

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

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14th Legislative Day Tuesday, January 25, 2011

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Prayer	By the chaplain, Pastor Larry Kidwell, Galilee Baptist Church, Loveland.	11
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Call to Order	By the President at 9:00 a.m.	13
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Pledge	By Senator Aguilar.	16
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Roll Call	Present--33	18
	Absent--0	19
	Excused--2, Boyd, Kopp.	20
	Present later--2, Boyd, Kopp.	21
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Quorum	The President announced a quorum present.	23
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Reading of Journal	On motion of Senator Grantham, reading of the Journal of Monday, January 24, 2011, was dispensed with and the Journal was approved as corrected by the Secretary.	25
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**COMMITTEE OF REFERENCE REPORTS**

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Business, Labor, & Technology	The Committee on <u>Business Labor and Technology</u> has had under consideration and has had a hearing on the following appointment and refers the appointment to the full Senate:	33
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EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LABOR AND EMPLOYMENT

effective January 24, 2011, for a term expiring at the pleasure of the Governor:  
 Ellen Golombek, of Denver, Colorado.

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Business, Labor, & Technology	The Committee on <u>Business Labor and Technology</u> has had under consideration and has had a hearing on the following appointment and refers the appointment to the full Senate:	47
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EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PERSONNEL AND ADMINISTRATION

effective January 25, 2011, for a term expiring at the pleasure of the Governor:  
 Kathryn Nesbitt, of Highlands Ranch, Colorado.

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Judiciary	After consideration on the merits, the Committee recommends that <b>SB11-009</b> be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	60
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Amend printed bill, page 4, strike lines 2 and 3 and substitute "DISTRICT ATTORNEY OF HIS OR HER REQUEST FOR A HEARING. IF THE OWNER OR CUSTODIAN OF AN IMPOUNDED ANIMAL".

Reletter succeeding paragraphs accordingly.

Page 4, line 19, strike "PARAGRAPHS (b) AND (d)" and substitute "PARAGRAPH (c)".

Page 6, line 15, strike "(h)" and substitute "(g)".

Page 6, line 21, strike "or" and substitute "or".

Page 6, strike line 22.

Page 7, line 4, strike "(h);" and substitute "(g);".

Page 7, line 6, strike "or" and substitute "or".

Page 7, strike line 7 and substitute "RELEASE OF AN".

Page 7, line 15, strike "(h)," and substitute "(g),".

State,  
Veterans, &  
Military  
Affairs

After consideration on the merits, the Committee recommends that **SB11-037** be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation.

Amend printed bill, page 3, strike lines 1 and 2 and substitute "THE UNITED STATES ARMED SERVICES BETWEEN SEPTEMBER 16, 1940, AND JULY 25, 1947.".

State,  
Veterans, &  
Military  
Affairs

After consideration on the merits, the Committee recommends that **SB11-024** 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 3, after the period add "ANY SUCH RULES MUST ALSO ALLOW FOR FREE ADMISSION OF PERSONS ACCOMPANYING THE WOUNDED WARRIOR PROGRAM PARTICIPANT IN THE SAME VEHICLE.".

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**MESSAGE FROM THE GOVERNOR**

Appointment

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

January 12, 2011

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:

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EXECUTIVE DIRECTOR OF THE  
DEPARTMENT OF REGULATORY AGENCIES

for a term expiring at the pleasure of the Governor:

Barbara J. Kelley, of Denver, Colorado.

Sincerely,  
(signed)  
John W. Hickenlooper  
Governor  
Rec'd: 1/18/11  
Cindi Markwell

Committee on Business, Labor, & Technology

(Appointment originally referred to the Committee on Local Government & Energy on January 19, 2011 [see Senate Journal, p. 31], but reassigned to Committee on Business, Labor, & Technology.)

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**INTRODUCTION OF BILLS -- FIRST READING**

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

**SB11-079** by Senator(s) Spence, King K., Renfroe; also Representative(s) Massey, Holbert--  
Concerning the outsourcing of noninstructional support services in school districts.  
State, Veterans & Military Affairs

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**SENATE SERVICES REPORT**

**Correctly Printed:** SB11-076, 077 and 078.

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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.

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**CONSIDERATION OF RESOLUTIONS**

**SJR11-004** by Senator(s) Hudak; also Representative(s) Summers--Concerning the inclusion of the state board of land commissioners in the department of natural resources in the oversight responsibilities of the education committees of the general assembly.

On motion of Senator Morse, 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	Kopp	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	Y	Schwartz	Y
Boyd	E	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, Brophy, Cadman, Carroll, Foster, Giron, Grantham, Guzman, Harvey, Heath, Hodge, 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.

**HJR11-1004** by Representative(s) Todd and Waller, Kerr J., Ryden; also Senator(s) Heath, Cadman-- Concerning recognition of Military, Veterans, and MIA/POW Appreciation Day.

On motion of Senator Morse, the resolution 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, Carroll, Foster, Giron, Grantham, Guzman, Harvey, 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.

**HJR11-1005** by Representative(s) Pace and Swerdfeger, Massey, McKinley, Vigil; also Senator(s) Giron, Grantham--Concerning the U.S.S. Pueblo.

On motion of Senator Morse, the resolution 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, 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.

**HJR11-1006** by Representative(s) Barker and Lee, Gardner B., Joshi, Liston, Looper; also Senator(s) Morse--Concerning recognition of military personnel from Colorado who are serving in

Operation Iraqi Freedom, Operation New Dawn, and Operation Enduring Freedom and honoring those who have died while serving their country in Iraq and Afghanistan.

On motion of Senator Morse, the resolution 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, Newell, Nicholson, Renfroe, Roberts, 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 balance of the calendar of Tuesday, January 25 was laid over until Wednesday, January 26, retaining its place on the calendar.

General Orders -- Second Reading of Bills -- Consent Calendar: SB11-020, SB11-028.  
 General Orders -- Second Reading of Bills: SB11-029.

On motion of Senator Morse, the Senate adjourned until 9:00 a.m., Wednesday, January 26, 2011.

Approved:

Brandon C. Shaffer  
 President of the Senate

Attest:

Cindi Markwell  
 Secretary of the Senate

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