

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

84th Legislative Day

Tuesday, April 5, 2011

Prayer	By the chaplain, Rabbi Eliot J. Baskin, Jewish Family Services of Colorado, Denver.	1
Call to Order	By the President at 9:00 a.m.	2
Pledge	By Senator Aguilar.	3
Roll Call	Present--33 Excused--2, Kopp, Mitchell. Present later--1, Mitchell.	4 5 6
Quorum	The President announced a quorum present.	7
Reading of Journal	On motion of Senator Grantham, reading of the Journal of Monday, April 4, 2011, was dispensed with and the Journal was approved as corrected by the Secretary.	8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26

INTRODUCTION OF MEMORIALS

The following memorial was read by title:

SJM11-001 by Senator(s) Roberts; also Representative(s) Brown--Memorializing former Senator Robert E. DeNier.

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

INTRODUCTION OF BILLS -- FIRST READING:

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

SB11-227 by Senator(s) Hudak, Bacon, Boyd, Heath, Williams S.; also Representative(s) Vaad and Ryden--Concerning a repeal of the exception to the child restraint system law for children weighing more than forty pounds who are being transported in a motor vehicle with a rear seat that was not equipped with combination belts at the time of manufacture.
Health and Human Services

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:

SB11-173 by Senator(s) King S., King K., Morse, Shaffer B., Cadman, Carroll, Giron, Kopp, Roberts, Spence; also Representative(s) Gardner B. and Fields--Concerning interoperable communications in schools.

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

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

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

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

Co-sponsors added: Aguilar, Boyd, Brophy, Foster, Grantham, Guzman, Heath, Hodge, Hudak, Jahn, Lambert, Newell, Nicholson, Schwartz, Tochtrop, White and Williams S.

SENATE SERVICES REPORT

Correctly Reengrossed: SB11-107 and 179.
Correctly Revised: HJR11-1013.
Correctly Rerevised: HB11-1126, 1164 and 1185.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB11-007, 081, 082, 084, 110, 115 and 175.

Senate in recess. Senate reconvened.

Call of the Senate. Call raised.

MESSAGE FROM THE HOUSE

April 5, 2011

Mr. President:

The House has adopted the First Report of the First Conference Committee on HB11-1069, as printed in House Journal, March 31, page 844, and has repassed the bill as amended.

The House has voted to concur in the Senate amendments to HB11-1169, 1181, 1126 and has repassed the bill as so amended.

The Speaker has appointed Representatives B. Gardner, chairman, A. Kerr, and DelGrosso as House conferees on the First Conference Committee on SB11-165.

INTRODUCTION OF BILLS -- FIRST READING

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

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
70
71
72

- SB11-209** by Senator(s) Hodge, Steadman, Lambert; --Concerning the provision for payment of the expenses of the executive, legislative, and judicial departments of the state of Colorado, and of its agencies and institutions, for and during the fiscal year beginning July 1, 2011, except as otherwise noted.
Appropriations
- SB11-210** by Senator(s) Hodge, Steadman, Lambert; --Concerning the elimination of the supplemental old age pension health and medical care program, and, in connection therewith, providing for the transfer of the fund balance of the supplemental old age pension health and medical care fund to the general fund, authorizing the use of moneys in the tobacco tax cash fund to provide services under medicaid for the medical care of old age pensioners, and making an appropriation.
Appropriations
- SB11-211** by Senator(s) Hodge, Steadman, Lambert; --Concerning the use of tobacco tax revenue for health-related purposes during a state fiscal emergency, and making an appropriation therefor.
Appropriations
- SB11-212** by Senator(s) Hodge, Steadman, Lambert; --Concerning authority for an additional permissible use of moneys in the hospital provider fee cash fund for state medicaid expenditures to offset state general fund expenditures for the next two fiscal years, and making an appropriation therefor.
Appropriations
- SB11-213** by Senator(s) Hodge, Steadman, Lambert; --Concerning enrollee cost-sharing for children enrolled in the children's basic health plan, and making an appropriation therefor.
Appropriations
- SB11-214** by Senator(s) Hodge, Steadman, Lambert; --Concerning decommissioning Fort Lyon correctional facility.
Appropriations
- SB11-215** by Senator(s) Hodge, Steadman, Lambert; --Concerning a reduction in the general fund portion of the per diem rates paid to nursing facilities for the 2011-12 fiscal year, and making an appropriation therefor.
Appropriations
- SB11-216** by Senator(s) Hodge, Steadman, Lambert; --Concerning the reduction of general fund appropriations for the children's basic health plan by reallocating tobacco-related revenue streams, and, in connection therewith, abolishing the pediatric specialty hospital fund and the supplemental tobacco litigation settlement money account in the pediatric specialty hospital fund, abolishing the comprehensive primary and preventive care fund, abolishing the comprehensive primary and preventive care grant program, and making an appropriation.
Appropriations
- SB11-217** by Senator(s) Hodge, Steadman, Lambert; --Concerning a reduction to the juvenile detention bed cap, and making an appropriation in connection therewith.
Appropriations
- SB11-218** by Senator(s) Hodge, Steadman, Lambert; --Concerning the transfer of moneys from certain cash funds to the state education fund.
Appropriations
- SB11-219** by Senator(s) Hodge, Steadman, Lambert; --Concerning moneys appropriated in the 2011-12 fiscal year for health clinics, and making an appropriation therefor.
Appropriations

