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SENATE JOURNAL
Sixty-eighth General Ass

Sixty-eighth General Assembly **STATE OF COLORADO** 

First Regular Session

92nd Legislative Day

Wednesday, April 13, 2011

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 White.

Roll Call

Present--31

Absent--2, King K., Schwartz. Excused--2, Mitchell, Scheffel.

Present later--4, King K., Mitchell, Scheffel, Schwartz.

Quorum

The President announced a quorum present.

Reading of Journal

On motion of Senator Nicholson, reading of the Journal of Tuesday, April 12, 2011, was dispensed with and the Journal was approved as corrected by the Secretary.

# 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:

SB11-195

by Senator(s) Brophy; also Representative(s) Sonnenberg--Concerning the residency of a health care provider who verifies a person's disability for purposes of obtaining credentials entitling the person to park a vehicle in spaces reserved for use by persons with disabilities.

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 Kopp	Y Scheffel	Е
Bacon	Y Harvey	Y Lambert	Y Schwartz	Y
Boyd	Y Heath	Y Lundberg	Y Spence	Y
Brophy	Y Hodge	Y Mitchell	E 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**.

Co-sponsors added: Boyd and Newell.

**HB11-1198** 

by Representative(s) Kerr J.; also Senator(s) Schwartz--Concerning a reorganization of the statutes governing motor carriers, and, in connection therewith, consolidating the former articles 10, 11, 13, 14, and 16 of title 40, Colorado Revised Statutes, into a single article and making substantive and nonsubstantive amendments to provisions granting regulatory authority to the public utilities commission.

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

VEC	22	MO	Λ	EVOLUED	 ADCENT	0
YES	33	NO	0	EXCUSED	 ABSENT	U
Aguilar	Y	Guzman	Y	Kopp	Y Scheffel	E
Bacon	Y	Harvey	Y	Lambert	Y Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	Y Spence	Y
Brophy	Y	Hodge	Y	Mitchell	E 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.

by Representative(s) Becker, Gerou, Ferrandino; also Senator(s) Hodge, Steadman, HB11-1156 Lambert--Concerning an extension of conservation district grant funding with severance tax revenues, and making an appropriation therefor.

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	Kopp		Scheffel	Е
Bacon	Y	Harvey	Y	Lambert	Y	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	Y	Spence	Y
Brophy	Y	Hodge	Y	Mitchell		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.

**HB11-1004** by Representative(s) Baumgardner; also Senator(s) Harvey--Concerning the registration of a vehicle used for agricultural production, and making an appropriation 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 Kopp	Y Scheffel	Е
Bacon	Y Harvey	Y Lambert	Y Schwartz	Y
Boyd	Y Heath	Y Lundberg	Y Spence	Y
Brophy	Y Hodge	Y Mitchell	E 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.

Co-sponsors added: Lambert and Lundberg.

SB11-191 by Senator(s) Bacon; also Representative(s) Gardner B. and Levy--Concerning enactment of 68 the "Colorado Uniform Limited Cooperative Association Act", and making an appropriation 69 therefor.

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

Ag<del>uilar</del>

Bacon

**Brophy** 

Carroll

Foster

Giron

Grantham

Cadman

Boyd

NO

Guzman

Harvey

Heath

Hodge

Hudak

Johnston

King K.

King S.

Jahn

E Y Y Y

ABSENT

Scheffel

Schwartz

Steadman

**Tochtrop** 

President

Spence

White Williams S.

Y

E

Y

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

**EXCUSED** 

Kopp

Lambert

Mitchell

Morse

Newell

Renfroe

Roberts

Nicholson

Lundberg

Co-sponsors added: Johnston and Newell.

**HB11-1080** by Representative(s) Todd; also Senator(s) King S.--Concerning the address confidentiality program, and making an appropriation therefor.

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	Kopp		Y Scheffel	Е
Bacon	Y	Harvey	Y	Lambert		Y Schwartz	Y
Boyd	Y	Heath	Y	Lundberg		Y Spence	Y
Brophy	Y	Hodge		Mitchell		E 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**.

Co-sponsors added: Boyd, Guzman, Heath, Jahn, Lambert, Newell, Nicholson 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:

**SB11-180** by Senator(s) Tochtrop; also Representative(s) Looper--Concerning authority for taxicabs to pick up passengers outside their assigned geographic areas.

