

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

90th Legislative Day Monday, April 11, 2011

- Prayer By the chaplain, Father Eustace Sequeira, St. Ignatius Loyola Catholic Church, Denver.
- Musical Presentation By Holyoke High School Select Choir, directed by Marcia Dalton.
- Call to Order By the President at 10:00 a.m.
- Pledge By Senator White.
- Roll Call Present--35
- Quorum The President announced a quorum present.
- Reading of Journal On motion of Senator Nicholson, reading of the Journal of Friday, April 8, 2011, was dispensed with and the Journal was approved as corrected by the Secretary.

On motion of Senator Morse, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for consideration of memorials.

CONSIDERATION OF MEMORIALS

SJM11-001 by Senator(s) Roberts; also Representative(s) Brown--Memorializing former Senator Robert E. DeNier.

On motion of Senator Roberts, the memorial was read at length.

Senate in recess. Senate reconvened.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	Y	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	Y	Spence	Y
Brophy	Y	Hodge	Y	Mitchell	Y	Steadman	Y
Cadman	Y	Hudak	Y	Morse	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

Co-sponsors added: Aguilar, Bacon, Boyd, Brophy, Cadman, Carroll, Foster, Giron, Grantham, Guzman, Harvey, Heath, Hodge, Hudak, Jahn, Johnston, King K., King S., Kopp, Lambert, Lundberg, Mitchell, Morse, Newell, Nicholson, Renfroe, Scheffel, Schwartz, Shaffer B., Spence, Steadman, Tochtrop, White and Williams S.

On motion of Senator Morse, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for consideration of resolutions.

CONSIDERATION OF RESOLUTIONS

SJR11-026 by Senator(s) Brophy and Giron; also Representative(s) Pace and Becker--Concerning the designation of a portion of Colorado Highway 71 as the "Sergeant Eric Autobee Memorial Highway".

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

Amend printed joint resolution, page 3, line 1, after "Hunt," insert "Corrections U.S.A.,".

The amendment was passed on the following roll call vote:

Table with 4 columns: YES (35), NO (0), EXCUSED (0), ABSENT (0). Rows list senators: Aguilar, Bacon, Boyd, Brophy, Cadman, Carroll, Foster, Giron, Grantham, Guzman, Harvey, Heath, Hodge, Hudak, Jahn, Johnston, King K., King S., Kopp, Lambert, Lundberg, Mitchell, Morse, Newell, Nicholson, Renfroe, Roberts, Scheffel, Schwartz, Spence, Steadman, Tochtrop, White, Williams S., President.

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

Table with 4 columns: YES (35), NO (0), EXCUSED (0), ABSENT (0). Rows list senators: Aguilar, Bacon, Boyd, Brophy, Cadman, Carroll, Foster, Giron, Grantham, Guzman, Harvey, Heath, Hodge, Hudak, Jahn, Johnston, King K., King S., Kopp, Lambert, Lundberg, Mitchell, Morse, Newell, Nicholson, Renfroe, Roberts, Scheffel, Schwartz, Spence, Steadman, Tochtrop, White, Williams S., President.

Co-sponsors added: Aguilar, Bacon, Boyd, Cadman, Carroll, Foster, Grantham, Guzman, Harvey, Heath, Hodge, Hudak, Jahn, Johnston, King K., King S., Kopp, Lambert, Lundberg, Mitchell, Morse, Newell, Nicholson, Renfroe, Roberts, Scheffel, Schwartz, Shaffer B., Spence, Steadman, Tochtrop, White and Williams S.

