

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

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114th Legislative Day

Thursday, May 5, 2011

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Prayer	By the chaplain, Reverend Paul Kottke, University Park United Methodist Church, Denver.	11
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Call to Order	By the President at 9:00 a.m.	14
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Pledge	By Senator Giron.	17
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Roll Call	Present--32	19
	Excused--3, Brophy, Lundberg, Shaffer B.	20
	Present later--1, Lundberg.	21
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Quorum	The President announced a quorum present.	23
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Reading of Journal	On motion of Senator King S., reading of the Journal of Wednesday, May 4, 2011, was dispensed with and the Journal was approved as corrected by the Secretary.	25
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**MESSAGE FROM THE HOUSE**

May 4, 2011

Mr. President:

The House has postponed indefinitely SB11-044, 185. The bill is returned herewith.

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On motion of Senator Morse, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for consideration of Third Reading of Bills -- Final Passage.

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**THIRD READING OF BILLS -- FINAL PASSAGE**

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

**HB11-1121** by Representative(s) Ramirez, Massey, McNulty, Szabo; also Senator(s) King K.-- Concerning disqualification from school employment for conviction of certain offenses, and making an appropriation therefor.

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

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

Amend revised bill, page 7, line 12, strike "PROVIDED".

Page 7, line 13, strike "HAS" and substitute "SHALL HAVE".

Page 7, line 14, strike "COURT." and substitute "COURT PRIOR TO EMPLOYMENT.".

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

YES	33	NO	0	EXCUSED	2	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	E	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	E
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	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	Y	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	Y	Spence	Y
Brophy	E	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	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-sponsor added: White

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

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

Third Reading Amendment No. 1(L.027), by Senator Steadman.

Amend revised bill, page 12, strike lines 15 through 18 and substitute "SCHOOL DISTRICT, IN ITS POLICY, MAY INCLUDE THE BIENNIAL ADMINISTRATION OF SURVEYS OF STUDENTS' IMPRESSIONS OF THE SEVERITY OF BULLYING IN THEIR SCHOOLS, AS DESCRIBED IN SECTION 22-93-104 (1) (c); CHARACTER BUILDING; AND".

Page 13, strike lines 10 through 17 and substitute "SUCH BEHAVIOR THAT IS DIRECTED TOWARD A STUDENT ON THE BASIS OF HIS OR HER ACADEMIC PERFORMANCE; OR AGAINST WHOM FEDERAL AND STATE LAWS PROHIBIT DISCRIMINATION UPON ANY OF THE BASES DESCRIBED IN SECTION 22-32-109 (1) (II) (I); OR IN RESPONSE TO ANY WRITTEN OR VERBAL STATEMENT BY A STUDENT EXPRESSING HIS OR HER POLITICAL, POLICY, OR MORAL VIEWS OR AFFILIATION, INCLUDING ANY DIFFERENCES BETWEEN THE STUDENT'S VIEWS OR AFFILIATION AND THE VIEWS OR AFFILIATION OF THE STUDENT'S INSTRUCTOR, ANY SCHOOL ADMINISTRATOR, OR ANY OTHER STUDENT.".

Page 16, line 4, strike "INCORPORATE" and substitute "INCLUDE".

Page 16, strike line 8 and substitute "SECTION 22-93-104 (1) (c); CHARACTER BUILDING; AND".

Page 16, line 9, strike "INCLUDE".

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

YES	33	NO	0	EXCUSED	2	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	E	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	E
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	N	Scheffel	N
Bacon	Y	Harvey	N	Lambert	N	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	N	Spence	Y
Brophy	E	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	E
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: Aguilar, Bacon, Boyd, Carroll, Foster, Giron, Guzman, Heath, Hodge, Hudak, Jahn, King S., Morse, Newell, Nicholson, Roberts, Schwartz, Spence, Tochtrop, White and Williams S.

**SB11-258**

by Senator(s) Schwartz; also Representative(s) Vigil and Coram--Concerning locally produced foods, and, in connection therewith, authorizing the department of public health and environment and local boards of health to create registries of growers who produce food products in their home kitchens, promoting local foods, and increasing economic opportunities for local food producers.

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

YES	22	NO	11	EXCUSED	2	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	E	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	E
Grantham	N	King S.	Y	Roberts	N		

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

Co-sponsors added: Aguilar, Bacon, Carroll, Giron, Guzman, Heath, Jahn, King S. and White.

On motion of Senator Morse, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for consideration of House amendments to Senate bills.

**CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS**

**SB11-189**

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

Senator Heath moved that the Senate concur in House amendments to **SB11-189**, as printed in House journal, April 28, page 1156. The motion was **adopted** by the following roll call vote:

YES	33	NO	0	EXCUSED	2	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	E	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	E
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	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	Y	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	Y	Spence	Y
Brophy	E	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	E
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**.

**SB11-193**

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

Senator Aguilar moved that the Senate not concur in House amendments to **SB11-193**, as printed in House journal, April 28, page 1193, and that a conference committee be appointed.

A majority of all members elected to the Senate having voted in the affirmative, the motion was **adopted** on the following roll call vote:

YES	30	NO	3	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	N	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	Y	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	Y	Spence	Y
Brophy	E	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	E
Grantham	Y	King S.	Y	Roberts	Y		

The President appointed Senators Aguilar, Chair, Carroll, and Roberts as Senate conferees on the first conference committee on **SB11-193**.

**SB11-200** by Senator(s) Boyd; also Representative(s) Stephens--Concerning a Colorado health benefit exchange, and, in connection therewith, creating a process for the implementation of a health benefit exchange in Colorado.

Senator Boyd moved that the Senate concur in House amendments to **SB11-200**, as printed in House journal, May 3, pages 1221-1222. The motion was **adopted** by the following roll call vote:

YES	29	NO	4	EXCUSED	2	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	E	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	Y	President	E
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	20	NO	13	EXCUSED	2	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	E	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	E
Grantham	Y	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**.

**IMMEDIATE RECONSIDERATION OF SB11-200**

**SB11-200** by Senator(s) Boyd; also Representative(s) Stephens--Concerning a Colorado health benefit exchange, and, in connection therewith, creating a process for the implementation of a health benefit exchange in Colorado.

Having voted on the prevailing side, Senator Morse moved for immediate reconsideration of the last Senate action, Consideration of House Amendments to Senate Bills, on **SB11-200**. The roll call was taken with the following result:

YES	33	NO	0	EXCUSED	2	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	E	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	E
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**

**SB11-200**

by Senator(s) Boyd; also Representative(s) Stephens--Concerning a Colorado health benefit exchange, and, in connection therewith, creating a process for the implementation of a health benefit exchange in Colorado.

Senator Boyd moved for the repassage of **SB11-200**. The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	19	NO	14	EXCUSED	2	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	E	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	E
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**.

**CONSIDERATION OF GOVERNOR'S APPOINTMENTS**

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

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.

YES	31	NO	2	EXCUSED	2	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	E	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	E
Grantham	Y	King S.	Y	Roberts	Y		

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

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.

YES	33	NO	0	EXCUSED	2	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	E	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	E
Grantham	Y	King S.	Y	Roberts	Y		

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

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.

YES	33	NO	0	EXCUSED	2	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	E	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	E
Grantham	Y	King S.	Y	Roberts	Y		

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 -- consent calendar.

**CONSIDERATION OF RESOLUTIONS -- CONSENT CALENDAR**

**SJR11-015** by Senator(s) Kopp; also Representative(s) McNulty--Concerning the opinion of the General Assembly against the Federal Highway Administration regulation that amends the Manual on Uniform Traffic Control Devices.

Amendment No. 1, Transportation Committee Amendment.

(Printed in Senate Journal, March 2, page 353 and placed in members' bill files.)

On motion of Senator Morse, 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	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	Y	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	Y	Spence	Y
Brophy	E	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	E
Grantham	Y	King S.	Y	Roberts	Y		

**SJR11-024** by Senator(s) Nicholson; also Representative(s) Kefalas--Concerning civility and respect in the Colorado General Assembly.

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

YES	29	NO	4	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	Y	Scheffel	Y
Bacon	Y	Harvey	N	Lambert	N	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	Y	Spence	Y
Brophy	E	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	E
Grantham	Y	King S.	Y	Roberts	Y		

Co-sponsors added: Aguilar, Bacon, Boyd, Carroll, Giron, Guzman, Hodge, Hudak, Morse, Newell, Steadman, Tochtrop and Williams S.

**SJR11-045** by Senator(s) Jahn; also Representative(s) Tyler--Concerning 22q11.2 deletion syndrome awareness week.

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

YES	33	NO	0	EXCUSED	2	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	E	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	E
Grantham	Y	King S.	Y	Roberts	Y		

Co-sponsors added: Aguilar, Boyd, Newell and Williams S.

**SJR11-046** by Senator(s) Tochtrop; also Representative(s) Pabon--Concerning the declaration of July 28, 2011, as "Hepatitis C Awareness Day".

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

YES	33	NO	0	EXCUSED	2	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	E	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	E
Grantham	Y	King S.	Y	Roberts	Y		

Co-sponsors added: Aguilar, Boyd, Hudak, Newell and Steadman.

**SJR11-050** by Senator(s) King S.; also Representative(s) Scott and Bradford--Concerning the 100th Anniversary of the Colorado National Monument.

