

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

108th Legislative Day Friday, April 29, 2011

Prayer By the chaplain, Dr. Gene Selander, Crystal Clear Ministries, Denver.

Call to Order By the President at 9:00 a.m.

Pledge By Senator Grantham.

Roll Call Present--33
 Excused--2, Kopp, Spence

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Jahn, reading of the Journal of Thursday, April 28, 2011, was dispensed with and the Journal was approved as corrected by the Secretary.

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:

SB11-234 by Senator(s) Jahn, Boyd, Cadman, Grantham, Hodge, King S., Kopp, Lundberg, Morse, Nicholson, Scheffel, Shaffer B., Spence, Steadman, Tochtrop, White, Williams S.; also Representative(s) Massey, Kerr J., Liston, Pace, Schafer S., Scott, Swerdfeger, Todd-- Concerning residential real property transfer fee covenants.

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

YES	31	NO	2	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	E	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	Y	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	Y	Spence	E
Brophy	Y	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.	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-sponsor added: Foster

SB11-205 by Senator(s) Tochtrop; also Representative(s) Miklosi--Concerning parity in status between health care providers under health benefit plans, and, in connection therewith, specifying the conditions under which health insurance carriers must grant participating provider status to advanced practice nurses under the carriers' health benefit plans.

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

YES	24	NO	9	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	E	Scheffel	N
Bacon	Y	Harvey	N	Lambert	N	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	Y	Spence	E
Brophy	N	Hodge	Y	Mitchell	N	Steadman	N
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	Y	King S.	N	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, Foster, Newell, Nicholson, Roberts, White and Williams S.

HB11-1138 by Representative(s) Gardner B., Barker, Casso, Waller; also Senator(s) Morse, Bacon, Boyd, Jahn, King S.--Concerning the sex offender management board, 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	E	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	Y	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	Y	Spence	E
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: Foster, Giron, Guzman, Nicholson, Steadman and Tochtrop.

HB11-1219 by Representative(s) Levy and Lee; also Senator(s) Newell--Concerning the "Uniform Military and Overseas Voters Act".

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	E	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	Y	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	Y	Spence	E
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, Bacon, Boyd, Cadman, Giron, Grantham, Heath, Jahn, King S., Lambert, Morse, Nicholson, Shaffer B., Tochtrop, White and Williams S.

HB11-1163 by Representative(s) Vaad; also Senator(s) Tochtrop--Concerning the issuance by the department of transportation of permits for the movement of super loads on the highways, 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	E	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	Y	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	Y	Spence	E
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-sponsor added: Williams S.

HB11-1115 by Representative(s) Priola and Soper, Brown, Casso, Gardner B., Kerr A., Liston, Looper, Peniston, Ramirez, Riesberg, Scott, Solano, Swalm, Swerdfeger, Szabo, Wilson; also Senator(s) Tochtrop, Cadman, Jahn, Kopp, Renfroe--Concerning the payment of retainage in construction contracts involving public entities.

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	E	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	Y	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	Y	Spence	E
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: Guzman, Johnston, Newell and Williams S.

HB11-1211 by Representative(s) Pace; also Senator(s) Tochtrop, Carroll--Concerning restrictions on travel-related expenditures by state-chartered entities on behalf of persons affiliated with such entities.

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

YES	29	NO	4	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	E	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	Y	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	N	Spence	E
Brophy	N	Hodge	Y	Mitchell	Y	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	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 and Giron.

RECONSIDERATION OF HB11-1115

HB11-1115 by Representative(s) Priola and Soper, Brown, Casso, Gardner B., Kerr A., Liston, Looper, Peniston, Ramirez, Riesberg, Scott, Solano, Swalm, Swerdfeger, Szabo, Wilson; also Senator(s) Tochtrop, Cadman, Jahn, Kopp, Renfroe--Concerning the payment of retainage in construction contracts involving public entities.

Having voted on the prevailing side, Senator Morse moved for reconsideration of the last Senate action, Third Reading of Bills -- Final Passage, on HB11-1115.

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

THIRD READING OF BILLS -- FINAL PASSAGE

On third reading, the title of the following bill was publicly read, the reading at length having been dispensed with by unanimous consent:

HB11-1115 by Representative(s) Priola and Soper, Brown, Casso, Gardner B., Kerr A., Liston, Looper, Peniston, Ramirez, Riesberg, Scott, Solano, Swalm, Swerdfeger, Szabo, Wilson; also Senator(s) Tochtrop, Cadman, Jahn, Kopp, Renfroe--Concerning the payment of retainage in construction contracts involving public entities.

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

Table with 4 columns: YES (31), NO (2), EXCUSED (2), ABSENT (0). Rows list names and their corresponding votes: Aguilar (Y), Bacon (Y), Boyd (Y), Brophy (Y), Cadman (Y), Carroll (Y), Foster (N), Giron (Y), Grantham (Y), Guzman (Y), Harvey (Y), Heath (Y), Hodge (Y), Hudak (Y), Jahn (Y), Johnston (Y), King K. (Y), King S. (Y), Kopp (Y), Lambert (Y), Lundberg (Y), Mitchell (Y), Morse (Y), Newell (Y), Nicholson (Y), Renfroe (Y), Roberts (Y), Scheffel (E), Schwartz (Y), Spence (E), Steadman (Y), Tochtrop (Y), White (N), Williams S. (Y), President (Y).

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

Co-sponsors added: Aguilar, Guzman, Heath, Johnston, Newell, Nicholson 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

SJR11-023 by Senator(s) Bacon, Shaffer B.; also Representative(s) Murray and Levy--Concerning the declaration of May 1 through May 7, 2011, as "Holocaust Awareness Week".

On motion of Senator Bacon, the resolution was read at length.

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

Amend printed joint resolution, page 2, line 4, before the first "and" insert "children and adults with disabilities,".

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	E	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	Y	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	Y	Spence	E
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		

Amendment No. 2(L.002), by Senator Bacon.

Amend printed joint resolution, page 3, line 13, strike "*Sixty-seventh*" and substitute "*Sixty-eighth*".

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	E	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	Y	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	Y	Spence	E
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 resolution, as amended, was **adopted** by the following roll call vote:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	E	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	Y	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	Y	Spence	E
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., Lambert, Lundberg, Mitchell, Morse, Newell, Nicholson, Renfroe, Roberts, Scheffel, Schwartz, Steadman, Tochtrop, White and Williams S.

SJR11-053 by Senator(s) Boyd; also Representative(s) Riesberg--Concerning the declaration of April 30, 2011, as "Colorado Meningitis Awareness Day".

On motion of Senator Boyd, the resolution was read at length.

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

Amend printed joint resolution, page 1, line 9, after "disabilities," insert "limb amputations,".

Page 2, line 5, strike "five" and substitute "six".

Page 3, line 4, strike "the National Meningitis Association," and substitute "the Colorado Department of Public Health and Environment, the Colorado Medical Society,"; after "Angels," insert "Jen and J.P. Stanton of Castle Rock,"; and strike "John" and substitute "Jon".

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	E	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	Y	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	Y	Spence	E
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 resolution, as amended, was **adopted** by the following roll call vote:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	E	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	Y	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	Y	Spence	E
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, Hudak, Jahn, Johnston, King K., King S., Lambert, Lundberg, Mitchell, Morse, Newell, Nicholson, Renfroe, Roberts, Scheffel, Schwartz, Shaffer B., Steadman, Tochtrop, White and Williams S.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB11-089 by Senator(s) Jahn, Brophy, Giron, Guzman, Johnston, King K., Scheffel; also Representative(s) Beezley--Concerning the continuation of the authority of the executive director of the department of revenue to issue written responses upon the request of a taxpayer.

Senator Jahn moved that the Senate concur in House amendments to **SB11-089**, as printed in House journal, April 21, page 1059. The motion was **adopted** by the following roll call vote:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	E	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	Y	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	Y	Spence	E
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	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	E	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	Y	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	Y	Spence	E
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**.

SB11-090 by Senator(s) Schwartz, Giron, Guzman; also Representative(s) Baumgardner--Concerning the continuation of the issuance of permits for weather modification operations, and, in connection therewith, implementing the sunset review recommendations of the department of regulatory agencies.