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:

SB11-210

by Senator(s) Hodge, Steadman, Lambert; also Representative(s) Ferrandino, Becker, Gerou--Concerning the elimination of the supplemental old age pension health and medical care program, and, in connection therewith, providing for the transfer of the fund balance of the supplemental old age pension health and medical care fund to the general fund, authorizing the use of moneys in the tobacco tax cash fund to provide services under medicaid for the medical care of old age pensioners, 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	Kopp	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	Y	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	Y	Spence	Y
Brophy	Y	Hodge	Y	Mitchell	Y	Steadman	Y
Cadman	Y	Hudak	Y	Morse	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

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

SB11-215

by Senator(s) Hodge, Steadman, Lambert; also Representative(s) Becker, Gerou, Ferrandino--Concerning a reduction in the general fund portion of the per diem rates paid to nursing facilities for the 2011-12 fiscal year, and making an appropriation therefor.

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	Kopp	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	Y	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	Y	Spence	Y
Brophy	Y	Hodge	Y	Mitchell	Y	Steadman	Y
Cadman	Y	Hudak	Y	Morse	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

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

SB11-217

by Senator(s) Hodge, Steadman, Lambert; also Representative(s) Ferrandino, Becker, Gerou--Concerning a reduction to the juvenile detention bed cap, and making an appropriation in connection therewith.

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	Kopp	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	Y	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	Y	Spence	Y
Brophy	Y	Hodge	Y	Mitchell	Y	Steadman	Y
Cadman	Y	Hudak	Y	Morse	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

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

SB11-218 by Senator(s) Hodge, Steadman, Lambert; also Representative(s) Ferrandino, Becker, Gerou--Concerning the transfer of moneys from certain cash funds to the state education 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	Kopp	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	Y	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	Y	Spence	Y
Brophy	Y	Hodge	Y	Mitchell	Y	Steadman	Y
Cadman	Y	Hudak	Y	Morse	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

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

SB11-224 by Senator(s) Hodge, Steadman, Lambert; also Representative(s) Ferrandino, Becker, Gerou--Concerning the suspension of annual increases in the percentage of tobacco litigation settlement moneys received by the state that are allocated to the nurse home visitor program, and making an appropriation therefor.

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	Kopp	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	Y	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	Y	Spence	Y
Brophy	Y	Hodge	Y	Mitchell	Y	Steadman	Y
Cadman	Y	Hudak	Y	Morse	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

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

SB11-225 by Senator(s) Hodge, Steadman, Lambert; also Representative(s) Gerou, Becker, Ferrandino--Concerning the short-term innovative health program grant fund, and, in connection therewith, transferring the balance of the grant fund to the general fund at the end of the 2011-12 fiscal year and terminating all existing statutory transfers to the grant fund other than its percentage-based base allocation of tobacco litigation settlement moneys after the 2010-11 fiscal year.

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	Kopp	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	Y	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	Y	Spence	Y
Brophy	Y	Hodge	Y	Mitchell	Y	Steadman	Y
Cadman	Y	Hudak	Y	Morse	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

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

SB11-229 by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Ferrandino, Becker, Gerou--Concerning increasing the statutory cap on administrative expenses for the school counselor corps grant 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	Kopp	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	Y	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	Y	Spence	Y
Brophy	Y	Hodge	Y	Mitchell	Y	Steadman	Y
Cadman	Y	Hudak	Y	Morse	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

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

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:

SB11-216 by Senator(s) Hodge, Steadman, Lambert; also Representative(s) Ferrandino, Becker, Gerou--Concerning the reduction of general fund appropriations for the children's basic health plan by reallocating tobacco-related revenue streams, and, in connection therewith, abolishing the pediatric specialty hospital fund and the supplemental tobacco litigation settlement money account in the pediatric specialty hospital fund, abolishing the comprehensive primary and preventive care fund, abolishing the comprehensive primary and preventive care grant program, 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	Kopp	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	Y	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	Y	Spence	Y
Brophy	Y	Hodge	Y	Mitchell	Y	Steadman	Y
Cadman	Y	Hudak	Y	Morse	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

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

SB11-222 by Senator(s) Hodge, Steadman, Lambert; also Representative(s) Gerou, Becker, Ferrandino--Concerning transfers of moneys relating to capital construction.