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

YES	33	NO	0	EXCUSED	2	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	E	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	E
Grantham	Y	King S.	Y	Roberts	Y		

Co-sponsors added: Aguilar, Bacon, Boyd, Cadman, Carroll, Foster, Giron, Grantham, Guzman, Harvey, Heath, Hodge, Hudak, Jahn, Johnston, King K., Kopp, Lambert, Lundberg, Mitchell, Morse, Newell, Nicholson, Renfroe, Roberts, Scheffel, Schwartz, Spence, Steadman, Tochtrop, White and Williams S.

**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".

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

YES	33	NO	0	EXCUSED	2	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	E	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	E
Grantham	Y	King S.	Y	Roberts	Y		

Co-sponsors added: Aguilar, Bacon, Cadman, Carroll, Foster, Giron, Grantham, Guzman, Harvey, Heath, Hodge, Hudak, Jahn, Johnston, King K., King S., Kopp, Lambert, Lundberg, Mitchell, Morse, Newell, Renfroe, Roberts, Scheffel, Schwartz, Spence, Steadman, Tochtrop and Williams S.

**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.

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

YES	33	NO	0	EXCUSED	2	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	E	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	E
Grantham	Y	King S.	Y	Roberts	Y		

**HJR11-1022** by Representative(s) Fields, Todd, Priola, Acree, Balmer, Barker, Beezley, Bradford, Brown, Casso, Conti, Court, Duran, Ferrandino, Fischer, Gardner B., Gardner D., Hamner, Holbert, Hulinghorst, Jones, Joshi, Kagan, Kefalas, Kerr A., Kerr J., Labuda, Lee, Levy, Looper, Massey, McCann, McKinley, McNulty, Miklosi, Murray, Pabon, Pace, Peniston, Ramirez, Riesberg, Ryden, Schafer S., Solano, Soper, Swerdfeger, Szabo, Vigil, Williams A., Wilson; also Senator(s) Carroll--Concerning recognition of Military Family Month.

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

YES	33	NO	0	EXCUSED	2	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	E	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	E
Grantham	Y	King S.	Y	Roberts	Y		

Co-sponsors added: Aguilar, Bacon, Boyd, Cadman, Foster, Giron, Grantham, Guzman, Harvey, Heath, Hodge, Hudak, Jahn, Johnston, King K., King S., Kopp, Lambert, Lundberg, Mitchell, Morse, Newell, Renfroe, Roberts, Scheffel, Schwartz, Spence, Steadman, Tochtrop, White and Williams S.

**HJR11-1019** by Representative(s) Gardner B., Conti, Court, Holbert, Hulinghorst, Joshi, Kerr A., Looper, McCann, Murray, Pace, Sonnenberg, Stephens, Swalm, Szabo, Williams A., Wilson; also Senator(s) Jahn, Bacon, Cadman, Grantham, King S., Morse, Roberts, Tochtrop, White--Concerning Lupus awareness, and, in connection therewith, designating May as "Lupus Awareness Month" in the state of Colorado.

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

YES	33	NO	0	EXCUSED	2	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	E	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	E
Grantham	Y	King S.	Y	Roberts	Y		

Co-sponsors added: Aguilar, Boyd, Carroll, Foster, Giron, Guzman, Harvey, Heath, Hodge, Hudak, Johnston, King K., Kopp, Lambert, Lundberg, Mitchell, Newell, Nicholson, Renfroe, Scheffel, Schwartz, Spence, Steadman and Williams S.

**RECONSIDERATION OF SJR11-015**

**SJR11-015** by Senator(s) Kopp; also Representative(s) McNulty--Concerning the opinion of the General Assembly against the Federal Highway Administration regulation that amends the Manual on Uniform Traffic Control Devices.

Having voted on the prevailing side, Senator Morse moved for reconsideration of the last Senate action, Consideration of Resolutions, on SJR11-015. The roll call was taken with the following result:

YES	33	NO	0	EXCUSED	2	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	E	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	E
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 RESOLUTIONS**

**SJR11-015** by Senator(s) Kopp; also Representative(s) McNulty--Concerning the opinion of the General Assembly against the Federal Highway Administration regulation that amends the Manual on Uniform Traffic Control Devices.

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

YES	30	NO	3	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	N	Kopp	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	Y	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	Y	Spence	Y
Brophy	E	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.	N
Giron	Y	King K.	Y	Renfroe	Y	President	E
Grantham	Y	King S.	Y	Roberts	Y		

Committee of the Whole Senator Hodge moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders -- Second Reading of Bills and Senator Hodge 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:

**SB11-032** by Senator(s) Johnston; --Concerning a requirement that the public utilities commission promulgate rules to establish an on-bill financing program for clean energy improvements to real property.

As amended, laid over until Friday, May 6, retaining its place on the calendar.

**SB11-261** by Senator(s) Roberts, Brophy, Carroll, Morse, Schwartz; also Representative(s) Gardner B., Labuda, Levy, Murray, Waller--Concerning the publication of the Colorado Revised Statutes by persons other than the general assembly.

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

**SB11-264** by Senator(s) Newell; also Representative(s) Gardner B. and Lee--Concerning a clarification of state law governing the circumstances under which a notice of lis pendens must be recorded in connection with the filing of a debt security instrument as a substitute for the filing of certain liens.

Amendment No. 1, Judiciary Committee Amendment.

(Printed in Senate Journal, May 3, page 1002 and placed in members' bill files.)

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

**HB11-1005** by Representative(s) Sonnenberg and Becker; also Senator(s) Brophy--Concerning the repeal of House Bill 10-1195 regarding a suspension of the exemption from the state sales and use taxes for certain items used in agricultural production, and making an appropriation therefor.

Amendment No. 1, Appropriations Committee Amendment.

(Printed in Senate Journal, May 4, pages 1015-1016 and placed in members' bill files.)

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

**ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE**

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

YES	33	NO	0	EXCUSED	2	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	E	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	E
Grantham	Y	King S.	Y	Roberts	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB11-261, SB11-264 as amended, HB11-1005 as amended.  
Laid over until May 6: SB11-032.

On motion of Senator Morse, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, SB11-251, SB11-266, HB11-1093 were made Special Orders at 10:10 a.m.

Committee of the Whole The hour of 10:10 a.m. having arrived, Senator Hodge moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders -- Second Reading of Bills and Senator Hodge 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:

**SB11-266** 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.

Amendment No. 1, Education Committee Amendment.  
(Printed in Senate Journal, April 29, pages 949-950 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.  
(Printed in Senate Journal, May 4, pages 1014-1015 and placed in members' bill files.)

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

**HB11-1093** by Representative(s) Bradford, Sonnenberg; also Senator(s) Cadman--Concerning the payment of specific ownership tax on special mobile machinery.

Amendment No. 1, Transportation Committee Amendment.  
(Printed in Senate Journal, May 4, page 1017 and placed in members' bill files.)

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

**ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE --  
CONSENT CALENDAR**

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

YES	33	NO	0	EXCUSED	2	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	E	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	E
Grantham	Y	King S.	Y	Roberts	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB11-266 as amended, HB11-1093 as amended.  
Removed from the Special Orders - Second Reading of Bills Calendar for May 5:  
SB11-251.

On motion of Senator Morse, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, SB11-267, SB11-270, HB11-1242, SB11-251, HB11-1265, HB11-1105, HB11-1297 were made Special Orders at 10:18 a.m.

Committee of the Whole

The hour of 10:18 a.m. having arrived, Senator Hodge moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders -- Second Reading of Bills and Senator Hodge 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:

**SB11-267**

by Senator(s) Schwartz, Shaffer B., Bacon, Foster, Giron, Guzman, Heath, Hodge, Jahn, Johnston, King S., Nicholson, Roberts, Tochtrop, White, Williams S.; also Representative(s) Coram and Hamner, Court--Concerning measures to promote forest health, and, in connection therewith, creating the Colorado forest biomass use work group and promoting the creation of sustainable market-based models for active forest management and woody biomass energy development.

Amendment No. 1, Agriculture, Natural Resources, and Energy Committee Amendment. (Printed in Senate Journal, April 29, page 949 and placed in members' bill files.)

Amendment No. 2(L.004), by Senator Schwartz.

Strike the Agriculture, Natural Resources, and Energy Committee Report, dated April 28, 2011, and substitute "Amend printed bill, page 5, line 23, strike "ADDRESS" and substitute "PROTECT".

Page 6 of the printed bill, line 13, strike everything after "MITIGATION" and substitute "STRATEGY;".

As amended, laid over until Friday, May 6, retaining its place on the calendar.

On motion of Senator Morse, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the Special Orders -- Second Reading of Bills Calendar (SB11-270, HB11-1242, SB11-251, HB11-1265, HB11-1105, HB11-1297) of Thursday, May 5 was laid over until Friday, May 6, retaining its place on the calendar.

**ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE**

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

YES	33	NO	0	EXCUSED	2	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	E	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	E
Grantham	Y	King S.	Y	Roberts	Y		

The Committee of the Whole took the following action:

Laid over until May 6: SB11-267 as amended, SB11-270, HB11-1297, HB11-1242, HB11-1265, HB11-1105, SB11-251.

**SENATE SERVICES REPORT**

**Correctly Printed:** SB11-273.  
**Correctly Engrossed:** SB11-258; SJR11-052; SR1-005.  
**Correctly Reengrossed:** SB11-186.  
**Correctly Revised:** HB11-1254.  
**Correctly Rerevised:** HB11-1166, 1199, 1267 and 1275.  
**Correctly Enrolled:** SJR11-023 and 051.

