

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

115th Legislative Day Friday, May 3, 2013

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Prayer	By the chaplain, Rabbi Yossi Serebryanski, Chabad of South Denver.	11
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Call to Order	By the President at 9:00 a.m.	13
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Pledge	By Senator Crowder.	16
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Roll Call	Present--34	18
	Excused--1, Cadman.	19
	Present later--1, Cadman.	20
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Quorum	The President announced a quorum present.	22
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Reading of Journal	On motion of Senator Brophy, reading of the Journal of Thursday, May 2, 2013, was dispensed with and the Journal was approved as corrected by the Secretary.	24
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COMMITTEE OF REFERENCE REPORTS

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Appropriations	After consideration on the merits, the Committee recommends that HB13-1001 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	32
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Amend reengrossed bill, page 15, after line 15 insert:

"(IV) FIVE MILLION DOLLARS, WHICH THE STATE TREASURER SHALL TRANSFER FROM THE GENERAL FUND TO THE FUND ON SEPTEMBER 1, 2013;"

Renumber succeeding subparagraphs accordingly.

Page 17, after line 27 insert:

SECTION 9. Appropriation - adjustments to 2013 long bill.
 (1) For the implementation of this act, appropriations made in the annual general appropriation act to the governor - lieutenant governor -state planning and budgeting for the fiscal year beginning July 1, 2013, are adjusted as follows:

(a) The cash funds appropriation from the bioscience discovery evaluation cash fund created in section 24-48.5-108 (5) (a), Colorado Revised Statutes, for bioscience discovery evaluation, is decreased by \$2,463,016."

Renumber succeeding section accordingly.

Page 1, line 107, strike "AND".

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Appropriations	After consideration on the merits, the Committee recommends that HB13-1271 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	61
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Amend reengrossed bill, page 10, line 24, strike "\$25,000," and substitute "\$200,000,".

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Page 10, line 27, strike "act." and substitute "act. Any moneys appropriated in this section not expended prior to July 1, 2013, are further appropriated to the department for the fiscal year beginning July 1, 2013, for the same purposes."

Page 11, line 4, strike "\$704,800," and substitute "\$529,800,".

Page 11, line 6, strike "act as follows:" and substitute "act."

Page 11, strike lines 7 and 8.

Page 11, line 17, strike "paragraph (b) of".

Appropriations After consideration on the merits, the Committee recommends that **HB13-1111** be referred to the Committee of the Whole with favorable recommendation.

Appropriations After consideration on the merits, the Committee recommends that **HB13-1020** be referred to the Committee of the Whole with favorable recommendation.

Appropriations After consideration on the merits, the Committee recommends that **HB13-1261** be postponed indefinitely.

Appropriations After consideration on the merits, the Committee recommends that **HB13-1211** be postponed indefinitely.

Appropriations After consideration on the merits, the Committee recommends that **HB13-1291** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 4, strike lines 15 through 17.

Renumber succeeding subsections accordingly.

Page 7, strike lines 9 through 26.

Renumber succeeding C.R.S. sections accordingly.

Page 9, strike lines 1 through 27 and substitute:

SECTION 3. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of human services, for the fiscal year beginning July 1, 2013, the sum of \$3,000,000 and 1.0 FTE, or so much thereof as may be necessary, for allocation to the office of early childhood for the Colorado infant and toddler quality and availability grant program created by this act.

SECTION 4. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of human services, for the fiscal year beginning July 1, 2013, the sum of \$3,000,000 and 1.0 FTE, or so much thereof as may be necessary, for allocation to the division of child care for the Colorado infant and toddler quality and availability grant program created by this act."

Page 10, strike lines 1 through 3.

Appropriations After consideration on the merits, the Committee recommends that **HB13-1056** be postponed indefinitely.

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Appropriations

After consideration on the merits, the Committee recommends that **HB13-1288** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **HB13-1003** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 8, line 23, strike "**Appropriation.**" and substitute "**Appropriation. (1)**".

Page 9, after line 2 insert:

"(2) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the economic gardening pilot project fund created in section 24-48.5-102.5 (5), Colorado Revised Statutes, not otherwise appropriated, to the governor - lieutenant governor - state planning and budgeting, for the fiscal year beginning July 1, 2013, the sum of \$18,750, or so much thereof as may be necessary, for allocation to economic development programs for the economic development gardening pilot project created by this act."

Judiciary

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

MEMBERS OF THE
COLORADO CIVIL RIGHTS COMMISSION

for terms expiring March 13, 2017:

Heidi Jeanne Hess of Clifton, Colorado, a Democrat and member of the community at large, appointed;

Dulce Saenz of Denver, Colorado, an Unaffiliated and member of the community at large, appointed.

SENATE SERVICES REPORT

Correctly Engrossed: SB13-278.

Correctly Reengrossed: SB13-257, 276, 280 and 283.

Correctly Revised: HB13-1021, 1031, 1079, 1182, 1206, 1239, 1248, 1252, 1267, 1284, 1287, 1293, 1294, 1297, 1298, 1300, 1301, 1302 and 1319.

Correctly Rerevised: HB13-1042, 1160, 1193, 1195, 1230, 1240, 1247, 1260, 1283 and 1303.

Correctly Enrolled: SB13-176.

On motion of Majority Leader Carroll, 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.

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CONSIDERATION OF RESOLUTIONS

SJR13-032 by Senator(s) Marble; also Representative(s) Buck--Concerning the designation of a portion of Highway 34 as the Staff Sergeant Christopher J. Birdwell Memorial Highway.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Co-sponsor(s) added: Aguilar, Balmer, Baumgardner, Brophy, Cadman, Carroll, Crowder, Giron, Grantham, Guzman, Harvey, Heath, Hill, Hodge, Hudak, Jahn, Johnston, Jones, Kefalas, Kerr, King, Lambert, Lundberg, Morse, Newell, Nicholson, Renfroe, Roberts, Scheffel, Schwartz, Steadman, Tochtrop, Todd and Ulibarri.

Senate in recess. Senate reconvened.

**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:

HB13-1287 by Representative(s) Primavera and DelGrosso; also Senator(s) Scheffel and Heath-- Concerning an extension of the income tax years for which the Colorado job growth incentive tax credit is available.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Crowder, Kefalas, Newell, Tochtrop and Todd.

HB13-1284 by Representative(s) Gardner; also Senator(s) Roberts--Concerning documents that can be filed regarding security interests under the "Uniform Commercial Code".

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

HB13-1294 by Representative(s) Gardner; also Senator(s) Guzman--Concerning a clarification that the state's judicial department is included within the definition of "public entity" for purposes of the "Colorado Governmental Immunity Act".

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

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Morse.

HB13-1300 by Representative(s) Gardner, Labuda, Levy, Murray, Waller; also Senator(s) Morse, Brophy, Carroll, Roberts, Schwartz--Concerning nonsubstantive revisions of statutes in the Colorado Revised Statutes, as amended, and, in connection therewith, amending or repealing obsolete, inconsistent, and conflicting provisions of law and clarifying the language to reflect the legislative intent of the laws.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Co-sponsor(s)	Y	Renfroe	Y		

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

Co-sponsor(s) added: Cadman, Newell and Steadman.

HB13-1319 by Representative(s) Court, DelGrosso; also Senator(s) Johnston--Concerning the establishment of the ratio of valuation for assessment for residential real property.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

HB13-1248 by Representative(s) Fischer; also Senator(s) Schwartz--Concerning an authorization of pilot projects for the leasing of water for municipal use.

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

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Todd.

HB13-1297 by Representative(s) McLachlan and Schafer, Gerou; also Senator(s) Roberts and Nicholson--Concerning the authority of certain institutions of higher education to invest moneys.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Crowder and Todd.

HB13-1302 by Representative(s) Moreno; also Senator(s) Ulibarri--Concerning a modification of the requirements governing proceedings to consolidate special districts.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

HB13-1298 by Representative(s) Ryden; also Senator(s) Giron--Concerning employment policies related to nonclassified employees of the state.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Newell.

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:

HB13-1154 by Representative(s) Foote and Levy, Court, Duran, Fields, Ginal, Hamner, Hullinghorst, Lee, McCann, Moreno, Pabon, Primavera, Ryden, Singer, Williams; also Senator(s) Steadman--Concerning crimes against pregnant women, and, in connection therewith, making an appropriation.

Call of the Senate. Call raised.

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

YES	21	NO	14	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Giron, Guzman, Heath, Hudak, Jahn, Jones, Kerr, Morse, Newell, Nicholson, Schwartz, Tochtrop, Todd and Ulibarri.

HB13-1182 by Representative(s) Levy, Duran, Gerou; also Senator(s) Lambert, Hodge, Steadman--Concerning the creation of the legislative digital policy advisory committee.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

HB13-1031 by Representative(s) Gerou, Levy; also Senator(s) Nicholson and Roberts--Concerning statewide all-hazards resource mobilization, and, in connection therewith, clarifying the powers and duties of the department of public safety with respect to the statewide all-hazards resource mobilization plan, specifying how mobilized entities receive reimbursement for expenses incurred by rendering assistance, and making an appropriation.

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

YES	22	NO	13	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Aguilar, Giron, Heath, Jones, King, Morse, Newell, Schwartz and Todd.