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	Kopp	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	Y	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	Y	Spence	Y
Brophy	Y	Hodge	Y	Mitchell	Y	Steadman	Y
Cadman	Y	Hudak	Y	Morse	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

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

SB11-228 by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Gerou, Becker, Ferrandino--Concerning the formula by which moneys shall be advanced to a county from the county tax base relief fund in the event that appropriations are insufficient to cover all advancements.

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	Kopp	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	Y	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	Y	Spence	Y
Brophy	Y	Hodge	Y	Mitchell	Y	Steadman	Y
Cadman	Y	Hudak	Y	Morse	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

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

SB11-211 by Senator(s) Hodge, Steadman, Lambert; also Representative(s) Ferrandino, Becker, Gerou--Concerning the use of tobacco tax revenue for health-related purposes during a state fiscal emergency, and making an appropriation therefor.

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	Kopp	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	Y	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	Y	Spence	Y
Brophy	Y	Hodge	Y	Mitchell	Y	Steadman	Y
Cadman	Y	Hudak	Y	Morse	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

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

SB11-212 by Senator(s) Hodge, Steadman, Lambert; also Representative(s) Gerou, Becker, Ferrandino--Concerning authority for an additional permissible use of moneys in the hospital provider fee cash fund for state medicaid expenditures to offset state general fund expenditures for the next two fiscal years, and making an appropriation therefor.

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	Kopp	Y	Scheffel	N
Bacon	Y	Harvey	N	Lambert	Y	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	N	Spence	Y
Brophy	Y	Hodge	Y	Mitchell	Y	Steadman	Y
Cadman	Y	Hudak	Y	Morse	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	N	Renfroe	Y	President	Y
Grantham	N	King S.	Y	Roberts	Y		

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

SB11-219 by Senator(s) Hodge, Steadman, Lambert; also Representative(s) Ferrandino, Becker, Gerou--Concerning moneys appropriated in the 2011-12 fiscal year for health clinics, and making an appropriation therefor.

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	Kopp	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	Y	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	Y	Spence	Y
Brophy	Y	Hodge	Y	Mitchell	Y	Steadman	Y
Cadman	Y	Hudak	Y	Morse	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	N	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

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

SB11-221 by Senator(s) Hodge, Steadman, Lambert; also Representative(s) Becker, Gerou, Ferrandino--Concerning contributions to pay the unfunded accrued liability of old hire pension plans that are affiliated with the fire and police pension association, and making an appropriation therefor.

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	Kopp	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	Y	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	Y	Spence	Y
Brophy	Y	Hodge	Y	Mitchell	Y	Steadman	Y
Cadman	Y	Hudak	Y	Morse	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	N	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	N	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

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

SB11-213 by Senator(s) Hodge, Steadman, Lambert; also Representative(s) Gerou, Becker, Ferrandino--Concerning enrollee cost-sharing for children enrolled in the children's basic health plan, and making an appropriation therefor.

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	N	Guzman	N	Kopp	Y	Scheffel	Y
Bacon	N	Harvey	Y	Lambert	Y	Schwartz	N
Boyd	N	Heath	N	Lundberg	Y	Spence	Y
Brophy	Y	Hodge	Y	Mitchell	Y	Steadman	Y
Cadman	Y	Hudak	N	Morse	Y	Tochtrop	Y
Carroll	N	Jahn	Y	Newell	N	White	Y
Foster	N	Johnston	N	Nicholson	N	Williams S.	Y
Giron	N	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

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

Co-sponsors added: Brophy, Cadman, Grantham, Harvey, King K., King S., Kopp, Lundberg, Renfroe and Scheffel.

SB11-220 by Senator(s) Hodge, Steadman, Lambert; also Representative(s) Ferrandino, Becker, Gerou--Concerning a reduction in the mileage allowance for the use of a personal motor vehicle for official state business, and making an appropriation therefor.

Laid over until Monday, April 18, retaining its place on the calendar.