**MESSAGE FROM THE HOUSE**

May 5, 2011

Mr. President:

The House has adopted and returns herewith SJR11-032.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB11-1315, 1313, 1310.

The House has passed on Third Reading and transmitted to the Revisor of Statutes  
 HB11-1317, amended as printed in House Journal, May 4, page 1245.  
 HB11-1307, amended as printed in House Journal, May 4, page 1249.  
 HB11-1318, amended as printed in House Journal, May 4, pages 1248-1249.

**MESSAGE FROM THE REVISOR OF STATUTES**

May 5, 2011

We herewith transmit:

Without comment, HB11-1310, 1313, and 1315.  
 Without comment, as amended, HB11-1307, 1317, and 1318.

**DELIVERY TO THE GOVERNOR**

To the Governor for signature on Wednesday, May 4, 2011, at 2:45 p.m.: SB11-231.

**SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS**

The President has signed: SB11-231, 108, 124, 179, and 226.

**COMMITTEE OF REFERENCE REPORTS**

Business,  
Labor, &  
Technology

After consideration on the merits, the Committee recommends that **SB11-174** be postponed indefinitely.

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Business,  
Labor, &  
Technology

After consideration on the merits, the Committee recommends that **HB11-1188** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 2, strike lines 2 through 7.

Renumber succeeding sections accordingly.

Page 3, line 8, before "OPERATE" insert "COMPETITIVELY".

Page 3, line 9, strike "AGREEMENTS." and substitute "AGREEMENTS THERETO."

Page 4, strike lines 13 through 22 and substitute:

"(x) TO REQUIRE, COERCE, OR ATTEMPT TO COERCE A MOTOR VEHICLE DEALER TO SUBSTANTIALLY ALTER A FACILITY OR PREMISES IF:

(I) THE FACILITY OR PREMISES HAS BEEN ALTERED WITHIN THE LAST SEVEN YEARS AT A COST OF MORE THAN TWO HUNDRED FIFTY THOUSAND DOLLARS AND THE ALTERATION WAS REQUIRED OR APPROVED BY THE MANUFACTURER, DISTRIBUTOR, OR MANUFACTURER REPRESENTATIVE UNLESS THE MOTOR VEHICLE DEALER SELLS ONLY MOTORCYCLES OR MOTORCYCLES AND POWERSPORTS VEHICLES; EXCEPT THAT THIS PARAGRAPH (x) DOES NOT APPLY TO IMPROVEMENTS MADE TO COMPLY WITH HEALTH OR SAFETY LAWS OR TO ACCOMMODATE THE TECHNOLOGY REQUIREMENTS NECESSARY TO SELL OR SERVICE A LINE-MAKE; OR

(II) THE MOTOR VEHICLE DEALER SELLS ONLY MOTORCYCLES OR MOTORCYCLES AND POWERSPORTS VEHICLES, THE FACILITY OR PREMISES HAS BEEN ALTERED WITHIN THE LAST SEVEN YEARS AT A COST OF MORE THAN TWENTY-FIVE THOUSAND DOLLARS, AND THE ALTERATION WAS REQUIRED OR APPROVED BY THE MANUFACTURER, DISTRIBUTOR, OR MANUFACTURER REPRESENTATIVE; EXCEPT THAT THIS PARAGRAPH (x) DOES NOT APPLY TO IMPROVEMENTS MADE TO COMPLY WITH HEALTH OR SAFETY LAWS OR TO ACCOMMODATE THE TECHNOLOGY REQUIREMENTS NECESSARY TO SELL OR SERVICE A LINE-MAKE."

Page 4, strike lines 26 and 27.

Page 5, strike lines 1 through 5 and substitute:

**12-6-129. Site control extinguishes.** IF A MANUFACTURER, DISTRIBUTOR, OR MANUFACTURER REPRESENTATIVE HAS TERMINATED, ELIMINATED, OR NOT RENEWED A FRANCHISE AGREEMENT CONTAINING A SITE CONTROL PROVISION, THE MOTOR VEHICLE DEALER MAY VOID A SITE CONTROL PROVISION OF A FRANCHISE AGREEMENT BY RETURNING ANY MONEY THE DEALER HAS ACCEPTED IN EXCHANGE FOR SITE CONTROL PRORATED BY THE TIME REMAINING BEFORE THE AGREEMENT EXPIRES OVER THE TIME PERIOD BETWEEN THE AGREEMENT BEING SIGNED AND THE AGREEMENT EXPIRING. THIS SECTION DOES NOT APPLY IF THE TERMINATION, ELIMINATION, OR NONRENEWAL IS FOR JUST CAUSE IN ACCORDANCE WITH SECTION 12-6-120 (1) (d)."

Page 5, line 23, strike "BOARD" and substitute "EXECUTIVE DIRECTOR".

Page 5, line 26, strike "BOARD" and substitute "EXECUTIVE DIRECTOR".

Page 5, line 27, strike "THE EFFECTIVE DATE OF THE" and substitute "THE EXECUTIVE DIRECTOR ISSUING A DECISION OR NINETY DAYS AFTER THE MANUFACTURER, DISTRIBUTOR, OR MANUFACTURER'S REPRESENTATIVE PROVIDES THE NOTICE OF TERMINATION UNLESS THE EXECUTIVE DIRECTOR FINDS THAT THE TERMINATION, CANCELLATION, OR NONRENEWAL WAS FOR FRAUD, A MISREPRESENTATION, OR COMMITTING A CRIME WITHIN THE SCOPE OF THE FRANCHISE AGREEMENT OR IN THE OPERATION OF THE DEALERSHIP, IN WHICH CASE THE FRANCHISE RIGHTS TERMINATE IMMEDIATELY."

Page 6, strike lines 1 and 2.

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Page 6, strike line 26 and substitute "SEVEN YEARS AT A COST OF MORE THAN TWENTY-FIVE THOUSAND".

Page 7, strike lines 9 through 15 and substitute:

"12-6-535. Site control extinguishes. IF A MANUFACTURER, DISTRIBUTOR, OR MANUFACTURER REPRESENTATIVE HAS TERMINATED, ELIMINATED, OR NOT RENEWED A FRANCHISE AGREEMENT CONTAINING A SITE CONTROL PROVISION, THE POWERSPORTS VEHICLE DEALER MAY VOID A SITE CONTROL PROVISION OF A FRANCHISE AGREEMENT BY RETURNING ANY MONEY THE DEALER HAS ACCEPTED IN EXCHANGE FOR SITE CONTROL PRORATED BY THE TIME REMAINING BEFORE THE AGREEMENT EXPIRES OVER THE TIME PERIOD BETWEEN THE AGREEMENT BEING SIGNED AND THE AGREEMENT EXPIRING. THIS SECTION DOES NOT APPLY IF THE TERMINATION, ELIMINATION, OR NONRENEWAL IS FOR JUST CAUSE IN ACCORDANCE WITH SECTION 12-6-523 (1) (d)."

Page 8, line 5, strike "BOARD" and substitute "EXECUTIVE DIRECTOR".

Page 8, line 8, strike "BOARD" and substitute "EXECUTIVE DIRECTOR".

Page 8, strike lines 9 through 11 and substitute "FRANCHISE AGREEMENT UNTIL THE LATER OF THE EXECUTIVE DIRECTOR ISSUING A DECISION OR NINETY DAYS AFTER THE MANUFACTURER, DISTRIBUTOR, OR MANUFACTURER'S REPRESENTATIVE PROVIDES THE NOTICE OF TERMINATION UNLESS THE EXECUTIVE DIRECTOR FINDS THAT THE TERMINATION, CANCELLATION, OR NONRENEWAL WAS FOR FRAUD, A MISREPRESENTATION, OR COMMITTING A CRIME WITHIN THE SCOPE OF THE FRANCHISE AGREEMENT OR IN THE OPERATION OF THE DEALERSHIP, IN WHICH CASE THE FRANCHISE RIGHTS TERMINATE IMMEDIATELY."

Page 8, after line 11, insert:

"SECTION 6. 42-1-102 (55), Colorado Revised Statutes, is amended to read:

**42-1-102. Definitions.** As used in articles 1 to 4 of this title, unless the context otherwise requires:

(55) "Motorcycle" means a motor vehicle that uses handlebars OR ANY OTHER DEVICE CONNECTED TO THE FRONT WHEEL to steer and that is designed to travel on not more than three wheels in contact with the ground; except that the term does not include a farm tractor, LOW-SPEED ELECTRIC VEHICLE, or low-power scooter."

Renumber succeeding sections accordingly.

Business,  
Labor, &  
Technology

The Committee on Business, Labor, and Technology has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

MEMBERS OF THE  
WORKERS' COMPENSATION COST  
CONTAINMENT BOARD

for terms expiring December 13, 2013:

Tasha R. Greene, Ault, Colorado, representing executives with good risk management experience in the insurance industry, and as Unaffiliated, reappointed;

Patrick W. Hagge, Fort Collins, Colorado, representing employers with good risk management experience with respect to their workers' compensation insurance, and as a Republican, reappointed.

Judiciary

After consideration on the merits, the Committee recommends that **HB11-1250** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 2, line 15, strike "NOT" and substitute "KEEP OUT OF REACH OF CHILDREN";".

Page 2, strike line 16.

Judiciary After consideration on the merits, the Committee recommends that **SB11-271** be referred to the Committee of the Whole with favorable recommendation.

