

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

112th Legislative Day Tuesday, May 3, 2011

- Prayer By the chaplain, Reverend Cynthia James, Mile Hi Church, Lakewood.
- Call to Order By the President at 9:00 a.m.
- Pledge By Senator Giron.
- Roll Call Present--35
- Quorum The President announced a quorum present.
- Reading of Journal On motion of Senator King S., reading of the Journal of Monday, May 2, 2011, was dispensed with and the Journal was approved as corrected by the Secretary.

Senate in recess. Senate reconvened.

Call of the Senate. Call raised.

**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:

HB11-1279 by Representative(s) Sonnenberg and Becker; also Senator(s) Hodge--Concerning permits for excess size and weight vehicles.

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.

HB11-1241 by Representative(s) DelGrosso; also Senator(s) Lundberg--Concerning the circumstances in which a nonprofit housing provider that sells low-cost housing to low-income applicants who assist in the construction of the housing is entitled to the property tax exemption for property used strictly for charitable purposes, and making an appropriation in connection therewith.

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, Guzman, Heath, Hodge, Newell, Steadman and Williams S.

HB11-1002 by Representative(s) Nikkel; also Senator(s) Kopp--Concerning the creation of an on-line database for the department of transportation's financial information, and making an appropriation therefor.

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: Jahn, King S., Roberts and Williams S.

HB11-1064 by Representative(s) Waller; also Senator(s) Steadman--Concerning a parole presumption pilot program for certain drug offenders, and making an appropriation in connection therewith.

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, Carroll, Guzman, Heath, Hudak, Jahn, Morse and Schwartz.

THIRD READING OF BILLS -- FINAL PASSAGE

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

HB11-1237 by Representative(s) Swerdfeger; also Senator(s) Bacon--Concerning the creation of the chargeable quarters and billeting cash fund.

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, Brophy, Giron, Heath, King K., King S., Newell, Nicholson and Schwartz.

HB11-1278 by Representative(s) Gardner B.; also Senator(s) Morse--Concerning sex offender registration.

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, Guzman, Hodge, Jahn, King S., Steadman and Williams S.

HB11-1109 by Representative(s) Liston, Balmer, Bradford, DelGrosso, Holbert, Kerr J., Looper, Nikkel, Priola, Ramirez, Schafer S., Stephens; also Senator(s) Giron--Concerning the authority for a local government to create an exemption from local sales tax for the sale of equipment used directly in the provision of telecommunications services.

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

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

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

Co-sponsors added: Cadman, Grantham, Harvey, Jahn, Johnston, King K., King S., Kopp, Lambert, Lundberg, Roberts, Scheffel, Spence, Tochtrop and White.

HB11-1095 by Representative(s) Nikkel; also Senator(s) Lundberg--Concerning security of the information filed on behalf of an entity with the secretary of state's on-line business filing system, and making an appropriation therefor.

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: Brophy, Cadman, Grantham, Harvey, Heath, Hodge, Jahn, King K., King S., Kopp, Lambert, Newell, Roberts, Scheffel, Steadman, White and Williams S.

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

CONSIDERATION OF RESOLUTIONS

SJR11-036 by Senator(s) Tochtrop; also Representative(s) Soper--Concerning the Colorado legislative sportsmen's caucus.

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

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

Co-sponsors added: Aguilar, Bacon, Carroll, Foster, Giron, Grantham, Guzman, Heath, Hodge, Jahn, Johnston, King K., King S., Kopp, Lambert, Lundberg, Morse, Newell, Nicholson, Roberts, Scheffel, Schwartz, Shaffer B., Spence, Steadman and White.

SJR11-032 by Senator(s) Morse; also Representative(s) Stephens--Concerning the convening date for the 2012 Second Regular Session of the Sixty-eighth General Assembly.

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

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

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

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chairman reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB11-1121 by Representative(s) Ramirez, Massey, McNulty, Szabo; also Senator(s) King K.--Concerning disqualification from school employment for conviction of certain offenses, and making an appropriation therefor.

Amendment No. 1, General Orders Amendment.
(Printed in Senate Journal, May 2, pages 978-979 and placed in members' bill files.)

Amendment No. 2(L.013), by Senator Steadman.

Strike the Steadman amendment, No. 3 (L.009), as printed in Senate Journal, May 2, page 979, lines 7 through 33.

Amend reengrossed bill, page 6, line 1, strike "A" and substitute "EXCEPT AS PROVIDED IN PARAGRAPH (d) OF THIS SUBSECTION (6.5), A".

