

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

120th Legislative Day Wednesday, May 11, 2011

- Prayer 10
By the chaplain, Rabbi Eliot J. Baskin, Jewish Family Services of Colorado, Denver. 11
- Call to 12
Order 13
By the President at 9:00 a.m. 14
- Pledge 15
By Senator Roberts. 16
- Roll Call 17
Present--33 18
Absent--1, Giron. 19
Excused--1, Shaffer B. 20
Present later--2, Giron, Shaffer B. 21
- Quorum 22
The President announced a quorum present. 23
- Reading of 24
Journal 25
On motion of Senator Guzman, reading of the Journal of Tuesday, May 10, 2011, was 26
dispensed with and the Journal was approved as corrected by the Secretary. 27

REPORT OF CONFERENCE COMMITTEES

**FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON HB11-1254**

THIS REPORT AMENDS THE
REREVISED BILL

To the President of the Senate and the
Speaker of the House of Representatives:

Your first conference committee appointed on HB11-1254,
concerning measures to reduce the frequency of bullying in schools, has
met and reports that it has agreed upon the following:

That the House accede to the Senate amendments made to the bill,
as the amendments appear in the rerevised bill, with the following
changes:

Amend rerevised bill, page 8, line 4, strike "MAY INCLUDE:" and substitute
"INCLUDES:".

Page 12, strike line 15 and substitute "SCHOOL DISTRICT IS ENCOURAGED
TO ENSURE THAT ITS POLICY, AT A MINIMUM, INCORPORATES THE
BIENNIAL".

Page 13, line 8, strike "STUDENT," and substitute "STUDENT. BULLYING
IS PROHIBITED AGAINST ANY STUDENT FOR ANY REASON,".

Page 13, strike lines 12 through 17 and substitute "DESCRIBED IN SECTION
22-32-109 (1) (II) (I). THIS DEFINITION IS NOT INTENDED TO INFRINGE
UPON ANY RIGHT GUARANTEED TO ANY PERSON BY THE FIRST AMENDMENT

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TO THE UNITED STATES CONSTITUTION OR TO PREVENT THE EXPRESSION OF ANY RELIGIOUS, POLITICAL, OR PHILOSOPHICAL VIEWS."

Page 16, line 4, strike "MAY" and substitute "IS ENCOURAGED TO".

Respectfully submitted,

House Committee: (signed) Kevin Priola, Chairman Sue Schafer Amy Stephens

Senate Committee: (signed) Pat Steadman, Chairman Nancy Spence Mike Johnston

MESSAGE FROM THE HOUSE

May 10, 2011

Mr. President:

The House has voted to concur in the Senate amendments to HB11-1163, 1109, 1237, 1188, 1265, 1293, 1275, 1277, 1301, 1303, and has repassed the bills as so amended.

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:

SB11-268 by Senator(s) Heath, Carroll, Schwartz; also Representative(s) Pabon and Vigil--Concerning the congressional redistricting of Colorado.

Laid over until May 12.

HB11-1045 by Representative(s) Kefalas; also Senator(s) Newell--Concerning modifications to the Colorado innovation investment tax credit, and making an appropriation in connection therewith.

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

Table with columns: YES (25), NO (9), EXCUSED (1), ABSENT (0). Rows list names and their corresponding votes (Y, N, E).

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

IMMEDIATE RECONSIDERATION OF HB11-1045

HB11-1045 by Representative(s) Kefalas; also Senator(s) Newell--Concerning modifications to the Colorado innovation investment tax credit, and making an appropriation in connection therewith.

Having voted on the prevailing side, Senator Morse moved for immediate reconsideration of the last Senate action, Third Reading of Bills -- Final Passage, on **HB11-1045**.

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

THIRD READING OF BILLS -- FINAL PASSAGE -- cont'd

HB11-1045 by Representative(s) Kefalas; also Senator(s) Newell--Concerning modifications to the Colorado innovation investment tax credit, and making an appropriation in connection therewith.

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

YES	26	NO	8	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	N	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	N	Spence	N
Brophy	Y	Hodge	Y	Mitchell	N	Steadman	Y
Cadman	N	Hudak	Y	Morse	Y	Tochtrop	N
Carroll	N	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	N	President	E
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, Heath, Jahn, Johnston, King S. and Williams S.

