

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

111th Legislative Day Monday, May 2, 2011

- Prayer 11
By the chaplain, Father Eustace Sequeira, St. Ignatius Loyola Catholic Church, Denver. 12
- Call to Order 13
By the President at 10:00 a.m. 14
- Pledge 15
By Senator Giron. 16
- Roll Call 17
Present--33 18
Excused--2, Kopp, Mitchell. 19
Present later--1, Mitchell. 20
- Quorum 21
The President announced a quorum present. 22
- Reading of Journal 23
On motion of Senator King S., reading of the Journal of Friday, April 29, 2011, was 24
dispensed with and the Journal was approved as corrected by the Secretary. 25

**THIRD READING OF BILLS -- FINAL PASSAGE --
 CONSENT CALENDAR**

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

SB11-254 by Senator(s) Steadman, Carroll; also Representative(s) Pace--Concerning statutory changes to improve practices for persons under community supervision.

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

YES	34	NO	0	EXCUSED	1	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	Y	Steadman	Y
Cadman	Y	Hudak	Y	Morse	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

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

Co-sponsors added: Aguilar, Boyd, Foster, Giron, Guzman, Heath, Newell and Williams S.

SB11-256 by Senator(s) Guzman and King S.; also Representative(s) Kerr J. and Ferrandino-- Concerning graffiti.

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

YES	34	NO	0	EXCUSED	1	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	Y	Steadman	Y
Cadman	Y	Hudak	Y	Morse	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

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

Co-sponsors added: Aguilar, Foster, Newell and Williams S.

SB11-176 by Senator(s) Carroll; also Representative(s) Levy--Concerning appropriate use of restrictive confinement, and making an appropriation in connection therewith.

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

YES	34	NO	0	EXCUSED	1	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	Y	Steadman	Y
Cadman	Y	Hudak	Y	Morse	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

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

Co-sponsors added: Aguilar, Boyd, Foster, Giron, Guzman, Heath, Hudak, Jahn, King S., Newell, Nicholson, Steadman, Tochtrop and Williams S.

SB11-247 by Senator(s) Hudak; also Representative(s) Kerr J.--Concerning the repeal of the Colorado early childhood council advisory team, and making an appropriation therefor.

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

YES	34	NO	0	EXCUSED	1	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	Y	Steadman	Y
Cadman	Y	Hudak	Y	Morse	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

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

Co-sponsors added: Boyd, Newell, Steadman and Williams S.

SB11-235 by Senator(s) Giron; also Representative(s) Pace and Swerdfeger--Concerning methods to reduce the air quality permit application backlog, and, in connection therewith, authorizing the use of nongovernmental air quality modeling engineers for purposes of permit application approvals and making an appropriation.

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

YES	34	NO	0	EXCUSED	1	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	Y	Steadman	Y
Cadman	Y	Hudak	Y	Morse	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

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

Co-sponsors added: Boyd, Foster, Grantham, Guzman, Hodge, Jahn and Williams S.

SB11-238

by Senator(s) Nicholson, Aguilar, Bacon, Boyd, Brophy, Carroll, Foster, Giron, Grantham, Guzman, Harvey, Heath, Hodge, Hudak, Jahn, Johnston, King K., King S., Morse, Newell, Roberts, Schwartz, Spence, Steadman, Tochtrop, White, Williams S.; also Representative(s) Coram and Wilson--Concerning the extension of the annual transfers of federal mineral lease revenues to the wildfire preparedness fund.

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

YES	34	NO	0	EXCUSED	1	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	Y	Steadman	Y
Cadman	Y	Hudak	Y	Morse	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

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

THIRD READING OF BILLS -- FINAL PASSAGE

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

SB11-109

by Senator(s) Shaffer B.; also Representative(s) Solano--Concerning the creation of a voluntary contribution designation benefiting the public education fund to appear on the state individual income tax return forms, and making an appropriation therefor.

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

YES	26	NO	8	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	E	Scheffel	N
Bacon	Y	Harvey	N	Lambert	N	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	N	Spence	Y
Brophy	Y	Hodge	Y	Mitchell	Y	Steadman	Y
Cadman	N	Hudak	Y	Morse	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	N
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	N	President	Y
Grantham	N	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, Bacon, Giron, Guzman, Heath, Hudak, Newell, Nicholson, Schwartz, Steadman and Williams S.