Page 7, after line 22 insert:

"(d) (I) NOTWITHSTANDING THE DISQUALIFICATION FROM EMPLOYMENT SET FORTH IN THIS SUBSECTION (6.5), A SCHOOL DISTRICT MAY EMPLOY A PERSON CONVICTED OF AN OFFENSE LISTED IN SUB-SUBPARAGRAPHS (D) AND (E) OF SUBPARAGRAPH (I) OF PARAGRAPH (a) OF THIS SUBSECTION (6.5) AFTER CONDUCTING AN ASSESSMENT OF THE CURRENT SAFETY RISK POSED BY THE PERSON.

(II) A PERSON WHO IS OR WOULD BE DISQUALIFIED FROM EMPLOYMENT PURSUANT TO SUB-SUBPARAGRAPHS (D) AND (E) OF SUBPARAGRAPH (I) OF PARAGRAPH (a) OF THIS SUBSECTION (6.5) MAY SUBMIT A WRITTEN REQUEST TO THE SCHOOL DISTRICT FOR RECONSIDERATION OF THE DISQUALIFICATION FROM EMPLOYMENT. RECONSIDERATION SHALL BE BASED UPON THE SCHOOL DISTRICT'S ASSESSMENT OF THE CURRENT SAFETY RISK IN HIRING THE PERSON OR IN CONTINUING THE PERSON'S EMPLOYMENT AFTER CONSIDERING:

(A) THE SERIOUSNESS AND NATURE OF THE DISQUALIFYING OFFENSE;

(B) THE TIME ELAPSED SINCE THE DATE THE OFFENSE WAS COMMITTED;

(C) THE NATURE OF THE POSITION HELD OR SOUGHT BY THE PERSON; AND

(D) ANY OTHER RELEVANT INFORMATION.

(III) THE DECISION OF THE SCHOOL DISTRICT SHALL BE FINAL."

As amended, ordered revised 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.)

HB11-1275 by Representative(s) Priola; also Senator(s) Williams S. and Spence--Concerning the creation of an engine idling standard for certain commercial diesel vehicles.

Amendment No. 1, Transportation Committee Amendment.

(Printed in Senate Journal, April 27, pages 915-916 and placed in members' bill files.)

Amendment No. 2(L.013), by Senator Williams S.

Strike the Transportation Committee Report, dated April 26, 2011.

Amend reengrossed bill, page 2, strike line 10 and substitute "SECTION 42-14-103."

Page 2, strike lines 11 through 13 and substitute:

"SECTION 2. Title 42, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW ARTICLE to read:

**ARTICLE 14
State Idling Standard".**

Page 3, line 1, strike "42-4-1213. Idling standard. (1)" and substitute "42-14-101."

Page 3, strike line 9 and substitute:

"42-14-102. Definitions. AS USED IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:"

Page 3, line 10, strike "(a)" and substitute "(1)".

Page 3, strike line 11 and substitute "ARTICLE APPLIES UNDER SECTION 42-3-104."

Page 3, line 12, strike "(b)" and substitute "(2)".

Page 3, line 14, strike "(c)" and substitute "(3)".

Page 3, line 16, strike "(3)" and substitute "42-14-103."

Page 3, line 18, strike "COMMERCIAL DIESEL" and substitute "COVERED".

Page 3, line 19, strike "SECTION" and substitute "ARTICLE".

Page 3, line 20, strike "(4) Applicability. THIS SECTION" and substitute "42-14-104. Applicability. (1) THIS ARTICLE".

Page 3, line 26, strike "SECTION." and substitute "ARTICLE."

Page 3, after line 26 insert:

"(2) THIS ARTICLE DOES NOT SUPERSEDE AN ORDINANCE OF A LOCAL AUTHORITY IF THE AUTHORITY HAS AN AVERAGE ELEVATION OF OVER SIX THOUSAND FEET AND IF THE ORDINANCE WAS IN EFFECT ON JANUARY 1, 2011."

Page 3, line 27, strike "(5) General requirement." and substitute "42-14-105. Idling. (1) Standard."

Page 4, line 3, strike "(6)" and substitute "(2)".

Page 4, line 4, strike "(6) Exemptions. SUBSECTION (5)" and substitute "(2) Exemptions. SUBSECTION (1)".

Page 5, line 5, strike "REST AREA," and substitute "SAFETY REST AREA AS

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DEFINED UNDER 23 CFR 752.3,".

Page 5, strike line 12 and substitute "FACILITY, A HOSPITAL, A SENIOR CITIZEN CENTER, OR A MEDICAL OUTPATIENT FACILITY PROVIDING PRIMARY, SPECIALTY, OR RESPIRATORY CARE; OR".

Page 5, strike lines 13 through 15 and substitute:

"(k) WHEN IDLING FOR UP TO TWENTY MINUTES IN ANY SIXTY-MINUTE PERIOD IF THE AMBIENT TEMPERATURE IS LESS THEN TEN DEGREES."

Page 5, line 16, strike "(7)" and substitute "42-14-106."