Judiciary After consideration on the merits, the Committee recommends that **HB11-1282** be postponed indefinitely.

Judiciary After consideration on the merits, the Committee recommends that **SB11-134** be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation.

Amend printed bill, page 2, strike lines 2 through 4 and substitute:

**SECTION 1.** 18-18-102 (5), Colorado Revised Statutes, is amended, and the said 18-18-102 is further amended BY THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS, to read:

**18-18-102. Definitions.** As used in this article:

(5) "Controlled substance" means a drug, substance, or immediate precursor included in schedules I through V of part 2 of this article, including cocaine, marijuana, and marijuana concentrate, ANY SYNTHETIC CANNABINOID, AND SALVIA DIVINORUM.

(33.5) "SALVIA DIVINORUM" MEANS SALVIA DIVINORUM, SALVINORIN A, AND ANY PART OF THE PLANT CLASSIFIED AS SALVIA DIVINORUM, WHETHER GROWING OR NOT, INCLUDING THE SEEDS THEREOF, ANY EXTRACT FROM ANY PART OF THE PLANT, AND ANY COMPOUND, MANUFACTURE, SALTS, DERIVATIVE, MIXTURE, OR PREPARATION OF THE PLANT, ITS SEEDS, OR ITS EXTRACTS."

Page 2, line 7, strike "THE" and substitute "ONE OR MORE CANNABINOID RECEPTORS; OR".

Page 2, strike line 8.

Page 2, line 9, strike "HOMOLOG" and substitute "ISOMER".

Page 2, line 10, strike "THE" and substitute "ONE OR MORE CANNABINOID RECEPTORS."

Page 2, strike line 11.

Page 3, after line 11 insert:

"(d) AS USED IN THIS SUBSECTION (34.5), "ANALOG" MEANS ANY CHEMICAL THAT IS SUBSTANTIALLY SIMILAR IN CHEMICAL STRUCTURE TO A CHEMICAL COMPOUND THAT HAS BEEN DETERMINED TO HAVE BINDING ACTIVITY AT ONE OR MORE CANNABINOID RECEPTORS."

Page 3, strike lines 12 through 24 and substitute:

**SECTION 2.** Part 4 of article 18 of title 18, Colorado Revised Statutes, is amended BY THE ADDITION OF THE FOLLOWING NEW SECTIONS to read:

**18-18-406.1. Unlawful use or possession of synthetic cannabinoids or salvia divinorum.** (1) ON AND AFTER JANUARY 1, 2012, IT IS UNLAWFUL FOR ANY PERSON TO USE OR POSSESS ANY AMOUNT OF ANY SYNTHETIC CANNABINOID OR SALVIA DIVINORUM.

(2) A PERSON WHO VIOLATES ANY PROVISION OF SUBSECTION (1) OF THIS SECTION COMMITS A CLASS 2 MISDEMEANOR.

**18-18-406.2. Unlawful distribution, manufacturing, dispensing, sale, or cultivation of synthetic cannabinoids or salvia divinorum.** (1) IT IS UNLAWFUL FOR ANY PERSON KNOWINGLY TO:

(a) MANUFACTURE, DISPENSE, SELL, OR DISTRIBUTE, OR TO

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POSSESS WITH INTENT TO MANUFACTURE, DISPENSE, SELL, OR DISTRIBUTE,  
ANY AMOUNT OF ANY SYNTHETIC CANNABINOID OR SALVIA DIVINORUM;

(b) INDUCE, ATTEMPT TO INDUCE, OR CONSPIRE WITH ONE OR MORE  
OTHER PERSONS, TO MANUFACTURE, DISPENSE, SELL, DISTRIBUTE, OR  
POSSESS WITH INTENT TO MANUFACTURE, DISPENSE, SELL, OR DISTRIBUTE,  
ANY AMOUNT OF ANY SYNTHETIC CANNABINOID OR SALVIA DIVINORUM;  
OR

(c) CULTIVATE SALVIA DIVINORUM WITH INTENT TO DISPENSE,  
SELL, OR DISTRIBUTE ANY AMOUNT OF THE SALVIA DIVINORUM.

(2) A PERSON WHO VIOLATES ANY PROVISION OF SUBSECTION (1)  
OF THIS SECTION COMMITS A CLASS 5 FELONY.

(3) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (2) OF  
THIS SECTION, A PERSON WHO VIOLATES ANY PROVISION OF SUBSECTION  
(1) OF THIS SECTION BY DISPENSING, SELLING, OR DISTRIBUTING ANY  
AMOUNT OF ANY SYNTHETIC CANNABINOID OR SALVIA DIVINORUM  
COMMITS A CLASS 4 FELONY IF THE PERSON:

(a) DISPENSES, SELLS, OR DISTRIBUTES THE SYNTHETIC  
CANNABINOID OR SALVIA DIVINORUM TO A MINOR WHO IS LESS THAN  
EIGHTEEN YEARS OF AGE; AND

(b) IS AT LEAST EIGHTEEN YEARS OF AGE AND AT LEAST TWO  
YEARS OLDER THAN SAID MINOR.

(4) AS USED IN THIS SECTION, "DISPENSE" DOES NOT INCLUDE  
LABELING, AS DEFINED IN SECTION 12-22-102 (16), C.R.S."

State,  
Veterans, &  
Military  
Affairs

The Committee on State, Veterans, and Military Affairs has had under consideration and  
has had a hearing on the following appointments and recommends that the appointments  
be confirmed:

MEMBERS OF THE  
COLORADO CIVIL RIGHTS COMMISSION

for terms expiring March 13, 2015:

Raju Jairam of Fort Collins, Colorado, to serve as representative of the business  
community, and as an Unaffiliated, reappointed;

Katina C. Banks of Denver, Colorado, to serve as a representative of the community at  
large and as a Democrat, reappointed.

Judiciary

After consideration on the merits, the Committee recommends that **HB11-1032** be  
amended as follows, and as so amended, be referred to the Committee of the Whole with  
favorable recommendation.

Amend reengrossed bill, page 7, line 18, strike "SCALE." and substitute  
"SCALE, HOWEVER, THE FEE MAY BE WAIVED BY THE COURT."

Page 9, after line 23 insert:

**SECTION 10.** Part 3 of article 2 of title 19, Colorado Revised  
Statutes, is amended BY THE ADDITION OF A NEW SECTION to  
read:

**19-2-311. Victim-offender conferences - pilot program.** THE  
DIVISION OF YOUTH CORRECTIONS IS AUTHORIZED TO ESTABLISH A PILOT  
PROGRAM, WHEN FUNDS BECOME AVAILABLE, IN ITS FACILITIES TO  
FACILITATE VICTIM-INITIATED VICTIM-OFFENDER CONFERENCES WHEREBY  
A VICTIM OF A CRIME MAY REQUEST A FACILITATED CONFERENCE WITH THE  
JUVENILE WHO COMMITTED THE CRIME, IF THE JUVENILE IS IN THE  
CUSTODY OF THE DIVISION OF YOUTH CORRECTIONS. AFTER SUCH A PILOT  
PROGRAM IS ESTABLISHED, THE DIVISION OF YOUTH CORRECTIONS MAY  
ESTABLISH POLICIES AND PROCEDURES FOR THE VICTIM-OFFENDER  
CONFERENCES USING VOLUNTEERS TO FACILITATE THE CONFERENCES. THE  
VOLUNTEERS SHALL COMPLETE THE DIVISION OF YOUTH CORRECTIONS'  
VOLUNTEER AND FACILITY-SPECIFIC TRAINING PROGRAMS AND COMPLETE  
HIGH-RISK VICTIM-OFFENDER TRAINING AND VICTIM ADVOCACY TRAINING.  
THE DIVISION OF YOUTH CORRECTIONS SHALL NOT COMPENSATE OR  
REIMBURSE A VOLUNTEER OR VICTIM FOR ANY EXPENSES. IF A PILOT

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PROGRAM IS AVAILABLE, AND SUBSEQUENT TO THE VICTIM'S OR THE VICTIM REPRESENTATIVE'S REQUEST, THE DIVISION OF YOUTH CORRECTIONS SHALL ARRANGE SUCH A CONFERENCE ONLY AFTER DETERMINING THAT THE CONFERENCE WOULD BE SAFE AND ONLY IF THE JUVENILE AGREES TO PARTICIPATE. THE PURPOSES OF THE CONFERENCE SHALL BE TO ENABLE THE VICTIM TO MEET THE JUVENILE, TO OBTAIN ANSWERS TO QUESTIONS ONLY THE JUVENILE CAN ANSWER, TO ASSIST THE VICTIM IN HEALING FROM THE IMPACT OF THE CRIME, AND TO PROMOTE A SENSE OF REMORSE AND ACCEPTANCE OF RESPONSIBILITY BY THE JUVENILE THAT MAY CONTRIBUTE TO HIS OR HER REHABILITATION."

Renumber succeeding sections accordingly.

Page 12, line 21, strike "SCALE." and substitute "SCALE, HOWEVER, THE FEE MAY BE WAIVED BY THE COURT."

Page 12, line 25, strike "SCALE." and substitute "SCALE, HOWEVER, THE FEE MAY BE WAIVED BY THE COURT."

Page 13, line 16, strike "SCALE." and substitute "SCALE , HOWEVER, THE FEE MAY BE WAIVED BY THE COURT."

Agriculture,  
Natural  
Resources,  
and Energy

After consideration on the merits, the Committee recommends that **SB11-269** be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation.

