

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

48th Legislative Day Monday, February 28, 2011

- Prayer 11
By the chaplain, Father Eustace Sequeira, St. Ignatius Loyola Catholic Church, Denver. 12
- Call to Order 13
By the President at 10:00 a.m. 14
- Pledge 15
By Senator Roberts. 16
- Roll Call 17
Present--35 18
- Quorum 19
The President announced a quorum present. 20
- Reading of Journal 21
On motion of Senator Guzman, reading of the Journal of Friday, February 25, 2011, was dispensed with and the Journal was approved as corrected by the Secretary. 22

MESSAGE FROM THE HOUSE

February 25, 2011

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB11-1183, 1164.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB11-1124, amended as printed in House Journal, February 24, page 434.
 HB11-1221, amended as printed in House Journal, February 24, page 435.
 HB11-1174, amended as printed in House Journal, February 24, page 435.
 HB11-1088, amended as printed in House Journal, February 24, page 435.
 HB11-1258, amended as printed in House Journal, February 24, pages 435-436.

MESSAGE FROM THE REVISOR OF STATUTES

February 25, 2011

To: Senate

Message From Revisor of Statutes

We herewith transmit:

Without comment, HB11-1164 and 1183.
 Without comment, as amended, HB11-1088, 1124, 1174, 1221, and 1258.
 Without comment, as amended, SCR11-001.

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MESSAGE FROM THE GOVERNOR

Appointment Letters of designation and appointment from Governor Bill Ritter, Jr., were read and assigned to committees as follows:

December 3, 2010

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint and submit to your consideration, the following:

**MEMBER OF THE
BOARD OF ASSESSMENT APPEALS**

for a term expiring July 1, 2011:

Gregg A. Near of Wheat Ridge, Colorado, appointed.

Sincerely,
(signed)
Bill Ritter, Jr.
Governor
Rec'd: 1/3/11
Cindi Markwell, Secretary of the Senate

Committee on Local Government

December 8, 2010

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint and submit to your consideration, the following:

**MEMBERS OF THE
BOARD OF MORTGAGE LOAN ORIGINATORS**

for terms expiring August 10, 2012:

Julie I. Piepho of Fort Collins, Colorado, a licensed mortgage loan originator, appointed;

Cheryl L. Dingwell-Keckritz of Colorado Springs, Colorado, a licensed mortgage loan originator, appointed;

Leslie J. Mitchell of Denver, Colorado, a member of the public at large, appointed;

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for terms expiring August 10, 2014:

- Billy Glenn Bartholomew of Arvada, Colorado, a licensed mortgage loan originator, appointed;
- Rosemary Marshall of Denver, Colorado, a member of the public at large, appointed.

Sincerely,
 (signed)
 Bill Ritter, Jr.
 Governor
 Rec'd: 1/3/11
 Cindi Markwell, Secretary of the Senate

Committee on Business, Labor, & Technology

October 7, 2010

To the Honorable
 Colorado Senate
 Colorado General Assembly
 State Capitol Building
 Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint, and submit to your consideration, the following:

**MEMBER OF THE
 BOARD OF REAL ESTATE APPRAISERS**

for a term expiring July 1, 2011:

- Deborah K. Delaney of Fort Collins, Colorado, an officer or employee of a commercial bank experienced in real estate lending, to fill the vacancy occasioned by the resignation of Leslie Mitchell of Denver, Colorado, appointed.

Sincerely,
 (signed)
 Bill Ritter, Jr.
 Governor
 Rec'd: 10/19/10
 Karen Goldman, Secretary of the Senate

Committee on Business, Labor, & Technology

December 20, 2010

To the Honorable
 Colorado Senate
 Colorado General Assembly
 State Capitol Building
 Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, reappoint and submit for your consideration, the following:

MEMBERS OF THE
COLORADO AERONAUTICAL BOARD

for terms expiring December 19, 2013:

Debra K. Wilcox of Centennial, Colorado, to serve as a member familiar with and supportive of the state's aviation issues, interests, and concerns, reappointed;

Dale E. Hancock of Glenwood Springs, Colorado, to serve as a representative of local government in the western slope which operates airports, reappointed.