Page 5, line 17, strike "SECTION" and substitute "ARTICLE".

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

SB11-186 by Senator(s) Morse; also Representative(s) Waller--Concerning the establishment of an alternative bond program.

Lost on second reading.

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

HB11-1267 by Representative(s) McCann; also Senator(s) Mitchell--Concerning an expansion of the circumstances in which a court may order further restrictions as conditions of a protection order against a defendant.

Amendment No. 1(L.003), by Senator Guzman.

Amend reengrossed bill, page 2, line 14, after "C.R.S.," insert "EXCEPT THOSE LISTED IN PARAGRAPHS (cc.5) AND (cc.6) OF SUBSECTION (1) OF THAT SECTION,".

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

Amend reengrossed bill, page 2, line 2, strike "(3)," and substitute "(3) and 18-1-1001 (3) (a), (3) (b), and (3) (e)."

Page 2, line 3, strike "is" and substitute "are".

Page 2, line 11, strike "attorney," and substitute "attorney".

Page 2, line 12, strike "court's motion to protect the alleged victim," and substitute "court's OWN motion ~~to protect~~ FOR THE PROTECTION OF the alleged victim OR WITNESS,".

Page 2, after line 15, insert:

"(a) An order to vacate or stay away from the home of the ALLEGED victim OR WITNESS and to stay away from any other location where the victim OR WITNESS is likely to be found;

(b) An order to refrain from contact or direct or indirect communication with the ALLEGED victim OR WITNESS;

(e) Any other order the court deems appropriate to protect the safety of the alleged victim OR WITNESS."

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

HB11-1199 by Representative(s) Gardner B.; also Senator(s) Bacon--Concerning limits on fees for the approval of the installation of solar energy devices.

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

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HB11-1166 by Representative(s) Murray; also Senator(s) Aguilar--Concerning the creation of a type 1 diabetes special license plate, and making an appropriation therefor.

Amendment No. 1, Transportation Committee Amendment.
(Printed in Senate Journal, April 27, page 916 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 29, page 948 and placed in members' bill files.)

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

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

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, April 25, page 861 and placed in members' bill files.)

Amendment No. 2(L.023), by Senator Williams S.

Amend reengrossed bill, page 12, line 27, strike "SECTION 22-93-104 (1) (c)," AND SUBSTITUTE "SECTION 22-93-104 (1) (c); INCLUDES CHARACTER BUILDING;"

Page 15, after line 6, insert:

"(4) EACH CHARTER SCHOOL IS ENCOURAGED TO ENSURE THAT ITS POLICY, AT A MINIMUM, INCORPORATES THE BIENNIAL ADMINISTRATION OF SURVEYS OF STUDENTS' IMPRESSIONS OF THE SEVERITY OF BULLYING IN THEIR SCHOOLS, AS DESCRIBED IN SECTION 22-93-104 (1) (c); INCLUDES CHARACTER BUILDING; AND INCLUDES THE DESIGNATION OF A TEAM OF PERSONS AT EACH SCHOOL OF THE SCHOOL DISTRICT WHO ADVISE THE SCHOOL ADMINISTRATION CONCERNING THE SEVERITY AND FREQUENCY OF BULLYING INCIDENTS THAT OCCUR IN THE SCHOOL, WHICH TEAM MAY INCLUDE, BUT NEED NOT BE LIMITED TO, LAW ENFORCEMENT OFFICIALS, SOCIAL WORKERS, PROSECUTORS, HEALTH PROFESSIONALS, MENTAL HEALTH PROFESSIONALS, COUNSELORS, TEACHERS, ADMINISTRATORS, PARENTS, AND STUDENTS."

Page 16, line 1, strike "SECTION 22-93-104 (1) (c)," AND SUBSTITUTE "SECTION 22-93-104 (1) (c); INCLUDES CHARACTER BUILDING;"

Amendment No. 3(L.021), by Senator Steadman.

Amend the Education Committee Report, dated April 21, 2011, page 1, after line 3 insert:

"Page 13 of the reengrossed bill, line 9, strike "STUDENTS," and substitute "STUDENTS AND FOR ANY PERSON WHO TAKES ANY RETALIATORY ACTION AGAINST A STUDENT WHO REPORTS IN GOOD FAITH AN INCIDENT OF BULLYING,"

Page 1 of the report, after line 6 insert:

"Page 13 of the bill, strike lines 22 and 23.

Page 14 of the bill, strike lines 25 through 27 and substitute "MINIMUM, SHALL SET FORTH APPROPRIATE DISCIPLINARY CONSEQUENCES FOR STUDENTS WHO BULLY OTHER STUDENTS AND FOR ANY PERSON WHO TAKES ANY RETALIATORY ACTION AGAINST A STUDENT WHO REPORTS IN GOOD FAITH AN INCIDENT OF BULLYING, WHICH CONSEQUENCES SHALL COMPLY WITH ALL APPLICABLE STATE AND FEDERAL LAWS."