SB11-223 by Senator(s) Hodge, Steadman, Lambert; also Representative(s) Gerou--Concerning state sales tax revenues retained by a vendor as compensation for expenses incurred by the vendor in the collection and remittance of such tax revenues to the state, and making an appropriation therefor.

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	Y	Kopp	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	Y	Schwartz	N
Boyd	Y	Heath	N	Lundberg	N	Spence	Y
Brophy	N	Hodge	Y	Mitchell	Y	Steadman	Y
Cadman	Y	Hudak	N	Morse	Y	Tochtrop	Y
Carroll	N	Jahn	Y	Newell	N	White	Y
Foster	N	Johnston	Y	Nicholson	N	Williams S.	N
Giron	N	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

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

SB11-184 by Senator(s) Steadman, Bacon, Boyd, Carroll, Giron, Guzman, Hodge, Hudak, Johnston, Morse, Nicholson, Shaffer B., Tochtrop; also Representative(s) Ferrandino, Duran, Fields, Hulinghorst, Kagan, Kefalas, Labuda, McCann, Pabon, Pace--Concerning tax reporting, and making an appropriation therefor.

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.025), by Senator Steadman.

Amend engrossed bill, page 7, line 4, strike "FORTY-THREE THOUSAND NINE HUNDRED".

Page 7, line 5, strike "SEVENTY-THREE" and substitute "SEVENTY-ONE THOUSAND FOUR HUNDRED SEVENTY-TWO".

The amendment was passed on the following roll call vote:

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YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	Y	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	Y	Spence	Y
Brophy	Y	Hodge	Y	Mitchell	Y	Steadman	Y
Cadman	Y	Hudak	Y	Morse	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	N	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

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

YES	25	NO	10	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	N	Scheffel	N
Bacon	Y	Harvey	Y	Lambert	N	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	N	Spence	Y
Brophy	N	Hodge	Y	Mitchell	N	Steadman	Y
Cadman	Y	Hudak	Y	Morse	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	N	Renfroe	N	President	Y
Grantham	N	King S.	N	Roberts	Y		

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

Co-sponsor added: Newell

SB11-226 by Senator(s) Hodge, Steadman, Lambert; also Representative(s) Gerou, Becker, Ferrandino--Concerning the augmentation of the general fund through transfers of certain moneys, and making an appropriation in connection therewith.

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	Kopp	Y	Scheffel	N
Bacon	Y	Harvey	Y	Lambert	Y	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	Y	Spence	Y
Brophy	Y	Hodge	Y	Mitchell	N	Steadman	Y
Cadman	N	Hudak	Y	Morse	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	N	White	N
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	N	Renfroe	N	President	Y
Grantham	N	King S.	N	Roberts	N		

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

SB11-230 by Senator(s) Bacon; also Representative(s) Massey--Concerning the financing of public schools, and making an appropriation therefor.

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	N	Kopp	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	Y	Schwartz	N
Boyd	Y	Heath	N	Lundberg	Y	Spence	Y
Brophy	Y	Hodge	Y	Mitchell	Y	Steadman	Y
Cadman	Y	Hudak	N	Morse	Y	Tochtrop	Y
Carroll	N	Jahn	Y	Newell	Y	White	Y
Foster	N	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

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

Co-sponsors added: Harvey, King K., Lundberg and Mitchell.

SB11-209

by Senator(s) Hodge, Steadman, Lambert; --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, 2011, except as otherwise noted.

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	Kopp	Y	Scheffel	Y
Bacon	Y	Harvey	N	Lambert	Y	Schwartz	Y
Boyd	Y	Heath	N	Lundberg	N	Spence	Y
Brophy	Y	Hodge	Y	Mitchell	Y	Steadman	Y
Cadman	Y	Hudak	N	Morse	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	N	King S.	Y	Roberts	Y		

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

SB11-214

by Senator(s) Hodge, Steadman, Lambert; also Representative(s) Becker, Gerou, Ferrandino--Concerning decommissioning Fort Lyon correctional facility.