Sincerely,
(signed)
Bill Ritter, Jr.
Governor
Rec'd: 10/19/10
Karen Goldman, Secretary of the Senate

Committee on Transportation

June 7, 2010

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint, and submit to your consideration, the following:

MEMBER OF THE
COLORADO BANKING BOARD

for a term expiring July 1, 2013:

Scott G. Pearson of Highlands Ranch, Colorado, an executive officer of a trust company, to fill the vacancy occasioned by the resignation of D. Terry Reitan of Golden, Colorado, appointed.

Sincerely,
(signed)
Bill Ritter, Jr.
Governor
Rec'd: 6/22/10
Cindi Markwell, Asst. Secretary

Committee on Business, Labor, & Technology

August 23, 2010

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

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Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint, and submit to your consideration, the following:

MEMBER OF THE
COLORADO COMMISSION ON HIGHER EDUCATION

for a term expiring July 1, 2012:

Richard C. Kaufman of Centennial, Colorado, a resident of the 6th Congressional District and a Democrat, to fill the vacancy occasioned by the resignation of Michael D. Plachy of Centennial, Colorado, appointed.

Sincerely,
(signed)
Bill Ritter, Jr.
Governor
Rec'd: 8/25/10
Cindi Markwell, Asst. Secretary

Committee on Education

June 7, 2010

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint and submit to your consideration, the following:

MEMBER OF THE:
COLORADO EDUCATIONAL AND CULTURAL
FACILITIES AUTHORITY BOARD OF DIRECTORS

for a term expiring June 30, 2014:

Patrick M. Brady of Fort Collins, Colorado, a Republican, appointed.

Sincerely,
(signed)
Bill Ritter, Jr.
Governor
Rec'd: 6/22/10
Cindi Markwell, Asst. Secretary

Committee on Finance

August 2, 2010

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

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Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint and submit for your consideration, the following:

MEMBER OF THE COLORADO LIMITED GAMING CONTROL COMMISSION

for a term expiring July 1, 2014:

Debbie J. Jessup of Centennial, Colorado, a Republican from the 6th Congressional District, who has been engaged in business in a management-level capacity for at least five years, appointed.

Sincerely,
(signed)
Bill Ritter, Jr.
Governor
Rec'd: 8/6/10
Cindi Markwell, Asst. Secretary

Committee on Finance

October 7, 2010

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint and submit to your consideration, the following:

MEMBER OF THE COLORADO RACING COMMISSION

for a term expiring July 1, 2014:

Sean D. Beirne of Aurora, Colorado, a Republican and resident of the 7th Congressional District, who has been previously engaged in the racing industry for at least five years, appointed.

Sincerely,
(signed)
Bill Ritter, Jr.
Governor
Rec'd: 10/19/10
Karen Goldman, Secretary of the Senate

Committee on Finance

June 14, 2010

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

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Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint, reappoint, and submit to your consideration, the following:

MEMBERS OF THE STATE ELECTRICAL BOARD

effective July 2, 2010 for terms expiring July 1, 2013:

Michael E. Dell'Orfano of Aurora, Colorado, a member of the public at large, appointed;

Jerry L. Coffee of Pueblo, Colorado, an electrical contractor who has a masters' license, reappointed.

Sincerely,
(signed)
Bill Ritter, Jr.
Governor
Rec'd: 6/22/10
Cindi Markwell, Asst. Secretary

Committee on Business, Labor, & Technology

May 13, 2010

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint, and submit to your consideration, the following:

MEMBER OF THE HOSPITAL PROVIDER FEE OVERSIGHT AND ADVISORY BOARD

effective immediately, for a term expiring May 15, 2013:

Ellen S. Robinson of Denver, Colorado, a representative of a business that purchases or otherwise provides health insurance for its employees, to fill the vacancy occasioned by the resignation of Bruce K. Alexander of Englewood, Colorado, appointed;

further, effective June 1, 2010, for a term expiring at the pleasure of the Governor:

Ellen S. Robinson of Denver, Colorado, to serve as Chairperson of the Hospital Provider Fee Oversight and Advisory Board, appointed.