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	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		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		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, Brophy, Cadman, Foster, Guzman, Jahn, King S., Kopp, Lundberg, White and Williams S.

SB11-193

by Senator(s) Aguilar; also Representative(s) Gardner B. and Kerr J.--Concerning the disclosure of employment information to an employer regarding a person employed to work with a person with a developmental disability, and, in connection therewith, granting immunity from civil liability for the disclosure of information and creating an exception from the prohibition against blacklisting for the disclosure of information.

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

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

Co-sponsors added: Boyd, Foster, Giron, Guzman, Heath, Hudak, King S., Morse, Newell, Nicholson, Schwartz and Williams S.

SB11-201

by Senator(s) Roberts and Carroll; also Representative(s) Barker--Concerning clarifying the elements of the criminal offense of criminal impersonation.

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	Kopp	7	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	7	' Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	7	' Spence	Y
Brophy	Y	Hodge	Y	Mitchell	E	E Steadman	Y
Cadman	Y	Hudak	Y	Morse	7	Y Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	7	White 1	Y
Foster	Y	Johnston	Y	Nicholson	7	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	7	' President	Y
Grantham	Y	King S.	Y	Roberts	7	7	

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

Co-sponsors added: Boyd, Jahn, King S., Newell, Nicholson and Williams S.

SB11-189

by Senator(s) Heath; also Representative(s) Murray--Concerning the adjustment of certain dates related to the administration of elections in order to comply with the federal "Military and Overseas Voter Empowerment (MOVE) Act" but excluding the adjustment of any dates related to voter registration.

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	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			Steadman		Y
Cadman	Y	Hudak	N	Morse		Y	Tochtrop		N
Carroll	Y	Jahn	Y	Newell		Y	White		Y
Foster	Y	Johnston	Y	Nicholson		Y	Williams S.		Y
Giron	Y	King K.	Y	Renfroe		Y	President		Y
Grantham	Y	King S.	Y	Roberts		Y			

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

Co-sponsors added: Bacon, Grantham, Harvey, Jahn, King K., King S., Lambert, Lundberg, Spence and Williams S.

**SB11-206** by Senator(s) Boyd; also Representative(s) Holbert--Concerning the exemption of certain noncommercial mortgage-related activities from the "Mortgage Loan Originator Licensing and Mortgage Company Registration Act".

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	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		E 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**.

Co-sponsors added: Foster, Guzman, Lundberg and White.

**SB11-197** by Senator(s) Boyd; also Representative(s) Acree--Concerning the creation of a girl scouts centennial special license plate, and making an appropriation therefor.

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

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

Co-sponsors added: Aguilar, Foster, Heath, Hudak, Johnston, Lambert, Morse, Newell, Schwartz and Tochtrop.

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HB11-1234 by Representative(s) Vaad; also Senator(s) Spence and Williams S.--Concerning the creation of a taxicab license plate for motor vehicles authorized to provide taxicab services, and making an appropriation therefor.

Laid over until Thursday, April 14, retaining its place on the calendar.

by Representative(s) Ferrandino, Becker, Gerou; also Senator(s) Hodge, Steadman, **HB11-1182** Lambert--Concerning the adjustment of specified vehicle fees credited to special purpose accounts within the highway users tax fund, and making an appropriation therefor.

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

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

by Representative(s) Levy; also Senator(s) Nicholson--Concerning the classification of **HB11-1042** residential land when the residential improvement is temporarily removed.

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		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		

Grantham Y King S. Y Roberts Y

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

Co-sponsors added: Aguilar, Bacon, Boyd, Foster, Giron, Grantham, Guzman, Heath,
Lambert, Lundberg, Newell, Roberts, Shaffer B., White and Williams S.

51

by Representative(s) Hamner; also Senator(s) Bacon--Concerning the voluntary contribution designation benefiting the Roundup River Ranch fund that appears on the state individual income tax return forms, and making an appropriation therefor.

58 **HB11-1071** 

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

Y

NO

Guzman

Harvey

Heath

Hodge

Hudak

Johnston

King K.

King S.

Jahn

30

YES

Aguilar

Bacon

Boyd

**Brophy** 

Cadman

Carroll

Foster

Giron

Grantham

ABSENT Scheffel

Schwartz

Steadman

**Tochtrop** 

Williams S.