Page 15 of the bill, strike lines 1 and 2.

Page 15 of the bill, strike lines 5 and 6.

Page 15 of the bill, line 21, strike "STUDENTS," and substitute "STUDENTS AND FOR ANY PERSON WHO TAKES ANY RETALIATORY ACTION AGAINST A

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STUDENT WHO REPORTS IN GOOD FAITH AN INCIDENT OF BULLYING,"

Page 16 of the bill, line 13, strike "(1)".

Page 16 of the bill, strike lines 17 and 18."

As amended, laid over until Wednesday, May 4, 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 balance of the General Orders -- Second Reading of Bills Calendar (SB11-248) of Tuesday, May 3 was laid over until Wednesday, May 4, retaining its place on the calendar.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

HB11-1121 by Representative(s) Ramirez, Massey, McNulty, Szabo; also Senator(s) King K.--Concerning disqualification from school employment for conviction of certain offenses, and making an appropriation therefor.

Senator King K. moved to amend the Report of the Committee of the Whole to show that the following Steadman floor amendment, (L.013) to HB 11-1121, did not pass.

Strike the Steadman amendment, No. 3 (L.009), as printed in Senate Journal, May 2, page 979, lines 7 through 33.

Amend reengrossed bill, page 6, line 1, strike "A" and substitute "EXCEPT AS PROVIDED IN PARAGRAPH (d) OF THIS SUBSECTION (6.5), A".

Page 7, after line 22 insert:

"(d) (I) NOTWITHSTANDING THE DISQUALIFICATION FROM EMPLOYMENT SET FORTH IN THIS SUBSECTION (6.5), A SCHOOL DISTRICT MAY EMPLOY A PERSON CONVICTED OF AN OFFENSE LISTED IN SUB-SUBPARAGRAPHS (D) AND (E) OF SUBPARAGRAPH (I) OF PARAGRAPH (a) OF THIS SUBSECTION (6.5) AFTER CONDUCTING AN ASSESSMENT OF THE CURRENT SAFETY RISK POSED BY THE PERSON.

(II) A PERSON WHO IS OR WOULD BE DISQUALIFIED FROM EMPLOYMENT PURSUANT TO SUB-SUBPARAGRAPHS (D) AND (E) OF SUBPARAGRAPH (I) OF PARAGRAPH (a) OF THIS SUBSECTION (6.5) MAY SUBMIT A WRITTEN REQUEST TO THE SCHOOL DISTRICT FOR RECONSIDERATION OF THE DISQUALIFICATION FROM EMPLOYMENT. RECONSIDERATION SHALL BE BASED UPON THE SCHOOL DISTRICT'S ASSESSMENT OF THE CURRENT SAFETY RISK IN HIRING THE PERSON OR IN CONTINUING THE PERSON'S EMPLOYMENT AFTER CONSIDERING:

(A) THE SERIOUSNESS AND NATURE OF THE DISQUALIFYING OFFENSE;

(B) THE TIME ELAPSED SINCE THE DATE THE OFFENSE WAS COMMITTED;

(C) THE NATURE OF THE POSITION HELD OR SOUGHT BY THE PERSON; AND

(D) ANY OTHER RELEVANT INFORMATION.

(III) THE DECISION OF THE SCHOOL DISTRICT SHALL BE FINAL."

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	15	NO	20	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	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		

SB11-186

by Senator(s) Morse; also Representative(s) Waller--Concerning the establishment of an alternative bond program.

Senator Morse moved to amend the Report of the Committee of the Whole to show that the following Morse floor amendment, (L.002) to SB 11-186, did pass and that SB 11-186, as amended, did pass

Amend printed bill, page 2, line 25, after the period insert "A DEFENDANT WHO HAS A BOND THAT IS SET AT FIVE THOUSAND DOLLARS OR LESS IS ELIGIBLE FOR THE ALTERNATIVE BOND PROGRAM IMMEDIATELY AFTER THE COURT SETS THE BOND AMOUNT. A DEFENDANT WHO HAS A BOND THAT IS SET AT MORE THAN FIVE THOUSAND DOLLARS IS ELIGIBLE FOR THE ALTERNATIVE BOND PROGRAM FIVE DAYS AFTER THE COURT SETS THE BOND AMOUNT.".

