

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

87th Legislative Day

Friday, April 8, 2011

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Prayer	By the chaplain, Reverend Bill Carson, First Christian Church, Canon City.	11
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Call to Order	By the President at 9:00 a.m.	13
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Pledge	By Senator Morse.	15
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Roll Call	Present--30	17
	Excused--5, Aguilar, Boyd, Lundberg, Mitchell, Renfroe.	18
	Present later--5, Aguilar, Boyd, Lundberg, Mitchell, Renfroe.	19
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Quorum	The President announced a quorum present.	21
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Reading of Journal	On motion of Senator Grantham, reading of the Journal of Thursday, April 7, 2011, was dispensed with and the Journal was approved as corrected by the Secretary.	23
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MEMORANDUM FROM COMMITTEE ON DELAYED BILLS

**MEMORANDUM
REPORT FROM THE SENATE AND HOUSE
COMMITTEES ON DELAYED BILLS**

Pursuant to Joint Rule 23 (c), the Senate and House Committees on Delayed Bills, acting jointly, extend the following deadlines:

The Monday, March 28 deadline (the 76th legislative day) for introduction of the long appropriation bill in the Senate is extended until Tuesday, April 5, 2011 (the 84th legislative day).

The Friday, April 1 deadline (the 80th legislative day) for passage of the long appropriation bill in the Senate is extended until Wednesday, April 13, 2011 (the 92nd legislative day).

The Friday, April 8 deadline (the 87th legislative day) for passage of the long appropriation bill in the House is extended until Wednesday, April 20, 2011 (the 99th legislative day).

The Friday, April 15 deadline (the 94th legislative day) for adoption of the conference committee report on the long appropriation bill is extended until Wednesday, April 27, 2011 (the 106th legislative day).

This memorandum shall be printed in the journal of each house as is required by said Joint Rule 23 (c).

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(signed)
Senator Shaffer
President of the Senate

(signed)
Representative McNulty
Speaker of the House of Representatives

(signed)
Senator Morse
Senate Majority Leader

(signed)
Representative Stephens
House Majority Leader

(signed)
Senator Kopp
Senate Minority Leader

(signed)
Representative Pace
House Minority Leader

REPORT OF CONFERENCE COMMITTEE

**FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON HB11-1258**

THIS REPORT AMENDS THE
REREVISED BILL

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

Your first conference committee appointed on HB11-1258,
concerning forensic autopsies, has met and reports that it has agreed upon
the following:

1. That the House accede to the Senate amendments made to the
bill, as the amendments appear in the rerevised bill, with the following
changes:

Amend rerevised bill, page 3, line 7, strike "IF THE DISTRICT ATTORNEY
REQUESTS THE".

Page 3, strike lines 8 through 10.

Page 3, line 21, strike "GOVERNED" and substitute "REGULATED".

Respectfully submitted,

House Committee:
(signed)
Randy Baumgardner, Chairman
Mark Barker
Claire Levy

Senate Committee:
(signed)
Linda Newell, Chairman
Jeanne Nicholson
Steve King

COMMITTEE OF REFERENCE REPORTS

Appropriations

After consideration on the merits, the Committee recommends that **SB11-210** be referred
to the Committee of the Whole with favorable recommendation and with a
recommendation that it be placed on the Consent Calendar.

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Appropriations	After consideration on the merits, the Committee recommends that SB11-215 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 5
Appropriations	After consideration on the merits, the Committee recommends that SB11-217 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.	6 7 8 9
	Amend printed bill, page 2, line 11, strike "(1)".	10
	Page, 2, line 14, strike "(a)" and substitute "(1)".	11 12
	Page 2, line 17, strike "(b)" and substitute "(2)".	13 14 15
Appropriations	After consideration on the merits, the Committee recommends that SB11-218 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	16 17 18 19 20
Appropriations	After consideration on the merits, the Committee recommends that SB11-221 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	21 22 23 24 25
Appropriations	After consideration on the merits, the Committee recommends that SB11-224 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.	26 27 28 29 30
	Amend printed bill, page 5, after line 2 insert:	31
	"SECTION 3. Appropriation - adjustment in the 2011 long bill. For the implementation of this act, appropriations made in the annual general appropriation act, from the nurse home visitor program fund created in Section 25-31-107 (2) (b), Colorado Revised Statutes, to the department of public health and environment, prevention services division, family and community health, child, adolescent, and school health, for the nurse home visitor program, for the fiscal year beginning July 1, 2011, shall be reduced by seven hundred ninety-seven thousand six hundred twenty-seven dollars (\$797,627)."	32 33 34 35 36 37 38 39 40 41
	Renumber succeeding section accordingly.	42 43
	Page 1, line 104, strike " PROGRAM. " and substitute " PROGRAM, AND MAKING AN APPROPRIATION THEREFOR. ".	44 45 46 47
Appropriations	After consideration on the merits, the Committee recommends that SB11-225 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	48 49 50 51 52
Appropriations	After consideration on the merits, the Committee recommends that SB11-229 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	53 54 55 56 57
Appropriations	After consideration on the merits, the Committee recommends that SB11-216 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	58 59 60 61 62
	Amend printed bill, page 12, line 26, strike "(1)".	63
	Page 13, line 3, strike "(a) (I)" and substitute "(1) (a)".	64 65
	Page 13, line 8, strike "(II)" and substitute "(b)".	66 67
	Page 13, line 10, strike "(b)" and substitute "(2)".	68 69

Page 13, line 16, strike "(c)" and substitute "(3)".

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Page 14, line 1, strike "(d)" and substitute "(4)".

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Page 14, line 5, strike "(e)" and substitute "(5)".

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Page 14, line 9, strike "(f)" and substitute "(6)".

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Appropriations

After consideration on the merits, the Committee recommends that **SB11-219** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

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Amend printed bill, page 6, line 25, strike "(1)".

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Page 7, line 2, strike "(a)" and substitute "(1)".

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Page 7, line 7, strike "(b)" and substitute "(2)".

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Page 7, line 10, strike "(c)" and substitute "(3)".

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Page 7, line 14, strike "(1)".

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Page 7, line 19, strike "(a)" and substitute "(1)".

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Page 7, line 27, strike "(b)" and substitute "(2)".

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Appropriations

After consideration on the merits, the Committee recommends that **SB11-222** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

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Amend printed bill, page 2, line 24, strike "TWO" and substitute "ONE".

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Page 2, strike line 25 and substitute "SEVENTY-ONE THOUSAND SEVEN HUNDRED FORTY-NINE DOLLARS, PLUS".

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Appropriations

After consideration on the merits, the Committee recommends that **SB11-228** be referred to the Committee of the Whole with favorable recommendation.

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Appropriations

After consideration on the merits, the Committee recommends that **SB11-184** 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.

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Amend printed bill, page 2, line 2, strike "and (4)," and substitute "(4), and (8),"

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Page 2, line 3, strike "amended" and substitute "amended, and the said 39-21-201 is further amended BY THE ADDITION OF A NEW SUBSECTION,".

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Page 3, line 3, strike "during June 2003 AUGUST AND SEPTEMBER 2011" and substitute "during June 2003 FROM OCTOBER 1, 2011, THROUGH NOVEMBER 15, 2011,".

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Page 3, line 11, after "to" insert "PART 1 OF".

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Page 4, line 10, strike "SEPTEMBER 30," and substitute "NOVEMBER 15,".

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Page 4, line 18, strike "SEPTEMBER 30," and substitute "NOVEMBER 15,".

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Page 4, line 24, strike "SEPTEMBER 30," and substitute "NOVEMBER 15,".

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Page 4, line 25, strike "SEPTEMBER 30," and substitute "NOVEMBER 15,".

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Page 5, line 5, strike "AUGUST" and substitute "OCTOBER".

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Page 5, line 8, strike "AUGUST" and substitute "OCTOBER".

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Page 5, after line 12 insert:

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"(6.5) THE DEPARTMENT MAY CONTRACT WITH ONE OR MORE INDEPENDENT CONTRACTORS TO ADMINISTER ANY PART OF THE TAX AMNESTY PROGRAM ON BEHALF OF THE DEPARTMENT.

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(8) The requirements of the Colorado procurement code, ~~article 101~~ ARTICLES 101 TO 112 of title 24, C.R.S., shall not apply to services and products procured by the department ~~for conducting an advertising and publicity campaign pursuant to subsection (7) of~~ PURSUANT TO this section. The department shall award contracts for services and products in good faith and in a manner that encourages, to the extent practicable, competitive proposals. Offerors and potential offerors shall not have a right to protest, recover bid preparation costs, or pursue any other remedy provided by Colorado law for services and products procured by the department for purposes of this article."

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Page 5, line 27, strike "THE 2011-12 FISCAL YEAR FOR".

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Page 6, line 1, strike "AND PART 3 OF".

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Page 6, line 2, strike "THIS ARTICLE." and substitute "FOR THE 2011-12 FISCAL YEAR AND FOR THE ADMINISTRATION OF PART 3 OF THIS ARTICLE FOR THE 2011-12 AND 2012-13 FISCAL YEARS."

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Page 6, strike line 8 and substitute "THE DEPARTMENT FOR THE ADMINISTRATION OF THIS PART 2 FOR THE 2011-12 FISCAL YEAR AND MINUS TWO HUNDRED THOUSAND DOLLARS FOR THE ADMINISTRATION OF PART 3 OF THIS ARTICLE FOR THE 2011-12 AND 2012-13 FISCAL YEARS,".

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Page 6, line 18, strike "2012," and substitute "2013,".

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Page 6, line 20, strike "2013." and substitute "2014,".

