

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

59th Legislative Day Friday, March 11, 2011

- Prayer 11
By the chaplain, Reverend John Thompson, Park Hill United Methodist Church, Denver. 12
- Call to Order 13
By the President at 9:00 a.m. 14
- Pledge 15
By Senator Nicholson. 16
- Roll Call 17
Present--35 18
- Quorum 19
The President announced a quorum present. 20
- Reading of Journal 21
On motion of Senator White, reading of the Journal of Thursday, March 10, 2011, was dispensed with and the Journal was approved as corrected by the Secretary. 22

Upon request of Senator Morse, **SB11-092** was removed from the Third Reading of Bills Final Passage Consent Calendar of Friday, March 11 and was placed at the end of the Third Reading of Bills Final Passage Calendar of Friday, March 11. 28

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

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent: 38

HB11-1053 by Representative(s) Solano, Massey; also Senator(s) Steadman--Concerning court proceedings initiated to compel a minor to attend school. 42

The question being "Shall the bill pass?", the roll call was taken with the following result: 45

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. 60

Co-sponsors added: Boyd and Newell. 63

HB11-1089 by Representative(s) Conti, Kerr J., Acree, Balmer, Baumgardner, Becker, Beezley, DelGrosso, Holbert, Looper, Massey, Ramirez, Scott, Swerdfeger; also Senator(s) King K., Spence, Harvey, King S., Lundberg--Concerning the authority of the state charter school institute to act as a local education agency for charter schools that apply for grant programs.

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: Grantham, Guzman, Hudak, Kopp, Mitchell, Steadman and White.

SB11-094 by Senator(s) Boyd, Aguilar, Carroll, Foster, Newell, White; also Representative(s) Summers--Concerning the continuation of the state board of optometric examiners, and, in connection therewith, implementing the sunset review recommendations of the department of regulatory agencies, and making an appropriation.

The question being "Shall the bill 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	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	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, Giron, Guzman, Heath, Hodge, Kopp, Morse, Steadman, Tochtrop and Williams S.

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:

HB11-1161 by Representative(s) Gerou, Becker, Ferrandino; also Senator(s) Hodge, Steadman, Lambert--Concerning the extension through the 2011-12 fiscal year of authorization for the use of highway users tax fund moneys to fund driver and vehicle services within the division of motor vehicles of the department of revenue.

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

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YES	26	NO	9	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	N	Scheffel	N
Bacon	Y	Harvey	Y	Lambert	Y	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	Y	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 was passed.

SB11-092 by Senator(s) Giron, Schwartz; also Representative(s) Hamner--Concerning the continuation of vessel regulation by the division of parks and outdoor recreation, and, in connection therewith, implementing the sunset review recommendations of the department of regulatory agencies.

The question being "Shall the bill 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	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.	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 was passed.

Co-sponsors added: Guzman and Tochtrop.

Committee of the Whole On motion of Senator Hodge, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills and Senator Hodge was called to the chair to act as Chairman.

GENERAL 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:

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

Laid over until Monday, March 14, retaining its place on the calendar.

SB11-170 by Senator(s) Aguilar; also Representative(s) Ferrandino--Concerning the limit on the growth of the general fund share of rates for reimbursing nursing home providers under the "Colorado Medical Assistance Act".

Amendment No. 1, General Orders Amendment.

(Printed in Senate Journal, March 7, page 395 and placed in members' bill files.)

Amendment No. 2(L.005), by Senator Aguilar.

Amend printed bill, page 2, strike lines 10 and 11 and substitute "subsections (1) to (4) of this section shall be ~~limited to~~ DETERMINED ANNUALLY BY THE JOINT BUDGET COMMITTEE AND MAY NOT EXCEED an annual increase of three percent. The".

Strike the Health and Human Services Committee Report, dated February 24, 2011.

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

(For further action, see roll call vote on **SB11-170**.)

HB11-1069 by Representative(s) Massey and Fields; also Senator(s) Aguilar--Concerning measures to increase physical activity in public schools.

Amendment No. 1, General Orders Amendment.

(Printed in Senate Journal, March 7, page 395 and placed in the members' bill files.)

Amendment No. 2(L.007), by Senators Bacon, Heath, Hudak, Johnston, and Nicholson.

Amend reengrossed bill, page 5, after line 16 insert:

"(g) A SCHOOL SHALL NOT SUBSTITUTE NONINSTRUCTIONAL PHYSICAL ACTIVITY FOR STANDARDS-BASED PHYSICAL EDUCATION INSTRUCTION."

