of medical assistance programs, appointed;

Bregitta Hughes of Colorado Springs, Colorado, a Democrat from the Fifth Congressional District with knowledge of medical assistance programs, appointed.

Health & Human Services

The Committee on Health & Human Services has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

MEMBERS OF THE

COLORADO HEALTH FACILITIES AUTHORITY

BOARD OF DIRECTORS

effective June 30, 2013, for a term expiring June 30, 2015:

Lance L. Lockett of Carbondale, Colorado, a Democrat, reappointed;

effective June 30, 2013 for a term expiring June 30, 2016:

Ann Cannon Kiley of Denver, Colorado, a Democrat, reappointed;

effective June 30, 2013 for terms expiring June 30, 2017:

Randall J. Baum of Aurora, Colorado, a Republican, appointed;

Tamara K. Vincelette of Denver, Colorado, a Democrat, appointed.

SENATE SERVICES REPORT

Correctly Printed: SCR13-003; SJR13-038.

Correctly Engrossed: SB13-173.

Correctly Reengrossed: SB13-284, 285, 286 and 288.

Correctly Revised: HB13-1001, 1003, 1020, 1111, 1271, 1288, 1291, 1296, 1320, 1323, 1324 and 1325.

Correctly Rerevised: HB13-1002, 1007, 1165, 1171, 1242, 1245, 1257, 1274, 1277, 1278, 1286, 1290, 1292, 1295, 1305, 1307, 1310, 1311 and 1314.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

SR13-006

by Senator(s) Morse; --Concerning the approval by the Senate of the Senate President's appointment of Robert Bacon as the appointee by the Senate to the Independent Ethics Commission created in article XXIX of the state constitution.

On motion of President Morse, the resolution was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	E	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Co-sponsor(s) added: Aguilar, Brophy, Carroll, Crowder, Giron, Heath, Hodge, Jahn, Jones, Kefalas, Kerr, Newell, Nicholson, Scheffel, Steadman, Tochtrop and Ulibarri.

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:

HB13-1324 by Representative(s) Murray and Tyler; also Senator(s) Nicholson--Concerning the addition of members of the general assembly to the board of directors of the statewide internet portal authority.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Newell.

HB13-1323 by Representative(s) Levy and McNulty; also Senator(s) Guzman and Scheffel--Concerning requiring the department of corrections to obtain clarification if a court-issued mittimus omits instruction concerning whether a defendant's sentences are to be served consecutively or concurrently.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Giron, King, Newell and Ulibarri.

SB13-173 by Senator(s) Kerr and Nicholson; also Representative(s) Pabon--Concerning the continuation of the division of gaming, and, in connection therewith, implementing the recommendations in the 2012 sunset report by the department of regulatory agencies, and 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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Grantham and King.

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:

HB13-1001 by Representative(s) Young and Gerou, Ferrandino; also Senator(s) Heath and Steadman--Concerning an advanced industry grant program, and, in connection therewith, enacting the "Advanced Industries Acceleration Act"; adding representatives from advanced industries to the economic development commission; repealing the bioscience discovery evaluation grant program and the clean technology discovery evaluation grant program; creating the Colorado advanced industries acceleration cash fund to be used to provide proof-of-concept grants, early-stage capital and retention grants, and infrastructure funding grants; and reducing an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	21	NO	14	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Giron, Guzman, Hudak, Jahn, Jones, Kefalas, Kerr, Morse, Newell, Nicholson, Schwartz, Tochtrop, Todd and Ulibarri.

HB13-1271 by Representative(s) Singer and May, Ferrandino, Hullinghorst, McCann; also Senator(s) Newell and Nicholson--Concerning methods to respond to initial contacts made to a child abuse reporting hotline system, and, in connection therewith, authorizing the state board of human services to adopt rules governing the hotline system, providing consistent practices in response to contacts and to reports of known or suspected child abuse or neglect, and making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	22	NO	13	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Carroll, Giron, Heath, Hodge, Hudak, Jahn, Johnston, Jones, Kefalas, Kerr, Morse, Tochtrop and Todd.

HB13-1111 by Representative(s) Ginal, Hamner, Hullinghorst; also Senator(s) Newell, Hill--Concerning the regulation of naturopathic doctors, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	21	NO	14	EXCUSED	0	ABSENT	0
Aguilar	N	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	Y	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	N
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Heath, Kefalas, Roberts and Todd.

HB13-1020 by Representative(s) McNulty; also Senator(s) Roberts--Concerning evidence collected in connection with a sexual assault, 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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Baumgardner, Brophy, Cadman, Carroll, Crowder, Giron, Guzman, Harvey, Heath, Hodge, Hudak, Jahn, Johnston, Jones, Kefalas, Kerr, Lambert, Marble, Morse, Newell, Scheffel, Schwartz, Tochtrop, Todd and Ulibarri.

HB13-1291 by Representative(s) Duran; also Senator(s) Kefalas--Concerning early childhood programs in Colorado, and, in connection therewith, expanding the capacity and improving the quality of the programs through the creation of the Colorado infant and toddler quality and availability grant program and 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	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Giron, Guzman, Heath, Jones, Kerr, Morse, Newell, Schwartz, Steadman, Tochtrop, Todd and Ulibarri.

HB13-1288 by Representative(s) Conti and Kagan; also Senator(s) Steadman and Hill--Concerning the development of recommendations to the general assembly to establish a uniform sales and use tax base throughout the state, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	26	NO	9	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	Y
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	N	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Giron, Guzman, Heath, Hodge, Johnston, Jones, Kefalas, Newell, Scheffel, Schwartz, Tochtrop, Todd and Ulibarri.

HB13-1003 by Representative(s) Lee and Garcia, Tyler; also Senator(s) Heath--Concerning the creation of an economic gardening pilot project in the Colorado office of economic development, 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	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Carroll, Giron, Jahn, Johnston, Jones, Kefalas, Kerr, Morse, Newell, Schwartz, Tochtrop, Todd and Ulibarri.

HB13-1320 by Representative(s) Waller and Hullinghorst, Foote, Melton, Pettersen, Priola, Singer, Young, Ferrandino, Gardner, Gerou, Landgraf, Lawrence, Levy, Murray, Wilson, Wright; also Senator(s) Heath, Guzman, Hudak, Kerr--Concerning financial support for meritorious Colorado students at state-supported institutions of higher education.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	27	NO	8	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Hodge, Kefalas, Roberts, Schwartz and Ulibarri.

HB13-1325 by Representative(s) Fields and Waller; also Senator(s) King--Concerning penalties for persons who drive while under the influence of alcohol or drugs, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	23	NO	12	EXCUSED	0	ABSENT	0
Aguilar	N	Guzman	N	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	N	Lambert	Y	Steadman	N
Cadman	Y	Hodge	N	Lundberg	N	Tochtrop	N
Carroll	N	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	N	Newell	Y	Ulibarri	N
Giron	N	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Heath, Johnston, Lambert, Morse, Newell and Nicholson.

HB13-1308 by Representative(s) Kagan and Gardner; also Senator(s) Ulibarri and King--Concerning allowing a law enforcement agency to acquire call location information from a telecommunications device without a court order in an emergency situation.

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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	N	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	N	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Morse and Newell.

HB13-1238 by Representative(s) McCann; also Senator(s) Newell--Concerning funding issues related to medical marijuana.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	22	NO	13	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

HB13-1280 by Representative(s) Gerou, Duran, Levy; also Senator(s) Hodge, Steadman, Lambert--Concerning a two-year waiver from the target reserve requirement for the building regulation fund.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	25	NO	10	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	N	Lambert	Y	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

HB13-1210 by Representative(s) Kagan; also Senator(s) Steadman--Concerning appointment of legal counsel during plea negotiations for indigent adult defendants, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	21	NO	14	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Carroll, Giron, Heath, Hodge, Hudak, Kefalas, Kerr, Newell, Tochtrop, Todd and Ulibarri.

HB13-1254 by Representative(s) Lee, Buck, Buckner, Court, Duran, Exum, Fischer, Foote, Ginal, Hamner, Hullinghorst, Kagan, Kraft-Tharp, Labuda, Lebsock, Levy, May, McCann, McLachlan, Melton, Mitsch Bush, Moreno, Pabon, Peniston, Pettersen, Primavera, Rosenthal, Ryden, Salazar, Schafer, Singer, Tyler, Vigil, Williams, Young; also Senator(s) Newell--Concerning restorative justice, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	21	NO	14	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Giron, Guzman, Heath, Hudak, Jones, Kefalas, Kerr, Morse, Tochtrop, Todd and Ulibarri.

HB13-1259 by Representative(s) McCann; also Senator(s) Newell--Concerning court orders in civil actions for persons at risk of abuse or neglect, and, in connection therewith, procedures for allocating parental rights and responsibilities in the best interests of the child in cases involving child abuse and neglect and domestic violence; provisions relating to parenting time orders; provisions relating to parenting time evaluations and reports; amending and relocating provisions relating to civil protection orders; and making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	24	NO	11	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Giron, Heath, Hudak, Kerr, Nicholson and Todd.

HB13-1315 by Representative(s) Fischer; also Senator(s) Kefalas--Concerning the authority of a governing board of an institution of higher education to mandate purchases relating to health care.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	18	NO	17	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	N
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	N	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Guzman and Nicholson.

HB13-1004 by Representative(s) Duran and Melton; also Senator(s) Kerr--Concerning the Colorado Careers Act of 2013, and, in connection therewith, establishing a transitional jobs program and 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	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Heath, Jones, Kefalas, Newell, Schwartz, Tochtrop, Todd and Ulibarri.

HB13-1296 by Representative(s) McCann and Kraft-Tharp; also Senator(s) Newell--Concerning civil commitment statutes, and, in connection therewith, creating the civil commitment statute review task force, redefining certain terms related to civil commitment, and making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	22	NO	13	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	Y	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Hudak, Jahn and Todd.

RECONSIDERATION OF HB13-1325

HB13-1325 by Representative(s) Fields and Waller; also Senator(s) King--Concerning penalties for persons who drive while under the influence of alcohol or drugs, and, in connection therewith, making an appropriation.

Having voted on the prevailing side, Senator Johnston moved for reconsideration of the last Senate action, Third Reading of Bills -- Final Passage, on HB13-1325.

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

On third reading, the title of the following bill was publicly read, the reading at length having been dispensed with by unanimous consent:

HB13-1325 by Representative(s) Fields and Waller; also Senator(s) King--Concerning penalties for persons who drive while under the influence of alcohol or drugs, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	24	NO	11	EXCUSED	0	ABSENT	0
Aguilar	N	Guzman	N	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	N	Lambert	Y	Steadman	N
Cadman	Y	Hodge	N	Lundberg	N	Tochtrop	N
Carroll	N	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	N	Newell	Y	Ulibarri	N
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Todd.

On motion of Majority Leader Carroll, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, HB13-1299, HB13-1262, HB13-1318, and HB-1317 were made Special Orders at 9:47 a.m.

Committee of the Whole

The hour of 9:47 a.m. having arrived, Senator Heath moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders -- Second Reading of Bills and, Senator Heath 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:

HB13-1299 by Representative(s) Ferrandino; also Senator(s) Steadman--Concerning changes to the "State Measurement for Accountable, Responsive, and Transparent (SMART) Government Act" of 2010.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, April 29, page(s) 1096-1099 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, May 6, page(s) 1308 and placed in members' bill files.)

Amendment No. 3(L.018), by Senator Steadman.

Amend the State, Veterans, & Military Affairs Committee Report, dated April 29, 2013, page 1, after line 3 insert:

"Page 6, line 25, strike "THE COLORADO COMMISSION ON".

Page 6, strike line 26.

Page 6, line 27, strike "EDUCATION,".

Page 7, line 5, strike "2-7-211 (3)," and substitute "2-7-203 (4),".

Page 7, line 13, strike "2-7-211 (3)." and substitute "2-7-203 (4).".

Page 9, strike lines 25 through 27.

Page 10, strike lines 1 through 8.

Renumber succeeding subsection accordingly."

Page 2 of the Committee Report, after line 16 insert:

"(d) THE COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE SHALL PRESENT A PROGRESS REPORT ON ANY RECOMMENDATIONS THE COMMISSION ANTICIPATES WILL BE MADE FOR THE UPCOMING LEGISLATIVE SESSION AND ANY FINALIZED RECOMMENDATIONS FOR THE UPCOMING LEGISLATIVE SESSION TO THE JOINT JUDICIARY COMMITTEE OF REFERENCE DURING THE HEARINGS SPECIFIED IN PARAGRAPH (a) OF THIS SUBSECTION (2)."

Page 2 of the Committee Report, line 20, after "THE" insert "DEPARTMENT'S".

Page 2 of the Committee Report, line 27, strike "PROGRESS." and substitute "PERFORMANCE MANAGEMENT SYSTEM AND PERFORMANCE PLAN."

Page 3 of the Committee Report, after line 7 insert:

"Page 56, line 10, after "COUNSEL," insert "THE PUBLIC EMPLOYEES' RETIREMENT ASSOCIATION, THE COLORADO ENERGY OFFICE, THE OFFICE OF ECONOMIC DEVELOPMENT,"."

Page 3 of the Committee Report, after line 21 insert:

"Page 58, line 9, after "COUNSEL," insert "THE PUBLIC EMPLOYEES' RETIREMENT ASSOCIATION, THE COLORADO ENERGY OFFICE, THE OFFICE OF ECONOMIC DEVELOPMENT,"."

Page 58, line 18, after "COUNSEL," insert "THE PUBLIC EMPLOYEES' RETIREMENT ASSOCIATION, THE COLORADO ENERGY OFFICE, THE OFFICE OF ECONOMIC DEVELOPMENT,"."

Page 4 of the Committee Report, after line 3 insert:

"Page 61, line 4, strike "January 2, 2014," and substitute "November 1, 2014," and strike "January 2" and substitute "November 1".

Page 61, line 9, after "COUNSEL," insert "THE PUBLIC EMPLOYEES' RETIREMENT ASSOCIATION, THE COLORADO ENERGY OFFICE, THE OFFICE OF ECONOMIC DEVELOPMENT,"."

Page 61, line 24, strike "DECEMBER 1, 2013," and substitute "NOVEMBER 1, 2014,".

Page 61, line 25, strike "DECEMBER" and substitute "NOVEMBER".

Page 62, line 1, after "COUNSEL," insert "THE PUBLIC EMPLOYEES' RETIREMENT ASSOCIATION, THE COLORADO ENERGY OFFICE, THE OFFICE OF ECONOMIC DEVELOPMENT,"."

Page 4 of the Committee Report, after line 4 insert:

"Page 62, line 20, strike "2-7-212 (5)." and substitute "2-7-204 (5).".

Page 4 of the Committee Report, after line 10 insert:

"Page 63, line 19, strike "STATE" and strike "DEFINED IN SECTION 2-7-212." and substitute "SPECIFIED IN SECTION 2-7-204 (6).".