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Page 10, after line 8 insert:

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"SECTION 4. The appropriation to the department revenue for the fiscal year beginning July 1, 2010, as enacted in Part XIX (4) (C) and the affected totals of section 2 of chapter 453, Session Laws of Colorado 2010 (HB 10-1376), as amended by section 1 of Senate Bill 11-152, are amended to read:

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Section 2. **Appropriation.**

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APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$

**PART XIX
DEPARTMENT OF REVENUE**

**(4) TAXATION BUSINESS GROUP
(C) Taxpayer Service Division**

6 Personal Services	4,638,705		4,548,101		90,604 ^a		
7	4,650,801		4,560,197				
8	(80.4 FTE)						
9 Operating Expenses	402,035		401,535		500 ^b		
10 Fuel Tracking System	485,386				485,386 ^c		
11					(1.5 FTE)		
12	<u>5,526,126</u>						
13	5,538,222						

^a Of this amount, \$70,399 shall be from the Private Letter Ruling Fund created in Section 24-35-103.5 (6), C.R.S., and \$20,205 shall be from the Aviation Fund created in Section 43-10-109 (1), C.R.S.

^b This amount shall be from the Private Letter Ruling Fund created in Section 24-35-103.5 (6), C.R.S.

^c This amount shall be from the Highway Users Tax Fund exempt from the statutory limit pursuant to Section 43-4-201 (3) (a) (V), C.R.S.

**TOTALS PART XIX
(REVENUE)**

	\$716,432,437		\$90,145,719 ^a		\$623,308,693 ^b	\$1,494,825	\$1,483,200
	<u>716,444,533</u>		<u>90,157,815^a</u>				

^a Of this amount, \$19,500,000 is included as information for the purpose of complying with the limitation on state fiscal year spending imposed by Article X, Section 20 of the State Constitution. These amounts are continuously appropriated by a permanent statute or constitutional provision, and shall not be deemed to be an appropriation subject to the limitations of Section 24-75-201.1, C.R.S.

^b Of this amount, \$10,815,405 is from the Highway Users Tax Fund pursuant to Section 43-4-201 (3) (a) (III) (C), C.R.S., and \$495,330 is from the Highway Users Tax Fund exempt from the statutory limit pursuant to Section 43-4-201 (3) (a) (V), C.R.S.

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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

1 **SECTION 5. Appropriation.** (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the tax amnesty cash fund created in section 39-21-202
2 (1), Colorado Revised Statutes, not otherwise appropriated, to the department of revenue, for the fiscal year beginning July 1, 2011, the sum of \$357,345 cash funds and 1.6 FTE, or so much
3 thereof as may be necessary, for the implementation of this act.

4 (2) In addition to any other appropriation, there is hereby appropriated to the governor - lieutenant governor - state planning and budgeting, for allocation to the office of information
5 technology, for the fiscal year beginning July 1, 2011, the sum of twenty thousand seven hundred twenty dollars (\$20,720), or so much as may be necessary, for the provision of programming
6 services to the department of revenue related to the implementation of this act. Said sum shall be from reappropriated funds received from the department of revenue out of the appropriation
7 made in subsection (1) of this section."

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9 Renumber succeeding section accordingly.

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11 Page 1, line 101 strike "**REPORTING.**" and substitute "**REPORTING, AND MAKING AN APPROPRIATION THEREFOR.**".

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13 Strike the Finance Committee Report, dated March 10, 2011.

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Appropriations	After consideration on the merits, the Committee recommends that HB11-1138 be referred to the Committee of the Whole with favorable recommendation.	1 2 3
Appropriations	After consideration on the merits, the Committee recommends that SB11-214 be referred to the Committee of the Whole with favorable recommendation.	4 5 6 7
Appropriations	After consideration on the merits, the Committee recommends that SB11-211 be referred to the Committee of the Whole with favorable recommendation.	8 9 10
Appropriations	After consideration on the merits, the Committee recommends that SB11-212 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, line 10, strike "(1)".	15
	Page 4, line 14, strike "(a)" and substitute "(1)".	16 17
	Page 4, line 16, strike "(b)" and substitute "(2)".	18 19 20
Appropriations	After consideration on the merits, the Committee recommends that SB11-226 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	21 22 23 24
	Amend printed bill, page 5, line 11, strike "FIVE HUNDRED" and substitute "NINE HUNDRED FIFTY".	25 26 27 28
	Page 5, line 22, strike "A NEW PARAGRAPH" and substitute "THE FOLLOWING NEW PARAGRAPHS".	29 30 31 32
	Page 6, after line 5 insert:	33 34
	"(e) NOTWITHSTANDING ANY PROVISION OF PARAGRAPH (a) OF THIS SUBSECTION (1) TO THE CONTRARY, ON JANUARY 5, 2012, THE STATE TREASURER SHALL DEDUCT THREE MILLION TWO HUNDRED FIFTY THOUSAND DOLLARS FROM THE DEPARTMENT OF HUMAN SERVICES LOW-INCOME ENERGY ASSISTANCE FUND AND TRANSFER SUCH SUM TO THE GENERAL FUND."	35 36 37 38 39 40 41 42
	Page 6, after line 13 insert:	43
	"SECTION 11. Appropriation - adjustments in 2011 long bill. For the implementation of this act, the appropriation made in the annual general appropriation act for the fiscal year beginning July 1, 2011, to the department of human services, office of self-sufficiency, for the low income energy assistance program, is decreased by three million two hundred fifty thousand dollars (\$3,250,000) cash funds. Said sum shall be from the department of human services low-income energy assistance fund, created in section 40-8.7-112 (1) (a), Colorado Revised Statutes."	44 45 46 47 48 49 50 51 52
	Re-number succeeding section accordingly.	53 54
Appropriations	After consideration on the merits, the Committee recommends that SB11-209 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	55 56 57 58
	Amend printed bill, page 425, line 5, in the ITEM & SUBTOTAL column strike "5,170,680" and substitute "5,140,680".	59 60 61 62
	Page 425, line 6, in the ITEM & SUBTOTAL column strike "(91.4 FTE)" and substitute "(91.0 FTE)".	63 64 65
	Page 427, line 4, in the TOTAL column strike "8,405,839" and substitute "8,375,839" and in the CASH FUNDS column strike "8,405,839" and substitute "8,375,839".	66 67 68 69

Page 427, line 6, strike "\$7,966,004" and substitute "\$7,936,004".

Page 428, line 12, in the ITEM & SUBTOTAL column strike "2,093,894" and substitute "2,123,894".

Page 428, line 13, in the ITEM & SUBTOTAL column strike "(29.5 FTE)" and substitute "(29.9 FTE)".

Page 429, line 5, in the ITEM & SUBTOTAL column strike "3,893,904" and substitute "3,923,904" and in the CASH FUNDS column strike "3,893,904" and substitute "3,923,904".

Page 429, line 7, strike "\$3,870,396" and substitute "\$3,900,396".

Page 448, strike lines 11 through 13.

Renumber succeeding sections accordingly.

Adjust affected totals accordingly.

Appropriations

After consideration on the merits, the Committee recommends that **SB11-213** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, line 7, strike "(A)".

Page 2, line 19, strike "(B)" and substitute "(II)".

Page 3, line 4, strike "(C)" and substitute "(III)".

Page 3, line 12, strike "SUB-SUBPARAGRAPH (C)" and substitute "SUBPARAGRAPH (III)".

Page 3, strike lines 13 through 21.

Page 3, strike line 27.

Strike page 4.

Page 6, line 19, strike "office of information technology for the".

Page 6, strike lines 20 through 27, and substitute "for the fiscal year beginning July 1, 2011, shall be adjusted as follows:

(a) The appropriation for the office of information technology for the Colorado benefits management system, is increased by three hundred seventy-five thousand nine hundred sixty dollars (\$375,960). Said sum shall be reappropriated funds received from the department of human services out of the appropriation made in subsection (2) of this section.

(b) The appropriation for the office of information technology for computer services is increased by five thousand nine hundred twenty dollars (\$5,920). Said sum shall be reappropriated funds received from the department of revenue out of the appropriations made in subsection (4) of this section."

Page 7, strike line 1.

Appropriations

After consideration on the merits, the Committee recommends that **SB11-220** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 3, after line 3 insert:

"SECTION 2. Appropriation - adjustments in Senate Bill 11-198. For the implementation of this act, the general fund appropriation

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made in Senate Bill 11-198 for the fiscal year beginning July 1, 2011, to the legislative department, is decreased by twenty-seven thousand four hundred ninety-nine dollars (\$27,499).

SECTION 3. Appropriation - adjustments in 2011 long bill.