Senator Schwartz moved that the Senate concur in House amendments to **SB11-090**, as printed in House journal, April 21, page 1059. The motion was **adopted** by the following roll call vote:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	E	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	Y	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	Y	Spence	E
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	24	NO	9	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	E	Scheffel	N
Bacon	Y	Harvey	N	Lambert	N	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	N	Spence	E
Brophy	Y	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.	Y	Roberts	Y		

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

SB11-092

by Senator(s) Giron, Schwartz; also Representative(s) Hamner--Concerning the continuation of vessel regulation by the division of parks and outdoor recreation, and, in connection therewith, implementing the sunset review recommendations of the department of regulatory agencies.

Senator Giron moved that the Senate concur in House amendments to **SB11-092**, as printed in House journal, April 21, pages 1059-1060. The motion was **adopted** by the following roll call vote:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	E	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	Y	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	Y	Spence	E
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	23	NO	10	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	E	Scheffel	N
Bacon	Y	Harvey	N	Lambert	N	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	N	Spence	E
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.	Y	Roberts	Y		

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

SB11-173

by Senator(s) King S., King K., Morse, Shaffer B., Cadman, Carroll, Giron, Kopp, Roberts, Spence; also Representative(s) Gardner B. and Fields--Concerning interoperable communications in schools.

Senator King S. moved that the Senate concur in House amendments to **SB11-173**, as printed in House journal, April 21, page 1060. The motion was **adopted** by the following roll call vote:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	E	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	Y	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	Y	Spence	E
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	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	E	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	Y	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	Y	Spence	E
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: Steadman

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

Senator Bacon moved that the Senate concur in House amendments to **SB11-230**, as printed in House journal, April 21, pages 1060-1062. The motion was **adopted** by the following roll call vote:

YES	32	NO	1	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	E	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	N	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	Y	Spence	E
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	31	NO	2	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	E	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	Y	Schwartz	Y
Boyd	Y	Heath	N	Lundberg	Y	Spence	E
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	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: Aguilar

CONSIDERATION OF GOVERNOR'S APPOINTMENTS

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

MEMBERS OF THE
COLORADO TOURISM OFFICE BOARD OF DIRECTORS

for terms expiring June 1, 2014:

Jeanne C. Mackowski of Carbondale, Colorado, a representative of the ski industry, appointed;

Richard W. Scharf, Jr. of Littleton, Colorado, a representative of the destination marketing industry, reappointed;

Ian Steyn of Larkspur, Colorado, a representative of other outdoor recreation industries, appointed.

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	E	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	Y	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	Y	Spence	E
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 Heath, the following Governor's appointment was confirmed by a roll call vote:

MEMBER OF THE
COLORADO CIVIL RIGHTS COMMISSION

for a term expiring March 13, 2015:

Susie Velasquez of Greeley, Colorado, to serve as a representative for local (or state) government entities, and as a Democrat, reappointed.

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	E	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	Y	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	Y	Spence	E
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 Johnston, the following Governor's appointments were confirmed by a roll call vote:

MEMBERS OF THE
ADVISORY COMMITTEE ON
GOVERNMENTAL ACCOUNTING

for terms expiring May 18, 2015:

Kevin F. Collins of Franktown, Colorado, to serve as a representative of special services districts, appointed;

John A. Carlson of Louisville, Colorado, to serve as a representative of city and county government, reappointed;

Donald J. McMahan of Avon, Colorado, to serve as a certified public accountant, reappointed.

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YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	E	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	Y	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	Y	Spence	E
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		

COMMITTEE OF REFERENCE REPORTS

Education After consideration on the merits, the Committee recommends that **SB11-265** be referred to the Committee of the Whole with favorable recommendation.

Education After consideration on the merits, the Committee recommends that **SB11-245** be referred to the Committee of the Whole with favorable recommendation.

Education After consideration on the merits, the Committee recommends that **SB11-259** be postponed indefinitely.

Finance The Committee on Finance has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

MEMBER OF THE
ADVISORY COMMITTEE TO THE PROPERTY
TAX ADMINISTRATOR

for a term expiring September 1, 2015:

Tim Canterbury of Howard, Colorado, to serve as a non-assessor from a county with a population less than seventy-five thousand and as a Republican, appointed.

Finance After consideration on the merits, the Committee recommends that **HB11-1293** be referred to the Committee on Appropriations with favorable recommendation.

Finance After consideration on the merits, the Committee recommends that **HB11-1265** be referred to the Committee on Appropriations with favorable recommendation.

Finance After consideration on the merits, the Committee recommends that **HB11-1195** be referred to the Committee on Appropriations with favorable recommendation.

Health & Human Services The Committee on Health and Human Services has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

MEMBERS OF THE
AIR QUALITY CONTROL COMMISSION

Ashley Lee Campsie of Littleton, Colorado to serve as a member with industrial experience and as an Unaffiliated, reappointed;

John H. Loewy of Denver, Colorado to serve as a member with legal experience and as a Democrat, reappointed.

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Health & Human Services

After consideration on the merits, the Committee recommends that **SB11-242** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend printed bill, page 2, line 16, strike "LICENSE".

Health & Human Services

After consideration on the merits, the Committee recommends that **SB11-250** be referred to the Committee of the Whole with favorable recommendation.

Health & Human Services

After consideration on the merits, the Committee recommends that **HB11-1242** be referred to the Committee on Appropriations with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **SB11-052** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **SB11-109** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 5, after line 4 insert:

"SECTION 2. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the public education fund created in section 39-22-3903 (1), Colorado Revised Statutes, not otherwise appropriated, to the department of revenue, for the fiscal year beginning July 1, 2011, the sum of sixty thousand six hundred fifty-six dollars (\$60,656) cash funds, or so much thereof as may be necessary, for the implementation of this act.

(2) In addition to any other appropriation, there is hereby appropriated to the governor - lieutenant governor - state planning and budgeting, for allocation to the office of information technology, for the fiscal year beginning July 1, 2011, the sum of thirty-seven thousand dollars (\$37,000), or so much thereof as may be necessary, for the provision of programming services to the department of revenue related to the implementation of this act. Said sum shall be from reappropriated funds received from the department of revenue out of the appropriation made in subsection (1) of this section."

Renumber succeeding section accordingly.

Page 1, line 103 strike "FORMS." and substitute "FORMS, AND MAKING AN APPROPRIATION THEREFOR."

Appropriations

After consideration on the merits, the Committee recommends that **SB11-080** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **SB11-241** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 15, after line 16 insert:

"SECTION 9. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of corrections, for allocation to the parole board, contract services, for training and contract administrative and release hearing officers, for the fiscal year beginning July 1, 2011, the sum of forty-three thousand eight hundred dollars (\$43,800), or so much thereof as may be necessary, for the implementation of this act.

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(2) It is the intent of the general assembly that the general fund appropriation in subsection (1) of this section shall be derived from savings generated from the implementation of the provisions of House Bill 11-1064, as enacted during the first regular session of the sixty-eighth general assembly.

SECTION 10. Effective date. (1) This act shall only take effect if:

(a) House Bill 11-1064 is enacted at the first regular session of the sixty-eighth general assembly and becomes law; and

(b) The final fiscal estimate for House Bill 11-1064, as determined from the appropriations enacted in said bill, shows a net reduction in the amount of general fund revenues appropriated for the state fiscal year 2011-12, that is equal to or greater than the amount of the general fund appropriation made for the implementation of this act for the state fiscal year 2011-12, as reflected in section 9 of this act; and

(c) The staff director of the joint budget committee files written notice with the revisor of statutes no later than July 15, 2011, that the requirement set forth in paragraph (b) of this subsection (1) has been met."

Renumber succeeding section accordingly.

Page 1, line 102, strike "BOARD." and substitute "BOARD, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH."

Appropriations

After consideration on the merits, the Committee recommends that **HB11-1296** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **SB11-187** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 92, after line 3 insert:

"SECTION 73. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the division of registrations cash fund created in section 24-34-105 (2) (b) (I), Colorado Revised Statutes, not otherwise appropriated, to the department of regulatory agencies, for allocation to the executive director's office, for the fiscal year beginning July 1, 2011, the sum of two hundred fifty-six thousand eighty-eight dollars (\$256,088) cash funds, or so much thereof as may be necessary, to be allocated as follows:

(a) \$176,088 for legal services; and

(b) \$80,000 for information technology asset maintenance.