Amend printed bill, page 3, line 18, strike "COLLECTORS AND".

Page 6, line 22, after "DEVICES" insert "IN COLORADO".

Page 6, line 23, after "INCLUDE" insert "A PERSON WHO PROCESSES FOR REUSE IF NO MATERIALS OF CONCERN ARE GENERATED FOR DISPOSAL OR".

Page 8, line 8, after "EACH" insert "FACILITY OF A".

Page 8, line 9, after "SECTION" insert "AND IS USED TO PROCESS ELIGIBLE ELECTRONIC DEVICES".

Page 8, line 10, after "A" insert "FACILITY OF A".

Page 8, line 15, strike "PROCESSOR" and substitute "PROCESSOR'S FACILITY AT WHICH THE MATERIALS ARE PROCESSED" and after "OR" insert "THE PROCESSOR SHALL".

Page 8, line 16, strike the first "WITH A PROCESSOR".

Page 8, line 17, strike "THAT" and substitute "WHOSE FACILITY".

Page 9, line 12, strike "IMPORTING" and substitute "IMPORTING, EXPORTING,".

Page 9, strike lines 20 through 25.

Renumber succeeding subsections accordingly.

Page 10, strike lines 20 through 27.

Page 11, strike lines 1 through 5 and substitute:

**"25-17-306. Collectors - delivery - immunity.** (1) A COLLECTOR SHALL DELIVER ELIGIBLE ELECTRONIC DEVICES COLLECTED UNDER THIS PART 3 ONLY TO A PROCESSOR WHOSE FACILITY IS:

(a) CERTIFIED UNDER SECTION 25-17-305; OR

(b) LOCATED OUTSIDE OF COLORADO AND CERTIFIED TO R2 OR E-STEWARD RECYCLING STANDARDS AND THE PROCESSOR IS REGISTERED WITH THE DEPARTMENT."

Renumber succeeding subsection accordingly.

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	Page 12, line 6, strike "COLLECTOR OR".	1
	Page 12, line 8, strike "OR".	2
	Page 12, line 9, strike "COLLECTOR" and after "CERTIFICATION" insert "OR REGISTRATION".	3
	Page 12, line 11, after the period add "THE DEPARTMENT SHALL TRANSMIT THE FINES TO THE STATE TREASURER, WHO SHALL CREDIT THEM TO THE GENERAL FUND.".	4
	Page 12, line 16, strike "COLLECTORS AND".	5
	Page 12, line 17, strike "CERTIFIED PROCESSORS," and substitute "PROCESSORS AND CERTIFIED PROCESSING FACILITIES,".	6
	Page 12, strike lines 22 through 27.	7
	Page 13, strike lines 1 through 10.	8
	Renumber succeeding C.R.S. section accordingly.	9
	Page 13, line 11, strike "(1)".	10
	Page 13, strike lines 12 through 17 and substitute "OCTOBER 1, 2012, A STATE GOVERNMENTAL AGENCY SHALL USE ONLY A PROCESSOR WHOSE FACILITY IS CERTIFIED AND THAT IS REGISTERED WITH THE DEPARTMENT".	11
	Page 1, line 102, after "REQUIRING" insert "THE PROCESSING FACILITIES OF".	12
	Page 1, line 104, strike "COLLECTORS" and substitute " PROCESSORS".	13
Local Government	After consideration on the merits, the Committee recommends that <b>HB11-1290</b> be postponed indefinitely.	14
Trans- portation	After consideration on the merits, the Committee recommends that <b>HB11-1298</b> be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	15
Business, Labor, & Technology	After consideration on the merits, the Committee recommends that <b>SB11-273</b> be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	16
	Amend printed bill, page 6, after line 5 insert:	17
	<b>"SECTION 3. 12-47-901 (1) (h), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:</b>	18
	<b>12-47-901. Unlawful acts - exceptions. (1) Except as provided</b>	19
	<b>in section 18-13-122, C.R.S., it is unlawful for any person:</b>	20
	<b>(h) (VI) NOTWITHSTANDING SUBPARAGRAPH (I) OF THIS</b>	21
	<b>PARAGRAPH (h), IT IS NOT UNLAWFUL FOR ADULT PATRONS OF A LICENSED</b>	22
	<b>PREMISES THAT IS ATTACHED TO A FESTIVAL AREA TO CONSUME ALCOHOL</b>	23
	<b>BEVERAGES UPON UNLICENSED AREAS WITHIN A FESTIVAL AREA, BUT THIS</b>	24
	<b>SUBPARAGRAPH (VI) DOES NOT AUTHORIZE A PATRON TO REMOVE AN</b>	25
	<b>ALCOHOL BEVERAGE FROM THE FESTIVAL AREA."</b>	26
	Renumber succeeding sections accordingly.	27
	Page 7, line 3, before "WITHIN" insert "FOR USE".	28
	Page 7, line 4, strike "TWENTY-FOUR" and substitute "SIXTEEN".	29
	Page 7, line 6, before "WITHIN" insert "FOR USE".	30

Page 7, line 8, strike "SIXTEEN-POINT" and substitute "TWENTY-FOUR-POINT".

Agriculture,  
Natural  
Resources,  
& 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  
STATE AGRICULTURAL COMMISSION

for a term expiring March 1, 2015:

Joanne Marilynn Stanko, Steamboat Springs, Colorado to serve as a Democrat and at-large member, replacing Lisa Gail Palmer, appointed.

Agriculture,  
Natural  
Resources,  
& Energy

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

MEMBERS OF THE  
STATE BOARD OF  
STOCK INSPECTION COMMISSIONERS

for terms expiring May 1, 2015:

Tim E. Thatcher of Pueblo, Colorado, to serve as a representative of the non-confinement cattle industry, reappointed;

Tracy Lungwitz of Yuma, Colorado, to serve as a representative of the confinement cattle industry, reappointed.

Agriculture,  
Natural  
Resources,  
& Energy

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

MEMBERS OF THE  
COLORADO WILDLIFE HABITAT STAMP COMMITTEE

for a term expiring December 31, 2011:

Bryan J. Martin of Westminster, Colorado, to serve as a representative of national or regionally recognized conservation organizations whose missions are focused on nongame wildlife and whose membership is composed primarily of nongame wildlife users and occasioned by the resignation of Jennifer A. Clanahan of Denver, Colorado, appointed.

for terms expiring December 31, 2014:

Michelle Zimmerman of Denver, Colorado, to serve as a representative of national or regionally recognized conservation organizations whose missions are focused on nongame wildlife and whose membership is composed primarily of nongame wildlife users, reappointed;

Gary C. Miller of Fort Collins, Colorado, to serve as a sportsperson, reappointed;

Kelly D. Van Cleave of Erie, Colorado, to serve as a sportsperson, appointed;

Allen L. Moores of Gunnison, Colorado, to serve as a sportsperson, appointed.

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Education	The Committee on <u>Education</u> has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:	1 2 3 4 5 6 7 8 9 10
	<u>MEMBERS OF THE CHARTER SCHOOL INSTITUTE BOARD</u>	11 12 13 14 15 16
	for a term expiring July 1, 2013:	17 18 19 20
	Patricia Mae Clouber of Leadville, Colorado, a Republican who has experience as a public school teacher, to fill the vacancy occasioned by the resignation of Celeste C. Di Iorio of Fort Collins, Colorado, appointed;	21 22 23 24 25
	for a term expiring July 1, 2014:	26 27 28 29
	Wayne D. Eckerling of Denver, Colorado, a Democrat who has experience as a public school teacher and as a public school administrator working with charter schools, reappointed.	30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49
Education	After consideration on the merits, the Committee recommends that <b>HB11-1277</b> be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	50 51 52 53 54 55 56 57 58
	Amend reengrossed bill, page 3, line 6, strike "OR INCREASE IN THE LEVEL" and substitute "THAT REQUIRES THE HIRING OF ADDITIONAL FTE,".	59 60 61 62 63
	Page 3, strike line 7.	
	Page 3, line 8, strike "SERVICE REQUIRED BY LAW,".	
	Page 3, line 10, strike "OR INCREASE".	
	Page 3, line 14, strike "OR INCREASE".	
	Page 3, line 20, strike "OR INCREASE IN THE" and substitute "THAT REQUIRES THE HIRING OF ADDITIONAL FTE, AND A SCHOOL DISTRICT,".	
	Page 3, strike lines 21 and 22.	
	Page 3, line 27, strike "OR INCREASE".	
	Page 4, line 18, strike "IN SIXTH THROUGH TWELFTH".	
	Page 4, line 19, strike "GRADE".	
	Page 4, line 20, strike "A".	
	Page 4, strike lines 21 and 22 and substitute "meet the".	
	Page 4, strike line 24 and substitute "section, OR ANY COMBINATION OF THESE TWO CRITERIA THAT EQUALS AT LEAST NINETY-FIVE PERCENT OF THE STUDENT POPULATION; or".	
	Page 5, line 6, strike the first "OR" and substitute "AND".	
Health & Human Services	The Committee on <u>Health and Human Services</u> has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:	59 60 61 62 63

MEMBERS OF THE  
STATE BOARD OF HEALTH

for terms expiring March 1, 2015:

Commissioner Crestina Maria Martinez, San Acacio, 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, appointed.

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.