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	Y	Guzman	Y	Kopp	N	Scheffel	N
Bacon	Y	Harvey	N	Lambert	N	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	N	Spence	N
Brophy	N	Hodge	N	Mitchell	N	Steadman	N
Cadman	N	Hudak	Y	Morse	Y	Tochtrop	N
Carroll	Y	Jahn	Y	Newell	Y	White	N
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	N	Renfroe	N	President	Y
Grantham	N	King S.	N	Roberts	Y		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Hudak, 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: SB11-186 as amended, HB11-1121 as amended, HB11-1275 as amended, HB11-1267 as amended, HB11-1199, HB11-1166 as amended.
Laid over until May 4: HB11-1254 as amended, SB11-248.

MESSAGE FROM THE HOUSE

May 3, 2011

Mr. President:

The House has adopted and returns herewith SJR11-053.

The House has adopted and transmits herewith HJR11-1023.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB11-1298, 1305.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB11-1010, amended as printed in House Journal, May 2, page 1193.

HB11-1295, amended as printed in House Journal, May 2, pages 1193-1194.

HB11-1303, amended as printed in House Journal, May 2, page 1194.

HB11-1300, amended as printed in House Journal, May 2, pages 1195-1198.

The House has passed on Third Reading and returns herewith SB11-180, 195, 231, 191, 197.

The House has passed on Third Reading and transmitted to the Revisor of Statutes;

SB11-189, amended as printed in House Journal, April 28, page 1156.

SB11-193, amended as printed in House Journal, April 28, page 1193.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

HJR11-1023 by Representative(s) Acree; also Senator(s) Aguilar--Concerning stroke awareness.

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

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

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

MESSAGE FROM THE REVISOR OF STATUTES

May 3, 2011

We herewith transmit:

Without comment, HB11-1298 and 1305.

Without comment, as amended, HB11-1010, 1295, 1300, and 1303.

Without comment, as amended, SB11-189 and 193.

INTRODUCTION OF RESOLUTIONS

The following resolutions were read by title:

HJR11-1019 by Representative(s) Gardner B., Conti, Court, Holbert, Hullinghorst, Joshi, Kerr A., Looper, McCann, Murray, Pace, Sonnenberg, Stephens, Swalm, Szabo, Williams A., Wilson; also Senator(s) Jahn, Bacon, Cadman, Grantham, King S., Morse, Roberts, Tochtrop, White--Concerning Lupus awareness, and, in connection therewith, designating May as "Lupus Awareness Month" in the state of Colorado.

Laid over one day under Senate Rule 30(e).

HJR11-1022 by Representative(s) Fields, Todd, Priola, Acree, Balmer, Barker, Beezley, Bradford, Brown, Casso, Conti, Court, Duran, Ferrandino, Fischer, Gardner B., Gardner D., Hamner, Holbert, Hullinghorst, Jones, Joshi, Kagan, Kefalas, Kerr A., Kerr J., Labuda, Lee, Levy, Looper, Massey, McCann, McKinley, McNulty, Miklosi, Murray, Pabon, Pace, Peniston, Ramirez, Riesberg, Ryden, Schafer S., Solano, Soper, Swerdfeger, Szabo, Vigil, Williams A., Wilson; also Senator(s) Carroll--Concerning recognition of Military Family Month.

Laid over one day under Senate Rule 30(e).

INTRODUCTION OF BILLS -- FIRST READING

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

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

Finance

MESSAGE FROM THE GOVERNOR

April 29, 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

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for a term expiring March 1, 2015:

Joanne Marilyn Stanko, Steamboat Springs, Colorado to serve as a Democrat and at-large member, replacing Lisa Gail Palmer, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor

Rec'd: 5/2/11
Cindi L. Markwell, Secretary of the Senate

Committee on Agriculture, Natural Resources, & Energy

April 21, 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, appoint, reappoint and submit to your consideration, the following:

MEMBERS OF THE
STATE BOARD OF STOCK INSPECTION COMMISSIONERS

for terms expiring May 1, 2015:

Tim E. Thatcher of Pueblo, Colorado, to serve as a representative of the non-confinement cattle industry, reappointed;

Tracy Lungwitz of Yuma, Colorado, to serve as a representative of the confinement cattle industry, reappointed.

Sincerely,
(signed)
John Hickenlooper
Governor

Rec'd: 5/2/11
Cindi Markwell, Secretary of the Senate

Committee on Agriculture, Natural Resources, & Energy

April 29, 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:

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SB11-128 CONCERNING REQUIRING A CARRIER THAT PARTICIPATES IN THE INDIVIDUAL HEALTH INSURANCE MARKET IN COLORADO TO ISSUE CHILD-ONLY PLANS ON A GUARANTEED-ISSUE BASIS, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH

Approved April 29, 2011 at 4:25 p.m.

