

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

118th Legislative Day Monday, May 9, 2011

- Prayer 10
By the chaplain, Father Eustace Sequeira, St. Ignatius Loyola Catholic Church, Denver. 11
- Call to Order 12
By the President at 10:00 a.m. 13
- Pledge 14
By Senator Roberts. 15
- Roll Call 16
Present--34 17
Excused--1, Shaffer B. 18
Present later--1, Shaffer B. 19
- Quorum 20
The President announced a quorum present. 21
- Reading of Journal 22
On motion of Senator Guzman, reading of the Journal of Friday, May 6, 2011, was 23
dispensed with and the Journal was approved as corrected by the Secretary. 24

REPORT OF CONFERENCE COMMITTEES

**FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON SB11-193**

THIS REPORT ADOPTS THE
REREVISED BILL

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

Your first conference committee appointed on SB11-193,
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, has
met and reports that it has agreed upon the following:

That the Senate accede to the House amendment made to the bill
and that the rerevised bill be adopted without change.

Respectfully submitted,

Senate Committee:
(signed)
Irene Aguilar
Ellen Roberts

House Committee:
(signed)
Bob Gardner
Jim Kerr
Claire Levy

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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 -- consent calendar.

**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:

HB11-1288 by Representative(s) Liston and Pabon, DelGrosso, Gardner D., Holbert, McNulty, Miklosi, Pace, Peniston, Priola, Soper, Swalm, Swerdfeger, Tyler, Williams A., Wilson; also Senator(s) Morse, Aguilar, Shaffer B., Tochtrop, Jahn, Harvey--Concerning unemployment insurance solvency reform, and, in connection therewith, enacting measures to enhance the solvency of the unemployment compensation fund, and making an appropriation.

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

YES	34	NO	0	EXCUSED	1	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	E
Grantham	Y	King S.	Y	Roberts	Y		

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

Co-sponsors added: Giron, Newell, Nicholson and Steadman.

HB11-1091 by Representative(s) Liston, Balmer, Kerr J., Barker, Bradford, Court, Joshi, Looper, Murray, Szabo; also Senator(s) Morse, Harvey, Tochtrop--Concerning the sales tax exemption for purchases of medical equipment.

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

YES	34	NO	0	EXCUSED	1	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	E
Grantham	Y	King S.	Y	Roberts	Y		

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

Co-sponsors added: Aguilar, Boyd, Grantham, King K., Newell and Nicholson.

HB11-1305 by Representative(s) DelGrosso; also Senator(s) Johnston--Concerning the adjustment of the ratio of valuation for assessment for residential real property.

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

YES	34	NO	0	EXCUSED	1	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	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.

SB11-272 by Senator(s) Hodge and Aguilar, Bacon, Foster, Giron, Guzman, Johnston, White, Williams S.; also Representative(s) Summers and Fields, Casso, Duran, Fischer, Gardner D., Gerou, Hamner, Jones, Kefalas, Labuda, Lee, McCann, Pabon, Peniston, Priola, Riesberg, Ryden, Schafer S., Solano, Soper, Swerdfeger, Todd, Williams A.--Concerning the voluntary contribution designation benefiting the adult stem cells cure fund that appears on the state individual income tax return forms, and, in connection therewith, extending the period for the contribution designation.

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

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

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

Co-sponsors added: Morse and Nicholson.

HB11-1157 by Representative(s) Casso; also Senator(s) White--Concerning the exemption from the heavy-duty diesel inspection program of heavy-duty diesel vehicles based outside the program area as part of a fleet registered in the program area, and making an appropriation therefor.

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

YES	34	NO	0	EXCUSED	1	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	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: Guzman

SB11-263 by Senator(s) Tochtrop, Brophy, Jahn; also Representative(s) Becker--Concerning clarification of the state sales tax exemption for sales of medical products.

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

YES	34	NO	0	EXCUSED	1	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	E
Grantham	Y	King S.	Y	Roberts	Y		

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

Co-sponsors added: Aguilar, Boyd, Grantham, Guzman, King K., Lambert, Morse, Newell and Williams S.

On motion of Senator Morse, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for consideration of third reading of bills -- final passage.

THIRD READING OF BILLS -- FINAL PASSAGE

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

SB11-267 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.

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

YES	26	NO	8	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	Y	Scheffel	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.	Y	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, Boyd, Morse and Newell.

SB11-251

by Senator(s) Nicholson; also Representative(s) Looper--Concerning the authority of the division of fire safety within the department of public safety, and making an appropriation in connection therewith.

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

Third Reading Amendment No. 1(L.005), by Senator Nicholson.

Amend engrossed bill, page 9, strike line 2 and substitute "RELATING TO NATIONALLY RECOGNIZED FIRE SERVICE STANDARDS."

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

YES	34	NO	0	EXCUSED	1	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	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	25	NO	9	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	Y	Scheffel	N
Bacon	Y	Harvey	Y	Lambert	N	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	N	Spence	N
Brophy	Y	Hodge	Y	Mitchell	N	Steadman	Y
Cadman	N	Hudak	Y	Morse	Y	Tochtrop	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	Y	King S.	N	Roberts	Y		

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

Co-sponsor added: Boyd

HB11-1265

by Representative(s) Stephens, Waller; also Senator(s) Johnston--Concerning the filing of claims for refunds of sales or use tax, and making an appropriation therefor.

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

YES	34	NO	0	EXCUSED	1	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	E
Grantham	Y	King S.	Y	Roberts	Y		

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

Co-sponsors added: Aguilar, Cadman, Grantham, Jahn, King K., King S., Kopp, Lambert, Steadman and Williams S.

HB11-1105 by Representative(s) Acree, Balmer, Barker, Baumgardner, Court, Fields, Holbert, Joshi, Kagan, Kerr J., Looper, Massey, McCann, Priola, Todd; also Senator(s) White, Kopp, King S., Tochtrop--Concerning assaults against medical care providers.

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

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	Y	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	N	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: Boyd, Jahn, King K., Newell, Roberts, Spence and Williams S.

IMMEDIATE RECONSIDERATION OF HB11-1105

HB11-1105 by Representative(s) Acree, Balmer, Barker, Baumgardner, Court, Fields, Holbert, Joshi, Kagan, Kerr J., Looper, Massey, McCann, Priola, Todd; also Senator(s) White, Kopp, King S., Tochtrop--Concerning assaults against medical care providers.

Having voted on the prevailing side, Senator Morse moved for immediate reconsideration of the last Senate action, Third Reading of Bills -- Final Action, on **HB11-1105**. 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, reconsideration was granted.

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:

HB11-1105 by Representative(s) Acree, Balmer, Barker, Baumgardner, Court, Fields, Holbert, Joshi, Kagan, Kerr J., Looper, Massey, McCann, Priola, Todd; also Senator(s) White, Kopp, King S., Tochtrop--Concerning assaults against medical care providers.

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

YES	32	NO	3	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	N	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	N	Spence	Y
Brophy	Y	Hodge	Y	Mitchell	Y	Steadman	Y
Cadman	Y	Hudak	Y	Morse	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	N	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: Boyd, Jahn, Newell, Roberts and Spence.