SB11-080

by Senator(s) Hudak, Bacon, Giron, Guzman, Morse, Newell, Nicholson, Steadman; also Representative(s) Todd, Lee--Concerning expanding the transparency of strategies for school turnaround plans.

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

YES	20	NO	14	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	E	Scheffel	N
Bacon	Y	Harvey	N	Lambert	N	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	N	Spence	N
Brophy	N	Hodge	Y	Mitchell	N	Steadman	Y
Cadman	N	Hudak	Y	Morse	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	N
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	N	Renfroe	N	President	Y
Grantham	N	King S.	N	Roberts	N		

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

Co-sponsors added: Aguilar, Carroll and Williams S.

SB11-052

by Senator(s) Heath, Bacon, King K.; also Representative(s) Massey, Ferrandino--Concerning expectations for higher education institutions in Colorado, and making an appropriation in connection therewith.

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

YES	23	NO	11	EXCUSED	1	ABSENT	0
Aguilar	N	Guzman	Y	Kopp	E	Scheffel	Y
Bacon	Y	Harvey	N	Lambert	N	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	N	Spence	Y
Brophy	N	Hodge	Y	Mitchell	N	Steadman	Y
Cadman	N	Hudak	N	Morse	Y	Tochtrop	Y
Carroll	N	Jahn	Y	Newell	Y	White	Y
Foster	N	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	N	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: Nicholson and Williams S.

SB11-241 by Senator(s) King S. and Carroll; also Representative(s) Gardner B. and Kagan-- Concerning changes related to the operation of the parole board, and making an appropriation in connection therewith.

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

YES	34	NO	0	EXCUSED	1	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	Y	Steadman	Y
Cadman	Y	Hudak	Y	Morse	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

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

Co-sponsors added: Aguilar, Boyd, Giron, Guzman, Heath, Jahn, Morse, Newell, Steadman and Tochtrop.

SB11-260 by Senator(s) Morse; also Representative(s) Lee--Concerning safety procedures related to the towing of vehicles.

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

YES	34	NO	0	EXCUSED	1	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	Y	Steadman	Y
Cadman	Y	Hudak	Y	Morse	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

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

Co-sponsors added: Carroll, Giron, King K., King S., Shaffer B., Tochtrop and Williams S.

SB11-253 by Senator(s) Carroll, Newell; also Representative(s) Williams A.--Concerning clarification of the requirements for registration of a unit owners' association under the "Colorado Common Interest Ownership Act".

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

YES	24	NO	10	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	E	Scheffel	N
Bacon	Y	Harvey	Y	Lambert	N	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	N	Spence	N
Brophy	N	Hodge	Y	Mitchell	N	Steadman	Y
Cadman	N	Hudak	Y	Morse	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	N
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	N	Renfroe	N	President	Y
Grantham	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-sponsor added: Williams S.

SB11-243 by Senator(s) Guzman; also Representative(s) Pabon--Concerning the repeal of the civil penalty for document fraud.

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

YES	30	NO	4	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	E	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	N	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	N	Spence	Y
Brophy	Y	Hodge	Y	Mitchell	Y	Steadman	Y
Cadman	N	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	N	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-sponsor added: Steadman

SB11-265 by Senator(s) Johnston and King S., Schwartz; also Representative(s) Duran and Scott--Concerning changing the name of Mesa state college to Colorado Mesa university.

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

YES	33	NO	1	EXCUSED	1	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	Y	Steadman	N
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-sponsor added: Foster

SB11-245 by Senator(s) Bacon; also Representative(s) Murray--Concerning educator preparation programs at institutions of higher education.

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

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YES	30	NO	4	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	E	Scheffel	Y
Bacon	Y	Harvey	Y	Lambert	N	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	N	Spence	Y
Brophy	N	Hodge	Y	Mitchell	Y	Steadman	Y
Cadman	N	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: Heath, Hudak and Williams S.

SB11-242 by Senator(s) Aguilar; also Representative(s) Miklosi--Concerning retired volunteer nurse licensure.