For the implementation of this act, appropriations made in the annual general appropriation act, to the departments listed in the table below, for the fiscal year beginning July 1, 2011, shall be decreased by the amounts shown for a total reduction of eight hundred twenty-nine thousand six hundred sixty-nine dollars (\$829,669). Said reductions shall be made and derived from such sources as follows:

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1	DEPARTMENT	General Fund	Cash Funds	Reappropriated Funds	Federal Funds	Total
2	Agriculture	(1,680)	(25,219)	0	(1,005)	(27,904)
3	Corrections	(12,016)	(65)	0	(5)	(12,086)
4	Education	(7,897)	(5,411)	(17,878)	(33,479)	(64,665)
5	Governor	(504)	(1,217)	(555)	(19,740)	(22,016)
6	Health Care Policy and Financing	(1,185)	(356)	0	(1,607)	(3,148)
7	Higher Education	0	(277)	(906)	(6,019)	(7,202)
8	Human Services	(49,292)	(1,135)	(6,153)	(30,691)	(87,271)
9	Judicial	(293,849)	(74,003)	0	0	(367,852)
10	Labor and Employment	0	(14,430)	(153)	(25,656)	(40,239)
11	Law	(26)	(98)	(198)	(2)	(324)
12	Local Affairs	(1,860)	(93)	(643)	(1,718)	(4,314)
13	Military Affairs	(653)	0	0	(2,066)	(2,719)
14	Natural Resources	(25,538)	(40,078)	(1,635)	(2,697)	(69,948)
15	Personnel and Administration	(1,072)	(29)	(2,680)	0	(3,781)
16	Public Health and Environment	(5,020)	(8,896)	(4,686)	(20,587)	(39,189)
17	Public Safety	(3,308)	(7,731)	(231)	(2,543)	(13,813)
18	Regulatory Agencies	(188)	(33,701)	(95)	(76)	(34,060)
19	Revenue	(9,947)	(8,984)	0	0	(18,931)
20	State	0	(1,885)	0	0	(1,885)
21	Transportation	0	0	(7,697)	0	(7,697)
22	Treasury	(625)	0	0	0	(625)
23						
24	Total	(414,660)	(223,608)	(43,510)	(147,891)	(829,669)".

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26 Renumber succeeding section accordingly.

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28 Page 1, line 102, strike "**BUSINESS.**" and substitute "**BUSINESS, AND MAKING AN APPROPRIATION THEREFOR.**".

Appropriations

After consideration on the merits, the Committee recommends that **SB11-223** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, after line 12 insert:

"SECTION 2. The appropriation to the department of revenue for the fiscal year beginning July 1, 2010, as enacted in Part XIX (2), (4) (C), and the affected totals of section 2 of chapter 453, Session Laws of Colorado 2010 (HB 10-1376), as amended by section 1 of Senate Bill 11-152, are amended to read:

Section 2. **Appropriation.**

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APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
PART XIX							
DEPARTMENT OF REVENUE							
(2) CENTRAL DEPARTMENT OPERATIONS DIVISION							
Personal Services	5,165,192		4,766,781		315,606 ^a	82,805 ^b	
	(102.0 FTE)						
Seasonal Tax Processing	397,545		397,545				
Operating Expenses	1,191,888		1,055,001		136,887 ^c		
Postage	2,902,699		2,639,800		262,899 ^d		
	2,972,082		2,709,183				
Pueblo Data Entry Center							
Payments	1,879,728		1,875,719		4,009 ^e		
Document Imaging and							
Storage	<u>394,290</u>		394,290				
		11,931,342					
		12,000,725					

^a This amount shall be from the following funds for the purpose of indirect cost recoveries: \$97,786 shall be from the Highway Users Tax Fund pursuant to Section 43-4-201 (3) (a) (III) (C), C.R.S., \$62,970 shall be from the Colorado State Titling and Registration Account, a subaccount of the Highway Users Tax Fund, created in Section 42-1-211 (2), C.R.S., \$46,161 shall be from the Licensing Services Cash Fund created in Section 42-2-114.5 (1), C.R.S., \$29,873 shall be from the Driver's License Administrative Revocation Account, a subaccount of the Highway Users Tax Fund, created in Section 42-2-132 (4) (b) (I) (A), C.R.S., \$24,648 shall be from the Auto Dealers License Fund created in Section 12-6-123 (1), C.R.S., \$18,290 shall be from the Liquor Enforcement Division and State Licensing Authority Cash Fund created in Section 24-35-401, C.R.S., \$13,500 shall be from the Department of Revenue Subaccount of the Automobile Inspection and Readjustment Account of the Highway Users Tax Fund created in Section 42-3-304 (18) (c), C.R.S., \$10,190 shall be from the Racing Cash Fund created in Section 12-60-205 (1), C.R.S., \$4,702 shall be from the First Time Drunk Driving Offender Account of the Highway Users Tax Fund created in Section 42-2-132 (4) (b) (II) (A), C.R.S., \$3,571 shall be from the Outstanding Judgments and Warrants Account as administered under the provisions of Section 42-2-118 (3) (c), C.R.S., \$1,307 shall be from the Highway Users Tax Fund exempt from the statutory limit pursuant to Section 43-4-201 (3) (a) (V), C.R.S., \$1,220 shall be from the Penalty Assessment Account as administered under the provisions of Section 42-1-217 (2), C.R.S., \$871 shall be from the Motorist Insurance Identification Account, a subaccount of the Highway Users Tax Fund, created in Section 42-3-304 (18) (d) (I), C.R.S., \$412 shall be from the Aviation Fund created in Section 43-10-109 (1), C.R.S., and \$105 shall be from the Waste Tire Recycling Development Cash Fund created in Section 25-17-202 (3) (a), C.R.S.

^b This amount shall be from the Limited Gaming Fund created in Section 12-47.1-701 (1), C.R.S.

^c Of this amount, \$86,945 shall be from the Identification Security Fund, a subaccount of the Highway Users Tax Fund, created in Section 42-1-220 (1), C.R.S., and \$49,942 shall be from the Outstanding Judgments and Warrants Account as administered under the provisions of Section 42-2-118 (3) (c), C.R.S.

^d Of this amount, \$13,909 shall be from the Highway Users Tax Fund pursuant to Section 43-4-201 (3) (a) (III) (C), C.R.S., and \$248,990 shall be from various sources of cash funds.

1
2 ^c This amount shall be from various sources of cash funds.
3

4 **(4) TAXATION BUSINESS GROUP**

5 **(C) Taxpayer Service Division**

6 Personal Services	4,638,705	4,548,101	90,604 ^a
7	(80.4 FTE)		
8 Operating Expenses	402,035	401,535	500 ^b
9	461,348	460,848	
10 Fuel Tracking System	485,386		485,386 ^c
11			(1.5 FTE)
12	<hr/>		
	5,526,126		
13	5,585,439		

14
15 ^a Of this amount, \$70,399 shall be from the Private Letter Ruling Fund created in Section 24-35-103.5 (6), C.R.S., and \$20,205 shall be from the Aviation Fund created in Section
16 43-10-109 (1), C.R.S.

17 ^b This amount shall be from the Private Letter Ruling Fund created in Section 24-35-103.5 (6), C.R.S.

18 ^c This amount shall be from the Highway Users Tax Fund exempt from the statutory limit pursuant to Section 43-4-201 (3) (a) (V), C.R.S.
19

20 **TOTALS PART XIX**

21 (REVENUE)	\$716,432,437	\$90,145,719^a	\$623,308,693^b	\$1,494,825	\$1,483,200
22	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
23	\$716,561,133	\$90,274,415 ^a			

24 ^a Of this amount, \$19,500,000 is included as information for the purpose of complying with the limitation on state fiscal year spending imposed by Article X, Section 20 of the State
25 Constitution. These amounts are continuously appropriated by a permanent statute or constitutional provision, and shall not be deemed to be an appropriation subject to the limitations
26 of Section 24-75-201.1, C.R.S.

27 ^b Of this amount, \$10,815,405 is from the Highway Users Tax Fund pursuant to Section 43-4-201 (3) (a) (III) (C), C.R.S., and \$495,330 is from the Highway Users Tax Fund exempt
28 from the statutory limit pursuant to Section 43-4-201 (3) (a) (V), C.R.S."
29

30 Renumber succeeding section accordingly.
31

32 Page 1, line 104, strike "STATE." and substitute STATE, AND MAKING AN APPROPRIATION THEREFOR."

Appropriations

After consideration on the merits, the Committee recommends that **SB11-230** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 3, line 24, strike "Senate Bill 11-____," and substitute "Senate Bill 11-230,".

Page 12, after line 2 insert:

SECTION 11. Appropriation - adjustments in 2011 long bill.

For the implementation of this act, appropriations made in the annual general appropriation act to the department of education for the fiscal year beginning July 1, 2011 shall be adjusted as follows:

(1) The appropriation for management and administration, for state charter school institute administration, oversight, and management, is decreased by one thousand one hundred eighty-one dollars (\$1,181). Said sum shall be from reappropriated funds transferred from the assistance to public schools, public school finance, state share of districts' total program funding line item appropriation.

(2) The general fund appropriation for assistance to public schools, public school finance, for the state share of districts' total program funding, is decreased by two hundred eighty-four million eight hundred ten thousand three hundred seventy-six dollars (\$284,810,376).

(3) The cash funds appropriation for assistance to public schools, public school finance, for the state share of districts' total program funding, is increased by thirty-six million dollars (\$36,000,000). Said sum shall be from the state public school fund created in section 22-54-114 (1), Colorado Revised Statutes.

(4) The cash funds appropriation for assistance to public schools, public school finance, for hold-harmless full-day kindergarten funding, is decreased by three hundred twenty-nine thousand six hundred thirty-seven dollars (\$329,637). Said sum shall be from the state education fund created in section 17 (4) (a) of article IX of the State Constitution.

(5) The cash funds appropriation for assistance to public schools, grant programs, distributions, and other assistance, for facility school funding, is decreased by six hundred fifty-three thousand dollars (\$653,000). Said sum shall be from the state education fund created in section 17 (4) (a) of article IX of the State Constitution.

(6) The general fund appropriation for the school for the deaf and the blind, for personal services, is increased by fifty-seven thousand three hundred thirty-five dollars (\$57,335).

(7) The appropriation for the school for the deaf and the blind, for personal services, is decreased by fifty-seven thousand three hundred thirty-five dollars (\$57,335). Said sum shall be from reappropriated funds transferred from the assistance to public schools, grant programs, distributions, and other assistance, facility school funding line item appropriation.

SECTION 12. Appropriation - adjustments in 2011 long bill.