HB11-1298 by Representative(s) Tyler and Vaad, Barker, Brown, Fischer, Gardner D., Hamner, Hullinghorst, Kerr A., Looper, Pabon, Peniston, Ramirez, Scott, Williams A.; also Senator(s) Spence, Bacon, Hudak, Johnston, King K., King S., Renfroe, Schwartz, Tochtrop, White, Williams S.--Concerning the creation of a special license plate for Craig hospital, and making an appropriation therefor.

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

YES	29	NO	5	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	N	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	Y	Spence	Y
Brophy	Y	Hodge	N	Mitchell	Y	Steadman	N
Cadman	N	Hudak	Y	Morse	Y	Tochtrop	Y
Carroll	N	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	E
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, Guzman, Newell and Nicholson.

HB11-1316 by Representative(s) Priola, Duran; also Senator(s) Johnston--Concerning the creation of certain sports special license plates for Kroenke sports charities, and making an appropriation therefor.

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

YES	28	NO	6	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	N	Schwartz	Y
Boyd	N	Heath	Y	Lundberg	Y	Spence	Y
Brophy	Y	Hodge	N	Mitchell	Y	Steadman	N
Cadman	Y	Hudak	Y	Morse	Y	Tochtrop	Y
Carroll	N	Jahn	N	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	E
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, Giron, King S., Spence, Tochtrop and Williams S.

IMMEDIATE RECONSIDERATION OF HB11-1316

HB11-1316 by Representative(s) Priola, Duran; also Senator(s) Johnston--Concerning the creation of certain sports special license plates for Kroenke sports charities, and making an appropriation therefor.

Senator Morse moved for immediate reconsideration of the last Senate action, Third Reading of Bills -- Final Passage, on **HB11-1316**.

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

THIRD READING OF BILLS -- FINAL PASSAGE -- cont'd

HB11-1316 by Representative(s) Priola, Duran; also Senator(s) Johnston--Concerning the creation of certain sports special license plates for Kroenke sports charities, and making an appropriation therefor.

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

YES	28	NO	7	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	N	Schwartz	Y
Boyd	N	Heath	Y	Lundberg	Y	Spence	Y
Brophy	Y	Hodge	N	Mitchell	Y	Steadman	N
Cadman	N	Hudak	Y	Morse	Y	Tochtrop	Y
Carroll	N	Jahn	N	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

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

Co-sponsors added: Aguilar, Giron, Guzman, King S., Newell, Spence, Tochtrop and Williams S.

HB11-1300 by Representative(s) Loooper, Acree, DelGrosso, Priola, Swalm; also Senator(s) Grantham and Nicholson, Jahn--Concerning the resolution of a disputed claim for a state income tax credit for a donation of a perpetual conservation easement that includes a process that allows a taxpayer to waive an expedited administrative hearing for the purpose of appealing directly to a district court, and making an appropriation therefor.

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

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

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

Co-sponsors added: Bacon, Boyd, Foster, Giron, Heath, Hodge, King S., Newell, Schwartz, Shaffer B., Spence and Williams S.

HB11-1307 by Representative(s) Becker, Gerou, Ferrandino; also Senator(s) Steadman, Hodge, Lambert--Concerning recovery audits.

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-sponsor added: Newell

HB11-1323 by Representative(s) Massey; also Senator(s) Boyd--Concerning an exemption from state licensure requirements for a community clinic that is a rural health clinic, and making an appropriation therefore.

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

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

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

Co-sponsors added: Aguilar, Foster, Giron, Guzman, Heath, Hodge, Hudak, Jahn, King K., King S., Lundberg, Newell, Nicholson, Roberts, Schwartz, Shaffer B., Steadman, Tochtrop, White and Williams S.

HB11-1324 by Representative(s) Acree; also Senator(s) Brophy--Concerning the applicability of provisions governing the financial obligations of a residential nonprofit corporation upon alteration of the membership status of a member.

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.

On motion of Senator Morse, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the Third Reading of Bills -- Final Passage Calendar (HB11-1014) of Wednesday, May 11 was laid over until later in the day, retaining its place on the calendar.

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

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.

Senator Tochtrop moved for the adoption of the first report of the first conference committee on **HB11-1211**, as printed in Senate journal, May 10, pages 1155-1156. The motion was **adopted** by the following roll call vote:

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

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

YES	29	NO	6	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	N	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	N	Spence	Y
Brophy	N	Hodge	Y	Mitchell	N	Steadman	Y
Cadman	N	Hudak	Y	Morse	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	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, as amended, was **repassed**.