(2) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the division of registrations cash fund created in section 24-34-105 (2) (b) (I), Colorado Revised Statutes, not otherwise appropriated, to the department of regulatory agencies, for allocation to the division of registrations, for personal services and operating expenses, for the fiscal year beginning July 1, 2011, the sum of two hundred twenty-eight thousand two hundred forty-one dollars (\$228,241) cash funds and 4.3 FTE, or so much thereof as may be necessary, for the implementation of this act.

(3) In addition to any other appropriation, there is hereby appropriated to the department of law, for the fiscal year beginning July 1, 2011, the sum of one hundred seventy-six thousand eighty-eight dollars (\$176,088) and 1.4 FTE, or so much thereof as may be necessary, for the provision of legal services to the department of regulatory agencies related to the implementation of this act. Said sum shall be from reappropriated funds received from the department of regulatory agencies out of the appropriation made in subsection (1) of this section."

Renumber succeeding sections accordingly.

Page 1, line 107, strike "AND".

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Page 1, line 110, strike "PROFESSIONALS." and substitute "PROFESSIONALS, AND MAKING AN APPROPRIATION."

Appropriations

After consideration on the merits, the Committee recommends that SB11-235 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend the Agriculture, Natural Resources, and Energy Committee Report, dated April 27, 2011, page 2, line 6, after the period add "THE DIVISION SHALL TRANSFER THE MONEY TO THE STATE TREASURER, WHO SHALL CREDIT IT TO THE STATIONARY SOURCES CONTROL FUND CREATED IN SECTION 25-7-114.7 (2) (b) (I)."

Page 2 of the report, after line 9 insert:

"Page 3, after line 19 insert:

"SECTION 2. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the stationary sources control fund created in section 25-7-114.7 (2) (b) (I), Colorado Revised Statutes, not otherwise appropriated, to the department of public health and environment, for allocation to the air pollution control division, for the fiscal year beginning July 1, 2011, the sum of one hundred ninety-four thousand three hundred seventy-seven dollars (\$194,377) cash funds and 0.2 FTE, or so much thereof as may be necessary, for the implementation of this act."

Re-number succeeding section accordingly."

Page 2 of the report, line 10, strike ""APPROVALS."" and substitute ""APPROVALS AND MAKING AN APPROPRIATION.""

Appropriations

After consideration on the merits, the Committee recommends that SB11-176 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend the Judiciary Committee Report, dated April 26, 2011, page 1, line 17, strike "SECTION 17-1-109 (2)" and substitute "SECTIONS 17-22.5-302 (1.3) AND 17-22.5-405 (8)".

Page 3 of the report, after line 6 insert:

"SECTION 5. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of corrections, for allocation to the management, executive director's office subprogram, planning and analysis contracts, for contract services related to the completion of an annual report concerning the status of administrative segregation, for the fiscal year beginning July 1, 2011, the sum of twenty-six thousand two hundred fifty dollars (\$26,250), or so much thereof as may be necessary, for the implementation of this act.

(2) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of corrections, for allocation to the institutions, mental health subprogram, mental health services, for behavior-modification programs, incentive programs, mental health services or programs, or similar efforts designed as viable alternatives to administrative segregation, for the fiscal year beginning July 1, 2011, the sum of forty-nine thousand nine hundred thirty-three dollars (\$49,933), or so much thereof as may be necessary, for the implementation of this act.

(3) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of corrections, for allocation to the support services, information systems subprogram, purchase of services from computer center, for computer system programming modifications and ongoing maintenance related to changes to earned time accrual

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eligibility for inmates in administrative segregation, for the fiscal year beginning July 1, 2011, the sum of one hundred twenty-two thousand six hundred thirteen dollars (\$122,613), or so much thereof as may be necessary, for the implementation of this act.

(4) In addition to any other appropriation, there is hereby appropriated to the governor - lieutenant governor - state planning and budgeting, for allocation to the office of information technology, for the fiscal year beginning July 1, 2011, the sum of one hundred twenty-two thousand six hundred thirteen dollars (\$122,613) and 2.0 FTE, or so much thereof as may be necessary, for the provision of programming services to the department of corrections related to the implementation of this act. Said sum shall be from reappropriated funds received from the department of corrections out of the appropriation made in subsection (3) of this section.

SECTION 6. Appropriation - adjustments in 2011 long bill.

For the implementation of this act, the general fund appropriation made in the annual general appropriation act for the fiscal year beginning July 1, 2011, to the department of corrections, management, external capacity subprogram, for payments to house state prisoners, is decreased by one hundred ninety-eight thousand seven hundred ninety-six dollars (\$198,796)."

Renumber succeeding sections accordingly.

Page 3 of the report, after line 13 insert:

"Page 1 of the bill, line 101 strike "CONFINEMENT." and substitute "CONFINEMENT, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH."."

Appropriations

After consideration on the merits, the Committee recommends that **SB11-247** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend printed bill, page 6, after line 26 insert:

SECTION 13. Appropriation - adjustments in 2010 long bill.

For the implementation of this act, the reappropriated funds appropriation made in the annual general appropriation act for the fiscal year beginning July 1, 2010, to the governor - lieutenant governor - state planning and budgeting, office of the lieutenant governor, for administration, is decreased by twenty-seven thousand five hundred thirty-eight dollars (\$27,538). Said sum shall be from funds received from the department of human services, division of child care, out of the appropriation for early childhood councils.

SECTION 14. Appropriation - adjustments in 2011 long bill.

For the implementation of this act, the reappropriated funds appropriation made in the annual general appropriation act for the fiscal year beginning July 1, 2011, to the governor - lieutenant governor - state planning and budgeting, office of the lieutenant governor, for administration, is decreased by seventy-seven thousand five hundred thirty-eight dollars (\$77,538) and 1.0 FTE. Said sum shall be from funds received from the department of human services, division of child care, out of the appropriation for early childhood councils." .

Renumber succeeding section accordingly.

Page 1, line 102, strike "TEAM." and substitute "TEAM, AND MAKING AN APPROPRIATION THEREFOR."."

Appropriations

After consideration on the merits, the Committee recommends that **SB11-238** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend the Agriculture, Natural Resources, and Energy Committee Report, dated April 21, 2011, page 2, line 5, after "2012," insert "AND" and strike everything after "2013,".

Page 2, line 6, strike "2014, AND JULY 1, 2015,".

Appropriations

After consideration on the merits, the Committee recommends that **HB11-1064** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend reengrossed bill, page 4, line 6, strike "(1) In addition to any other appropriation, there is hereby".

Page 4, strike lines 7 through 12.

Page 4, line 13, strike "(2)".

Appropriations

After consideration on the merits, the Committee recommends that **HB11-1281** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Appropriations

After consideration on the merits, the Committee recommends that **HB11-1002** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Appropriations

After consideration on the merits, the Committee recommends that **HB11-1241** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Appropriations

After consideration on the merits, the Committee recommends that **HB11-1279** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Appropriations

After consideration on the merits, the Committee recommends that **HB11-1120** be postponed indefinitely.

Appropriations

After consideration on the merits, the Committee recommends that **HB11-1254** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **HB11-1166** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 5, strike line 4 and substitute "seventeen thousand seven hundred sixty dollars (\$17,760) cash funds, or so much".

Appropriations

After consideration on the merits, the Committee recommends that **HB11-1199** be referred to the Committee of the Whole with favorable recommendation.

Education

After consideration on the merits, the Committee recommends that **SB11-266** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 2, line 5, after "(1.5)" insert "(a)".

Page 2, line 6, strike "SCHOOL" and substitute "SCHOOL,".

Page 2, strike lines 7 through 11 and substitute "THE CONTRACT SHALL INCLUDE A PROVISION REQUIRING A CRIMINAL BACKGROUND CHECK FOR ANY PERSON PROVIDING SERVICES UNDER THE CONTRACT, INCLUDING ANY SUBCONTRACTOR OR OTHER AGENT OF THE CONTRACTING ENTITY, IF THE PERSON PROVIDES DIRECT SERVICES TO STUDENTS, INCLUDING BUT NOT

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LIMITED TO TRANSPORTATION, INSTRUCTION, OR FOOD SERVICES."