Sincerely,
(signed)
Bill Ritter, Jr.
Governor
Rec'd: 5/19/10
Karen Goldman, Secretary of the Senate

Committee on Health & Human Services

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October 7, 2010

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint, reappoint, and submit to your consideration, the following:

MEMBERS OF THE
MEDICAL SERVICES BOARD

for a term expiring July 1, 2011:

J. Michael Stahl of Grand Junction, Colorado, an Unaffiliated from the 3rd Congressional District with knowledge of the delivery of health care, to fill the vacancy occasioned by the resignation of Byron A. Geer of Colorado Springs, Colorado, appointed;

for a term expiring July 1, 2012:

Brenda T. LaCombe of Pueblo, Colorado, a Democrat from the 3rd Congressional District with knowledge of medical assistance programs, to fill the vacancy occasioned by the resignation of Mary A. "Sally" Schaefer of Grand Junction, Colorado, appointed;

for terms expiring July 1, 2014:

Alan I. Eisenberg of Denver, Colorado, a Democrat from the 1st Congressional District with knowledge of medical assistance programs, reappointed;

Richard D. Markley of Morrison, Colorado, a Republican from the 6th Congressional District with knowledge of medical assistance programs, reappointed;

Sincerely,
(signed)
Bill Ritter, Jr.
Governor
Rec'd: 10/19/10
Karen Goldman, Secretary of the Senate

Committee on Health & Human Services

August 16, 2010

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, reappoint and submit to your consideration, the following:

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MEMBERS OF THE
SOLID AND HAZARDOUS WASTE COMMISSION

for terms expiring August 1, 2013:

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

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

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

Sincerely,
(signed)
Bill Ritter, Jr.
Governor
Rec'd: 8/25/10
Cindi Markwell, Asst. Secretary

Committee on Health & Human Services

August 2, 2010

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint, and submit to your consideration, the following:

MEMBER OF THE
STATE HOUSING BOARD

for a term expiring January 31, 2011:

James A. Coil of Grand Junction, Colorado, a Democrat and resident of the 3rd Congressional District, to fill the vacancy occasioned by the resignation of Suzanne W. Anarde of Fowler, Colorado, appointed.

Sincerely,
(signed)
Bill Ritter, Jr.
Governor
Rec'd: 8/6/10
Cindi Markwell, Asst. Secretary

Committee on Local Government

May 19, 2010

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

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Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint and submit to your consideration, the following:

MEMBER OF THE STATEWIDE INTERNET PORTAL AUTHORITY

for a term expiring June 1, 2011:

Louis J. Lago of Centennial, Colorado, an individual from the private sector who exhibits a background in information management and technology and who is a user of electronic information, products, and services or information technology services that are offered through the private sector, to fill the vacancy occasioned by the resignation of Kent W. Glassman of Denver, Colorado, appointed.

Sincerely,
(signed)
Bill Ritter, Jr.
Governor
Rec'd: 6/1/10
Karen Goldman, Secretary of the Senate

Committee on Business, Labor, & Technology

June 7, 2010

To the Honorable Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint, reappoint and submit to your consideration, the following:

MEMBERS OF THE COLORADO TOURISM OFFICE BOARD OF DIRECTORS

for terms expiring June 1, 2014:

Jeanne C. Mackowski of Carbondale, Colorado, a representative of the ski industry, appointed;

Richard W. Scharf, Jr. of Littleton, Colorado, a representative of the destination marketing industry, reappointed;

Ian Steyn of Larkspur, Colorado, a representative of other outdoor recreation industries, appointed.

Sincerely,
(signed)
Bill Ritter, Jr.
Governor
Rec'd: 6/22/10
Cindi Markwell, Asst. Secretary

Committee on Business, Labor, & Technology

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SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SJR11-017 and 018, SB11-138, 139, 150 and 156.

SENATE SERVICES REPORT

Correctly Engrossed: SB11-019, 049, 063, 082, 084, 115, 119 and 120.

Correctly Revised: HB11-1018, 1021, 1035, 1041, 1051, 1077, 1087, 1110 and 1113.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

SJR11-019 by Senator(s) Lundberg, Kopp; also Representative(s) Nikkel--Concerning the recognition of the 150th anniversary of the establishment of Colorado as a United States Territory.

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

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

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

**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:

HB11-1077 by Representative(s) Peniston, Massey, Hamner, Murray, Ramirez, Schafer S., Solano, Summers, Todd; also Senator(s) Spence--Concerning the "Exceptional Children's Educational Act" as it refers to gifted children.