President

White

Spence

Y

A majority of all members elected to the Senate having voted in the affirmative, the bill was passed. Co-sponsors added: Hudak, King S., Newell, Tochtrop, White and Williams S.

EXCUSED

Kopp

Lambert

Mitchell

Morse Newell

Lundberg

Nicholson

Renfroe

Roberts

Y

Y

0

N

N

N

Y

by Representative(s) Riesberg and Gerou, Baumgardner, Court, Ferrandino, Kefalas, HB11-1216 Looper, Miklosi, Pabon, Soper, McCann; also Senator(s) Aguilar, Bacon, King S., Newell, Tochtrop, Williams S.--Concerning the funding of programs that help persons with disabilities obtain benefits by the sale of uniquely valuable registration numbers for vehicles, and making an appropriation therefor.

Laid over until Thursday, April 14, retaining its place on the calendar.

HB11-1230 by Representative(s) Duran; also Senator(s) Boyd--Concerning the consolidation of state programs that distribute federal moneys to persons needing assistance in obtaining housing into the division of housing within the department of local affairs, 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.

Co-sponsors added: Aguilar, Foster, Giron, Hodge, Hudak, Jahn, Nicholson, Schwartz, Steadman, Tochtrop 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 House amendments to Senate bills.

### CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

by Senator(s) Cadman; also Representative(s) Murray--Concerning the administrative duties 65 SB11-062 of the office of information technology.

> Senator Cadman moved that the Senate concur in House amendments to **SB11-062**, as printed in House journal, March 29, page 787. The motion was adopted by the following roll call vote:

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64

Y

Y

NO

Guzman

Harvey

Heath

Hodge

Hudak

Johnston

King K.

King S.

Jahn

35

YES

Aguilar

Bacon

**Brophy** 

Cadman

Carroll

Foster

Giron Grantham

Boyd

ABSENT Scheffel

Schwartz

Spence Steadman

**Tochtrop** 

President

Williams S.

White

The question being	"Shall the bill, as	s amended, pass?	", the roll cal	l was taken	with the
following result:	·	· <b>*</b>			

0

Y

Y

Y

EXCUSED

Kopp

Lambert

Mitchell

Morse

Newell

Nicholson

Renfroe

**Roberts** 

Lundberg

0

Y

Y

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		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, as amended, was **repassed**.

# **SB11-119** by Senator(s) Guzman; also Representative(s) Pabon--Concerning procedures governing the appeal of a valuation of income-producing commercial real property.

Senator Guzman moved that the Senate concur in House amendments to **SB11-119**, as printed in House journal, March 29, page 787. The motion 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	

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	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		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, as amended, was **repassed**.

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SB11-034

by Senator(s) Nicholson; also Representative(s) Summers--Concerning requiring an educator who provides services through the women, infants, and children program to report child abuse or neglect.

Senator Nicholson moved that the Senate concur in House amendments to **SB11-034**, as printed in House journal, March 15, page 644. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar		Guzman	Y	Kopp	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	Y	Schwartz	Y
Boyd		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	26	NO	9	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	N	Scheffel	N
Bacon	Y	Harvey	N	Lambert	N	Schwartz	Y
Boyd		Heath	Y	Lundberg	N	Spence	Y
Brophy	Y	Hodge	Y	Mitchell		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.	Y	Renfroe	N	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, as amended, was **repassed**.

Co-sponsors added: Foster, Hodge and King S.

SB11-037 by Senator(s) Heath; also Representative(s) Kerr J.--Concerning the creation of a world war 44 II special license plate, and making an appropriation therefor.

Senator Heath moved that the Senate concur in House amendments to **SB11-037**, as printed in House journal, April 5, page 866. The motion 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		Heath	Y	Lundberg	Y	Spence	Y
Brophy	Y	Hodge	Y	Mitchell	Y	Steadman	Y
Cadman	Y	Hudak		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:

Y

Y

NO

Guzman

Harvey

Heath

Hodge

Hudak

Johnston

King K.

King S.

Jahn

35

YES

Aguilar

Brophy

Cadman

Carroll

Foster

Giron

Grantham

Bacon

Boyd

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ABSENT Scheffel

Schwartz

Spence Steadman

Tochtrop

President

Williams S.