HB13-1239 by Representative(s) McCann; also Senator(s) Hodge--Concerning the creation of a statewide youth development plan, and, in connection therewith, making and reducing an appropriation.

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

YES	23	NO	12	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Giron, Heath, Jones, Kefalas, Newell, Nicholson, Schwartz, Todd and Ulibarri.

HB13-1301 by Representative(s) Ryden and Gardner; also Senator(s) Todd and Grantham--Concerning the future operation of centers that offer procurement technical assistance in Colorado, and, in connection therewith, making an appropriation.

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

YES	28	NO	7	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	Y	Lambert	N	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Crowder, Kerr and Newell.

HB13-1079 by Representative(s) Tyler; also Senator(s) Newell--Concerning the creation of the joint technology committee of the senate and house of representatives, and, in connection therewith, making an appropriation.

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

YES	21	NO	14	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

HB13-1252 by Representative(s) Hamner and Scott; also Senator(s) Jahn and King--Concerning the petroleum cleanup and redevelopment fund.

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

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Cadman, Giron, Grantham, Harvey, Heath, Jones, Kefalas, Scheffel, Schwartz, Tochtrop and Todd.

SB13-278 by Senator(s) Kerr and Newell; also Representative(s) Young--Concerning creating a definition of a "drug-endangered child" with respect to child abuse or neglect.

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

Third Reading Amendment No. 1(L.010), by Senator Kerr.

Amend engrossed bill, page 3, line 12, strike "House Bill 13-1283" and substitute "Senate Bill 13-244".

Page 3, line 13, strike "House Bill 13-1283," and substitute "Senate Bill 13-244,".

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

YES	32	NO	3	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	N	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	N		

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

YES	24	NO	11	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

HB13-1206 by Representative(s) DelGrosso, Holbert, Buck, Everett, Gardner, Lawrence, Murray, Nordberg, Saine, Swalm, Waller, Hullinghorst, McNulty, Pabon, Priola, Young; also Senator(s) Scheffel, Baumgardner, Jahn, Renfroe, Cadman, Kefalas, Lundberg-- Concerning the expansion of a local government's ability to enter into a business incentive agreement with a taxpayer.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Crowder, Grantham, Heath, King, Lambert, Newell, Tochtrop, Todd and Ulibarri.

HB13-1267 by Representative(s) Foote; also Senator(s) Jones--Concerning increased penalties for violations by oil and gas operators, and, in connection therewith, making an appropriation.

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

YES	30	NO	5	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

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

Co-sponsor(s) added: Aguilar, Carroll, Giron, Guzman, Heath, Hudak, Johnston, Kefalas, Nicholson, Schwartz, Todd and Ulibarri.

HB13-1021 by Representative(s) Fields; also Senator(s) Hudak--Concerning measures to ensure that students comply with compulsory school attendance requirements, and, in connection therewith, limiting the length of detention that a court may impose to enforce compulsory school attendance, allowing students who are under juvenile court jurisdiction to obtain a GED, and specifying minimum requirements for education services provided in juvenile detention facilities.

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

YES	21	NO	14	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Heath, Jahn, Johnston, Kerr, Newell, Nicholson, Schwartz, Tochtrop and Todd.

HB13-1293 by Representative(s) Rosenthal, Foote, Melton, Tyler; also Senator(s) Heath--Concerning the creation of a position by the governor for climate change matters.

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

YES	20	NO	15	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	N	Hill	N	Lambert	N	Steadman	Y
Cadman	N	Hodge	Y	Lundberg	N	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	N	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	N	Jones	Y	Renfroe	N		

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

Co-sponsor(s) added: Schwartz.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for an expression of personal privilege.

MESSAGE FROM THE HOUSE

May 3, 2013

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1324.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB13-1323, amended as printed in House Journal, May 2, page 1423.

The House has passed on Third Reading and returns herewith SB13-222, 214, 228, 204, 261, 205, 206, 247, 254, 265.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB13-148, amended as printed in House Journal, May 2, page 1422. SB13-262, amended as printed in House Journal, May 2, pages 1422-1423. SB13-279, amended as printed in House Journal, May 2, page 1426. SB13-263, amended as printed in House Journal, May 2, page 1427. SB13-282, amended as printed in House Journal, May 2, page 1427.

The House has voted to concur in the Senate amendments to HB13-1193, 1260, 1303 and has repressed the bills as so amended.

The House has adopted and returns herewith SJR13-032.

MESSAGE FROM THE REVISOR OF STATUTES

May 3, 2013

We herewith transmit:

Without comment, HB13-1324.
 Without comment, as amended, HB13-1323.
 Without comment, as amended, SB13-148, 262, 263, 279, and 282.

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

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

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

HB13-1308 by Representative(s) Kagan and Gardner; also Senator(s) Ulibarri and King--Concerning allowing a law enforcement agency to acquire call location information from a telecommunications device without a court order in an emergency situation.

Laid over to the end of the General Orders -- Second Reading of Bills calendar for Friday, May 3, retaining its place on the calendar.

HB13-1242 by Representative(s) Pettersen, Hullinghorst, Kagan; also Senator(s) King--Concerning a repeal of the mandatory sentencing requirement for violation of bail bond conditions for certain offenders.

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

HB13-1307 by Representative(s) Kagan, Gardner; also Senator(s) Guzman--Concerning the effect of the inclusion of a legal description on the validity of documents affecting title to real property.

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

HB13-1311 by Representative(s) Fischer; also Senator(s) Schwartz--Concerning a clarification of the definition of veterinary premises in the "Colorado Veterinary Practice Act".

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB13-1242, HB13-1307, HB13-1311.

Laid over to the end of the General Orders -- Second Reading of Bills calendar, Friday, May 3: HB13-1308.

On motion of Majority Leader Carroll, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, SB13-173 was made Special Orders at 11:35 a.m.

Committee of the Whole The hour of 11:35 a.m. having arrived, Senator Ulibarri moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders -- Second Reading of Bills and, Senator Ulibarri was called to the chair to act as Chairman.

SPECIAL 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:

SB13-173 by Senator(s) Kerr and Nicholson; also Representative(s) Pabon--Concerning the continuation of the division of gaming, and, in connection therewith, implementing the recommendations in the 2012 sunset report by the department of regulatory agencies.

A majority of all members elected to the Senate having voted in the affirmative, the bill was referred to the Committee on Appropriations.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Ulibarri, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	32	NO	3	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	N	Kerr	Y	Scheffel	N
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	N		

The Committee of the Whole took the following action:

Referred to Appropriations: SB13-173.

INTRODUCTION OF BILLS -- FIRST READING

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

HB13-1323 by Representative(s) Levy and McNulty; also Senator(s) Guzman and Scheffel--Concerning requiring the department of corrections to obtain clarification if a court-issued mittimus omits instruction concerning whether a defendant's sentences are to be served consecutively or concurrently.
Judiciary

HB13-1324 by Representative(s) Murray and Tyler; also Senator(s) Nicholson--Concerning the addition of members of the general assembly to the board of directors of the statewide internet portal authority.
Judiciary

Senate in recess. Senate reconvened.

Call of the Senate. Call raised.

COMMITTEE OF REFERENCE REPORTS

Legislative Council After consideration on the merits, the Committee recommends that **HB13-1299** be referred to the Committee on Appropriations with favorable recommendation.

Appropriations After consideration on the merits, the Committee recommends that **SB13-173** 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 12, after line 20 insert:

"SECTION 19. Appropriation. In addition to any other appropriation, there is hereby appropriated to the department of human services, for the fiscal year beginning July 1, 2013, the sum of \$70,000, or so much thereof as may be necessary, for allocation to behavioral health services, for gambling addiction counseling services related to the implementation of this act. Said sum is from reappropriated funds received from the department of local affairs' division of local government."

Renumber succeeding sections accordingly.

Page 1, line 104, strike "AGENCIES." and substitute "AGENCIES, AND MAKING AN APPROPRIATION."

Judiciary After consideration on the merits, the Committee recommends that **HB13-1324** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Judiciary After consideration on the merits, the Committee recommends that **HB13-1323** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

State, Veterans, & Military Affairs After consideration on the merits, the Committee recommends that **HB13-1316** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 2, strike lines 16 through 23.

Page 3, strike lines 1 through 17 and substitute:

"SECTION 2. No appropriation. The general assembly has

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determined that this act can be implemented within existing appropriations, and therefore no separate appropriation of state moneys is necessary to carry out the purposes of this act."

State,
Veterans, &
Military
Affairs

After consideration on the merits, the Committee recommends that **SJR13-031** be **postponed indefinitely**.

State,
Veterans, &
Military
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After consideration on the merits, the Committee recommends that **SJM13-002** be **postponed indefinitely**.

State,
Veterans, &
Military
Affairs

After consideration on the merits, the Committee recommends that **SB13-281** be **postponed indefinitely**.

Education

After consideration on the merits, the Committee recommends that **HB13-1320** be **amended** as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 4, strike lines 12 through 27.

Page 5, strike lines 1 through 4.

Renumber succeeding section accordingly.

Page 1, strike lines 103 and 104 and substitute "EDUCATION."