Sincerely,
(signed)
John W. Hickenlooper
Governor

LETTER OF APPOINTMENT

April 18, 2011

The Honorable Brandon Shaffer
President of the Colorado State Senate
Colorado State Capitol
200 East Colfax, Room 346
Denver, Colorado 80203

Dear President Shaffer:

On behalf of the Board of Regents of the University of Colorado, I am pleased to forward to you the following appointment to the University of Colorado Hospital Authority Board of Directors:

From the First Congressional District: Richard D. Krugman, MD, for a term effective March 1, 2011 continuing, as long as Dr. Krugman holds the position of Vice Chancellor of Health Affairs of the University of Colorado Anschutz Medical Campus, until February 28, 2015 (or until his successor is appointed by the Board of Regents).

This appointment was approved by the Board of Regents at a March 16, 2011 special board meeting. A copy of the resolution to this effect and biographical information are attached.

Per C.R.S. §23-21-503(2), appointments to the Hospital Authority Board of Directors from the congressional districts are subject to the advice and consent of the Senate.

Please let me know if you have any questions.

Sincerely,
(signed)
Cheryl Espinoza
Assistant Secretary to the Board of Regents

Attachment (as referenced)

- cc: Allen Staver, Vice President and General Counsel, University of Colorado Hospital
- Jeff Thompson, Director, Government and Corporate Relations, University of Colorado Hospital
- Dan Wilkerson, Vice President, University Counsel and Secretary of the Board of Regents, University of Colorado
- Tanya Kelly-Bowry, Vice President, Governmental Relations, University of Colorado

Rec'd: 5/2/11
Cindi Markwell, Secretary of the Senate

Committee on Health and Human Services

SENATE SERVICES REPORT

Correctly Printed: SB11-271.

Correctly Engrossed: SJR11-051.

Correctly Reengrossed: SB11-052, 080, 109, 176, 182, 187, 235, 238, 241, 242, 243, 244, 245, 247, 250, 253, 254, 256, 260 and 265.

Correctly Revised: HB11-1002, 1064, 1095, 1109, 1237, 1241, 1278 and 1279; HJR11-1021.

Correctly Rerevised: HB11-1281 and 1296.

 COMMITTEE OF REFERENCE REPORTS

Business, Labor, & Technology	After consideration on the merits, the Committee recommends that HB11-1288 be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20
Business, Labor, & Technology	After consideration on the merits, the Committee recommends that SB11-262 be postponed indefinitely.	21 22 23 24 25
State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that SCR11-004 be postponed indefinitely.	26 27 28 29 30 31
State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that SCR11-003 be postponed indefinitely.	32 33 34 35 36 37
State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that SCR11-002 be postponed indefinitely.	38 39 40 41 42 43
State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that SB11-252 be postponed indefinitely.	44 45 46 47 48 49
State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that SB11-249 be postponed indefinitely.	50 51 52 53 54 55
State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that HB11-1297 be referred to the Committee of the Whole with favorable recommendation.	56 57 58 59 60 61
State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that HB11-1141 be postponed indefinitely.	62 63 64 65 66 67
Legislative Council	After consideration on the merits, the Committee recommends that SB11-267 be referred to the Committee of the Whole with favorable recommendation.	68 69

Judiciary

After consideration on the merits, the Committee recommends that **SB11-261** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Judiciary

After consideration on the merits, the Committee recommends that **SB11-264** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 4, strike lines 4 through 8 and substitute:

"38-22-132. Lien to be discharged. Notwithstanding the provisions of section 38-22-119 ANY OTHER PROVISION OF THIS ARTICLE OR SECTION 38-35-110, upon the filing COURT APPROVAL of a bond or undertaking as provided in section 38-22-131, AND UPON THE ISSUANCE AND RECORDING OF A CERTIFICATE OF RELEASE AS SPECIFIED IN THIS SECTION, the lien against the property, shall be forthwith AND ANY NOTICE OF LIS PENDENS OR NOTICE OF THE".

Page 4, line 9, strike "IS" and substitute "SHALL BE".

Page 4, line 11, strike "shall be IS" and substitute "shall be".

Page 5, line 6, strike "IS" and substitute "SHALL BE".

Page 5, line 8, strike "shall be IS" and substitute "shall be".

Judiciary

After consideration on the merits, the Committee recommends that **HB11-1043** be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation.

Amend reengrossed bill, page 3, strike lines 2 through 14 and substitute:

"SECTION 1. 12-43.3-103 (2), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

12-43.3-103. Applicability. (2) (d) THIS ARTICLE SETS FORTH THE EXCLUSIVE MEANS BY WHICH".

Page 4, strike lines 1 through 17.