White

0

Y Y

> Y Y

Y

0

Y

Y

Y

EXCUSED

Kopp

Lambert

Mitchell

Morse

Newell

Nicholson

Renfroe

**Roberts** 

Lundberg

0

Y

Y

Co-sponsor added: White

## SB11-094

by Senator(s) Boyd, Aguilar, Carroll, Foster, Newell, White; also Representative(s) Summers--Concerning the continuation of the state board of optometric examiners, and, in connection therewith, changing the name of the board, implementing the sunset review recommendations of the department of regulatory agencies, and making an appropriation.

Senator Boyd moved that the Senate concur in House amendments to **SB11-094**, as printed in House journal, April 5, pages 866-867. The motion was **adopted** by the following roll call vote:

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

Co-sponsor added: Nicholson

### SB11-183

by Senator(s) Aguilar, Bacon, Carroll, Foster, Giron, Guzman, Heath, Hodge, Hudak, Lundberg, Nicholson, Steadman, Tochtrop, Williams S.; also Representative(s) Gardner B. and Looper, Gardner D., Kagan, Kefalas, Lee, Levy, Miklosi, Ryden, Tyler--Concerning mandating representation by persons with disabilities on certain state boards.

Senator Aguilar moved that the Senate concur in House amendments to **SB11-183**, as printed in House journal, April 8, pages 913-914. The motion was **adopted** by the following roll call vote:

Aguilar

Bacon

Brophy

Cadman

Carroll

Foster

Giron

Grantham

Boyd

NO

Guzman

Harvey

Heath

Hodge

Hudak

Johnston

King K.

King S.

Jahn

ABSENT

Scheffel

Schwartz

Tochtrop

President

Spence Steadman

White Williams S.

Y

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

Y

**EXCUSED** 

Kopp

Lambert

Mitchell`

Morse

Newell

Renfroe

Roberts

Nicholson

Lundberg

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	7	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	}	Z Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	}	' Spence	Y
Brophy	Y	Hodge	Y	Mitchell		Z Steadman	Y
Cadman		Hudak	Y	Morse	7	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell		White 1	Y
Foster	Y	Johnston	Y	Nicholson	7	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	7	Y President	Y
Grantham	Y	King S.	Y	Roberts	}	7	

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

Co-sponsor added: Mitchell

### MESSAGE FROM THE HOUSE

April 12, 2011

Mr. President:

The House has adopted and returns herewith SJR11-038.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS

On motion of Senator Bacon, the following Governor's appointments were confirmed by a roll call vote:

> MEMBERS OF THE **BOARD OF TRUSTEES FOR THE COLORADO** SCHOOL FOR THE DEAF AND THE BLIND

for a terms expiring July 1, 2014:

Carolena Guiral Steen of Colorado Springs, Colorado, a Democrat, reappointed;

Kay A. Ferrell of Greeley, Colorado, a Democrat, appointed.

65

Y

NO

Guzman

Harvey

Heath

Hodge

Hudak

Johnston

King K.

King S.

Jahn

35

YES

Aguilar

Bacon

Boyd

**Brophy** 

Cadman

Carroll

Foster

Giron Grantham

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On motion of Senator Bacon, the following Governor's appointments were confirmed by a roll call vote:

EXCUSED

Kopp

Lambert

Mitchell

Morse

Newell

Renfroe

**Roberts** 

Nicholson

Lundberg

0

Y

**ABSENT** 

Scheffel

Schwartz

**Tochtrop** 

President

Williams S.

White

Spence Steadman

### MEMBERS OF THE BOARD OF TRUSTEES FOR ADAMS STATE COLLEGE

0

Y

for terms expiring December 31, 2014:

Liane "Buffie" McFadyen of Pueblo West, Colorado, a Democrat, appointed;

Timothy L. Walters of Alamosa, Colorado, a Republican, reappointed.

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		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		

On motion of Senator Boyd, the following Governor's appointments were confirmed by a roll call vote:

# MEMBERS OF THE COLORADO COMMISSION ON THE AGING

for a term expiring July 1, 2012:

Ruth E. Long of Fort Collins, Colorado, to fill the vacancy occasioned by the resignation of Mark N. Shelton of Fort Collins, Colorado, and to serve as a representative from the Fourth Congressional District and as a Democrat, appointed.

for terms expiring July 1, 2014:

Vivian Stovall of Denver, Colorado, to serve as a Democrat from Congressional District 1, reappointed;

Leanne Jo Abdnor of Boulder, Colorado, to serve as a representative from the Second Congressional District and as a Republican, appointed.