CONSIDERATION OF GOVERNOR'S VETO

(Governor's veto message printed in Senate Journal, May 6, pages 1088-1091.)

Senator Hodge moved that the following footnotes remain a part of **SB11-209** and become law, notwithstanding the Governor's veto.

Footnote 7, page 36; footnote 8, page 36; footnote 9, page 36; footnote 23, page 92; footnote 28, page 93; footnote 32, page 93; footnote 48a, page 148; footnote 52, page 201.

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 constitutional two-thirds majority of all members elected to the Senate having voted in the affirmative, the motion was **adopted**.

SENATE ADHERE ON HB11-1278

HB11-1278 by Representative(s) Gardner B.; also Senator(s) Morse--Concerning sex offender registration.

Senator Morse moved that the Senate adhere to its position on **HB11-1278**. The motion was **adopted** by the following roll call vote:

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	Y	Steadman	Y
Cadman	N	Hudak	Y	Morse	Y	Tochtrop	Y
Carroll	Y	Jahn	N	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		

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

HB11-1254 by Representative(s) Priola and Schafer S.; also Senator(s) Steadman--Concerning measures to reduce the frequency of bullying in schools.

Senator Steadman moved for the adoption of the first report of the first conference committee on **HB11-1254**, as printed in Senate journal, May 11, page(s) 1173-1174. The motion was **adopted** by the following roll call vote:

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

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

YES	24	NO	11	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	Y
Brophy	N	Hodge	Y	Mitchell	N	Steadman	Y
Cadman	N	Hudak	Y	Morse	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	N	Renfroe	N	President	Y
Grantham	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**.

THIRD READING OF BILLS -- FINAL PASSAGE -- cont'd

HB11-1014 by Representative(s) DelGrosso; also Senator(s) Roberts and Hudak--Concerning the repeal of a limiting trigger associated with the child care contribution income tax credit.

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

Third Reading Amendment No. 1(L.022), by Senator Johnston.

Amend revised bill, page 3, strike lines 8 through 20 and substitute:

"(c) NOTWITHSTANDING ANY OTHER PROVISION, AND SUBJECT TO THE LIMITATIONS IN SUBSECTIONS (5) AND (6) OF THIS SECTION, IN THE INCOME TAX YEAR COMMENCING ON JANUARY 1, 2013, A TAXPAYER MAY CLAIM NO MORE THAN FIFTY PERCENT OF ANY CREDIT ALLOWED PURSUANT TO SUBSECTION (1.5) AND PARAGRAPH (a) OF SUBSECTION (6.7) OF THIS SECTION, AND ANY CREDIT CARRIED FORWARD PURSUANT TO SUBSECTION (6) OF THIS SECTION. THE REMAINDER OF ALL CREDITS ALLOWED AS DESCRIBED IN THIS PARAGRAPH (c) SHALL BE CARRIED FORWARD TO THE INCOME TAX YEAR COMMENCING JANUARY 1, 2014.

(d) NOTWITHSTANDING ANY OTHER PROVISION, AND SUBJECT TO THE LIMITATIONS IN SUBSECTIONS (5) AND (6) OF THIS SECTION, IN THE INCOME TAX YEAR COMMENCING ON JANUARY 1, 2014, A TAXPAYER MAY CLAIM NO MORE THAN SEVENTY-FIVE PERCENT OF ANY CREDIT ALLOWED PURSUANT TO SUBSECTION (1.5) AND ANY CREDIT CARRIED FORWARD PURSUANT TO SUBSECTION (6) OF THIS SECTION AND PARAGRAPH (c) OF THIS SUBSECTION (6.7). THE REMAINDER OF ALL CREDITS ALLOWED AS DESCRIBED IN THIS PARAGRAPH (d) SHALL BE CARRIED FORWARD TO THE INCOME TAX YEAR COMMENCING JANUARY 1, 2015."

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

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

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

YES	23	NO	12	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	Y
Brophy	N	Hodge	Y	Mitchell	N	Steadman	Y
Cadman	N	Hudak	Y	Morse	Y	Tochtrop	Y
Carroll	N	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 was **passed**.

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

CONSIDERATION OF RESOLUTIONS

SJR11-054 by Senator(s) Morse, Shaffer B., Kopp; also Representative(s) Stephens, McNulty, Pace-- Concerning the appointment of a joint committee to notify the Governor that the First Regular Session of the Sixty-eighth General Assembly is about to adjourn sine die.

On motion of Senator Morse, the resolution was **adopted** by the following roll call vote:

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

Co-sponsors added: Boyd, Cadman and Lundberg.