Page 4 of the Committee Report, strike line 17 and substitute:

"**SECTION 4.** In Colorado Revised Statutes, 2-3-301, **add** (5) as follows:

2-3-301. Legislative council created - executive committee

	created. (5) THE LEGISLATIVE COUNCIL MAY BE A COMMITTEE OF REFERENCE FOR BILLS AND JOINT RESOLUTIONS THAT ALLOCATE ANY ADDITIONAL LEGISLATIVE STAFF RESOURCES.	1
	SECTION 5. In Colorado Revised Statutes, repeal and reenact , ". ".	2
	Renumber succeeding sections accordingly.	3
	Page 4 of the Committee Report, line 19, strike " studies. " and substitute " committees. ".	4
	Page 4 of the Committee Report, line 20, strike "STUDIES" and substitute "COMMITTEES".	5
	Page 4 of the Committee Report, line 24, after "COUNCIL" insert "CREATED IN SECTION 2-3-301 (1)".	6
	Page 5 of the Committee Report, line 27, strike "MEMBERS OF THE" and substitute "MEMBERS,".	7
	Page 5 of the Committee Report, line 28, strike "INTERIM COMMITTEE,".	8
	Page 5 of the Committee Report, line 29, strike "PARTY." and substitute "PARTY OF THE INTERIM COMMITTEE.".	9
	Page 5 of the Committee Report, line 31, after the period add "FOR PURPOSES OF CARRYING OUT THE TASK FORCE'S DUTIES, THE LEGISLATIVE COUNCIL MAY ACCEPT AND EXPEND MONEY, GIFTS, GRANTS, DONATIONS, SERVICES, AND IN-KIND DONATIONS FROM ANY PUBLIC OR PRIVATE ENTITY FOR ANY DIRECT OR INDIRECT COSTS ASSOCIATED WITH THE DUTIES OF THE TASK FORCE; EXCEPT THAT THE LEGISLATIVE COUNCIL MAY NOT ACCEPT MONEY, GIFTS, GRANTS, DONATIONS, SERVICES, OR IN-KIND DONATIONS IF ACCEPTANCE IS SUBJECT TO CONDITIONS THAT ARE INCONSISTENT WITH STATE LAW OR REQUIRES A PREDETERMINED CONCLUSION OR RESULT FROM THE TASK FORCE. THE LEGISLATIVE COUNCIL SHALL REQUEST THAT THE ENTITY OFFERING THE MONEY, GIFT, GRANT, DONATION, SERVICES, OR IN-KIND DONATION SUBMIT A LETTER PRIOR TO THE OFFER SPECIFYING THE AMOUNT OF MONEY, GIFT, GRANT, OR DONATION OFFERED, OR THE ESTIMATED VALUE OF THE SERVICES OR IN-KIND DONATION OFFERED, THE PERIOD FOR WHICH THE MONEY, GIFT, GRANT, DONATION, SERVICES, OR IN-KIND DONATION IS AVAILABLE, AND THE SPECIFIC PURPOSES FOR WHICH THE MONEY, GIFT, GRANT, DONATION, SERVICES, OR IN-KIND DONATION IS TO BE USED.".	10
	Page 6 of the Committee Report, after line 15 insert:	11
	"Page 67, line 15, strike "2-7-212," and substitute "2-7-204,".	12
	As amended, ordered revised and placed on the calendar for third reading and final passage.	13
HB13-1262	by Representative(s) Young, DelGrosso, Nordberg, Williams; also Senator(s) Baumgardner, Cadman, Jahn, Tochtrop--Concerning secondary agencies under the "Fraudulent Claims and Arson Reporting Act".	14
	Ordered revised and placed on the calendar for third reading and final passage.	15
HB13-1318	by Representative(s) Singer; also Senator(s) Jahn--Concerning the recommendations made in the public process for the purpose of implementing certain state taxes on retail marijuana legalized by section 16 of article XVIII of the Colorado constitution, and, in connection therewith, making an appropriation.	16
	<u>Amendment No. 1, Finance Committee Amendment.</u> (Printed in Senate Journal, May 3, page(s) 1285 and placed in members' bill files.)	17

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, May 6, page(s) 1307-1308 and placed in members' bill files.)

Amendment No. 3(L.029), by Senator Steadman.

Amend reengrossed bill, page 20, strike lines 14 through 16 and substitute "THE TAX REVENUES BEING USED TO FUND THE ENFORCEMENT OF REGULATIONS ON THE RETAIL MARIJUANA INDUSTRY AND OTHER COSTS RELATED TO THE IMPLEMENTATION OF THE USE AND REGULATION OF RETAIL".

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB13-1317 by Representative(s) Pabon; also Senator(s) Jahn and Baumgardner--Concerning the recommendations made in the public process for the purpose of implementing retail marijuana legalized by section 16 of article XVIII of the Colorado constitution, and, in connection therewith, making an appropriation.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, May 3, page(s) 1278-1284 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, May 6, page(s) 1308-1310 and placed in members' bill files.)

Amendment No. 3(L.093), by Senator Jahn.

Amend the Finance Committee Report, dated May 3, 2013, page 1, line 11, after "OF" insert "MARIJUANA OR MARIJUANA".

Page 8 of the report, strike lines 7 through 13 and substitute:

"Page 42, line 19, strike "A RETAIL MARIJUANA STORE".

Page 42, strike lines 20 through 24."

Page 9 of the report, line 13, after "OF" insert "RETAIL MARIJUANA AND".

Amend the reengrossed bill, page 8, line 8, strike "CULTIVATED AND SOLD" and substitute "CULTIVATED, MANUFACTURED, DISTRIBUTED, OR SOLD".

Page 9, line 10, strike "AND SALE" and substitute "SALE, AND TESTING".

Page 19, line 8, after "FOR" insert "RETAIL".

Page 19, line 16, strike "ADVERTISING AND" and substitute "THE".

Page 20, strike lines 9 and 10 and substitute:

"(XVI) ESTABLISHING A SCHEDULE OF PENALTIES AND PROCEDURES FOR ISSUING AND APPEALING CITATIONS FOR VIOLATION OF STATUTES AND RULES AND ISSUING ADMINISTRATIVE CITATIONS."

Page 21, line 12, after "FEES;" insert "AND".

Page 21, strike lines 14 through 16.

Page 31, line 18, strike "OR LOCAL".

Page 31, line 24, strike "OR LOCAL".

Page 32, line 3, strike "OR LOCAL".

Page 34, line 13, strike "TWO BUSINESS" and substitute "SEVEN".

Page 45, line 2, strike "FACILITY AND" and substitute "FACILITY,".

Page 45, line 3, strike "FACILITY." and substitute "FACILITY, AND THE RESULTS OF THE TESTING.".

Page 45, strike lines 26 and 27.

Page 46, strike lines 1 and 2.

Re-number succeeding subsections accordingly.

Page 48, line 1, after "SEED" insert "OR IMMATURE PLANT".

Page 50, line 2, after "MARIJUANA" insert "OR RETAIL MARIJUANA".

Page 50, line 12, strike "FACILITY AND" and substitute "FACILITY,".

Page 50, line 13, strike "FACILITY." and substitute "FACILITY, AND THE RESULTS OF THE TESTING.".

Amendment No. 4(L.095), by Senator Baumgardner.

Amend reengrossed bill, page 11, after line 19, insert:
"(c) (I) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPHS (a) AND (b) OF THIS SUBSECTION (1), ON OR AFTER OCTOBER 1, 2013, A PERSON MAY APPLY FOR A RETAIL MARIJUANA TESTING FACILITY LICENSE. (II) THIS PARAGRAPH (c) IS REPEALED, EFFECTIVE JULY 1, 2015.".

Amendment No. 5(L.096), by Senator Jahn.

Amend reengrossed bill, page 8, line 2, strike "ORGANIZATION." and substitute "ORGANIZATION; EXCEPT THAT "PERSON" DOES NOT INCLUDE ANY GOVERNMENTAL ORGANIZATION.".

Amendment No. 6(L.097), by Senator Baumgardner.

Amend reengrossed bill, page 36, line 10, strike "NOT TO" and substitute "OF ONE YEAR".

Page 36, line 11, strike "EXCEED TWO YEARS".

Amendment No. 7(L.098), by Senator Jahn.

Amend reengrossed bill, page 7, line 26, strike "INTEREST" and substitute "INTEREST, AS DEFINED BY THE STATE LICENSING AUTHORITY,".

Page 34, line 24, strike "(2)" and substitute "(1)".

Page 43, line 4, after "(1)" insert "OR SUBPARAGRAPH (I) OF THIS PARAGRAPH (c)".

Page 43, strike line 7 and substitute "MARIJUANA ESTABLISHMENT NOT OWNED BY THE RETAIL MARIJUANA STORE.".

Page 43, line 8, strike "FACILITY IN COLORADO.".

Page 46, line 14, strike "STORES OR" and substitute "STORES,".

Page 46, line 15, strike "LICENSEES." and substitute "LICENSEES, OR OTHER RETAIL MARIJUANA CULTIVATION FACILITIES.".

Page 47, line 1, strike "STORE OR" and substitute "STORE,".

Page 47, line 2, strike "MANUFACTURER." and substitute "MANUFACTURER, OR ANOTHER OF ITS RETAIL MARIJUANA CULTIVATION FACILITIES.".

Page 47, line 3, after "(b)" insert "OR (d)".

Page 47, line 5, strike "ITS INVENTORY" and substitute "THE RETAIL MARIJUANA IT CULTIVATES".

Page 50, line 15, strike "COMPARABILITY" and substitute "COMPATIBILITY".

Amendment No. 8(L.099), by Senator Jahn.

Amend reengrossed bill, page 6, strike lines 19 and 20 and substitute "A CULTIVATING CONTAINER."

Page 23, line 3, strike "SERVING SIZE" and substitute "STANDARDIZED MARIJUANA SERVING SIZE AMOUNT".

Page 23, line 4, strike "THC," and substitute "THC DESIGNED ONLY TO PROVIDE CONSUMERS WITH INFORMATION ABOUT THE TOTAL NUMBER OF SERVINGS OF ACTIVE THC IN A PARTICULAR RETAIL MARIJUANA PRODUCT, NOT AS A LIMITATION ON THE TOTAL AMOUNT OF THC IN ANY PARTICULAR ITEM,".

Page 23, line 15, strike "CONSUMERS;" and substitute "CONSUMERS, BUT NOT INCLUDING COMMON BAKING AND COOKING ITEMS;".

Page 44, line 10, strike "PREMISES." and substitute "PREMISES OR A RETAIL MARIJUANA STORE'S LICENSED PREMISES."

Page 45, line 13, after "ACCESSORIES," insert "NON-CONSUMABLE PRODUCTS SUCH AS APPAREL,".

Page 45, line 20, strike "ALCOHOL." and substitute "ALCOHOL, IF THE SALE OF THE ALCOHOL WOULD REQUIRE A LICENSE PURSUANT TO ARTICLE 46 OR 47 OF TITLE 12, C.R.S.".

Amendment No. 9(L.112), by Senator Jahn.

Amend reengrossed bill, page 35, line 10, strike "IF THE STATE" and substitute "IF AN APPLICATION IS DENIED BY THE LOCAL LICENSING AUTHORITY, THE STATE LICENSING AUTHORITY SHALL REVOKE THE STATE-ISSUED LICENSE. IN".

Page 35, strike lines 11 through 14.

Page 61, after line 22, insert:

"(e) TO SELL RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS TO A PERSON UNDER TWENTY-ONE YEARS OF AGE WITHOUT CHECKING THE PERSON'S IDENTIFICATION;".

Reletter succeeding paragraphs accordingly.

Amendment No. 10(L.119), by Senator Jahn.

Amend reengrossed bill, page 7, after line 19, insert:
"(11) "MOBILE DISTRIBUTION CENTER" MEANS ANY VEHICLE OTHER THAN A COMMON PASSENGER LIGHT-DUTY VEHICLE WITH A SHORT WHEEL BASE USED TO CARRY A QUANTITY OF MARIJUANA GREATER THAN ONE OUNCE."

Renumber succeeding subsections accordingly.

Page 62, after line 2, insert:

"(g) DISTRIBUTE MARIJUANA OR MARIJUANA PRODUCTS, WITH OR WITHOUT REMUNERATION, DIRECTLY TO ANOTHER PERSON USING A MOBILE DISTRIBUTION CENTER;".

Reletter succeeding paragraphs accordingly.

Amendment No. 11(L.117), by Senator Jahn.

Amend reengrossed bill, page 62, after line 11, insert:

- "(5) (a) NOTWITHSTANDING THE PROVISIONS OF SECTION 24-14-103.5, C.R.S., NO PERSON SHALL FORM A BUSINESS OR NON-PROFIT, INCLUDING BUT NOT LIMITED TO A SOLE PROPRIETORSHIP, CORPORATIONS, OR OTHER BUSINESS ENTERPRISE, WITH THE PURPOSE OR INTENT, IN WHOLE OR IN PART, OF TRANSPORTING, CULTIVATING, PROCESSING, TRANSFERRING, OR DISTRIBUTING MARIJUANA OR MARIJUANA PRODUCTS WITHOUT PRIOR DISCLOSURE TO THE STATE LICENSING AUTHORITY AND THE EXPRESS APPROVAL OF THE LOCAL JURISDICTION.
- (b) NOTHING IN THIS SUBSECTION (5) SHALL LIMIT AN INDIVIDUAL FROM TAKING ACTIONS CONSISTENT WITH SECTION 16 (3) (b) OF ARTICLE XVIII OF THE STATE CONSTITUTION.
- (c) A VIOLATION OF THE PROVISIONS OF THIS SUBSECTION (5) SHALL RESULT IN A FINE OF UP TO FIVE THOUSAND DOLLARS FOR EACH PERSON INVOLVED.
- (d) A VIOLATION OF THIS SUBSECTION (5) SHALL RESULT IN THE AUTOMATIC REVOCATION OF ANY LICENSE ISSUED PURSUANT TO THIS ARTICLE AND THE DENIAL OF ANY FUTURE LICENSE ISSUED PURSUANT TO THIS ARTICLE.
- (e) THIS SUBSECTION (5) IS REPEALED, EFFECTIVE JULY 1, 2015."

Renumber succeeding subsection accordingly.

Amendment No. 12(L.105), by Senator Steadman.

- Amend reengrossed bill, page 12, line 22, after "WHICH" insert "CULTIVATION,".
- Page 16, strike line 10 and substitute: "PURPOSE. ANY CUSTOMER INFORMATION MAY BE".

Amendment No. 13(L.102), by Senator Steadman.

Amend reengrossed bill, page 29, line 8, strike "ASSISTED BY OR".

Amendment No. 14(L.101), by Senator Steadman.

Amend reengrossed bill, page 8, line 3, strike "DISTINCT" and substitute "DISTINCTLY IDENTIFIED AS REQUIRED BY THE STATE LICENSING AUTHORITY".

Amendment No. 15(L.103), by Senator Steadman.

Amend reengrossed bill, page 23, line 7, before "PACKAGE" insert "SEALED INTERNAL".

Amendment No. 16(L.106), by Senator Steadman.

- Amend reengrossed bill, page 29, line 2, after "HISTORY" insert "IN THE PRECEDING TEN YEARS".
- Page 29, line 4, after "HISTORY" insert "IN THE PRECEDING TEN YEARS".
- Page 29, line 9, after "HISTORY" insert "IN THE PRECEDING TEN YEARS".
- Page 29, strike lines 21 through 27 and substitute:
 - "(g) A PERSON WHO:

(I) HAS DISCHARGED A SENTENCE FOR A CONVICTION OF A FELONY IN THE FIVE YEARS IMMEDIATELY PRECEDING HIS OR HER APPLICATION DATE; OR
(II) HAS DISCHARGED A SENTENCE FOR A CONVICTION OF A FELONY PURSUANT TO ANY STATE OR FEDERAL LAW REGARDING THE POSSESSION, DISTRIBUTION, MANUFACTURING, CULTIVATION, OR USE OF A CONTROLLED SUBSTANCE IN THE TEN YEARS IMMEDIATELY PRECEDING HIS OR HER APPLICATION DATE OR IMMEDIATELY PRECEDING FIVE YEARS FROM THE EFFECTIVE DATE OF HOUSE BILL 13-1317, ENACTED IN 2013, WHICHEVER IS LONGER; EXCEPT THAT THE LICENSING AUTHORITY MAY GRANT A LICENSE TO A PERSON IF THE PERSON HAS A STATE FELONY CONVICTION BASED ON POSSESSION OR USE OF MARIJUANA OR MARIJUANA CONCENTRATE THAT WOULD NOT BE A FELONY IF THE PERSON WERE CONVICTED OF THE OFFENSE ON THE DATE HE OR SHE APPLIED FOR LICENSURE;"

Page 30, strike lines 1 through 7.

Majority Leader Carroll moved that the Committee of the Whole rise, report progress, and beg leave to sit again at 2:00 p.m. A majority of those elected to the Senate having voted in the affirmative, the motion was adopted.

