

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

49th Legislative Day

Tuesday, March 1, 2011

Prayer	By the chaplain, Rabbi Eliot J. Baskin, Jewish Family Services of Colorado, Denver.	11
Call to Order	By the President at 9:00 a.m.	13
Pledge	By Senator Roberts.	16
Roll Call	Present--30 Excused--5, Carroll, King S., Mitchell, Renfroe, Tochtrop. Present later--5, Carroll, King S., Mitchell, Renfroe, Tochtrop.	18 19 20
Quorum	The President announced a quorum present.	22
Reading of Journal	On motion of Senator Guzman, reading of the Journal of Monday, February 28, 2011, was dispensed with and the Journal was approved as corrected by the Secretary.	24 25

MESSAGE FROM THE HOUSE

February 28, 2011

Mr. President:

The Speaker has announced the following change in sponsorship on SB11-093. Representative Joshi to be replaced by Representative Vaad as prime sponsor.

MESSAGE FROM THE REVISOR OF STATUTES

February 28, 2011

To: Senate

Message From Revisor of Statutes

We herewith transmit:

Without comment, as amended, HB11-1206, 1209, 1218, and 1262.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB11-1050.

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DELIVERY TO THE GOVERNOR

To the Governor for signature on Monday, February 28, 2011, at 12:05 p.m.:
SB11-135, 140, 143, 145, 146, 147, 148, 149, 151, 152, 153, 154, 155, 157, 160, 161 and 163.

SENATE SERVICES REPORT

Correctly Printed: SJR11-019.
Correctly Engrossed: SJR11-019.
Correctly Reengrossed: SB11-019, 049, 082, 084, 115 and 119.
Correctly Rerevised: HB11-1018, 1021, 1035, 1041, 1051, 1077, 1087, 1110 and 1113.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

SJR11-021 by Senator(s) Giron; also Representative(s) Williams A.--Concerning the Rocky Mountain Rollergirls, and, in connection therewith, acknowledging the sportsmanship, civic involvement, leadership development, and empowerment of women that the sport of women's flat track roller derby promotes.

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

SJR11-020 by Senator(s) Bacon; also Representative(s) Kefalas and Labuda--Concerning the recognition of the Peace Corps on the occasion of its 50th anniversary.

On motion of Senator Bacon, 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	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, 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, Shaffer B., Spence, Steadman, Tochtrop, White and Williams S.

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:

SB11-120 by Senator(s) Newell, Bacon, Foster, Giron, Guzman, Hudak, Jahn, Johnston, Morse, Nicholson, Schwartz, Shaffer B., Steadman, Williams S.; also Representative(s) Kefalas, Ferrandino, Kagan--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.

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

Third Reading Amendment No. 1(L.008), by Senator Newell.

Amend engrossed bill, page 3, strike lines 20 through 22 and substitute:

"(k) FOR CHILDREN AND YOUTH THAT ARE PLACED IN A FAMILY FOSTER HOME, TO NOT BE ISOLATED OR LOCKED IN A ROOM;"

The amendment was **passed** on 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		

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	Kopp	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	Y	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	Y	Spence	Y
Brophy	N	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	N	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

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

Co-sponsors added: Aguilar, Boyd, Carroll, Heath, Hodge, King S., Roberts, Spence, Tochtrop and White.

SB11-063

by Senator(s) Giron and Newell; also Representative(s) Kefalas--Concerning the promotion of health care accessibility by encouraging local governments to consider the health care needs of their communities in the composition of their master land use 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	Kopp	N	Scheffel	N
Bacon	Y	Harvey	N	Lambert	N	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	N	Spence	N
Brophy	N	Hodge	Y	Mitchell	N	Steadman	Y
Cadman	N	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	N		

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

Co-sponsors added: Aguilar, Boyd, Foster, Guzman, Heath, Hodge, Hudak, Morse, Nicholson, Schwartz and Williams S.

COMMITTEE OF REFERENCE REPORTS

Judiciary After consideration on the merits, the Committee recommends that HB11-1044 be postponed indefinitely.

Judiciary After consideration on the merits, the Committee recommends that HB11-1102 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 SB11-168 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

- Amend printed bill, page 7, line 11, strike "THE" and substitute "ON OR BEFORE NOVEMBER 3, 2012, THE".
Page 7, strike line 12 and substitute "PREPARE A REPORT ON THE COLORADO HEALTH CARE COOPERATIVE FOR THE GENERAL".
Page 12, line 20, after "MEMBERS" insert "MAY".
Page 12, line 21, strike "UP TO".
Page 12, line 22, strike "AN" and substitute "THIS".

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, March 1 was laid over until Wednesday, March 2, retaining its place on the calendar.

- General Orders -- Second Reading of Bills -- Consent Calendar: HB11-1040, HB11-1017, SB11-165, SB11-037, SB11-108, SB11-089, HB11-1060, HB11-1019.
General Orders -- Second Reading of Bills: SB11-055, SB11-015, SB11-050, SB11-107, HB11-1031, SB11-060, SB11-102, SB11-057, SB11-003, SB11-090, SB11-126, HB11-1105, SB11-170.
Consideration of Resolutions: SJR11-005, SJR11-009, HJR11-1008.
Consideration of House Amendments to Senate Bills: SCR11-001.
Conference Committees to Report: SB11-159, SB11-164, SB11-144, SB11-137, SB11-141, SB11-136, SB11-142.

On motion of Senator Morse, the Senate adjourned until 9:00 a.m., Wednesday, March 2, 2011.

Approved:
Brandon C. Shaffer
President of the Senate

Attest:
Cindi Markwell
Secretary of the Senate

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