Page 4, after line 22 insert:

"SECTION 2. 12-43.3-104 (1), Colorado Revised Statutes, is amended, and the said 12-43.3-104 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

12-43.3-104. Definitions. As used in this article, unless the context otherwise requires:

(1) ~~"Good cause", for purposes of refusing or denying a license renewal, reinstatement, or initial license issuance, means:~~ "CLONE" MEANS A NONFLOWERING MEDICAL MARIJUANA PLANT THAT IS NO TALLER THAN EIGHT INCHES AND NO WIDER THAN EIGHT INCHES AND THAT IS IN A GROWING CONTAINER THAT IS NO LARGER THAN TWO INCHES WIDE AND TWO INCHES TALL THAT IS SEALED ON THE SIDES AND BOTTOM.

~~(a) The licensee or applicant has violated, does not meet, or has failed to comply with any of the terms, conditions, or provisions of this article, any rules promulgated pursuant to this article, or any supplemental local law, rules, or regulations;~~

~~(b) The licensee or applicant has failed to comply with any special terms or conditions that were placed on its license pursuant to an order of the state or local licensing authority;~~

~~(c) The licensed premises have been operated in a manner that adversely affects the public health or welfare or the safety of the immediate neighborhood in which the establishment is located;~~

(1.5) "GOOD CAUSE", FOR PURPOSES OF REFUSING OR DENYING A LICENSE RENEWAL, REINSTATEMENT, OR INITIAL LICENSE ISSUANCE, MEANS:

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(a) THE LICENSEE OR APPLICANT HAS VIOLATED, DOES NOT MEET, OR HAS FAILED TO COMPLY WITH ANY OF THE TERMS, CONDITIONS, OR PROVISIONS OF THIS ARTICLE, ANY RULES PROMULGATED PURSUANT TO THIS ARTICLE, OR ANY SUPPLEMENTAL LOCAL LAW, RULES, OR REGULATIONS;

(b) THE LICENSEE OR APPLICANT HAS FAILED TO COMPLY WITH ANY SPECIAL TERMS OR CONDITIONS THAT WERE PLACED ON ITS LICENSE PURSUANT TO AN ORDER OF THE STATE OR LOCAL LICENSING AUTHORITY;

(c) THE LICENSED PREMISES HAVE BEEN OPERATED IN A MANNER THAT ADVERSELY AFFECTS THE PUBLIC HEALTH OR WELFARE OR THE SAFETY OF THE IMMEDIATE NEIGHBORHOOD IN WHICH THE ESTABLISHMENT IS LOCATED."

Renumber succeeding sections accordingly.

Page 5, line 5, strike "(1) (b) (I),".

Page 5, strike lines 9 through 16.

Page 6, strike lines 18 through 27.

Page 7, strike line 1.

Renumber succeeding sections accordingly.

Page 8, line 24, after "AND" insert "JUDICIAL REVIEW".

Page 9, line 9, after the semicolon add "EXCEPT THAT THE LICENSING AUTHORITY MAY GRANT A LICENSE TO AN EMPLOYEE IF THE EMPLOYEE HAS A STATE FELONY CONVICTION BASED ON POSSESSION OR USE OF A CONTROLLED SUBSTANCE THAT WOULD NOT BE A FELONY IF THE PERSON WERE CONVICTED OF THE OFFENSE ON THE DATE HE OR SHE APPLIED FOR LICENSURE;"

Page 11, line 27, strike "A NEW SUBSECTION," and substitute "THE FOLLOWING NEW SUBSECTIONS,"

Page 12, strike lines 6 and 7 and substitute "CLONES TO A PATIENT; EXCEPT THAT A MEDICAL MARIJUANA CENTER MAY SELL MORE THAN SIX CLONES, BUT MAY NOT EXCEED HALF THE RECOMMENDED PLANT COUNT, TO A PATIENT WHO HAS BEEN RECOMMENDED AN EXPANDED PLANT COUNT BY HIS OR HER RECOMMENDING PHYSICIAN. A MEDICAL MARIJUANA CENTER MAY SELL CLONES TO A PRIMARY CAREGIVER, ANOTHER MEDICAL MARIJUANA CENTER, OR A MEDICAL MARIJUANA-INFUSED PRODUCT MANUFACTURER PURSUANT TO RULES PROMULGATED BY THE STATE LICENSING AUTHORITY. The provisions of this"

Page 13, strike lines 5 through 7 and substitute "DAYS,"

Page 13, line 8, strike "OR RECEIVING CHEMOTHERAPY,"

Page 13, after line 9 insert:

"(5.5) TRANSACTIONS FOR THE SALE OF MEDICAL MARIJUANA OR A MEDICAL MARIJUANA-INFUSED PRODUCT AT A MEDICAL MARIJUANA CENTER MAY BE COMPLETED BY USING AN AUTOMATED MACHINE THAT IS IN A RESTRICTED ACCESS AREA OF THE CENTER IF THE MACHINE COMPLIES WITH THE RULES PROMULGATED BY THE STATE LICENSING AUTHORITY REGARDING THE TRANSACTION OF SALE OF PRODUCT AT A MEDICAL MARIJUANA CENTER AND THE TRANSACTION COMPLIES WITH SUBSECTION (5) OF THIS SECTION."