SB11-271 by Senator(s) Shaffer B.; also Representative(s) Pace--Concerning the prohibition of deceptive trade practices in the solicitation of orders for retail florist services.

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

YES	20	NO	15	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	N	Scheffel	N
Bacon	Y	Harvey	N	Lambert	N	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	N	Spence	N
Brophy	N	Hodge	Y	Mitchell	N	Steadman	Y
Cadman	N	Hudak	Y	Morse	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	N
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	N	Renfroe	N	President	Y
Grantham	N	King S.	N	Roberts	N		

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

SB11-273 by Senator(s) Steadman; also Representative(s) Massey--Concerning authorization to consume alcohol beverages within a common consumption area.

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.005), by Senator Steadman.

Amend engrossed bill, page 5, after line 8, insert:

"(D) FAILS TO OBTAIN OR MAINTAIN A PROPERLY ENDORSED GENERAL LIABILITY AND LIQUOR LIABILITY INSURANCE POLICY THAT IS REASONABLY ACCEPTABLE TO THE LOCAL LICENSING AUTHORITY AND NAMES THE LOCAL LICENSING AUTHORITY AS AN ADDITIONAL INSURED;".

Reletter succeeding sub-subparagraphs accordingly.

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

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

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

YES	33	NO	2	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	Y	Scheffel	N
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	N	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

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

Co-sponsor added: Giron

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

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

YES	18	NO	17	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	N	Scheffel	N
Bacon	Y	Harvey	N	Lambert	N	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	N	Spence	N
Brophy	N	Hodge	Y	Mitchell	N	Steadman	N
Cadman	N	Hudak	Y	Morse	Y	Tochtrop	Y
Carroll	Y	Jahn	N	Newell	Y	White	N
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	N	Renfroe	N	President	Y
Grantham	N	King S.	N	Roberts	N		

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

Co-sponsor added: Tochtrop

HB11-1188 by Representative(s) Liston; also Senator(s) Newell--Concerning franchise agreements for a dealer to sell vehicles.

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

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YES	33	NO	1	EXCUSED	1	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	N
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	E	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

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

Co-sponsor added: Jahn

HB11-1032 by Representative(s) Lee; also Senator(s) Newell--Concerning restorative justice.

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

YES	34	NO	0	EXCUSED	1	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	E	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

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

Co-sponsors added: Aguilar, Bacon, Giron, Guzman, Heath, Hudak and Schwartz.

HB11-1277 by Representative(s) Massey and Solano; also Senator(s) Bacon--Concerning statutory changes involving K-12 education, and making an appropriation in connection therewith.

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

YES	34	NO	0	EXCUSED	1	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	E	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

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

Co-sponsors added: Aguilar, Giron, Johnston, Newell, Schwartz, Tochtrop and Williams S.

HB11-1195 by Representative(s) Gardner B., Ryden; also Senator(s) Newell--Concerning the voluntary licensure of private investigators, and making an appropriation therefor.

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

Third Reading Amendment No. 1(L.008), by Senator Newell.

Amend revised bill, page 6, line 14, strike "A CURRENT PHOTOGRAPH OF THE APPLICANT AND".

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

YES	34	NO	0	EXCUSED	1	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	E	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

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

YES	21	NO	13	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	N	Scheffel	N
Bacon	Y	Harvey	N	Lambert	N	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	N	Spence	N
Brophy	N	Hodge	Y	Mitchell	Y	Steadman	Y
Cadman	N	Hudak	Y	Morse	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	N
Foster	E	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	N	Renfroe	N	President	Y
Grantham	N	King S.	Y	Roberts	N		

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

HB11-1295 by Representative(s) Acree, Scott, Solano; also Senator(s) Newell, Roberts--Concerning voluntary contributions on the state individual income tax return form, and, in connection therewith, requiring the department of revenue to periodically post the amount of donations received, requiring that a voluntary contribution designation line for the Colorado multiple sclerosis fund appear on the state individual income tax return form, and making an appropriation.

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

YES	26	NO	8	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	N	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	N	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	N	Spence	N
Brophy	Y	Hodge	Y	Mitchell	N	Steadman	Y
Cadman	N	Hudak	Y	Morse	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	N
Foster	E	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**.

HB11-1293 by Representative(s) Stephens and Murray; also Senator(s) Jahn and Newell, Spence--Concerning the repeal of House Bill 10-1192 regarding the state sales and use tax of standardized software on July 1, 2012.

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

YES	33	NO	1	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	Y	Schwartz	Y
Boyd	Y	Heath	N	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	E	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: Brophy, Cadman, Grantham, Harvey, King K., King S., Kopp, Lambert, Lundberg, Mitchell, Renfroe, Roberts and Scheffel.

HB11-1250 by Representative(s) Acree, Balmer, Conti, Joshi, Ramirez, Scott; also Senator(s) Renfroe, Harvey, King K., Lambert--Concerning a prohibition on ingestible medical marijuana-infused products.

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

YES	30	NO	4	EXCUSED	1	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	N	Steadman	N
Cadman	Y	Hudak	N	Morse	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	E	Johnston	Y	Nicholson	Y	Williams S.	N
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

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

Co-sponsor added: Newell

HB11-1242 by Representative(s) Ferrandino; also Senator(s) Nicholson--Concerning the provision of integrated health care services pursuant to the Colorado medical assistance program, and making an appropriation therefor.

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

Third Reading Amendment No. 1(L005), by Senator Nicholson.

Amend revised bill, page 5, line 11, strike "law." and substitute "law or if House Bill 11-1217 as enacted and made law does not include an appropriation to the department of health care policy and financing, for the executive director's office, for general professional services and special projects, for the implementation of section 25.5-6-108.5, Colorado Revised Statutes, in the amount of seventy-five thousand dollars (\$75,000).".

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

YES	34	NO	0	EXCUSED	1	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	E	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

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

YES	34	NO	0	EXCUSED	1	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	E	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

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

Co-sponsors added: Aguilar, Boyd, Giron, Heath, Hodge, Morse, Newell, Roberts, Schwartz, Steadman and Williams S.

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

CONSIDERATION OF RESOLUTIONS

SJR11-047 by Senator(s) Shaffer B.; also Representative(s) Hamner--Concerning recognition of extraordinary contributions of children to the world.

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

YES	34	NO	0	EXCUSED	1	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	E	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

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

SJR11-040 by Senator(s) White, Boyd, Brophy, Cadman, Giron, Grantham, Guzman, Hodge, Jahn, King K., King S., Kopp, Lambert, Lundberg, Mitchell, Nicholson, Renfroe, Roberts, Schwartz, Spence, Tochtrop; also Representative(s) Brown, Acree, Barker, Baumgardner, Becker, Bradford, Conti, Coram, DelGrosso, Gardner B., Hamner, Holbert, Joshi, Kerr J., Looper, Massey, McKinley, Murray, Priola, Riesberg, Scott, Sonnenberg, Soper, Summers, Swalm, Swerdfeger, Vaad, Vigil--Concerning management of wild horse and burro herds by the bureau of land management, and, in connection therewith, urging the bureau of land management to take certain actions concerning those herds.

