

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

80th Legislative Day

Friday, April 1, 2011

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Prayer	By Senator Guzman.	11
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Call to Order	By the President at 9:00 a.m.	13
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Pledge	By Senator King S.	15
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Roll Call	Present--33	17
	Excused--2, Renfroe, White.	18
	Present later--1, 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 Giron, reading of the Journal of Thursday, March 31, 2011, was dispensed with and the Journal was approved as corrected by the Secretary.	23
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MESSAGE FROM THE HOUSE

March 31, 2011

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB11-1290, 1289.

The House has passed on Third Reading and returns herewith SB11-057.

The House has adopted and returns herewith SJR11-030, SJR11-029.

Upon reconsideration, the House has passed on Third Reading and transmitted to the Revisor of Statutes SB11-034, as amended on Third Reading as printed in House Journal, March 31, and as previously amended as printed in House Journal, March 15 page 644.

MESSAGE FROM THE REVISOR OF STATUTES

March 31, 2011

We herewith transmit:

Without comment, as amended, HB11-1289 and 1290.
Without comment, as amended, SB11-034.

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INTRODUCTION OF RESOLUTIONS

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

SJR11-031 by Senator(s) Steadman; --Concerning creation of a committee to study dedicated sources of revenue in the state constitution related to health care.
Legislative Council

Committee of the Whole On motion of Senator Boyd, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar and Senator Boyd 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 bill, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB11-1164 by Representative(s) Priola and Fields, Ryden, Schafer S., Summers, Todd, Balmer, Beezley, Gerou, Kerr A., Levy, Liston, Peniston, Solano, Williams A.; also Senator(s) Boyd--Concerning the designation of the presiding officer of the university of Colorado hospital authority's board of directors.

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 Boyd, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	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	E
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: HB11-1164.

Committee of the Whole On motion of Senator Boyd, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills and Senator Boyd 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:

- SB11-180** by Senator(s) Tochtrop; --Concerning authority for taxicabs to pick up passengers outside their assigned geographic areas. 1
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Amendment No. 1(L.003), by Senator Tochtrop. 4
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Amend printed bill, page 2, line 5, after "(I)" insert "(A)". 6
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Page 2, strike line 9 and substitute "points in the state of Colorado." 8
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(B) NOTWITHSTANDING ANY PROVISION OF". 10
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Page 2, line 17, after the period add "THE PROVISIONS OF THIS 12
SUB-SUBPARAGRAPH (B) DO NOT APPLY WHEN A TAXICAB DROPS OFF A 13
PASSENGER AT DENVER INTERNATIONAL AIRPORT.". 14
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As amended, laid over until Monday, April 4, retaining its place on the calendar. 17
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- SB11-052** by Senator(s) Heath, Bacon, King K.; also Representative(s) Massey, Ferrandino-- 20
Concerning expectations for higher education institutions in Colorado. 21
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Laid over until Monday, April 4, retaining its place on the calendar. 23
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- SB11-126** by Senator(s) Giron and Johnston, Bacon, Foster, Guzman, Heath, Hodge, Morse, 26
Nicholson, Shaffer B., Steadman, Williams S.; also Representative(s) Miklosi and Williams 27
A., Duran, Fields, Hullinghorst, Levy, Pabon, Solano--Concerning classification as an 28
unsubsidized in-state student for tuition purposes at state institutions of higher education. 29
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Laid over until Monday, April 4, retaining its place on the calendar. 31
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- SB11-168** by Senator(s) Aguilar, Bacon, Carroll, Foster, Giron, Guzman, Heath, Johnston, Morse, 34
Nicholson, Steadman, Tochtrop; also Representative(s) Kefalas, Court, Fields, Fischer, 35
Gardner D., Hullinghorst, Jones, Kagan, Levy, McCann, Miklosi, Pace, Solano, Tyler-- 36
Concerning the creation of the Colorado health care authority for the purpose of designing a 37
health care cooperative. 38
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Laid over until Monday, April 4, retaining its place on the calendar. 40
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- SB11-179** by Senator(s) Carroll; also Representative(s) Miklosi and Kerr J.--Concerning alternative 43
identification that an employee engaged in work at an off-site premises may provide for 44
purposes of ensuring work site security. 45
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Amendment No. 1(L.002), by Senator Carroll. 47
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Amend printed bill, page 4, after line 1 insert: 49
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"(2) THIS SECTION DOES NOT APPLY TO A PERSON WHO ENTERS 51
INTO A DEFENSE CONTRACT WITH THE FEDERAL GOVERNMENT PURSUANT 52
TO THE NATIONAL INDUSTRIAL SECURITY PROGRAM, OR ITS SUCCESSOR 53
PROGRAM, UNDER WHICH THE PERSON IS CONTRACTUALLY OBLIGATED TO 54
VERIFY IDENTIFICATION USING A GOVERNMENT-ISSUED IDENTIFICATION 55
CARD.". 56
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Renumber succeeding subsection accordingly. 58
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As amended, ordered engrossed and placed on the calendar for third reading and final 61
passage. 62
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- HB11-1126** by Representative(s) Duran; also Senator(s) Hudak--Concerning measures to encourage 65
greater parent involvement in public schools. 66
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Ordered revised and placed on the calendar for third reading and final passage. 68
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(For further action, see amendments to the report of the Committee of the Whole.) 70
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SB11-173 by Senator(s) King S., King K., Morse, Shaffer B., Cadman, Carroll, Giron, Kopp, Roberts, Spence; --Concerning interoperable communications in schools.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, March 24, pages 563-564 and placed in members' bill files.)

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

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

Amendment No. 1, Transportation Committee Amendment.
(Printed in Senate Journal, March 25, page 580 and placed in members' bill files.)

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

HB11-1160 by Representative(s) Gerou; also Senator(s) Jahn--Concerning the establishment of a green building incentive pilot program administered by the governor's energy office to incentivize the making of energy efficiency improvements to existing residences with current home energy ratings below minimum standards for people who purchase highly efficient new residential construction.

Laid over until Monday, April 4, retaining its place on the calendar.

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.

Laid over until Monday, April 4, retaining its place on the calendar.

HB11-1268 by Representative(s) Levy; also Senator(s) Nicholson--Concerning penalties for traffic offenses involving alcohol and drugs.

Laid over until Monday, April 4, retaining its place on the calendar.

SB11-107 by Senator(s) Morse; also Representative(s) Barker--Concerning the recovery of noneconomic damages in a civil action concerning damages resulting from a DUI incident.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, February 10, page 141 and placed in members' bill files.)

Severed section A of the Judiciary Committee Amendment-- Page 1, lines 1 through 17, and page 2, line 10.

Amend printed bill, page 2, line 3, strike "amended" and substitute "amended, and the said 13-21-102.5 is further amended BY THE ADDITION OF A NEW SUBSECTION,".

Page 3, line 1, after "case" insert "EXCEPT FOR ACTIONS CONCERNING DAMAGES RESULTING FROM ALCOHOL-RELATED OR DRUG-RELATED DRIVING INCIDENTS".

Page 3, after line 11 insert:

"(7) NOTWITHSTANDING THE PROVISIONS OF SECTION 42-4-1713, C.R.S., A RECORD OF THE CONVICTION OF ANY PERSON, INCLUDING A PLEA OF GUILTY OR NOLO CONTENDERE, FOR ANY ALCOHOL-RELATED OR DRUG-RELATED TRAFFIC VIOLATION DESCRIBED IN PART 13 OF ARTICLE 4 OF TITLE 42, C.R.S., SHALL BE ADMISSIBLE IN ANY COURT IN ANY CIVIL ACTION SEEKING NONECONOMIC DAMAGES CAUSED BY AN ALCOHOL-RELATED OR DRUG-RELATED DRIVING INCIDENT AS PRIMA FACIE EVIDENCE THAT THE DRIVER WAS DRIVING UNDER THE INFLUENCE OF

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ALCOHOL OR DRUGS OR DRIVING WHILE HIS OR HER ABILITY WAS IMPAIRED BY ALCOHOL OR DRUGS.

Renumber succeeding bill sections 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.)

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

HB11-1126 by Representative(s) Duran; also Senator(s) Hudak--Concerning measures to encourage greater parent involvement in public schools.

Senator Spence moved to amend the Report of the Committee of the Whole to show that the following Spence floor amendment, (L.012) to HB 11-1126, did pass.

Amend reengrossed bill, page 8, before line 12, insert:

"SECTION 6. Part 4 of article 11 of title 22, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

22-11-407. School reorganization - parent petition. (1) AS USED IN THIS SECTION:

(a) "ADVISORY GROUP" MEANS THE GROUP OF FIVE PARENTS AND THREE REPRESENTATIVES OF A LOCAL SCHOOL BOARD CREATED PURSUANT TO PARAGRAPH (a) OF SUBSECTION (6) OF THIS SECTION TO OVERSEE THE RESTRUCTURING OF AN ELIGIBLE PUBLIC SCHOOL.