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	Kopp	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	Y	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	Y	Spence	Y
Brophy	Y	Hodge	Y	Mitchell	Y	Steadman	Y
Cadman	Y	Hudak	Y	Morse	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	N	King S.	Y	Roberts	Y		

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

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MESSAGE FROM THE HOUSE

April 11, 2011

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB11-1291.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB11-1005, amended as printed in House Journal, April 8, pages 911-912.
HB11-1217, amended as printed in House Journal, April 8, page 912.
HB11-1279, amended as printed in House Journal, April 8, page 912.
HB11-1281, amended as printed in House Journal, April 8, pages 912-913.
HB11-1195, amended as printed in House Journal, April 8, page 913.
HB11-1278, amended as printed in House Journal, April 8, page 913.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB11-183, amended as printed in House Journal, April 8, pages 913-914.

The House failed to pass SB11-063 on Third Reading. The bill is returned herewith.

The House has adopted and returns herewith SJM11-001.

The House has adopted and returns herewith SJR11-026.

MESSAGE FROM THE REVISOR OF STATUTES

April 11, 2011

We herewith transmit:

Without comment, HB11-1291.
Without comment, as amended, HB11-1005, 1195, 1217, 1278, 1279, and 1281.
Without comment, as amended, SB11-183.

MESSAGE FROM THE GOVERNOR

April 8, 2011

To the Honorable Senate
Sixty-eighth 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:

SB11-008 CONCERNING ALIGNING MEDICAID ELIGIBILITY FOR CHILDREN

Approved April 8, 2011 at 12:00 p.m.

SB11-083 CONCERNING PROVISIONS RELATING TO THE COLORADO PROBATE CODE

Approved April 8, 2011 at 12:03 p.m.

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SB11-120 CONCERNING RIGHTS OF CERTAIN CHILDREN IN FOSTER CARE,
AND, IN CONNECTION THEREWITH, ESTABLISHING RIGHTS FOR CHILDREN
IN FOSTER CARE EXCEPT FOR THOSE IN THE CUSTODY OF THE DIVISION OF
YOUTH CORRECTIONS OR A STATE MENTAL HOSPITAL

Approved April 8, 2011 at 12:08 p.m.

SB11-025 CONCERNING ACCOUNTABILITY FOR STATE PROCUREMENT,
AND, IN CONNECTION THEREWITH, ENACTING THE "COLORADO TAXPAYER
EMPOWERMENT ACT OF 2011"

Approved April 8, 2011 at 12:10 p.m.

Sincerely,
(signed)
John W. Hickenlooper
Governor

SENATE SERVICES REPORT

Correctly Printed: SJR11-038.

Correctly Engrossed: SB11-184, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219,
220, 221, 222, 223, 224, 225, 226, 228, 229 and 230; SJR11-009.

On motion of Senator Morse, and with a majority of those elected to the Senate having
voted in the affirmative, the balance of the calendar of Monday, April 11 was laid over
until Tuesday, April 12, retaining its place on the calendar.

- General Orders -- Second Reading of Bills -- Consent Calendar: SB11-195,
HB11-1230, HB11-1198, HB11-1156, HB11-1004, SB11-191, HB11-1080.
- General Orders -- Second Reading of Bills: SB11-180, SB11-052, SB11-126,
SB11-168, HB11-1160, HB11-1109, HB11-1268, SB11-060, SB11-194, SB11-193,
SB11-201, SB11-189, SB11-206, SB11-208, SB11-197, HB11-1234, HB11-1182,
HB11-1042, HB11-1071, HB11-1216.
- Consideration of Resolutions: SJR11-005, SJR11-015, SJR11-023, SJR11-024,
SJR11-032, SJR11-035, SJR11-036, SJR11-037.
- Consideration of Memorials: SJM11-002.
- Consideration of House Amendments to Senate Bills: SCR11-001, SB11-062,
SB11-119, SB11-034, SB11-037, SB11-094.
- Consideration of Governor's Appointments:
 - Member of the Board of Trustees for the Colorado School for the Deaf and the Blind
 - Members of the Board of Trustees for Adams State College
 - Members of the Colorado Commission on the Aging
 - Members of the Colorado State Fair Authority Board of Commissioners
 - Members of the Wildlife Commission
- Consideration of Conference Committee Reports: HB11-1258.
- Conference Committees to Report: SB11-165.