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

YES	34	NO	0	EXCUSED	1	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	Y	Steadman	Y
Cadman	Y	Hudak	Y	Morse	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

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

Co-sponsors added: Boyd, Foster, Giron, Heath, Newell, Tochtrop and Williams S.

SB11-250 by Senator(s) Boyd; also Representative(s) Ferrandino and Summers--Concerning changing the eligibility for certain pregnant women from the children's basic health plan to medicaid.

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

YES	22	NO	12	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	E	Scheffel	N
Bacon	Y	Harvey	N	Lambert	N	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	N	Spence	N
Brophy	N	Hodge	Y	Mitchell	N	Steadman	Y
Cadman	N	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.	N	Renfroe	N	President	Y
Grantham	N	King S.	N	Roberts	Y		

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

Co-sponsors added: Aguilar, Carroll, Foster, Giron, Guzman, Hodge, Hudak, Morse, Newell, Schwartz, Steadman, Tochtrop and Williams S.

SB11-182 by Senator(s) Carroll, Cadman, Giron, Guzman, Spence; also Representative(s) Liston, Barker, Court, Massey, Pabon, Pace--Concerning the establishment of an insurable interest requirement for life insurance policies.

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

YES	34	NO	0	EXCUSED	1	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	Y	Steadman	Y
Cadman	Y	Hudak	Y	Morse	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

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

Co-sponsors added: Aguilar, Boyd, Foster, Heath, Newell, Tochtrop and Williams S.

SB11-244 by Senator(s) Steadman; also Representative(s) Kagan--Concerning the repeal of certain crimes that include marital status as an element of the crime.

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

YES	25	NO	9	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	E	Scheffel	N
Bacon	Y	Harvey	Y	Lambert	N	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	N	Spence	Y
Brophy	Y	Hodge	Y	Mitchell	Y	Steadman	Y
Cadman	N	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.	N	Renfroe	N	President	Y
Grantham	N	King S.	N	Roberts	N		

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

HB11-1281 by Representative(s) Joshi; also Senator(s) Boyd--Concerning health care professional loan forgiveness programs administered by the primary care office in the department of public health and environment, and making an appropriation therefor.

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

YES	34	NO	0	EXCUSED	1	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	Y	Steadman	Y
Cadman	Y	Hudak	Y	Morse	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

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

Co-sponsors added: Aguilar, Bacon, Carroll, Giron, Guzman, Heath, Hodge, Johnston, Newell, Nicholson, Schwartz, Steadman, Tochtrop and Williams S.

HB11-1296 by Representative(s) Kagan, Court, Ferrandino, Fischer, Labuda, Miklosi, Tyler, Wilson; also Senator(s) Steadman, Nicholson--Concerning the temporary continuation of the state sales and use tax on cigarettes.

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

YES	22	NO	12	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	E	Scheffel	N
Bacon	Y	Harvey	N	Lambert	N	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	N	Spence	N
Brophy	N	Hodge	Y	Mitchell	N	Steadman	Y
Cadman	N	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.	N	Renfroe	N	President	Y
Grantham	N	King S.	N	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, Guzman, Hudak and Williams S.

SB11-187 by Senator(s) Newell; also Representative(s) Fields, Summers--Concerning the continuation of the regulation of mental health professionals, and, in connection therewith, continuing the state boards of psychologist examiners, social work examiners, marriage and family therapist examiners, and licensed professional counselor examiners and the state grievance board, creating the state board of addiction counselor examiners, implementing the recommendations contained in the sunset review and report of state-regulated mental health professionals, and making an appropriation.

A majority of those elected to the Senate having voted in the affirmative, Senator Newell was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.012), by Senator Newell.

Amend corrected engrossed bill, page 22, line 26, strike "written, COMPUTER-BASED" and substitute "written, mail-in".

Page 22, line 27, strike "OR mail-in" and strike "department of" and substitute "department of regulatory agencies DIVISION."

Page 23, strike line 1.

Page 34, line 13, strike "APPLICABLE".

Page 43, line 27, strike "12-43-201(9)" and substitute "12-43-201 (9)".

Page 44, line 1, strike "12-43-701 (3)".

Page 50, line 11, strike "applicant, renewal applicant, or" and substitute "applicant renewal applicant, or reinstatement applicant".