Page 13, line 14, strike the third "A" and substitute "AN".

Page 13, line 26, after the period add "A LABORATORY THAT HAS AN OCCUPATIONAL LICENSE FROM THE STATE LICENSING AUTHORITY FOR TESTING PURPOSES SHALL NOT HAVE ANY INTEREST IN A LICENSED MEDICAL MARIJUANA CENTER OR A LICENSED MEDICAL MARIJUANA-INFUSED PRODUCTS MANUFACTURER."

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Page 14, strike lines 2 through 6 and substitute "DONATE:

(a) MEDICAL MARIJUANA; OR

(b) NO MORE THAN SIX CLONES TO A PATIENT; EXCEPT THAT A MEDICAL MARIJUANA CENTER MAY SELL MORE THAN SIX CLONES, BUT MAY NOT EXCEED HALF THE RECOMMENDED PLANT COUNT, TO A PATIENT WHO HAS BEEN RECOMMENDED AN EXPANDED PLANT COUNT BY HIS OR HER RECOMMENDING PHYSICIAN; OR

(c) MEDICAL MARIJUANA-INFUSED PRODUCTS TO PATIENTS WHO ARE DESIGNATED AS INDIGENT BY THE STATE HEALTH AGENCY OR WHO ARE IN HOSPICE CARE; EXCEPT THAT A MEDICAL MARIJUANA CENTER MAY SELL MORE THAN SIX CLONES, BUT MAY NOT EXCEED HALF THE RECOMMENDED PLANT COUNT, TO A PATIENT WHO HAS BEEN RECOMMENDED AN EXPANDED PLANT COUNT BY HIS OR HER RECOMMENDING PHYSICIAN."

Page 15, line 8, strike "license - repeal." and substitute "license."

Page 16, strike line 9.

Page 16, line 16, after the period add "A LABORATORY THAT HAS AN OCCUPATIONAL LICENSE FROM THE STATE LICENSING AUTHORITY FOR TESTING PURPOSES SHALL NOT HAVE ANY INTEREST IN A LICENSED MEDICAL MARIJUANA CENTER OR A LICENSED MEDICAL MARIJUANA-INFUSED PRODUCTS MANUFACTURER."

Page 17, line 18, after the second "ANY" insert "OF".

Page 20, line 7, strike "DAYS" and substitute "DAYS."

Page 20, strike lines 8 through 10.

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

Page 21, line 19, after the period add "THE INFORMATION PROVIDED TO THE STATE MEDICAL MARIJUANA LICENSING AUTHORITY PURSUANT TO SECTION 25-1.5-106 (7) (e), C.R.S."

Page 23, line 2, after the period insert "THE INFORMATION PROVIDED TO THE STATE MEDICAL MARIJUANA LICENSING AUTHORITY PURSUANT TO THIS PARAGRAPH (e) SHALL NOT BE PROVIDED TO THE PUBLIC AND SHALL BE CONFIDENTIAL." and strike "PROVIDE" and substitute "VERIFY".

Page 23, line 4, strike "REQUEST." and substitute "RECEIVING AN ADDRESS-SPECIFIC REQUEST FOR VERIFICATION."

Page 24, line 6, after "EXCEED" insert "ONE HUNDRED EIGHTY-FIVE PERCENT OF".

Page 25, line 5, strike "SECTION 39-26-105," and substitute "THIS ARTICLE,".

Page 25, line 7, strike "SECTION".

Page 25, line 8, strike "39-26-105," and substitute "THIS ARTICLE,".

Page 27, line 13, after "C.R.S.," insert "OR AN EMPLOYEE OF THE STATE MEDICAL MARIJUANA LICENSING AUTHORITY, A LOCAL MEDICAL MARIJUANA LICENSING AUTHORITY, OR THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT,".

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On motion of Senator Morse, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Tuesday, May 3 was laid over until Wednesday, May 4, retaining its place on the calendar.

Consideration of Resolutions: SJR11-005, SJR11-015, SJR11-024, SJR11-045, SJR11-046, SJR11-047, SJR11-050, SJR11-052, SR11-005, HJR11-1018, HJR11-1020, SJR11-040.

Consideration of Memorials: SJM11-002, SJM11-003, SJM11-004.

Consideration of House Amendments to Senate Bills: SCR11-001, SB11-213.

Consideration of Governor's Appointments:

Members of the Air Quality Control Commission

Member of the Advisory Committee to the Property Tax Administrator

Member of the Board of Parks and Outdoor Recreation



On motion of Senator Morse, the Senate adjourned until 9:00 a.m., Wednesday, May 4, 2011.

Approved:

Brandon C. Shaffer
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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