(b) "ELIGIBLE PUBLIC SCHOOL" MEANS A SCHOOL OF A SCHOOL DISTRICT, WHICH SCHOOL FOR AT LEAST TWO CONSECUTIVE SCHOOL YEARS HAS OPERATED UNDER:

(I) A PRIORITY IMPROVEMENT PLAN AND BY THE THIRD CONSECUTIVE YEAR HAS NOT IMPROVED TO AT LEAST THE LEVEL OF AN IMPROVEMENT PLAN;

(II) A TURNAROUND PLAN AND BY THE THIRD CONSECUTIVE YEAR HAS NOT IMPROVED TO AT LEAST THE LEVEL OF A PRIORITY IMPROVEMENT PLAN; OR

(III) A COMBINATION OF PRIORITY IMPROVEMENT AND TURNAROUND PLANS AND BY THE THIRD CONSECUTIVE YEAR HAS NOT IMPROVED TO AT LEAST THE NEXT HIGHEST PLAN LEVEL ABOVE THE LEVEL AT WHICH THE SCHOOL OPERATED THE SECOND YEAR.

(c) "PARENT" MEANS A CHILD'S BIOLOGICAL PARENT, ADOPTIVE PARENT, OR LEGAL GUARDIAN OR ANOTHER ADULT PERSON RECOGNIZED BY THE CHILD'S SCHOOL AS THE CHILD'S PRIMARY CAREGIVER.

(2) (a) THE PARENTS OF THE STUDENTS ENROLLED IN AN ELIGIBLE PUBLIC SCHOOL MAY, IN ACCORDANCE WITH THIS SECTION, PRESENT TO THE LOCAL BOARD OF EDUCATION FOR THE ELIGIBLE PUBLIC SCHOOL A PETITION TO:

(I) CLOSE THE ELIGIBLE PUBLIC SCHOOL AND GIVE EACH STUDENT ENROLLED IN THE ELIGIBLE PUBLIC SCHOOL PRIORITY PLACEMENT INTO A HIGHER-ACHIEVING SCHOOL OF THE SCHOOL DISTRICT, AS SELECTED BY THE STUDENT'S PARENT; OR

(II) CONVERT THE ELIGIBLE PUBLIC SCHOOL TO A CHARTER SCHOOL PURSUANT TO THE PROVISIONS OF PART 1 OF ARTICLE 30.5 OF THIS TITLE OR TO AN INNOVATION SCHOOL PURSUANT TO ARTICLE 32.5 OF THIS TITLE.

(b) TO BE VALID, A PETITION PRESENTED PURSUANT TO THIS SUBSECTION (2) SHALL BE SIGNED BY MORE THAN FIFTY PERCENT OF THE FAMILIES OF THE STUDENTS ENROLLED IN THE ELIGIBLE PUBLIC SCHOOL. A VALID PETITION MAY INCLUDE NO MORE THAN ONE ADULT SIGNATURE FROM EACH STUDENT'S HOUSEHOLD.

(c) A SCHOOL DISTRICT SHALL NOT PREVENT PARENTS FROM COLLECTING SIGNATURES ON SCHOOL DISTRICT PROPERTY FOR A PETITION PURSUANT TO THIS SECTION. A PERSON SHALL NOT RECEIVE REMUNERATION OF ANY KIND IN EXCHANGE FOR OR DIRECTLY OR INDIRECTLY RELATED TO COLLECTING SIGNATURES FOR A PETITION PURSUANT TO THIS SECTION.

(3) (a) WITHIN FORTY-FIVE DAYS AFTER RECEIVING A PETITION PURSUANT TO SUBSECTION (2) OF THIS SECTION, A LOCAL SCHOOL BOARD SHALL RESPOND TO THE PETITIONING PARENTS IN WRITING. NO SOONER THAN TEN DAYS, BUT WITHIN FIFTEEN DAYS, AFTER PROVIDING THE WRITTEN RESPONSE, THE LOCAL SCHOOL BOARD SHALL HOLD A PUBLIC HEARING AT WHICH THE LOCAL SCHOOL BOARD SHALL ALLOW THE PETITIONING PARENTS TO TESTIFY CONCERNING THE PETITION AND THE RESPONSE.

(b) A LOCAL SCHOOL BOARD MAY RESPOND TO A PETITION BY:

(I) ACCEPTING THE PARENTS' PETITION AND IMPLEMENTING THE REQUESTED ACTION AS PROVIDED IN THIS SECTION;

(II) ACCEPTING THE PARENTS' PETITION BUT RECOMMENDING IMPLEMENTATION OF THE ALTERNATIVE ACTION TO THAT RECOMMENDED BY THE PETITION, AS DESCRIBED IN PARAGRAPH (a) OF SUBSECTION (2) OF THIS SECTION; OR

(III) REJECTING THE PARENTS' PETITION.

(c) A LOCAL SCHOOL BOARD MAY RECOMMEND IMPLEMENTING THE ALTERNATIVE ACTION OR REJECT THE PARENTS' PETITION BASED ONLY ON:

(I) DOCUMENTED VALID FISCAL REASONS RELATED TO IMPLEMENTING THE PARENTS' RECOMMENDATION;

(II) THE LACK OF AVAILABLE MANAGEMENT OPTIONS FOR CONVERTING THE ELIGIBLE PUBLIC SCHOOL, IF THE PETITION RECOMMENDED CONVERSION TO A CHARTER SCHOOL OR AN INNOVATION SCHOOL; OR

(III) THE LACK OF AVAILABLE OPTIONS FOR PLACING STUDENTS IF THE ELIGIBLE PUBLIC SCHOOL CLOSES, IF THE PETITION RECOMMENDED CLOSING THE ELIGIBLE PUBLIC SCHOOL.

(4) (a) IF THE LOCAL SCHOOL BOARD RESPONDS AS PROVIDED IN SUBPARAGRAPH (II) OR (III) OF PARAGRAPH (b) OF SUBSECTION (3) OF THIS SECTION, THE PETITIONING PARENTS MAY APPEAL THE LOCAL SCHOOL BOARD'S DECISION TO THE STATE BOARD WITHIN THIRTY DAYS AFTER RECEIVING THE DECISION. THE PARENTS' APPEAL SHALL BE IN WRITING AND ACCOMPANIED BY ANY DATA THE PARENTS CHOOSE TO SUBMIT IN SUPPORT OF THEIR RECOMMENDATION. THE PARENTS SHALL PROVIDE A COPY OF THE WRITTEN APPEAL AND ALL SUBMITTED DATA TO THE LOCAL SCHOOL BOARD. THE LOCAL SCHOOL BOARD MAY SUBMIT A WRITTEN STATEMENT OF ITS GROUNDS FOR REJECTING THE PARENTS' RECOMMENDATION AND ANY DATA TO SUPPORT THOSE GROUNDS. THE LOCAL SCHOOL BOARD SHALL PROVIDE A COPY OF THE STATEMENT OF GROUNDS AND ALL SUBMITTED DATA TO THE PARENTS.

(b) THE STATE BOARD SHALL REVIEW THE SUBMITTED DATA, AS WELL AS ANY OTHER DATA IT MAY FIND RELEVANT, AND EITHER REVERSE OR UPHOLD THE LOCAL SCHOOL BOARD'S DECISION WITHIN THIRTY DAYS AFTER RECEIVING THE APPEAL. THE STATE BOARD MAY UPHOLD THE LOCAL SCHOOL BOARD'S DECISION ONLY IF IT FINDS THAT THE DECISION MEETS ONE OR MORE OF THE GROUNDS STATED IN PARAGRAPH (c) OF SUBSECTION (3) OF THIS SECTION. THE STATE BOARD SHALL PROVIDE WRITTEN COPIES OF ITS DECISION, INCLUDING THE GROUNDS FOR THE DECISION, TO THE PARENTS AND TO THE LOCAL SCHOOL BOARD. IF THE STATE BOARD FINDS THAT THE LOCAL SCHOOL BOARD DOES NOT HAVE GROUNDS TO REJECT THE RECOMMENDATION OF THE PARENTS, THE LOCAL SCHOOL BOARD SHALL WORK WITH THE PARENTS, AS PROVIDED IN THIS SECTION, TO IMPLEMENT THE RECOMMENDATIONS MADE IN THE PETITION. THE DECISION OF THE STATE BOARD IS FINAL AND NOT SUBJECT TO APPEAL.