Page 2, line 12, strike "OF THE BID, COMPLETED A" and substitute "THE" and strike "THAT," and substitute "SHALL,".

Page 2, line 13, strike "MEETS" and substitute "MEET".

Page 2, after line 20 insert:

"(b) THE BACKGROUND CHECK DESCRIBED IN PARAGRAPH (a) OF THIS SUBSECTION (1.5) SHALL BE REQUIRED ONLY FOR THOSE PERSONS WHO HAVE REGULAR, BUT NOT INCIDENTAL, CONTACT WITH STUDENTS AT LEAST ONCE A MONTH.

(c) THE PROVISIONS OF PARAGRAPH (a) OF THIS SUBSECTION (1.5) SHALL NOT APPLY TO A FACULTY MEMBER FROM AN INSTITUTION OF HIGHER EDUCATION WHO CONTRACTS TO TEACH FOR THE SCHOOL DISTRICT AND WHO HAS UNDERGONE A BACKGROUND CHECK THAT MEETS THE REQUIREMENTS OF SECTION 22-32-109.7 AND ANY OTHER REQUIREMENTS OF THE SCHOOL DISTRICT IN WHICH THE FACULTY MEMBER WILL BE TEACHING."

Health & Human Services

After consideration on the merits, the Committee recommends that **SB11-196** be postponed indefinitely.

Agriculture, Natural Resources, and Energy

After consideration on the merits, the Committee recommends that **SB11-267** be amended as follows, and as so amended, be referred to the Committee on Legislative Council with favorable recommendation.

Amend printed bill, page 6, line 13, strike "BIOMASS;" and substitute "SLASH OR BRUSH;".

Agriculture, Natural Resources, and Energy

After consideration on the merits, the Committee recommends that **SB11-251** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 2, line 5, strike "(H)" and substitute "(I)".

Page 2, strike lines 9 through 12.

Page 3, strike lines 1 and 2 and substitute "article; except that the fee for a:

(A) Retailer of fireworks license shall not exceed ~~twenty-five~~ FIFTY dollars;

(B) Display retailer of fireworks license, a wholesaler of fireworks license, or an exporter of fireworks license shall not exceed ~~seven hundred fifty~~ ONE THOUSAND FIVE HUNDRED dollars; and".

Page 3, line 3, strike "(H)" and substitute "(II)".

Page 3, line 12, strike "24-33.5-1213.3," and substitute "24-33.5-1203.5,".

Page 3, line 22, strike "24-33.5-1213.3," and substitute "24-33.5-1203.5,".

Page 8, line 24, strike "ANY PERSON," and substitute "ANY PERSON SEEKING CERTIFICATION UNDER THIS PART 12,".

Page 9, line 14, strike "(b)," and substitute "(b) and (2) (b),".

Page 9, line 15, strike "is" and substitute "are".

Page 9, after line 23 insert:

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"(2) In order to carry out the purposes and provisions of this part 12 and section 25-17-206, C.R.S., the director of the division shall promulgate rules in accordance with article 4 of this title:

(b) Adopting nationally recognized standards that the director of the division reasonably finds necessary to carry out the purposes and provisions of this part 12 and ~~section~~ SECTIONS 12-28-108, 12-47.1-516, AND 25-17-206, C.R.S."

Page 13, line 18, strike "advisory".

Page 13, line 19, strike "board" and substitute "~~advisory board~~ DIRECTOR".

Agriculture, Natural Resources, and Energy

After consideration on the merits, the Committee recommends that **SJR11-040** be referred to the Senate for final action.

Agriculture, Natural Resources, and Energy

The Committee on Agriculture, Natural Resources, and Energy has had under consideration and has had a hearing on the following appointment and recommends that the appointment be confirmed:

MEMBER OF THE BOARD OF PARKS AND OUTDOOR RECREATION

for a term expiring June 30, 2012:

Christopher J. Castilian of Denver, Colorado to serve as a representative of the Metro Region and as a Republican, occasioned by the resignation of Laurie Mathews, appointed.

On motion of Senator Morse, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, SB11-254, SB11-256, SB11-176, SB11-247, SB11-235, and SB11-238 were made Special Orders at 10:21 a.m.

Committee of the Whole

The hour of 10:21 a.m. having arrived, Senator Steadman moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders -- Second Reading of Bills -- Consent Calendar, and Senator Steadman was called to the Chair to act as Chairman.

SPECIAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

The Committee of the Whole having risen, the Chairman reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB11-254

by Senator(s) Steadman, Carroll; also Representative(s) Pace--Concerning statutory changes to improve practices for persons under community supervision.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, April 28, page 927 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB11-256

by Senator(s) Guzman and King S.; also Representative(s) Kerr J. and Ferrandino-- Concerning graffiti.

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Ordered engrossed and placed on the calendar for third reading and final passage.

- SB11-176**
by Senator(s) Carroll; also Representative(s) Levy--Concerning appropriate use of restrictive confinement, and making an appropriation in connection therewith.
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- Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, April 26, pages 888-890 and placed in members' bill files.)
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- Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 29, pages 946-947 and placed in members' bill files.)
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- As amended, ordered engrossed and placed on the calendar for third reading and final passage.
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- SB11-247**
by Senator(s) Hudak; also Representative(s) Kerr J.--Concerning the repeal of the Colorado early childhood council advisory team, and making an appropriation therefor.
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- Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, April 27, page 927 and placed in members' bill files.)
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- Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 29, page 947 and placed in members' bill files.)
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- As amended, ordered engrossed and placed on the calendar for third reading and final passage.
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- 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 making an appropriation.
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- Amendment No. 1, Agriculture, Natural Resources, and Energy Committee Amendment.
(Printed in Senate Journal, April 28, pages 929-930 and placed in members' bill files.)
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- Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 29, page 946 and placed in members' bill files.)
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- As amended, ordered engrossed and placed on the calendar for third reading and final passage.
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- SB11-238**
by Senator(s) Nicholson, Aguilar, Bacon, Boyd, Brophy, Carroll, Foster, Giron, Grantham, Guzman, Harvey, Heath, Hodge, Hudak, Jahn, Johnston, King K., King S., Morse, Newell, Roberts, Schwartz, Spence, Steadman, Tochtrop, White, Williams S.; also Representative(s) Coram and Wilson--Concerning the extension of the annual transfers of federal mineral lease revenues to the wildfire preparedness fund.
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- Amendment No. 1, Agriculture, Natural Resources, and Energy Committee Amendment.
(Printed in Senate Journal, April 25, pages 864-865 and placed in members' bill files.)
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- Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 29, pages 947-948 and placed in members' bill files.)
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- As amended, ordered engrossed and placed on the calendar for third reading and final passage.
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**ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE --
CONSENT CALENDAR**

On motion of Senator Steadman, the report of the Committee of the Whole was **adopted** on the following roll call vote:

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YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	E	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	Y	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	Y	Spence	E
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 Committee of the Whole took the following action:

Passed on second reading: SB11-254 as amended, SB11-256, SB11-176 as amended, SB11-247 as amended, SB11-235 as amended, SB11-238 as amended.

On motion of Senator Morse, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, SB11-109, SB11-080, SB11-052, SB11-241, SB11-260, SB11-253, SB11-243, SB11-265, SB11-245, SB11-242, SB11-250, SB11-182, SB11-244, SB11-187, HB11-1281, and HB11-1296 were made Special Orders at 10:30 a.m.

Committee of the Whole The hour of 10:30 a.m. having arrived, Senator Steadman moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders -- Second Reading of Bills and Senator Steadman was called to the Chair to act as Chairman.

SPECIAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chairman reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB11-109 by Senator(s) Shaffer B.; also Representative(s) Solano--Concerning the creation of a voluntary contribution designation benefiting the public education fund to appear on the state individual income tax return forms, and making an appropriation therefor.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, April 14, page 755 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 29, page 944 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB11-080 by Senator(s) Hudak, Bacon, Giron, Guzman, Morse, Newell, Nicholson, Steadman; also Representative(s) Todd, Lee--Concerning expanding the transparency of strategies for school turnaround plans.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, April 21, pages 845-848 and placed in members' bill files.)

Amendment No. 2(L.012), by Senator Hudak.

Amend the Senate Education Committee Report, dated April 20, 2011, page 3, strike line 31 and substitute "PUBLIC HEARING TO REVIEW THE PLAN, ALLOWING".