Committee of the Whole in recess.

MESSAGE FROM THE HOUSE

May 7, 2013

Mr. President:

The House has adopted and returns herewith SJM13-003.

The House has voted not to concur in the Senate amendments to HB13-1267 and requests that a conference committee be appointed. The Speaker has appointed Representatives Foote, chairman, Salazar, and Rankin as House conferees on the First Conference Committee on HB13-1267. The bill is transmitted herewith.

The House has voted to concur in the Senate amendments to HB13-1171 and has repassed the bill as so amended.

The House has adopted the First Report of the First Conference Committee on SB13-148, as printed in House Journal, May 7, and has repassed the bill as so amended. The bill is returned herewith.

The House has adopted and transmits herewith HJR13-1025, HJR13-1026.

REPORT OF CONFERENCE COMMITTEE

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON SB13-148

THIS REPORT AMENDS THE
REREVISED BILL

To the President of the Senate and the
 Speaker of the House of Representatives:

Your first conference committee appointed on SB13-148,
 concerning continuation of the Colorado youth advisory council, has met
 and reports that it has agreed upon the following:

1. That the Senate accede to the House amendment made to the
 bill, as the amendment appears in the rerevised bill.

2. That, under the authority granted the committee to consider
 matters not at issue between the two houses, the following amendment
 be recommended:

Amend rerevised bill, page 6, line 11, after "EVERY" insert "THIRD".

Respectfully submitted,

Senate Committee:

House Committee:

(signed)
 John Kefalas, Chairman
 Ellen Roberts
 Andy Kerr

(signed)
 Cherylin Peniston, Chairman
 Clarice Navarro
 Brittany Petterson

APPOINTMENTS TO CONFERENCE COMMITTEE

The President appointed Senators Jones, Chair, Ulibarri, and Brophy as Senate conferees
 on the first conference committee on [HB13-1267](#).

Senate in recess.
 Senate reconvened.

Call of the Senate.
 Call raised.

Committee of the Whole reconvened.

GENERAL ORDERS -- SECOND READING OF BILLS - cont'd

HB13-1317 by Representative(s) Pabon; also Senator(s) Jahn and Baumgardner--Concerning the
 recommendations made in the public process for the purpose of implementing retail
 marijuana legalized by section 16 of article XVIII of the Colorado constitution, and, in
 connection therewith, making an appropriation.

(Amended in general orders as printed in Senate journal, May 7, page(s) 1350-1354.)

Amendment No. 17(L.084), by Senator Hill.

Amend reengrossed bill, page 22, line 12, strike "PHONES;" and substitute
 "PHONES, UNLESS THE MARKETING IS A MOBILE DEVICE APPLICATION
 INSTALLED ON THE DEVICE BY THE OWNER OF THE DEVICE WHO IS
 TWENTY-ONE YEARS OF AGE OR OLDER AND INCLUDES A PERMANENT AND
 EASY OPT-OUT FEATURE;".

Amendment No. 18(L.120), by Senator Johnston.

Amend the Finance Committee Report, dated May 3, 2013, page 4, strike lines 19 through 28.

Page 5 of the committee report, strike lines 1 through 7 and substitute:

"Amend reengrossed bill, page 17, strike lines 9 through 23 and substitute:

"(IV) (A) ESTABLISHING A MARIJUANA AND MARIJUANA PRODUCTS INDEPENDENT TESTING AND CERTIFICATION PROGRAM, WITHIN AN IMPLEMENTATION TIME FRAME ESTABLISHED BY THE DEPARTMENT, REQUIRING LICENSEES TO TEST MARIJUANA TO ENSURE AT A MINIMUM THAT PRODUCTS SOLD FOR HUMAN CONSUMPTION DO NOT CONTAIN CONTAMINANTS THAT ARE INJURIOUS TO HEALTH AND TO ENSURE CORRECT LABELING.

(B) TESTING SHALL INCLUDE, BUT NOT BE LIMITED TO, ANALYSIS FOR RESIDUAL SOLVENTS, POISONS, OR TOXINS; HARMFUL CHEMICALS; DANGEROUS MOLDS OR MILDEW; FILTH; AND HARMFUL MICROBIALS SUCH AS E. COLI OR SALMONELLA AND PESTICIDES.

(C) IN THE EVENT THAT TEST RESULTS INDICATE THE PRESENCE OF QUANTITIES OF ANY SUBSTANCE DETERMINED TO BE INJURIOUS TO HEALTH, SUCH PRODUCTS SHALL BE IMMEDIATELY QUARANTINED AND IMMEDIATE NOTIFICATION TO THE MARIJUANA ENFORCEMENT DIVISION SHALL BE MADE. THE ADULTERATED PRODUCT SHALL BE DOCUMENTED AND PROPERLY DESTROYED.

(D) TESTING SHALL ALSO VERIFY THC POTENCY REPRESENTATIONS FOR CORRECT LABELING.

(E) THE AGENCY SHALL DETERMINE AN ACCEPTABLE VARIANCE FOR POTENCY REPRESENTATIONS AND PROCEDURES TO ADDRESS POTENCY MISREPRESENTATIONS.

(F) THE AGENCY SHALL DETERMINE THE PROTOCOLS AND FREQUENCY OF MARIJUANA TESTING BY LICENSEES.

(G) THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT SHALL RECOMMEND TO THE STATE LICENSING AUTHORITY STANDARDS AND CRITERIA FOR INDEPENDENT TESTING AND CERTIFICATION UNDER SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (IV).".".

Page 44 of the bill, line 25, strike "PROVIDE" and substitute "PROVIDE, EXCEPT AS REQUIRED BY 12-43.4-202 (3) (a) (IV),".

Page 48 of the bill, line 6, strike "PROVIDE" and substitute "PROVIDE, EXCEPT AS REQUIRED BY 12-43.4-202 (3) (a) (IV),".

Page 50 of the bill, line 8, strike "PROVIDE" and substitute "PROVIDE, EXCEPT AS REQUIRED BY 12-43.4-202 (3) (a) (IV),".

Amendment No. 19(L.126), by Senator Jahn.

Amend the Johnston floor amendment (HB1317_L.120), page 1, strike lines 30 through 33 and substitute:

"(G) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT SHALL PROVIDE TO THE STATE LICENSING AUTHORITY STANDARDS FOR LICENSING LABORATORIES PURSUANT TO THE REQUIREMENTS AS OUTLINED IN SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (IV) FOR MARIJUANA AND MARIJUANA PRODUCTS.". ".

Amendment No. 20(L.121), by Senator Johnston.

Amend reengrossed bill, page 21, strike lines 26 and 27 and substitute: "LIMITED TO A PROHIBITION ON MASS-MARKET CAMPAIGNS THAT HAVE A".

Page 22, line 1, strike "MINORS;" and substitute "MINORS AND OTHER SUCH RULES THAT MAY INCLUDE:

Renumber succeeding subparagraphs accordingly.

Amendment No. 21(L.116), by Senator Hill.

Amend reengrossed bill, page 49, after line 10 insert:

- "(d) A RETAIL MARIJUANA PRODUCTS MANUFACTURER SHALL NOT:
- (I) ADD ANY MARIJUANA TO A FOOD PRODUCT WHERE THE MANUFACTURER OF THE FOOD PRODUCT HOLDS A TRADEMARK TO THE FOOD PRODUCT'S NAME; EXCEPT THAT A MANUFACTURER MAY USE A TRADEMARKED FOOD PRODUCT IF THE MANUFACTURER USES THE PRODUCT AS A COMPONENT OR AS PART OF A RECIPE AND WHERE THE MARIJUANA PRODUCT MANUFACTURER DOES NOT STATE OR ADVERTISE TO THE CONSUMER THAT THE FINAL RETAIL MARIJUANA PRODUCT CONTAINS A TRADEMARKED FOOD PRODUCT;
 - (II) INTENTIONALLY OR KNOWINGLY LABEL OR PACKAGE A RETAIL MARIJUANA PRODUCT IN A MANNER THAT WOULD CAUSE A REASONABLE CONSUMER CONFUSION AS TO WHETHER THE RETAIL MARIJUANA PRODUCT WAS A TRADEMARKED FOOD PRODUCT; OR
 - (III) LABEL OR PACKAGE A PRODUCT IN A MANNER THAT VIOLATES ANY FEDERAL TRADEMARK LAW OR REGULATION."

Amendment No. 22(L.124), by Senator Jahn.

Amend the Jahn floor amendment (HB1317_L.117), line 8, strike "DISCLOSURE TO" and substitute "APPROVAL OF".

Strike line 9 and substitute "THE LOCAL JURISDICTION."

Amendment No. 23(L.129), by Senator Steadman.

Amend reengrossed bill, page 29, line 3, strike "CHARACTER;" and substitute "CHARACTER AFTER CONSIDERING THE FACTORS IN SECTION 24-5-101 (2), C.R.S."

Page 29, line 7, strike "CHARACTER;" and substitute "CHARACTER AFTER CONSIDERING THE FACTORS IN SECTION 24-5-101 (2), C.R.S."

Page 29, line 10, strike "CHARACTER" and substitute "MORAL CHARACTER AFTER CONSIDERING THE FACTORS IN SECTION 24-5-101 (2), C.R.S.,".

Amend the Steadman proposed floor amendment (HB1317_L.106), page 1, strike lines 1 through 5 and substitute:

"Amend reengrossed bill, page 29, strike lines 21 through 27 and substitute:"

Page 1 of the amendment, line 14, strike "OR IMMEDIATELY PRECEDING".

Amendment No. 24(L.130), by Senators Johnston and Balmer.

Amend reengrossed bill, page 22, line 9, after the semicolon add "AND".

Page 22, line 12, strike "AND".

Page 22, line 13, strike "(H) A REQUIREMENT" and substitute "(II) REQUIRING".

Renumber succeeding subparagraphs accordingly.

As amended, ordered revised and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Heath, 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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB13-1299 as amended, HB13-1262, HB13-1318 as amended, HB13-1317 as amended.

COMMITTEE OF REFERENCE REPORTS

Finance

The Committee on Finance has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

MEMBERS OF THE
ADVISORY COMMITTEE ON
GOVERNMENTAL ACCOUNTING

for terms expiring May 18, 2017:

Kathleen R. Askelson of Indian Hills, Colorado, a finance officer representing school and junior college districts, reappointed;

Alta Joanne Gosselink of Brush, Colorado, a finance officer representing city and town government, appointed;

Andrew Copland of Castle Rock, Colorado, a finance officer representing county government, appointed;

Finance

After consideration on the merits, the Committee recommends that HB13-1251 be postponed indefinitely.

Finance

After consideration on the merits, the Committee recommends that HB13-1214 be postponed indefinitely.

MESSAGE FROM THE HOUSE

May 7, 2013

Mr. President:

The House has postponed indefinitely SB13-284. The bill is returned herewith.

The House has passed on Third Reading and returns herewith SB13-147, 278, 288.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB13-251, amended as printed in House Journal, May 6, page 1491.
SB13-073, amended as printed in House Journal, May 6, page 1513.
SB13-229, amended as printed in House Journal, May 6, pages 1513-1514.
SB13-273, amended as printed in House Journal, May 6, page 1514.
SB13-215, amended as printed in House Journal, May 6, pages 1514-1515.

MESSAGE FROM THE REVISOR OF STATUTES

May 7, 2013

We herewith transmit:

Without comment, as amended, SB13-073, 215, 229, 251, and 273.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB13-1002, 1134, 1138, 1153, 1241, 1263, 1278, 1281, 1287.

Senate in recess. Senate reconvened.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Committee on Appropriations was given leave to meet during a session of the Senate pursuant to Senate Rule 21 (c).

Senate in recess. Senate reconvened.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

HJR13-1025 by Representative(s) Hullinghorst, Ferrandino, Waller; also Senator(s) Carroll, Morse, Cadman--Concerning the Convening Date for the 2014 Second Regular Session of the Sixty-ninth General Assembly.

On motion of Majority Leader Carroll, the resolution was adopted by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of House Amendments to Senate Bills.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB13-251 by Senator(s) Ulibarri and Morse, Aguilar, Carroll, Giron, Guzman, Heath, Hodge, Hudak, Johnston, Jones, Kefalas, Newell, Schwartz, Steadman, Tochtrop, Todd; also Representative(s) Melton, Moreno, Salazar--Concerning documentary evidence needed for an individual to be issued an identity document by the department of revenue, and, in connection therewith, making an appropriation.

Senator Ulibarri moved that the Senate concur in House amendments to **SB13-251**, as printed in House journal, May 6, page(s) 1491. The motion was **adopted** by the following roll call vote:

YES	30	NO	5	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	N	Kerr	Y	Scheffel	Y
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	N	Lambert	N	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	20	NO	15	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB13-073 by Senator(s) Brophy, Baumgardner, Roberts; also Representative(s) Sonnenberg--Concerning a requirement that the division of administration of the department of public health and environment follow rule-making procedures when proposing changes to general permits related to water quality control.

Senator Brophy moved that the Senate concur in House amendments to **SB13-073**, as printed in House journal, May 6, page(s) 1513. The motion was **adopted** by the following roll call vote:

YES	29	NO	6	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	N	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	N	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SENATE ADHERENCE ON SB13-229

SB13-229 by Senator(s) Guzman; also Representative(s) Kagan--Concerning part-time deputy district attorneys.

Senator Guzman moved that the conference committee on **SB13-229** be dissolved, that the Senate conferees be discharged, and that the Senate adhere to its position. The motion was **adopted** by the following roll call vote:

YES	33	NO	2	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	N		

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS - cont'd

SB13-273 by Senator(s) Schwartz and Nicholson; also Representative(s) Hamner and Coram--Concerning incentives for the beneficial use of forest biomass.

Senator Schwartz moved that the Senate concur in House amendments to **SB13-273**, as printed in House journal, May 6, page(s) 1514. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	22	NO	13	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	Y	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB13-215 by Senator(s) Jahn, Newell, Nicholson, Ulibarri, Crowder, Marble, Todd; also Representative(s) Ginal, Stephens--Concerning alternative health care practitioners, and, in connection therewith, enacting the "Colorado Natural Health Consumer Protection Act" to provide an exemption from state regulation for unlicensed complementary and alternative health care practitioners, require a person providing complementary and alternative health care services to disclose to clients the person's educational background and the nature of the services to be provided, and prohibit complementary and alternative health care practitioners from engaging in specified activities that only state-regulated health care professionals may perform.

Laid over until later in the day on Tuesday, May 7, retaining its place on the calendar.

COMMITTEE OF REFERENCE REPORTS

Appropriations After consideration on the merits, the Committee recommends that **SB13-209** be **postponed indefinitely**.

REPORT OF CONFERENCE COMMITTEE

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON HB13-1239

THIS REPORT AMENDS THE
REREVISED BILL

To the President of the Senate and the
 Speaker of the House of Representatives:

Your first conference committee appointed on HB13-1239,
 concerning the creation of a statewide youth development plan, and, in
 connection therewith, making and reducing an appropriation, has met and
 reports that it has agreed upon the following:

That the House accede to the Senate amendments made to the bill,
 and that the rerevised bill be adopted without change.

Respectfully submitted,

House Committee:

Senate Committee:

(signed)
 Beth McCann, Chairman
 Cheri Gerou
 Angela Williams

(signed)
 Mary Hodge, Chairman
 Ellen Roberts
 John Kefalas

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate
 having voted in the affirmative, the Senate proceeded out of order for Consideration of
 Conference Committee Reports.

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

HB13-1130 by Representative(s) Sonnenberg and Fischer; also Senator(s) Todd and Baumgardner--
 Concerning extended operation of interruptible water supply agreements.

Senator Baumgardner moved for the adoption of the first report of the first conference
 committee on **HB13-1130**, as printed in Senate journal, May 6, page(s) 1311-1312.

