

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

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50th Legislative Day

Wednesday, March 2, 2011

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Prayer	By the chaplain, Pastor Vern Rempel, First Mennonite Church, Denver.	11
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Call to Order	By the President at 9:00 a.m.	13
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Pledge	By Senator Roberts.	15
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Roll Call	Present--32	17
	Excused--3, Johnston, Kopp, Mitchell.	18
	Present later--2, Johnston, Mitchell.	19
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Quorum	The President announced a quorum present.	21
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Reading of Journal	On motion of Senator Guzman, reading of the Journal of Tuesday, March 1, 2011, was dispensed with and the Journal was approved as corrected by the Secretary.	23
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**MESSAGE FROM THE HOUSE**

March 1, 2011

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB11-1156, 1167, 1239.

The House has passed on Third Reading and transmitted to the Revisor of Statutes  
 HB11-1013, amended as printed in House Journal, February 28, page 497.  
 HB11-1026, amended as printed in House Journal, February 28, page 497.  
 HB11-1100, amended as printed in House Journal, February 28, page 497.  
 HB11-1130, amended as printed in House Journal, February 28, pages 497-498.  
 HB11-1182, amended as printed in House Journal, February 28, page 498.  
 HB11-1207, amended as printed in House Journal, February 28, page 498.

The House has adopted and returns herewith SJR11-020.

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**MESSAGE FROM THE REVISOR OF STATUTES**

March 1, 2011

To: Senate

Message From Revisor of Statutes

We herewith transmit:

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Without comment, HB11-1156, 1167, and 1239.  
Without comment, as amended, HB11-1013, 1026, 1100, 1130, 1182, and 1207.

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**SENATE SERVICES REPORT**

**Correctly Printed:** SJR11-020 and 021.  
**Correctly Engrossed:** SJR11-020.  
**Correctly Reengrossed:** SB11-063 and 120.  
**Correctly Enrolled:** SB11-028; SJR11-019 and 020.

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**DELIVERY TO THE GOVERNOR**

To the Governor for signature on Tuesday, March 1, 2011, at 10:07 a.m.:  
SB11-138, 139, 150 and 156.

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**INTRODUCTION OF RESOLUTIONS**

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

**SR11-004** by Senator(s) Kopp, Cadman, Brophy, Grantham, Harvey, King K., King S., Lambert, Lundberg, Mitchell, Renfroe, Roberts, Scheffel, Spence, White; --Concerning the Colorado Senate making a declaration of opposition to all tax increases during the Sixty-eighth General Assembly.  
State, Veterans & Military Affairs

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**INTRODUCTION OF BILLS -- FIRST READING**

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

**SB11-178** by Senator(s) Newell; --Concerning the manner in which a statutory local government may adopt a sales tax exemption.  
Local Government

**SB11-179** by Senator(s) Carroll; --Concerning alternative identification that an employee engaged in work at an off-site premises may provide for purposes of ensuring work site security.  
Judiciary

**SB11-180** by Senator(s) Tochtrop; --Concerning authority for taxicabs to pick up passengers outside their assigned geographic areas.  
Business, Labor and Technology

**SB11-181** by Senator(s) Lambert, Morse; also Representative(s) Kerr J.--Concerning the creation of the position of legislative statistician to support legislative analysis.  
State, Veterans & Military Affairs

**SB11-182** by Senator(s) Carroll, Cadman, Giron, Guzman, Spence; also Representative(s) Liston, Barker, Court, Massey, Pabon, Pace--Concerning the establishment of an insurable interest requirement for life insurance policies.  
Business, Labor and Technology

**SB11-183** by Senator(s) Aguilar, Bacon, Carroll, Foster, Giron, Guzman, Heath, Hodge, Hudak, Lundberg, Nicholson, Steadman, Tochtrop, Williams S.; also Representative(s) Gardner B. and Looper, Gardner D., Kagan, Kefalas, Lee, Levy, Miklosi, Ryden, Tyler--Concerning mandating representation by persons with disabilities on certain state boards.  
Health and Human Services