(5) IF A LOCAL SCHOOL BOARD AND PARENTS CLOSE AN ELIGIBLE SCHOOL PURSUANT TO THIS SECTION, THE CLOSURE SHALL BE FULLY ACCOMPLISHED NO LATER THAN THE END OF THE SCHOOL YEAR THAT IMMEDIATELY FOLLOWS THE SCHOOL YEAR IN WHICH THE PARENTS SUBMIT THE PETITION.

(6) (a) IF A LOCAL SCHOOL BOARD AND PARENTS RESTRUCTURE AN ELIGIBLE PUBLIC SCHOOL PURSUANT TO THIS SECTION, THE PARENTS SHALL SELECT FROM AMONG THOSE WHO SIGNED THE PETITION FIVE PARENTS WHO WILL REPRESENT THEM ON AN ADVISORY GROUP THAT WILL OVERSEE THE RESTRUCTURING. THE LOCAL SCHOOL BOARD SHALL SELECT THREE REPRESENTATIVES TO SERVE ON THE ADVISORY GROUP.

(b) WITHIN FORTY-FIVE DAYS AFTER THE LOCAL SCHOOL BOARD RESPONDS TO THE PETITION, OR WITHIN FORTY-FIVE DAYS AFTER THE STATE BOARD'S DECISION IF THE PARENTS APPEAL THE LOCAL SCHOOL BOARD'S INITIAL RESPONSE, THE LOCAL SCHOOL BOARD SHALL ISSUE A REQUEST FOR PROPOSALS TO RESTRUCTURE THE SCHOOL. THE REQUEST FOR PROPOSALS SHALL REQUEST RESPONSES TO RESTRUCTURE THE SCHOOL AS A CHARTER SCHOOL AND RESPONSES TO RESTRUCTURE THE SCHOOL AS

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AN INNOVATION SCHOOL. THE ADVISORY GROUP SHALL COLLABORATE WITH THE LOCAL SCHOOL BOARD IN CREATING THE REQUEST FOR PROPOSALS.

(c) ANY PERSON OR GROUP THAT CHOOSES TO RESPOND TO THE REQUEST FOR PROPOSALS SHALL HAVE SEVENTY-FIVE DAYS TO DO SO. RESPONDENTS MAY INCLUDE, BUT NEED NOT BE LIMITED TO, PARENTS, THE ADMINISTRATION AND STAFF OF THE ELIGIBLE PUBLIC SCHOOL, AN EXISTING CHARTER MANAGEMENT OR EDUCATION MANAGEMENT ORGANIZATION, OR A NEW DEVELOPMENT GROUP OR ANY COMBINATION THEREOF. AT A MINIMUM, EACH RESPONSE TO THE REQUEST FOR PROPOSALS SHALL COMPLY WITH THE REQUIREMENTS SPECIFIED IN PART 1 OF ARTICLE 30.5 OF THIS TITLE FOR CHARTER SCHOOL APPLICATIONS OR WITH THE REQUIREMENTS SPECIFIED IN ARTICLE 32.5 OF THIS TITLE FOR INNOVATION SCHOOLS, WHICHEVER IS APPLICABLE.

(d) THE ADVISORY GROUP SHALL REVIEW ALL OF THE RESPONSES RECEIVED TO THE REQUEST FOR PROPOSALS. NO LATER THAN SIXTY DAYS AFTER THE CLOSE OF THE RESPONSE PERIOD, THE ADVISORY GROUP SHALL SELECT A PERSON OR GROUP TO MANAGE THE OPERATIONS OF THE ELIGIBLE PUBLIC SCHOOL. IF THE ELIGIBLE PUBLIC SCHOOL IS CONVERTED TO A CHARTER SCHOOL, THE SELECTED PERSON OR GROUP SHALL COMMENCE THE PROCESS OF APPLYING FOR A CHARTER AS PROVIDED IN SECTION 22-30.5-107. IF THE ELIGIBLE PUBLIC SCHOOL IS CONVERTED TO AN INNOVATION SCHOOL, THE LOCAL SCHOOL BOARD SHALL DESIGNATE THE ELIGIBLE PUBLIC SCHOOL AS AN INNOVATION SCHOOL AND COMPLETE THE PROCEDURES FOR DESIGNATION OF THE SCHOOL DISTRICT AS A DISTRICT OF INNOVATION PURSUANT TO ARTICLE 32.5 OF THIS TITLE WITHIN NINETY DAYS AFTER THE ADVISORY GROUP MAKES ITS SELECTION.

(e) AN ELIGIBLE PUBLIC SCHOOL THAT IS CONVERTED TO A CHARTER SCHOOL OR AN INNOVATION SCHOOL PURSUANT TO THIS SECTION SHALL CONTINUE OPERATIONS IN THE BUILDING IN WHICH THE SCHOOL WAS LOCATED PRIOR TO CONVERSION. THE SCHOOL DISTRICT IN WHICH THE ELIGIBLE PUBLIC SCHOOL IS LOCATED IS ENCOURAGED, BUT NOT REQUIRED, TO CONTINUE TRANSPORTATION SERVICES FOR AT LEAST TWO SCHOOL YEARS FOLLOWING THE CONVERSION FOR THE STUDENTS ENROLLED IN THE ELIGIBLE PUBLIC SCHOOL.

(7) FOR THE FIRST YEAR OF OPERATION AFTER CONVERSION OF AN ELIGIBLE PUBLIC SCHOOL TO A CHARTER SCHOOL, THE STUDENTS ENROLLED PRIOR TO THE CONVERSION OR WHO, BASED ON RESIDENCY, ARE ELIGIBLE TO ENROLL IN THE ELIGIBLE PUBLIC SCHOOL SHALL HAVE FIRST PRIORITY FOR ENROLLMENT IN THE CONVERTED ELIGIBLE PUBLIC SCHOOL. FOR SUBSEQUENT SCHOOL YEARS, STUDENT ENROLLMENT IN THE CONVERTED ELIGIBLE PUBLIC SCHOOL SHALL BE DETERMINED BASED ON THE ENROLLMENT POLICY SPECIFIED IN THE SCHOOL'S CHARTER CONTRACT.

(8) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE CONTRARY, A PUBLIC SCHOOL THAT IS CONVERTED PURSUANT TO THIS SECTION TO A CHARTER SCHOOL OR AN INNOVATION SCHOOL IS NOT SUBJECT TO A PETITION PROCESS AS DESCRIBED IN THIS SECTION FOR FIVE YEARS FOLLOWING THE DATE ON WHICH THE LOCAL SCHOOL BOARD RESPONDED TO A PETITION PURSUANT TO SUBSECTION (3) OF THIS SECTION.

(9) FOLLOWING CONVERSION PURSUANT TO THIS SECTION, A PUBLIC SCHOOL OF A SCHOOL DISTRICT SHALL CONTINUE TO BE SUBJECT TO THE PROVISIONS OF THIS ARTICLE."

Renumber succeeding section 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	14	NO	20	EXCUSED	1	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	E
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		

SB11-107 by Senator(s) Morse; also Representative(s) Barker--Concerning the recovery of noneconomic damages in a civil action concerning damages resulting from a DUI incident. 1
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Senator Scheffel moved to amend the Report of the Committee of the Whole to show that severed section B (page 1, lines 18 through 21, and page 2, lines 1 through 9) of the Judiciary Committee amendment to SB 11-107, did pass. 4
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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: 8
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YES	14	NO	20	EXCUSED	1	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	E
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		

HB11-1126 by Representative(s) Duran; also Senator(s) Hudak--Concerning measures to encourage greater parent involvement in public schools. 25
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Senators King K. and Hudak moved to amend the Report of the Committee of the Whole to show that the following amendment to HB 11-1126 did pass. 28
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Amend reengrossed bill, page 3, line 22, before "NOTICE" insert "INITIAL NOTICE OF THE DETERMINATION OR, IF THE DETERMINATION IS APPEALED, THE FINAL". 31
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Page 5, line 8, before "NOTICE" insert "INITIAL NOTICE OF THE DETERMINATION OR, IF THE DETERMINATION IS APPEALED, THE FINAL". 35
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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: 39
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YES	34	NO	0	EXCUSED	1	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	E
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		

SB11-107 by Senator(s) Morse; also Representative(s) Barker--Concerning the recovery of noneconomic damages in a civil action concerning damages resulting from a DUI incident. 56
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Senator Mitchell moved to amend the Report of the Committee of the Whole to show that SB 11-107, as amended, did not pass. 59
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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: 62
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YES	14	NO	20	EXCUSED	1	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	E
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 Boyd, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	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	E
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: SB11-179 as amended, SB11-173 as amended, SB11-107 as amended, HB11-1126 as amended, HB11-1185 as amended.
 Laid over until April 4: SB11-180 as amended, SB11-052, SB11-126, SB11-168, HB11-1160, HB11-1109, HB11-1268.