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

YES	34	NO	0	EXCUSED	1	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	E	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

Co-sponsors added: Aguilar, Bacon, Carroll, Harvey, Heath, Hudak, Johnston, Morse, Newell, Scheffel, Shaffer B., Steadman and Williams S.

CONSIDERATION OF MEMORIALS -- CONSENT CALENDAR

SJM11-004 by Senator(s) Brophy, Carroll; also Representative(s) Solano and Massey, Sonnenberg, Kagan, Miklosi--Memorializing Congress to repeal the provisions of the federal "No Child Left Behind Act of 2001" when reauthorizing the federal "Elementary and Secondary Education Act of 1965".

On motion of Senator Brophy, the memorial was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	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	E	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

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

**CONSIDERATION OF GOVERNOR'S APPOINTMENTS --
CONSENT CALENDAR**

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

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.

YES	34	NO	0	EXCUSED	1	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	E	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

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

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.

YES	34	NO	0	EXCUSED	1	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	E	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

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

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.

YES	34	NO	0	EXCUSED	1	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	E	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

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

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.

YES	34	NO	0	EXCUSED	1	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	E	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

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

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.

YES	34	NO	0	EXCUSED	1	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	E	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

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

MEMBERS OF THE
CHARTER SCHOOL INSTITUTE BOARD

for a term expiring July 1, 2013:

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;

for a term expiring July 1, 2014:

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.

YES	34	NO	0	EXCUSED	1	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	E	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

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

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.

YES	34	NO	0	EXCUSED	1	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	E	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

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

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).

YES	34	NO	0	EXCUSED	1	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	E	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

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

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.

YES	34	NO	0	EXCUSED	1	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	E	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

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

CONSIDERATION OF RESOLUTIONS

SJR11-005 by Senator(s) Roberts, Grantham, King S.; also Representative(s) Gerou--Concerning a prohibition on mandates to state and local governments without adequate funding.

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

YES	34	NO	0	EXCUSED	1	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	E	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

Co-sponsors added: Aguilar, Bacon, Cadman, Harvey, Heath, Hudak, Jahn, King K., Kopp, Lambert, Lundberg, Mitchell, Renfroe, Scheffel, Tochtrop, White and Williams S.

RECONSIDERATION OF SJM11-004

SJM11-004 by Senator(s) Brophy, Carroll; also Representative(s) Solano and Massey, Sonnenberg, Kagan, Miklosi--Memorializing Congress to repeal the provisions of the federal "No Child Left Behind Act of 2001" when reauthorizing the federal "Elementary and Secondary Education Act of 1965".

Having voted on the prevailing side, Senator Morse moved for reconsideration of the last Senate action, Consideration of Memorials -- Consent Calendar, on SJM11-004.

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

CONSIDERATION OF MEMORIALS -- CONSENT CALENDAR

SJM11-004 by Senator(s) Brophy, Carroll; also Representative(s) Solano and Massey, Sonnenberg, Kagan, Miklosi--Memorializing Congress to repeal the provisions of the federal "No Child Left Behind Act of 2001" when reauthorizing the federal "Elementary and Secondary Education Act of 1965".

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

YES	31	NO	3	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	Y	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	Y	Spence	N
Brophy	Y	Hodge	Y	Mitchell	Y	Steadman	Y
Cadman	Y	Hudak	Y	Morse	N	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	E	Johnston	N	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

Co-sponsors added: Grantham, Guzman, Hudak, Lambert, Lundberg, Newell, Roberts, Scheffel, Steadman and White.

COMMITTEE OF REFERENCE REPORTS

		1
		2
Local Government	After consideration on the merits, the Committee recommends that HB11-1317 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	3 4 5 6 7
Local Government	After consideration on the merits, the Committee recommends that HB11-1313 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	8 9 10 11 12
Local Government	After consideration on the merits, the Committee recommends that HB11-1010 be referred to the Committee of the Whole with favorable recommendation.	13 14 15 16
Finance	After consideration on the merits, the Committee recommends that HB11-1307 be amended as follows, and as so amended, be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	17 18 19 20
	Amend reengrossed bill, page 4, line 26, strike "a ANY".	21 22
	Page 4, line 27, strike "OTHER" and substitute "a".	23 24
	Page 5, line 26, strike "May 1, 2011," and substitute " May 1, 2011 JUNE 30, 2011," and strike "MAY 1" and substitute "JUNE 30".	25 26 27
	Page 7, line 16, strike "GIFTS, GRANTS, OR".	28 29
	Page 7, strike line 17 and substitute "A FIDUCIARY OR AS GIFTS, GRANTS, DONATIONS, OR CUSTODIAL FUNDS.".	30 31 32 33
Finance	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 <u>Appropriations</u> with favorable recommendation.	34 35 36 37
	Amend printed bill, page 8, line 22, after the period add "IF A PROCESSOR SUBMITS SUCH PROOF TO THE DEPARTMENT'S SATISFACTION, THE DEPARTMENT SHALL TREAT THE PROCESSOR AS BEING CERTIFIED PURSUANT TO THIS SECTION AND THE DEPARTMENT SHALL NOT PERFORM ADDITIONAL INSPECTIONS OF THE PROCESSOR'S FACILITIES PERTAINING TO THIS SECTION.".	38 39 40 41 42 43 44
	Page 13, after line 18 insert:	45 46
	"SECTION 2. 25-16.5-106.5 (4), Colorado Revised Statutes, is amended to read:	47 48
	25-16.5-106.5. Recycling resources economic opportunity fund - creation - repeal. (4) (a) Except as otherwise provided in this section, no moneys in the fund shall be used for the administration, implementation, or enforcement of any state law or rule.	49 50 51 52
	(b) THE MONEYS IN THE FUND SHALL BE USED FOR THE START-UP COSTS OF THE DEPARTMENT AND THE SOLID AND HAZARDOUS WASTE COMMISSION FOR THE IMPLEMENTATION OF PART 3 OF ARTICLE 17 OF THIS TITLE. THIS PARAGRAPH (b) IS REPEALED, EFFECTIVE JANUARY 1, 2013.".	53 54 55 56 57
	Renumber succeeding section accordingly.	58 59 60
Finance	After consideration on the merits, the Committee recommends that HB11-1014 be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	61 62 63 64
Finance	After consideration on the merits, the Committee recommends that SB11-134 be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	65 66 67 68 69

Finance After consideration on the merits, the Committee recommends that **HB11-1311** be referred to the Committee of the Whole with favorable recommendation.

Finance After consideration on the merits, the Committee recommends that **HB11-1310** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Education After consideration on the merits, the Committee recommends that **HB11-1301** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 18, line 11, strike "AND".

Page 18, line 13, strike "FEES." and substitute "FEES, AND STUDENT FEES THAT APPLY TO A STUDENT CONCURRENTLY ENROLLED PURSUANT TO ARTICLE 35 OF TITLE 22, C.R.S.".

Page 32, line 10, after "CONTRARY," insert "ON AND AFTER JULY 1, 2012,".

Page 36, line 26, after "**education.**" insert "(1)".