Committee
of the Whole

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

SB13-286

by Senator(s) Hodge and Brophy; also Representative(s) Levy and Sonnenberg-- Concerning an extension of the number of years that a renewable energy company may claim excess enterprise zone investment income tax credits as credit carryovers.

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

Amend printed bill, page 2, line 11, strike "FOR RENEWABLE ENERGY COMPANIES, ANY" and substitute "ANY".

Page 2, line 12, after "SECTION" insert "FOR A RENEWABLE ENERGY INVESTMENT".

Page 2, line 24, strike "RENEWABLE ENERGY COMPANIES ARE" and substitute "A TAXPAYER IS".

Page 2, line 25, after the first "CREDIT" insert "DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (b) FOR A RENEWABLE ENERGY INVESTMENT".

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Page 3, strike lines 6 through 9.

Page 3, line 10, strike "PASS-THROUGH ENTITY THAT IS IN THE" and substitute "INVESTMENT" MEANS AN INVESTMENT THAT QUALIFIES FOR THE CREDIT SPECIFIED IN PARAGRAPH (a) OF SUBSECTION (1) OF THIS SECTION FOR".

Page 3, line 13, strike "BUSINESS." and substitute "PROJECTS.".

Page 3, line 21, strike "FOR RENEWABLE ENERGY COMPANIES, ANY" and substitute "ANY".

Page 3, line 22, after "(c)" insert "FOR A RENEWABLE ENERGY INVESTMENT".

Page 1, line 102, strike "RENEWABLE ENERGY COMPANY" and substitute "TAXPAYER".

Page 1, line 104, strike "CARRYOVERS." and substitute "CARRYOVERS FOR RENEWABLE ENERGY INVESTMENTS.".

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.)

SB13-284

by Senator(s) Carroll; also Representative(s) Hullinghorst--Concerning streamlining the environmental permitting of oil and gas development that meets enhanced environmental protection standards.

Amendment No. 1, Agriculture, Natural Resources, and Energy Committee Amendment.
(Printed in Senate Journal, April 30, page(s) 1108 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, May 1, page(s) 1193 and placed in members' bill files.)

Amendment No. 3(L.004), by Senator Carroll.

Strike the Agriculture, Natural Resources, and Energy Committee Report, dated April 30, 2013, and substitute:

"Amend printed bill, page 2, line 18, after "OPERATOR'S" insert "COLORADO" and after "HISTORY" insert "AND PRESENT COMPLIANCE STATUS".

Page 3, line 4, after the semicolon add "AND".

Page 3, line 7, strike "THRESHOLD; AND" and substitute "THRESHOLD.".

Page 3, strike lines 8 through 10.

Page 3, line 26, after "OPERATOR'S" insert "COLORADO" and after "HISTORY" insert "AND PRESENT COMPLIANCE STATUS".

Page 4, line 1, strike "A FACILITY THAT IS OUT OF".

Page 4, strike lines 2 through 4.".

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

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- SB13-285** by Senator(s) Tochtrop; also Representative(s) Williams--Concerning the procedures in workers' compensation claims for the resolution of disputes. 1
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Amendment No. 1, Business, Labor & Technology Committee Amendment. 4
(Printed in Senate Journal, April 30, page(s) 1105 and placed in members' bill files.) 5
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Amendment No. 2, Appropriations Committee Amendment. 7
(Printed in Senate Journal, May 1, page(s) 1192 and placed in members' bill files.) 8
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As amended, ordered engrossed and placed on the calendar for third reading and final 10
passage. 11
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- SB13-287** by Senator(s) Nicholson and Brophy, Morse, Aguilar, Giron; also Representative(s) 13
McLachlan and Sonnenberg, Coram--Concerning telecommunications. 14
15
Amendment No. 1, State, Veterans & Military Affairs Committee Amendment. 16
(Printed in Senate Journal, May 1, page(s) 1213 and placed in members' bill files.) 17
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Amendment No. 2(L.008), by Senator Brophy. 19
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Amend printed bill, page 12, strike lines 4 through 10. 21
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Renumber succeeding section accordingly. 23
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Amendment No. 3(L.009), by Senator Brophy. 26
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Amend the State, Veterans, and Military Affairs Committee Report, 28
dated May 1, 2013, page 1, strike lines 5 through 9 and substitute "Page 29
7, line 9, after "SERVICE;" insert "EXCEPT THAT, IN A GEOGRAPHIC AREA 30
WHERE THE COMMISSION HAS DESIGNATED A PROVIDER AS THE PROVIDER 31
OF LAST RESORT, PURSUANT TO SECTION 40-15-502 (6), AND THE 32
COMMISSION HAS NOT DETERMINED THAT THE GEOGRAPHIC AREA HAS 33
EFFECTIVE COMPETITION, PURSUANT TO SECTION 40-15-207, THE 34
COMMISSION SHALL REGULATE VOICE-OVER-INTERNET-PROTOCOL 35
SERVICE IF VOICE-OVER-INTERNET-PROTOCOL SERVICE IS THE PROVIDER'S 36
MECHANISM FOR DELIVERING BASIC LOCAL EXCHANGE SERVICE."." 37
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As amended, ordered engrossed and placed on the calendar for third reading and final 40
passage. 41
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(For further action, see roll call vote on **SB13-287**.) 43
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- HB13-1308** by Representative(s) Kagan and Gardner; also Senator(s) Ulibarri and King--Concerning 46
allowing a law enforcement agency to acquire call location information from a 47
telecommunications device without a court order in an emergency situation. 48
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Ordered revised and placed on the calendar for third reading and final passage. 50
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- HB13-1296** by Representative(s) McCann and Kraft-Tharp; also Senator(s) Newell--Concerning civil 53
commitment statutes, and, in connection therewith, creating the civil commitment statute 54
review task force and redefining certain terms related to civil commitment. 55
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Laid over until Saturday, May 4, retaining its place on the calendar. 57
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- HB13-1304** by Representative(s) Moreno, Exum, Hamner, Kraft-Tharp, Rosenthal, Ryden, Williams; 60
also Senator(s) Guzman, Aguilar, Carroll, Giron, Heath, Hodge, Hudak, Johnston, Jones, 61
Kefalas, Kerr, Morse, Newell, Nicholson, Schwartz, Steadman, Tochtrop, Todd, Ulibarri-- 62
Concerning eligibility for unemployment compensation benefits when unemployment is 63
due to a lockout. 64
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Laid over until Monday, May 13, retaining its place on the calendar. 66
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- HB13-1238** by Representative(s) McCann; also Senator(s) Newell--Concerning funding issues related to medical marijuana. 1
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Amendment No. 1, Finance Committee Amendment. 4
(Printed in Senate Journal, May 1, page(s) 1146-1147 and placed in members' bill files.) 5
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As amended, ordered revised and placed on the calendar for third reading and final 7
passage. 8
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- HB13-1280** by Representative(s) Gerou, Duran, Levy; also Senator(s) Hodge, Steadman, Lambert-- 11
Concerning a two-year waiver from the target reserve requirement for the building 12
regulation fund. 13
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Ordered revised and placed on the calendar for third reading and final passage. 15
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- HB13-1210** by Representative(s) Kagan; also Senator(s) Steadman--Concerning appointment of legal 18
counsel during plea negotiations for indigent adult defendants, and, in connection 19
therewith, making an appropriation. 20
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Ordered revised and placed on the calendar for third reading and final passage. 22
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- HB13-1254** by Representative(s) Lee, Buck, Buckner, Court, Duran, Exum, Fischer, Foote, Ginal, 25
Hamner, Hullinghorst, Kagan, Kraft-Tharp, Labuda, Lebsock, Levy, May, McCann, 26
McLachlan, Melton, Mitsch Bush, Moreno, Pabon, Peniston, Pettersen, Primavera, 27
Rosenthal, Ryden, Salazar, Schafer, Singer, Tyler, Vigil, Williams, Young; also Senator(s) 28
Newell--Concerning restorative justice, and, in connection therewith, making an 29
appropriation. 30
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Ordered revised and placed on the calendar for third reading and final passage. 32
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- HB13-1259** by Representative(s) McCann; also Senator(s) Newell--Concerning court orders in civil 35
actions for persons at risk of abuse or neglect, and, in connection therewith, procedures for 36
allocating parental rights and responsibilities in the best interests of the child in cases 37
involving child abuse and neglect and domestic violence; provisions relating to parenting 38
time orders; provisions relating to parenting time evaluations and reports; amending and 39
relocating provisions relating to civil protection orders; and making an appropriation. 40
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Ordered revised and placed on the calendar for third reading and final passage. 42
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- HB13-1269** by Representative(s) Foote, Court, Duran, Fields, Fischer, Ginal, Hamner, Hullinghorst, 45
Kagan, Labuda, Lee, Levy, Melton, Mitsch Bush, Moreno, Pabon, Primavera, Ryden, 46
Salazar, Schafer, Singer, Williams; also Senator(s) Jones, Ulibarri, Kefalas--Concerning the 47
reduction of conflicts of interest within the Colorado oil and gas conservation commission. 48
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Laid over until Saturday, May 4, retaining its place on the calendar. 50
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- HB13-1315** by Representative(s) Fischer; also Senator(s) Kefalas--Concerning the authority of a 53
governing board of an institution of higher education to mandate purchases relating to 54
health care. 55
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Amendment No. 1(L.002), by Senator Lundberg. 57
58
Amend reengrossed bill, page 2, line 2, strike "**repeal**" and substitute 59
"**amend**". 60
61
Page 2, line 10, after the period add "IF A GOVERNING BOARD OF AN 62
INSTITUTION OF HIGHER EDUCATION REQUIRES A STUDENT TO PURCHASE 63
HEALTH CARE INSURANCE, THE BOARD MUST ALLOW THE SAME 64
EXEMPTION FOR THOSE PARTICIPATING IN A HEALTH CARE SHARING 65
MINISTRY AS SPECIFIED IN THE FEDERAL "PATIENT PROTECTION AND 66
AFFORDABLE CARE ACT".". 67

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

HB13-1004 by Representative(s) Duran and Melton; also Senator(s) Kerr--Concerning the Colorado Careers Act of 2013, and, in connection therewith, establishing a transitional jobs program and making an appropriation.

