

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

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83rd Legislative Day Monday, April 4, 2011

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- Prayer By the chaplain, Father Eustace Sequeira, St. Ignatius Loyola Catholic Church, Denver.
- Call to Order By the President at 10:00 a.m.
- Pledge By Senator Aguilar.
- Roll Call Present--35
- Quorum The President announced a quorum present.
- Reading of Journal On motion of Senator Grantham, reading of the Journal of Friday, April 1, 2011, was dispensed with and the Journal was approved as corrected by the Secretary.

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**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:

**HB11-1164** by Representative(s) Priola and Fields, Ryden, Schafer S., Summers, Todd, Balmer, Beezley, Gerou, Kerr A., Levy, Liston, Peniston, Solano, Williams A.; also Senator(s) Boyd--Concerning the designation of the presiding officer of the university of Colorado hospital authority's board of directors.

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.

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**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:

**SB11-179** by Senator(s) Carroll; also Representative(s) Miklosi and Kerr J.--Concerning alternative identification that an employee engaged in work at an off-site premises may provide for purposes of ensuring work site security.

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: Giron, Guzman, Johnston, King S., Newell, Nicholson, Steadman and Tochtrop.

**HB11-1126** by Representative(s) Duran; also Senator(s) Hudak--Concerning measures to encourage greater parent involvement in public schools.

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

Third Reading Amendment No. 1(L.016), by Senator Spence.

Amend revised bill, page 8, after line 13, insert:

**"SECTION 6.** 22-11-307, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**22-11-307. Accreditation of public schools.** (3.5) (a) IN ADOPTING THE ACCREDITATION CATEGORIES, EACH LOCAL SCHOOL BOARD AND THE INSTITUTE BOARD SHALL ADOPT CATEGORY DESCRIPTORS THAT CLEARLY COMMUNICATE A PUBLIC SCHOOL'S LEVEL OF PERFORMANCE TO THE PARENTS OF THE STUDENTS ENROLLED IN THE SCHOOL. IN SELECTING CATEGORY DESCRIPTORS, A LOCAL SCHOOL BOARD OR THE INSTITUTE MAY CONSIDER, BUT NEED NOT BE LIMITED TO, THE FOLLOWING:

(I) "OUTSTANDING" FOR A PUBLIC SCHOOL THAT IS REQUIRED TO ADOPT A PERFORMANCE PLAN AND WHOSE PERFORMANCE IS COMPARABLE TO THE ACCREDITED WITH DISTINCTION CATEGORY AT THE STATE LEVEL;

(II) "SATISFACTORY" FOR A PUBLIC SCHOOL THAT IS REQUIRED TO ADOPT A PERFORMANCE PLAN AND WHOSE PERFORMANCE IS COMPARABLE TO THE ACCREDITED CATEGORY AT THE STATE LEVEL;

(III) "NEEDS IMPROVEMENT" FOR A PUBLIC SCHOOL THAT IS REQUIRED TO ADOPT AN IMPROVEMENT PLAN AND WHOSE PERFORMANCE IS COMPARABLE TO THE ACCREDITED WITH IMPROVEMENT PLAN CATEGORY AT THE STATE LEVEL;

(IV) "NEEDS SIGNIFICANT IMPROVEMENT" FOR A PUBLIC SCHOOL THAT IS REQUIRED TO ADOPT A PRIORITY IMPROVEMENT PLAN AND WHOSE PERFORMANCE IS COMPARABLE TO THE ACCREDITED WITH PRIORITY IMPROVEMENT PLAN CATEGORY AT THE STATE LEVEL; AND

(V) "REQUIRES TURNAROUND" FOR A PUBLIC SCHOOL THAT IS REQUIRED TO ADOPT A TURNAROUND PLAN AND WHOSE PERFORMANCE IS COMPARABLE TO THE ACCREDITED WITH TURNAROUND PLAN CATEGORY AT THE STATE LEVEL.

(b) IN ADOPTING THE CATEGORY DESCRIPTORS, A LOCAL SCHOOL BOARD SHALL SEEK INPUT FROM THE SCHOOL DISTRICT ACCOUNTABILITY COMMITTEE AND THE SCHOOL ACCOUNTABILITY COMMITTEES FOR THE PUBLIC SCHOOLS OF THE SCHOOL DISTRICT TO ENSURE THAT THE CATEGORY DESCRIPTORS EFFECTIVELY COMMUNICATE A PUBLIC SCHOOL'S LEVEL OF PERFORMANCE TO THE PARENTS OF THE STUDENTS ENROLLED IN THE SCHOOL.

