

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

64th Legislative Day Wednesday, March 16, 2011

Prayer By Senator Renfroe.

Call to Order By the President at 9:00 a.m.

Pledge By Senator Lambert.

Roll Call Present--33
 Excused--2, Kopp, Scheffel.
 Present later--2, Kopp, Scheffel.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Aguilar, reading of the Journal of Tuesday, March 15, 2011, was dispensed with and the Journal was approved as corrected by the Secretary.

THIRD READING OF BILLS -- FINAL PASSAGE

On third reading, the title of the following bill was publicly read, the reading at length having been dispensed with by unanimous consent:

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

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

YES	32	NO	3	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	Y	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	Y	Spence	N
Brophy	Y	Hodge	Y	Mitchell	Y	Steadman	Y
Cadman	Y	Hudak	Y	Morse	Y	Tochtrop	Y
Carroll	Y	Jahn	N	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: Brophy, Cadman, Grantham, Guzman, Harvey, Hodge, King K., Kopp, Lambert, Nicholson, Renfroe, Schwartz, Steadman, White and Williams S.

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

**GENERAL 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:

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

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, March 11, page 435 and placed in members' bill files.)

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

HB11-1260 by Representative(s) DelGrosso; also Senator(s) Jahn--Concerning the due date for tax installment payments when the due date falls on a legal federal holiday.

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

**ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE --
CONSENT CALENDAR**

On motion of Senator Steadman, 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: SB11-183 as amended, HB11-1260.

MESSAGE FROM THE GOVERNOR

Appointment A letter of designation and appointment from Governor Bill Ritter, Jr., was read and assigned to committee as follows:

October 7, 2010

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

Ladies and Gentlemen:

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

**MEMBERS OF THE
COAL MINE BOARD OF EXAMINERS**

for terms expiring July 1, 2012:

Daniel R. Meadors of Durango, Colorado, a coal mine owner, operator, manager, or other mine official actively engaged in underground mining, to fill the vacancy occasioned by the resignation of Trent A. Peterson of Marvel, Colorado, appointed;

Lara A. Sims of Hayden, Colorado, a coal mine owner, operator, manager, or other mine official actively engaged in surface mining, to fill the vacancy occasioned by the resignation of Karl C. Koehler of Hayden, Colorado, appointed

Sincerely,
(signed)

Bill Ritter, Jr.

Governor

Rec'd: 10/07/11

Cindi L. Markwell, Assistant Secretary

Committee on Agriculture, Natural Resources, & Energy

SENATE SERVICES REPORT

Correctly Printed: SB11-192, 193, 194 and 195.

Correctly Reengrossed: SB11-124.

Correctly Revised: HJR11-1008.

Correctly Rerevised: HB11-1079, 1083, 1122, 1144, 1151 and 1187.

Correctly Enrolled: SB11-096.

COMMITTEE OF REFERENCE REPORTS

Judiciary After consideration on the merits, the Committee recommends that **HB11-1153** 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 **HB11-1167** be referred to the Committee of the Whole with favorable recommendation.

Judiciary After consideration on the merits, the Committee recommends that **HB11-1239** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Trans-
portation After consideration on the merits, the Committee recommends that **HB11-1210** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 3, line 1, strike "BOTH".

Page 3, line 2, strike "INCLUDING, BUT NOT".

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69

Page 3, strike line 3.

Page 3, line 4, strike "PEAK PERIOD CONGESTION," and substitute "ACCOMMODATIONS FOR MASS TRANSIT,".

Local Government

After consideration on the merits, the Committee recommends that **HB11-1178** 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.

Amend reengrossed bill, page 2, line 16, strike "a" and substitute "a".

Page 4, strike lines 7 and 8 and substitute:

"(b) An establishment that ~~provides~~ HOLDS ITSELF OUT TO THE GENERAL PUBLIC AS PROVIDING funeral goods and services; ~~to the public;~~ or".

Page 7, line 6, strike "PROPERTY" and substitute "PROPERLY".

Local Government

After consideration on the merits, the Committee recommends that **SB11-178** be referred to the Committee of the Whole with favorable recommendation.

Finance

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

MEMBER OF THE COLORADO RACING COMMISSION

for a term expiring July 1, 2014:

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

Finance

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

MEMBER OF THE COLORADO LIMITED GAMING CONTROL COMMISSION

for a term expiring July 1, 2014:

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

Finance

After consideration on the merits, the Committee recommends that **HB11-1071** be referred to the Committee on Appropriations with favorable recommendation.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67

SJR11-025 by Senator(s) Spence; also Representative(s) Williams A.--Concerning the need to support women small business owners, and, in connection therewith, promoting economic development in Colorado.

Laid over until Friday, March 18, retaining its place on the calendar.

INTRODUCTION OF BILLS -- FIRST READING

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

SB11-196 by Senator(s) Boyd; also Representative(s) Summers--Concerning the classification of certain methamphetamine precursor drugs as schedule III controlled substances.
Health and Human Services

SB11-197 by Senator(s) Boyd; also Representative(s) Acree--Concerning the creation of a girl scouts centennial special license plate.
Transportation

MESSAGE FROM THE HOUSE

March 16, 2011

Mr. President:

The House has adopted and transmits herewith HJR11-1011.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

HJR11-1011 by Representative(s) Sonnenberg; also Senator(s) Schwartz--Concerning recognition of March 16, 2011, as "National Agriculture Day".

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

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

Co-sponsors added: Aguilar, Bacon, Boyd, Brophy, Cadman, Carroll, Foster, Giron, Grantham, Guzman, Harvey, Heath, Hodge, Hudak, Jahn, Johnston, King K., King S., Kopp, Lambert, Lundberg, Mitchell, Morse, Newell, Nicholson, Renfroe, Roberts, Scheffel, Shaffer B., Spence, Steadman, Tochtrop, 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 balance of the calendar of Wednesday, March 16 was laid over until Thursday, March 17, retaining its place on the calendar.

General Orders -- Second Reading of Bills: SB11-107, HB11-1181, HB11-1109.
Consideration of Resolutions: SJR11-005, SJR11-009, SJR11-015, SJR11-023, SJR11-024.
Consideration of House Amendments to Senate Bills: SCR11-001.

TRIBUTES

Honoring:

Josh Mitchell - Colorado Community College Scholars Award -- by Senator Shaffer.

On motion of Senator Morse, the Senate adjourned until 9:00 a.m., Thursday, March 17, 2011.

Approved:

Brandon C. Shaffer
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39