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, April 30, page(s) 1105 and placed in members' bill files.)

Amendment No. 2, Agriculture, Natural Resources, and Energy Committee Amendment.
(Printed in Senate Journal, May 1, page(s) 1192 and placed in members' bill files.)

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

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

SB13-286 by Senator(s) Hodge and Brophy; also Representative(s) Levy and Sonnenberg-- Concerning an extension of the number of years that a renewable energy company may claim excess enterprise zone investment income tax credits as credit carryovers.

Senators Baumgardner and Harvey moved to amend the Report of the Committee of the Whole to show that the following Baumgardner floor amendment, (L.002) to SB 13-286, did pass.

Amend printed bill, page 3, line 10, after "ELECTRIC," insert "COAL MINE METHANE,".

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **lost** on the following roll call vote:

YES	15	NO	20	EXCUSED	0	ABSENT	0
Aguilar	N	Guzman	N	Kefalas	N	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	N	Scheffel	Y
Baumgardner	Y	Heath	N	King	Y	Schwartz	N
Brophy	Y	Hill	Y	Lambert	Y	Steadman	N
Cadman	Y	Hodge	N	Lundberg	Y	Tochtrop	N
Carroll	N	Hudak	N	Marble	Y	Todd	N
Crowder	Y	Jahn	N	Newell	N	Ulibarri	N
Giron	N	Johnston	N	Nicholson	N	President	N
Grantham	Y	Jones	N	Renfroe	Y		

ROLL CALL VOTE ON SB13-287

SB13-287 by Senator(s) Nicholson and Brophy, Morse, Aguilar, Giron; also Representative(s) McLachlan and Sonnenberg, Coram--Concerning telecommunications.

Senator Steadman requested a roll call vote on **SB13-287**.

YES	16	NO	19	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	N
Balmer	N	Harvey	N	Kerr	N	Scheffel	N
Baumgardner	N	Heath	Y	King	N	Schwartz	Y
Brophy	Y	Hill	N	Lambert	N	Steadman	N
Cadman	N	Hodge	N	Lundberg	N	Tochtrop	N
Carroll	Y	Hudak	Y	Marble	N	Todd	Y
Crowder	Y	Jahn	N	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	N
Grantham	N	Jones	Y	Renfroe	N		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Ulibarri, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

- Passed on second reading: SB13-286 as amended, SB13-284 as amended, SB13-285 as amended, HB13-1308, HB13-1238 as amended, HB13-1280, HB13-1210, HB13-1254, HB13-1259, HB13-1315 as amended, HB13-1004 as amended.
- Lost on second reading: SB13-287 as amended.
- Laid over until Saturday, May 4: HB13-1296, HB13-1269.
- Laid over until Monday, May 13: HB13-1304.

NOTICE OF INTENT TO RECONSIDER THE ADOPTION OF THE COMMITTEE OF THE WHOLE REPORT

Having voted on the prevailing side, President Morse gave notice of intent to reconsider the Adoption of the Report of the Committee of the Whole, as printed in Senate Journal, May 3, page 1272.

MESSAGE FROM THE HOUSE

May 3, 2013

Mr. President:

The House has postponed indefinitely SB13-218, 259. The bills are returned herewith.

On motion of Majority Leader Carroll, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, the General Orders -- Second Reading of Bills Consent Calendar of Saturday, May 4 (HB13-1305, HB13-1310, and HB13-1314), the General Orders -- Second Reading of Bills Calendar of Saturday, May 4 (HB13-1296, HB13-1269, HB13-1277, HB13-1274, HB13-1002, HB13-1257, HB13-1171, HB13-1278, HB13-1292, HB13-1286, HB13-1165, HB13-1295, HB13-1245, HB13-1290, HB13-1007, and SB13-288), and the Consideration of Governor's Appointments Consent Calendar for Saturday, May 4 (Members of the State Agricultural Commission, Member of the State Board of Land Commissioners, Members of the Colorado Tourism Board of Directors, Member of the Oil and Gas Conservation Commission of the State of Colorado, Members of the Colorado State Fair Authority Board of Commissioners, Members of the State Board of Human Services, Member of the Colorado Traumatic Brain Injury Trust Fund Board, Member of the Colorado Commission on the Aging) were made Special Orders at 6:37 p.m.

On motion of Majority Leader Carroll, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, the Finance Committee was given leave to meet during a session of the Senate pursuant to Senate Rule 21 (c).

Committee of the Whole The hour of 6:37 p.m. having arrived, Senator Ulibarri moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders -- Second Reading of Bills Consent Calendar and, Senator Ulibarri 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:

HB13-1305 by Representative(s) Gerou and Levy, Duran; also Senator(s) Steadman, Hodge, Lambert-- Concerning limited authorization for the governor to order moneys to be transferred from the general fund to the tobacco litigation settlement cash fund if any payment of tobacco litigation settlement moneys to be made to the state is reduced due to a finding by an arbitration panel that the state must repay disputed payments of tobacco litigation settlement moneys already made to the state.

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

HB13-1310 by Representative(s) May, Fields, Gerou, Melton, Primavera, Priola, Schafer; also Senator(s) Hodge, Todd--Concerning the repeal of a portion of the definition of a pharmacy intern.

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

HB13-1314 by Representative(s) Levy and Gerou, Duran; also Senator(s) Hodge, Steadman, Lambert-- Concerning the transfer of the administration of long-term services for persons with intellectual and developmental disabilities to the department of health care policy and financing.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, May 2, page(s) 1231-1233 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 Ulibarri, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	Y	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB13-1305, HB13-1310, HB13-1314 as amended.

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

SPECIAL 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:

HB13-1257 by Representative(s) Hamner; also Senator(s) Todd--Concerning working collaboratively with educators to develop a distinctive local-level personnel evaluation system for educators, and, in connection therewith, making an appropriation.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, April 29, page(s) 1095 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, May 2, page(s) 1219-1220 and placed in members' bill files.)

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

HB13-1171 by Representative(s) Primavera, McCann, Melton, Ryden, Schafer, Singer, Tyler; also Senator(s) Todd, Aguilar, Giron, Guzman, Hudak, Jahn, Kefalas, Newell--Concerning the use of epinephrine auto-injectors in emergency situations in school settings, and, in connection therewith, making an appropriation.

Amendment No. 1, Health and Human Services Committee Amendment.
(Printed in Senate Journal, May 2, page(s) 1109-1110 and placed in members' bill files.)

Amendment No. 2(L.016), by Senator Todd.

Amend the Health and Human Services Committee Report, dated April 30, 2013, page 1, line 6, strike the first "THE" and substitute "A".

Page 1, line 11, strike "THE REGISTERED" and substitute "A".

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Page 1, line 13, strike "ANOTHER" and substitute "A".

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.)

HB13-1278 by Representative(s) Mitsch Bush; also Senator(s) Todd and Jahn--Concerning the reporting of oil spills, and, in connection therewith, making an appropriation.

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

HB13-1277 by Representative(s) Williams; also Senator(s) Carroll and Todd--Concerning the regulation of persons who manage the affairs of common interest communities under the "Colorado Common Interest Ownership Act".

Amendment No. 1, Local Government Committee Amendment.

(Printed in Senate Journal, May 1, page(s) 1148 and placed in members' bill files.)

Amendment No. 2(L.016), by Senator Steadman.

Amend reengrossed bill, page 9, strike lines 6 through 13 and substitute:

"(b) AN APPLICANT IS INELIGIBLE FOR A LICENSE IF THE PERSON HAS, WITHIN THE IMMEDIATELY PRECEDING TEN YEARS, HAD A LICENSE OR CERTIFICATION AS A COMMUNITY".