The President appointed Senators Bacon, Aguilar, and Scheffel to serve on the committee to notify the Governor.

SENATE SERVICES REPORT

Correctly Engrossed: SB11-268.
Correctly Reengrossed: SB11-134 and 269.
Correctly Revised: HB11-1014, 1045, 1298, 1300, 1307, 1316, 1323 and 1324.
Correctly Rerevised: HB11-1010, 1043, 1072, 1081, 1212, 1217, 1268, 1297, 1301, 1303, 1310, 1311, 1313, 1315 and 1317.

Senate in recess. Senate reconvened.

MESSAGE FROM THE HOUSE

May 11, 2011

Mr. President:

The House has voted to over ride the Governor's partial veto on SB11-209. The Act is returned herewith.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB11-1276, amended as printed in House Journal, May 10, page 1389.

The House has passed on Third Reading and returns herewith SB11-235, 176, 264, 245, 240, 261, 263, 134.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB11-051, amended as printed in House Journal, May 10, pages 1381. SB11-266, amended as printed in House Journal, May 10, pages 1381-1382.

MESSAGE FROM THE REVISOR OF STATUTES

May 11, 2011

We herewith transmit:

Without comment, as amended, HB11-1276.
Without comment, as amended, SB11-051 and 266.

COMMITTEE OF REFERENCE REPORTS

Appropriations After consideration on the merits, the Committee recommends that **HB11-1272** be postponed indefinitely.

State, Veterans, & Military Affairs After consideration on the merits, the Committee recommends that **HB11-1223** be postponed indefinitely.

State, Veterans, & Military Affairs After consideration on the merits, the Committee recommends that **HB11-1264** be postponed indefinitely.

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State, Veterans, & Military Affairs After consideration on the merits, the Committee recommends that **HB11-1299** be postponed indefinitely. 1
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State, Veterans, & Military Affairs After consideration on the merits, the Committee recommends that **HB11-1302** be postponed indefinitely. 7
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State, Veterans, & Military Affairs After consideration on the merits, the Committee recommends that **HB11-1318** be postponed indefinitely. 13
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State, Veterans, & Military Affairs After consideration on the merits, the Committee recommends that **HB11-1314** be postponed indefinitely. 19
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State, Veterans, & Military Affairs After consideration on the merits, the Committee recommends that **HB11-1321** be postponed indefinitely. 25
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Local Government After consideration on the merits, the Committee recommends that **HB11-1280** be postponed indefinitely. 31
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Local Government After consideration on the merits, the Committee recommends that **HB11-1309** be postponed indefinitely. 35
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Local Government After consideration on the merits, the Committee recommends that **HB11-1273** be postponed indefinitely. 39
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Local Government After consideration on the merits, the Committee recommends that **HB11-1263** be postponed indefinitely. 43
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SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB11-060.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB11-051 by Senator(s) Giron; also Representative(s) Swerdfeger--Concerning an intercept of a person's winnings for the purpose of paying an unpaid debt due to the state, and making an appropriation therefor. 57
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Senator Giron moved that the Senate concur in House amendments to **SB11-051**, as printed in House journal, May 11, page 1381. The motion was **adopted** by the following roll call vote: 63
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YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	Y	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	Y	Spence	Y
Brophy	Y	Hodge	Y	Mitchell	Y	Steadman	Y
Cadman	Y	Hudak	Y	Morse	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

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

YES	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	Y
Brophy	N	Hodge	Y	Mitchell	N	Steadman	Y
Cadman	Y	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, as amended, was **repassed**.

Co-sponsor added: Heath

SB11-266 by Senator(s) Bacon and King K.; also Representative(s) Ramirez and Kerr A.--Concerning background checks for employees of entities that contract to perform services for public schools, and making an appropriation therefor.

Senator Bacon moved that the Senate concur in House amendments to **SB11-266**, as printed in House journal, May 10, pages 1381-1382. The motion was **adopted** by the following roll call vote:

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

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	Y	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	Y	Spence	Y
Brophy	Y	Hodge	Y	Mitchell	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**.