Amendment No. 3(L.005), by Senator King K.

Amend reengrossed bill, page 2, after line 16, insert:

"(IV) STATISTICS SHOW THAT BOYS, USUALLY DUE TO THEIR HIGH ENERGY LEVELS, ARE MORE LIKELY TO BE MISDIAGNOSED AS HAVING ATTENTION DEFICIT HYPERACTIVITY DISORDER AND NEEDING SPECIAL EDUCATION SERVICES. INCREASING THE OPPORTUNITY FOR PHYSICAL ACTIVITY DURING THE SCHOOL DAY MAY DECREASE THE LIKELIHOOD THAT BOYS ARE ERRONEOUSLY IDENTIFIED AS NEEDING SPECIAL EDUCATION SERVICES, THEREBY SAVING MONEY FOR SCHOOLS AND IMPROVING OUTCOMES FOR THE STUDENTS."

Renumber succeeding subparagraphs accordingly.

Amendment No. 4(L.004), by Senator Hudak.

Amend reengrossed bill, page 5, line 24, strike "ADOPT AND IMPLEMENT" and substitute "ENSURE THAT EACH INSTITUTE CHARTER SCHOOL, WORKING WITH ITS SCHOOL ACCOUNTABILITY COMMITTEE, ADOPTS AND IMPLEMENTS".

Page 5, line 25, after "IN" insert "THE".

Page 5, line 26, strike "SCHOOL AS DESCRIBED" and substitute "SCHOOL, WHICH POLICY MEETS THE REQUIREMENTS SPECIFIED".

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

HB11-1016 by Representative(s) Summers; also Senator(s) Boyd--Concerning prohibitions against furnishing tobacco products to minors.

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Amendment No. 1(L.006), by Senator Steadman.

Amend reengrossed bill, page 2, line 22, strike "amended" and substitute "repealed as follows:".

Page 3, strike lines 1 through 3 and substitute:

"24-35-508. Repeal of part. This part 5 is repealed, effective July 1, 2011."

Amendment No. 2(L.007), by Senator Boyd.

Amend reengrossed bill, page 2, strike lines 9 and 10 and substitute:

"(II) ANY ELECTRONIC DEVICE THAT CAN BE USED TO DELIVER NICOTINE TO THE PERSON INHALING FROM THE DEVICE, INCLUDING BUT NOT LIMITED TO AN ELECTRONIC CIGARETTE, CIGAR, CIGARILLO, OR PIPE."

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

SB11-124 by Senator(s) Hodge, Lambert, Steadman; also Representative(s) Gerou, Ferrandino-- Concerning the transfer of unspent county TANF reserves to a county.

Laid over until Monday, March 14, retaining its place on the calendar.

SB11-091 by Senator(s) Brophy, Guzman, Jahn; also Representative(s) McKinley--Concerning continuation of the state board of veterinary medicine, and, in connection therewith, implementing the recommendations contained in the sunset review of the board and its functions, and making an appropriation.

Amendment No. 1, Agriculture, Natural Resources, and Energy Committee Amendment.
(Printed in Senate Journal, February 18, pages 236-241 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, March 4, page 382 and placed in members' bill files.)

Amendment No. 3(L.008), by Senator Brophy.

Amend the Agriculture, Natural Resources, and Energy Committee Report, dated February 17, 2011, page 3, strike lines 2 through 9.

Amend printed bill, page 14, line 4, after "**decisions.**" insert "(1)" and strike "AN".

Page 14 of the bill, line 5, strike "ANIMAL" and substitute "A PATIENT".

Page 14 of the bill, line 6, strike "SCHEDULED AND" and substitute "DESIGNATED AS" and strike "ALL" and substitute "THE".

Page 14 of the bill, line 7, strike "CARE." and substitute "CARE PROVIDED TO THE PATIENT.".

Page 14 of the bill, after line 7 insert:

"(2) AT ALL TIMES WHEN A PATIENT IS PRESENT ON A VETERINARY PREMISES, A LICENSED VETERINARIAN MUST BE DESIGNATED AS RESPONSIBLE FOR THE PREMISES. THE BOARD MAY FINE A CORPORATION ORGANIZED AND OPERATED IN ACCORDANCE WITH SECTION 12-64-122 THAT OWNS OR OPERATES A VETERINARY PREMISES UP TO ONE THOUSAND DOLLARS PER DAY FOR EACH DAY THE CORPORATION FAILS TO HAVE A LICENSED VETERINARIAN DESIGNATED AS RESPONSIBLE FOR THE VETERINARY PREMISES."