Health &  
Human  
Services

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

UNIVERSITY OF COLORADO  
HOSPITAL AUTHORITY BOARD OF DIRECTORS

From the First Congressional District: Richard D. Krugman, MD, for a term effective March 1, 2011 continuing, as long as Dr. Krugman holds the position of Vice Chancellor of Health Affairs of the University of Colorado Anschutz Medical Campus, until February 28, 2015 (or until his successor is appointed by the Board of Regents).

Health &  
Human  
Services

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

MEMBER OF THE  
AIR QUALITY CONTROL COMMISSION

for a term expiring January 31, 2014:

Saeed G. Barhaghi, PhD, PE of Centennial, Colorado to serve as a member with scientific experience and as an Unaffiliated, appointed.

Health &  
Human  
Services

After consideration on the merits, the Committee recommends that **HB11-1217** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 2, strike line 2.

Strike page 3.

Page 4, strike lines 1 through 26.

Renumber succeeding sections accordingly.

Page 6, after line 10 insert:

"SECTION 2. 30-28-106 (3), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

**30-28-106. Adoption of master plan - contents - definitions.**  
(3) (h) (I) THE MASTER PLAN OF A COUNTY OR REGION ADOPTED IN ACCORDANCE WITH THIS SECTION MAY INCLUDE A COMMUNITY HEALTH

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ELEMENT REFLECTING CURRENT AND PROJECTED POPULATION ESTIMATES PURSUANT TO WHICH THE COUNTY OR REGION SHALL INDICATE HOW ITS PLANNING DECISIONS WILL PROMOTE PUBLIC HEALTH AND SAFETY AND THE GENERAL WELFARE OF THE RESIDENTS OF THE COUNTY OR REGION, AS APPLICABLE. MATTERS TO BE ADDRESSED IN CONNECTION WITH THIS ELEMENT OF THE MASTER PLAN MAY INCLUDE, WITHOUT LIMITATION, ACCESSIBILITY, AVAILABILITY, AFFORDABILITY, AND DELIVERY OF HEALTH CARE SERVICES AND HEALTH CARE FACILITIES; PUBLIC SAFETY; CIVIC PARTICIPATION WITHIN THE TERRITORIAL BOUNDARIES OF THE COUNTY OR REGION; AND ANY OTHER FACTORS OR POLICIES THAT WILL PROMOTE PUBLIC HEALTH AND SAFETY AND THE GENERAL WELFARE WITHIN THE TERRITORIAL BOUNDARIES OF THE COUNTY OR REGION. IN ASSESSING THE ACCESSIBILITY, AVAILABILITY, AFFORDABILITY, AND DELIVERY OF CURRENT AND ANTICIPATED HEALTH CARE SERVICES AND FACILITIES, THE PLANNING COMMISSION MAY CONSIDER:

(A) SURROUNDING COUNTIES, REGIONS, OR MUNICIPALITIES IN ORDER TO DEVELOP AN INVENTORY OF EXISTING FACILITIES AND SERVICES AND AN ASSESSMENT OF TRANSIT ACCESSIBILITY; AND

(B) POPULATION ESTIMATES AND PROJECTIONS PROVIDED BY THE COLORADO DEPARTMENT OF LOCAL AFFAIRS TO ESTABLISH CURRENT AND PROJECTED NEEDS OF FACILITIES AND SERVICES.

(II) NOTHING IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (h) SHALL BE CONSTRUED TO PRECLUDE THE DEVELOPMENT OF A HEALTH CARE FACILITY OR HOSPITAL THAT IS NOT INCLUDED IN THE MASTER PLAN OF A COUNTY OR REGION, NOR SHALL ANYTHING IN SAID SUBPARAGRAPH (I) BE CONSTRUED AS REQUIRING A HOSPITAL OR FACILITY TO OFFER ANY SERVICE THAT IS INCLUDED IN THE PLAN.

(III) TO THE EXTENT PRACTICABLE, A COUNTY OR REGION THAT ELECTS TO INCLUDE A COMMUNITY HEALTH ELEMENT IN ITS MASTER PLAN IS STRONGLY ENCOURAGED TO COLLABORATE WITH A PUBLIC HEALTH AGENCY OF THE COUNTY OR DISTRICT, AS APPLICABLE, IN THE INCLUSION OF SUCH ELEMENT AND TO FURTHER USE INFORMATION CONTAINED IN A PUBLIC HEALTH PLAN GOVERNING THE COUNTY OR REGION PURSUANT TO SUBPART 3 OF PART 5 OF ARTICLE 1 OF TITLE 25, C.R.S., IN THE INCLUSION OF SUCH ELEMENT.

(IV) AS USED IN THIS PARAGRAPH (h), UNLESS THE CONTEXT OTHERWISE REQUIRES:

(A) "HEALTH CARE FACILITY" OR "FACILITY" INCLUDES, WITHOUT LIMITATION, PUBLIC AND PRIVATE HEALTH CARE CLINICS OR PRACTICES, INCLUDING SCHOOL-BASED HEALTH CENTERS; LOCATIONS THAT PROVIDE ACCESS TO ALTERNATIVE MEDICINES; LONG-TERM CARE FACILITIES; REHABILITATIVE CENTERS; HOSPICES; AND PHARMACIES. FOR PURPOSES OF THIS PARAGRAPH (h), "HEALTH CARE FACILITY" SHALL NOT INCLUDE A HOSPITAL, OR ANY FACILITY OWNED OR OPERATED BY A HOSPITAL, THAT IS LICENSED OR CERTIFIED PURSUANT TO SECTION 25-3-101, C.R.S.

(B) "HEALTH CARE SERVICE" OR "SERVICE" MEANS, WITHOUT LIMITATION, ADOLESCENT HEALTH CARE, BEHAVIORAL CARE, CHIROPRACTIC SERVICES, DENTAL SERVICES, THE PROVISION OF DURABLE MEDICAL EQUIPMENT, EMERGENCY CARE, WELL WOMAN CARE, GERIATRIC CARE, HEALTH AND MEDICAL INSTRUCTION AT LOCAL EDUCATIONAL INSTITUTIONS, HEARING SERVICES AND THE PROVISION OF HEARING AIDS, INPATIENT CARE, LONG-TERM CARE, MENTAL HEALTH SERVICES, OBSTETRIC AND GYNECOLOGICAL CARE, OUTPATIENT CARE, PEDIATRIC SERVICES, THE PROVISION OF PRESCRIPTION DRUGS AND MEDICATION THERAPY MANAGEMENT, PRIMARY AND PREVENTIVE CARE, SUBSTANCE ABUSE TREATMENT, TRAUMA CARE, VISION CARE AND CORRECTION, AND CARE FOR INDIVIDUALS WITH DISABILITIES.

**SECTION 3.** 31-23-206, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**31-23-206. Master plan - definitions.** (5.5) (a) THE MASTER PLAN OF A MUNICIPALITY ADOPTED IN ACCORDANCE WITH THIS SECTION MAY INCLUDE A COMMUNITY HEALTH ELEMENT REFLECTING CURRENT AND PROJECTED POPULATION ESTIMATES PURSUANT TO WHICH THE MUNICIPALITY SHALL INDICATE HOW ITS PLANNING DECISIONS WILL PROMOTE PUBLIC HEALTH AND SAFETY AND THE GENERAL WELFARE OF THE RESIDENTS OF THE MUNICIPALITY. MATTERS TO BE ADDRESSED IN CONNECTION WITH THIS ELEMENT OF THE MASTER PLAN MAY INCLUDE, WITHOUT LIMITATION, ACCESSIBILITY, AVAILABILITY, AFFORDABILITY, AND DELIVERY OF HEALTH CARE SERVICES AND HEALTH CARE FACILITIES;

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PUBLIC SAFETY; CIVIC PARTICIPATION WITHIN THE TERRITORIAL BOUNDARIES OF THE MUNICIPALITY; AND ANY OTHER FACTORS OR POLICIES THAT WILL PROMOTE PUBLIC HEALTH AND SAFETY AND THE GENERAL WELFARE WITHIN THE TERRITORIAL BOUNDARIES OF THE MUNICIPALITY. IN ASSESSING THE ACCESSIBILITY, AVAILABILITY, AFFORDABILITY, AND DELIVERY OF CURRENT AND ANTICIPATED HEALTH CARE SERVICES AND FACILITIES, THE PLANNING COMMISSION MAY CONSIDER:

(I) SURROUNDING COUNTIES, REGIONS, OR MUNICIPALITIES IN ORDER TO DEVELOP AN INVENTORY OF EXISTING FACILITIES AND SERVICES AND AN ASSESSMENT OF TRANSIT ACCESSIBILITY; AND

(II) POPULATION ESTIMATES AND PROJECTIONS PROVIDED BY THE COLORADO DEPARTMENT OF LOCAL AFFAIRS TO ESTABLISH CURRENT AND PROJECTED NEEDS OF FACILITIES AND SERVICES.

(b) TO THE EXTENT PRACTICABLE, A MUNICIPALITY THAT ELECTS TO INCLUDE A COMMUNITY HEALTH ELEMENT IN ITS MASTER PLAN IS STRONGLY ENCOURAGED TO COLLABORATE WITH A PUBLIC HEALTH AGENCY OF THE MUNICIPALITY OR OF THE COUNTY OR DISTRICT WITHIN WHICH THE MUNICIPALITY IS LOCATED, AS APPLICABLE, IN THE INCLUSION OF SUCH ELEMENT AND TO FURTHER USE INFORMATION CONTAINED IN A PUBLIC HEALTH PLAN GOVERNING THE MUNICIPALITY PURSUANT TO SUBPART 3 OF PART 5 OF ARTICLE 1 OF TITLE 25, C.R.S., IN THE INCLUSION OF SUCH ELEMENT.