Page 9, after line 19 insert:

"(c) IF THE DIRECTOR DETERMINES THAT THE APPLICANT HAS BEEN CONVICTED OF A CRIME, THE DIRECTOR SHALL CONSIDER THE FOLLOWING FACTORS WHEN DETERMINING WHETHER THE CONVICTION DISQUALIFIES THE APPLICANT FOR A LICENSE:

(I) THE NATURE OF THE CONVICTION;

(II) WHETHER THERE IS A DIRECT RELATIONSHIP BETWEEN THE CONVICTION AND THE DUTIES AND RESPONSIBILITIES OF LICENSURE AND THE BEARING, IF ANY, THE CONVICTION MAY HAVE ON THE APPLICANT'S FITNESS OR ABILITY TO PERFORM ONE OR MORE SUCH DUTIES AND RESPONSIBILITIES, INCLUDING WHETHER THE CONVICTION WAS FOR UNLAWFUL SEXUAL BEHAVIOR AS LISTED IN SECTION 16-22-102 (9), C.R.S., AND WHETHER THE APPLICANT WOULD PLACE A RESIDENT OR THE PUBLIC IN A VULNERABLE POSITION;

(III) ANY INFORMATION PRODUCED BY THE APPLICANT OR PRODUCED ON THE APPLICANT'S BEHALF REGARDING HIS OR HER REHABILITATION AND GOOD CONDUCT; AND

(IV) THE TIME THAT HAS ELAPSED SINCE THE CONVICTION.

(d) NOTWITHSTANDING PARAGRAPH (c) OF THIS SUBSECTION (3), AN APPLICANT IS INELIGIBLE FOR LICENSURE IF THE APPLICANT HAS, WITHIN THE IMMEDIATELY PRECEDING TEN YEARS, BEEN CONVICTED OF AN OFFENSE INVOLVING UNLAWFUL SEXUAL BEHAVIOR AS LISTED IN SECTION 16-22-102 (9), C.R.S., A BURGLARY OFFENSE, AS DEFINED IN SECTION 18-4-202 OR 18-4-203, C.R.S., OR ANY FELONY INVOLVING FRAUD, THEFT, LARCENY, EMBEZZLEMENT, FRAUDULENT CONVERSION, OR MISAPPROPRIATION OF PROPERTY."

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

HB13-1286 by Representative(s) Williams, Ryden; also Senator(s) Tochtrop, Guzman, King-- Concerning the suspension of recovery audits of state agencies until the data needed to conduct the audits is included in a modernized Colorado financial reporting system, and, in connection therewith, reducing an appropriation.

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

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- HB13-1274** by Representative(s) Hullinghorst; also Senator(s) Kerr--Concerning the state board of land commissioners' investment in commercial real property, and, in connection therewith, granting the state board of land commissioners the authority to enter into lease-purchase agreements. 1
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Amendment No. 1, Appropriations Committee Amendment. 7
(Printed in Senate Journal, May 2, page(s) 1219 and placed in members' bill files.) 8
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As amended, ordered revised and placed on the calendar for third reading and final 10
passage. 11
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- HB13-1165** by Representative(s) Wilson; also Senator(s) Heath--Concerning the creation of a manufacturing career pathway for Colorado, and, in connection therewith, making an appropriation. 14
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Ordered revised and placed on the calendar for third reading and final passage. 18
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- HB13-1295** by Representative(s) Ferrandino, Court, Hullinghorst, Levy, Pabon; also Senator(s) Heath--Concerning the implementation of the minimum simplification requirements of the proposed federal "Marketplace Fairness Act of 2013" in order for the state to be authorized by the federal government to require remote sellers to collect sales tax on taxable sales made within the state. 21
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Amendment No. 1, Agriculture, Natural Resources, and Energy Committee Amendment. 27
(Printed in Senate Journal, May 1, page(s) 1145-1146 and placed in members' bill files.) 28
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As amended, ordered revised and placed on the calendar for third reading and final 30
passage. 31
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- HB13-1245** by Representative(s) McCann; also Senator(s) Steadman--Concerning funding mechanisms for the Colorado health benefit exchange. 34
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Amendment No. 1, Health & Human Services Committee Amendment. 37
(Printed in Senate Journal, April 30, page(s) 1110 and placed in members' bill files.) 38
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As amended, ordered revised and placed on the calendar for third reading and final 40
passage. 41
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- HB13-1002** by Representative(s) Tyler, Lee, Moreno, Primavera, Ryden, Schafer, Williams, Young; also Senator(s) Jahn--Concerning moneys for small business development centers, and, in connection therewith, making an appropriation. 44
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Amendment No. 1, Business, Labor, & Technology Committee Amendment. 48
(Printed in Senate Journal, April 30, page(s) 1137 and placed in members' bill files.) 49
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Amendment No. 2, Appropriations Committee Amendment. 51
(Printed in Senate Journal, May 2, page(s) 1219 and placed in members' bill files.) 52
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As amended, ordered revised and placed on the calendar for third reading and final 54
passage. 55
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- HB13-1292** by Representative(s) Lee and Pabon, Buckner, Court, Duran, Exum, Ferrandino, Fields, Fischer, Foote, Garcia, Ginal, Hamner, Hullinghorst, Kagan, Kraft-Tharp, Labuda, Lebsock, Levy, May, McCann, McLachlan, Melton, Mitsch Bush, Moreno, Peniston, Pettersen, Primavera, Rosenthal, Ryden, Salazar, Schafer, Singer, Tyler, Vigil, Williams, Young; also Senator(s) Kerr and Nicholson, Aguilar, Carroll, Giron, Guzman, Heath, Hodge, Hudak, Jahn, Johnston, Jones, Kefalas, Morse, Newell, Schwartz, Steadman, Tochtrop, Todd, Ulibarri--Concerning modifications to procurement requirements for government contracts related to United States domestic employment, and, in connection therewith, making an appropriation. 58
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Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, April 30, page(s) 1143-1145 and placed in members' bill files.)

Amendment No. 2(L.015), by Senator Kerr.

Amend reengrossed bill, page 26, line 13, strike "\$364,099 and 2.0 FTE,"
and substitute "\$36,588,".

Page 26, strike lines 16 and 17.

Reletter succeeding paragraphs accordingly.

Page 26, line 18, strike "\$225,000" and substitute "\$25,000".

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

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

HB13-1290 by Representative(s) McCann; also Senator(s) Aguilar--Concerning the regulation of stop-loss health insurance used in conjunction with self-insured health care coverage in employer benefit plans.

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

SB13-288 by Senator(s) Cadman and Morse, Nicholson, Lambert, Aguilar, Baumgardner, Brophy, Carroll, Crowder, Giron, Grantham, Guzman, Harvey, Heath, Hill, Hodge, Hudak, Jahn, Johnston, Jones, Kefalas, Kerr, King, Lundberg, Marble, Newell, Renfroe, Roberts, Scheffel, Schwartz, Steadman, Tochtrop, Todd, Ulibarri; also Representative(s) Levy and Gerou--Concerning the process by which the general assembly approves recommendations made by the state claims board for an additional payment to claimants that exceeds the maximum liability under the "Colorado Governmental Immunity Act".

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

HB13-1007 by Representative(s) Peniston; also Senator(s) Hudak--Concerning recreation of the early childhood and school readiness legislative commission.

Amendment No. 1(L.005), by Senator Hudak.

Amend reengrossed bill, page 5, strike lines 4 and 5 and substitute:

"(c) THE PRESIDENT OF THE SENATE SHALL SELECT THE FIRST CHAIR OF THE COMMISSION, AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES".

Page 5, line 6, strike "SENATE".

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

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

HB13-1171 by Representative(s) Primavera, McCann, Melton, Ryden, Schafer, Singer, Tyler; also Senator(s) Todd, Aguilar, Giron, Guzman, Hudak, Jahn, Kefalas, Newell--Concerning the use of epinephrine auto-injectors in emergency situations in school settings, and, in connection therewith, making an appropriation.

Senator Harvey moved to amend the Report of the Committee of the Whole to show that the following amendment to HB 13-1171 did pass.

Amend reengrossed bill, page 7, strike lines 8 through 13 and substitute:

"SECTION 2. No appropriation. The general assembly has determined that this act can be implemented within existing appropriations, and therefore no separate appropriation of state moneys is necessary to carry out the purposes of this act."

A majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **passed** on the following roll call vote:

YES	33	NO	1	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	N
Crowder	E	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Ulibarri, 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	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	E	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB13-288, HB13-1257 as amended, HB13-1171 as amended, HB13-1278, HB13-1277 as amended, HB13-1286, HB13-1274 as amended, HB13-1165, HB13-1295 as amended, HB13-1245 as amended, HB13-1002 as amended, HB13-1292 as amended, HB13-1290, HB13-1007 as amended.