SENATE ADHERE ON SCR11-001

SCR11-001 by Senator(s) Shaffer B. and Spence, Kopp, Brophy, Heath, Jahn, King S., Morse, Roberts, Schwartz, Steadman, Tochtrop, White; also Representative(s) Murray and Court, McNulty, Acree, Barker, Baumgardner, Becker, Brown, Casso, Conti, Coram, Duran, Ferrandino, Fields, Fischer, Gardner D., Hamner, Hullinghorst, Kagan, Kefalas, Kerr A., Labuda, Lee, Levy, Liston, Massey, McCann, McKinley, Miklosi, Pace, Peniston, Priola, Riesberg, Ryden, Schafer S., Scott, Solano, Sonnenberg, Soper, Summers, Swerdfeger, Todd, Tyler, Vigil, Williams A., Wilson--Submitting to the registered electors of the state of Colorado an amendment to the Colorado constitution concerning ballot measures, and, in connection therewith, increasing the number of votes needed to pass a constitutional amendment from a majority to at least sixty percent of the votes cast; allowing a constitutional amendment passed prior to 2013 to be repealed by a majority of the votes cast; adding a requirement that a minimum number of petition signatures for a citizen-initiated constitutional amendment be gathered from voters who reside in each Colorado congressional district; and increasing the requirement from a majority to at least a sixty percent vote of the state legislature to change, repeal, or supersede a citizen-initiated statutory law for three years after it becomes effective.

Senator Shaffer B. moved that the that the Senate adhere to its position on **SCR11-001**. The motion was **adopted** by the following roll call vote:

YES	28	NO	7	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	Y	Scheffel	N
Bacon	Y	Harvey	Y	Lambert	N	Schwartz	N
Boyd	Y	Heath	Y	Lundberg	N	Spence	Y
Brophy	Y	Hodge	Y	Mitchell	N	Steadman	Y
Cadman	Y	Hudak	Y	Morse	Y	Tochtrop	N
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	N	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

Senate in recess. Senate reconvened.

MESSAGE FROM THE HOUSE

May 11, 2011

Mr. President:

The House has passed on Third Reading and returns herewith SB11-254, 273, 251.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB11-045, amended as printed in House Journal, May 10, pages 1378-1379. SB11-085, amended as printed in House Journal, May 10, page 1379. SB11-260, amended as printed in House Journal, May 10, page 1389.

The House has postponed indefinitely SB11-269. The bill is returned herewith.

The House has adopted the First Report of the First Conference Committee on SB11-088, as printed in House Journal, May 6, page 1298, and has repassed the bill as so amended. The bill is returned herewith.

The House has adopted the First Report of the First Conference Committee on HB11-1211, as printed in House Journal, April 28, page 925, and has repassed the bill as amended.

The House has adopted the First Report of the First Conference Committee on HB11-1254, as printed in House Journal, March 23, page 730, and has repassed the bill as amended.

The House has voted to recede from its position and discharge the First Conference Committee on HB11-1278. The House voted to concur in Senate amendments, and has repassed the bill as amended. The House requests return of the bill.

MESSAGE FROM THE REVISOR OF STATUTES

May 11, 2011

We herewith transmit:

Without comment, as amended, SB11-045, 085, and 260.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Wednesday, May 11, 2011, at 10:24 a.m.: SB11-060 and 169.

To the Governor for signature on Wednesday, May 11, 2011, at 1:59 p.m.: SB11-089, 090, 092, 108, 124, 165, 173, 179, 180, 188, 195, 197, 210, 219, 225, 226 and 230.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB11-045 by Senator(s) Johnston; also Representative(s) Levy--Concerning a streamlined process for securing governmental approval for the siting of electric transmission facilities, and, in connection therewith, creating a task force.

Senator Johnston moved that the Senate concur in House amendments to **SB11-045**, as printed in House journal, May 10, pages 1378-1379 . The motion was **adopted** by the following roll call vote:

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YES	34	NO	1	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.	N
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

IMMEDIATE RECONSIDERATION OF SB11-045

SB11-045 by Senator(s) Johnston; also Representative(s) Levy--Concerning a streamlined process for securing governmental approval for the siting of electric transmission facilities, and, in connection therewith, creating a task force.

Senator Johnston moved for immediate reconsideration of the last Senate action, Consideration of House Amendments to Senate Bills, on **SB11-045**. The motion was **adopted** by the following roll call vote:

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

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

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB11-045 by Senator(s) Johnston; also Representative(s) Levy--Concerning a streamlined process for securing governmental approval for the siting of electric transmission facilities, and, in connection therewith, creating a task force.

Senator Johnston moved that the Senate concur in House amendments to **SB11-045**, as printed in House journal, May 10, pages 1378-1379 . The motion was **adopted** by the following roll call vote:

YES	33	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	*	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.	N
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

* Abstaining from voting under Senate Rule 17(c) -- Senator Kopp.