On motion of Senator Morse, and with a majority of those elected to the Senate having voted in the affirmative, the Consideration of House Amendments Calendar (SCR11-001, SB11-062, SB11-119) of Friday, April 1 was laid over until Monday, April 4, retaining its place on the calendar.

SENATE SERVICES REPORT

Correctly Engrossed: SJR11-029 and 030.
Correctly Enrolled: SB11-081, 082, 084, 115 and 198.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB11-198, HB11-1155, 1174.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Thursday, March 31, 2011, at 2:16 p.m.: SB11-008, 025, 039, 083, 120 and 198.

CHANGE IN SPONSORSHIP

Upon announcement of President Shaffer, Representative Bradford replaced Representative Holbert as the House prime sponsor on **SB11-206**.

INTRODUCTION OF RESOLUTIONS

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

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

SJR11-033 by Senator(s) Heath; --Concerning an interim commission to review the findings of any comprehensive tax study.
Legislative Council

INTRODUCTION OF BILLS -- FIRST READING

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

HB11-1146 by Representative(s) Massey; also Senator(s) Steadman--Concerning a requirement that a residence be integral to an agricultural operation in determining whether two acres or less associated with the residence satisfies the definition of agricultural land for property tax purposes.
Agriculture, Natural Resources, and Energy

HB11-1251 by Representative(s) Conti, Acree, Balmer, Brown, Kerr J., Summers, Swerdfeger; also Senator(s) Tochtrop--Concerning an exemption from the restrictions on window tinting for public safety vehicles.
Transportation

HB11-1269 by Representative(s) Miklosi, Gardner D.; also Senator(s) Tochtrop, Carroll--Concerning the limits on uncommitted reserves in cash funds.
Finance

HB11-1286 by Representative(s) Sonnenberg and Becker, Baumgardner, Brown, Coram, DelGrosso, Fischer, Hullinghorst, Joshi, McKinley, McNulty, Pace, Priola, Ramirez, Scott, Swalm, Wilson; also Senator(s) Schwartz, Brophy, Giron, Grantham, Guzman, Hodge, Jahn, Renfro, Tochtrop--Concerning the state engineer's rule-making authority in the case of dewatering of geologic formations by withdrawing nontributary ground water to facilitate the mining of minerals.
Agriculture, Natural Resources, and Energy

COMMITTEE OF REFERENCE REPORTS

Agriculture, Natural Resources, and Energy After consideration on the merits, the Committee recommends that **SB11-208** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 8, line 24, after "(a)" insert "(I) EXCEPT AS PROVIDED IN PARAGRAPH (b) OF THIS SUBSECTION (6): (A)".

Page 8, line 26, strike "(b)" and substitute "(B)".

Page 9, line 1, strike "(c)" and substitute "(II)" and strike "SUBSECTION (6)," and substitute "PARAGRAPH (a)".

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Page 9, line 2, strike "(I)" and substitute "(A)".	1
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Page 9, line 7, strike "(II)" and substitute "(B)".	3
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Page 9, after line 11 insert:	5
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"(b) THE BOARD MAY SPECIFY, BY MAJORITY VOTE, TYPES OF MATTERS UPON WHICH ACTION MAY BE TAKEN BY VOTE OF A SIMPLE MAJORITY. ANY SUCH MATTERS MAY THEREAFTER BE ACTED UPON BY A SIMPLE MAJORITY OF A QUORUM OF THE ENTIRE BOARD."	7
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Page 11, line 6, after the period insert "THE IMPLEMENTATION PLAN MUST TAKE INTO ACCOUNT THE REAFFIRMATION OF ASSENT TO THE PITTMAN-ROBERTSON AND DINGELL-JOHNSON ACTS UNDER SECTION 33-9-107."	12
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Page 11, line 8, after "ITS" insert "NAME,".	16
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Page 12, line 1, after the period add "THE BOARD SHALL NOT INCREASE ANY FEE OR CHARGE UNLESS THE INCREASE IS APPROVED BY THE GENERAL ASSEMBLY, ACTING BY BILL APPROVED BY THE GOVERNOR."	18
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Page 14, line 27, after "(1)" insert "(a)".	22
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Page 15, line 12, after the period add "THE REPORT MUST ALSO DESCRIBE ANY COST SAVINGS THAT ARE EXPECTED TO RESULT FROM THE MERGER OF THE FORMER DIVISION OF WILDLIFE AND THE FORMER DIVISION OF PARKS AND OUTDOOR RECREATION."	24
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Page 15, after line 12 insert:	29
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"(b) ON NOVEMBER 30, 2011, THE EXECUTIVE DIRECTOR SHALL SUBMIT TO THE MEMBERS OF THE HOUSE AGRICULTURE, LIVESTOCK, AND NATURAL RESOURCES COMMITTEE AND THE SENATE AGRICULTURE, NATURAL RESOURCES, AND ENERGY COMMITTEE, OR ANY SUCCESSOR COMMITTEES, AN INFORMAL PROGRESS REPORT THAT PROVIDES A GENERAL UPDATE ON THE BOARD'S EFFORTS TO CREATE THE IMPLEMENTATION PLAN AND THAT IDENTIFIES ANY APPARENT CURRENT, OUTSTANDING, OR REASONABLY ANTICIPATED ISSUES AND POTENTIAL SOLUTIONS TO THOSE ISSUES. THE REPORT MUST BE IN PAPER OR ELECTRONIC FORMAT, AND NEED NOT EXCEED THREE PAGES IN LENGTH."	31
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Page 15, line 19, after the period add "EACH SUCH REPORT MUST SUMMARIZE STAKEHOLDER OUTREACH CONDUCTED DURING THE PRIOR YEAR AND MUST ALSO IDENTIFY DISPOSITION OF ASSETS AND COST SAVINGS, BOTH PLANNED AND REALIZED, SINCE THE PREVIOUS YEAR, INCLUDING SAVINGS PERTAINING TO PERSONNEL, EQUIPMENT, SERVICES, AND PROVISIONING."	42
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Page 15, line 23, strike "33-1-118." and substitute "33-1-118, WHICH ASSENT PROHIBITS DIVERSION OF LICENSE FEES PAID BY HUNTERS AND SPORT FISHERMEN TO PURPOSES OTHER THAN ADMINISTRATION OF THE FISH AND WILDLIFE AGENCY."	49
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Page 17, after line 15 insert:	54
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"(c) ALL PERSONAL AND REAL PROPERTY ACQUIRED IN WHOLE OR IN PART WITH LICENSE FEES OR FEDERAL GRANT FUNDS IS SUBJECT TO ACCOUNTABILITY AND CONTROL BY THE DIVISION TO ASSURE THAT THE PROPERTY SERVES THE PURPOSE FOR WHICH IT WAS ORIGINALLY ACQUIRED THROUGHOUT ITS USEFUL LIFE."	56
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Page 20, line 7, strike "FUNDS AND" and substitute "FUNDS,".	62
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Page 20, line 9, strike "APPROPRIATED." and substitute "APPROPRIATED, AND TO ENSURE THAT APPROPRIATE RECORDS ARE MAINTAINED FOR AUDIT PURPOSES."	64
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Page 23, after line 16 insert:	68
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"SECTION 5. 24-77-102 (7) (b) (IV), Colorado Revised Statutes, is amended to read:

24-77-102. Definitions. As used in this article, unless the context otherwise requires:

(7) (b) "Grant" does not include:

(IV) Any moneys received by the division of PARKS AND wildlife, created in section ~~24-1-124 (3) (h) (f)~~ 33-9-104, from the great outdoors Colorado trust fund established in section 2 of article XXVII of the state constitution;"

Renumber succeeding sections accordingly.

Page 32, after line 21 insert:

"SECTION 13. The introductory portion to 24-33-109.5 (4) (a) and 24-33-109.5 (4) (a) (I) (D) and (4) (a) (I) (E), Colorado Revised Statutes, are amended to read:

24-33-109.5. Colorado kids outdoors grant program - created - fund created - rules - report - definitions - repeal. (4) (a) There is hereby created the Colorado kids outdoors advisory council to assist the executive director in implementing the grant program. The advisory council shall consist of ~~seven~~ SIX members as follows:

(I) The following ex officio members or their designees:

(D) The director of the division of parks and ~~outdoor recreation~~ WILDLIFE in the department of natural resources; and

(E) ~~The director of the division of wildlife in the department of natural resources; and~~

SECTION 14. 24-33.5-415.6 (7) and (8), Colorado Revised Statutes, are amended to read:

24-33.5-415.6. Offender identification - fund. (7) A surcharge of two dollars and fifty cents is hereby levied against each penalty assessment issued pursuant to section ~~33-6-104~~ OR 33-15-102, C.R.S., that results in payment of the penalty assessment without the commencement of a criminal action. All moneys collected by the division of PARKS AND wildlife in the department of natural resources pursuant to this subsection (7) shall be transmitted to the state treasurer, who shall credit the same to the fund.