Page 3, line 32, strike "ALLOW".

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Page 3, line 37, after "SCHOOLS." add "EACH LOCAL SCHOOL BOARD IS ENCOURAGED TO HOLD THE PUBLIC HEARING AT THE DISTRICT PUBLIC SCHOOL THAT IS ADOPTING THE PRIORITY IMPROVEMENT PLAN AND TO HAVE THE SCHOOL ACCOUNTABILITY COMMITTEE OF THE SCHOOL HOST THE PUBLIC HEARING."

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Page 4, line 10, after "SCHOOLS." add "THE INSTITUTE IS ENCOURAGED TO HOLD THE PUBLIC HEARING AT THE INSTITUTE CHARTER SCHOOL THAT IS ADOPTING THE PRIORITY IMPROVEMENT PLAN AND TO HAVE THE SCHOOL ACCOUNTABILITY COMMITTEE OF THE SCHOOL HOST THE PUBLIC HEARING."

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Page 4, line 42, after "SCHOOLS." add "EACH LOCAL SCHOOL BOARD IS ENCOURAGED TO HOLD THE PUBLIC HEARING AT THE DISTRICT PUBLIC SCHOOL THAT IS ADOPTING THE TURNAROUND PLAN AND TO HAVE THE SCHOOL ACCOUNTABILITY COMMITTEE OF THE SCHOOL HOST THE PUBLIC HEARING."

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Page 5, strike line 28 and substitute "SHALL HOLD A PUBLIC HEARING TO REVIEW THE PLAN, ALLOWING".

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Page 5, line 29, strike "HEARING SHALL ALLOW".

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Page 5, line 34, after "SCHOOLS." add "THE INSTITUTE IS ENCOURAGED TO HOLD THE PUBLIC HEARING AT THE INSTITUTE CHARTER SCHOOL THAT IS ADOPTING THE TURNAROUND PLAN AND TO HAVE THE SCHOOL ACCOUNTABILITY COMMITTEE OF THE SCHOOL HOST THE PUBLIC HEARING."

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As amended, ordered engrossed and placed on the calendar for third reading and final passage.

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SB11-052 by Senator(s) Heath, Bacon, King K.; also Representative(s) Massey, Ferrandino-- Concerning expectations for higher education institutions in Colorado.

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Amendment No. 1, General Orders Amendment.
(Printed in Senate Journal, April 26, page 880 and placed in members' bill files.)

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As amended, ordered engrossed and placed on the calendar for third reading and final passage.

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SB11-241 by Senator(s) King S. and Carroll; also Representative(s) Gardner B. and Kagan-- Concerning changes related to the operation of the parole board, and making an appropriation in connection therewith.

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Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, April 27, pages 928-929 and placed in members' bill files.)

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Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 29, pages 944-945 and placed in members' bill files.)

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Amendment No. 3(L.010), by Senator Carroll.

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Amend printed bill, page 4, line 19, strike "FIELDS" and substitute "RELEVANT FIELDS."

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Page 4, strike lines 20 and 21.

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Page 4, line 22, strike "CRIMINAL JUSTICE POLICY, OR RESEARCH."

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Page 4, line 23, strike "A BACHELOR'S DEGREE FROM AN".

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Page 4, line 24, strike "ACCREDITED INSTITUTION,".

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Page 9, line 25, strike "MUST HAVE A BACHELOR'S" and substitute "SHALL HAVE".

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Page 9, line 26, strike "DEGREE AND".

Amend the Judiciary Committee Report, dated April 27, 2011, page 1, strike lines 11 through 18.

Page 2 of the report, line 2, strike "EDUCATION, TRAINING," and substitute "TRAINING".

Page 2 of the report, line 4, strike "EDUCATION, TRAINING," and substitute "TRAINING".

Page 2 of the report, line 10, strike "EDUCATION,".

Page 2 of the report, line 11, strike "TRAINING," and substitute "TRAINING".

Page 2 of the report, line 12, strike "EDUCATION,".

Page 2 of the report, line 13, strike "TRAINING," and substitute "TRAINING".

Page 2 of the report, line 16, strike "EDUCATION,".

Page 2 of the report, line 17, strike "TRAINING," and substitute "TRAINING".

Page 2 of the report, line 18, strike "EDUCATION,".

Page 2 of the report, line 19, strike "TRAINING," and substitute "TRAINING".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB11-260 by Senator(s) Morse; also Representative(s) Lee--Concerning safety procedures related to the towing of vehicles.

Amendment No. 1(L.002), by Senator Morse.

Amend printed bill, page 2, line 18, strike "VEHICLE." and substitute "VEHICLE BEFORE THE TOW IS COMPLETED.".

Amendment No. 2(L.003), by Senator Morse.

Amend printed bill, page 2, after line 22 insert:

"(c) A TOWING CARRIER MAY PERMIT AN OWNER OF THE VEHICLE TO BE TOWED TO RETRIEVE ANY PERSONAL ITEMS FROM THE VEHICLE BEFORE THE VEHICLE IS TOWED.".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB11-253 by Senator(s) Carroll, Newell; also Representative(s) Williams A.--Concerning clarification of the requirements for registration of a unit owners' association under the "Colorado Common Interest Ownership Act".

Ordered engrossed and placed on the calendar for third reading and final passage.

SB11-243 by Senator(s) Guzman; also Representative(s) Pabon--Concerning the repeal of the civil penalty for document fraud.

Ordered engrossed and placed on the calendar for third reading and final passage.

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- SB11-265** by Senator(s) Johnston and King S., Schwartz; also Representative(s) Duran and Scott--
Concerning changing the name of Mesa state college to Colorado Mesa university. 1
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Amendment No. 1(L.001), by Senator King S. 4
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Amend printed bill, page 13, strike lines 8 and 9 and substitute "mission 6
of ~~Mesa state college~~ COLORADO MESA UNIVERSITY, currently referred to 7
as western Colorado community college division of ~~Mesa state college~~ 8
COLORADO MESA". 9
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As amended, ordered engrossed and placed on the calendar for third reading and final 11
passage. 12
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- SB11-245** by Senator(s) Bacon; also Representative(s) Murray--Concerning educator preparation 16
programs at institutions of higher education. 17
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Ordered engrossed and placed on the calendar for third reading and final passage. 19
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- SB11-242** by Senator(s) Aguilar; also Representative(s) Miklosi--Concerning retired volunteer nurse 22
licensure. 23
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Amendment No. 1, Health & Human Services Committee Amendment. 25
(Printed in Senate Journal, April 29, page 944 and placed in members' bill files.) 26
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As amended, ordered engrossed and placed on the calendar for third reading and final 28
passage. 29
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- SB11-250** by Senator(s) Boyd; also Representative(s) Ferrandino and Summers--Concerning changing 32
the eligibility for certain pregnant women from the children's basic health plan to medicaid.) 33
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Ordered engrossed and placed on the calendar for third reading and final passage. 35
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- SB11-182** by Senator(s) Carroll, Cadman, Giron, Guzman, Spence; also Representative(s) Liston, 38
Barker, Court, Massey, Pabon, Pace--Concerning the establishment of an insurable interest 39
requirement for life insurance policies. 40
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Amendment No. 1, Business, Labor & Technology Committee Amendment. 42
(Printed in Senate Journal, April 14, pages 755-757 and placed in members' bill files.) 43
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Amendment No. 2(L.010), by Senator Carroll. 45
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Amend the Business, Labor, and Technology Committee Report, dated 47
April 13, 2011, page 1, strike lines 1 through 7. 48
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Page 1 of the report, line 8, strike "Page" and substitute "Amend printed 50
bill, page". 51
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Page 1 of the report, line 9, strike ""(6)" and substitute ""(5)" and strike 53
"A PRACTICE" and substitute "AN ACT, PRACTICE, OR ARRANGEMENT". 54
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Page 1 of the report, line 10, strike "OR PLAN". 56
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Page 2 of the report, line 3, strike "LIFE." and insert "LIFE. "STRANGER 58
ORIGINATED LIFE INSURANCE" DOES NOT INCLUDE LAWFUL VIATICAL 59
SETTLEMENT CONTRACTS AS PERMITTED BY PART 6 OF ARTICLE 7 OF TITLE 60
10, PROVIDED THAT SUCH CONTRACTS ARE NOT FOR THE PURPOSE OF 61
EVADING REGULATION UNDER THIS ARTICLE."." 62
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Page 2 of the report, after line 16 insert: 64
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"Page 3 of the bill, line 16, strike "ENTITY, AND, IF APPLICABLE, A TRUST" 66
and substitute "ENTITY". 67
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Page 3 of the bill, line 17, strike everything before "HAS". 69

Page 2 of the report, strike lines 17 through 20 and substitute:

"Page 3 of the bill, strike lines 21 through 27 and substitute:

"(d) A TRUSTEE OF A TRUST HAS AN INSURABLE INTEREST IN THE LIFE OF AN INSURED UNDER A LIFE INSURANCE POLICY AS PROVIDED IN SECTION 15-16-501, C.R.S.;"

Page 4 of the bill, strike lines 1 through 17."