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

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- 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. 1
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- Amendment No. 1, Health & Human Services Committee Amendment. 6
(Printed in Senate Journal, February 18, pages 253-256 and placed in members' bill files.) 7
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- Amendment No. 2, Appropriations Committee Amendment. 9
(Printed in Senate Journal, March 4, page 382 and placed in members' bill files.) 10
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- As amended, ordered engrossed and placed on the calendar for third reading and final passage. 12
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- SB11-072** by Senator(s) Carroll, Bacon, Boyd, Giron, Hodge, Hudak, Morse, Steadman, Tochtrop, Aguilar, Guzman, Johnston; also Representative(s) Levy, Court, Fields, Tyler--Concerning the creation of remedies in employment discrimination cases brought under state law. 16
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- Laid over until Monday, March 14, retaining its place on the calendar. 20
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- 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. 23
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- Amendment No. 1, Agriculture, Natural Resources, and Energy Committee Amendment. 27
(Printed in Senate Journal, February 25, pages 320-322 and placed in members' bill files.) 28
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- As amended, ordered engrossed and placed on the calendar for third reading and final passage. 30
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- SB11-069** by Senator(s) Hudak, Bacon, Guzman; also Representative(s) Massey--Concerning educational management organizations. 34
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- Amendment No. 1, Education Committee Amendment. 37
(Printed in Senate Journal, February 24, pages 298-299 and placed in members' bill files.) 38
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- As amended, ordered engrossed and placed on the calendar for third reading and final passage. 40
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- SB11-126** by Senator(s) Giron and Johnston, Bacon, Foster, Guzman, Heath, Hodge, Morse, Nicholson, Shaffer B., Steadman, Williams S.; also Representative(s) Miklosi and Williams A., Duran, Fields, Hullinghorst, Levy, Pabon, Solano--Concerning classification as an unsubsidized in-state student for tuition purposes at state institutions of higher education. 44
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- Laid over until Friday, March 18, retaining its place on the calendar. 49
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- SB11-050** by Senator(s) Roberts; also Representative(s) Gerou--Concerning a requirement that a condemning authority pay fair market value for land subject to a conservation easement. 52
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- Amendment No. 1, Agriculture, Natural Resources, and Energy Committee Amendment. 55
(Printed in Senate Journal, February 18, pages 236 and placed in members' bill files.) 56
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- As amended, laid over until Monday, March 14, retaining its place on the calendar. 58
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- SB11-060** by Senator(s) Boyd and White; also Representative(s) Gardner B. and Kerr A.--Concerning the alcohol content of alcohol beverages that are available for consumption on a licensed premises. 61
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- Laid over until Monday, April 4, retaining its place on the calendar. 65
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- SB11-090** by Senator(s) Schwartz, Giron, Guzman; also Representative(s) Baumgardner--Concerning the continuation of the issuance of permits for weather modification operations, and, in connection therewith, implementing a sunset review recommendation of the department of regulatory agencies and continuing indefinitely the "Weather Modification Act of 1972". 68
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Amendment No. 1, Agriculture, Natural Resources, and Energy Committee Amendment.
(Printed in Senate Journal, February 18, pages 236 and placed in members' bill files.)

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

HB11-1118 by Representative(s) Kerr J., Acree, Gardner D., Miklosi; also Senator(s) Carroll, Tochtrop--Concerning authorization for the state auditor to conduct a performance audit of a public highway authority.

Amendment No. 1, Transportation Committee Amendment.
(Printed in Senate Journal, March 9, page 408 and placed in members' bill files.)

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

Amend reengrossed bill, page 2, after line 16 insert:

"**SECTION 2.** 43-2-145 (1.5), Colorado Revised Statutes, is amended to read:

43-2-145. Transportation legislation review - committee.

(1.5) The committee may review any phase of operations of any public highway authority created pursuant to part 5 of article 4 of this title, including planning and construction of public highway projects, prior to and during the completion of such projects. The committee may also conduct a postoperation review of a project to determine whether the project was completed in the most cost-effective and efficient manner. The committee may require any public highway authority to prepare and adopt long-range plans for the development of the public highways, and the committee shall monitor the progress of such plans. ~~The committee may also require financial or performance audits to be conducted~~ THE STATE AUDITOR TO CONDUCT A FINANCIAL OR PERFORMANCE AUDIT OF ANY PUBLIC HIGHWAY AUTHORITY."