~~(8) A surcharge of two dollars and fifty cents is hereby levied against each penalty assessment issued pursuant to section 33-15-102, C.R.S., that results in payment of the penalty assessment without the commencement of a criminal action. All moneys collected by the division of parks and outdoor recreation in the department of natural resources pursuant to this subsection (8) shall be transmitted to the state treasurer, who shall credit the same to the fund.~~

SECTION 15. The introductory portion to 30-25-302 (1) (a), 30-25-302 (1) (b), (3), (4) (a), and (6), Colorado Revised Statutes, are amended to read:

30-25-302. Eligibility - determination of impact - procedures - legislative declaration. (1) (a) Except as provided in section

33-60-104.5, C.R.S., for real property interests acquired with funds made available from the great outdoors Colorado trust fund, in any county in which the division of PARKS AND wildlife ~~or the division of parks and outdoor recreation or both divisions own~~ OWNS property, the board of county commissioners of ~~such~~ THE county shall certify once a year during the regular tax assessment period, to the PARKS AND wildlife ~~commission; to the board, of parks and outdoor recreation, or to both said commission and said board if both own land in such county;~~ the current dollar amount representing the negative financial impact that ~~such~~ THE ownership has on ~~such~~ THE county's finances and the finances of any political subdivision ~~which~~ THAT lies within ~~such~~ THE county. ~~The calculation of such~~ IN CALCULATING THE dollar amount, THE BOARD OF COUNTY COMMISSIONERS shall take into consideration the following factors:

~~(b) Any certification relating to land owned by the division of wildlife made pursuant to paragraph (a) of this subsection (1) shall be made to the wildlife commission. Any certification relating to land owned by the division of parks and outdoor recreation made pursuant to paragraph (a) of this subsection (1) shall be made to the board of parks and outdoor recreation.~~

(3) ~~The PARKS AND wildlife commission and the board of parks~~

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~~and outdoor recreation~~ shall review the dollar amounts certified to ~~them~~ pursuant to subsection (1) of this section and shall certify to the general assembly these dollar amounts. In making ~~their~~ ITS determinations, the PARKS AND wildlife ~~commission and the board of parks and outdoor recreation~~ shall consider the factors set forth in subsection (1) of this section and may consider any additional relevant factors. All certifications to the general assembly ~~shall~~ MUST include an explanation of the grounds upon which the determinations of the certified amounts are based. The PARKS AND wildlife ~~commission and the board of parks and outdoor recreation~~ shall include an estimate of the amount to be certified for impact assistance grants in their budget requests for each fiscal year.

(4) (a) The general assembly may make an appropriation in the form of an impact assistance grant to any county qualifying for such grant upon certification by the PARKS AND wildlife ~~commission or the board of parks and outdoor recreation~~ of the amount for ~~such~~ THE grant. Appropriations concerning lands owned by the division of PARKS AND wildlife ~~shall~~ MUST be made from the wildlife cash fund. Appropriations concerning lands owned by the division of parks and ~~outdoor recreation~~ ~~shall~~ WILDLIFE MUST be made from the general fund or the parks and outdoor recreation cash fund.

(6) The general assembly hereby finds and declares that the acquisition of large amounts of property by the division of PARKS AND wildlife, ~~or the division of parks and outdoor recreation~~, through the great outdoors Colorado program or otherwise, can have serious financial consequences for the counties and political subdivisions in which ~~such~~ THE property is located. It is therefore the intent of the general assembly that any plans for acquisition of property by the division of PARKS AND wildlife ~~or the division of parks and outdoor recreation~~ include provisions for the payment of impact assistance grants pursuant to this section or payments in lieu of taxes pursuant to section 33-60-104.5, C.R.S., whichever is applicable.

SECTION 16. 33-6-105 (1), Colorado Revised Statutes, is amended to read:

33-6-105. Disposition of fines and surcharges. (1) (a) Except as otherwise provided in paragraph (b) of this subsection (1), all moneys collected for fines under articles 1 to 6 of this title, either by payment of a penalty assessment or assessed by a court upon conviction and resulting from issuance of a citation by ~~an~~ A WILDLIFE officer of the division of PARKS AND wildlife, shall be transmitted to the state treasurer, who shall credit one-half to the general fund and one-half to the wildlife cash fund or, for offenses involving nongame wildlife, to the nongame and endangered wildlife cash fund.

(b) When an arrest has been made or the citation for any wildlife offense has been issued by ~~an~~ A PARK officer of the division of parks and ~~outdoor recreation~~ WILDLIFE or by any other Colorado peace officer, as defined in this title, the state treasurer shall credit one-half of the moneys collected to the general fund and one-half to the Colorado town, city, county, city and county, or state agency whose officer issued the citation.

SECTION 17. 33-10-106 (1) (e) and (1) (f), Colorado Revised Statutes, are amended to read:

33-10-106. Duties of the board - rules. (1) The board shall:

(e) Through the division, enforce the laws AND rules ~~and regulations~~ relating to parks and outdoor recreation areas; ~~and cooperate with the division of wildlife in the enforcement of the wildlife laws, rules, or regulations;~~

(f) ~~Cooperate with the division of wildlife to~~ Assure maximum development and protection of wildlife habitat consistent with park and outdoor recreation operations and provide full opportunity for the hunter and fisherman to harvest the surplus wildlife resources on all state park and outdoor recreation areas whenever public safety can be maintained;

SECTION 18. 33-11-109 (3), Colorado Revised Statutes, is amended to read:

33-11-109. Trail categories. (3) The board, through the division, is authorized to conduct studies, and to promulgate such rules ~~and regulations~~ as may be necessary for establishing and managing the Colorado greenway trails system. The board shall consult and cooperate with the ~~wildlife commission~~, Colorado water conservation board, transportation commission, Colorado water resources and power development authority, and all other appropriate units of state government

and political subdivisions of the state, including, but not limited to, any county, city, city and county, and water conservation and conservancy district; any other public and private persons; and any appropriate federal agencies to establish a Colorado greenway trails system which THAT minimizes adverse impacts on activities, natural features, and sensitive habitats adjacent to trails.

SECTION 19. 33-14-102 (1) (b), Colorado Revised Statutes, is amended to read:

33-14-102. Snowmobile registration - fees - applications - requirements - penalties - exemptions. (1) (b) The division shall employ snowmobile agents, including dealers and licensing agents serving as such for the division, ~~of wildlife~~, for snowmobile registration pursuant to ~~the provisions of~~ section 33-12-104. ~~Such~~ THE agents shall take the registration application and issue a temporary registration and shall forward the application to the division, which shall issue the registration. Snowmobile dealers employed as licensing agents for snowmobile registration ~~shall be~~ ARE authorized to issue annual registrations and shall retain a commission of up to one dollar, as authorized by the division, for each registration issued.

SECTION 20. 33-14-117 (1) (b) and (2), Colorado Revised Statutes, are amended to read:

33-14-117. Hunting, carrying weapons on snowmobiles - prohibitions. (1) It is unlawful for any person to:

(b) Operate or ride on any snowmobile with any firearm in his OR HER possession, unless such firearm is unloaded and enclosed in a carrying case or inserted in a scabbard, or with any bow unless it is unstrung or cased, but this paragraph (b) ~~shall~~ DOES not apply to any person to whom the division ~~of wildlife~~ has issued a permit for the control of predators such as coyotes, foxes, bobcats, and the like;

(2) Permits to use snowmobiles for the control of predators such as coyotes, foxes, bobcats, and the like may be issued by the division ~~of wildlife~~ or its district wildlife managers at no charge to persons applying therefor whose purpose is to protect livestock and other wildlife. ~~A notice of issuance of any such permit shall be given to the division by the division of wildlife.~~

SECTION 21. 33-14.5-102 (1) (b), Colorado Revised Statutes, is amended to read:

33-14.5-102. Off-highway vehicle registration - nonresident-owned or -operated off-highway vehicle permits - fees - applications - requirements - exemptions. (1) (b) The division shall employ off-highway vehicle agents, including dealers and licensing agents serving as such for the division, ~~of wildlife~~, for off-highway vehicle registration pursuant to ~~the provisions of~~ section 33-12-104. Upon receiving a registration application, an agent shall collect the fee specified pursuant to section 33-10-111 (5) and issue a temporary registration and shall forward the application to the division, which shall issue the registration. An agent may retain a commission of not in excess of one dollar, as authorized by the division, for each registration issued. Any ~~off-highway~~ POWERSPORTS VEHICLE dealer is authorized to issue a temporary registration when a person purchases an off-highway vehicle from such dealer.