COMMITTEE OF REFERENCE REPORTS

Finance

After consideration on the merits, the Committee recommends that **HB13-1317** be **amended** as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 3, line 11, after "MARIJUANA" insert "AND

RETAIL MARIJUANA PRODUCTS". 1

Page 4, strike lines 8 through 19 and substitute "FUND CONSISTS OF: 2

(I) The moneys ~~in the fund~~ COLLECTED BY THE STATE LICENSING 3

AUTHORITY; 4

(II) ANY APPLICABLE RETAIL MARIJUANA EXCISE TAX 5

TRANSFERRED PURSUANT TO SECTION 39-28.8-306 (1) (b), C.R.S.; 6

(III) ANY APPLICABLE RETAIL MARIJUANA SALES TAX 7

TRANSFERRED PURSUANT TO SECTION 39-28.8-203 (1) (b), C.R.S.; 8

(IV) ANY SALES TAX IMPOSED PURSUANT TO SECTION 39-26-106, 9

C.R.S., ON THE RETAIL SALE OF PRODUCTS UNDER THIS ARTICLE AND 10

ARTICLE 43.4 OF THIS TITLE; AND 11

(V) ANY ADDITIONAL GENERAL FUND MONEYS APPROPRIATED TO 12

THE FUND THAT ARE NECESSARY FOR THE OPERATION OF THE STATE 13

LICENSING AUTHORITY. 14

(b) MONEYS IN THE FUND shall be subject to annual appropriation 15

by the general assembly to: 16

(I) The department of revenue for the direct and indirect costs 17

associated with implementing this article AND ARTICLE 43.4 OF THIS 18

TITLE; 19

(II) THE DIVISION OF CRIMINAL JUSTICE IN THE DEPARTMENT OF 20

PUBLIC SAFETY FOR THE STUDY OF MARIJUANA IMPLEMENTATION 21

PURSUANT TO SECTION 24-33.5-514, C.R.S.; 22

(III) THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT 23

FOR THE MONITERING OF THE HEALTH EFFECTS OF MARIJUANA PUSUANT 24

TO SECTION 25-1.5-111, C.R.S.; AND 25

(IV) THE GENERAL FUND TO REPAY TWO MILLION DOLLARS TO THE 26

GENERAL FUND FOR THE TRANSFERS REQUIRED BY SECTION 39-26-123 (6), 27

C.R.S. 28

(c) Any moneys in the fund not expended for ~~the purposes of this~~ 29

~~article~~ THESE PURPOSES may be invested by the state". 30

Page 5, line 6, strike "(b)" and substitute "(d)". 31

Page 5, line 9, strike "(b)" and substitute "(d)". 32

Page 6, line 8, strike "MARIJUANA," insert "MARIJUANA AND RETAIL 33

MARIJUANA PRODUCTS,". 34

Page 6, line 27, after "MARIJUANA" insert "AND RETAIL MARIJUANA 35

PRODUCTS". 36

Page 7, strike lines 18 and 19. 37

Renumber succeeding subsections accordingly. 38

Page 7, line 22, strike "GOVERNMENT" and substitute "JURISDICTION". 39

Page 7, line 24, strike "BUSINESSES" and substitute "RETAIL MARIJUANA 40

ESTABLISHMENTS". 41

Page 8, line 8, strike the first "AND" and substitute "THAT". 42

Page 8, after line 16, insert: 43

"(17) "RETAIL MARIJUANA PRODUCTS" MEANS "MARIJUANA 44

PRODUCTS AS DEFINED IN SECTION 16 (2) (k) OF ARTICLE XVIII OF THE 45

STATE CONSTITUTION THAT ARE PRODUCED AT A RETAIL MARIJUANA 46

PRODUCTS MANUFACTURER." 47

Renumber succeeding subsections accordingly. 48

Page 8, line 24, strike "HAS THE SAME" and substitute "MEANS". 49

Page 8, line 25, strike "MEANING AS". 50

Page 8, line 26, strike "CONSTITUTION." and substitute "CONSTITUTION 51

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THAT IS LICENSED PURSUANT TO THIS ARTICLE." 1

Page 9, line 7, strike "OR HIGH SCHOOL," and substitute "HIGH SCHOOL, OR 2
INSTITUTE OF HIGHER EDUCATION." 3

Page 11, line 13, strike "DEDUCTED FROM" and substitute "APPLIED TO" 4
and strike "LICENSE" and substitute "APPLICATION". 5

Page 11, line 15, strike "FEE." and substitute "FEE UNLESS THE LOCAL 6
JURISDICTION HAS PROHIBITED THE OPERATION OF RETAIL MARIJUANA 7
ESTABLISHMENTS PURSUANT TO SECTION 16 (5) (f) OF ARTICLE XVIII OF 8
THE STATE CONSTITUTION." 9

Page 11, line 19, after "ARTICLE." add "A LICENSE ISSUED TO A PERSON 10
PURSUANT TO THIS SUBPARAGRAPH (II) IS NOT EFFECTIVE UNTIL OCTOBER 11
1, 2014." 12

Page 11, line 25, strike "IMMEDIATELY" and substitute "WITHIN SEVEN 13
DAYS". 14

Page 11, line 26, strike "JURISDICTION." and substitute "JURISDICTION 15
UNLESS THE LOCAL JURISDICTION HAS PROHIBITED THE OPERATION OF 16
RETAIL MARIJUANA ESTABLISHMENTS PURSUANT TO SECTION 16 (5) (f) OF 17
ARTICLE XVIII OF THE STATE CONSTITUTION." 18

Page 12, line 24, after "MARIJUANA" insert "AND RETAIL MARIJUANA 19
PRODUCTS". 20

Page 13, line 12, after "TO" insert "THE JOINT BUDGET COMMITTEE AND". 21

Page 13, line 16, strike "MARKET," and substitute "AND RETAIL 22
MARIJUANA PRODUCTS MARKETS,". 23

Page 13, strike lines 19 and 20 and substitute: 24

"(c) DETAILING THE AMOUNT OF REVENUE GENERATED BY 25
MEDICAL AND RETAIL MARIJUANA, INCLUDING APPLICABLE EXCISE TAXES, 26
SALES TAXES, APPLICATION AND LICENSE FEES, AND ANY OTHER FEES, 27
AND DETAILING THE EXPENSES INCURRED BY THE STATE LICENSING 28
AUTHORITY, BROKEN DOWN INTO CATEGORIES AS DETERMINED BY THE 29
AUTHORITY;" 30

Page 14, line 5, strike "IS" and substitute "AND RETAIL MARIJUANA 31
PRODUCTS ARE". 32

Page 14, line 15, after "MARIJUANA" insert "AND RETAIL MARIJUANA 33
PRODUCTS". 34

Page 14, line 18, after "MARIJUANA" insert "AND RETAIL MARIJUANA 35
PRODUCTS". 36

Page 14, line 23, strike the first "THE" and substitute "EITHER SEED OR" 37
and after "MARIJUANA" insert "OR RETAIL MARIJUANA PRODUCT". 38

Page 15, line 3, after "MARIJUANA" insert "AND RETAIL MARIJUANA 39
PRODUCTS". 40

Page 15, line 12, strike "ALL". 41

Page 15, line 14, after "MARIJUANA" insert "AND RETAIL MARIJUANA 42
PRODUCTS". 43

Page 15, line 25, strike "HEARINGS UNDER SECTION 24-4-105," and 44
substitute "HEARINGS.". 45

Page 15, line 26, strike "C.R.S.". 46

Page 16, line 5, after "MARIJUANA" insert "OR RETAIL MARIJUANA PRODUCTS".

Page 17, line 10, after "MARIJUANA" insert "AND RETAIL MARIJUANA PRODUCTS".

Page 17, line 12, strike "AGENCY" and substitute "STATE LICENSING AUTHORITY" and strike "ARE FREE FROM" and substitute "DO NOT CONTAIN HARMFUL LEVELS OF".

Page 17, line 13, strike "HARMFUL".

Page 17, strike line 17 and substitute "CORRECT. IN THE EVENT THAT TEST RESULTS FOR AN END PRODUCT VARY FROM LABELED LEVELS BY FIFTEEN PERCENT OR MORE, THE PRODUCER SHALL DOCUMENT THE STEPS TAKEN TO BRING THE VARIANCE WITHIN THE ALLOWABLE LEVEL. THIS TESTING IS TO BE INITIATED AND PAID FOR BY THE PERTINENT PRODUCTION ENTITY AND COMPLETED AT A LICENSED TESTING FACILITY.".

Page 17, strike lines 18 through 23 and substitute:

"(B) THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT SHALL RECOMMEND TO THE STATE LICENSING AUTHORITY STANDARDS AND CRITERIA FOR INDEPENDENT TESTING AND CERTIFICATION UNDER SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (IV).".

Page 19, line 1, strike "PRODUCT";" and substitute "PRODUCT.";".

Page 19, line 7, before "MARIJUANA" insert "RETAIL".

Page 19, line 10, after "EDIBLE" insert "MARIJUANA".

Page 19, strike line 12 and substitute: "MARIJUANA.".

Page 19, line 19, strike "MARIJUANA;" and substitute "MARIJUANA AND RETAIL MARIJUANA PRODUCTS;".

Page 19, line 20, strike "STORES," and substitute "ESTABLISHMENTS,".

Page 19, line 26, strike "STORES;" and substitute "STORES AND ANY APPLICABLE EXCISE TAX PAYMENTS BY RETAIL MARIJUANA CULTIVATION FACILITIES;".

Page 23, line 11, after "ANY" insert "RETAIL".

Page 23, line 27, strike "MARIJUANA." and substitute "MARIJUANA AND RETAIL MARIJUANA PRODUCTS.".