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

YES	26	NO	8	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	*	Scheffel	N
Bacon	Y	Harvey	N	Lambert	N	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	N	Spence	Y
Brophy	Y	Hodge	Y	Mitchell	Y	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	Y		

* Abstaining from voting under Senate Rule 17(c) -- Senator Kopp.

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

Co-sponsors added: Jahn and Schwartz.

SB11-085

by Senator(s) Shaffer B.; also Representative(s) McCann--Concerning increasing the enforcement of prohibitions against certain prostitution-related offenses, and, in connection therewith, authorizing the creation of a program for certain first-time offenders of such offenses.

Senator Shaffer B. moved that the Senate concur in House amendments to **SB11-085**, as printed in House journal, May 10, page 1379 . The motion was **adopted** by the following roll call vote:

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

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

YES	33	NO	2	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	Y	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	Y	Spence	Y
Brophy	N	Hodge	Y	Mitchell	Y	Steadman	N
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**.

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

Senator Morse moved that the Senate concur in House amendments to **SB11-260**, as printed in House journal, May 10, page 1389. The motion was **adopted** by the following roll call vote:

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

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	Y	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	Y	Spence	Y
Brophy	Y	Hodge	Y	Mitchell	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**.

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

SB11-088 by Senator(s) Carroll and Lundberg, Boyd, Mitchell; also Representative(s) Acree-- Concerning the regulation of direct-entry midwives, and, in connection therewith, implementing the sunset review recommendations of the department of regulatory agencies, and making an appropriation.

Senator Carroll moved for the adoption of the first report of the first conference committee on **SB11-088**, as printed in Senate journal, , pages 1154-1155. The motion was **adopted** by the following roll call vote:

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

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

YES	34	NO	1	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	N
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**.

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MESSAGE FROM THE HOUSE

May 11, 2011

Mr. President:

The House has adopted and returns herewith SJR11-009, SJR11-054, SJR11-050.

The House has adopted and transmits herewith HJR11-1025.

The House has adopted and transmits herewith SJR11-054. Pursuant to SJR11-054, the Speaker has appointed Representatives Massey and Swerdfeger, and Solano as House members on the joint committee to notify the Governor of adjournment sine die.

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Senate in recess. Senate reconvened.

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Call of the Senate. Call raised.

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MESSAGE FROM THE HOUSE

May 11, 2011

Mr. President:

The House has passed on Third Reading and returns herewith SB11-272, 267.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB11-078, amended as printed in House Journal, May 10, page 1387.

The House has voted to concur in the Senate amendments to HB11-1166, and has repassed the bills as so amended.

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MESSAGE FROM THE REVISOR OF STATUTES

May 11, 2011

We herewith transmit:

Without comment, as amended, SB11-078.

SENATE ADHERE ON SB11-078

SB11-078 by Senator(s) Morse, Carroll, Roberts, Schwartz; also Representative(s) Gardner B., Labuda, Levy, Murray, Waller--Concerning implementation of recommendations of the committee on legal services in connection with legislative review of rules and regulations of state agencies.

Senator Morse moved that the conference committee on **SB11-078** be dissolved, that the Senate conferees be discharged, and that the Senate adhere to its position. The motion was **adopted** by the following roll call vote:

YES	21	NO	14	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	N	Scheffel	N
Bacon	Y	Harvey	N	Lambert	N	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	N	Spence	N
Brophy	N	Hodge	Y	Mitchell	N	Steadman	Y
Cadman	N	Hudak	Y	Morse	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	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	Y		

IMMEDIATE RECONSIDERATION OF SB11-078

SB11-078 by Senator(s) Morse, Carroll, Roberts, Schwartz; also Representative(s) Gardner B., Labuda, Levy, Murray, Waller--Concerning implementation of recommendations of the committee on legal services in connection with legislative review of rules and regulations of state agencies.

Having voted on the prevailing side, Senator Morse moved for immediate reconsideration of the last Senate action, Senate Adherence, on **SB11-078**. The roll call was taken with the following result:

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		

Less than a majority of all members elected to the Senate having voted in the affirmative, the motion for reconsideration was **lost**.

