

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

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83th Legislative Day Monday, March 30, 2009

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Prayer By the chaplain, Rev. Garrett Streussel, Lutheran Church of the Resurrection, Lakewood.

Pledge By Senator Newell.

Call to Order By the President at 10:00 a.m.

Roll Call Present--31  
 Absent--1, Williams.  
 Excused--3, Cadman, Morse, Schultheis.  
 Present later--3, Morse, Schultheis, Williams.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator King, reading of the Journal of Thursday, March 26, 2009, was dispensed with and the Journal was approved as corrected by the Secretary.

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On motion of Senator Shaffer, 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--SJR09-028.

**CONSIDERATION OF RESOLUTIONS**

**SJR09-028** by Senator(s) Heath; also Representative(s) Primavera--Concerning recognition of Colorado's cool cities.

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

YES	21	NO	12	EXCUSED	2	ABSENT	0
Bacon	Y	Hodge	Y	Morse	E	Shaffer B.	Y
Boyd	Y	Hudak	Y	Newell	Y	Spence	N
Brophy	N	Isgar	Y	Penry	N	Tapia	Y
Cadman	E	Keller	Y	Renfroe	N	Tochtrop	Y
Carroll M.	Y	Kester	N	Romer	Y	Veiga	Y
Foster	Y	King K.	N	Sandoval	Y	White	Y
Gibbs	Y	Kopp	N	Scheffel	N	Williams	Y
Harvey	N	Lundberg	N	Schultheis	N	President	Y
Heath	Y	Mitchell	N	Schwartz	Y		

Co-sponsors added: Bacon, Boyd, Carroll M., Foster, Gibbs, Groff, Hodge, Hudak, Newell, Romer, Sandoval, Schwartz, Shaffer B., Tapia, Tochtrop, Veiga and Williams.

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On motion of Senator Shaffer, and with a majority of those elected to the Senate having voted in the affirmative, the Special Orders -- Second Reading of Bills Calendar (SB09-180, HB09-1180, HB09-1042, SB09-235) of Monday, March 30 was laid over until Tuesday, March 31, retaining its place on the calendar.

**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:

**HB09-1217** by Representative(s) Murray; also Senator(s) Scheffel--Concerning the creation of local improvement districts for the purpose of improving public utilities.

Laid over until Tuesday, March 31, retaining its place on the calendar.

**SB09-118** by Senator(s) Gibbs, Hodge, Isgar; also Representative(s) Fischer--Concerning continuation of pet animal care regulation, and making an appropriation therefor.

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

YES	23	NO	10	EXCUSED	2	ABSENT	0
Bacon	Y	Hodge	Y	Morse	E	Shaffer B.	Y
Boyd	Y	Hudak	Y	Newell	Y	Spence	Y
Brophy	N	Isgar	Y	Penry	N	Tapia	Y
Cadman	E	Keller	Y	Renfroe	N	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	Veiga	Y
Foster	Y	King K.	N	Sandoval	Y	White	Y
Gibbs	Y	Kopp	N	Scheffel	N	Williams	Y
Harvey	N	Lundberg	N	Schultheis	N	President	Y
Heath	Y	Mitchell	N	Schwartz	Y		

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

**HB09-1281** by Representative(s) Labuda, Baumgardner, Casso, Frangas, Hullinghorst, Marostica, Murray, Schafer S., Soper, Tipton; also Senator(s) Carroll M. and Newell--Concerning representation on state boards by persons with disabilities.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Bacon	Y	Hodge	Y	Morse	E	Shaffer B.	Y
Boyd	Y	Hudak	Y	Newell	Y	Spence	Y
Brophy	Y	Isgar	Y	Penry	Y	Tapia	Y
Cadman	E	Keller	Y	Renfroe	Y	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	Veiga	Y
Foster	Y	King K.	Y	Sandoval	Y	White	Y
Gibbs	Y	Kopp	Y	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

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

Co-sponsors added: Bacon, Boyd, Foster, Gibbs, Heath, Hodge, Hudak, Penry, Schwartz, Shaffer B., Tochtrop and Williams.