Page 2 of the report, line 28, strike "OR OF AN AFFILIATE OF THE BORROWER," and substitute "OR ANY OF THE FOREGOING OF AN AFFILIATE OR A GUARANTOR OF THE BORROWER,".

Page 2 of the report, line 29, strike "NOT".

Page 3 of the report, after line 1 insert:

"Page 6 of the bill, line 8, after "CHARGES." add "THE PROCEEDS PAYABLE UPON THE DEATH OF AN INSURED IN EXCESS OF THE TOTAL OUTSTANDING DEBT OWED SHALL BE PAID TO THE ESTATE OF THE INDIVIDUAL INSURED."."

Page 3 of the report, line 2, strike "AT THE" and substitute "AND, UNLESS THE INDIVIDUAL ELECTS AN IRREVOCABLE BENEFICIARY DESIGNATION,".

Page 3 of the report, strike line 3.

Page 3 of the report, line 4, strike "IRREVOCABLE,".

Page 3 of the report, line 17, strike "NOTHING IN" and substitute "EXCEPT WHERE A LIFE INSURANCE POLICY IS PROCURED OR EFFECTED IN VIOLATION OF SECTION 10-7-708, NOTHING IN".

Page 3 of the report, strike line 19 and substitute:

"(a) AN OWNER OF A POLICY, WHETHER OR NOT THE OWNER OF THE POLICY IS".

Page 3 of the report, line 21, strike "LEGITIMATE".

Page 3 of the report, line 23, strike "LEGITIMATE" and after "CONTRACT;" add "OR".

Page 3 of the report, strike lines 24 through 26 and substitute:

"(c) AN OWNER OR BENEFICIARY FROM ENFORCING THE PAYMENT OF ALL BENEFITS AND PROCEEDS OF THE POLICY OBTAINED UNDER A VIATICAL SETTLEMENT CONTRACT.".

Page 3 of the report, strike lines 27 through 31.

Page 4 of the report, strike line 1.

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB11-244 by Senator(s) Steadman; also Representative(s) Kagan--Concerning the repeal of certain crimes that include marital status as an element of the crime.

Ordered engrossed and placed on the calendar for third reading and final passage.

HB11-1281 by Representative(s) Joshi; also Senator(s) Boyd--Concerning health care professional loan forgiveness programs administered by the primary care office in the department of public health and environment, and making an appropriation therefor.

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Ordered revised and placed on the calendar for third reading and final passage.

HB11-1296 by Representative(s) Kagan, Court, Ferrandino, Fischer, Labuda, Miklosi, Tyler, Wilson; also Senator(s) Steadman, Nicholson--Concerning the temporary continuation of the state sales and use tax on cigarettes.

Ordered revised and placed on the calendar for third reading and final passage.

SB11-187 by Senator(s) Newell; also Representative(s) Fields, Summers--Concerning the continuation of the regulation of mental health professionals, and, in connection therewith, continuing the state boards of psychologist examiners, social work examiners, marriage and family therapist examiners, and licensed professional counselor examiners and the state grievance board, creating the state board of addiction counselor examiners, and implementing the recommendations contained in the sunset review and report of state-regulated mental health professionals.

Amendment No. 1, Health & Human Services Committee Amendment.

(Printed in Senate Journal, March 24, pages 564-568 and placed in members' bill files.)

Amendment No. 2, Finance Committee Amendment.

(Printed in Senate Journal, April 20, pages 814-816 and placed in members' bill files.)

Amendment No. 3, Appropriations Committee Amendment.

(Printed in Senate Journal, April 29, pages 945-946 and placed in members' bill files.)

Amendment No. 4(L.009), by Senator Newell.

Amend the Health and Human Services Committee Report, dated March 23, 2011, page 1, strike lines 8 through 20.

Page 2 of the Health and Human Services Committee Report, strike lines 1 through 20.

Page 3 of the Health and Human Services Committee Report, line 7, strike "TO THE".

Page 3 of the Health and Human Services Committee Report, line 8, strike "APPROPRIATE BOARD," and substitute "A FEE,".

Page 3 of the Health and Human Services Committee Report, line 9, strike "BOARD" and substitute "DIRECTOR" and after "(1)," insert "IN".

Page 3 of the Health and Human Services Committee Report, line 11, strike "CERTIFICATION, WHICH" and substitute "CERTIFICATION. THE DIRECTOR MAY ADJUST THE".

Page 3 of the Health and Human Services Committee Report, line 12, before "AMOUNT" insert "FEE" and strike "MAY BE ADJUSTED".

Page 3 of the Health and Human Services Committee Report, line 13, strike "BY THE APPROPRIATE BOARD".

Page 3 of the Health and Human Services Committee Report, line 17, strike "APPROPRIATE BOARD" and substitute "FEE" and strike "FORWARD THE FEE" and substitute "BE FORWARDED".

Page 3 of the Health and Human Services Committee Report, line 19, strike "BY THE BOARD".

Page 3 of the Health and Human Services Committee Report, line 24, strike "APPLICABLE BOARD" and substitute "DIRECTOR, IN CONSULTATION WITH THE BOARDS,".

Page 3 of the Health and Human Services Committee Report, line 26, strike "DESIGNATION BY THE BOARD," and substitute "DESIGNATION,".

Page 4 of the Health and Human Services Committee Report, line 6, strike "BOARD" and substitute "DIRECTOR".

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Page 4 of the Health and Human Services Committee Report, line 17, strike "APPLICABLE" and substitute "DIVISION,".

Page 4 of the Health and Human Services Committee Report, line 18, strike "BOARD,".

Page 4 of the Health and Human Services Committee Report, line 19, strike "BOARD;" and substitute "DIRECTOR;".

Page 4 of the Health and Human Services Committee Report, line 20, strike "BOARD" and substitute "DIVISION".

Page 4 of the Health and Human Services Committee Report, line 24, strike "BOARD" and substitute "DIRECTOR".

Page 4 of the Health and Human Services Committee Report, line 29, strike "APPLICABLE BOARD" and substitute "DIVISION".

Page 4 of the Health and Human Services Committee Report, line 33, strike "TO THE BOARD".

Page 5 of the Health and Human Services Committee Report, line 29, strike "BOARD" and substitute "DIRECTOR, DIVISION," and strike "THE ACTIONS OF THE" and substitute "THEIR ACTIONS".

Page 5 of the Health and Human Services Committee Report, line 30, strike "BOARD".

Page 5 of the Health and Human Services Committee Report, line 31, strike "BOARD" and substitute "BOARD, DIRECTOR, DIVISION,".

Page 6 of the Health and Human Services Committee Report, line 3, after "SECTION." add "THE BOARDS AND THE DIRECTOR SHALL SEEK AND OBTAIN INPUT FROM REPRESENTATIVES OF EACH TYPE OF MENTAL HEALTH PROFESSIONAL REGULATED UNDER THIS ARTICLE IN THE DEVELOPMENT OF THE PEER HEALTH ASSISTANCE PROGRAM AND RELATED RULES.".

Page 6 of the Health and Human Services Committee Report, line 7, strike "OR PSYCHOTHERAPIST" and substitute "PSYCHOTHERAPIST, OR ADDICTION COUNSELOR".

Amend the Finance Committee Report, dated April 19, 2011, page 4, line 17, strike "BOARDS" and substitute "DIRECTOR".

Amend printed bill, page 8, line 12, strike "UNTIL THEN, THE" and substitute "THE".