Page 37, strike lines 4 through 6 and substitute "~~Nothing in this part 6 shall be construed to otherwise limit or expand the authority of any~~ A STATE institution of higher education to OR A GROUP OF STATE INSTITUTIONS MAY establish and offer ONE OR MORE GROUP benefit".

Page 37, after line 10 insert:

"(2) (a) NOTWITHSTANDING ANY PROVISION OF SUBSECTION (1) OF THIS SECTION TO THE CONTRARY, A STATE INSTITUTION OF HIGHER EDUCATION OR GROUP OF INSTITUTIONS SHALL CONSULT WITH THE GOVERNOR'S OFFICE AND PROVIDE TO THE DIRECTOR AT LEAST TWELVE MONTHS' WRITTEN ADVANCE NOTICE BEFORE THE INSTITUTION OR GROUP OF INSTITUTIONS MAY:

(I) CEASE OFFERING TO INSTITUTIONAL EMPLOYEES IN THE PERSONNEL SYSTEM ONE OR MORE GROUP BENEFIT PLANS THAT THE DIRECTOR CONTRACTED FOR AND THAT THE INSTITUTION OR GROUP OF INSTITUTIONS OFFERED IN THE PRECEDING PLAN YEAR; OR

(II) OFFER TO INSTITUTIONAL EMPLOYEES IN THE PERSONNEL SYSTEM ONE OR MORE GROUP BENEFIT PLANS THAT WERE CONTRACTED FOR BY THE DIRECTOR AND THAT THE INSTITUTION OR GROUP OF INSTITUTIONS DID NOT OFFER IN THE PRECEDING PLAN YEAR.

(b) IF THE DIRECTOR CONCLUDES ON THE BASIS OF ACTUARIAL DATA THAT CEASING TO OFFER ONE OR MORE GROUP BENEFIT PLANS AS DESCRIBED IN SUBPARAGRAPH (I) OF PARAGRAPH (a) OF THIS SUBSECTION (2) IS LIKELY, IN THE FIRST YEAR IN WHICH IT IS NOT OFFERED, TO RESULT IN AN INCREASE IN COSTS FOR THAT PLAN OR ANY OTHER PLAN CONTRACTED FOR BY THE DIRECTOR, THE INSTITUTION OR GROUP OF INSTITUTIONS MAY NOT CEASE TO OFFER THE PLAN OR PLANS UNLESS SPECIFICALLY AUTHORIZED TO DO SO BY THE GOVERNOR. THE DIRECTOR SHALL PROVIDE THE CONCLUSION, IN WRITING AND WITH COPIES OF THE ACTUARIAL DATA UPON WHICH IT IS BASED, TO THE GOVERNOR'S OFFICE AND THE AFFECTED INSTITUTION OR GROUP OF INSTITUTIONS NO LATER THAN ONE HUNDRED EIGHTY DAYS AFTER THE DATE ON WHICH THE INSTITUTION OR GROUP OF INSTITUTIONS PROVIDES THE NOTICE REQUIRED IN PARAGRAPH (a) OF THIS SUBSECTION (2).

(3) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE DIRECTOR WILL PROVIDE FOR EMPLOYEES OF THE STATE INSTITUTIONS OF HIGHER EDUCATION AND FOR ALL OTHER STATE EMPLOYEES THE MOST COST-COMPETITIVE GROUP BENEFIT PLANS AVAILABLE."

Agriculture, Natural Resources, and Energy After consideration on the merits, the Committee recommends that **SB11-130** be postponed indefinitely.

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Agriculture, Natural Resources, and Energy	After consideration on the merits, the Committee recommends that HB11-1081 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.	1 2 3 4
	Amend reengrossed bill, page 2, strike lines 22 and 23 and substitute:	5 6
	"SECTION 3. Effective date - applicability. This act shall take effect January 1, 2014, and shall apply to the tax years commencing on or after said date."	7 8 9 10
Appropriations	After consideration on the merits, the Committee recommends that SB11-134 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	11 12 13 14
	Amend printed bill, page 4, after line 7 insert:	15 16
	"SECTION 4. Exception to the requirements of section 2-2-703, Colorado Revised Statutes. The general assembly hereby finds that the amendments to section 18-18-102, Colorado Revised Statutes, and the addition of sections 18-18-406.1 and 18-18-406.2, Colorado Revised Statutes, enacted in sections 1 and 2 of this act will result in the minor fiscal impact of two additional offenders being convicted and sentenced to the department of corrections in each of the five years following passage of this act. Because of the relative insignificance of this degree of fiscal impact, these amendments are an exception to the five-year appropriation requirements specified in section 2-2-703, Colorado Revised Statutes."	17 18 19 20 21 22 23 24 25 26 27 28
	Renumber succeeding sections accordingly.	29 30
Appropriations	After consideration on the merits, the Committee recommends that SB11-269 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	31 32 33 34
	Amend printed bill, page 13, before line 19 insert:	35 36 37
	(1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the recycling resources economic opportunity fund created in section 25-16.5-106.5, Colorado Revised Statutes, not otherwise appropriated, to the department of public health and environment, for allocation to the hazardous materials and waste management division, for the fiscal year beginning July 1, 2011, the sum of thirty-four thousand four hundred twelve dollars (\$34,412) cash funds and 0.3 FTE, or so much thereof as may be necessary, for the implementation of this act.	38 39 40 41 42 43 44 45 46 47
	(2) In addition to any other appropriation, there is hereby appropriated to the department of law, for the fiscal year beginning July 1, 2011, the sum of fourteen thousand six hundred seventy-four dollars (\$14,674) and 0.1 FTE, or so much thereof as may be necessary, for the provision of legal services to the department of public health and environment related to the implementation of this act. Said sum shall be from reappropriated funds received from the department of public health and environment out of the appropriation made in subsection (1) of this section."	48 49 50 51 52 53 54 55 56
	Renumber succeeding section accordingly.	57 58
	Page 1, line 103, strike "CERTIFIED AND" and substitute "CERTIFIED,".	59 60
	Page 1, line 104, strike "REGISTERED." and substitute "REGISTERED, AND MAKING AN APPROPRIATION.".	61 62 63
Business, Labor, & Technology	After consideration on the merits, the Committee recommends that SB11-233 be postponed indefinitely.	64 65 66 67 68

Finance	After consideration on the merits, the Committee recommends that HB11-1045 be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	1 2 3 4 5
Judiciary	After consideration on the merits, the Committee recommends that HB11-1303 be referred to the Committee of the Whole with favorable recommendation.	6 7 8 9
Judiciary	After consideration on the merits, the Committee recommends that SB11-257 be postponed indefinitely.	10 11 12 13
Judiciary	After consideration on the merits, the Committee recommends that HB11-1315 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	14 15 16 17 18
State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that HB11-1212 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	19 20 21 22 23 24

SENATE SERVICES REPORT

Correctly Engrossed: SB11-251, 263, 267, 270, 271, 272 and 273.
Correctly Reengrossed: SB11-261, 264 and 266.
Correctly Revised: HB11-1032, 1091, 1105, 1157, 1188, 1195, 1242, 1250, 1265, 1277, 1288, 1293, 1295 and 1305.
Correctly Rerevised: HB11-1005 and 1093.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB11-1002, 1076, 1080, 1241, 1279, 1296, HJR11-1021, 1023.