**SB09-003** by Senator(s) Bacon; also Representative(s) Fischer--Concerning the automobile inspection and readjustment program, and, in connection therewith, expanding the enhanced emissions program to Weld and Larimer counties, modifying the geographical boundaries of the program area, altering criteria used to determine which collector's items are excluded from the emissions testing process, and making an appropriation.

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

YES	20	NO	13	EXCUSED	2	ABSENT	0
Bacon	Y	Hodge	Y	Morse	E	Shaffer B.	Y
Boyd	Y	Hudak	Y	Newell	Y	Spence	N
Brophy	N	Isgar	Y	Penry	N	Tapia	Y
Cadman	E	Keller	Y	Renfroe	N	Tochtrop	Y
Carroll M.	Y	Kester	N	Romer	Y	Veiga	Y
Foster	Y	King K.	N	Sandoval	Y	White	N
Gibbs	Y	Kopp	N	Scheffel	N	Williams	Y
Harvey	N	Lundberg	N	Schultheis	N	President	Y
Heath	Y	Mitchell	N	Schwartz	Y		

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

**SB09-230** by Senator(s) Spence and Groff; also Representative(s) May--Concerning the authorization of charter schools as school food authorities.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Bacon	Y	Hodge	Y	Morse	E	Shaffer B.	Y
Boyd	Y	Hudak	Y	Newell	Y	Spence	Y
Brophy	Y	Isgar	Y	Penry	Y	Tapia	Y
Cadman	E	Keller	Y	Renfroe	Y	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	Veiga	Y
Foster	Y	King K.	Y	Sandoval	Y	White	Y
Gibbs	Y	Kopp	Y	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

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

Co-sponsors added: King K., Lundberg, Mitchell, Scheffel and Schultheis.

**SB09-090** by Senator(s) Hudak, Williams, Heath, Bacon, Foster, Groff, King K., Tapia; also Representative(s) Benefield and Merrifield, Carroll T., Solano, Todd, Pace, Scanlan, Levy, Summers, Ferrandino, Miklosi, Schafer S.--Concerning measures to increase parent involvement in public education.

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

YES	24	NO	9	EXCUSED	2	ABSENT	0
Bacon	Y	Hodge	Y	Morse	E	Shaffer B.	Y
Boyd	Y	Hudak	Y	Newell	Y	Spence	Y
Brophy	N	Isgar	Y	Penry	Y	Tapia	Y
Cadman	E	Keller	Y	Renfroe	N	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	Veiga	Y
Foster	Y	King K.	Y	Sandoval	Y	White	N
Gibbs	Y	Kopp	N	Scheffel	N	Williams	Y
Harvey	N	Lundberg	N	Schultheis	N	President	Y
Heath	Y	Mitchell	N	Schwartz	Y		

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

Co-sponsors added: Boyd, Gibbs, Isgar, Newell and Schwartz.

**SB09-167** by Senator(s) Boyd, Newell, Tochtrop; also Representative(s) Kefalas--Concerning the continuation of the state board of chiropractic examiners, and, in connection therewith, increasing insurance requirements, adjusting the board's disciplinary authority, authorizing animal chiropractic, and modifying the scope of practice, and, in connection therewith, making an appropriation.

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

YES	31	NO	2	EXCUSED	2	ABSENT	0
Bacon	Y	Hodge	Y	Morse	E	Shaffer B.	Y
Boyd	Y	Hudak	Y	Newell	Y	Spence	Y
Brophy	Y	Isgar	Y	Penry	Y	Tapia	Y
Cadman	E	Keller	Y	Renfroe	N	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	Veiga	Y
Foster	Y	King K.	Y	Sandoval	Y	White	Y
Gibbs	Y	Kopp	Y	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	N	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

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

Co-sponsors added: Heath, Hudak, Schwartz and Williams.