On a substitute motion, Senator Schwartz moved that the Senate reject the first report of
 the first conference committee on **HB13-1130** and adhere to the Senate's position on the
 bill. The motion was **lost** by the following roll call vote:

YES	16	NO	19	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	N	Kefalas	N	Roberts	N
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	Y	Lambert	Y	Steadman	Y
Cadman	N	Hodge	N	Lundberg	N	Tochtrop	N
Carroll	N	Hudak	N	Marble	N	Todd	N
Crowder	Y	Jahn	N	Newell	N	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	N	President	Y
Grantham	N	Jones	Y	Renfroe	N		

Senator Baumgardner's motion for the adoption of the first report of the first conference
 committee on **HB13-1130** was **passed** by the following roll call vote:

YES	25	NO	10	EXCUSED	0	ABSENT	0
Aguilar	N	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	N	Scheffel	Y
Baumgardner	Y	Heath	N	King	Y	Schwartz	N
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	N
Giron	N	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	N	Renfroe	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	26	NO	9	EXCUSED	0	ABSENT	0
Aguilar	N	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	Y	Heath	N	King	Y	Schwartz	N
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	N
Giron	N	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SENATE ADHERENCE ON HB13-1215

HB13-1215 by Representative(s) Peniston, Court, Fields, Labuda, McCann, Singer, Young; also Senator(s) Tochtrop--Concerning restricting access by minors to artificial tanning devices.

Senator Tochtrop moved for the adoption of the first report of the first conference committee on **HB13-1215**, as printed in Senate journal, May 6, page(s) 1312.

On a substitute motion, Senator Steadman moved that the Senate reject the first report of the first conference committee on **HB13-1215** and adhere to the Senate's position on the bill. The motion was **adopted** by the following roll call vote:

YES	24	NO	11	EXCUSED	0	ABSENT	0
Aguilar	N	Guzman	Y	Kefalas	N	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	N	King	Y	Schwartz	N
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	N
Carroll	N	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	N	Newell	Y	Ulibarri	Y
Giron	N	Johnston	N	Nicholson	N	President	Y
Grantham	Y	Jones	N	Renfroe	Y		

SB13-148 by Senator(s) Kefalas and Roberts, Newell; also Representative(s) Peniston and Navarro--Concerning continuation of the Colorado youth advisory council.

Senator Kefalas moved for the adoption of the first report of the first conference committee on **SB13-148**, as printed in Senate journal, May 7, page(s) 1355-1356. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	27	NO	8	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	Y
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

HB13-1239 by Representative(s) McCann; also Senator(s) Hodge--Concerning the creation of a statewide youth development plan, and, in connection therewith, making and reducing an appropriation.

Senator Hodge moved for the adoption of the first report of the first conference committee on **HB13-1239**, as printed in Senate journal, May 7, page(s) 1363-1364. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	23	NO	12	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB13-215 by Senator(s) Jahn, Newell, Nicholson, Ulibarri, Crowder, Marble, Todd; also Representative(s) Ginal, Stephens--Concerning alternative health care practitioners, and, in connection therewith, enacting the "Colorado Natural Health Consumer Protection Act" to provide an exemption from state regulation for unlicensed complementary and alternative health care practitioners, require a person providing complementary and alternative health care services to disclose to clients the person's educational background and the nature of the services to be provided, and prohibit complementary and alternative health care practitioners from engaging in specified activities that only state-regulated health care professionals may perform.

Senator Jahn moved that the Senate concur in House amendments to **SB13-215**, as printed in House journal, May 6, page(s) 1514-1515.

On a substitute motion, Senator Lundberg moved that the Senate not concur in House amendments to **SB13-215** and adhere to the Senate's position on the bill. The motion was **lost** by the following roll call vote:

YES	15	NO	20	EXCUSED	0	ABSENT	0
Aguilar	N	Guzman	N	Kefalas	Y	Roberts	N
Balmer	Y	Harvey	Y	Kerr	N	Scheffel	Y
Baumgardner	N	Heath	N	King	N	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	N
Cadman	Y	Hodge	N	Lundberg	Y	Tochtrop	N
Carroll	N	Hudak	N	Marble	Y	Todd	N
Crowder	Y	Jahn	N	Newell	Y	Ulibarri	N
Giron	N	Johnston	N	Nicholson	N	President	N
Grantham	Y	Jones	N	Renfroe	Y		

On Senator Jahn's motion that the Senate concur in House amendments to **SB13-215**, the motion was **adopted** by the following roll call vote:

YES	22	NO	13	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	N	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	19	NO	16	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	N	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Senators Crowder and Marble, requested their names be removed as sponsors on SB13-215.

On motion of Majority Leader Carroll, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, the Consideration of Governor's Appointments calendar of Tuesday, May 7, including appointments to the State Board of Land Commissioners, the Colorado Civil Rights Commission, the Juvenile Parole Board, the Medical Services Board, the Colorado Health Facilities Authority Board of Directors, and the Advisory Committee on Governmental Accounting, were made Special Orders at 5:36 p.m.

SPECIAL ORDERS -- CONSIDERATION OF GOVERNOR'S APPOINTMENTS

The hour of 5:36 p.m. having arrived, on motion of Senator Schwartz, the following Governor's appointment was confirmed by a roll call vote:

MEMBER OF THE
STATE BOARD OF LAND COMMISSIONERS

effective June 30, 2013 for a term expiring June 30, 2017:

Robert Carl Bledsoe of Wild Horse, Colorado, a person with substantial experience in production agriculture and a Republican, and occasioned by the resignation of Keith Berlin Bath of Fort Morgan, Colorado, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

On motion of Senator Guzman, the following Governor's appointments were confirmed by a roll call vote:

MEMBERS OF THE
COLORADO CIVIL RIGHTS COMMISSION

for terms expiring March 13, 2017:

Heidi Jeanne Hess of Clifton, Colorado, a Democrat and member of the community at large, appointed;

Dulce Saenz of Denver, Colorado, an Unaffiliated and member of the community at large, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

On motion of Senator Guzman, the following Governor's appointment was confirmed by a roll call vote:

MEMBER OF THE
JUVENILE PAROLE BOARD

for a term expiring at the pleasure of the Governor:

Margaret "Meg" H. Williams of Golden, Colorado, to serve as a representative of the Colorado Department of Public Safety and to fill the vacancy occasioned by the resignation Jan D. Simkins of Littleton, Colorado, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

On motion of Senator Aguilar, the following Governor's appointments were confirmed by a roll call vote:

MEMBERS OF THE
MEDICAL SERVICES BOARD

for a term expiring July 1, 2014:

Patricia L. Givens of Denver, Colorado, an Unaffiliated from the First Congressional District, with knowledge of medical assistance programs, and occasioned by the resignation of Alan I. Eisenberg of Denver, Colorado, appointed

effective July 1, 2013 for terms expiring July 1, 2015:

Dr. Paul Melinkovich of Evergreen, Colorado, a Democrat from the Second Congressional District with knowledge of medical assistance programs, reappointed

Virginia E. Riley of Loveland, Colorado, a Democrat from the Second Congressional District with knowledge of medical assistance programs, reappointed

for a term expiring July 1, 2016:

Christy S. Blakley of Littleton, Colorado, a Republican from the Sixth Congressional District and who represents a family member of a person with a disability, appointed

effective July 1, 2013 for terms expiring July 1, 2017:

Timothy P. Fox of Denver, Colorado, a Democrat from the First Congressional District, a person with a disability and with knowledge of medical assistance programs, appointed

Bregitta Hughes of Colorado Springs, Colorado, a Democrat from the Fifth Congressional District with knowledge of medical assistance programs, appointed

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

On motion of Senator Aguilar, the following Governor's appointments were confirmed by a roll call vote:

MEMBERS OF THE
COLORADO HEALTH FACILITIES AUTHORITY
BOARD OF DIRECTORS

effective June 30, 2013, for a term expiring June 30, 2015:

Lance L. Luckett of Carbondale, Colorado, a Democrat, reappointed;

effective June 30, 2013 for a term expiring June 30, 2016:

Ann Cannon Kiley of Denver, Colorado, a Democrat, reappointed;

effective June 30, 2013 for terms expiring June 30, 2017:

Randall J. Baum of Aurora, Colorado, a Republican, appointed;

Tamara K. Vincelette of Denver, Colorado, a Democrat, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

On motion of Senator Johnston, the following Governor's appointments were confirmed by a roll call vote:

MEMBERS OF THE
ADVISORY COMMITTEE ON
GOVERNMENTAL ACCOUNTING

for terms expiring May 18, 2017:

Kathleen R. Askelson of Indian Hills, Colorado, a finance officer representing school and junior college districts, reappointed;

Alta Joanne Gosselink of Brush, Colorado, a finance officer representing city and town government, appointed;

Andrew Copland of Castle Rock, Colorado, a finance officer representing county government, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Tuesday, May 7 was laid over until Wednesday, May 8, retaining its place on the calendar.

General Orders -- Second Reading of Bills: SCR13-003.
Consideration of Resolutions: HJR13-1004, SJR13-033, SJR13-034, SJR13-035, SJR13-036, SJR13-037, SJR13-038, SR13-004, SR13-005.

On motion of Majority Leader Carroll, the Senate adjourned until 9:00 a.m., Wednesday, May 8, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

120th Legislative Day

Wednesday, May 8, 2013

Prayer By the chaplain, Pastor Vern Rempel, First Mennonite Church, Denver.

Call to Order By the President at 9:00 a.m.

Pledge By Senator Hill.

Roll Call Present--34
 Excused--1, Johnston.
 Present later--1, Johnston.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Ulibarri, reading of the Journal of Tuesday, May 7, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Education After consideration on the merits, the Committee recommends that **SB13-164** be **postponed indefinitely**.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB13-037** be **postponed indefinitely**.

SENATE SERVICES REPORT

Correctly Printed: SR13-006.

Correctly Reengrossed: SB13-173.

Correctly Revised: HB13-1262, 1299, 1317 and 1318; HJR13-1025.

Correctly Rerevised: HB13-1001, 1003, 1004, 1020, 1111, 1210, 1238, 1254, 1259, 1271, 1280, 1288, 1291, 1296, 1308, 1315, 1320, 1323, 1324 and 1325.

REPORT OF CONFERENCE COMMITTEE

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON HB13-1267

THIS REPORT AMENDS THE
REREVISED BILL

 REVISIED BILL

To the President of the Senate and the
 Speaker of the House of Representatives:

Your first conference committee appointed on HB13-1267,
 concerning increased penalties for violations by oil and gas operators,
 and, in connection therewith, making an appropriation, has met and
 reports that it has agreed upon the following:

That the House accede to the Senate amendments made to the bill,
 as the amendments appear in the rerevised bill, with the following
 changes:

Amend rerevised bill, page 2, line 8, after "~~such~~" insert "THE MINIMUM
 PENALTY FOR A VIOLATION THAT RESULTS IN A SIGNIFICANT ADVERSE
 IMPACT ON PUBLIC HEALTH, SAFETY, OR WELFARE, INCLUDING THE
 ENVIRONMENT AND WILDLIFE RESOURCES, IS TWO THOUSAND FIVE
 HUNDRED DOLLARS FOR EACH ACT OF VIOLATION PER DAY THAT SUCH
 VIOLATION CONTINUES.".

Respectfully submitted,

House Committee:

Senate Committee:

(signed)
 Mike Foote, Chairman
 Joe Salazar

(signed)
 Matt Jones, Chairman
 Jessie Ulibarri

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:

HB13-1262 by Representative(s) Young, DelGrosso, Nordberg, Williams; also Senator(s)
 Baumgardner, Cadman, Jahn, Tochtrop--Concerning secondary agencies under the
 "Fraudulent Claims and Arson Reporting 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
Harvey	Y	Scheffel	Y	Aguilar	Y	Crowder	Y
Renfroe	Y	Hodge	Y	Nicholson	Y	Hill	Y
Schwartz	Y	Hudak	Y	Lambert	Y	Kerr	Y
Cadman	Y	Lundberg	Y	Grantham	Y	Baumgardner	Y
Tochtrop	Y	Steadman	Y	Roberts	Y	Marble	Y
Brophy	Y	Johnston	Y	Jahn	Y	Kefalas	Y
Morse	Y	Guzman	Y	Ulibarri	Y	Balmer	Y
Newell	Y	Giron	Y	Jones	Y	King	Y
Heath	Y	Carroll	Y	Todd	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill
 was **passed**.

HB13-1318 by Representative(s) Singer; also Senator(s) Jahn--Concerning the recommendations made
 in the public process for the purpose of implementing certain state taxes on retail marijuana
 legalized by section 16 of article XVIII of the Colorado constitution, and, in connection
 therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	25	NO	10	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Giron, Guzman, Heath, Hodge, Johnston, Jones, Kerr, Morse, Nicholson, Schwartz, Steadman, Todd and Ulibarri.

HB13-1317 by Representative(s) Pabon; also Senator(s) Jahn and Baumgardner--Concerning the recommendations made in the public process for the purpose of implementing retail marijuana legalized by section 16 of article XVIII of the Colorado constitution, and, in connection therewith, making an appropriation.

A majority of those elected to the Senate having voted in the affirmative, Senator Jahn was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.132), by Senator Jahn.

Amend revised bill, page 4, line 25, strike "article AND" and substitute "article," and strike "TITLE;" and substitute "TITLE, AND ARTICLE 28.8 OF TITLE 39, C.R.S.;".

Page 6, line 2, strike "(c)" and substitute "(e)".

Page 6, line 27, strike "article and" and substitute "article, and" and strike "title;" and substitute "title, AND ARTICLE 28.8 OF TITLE 39, C.R.S.;".

Page 14, line 19, strike "SECTION" and substitute "SUBSECTION (1)".

Page 18, line 3, strike "12-43.3-701," and substitute "12-43.4-701,".

Page 34, line 7, after "AUTHORITY;" insert "OR".

Page 35, line 24, after "DATE" insert "OR".

Page 37, line 14, after "FINGERPRINTS" insert "AND THE LOCAL JURISDICTION MAY FORWARD FINGERPRINTS".

Page 42, line 12, strike "TWO BUSINESS" and substitute "SEVEN".

Page 45, line 5, after "MARIJUANA" insert "OR RETAIL MARIJUANA PRODUCTS".

Page 47, line 21, strike "STORE." and substitute "ESTABLISHMENT.".

Page 48, line 12, after "MARIJUANA" insert "AND RETAIL MARIJUANA PRODUCTS" and strike "IT" and substitute "THEY".

Page 48, line 13, after "FACILITY" insert "OR RETAIL MARIJUANA PRODUCTS MANUFACTURER".

Page 50, line 22, after "MARIJUANA" insert "OR RETAIL MARIJUANA".

Page 51, line 24, after the second "MARIJUANA" insert "CULTIVATION FACILITY OR TO A RETAIL MARIJUANA".

Page 51, line 25, strike "MANUFACTURER." and substitute "MANUFACTURER NOT OWNED BY THE OWNER OF THE RETAIL MARIJUANA CULTIVATION FACILITY.".

Page 67, line 25, strike "SECTION" and substitute "PART 2 OF ARTICLE 14 OF TITLE 25, C.R.S.,".

Page 67, line 26, strike "24-14-103.5, C.R.S.,".

The amendment was passed on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	32	NO	3	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was passed.

Co-sponsor(s) added: Crowder, Guzman, Heath, Hodge, Jones, Kerr, Nicholson, Steadman, Todd and Ulibarri.

IMMEDIATE RECONSIDERATION OF HB13-1317

HB13-1317 by Representative(s) Pabon; also Senator(s) Jahn and Baumgardner--Concerning the recommendations made in the public process for the purpose of implementing retail marijuana legalized by section 16 of article XVIII of the Colorado constitution, and, in connection therewith, making an appropriation.

Having voted on the prevailing side, Majority Leader Carroll moved for immediate reconsideration of the last Senate action, Third Reading of Bills -- Final Passage, on **HB13-1317**.