Page 8 of the bill, line 13, strike "COUNSELORS," and substitute "COUNSELORS FOR THREE MONTHS AFTER THE DATE ON WHICH ALL MEMBERS OF THE BOARD HAVE BEEN APPOINTED,".

Page 12 of the bill, after line 15 insert:

"(1.8) "DIVISION" MEANS THE DIVISION OF REGISTRATIONS IN THE DEPARTMENT OF REGULATORY AGENCIES.".

Page 12, line 16, after "worker," insert "CLINICAL SOCIAL WORKER,".

Page 13 of the bill, line 10, after "(9.1)" insert "(a)".

Page 13 of the bill, line 11, strike "(a)" and substitute "(I)".

Page 13 of the bill, line 14, strike "(b)" and substitute "(II)".

Page 13 of the bill, after line 15 insert:

"(b) "REGISTERED PSYCHOTHERAPIST" ALSO INCLUDES A PERSON WHO:
(I) IS A LICENSED SCHOOL PSYCHOLOGIST LICENSED PURSUANT TO

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SECTION 22-60.5-210 (1) (b), C.R.S.;	1
(II) IS PRACTICING OUTSIDE OF A SCHOOL SETTING; AND	2
(III) IS REGISTERED WITH THE GRIEVANCE BOARD PURSUANT TO	3
SECTION 12-43-702.5."	4
Page 14 of the bill, line 13, strike "APPROVED" and substitute	5
"REQUIRED".	6
Page 14 of the bill, line 21, strike "written, COMPUTER-BASED OR mail-in"	7
and substitute " written, mail-in ".	8
Page 14 of the bill, line 22, strike "department of regulatory agencies."	9
and substitute " department of regulatory agencies DIVISION.".	10
Page 16 of the bill, line 4, strike "APPROVED" and substitute "REQUIRED".	11
Page 16 of the bill, line 14, strike "written, COMPUTER-BASED OR mail-in"	12
and substitute " written, mail-in ".	13
Page 16 of the bill, line 15, strike "department of regulatory agencies."	14
and substitute " department of regulatory agencies DIVISION.".	15
Page 20 of the bill, line 3, strike "written, COMPUTER-BASED OR mail-in"	16
and substitute " written, mail-in ".	17
Page 20 of the bill, line 4, strike "department of"	18
Page 20 of the bill, line 5, strike "regulatory agencies." and substitute	19
" department of regulatory agencies DIVISION.".	20
Page 20 of the bill, line 18, strike "APPROVED" and substitute	21
"REQUIRED".	22
Page 20 of the bill, line 26, strike "written, COMPUTER-BASED OR mail-in"	23
and substitute " written, mail-in ".	24
Page 20 of the bill, line 27, strike "department of regulatory agencies."	25
and substitute " department of regulatory agencies DIVISION.".	26
Page 22 of the bill, line 3, strike "(2) (d)" and substitute (2) (c), (2) (d),".	27
Page 22 of the bill, line 8, strike "APPROVED" and substitute "REQUIRED".	28
Page 22 of the bill, after line 21 insert:	29
"(c) Has practiced social work for at least two years under the	30
supervision of a licensed clinical social worker, WHICH PRACTICE	31
INCLUDES TRAINING AND WORK EXPERIENCE IN THE AREA OF CLINICAL	32
SOCIAL WORK PRACTICE; and"	33
Page 22 of the bill, line 24, strike "written, COMPUTER-BASED OR mail-in"	34
and substitute " written, mail-in ".	35
Page 22 of the bill, line 25, strike "department of regulatory agencies."	36
and substitute " department of regulatory agencies DIVISION.".	37
Page 24 of the bill, line 26, strike "of such" and substitute "of such	38
THAT".	39
Page 24, line 27, strike "THAT".	40
Page 26 of the bill, line 3, strike "PERSON." and substitute "LICENSEE,	41
REGISTRANT, OR CERTIFICATE HOLDER.".	42
Page 29 of the bill, line 1, strike "OVERSIGHT".	43
Page 30 of the bill, line 15, strike "AND" and substitute "and".	44
Page 30 of the bill, line 16, strike "and".	45

Page 30, line 17, after "CANDIDATES," insert "AND LICENSED AND CERTIFIED ADDICTION COUNSELORS,".

Page 30, line 18, strike "respectively." and substitute "respectively, AND MENTAL HEALTH PROFESSIONALS WHO HAVE BEEN ISSUED A PROVISIONAL LICENSE PURSUANT TO THIS ARTICLE.".

Page 31 of the bill, line 1, strike "**competence.**" and substitute "**competence - general scope of practice for licensure, registration, or certification. (1)**".

Page 31 of the bill, after line 4 insert:

"(2) THE PRACTICE OF PSYCHOTHERAPY IS ONE AREA OF PRACTICE FOR MENTAL HEALTH PROFESSIONALS LICENSED, CERTIFIED, OR REGISTERED PURSUANT TO THIS ARTICLE BUT MAY NOT BE THE ONLY OR PRIMARY PRACTICE AREA OF SUCH PROFESSIONALS, OTHER THAN PERSONS REGISTERED AS PSYCHOTHERAPISTS PURSUANT TO PART 7 OF THIS ARTICLE. THE REQUIREMENTS FOR LICENSURE, REGISTRATION, OR CERTIFICATION AS A MENTAL HEALTH PROFESSIONAL PURSUANT TO THIS ARTICLE ARE CONTAINED IN SECTIONS 12-43-303, 12-43-403, 12-43-503, 12-43-602.5, AND 12-43-803, WHICH DEFINE THE PRACTICE OF PSYCHOLOGY, SOCIAL WORK, MARRIAGE AND FAMILY THERAPY, LICENSED PROFESSIONAL COUNSELING, AND ADDICTION COUNSELING, RESPECTIVELY.".

Page 31 of the bill, line 15, strike "each THE board." and substitute "each board LAW.".

Page 32 of the bill, line 23, strike "examinations for at least five years" and substitute "examinations. ~~for at least five years subsequent to the date of the examination.~~".

Page 32 of the bill, strike line 24.

Page 34 of the bill, line 22, strike "THE DIVISION SHALL TRANSMIT" and substitute "All".

Page 34 of the bill, line 23, strike "all".

Page 34 of the bill, strike lines 24 and 25 and substitute "~~shall be transmitted to the state treasurer, who shall credit the same to the division of registrations cash fund pursuant to~~ SHALL BE DETERMINED, COLLECTED, AND APPROPRIATED IN THE SAME MANNER AS SET FORTH IN section 24-34-105,".

Page 34 of the bill, line 27, strike "application and examination" and substitute "~~application and examination~~".

Page 35 of the bill, strike lines 3 and 4 and substitute "~~fees received from applicants seeking licensure shall be refunded~~ ARTICLE.".

Page 35 of the bill, line 9, strike "or reinstate" and substitute "~~or reinstate~~".

Page 35 of the bill, line 12, strike "or reinstated" and substitute "~~or reinstated~~".

Page 35 of the bill, line 13, strike "for" and substitute "~~for reinstatement~~".

Page 35 of the bill, line 14, strike "reinstatement".

Page 35 of the bill, line 26, after "12-43-205" insert "(1) (a),".

Page 36 of the bill, after line 3 insert:

"(a) The name AND age ~~and residence~~ of each applicant;".

Page 36 of the bill, line 4, strike "place of business AND" and substitute

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~~"place of business".~~

Page 43, line 14, strike "CERTIFICATION" and substitute "CERTIFICATION, OR FOR REGISTRY AS A CANDIDATE FOR LICENSURE, REGISTRATION, OR CERTIFICATION,".

Page 44 of the bill, line 7, strike "applicant, renewal applicant, or reinstatement" and substitute "~~applicant, renewal applicant, or reinstatement~~".

Page 52, line 12, after "being" insert "A PERSON WHO IS".

Page 52, line 13, strike "having" and substitute "~~having~~ A PERSON WITH".

Page 53 of the bill, strike line 21 and substitute "registration, ~~to the board within thirty days~~ OR CERTIFICATION.".

Page 61, after line 11, insert:

"SECTION 39. Repeal. 12-43-301 (3), (5), and (7), 12-43-401 (3) and (9), 12-43-501 (3) and (5), 12-43-601 (3), and 12-43-701 (1) and (3), Colorado Revised Statutes, are repealed."