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

**SB09-037** by Senator(s) Kopp; also Representative(s) McNulty--Concerning funding for certain workers' compensation funds.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.  
(Printed in Senate Journal, February 11, page 241-242 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage.

**SB09-249** by Senator(s) Penry and Carroll M.; also Representative(s) Kerr A., Bradford, May-- Concerning the applicability to small common-interest communities of recently enacted provisions of the "Colorado Common Interest Ownership Act".

Laid over until Tuesday, March 31, retaining its place on the calendar.

**ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE**

On motion of Senator Foster, the Report of the Committee of the Whole was adopted on the following roll call vote:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Bacon	Y	Hodge	Y	Morse	E	Shaffer B.	Y
Boyd	Y	Hudak	Y	Newell	Y	Spence	Y
Brophy	Y	Isgar	Y	Penry	Y	Tapia	Y
Cadman	E	Keller	Y	Renfroe	Y	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	Veiga	Y
Foster	Y	King K.	Y	Sandoval	Y	White	Y
Gibbs	Y	Kopp	Y	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

The Committee of the Whole took the following action:

Passed on Second Reading: SB09-037 as amended.

Laid over until Tuesday, March 31 retaining its place on the Calendar: SB09-249.

**CONSIDERATION OF RESOLUTIONS**

**SJR09-029** by Senator(s) Tapia, Sandoval; also Representative(s) Frangas, McFadyen, Pace, Vigil-- Concerning recognition of "César Chávez Day".

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Bacon	Y	Hodge	Y	Morse	E	Shaffer B.	Y
Boyd	Y	Hudak	Y	Newell	Y	Spence	Y
Brophy	Y	Isgar	Y	Penry	Y	Tapia	Y
Cadman	E	Keller	Y	Renfroe	Y	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	Veiga	Y
Foster	Y	King K.	Y	Sandoval	Y	White	Y
Gibbs	Y	Kopp	Y	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

Co-sponsors added: Bacon, Boyd, Carroll M., Foster, Gibbs, Groff, Harvey, Heath, Hodge, Hudak, Keller, Kester, King K., Kopp, Newell, Romer, Scheffel, Schwartz, Shaffer B., Tochtrop, Veiga, White and Williams.

**SJR09-030** by Senator(s) Morse; also Representative(s) Gardner B.--Concerning recognition of the Colorado department of corrections for its high standards of service to the state.

Laid over until Tuesday, March 31, retaining its place on the calendar.

**SJR09-032** by Senator(s) Kopp; also Representative(s) McNulty--Concerning the honoring of Rotarians and the Rotary Clubs of Colorado.

Laid over until Tuesday, March 31, retaining its place on the calendar..

**SJR09-033** by Senator(s) Kopp, Harvey, Brophy, Kester, Cadman, Scheffel, Spence, Newell, King K., Penry, Renfroe, Schultheis, White; also Representative(s) Rice and McNulty, Priola, Kerr J., Looper--Concerning the designation of a portion of State Highway 85 as the "Navy SEAL Danny Phillip Dietz, Jr., Memorial Highway".

Laid over until Tuesday, March 31, retaining its place on the calendar.

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MEMORANDUM  
REPORT FROM THE HOUSE AND SENATE  
COMMITTEES ON DELAYED BILLS

Pursuant to Joint Rule 23 (c), the House and Senate Committees on Delayed Bills, acting jointly, extend the following deadline for LLS No. 09-0384, the Long Appropriation Bill:

The Monday, March 23 deadline (the 76th legislative day) for introduction of the long appropriation bill in the Senate as extended until Monday, March 30, 2009 (the 83rd legislative day) is further extended until Monday, April 6, 2009 (the 90th legislative day).

The Friday, March 27 deadline (the 80th legislative day) for passage of the long appropriation bill in the Senate as extended until Friday, April 3, 2009 (the 87th legislative day) is further extended until Thursday, April 9, 2009 (the 93rd legislative day).