For the implementation of this act, appropriations made in the annual general appropriation act to the department of education for the fiscal year beginning July 1, 2011 shall be adjusted as follows:

(1) The general fund appropriation for assistance to public schools, public school finance, for the state share of districts' total program funding, is decreased by one hundred seventy-five million nine hundred forty-six thousand nine hundred fifty-nine dollars (\$175,946,959).

(2) The cash funds appropriation for assistance to public schools, public school finance, for the state share of districts' total program funding, is increased by one hundred seventy-five million nine hundred forty-six thousand nine hundred fifty-nine dollars (\$175,946,959). Said sum shall be from the state education fund created in section 17 (4) (a) of article IX of the State Constitution.

SECTION 13. The appropriation to the department of education for the fiscal year beginning July 1, 2011, as enacted in Part III (2) (A) Footnote 7 of section 2 of SB 11-209, is amended to read:

Section 2. Appropriation.

7 Department of Education, Assistance to Public Schools, Public School Finance, State Share of Districts' Total Program Funding -- It is the intent of the General Assembly that the Department of Education be authorized to utilize up to ~~\$4,647,614~~ \$4,433,980 of this appropriation to fund

qualified students designated as Accelerating Students Through Concurrent Enrollment (ASCENT) Program participants as authorized pursuant to Section 22-35-108, C.R.S. This amount is calculated based on an estimated 753 participants funded at a rate of ~~\$6,172.13~~ \$5,888.42 per FTE pursuant to Section 22-54-104 (4.7), C.R.S."

Renumber succeeding section accordingly.

Page 1, line 101, strike "SCHOOLS." and substitute "SCHOOLS, AND MAKING AN APPROPRIATION THEREFOR."

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

MEMBERS OF THE STATE BOARD FOR COMMUNITY COLLEGES AND OCCUPATIONAL EDUCATION

for terms expiring December 31, 2014:

John U. Trefny from Golden, Colorado, to serve as an Unaffiliated from the Seventh Congressional District, reappointed;

James M. Johnson from Colorado Springs, Colorado, to serve as a Republican from the Fifth Congressional District, appointed.

Kenneth C. Weil, a Democrat from the First Congressional District, to fill the vacancy occasioned by the resignation of Anthony L. Leffert, Denver, appointed.

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

MEMBER OF THE BOARD OF TRUSTEES FOR THE COLORADO SCHOOL FOR THE DEAF AND THE BLIND

for terms expiring July 1, 2014:

Kay A. Ferrell of Greeley, Colorado, a Democrat, appointed.

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

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.

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

MEMBERS OF THE
COLORADO COMMISSION ON THE AGING

for terms expiring July 1, 2014:

Linda K. Sanden of Colorado Springs, Colorado, to serve as a Republican from Congressional District 5, reappointed;

Russell H. DenBraber of Littleton, Colorado, to serve as a Republican from Congressional District 6, reappointed;

for a term expiring when no longer a legislator:

Senator Lucia Guzman of Denver, Colorado, to serve as a representative of the Colorado State Senate, appointed.

Health &
Human
Services

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

MEMBERS OF THE
MEDICAL SERVICES BOARD

for a term expiring July 1, 2015:

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.

Health &
Human
Services

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

MEMBER OF THE
COVERCOLORADO BOARD OF DIRECTORS

for a term expiring July 1, 2011:

Gary S. Carlson of Castle Rock, Colorado, representing individuals who are currently insured under the program, to fill the vacancy occasioned by the resignation of Jayne R. Howard of Columbine Valley, Colorado, appointed.

Senate in recess.

Senate reconvened.

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Call of the Senate.

Call raised.

On motion of Senator Morse, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, **SB11-210, SB11-215, SB11-217, SB11-218, SB11-224, SB11-225, and SB11-229** were made Special Orders at 11:35 a.m.

MESSAGE FROM THE HOUSE

April 8, 2011

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB11-1024, amended as printed in House Journal, April 7, page 890. HB11-1252, amended as printed in House Journal, April 7, pages 890-891.

Committee of the Whole

The hour of 11:35 a.m. having arrived, Senator Johnston moved that the Senate resolve itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar 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:

SB11-210

by Senator(s) Hodge, Steadman, Lambert; --Concerning the elimination of the supplemental old age pension health and medical care program, and, in connection therewith, providing for the transfer of the fund balance of the supplemental old age pension health and medical care fund to the general fund, authorizing the use of moneys in the tobacco tax cash fund to provide services under medicaid for the medical care of old age pensioners, and making an appropriation.

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

SB11-215

by Senator(s) Hodge, Steadman, Lambert; --Concerning a reduction in the general fund portion of the per diem rates paid to nursing facilities for the 2011-12 fiscal year, and making an appropriation therefor.

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

SB11-217

by Senator(s) Hodge, Steadman, Lambert; --Concerning a reduction to the juvenile detention bed cap, and making an appropriation in connection therewith.

Amendment No. 1, Appropriations Committee Amendment.

(Printed in Senate Journal, April 8, page 665 and placed in members' bill files.)

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

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SB11-218 by Senator(s) Hodge, Steadman, Lambert; --Concerning the transfer of moneys from certain cash funds to the state education fund.

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

SB11-224 by Senator(s) Hodge, Steadman, Lambert; also Representative(s) Ferrandino, Becker, Gerou--Concerning the suspension of annual increases in the percentage of tobacco litigation settlement moneys received by the state that are allocated to the nurse home visitor program, and making an appropriation therefor.

Amendment No. 1, Appropriations Committee Amendment.

(Printed in Senate Journal, April 8, page 665 and placed in members' bill files.)

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

SB11-225 by Senator(s) Hodge, Steadman, Lambert; --Concerning the short-term innovative health program grant fund, and, in connection therewith, transferring the balance of the grant fund to the general fund at the end of the 2011-12 fiscal year and terminating all existing statutory transfers to the grant fund other than its percentage-based base allocation of tobacco litigation settlement moneys after the 2010-11 fiscal year.

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

SB11-229 by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Ferrandino, Becker, Gerou--Concerning increasing the statutory cap on administrative expenses for the school counselor corps grant program.

Ordered engrossed 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: SB11-210, SB11-215, SB11-217 as amended, SB11-218, SB11-224 as amended, SB11-225, SB11-229.

On motion of Senator Morse, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, **SB11-216, SB11-219, SB11-222, SB11-228, SB11-211, SB11-212, SB11-226, SB11-221, SB11-213, SB11-220, SB11-223, SB11-184, SB11-230, SB11-209, and SB11-214** were made Special Orders at 11:45 a.m.

Senate in recess. Senate reconvened.

Call of the Senate. Call raised.

Committee of the Whole

The hour of 11:45 a.m. having arrived, Senator Morse moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders -- Second Reading of Bills and Senator Morse 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:

SB11-216

by Senator(s) Hodge, Steadman, Lambert; --Concerning the reduction of general fund appropriations for the children's basic health plan by reallocating tobacco-related revenue streams, and, in connection therewith, abolishing the pediatric specialty hospital fund and the supplemental tobacco litigation settlement money account in the pediatric specialty hospital fund, abolishing the comprehensive primary and preventive care fund, abolishing the comprehensive primary and preventive care grant program, and making an appropriation.

Amendment No. 1, Appropriations Committee Amendment.

(Printed in Senate Journal, April 8, pages 665-666 and placed in members' bill files.)

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

SB11-222

by Senator(s) Hodge, Steadman, Lambert; --Concerning transfers of moneys relating to capital construction.

Amendment No. 1, Appropriations Committee Amendment.

(Printed in Senate Journal, April 8, page 666 and placed in members' bill files.)

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

SB11-228

by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Gerou, Becker, Ferrandino--Concerning the formula by which moneys shall be advanced to a county from the county tax base relief fund in the event that appropriations are insufficient to cover all advancements.

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

SB11-211

by Senator(s) Hodge, Steadman, Lambert; --Concerning the use of tobacco tax revenue for health-related purposes during a state fiscal emergency, and making an appropriation therefor.

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

SB11-212

by Senator(s) Hodge, Steadman, Lambert; --Concerning authority for an additional permissible use of moneys in the hospital provider fee cash fund for state medicaid expenditures to offset state general fund expenditures for the next two fiscal years, and making an appropriation therefor.

Amendment No. 1, Appropriations Committee Amendment.

(Printed in Senate Journal, April 8, page 670 and placed in members' bill files.)

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

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SB11-226 by Senator(s) Hodge, Steadman, Lambert; --Concerning the augmentation of the general fund through transfers of certain moneys, and making an appropriation in connection therewith.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 8, page 670 and placed in members' bill files.)

Amendment No. 2(L.005), by Senators Aguilar, Boyd, Nicholson, and Schwartz.

Amend printed bill, page 6, before line 6 insert:

"**SECTION 10.** 42-2-114.5, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

42-2-114.5. Licensing services cash fund.

(3) NOTWITHSTANDING ANY PROVISION OF SUBSECTION (1) OF THIS SECTION TO THE CONTRARY, ON JUNE 30, 2012, THE STATE TREASURER SHALL DEDUCT TWO MILLION DOLLARS FROM THE LICENSING SERVICES CASH FUND AND TRANSFER SUCH SUM TO THE GENERAL FUND."

Renumber succeeding sections accordingly.

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

SB11-219 by Senator(s) Hodge, Steadman, Lambert; --Concerning moneys appropriated in the 2011-12 fiscal year for health clinics, and making an appropriation therefor.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 8, page 666 and placed in members' bill files.)

Amendment No. 2(L.003), by Senators Aguilar, Boyd, Nicholson, and Schwartz.