Renumber succeeding section accordingly.

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

(For further action, see roll call vote on **HB11-1118**.)

HB11-1176 by Representative(s) Ramirez; also Senator(s) Renfroe--Concerning an exemption of crude oil from designated routes set by the state patrol for the transportation of hazardous substances by motor vehicle.

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

ROLL CALL VOTE ON SB11-170

SB11-170 by Senator(s) Aguilar; also Representative(s) Ferrandino--Concerning the limit on the growth of the general fund share of rates for reimbursing nursing home providers under the "Colorado Medical Assistance Act".

Senator Tochtrop requested a roll call vote on **SB11-170**.

YES	22	NO	13	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	N	Scheffel	N
Bacon	Y	Harvey	Y	Lambert	Y	Schwartz	N
Boyd	N	Heath	Y	Lundberg	Y	Spence	Y
Brophy	Y	Hodge	Y	Mitchell	N	Steadman	Y
Cadman	N	Hudak	Y	Morse	Y	Tochtrop	N
Carroll	Y	Jahn	N	Newell	N	White	N
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		

ROLL CALL VOTE ON HB11-1118

HB11-1118 by Representative(s) Kerr J., Acree, Gardner D., Miklosi; also Senator(s) Carroll, Tochtrop-
-Concerning authorization for the state auditor to conduct a performance audit of a public
highway authority.

Senator Cadman requested a roll call vote on **SB11-1118**.

YES	22	NO	13	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	Y	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	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		

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	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 Committee of the Whole took the following action:

Passed on second reading: SB11-170 as amended, SB11-091 as amended, SB11-088 as
amended, SB11-045 as amended, SB11-069 as amended, SB11-090 as amended,
HB11-1069 as amended, HB11-1016 as amended, HB11-1118 as amended, HB11-1176.
Laid over until March 14: SB11-107, SB11-124, SB11-072, SB11-050 as amended.
Laid over until March 18: SB11-126.
Laid over until April 4: SB11-060.

SENATE SERVICES REPORT

Correctly Printed: SB11-187, 188, 189, 190 and 191; SJR11-23 and 24; SM11-001.
Correctly Engrossed: SB11-092 and 094.
Correctly Revised: HB11-1053, 1089 and 1161.
Correctly Enrolled: SB11-002, 093 and 103.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB11-020, 061, 101, 104, 106, 123 and 159, HB11-1017, 1019,
1027, 1036, 1060, 1073, 1102.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Thursday, March 10, 2011, at 11:40 a.m.:
 SB11-136, 137, 141, 142, 144 and 164.

COMMITTEE OF REFERENCE REPORTS

*****CORRECTED REPORT*****

State,
 Veterans, &
 Military
 Affairs

After consideration on the merits, the Committee recommends that **HB11-1095** be referred to the Committee on Appropriations with favorable recommendation.

Agriculture,
 Natural
 Resources,
 and Energy

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

MEMBER OF THE
 GROUND WATER COMMISSION

for a term expiring May 1, 2014:

Virgil F. Valdez of Alamosa, Colorado, to fill the vacancy occasioned by the passing of Douglas L. Shriver of Monte Vista, Colorado, and to serve as a representative from Water Division 3 and as an Agriculturist, appointed.

Health &
 Human
 Services

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

MEMBERS OF THE
 SOLID AND HAZARDOUS WASTE COMMISSION

for terms expiring August 1, 2013:

Frederick S. Myers of Castle Rock, Colorado, to serve as a member of the public and as a Democrat, reappointed;

Christopher J. Neumann of Denver, Colorado, to serve as a representative of the government or academic community and as a Republican, reappointed;

Thomas S. Schweitzer of Castle Rock, Colorado, to serve as a representative from the regulated community and as a Republican, reappointed.

Health &
 Human
 Services

After consideration on the merits, the Committee recommends that **HB11-1033** be referred to the Committee on Appropriations with favorable recommendation.

Health &
 Human
 Services

After consideration on the merits, the Committee recommends that **HB11-1058** be postponed indefinitely.

Health &
 Human
 Services

After consideration on the merits, the Committee recommends that **SB11-183** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend printed bill, page 2, strike lines 2 through 12.

Renumber succeeding sections accordingly.