A majority of all members elected to the Senate having voted in the affirmative, reconsideration was granted.

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:

HB13-1317 by Representative(s) Pabon; also Senator(s) Jahn and Baumgardner--Concerning the recommendations made in the public process for the purpose of implementing retail marijuana legalized by section 16 of article XVIII of the Colorado constitution, and, in connection therewith, making an appropriation.

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	29	NO	6	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

HB13-1299 by Representative(s) Ferrandino; also Senator(s) Steadman--Concerning changes to the "State Measurement for Accountable, Responsive, and Transparent (SMART) Government Act" of 2010, and, in connection therewith, making an appropriation.

Laid over until later in the day on Wednesday, May 8, retaining its place on the calendar.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of Conference Committee Reports.

SENATE ADHERENCE ON HB13-1267

HB13-1267 by Representative(s) Foote; also Senator(s) Jones--Concerning increased penalties for violations by oil and gas operators, and, in connection therewith, making an appropriation.

Senator Jones moved for the adoption of the first report of the first conference committee on **HB13-1267**, as printed in Senate journal, May 8, page(s) 1373-1374.

On a substitute motion, Senator Brophy moved that the Senate reject the first report of the first conference committee on **HB13-1267** and adhere to the Senate's position on the bill. The motion was **adopted** by the following roll call vote:

YES	19	NO	16	EXCUSED	0	ABSENT	0
Aguilar	N	Guzman	N	Kefalas	N	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	N	Scheffel	Y
Baumgardner	Y	Heath	N	King	Y	Schwartz	N
Brophy	Y	Hill	Y	Lambert	Y	Steadman	N
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	N	Hudak	N	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	N	Ulibarri	N
Giron	N	Johnston	N	Nicholson	N	President	N
Grantham	Y	Jones	N	Renfroe	Y		

CONSIDERATION OF RESOLUTIONS

SJR13-033 by Senator(s) Grantham; also Representative(s) Lawrence--Concerning the designation of Colorado Highway 67 between Divide and Cripple Creek as the "POW/MIA Memorial Highway".

Amendment No. 1, Transportation Committee Amendment.
(Printed in Senate Journal, April 30, page(s) 1138 and placed in members' bill files.)

The amendment was **passed** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

On motion of Senator Grantham, portions of the resolution were read, and the resolution was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Co-sponsor(s) added: Aguilar, Balmer, Baumgardner, Brophy, Cadman, Carroll, Crowder, Giron, Guzman, Harvey, Heath, Hill, Hodge, Hudak, Jahn, Johnston, Jones, Kefalas, Kerr, King, Lambert, Lundberg, Marble, Morse, Newell, Nicholson, Renfroe, Roberts, Scheffel, Schwartz, Steadman, Tochtrop, Todd and Ulibarri.

SJR13-034 by Senator(s) Lambert; also Representative(s) Lebsock--Concerning honoring the veterans of World War II, and, in connection therewith, recognizing May 8, 2013, June 6, 2013, September 2, 2013, and December 7, 2013, as World War II remembrance days in Colorado.

Amendment No. 1(L.001), by Senator Lambert.

Amend printed joint resolution page 3, line 37, strike "soldiers" and substitute "members of the Armed Forces".

The amendment was **passed** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

On motion of Senator Lambert, the resolution, as amended, was read at length and **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Co-sponsor(s) added: Aguilar, Balmer, Baumgardner, Brophy, Cadman, Carroll, Crowder, Giron, Grantham, Guzman, Harvey, Heath, Hill, Hodge, Hudak, Jahn, Johnston, Jones, Kefalas, Kerr, King, Lundberg, Marble, Morse, Newell, Nicholson, Renfroe, Roberts, Scheffel, Schwartz, Steadman, Tochtrop, Todd and Ulibarri.

Senate in recess. Senate reconvened.

INTRODUCTION OF BILLS -- FIRST READING

The following bill was read by title and referred to the committee indicated:

HB13-1255 by Representative(s) Williams and Murray, Priola, Buck, Buckner, Conti, DelGrosso, Dore, Exum, Gardner, Gerou, Ginal, Hamner, Holbert, Hullinghorst, Joshi, Kagan, Kraft-Tharp, Landgraf, Lawrence, Lebsock, May, McLachlan, McNulty, Melton, Mitsch Bush, Moreno, Navarro, Nordberg, Pabon, Pettersen, Primavera, Rankin, Ryden, Salazar, Schafer, Sonnenberg, Stephens, Swalm, Szabo, Tyler, Waller, Wilson, Wright, Young; also Senator(s) Kerr and Scheffel, Balmer, Baumgardner, Brophy, Cadman, Crowder, Grantham, Harvey, Heath, Hill, Hodge, Jahn, Johnston, Kefalas, King, Lundberg, Marble, Newell, Renfroe, Steadman, Tochtrop, Todd--Concerning the exemption of certain internet protocol-enabled services from oversight by the public utilities commission.
State, Veterans, & Military Affairs

THIRD READING OF BILLS -- FINAL PASSAGE - cont'd

On third reading, the title of the following bill was publicly read, the reading at length having been dispensed with by unanimous consent:

HB13-1299 by Representative(s) Ferrandino; also Senator(s) Steadman--Concerning changes to the "State Measurement for Accountable, Responsive, and Transparent (SMART) Government Act" of 2010, and, in connection therewith, making an appropriation.

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.021), by Senator Steadman.

Amend revised bill, page 10, line 10, after "DEPARTMENT'S" insert "BUDGET REQUEST AND ASSOCIATED".

Page 12, line 26, strike "THE PUBLIC EMPLOYEES' RETIREMENT ASSOCIATION,".

Page 13, line 23, strike "SUBPARAGRAPH (II)" and substitute "SUBPARAGRAPHS (II) AND (III)".

Page 14, after line 24 insert:

"(III) THE PUBLIC EMPLOYEES' RETIREMENT ASSOCIATION WILL SATISFY THE REQUIREMENTS OF THIS SUBSECTION (3) THROUGH ITS ANNUAL ACTUARIAL VALUATION REPORT DESCRIBED IN SECTION 24-51-204 (7), C.R.S., AND ITS REPORT TO THE GOVERNOR DESCRIBED IN SECTION 24-51-204 (8), C.R.S., REGARDING THE POLICIES, FINANCIAL CONDITION, AND ADMINISTRATION OF THE ASSOCIATION. THE PUBLIC EMPLOYEES' RETIREMENT ASSOCIATION SHALL ENSURE THAT COPIES OF THE REPORTS DESCRIBED IN THIS SUBPARAGRAPH (III) BE SUBMITTED TO THE JOINT BUDGET COMMITTEE AND THE APPROPRIATE JOINT COMMITTEE OF REFERENCE AS DETERMINED PURSUANT TO SECTION 2-7-203, AND SHALL POST SUCH REPORTS TO ITS OFFICIAL WEB SITE AND THE OFFICIAL WEB SITE OF THE OFFICE OF STATE PLANNING AND BUDGETING.".

Page 18, line 13, strike "THE PUBLIC EMPLOYEES' RETIREMENT ASSOCIATION,".

Page 19, line 6, strike "THE PUBLIC EMPLOYEES"."

Page 19, line 7, strike "RETIREMENT ASSOCIATION,".

The amendment was passed on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Committee on State, Veterans, and Military Affairs was given leave to meet during a session of the Senate pursuant to Senate Rule 21 (c).

Senate in recess. Senate reconvened.

MESSAGE FROM THE HOUSE

May 8, 2013

Mr. President:

The House has passed on Third Reading and returns herewith SB13-173, 285.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB13-280, amended as printed in House Journal, May 7, page 1539. SB13-286, amended as printed in House Journal, May 7, page 1539.

The House has voted to concur in the Senate amendments to HB13-1001, 1003, 1004, 1020, 1111, 1238, 1271, 1291, 1296, 1315, 1320 and has repassed the bills as so amended.

The House has adopted the First Report of the First Conference Committee on HB13-1130, as printed in House Journal, May 8, and has repassed the bill as amended.

The House has adopted the First Report of the First Conference Committee on HB13-1239, as printed in House Journal, May 8, and has repassed the bill as amended.

The House has voted to concur in the Senate amendments to HB13-1318 and has repassed the bills as so amended.

The House has voted to recede from its position on SB13-229 and repassed the bill amended. The bill is returned herewith.

MESSAGE FROM THE REVISOR OF STATUTES

May 8, 2013

We herewith transmit:

Without comment, as amended, SB13-280 and 286.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of House Amendments to Senate Bills.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB13-280
by Senator(s) Tochtrop; also Representative(s) Vigil--Concerning the issuance of certificates of title for off-highway vehicles, and, in connection therewith, making an appropriation.

Senator Tochtrop moved that the Senate concur in House amendments to SB13-280, as printed in House journal, May 7, page(s) 1539. The motion was adopted by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was repassed.

Co-sponsor(s) added: Crowder.

SB13-286 by Senator(s) Hodge and Brophy; also Representative(s) Levy and Sonnenberg--
Concerning an extension of the number of years that a taxpayer may claim excess enterprise
zone investment income tax credits as credit carryovers for renewable energy investments.

Senator Hodge moved that the Senate concur in House amendments to **SB13-286**, as
printed in House journal, May 7, page(s) 153. The motion was **adopted** by the following
roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	N	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	N
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill,
as amended, was **repassed**.

COMMITTEE OF REFERENCE REPORTS

State,
Veterans, &
Military
Affiars

After consideration on the merits, the Committee recommends that **HB13-1255** be
postponed indefinitely.

RECONSIDERATION OF SB13-286

SB13-286 by Senator(s) Hodge and Brophy; also Representative(s) Levy and Sonnenberg--
Concerning an extension of the number of years that a taxpayer may claim excess enterprise
zone investment income tax credits as credit carryovers for renewable energy investments.

Having voted on the prevailing side, Majority Leader Carroll moved for reconsideration
of the last Senate action, Repassage, on SB13-286.

A majority of all members elected to the Senate having voted in the affirmative,
reconsideration was granted.

REPASSAGE OF SB13-286

SB13-286 by Senator(s) Hodge and Brophy; also Representative(s) Levy and Sonnenberg--
Concerning an extension of the number of years that a taxpayer may claim excess enterprise
zone investment income tax credits as credit carryovers for renewable energy investments.

The question being "Shall the bill, as amended, pass?", the roll call was taken with the
following result:

YES	27	NO	8	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	Y
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill,
as amended, was **repassed**.

CONSIDERATION OF RESOLUTIONS

SJR13-035 by Senator(s) Lambert and Carroll; also Representative(s) Gerou and Hulinghorst--
Concerning a repeal of the requirement that the executive committee of the legislative
council review the status of the revenue estimate resolution in the event of a declared
disaster emergency.

Amendment No. 1(L.001), by Senator Lambert.

Amend printed joint resolution, page 1, line 4, after "44," insert "**amend**
(a), (e) (3), and (g), and".

Page 2, before line 1 insert:

"(a) This rule shall apply if the Governor, pursuant to the
relevant portions of the "~~Colorado Disaster Emergency Act
of 1992~~", ~~part 21 of article 32 of title 24~~, "COLORADO
DISASTER EMERGENCY ACT", PART 7 OF ARTICLE 33.5 OF
TITLE 24, Colorado Revised Statutes, has issued an
executive order that declares that the state of Colorado is
in a state of disaster emergency caused by a public health
emergency infecting or exposing a great number of people
to disease, agents, toxins, or other such threats and has
activated the Colorado emergency operations plan."

Page 2, after line 25 insert:

"(e) (3) The committees appointed pursuant to paragraphs
(1) and (2) of this subsection (e) shall only be in
existence during the declared disaster emergency.
Once the state of disaster emergency has passed or
has been dealt with to the extent that emergency
conditions no longer exist pursuant to section
~~24-32-2104(4)~~, 24-33.5-704(4), Colorado Revised
Statutes, the committees of reference in existence
prior to the disaster emergency shall be restored.

(g) Notwithstanding the provisions of Joint Rule 23 (d) of the
Joint Rules of the Senate and the House of Representatives

regarding counting legislative days of a regular session as consecutive days, the maximum of one hundred twenty calendar days prescribed by section 7 of article V of the state constitution shall be counted as one hundred twenty separate working calendar days if the Governor has declared a state of disaster emergency due to a public health emergency pursuant to section ~~24-32-2104~~, 24-33.5-704, Colorado Revised Statutes. Once the disaster emergency is over, the House of Representatives and the Senate shall resume following Joint Rule 23 (d) during regular sessions."

The amendment was **passed** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

On motion of Senator Lambert, the resolution, as amended, was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Co-sponsor(s) added: Newell and Steadman.

SJR13-036 by Senator(s) Carroll, Morse, Cadman; also Representative(s) Hullinghorst, Ferrandino, Waller--Concerning modifications to the joint rules of the Senate and House of Representatives that address sexual harassment and bill requests submitted to the Office of Legislative Legal Services by subject only.

On motion of Senator Carroll, the resolution was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Co-sponsor(s) added: Kefalas, Todd and Ulibarri.

SJR13-037 by Senator(s) Carroll, Morse, Cadman; also Representative(s) Hullinghorst, Ferrandino, Waller--Concerning the appointment of a joint committee to notify the Governor that the First Regular Session of the Sixty-ninth General Assembly is about to adjourn sine die.

On motion of Senator Carroll, the resolution was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Co-sponsor(s) added: Guzman, Lundberg and Tochtrop.

The President appointed Senators Todd and Lundberg to serve on the committee to notify the Governor.

SJR13-038 by Senator(s) Morse and Schwartz, Newell; also Representative(s) Hullinghorst--Concerning measures to increase the percentage of discarded materials that are beneficially used rather than disposed of in landfills.

On motion of Senator Schwartz, the resolution was **adopted** by the following roll call vote:

YES	24	NO	11	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

Co-sponsor(s) added: Guzman, Hodge, Nicholson, Steadman and Todd.

SR13-005 by Senator(s) Tochtrop; --Concerning the "Colorado Day of Remembrance of the Armenian Genocide" on April 24, 2013.

On motion of Senator Tochtrop, the resolution was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Co-sponsor(s) added: Aguilar, Carroll, Crowder, Heath, Hudak, Kerr and Steadman.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB13-1002, 1134, 1138, 1142, 1153, 1156, 1241, 1247, 1248, 1263, 1276, 1278, 1281, 1287, 1289, 1308.

Senate in recess. Senate reconvened.

Call of the Senate. Call raised.

CONSIDERATION OF RESOLUTIONS

SR13-004 by Senator(s) Brophy and Hudak; --Concerning modifications to the Rules of the Senate to permit the use of wireless electronic devices in a manner that protects the deliberations of the Senate from disruption.

Amendment No. 1(L.003), by Senator Brophy.

Amend printed resolution, page 1, strike line 12 and substitute "MUTE OR SET ON VIBRATE WHEN".

The amendment was passed on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	E
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

On motion of Senator Hudak, the resolution, as amended, was adopted by the following roll call vote:

YES	33	NO	1	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	E
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	N	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB13-014, 050, 060, 150, 171, 174, 178, 188, 201, 208, 216 and 217.

Senate in recess.
Senate reconvened.

Call of the Senate.
Call raised.

MESSAGE FROM THE HOUSE

May 8, 2013

Mr. President:

The House has adopted and returns herewith SJR13-034, SJR13-018.

The House has adopted and transmits herewith HJR13-1021, HJR13-1027, HJR13-1024.

The House has adopted and transmits herewith HJR13-1023, and amended as printed in House Journal, May 8.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

HJR13-1023 by Representative(s) Young and Gardner; also Senator(s) Aguilar and King--Concerning guiding principles for redesigning Colorado's long-term care services and supports system.

On motion of Senator Aguilar, the resolution was adopted by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	E
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Co-sponsor(s) added: Carroll, Giron, Hodge, Kefalas, Newell, Nicholson, Steadman and Todd.