Amend the Appropriations Committee Report, dated April 7, 2011, page 1, strike line 1 and substitute:

"Amend printed bill, page 3, after line 22, insert:

"**SECTION 3.** 25.5-3-112 (1), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

25.5-3-112. Health care services fund - creation - state plan amendment - primary care special distribution fund - repeal.

(1) (b.6) IN FISCAL YEAR 2011-12, THE TREASURER SHALL TRANSFER ONE MILLION EIGHT HUNDRED THIRTEEN THOUSAND FIVE HUNDRED DOLLARS FROM THE GENERAL FUND TO THE FUND."

Renumber succeeding sections accordingly.

Page 6 of the bill, line 25, strike "(1)".

Page 1 of the committee report, strike line 6 and substitute:

"Page 7, strike lines 19 through 26 and substitute:

"(1) Twenty-five million one hundred thirty-seven thousand dollars (\$25,137,000) for allocation to the health care services fund for community primary care providers pursuant to section 25.5-3-112 (2.8), Colorado Revised Statutes. Of said sum, twelve million five hundred sixty-eight thousand five hundred dollars (\$12,568,500) shall be cash funds from the Colorado health care services fund created in section 25.5-3-112 (1), Colorado Revised Statutes, and twelve million five hundred sixty-eight thousand five hundred dollars (\$12,568,500) shall be from federal funds."

Amendment No. 3(L.002), by Senators Hodge, Steadman, and Lambert.

Amend printed bill, page 4, line 4, strike the second "AND".

Page 4, line 5, strike "CLINICS." and substitute "CLINICS, AND FEDERALLY QUALIFIED HEALTH CENTERS."

Page 6, line 16, strike "11-___," and substitute "11-219,".

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

SB11-221 by Senator(s) Hodge, Steadman, Lambert; --Concerning contributions to pay the unfunded accrued liability of old hire pension plans that are affiliated with the fire and police pension association, and making an appropriation therefor.

Amendment No. 1(L.002), by Senator Newell.

Amend printed bill, page 5, line 24, strike "THREE HUNDRED TWENTY-ONE" and substitute "SEVENTY-ONE".

Page 7, strike line 19 and substitute "by twenty million two hundred fifty thousand dollars (\$20,250,000).".

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.)

SB11-213 by Senator(s) Hodge, Steadman, Lambert; --Concerning enrollee cost-sharing for children enrolled in the children's basic health plan, and making an appropriation therefor.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate journal, April 8, page 671, was **lost**.)

Lost on second reading.

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

SB11-220 by Senator(s) Hodge, Steadman, Lambert; --Concerning a reduction in the mileage allowance for the use of a personal motor vehicle for official state business.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 8, pages 671-673 and placed in members' bill files.)

Amendment No. 2(L.001), by Senators Brophy, Schwartz, Roberts, Cadman, Grantham, Harvey, King K., King S., Kopp, Lundberg, Mitchell, Renfroe, Scheffel, Spence, Tochtrop, and White.

Amend printed bill, page 3, strike lines 2 and 3 and substitute "APPLY:
(A) TO THE MILEAGE ALLOWANCE FOR THE USE OF A PRIVATELY OWNED AIRCRAFT; OR
(B) TO WATER COMMISSIONERS APPOINTED PURSUANT TO SECTION 37-92-202 (3), C.R.S., IF THE STATE ENGINEER DETERMINES THAT THE COMMISSIONERS CAN BE REIMBURSED AT THE MILEAGE ALLOWANCE SET FORTH IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (d) WITHIN EXISTING APPROPRIATIONS."

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

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SB11-223 by Senator(s) Hodge, Steadman, Lambert; --Concerning state sales tax revenues retained by a vendor as compensation for expenses incurred by the vendor in the collection and remittance of such tax revenues to the state, and making an appropriation therefor.

Amendment No. 1, Appropriations Committee Amendment.

(Printed in Senate Journal, April 8, pages 674-676 and placed in members' bill files.)

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

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

Amendment No. 1, Finance Committee Amendment.

(Printed in Senate Journal, March 11, page 436 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.

(Printed in Senate Journal, April 8, pages 666-669 and placed in members' bill files.)

Amendment No. 3(L.015), by Senator Harvey.

Amend the Appropriations Committee Report, dated April 7, 2011, page 2, line 18, strike "YEAR AND" and substitute "YEAR,".

Page 2, line 19, strike "YEARS." and substitute "YEARS, AND TO REIMBURSE STATE OFFICERS AND EMPLOYEES FOR THE DIFFERENCE BETWEEN THE ACTUAL MILEAGE ALLOWANCE PURSUANT TO SECTION 24-9-104 (2) (d), C.R.S., AND THE MILEAGE ALLOWANCE THAT WOULD HAVE BEEN ALLOWED IF SENATE BILL 11-220 WAS NOT ENACTED IN 2011.".

Page 2, line 23, strike "YEARS," and substitute "YEARS AND MINUS EIGHT HUNDRED TWENTY-NINE THOUSAND SIX HUNDRED SIXTY-NINE DOLLARS FOR THE REIMBURSEMENT OF STATE OFFICERS AND EMPLOYEES PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (2).".

Amendment No. 4(L.021), by Senator Cadman.

Amend printed bill, page 6, line 12, strike "FUND." and substitute "FUND;".

Page 6, after line 12 insert:

"(II) OF THE MONEYS REMAINING IN THE FUND AFTER THE TRANSFER SET FORTH IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (b), AN ADDITIONAL THREE HUNDRED FORTY-NINE THOUSAND THREE HUNDRED THIRTEEN DOLLARS SHALL BE TRANSFERRED TO THE GENERAL FUND FOR APPROPRIATION TO THE OFFICE OF INFORMATION TECHNOLOGY CREATED IN SECTION 24-37.5-103, C.R.S.; AND".

Renumber succeeding subparagraph accordingly.

Page 6, line 13, after "REMAINING" insert "IN THE FUND" and strike "TRANSFER" and substitute "TRANSFERS".

Page 6, line 14, strike "SUBPARAGRAPH (I)" and substitute "SUBPARAGRAPHS (I) AND (II)".

Amendment No. 5(L.022), by Senator Hudak.

Amend printed bill, page 6, line 12, strike "FUND." and substitute "FUND;".

Page 6, after line 12 insert:

"(II) OF THE MONEYS REMAINING IN THE FUND AFTER THE TRANSFER SET FORTH IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (b), AN ADDITIONAL THIRTY THOUSAND DOLLARS SHALL BE TRANSFERRED TO THE

GENERAL FUND FOR THE PURPOSE OF INCREASING THE APPROPRIATION TO THE DEPARTMENT OF EDUCATION FOR THE FAMILY LITERACY EDUCATION GRANT PROGRAM, CREATED IN SECTION 22-2-124, C.R.S.; AND".

Renumber succeeding subparagraph accordingly.

Page 6, line 13, after "REMAINING" insert "IN THE FUND" and strike "TRANSFER" and substitute "TRANSFERS".

Page 6, line 14, strike "SUBPARAGRAPH (I)" and substitute "SUBPARAGRAPHS (I) AND (II)".

Amendment No. 6(L.023), by Senator Newell.

Amend printed bill, page 6, line 12, strike "FUND." and substitute "FUND;".

Page 6, after line 12 insert:

"(II) OF THE MONEYS REMAINING IN THE FUND AFTER THE TRANSFER SET FORTH IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (b), AN ADDITIONAL FIVE HUNDRED THOUSAND DOLLARS SHALL BE TRANSFERRED TO THE GENERAL FUND FOR THE PURPOSE OF INCREASING THE APPROPRIATION TO THE JUDICIAL DEPARTMENT OF EDUCATION FOR GRANTS TO ORGANIZATIONS PROVIDING CIVIL LEGAL SERVICES TO INDIGENT CLIENTS WHO ARE VICTIMS OF FAMILY VIOLENCE AND FOR GRANTS TO COURT-APPOINTED SPECIAL ADVOCATES; AND".

Renumber succeeding subparagraph accordingly.

Page 6, line 13, after "REMAINING" insert "IN THE FUND" and strike "TRANSFER" and substitute "TRANSFERS".

Page 6, line 14, strike "SUBPARAGRAPH (I)" and substitute "SUBPARAGRAPHS (I) AND (II)".

Amendment No. 7(L.020), by Senator Steadman.

Amend printed bill, page 6, line 24, after "TAX" insert "PROFILE AND".

Page 7, line 15, strike "AND".

Page 7, line 18, strike "STATE." and substitute "STATE; AND (f) IN THE PAST, THE DEPARTMENT OF REVENUE HAS PUBLISHED A COLORADO TAX PROFILE STUDY, WHICH INCLUDED A SUBSTANTIAL AMOUNT OF USEFUL INFORMATION ABOUT STATE AND LOCAL TAXES."

Page 7, line 21, strike "AN" and substitute "A".

Page 7, line 22, strike "ANNUAL TAX" and substitute "BIENNIAL TAX PROFILE AND".

Page 7, after line 24 insert:

"(1) "COLORADO TAX PROFILE STUDY 2001" MEANS THE "COLORADO TAX PROFILE STUDY 2001 AND STATISTICS OF INCOME" PREPARED IN MAY 2004 BY THE OFFICE OF RESEARCH AND ANALYSIS IN THE DEPARTMENT FOR THE INDIVIDUAL INCOME TAX RETURNS TAX YEAR 2000 AND THE CORPORATE INCOME TAX RETURNS FILED IN FISCAL YEAR 2002."

Renumber succeeding subsections accordingly.

Page 8, line 2, after ""TAX" insert "PROFILE AND" and strike "ANNUAL" and substitute "BIENNIAL".

Page 8, strike lines 5 and 6.