Page 50, line 12, strike "reinstatement applicant".

Page 64, line 26, strike "MEMBERS".

Page 94, after line 5 insert:

"SECTION 64. The introductory portion to 10-16-104 (5) and 10-16-104 (5) (b) (III), Colorado Revised Statutes, are amended to read:

10-16-104. Mandatory coverage provisions - definitions.

(5) **Mental illness.** Every small group policy providing hospitalization or medical benefits by an entity subject to the provisions of part 2 or 3 of this article shall MUST provide benefits for conditions arising from mental illness at least equal to the following:

(b) (III) For purposes of this subsection (5), "licensed clinical social worker" means a person who is licensed as a clinical social worker under part 4 of article 43 of title 12, C.R.S., and who has at least five years of experience in psychotherapy, as defined in section 12-43-701(3)

12-43-201, C.R.S., under appropriate supervision, beyond a master's degree; "licensed professional counselor" means a person who is licensed as a professional counselor under part 6 of article 43 of title 12, C.R.S., and who has at least five years of experience in psychotherapy, as defined in section ~~12-43-701(3)~~ 12-43-201, C.R.S., under appropriate supervision, beyond a master's degree; and "licensed marriage and family therapist" means a person who is licensed as a marriage and family therapist under part 5 of article 43 of title 12, C.R.S., and who has at least five years of experience in psychotherapy, as defined in section ~~12-43-701(3)~~ 12-43-201, C.R.S., under appropriate supervision, beyond a master's degree."

Renumber succeeding sections accordingly.

The amendment was **passed** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	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	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 question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	33	NO	1	EXCUSED	1	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	Y	Steadman	Y
Cadman	Y	Hudak	Y	Morse	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	N	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

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

Co-sponsors added: Boyd, Carroll and Williams S.

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

CONSIDERATION OF RESOLUTIONS

SJR11-051 by Senator(s) Carroll, Guzman, Newell, Spence, Williams S.; also Representative(s) Fields, Acree, Balmer, Conti, Ryden, Swalm, Todd--Concerning the 150th anniversary of Arapahoe County.

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

YES	34	NO	0	EXCUSED	1	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	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, Foster, Giron, Grantham, Harvey, Heath, Hodge, Hudak, Jahn, Johnston, King K., King S., Lambert, Lundberg, Morse, Nicholson, Renfroe, Roberts, Scheffel, Schwartz, Shaffer B., Steadman, Tochtrop and White.

On motion of Senator Morse, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, HB11-1279, HB11-1241, HB11-1002, and HB11-1064 were made Special Orders at 10:55 a.m.

Committee of the Whole The hour of 10:55 a.m. having arrived, Senator Heath moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders -- Second Reading of Bills and Senator Heath was called to the Chair to act as Chairman.

**SPECIAL ORDERS -- SECOND READING OF BILLS --
CONSENT CALENDAR**

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

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

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

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

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

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

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

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

Amendment No. 1, Appropriations Committee Amendment.

(Printed in Senate Journal, April 29, page 948 and placed in members' bill files.)

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

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

On motion of Senator Heath, 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	E	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: HB11-1279, HB11-1241, HB11-1002, HB11-1064 as amended.

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

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

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

Senator Hodge moved for the adoption of the first report of the first conference committee on **SB11-219**, as printed in Senate journal, April 26, pages 878-879. The motion was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	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	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 question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	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	Y	Steadman	Y
Cadman	Y	Hudak	Y	Morse	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Committee of the Whole

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

GENERAL ORDERS -- SECOND READING OF BILLS

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

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

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, March 31, page 615 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 21, page 845 and placed in members' bill files.)

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

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

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, April 26, page 884 and placed in members' bill files.)

Amendment No. 2(L.014), by Senator Morse.

Amend reengrossed bill, page 13, after line 18 insert:

"SECTION 9. 18-1-202 (12), Colorado Revised Statutes, as amended by Senate Bill 11-007, is amended to read:

18-1-202. Place of trial. (12) If a person commits the offense of failure to register as a sex offender as provided in section 18-3-412.5, the offense is committed and the offender may be tried IN THE COUNTY IN WHICH THE OFFENDER WAS RELEASED FROM INCARCERATION FOR COMMISSION OF THE OFFENSE REQUIRING REGISTRATION, in the county in which the offender resides, in the county in which the offender completed his or her last registration, or in the county in which the offender is apprehended."