HJR13-1027 by Representative(s) Ginal, Fischer, Mitsch Bush; also Senator(s) Kefalas--Concerning a request that the department of transportation post wild and scenic river signs along State Highway 14 to indicate that the Cache la Poudre River is the only river in Colorado that is within the national wild and scenic rivers system.

On motion of Senator Kefalas, the resolution was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	E
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Co-sponsor(s) added: Aguilar.

Senate in recess. Senate reconvened.

MESSAGE FROM THE HOUSE

May 8, 2013

Mr. President:

The House has voted to concur in the Senate amendments to HB13-1317, 1299, and has repassed the bills as so amended.

The House has adopted and returns herewith SJR13-023, amended as printed in House Journal, April 8.

The House has adopted and returns herewith SJR13-033.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of House Amendments to Senate Resolutions.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE RESOLUTIONS

SJR13-023 by Senator(s) Tochtrop, Baumgardner, Newell, Schwartz; also Representative(s) Vigil, Fischer, Hullinghorst, Szabo--Concerning the installation of a replica khachkar and explanatory plaque in the renovated Armenian Garden on the capitol grounds.

Senator Tochtrop moved that the Senate concur in House amendments to **SJR13-023**, as printed in House journal, May 8. The motion was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	E
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	E
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for an expression of personal privilege.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

HJR13-1030 by Representative(s) Hullinghorst, Ferrandino, Waller; also Senator(s) Carroll, Morse, Cadman--Concerning the adjournment sine die of the First Regular Session of the Sixty-ninth General Assembly.

On motion of Senator Carroll, the resolution was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	E
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Co-sponsor(s) added: Aguilar, Guzman, Heath, Hudak, Kerr and Nicholson.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for an expression of personal privilege.

TRIBUTES

Honoring:

Advocates for Hydrocephalus Awareness in Colorado, Raising public awareness through the annual Colorado Hydrocephalus Walk -- By Senator David Balmer.
Pauline Carochi, For educating, supporting, and inspiring Colorado’s youth -- By Senator Kevin Grantham.

Journal correction:

Page 1345, line 43, strike "Tochtrop" and substitute "Tochtrop, Todd".

On motion of Majority Leader Carroll, and with the unanimous consent of those elected to the Senate having voted in the affirmative, the First Regular Session of the Sixty-ninth General Assembly adjourned *sine die* at 3:40 p.m., Wednesday, May 8, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

SENATE JOURNAL
Sixty-ninth General Assembly
STATE OF COLORADO
First Regular Session

Addendum

(As authorized by Section 26, Article V of
the Constitution of the State of Colorado)

Contains all sections following adjournment *sine die* of the
First Regular Session, Sixty-ninth General Assembly

MESSAGE FROM THE HOUSE

May 8, 2013
Mr. President:
The House took no action on SJR13-022. The resolution is returned herewith.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Wednesday, May 08, 2013, at 3:13 p.m.:
SB13-014, 050, 060, 150, 171, 174, 178, 188, 201, 208, 216 and 217.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB13-004, 007, 111, 127, 175, 200, 221, 231, 242, 252, 255,
260, 266, 269 and 270; HB13-1001, 1044, 1191, 1193, 1252, 1257, 1259, 1266, 1271,
1296, 1303.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Friday, May 10, 2013, at 11:54 a.m.: SB13-004, 007,
111, 127, 175, 200, 221, 231, 242, 252, 255, 260, 266, 269 and 270.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB13-025, 026, 039, 040, 082, 120, 137, 146, 151, 154, 156,
158, 161, 162, 172, 198, 202, 207, 264, 271 and 277.

MESSAGE FROM THE GOVERNOR

May 10, 2013

To the Honorable Senate
Sixty-Ninth General Assembly
First Regular Session
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

SB13-014: CONCERNING THE USE OF OPIATE ANTAGONISTS TO TREAT PERSONS WHO SUFFER OPIATE-RELATED DRUG OVERDOSE EVENTS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved May 10, 2013 at 2:25 p.m.

SB13-043: CONCERNING THE PROHIBITION AGAINST KNOWINGLY PERMITTING REMOVAL OF ALCOHOL BEVERAGES FROM AN ESTABLISHMENT LICENSED TO SELL ALCOHOL BEVERAGES FOR ON-PREMISES CONSUMPTION.

Approved May 10, 2013 at 2:14 p.m.

SB13-183: CONCERNING WATER CONVERSATION MEASURES IN COMMON INTEREST COMMUNITIES.

Approved May 10, 2013 at 2:53 p.m.

SB13-208: CONCERNING LIMITATIONS ON DRUG PARAPHERNALIA LAWS.

Approved May 10, 2013 at 2:26 p.m.

SB13-216: CONCERNING YOUTHFUL OFFENDERS WITHIN THET STATE DEPARTMENT OF CORRECTIONS.

Approved May 10, 2013 at 1:59 p.m.

SB13-234: CONCERNING THE STATE'S AUTHORITY TO PREPAY ITS OBLIGATIONS FOR THE UNFUNDED ACCRUED LIABILITY OF OLD HIRE PENSION PLANS THAT ARE AFFILIATED WITH THE FIRE AND POLICE PENSION ASSOCIATION.

Approved May 10, 2013 at 2:30 p.m.

SB13-236: CONCERNING TRANSFERS OF MONEYS RELATED TO CAPITAL CONSTRUCTION.

Approved May 10, 2013 at 2:32 p.m.

Sincerely,
(signed)
John W. Hickenlooper
Governor

May 11, 2013

To the Honorable Senate
Sixty-Ninth General Assembly
First Regular Session
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

SB13-077: CONCERNING CERTAIN PROVISIONS OF THE COLORADO PROBATE CODE.

Approved May 11, 2013 at 4:52 p.m.

SB13-079: CONCERNING IMPLEMENTATION OF RECOMMENDATIONS OF THE COMMITTEE ON LEGAL SERVICES IN CONNECTION WITH LEGISLATIVE REVIEW OF RULES AND REGULATIONS OF STATE AGENCIES.

Approved May 11, 2013 at 4:53 p.m.

SB13-119: CONCERNING CLARIFICATION OF THE REQUIREMENT FOR A CERTIFICATE OF TAXES DUE IN CONNECTION WITH TITLE INSURANCE.

Approved May 11, 2013 at 4:53 p.m.

SB13-159: CONCERNING CONTINUATION OF THE DIVISION OF FINANCIAL SERVICES.

Approved May 11, 2013 at 4:54 p.m.

SB13-179: CONCERNING THE AUTHORITY TO CONTINUE TO SIMULCAST GREYHOUND RACES AFTER JUNE 30, 2014.

Approved May 11, 2013 at 4:54 p.m.

SB13-242: CONCERNING DENTAL SERVICES FOR ADULTS IN THE MEDICAID PROGRAM, AND, IN CONNECTION THEREWITH, MAKING AND REDUCING AN APPROPRIATION.

Approved May 11, 2013 at 4:24 p.m.

Sincerely,
(signed)
John W. Hickenlooper
Governor

May 13, 2013

To the Honorable Senate
Sixty-Ninth General Assembly
First Regular Session
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

SB13-060: CONCERNING THE CREATION OF A CIVIL AIR PATROL LICENSE PLATE, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved May 13, 2013 at 11:54 a.m.

SB13-181: CONCERNING THE FUNDING OF COLORADO WATER CONSERVATION BOARD PROJECTS, AND MAKING APPROPRIATIONS IN CONNECTION THEREWITH.

Approved May 13, 2013 at 10:56 a.m.

SB13-200: CONCERNING AN INCREASE IN THE INCOME ELIGIBILITY FOR CERTAIN OPTIONAL GROUPS IN THE MEDICAID PROGRAM TO ONE HUNDRED THIRTY-THREE PERCENT OF THE FEDERAL POVERTY LINE, AND, IN CONNECTION THEREWITH, MAKING AND REDUCING AN APPROPRIATION.

Approved May 13, 2013 at 1:40 p.m.

SB13-201: CONCERNING THE DESIGNATION OF DOGS AND CATS THAT ARE ADOPTED FROM COLORADO ANIMAL SHELTERS AND RESCUES AS THE STATE PETS.

Approved May 13, 2013 at 9:52 a.m.

SB13-226: CONCERNING THE CREATION OF THE "DOG PROTECTION ACT".

Approved May 13, 2013 at 9:54 a.m.

Sincerely,
(signed)
John W. Hickenlooper
Governor

DELIVERY TO THE GOVERNOR

To the Governor for signature on Tuesday, May 14, 2013, at 2:20 p.m.:
SB13-025, 271 and 277.

MESSAGE FROM THE GOVERNOR

May 14, 2013

To the Honorable Senate
Sixty-Ninth General Assembly
First Regular Session
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

SB13-220: CONCERNING ADDING EMERGENCY MEDICAL SERVICE PROVIDERS TO THE LIST OF PERSONS WHO MUST REPORT POSSIBLE INSTANCES OF CHILD ABUSE.

Approved May 14, 2013 at 12:01 p.m.

SB13-231: CONCERNING THE CREATION OF THE TITLE IV-E WAIVER
DEMONSTRATION PROJECT.

Approved May 14, 2013 at 12:02 p.m.

SB13-255: CONCERNING CHILD FATALITY REVIEW TEAMS, AND, IN CONNECTION
THEREWITH, INCREASING THE CAPACITY AND RESOURCES, CLARIFYING THE
RESPONSIBILITIES AND PROCESSES OF STATE AND LOCAL CHILD FATALITY
REVIEW TEAMS IN THE DEPARTMENTS OF PUBLIC HEALTH AND ENVIRONMENT
AND HUMAN SERVICES, AND MAKING AN APPROPRIATION.

Approved May 14, 2013 at 12:04 p.m.

Sincerely,
(signed)
John W. Hickenlooper
Governor

May 15, 2013

To the Honorable Senate
Sixty-Ninth General Assembly
First Regular Session
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the
following Acts:

SB13-277: CONCERNING THE DEVELOPMENT OF A PRIOR AUTHORIZATION
PROCESS TO BE USED IN OBTAINING PRIOR APPROVAL FROM CARRIERS FOR
COVERAGE OF DRUG BENEFITS AND MAKING AN APPROPRIATION.

Approved May 15, 2013 at 5:11 p.m.

Sincerely,
(signed)
John W. Hickenlooper
Governor

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB13-213; HB13-1003, 1004, 1007, 1020, 1021, 1031, 1042,
1081, 1144, 1154, 1160, 1165, 1171, 1182, 1195, 1206, 1210, 1230, 1238, 1239, 1240,
1242, 1254, 1260, 1262, 1277, 1283, 1286, 1288, 1290, 1291, 1292, 1293, 1294, 1297,
1298, 1301, 1302, 1305, 1307, 1310, 1311, 1315, 1318, 1319, 1320, 1323, 1324;
HJR13-1019, 1023, 1025, 1027, 1030.

MESSAGE FROM THE GOVERNOR

May 16, 2013

To the Honorable Senate
Sixty-Ninth General Assembly
First Regular Session
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

SB13-004: CONCERNING AUTHORIZATION TO RENEW A STATE-ISSUED IDENTIFICATION CARD BY ELECTRONIC MEANS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved May 16, 2013 at 9:33 a.m.

SB13-111: CONCERNING ABUSE OF AT-RISK ADULTS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved May 16, 2013 at 9:32 a.m.

SB13-266: CONCERNING A REQUEST FOR PROPOSALS PROCESS TO CREATE A COORDINATED BEHAVIORAL HEALTH CRISIS RESPONSE SYSTEM FOR COMMUNITIES THROUGHOUT THE STATE, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved May 16, 2013 at 8:50 a.m.

Sincerely,
 (signed)
 John W. Hickenlooper
 Governor

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB13-001, 047, 073, 083, 123, 125, 129, 148, 166, 167, 169, 170, 189, 193, 195, 197, 204, 205, 206, 210, 212, 214, 215, 219, 222, 223, 225, 227, 228, 229, 235, 240, 241, 243, 244, 245, 246, 247, 248, 249, 250, 251, 254, 258, 261, 262, 263, 265, 268, 273, 276, 278, 279, 282, 285, 286 and 288; HB13-1079, 1111, 1245, 1295, 1300, 1314, 1317.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Friday, May 17, 2013, at 1:48 p.m.: SB13-224.

MESSAGE FROM THE GOVERNOR

May 17, 2013

To the Honorable Senate
 Sixty-Ninth General Assembly
 First Regular Session
 State Capitol
 Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

SB13-178: CONCERNING AUTHORIZING RED ROCKS COMMUNITY COLLEGE TO OFFER A PHYSICIAN ASSISTANT STUDIES PROGRAM AS A PROGRAM OF GRADUATE EDUCATION.

Approved May 17, 2013 at 5:25 p.m.

SB13-260: CONCERNING THE FINANCING OF PUBLIC SCHOOLS, AND, IN CONNECTION THEREWITH, MAKING AND REDUCING AN APPROPRIATION.

Approved May 17, 2013 at 3:22 p.m.

SB13-269: CONCERNING THE CREATION OF A GRANT PROGRAM TO ASSIST WITH EFFORTS TO REDUCE THE RISK OF CATASTROPHIC WILDFIRES TO FORESTED LANDS IN COLORADO.

Approved May 17, 2013 at 12:51 p.m.

Sincerely,
(signed)
John W. Hickenlooper
Governor

May 18, 2013

To the Honorable Senate
Sixty-Ninth General Assembly
First Regular Session
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

SB13-019: CONCERNING THE PROMOTION OF WATER CONSERVATION MEASURES.

Approved May 18, 2013 at 9:52 a.m.

SB13-175: CONCERNING THE CONTINUATION OF PROGRAMS BENEFITING THE PRESERVATION OF WILDLIFE HABITAT, AND, IN CONNECTION THEREWITH, CONTINUING THE WILDLIFE HABITAT STAMP COMMITTEE.

Approved May 18, 2013 at 9:54 a.m.

SB13-188: CONCERNING A PROGRAM TO GIVE LANDOWNERS A PREFERENCE FOR HUNTING LICENSES TO ENCOURAGE HUNTING ON PRIVATE PROPERTY, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved May 18, 2013 at 9:55 a.m.

SB13-224: CONCERNING THE CREATION OF A "PROTECT OUR RIVERS" LICENSE PLATE FOR COLORADO TROUT UNLIMITED, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved May 18, 2013 at 9:57 a.m.

Sincerely,
(signed)
John W. Hickenlooper
Governor

SENATE SERVICES REPORT

Correctly Enrolled: SB13-001, 004, 007, 014, 025, 026, 039, 040, 047, 050, 060, 073, 082, 083, 111, 120, 123, 125, 127, 129, 137, 146, 147, 148, 150, 151, 154, 155, 156, 158, 161, 162, 166, 167, 169, 170, 171, 172, 173, 174, 175, 178, 180, 188, 189, 193, 195, 197, 198, 201, 202, 204, 205, 206, 207, 208, 210, 212, 213, 214, 215, 216, 217, 219, 221, 222, 223, 224, 225, 227, 228, 229, 231, 235, 238, 240, 241, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 254, 255, 258, 260, 261, 262, 263, 264, 265, 266, 268, 269, 270, 271, 273, 276, 277, 278, 279, 280, 282, 283, 285, 286 and 288; SJM13-001 and 003; SJR13-018, 023, 026, 027, 028, 029, 030, 032, 033, 034, 035, 036, 037 and 038; SR13-004, 005 and 006.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SJM13-001 and 003; SJR13-018, 023, 026, 027, 028, 029, 030, 032, 033, 034, 035, 036, 037 and 038; SR13-004, 005 and 006; HB13-1130, 1274, 1280, 1284, 1299, 1325.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Tuesday, May 21, 2013, at 8:44 a.m.: SB13-213.

To the Governor for signature on Tuesday, May 21, 2013, at 10:28 a.m.: SB13-026, 039, 040, 082, 120, 137, 146, 151, 154, 156, 158, 161, 162, 172, 198, 202, 207 and 264.