Page 8, line 7, after "Tax" insert "profile and" and strike "JULY 1,".

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Page 8, line 8, strike "2012, AND EACH JULY 1" and substitute "JANUARY 1, 2013, AND JANUARY 1 OF EVERY ODD-NUMBERED YEAR".

Page 8, line 9, after "TAX" insert "PROFILE AND".

Page 8, strike lines 11 through 27.

Page 9, strike lines 1 through 15 and substitute:

"(2) (a) A TAX PROFILE AND EXPENDITURE REPORT MUST INCLUDE THE FOLLOWING INFORMATION FOR EACH TAX EXPENDITURE FOR ANY TAX LEVIED AND COLLECTED BY THE STATE THAT IS ADMINISTERED BY THE DEPARTMENT:

(I) A CITATION OF THE STATUTORY OR OTHER LEGAL AUTHORITY FOR THE TAX EXPENDITURE;

(II) THE YEAR THAT THE TAX EXPENDITURE WAS ENACTED;

(III) A DESCRIPTION OF THE TAX EXPENDITURE;

(IV) AN ESTIMATE OF THE TAX EXPENDITURE'S EFFECT ON REVENUE FOR THE MOST RECENTLY COMPLETED TAX OR CALENDAR YEAR, AS APPROPRIATE, FOR WHICH SUCH INFORMATION IS AVAILABLE;

(V) THE ESTIMATE REQUIRED PURSUANT TO SUBPARAGRAPH (IV) FOR THE TAX EXPENDITURE THAT WAS INCLUDED IN EACH OF THE THREE PRIOR TAX PROFILE AND EXPENDITURE REPORTS, IF AVAILABLE; AND

(VI) FOR A TAX EXPENDITURE THAT IS SUBJECT TO THE REQUIREMENT SET FORTH IN SECTION 39-21-304, A STATEMENT OF THE INTENDED PURPOSE OF THE TAX EXPENDITURE.

(b) FOR THE STATE INCOME TAX ONLY, THE TAX PROFILE AND EXPENDITURE REPORT MUST INCLUDE THE EFFECT OF THE TAX EXPENDITURE ON THE DISTRIBUTION OF THE TAX BURDEN BY INCOME CLASS. THE DEPARTMENT SHALL USE AT LEAST AS MANY INCOME CLASSES AS THE COLORADO STATISTICS OF INCOME IN THE COLORADO TAX PROFILE STUDY 2001 AND THE HIGHEST INCOME CLASS SHALL BE AT LEAST AS HIGH AS IN SUCH COLORADO STATISTICS OF INCOME.

(c) THE TAX PROFILE AND EXPENDITURE REPORT MUST INCLUDE THE SUM OF ALL ESTIMATES REQUIRED PURSUANT TO SUBPARAGRAPHS (IV) AND (V) OF PARAGRAPH (a) OF THIS SUBSECTION (2) FOR EACH TAX.

(d) (I) TO THE EXTENT NOT OTHERWISE INCLUDED IN THE TAX PROFILE AND EXPENDITURE REPORT PURSUANT TO THIS SUBSECTION (2), THE REPORT MUST ALSO INCLUDE ANY INFORMATION THAT WAS INCLUDED IN THE COLORADO TAX PROFILE STUDY 2001 FOR ANY TAXES COVERED BY SUCH STUDY, WHICH INCLUDES BUT IS NOT LIMITED TO INFORMATION RELATED TO:

(A) STATE AND LOCAL TAX COLLECTIONS;

(B) REVENUES, TAXES, INCIDENCE, AND EQUITY;

(C) THE DISTRIBUTION OF STATE AND LOCAL TAXES AMONG HOUSEHOLDS; AND

(D) COLORADO STATISTICS OF INCOME.

(II) THE INFORMATION REQUIRED PURSUANT TO SUBPARAGRAPH (I) OF THIS PARAGRAPH (d) SHALL BE FOR THE MOST RECENT TAX YEAR FOR WHICH SUCH INFORMATION IS AVAILABLE."

Page 9, line 19, strike "EACH FEBRUARY 1" and substitute "FEBRUARY 1 OF EVERY ODD-NUMBERED YEAR".

Page 9, line 21, strike "ANNUAL TAX" and substitute "TAX PROFILE AND".

Page 9, line 24, after "TAX" insert "PROFILE AND".

Page 10, line 2, strike "ANNUAL" and substitute "BIENNIAL".

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.)

SB11-230 by Senator(s) Bacon; also Representative(s) Massey--Concerning the financing of public schools.

Amendment No. 1, Appropriations Committee Amendment.

(Printed in Senate Journal, April 8, page 677-678 and placed in members' bill files.)

Amendment No. 2(L.002), by Senator Bacon.

Amend printed bill, page 10, after line 11 insert:

"SECTION 9. 39-29-109.5 (2), Colorado Revised Statutes, is amended to read:

39-29-109.5. Interest differential - public school energy efficiency fund - creation - uses - definitions - repeal. (2) On December 1, 2007, and the first day of every third month thereafter up to and including ~~September 1, 2010~~ SEPTEMBER 1, 2015, the legislative council staff shall calculate the interest differential earned during the prior calendar quarter and notify the state treasurer of such amount. Upon receiving notice, the treasurer shall transfer an amount equal to the interest differential from the severance tax funds to the public school energy efficiency fund, which is hereby created in the state treasury; except that the total transfer to the fund for any state fiscal year shall not exceed one million five hundred thousand dollars. Moneys in the fund are hereby continuously appropriated to the governor's energy office for the purposes set forth in subsection (3) of this section. All income and interest derived from the deposit and investment of the moneys in the fund shall be credited to the fund."

Renumber succeeding sections accordingly.

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

SB11-209 by Senator(s) Hodge, Steadman, Lambert; --Concerning the provision for payment of the expenses of the executive, legislative, and judicial departments of the state of Colorado, and of its agencies and institutions, for and during the fiscal year beginning July 1, 2011, except as otherwise noted.

Amendment No. 1, Appropriations Committee Amendment.

(Printed in Senate Journal, April 8, pages 670-671 and placed in members' bill files.)

Amendment No. 2(J.011), by Senators Bacon and King K.

Amend printed bill, page 64, line 3, in the ITEM & SUBTOTAL column strike "2,500,000" and substitute "5,000,000" and in the CASH FUNDS column strike "2,500,000^b" and substitute "5,000,000^b".

Adjust affected totals accordingly.

Amendment No. 3(L.012), by Senators Hodge, Steadman, and Lambert.

Amend printed bill, page 87, line 6, strike "**System**" and substitute "**System**^{9a}"

Page 88, after line 7 insert:

"**FOOTNOTES** -- The following statements are referenced to the numbered footnotes throughout section 2.

9a Governor - Lieutenant Governor - State Planning and Budgeting, Office of Information Technology, Colorado Benefits Management System -- It is the intent of the General Assembly that any system changes to the Colorado Benefits Management System that result from legislation enacted to reduce State expenditures be prioritized to ensure that the State savings noted in the Legislative Council Staff Fiscal Note can be achieved within the time frames specified, to the extent possible."

Amendment No. 4(J.020), by Senator Cadman.

Amend printed bill, page 88, line 6, strike "**BUDGETING)**" and substitute "**BUDGETING)**^{9a}".

Page 88, after line 6 insert:

"FOOTNOTES -- The following statements are referenced to the numbered footnotes throughout section 2.

9a Governor-Lieutenant Governor-State Planning and Budgeting, Totals -- It is the intent of the General Assembly that the 1.5 percent reduction to personal services line items in the Governor's Office of Information Technology be restored. This will result in an increase of \$976,492 reappropriated funds in the personal services line items in the Governor's Office of Information Technology. This increase shall be financed by increased payments from other state departments, as reflected in the table below.

Department	General Fund	Cash Funds	Reappropriated Funds	Federal Funds	Total
Agriculture	\$5,894	\$2,563	\$0	\$0	\$8,457
Corrections	98,914	432	0	0	99,346
Education	1,840	0	0	0	1,840
Governor	1,116	46	116	66	1,344
Health Care Policy and Financing	9,459	0	38	9,497	18,994
Higher Education	0	6,314	57	0	6,371
Human Services	113,141	2,504	6,575	80,911	203,131
Judicial	8,599	0	0	0	8,599
Labor and Employment	0	41,284	0	45,630	86,914
Law	33	25	847	22	927
Legislature	600	0	0	0	600
Local Affairs	2,913	12	2,743	5,467	11,135
Military Affairs	3,346	0	0	0	3,346
Natural Resources	6,270	61,810	23,488	1,946	93,514
Personnel and Administration	148	3,485	28,614	0	32,247
Public Health and Environment	3,263	10,645	26,203	33,363	73,474
Public Safety	18,632	22,545	11,622	138	52,937
Regulatory Agencies	857	22,854	0	0	23,711
Revenue	72,767	59,835	4,726	0	137,328
State	0	431	0	0	431
Treasury	1,521	0	0	0	1,521
Transportation	0	110,325	0	0	110,325
Total	\$349,313	\$345,110	\$105,029	\$177,040	\$976,492

Amendment No. 5(J.017), by Senator Aguilar.

Amend printed bill, page 97, line 7, in the TOTAL column strike "3,487,165,965" and substitute "3,487,538,965", in the GENERAL FUND column strike "1,002,218,001(M)" and substitute

"1,002,404,501(M)", and in the FEDERAL FUNDS column strike "1,717,640,507" and substitute "1,717,827,007".

Page 111, line 7, strike "662,255,863" and substitute "662,628,863" and strike "2,093.15" and substitute "2,094.33".