Renumber succeeding sections accordingly.

Page 15, after line 14 insert:

"SECTION 12. **Effective date.** This act shall take effect upon passage; except that section 9 of this act shall take effect when Senate Bill 11-007 takes effect."

Renumber succeeding section accordingly.

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

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

HB11-1109 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.

Amendment No. 1, Local Government Committee Amendment.

(Printed in Senate Journal, March 11, page 438 and placed in members' bill files.)

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

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

Laid over until Friday, May 6, retaining its place on the calendar.

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

Laid over until Tuesday, May 3, retaining its place on the calendar.

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

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

Amend reengrossed bill, page 2, line 15, strike "RECORDS" and substitute "RECORDS, INCLUDING A CERTIFICATE OF GOOD STANDING,".

Page 2, line 16, strike everything after the first "A" and substitute "PASSWORD.".

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

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

Amendment No. 1(L.011), by Senator King K.

Amend reengrossed bill, page 7, strike lines 7 and 8 and substitute "(a) OF THIS SUBSECTION (6.5) SHALL ONLY APPLY FOR A PERIOD OF FIVE YEARS FOLLOWING THE DATE THE OFFENSE WAS COMMITTED, AND,".

Page 7, line 10, after "(6.5)," insert "PROVIDED".

Page 11, line 6, strike the second "OF" and substitute "THE OFFENSE WAS COMMITTED.".

Page 11, strike line 7.

Page 12, strike lines 21 and 22 and substitute "ONLY APPLY FOR A PERIOD OF FIVE YEARS FOLLOWING THE DATE THE OFFENSE WAS COMMITTED, PROVIDED THE APPLICANT OR HOLDER HAS".

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Amendment No. 2(L.008), by Senator Steadman.

Amend reengrossed bill, page 5, line 21, after "CHECK" insert "COMPLETED ON OR AFTER THE EFFECTIVE DATE OF THIS ACT".

Amendment No. 3(L.009), by Senator Steadman.

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

Page 7, after line 22, insert:

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

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

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

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

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

(D) ANY OTHER RELEVANT INFORMATION.

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

As amended, laid over until Tuesday, May 3, retaining its place on the calendar.

HB11-1105 by Representative(s) Acree, Balmer, Barker, Baumgardner, Court, Fields, Holbert, Joshi, Kagan, Kerr J., Looper, Massey, McCann, Priola, Todd; also Senator(s) White, Kopp, King S., Tochtrop--Concerning assaults against medical care providers.

Laid over until Friday, May 6, retaining its place on the calendar.

SB11-168 by Senator(s) Aguilar, Bacon, Carroll, Foster, Giron, Guzman, Heath, Johnston, Morse, Nicholson, Steadman, Tochtrop; also Representative(s) Kefalas, Court, Fields, Fischer, Gardner D., Hullinghorst, Jones, Kagan, Levy, McCann, Miklosi, Pace, Solano, Tyler--Concerning the creation of the Colorado health care authority for the purpose of designing a health care cooperative.

Laid over until Friday, May 6, retaining its place on the calendar.

SB11-248 by Senator(s) Newell; also Representative(s) Looper--Concerning repeal of the "Bedding Act".

Laid over until Tuesday, May 3, retaining its place on the calendar.

On motion of Senator Morse, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the General Orders -- Second Reading of Bills Calendar (HB11-1275, SB11-186) of Monday, May 2, was laid over until Tuesday, May 3, retaining its place on the calendar.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

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

Senator Grantham moved to amend the Report of the Committee of the Whole to show that the following Morse floor amendment, (L.014) to HB 11-1278, did not pass.

Amend reengrossed bill, page 13, after line 18 insert:

"SECTION 9. 18-1-202 (12), Colorado Revised Statutes, as amended by Senate Bill 11-007, is amended to read:

18-1-202. Place of trial. (12) If a person commits the offense of failure to register as a sex offender as provided in section 18-3-412.5, the offense is committed and the offender may be tried IN THE COUNTY IN WHICH THE OFFENDER WAS RELEASED FROM INCARCERATION FOR COMMISSION OF THE OFFENSE REQUIRING REGISTRATION, in the county in which the offender resides, in the county in which the offender completed his or her last registration, or in the county in which the offender is apprehended."