Linda K. Sanden of Colorado Springs, Colorado, to serve as a Republican from Congressional District 5, reappointed;

Russell H. DenBraber of Littleton, Colorado, to serve as a Republican from Congressional District 6, reappointed;

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for a term expiring when no longer a legislator:

Senator Lucia Guzman of Denver, Colorado, to serve as a representative of the Colorado State Senate, appointed.

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		Heath	Y	Lundberg	•	Y Spence	Y
Brophy	Y	Hodge		Mitchell	•	Y Steadman	Y
Cadman		Hudak	Y	Morse	7	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	

On motion of Senator Schwartz, the following Governor's appointments were confirmed by a roll call vote:

# MEMBERS OF THE COLORADO STATE FAIR AUTHORITY BOARD OF COMMISSIONERS

for terms expiring November 1, 2014:

Paul Bernklau of Rifle, Colorado, a Republican from the 3rd Congressional District, who resides on the western slope of the state, reappointed;

Edward B. Cordes of Littleton, Colorado, a Republican from the 6th Congressional District, reappointed.

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		King S.	Y	Roberts	Y		

On motion of Senator Schwartz, the following Governor's appointments were confirmed by a roll call vote:

# MEMBERS OF THE WILDLIFE COMMISSION

for terms expiring March 1, 2015:

Honorable Robert D. Wingfield of Vernon, Colorado, to serve as a county commissioner, as a member from Wildlife District 3, and as a Democrat, reappointed;

Gaspar F. Perricone of Denver, Colorado, to serve as a representative of sportsmen or outfitters and to serve as a member from Wildlife District 1, and as a Democrat, appointed.

NO

Guzman

Harvey

Heath

Hodge

Hudak

Johnston

King K.

Jahn

35

YES

Aguilar

Bacon

**Brophy** 

Cadman

Carroll

Foster

Giron

Boyd

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Grantham	Y	King S.	Y	Roberts	Y	
On motion of Senat roll call vote:	or I	Bacon, the followin	g G	overnor's ap	ppointments	were confirmed by a

EXCUSED

Kopp

Lambert Lundberg

Mitchell

Morse

Newell

Renfroe

Nicholson

0

Y

**ABSENT** 

Scheffel

Schwartz

Spence Steadman

**Tochtrop** 

Williams S.

President

White

# MEMBERS OF THE STATE BOARD FOR COMMUNITY COLLEGES AND OCCUPATIONAL EDUCATION

0

for terms expiring December 31, 2014:

John U. Trefny from Golden, Colorado, to serve as an Unaffiliated from the Seventh Congressional District, reappointed;

James M. Johnson from Colorado Springs, Colorado, to serve as a Republican from the Fifth Congressional District, appointed.

Kenneth C. Weil, a Democrat from the First Congressional District, to fill the vacancy occasioned by the resignation of Anthony L. Leffert, Denver, appointed.

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	

On motion of Senator Bacon, the following Governor's appointment was confirmed by a roll call vote:

### MEMBER OF THE **COLORADO COMMISSION ON HIGHER EDUCATION**

for a term expiring July 1, 2012:

Richard C. Kaufman of Centennial, Colorado, a resident of the 6th Congressional District and a Democrat, to fill the vacancy occasioned by the resignation of Michael D. Plachy of Centennial, Colorado, appointed.

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YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp		Y Scheffel	Y
Bacon	Y	Harvey		Lambert		Y Schwartz	Y
Boyd		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		King S.	Y	Roberts		Y	

On motion of Senator Boyd, the following Governor's appointments were confirmed by a roll call vote:

# MEMBERS OF THE MEDICAL SERVICES BOARD

for a term expiring July 1, 2015:

J. Michael Stahl of Grand Junction, Colorado, an Unaffiliated from the 3rd Congressional District with knowledge of the delivery of health care, to fill the vacancy occasioned by the resignation of Byron A. Geer of Colorado Springs, Colorado, appointed;

for a term expiring July 1, 2012:

Brenda T. LaCombe of Pueblo, Colorado, a Democrat from the 3rd Congressional District with knowledge of medical assistance programs, to fill the vacancy occasioned by the resignation of Mary A. "Sally" Schaefer of Grand Junction, Colorado, appointed;

for terms expiring July 1, 2014:

Alan I. Eisenberg of Denver, Colorado, a Democrat from the 1st Congressional District with knowledge of medical assistance programs, reappointed;

Richard D. Markley of Morrison, Colorado, a Republican from the 6th Congressional District with knowledge of medical assistance programs, reappointed.