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Health & Human Services	After consideration on the merits, the Committee recommends that HB11-1181 be referred to the Committee of the Whole with favorable recommendation.	1 2 3 4 5 6
Finance	After consideration on the merits, the Committee recommends that SB11-172 be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	7 8 9 10
Finance	After consideration on the merits, the Committee recommends that HB11-1260 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	11 12 13 14 15
Finance	After consideration on the merits, the Committee recommends that SB11-184 be amended as follows, and as so amended, be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	16 17 18 19
	Amend printed bill, page 4, line 8, strike "TAXES, including one-half of any interest due, as".	20 21 22
	Page 4, strike line 9 and substitute " including one-half of any interest due, as computed without the reduction pursuant to section 39-21-109 (1.5); TAXES on".	23 24 25 26
	Page 4, line 11, strike "any fine" and substitute "any INTEREST, fine,".	27 28
	Page 4, line 19, strike "any fine" and substitute "any INTEREST, fine,".	29 30
	Page 4, line 20, strike "and all interest".	31 32
	Page 4, line 21, strike "for which the taxpayer is liable" and substitute " and all interest for which the taxpayer is liable ".	33 34 35 36
Finance	After consideration on the merits, the Committee recommends that HB11-1097 be amended as follows, and as so amended, be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	37 38 39 40
	Amend reengrossed bill, page 2, after line 1 insert:	41 42
	"SECTION 1. 39-22-1001, Colorado Revised Statutes, is amended BY THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS to read:	43 44 45
	39-22-1001. Limitation on the duration of voluntary contribution programs - queue. (7) AS SPECIFIED IN SUBSECTION (6) OF THIS SECTION, NO MORE THAN FIFTEEN VOLUNTARY CONTRIBUTIONS SHALL APPEAR ON COLORADO INCOME TAX RETURN FORMS IN ANY INCOME TAX YEAR. IF THE GENERAL ASSEMBLY, ACTING BY BILL IN ANY YEAR, REQUIRES MORE VOLUNTARY CONTRIBUTIONS TO APPEAR ON THE INCOME TAX RETURN FORM THAN THERE ARE LINES AVAILABLE ON THE FORM, AN EXISTING VOLUNTARY CONTRIBUTION THAT IS RENEWED OR CONTINUED SHALL TAKE PRECEDENCE AND BE PLACED ON THE FORM OVER A VOLUNTARY CONTRIBUTION THAT DOES NOT APPEAR ON THE FORM AND IS NOT BEING RENEWED OR CONTINUED. ANY VOLUNTARY CONTRIBUTION THAT DOES NOT APPEAR ON THE FORM AND IS NOT BEING RENEWED OR CONTINUED BUT DOES NOT TAKE EFFECT PURSUANT TO THIS SUBSECTION (7) SHALL BE PLACED IN THE QUEUE CREATED BY SUBSECTION (8) OF THIS SECTION AND SHALL ONLY BECOME EFFECTIVE IN ANY YEAR IN WHICH THERE IS A LINE AVAILABLE ON THE INCOME TAX RETURN FORM, AS SPECIFIED IN SUBSECTION (8) OF THIS SECTION.	46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62
	(8) (a) IF THE GENERAL ASSEMBLY, ACTING BY BILL IN ANY YEAR, REQUIRES MORE VOLUNTARY CONTRIBUTIONS TO APPEAR ON THE INCOME TAX RETURN FORM THAN THERE ARE LINES AVAILABLE ON THE FORM, ANY VOLUNTARY CONTRIBUTION THAT IS TO APPEAR ON THE FORM FOR THE FIRST TIME SHALL, NOTWITHSTANDING THE LANGUAGE IN OR THE EFFECTIVE DATE OF THE BILL CREATING THE VOLUNTARY CONTRIBUTION, BE PLACED IN A QUEUE, WHICH QUEUE IS HEREBY CREATED. THE ORDER	63 64 65 66 67 68 69

OF VOLUNTARY CONTRIBUTIONS THAT ARE PLACED IN THE QUEUE SHALL BE DETERMINED BY THE DATE AND TIME ON WHICH THE GOVERNOR SIGNS THE BILL CREATING THE VOLUNTARY CONTRIBUTION, OR AT SUCH TIME THAT THE BILL BECOMES LAW WITHOUT THE GOVERNOR'S SIGNATURE, WITH THE BILL THAT WAS SIGNED OR BECOMES LAW WITHOUT A SIGNATURE FIRST IN TIME BEING FIRST IN THE QUEUE, THE BILL THAT WAS SIGNED OR BECOMES LAW WITHOUT A SIGNATURE NEXT IN TIME BEING SECOND IN THE QUEUE, AND SO ON.