Renumber succeeding sections accordingly.

Page 15, after line 14 insert:

"SECTION 12. **Effective date.** This act shall take effect upon passage; except that section 9 of this act shall take effect when Senate Bill 11-007 takes effect."

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Heath, 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	E	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: HB11-1237 as amended, HB11-1278 as amended, HB11-1109 as amended, HB11-1095 as amended.

Laid over until May 3: HB11-1267, HB11-1121 as amended, HB11-1275, SB11-248, SB11-186.

Laid over until May 6: HB11-1268, HB11-1105, SB11-168.

MESSAGE FROM THE HOUSE

May 2, 2011

Mr. President:

The House has adopted and transmits herewith HJR11-1022, HJR11-1019.

The House has adopted and transmits herewith HJR11-1021.

The House has adopted and returns herewith SJR11-051.

CONSIDERATION OF RESOLUTIONS

HJR11-1021 by Representative(s) Ryden, Todd, Brown, Court, Duran, Hamner, Jones, Joshi, Labuda, Lee, McCann, McNulty, Murray, Pabon, Peniston, Vigil, Williams A., Wilson; also Senator(s) Shaffer B., Boyd, Cadman, Carroll, Foster, Grantham, Mitchell, Spence, Tochtrop, Williams S.--Concerning recognition and remembrance of military veterans in Colorado who served in the Vietnam war.

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

YES	34	NO	0	EXCUSED	1	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	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, Brophy, Giron, Guzman, Harvey, Heath, Hodge, Hudak, Jahn, Johnston, King K., King S., Lambert, Lundberg, Morse, Newell, Nicholson, Renfroe, Roberts, Scheffel, Schwartz, Steadman and White.

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 Monday, May 2 was laid over until Tuesday, May 3, retaining its place on the calendar.

Consideration of Resolutions: SJR11-005, SJR11-015, SJR11-024, SJR11-032, SJR11-036, SJR11-045, SJR11-046, SJR11-047, SJR11-050, SJR11-052, SR11-005, HJR11-1018, HJR11-1020.

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

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

INTRODUCTION OF BILLS -- FIRST READING

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

SB11-271 by Senator(s) Shaffer B.; --Concerning the prohibition of deceptive trade practices in the solicitation of orders for retail florist services.
Judiciary

SENATE SERVICES REPORT

Correctly Printed: SB11-269 and 270.
Correctly Engrossed: SB11-052, 080, 109, 176, 182, 187, 235, 238, 241, 242, 243, 244, 245, 247, 250, 253, 254, 256, 260 and 265; SJR11-023 and 053.
Correctly Reengrossed: SB11-205 and 234.
Correctly Revised: HB11-1281 and 1296.
Correctly Rerevised: HB11-1115, 1138, 1163, 1211 and 1219.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB11-1026, 1146, 1209, 1218, 1230, 1100, 1274, 1283, 1289, 1291.

COMMITTEE OF REFERENCE REPORTS

Agriculture,
Natural
Resources,
and Energy

After consideration on the merits, the Committee recommends that **SB11-032** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

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

"SECTION 1. Article 2 of title 40, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

40-2-130. Program for on-bill financing of energy efficiency or renewable energy improvements - rules - definition. (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES, "ENERGY EFFICIENCY OR RENEWABLE ENERGY IMPROVEMENT" MEANS:

(a) ANY REPAIR OF, OR ADDITION OR IMPROVEMENT TO, REAL PROPERTY THAT IMPROVES THE ENERGY EFFICIENCY OF THE PROPERTY OR REPLACES ALL OR A PORTION OF THE ENERGY FROM NONRENEWABLE SOURCES USED IN CONNECTION WITH THE PROPERTY WITH ENERGY FROM RENEWABLE SOURCES; OR

(b) ANY INSTALLATION OF, OR CONNECTION WITH, EQUIPMENT THAT PRODUCES OR CONDUCTS RECYCLED ENERGY OR RENEWABLE ENERGY RESOURCES, AS DEFINED IN SECTION 40-2-124 (1) (a), OR SOLAR HEATING AND COOLING SYSTEMS, FOR USE ON REAL PROPERTY.