INTRODUCTION OF RESOLUTIONS

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

HJR11-1025 by Representative(s) Looper; also Senator(s) King K.--Concerning the promulgation of cost-effective rules for the control of nutrients in Colorado waters by the Colorado department of public health and environment pursuant to authority under the "Federal Water Pollution Control Act", and, in connection therewith, encouraging legislative review of Colorado's implementation strategy for cost-effective nitrogen and phosphorus regulations in a manner that actively involves stakeholders, integrates ongoing studies, considers basin-specific conditions, and complies with executive orders.
Agriculture, Natural Resources, and Energy

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB11-1005, 1064, 1091, 1121, 1199, HJR11-1019, 1022.

Senate in recess. Senate reconvened.

SENATE ADHERE ON HB11-1217

HB11-1217 by Representative(s) Acree, Joshi, Kerr A., Stephens, Summers; also Senator(s) Boyd, Roberts--Concerning measures to expand access to health care throughout the state.

Senator Boyd moved that the Senate adhere to its position. The motion was **adopted** by the following roll call vote:

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

MESSAGE FROM THE HOUSE

May 11, 2011

Mr. President:

The House has postponed indefinitely SB11-186. The bill is returned herewith.

The House has voted to concur in the Senate amendments to HB11-1093, 1105, 1157, 1195, 1250, 1295, 1072, 1081, 1297, 1043, 1300, 1307, 1323, and has repressed the bills as so amended.

The House has adopted and returns herewith SJR11-040, SJR11-046, SJR11-045.

The House voted to adhere to its position on HB11-1217. The bill is transmitted herewith.

COMMITTEE OF REFERENCE REPORTS

Agriculture,
Natural
Resources,
and Energy

After consideration on the merits, the Committee recommends that **HJR11-1025** be referred to the Senate for final action.

CONSIDERATION OF RESOLUTIONS

HJR11-1025 by Representative(s) Looper; also Senator(s) King K.--Concerning the promulgation of cost-effective rules for the control of nutrients in Colorado waters by the Colorado department of public health and environment pursuant to authority under the "Federal Water Pollution Control Act", and, in connection therewith, encouraging legislative review of Colorado's implementation strategy for cost-effective nitrogen and phosphorus regulations in a manner that actively involves stakeholders, integrates ongoing studies, considers basin-specific conditions, and complies with executive orders.

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

Amend engrossed joint resolution, page 2, line 5, strike "pressing" and substitute "encouraging" and strike "highly restrictive,".

Page 2, line 17, strike "pressure," and substitute "requirements,".

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

YES	19	NO	16	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	N
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		

On motion of Senator King K., the resolution, as amended, 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: Brophy, Grantham, Jahn, King S., Kopp, Lundberg, Mitchell, Renfroe, Roberts, Scheffel and White.

MESSAGE FROM THE HOUSE

May 11, 2011

Mr. President:

The House has voted to concur in the Senate amendments to HB11-1014, 1242, 1267, 1219, and has repassed the bills as so amended.

The House has voted to recede from its position on SB11-078 and has repassed the bill. The bill is returned herewith.

Senate in recess. Senate reconvened.

MESSAGE FROM THE HOUSE

May 11, 2011

Mr. President:

The House has adopted and transmits herewith HJR11-1024, HJR11-1027.

The House has voted to concur in the Senate amendments to HJR11-1025 and has repassed the resolution as so amended.

The House has voted to concur in the Senate amendments to HB11-1032 and has repassed the bills as so amended.

The House has passed on Third Reading and returns herewith SB11-243.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB11-184, amended as printed in House Journal, May 10, pages 1380-1381
SB11-109 amended as printed in House Journal, May 10, page 1381.

MESSAGE FROM THE REVISOR OF STATUTES

May 11, 2011

We herewith transmit:

Without comment, as amended, SB11-109 and 184.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB11-1188, 1212.

INTRODUCTION OF RESOLUTIONS

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

HJR11-1024 by Representative(s) Bradford, Scott; also Senator(s) King S.--Concerning the restriction of research, development, and demonstration of oil shale resources in Colorado. State, Veterans & Military Affairs

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Senate in recess. Senate reconvened.

RECONSIDERATION OF HB11-1217

HB11-1217 by Representative(s) Acree, Joshi, Kerr A., Stephens, Summers; also Senator(s) Boyd, Roberts--Concerning measures to expand access to health care throughout the state.

Having voted on the prevailing side, Senator Morse moved for reconsideration of the last Senate action, Consideration of Adherence, on HB11-1217.