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<b>HB11-1003</b>	by Representative(s) Summers and Szabo; also Senator(s) Harvey and Lundberg-- Concerning the definition of identification for election-related purposes. State, Veterans & Military Affairs	1 2 3 4 5 6
<b>HB11-1004</b>	by Representative(s) Baumgardner; also Senator(s) Harvey--Concerning the registration of a vehicle used for agricultural production, and making an appropriation in connection therewith. State, Veterans & Military Affairs	7 8 9 10 11
<b>HB11-1079</b>	by Representative(s) Casso; also Senator(s) Jahn--Concerning methods to reduce the number of homeless youth. Local Government	12 13 14 15 16 17
<b>HB11-1095</b>	by Representative(s) Nikkel; also Senator(s) Lundberg--Concerning security of the information filed on behalf of an entity with the secretary of state's on-line business filing system, and making an appropriation therefor. State, Veterans & Military Affairs	18 19 20 21 22 23
<b>HB11-1097</b>	by Representative(s) Barker; also Senator(s) Guzman--Concerning the voluntary contribution designation benefiting the Goodwill Industries fund that appears on the state individual income tax return forms, and making an appropriation therefor. Finance	24 25 26 27 28 29
<b>HB11-1111</b>	by Representative(s) Sonnenberg; also Senator(s) Jahn--Concerning the protection of livestock producer information collected by the department of agriculture. Agriculture, Natural Resources, and Energy	30 31 32 33 34
<b>HB11-1122</b>	by Representative(s) Schafer S.; also Senator(s) Jahn--Concerning the technical modification of specified requirements affecting the process by which a proposed home rule charter for a municipality is to be submitted for the approval of the voters of the municipality. Local Government	35 36 37 38 39 40
<b>HB11-1126</b>	by Representative(s) Duran; also Senator(s) Hudak--Concerning measures to encourage greater parent involvement in public schools. Education	41 42 43 44 45
<b>HB11-1151</b>	by Representative(s) Hamner; also Senator(s) Nicholson--Concerning cruelty to service animals in law enforcement. Local Government	46 47 48 49 50
<b>HB11-1153</b>	by Representative(s) Hullinghorst; also Senator(s) Newell--Concerning juror service. Judiciary	51 52 53 54 55
<b>HB11-1155</b>	by Representative(s) McNulty and Pace, Swerdfeger; also Senator(s) Shaffer B. and Kopp-- Concerning the lieutenant governor of the state of Colorado serving concurrently as the head of a principal department in state government, and making an appropriation in connection therewith. State, Veterans & Military Affairs	56 57 58 59 60 61
<b>HB11-1161</b>	by Representative(s) Gerou, Becker, Ferrandino; also Senator(s) Hodge, Steadman, Lambert--Concerning the extension through the 2011-12 fiscal year of authorization for the use of highway users tax fund moneys to fund driver and vehicle services within the division of motor vehicles of the department of revenue. Transportation	62 63 64 65 66 67

**HB11-1185** by Representative(s) Ramirez; also Senator(s) Mitchell--Concerning the imposition of a time limit within which a lienholder must provide the certificate of title to a motor vehicle with evidence of release of a lien that has been satisfied.  
Transportation

**HB11-1220** by Representative(s) Beezley, Barker, Conti, Holbert, McNulty, Priola, Ramirez, Szabo, Vaad; also Senator(s) Williams S.--Concerning the acceleration of funding for state highway transportation projects that result in new commercial development in urban infill areas through allocation of a portion of new state sales tax revenue attributable to the transportation projects.  
State, Veterans & Military Affairs  
Appropriations

**SB11-184** by Senator(s) Steadman, Bacon, Boyd, Carroll, Giron, Guzman, Hodge, Hudak, Johnston, Morse, Nicholson, Shaffer B., Tochtrop; also Representative(s) Ferrandino, Duran, Fields, Hullinghorst, Kagan, Kefalas, Labuda, McCann, Pabon, Pace--Concerning tax reporting.  
Finance  
Appropriations

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**

**SJR11-021** by Senator(s) Giron; also Representative(s) Williams A.--Concerning the Rocky Mountain Rollergirls, and, in connection therewith, acknowledging the sportsmanship, civic involvement, leadership development, and empowerment of women that the sport of women's flat track roller derby promotes.

On motion of Senator Giron, 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	E	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, Carroll, Foster, Guzman, Heath, Hodge, Hudak, Jahn, Johnston, King K., King S., Morse, Newell, Nicholson, Roberts, Scheffel, Schwartz, Shaffer B., Spence, Steadman, Tochtrop, White and Williams S.

**COMMITTEE OF REFERENCE REPORTS**

Judiciary After consideration on the merits, the Committee recommends that **HB11-1073** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

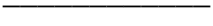
State, Veterans, & Military Affairs After consideration on the merits, the Committee recommends that **SB11-048** be postponed indefinitely.