(b) ON NOVEMBER 1 OF EACH YEAR, THE EXECUTIVE DIRECTOR SHALL CERTIFY TO THE REVISOR OF STATUTES THE AMOUNT OF LINES AVAILABLE FOR VOLUNTARY CONTRIBUTIONS ON THE INCOME TAX RETURN FORM FOR THE STATE INCOME TAX YEAR COMMENCING ON JANUARY 1 OF THE FOLLOWING YEAR.

(c) IF A LINE BECOMES AVAILABLE ON THE INCOME TAX RETURN FORM, AND NOTWITHSTANDING THE LANGUAGE IN OR THE EFFECTIVE DATE OF THE BILL CREATING THE VOLUNTARY CONTRIBUTION, THE VOLUNTARY CONTRIBUTION FIRST IN THE QUEUE SHALL APPEAR ON THE FORM FOR THE NUMBER OF CONSECUTIVE TAX YEARS SPECIFIED IN THE PART CREATING THE VOLUNTARY CONTRIBUTION BEGINNING WITH THE TAX YEAR IMMEDIATELY FOLLOWING THE YEAR IN WHICH THE EXECUTIVE DIRECTOR CERTIFIES THAT THERE IS A LINE AVAILABLE AS SPECIFIED IN PARAGRAPH (b) OF THIS SUBSECTION (8). IF THERE ARE TWO LINES AVAILABLE ON THE FORM, THE VOLUNTARY CONTRIBUTION THAT IS SECOND IN THE QUEUE SHALL APPEAR ON THE FORM FOR THE NUMBER OF CONSECUTIVE TAX YEARS SPECIFIED IN THE PART CREATING THE VOLUNTARY CONTRIBUTION BEGINNING WITH THE TAX YEAR IMMEDIATELY FOLLOWING THE YEAR IN WHICH THE EXECUTIVE DIRECTOR CERTIFIES THAT THERE ARE LINES AVAILABLE AS SPECIFIED IN PARAGRAPH (b) OF THIS SUBSECTION (8), AND SO ON."

Renumber succeeding sections accordingly.

Page 3, strike lines 23 and 24 and substitute "- **effective date.** FOR THE FIVE CONSECUTIVE INCOME TAX YEARS IMMEDIATELY FOLLOWING THE YEAR IN WHICH THE EXECUTIVE DIRECTOR FILES WRITTEN CERTIFICATION WITH THE REVISOR OF STATUTES AS SPECIFIED IN SECTION 39-22-1001 (8) (b), THE COLORADO STATE".

Page 4, line 18, strike "JANUARY 1, 2022," and substitute "JANUARY 1 OF THE SIXTH INCOME TAX YEAR FOLLOWING THE YEAR IN WHICH THE EXECUTIVE DIRECTOR FILES WRITTEN CERTIFICATION WITH THE REVISOR OF STATUTES AS SPECIFIED IN SECTION 39-22-1001 (8) (b),".

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

MEMBERS OF THE
BOARD OF TRUSTEES OF METROPOLITAN
STATE COLLEGE OF DENVER

for terms expiring December 31, 2014:

Terrance D. Carroll of Denver, Colorado, a Democrat, appointed;

Michelle M. Lucero of Littleton, Colorado, a Democrat, reappointed.

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

MEMBERS OF THE
BOARD OF TRUSTEES FOR FORT LEWIS COLLEGE

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for terms expiring December 31, 2014:

Peter R. Decker of Ridgway, Colorado, a Democrat, reappointed;

Matthew S. Wassam of Sedalia, Colorado, a Republican, appointed.

Local
Government

After consideration on the merits, the Committee recommends that **HB11-1109** 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 7, after "EXEMPT" insert "FROM ITS SALES TAX".

Page 2, line 9, strike "AND TELEGRAPH".

Page 2, strike lines 11 through 14 and substitute "TELECOMMUNICATIONS SERVICE.".

Page 2, line 15, strike "AN" and substitute "A SALES TAX"

Page 2, line 19, strike "AND TELEGRAPH".

On motion of Senator Morse, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Friday, March 11 was laid over until Monday, March 14, retaining its place on the calendar.

Consideration of Resolutions: SJR11-005, SJR11-009, HJR11-1008, SJR11-015, SJR11-023, SJR11-024.

Consideration of Memorials: SM11-001.

Consideration of House Amendments to Senate Bills: SCR11-001.

On motion of Senator Morse, the Senate adjourned until 10:00 a.m., Monday, March 14, 2011.

Approved:

Betty Boyd
President *pro tem* of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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