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

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

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

Co-sponsors added: Heath, Hudak, Jahn, King K., Newell, Nicholson, Schwartz, White and Williams S.

HB11-1041 by Representative(s) Riesberg, Gardner B., McCann, Swalm; also Senator(s) Harvey-- Concerning the Colorado insurance guaranty association.

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

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

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

HB11-1051 by Representative(s) Swerdfeger, Waller; also Senator(s) King S.--Concerning clarification that a DNA sample expungement is never available for a felony conviction.

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

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

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

Co-sponsors added: Bacon, Boyd, Giron, Guzman, Jahn, Morse, Newell, Steadman and Williams S.

HB11-1035 by Representative(s) Court; also Senator(s) Carroll--Concerning an informative statement to be included in the ballot information booklet preceding each measure that is to appear on the ballot.

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

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

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

Co-sponsors added: Aguilar, Boyd, Giron, Heath, Newell and Nicholson.

HB11-1110 by Representative(s) Acree, Balmer, Holbert, Massey, Murray, Solano; also Senator(s) Harvey, Carroll, Renfroe--Concerning the rights of members of nonprofit corporations in which residency is a qualification for membership.

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

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

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

Co-sponsors added: Aguilar, Heath, Newell and Steadman.

HB11-1113 by Representative(s) Holbert; also Senator(s) Foster--Concerning the provision of information pertaining to impact fees imposed by local governments.

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

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

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

Co-sponsor added: Aguilar.

HB11-1021 by Representative(s) Todd; also Senator(s) Steadman, Cadman--Concerning the fiscal year of the Colorado channel authority.

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

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

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

HB11-1087 by Representative(s) Vigil; also Senator(s) Giron--Concerning reimbursement to county governments for charges incurred in pest control operations undertaken by the county.

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

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

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

HB11-1018 by Representative(s) Tyler; also Senator(s) King S.--Concerning electronically transmitted court documents.

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

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

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

Co-sponsors added: Boyd, Giron, Guzman, Jahn, Newell and Williams S.

THIRD READING OF BILLS -- FINAL PASSAGE

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

SB11-019 by Senator(s) King K.; also Representative(s) Stephens--Concerning payment of the costs of health insurance coverage to employees of small employers.

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

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

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

Co-sponsors added: Aguilar, Boyd, Brophy, Cadman, Foster, Grantham, Guzman, Harvey, Heath, Hudak, Jahn, King S., Lambert, Lundberg, Mitchell, Morse, Newell, Nicholson, Renfroe, Roberts, Scheffel, Schwartz, Spence, Steadman, White and Williams S.

SB11-049 by Senator(s) Williams S.; also Representative(s) Ryden--Concerning the use of prone restraints on persons.

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	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 was passed.

Co-sponsors added: Aguilar, Bacon, Carroll, Foster, Giron, Guzman, Hudak, Jahn, King S., Newell, Nicholson, Schwartz, Spence, Steadman and White.

SB11-082 by Senator(s) King S., Carroll, Renfroe, Tochtrop; also Representative(s) Acree, Gardner D., Kerr J., Miklosi--Concerning the authority of the state auditor to conduct audits of security systems used for information technology operated by the state.

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

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

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

Co-sponsors added: Foster, Giron, Guzman, Heath, Kopp, Newell, Nicholson, Schwartz, Steadman and White.

SB11-115 by Senator(s) Carroll; also Representative(s) Miklosi--Concerning the authority of the state auditor to audit state governmental entities.

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

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

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

Co-sponsors added: Aguilar, Bacon, Boyd, Foster, Giron, Guzman, Heath, Morse, Newell, Nicholson, Schwartz, Steadman and Tochtrop.

SB11-084 by Senator(s) Boyd; also Representative(s) Summers--Concerning the employment of physicians at long-term care facilities.

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

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

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

Co-sponsors added: Aguilar, Foster, Giron, Guzman, Heath, Hudak, Jahn, Johnston, Mitchell, Morse, Newell, Schwartz, Tochtrop, White and Williams S.