SECTION 22. 33-14.5-106 (2) (b) (I) and (2) (b) (II), Colorado Revised Statutes, are amended to read:

33-14.5-106. Off-highway vehicle recreation fund - creation - use of moneys. (2) All moneys collected for fines imposed pursuant to the provisions of this article shall be distributed as follows:

(b) One-half of such amount collected shall be distributed as follows:

(I) If the citing officer is a ~~parks and recreation~~ PARK officer, ~~such~~ THE amount shall be transferred to the state treasurer and credited to the off-highway vehicle recreation fund; or

(II) If the citing officer is a ~~Colorado~~ wildlife officer or special wildlife officer, ~~such~~ THE amount shall be transferred to the state treasurer and credited to the wildlife cash fund; or

SECTION 23. 33-15-103 (1) (a), (1) (b) (II) (A), and (1) (b) (II) (B), Colorado Revised Statutes, are amended to read:

33-15-103. Disposition of fines - notice of court decisions. (1) (a) All moneys collected for fines under this article and articles 10 to 13 and 32 of this title, either by payment of a penalty assessment or

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assessed by a court upon conviction, shall be transmitted to the state treasurer, who shall credit such moneys to the parks and outdoor recreation cash fund; except that, when an arrest has been made or the citation for any offense, including those committed under article 14 of this title, has been issued by an officer of the division of PARKS AND wildlife, all moneys collected for the fine shall be transmitted to the state treasurer, who shall credit one-half to the wildlife cash fund and one-half to the general fund.

(b) All moneys collected for fines imposed pursuant to the provisions of article 14.5 of this title shall be distributed as follows:

(II) One-half of such amount collected shall be distributed as follows:

(A) If the citing officer is a ~~park and recreation~~ PARK officer, ~~such~~ THE amount shall be transferred to the state treasurer and credited to the off-highway vehicle recreation fund; or

(B) If the citing officer is a ~~Colorado~~ wildlife officer or special wildlife officer, ~~such~~ THE amount shall be transferred to the state treasurer and credited to the wildlife cash fund; or

SECTION 24. 33-32-108 (1) (b), the introductory portion to 33-32-108 (2) (b), and 33-32-108 (2) (b) (II) and (2) (b) (III), Colorado Revised Statutes, are amended to read:

33-32-108. Enforcement. (1) (b) As used in this section, "peace officer" means any ~~park and recreation officer or~~ division of PARKS AND wildlife officer or any sheriff or city and county law enforcement officer certified by the Colorado law enforcement training academy.

(2) (b) Pursuant to ~~the provisions of~~ paragraph (a) of this subsection (2), any expenses incurred by governmental entities stemming from search and rescue efforts ~~which~~ THAT are reimbursed by a river outfitter shall be distributed as follows:

(II) If to the division of parks and ~~outdoor recreation~~ WILDLIFE, ONE-HALF OF THE MONEYS SHALL BE credited to the parks and outdoor recreation cash fund, created in section 33-10-111, AND ONE-HALF SHALL BE CREDITED TO THE WILDLIFE CASH FUND, CREATED IN SECTION 33-1-112.

(III) ~~If to the division of wildlife, credited to the wildlife cash fund, created in section 33-1-112.~~

SECTION 25. 33-33-106 (2), Colorado Revised Statutes, is amended to read:

33-33-106. Colorado natural areas council. (2) The council ~~shall consist~~ CONSISTS of the following seven members: One member each from the membership of the board ~~the wildlife commission~~; and the state board of land commissioners appointed by their respective boards or commissions, who shall serve for three-year terms; and ~~four~~ FIVE members appointed by the governor, who shall be individuals with a substantial interest in the preservation of natural areas and who shall serve for four-year terms.

SECTION 26. 33-60-104.5 (6), Colorado Revised Statutes, is amended to read:

33-60-104.5. Property acquired by state agencies with funds from the great outdoors Colorado trust fund - payments in lieu of taxes - restrictions - legislative declaration. (6) The general assembly may make appropriations for the purpose of funding a state agency's share of payments in lieu of taxes to any county entitled to receive such payments. Appropriations concerning lands owned by the FORMER division of wildlife, AS IT EXISTED PRIOR TO THE EFFECTIVE DATE OF THIS SUBSECTION (6), AS AMENDED, shall be made from the wildlife cash fund. Appropriations concerning lands owned by the FORMER division of parks and outdoor recreation, AS IT EXISTED PRIOR TO THE EFFECTIVE DATE OF THIS SUBSECTION (6), AS AMENDED, shall be made from the parks and outdoor recreation cash fund.

SECTION 27. 34-60-103 (4.3) and (14), Colorado Revised Statutes, are amended, and the said 34-60-103 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

34-60-103. Definitions. As used in this article, unless the context otherwise requires:

(1.5) "PARKS AND WILDLIFE BOARD" OR "BOARD" MEANS THE PARKS AND WILDLIFE BOARD CREATED IN SECTION 33-9-101, C.R.S.

(4.3) "Division of PARKS AND wildlife" means the division of PARKS AND wildlife identified in ~~article~~ ARTICLE 9 of title 33, C.R.S.

(14) "Wildlife commission" means the ~~wildlife commission~~

~~created in section 33-1-103, C.R.S.~~ BOARD.".

Renumber succeeding sections accordingly.

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

for a terms expiring July 1, 2014:

Carolena Guiral Steen of Colorado Springs, Colorado, a Democrat, reappointed;

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
BOARD OF TRUSTEES FOR
ADAMS STATE COLLEGE

for terms expiring December 31, 2014:

Liane "Buffie" McFadyen of Pueblo West, Colorado, a Democrat, appointed;

Timothy L. Walters of Alamosa, Colorado, a Republican, reappointed.

Education

After consideration on the merits, the Committee recommends that **HB11-1145** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 2, line 14, strike "AND" and substitute "AND, FOR PERSONS HIRED ON OR AFTER AUGUST 10, 2011,".

Page 3, line 22, strike "AND" and substitute "AND, FOR PERSONS HIRED ON OR AFTER AUGUST 10, 2011,".

Page 4, line 25, strike "AND" and substitute "AND, FOR PERSONS HIRED ON OR AFTER AUGUST 10, 2011,".

Page 6, line 19, strike "AND" and substitute "AND, FOR PERSONS HIRED ON OR AFTER AUGUST 10, 2011,".

Page 7, line 27, strike "AND" and substitute "AND, FOR PERSONS HIRED ON OR AFTER AUGUST 10, 2011,".

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:

MEMBER OF THE
COLORADO COMMISSION ON THE AGING

for a term expiring July 1, 2012:

Ruth E. Long of Fort Collins, Colorado, to fill the vacancy occasioned by the resignation of Mark N. Shelton of Fort Collins, Colorado, and to serve as a representative from the Fourth Congressional District and as a Democrat, appointed.

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for terms expiring July 1, 2014:

Vivian Stovall of Denver, Colorado, to serve as a Democrat from Congressional District 1, reappointed;

Leanne Jo Abdnor of Boulder, Colorado, to serve as a representative from the Second Congressional District and as a Republican, appointed.

Health & Human Services

After consideration on the merits, the Committee recommends that **SB11-195** 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 printed bill, page 2, line 7, after "C.R.S.," insert "A PHYSICIAN ASSISTANT LICENSED PURSUANT TO SECTION 12-36-107.4, C.R.S.,".

Page 2, line 10, after "PHYSICIAN," insert "PHYSICIAN ASSISTANT," and strike "LICENSED" and substitute "AUTHORIZED".

Health & Human Services

After consideration on the merits, the Committee recommends that **SB11-200** be amended as follows, and as so amended, be referred to the Committee on Legislative Council with favorable recommendation.

Amend printed bill, page 4, line 24, strike "FUNCTIONS OF THE DIVISION OF INSURANCE" and substitute "DUTIES OF THE COMMISSIONER".

Page 4, line 25, strike "10-1-103," and substitute "10-1-108,".

Page 5, line 13, strike "BOARD. THE" and substitute "BOARD. THE GOVERNOR SHALL NOT APPOINT MORE THAN THREE MEMBERS FROM THE SAME POLITICAL PARTY. THE".

Page 9, line 25, strike "AND".

Page 9, after line 25 insert:

"(i) CONSIDER THE UNIQUE NEEDS OF RURAL COLORADANS AS THEY PERTAIN TO ACCESS, AFFORDABILITY, AND CHOICE IN PURCHASING HEALTH INSURANCE;

(j) CONSIDER THE AFFORDABILITY AND COST IN THE CONTEXT OF QUALITY CARE AND INCREASED ACCESS TO PURCHASING HEALTH INSURANCE; AND".

Page 9, line 26, strike "(i)" and substitute "(k)".