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

SENATE ADHERE ON HB11-1217

HB11-1217 by Representative(s) Acree, Joshi, Kerr A., Stephens, Summers; also Senator(s) Boyd, Roberts--Concerning measures to expand access to health care throughout the state.

Senator Boyd moved that the conference committee on **HB11-1217** be dissolved and that the Senate adhere to its position. The motion was **adopted** by the following roll call vote:

YES	21	NO	14	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	N	Scheffel	N
Bacon	Y	Harvey	N	Lambert	N	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	N	Spence	Y
Brophy	N	Hodge	Y	Mitchell	N	Steadman	Y
Cadman	N	Hudak	Y	Morse	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	N
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	N	Renfroe	N	President	Y
Grantham	N	King S.	N	Roberts	N		

COMMITTEE OF REFERENCE REPORTS

State, Veterans, & Military Affairs After consideration on the merits, the Committee recommends that **HJR11-1024** be postponed indefinitely.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

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.

Senator Shaffer B. moved that the Senate concur in House amendments to **SB11-109**, as printed in House journal, May 10, page 1381. The motion was **adopted** by the following roll call vote:

YES	32	NO	3	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	Y	Scheffel	Y
Bacon	N	Harvey	Y	Lambert	Y	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	Y	Spence	Y
Brophy	Y	Hodge	Y	Mitchell	Y	Steadman	N
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		

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

YES	26	NO	9	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	N	Scheffel	N
Bacon	Y	Harvey	N	Lambert	N	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	N	Spence	Y
Brophy	Y	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	N	King S.	N	Roberts	Y		

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

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB11-184

by Senator(s) Steadman, Bacon, Boyd, Carroll, Giron, Guzman, Hodge, Hudak, Johnston, Morse, Nicholson, Shaffer B., Tochtrop; also Representative(s) Ferrandino, Duran, Fields, Hullinghorst, Kagan, Kefalas, Labuda, McCann, Pabon, Pace--Concerning tax reporting, and making an appropriation therefor.

Senator Steadman moved that the Senate concur in House amendments to **SB11-184**, as printed in House journal, May 10, pages 1380-1381. The motion was **adopted** by the following roll call vote:

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

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

YES	23	NO	12	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	Y
Brophy	N	Hodge	Y	Mitchell	N	Steadman	Y
Cadman	N	Hudak	Y	Morse	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	N	Renfroe	N	President	Y
Grantham	N	King S.	N	Roberts	Y		

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

Co-sponsors added: Aguilar, Foster, Heath, Schwartz and Williams S.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

HJR11-1027 by Representative(s) Stephens, McNulty, Pace; also Senator(s) Morse, Shaffer B., Kopp-- Concerning the adjournment sine die of the First Regular Session of the Sixty-eighth General Assembly.

On motion of Senator Morse, the resolution was read at length and **adopted** by the following roll call vote:

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

Co-sponsors added: Aguilar, Bacon, Boyd, Cadman, Foster, Grantham, Guzman, Heath, Hudak, Jahn, Johnston, King S., Lambert, Lundberg, Newell, Renfroe, Scheffel, Spence, Tochtrop, White and Williams S.

TRIBUTES

Honoring:

- Alyssa Kaspersen, Boettcher Scholar -- by Senator Aguilar.
- Richard Maez, Boettcher Scholar -- by Senator Aguilar.
- Indian Ridge Elementary School 4th Graders -- by Senator Spence.
- Joshua Eddie Howard -- by Senator Carroll.
- Kathy Reeves-Howard -- by Senator Carroll.
- Bethany Geneva Howard -- by Senator Carroll.
- John Anderstrom -- by Senator Carroll.
- Rachel Mizenko -- by Senator Kopp.
- Kristine Padgett -- by Senator Kopp.
- Andrew Hodge -- by Senator Morse.
- Regis Jesuit Basketball Team and Coach Ken Shaw -- by Senator Spence.
- Sally Symanski, Colorado State Auditor -- by Senator Tochtrop.
- Cindi Stetson, Colorado Deputy State Auditor -- by Senator Tochtrop.
- Regan Smith and the #78 Furniture Row Car Team, NASCAR Winners -- by Senator Brophy.
- Jamie Katuna, Parade Magazine's All-American Basketball Team -- by Senator Shaffer.

On motion of Senator Morse, and with the unanimous consent of those elected to the Senate having voted in the affirmative, the First Regular Session of the Sixty-eighth General Assembly adjourned *sine die* at 8:18 p.m., May 11, 2011.

Approved:

Brandon C. Shaffer
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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