(c) IN ADOPTING THE CATEGORY DESCRIPTORS, THE INSTITUTE SHALL SEEK INPUT FROM THE SCHOOL ACCOUNTABILITY COMMITTEES FOR

THE INSTITUTE CHARTER SCHOOLS TO ENSURE THAT THE CATEGORY DESCRIPTORS EFFECTIVELY COMMUNICATE AN INSTITUTE CHARTER SCHOOL'S LEVEL OF PERFORMANCE TO THE PARENTS OF THE STUDENTS ENROLLED IN THE SCHOOL."

Renumber succeeding section accordingly.

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

YES	15	NO	20	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	N	Mitchell	Y	Steadman	N
Cadman	Y	Hudak	N	Morse	N	Tochtrop	N
Carroll	N	Jahn	N	Newell	N	White	Y
Foster	N	Johnston	N	Nicholson	N	Williams S.	N
Giron	N	King K.	Y	Renfroe	Y	President	N
Grantham	Y	King S.	Y	Roberts	Y		

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	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	N
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	N	President	Y
Grantham	N	King S.	Y	Roberts	N		

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

**SB11-173** by Senator(s) King S., King K., Morse, Shaffer B., Cadman, Carroll, Giron, Kopp, Roberts, Spence; --Concerning interoperable communications in schools.

Laid over until Tuesday, April 5, retaining its place on the calendar.

**HB11-1185** by Representative(s) Ramirez; also Senator(s) Mitchell--Concerning the imposition of a time limit within which a lienholder must provide the certificate of title to a motor vehicle with evidence of release of a lien that has been satisfied.

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, Jahn, King S., Spence and Williams S.

**SB11-107** by Senator(s) Morse; also Representative(s) Barker--Concerning the recovery of noneconomic damages in a civil action concerning damages resulting from a DUI incident.

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	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	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.

Co-sponsors added: Carroll, Giron, Nicholson, Steadman and Tochtrop.

Senate in recess. Senate reconvened.

**MESSAGE FROM THE HOUSE**

April 4, 2011

Mr. President:

The House has postponed indefinitely SB11-003, 172. The bills are returned herewith.

The House has adopted and transmits herewith HJR11-1013.

**INTRODUCTION AND CONSIDERATION OF RESOLUTIONS**

**HJR11-1013** by Representative(s) Ramirez, Beezley, Peniston, Soper; also Senator(s) Steadman and Hudak and Mitchell--Concerning the 100th anniversary of the City of Westminster.

On motion of Senator Hudak, the resolution was read at length. On motion of Senator Steadman, 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, Jahn, Johnston, King K., King S., Kopp, Lambert, Lundberg, Morse, Newell, Nicholson, Renfroe, Roberts, Scheffel, Schwartz, Shaffer B., Spence, Tochtrop, White and Williams S.

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**MESSAGE FROM THE GOVERNOR**

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March 31, 2011

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To the Honorable Senate  
Sixty-eighth General Assembly  
First Regular Session  
State Capitol  
Denver, CO 80203

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Ladies and Gentlemen:

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I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

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**SB11-031** CONCERNING MOTOR VEHICLES VALUED AS COLLECTOR'S ITEMS FOR HISTORICAL REASONS

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Approved March 31, 2011 at 9:30 a.m.

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**SB11-100** CONCERNING CONTINUATION OF THE COUNCIL OF HIGHER EDUCATION REPRESENTATIVES

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Approved March 31, 2011 at 9:30 a.m.

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Sincerely,  
(signed)  
John W. Hickenlooper  
Governor

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**SENATE SERVICES REPORT**

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**Correctly Printed:** SJR11-031, 032 and 033.  
**Correctly Engrossed:** SB11-107, 173 and 179.  
**Correctly Revised:** HB11-1126, 1164 and 1185.

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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 balance of the calendar of Monday, April 4 was laid over until Tuesday, April 5, retaining its place on the calendar.

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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.  
Consideration of Resolutions: SJR11-005, SJR11-009, SJR11-015, SJR11-023, SJR11-024, SJR11-026, SJR11-032.  
Consideration of House Amendments to Senate Bills: SCR11-001, SB11-062, SB11-119, SB11-034.  
Conference Committees to Report: HB11-1258.  
Requests for Conference Committee: SB11-165.

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Senate in recess.                      Senate reconvened.

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On motion of Senator Morse, the Senate adjourned until 9:00 a.m., Tuesday, April 5, 2011.

Approved:

Brandon C. Shaffer  
President of the Senate

Attest:

Cindi L. Markwell  
Secretary of the Senate

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