Page 12, line 22, strike "ARTICLE." and substitute "ARTICLE, EXCEPT FOR THE SUMS SPECIFIED IN SECTION 10-22-107 (3) AND FOR LEGISLATIVE STAFF AGENCY SERVICES.".

Health & Human Services

After consideration on the merits, the Committee recommends that **SB11-192** be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation.

Amend printed bill, strike everything below the enacting clause and substitute:

SECTION 1. 24-34-104 (42) (i) and (52), Colorado Revised Statutes, are amended to read:

24-34-104. General assembly review of regulatory agencies and functions for termination, continuation, or reestablishment.

(42) The following agencies, functions, or both, shall terminate on July 1, 2011:

(i) ~~The electronic prescription drug monitoring program, created in part 7 of article 22 of title 12, C.R.S.;~~

(52) The following agencies, functions, or both, shall terminate on July 1, 2021:

(a) The workers' compensation classification appeals board,

created in article 55 of title 8, C.R.S.

(b) THE ELECTRONIC PRESCRIPTION DRUG MONITORING PROGRAM CREATED IN PART 7 OF ARTICLE 22 OF TITLE 12, C.R.S.

SECTION 2. 12-22-710, Colorado Revised Statutes, is amended to read:

12-22-710. Repeal of part. This part 7 is repealed, effective July 1, 2011. Prior to such repeal, the functions under this part 7 and the committee shall be reviewed as provided in sections 2-3-1203 and SECTION 24-34-104, C.R.S.

SECTION 3. Repeal. 2-3-1203 (3) (x) (IV), Colorado Revised Statutes, is repealed as follows:

2-3-1203. Sunset review of advisory committees. (3) The following dates are the dates for which the statutory authorization for the designated advisory committees is scheduled for repeal:

(x) July 1, 2011:

(IV) ~~The prescription controlled substance abuse monitoring advisory committee created in section 12-22-703, C.R.S.;~~

SECTION 4. 12-22-701 (1), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

12-22-701. Legislative declaration. (1) The general assembly finds, determines, and declares that:

(d) ELECTRONIC MONITORING OF PRESCRIPTIONS FOR CONTROLLED SUBSTANCES PROVIDES A MECHANISM FOR LAW ENFORCEMENT OFFICIALS AND REGULATORY BOARDS TO EFFICIENTLY INVESTIGATE PRESCRIBER BEHAVIOR THAT IS POTENTIALLY HARMFUL TO THE PUBLIC.

SECTION 5. Repeal. 12-22-702 (2), Colorado Revised Statutes, is repealed as follows:

12-22-702. Definitions. As used in this part 7, unless the context otherwise requires:

(2) ~~"Committee" means the prescription controlled substance abuse monitoring advisory committee;~~

SECTION 6. Repeal. 12-22-703, Colorado Revised Statutes, is repealed as follows:

12-22-703. Advisory committee - duties - repeal. ~~(1) There is hereby created within the division, the prescription controlled substance abuse monitoring advisory committee. The committee shall consist of the following eleven members:~~

- ~~(a) The director of the division or his or her designee;~~
- ~~(b) A pharmacist appointed by the board;~~
- ~~(c) Three physicians appointed by the Colorado medical board; one of which is a pain specialist or addiction specialist;~~
- ~~(d) A dentist appointed by the state board of dental examiners;~~
- ~~(e) A veterinarian appointed by the state board of veterinary medicine;~~
- ~~(f) The director of the division of alcohol and drug abuse in the department of human services or his or her designee; and~~
- ~~(g) Three persons appointed by the committee, one of which is a representative of law enforcement.~~

~~(2) The committee shall advise and assist the board with the development, operation, and maintenance of the electronic prescription drug monitoring program, and with the development of access and security protocols for the program. The committee shall advise the board regarding mandatory information to be reported for inclusion in the program.~~

~~(3) Committee members shall not receive compensation or reimbursement for expenses associated with service on the committee.~~

~~(4) This section is repealed, effective July 1, 2011. Prior to such repeal, the committee shall be reviewed as provided in section 2-3-1203, C.R.S.~~

SECTION 7. The introductory portion to 12-22-704 (1) and 12-22-704 (2), Colorado Revised Statutes, are amended, and the said 12-22-704 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

12-22-704. Prescription drug use monitoring program.

(1) The board shall develop or procure a prescription controlled substance electronic program to track prescriptions written for controlled substances DISPENSED in Colorado. The program shall track information regarding controlled substance prescriptions that includes, but is not limited to, the following:

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(1.5) EACH PRESCRIBER SHALL DISCLOSE TO A PATIENT RECEIVING A CONTROLLED SUBSTANCE THAT HIS OR HER IDENTIFYING PRESCRIPTION INFORMATION WILL BE ENTERED INTO THE PROGRAM DATABASE AND MAY BE ACCESSED FOR LIMITED PURPOSES BY SPECIFIED INDIVIDUALS.

(2) The board ~~and the committee~~ shall establish a method and format for prescription drug outlets to convey the necessary information to the board or its designee. The method shall not require more than a one-time entry of data per patient per prescription by a prescription drug outlet.

SECTION 8. 12-22-705 (1) and (2), the introductory portion to 12-22-705 (3), and 12-22-705 (3) (d) and (3) (e), Colorado Revised Statutes, are amended, and the said 12-22-705 (3) is further amended BY THE ADDITION OF THE FOLLOWING NEW PARAGRAPHS, to read:

12-22-705. Program operation - access - rules. (1) The board shall operate and maintain the program. ~~The committee shall advise and assist the board. The committee shall meet at least quarterly during the first two years of the program.~~

(2) The board shall adopt all rules necessary to implement the program. ~~The committee shall advise the board regarding proposed rules.~~

(3) The program ~~shall be~~ IS available for query only to the following persons or groups of persons:

(d) Licensed pharmacists with statutory authority to dispense controlled substances to the extent the information requested relates specifically to a current patient to whom the pharmacist is dispensing or considering dispensing a controlled substance OR TO WHOM THE PHARMACIST IS PROVIDING CLINICAL PATIENT CARE SERVICES;

(e) Law enforcement officials so long as the information released is specific to an individual PATIENT OR PRESCRIBER and is part of a bona fide investigation and the request for information is accompanied by an official court order or subpoena; ~~and~~

(g) STATE REGULATORY BOARDS WITHIN THE DIVISION AND THE DIRECTOR OF THE DIVISION SO LONG AS THE INFORMATION RELEASED IS SPECIFIC TO AN INDIVIDUAL PRESCRIBER AND IS PART OF A BONA FIDE INVESTIGATION AND THE REQUEST FOR INFORMATION IS ACCOMPANIED BY AN OFFICIAL COURT ORDER OR SUBPOENA; AND

(h) A RESIDENT PHYSICIAN WITH AN ACTIVE PHYSICIAN TRAINING LICENSE ISSUED BY THE COLORADO MEDICAL BOARD PURSUANT TO SECTION 12-36-122 AND UNDER THE SUPERVISION OF A LICENSED PHYSICIAN.

SECTION 9. 12-22-706 (5), Colorado Revised Statutes, is amended to read:

12-22-706. Prescription drug monitoring fund - creation - gifts, grants, and donations - fee. (5) If, based upon the appropriations for the direct and indirect costs of the program, there are insufficient funds to maintain the program, the ~~board~~ DIVISION may collect a AN ANNUAL fee of no more than ~~seven dollars and fifty cents per year~~ TWELVE DOLLARS OR AN AMOUNT THAT REFLECTS THE ACTUAL COSTS OF THE PROGRAM, WHICHEVER IS LESS, from an individual who holds a license from the division that authorizes him or her to prescribe a controlled substance as defined by section 18-18-102, C.R.S. The fee shall be established pursuant to section 24-34-105, C.R.S., and shall be collected in conjunction with the license renewal fees collected pursuant to section 24-34-105, C.R.S. Moneys collected pursuant to this subsection (5) shall be credited to the prescription drug monitoring fund created in subsection (1) of this section.

SECTION 10. 12-22-707, Colorado Revised Statutes, is amended to read:

12-22-707. Violations - penalties. A person who knowingly releases, obtains, or attempts to obtain information from the program in violation of this part 7 shall be punished by a civil fine of not less than one thousand dollars and not more than ten thousand dollars for each violation. Fines paid shall be deposited in the ~~prescription drug monitoring~~ GENERAL fund.

SECTION 11. 12-22-709 (2), Colorado Revised Statutes, is amended to read:

12-22-709. Exemption - waiver. (2) A prescription drug outlet that does not report controlled substance data to the program due to a lack of electronic automation of the outlet's business may apply to the board

for a waiver from the reporting requirements. ~~The committee shall determine whether a waiver shall be granted.~~

SECTION 12. Effective date - applicability. This act shall take effect July 1, 2011, and shall apply to conduct occurring on or after said date.