State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that <b>HB11-1027</b> be referred to the Committee of the Whole with favorable recommendation.	1 2 3 4 5 6
Judiciary	After consideration on the merits, the Committee recommends that <b>HB11-1036</b> be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	7 8 9 10 11
Trans- portation	After consideration on the merits, the Committee recommends that <b>SJR11-015</b> be amended to the Senate for final action.	12 13 14
	Amend printed joint resolution, page 1, line 8, strike "October" and substitute "November" and strike "proposed a regulation".	15 16 17
	Page 2, line 1, strike "amending the MUTCD that would require" and substitute "asked for additional public comments on the MUTCD regulation that will require".	18 19 20 21
	Page 2, line 5, strike "proposed".	22 23
	Page 2, line 11, strike "proposed".	24 25
	Page 2, line 15, strike "the proposed" and substitute "additional comments on the" and strike "has already".	26 27 28
	Page 2, line 16, strike "been" and substitute "was".	29 30
	Page 2, line 17, strike "comments on the amendments to the regulations," and substitute "comments,".	31 32 33
	Page 2, line 20, strike "proposed".	34 35
	Page 2, line 29, strike "proposed".	36 37
	Page 2, line 31, strike "proposed".	38 39
	Page 2, line 33, strike "proposed".	40 41
	Page 3, line 1, strike "proposed".	42 43
	Page 3, line 2, strike "a copy" and substitute "copies".	44 45
	Page 3, line 4, strike "LaHood." and substitute "LaHood and the members of Colorado's congressional delegation.".	46 47 48
	Page 1, line 102, strike " <b>PROPOSED</b> ".	49 50 51
Finance	After consideration on the merits, the Committee recommends that <b>HB11-1177</b> be referred to the Committee of the Whole with favorable recommendation.	52 53 54 55
Finance	After consideration on the merits, the Committee recommends that <b>SB11-128</b> be amended as follows, and as so amended, be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	56 57 58 59
	Amend the Health and Human Services Committee Report, dated February 23, 2011, page 2, after line 4 insert:	60 61 62
	"Page 5 of the bill, after line 27 insert:	63 64
	" <b>SECTION 4.</b> 10-16-111 (4), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:	65 66
	<b>10-16-111. Annual statements and reports - repeal.</b>	67
	(4) (a.5) (I) IN ADDITION TO AND IN CONJUNCTION WITH THE INFORMATION SUBMITTED PURSUANT TO PARAGRAPH (a) OF THIS	68 69

SUBSECTION (4), A CARRIER THAT PARTICIPATES IN THE INDIVIDUAL MARKET IN COLORADO SHALL SUBMIT TO THE COMMISSIONER THE FOLLOWING INFORMATION:

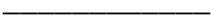
- (A) THE NUMBER OF APPLICANTS FOR A CHILD-ONLY PLAN;
  - (B) THE NUMBER OF INDIVIDUALS ENROLLED IN A CHILD-ONLY PLAN; AND
  - (C) THE NUMBER OF APPLICANTS DENIED ENROLLMENT IN A CHILD-ONLY PLAN AND THE REASONS FOR THE DENIALS.
- (II) THIS PARAGRAPH (a.5) IS REPEALED, EFFECTIVE JANUARY 1, 2014."

Renumber succeeding section accordingly."



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 Wednesday, March 2 was laid over until Thursday, March 3, retaining its place on the calendar.

- General Orders -- Second Reading of Bills -- Consent Calendar: HB11-1040, HB11-1017, SB11-165, SB11-037, SB11-108, SB11-089, HB11-1060, HB11-1019.
- General Orders -- Second Reading of Bills: SB11-055, SB11-015, SB11-050, SB11-107, HB11-1031, SB11-060, SB11-102, SB11-057, SB11-003, SB11-090, SB11-126, HB11-1105, SB11-170.
- Consideration of Resolutions: SJR11-005, SJR11-009, HJR11-1008.
- Consideration of House Amendments to Senate Bills: SCR11-001.
- Conference Committees to Report: SB11-159, SB11-164, SB11-144, SB11-137, SB11-141, SB11-136, SB11-142.



On motion of Senator Morse, the Senate adjourned until 9:00 a.m., Thursday, March 3, 2011.

Approved:

Brandon C. Shaffer  
President of the Senate

Attest:

Cindi Markwell  
Secretary of the Senate

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