Senate in recess. Senate reconvened.

MESSAGE FROM THE HOUSE

May 9, 2011

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB11-1321.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB11-1304, amended as printed in House Journal, May 5, page 1267.
 HB11-1312, amended as printed in House Journal, May 5, pages 1268-1269.
 HB11-1322, amended as printed in House Journal, May 6, page 1314.

The House has passed on Third Reading and returns herewith SB11-125, 242, 182, 250, 227.

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The House has passed on Third Reading and transmitted to the Revisor of Statutes;
 SB11-192, amended as printed in House Journal, May 6, page 1313.
 SB11-187, amended as printed in House Journal, May 6, pages 1315-1317, and amended
 on Third Reading as printed in House Journal, May 9.
 SB11-177, amended as printed in House Journal, May 6, page 1317.
 SB11-076, amended as printed in House Journal, May 6, page 1314
 SB11-047, amended as printed in House Journal, May 6, page 1314.

The House has postponed indefinitely SB11-244. The bill is returned herewith.

The House has voted to concur in the Senate amendments to HB11-1005, 1121,
 1115, 1095, 1064, 1138, and has repassed the bills as so amended.

MESSAGE FROM THE REVISOR

May 9, 2011

We herewith transmit:

- Without comment, HB11-1321.
- Without comment, as amended, HB11-1304, 1312, and 1322.
- Without comment, as amended, SB11-047, 076, 177, 187, and 192.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

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

Senator Carroll moved that the Senate not concur in House amendments to **SB11-088**, as
 printed in House journal, May 5, page 1276, 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	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 President appointed Senators Carroll, Chair, Aguilar, and Lundberg as Senate
 conferees on the first conference committee on **SB11-088**.

Senator Carroll moved that the Senate conferees on the first conference committee on
SB11-088 be granted permission to go beyond the scope of the differences between the
 two houses.

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

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.

Senator Brophy moved that the Senate concur in House amendments to **SB11-091**, as printed in House journal, May 5, page 1276. The motion was **adopted** by the following roll call vote:

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

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

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	Y	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	Y	Spence	N
Brophy	Y	Hodge	Y	Mitchell	Y	Steadman	Y
Cadman	Y	Hudak	Y	Morse	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

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

SB11-102

by Senator(s) Williams S., King S., Foster, Guzman, Jahn, Morse, Newell, Nicholson, White; also Representative(s) Todd, Murray, Brown, Fields, Looper, Peniston, Ramirez, Schafer S., Solano, Stephens--Concerning the voluntary contribution designation benefiting the Families in Action for Mental Health fund that appears on the state individual income tax return forms, and making an appropriation therefor.

Senator Williams S. moved that the Senate concur in House amendments to **SB11-102**, as printed in House journal, May 5, pages 1276-1277. The motion was **adopted** by the following roll call vote:

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

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

YES	30	NO	5	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	N	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	N	Spence	Y
Brophy	Y	Hodge	Y	Mitchell	N	Steadman	Y
Cadman	N	Hudak	Y	Morse	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	N	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

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

Co-sponsor added: Tochtrop

SB11-105 by Senator(s) Guzman, Aguilar, Boyd, Carroll, Foster, Lundberg, Newell, Roberts; also Representative(s) Levy--Concerning in-home support services, and, in connection therewith, extending the in-home support services program.

Senator Guzman moved that the Senate concur in House amendments to **SB11-208**, as printed in House journal, May 5, pages 1277-1278. The motion was **adopted** by the following roll call vote:

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

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

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

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

SB11-208

by Senator(s) Schwartz and Hodge, Bacon, Boyd, Brophy, Cadman, Foster, Giron, Grantham, Guzman, Heath, Hudak, Jahn, King S., Kopp, Lambert, Nicholson, Shaffer B., Spence, Steadman, Tochtrop, White, Williams S.; also Representative(s) Sonnenberg and Gerou, Acree, Barker, Baumgardner, Becker, Beezley, Bradford, Coram, Ferrandino, Gardner B., Hamner, Holbert, Joshi, Labuda, Looper, Massey, McCann, Miklosi, Murray, Nikkel, Priola, Ramirez, Ryden, Schafer S., Scott, Stephens, Summers, Swalm, Swerdfeger, Waller, Wilson--Concerning the consolidation of wildlife entities with parks and outdoor recreation entities under the department of natural resources.

Senator Schwartz moved that the Senate concur in House amendments to **SB11-208**, as printed in House journal, May 5, pages 1277-1278. The motion was **adopted** by the following roll call vote:

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

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

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

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

IMMEDIATE RECONSIDERATION OF SB11-208

SB11-208

by Senator(s) Schwartz and Hodge, Bacon, Boyd, Brophy, Cadman, Foster, Giron, Grantham, Guzman, Heath, Hudak, Jahn, King S., Kopp, Lambert, Nicholson, Shaffer B., Spence, Steadman, Tochtrop, White, Williams S.; also Representative(s) Sonnenberg and Gerou, Acree, Barker, Baumgardner, Becker, Beezley, Bradford, Coram, Ferrandino, Gardner B., Hamner, Holbert, Joshi, Labuda, Looper, Massey, McCann, Miklosi, Murray, Nikkel, Priola, Ramirez, Ryden, Schafer S., Scott, Stephens, Summers, Swalm, Swerdfeger, Waller, Wilson--Concerning the consolidation of wildlife entities with parks and outdoor recreation entities under the department of natural resources.

Senator Morse moved for the immediate reconsideration of the last Senate action, Consideration of Repassage, on **SB11-208**.

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

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB11-208

by Senator(s) Schwartz and Hodge, Bacon, Boyd, Brophy, Cadman, Foster, Giron, Grantham, Guzman, Heath, Hudak, Jahn, King S., Kopp, Lambert, Nicholson, Shaffer B., Spence, Steadman, Tochtrop, White, Williams S.; also Representative(s) Sonnenberg and Gerou, Acree, Barker, Baumgardner, Becker, Beezley, Bradford, Coram, Ferrandino, Gardner B., Hamner, Holbert, Joshi, Labuda, Looper, Massey, McCann, Miklosi, Murray, Nikkel, Priola, Ramirez, Ryden, Schafer S., Scott, Stephens, Summers, Swalm, Swerdfeger, Waller, Wilson--Concerning the consolidation of wildlife entities with parks and outdoor recreation entities under the department of natural resources.

Senator Hodge moved for the repassage of **SB11-208**. The motion was **adopted** by the following roll call vote:

YES	33	NO	2	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	Y	Scheffel	N
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	N	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

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

SB11-111

by Senator(s) King K., Heath, Johnston, Nicholson, Renfroe, Spence; also Representative(s) Massey--Concerning creation of a task force to address the provision of educational services to support students' academic success.