To the Governor for signature on Tuesday, May 21, 2013, at 1:42 p.m.: SB13-001, 047, 073, 083, 123, 125, 129, 148, 166, 167, 169, 170, 189, 193, 195, 197, 204, 205, 206, 210, 212, 214, 215, 219, 222, 223, 225, 227, 228, 229, 235, 240, 241, 243, 244, 245, 246, 247, 248, 249, 250, 251, 254, 258, 261, 262, 263, 265, 268, 273, 276, 278, 279, 282, 285, 286 and 288.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB13-147, 155, 173, 180, 238, 280 and 283.

MESSAGE FROM THE GOVERNOR

May 21, 2013

To the Honorable Senate
Sixty-Ninth General Assembly
First Regular Session
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

SB13-213: CONCERNING THE FINANCING OF PUBLIC SCHOOLS, AND, IN CONNECTION THEREWITH, CREATING THE "PUBLIC SCHOOL FINANCE ACT".

Approved May 21, 2013 at 11:31 a.m.

Sincerely,
(signed)
John W. Hickenlooper
Governor

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DELIVERY TO THE GOVERNOR

To the Governor for signature on Friday, May 24, 2013, at 3:35 p.m.: SB13-147, 155, 173, 180, 238, 280 and 283.

MESSAGE FROM THE GOVERNOR

May 23, 2013

To the Honorable Senate
Sixty-Ninth General Assembly
First Regular Session
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

SB13-083: CONCERNING THE CREATION OF A PRESCRIBED BURNING PROGRAM UNDER THE DIVISION OF FIRE PREVENTION AND CONTROL IN THE DEPARTMENT OF PUBLIC SAFETY, AND, IN CONNECTION THEREWITH, SPECIFYING THE POWERS AND DUTIES OF THE DIVISION AND ITS DIRECTOR WITH RESPECT TO THAT PROGRAM AND MAKING AN APPROPRIATION.

Approved May 23, 2013 at 11:26 a.m.

SB13-138: CONCERNING SCHOOL RESOURCE OFFICER PROGRAMS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved May 23, 2013 at 3:59 p.m.

SB13-170: CONCERNING THE SALE OF UNIQUELY VALUABLE REGISTRATION NUMBERS FOR VEHICLES, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved May 23, 2013 at 4:15 p.m.

SB13-221: CONCERNING AN APPLICATION AND REVIEW PROCESS FOR ISSUING TAX CREDIT CERTIFICATES FOR A STATE INCOME TAX CREDIT ALLOWED FOR THE DONATION OF A PERPETUAL CONSERVATION EASEMENT, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved May 23, 2013 at 1:02 p.m.

SB13-258: CONCERNING A CLARIFICATION THAT EACH APPLICATION INCLUDED IN THE DEFINITION OF DEVELOPMENT PERMIT CONSTITUTES A STAGE IN THE DEVELOPMENT PERMIT APPROVAL PROCESS.

Approved May 23, 2013 at 4:16 p.m.

SB13-270: CONCERNING FUNDING FOR CERTAIN ACTIVITIES RELATING TO WILDFIRE.

Approved May 23, 2013 at 11:27 a.m.

SB13-276: CONCERNING THE DISABILITY INVESTIGATIONAL AND PILOT SUPPORT FUND, AND, IN CONNECTION THEREWITH, MAKING AND REDUCING AN APPROPRIATION.

Approved May 23, 2013 at 4:17 p.m.

Sincerely,
(signed)
John W. Hickenlooper
Governor

May 24, 2013

To the Honorable Senate
Sixty-Ninth General Assembly
First Regular Session
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

SB13-026: CONCERNING EXPANSION OF THE "MICHAEL SKOLNIK MEDICAL TRANSPARENCY ACT OF 2010" TO REQUIRE ADDITIONAL HEALTH CARE PROVIDERS TO DISCLOSE INFORMATION ABOUT THEIR PRACTICE HISTORY, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved May 24, 2013 at 7:31 p.m.

SB13-039: CONCERNING THE REGULATION OF AUDIOLOGISTS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved May 24, 2013 at 7:30 p.m.

SB13-040: CONCERNING THE COMPLETION OF THE CEMETERY EXPANSION PROJECT AT THE HOMELAKE MILITARY VETERANS CEMETERY, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved May 24, 2013 at 1:20 p.m.

SB13-123: CONCERNING PROVISIONS THAT IMPROVE THE REINTEGRATION OPPORTUNITIES FOR PERSONS INVOLVED IN THE CRIMINAL JUSTICE SYSTEM, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved May 24, 2013 at 7:30 p.m.

SB13-125: CONCERNING PRENEED FUNERAL CONTRACTS, AND, IN CONNECTION THEREWITH, REDUCING AN APPROPRIATION.

Approved May 24, 2013 at 7:29 p.m.

SB13-129: CONCERNING THE MODIFICATION OF CERTAIN STATUTORY REQUIREMENTS DIRECTING THE OFFICE OF THE STATE AUDITOR TO REVIEW COMPLIANCE WITH STATUTORY OBLIGATIONS, AND, IN CONNECTION THEREWITH, REDUCING AN APPROPRIATION.

Approved May 24, 2013 at 7:28 p.m.

SB13-137: CONCERNING SYSTEM IMPROVEMENTS TO PREVENT FRAUD IN THE MEDICAID PROGRAM, AND, IN CONNECTION THEREWITH, EMPLOYING ADVANCED DATA ANALYTICS.

Approved May 24, 2013 at 7:28 p.m.

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SB13-151: CONCERNING THE CONTINUATION OF THE REGULATION OF MASSAGE THERAPISTS, AND, IN CONNECTION THEREWITH, REQUIRING LICENSURE OF MASSAGE THERAPISTS, IMPLEMENTING OTHER RECOMMENDATIONS CONTAINED IN THE SUNSET REPORT PREPARED BY THE DEPARTMENT OF REGULATORY AGENCIES, AND MAKING AN APPROPRIATION.

Approved May 24, 2013 at 7:28 p.m.

SB13-154: CONCERNING CONTINUATION OF THE DIVISION OF BANKING AND IMPLEMENTING THE RECOMMENDATIONS OF THE 2012 SUNSET REPORT BY THE DEPARTMENT OF REGULATORY AGENCIES.

Approved May 24, 2013 at 7:27 p.m.

SB13-158: CONCERNING THE CONTINUATION OF THE PREPARATION OF COST-BENEFIT ANALYSIS OF PROPOSED RULES OF EXECUTIVE BRANCH AGENCIES AND IMPLEMENTING THE RECOMMENDATIONS OF THE 2012 SUNSET REPORT OF THE DEPARTMENT OF REGULATORY AGENCIES

Approved May 24, 2013 at 7:27 p.m.

SB13-162: CONCERNING THE CONTINUATION OF THE EXAMINING BOARD OF PLUMBERS AND MAKING AN APPROPRIATION.

Approved May 24, 2013 at 7:26 p.m.

SB13-166: CONCERNING THE DEVELOPMENT OF STANDARDIZED RULES FOR USE IN PROCESSING MEDICAL CLAIMS AND EXTENDING THE DEADLINES FOR DEVELOPMENT AND IMPLEMENTATION OF THE STANDARDIZED RULES, AUTHORIZING AN APPROPRIATION OF STATE MONEYS TO HELP FUND THE DEVELOPMENT OF THE RULES, AND MAKING AN APPROPRIATION.

Approved May 24, 2013 at 7:26 p.m.

SB13-195: CONCERNING REQUIRING CERTAIN APPLICANTS FOR CONCEALED HANDGUN PERMITS TO COMPLETE A HANDGUN TRAINING CLASS ON THE PHYSICAL GROUNDS WHERE THE CERTIFIED INSTRUCTOR OF THE COURSE OFFERS THE COURSE.

Approved May 24, 2013 at 7:25 p.m.

SB13-198: CONCERNING CLOSING A COURT TO THE PUBLIC WHEN SEXUALLY EXPLOITATIVE MATERIAL RELATED TO A SPECIFIC CHILD IS BEING PRESENTED AS EVIDENCE.

Approved May 24, 2013 at 7:25 p.m.

SB13-202: CONCERNING ADDITIONAL INSPECTIONS OF OIL AND GAS FACILITIES AND MAKING AN APPROPRIATION.

Approved May 24, 2013 at 7:24 p.m.

SB13-204: CONCERNING THE ADDITION OF TWO MEMBERS TO THE COLORADO STATE BOARD OF CHIROPRACTIC EXAMINERS AND MAKING AN APPROPRIATION.

Approved May 24, 2013 at 7:24 p.m.

SB13-205: CONCERNING REVISIONS TO THE COLORADO MEDICAID FALSE CLAIMS ACT TO COMPLY WITH FEDERAL LAW.

Approved May 24, 2013 at 7:24 p.m.

SB13-210: CONCERNING EMPLOYMENT CONDITIONS FOR CORRECTIONAL OFFICERS AND MAKING AN APPROPRIATION.

Approved May 24, 2013 at 10:29 a.m.

SB13-225: CONCERNING THE DEVELOPMENT OF A SYSTEM TO IMPROVE QUALITY OF CARE TO PATIENTS SUFFERING SPECIFIED ACUTE INCIDENTS, AND MAKING AN APPROPRIATION.

Approved May 24, 2013 at 7:24 p.m.

SB13-228: CONCERNING DECEPTIVE PRACTICES RELATED TO THE DISPENSING OF HEARING AIDS.

Approved May 24, 2013 at 7:23 p.m.

SB13-229: CONCERNING CHANGES TO STATUTORY PROVISIONS RELATED TO CRIMINAL PROCEEDINGS.

Approved May 24, 2013 at 7:23 p.m.

SB13-240: CONCERNING VOTING REQUIREMENTS FOR APPROVAL OF MODIFICATIONS TO THE STATEWIDE DEFINED BENEFIT PLAN ADMINISTERED BY THE FIRE AND POLICE PENSION ASSOCIATION.

Approved May 24, 2013 at 7:23 p.m.

SB13-243: CONCERNING REQUIREMENTS AFFECTING THE DESIGNATION BY PETITION OF CANDIDATES IN CONNECTION WITH THE ELECTION OF MEMBERS OF THE BOARDS OF COMMISSIONERS OF COUNTIES FOLLOWING A CHANGE IN THE MEMBERSHIP OF SAID BOARDS.

Approved May 24, 2013 at 7:22 p.m.

SB13-246: CONCERNING CREATION OF A TASK FORCE TO STUDY DISCOVERY COSTS IN CRIMINAL CASES.

Approved May 24, 2013 at 7:22 p.m.

SB13-248: CONCERNING THE AUTHORITY OF THE ATTORNEY GENERAL OR A DISTRICT ATTORNEY TO ENFORCE SUBPOENAS FOR CONSUMER PROTECTION VIOLATIONS AGAINST PERSONS LOCATED OUTSIDE COLORADO.

Approved May 24, 2013 at 7:22 p.m.

SB13-249: CONCERNING PROCEDURES REGARDING INDEPENDENT MEDICAL EXAMINERS' REPORTS IN WORKERS' COMPENSATION CASES.

Approved May 24, 2013 at 7:21 p.m.

SB13-264: CONCERNING REQUIRING THE COMMISSION ON FAMILY MEDICINE TO SUPPORT THE DEVELOPMENT OF RURAL FAMILY MEDICINE RESIDENCY PROGRAMS AND MAKING AN APPROPRIATION.

Approved May 24, 2013 at 1:14 p.m.

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Sincerely,
(signed)
John W. Hickenlooper
Governor

May 25, 2013

To the Honorable Senate
Sixty-Ninth General Assembly
First Regular Session
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

SB13-288: CONCERNING THE PROCESS BY WHICH THE GENERAL ASSEMBLY APPROVES RECOMMENDATIONS MADE BY THE STATE CLAIMS BOARD FOR AN ADDITIONAL PAYMENT TO CLAIMANTS THAT EXCEEDS THE MAXIMUM LIABILITY UNDER THE "COLORADO GOVERNMENTAL IMMUNITY ACT".

Approved May 25, 2013 at 9:53 a.m.

Sincerely,
(signed)
John W. Hickenlooper
Governor

May 28, 2013

To the Honorable Senate
Sixty-Ninth General Assembly
First Regular Session
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

SB13-007: CONCERNING THE REPEAL DATE OF THE COLORADO COMMISSION ON CRIMINAL AND IUVENILE JUSTICE, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved May 28, 2013 at 11:45 a.m.

SB13-047: CONCERNING PROTECTIONS FOR YOUTH IN FOSTER CARE AGAINST IDENTITY THEFT, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved May 28, 2013 at 1:11 p.m.

SB13-127: CONCERNING AN INCREASE IN THE AMOUNT OF THE STATE SALES AND USE TAX RECEIPTS THAT ARE CREDITED TO THE OLDER COLORADANS CASH FUND, AND, IN CONNECTION THEREWITH, MAKING AND REDUCING AN APPROPRIATION.

Approved May 28, 2013 at 12:42 p.m.

<u>SB13-161:</u> CONCERNING CONTINUATION OF THE STATE BOARD FOR LICENSURE OF ARCHITECTS, PROFESSIONAL ENGINEERS, AND PROFESSIONAL LAND SURVEYORS, AND, IN CONNECTION THEREWITH, IMPLEMENTING THE RECOMMENDATIONS OF THE 2012 SUNSET REPORT BY THE DEPARTMENT OF REGULATORY AGENCIES.	1 2 3 4 5 6
Approved May 28, 2013 at 1:05 p.m.	7 8 9
<u>SB13-174:</u> CONCERNING THE CONTINUATION OF THE COLORADO FOOD SYSTEMS ADVISORY COUNCIL.	10 11 12
Approved May 28, 2013 at 12:17 p.m.	13 14 15
<u>SB13-193:</u> CONCERNING INCREASING PARENT ENGAGEMENT IN PUBLIC SCHOOLS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.	16 17 18 19
Approved May 28, 2013 at 1:02 p.m.	20 21 22
<u>SB13-206:</u> CONCERNING THE DIRECT DEPOSIT OF AN INDIVIDUAL TAXPAYER'S STATE INCOME TAX REFUND TO A COLLEGEINVEST SAVINGS ACCOUNT ADMINISTERED BY COLLEGEINVEST.	23 24 25 26
Approved May 28, 2013 at 12:26 p.m.	27 28 29
<u>SB13-212:</u> CONCERNING INCREASED OPTIONS FOR FINANCING AVAILABLE THROUGH THE COLORADO NEW ENERGY IMPROVEMENT DISTRICT FOR THE COMPLETION OF NEW ENERGY IMPROVEMENTS, AND, IN CONNECTION THEREWITH, ALLOWING COMMERCIAL BUILDINGS TO ACCESS DISTRICT FINANCING, REQUIRING CONSENT FOR SUBORDINATION OF MORTGAGE LIENS, AND FACILITATING PRIVATE THIRD-PARTY FINANCING.	30 31 32 33 34 35 36 37
Approved May 28, 2013 at 12:33 p.m.	38 39 40
<u>SB13-217:</u> CONCERNING AUTHORIZING THE STATE BOARD OF EDUCATION TO CONSIDER ALTERNATIVE EDUCATION CAMPUSES IN ESTABLISHING THE CRITERIA FOR ACCREDITATION CATEGORIES FOR EACH SCHOOL DISTRICT AND THE STATE CHARTER SCHOOL INSTITUTE, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.	41 42 43 44 45 46
Approved May 28, 2013 at 12:59 p.m.	47 48 49
<u>SB13-219:</u> CONCERNING THE REMEDIATION PERFORMED ON PROPERTY CONTAMINATED BY AN ILLEGAL DRUG LABORATORY, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.	50 51 52 53
Approved May 28, 2013 at 9:38 a.m.	54 55 56
<u>SB13-222:</u> CONCERNING IMPROVING ACCESS TO CHILDHOOD IMMUNIZATIONS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.	57 58 59 60
Approved May 28, 2013 at 12:46 p.m.	61 62 63
<u>SB13-223:</u> CONCERNING THE CONTINUATION OF THE NOXIOUS WEED ADVISORY COMMITTEE.	64 65 66
Approved May 28, 2013 at 9:39 a.m.	67 68 69 70

SB13-227: CONCERNING METHODS TO PROTECT THE VICTIM OF A SEXUAL ASSAULT IN CASES WHERE A CHILD WAS CONCEIVED AS A RESULT OF THE SEXUAL ASSAULT, AND, IN CONNECTION HEREWITH, MAKING AN APPROPRIATION.