(c) NOTHING IN PARAGRAPH (a) OF THIS SUBSECTION (5.5) SHALL BE CONSTRUED TO PRECLUDE THE DEVELOPMENT OF A HEALTH CARE FACILITY OR HOSPITAL THAT IS NOT INCLUDED IN THE MASTER PLAN OF A MUNICIPALITY, NOR SHALL ANYTHING IN SAID PARAGRAPH (a) BE CONSTRUED AS REQUIRING A HOSPITAL OR FACILITY TO OFFER ANY SERVICE THAT IS INCLUDED IN THE PLAN.

(d) AS USED IN THIS SUBSECTION (5.5), UNLESS THE CONTEXT OTHERWISE REQUIRES:

(I) "HEALTH CARE FACILITY" OR "FACILITY" INCLUDES, WITHOUT LIMITATION, PUBLIC AND PRIVATE HEALTH CARE CLINICS OR PRACTICES, INCLUDING SCHOOL-BASED HEALTH CENTERS; LOCATIONS THAT PROVIDE ACCESS TO ALTERNATIVE MEDICINES; LONG-TERM CARE FACILITIES; REHABILITATIVE CENTERS; HOSPICES; AND PHARMACIES. FOR PURPOSES OF THIS SUBSECTION (5.5), "HEALTH CARE FACILITY" SHALL NOT INCLUDE A HOSPITAL, OR ANY FACILITY OWNED OR OPERATED BY A HOSPITAL, THAT IS LICENSED OR CERTIFIED PURSUANT TO SECTION 25-3-101, C.R.S.

(II) "HEALTH CARE SERVICE" OR "SERVICE" MEANS, WITHOUT LIMITATION, ADOLESCENT HEALTH CARE, BEHAVIORAL CARE, CHIROPRACTIC SERVICES, DENTAL SERVICES, THE PROVISION OF DURABLE MEDICAL EQUIPMENT, EMERGENCY CARE, WELL WOMAN CARE, GERIATRIC CARE, HEALTH AND MEDICAL INSTRUCTION AT LOCAL EDUCATIONAL INSTITUTIONS, HEARING SERVICES AND THE PROVISION OF HEARING AIDS, INPATIENT CARE, LONG-TERM CARE, MENTAL HEALTH SERVICES, OBSTETRIC AND GYNECOLOGICAL CARE, OUTPATIENT CARE, PEDIATRIC SERVICES, THE PROVISION OF PRESCRIPTION DRUGS AND MEDICATION THERAPY MANAGEMENT, PRIMARY AND PREVENTIVE CARE, SUBSTANCE ABUSE TREATMENT, TRAUMA CARE, VISION CARE AND CORRECTION, AND CARE FOR INDIVIDUALS WITH DISABILITIES."

Renumber succeeding section accordingly.

Page 6, strike lines 11 through 20 and substitute:

"SECTION 4. 25.5-6-108.5 (2) (b), Colorado Revised Statutes, is amended to read:

**25.5-6-108.5. Community long-term care studies - authority to implement - alternative care facility report.** (2) (b) The study conducted pursuant to this subsection (2) shall be completed by January 1, ~~2011~~ 2012, and, if federal approval is obtained prior to final figure-setting for the fiscal year commencing July 1, ~~2011~~ 2012, the state department shall submit a request through the budget process for implementation of the approved changes for that fiscal year.

**SECTION 5. Appropriation.** In addition to any other appropriation, there is hereby appropriated, to the department of health care policy and financing, for allocation to the executive director's office, general professional services and special projects, for the fiscal year

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beginning July 1, 2011, the sum of seventy-five thousand dollars (\$75,000), or so much thereof as may be necessary, for the implementation of this act. Of said sum, thirty-seven thousand five hundred dollars (\$37,500) shall be from the department of health care policy and financing cash fund, and thirty-seven thousand five hundred dollars (\$37,500) shall be from federal funds.

**SECTION 6. Effective date.** This act shall take effect July 1, 2011.

**SECTION 7. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety."

Health & Human Services

After consideration on the merits, the Committee recommends that **HB11-1285** be postponed indefinitely.

Finance

After consideration on the merits, the Committee recommends that **HB11-1091** be referred to the Committee on Appropriations with favorable recommendation.

Finance

After consideration on the merits, the Committee recommends that **HB11-1305** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Finance

After consideration on the merits, the Committee recommends that **SB11-272** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Finance

After consideration on the merits, the Committee recommends that **HB11-1295** be referred to the Committee on Appropriations with favorable recommendation.

Finance

After consideration on the merits, the Committee recommends that **HB11-1300** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 3, strike lines 2 through 13.

Strike page 4.

Page 5, strike lines 1 through 8.

Renumber succeeding sections accordingly.

Page 5, line 18, strike "CREDIT, FEDERAL TAX" and substitute "CREDIT AND THE FEDERAL TAX".

Page 5, strike line 19.

Page 5, line 20, strike "COLORADO TRUST FUND" and substitute "DEDUCTION".

Page 6, strike lines 24 through 27.

Page 7, strike line 1.

Reletter succeeding paragraphs accordingly.

Page 7, strike lines 12 through 14 and substitute "ON APPEAL TO THE DISTRICT COURT."

Page 7, after line 14 insert:

"(i) THE GENERAL ASSEMBLY STRONGLY ENCOURAGES THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REVENUE TO AGREE TO WAIVE INTEREST AND PENALTIES FOR TAX MATTERS REPRESENTATIVES

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AND CREDIT BUYERS WHO HAVE ACTED IN GOOD FAITH TO RESOLVE DISPUTED CONSERVATION EASEMENT TAX CREDITS."

Reletter succeeding paragraph accordingly.

Page 9, strike lines 8 through 11 and substitute "PURSUANT TO THIS SUBSECTION (2), ADDITIONAL INTEREST AND PENALTIES SHALL CEASE TO ACCRUE WHILE THE MATTER IS ON APPEAL BEFORE THE DISTRICT COURT, BEGINNING WITH THE DATE THE NOTICE OF APPEAL IS RECEIVED BY THE DISTRICT COURT. THIS PARAGRAPH (d) SHALL NOT APPLY TO TAX MATTERS REPRESENTATIVES WHO DO NOT ELECT TO WAIVE THE ADMINISTRATIVE PROCESS."

Page 13, line 3, strike "(j)" and substitute "(i)".

Page 16, line 11, after "SECTION" insert "OR FILE A WRITTEN REQUEST FOR FINAL HEARING AND FINAL DETERMINATION WITH THE EXECUTIVE DIRECTOR PURSUANT TO SUBSECTION (3) OF THIS SECTION".

Page 16, line 26, strike "(d)" and substitute "(e)".

Page 19, line 7, strike "SECTION 39-29-105" and substitute "THE PROVISIONS OF THIS SUBSECTION (6)".

Page 21, strike lines 16 through 26 and substitute:

"(11) IF A TAX MATTERS REPRESENTATIVE PROCEEDS WITH THE HEARING PROCESS BEFORE THE EXECUTIVE DIRECTOR RATHER THAN APPEAL TO A DISTRICT COURT PURSUANT TO SUBSECTION (2) OF THIS SECTION AND EITHER THE TAX MATTERS REPRESENTATIVE OR ONE OR MORE TRANSFEREES PAYS AN AMOUNT ON OR BEFORE JUNE 30, 2012, THAT SATISFIES A DEFICIENCY IN AN AMOUNT AGREED TO BY THE DEPARTMENT OF REVENUE FOR THE TAX OWED BY THE TAX MATTERS REPRESENTATIVE OR THE TRANSFEREE, ALL ADDITIONAL AMOUNTS OF PENALTIES AND INTEREST OWED SHALL BE WAIVED."

Page 23, strike lines 23 through 26 and substitute "DIRECTOR SHALL PROVIDE NOTICE OF THE PROVISIONS OF THIS SUBSECTION (14) IN ACCORDANCE WITH SUBSECTION (9) OF THIS SECTION."

Page 24, after line 25 insert:

**SECTION 3.** 39-21-113, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**39-21-113. Reports and returns - repeal.**  
(17.5) (a) NOTWITHSTANDING THE PROVISIONS OF THIS SECTION, THE EXECUTIVE DIRECTOR MAY PROVIDE SUCH DETAILED INFORMATION PERTINENT TO A CLAIM FOR A CREDIT FOR THE DONATION OF A CONSERVATION EASEMENT PURSUANT TO SECTION 39-22-522 TO TAXPAYERS, INCLUDING DONORS AND TRANSFEREES, WITH CASES INVOLVING COMMON OR RELATED ISSUES OF FACT OR LAW. THE EXECUTIVE DIRECTOR OR THE EXECUTIVE DIRECTOR'S DULY AUTHORIZED AGENTS MAY ALSO PROVIDE SUCH INFORMATION TO THE PARTIES TO A CONSOLIDATED ADMINISTRATIVE HEARING PURSUANT TO 39-22-522.5 (5) (a) AS NECESSARY AND APPROPRIATE FOR THE EFFICIENT AND FAIR RESOLUTION OF DISPUTES.

(b) PERSONS WHO RECEIVE TAXPAYER INFORMATION PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (17.5) SHALL BE SUBJECT TO THE PROVISIONS OF THIS SECTION, INCLUDING THE LIMITATIONS IN SUBSECTION (4) OF THIS SECTION AND THE PENALTIES IN SUBSECTION (6) OF THIS SECTION REGARDING DISCLOSURE OF TAXPAYER INFORMATION.