Page 24, strike lines 9 through 17 and substitute:

(b) (I) THE STATE LICENSING AUTHORITY MAY ESTABLISH LIMITATIONS UPON RETAIL MARIJUANA PRODUCTION THROUGH ONE OR MORE OF THE FOLLOWING METHODS:

(A) PLACING OR MODIFYING A LIMIT ON THE NUMBER OF LICENSES THAT IT ISSUES, BY CLASS OR OVERALL, BUT IN PLACING OR MODIFYING THE LIMITS, THE AUTHORITY SHALL CONSIDER THE REASONABLE AVAILABILITY OF NEW LICENSES AFTER A LIMIT IS ESTABLISHED OR MODIFIED;

(B) PLACING OR MODIFYING A LIMIT ON THE AMOUNT OF PRODUCTION PERMITTED BY A RETAIL MARIJUANA CULTIVATION LICENSE OR CLASS OF LICENSES BASED UPON SOME REASONABLE METRIC OR SET OF METRICS INCLUDING, BUT NOT LIMITED TO, THOSE ITEMS DETAILED IN PARAGRAPH (a) OF THIS SUBSECTION (4), PREVIOUS MONTHS' SALES, PENDING SALES, OR OTHER REASONABLE METRICS AS DETERMINED BY THE STATE LICENSING AUTHORITY; AND

(C) PLACING OR MODIFYING A LIMIT ON THE TOTAL AMOUNT OF PRODUCTION BY RETAIL MARIJUANA CULTIVATION LICENSEES IN THE

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STATE, COLLECTIVELY, BASED UPON SOME REASONABLE METRIC OR SET OF METRICS INCLUDING, BUT NOT LIMITED TO, THOSE ITEMS DETAILED IN PARAGRAPH (a) OF THIS SUBSECTION (4), AS DETERMINED BY THE STATE LICENSING AUTHORITY.

(II) NOTWITHSTANDING ANYTHING CONTAINED IN THIS ARTICLE TO".

Page 24, line 21, strike "(I)" and substitute "(A)".

Page 24, line 22, after "MARIJUANA" insert "AND RETAIL MARIJUANA PRODUCTS".

Page 24, line 23, strike "(II)" and substitute "(B)".

Page 25, line 3, after "SHALL", insert "WITHIN SEVEN DAYS".

Page 25, line 5, strike "BUSINESS" and substitute "ESTABLISHMENT" and strike "LOCATED." and substitute "LOCATED UNLESS THE LOCAL JURISDICTION HAS PROHIBITED THE OPERATION OF RETAIL MARIJUANA ESTABLISHMENTS PURSUANT TO SECTION 16 (5) (f) OF ARTICLE XVIII OF THE STATE CONSTITUTION."

Page 25, strike lines 15 and 16 and substitute "REQUIREMENTS, BUT A LOCAL JURISDICTION SHALL NOTIFY THE STATE LICENSING AUTHORITY THAT IT EITHER APPROVES OR DENIES EACH APPLICATION FORWARDED TO IT."

Page 27, line 16, strike "AND, IF REQUIRED," and substitute "AND".

Page 28, line 4, strike "12-43.4-104 (1) (c) OR".

Page 28, line 25, strike "LICENSING AUTHORITY" and substitute "JURISDICTION".

Page 29, line 2, strike "A PERSON" and substitute "AN INDIVIDUAL".

Page 29, line 4, strike "AN ENTITY OTHER THAN A PERSON," and substitute "A PERSON OTHER THAN AN INDIVIDUAL".

Page 30, line 9, strike "FACILITY" and substitute "ESTABLISHMENT".

Page 30, strike line 18 and substitute:

"(k) AN OWNER".

Page 30, line 19, strike "AUTHORITY,".

Page 31, line 14, strike "A".

Page 32, line 19, after "LOCATION;" insert "OR".

Page 32, line 24, strike "PREMISES;" and substitute "PREMISES."

Page 32, strike lines 25 through 27.

Strike page 33.

Page 34, strike lines 1 through 3.

Page 34, line 8 strike "(13)." and substitute "(12)."

Page 35, line 2, strike "12-43.4-302." and substitute "12-43.4-304."

Page 35, line 22, strike "OWNER OR OFFICER" and substitute "OWNER, OFFICER, OR MANAGER".

Page 38, line 3, strike "TWO BUSINESS" and substitute "SEVEN".

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Page 38, line 22, strike "TWO" and substitute "SEVEN". 1

Page 38, line 23, strike "BUSINESS". 2

Page 40, line 24, strike "MARIJUANA," and substitute "MARIJUANA AND 3

RETAIL MARIJUANA PRODUCTS,". 4

Page 41, line 18, strike "WITH". 5

Page 41, line 19, strike "SEPARATE LICENSED PREMISES". 6

Page 42, line 14, after "MARIJUANA" insert "OR RETAIL MARIJUANA 7

PRODUCTS". 8

Page 42, line 16, after "(b)" insert "(I)". 9

Page 42, strike line 19 and substitute: "RETAIL MARIJUANA CULTIVATION 10

FACILITY. 11

(II) A RETAIL MARIJUANA STORE". 12

Page 42, line 25, strike "PARAGRAPH (b) OF" and substitute 13

"SUBPARAGRAPH (I) OF THIS PARAGRAPH (c)". 14

Page 42, line 26, strike "THIS SUBSECTION (1)". 15

Page 43, line 11 strike "STORE; EXCEPT THAT" and substitute "STORE. 16

NOTWITHSTANDING THE PROVISIONS OF THIS SUBPARAGRAPH (II)," 17

Page 43, strike lines 19 through 21. 18

Renumber succeeding subparagraph accordingly. 19

Page 44, after line 1 insert: 20

"(e) THE RETAIL MARIJUANA STORE SHALL TRACK ALL OF ITS 21

RETAIL MARIJUANA FROM THE POINT THAT IT IS TRANSFERRED FROM A 22

RETAIL MARIJUANA CULTIVATION FACILITY TO THE POINT OF SALE." 23

Page 44, line 2, strike "ANY APPLICABLE" and substitute "THE". 24

Page 44, strike lines 16 through 20 and substitute "OF THE STATE OF 25

COLORADO." 26

Page 44, line 24, after "OLDER." insert "IF A PERSON UNDER TWENTY-ONE 27

YEARS OF AGE PRESENTS A FRAUDULENT PROOF OF AGE, ANY ACTION 28

RELYING ON THE FRAUDULENT PROOF OF AGE SHALL NOT BE GROUNDS 29

FOR THE REVOCATION OR SUSPENSION OF ANY LICENSE ISSUED UNDER 30

THIS ARTICLE." 31

Page 45, line 4, after "MARIJUANA" insert "AND RETAIL MARIJUANA 32

PRODUCTS". 33

Page 45, line 19, after "ANY" insert "RETAIL MARIJUANA OR". 34

Page 46, line 5, after "MARIJUANA" insert "OR RETAIL MARIJUANA 35

PRODUCTS". 36

Page 46, line 7, strike "MARIJUANA," and substitute "MARIJUANA AND 37

RETAIL MARIJUANA PRODUCTS,". 38

Page 46, after line 10, insert: 39

"(11) NOTWITHSTANDING ANY OTHER PROVISION OF STATE LAW, 40

SALES OF RETAIL MARIJUANA PRODUCTS ARE NOT EXEMPT FROM STATE OR 41

LOCAL SALES TAX." 42

Page 48, strike line 11 and substitute "FACILITY, THE IDENTITY OF THE 43

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TESTING FACILITY, AND THE TESTING RESULTS.".

Page 48, line 12, after "RETAIL", insert "MARIJUANA OR RETAIL".

Page 48, strike lines 23 through 26 and substitute "A".

Page 49, line 5, strike "SALE." and substitute "TRANSFER TO A LICENSED RETAIL MARIJUANA STORE.".

Page 49, after line 5, insert:

"(c) (I) BEFORE OCTOBER 1, 2014, EXCEPT AS PERMITTED BY SECTION 12-43.4-402 (1) (c) (II), A RETAIL MARIJUANA PRODUCTS MANUFACTURER LICENSEE THAT HAS A RETAIL MARIJUANA CULTIVATION FACILITY LICENSE SHALL NOT SELL ANY OF THE RETAIL MARIJUANA THAT IT CULTIVATES EXCEPT FOR THE RETAIL MARIJUANA THAT IS CONTAINED IN ITS RETAIL MARIJUANA PRODUCTS.

(II) THIS PARAGRAPH (c) IS REPEALED, EFFECTIVE JANUARY 1, 2015."

Reletter succeeding paragraph accordingly.

Page 49, line 9, strike "THE" and substitute "ANY APPLICABLE".

Page 49, line 24, strike "(2)" and substitute "(3)".

Page 50, strike lines 4 through 6.

Reletter succeeding subsections accordingly.

Page 52, strike lines 16 through 25.

Reletter succeeding subsection accordingly.

Page 53, line 26, strike "OF RECORD." and substitute "FURNISHED TO THE AUTHORITY BY THE LICENSEE.".

Page 59, line 11, strike "IS" and substitute "OR RETAIL MARIJUANA PRODUCTS ARE".

Page 60, line 9, after "MARIJUANA", insert "OR RETAIL MARIJUANA PRODUCTS".

Page 60, line 11, after "MARIJUANA" insert "OR RETAIL MARIJUANA PRODUCTS".

Page 60, line 15, after "MARIJUANA" insert "OR RETAIL MARIJUANA PRODUCTS".

Page 61, line 6, strike "(11);" and substitute "(10);".

Page 61, line 8, strike "(12)." and substitute "(11).".

Page 61, line 11, after "MARIJUANA" insert "OR RETAIL MARIJUANA PRODUCTS".

Page 61, line 17, after "MARIJUANA" insert "OR RETAIL MARIJUANA PRODUCTS".