(2) NO LATER THAN JANUARY 1, 2012, THE COMMISSION SHALL PROMULGATE RULES, IN ACCORDANCE WITH SECTION 40-2-108, THAT ESTABLISH A PROGRAM FOR FINANCING ENERGY EFFICIENCY OR RENEWABLE ENERGY IMPROVEMENTS TO REAL PROPERTY UNDER WHICH EITHER:

(a) A FULL SERVICE CUSTOMER OF A PUBLIC UTILITY THAT SELLS ELECTRICITY OR NATURAL GAS SHALL ENTER INTO AN ON-BILL FINANCING ARRANGEMENT WITH THE PUBLIC UTILITY FOR THE PURPOSE OF FINANCING SUCH IMPROVEMENTS; OR

(b) A PUBLIC UTILITY SHALL PARTNER WITH A LENDER TO PROVIDE CREDIT ENHANCEMENTS FOR THE PURPOSE OF REDUCING THE COST TO ITS FULL SERVICE CUSTOMERS OF FINANCING SUCH IMPROVEMENTS.

(3) THE PROGRAM ESTABLISHED BY THE COMMISSION PURSUANT

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TO SUBSECTION (2) OF THIS SECTION SHALL BE CONSIDERED A DSM PROGRAM FOR PURPOSES OF PART 1 OF ARTICLE 3.2 OF THIS TITLE, AND ANY EXPENDITURES UP TO TWO MILLION DOLLARS MADE BY A PUBLIC UTILITY IN PARTICIPATING IN FUNDING, IMPLEMENTING, OR ADMINISTERING THE PROGRAM SHALL BE CONSIDERED DSM PROGRAM EXPENDITURES THAT MAY BE DIVERTED FROM OTHER DSM PROGRAMS FOR THE PURPOSES OF SAID PART 1. THE PROGRAM SHALL COMPLY WITH ALL OTHER RULES OR POLICIES ESTABLISHED BY THE COMMISSION FOR DSM PROGRAMS.

(4) IN ESTABLISHING THE PROGRAM PURSUANT TO SUBSECTION (2) OF THIS SECTION, THE COMMISSION SHALL ENSURE THAT IT ALLOWS SUFFICIENT FINANCING CHARGES TO ENSURE THAT THE PROGRAM CAN BE PERMANENTLY SELF-SUSTAINING AFTER THE INITIAL START-UP INVESTMENT HAS BEEN MADE.

SECTION 2. Act subject to petition - effective date. This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 10, 2011, if adjournment sine die is on May 11, 2011); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part shall not take effect unless approved by the people at the general election to be held in November 2012 and shall take effect on the date of the official declaration of the vote thereon by the governor."

Page 1, line 103, strike "CLEAN" and substitute "ENERGY EFFICIENCY OR RENEWABLE".

Agriculture,
Natural
Resources,
and Energy

After consideration on the merits, the Committee recommends that **SB11-258** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 3, line 9, strike "requiring" and substitute "authorizing the department of public health and environment and".

Page 5, line 3, strike "REQUIREMENT THAT" and substitute "ABILITY OF".

Page 5, line 4, after "HEALTH" insert "TO".

Page 5, line 10, strike "local".

Page 5, line 11, after "registries -" insert "report -".

Page 5, line 16, strike "SHALL" and substitute "MAY".

Page 5, line 19, strike everything after the period and substitute "THE DEPARTMENT IS ALSO AUTHORIZED TO CREATE A REGISTRY TO REGISTER GROWERS IN THE STATE WHO USE THEIR HOME KITCHENS TO PREPARE FOOD FOR SALE DIRECTLY TO CONSUMERS."

Page 5, strike lines 20 through 23.

Page 5, line 26, after "WITH" insert "THE DEPARTMENT OR".

Page 6, line 2, after "PERMITTED" insert "UNDER THIS SECTION" and strike "THE FOLLOWING".

Page 6, strike line 3.