SECTION 13. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety."

Finance

After consideration on the merits, the Committee recommends that **HB11-1100** be referred to the Committee on Appropriations with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **HB11-1230** 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 8, line 14, strike "**Appropriation - adjustments in the 2011 long bill.**" and substitute "**Appropriation.**".

Page 8, line 17, strike "one hundred ninety-four thousand two hundred ninety-eight" and substitute "two hundred sixteen thousand seven hundred thirteen".

Page 8, line 18, strike "\$1,194,298" and substitute "\$1,216,713".

Page 8, line 24, strike "fifty-five thousand one hundred" and substitute "eighty-four thousand four hundred thirty dollars".

Page 8, line 25, strike "fifteen dollars (\$18,855,115)" and substitute "\$18,884,430".

Page 9, strike lines 16 through 27 and substitute:

"SECTION 7. Appropriation - adjustments in 2011 long bill.

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

(1) The appropriation for mental health and alcohol and drug abuse services, administration, for supportive housing and homeless programs, is decreased by twenty million seventy-one thousand eight hundred twenty-eight dollars (\$20,071,828) and 19.0 FTE. Said sum shall be from federal funds received from the United States department of housing and urban development.

(2) The appropriation to the office of operations, for personal services, is decreased by twenty-eight thousand eight hundred forty dollars (\$28,840) and 0.5 FTE. Said sum shall be from federal funds received from the United States department of housing and urban development.

(3) The appropriation to the office of operations, for operating expenses, is decreased by four hundred seventy-five dollars (\$475). Said sum shall be from federal funds received from the United States department of housing and urban development."

Page 10, strike lines 1 through 10.

Renumber succeeding sections accordingly.

Appropriations

After consideration on the merits, the Committee recommends that **SB11-197** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 4, after line 8 insert:

"SECTION 3. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the

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Colorado state titling and registration account of the highway users tax fund created in section 42-1-211 (2), Colorado Revised Statutes, not otherwise appropriated, to the department of revenue, for allocation to the information technology division, for the fiscal year beginning July 1, 2011, the sum of two thousand nine hundred sixty dollars (\$2,960) cash funds, or so much thereof as may be necessary, for the implementation of this act.

(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 technology, for the fiscal year beginning July 1, 2011, the sum of two thousand nine hundred sixty dollars (\$2,960), or so much thereof as may be necessary, for the programming services to be provided 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 made in subsection (1) of this section.

(3) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the license plate cash fund created in section 42-3-301 (1) (b), Colorado Revised Statutes, not otherwise appropriated, to the department of revenue, for allocation to the division of motor vehicles, for the fiscal year beginning July 1, 2011, the sum of seventeen thousand seven hundred sixty dollars (\$17,760) cash funds, or so much thereof as may be necessary, for the implementation of this act."

Renumber succeeding section accordingly.

Page 1, line 102, strike "PLATE." and substitute "PLATE, AND MAKING AN APPROPRIATION THEREFOR."

Appropriations After consideration on the merits, the Committee recommends that **HB11-1234** be referred to the Committee of the Whole with favorable recommendation.

Appropriations After consideration on the merits, the Committee recommends that **HB11-1198** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Appropriations After consideration on the merits, the Committee recommends that **HB11-1182** be referred to the Committee of the Whole with favorable recommendation.

Appropriations After consideration on the merits, the Committee recommends that **HB11-1156** 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, after line 21 insert:

SECTION 3. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the conservation district grant fund created in section 35-1-106.7 (1), Colorado Revised Statutes, not otherwise appropriated, to the department of agriculture, for allocation to the conservation board, for matching grants to districts, for the fiscal year beginning July 1, 2011, the sum of four hundred fifty thousand dollars (\$450,000) cash funds, or so much thereof as may be necessary, for the implementation of this act."

Renumber succeeding section accordingly.

Page 1, line 102, strike "REVENUES." and substitute "REVENUES, AND MAKING AN APPROPRIATION THEREFOR."

Appropriations After consideration on the merits, the Committee recommends that **HB11-1042** 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 HB11-1004 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
	Amend reengrossed bill, page 3, line 19 strike "for the" and substitute "for the provision of".	5 6 7 8
Appropriations	After consideration on the merits, the Committee recommends that HB11-1071 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	9 10 11 12
	Amend reengrossed bill, page 6, line 2 strike "the programming" and substitute "the provision of programming".	13 14 15 16
Appropriations	After consideration on the merits, the Committee recommends that SB11-191 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.	17 18 19 20
	Amend printed bill, page 98, after line 18 insert:	21 22
	SECTION 6. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the department of state cash fund created in section 24-21-104 (3) (b), Colorado Revised Statutes, not otherwise appropriated, to the department of state, for the fiscal year beginning July 1, 2011, the sum of twenty thousand one hundred twenty-eight dollars (\$20,128) cash funds, or so much thereof as may be necessary, for the implementation of this act."	23 24 25 26 27 28 29 30
	Renumber succeeding section accordingly.	31 32
	Page 1, line 102, strike "ACT"." and substitute "ACT", AND MAKING AN APPROPRIATION THEREFOR."	33 34 35 36
Appropriations	After consideration on the merits, the Committee recommends that HB11-1080 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.	37 38 39 40
	Amend reengrossed bill, page 29, line 12, after "FTE." insert:	41 42 43
	"Of said sum, one hundred twenty-eight thousand eight hundred twenty-three dollars (\$128,823) shall be from the address confidentiality program surcharge fund created in section 24-30-2114 (4) (a), Colorado Revised Statutes, and thirty-six thousand one hundred thirty-eight dollars (\$36,138) shall be from the victims assistance and law enforcement fund created in section 24-33.5-506 (1), Colorado Revised Statutes."	44 45 46 47 48 49 50
Appropriations	After consideration on the merits, the Committee recommends that HB11-1216 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	51 52 53 54
	Amend reengrossed bill, page 3, after line 19 insert:	55 56 57
	"(3) "NONPROFIT ENTITY" MEANS AN ENTITY INCORPORATED UNDER THE "COLORADO REVISED NONPROFIT CORPORATION ACT", ARTICLES 121 TO 137 OF TITLE 7, C.R.S., OR A TAX-EXEMPT ENTITY UNDER 26 U.S.C. SEC. 501 (c) (3) OF THE FEDERAL "INTERNAL REVENUE CODE OF 1986"."	58 59 60 61 62 63
	Renumber succeeding subsection accordingly.	64 65
	Page 8, line 10, after "C.R.S." insert "THE COMMITTEE SHALL NOT USE MORE THAN FIVE PERCENT OF THE MONEY IN THE FUND TO ADMINISTER THIS PART 11."	66 67 68 69

Page 8, line 18, strike "2021." and substitute "2016."

Page 8, line 22, strike "24-34-104," and substitute "24-34-104 (47.5),".

Page 8, line 23, strike "SUBSECTION" and substitute "PARAGRAPH".

Page 8, strike lines 26 and 27 and substitute "(47.5) The following agencies, functions, or both, shall terminate on September 1, 2016:".

Page 9, line 1, strike "(a)" and substitute "(c)".

Page 15, strike lines 5 through 9 and substitute:

"(III) IF ANY MONEYS REMAIN IN THE REGISTRATION NUMBER FUND AFTER THE TRANSFERS REQUIRED BY SUBPARAGRAPHS (I) AND (II) OF THIS PARAGRAPH (a), THE STATE TREASURER SHALL TRANSFER ONE MILLION FIVE HUNDRED THOUSAND DOLLARS, OR THE BALANCE OF THE REGISTRATION NUMBER FUND IF THE BALANCE IS A LESSER AMOUNT, FROM THE REGISTRATION NUMBER FUND TO THE DISABILITY-BENEFIT SUPPORT FUND CREATED BY SECTION 26-2-1105, C.R.S.

(IV) IF ANY MONEYS REMAIN IN THE REGISTRATION NUMBER FUND AFTER THE TRANSFERS REQUIRED BY SUBPARAGRAPHS (I) TO (III) OF THIS PARAGRAPH (a), THE STATE TREASURER SHALL TRANSFER THE BALANCE FROM THE REGISTRATION NUMBER FUND TO THE GENERAL FUND."

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 1 was laid over until Monday, April 4, retaining its place on the calendar.

Consideration of Resolutions: SJR11-005, SJR11-009, SJR11-015, SJR11-023, SJR11-024, SJR11-026.
Conference Committees to Report: HB11-1258.
Requests for Conference Committee: SB11-165.

On motion of Senator Morse, the Senate adjourned until 10:00 a.m., Monday, April 4, 2011.

Approved:

Brandon C. Shaffer
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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