ReNUMBER succeeding sections accordingly.

Page 75 of the bill, line 23, strike "CONSULTATION;" and substitute "PSYCHOTHERAPY;".

Page 76 of the bill, line 27, strike "three" and substitute "~~three~~ FOUR".

Page 81 of the bill, line 9, strike "APPROVED" and substitute "REQUIRED".

Page 81 of the bill, line 24, strike "WRITTEN, COMPUTER-BASED OR MAIL-IN".

Page 81 of the bill, line 25, strike "DEPARTMENT OF".

Page 81 of the bill, line 26, strike "REGULATORY AGENCIES." and substitute "DIVISION.".

Page 82, line 2, strike "AT LEAST THREE HUNDRED" and substitute "THE NUMBER OF".

Page 82, line 3, after "TRAINING," insert "AS SPECIFIED BY THE BOARD BY RULE,".

Page 82 of the bill, line 16, strike "SERVICES;" and substitute "SERVICES PURSUANT TO SECTION 27-80-108 (1) (e), C.R.S.;".

Page 82 of the bill, line 23, strike "COUNSELORS." and substitute "COUNSELORS IN ACCORDANCE WITH SECTION 27-80-108 (1) (e), C.R.S.".

Page 84 of the bill, line 8, strike "LEVEL I, level II," and substitute "level II".

Page 84 of the bill, line 9, strike "LEVEL I, level II," and substitute "level II".

Page 84 of the bill, line 18, strike "LEVEL I, level II," and substitute "level II".

Page 84 of the bill, line 25, strike "LEVEL I, level II," and substitute "level II".

Page 85 of the bill, line 1, strike "LEVEL I, level II," and substitute "level II".

Page 85 of the bill, line 4, strike "LEVEL I, level II," and substitute "level II".

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Page 85 of the bill, line 12, strike "LEVEL I,".

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Page 85 of the bill, line 13, strike "level II," and substitute "level II".

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Page 85 of the bill, line 17, strike "LEVEL I, level II," and substitute "level II".

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Page 85 of the bill, line 19, strike "LEVEL I,".

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Page 85 of the bill, line 20, strike "level II," and substitute "level II".

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Page 85 of the bill, line 27, strike "LEVEL I, level II," and substitute "level II".

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Page 86 of the bill, line 4, strike "LEVEL I, level II," and substitute "level II".

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Senator Morse moved that the Committee of the Whole rise, report progress, and beg leave to sit again at 1:00 p.m. A majority of those elected to the Senate having voted in the affirmative, the motion was adopted.

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Committee of the Whole in recess.

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Senate in recess. Senate reconvened.

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Committee of the Whole reconvened.

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GENERAL ORDERS -- SECOND READING OF BILLS - cont'd

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SB11-187

by Senator(s) Newell; also Representative(s) Fields, Summers--Concerning the continuation of the regulation of mental health professionals, and, in connection therewith, continuing the state boards of psychologist examiners, social work examiners, marriage and family therapist examiners, and licensed professional counselor examiners and the state grievance board, creating the state board of addiction counselor examiners, and implementing the recommendations contained in the sunset review and report of state-regulated mental health professionals.

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As amended, ordered engrossed and placed on the calendar for third reading and final passage.

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ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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On motion of Senator Steadman, the report of the Committee of the Whole was adopted on the following roll call vote:

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YES	32	NO	0	EXCUSED	3	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	E	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	Y	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	Y	Spence	E
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.	E	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB11-109 as amended, SB11-080 as amended, SB11-052, SB11-241 as amended, SB11-260 as amended, SB11-253, SB11-243, SB11-265 as amended, SB11-245, SB11-242 as amended, SB11-250, SB11-182 as amended, SB11-244, SB11-187 as amended, HB11-1281, HB11-1296.

MESSAGE FROM THE HOUSE

April 29, 2011

Mr. President:

The House has postponed indefinitely SB11-107. The bill is returned herewith.

The House has adopted and transmits herewith HJR11-1020, HJR11-1018.

The House has adopted the First Report of the First Conference Committee on SB11-219, as printed in House Journal, April 26, page 1137-1138, and has repassed the bill as so amended. The bill is returned herewith.

The House has voted to concur in the Senate amendments to HB11-1076, 1080 and has repassed the bills as so amended.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB11-1285, amended as printed in House Journal, April 28, page 1156.

The House has adopted and returns herewith SJR11-023.

MESSAGE FROM THE REVISOR OF STATUTES

April 29, 2011

We herewith transmit:

Without comment, as amended, HB11-1285.

INTRODUCTION OF RESOLUTIONS

The following resolutions were read by title:

HJR11-1018 by Representative(s) Massey, Acree, Joshi, McKinley, Riesberg, Sonnenberg, Soper, Wilson; also Senator(s) Boyd, Nicholson, White--Concerning recognition of rural health care providers in Colorado, and, in connection therewith, declaring April 29, 2011, "Rural

Health Day".

Laid over until Monday, May 2, retaining its place on the calendar.

HJR11-1020 by Representative(s) Gardner B., Acree, Barker, Duran, Kagan, Lee, Levy, McCann, McNulty, Pabon, Waller; also Senator(s) Carroll, Heath, Johnston, Mitchell, Roberts, Scheffel, Shaffer B., Steadman--Concerning the recognition of Law Day in Colorado.

Laid over until Monday, May 2, retaining its place on the calendar.

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

SB11-269 by Senator(s) Schwartz; --Concerning the recycling of electronic devices, and, in connection therewith, requiring processors of electronic devices to be certified and requiring collectors of electronic devices to be registered.
Agriculture, Natural Resources, and Energy

SB11-270 by Senator(s) Nicholson; also Representative(s) Balmer--Concerning the collection of charitable solicitations from passing motorists on a public roadway by local government public safety personnel.
Local Government

HB11-1285 by Representative(s) Stephens and Ferrandino, Becker, Holbert, Kerr J., Massey, Scott, Summers; also Senator(s) Boyd, Foster, Hodge, Jahn, Nicholson, Roberts--Concerning the authority to implement a stakeholder process for the management of long-term care services under the "Colorado Medical Assistance Act".
Health and Human Services

MESSAGE FROM THE GOVERNOR

April 15, 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, reappoint and submit for your consideration, the following:

MEMBERS OF THE
STATE BOARD OF HEALTH

for terms expiring March 1, 2015:

Commissioner Crestina Maria Martinez, Pueblo, Colorado, a resident of the 3rd Congressional District and a Democrat, appointed;

Susan L. Warren, Denver, Colorado, a resident of the 1st Congressional District and a Democrat, appointed;

Dr. Christopher Scott Stanley, Arvada, Colorado, a resident of the 7th Congressional District and a Republican, reappointed.

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Laura J. Davis, Westminster, Colorado, a resident of the 2nd Congressional District and a Republican, reappointed;

Dr. Christine Rose Nevin-Woods, Pueblo, Colorado, a resident of the 3rd Congressional District and a Democrat, reappointed;

Sincerely,
(signed)
John Hickenlooper
Governor
Rec'd: 4/21/11
Cindi L. Markwell, Secretary of the Senate

Committee on Health & Human Services

SENATE SERVICES REPORT

- Correctly Printed:** SB11-268.
- Correctly Engrossed:** SB11-205 and 234.
- Correctly Reengrossed:** SB11-050, 111, 125, 239 and 240.
- Correctly Revised:** HB11-1115, 1138, 1163, 1211 and 1219.
- Correctly Rerevised:** HB11-1080.
- Correctly Enrolled:** SB11-108, 124, 128, 179 and 226.

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 Friday, April 29 was laid over until Monday, May 2, retaining its place on the calendar.

- Consideration of Resolutions: SJR11-005, SJR11-015, SJR11-024, SJR11-032, SJR11-036, SJR11-045, SJR11-046, SJR11-047, SJR11-050, SJR11-051, SJR11-052, SR11-005.
- Consideration of Memorials: SJM11-002, SJM11-003, SJM11-004.
- Consideration of House Amendments to Senate Bills: SCR11-001, SB11-213.
- Consideration of Conference Committee Reports: SB11-219.

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

Approved:

Brandon C. Shaffer
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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