Approved May 28, 2013 at 12:55 p.m.

SB13-241: CONCERNING THE CREATION OF A PROGRAM IN THE DEPARTMENT OF AGRICULTURE TO REGULATE INDUSTRIAL HEMP PRODUCTION, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved May 28, 2013 at 12:11 p.m.

SB13-244: CONCERNING A TASK FORCE TO STUDY SUBSTANCE ABUSE.

Approved May 28, 2013 at 9:40 a.m.

SB13-247: CONCERNING THE COLLECTION OF DEBT OWED TO GOVERNMENTAL ENTITIES, AND, IN CONNECTION THEREWITH, SPECIFYING PROCEDURAL REQUIREMENTS FOR OFFSETTING SUCH DEBTS AGAINST STATE TAX REFUNDS AND AUTHORIZING THE STATE TO ENTER INTO RECIPROCAL DEBT COLLECTION AGREEMENTS WITH THE FEDERAL GOVERNMENT AND OTHER STATES.

Approved May 28, 2013 at 9:46 a.m.

SB13-250: CONCERNING CHANGES TO SENTENCING OF PERSONS CONVICTED OF DRUG CRIMES, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved May 28, 2013 at 11:43 a.m.

SB13-262: CONCERNING THE EXEMPTION OF REPRESENTATIVE SERVICES OF ENROLLED AGENTS FROM THE DEFINITION OF DEBT MANAGEMENT SERVICES.

Approved May 28, 2013 at 9:41 a.m.

SB13-263: CONCERNING THE DEVELOPMENT OF A MASTER PLAN FOR THE CAPITOL COMPLEX.

Approved May 28, 2013 at 12:22 p.m.

SB13-268: CONCERNING THE REPEAL OF CERTAIN REQUIREMENTS IN CONNECTION WITH ANY BILL ENACTED BY THE GENERAL ASSEMBLY THAT RELIES ON GIFTS, GRANTS, OR DONATIONS AS ITS FUNDING SOURCE.

Approved May 28, 2013 at 9:42 a.m.

SB13-271: CONCERNING FUNDING FOR THE ADDRESS CONFIDENTIALITY PROGRAM.

Approved May 28, 2013 at 9:43 a.m.

SB13-278: CONCERNING CREATING A DEFINITION OF A "DRUG-ENDANGERED CHILD" WITH RESPECT TO CHILD ABUSE OR NEGLECT.

Approved May 28, 2013 at 9:43 a.m.

SB13-282: CONCERNING A MEDICAL EXEMPTION FROM TIERED ELECTRICITY RATES.

Approved May 28, 2013 at 9:34 a.m.

SB13-283: CONCERNING IMPLEMENTATION OF AMENDMENT 64, AND, IN CONNECTION THEREWITH, MAKING AND REDUCING AN APPROPRIATION.

Approved May 28, 2013 at 11:24 a.m.

SB13-285: CONCERNING THE PROCEDURES IN WORKERS' COMPENSATION CLAIMS FOR THE RESOLUTION OF DISPUTES, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved May 28, 2013 at 9:44 a.m.

SB13-286: CONCERNING AN EXTENSION OF THE NUMBER OF YEARS THAT A TAXPAYER MAY CLAIM EXCESS ENTERPRISE ZONE INVESTMENT INCOME Tax CREDITS AS CREDIT CARRYOVERS FOR RENEWABLE ENERGY INVESTMENTS.

Approved May 28, 2013 at 9:45 a.m.

Sincerely,
(signed)
John W. Hickenlooper
Governor

June 5, 2013

To the Honorable Senate
Sixty-Ninth General Assembly
First Regular Session
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

SB13-001: CONCERNING INCOME TAX CREDITS TO SUPPORT WORKING FAMILIES, AND, IN CONNECTION THEREWITH, ENACTING THE "COLORADO WORKING FAMILIES ECONOMIC OPPORTUNITY ACT OF 2013" AND MAKING AN APPROPRIATION.

Approved June 5, 2013 at 11:28 a.m.

SB13-025: CONCERNING COLLECTIVE BARGAINING BY FIREFIGHTERS.

Approved June 5, 2013 at 12:17 p.m.

SB13-050: CONCERNING THE RECYCLING RESOURCES ECONOMIC OPPORTUNITY FUND, AND, IN CONNECTION THEREWITH, INCREMENTALLY INCREASING CERTAIN FEES COLLECTED FOR THE FUND, EXTENDING REPEAL DATES OF LAWS ASSOCIATED WITH THE FUND, MAKING REBATES PAID FROM THE FUND DISCRETIONARY, REMOVING OBSOLETE PROVISIONS, AND MAKING AN APPROPRIATION.

Approved June 5, 2013 at 11:29 a.m.

SB13-073: CONCERNING A REQUIREMENT THAT THE DIVISION OF ADMINISTRATION OF THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT FOLLOW RULE-MAKING PROCEDURES WHEN PROPOSING CHANGES TO GENERAL PERMITS RELATED TO WATER QUALITY CONTROL.

Approved June 5, 2013 at 11:29 a.m.

SB13-082: CONCERNING THE CREATION OF A PERMANENT INTERIM COMMITTEE OF THE GENERAL ASSEMBLY TO REVIEW MATTERS RELATING TO WILDFIRES IN THE STATE.

Approved June 5, 2013 at 11:29 a.m.

SB13-120: CONCERNING THE CREATION OF A NAVY SEAL LICENSE PLATE, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved June 5, 2013 at 11:30 a.m.

SB13-146: CONCERNING PROCEDURES GOVERNING THE BOARD OF ASSESSMENT APPEALS IN THE DEPARTMENT OF LOCAL AFFAIRS, AND, IN CONNECTION THEREWITH, MAKING AND REDUCING AN APPROPRIATION.

Approved June 5, 2013 at 11:30 a.m.

SB13-147: CONCERNING AN EMPLOYER'S WORKERS' COMPENSATION LIABILITY TO A PERSON WHEN THE PERSON IS INJURED WHILE NOT ON THE EMPLOYER'S PREMISES.

Approved June 5, 2013 at 11:30 a.m.

SB13-148: CONCERNING CONTINUATION OF THE COLORADO YOUTH ADVISORY COUNCIL.

Approved June 5, 2013 at 11:30 a.m.

SB13-150: CONCERNING THE CONTINUATION OF THE WATER AND WASTEWATER FACILITY OPERATORS CERTIFICATION BOARD, AND, IN CONNECTION THEREWITH, IMPLEMENTING THE RECOMMENDATIONS OF THE 2012 SUNSET REPORT BY THE DEPARTMENT OF REGULATORY AGENCIES.

Approved June 5, 2013 at 11:31 a.m.

SB13-155: CONCERNING THE CONTINUATION OF THE BOARD OF REAL ESTATE APPRAISERS, AND, IN CONNECTION THEREWITH, IMPLEMENTING THE RECOMMENDATIONS OF THE 2012 SUNSET REPORT BY THE DEPARTMENT OF REGULATORY AGENCIES.

Approved June 5, 2013 at 11:31 a.m.

SB13-156: CONCERNING CONTINUATION OF THE BOARD OF MORTGAGE LOAN ORIGINATORS IN THE DIVISION OF REAL ESTATE, AND, IN CONNECTION THEREWITH, IMPLEMENTING THE RECOMMENDATIONS OF THE 2012 SUNSET REPORT BY THE DEPARTMENT OF REGULATORY AGENCIES.

Approved June 5, 2013 at 11:31 a.m.

SB13-167: CONCERNING INTERMEDIATE CARE FACILITIES FOR INDIVIDUALS WITH INTELLECTUAL DISABILITIES, AND, IN CONNECTION THEREWITH, MAKING AND REDUCING AN APPROPRIATION.

Approved June 5, 2013 at 11:31 a.m.

SB13-169: CONCERNING REINTRODUCTION OF BLACK-FOOTED FERRETS WITHOUT FURTHER LEGISLATIVE APPROVAL WHERE A LANDOWNER CONSENTS PURSUANT TO A PROGRAMMATIC SAFE HARBOR AGREEMENT.

Approved June 5, 2013 at 12:24 p.m.

SB13-171: CONCERNING THE CONTINUATION OF THE LICENSING OF MONEY TRANSMITTERS, AND, IN CONNECTION THEREWITH, CONTINUING THE AUTHORITY OF THE BANKING BOARD AND THE STATE BANK COMMISSIONER OVER MONEY TRANSMITTERS.

Approved June 5, 2013 at 11:32 a.m.

SB13-172: CONCERNING THE CONTINUATION OF THE REGULATION OF ACUPUNCTURISTS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved June 5, 2013 at 11:32 a.m.

SB13-173: CONCERNING THE CONTINUATION OF THE DIVISION OF GAMING, AND, IN CONNECTION THEREWITH, IMPLEMENTING THE RECOMMENDATIONS IN THE 2012 SUNSET REPORT BY THE DEPARTMENT OF REGULATORY AGENCIES, AND MAKING AN APPROPRIATION.

Approved June 5, 2013 at 11:32 a.m.

SB13-180: CONCERNING THE CONTINUATION OF THE REGULATION OF THE PRACTICE OF OCCUPATIONAL THERAPY, AND, IN CONNECTION THEREWITH, REQUIRING OCCUPATIONAL THERAPISTS AND OCCUPATIONAL THERAPY ASSISTANTS TO OBTAIN A LICENSE FROM THE DEPARTMENT OF REGULATORY AGENCIES, MODIFYING PROVISIONS GOVERNING THE SUPERVISION OF OCCUPATIONAL THERAPY ASSISTANTS, ADDING GROUNDS FOR DISCIPLINING LICENSEES, REQUIRING LICENSEES TO MAINTAIN PROFESSIONAL COMPETENCY, AUTHORIZING LICENSEES TO ENTER INTO AGREEMENTS TO LIMIT PRACTICE WHEN SUFFERING FROM A PHYSICAL OR MENTAL CONDITION, AND MAKING AN APPROPRIATION.

Approved June 5, 2013 at 12:28 p.m.

SB13-189: CONCERNING CIVIL PENALTIES IMPOSED ON MOTOR CARRIERS FOR LEGAL VIOLATIONS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved June 5, 2013 at 6:33 a.m.

SB13-197: CONCERNING PREVENTING PERSONS WHO HAVE COMMITTED DOMESTIC VIOLENCE FROM POSSESSING FIREARMS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved June 5, 2013 at 6:33 a.m.

SB13-207: CONCERNING THE PERFORMANCE OF AURICULAR ACUDETOX BY TRAINED MENTAL HEALTH PROFESSIONALS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved June 5, 2013 at 12:47 p.m.

SB13-214: CONCERNING LEGISLATIVE OVERSIGHT OF THE FUNDING OF P-12 PUBLIC SCHOOL CAPITAL CONSTRUCTION PROJECTS THAT RECEIVE FUNDING UNDER THE "BUILDING EXCELLENT SCHOOLS TODAY ACT".

Approved June 5, 2013 at 11:34 a.m.

SB13-215: CONCERNING ALTERNATIVE HEALTH CARE PRACTITIONERS, AND, IN CONNECTION THEREWITH, ENACTING THE "COLORADO NATURAL HEALTH CONSUMER PROTECTION ACT" TO PROVIDE AN EXEMPTION FROM STATE REGULATION FOR UNLICENSED COMPLEMENTARY AND ALTERNATIVE HEALTH CARE PRACTITIONERS, REQUIRE A PERSON PROVIDING COMPLEMENTARY AND ALTERNATIVE HEALTH CARE SERVICES TO DISCLOSE TO CLIENTS THE PERSON'S EDUCATIONAL BACKGROUND AND THE NATURE OF THE SERVICES TO BE PROVIDED, AND PROHIBIT COMPLEMENTARY AND ALTERNATIVE HEALTH CARE PRACTITIONERS FROM ENGAGING IN SPECIFIED ACTIVITIES THAT ONLY STATE-REGULATED HEALTH CARE PROFESSIONALS MAY PERFORM.

Approved June 5, 2013 at 11:34 a.m.

SB13-235: CONCERNING A TRANSFER OF MONEYS FROM THE STATE GENERAL FUND TO THE COLORADO STATE VETERANS TRUST FUND FOR THE PURPOSE OF REPAYING MONEYS FROM THE TRUST FUND THAT WERE USED TO BUILD NATIONAL GUARD ARMORIES.

Approved June 5, 2013 at 11:34 a.m.

SB13-238: CONCERNING THE REGULATION OF HEARING AID PROVIDERS BY THE DIVISION OF PROFESSIONS AND OCCUPATIONS WITHIN THE DEPARTMENT OF REGULATORY AGENCIES, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved June 5, 2013 at 11:35 a.m.

SB13-245: CONCERNING THE CREATION OF THE COLORADO FIREFIGHTING AIR CORPS IN THE DIVISION OF FIRE PREVENTION AND CONTROL OF THE DEPARTMENT OF PUBLIC SAFETY.

Approved June 5, 2013 at 12:31 p.m.

SB13-251: CONCERNING DOCUMENTARY EVIDENCE NEEDED FOR AN INDIVIDUAL TO BE ISSUED AN IDENTITY DOCUMENT BY THE DEPARTMENT OF REVENUE, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved June 5, 2013 at 11:35 a.m.

SB13-252: CONCERNING MEASURES TO INCREASE COLORADO'S RENEWABLE ENERGY STANDARD SO AS TO ENCOURAGE THE DEPLOYMENT OF METHANE CAPTURE TECHNOLOGIES.

Approved June 5, 2013 at 12:38 p.m.

SB13-254: CONCERNING AN EXPANSION OF THE UTILITY COST-SAVINGS MEASURES LAW TO ALLOW A GOVERNMENTAL ENTITY TO ENTER INTO A VEHICLE FLEET MAINTENANCE AND FUEL COST-SAVINGS CONTRACT.

Approved June 5, 2013 at 11:35 a.m.

SB13-261: CONCERNING THE RESTRUCTURING OF THE ORAL HEALTH PROGRAMS ADMINISTERED BY THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, AND, IN CONNECTION THEREWITH, ELIMINATING THE OVERSIGHT OF COMPLAINTS REGARDING DENTISTS FOR THE DENTAL ASSISTANCE PROGRAM FOR SENIORS AND CREATING THE ORAL HEALTH COMMUNITY GRANTS PROGRAM.

Approved June 5, 2013 at 11:35 a.m.

SB13-265: CONCERNING APPLICABILITY OF COLORADO STATUTES TO
FRANCHISE AGREEMENTS BETWEEN VEHICLE DEALERS AND THE
SUPPLIERS OF THESE VEHICLES.

Approved June 5, 2013 at 11:36 a.m.

SB13-273: CONCERNING INCENTIVES FOR THE BENEFICIAL USE OF FOREST
BIOMASS.

Approved June 5, 2013 at 11:36 a.m.

SB13-279: CONCERNING INCREASING ENERGY RESOURCE EFFICIENCY IN
PUBLIC SCHOOLS.

Approved June 5, 2013 at 12:33 p.m.

SB13-280: CONCERNING THE ISSUANCE OF CERTIFICATES OF TITLE FOR
OFF-HIGHWAY VEHICLES, AND, IN CONNECTION THEREWITH, MAKING AN
APPROPRIATION.

Approved June 5, 2013 at 11:37 a.m.

Sincerely,
(signed)
John W. Hickenlooper
Governor