Senator King K. moved that the Senate concur in House amendments to **SB11-111**, as printed in House journal, May 5, page 1284. The motion was **adopted** by the following roll call vote:

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

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

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	Y	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	Y	Spence	Y
Brophy	N	Hodge	Y	Mitchell	Y	Steadman	Y
Cadman	Y	Hudak	Y	Morse	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

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

Co-sponsor added: Bacon

SB11-256 by Senator(s) Guzman and King S.; also Representative(s) Kerr J. and Ferrandino-- Concerning graffiti.

Senator Guzman moved that the Senate concur in House amendments to **SB11-256**, as printed in House journal, May 5, page 1285. The motion was **adopted** by the following roll call vote:

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

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

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

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

Co-sponsor added: Giron

SB11-232 by Senator(s) Jahn; also Representative(s) Gardner B.--Concerning the child abuse investigation surcharge.

Senator Jahn moved that the Senate concur in House amendments to **SB11-232**, as printed in House journal, May 5, page 1286. The motion was **adopted** by the following roll call vote:

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

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

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

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

APPOINTMENTS TO CONFERENCE COMMITTEE

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

The President appointed Senators Tochtrop, Chair, Guzman, and Scheffel as Senate conferees on the first conference committee on **HB11-1211**.

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

The President appointed Senators Steadman, Chair, Spence, and Johnston as Senate conferees on the first conference committee on **HB11-1254**.

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 memorials.

CONSIDERATION OF MEMORIALS

SJM11-002 by Senator(s) Schwartz and White; also Representative(s) Wilson and Baumgardner--Memorializing Congress to reauthorize the federal "Secure Rural Schools and Community Self-determination Act of 2000".

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

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

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

On motion of Senator Morse, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, HB11-1317, HB11-1313, HB11-1310, and HB11-1081 were made Special Orders at 3:30 p.m.

Committee of the Whole The hour of 3:30 p.m. having arrived, Senator Johnston moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders -- Second Reading of Bills and Senator Johnston 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:

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.

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

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.

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

HB11-1310 by Representative(s) Sonnenberg, Brown, Vigil; also Senator(s) Bacon, Schwartz, Renfroe-- Concerning the funding for the restoration of the state capitol dome.

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

HB11-1081 by Representative(s) Brown; also Senator(s) Schwartz--Concerning the inclusion of liquefied petroleum gas conversion vehicles in the list of qualified vehicles available for efficient motor vehicle incentives.

Amendment No. 1, Agriculture, Natural Resources, and Energy Committee Amendment.
(Printed in Senate Journal, May 9, page 1113 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 Johnston, 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: HB11-1317, HB11-1313, HB11-1310, HB11-1081 as amended.

On motion of Senator Morse, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, HB11-1212 and HB11-1315 were made Special Orders at 3:38 p.m.

Committee of the Whole The hour of 3:38 p.m. having arrived, Senator Johnston moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders -- Second Reading of Bills and Senator Johnston 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:

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.

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

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.

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 Johnston, 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: HB11-1315, HB11-1212.

On motion of Senator Morse, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, SB11-269, SB11-168, SB11-032, SB11-134, HB11-1297, HB11-1072, HB11-1303, HB11-1010, HB11-1311, HB11-1301, HB11-1268, HB11-1217, HB11-1261, HB11-1043, and SB11-268 were made Special Orders at 3:45 p.m.

Committee of the Whole The hour of 3:45 p.m. having arrived, Senator Johnston moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders -- Second Reading of Bills and Senator Johnston 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:

SB11-269 by Senator(s) Schwartz; also Representative(s) Kerr A. and Miklosi--Concerning the recycling of electronic devices, and, in connection therewith, requiring the processing facilities of processors of electronic devices to be certified, requiring processors of electronic devices to be registered, and making an appropriation.

Amendment No. 1, Agriculture, Natural Resources, and Energy Committee Amendment.
(Printed in Senate Journal, May 5, pages 1044-1045 and placed in members' bill files.)

Amendment No. 2, Finance Committee Amendment.
(Printed in Senate Journal, May 9, page 1111 and placed in members' bill files.)

Amendment No. 3, Appropriations Committee Amendment.
(Printed in Senate Journal, May 9, page 1113 and placed in members' bill files.)

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

SB11-168 by Senator(s) Aguilar, Bacon, Carroll, Foster, Giron, Guzman, Heath, Johnston, Morse, Nicholson, Steadman, Tochtrop; also Representative(s) Kefalas, Court, Fields, Fischer, Gardner D., Hullinghorst, Jones, Kagan, Levy, McCann, Miklosi, Pace, Solano, Tyler-- Concerning the creation of the Colorado health care authority for the purpose of designing a health care cooperative.

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, March 1, page 348 and placed in members' bill files.)

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

Amend printed bill, page 9, after line 16 insert:

"(d) PROJECT THE COSTS FOR HEALTH CARE IN COLORADO WITH
THE COOPERATIVE AS AN INSURANCE OPTION WITHIN THE HEALTH
EXCHANGE;"

Reletter succeeding paragraphs accordingly.

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

(For further action, see amendments to the report of the Committee of the Whole.)

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.

Laid over until May 12.

SB11-134 by Senator(s) Kopp; also Representative(s) Murray and Vigil--Concerning the addition of certain drugs to the statutory list of schedule I controlled substances.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, May 5, pages 1042-1043 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, May 9, page 1113 and placed in members' bill files.)

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

HB11-1297 by Representative(s) Murray; also Senator(s) Cadman--Concerning the statewide internet portal authority.

Amendment No. 1(L.005), by Senator Carroll.

Amend reengrossed bill, page 3, line 27, strike "(1) (b), (2), and (3)," and substitute "(1) (b) and (2),".

Page 4, strike lines 14 through 21 and substitute:

"(2) Upon the completion of a financial or performance audit described in subsection (1) of this section OR IN SECTION 2-3-103 (1) (b), C.R.S., the state auditor shall submit a written report to the legislative audit committee, together with any findings and recommendations."

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

HB11-1072 by Representative(s) McNulty, Stephens, Liston; also Senator(s) Morse--Concerning the responsibilities of a designated representative of the proponents of an initiative petition.

Amendment No. 1, Special Orders Amendment.
(Printed in Senate Journal, May 6, page 1086 and placed in members' bill files.)

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

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HB11-1303 by Representative(s) Gardner B., Labuda, Levy, Murray, Waller; also Senator(s) Brophy, Carroll, Morse, Roberts, Schwartz--Concerning nonsubstantive revisions of statutes in the Colorado Revised Statutes, as amended, and, in connection therewith, amending or repealing obsolete, inconsistent, and conflicting provisions of law and clarifying the language to reflect the legislative intent of the laws.

Amendment No. 1(L.005), by Senator Brophy.

Amend reengrossed bill, page 41, strike line 27.

Page 42, strike line 1 and substitute:

"SECTION 75. Repeal. 26-12-112 (5), Colorado Revised Statutes, is repealed as follows:".

Page 42, strike lines 16 through 19 and substitute:

~~"(b) Any proceeds from the sale of property pursuant to paragraph (a) of this subsection (5) shall be deposited in the central fund and applied toward projects and programs for state nursing homes."~~

Page 68, line 13, strike "subsections (2) and (3)" and substitute "subsection (2)".