**SECTION 4.** 39-22-522 (2.5), Colorado Revised Statutes, is amended to read:

**39-22-522. Credit against tax - conservation easements.**  
(2.5) Notwithstanding any other provision of this section, for income tax years commencing during the 2011, 2012, and 2013 calendar years, a taxpayer conveying a conservation easement in 2011, 2012, or 2013 and claiming a credit pursuant to this section shall, in addition to any other requirements of this section, submit a claim for the credit to the division

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of real estate in the department of regulatory agencies. The division shall issue a certificate for the claims received in the order submitted. After certificates have been issued for credits that exceed an aggregate of ~~twenty-six~~ TWENTY-TWO million dollars for all taxpayers for income tax years commencing in each of the 2011 AND 2012 ~~and 2013~~ calendar years AND THIRTY-FOUR MILLION DOLLARS FOR EACH INCOME TAX YEAR COMMENCING IN THE 2013 CALENDAR YEAR, any claims that exceed the amount allowed for a specified calendar year shall be placed on a wait list in the order submitted and a certificate shall be issued for use of the credit in 2012 or 2013. The division shall not issue credit certificates that exceed ~~twenty-six~~ TWENTY-TWO million dollars for each income tax year commencing in the 2011 AND 2012 ~~and 2013~~ calendar years AND THIRTY-FOUR MILLION DOLLARS FOR EACH INCOME TAX YEAR COMMENCING IN THE 2013 CALENDAR YEAR. No claim for a credit shall be allowed for any income tax year commencing during the 2011, 2012, or 2013 calendar years unless a certificate has been issued by the division. The right to claim the credit shall be vested in the taxpayer at the time a credit certificate is issued. The division may promulgate rules in accordance with article 4 of title 24, C.R.S., for the issuance of certificates in accordance with this subsection (2.5).".

Renumber succeeding sections accordingly.

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On motion of Senator Morse, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Thursday, May 5 was laid over until Friday, May 6, retaining its place on the calendar.

General Orders -- Second Reading of Bills: HB11-1297, SB11-267.  
 Consideration of Resolutions: SJR11-005, SJR11-047, SJR11-040.  
 Consideration of Memorials: SJM11-002, SJM11-003, SJM11-004.  
 Consideration of House Amendments to Senate Bills: SCR11-001.

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Senate in recess.                      Senate reconvened.

**MESSAGE FROM THE GOVERNOR**

May 5, 2011

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

Ladies and Gentlemen:

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

**SB11-211** CONCERNING THE USE OF TOBACCO TAX REVENUE FOR HEALTH RELATED PURPOSES DURING A STATE FISCAL EMERGENCY, AND MAKING AN APPROPRIATION THEREFOR

Approved May 5, 2011 at 11:17 a.m.

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**SB11-212** CONCERNING AUTHORITY FOR AN ADDITIONAL PERMISSIBLE USE OF MONEYS IN THE HOSPITAL PROVIDER FEE CASH FUND FOR STATE MEDICAID EXPENDITURES TO OFFSET STATE GENERAL FUND EXPENDITURES FOR THE NEXT TWO FISCAL YEARS, AND MAKING AN APPROPRIATION THEREFOR

Approved May 5, 2011 at 11:21 a.m.

**SB11-214** CONCERNING DECOMMISSIONING FORT LYON CORRECTIONAL FACILITY

Approved May 5, 2011 at 11:24 a.m.

**SB11-215** CONCERNING A REDUCTION IN THE GENERAL FUND PORTION OF THE PER DIEM RATES PAID TO NURSING FACILITIES FOR THE 2011-12 FISCAL YEAR, AND MAKING AN APPROPRIATION THEREFOR

Approved May 5, 2011 at 11:24 a.m.

**SB11-216** CONCERNING THE REDUCTION OF GENERAL FUND APPROPRIATIONS FOR THE CHILDREN'S BASIC HEALTH PLAN BY REALLOCATING TOBACCO-RELATED REVENUE STREAMS, AND, IN CONNECTION THEREWITH, ABOLISHING THE PEDIATRIC SPECIALTY HOSPITAL FUND AND THE SUPPLEMENTAL TOBACCO LITIGATION SETTLEMENT MONEY ACCOUNT IN THE PEDIATRIC SPECIALTY HOSPITAL FUND, ABOLISHING THE COMPREHENSIVE PRIMARY AND PREVENTIVE CARE FUND, ABOLISHING THE COMPREHENSIVE PRIMARY AND PREVENTIVE CARE GRANT PROGRAM, AND MAKING AN APPROPRIATION

Approved May 5, 2011 at 11:24 a.m.

**SB11-217** CONCERNING A REDUCTION TO THE JUVENILE DETENTION BED CAP, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH

Approved May 5, 2011 at 11:25 a.m.

**SB11-218** CONCERNING THE TRANSFER OF MONEYS FROM CERTAIN CASH FUNDS TO THE STATE EDUCATION FUND

Approved May 5, 2011 at 11:25 a.m.

**SB11-221** CONCERNING CONTRIBUTIONS TO PAY THE UNFUNDED ACCRUED LIABILITY OF OLD HIRE PENSION PLANS THAT ARE AFFILIATED WITH THE FIRE AND POLICE PENSION ASSOCIATION, AND MAKING AN APPROPRIATION THEREFOR

Approved May 5, 2011 at 11:26 a.m.

**SB11-222** CONCERNING TRANSFERS OF MONEYS RELATING TO CAPITAL CONSTRUCTION

Approved May 5, 2011 at 11:26 a.m.

**SB11-223** CONCERNING STATE SALES TAX REVENUES RETAINED BY A VENDOR AS COMPENSATION FOR EXPENSES INCURRED BY THE VENDOR IN THE COLLECTION AND REMITTANCE OF SUCH TAX REVENUES TO THE STATE, AND MAKING AN APPROPRIATION THEREFOR

Approved May 5, 2011 at 11:27 a.m.

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**SB11-224** CONCERNING THE SUSPENSION OF ANNUAL INCREASES IN THE PERCENTAGE OF TOBACCO LITIGATION SETTLEMENT MONEYS RECEIVED BY THE STATE THAT ARE ALLOCATED TO THE NURSE HOME VISITOR PROGRAM AND MAKING AN APPROPRIATION THEREFOR

Approved May 5, 2011 at 11:27 a.m.

**SB11-228** CONCERNING THE FORMULA BY WHICH MONEYS SHALL BE ADVANCED TO A COUNTY FROM THE COUNTY TAX BASE RELIEF FUND IN THE EVENT THAT APPROPRIATIONS ARE INSUFFICIENT TO COVER ALL ADVANCEMENTS

Approved May 5, 2011 at 11:27 a.m.

**SB11-229** CONCERNING INCREASING THE STATUTORY CAP ON ADMINISTRATIVE EXPENSES FOR THE SCHOOL COUNSELOR CORPS GRANT PROGRAM

Approved May 5, 2011 at 11:28 a.m.

Sincerely,  
(signed)  
John W. Hickenlooper  
Governor

**INTRODUCTION OF BILLS -- FIRST READING**

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

- 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.  
Finance
- HB11-1212** by Representative(s) Tyler and Hullinghorst; also Senator(s) Spence--Concerning the inclusion of lean government principles in the performance-based budgeting process.  
State, Veterans & Military Affairs
- HB11-1301** by Representative(s) Waller, Gardner B., Murray, Priola, Todd, Fields, Levy, Casso, Schafer S., Stephens; also Senator(s) Schwartz, Williams S.--Concerning statutory changes to increase efficiency in the operations of public institutions of higher education.  
Education
- HB11-1307** by Representative(s) Becker, Gerou, Ferrandino; also Senator(s) Steadman, Hodge, Lambert--Concerning recovery audits.  
Finance
- HB11-1310** by Representative(s) Sonnenberg, Brown, Vigil; also Senator(s) Bacon, Schwartz, Renfro--Concerning the funding for the restoration of the state capitol dome.  
Finance
- HB11-1311** by Representative(s) Swerdfeger and Kerr A., Stephens, Pace; also Senator(s) Giron, Cadman--Concerning the number of project applications that the Colorado economic development commission may approve following approval of two initial projects pursuant to the "Colorado Regional Tourism Act".  
Finance

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- HB11-1313** by Representative(s) Massey; also Senator(s) Jahn--Concerning the extension beyond June 30, 2012, of the one-dollar surcharge collected by each county clerk and recorder for each document received for recording or filing.  
Local Government

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- HB11-1315** by Representative(s) Gardner B.; also Senator(s) Carroll--Concerning a modification of statutory provisions governing the political party affiliation of members of the independent ethics commission to specify that no more than two members of the commission shall be affiliated with the same political party.  
Judiciary

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- 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.  
Transportation

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- HB11-1317** by Representative(s) Gerou; also Senator(s) Foster and Roberts--Concerning a modification of statutory provisions addressing intergovernmental cooperation in connection with wildland fire mitigation to clarify that such provisions are intended to affect land areas used solely for recreational purposes.  
Local Government

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On motion of Senator Morse, the Senate adjourned until 9:00 a.m., Friday, May 6, 2011.

Approved:

John P. Morse  
Senate Majority Leader

Attest:

Cindi L. Markwell  
Secretary of the Senate

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