Page 111, line 11, strike "\$3,487,165,965" and substitute "\$3,487,538,965" and strike "\$5,687.32" and substitute "\$5,687.92".

Adjust affected totals accordingly.

Amendment No. 6(J.004), by Senators Newell, Hudak, and Nicholson.

Amend printed bill, page 201, line 5, in the ITEM & SUBTOTAL column strike "500,000" and substitute "675,000" and in the GENERAL FUND column strike "283,430" and substitute "458,430".

Adjust affected totals accordingly.

Page 210, line 12, in the ITEM & SUBTOTAL column strike "400,000" and substitute "475,000" and in the GENERAL FUND column strike "400,000" and substitute "475,000".

Adjust affected totals accordingly.

Amendment No. 7(L.001), by Senator Hudak.

Amend printed bill, page 62, after line 15 insert:

	ITEM & SUBTOTAL	GENERAL FUND
	\$	\$
"Family Literacy Education Grant Program	30,000	30,000".

Adjust affected totals 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.)

SB11-214 by Senator(s) Hodge, Steadman, Lambert; --Concerning decommissioning Fort Lyon correctional facility.

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

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

SB11-226 by Senator(s) Hodge, Steadman, Lambert; --Concerning the augmentation of the general fund through transfers of certain moneys, and making an appropriation in connection therewith.

Senators Kopp and Hodge moved to amend the Report of the Committee of the Whole to show that the following Aguilar, Boyd, Nicholson, and Schwartz floor amendment, (L.005) to SB 11-226, did not pass.

Amend printed bill, page 6, before line 6 insert:

"SECTION 10. 42-2-114.5, Colorado Revised Statutes, is

amended BY THE ADDITION OF A NEW SUBSECTION to read:

42-2-114.5. Licensing services cash fund.

(3) NOTWITHSTANDING ANY PROVISION OF SUBSECTION (1) OF THIS SECTION TO THE CONTRARY, ON JUNE 30, 2012, THE STATE TREASURER SHALL DEDUCT TWO MILLION DOLLARS FROM THE LICENSING SERVICES CASH FUND AND TRANSFER SUCH SUM TO THE GENERAL FUND."

Renumber succeeding sections accordingly.

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:

YES	18	NO	17	EXCUSED	0	ABSENT	0
Aguilar	N	Guzman	Y	Kopp	Y	Scheffel	Y
Bacon	N	Harvey	Y	Lambert	Y	Schwartz	N
Boyd	N	Heath	N	Lundberg	Y	Spence	Y
Brophy	Y	Hodge	Y	Mitchell	Y	Steadman	Y
Cadman	Y	Hudak	N	Morse	N	Tochtrop	N
Carroll	N	Jahn	N	Newell	N	White	Y
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		

SB11-221 by Senator(s) Hodge, Steadman, Lambert; --Concerning contributions to pay the unfunded accrued liability of old hire pension plans that are affiliated with the fire and police pension association, and making an appropriation therefor.

Senator Newell moved to amend the Report of the Committee of the Whole to show that the following Newell floor amendment, (L.002) to SB 11-221, did not pass.

Amend printed bill, page 5, line 24, strike "THREE HUNDRED TWENTY-ONE" and substitute "SEVENTY-ONE".

Page 7, strike line 19 and substitute "by twenty million two hundred fifty thousand dollars (\$20,250,000)".

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:

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		

Call of the Senate.

Call raised.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

SB11-213 by Senator(s) Hodge, Steadman, Lambert; --Concerning enrollee cost-sharing for children enrolled in the children's basic health plan, and making an appropriation therefor.

Senator Harvey moved to amend the Report of the Committee of the Whole to show that

the following Harvey and King K. floor amendment, (L.003) to SB 11-213, did pass, and that SB 11-213, as amended, did pass.

Amend printed bill, page 2, line 7, strike "(A)".

Page 2, line 19, strike "(B)" and substitute "(II)".

Page 3, line 4, strike "(C)" and substitute "(III)".

Page 3, line 12, strike "SUB-SUBPARAGRAPH (C)" and substitute "SUBPARAGRAPH (III)".

Page 3, strike lines 13 through 21.

Page 3, strike line 27.

Strike page 4.

Page 6, strike lines 25 through 27.

Page 7, strike line 1.

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:

YES	20	NO	15	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	Y	Mitchell	Y	Steadman	Y
Cadman	Y	Hudak	N	Morse	Y	Tochtrop	N
Carroll	N	Jahn	Y	Newell	N	White	Y
Foster	N	Johnston	N	Nicholson	N	Williams S.	N
Giron	N	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

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.

Senator Steadman moved to amend the Report of the Committee of the Whole to show that for SB 11-0184 the following Harvey floor amendment, (L.015), did not pass, the following Cadman floor amendment, (L.021), did not pass, the following Hudak floor amendment, (L.022), did not pass, and the following Newell floor amendment, (L.023), did not pass, and that the following new amendment did pass.

L.015

Amend the Appropriations Committee Report, dated April 7, 2011, page 2, line 18, strike "YEAR AND" and substitute "YEAR,".

Page 2, line 19, strike "YEARS." and substitute "YEARS, AND TO REIMBURSE STATE OFFICERS AND EMPLOYEES FOR THE DIFFERENCE BETWEEN THE ACTUAL MILEAGE ALLOWANCE PURSUANT TO SECTION 24-9-104 (2) (d), C.R.S., AND THE MILEAGE ALLOWANCE THAT WOULD HAVE BEEN ALLOWED IF SENATE BILL 11-220 WAS NOT ENACTED IN 2011.".

Page 2, line 23, strike "YEARS," and substitute "YEARS AND MINUS EIGHT HUNDRED TWENTY-NINE THOUSAND SIX HUNDRED SIXTY-NINE DOLLARS FOR THE REIMBURSEMENT OF STATE OFFICERS AND EMPLOYEES PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (2)."

L.021

Amend printed bill, page 6, line 12, strike "FUND." and substitute "FUND;".

Page 6, after line 12 insert:

"(II) OF THE MONEYS REMAINING IN THE FUND AFTER THE TRANSFER SET FORTH IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (b), AN ADDITIONAL THREE HUNDRED FORTY-NINE THOUSAND THREE HUNDRED THIRTEEN DOLLARS SHALL BE TRANSFERRED TO THE GENERAL FUND FOR APPROPRIATION TO THE OFFICE OF INFORMATION TECHNOLOGY CREATED IN SECTION 24-37.5-103, C.R.S.; AND".

Renumber succeeding subparagraph accordingly.

Page 6, line 13, after "REMAINING" insert "IN THE FUND" and strike "TRANSFER" and substitute "TRANSFERS".

Page 6, line 14, strike "SUBPARAGRAPH (I)" and substitute "SUBPARAGRAPHS (I) AND (II)".

L.022

Amend printed bill, page 6, line 12, strike "FUND." and substitute "FUND;".

Page 6, after line 12 insert:

"(II) OF THE MONEYS REMAINING IN THE FUND AFTER THE TRANSFER SET FORTH IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (b), AN ADDITIONAL THIRTY THOUSAND DOLLARS SHALL BE TRANSFERRED TO THE GENERAL FUND FOR THE PURPOSE OF INCREASING THE APPROPRIATION TO THE DEPARTMENT OF EDUCATION FOR THE FAMILY LITERACY EDUCATION GRANT PROGRAM, CREATED IN SECTION 22-2-124, C.R.S.; AND".

Renumber succeeding subparagraph accordingly.

Page 6, line 13, after "REMAINING" insert "IN THE FUND" and strike "TRANSFER" and substitute "TRANSFERS".

Page 6, line 14, strike "SUBPARAGRAPH (I)" and substitute "SUBPARAGRAPHS (I) AND (II)".

L.023

Amend printed bill, page 6, line 12, strike "FUND." and substitute "FUND;".

Page 6, after line 12 insert:

"(II) OF THE MONEYS REMAINING IN THE FUND AFTER THE TRANSFER SET FORTH IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (b), AN ADDITIONAL FIVE HUNDRED THOUSAND DOLLARS SHALL BE TRANSFERRED TO THE GENERAL FUND FOR THE PURPOSE OF INCREASING THE APPROPRIATION TO THE JUDICIAL DEPARTMENT OF EDUCATION FOR GRANTS TO ORGANIZATIONS PROVIDING CIVIL LEGAL SERVICES TO INDIGENT CLIENTS WHO ARE VICTIMS OF FAMILY VIOLENCE AND FOR GRANTS TO COURT-APPOINTED SPECIAL ADVOCATES; AND".

Renumber succeeding subparagraph accordingly.

Page 6, line 13, after "REMAINING" insert "IN THE FUND" and strike "TRANSFER" and substitute "TRANSFERS".

Page 6, line 14, strike "SUBPARAGRAPH (I)" and substitute "SUBPARAGRAPHS (I) AND (II)".

New amendment

Amend printed bill, page 6, line 10, strike "AN" and substitute "ONE MILLION FORTY-THREE THOUSAND NINE HUNDRED SEVENTY-THREE DOLLARS PLUS AN".

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:

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	

SB11-209

by Senator(s) Hodge, Steadman, Lambert; --Concerning the provision for payment of the expenses of the executive, legislative, and judicial departments of the state of Colorado, and of its agencies and institutions, for and during the fiscal year beginning July 1, 2011, except as otherwise noted.

Senators Hodge, Steadman, and Lambert moved to amend the Report of the Committee of the Whole to show that the following Aguilar floor amendment, (Amendment 9 - J.017) to SB 11-209, did not pass.