Page 68, strike lines 23 and 24 and substitute:

"(2) (a) Section 8 of this act shall not take effect if Senate Bill 11-192 is enacted and becomes law.

(b) Sections 13 and 14 of this act shall not take effect if Senate Bill 11-187 is enacted and becomes law.

(c) Section 15 of this act shall not take effect if Senate Bill 11-159 is enacted and becomes law.

(d) Section 55 of this act shall take effect July 1, 2012.

(e) Section 68 of this act shall not take effect if Senate Bill 11-105 is enacted and becomes law.

(f) Sections 92 and 97 of this act shall take effect January 1, 2012.

(g) The amendment to section 42-4-1301.3 (2) (b) in section 110 of this act shall not take effect if House Bill 11-1268 is enacted and becomes law.

(h) Section 112 of this act shall not take effect if Senate Bill 11-093 is enacted and becomes law.".

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

HB11-1010 by Representative(s) Acree, Baumgardner, Priola; also Senator(s) Brophy--Concerning the incidental use of property owned by a fraternal organization or veterans' organization that is exempt from property tax, and making an appropriation in connection therewith.

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

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".

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

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.

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Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, May 9, page 1112 and placed in members' bill files.)

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

HB11-1268 by Representative(s) Levy; also Senator(s) Nicholson--Concerning penalties for traffic offenses involving alcohol and drugs.

Amendment No. 1(L.004), by Senator Morse.

Amend reengrossed bill, page 9, after line 7, insert:

SECTION 6. 13-21-102.5 (2), (3) (a), and (3) (b), Colorado Revised Statutes, are amended, and the said 13-21-102.5 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

13-21-102.5. Limitations on damages for noneconomic loss or injury. (2) As used in this section:

(a) "ALCOHOL-RELATED OR DRUG-RELATED DRIVING INCIDENT" MEANS AN INCIDENT IN WHICH A PERSON WHO IS DRIVING UNDER THE INFLUENCE OF ALCOHOL OR ONE OR MORE DRUGS, AS DESCRIBED IN SECTION 42-4-1307 (2) (b), C.R.S., OR DRIVING WHILE HIS OR HER ABILITY IS IMPAIRED, AS DESCRIBED IN SECTION 42-4-1307 (2) (c), C.R.S., CAUSES A LOSS OR INJURY TO ANOTHER PERSON.

(a) (b) "Derivative noneconomic loss or injury" means nonpecuniary harm or emotional stress to persons other than the person suffering the direct or primary loss or injury.

(b) (c) "Noneconomic loss or injury" means nonpecuniary harm for which damages are recoverable by the person suffering the direct or primary loss or injury, including pain and suffering, inconvenience, emotional stress, and impairment of the quality of life. "Noneconomic loss or injury" includes a damage recovery for nonpecuniary harm for actions brought under section 13-21-201 or 13-21-202.

(3) (a) ~~In any civil action other than~~ EXCEPT FOR medical malpractice actions AND ACTIONS CONCERNING DAMAGES RESULTING FROM ALCOHOL-RELATED OR DRUG-RELATED DRIVING INCIDENTS, IN ANY CIVIL ACTION in which damages for noneconomic loss or injury may be awarded, the total of such damages shall not exceed the sum of two hundred fifty thousand dollars, unless the court finds justification by clear and convincing evidence therefor. In no case EXCEPT FOR ACTIONS CONCERNING DAMAGES RESULTING FROM ALCOHOL-RELATED OR DRUG-RELATED DRIVING INCIDENTS shall the amount of noneconomic loss or injury damages exceed five hundred thousand dollars. The damages for noneconomic loss or injury in a medical malpractice action shall not exceed the limitations on noneconomic loss or injury specified in section 13-64-302.

(b) In any civil action OTHER THAN AN ACTION CONCERNING DAMAGES RESULTING FROM AN ALCOHOL-RELATED OR DRUG-RELATED DRIVING INCIDENT, no damages for derivative noneconomic loss or injury may be awarded unless the court finds justification by clear and convincing evidence therefor. In no case shall the amount of such damages exceed two hundred fifty thousand dollars.

(7) NOTWITHSTANDING THE PROVISIONS OF SECTION 42-4-1713, C.R.S., A RECORD OF THE CONVICTION OF ANY DEFENDANT, INCLUDING A PLEA OF GUILTY OR NOLO CONTENDERE, FOR ANY ALCOHOL-RELATED OR DRUG-RELATED TRAFFIC VIOLATION DESCRIBED IN PART 13 OF ARTICLE 4 OF TITLE 42, C.R.S., SHALL BE ADMISSIBLE IN ANY COURT IN ANY CIVIL ACTION SEEKING NONECONOMIC DAMAGES CAUSED BY AN ALCOHOL-RELATED OR DRUG-RELATED DRIVING INCIDENT AS PRIMA FACIE EVIDENCE THAT THE DRIVER WAS DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS OR DRIVING WHILE HIS OR HER ABILITY WAS IMPAIRED BY ALCOHOL OR DRUGS.

SECTION 7. 13-20-806 (4) (a), Colorado Revised Statutes, is amended to read:

13-20-806. Limitation of damages. (4) (a) In an action asserting personal injury or bodily injury as a result of a construction defect in which damages for noneconomic loss or injury or derivative noneconomic loss or injury may be awarded, such damages shall not exceed the sum of

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two hundred fifty thousand dollars. As used in this subsection (4), "noneconomic loss or injury" has the same meaning as set forth in ~~section 13-21-102.5 (2) (b)~~ SECTION 13-21-102.5 (2) (c), and "derivative noneconomic loss or injury" has the same meaning as set forth in ~~section 13-21-102.5 (2) (a)~~ SECTION 13-21-102.5 (2) (b).".

Renumber succeeding section accordingly.

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

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

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, May 5, pages 1048-1049 and placed in members' bill files.)

Amendment No. 2(L.009), by Senator Boyd.

Amend the Health and Human Services Committee Report, dated May 5, 2011, page 5, after line 2 insert:

"SECTION 5. 25.5-4-402.3, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

25.5-4-402.3. Providers - hospital - provider fees - legislative declaration - federal waiver - fund created - rules - advisory board - repeal. (8) THE STATE DEPARTMENT SHALL EVALUATE LEGISLATION ENACTED BY THE GENERAL ASSEMBLY AFTER JULY 1, 2009, TO DETERMINE WHETHER THE LEGISLATION IMPACTS A PUBLIC MEDICAL ASSISTANCE PROGRAM IN A MANNER THAT LIMITS THE EXPANSION OF ELIGIBILITY FOR PUBLIC MEDICAL ASSISTANCE PURSUANT TO SUB-SUBPARAGRAPH (B) OF SUBPARAGRAPH (IV) OF PARAGRAPH (b) OF SUBSECTION (4) OF THIS SECTION OR CREATES A BARRIER TO ACCESS TO HEALTH CARE FOR THE PERSONS ELIGIBLE FOR PUBLIC MEDICAL ASSISTANCE PURSUANT TO SUB-SUBPARAGRAPH (B) OF SUBPARAGRAPH (IV) OF PARAGRAPH (b) OF SUBSECTION (4) OF THIS SECTION. IF THE STATE DEPARTMENT DETERMINES THAT THE EXPANSION OF ELIGIBILITY IS LIMITED BY THE LEGISLATION OR THAT THE LEGISLATION CREATES A BARRIER TO ACCESS TO HEALTH CARE FOR THOSE ELIGIBLE POPULATIONS, THE STATE DEPARTMENT SHALL NOT IMPLEMENT THE LEGISLATION."