Senate in recess. Senate reconvened.

INTRODUCTION OF RESOLUTIONS

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

SJR11-039 by Senator(s) Grantham, Giron, Scheffel, King K., Schwartz; also Representative(s) Gerou, Pace, Joshi, Lee, Swerdfeger--Concerning support for the establishment of the Pike National Historic Trail.

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:

SB11-235 by Senator(s) Giron; also Representative(s) Pace and Swerdfeger--Concerning methods to reduce the air quality permit application backlog, and, in connection therewith, authorizing the use of nongovernmental air quality modeling engineers for purposes of permit application approvals and prioritizing permit applications based on factors other than the date of filing.

Agriculture, Natural Resources, and Energy

SB11-236 by Senator(s) Tochtrop; --Concerning a requirement that the air quality control commission incorporate into the regional haze element of the state implementation plan public service company of Colorado's emission reduction plan scenario 5B, and, in connection therewith, disapproving the emission reduction plan relating to public service company of Colorado that was incorporated into the regional haze element of the state implementation plan, approving other aspects of the state implementation plan, and postponing the automatic expiration of the portion of the state implementation plan that consists of rules.

State, Veterans & Military Affairs

SB11-237 by Senator(s) Lundberg; --Concerning changes necessary to make the regional haze state implementation plan cost-effective in accordance with Colorado law, and, in connection therewith, disapproving those portions of the regional haze emission element of the state implementation plan that relate to the requirement for emission controls for the Hayden electric generating units; repealing the rules associated with the disapproved portion of the state implementation plan; approving other aspects of the state implementation plan; and postponing the automatic expiration of the rules associated with the approved portion of the state implementation plan.

State, Veterans & Military Affairs

SB11-238 by Senator(s) Nicholson; also Representative(s) Coram and Wilson--Concerning the extension of the annual transfers of federal mineral lease revenues to the wildfire preparedness fund.

Agriculture, Natural Resources, and Energy

HB11-1005 by Representative(s) Sonnenberg and Becker; also Senator(s) Brophy--Concerning the repeal of House Bill 10-1195 regarding a suspension of the exemption from the state sales and use taxes for certain items used in agricultural production, and making an appropriation therefor.

Finance

HB11-1024 by Representative(s) Vigil; also Senator(s) Brophy--Concerning the creation of an agricultural youth license to drive motor vehicles on the roadways, and making an appropriation therefor.

Transportation

HB11-1157 by Representative(s) Casso; also Senator(s) White--Concerning the exemption from the heavy-duty diesel inspection program of heavy-duty diesel vehicles based outside the program area as part of a fleet registered in the program area, and making an appropriation therefor.

Transportation

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- HB11-1252** by Representative(s) Holbert; also Senator(s) Harvey--Concerning the authority of the secretary of state to request proof of citizenship of any elector whose name appears in the statewide voter registration database who the secretary of state believes is not a citizen of the United States, and making an appropriation therefor.
State, Veterans & Military Affairs

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- HB11-1282** by Representative(s) Gardner B., Kerr J., Liston; also Senator(s) Carroll--Concerning the judicial public access system.
Judiciary

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- HB11-1291** by Representative(s) McNulty; also Senator(s) Morse--Concerning legislative approval of the regional haze element of the state implementation plan, and, in connection therewith, postponing the automatic expiration of the portion of the plan that consists of rules.
State, Veterans & Military Affairs

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On motion of Senator Morse, the Senate adjourned until 9:00 a.m., Tuesday, April 12, 2011.

Approved:

Brandon C. Shaffer
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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