- SB11-220** by Senator(s) Hodge, Steadman, Lambert; --Concerning a reduction in the mileage allowance for the use of a personal motor vehicle for official state business.
Appropriations
- SB11-221** by Senator(s) Hodge, Steadman, Lambert; --Concerning contributions to pay the unfunded accrued liability of old hire pension plans that are affiliated with the fire and police pension association, and making an appropriation therefor.
Appropriations
- SB11-222** by Senator(s) Hodge, Steadman, Lambert; --Concerning transfers of moneys relating to capital construction.
Appropriations
- SB11-223** by Senator(s) Hodge, Steadman, Lambert; --Concerning state sales tax revenues retained by a vendor as compensation for expenses incurred by the vendor in the collection and remittance of such tax revenues to the state.
Appropriations
- SB11-224** by Senator(s) Hodge, Steadman, Lambert; --Concerning the suspension of annual increases in the percentage of tobacco litigation settlement moneys received by the state that are allocated to the nurse home visitor program.
Appropriations
- SB11-225** by Senator(s) Hodge, Steadman, Lambert; --Concerning the short-term innovative health program grant fund, and, in connection therewith, transferring the balance of the grant fund to the general fund at the end of the 2011-12 fiscal year and terminating all existing statutory transfers to the grant fund other than its percentage-based base allocation of tobacco litigation settlement moneys after the 2010-11 fiscal year.
Appropriations
- SB11-226** by Senator(s) Hodge, Steadman, Lambert; --Concerning the augmentation of the general fund through transfers of certain moneys, and making an appropriation in connection therewith.
Appropriations
- SB11-228** by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Gerou, Becker, Ferrandino--Concerning the formula by which moneys shall be advanced to a county from the county tax base relief fund in the event that appropriations are insufficient to cover all advancements.
Appropriations
- SB11-229** by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Ferrandino, Becker, Gerou--Concerning increasing the statutory cap on administrative expenses for the school counselor corps grant program.
Appropriations
- SB11-230** by Senator(s) Bacon; also Representative(s) Massey--Concerning the financing of public schools.
Appropriations

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB11-1013, 1124, 1130, 1192, 1206, HJR11-1013.

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, April 5 was laid over until Wednesday, April 6, retaining its place on the calendar.

General Orders -- Second Reading of Bills -- Consent Calendar: SB11-195, HB11-1230, HB11-1198, HB11-1156, HB11-1004, SB11-191, HB11-1080. 1
 General Orders -- Second Reading of Bills: SB11-180, SB11-052, SB11-126, 2
 SB11-168, HB11-1160, HB11-1109, HB11-1268, SB11-060, SB11-194, SB11-193, 3
 SB11-201, SB11-189, SB11-206, SB11-208, SB11-197, HB11-1234, HB11-1182, 4
 HB11-1042, HB11-1071, HB11-1216. 5
 Consideration of Resolutions: SJR11-005, SJR11-009, SJR11-015, SJR11-023, 6
 SJR11-024, SJR11-026, SJR11-032. 7
 Consideration of House Amendments to Senate Bills: SCR11-001, SB11-062, 8
 SB11-119, SB11-034. 9
 Consideration of Governor's Appointments: 10
 Member of the Board of Trustees for the Colorado School for the Deaf and the Blind 11
 Members of the Board of Trustees for Adams State College 12
 Members of the Colorado Commission on the Aging 13
 Conference Committees to Report: HB11-1258. 14
 Requests for Conference Committee: SB11-165. 15



On motion of Senator Morse, the Senate adjourned until 9:00 a.m., Wednesday, April 6, 2011. 16
 17
 18
 19
 20

Approved: 21
 22
 23

Brandon C. Shaffer 24
 President of the Senate 25
 26
 27

Attest: 28
 29
 30

Cindi L. Markwell 31
 Secretary of the Senate 32
 33
 34
 35
 36