Amend printed bill, page 97, line 7, in the TOTAL column strike "3,487,165,965" and substitute "3,487,538,965", in the GENERAL FUND column strike "1,002,218,001(M)" and substitute "1,002,404,501(M)", and in the FEDERAL FUNDS column strike "1,717,640,507" and substitute "1,717,827,007".

Page 111, line 7, strike "662,255,863" and substitute "662,628,863" and strike "2,093.15" and substitute "2,094.33".

Page 111, line 11, strike "\$3,487,165,965" and substitute "\$3,487,538,965" and strike "\$5,687.32" and substitute "\$5,687.92".

Adjust affected totals accordingly.

Less than 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 **lost** on the following roll call vote:

YES	17	NO	18	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		Y Mitchell		Y Steadman	Y
Cadman		Y Hudak		N Morse		N Tochtrop	N
Carroll		N Jahn		N Newell		N White	Y
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	

Senators Lambert and Hodge moved to amend the Report of the Committee of the Whole to show that the following Newell, Hudak, and Nicholson floor amendment, (Amendment 11 - J.004) to SB 11-209, did not pass.

Amend printed bill, page 201, line 5, in the ITEM & SUBTOTAL column strike "500,000" and substitute "675,000" and in the GENERAL FUND column strike "283,430" and substitute "458,430".

Adjust affected totals accordingly.

Page 210, line 12, in the ITEM & SUBTOTAL column strike "400,000" and substitute "475,000" and in the GENERAL FUND column strike "400,000" and substitute "475,000".

Adjust affected totals accordingly.

YES	11	NO	24	EXCUSED	0	ABSENT	0
Aguilar	N	Guzman	N	Kopp	N	Scheffel	Y
Bacon	N	Harvey	N	Lambert	Y	Schwartz	N
Boyd	N	Heath	N	Lundberg	Y	Spence	N
Brophy	Y	Hodge	Y	Mitchell	Y	Steadman	Y
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	Renfro	Y	President	N
Grantham	Y	King S.	N	Roberts	N		

RECONSIDERATION OF SB11-226

SB11-226 by Senator(s) Hodge, Steadman, Lambert; --Concerning the augmentation of the general fund through transfers of certain moneys, and making an appropriation in connection therewith.

Having voted on the prevailing side, Senator Guzman moved for reconsideration of the last Senate action, Amendments to the Report of the Committee of the Whole, on SB11-226.

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

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

SB11-226 by Senator(s) Hodge, Steadman, Lambert; --Concerning the augmentation of the general fund through transfers of certain moneys, and making an appropriation in connection therewith.

Senators Kopp and Hodge moved to amend the Report of the Committee of the Whole to show that the following Aguilar, Boyd, Nicholson, and Schwartz floor amendment, (L.005) to SB 11-226, did not pass.

Amend printed bill, page 6, before line 6 insert:

"SECTION 10. 42-2-114.5, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

42-2-114.5. Licensing services cash fund.

(3) NOTWITHSTANDING ANY PROVISION OF SUBSECTION (1) OF THIS SECTION TO THE CONTRARY, ON JUNE 30, 2012, THE STATE TREASURER SHALL DEDUCT TWO MILLION DOLLARS FROM THE LICENSING SERVICES CASH FUND AND TRANSFER SUCH SUM TO THE GENERAL FUND."

Renumber succeeding sections accordingly.

Less than 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 **lost** on the following roll call vote:

YES	17	NO	18	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	Y	Mitchell	Y	Steadman	Y
Cadman	Y	Hudak	N	Morse	N	Tochtrop	N
Carroll	N	Jahn	N	Newell	N	White	Y
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		

SB11-209

by Senator(s) Hodge, Steadman, Lambert; --Concerning the provision for payment of the expenses of the executive, legislative, and judicial departments of the state of Colorado, and of its agencies and institutions, for and during the fiscal year beginning July 1, 2011, except as otherwise noted.

Senator Harvey moved to amend the Report of the Committee of the Whole to show that the following Harvey floor amendment, (Amendment 13 - J.013) to SB 11-209, did pass.

Amend printed bill, page 441, line 8, strike "BUDGETS" and substitute "BUDGETS^{52a}".

Page 441, after line 15 insert:

"FOOTNOTES -- The following statement is referenced to the numbered footnotes throughout section 2.

52a All Departments -- It is the intent of the General Assembly that State funds shall not be appropriated to any agency, department, or subdivision of the State, including state colleges and universities, which ban the carrying of concealed handguns by citizens legally permitted to carry concealed handguns pursuant to Section 18-12-214, C.R.S."

Less than 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 **lost** on the following roll call vote:

YES	17	NO	18	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	Y
Carroll	Y	Jahn	N	Newell	N	White	Y
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		

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	33	NO	2	EXCUSED	0	ABSENT	0	
Aguilar		Y	Guzman	Y	Kopp	Y	Scheffel	Y
Bacon		Y	Harvey	Y	Lambert	Y	Schwartz	Y
Boyd		Y	Heath	Y	Lundberg	Y	Spence	Y
Brophy		Y	Hodge	Y	Mitchell	N	Steadman	Y
Cadman		Y	Hudak	Y	Morse	Y	Tochtrop	Y
Carroll		Y	Jahn	Y	Newell	Y	White	Y
Foster		Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron		Y	King K.	Y	Renfroe	Y	President	Y
Grantham		N	King S.	Y	Roberts	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB11-216 as amended, SB11-222 as amended, SB11-228, SB11-211, SB11-212 as amended, SB11-226 as amended, SB11-219 as amended, SB11-221 as amended, SB11-213 as amended, SB11-220 as amended, SB11-223, SB11-184 as amended, SB11-230 as amended, SB11-209 as amended, SB11-214.

CONSIDERATION OF RESOLUTIONS

SJR11-009 by Senator(s) Lambert, Hodge, Steadman; also Representative(s) Gerou, Becker, Ferrandino--Concerning the declaration of a state fiscal emergency pursuant to section 21 (7) of article X of the state constitution.

On motion of Senator Lambert, the resolution was read at length. A constitutional two-thirds of all members elected to the Senate having voted in the affirmative, the resolution was **adopted** by the following roll call vote:

YES	31	NO	4	EXCUSED	0	ABSENT	0	
Aguilar		Y	Guzman	Y	Kopp	Y	Scheffel	Y
Bacon		Y	Harvey	Y	Lambert	Y	Schwartz	Y
Boyd		N	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		N	King K.	Y	Renfroe	Y	President	Y
Grantham		N	King S.	Y	Roberts	Y		

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

SJR11-038 by Senator(s) Hudak and Giron; also Representative(s) Duran and Looper--Concerning the designation of April 12, 2011, as "Equal Pay Day" in Colorado, and, in connection therewith, acknowledging the persisting problem of wage disparity among various groups.

Laid over until Tuesday, April 12, retaining its place on the calendar.

MESSAGE FROM THE GOVERNOR

April 6, 2011

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:

MEMBER OF THE
STATE AGRICULTURAL COMMISSION

for a term expiring March 1, 2015:

Lisa Gail Palmer of Kremmling, Colorado to serve as a Republican and at-large member, occasioned by the resignation of John W. Singletary, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 3/21/11
Cindi L. Markwell, Secretary of the Senate

Committee on Agriculture, Natural Resources, & Energy

April 7, 2011

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

Ladies and Gentlemen:

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

SB11-039 CONCERNING THE CONSEQUENCES OF DEFAULT IN PAYMENTS DUE FOR STORAGE OF PERSONAL PROPERTY IN A SELF-STORAGE FACILITY

Approved April 6, 2011 at 2:19 p.m.

SB11-198 CONCERNING PAYMENT OF EXPENSES OF THE LEGISLATIVE DEPARTMENT

Approved April 6, 2011 at 2:20 p.m.

Sincerely,
(signed)
John W. Hickenlooper
Governor

SENATE SERVICES REPORT

Correctly Printed: SB11-231, 232, 233 and 234; SJM11-002; SJR11-035, 036 and 037.
Correctly Revised: HJR11-1014.

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MESSAGE FROM THE REVISOR OF STATUTES

April 8, 2011

We herewith transmit:

Without comment, as amended, HB11-1024 and 1252.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB11-1069, 1126, 1164, 1169, 1181, 1221, HJR11-1014.

On motion of Senator Morse, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Friday, April 8 was laid over until Monday, April 11, retaining its place on the calendar.

General Orders -- Second Reading of Bills -- Consent Calendar: SB11-195, HB11-1230, HB11-1198, HB11-1156, HB11-1004, SB11-191, HB11-1080.
General Orders -- Second Reading of Bills: SB11-180, SB11-052, SB11-126, SB11-168, HB11-1160, HB11-1109, HB11-1268, SB11-060, SB11-194, SB11-193, SB11-201, SB11-189, SB11-206, SB11-208, SB11-197, HB11-1234, HB11-1182, HB11-1042, HB11-1071, HB11-1216.
Consideration of Resolutions: SJR11-005, SJR11-015, SJR11-023, SJR11-024, SJR11-026, SJR11-032, SJR11-035, SJR11-036, SJR11-037.
Consideration of Memorials: SJM11-001, SJM11-002.
Consideration of House Amendments to Senate Bills: SCR11-001, SB11-062, SB11-119, SB11-034, SB11-037, SB11-094.
Consideration of Governor's Appointments:
 Member of the Board of Trustees for the Colorado School for the Deaf and the Blind
 Members of the Board of Trustees for Adams State College
 Members of the Colorado Commission on the Aging
Conference Committees to Report: HB11-1258, SB11-165.
Request for Conference Committee: HB11-1209.

On motion of Senator Morse, the Senate adjourned until 10:00 a.m., Monday, April 11, 2011.

Approved:

Brandon C. Shaffer
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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