SB11-120 by Senator(s) Newell, Bacon, Foster, Giron, Guzman, Hudak, Jahn, Johnston, Morse, Nicholson, Schwartz, Shaffer B., Steadman, Williams S.; also Representative(s) Kefalas, Ferrandino, Kagan--Concerning rights of certain children in foster care, and, in connection therewith, establishing rights for children in foster care except for those in the custody of the division of youth corrections or a state mental hospital.

Laid over until Tuesday, March 1, retaining its place on the calendar.

SB11-119 by Senator(s) Guzman; also Representative(s) Pabon--Concerning procedures governing the appeal of a valuation of income-producing commercial real property.

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

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

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

Co-sponsors added: Aguilar, Foster, Giron and Nicholson.

SB11-063 by Senator(s) Giron and Newell; --Concerning the promotion of health care accessibility by encouraging local governments to consider the health care needs of their communities in the composition of their master land use plans.

Laid over until Tuesday, March 1, retaining its place on the calendar.

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

CONSIDERATION OF GOVERNOR'S APPOINTMENTS

Senator Tochtrop moved that the Senate confirm the appointment of John N. Cevette of Platteville, Colorado, to the Pinnacol Assurance Board of Directors.

On a substitute motion, Senator Mitchell moved that the consideration of the appointment be rereferred to the Committee on Business, Labor, & Technology. The motion was lost by the following roll call vote:

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

On a substitute motion, Senator Harvey moved that the confirmation be laid over until Friday, March 4. The motion was lost by the following roll call vote:

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

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

**MEMBER OF THE
PINNACOL ASSURANCE BOARD OF DIRECTORS**

for a term expiring January 1, 2013:

John N. Cevette of Platteville, Colorado, an employee of an employer whose liability is insured by Pinnacol, to fill the vacancy occasioned by the resignation of Holman F. Carter of Boulder, Colorado, appointed.

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YES	22	NO	13	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	N	Scheffel	N
Bacon	Y	Harvey	N	Lambert	N	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	N	Spence	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	Y
Grantham	N	King S.	N	Roberts	N		

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

MEMBERS OF THE
PINNACOL ASSURANCE BOARD OF DIRECTORS

for terms expiring January 1, 2016:

John C. Plotkin of Lakewood, Colorado, an employer whose liability is insured by Pinnacol, appointed;

Blair E. Richardson of Denver, Colorado, to serve as an employee of an employer whose liability is insured by Pinnacol, appointed.

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		

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

EXECUTIVE DIRECTOR OF THE
DEPARTMENT OF LOCAL AFFAIRS

effective February 1, 2011, for a term expiring at the pleasure of the Governor:

Reeves Brown, of Grand Junction, Colorado.

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		

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

EXECUTIVE DIRECTOR OF THE DEPARTMENT OF TRANSPORTATION

effective February 14, 2011, for a term expiring at the pleasure of the Governor:

Don Hunt, of Denver, Colorado.

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		

On motion of Senator Morse, and with a majority of those elected to the Senate having voted in the affirmative, the General Orders -- Second Reading of Bills -- Consent Calendar (HB11-1040, HB11-1017, SB11-165) of Monday, February 28 was laid over until Tuesday, March 1, retaining its place on the calendar.

On motion of Senator Morse, and with a majority of those elected to the Senate having voted in the affirmative, the General Orders -- Second Reading of Bills Calendar (SB11-055, SB11-015, SB11-050, SB11-107, HB11-1031, SB11-060) of Monday, February 28 was laid over until Tuesday, March 1, retaining its place on the calendar.

MESSAGE FROM THE HOUSE

February 28, 2011

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB11-1206, amended as printed in House Journal, February 25, page 448. HB11-1262, amended as printed in House Journal, February 25, page 448. HB11-1218, amended as printed in House Journal, February 25, page 448. HB11-1209, amended as printed in House Journal, February 25, page 449, and amended on Third Reading as printed in House Journal, February 28.

The House has adopted and returns herewith SJR11-019.

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, February 28 was laid over until Tuesday, March 1, retaining its place on the calendar.

Consideration of Resolutions: SJR11-005, SJR11-009.
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., Tuesday, March 1,
2011.

Approved:

Betty Boyd
President *pro tem* of the Senate

Attest:

Cindi Markwell
Secretary of the Senate

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