Page 6, line 4, strike "(I) NONPOTENTIALLY" and substitute "NONPOTENTIALLY" and after "HAZARDOUS" insert "HOME KITCHEN-PREPARED".

Page 6, line 6 strike "GOODS; AND" and substitute "GOODS."

Page 6, strike lines 7 through 9.

Page 6, line 26, strike "ENTITY" and substitute "ENTITY, INCLUDING THE UNITED STATES DEPARTMENT OF AGRICULTURE OR THE COLORADO STATE

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UNIVERSITY COOPERATIVE EXTENSION SERVICE,". 1

Page 7, line 2, strike everything after the period. 2

Page 7, strike lines 3 through 6. 3

Page 7, line 8, after "FOLLOWING" insert "TO THE DEPARTMENT OR". 4

Page 7, line 12, before "COUNTY," insert "DEPARTMENT OR THE". 5

Page 7, line 15, after "LOCATED" insert "IN THE STATE OR, FOR A COUNTY, 6

DISTRICT, OR REGIONAL BOARD OF HEALTH REGISTRY,". 7

Page 8, line 12, strike "A" and substitute "THE DEPARTMENT OR A". 8

Page 8, line 14, strike "A" and substitute "THE DEPARTMENT OR A". 9

Page 8, line 18, strike "BOARD". 10

Page 8, line 21, after "REQUIRES" insert "THE DEPARTMENT OR". 11

Page 8, line 25, after "(b)" insert "THE DEPARTMENT SHALL DEPOSIT ANY 12

FEE COLLECTED UNDER PARAGRAPH (a) OF SUBSECTION (4) OF THIS 13

SECTION IN THE FOOD PROTECTION CASH FUND CREATED IN SECTION 14

25-4-1608.". 15

Page 9, line 7, after "IF" insert "THE DEPARTMENT OR". 16

Page 9, strike line 11 and substitute "THE DEPARTMENT OR THE BOARD, AS 17

APPROPRIATE.". 18

Page 9, line 12, strike "A" and substitute "THE DEPARTMENT OR A". 19

Page 9, after line 21 insert: 20

"(10) DURING THE SECOND REGULAR SESSION OF THE SIXTY-NINTH 21

GENERAL ASSEMBLY, THE DEPARTMENT MAY REPORT TO THE JOINT HOUSE 22

AGRICULTURE, LIVESTOCK, AND NATURAL RESOURCES COMMITTEE AND 23

THE SENATE AGRICULTURE, NATURAL RESOURCES, AND ENERGY 24

COMMITTEE, OR ANY SUCCESSOR COMMITTEES, REGARDING REGISTRIES IN 25

THIS STATE, INCLUDING THE NUMBER OF REGISTRIES, THE NUMBER OF 26

REGISTRANTS IN EACH REGISTRY, AND ANY OTHER INFORMATION OR 27

RECOMMENDATION RELEVANT TO REGISTRIES.". 28

Page 9, line 22, strike "(10)" and substitute "(11)". 29

Page 9, strike lines 23 through 27. 30

Page 10, strike lines 1 through 6. 31

Reletter succeeding paragraphs accordingly. 32

Page 10, line 24, strike "THAT IS" and substitute "AND OTHER PRODUCTS 33

THAT ARE". 34

Page 12, line 17, after the period add "ANY EGGS NOT TREATED FOR 35

SALMONELLA MUST ALSO INCLUDE THE FOLLOWING STATEMENT ON THE 36

PACKAGE: "SAFE HANDLING INSTRUCTIONS: TO PREVENT ILLNESS FROM 37

BACTERIA, KEEP EGGS REFRIGERATED, COOK EGGS UNTIL YOLKS ARE FIRM, 38

AND COOK ANY FOODS CONTAINING EGGS THOROUGHLY"". 39

Page 12, strike lines 18 through 27. 40

Page 13, strike lines 1 through 8. 41

Renumber succeeding section accordingly. 42

Page 1, line 102, strike "DIRECTING" and substitute "AUTHORIZING THE 43

DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT AND". 44

On motion of Senator Morse, the Senate adjourned until 9:00 a.m., Tuesday, May 3, 2011.

Approved:

Brandon C. Shaffer
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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