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		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		

On motion of Senator Boyd, the following Governor's appointment was confirmed by a roll call vote:

# MEMBER OF THE COVERCOLORADO BOARD OF DIRECTORS

for a term expiring July 1, 2011:

Gary S. Carlson of Castle Rock, Colorado, representing individuals who are currently insured under the program, to fill the vacancy occasioned by the resignation of Jayne R. Howard of Columbine Valley, Colorado, appointed.

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YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	Y	Scheffel	Y
Bacon	Y	Harvey		Lambert	Y	Schwartz	Y
Boyd		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		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	-	

### CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

**HB11-1258** by Representative(s) Baumgardner, Casso, Court, Lee, Liston, Miklosi, Ryden, Schafer S.; also Senator(s) Newell, Foster, King S.--Concerning forensic autopsies.

Senator Newell moved for the adoption of the first report of the first conference committee on **HB11-1258**, as printed in Senate journal, April 8, page 664.

Call of the Senate. Call raised.

The motion 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		Heath	Y	Lundberg	-	Y Spence	Y
Brophy	Y	Hodge		Mitchell		Y Steadman	Y
Cadman		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	23	NO	12	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	N	Scheffel	Y
Bacon	Y	Harvey	N	Lambert	N	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	N	Spence	Y
Brophy	N	Hodge	Y	Mitchell	N	Steadman	Y
Cadman	N	Hudak	Y	Morse	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	N
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	N	Renfroe	N	President	Y
Grantham		King S.	Y	Roberts	N		

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

# SENATE SERVICES REPORT

**Correctly Engrossed:** SB11-180, 189, 191, 193, 195, 197, 201 and 206; SJR11-038. **Correctly Revised:** HB11-1004, 1042, 1071, 1080, 1156, 1182, 1198, 1216, 1230 and 1234.

Correctly Enrolled: SJM11-001; SJR11-026, 034 and 038.

# COMMITTEE OF REFERENCE REPORTS

Judiciary After consideration on the merits, the Committee recommends that **HB11-1267** be referred to the Committee of the Whole with favorable recommendation.

Transportation After consideration on the merits, the Committee recommends that **HB11-1163** be amended as follows, and as so amended, be referred to the Committee on <u>Appropriations</u> with favorable recommendation.

Amend reengrossed bill, page 3, line 27, strike "COLORADO STATE PATROL," and substitute "DEPARTMENT OF TRANSPORTATION,".

Transportation After consideration on the merits, the Committee recommends that **HB11-1251** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

After consideration on the merits, the Committee recommends that **HB11-1237** be referred to the Committee on <u>Appropriations</u> with favorable recommendation.

After consideration on the merits, the Committee recommends that **SB11-192** be referred to the Committee on <u>Appropriations</u> with favorable recommendation.

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 Wednesday, April 13 was laid over until Thursday, April 14, retaining its place on the calendar.

General Orders -- Second Reading of Bills: SB11-052, SB11-126, SB11-168, HB11-1160, HB11-1109, HB11-1268, SB11-194, HB11-1138. Consideration of Resolutions: SJR11-005, SJR11-015, SJR11-023, SJR11-024, SJR11-032, SJR11-035, SJR11-036, SJR11-037, SJR11-039. Consideration of Memorials: SJM11-002. Consideration of House Amendments to Senate Bills: SCR11-001.

Consideration of House Amendments to Senate Bills: SCR11-00 Conference Committees to Report: SB11-165, HB11-1209.

### **TRIBUTES**

# Honoring:

Finance

Finance

Col. Edward D. Phelka -Commander Civil Air Patrol -- by Senator Lambert. Trish and Mark Johnson - 48th Wedding Anniversary -- by Senator Shaffer.

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# Page 746 Senate Journal-92nd Day-April 13, 2011

On motion of Senator Morse, the Senate adjourned until 9:00 a.m., Thursday, April 14, 2011.

Approved:
Approved:
Brandon C. Shaffer 8 President of the Senate

Attest:

Cindi L. Markwell 5 Secretary of the Senate