Page 61, line 20, strike "RETAIL".

Page 61, line 27, strike "MARIJUANA" and substitute "MARIJUANA, RETAIL MARIJUANA PRODUCTS,".

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Finance

After consideration on the merits, the Committee recommends that **HB13-1318** be **amended** as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 6, line 22, strike "TRANSFER, EXCHANGE," and substitute "EXCHANGE".

Page 6, line 23, strike "A".

Page 6, after line 23 insert:

"(14) "TRANSFER" MEANS TO GRANT, CONVEY, HAND OVER, ASSIGN, SELL, EXCHANGE, OR BARTER, IN ANY MANNER OR BY ANY MEANS, WITH OR WITHOUT CONSIDERATION."

Renumber succeeding subsection accordingly.

Page 8, strike line 2 and substitute "GENERAL ASSEMBLY AND THAT BECOMES LAW:".

Page 8, strike lines 23 through 27.

Page 9, strike lines 1 through 6.

Page 10, line 25, strike "RETAILS" and substitute "RETAIL".

Page 13, strike line 17 and substitute "THE GENERAL ASSEMBLY AND THAT BECOMES LAW:".

Page 15, line 3, strike "(a)".

Page 15, strike lines 10 through 13.

Page 16, line 9, strike "A FACILITY MAY" and substitute "THE DEPARTMENT MAY REQUIRE A FACILITY TO FILE OR A FACILITY MAY CHOOSE TO".

Page 16, line 10, strike "ANTICIPATED" and substitute "ACTUAL".

Page 16, strike lines 13 through 27.

Strike page 17.

Page 18, strike lines 1 through 12.

Renumber succeeding C.R.S. sections accordingly.

Page 20, line 10, strike "FORTY MILLION DOLLARS" and substitute "\$40,000,000".

Page 20, after line 27 insert:

39-28.8-402. Repeal of article. (1) THIS ARTICLE IS REPEALED, EFFECTIVE FEBRUARY 1, 2014, IF THE VOTERS AT THE NOVEMBER 2013 STATEWIDE ELECTION DO NOT APPROVE THE QUESTION DESCRIBED IN SECTION 39-28.8-401 AND THE GOVERNOR ISSUES AN OFFICIAL DECLARATION OF THE VOTE THEREON.

(2) THIS SECTION IS REPEALED, EFFECTIVE FEBRUARY 1, 2014, IF THE VOTERS AT THE NOVEMBER 2013 STATEWIDE ELECTION APPROVE THE QUESTION DESCRIBED IN SECTION 39-28.8-401 AND THE GOVERNOR ISSUES AN OFFICIAL DECLARATION OF THE VOTE THEREON."

Page 21, line 9, strike "article." and substitute "article AND ARTICLE 28.8 OF TITLE 39, C.R.S.".

Page 21, line 10, after "article" insert "OR ARTICLE 28.8 OF TITLE 39, C.R.S.,".

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MESSAGE FROM THE GOVERNOR

May 3, 2013

To the Honorable Senate
Sixty-Ninth General Assembly
First Regular Session
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

SB13-126: CONCERNING THE REMOVAL OF UNREASONABLE RESTRICTIONS ON THE ABILITY OF THE OWNER OF AN ELECTRIC VEHICLE TO ACCESS CHARGING FACILITIES.

Approved May 3, 2013 at 1:51 p.m.

SB13-182: CONCERNING DECEPTIVE TRADE PRACTICES RELATED TO TIME SHARE RESALE SERVICES.

Approved May 3, 2013 at 1:51 p.m.

SB13-186: CONCERNING UPDATING REQUIREMENTS FOR NEW BUILDING-INTEGRATED PHOTOVOLTAIC TECHNOLOGIES.

Approved May 3, 2013 at 1:44 p.m.

Sincerely,
(signed)
John W. Hickenlooper
Governor

**SPECIAL ORDERS -- CONSIDERATION OF GOVERNOR'S APPOINTMENTS --
CONSENT CALENDAR**

On motion of Majority Leader Carroll, the following Governor's appointments were confirmed by the following roll call votes:

MEMBERS OF THE
STATE AGRICULTURAL COMMISSION

for terms expiring March 1, 2017:

Alex C. Gerace of Denver, Colorado, an Unaffiliated from the First Agricultural District to serve as a member from the State at-large, reappointed;

Brett Brand Rutledge of Yuma, Colorado, a Democrat from the Second Agricultural District, appointed;

Steve Dale Young of Holyoke, Colorado, a Republican from the Second Agricultural District, to serve as a member from the State at-large, appointed;

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Michael Conrad Hirkata of La Junta, Colorado, a Republican from the Third Agricultural District to serve as a member from the State at-large, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	E	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

MEMBERS OF THE
STATE BOARD OF LAND COMMISSIONERS

effective June 30, 2013, for terms expiring June 30, 2017:

Gary A. Butterworth of Colorado Springs, Colorado, a person with substantial experience in natural resource conservation and a Republican, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	E	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

MEMBERS OF THE
COLORADO TOURISM OFFICE BOARD OF DIRECTORS

for a term expiring June 1, 2014:

Robert Stinchcomb of Lafayette, Colorado, to serve as an at large member from tourism-based industries, appointed;

for a term expiring June 1, 2015:

Matthew Skinner of Telluride, Colorado, to serve as a representative of tourism-related transportation industries, and occasioned by the resignation of Edwin A Garcia of Aurora, Colorado, appointed;

for terms expiring June 1, 2016:

Daniel R. Grunig of Denver, Colorado, to serve as a representative of tourism-related retail industry, small community, and small business, and occasioned by the resignation of Troy Allan Rarick of Fruita, Colorado, appointed;

Christian M. Knapp of Basalt, Colorado, to serve as a representative of the ski industry, reappointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	E	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

MEMBER OF THE
OIL AND GAS CONSERVATION COMMISSION
OF THE STATE OF COLORADO

for a term expiring July 1, 2016:

Dr. DeAnn "Dolly" Craig of Denver, Colorado, to serve as a member with substantial experience in the oil and gas industry and with a college degree in petroleum geology or petroleum engineering, and as a Republican, reappointed.

YES	33	NO	1	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	E	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	N	Renfroe	Y		

MEMBERS OF THE
COLORADO STATE FAIR AUTHORITY
BOARD OF COMMISSIONERS

for terms expiring November 1, 2016:

Arthur H. Bosworth II of Denver, Colorado, a Republican residing in the First Congressional District, reappointed;

Virginia "Ginny" Vietti of Silverthorne, Colorado, a Democrat residing in the Second Congressional District, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	E	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

MEMBERS OF THE
STATE BOARD OF HUMAN SERVICES

for terms expiring March 1, 2017:

- Jerene Carol Petersen of Denver, Colorado, a member of the public, reappointed;
- Catherine Anne Silburn of Lakewood, Colorado, a member of the public, reappointed;
- Jeffrey Gordon Kuhr of Grand Junction, Colorado, a member of the public, appointed;
- Stephanie A. Garcia of Pueblo, Colorado, a member of the public, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	E	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

MEMBER OF THE
COLORADO TRAUMATIC BRAIN INJURY TRUST FUND BOARD

for terms expiring on June 30, 2015:

- Laetitia L. Thompson, Ph.D., of Denver, Colorado, to serve as a neuropsychologist, reappointed

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	E	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

MEMBER OF THE
COLORADO COMMISSION ON THE AGING

for a term expiring July 1, 2014:

- Robert H. Spuhler of Glenwood Springs, Colorado, to serve as a Republican from the Third Congressional District, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	E	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

CONSIDERATION OF RESOLUTIONS

HJR13-1019 by Representative(s) Levy and Navarro, Gardner, Dore, Duran, Exum, Labuda, Rosenthal, Szabo; also Senator(s) Giron and Harvey--Concerning creation of an interim committee to study legal defense in juvenile justice proceedings.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kefalas	Y	Roberts	Y
Balmer	Y	Harvey	Y	Kerr	Y	Scheffel	Y
Baumgardner	Y	Heath	Y	King	Y	Schwartz	Y
Brophy	Y	Hill	Y	Lambert	Y	Steadman	Y
Cadman	Y	Hodge	Y	Lundberg	Y	Tochtrop	Y
Carroll	Y	Hudak	Y	Marble	Y	Todd	Y
Crowder	E	Jahn	Y	Newell	Y	Ulibarri	Y
Giron	Y	Johnston	Y	Nicholson	Y	President	Y
Grantham	Y	Jones	Y	Renfroe	Y		

Co-sponsor(s) added: Aguilar, Carroll, Heath, Hudak, Jahn, Jones, Kefalas, Kerr, Lambert, Morse, Newell, Nicholson, Renfroe, Steadman, Tochtrop, Todd and Ulibarri.

On motion of Majority Leader Carroll, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Friday, May 3 was laid over until Monday, May 6, retaining its place on the calendar.

Consideration of Resolutions: HJR13-1004, SJR13-033, SJR13-034, SJR13-035, SJR13-036, SR13-004, SR13-005.

Conference Committees to Report: HB13-1130, HB13-1215.

On motion of Majority Leader Carroll, the Senate adjourned until 10:00 a.m., Monday, May 6, 2013.

Approved:

John P. Morse
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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