Renumber succeeding sections accordingly.

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

HB11-1043 by Representative(s) Massey; also Senator(s) Steadman and Spence--Concerning medical marijuana, and making an appropriation therefor.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, May 3, pages 1002-1005 and placed in members' bill files.)

Amendment No. 2, Finance Committee Amendment.
(Printed in Senate Journal, May 4, page 1016 and placed in members' bill files.)

Amendment No. 3, Appropriations Committee Amendment.
(Printed in Senate Journal, May 6, pages 1078-1079 and placed in members' bill files.)

Amendment No. 4(L.059), by Senator Steadman.

Amend reengrossed bill, page 13, line 9, after the period, add "A PURCHASER MAY ONLY MAKE A PURCHASE USING A COPY OF HIS OR HER APPLICATION FROM 8 A.M. TO 5 P.M., MONDAY THROUGH FRIDAY. IF THE PURCHASER PRESENTS A COPY OF HIS OR HER APPLICATION AT THE TIME OF

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PURCHASE, THE EMPLOYEE MUST CONTACT THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT TO DETERMINE WHETHER THE PURCHASER'S APPLICATION HAS BEEN DENIED. THE EMPLOYEE SHALL NOT COMPLETE THE TRANSACTION IF THE PURCHASER'S APPLICATION HAS BEEN DENIED. IF THE PURCHASER'S APPLICATION HAS BEEN DENIED, THE EMPLOYEE SHALL BE AUTHORIZED TO CONFISCATE THE PURCHASER'S COPY OF THE APPLICATION AND THE DOCUMENTATION OF THE CERTIFIED MAIL RETURN RECEIPT, IF POSSIBLE, AND SHALL, WITHIN SEVENTY-TWO HOURS AFTER THE CONFISCATION, TURN IT OVER TO THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT OR LOCAL LAW ENFORCEMENT AGENCY. THE FAILURE TO CONFISCATE THE COPY OF THE APPLICATION AND DOCUMENT OF THE CERTIFIED MAIL RETURN RECEIPT OR TO TURN IT OVER TO THE STATE HEALTH DEPARTMENT OR A STATE OR LOCAL LAW ENFORCEMENT AGENCY WITHIN SEVENTY-TWO HOURS AFTER THE CONFISCATION SHALL NOT CONSTITUTE A CRIMINAL OFFENSE."

Page 20, line 7, strike "DAYS" and substitute "DAYS AND THE EMPLOYEE ASSISTING THE PERSON HAS CONTACTED THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT AND, AS A RESULT, DETERMINED THE PERSON'S APPLICATION HAS NOT BEEN DENIED."

Page 20, strike lines 8 through 10.

Page 20, line 11, strike "CARE OR RECEIVING CHEMOTHERAPY."

Amendment No. 5(L.057), by Senator Steadman.

Amend reengrossed bill, page 4, line 23, strike "(5)," and substitute "(5) and (7)," and strike "is" and substitute "are".

Page 5, after line 4 insert:

"(7) "Medical marijuana" means marijuana that is grown and sold pursuant to the provisions of this article and for a purpose authorized by section 14 of article XVIII of the state constitution BUT SHALL NOT BE CONSIDERED A NONPRESCRIPTION DRUG FOR PURPOSES OF SECTION 12-22-102 (20) OR SECTION 39-26-717, C.R.S., OR AN OVER-THE-COUNTER MEDICATION FOR PURPOSES OF SECTION 25.5-5-322, C.R.S."

Amendment No. 6(L.055), by Senator Steadman.

Amend reengrossed bill, page 8, line 19, strike "(1.5) (a) OR (1.5)" and substitute "(1) (a) OR (1)".

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

HB11-1261 by Representative(s) Waller and Levy; also Senator(s) King S. and Boyd--Concerning the establishment of a THC blood content threshold of five nanograms per milliliter of whole blood for the purpose of charging a person with the criminal offense of DUI per se, and making an appropriation in connection therewith.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, April 19, pages 801-802 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate journal, May 6, page 1078, was **lost**.)

As amended, **lost** on second reading.

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Senator Morse moved that the Committee of the Whole rise, report progress, and beg leave to sit again at 8:00 p.m. A majority of those elected to the Senate having voted in the affirmative, the motion was adopted.

Committee of the Whole in recess.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

SB11-168 by Senator(s) Aguilar, Bacon, Carroll, Foster, Giron, Guzman, Heath, Johnston, Morse, Nicholson, Steadman, Tochtrop; also Representative(s) Kefalas, Court, Fields, Fischer, Gardner D., Hullinghorst, Jones, Kagan, Levy, McCann, Miklosi, Pace, Solano, Tyler-- Concerning the creation of the Colorado health care authority for the purpose of designing a health care cooperative.

Senator Aguilar moved to amend the Report of the Committee of the Whole to show that SB 11-168, as amended, was laid over to the special orders calendar of May 10, 2011, retaining its place on the calendar.

A majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was passed on the following roll call vote:

Table with 8 columns: YES (35), NO (0), EXCUSED (0), ABSENT (0). Rows list names and their corresponding votes (Y/N).

HB11-1261 by Representative(s) Waller and Levy; also Senator(s) King S. and Boyd--Concerning the establishment of a THC blood content threshold of five nanograms per milliliter of whole blood for the purpose of charging a person with the criminal offense of DUI per se, and making an appropriation in connection therewith.

Senators Boyd and King S. moved to amend the Report of the Committee of the Whole to show that the Appropriations Committee amendment to HB 11-1261 did pass, and that HB 11-1261 did pass.

Less than majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was lost on the following roll call vote:

Table with 8 columns: YES (15), NO (20), EXCUSED (0), ABSENT (0). Rows list names and their corresponding votes (Y/N).

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Johnston, 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: SB11-269 as amended, SB11-134 as amended, HB11-1297 as amended, HB11-1072 as amended, HB11-1303 as amended, HB11-1010, HB11-1311, HB11-1301 as amended, HB11-1043 as amended, HB11-1268 as amended, HB11-1217 as amended.

Lost on second reading: HB11-1261 as amended.

Laid over until May 9: SB11-268.

Laid over until May 10: SB11-032, SB11-168 as amended.

Senate in recess. Senate reconvened.

Committee of the Whole reconvened

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

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

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, May 6, pages 1063-1077 and placed in members' bill files.)

As amended, laid over until later in the day.

On motion of Senator Morse, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Monday, May 9 was laid over until later in the day, retaining its place on the calendar.

Consideration of Memorials: SJM11-003.

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

Requests for Conference Committee: HB11-1278.

Senate in recess.

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