The Friday, April 3 deadline (the 87th legislative day) for passage of the long appropriation bill in the House as extended until Thursday, April 9, 2009 (the 93rd legislative day) is further extended until Friday, April 17, 2009 (the 101st legislative day).

The Friday, April 10 deadline (the 94th legislative day) for adoption of the conference committee report on the long appropriation bill as extended until Wednesday, April 15, 2009 (the 99th legislative day) is further extended until Wednesday, April 22, 2009 (the 106th legislative day).

This memorandum shall be printed in the journal of each house as is required by said Joint Rule 23 (c).

(signed)  
Representative T. Carroll  
Speaker of the House of Representatives

(signed)  
Senator Groff  
President of the Senate

(signed)  
Senator Shaffer  
Senate Majority Leader

(signed)  
Representative May  
House Minority Leader

(signed)  
Senator Penry  
Senate Minority Leader

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**CONSIDERATION OF HOUSE ADHERENCE**

**SB09-215** by Senator(s) Keller, Tapia, White; also Representative(s) Pommer, Ferrandino, Marostica-- Concerning modifications to appropriations to achieve a reduction in the state expenditures for the financing of public schools.

Senator Keller moved that the Senate recede from its position, that the Conference Committee be dissolved, that the Senate Conferees be discharged and that the Senate concur in House amendments. The motion was declared **adopted** by the following roll call vote:

YES	31	NO	2	EXCUSED	2	ABSENT	0
Bacon	Y	Hodge	Y	Morse	E	Shaffer B.	Y
Boyd	Y	Hudak	Y	Newell	Y	Spence	Y
Brophy	Y	Isgar	Y	Penry	Y	Tapia	Y
Cadman	E	Keller	Y	Renfroe	Y	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	Veiga	Y
Foster	Y	King K.	Y	Sandoval	Y	White	Y
Gibbs	Y	Kopp	Y	Scheffel	Y	Williams	Y
Harvey	N	Lundberg	N	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Bacon	Y	Hodge	Y	Morse	E	Shaffer B.	Y
Boyd	Y	Hudak	Y	Newell	Y	Spence	Y
Brophy	Y	Isgar	Y	Penry	Y	Tapia	Y
Cadman	E	Keller	Y	Renfroe	Y	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	Veiga	Y
Foster	Y	King K.	Y	Sandoval	Y	White	Y
Gibbs	Y	Kopp	Y	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

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

**CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS**

**SB09-141** by Senator(s) Tapia; also Representative(s) Loooper and Pace, Vigil--Concerning the creation of the Fountain creek watershed, flood control, and greenway district.

Senator Tapia moved that the Senate concur in House amendments to **SB09-141**, as printed in House Journal, March 23, page 847. The motion was **passed** by the following roll call vote:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Bacon	Y	Hodge	Y	Morse	E	Shaffer B.	Y
Boyd	Y	Hudak	Y	Newell	Y	Spence	Y
Brophy	Y	Isgar	Y	Penry	Y	Tapia	Y
Cadman	E	Keller	Y	Renfroe	Y	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	Veiga	Y
Foster	Y	King K.	Y	Sandoval	Y	White	Y
Gibbs	Y	Kopp	Y	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Bacon	Y	Hodge	Y	Morse	E	Shaffer B.	Y
Boyd	Y	Hudak	Y	Newell	Y	Spence	Y
Brophy	Y	Isgar	Y	Penry	Y	Tapia	Y
Cadman	E	Keller	Y	Renfroe	Y	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	Veiga	Y
Foster	Y	King K.	Y	Sandoval	Y	White	Y
Gibbs	Y	Kopp	Y	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

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

Co-sponsors added: Foster, Harvey, Kester, King K., Mitchell, Penry, Scheffel and Schultheis.

**CONSIDERATION OF CONFERENCE COMMITTEE REPORTS**

**SB09-208** by Senator(s) Tapia, Keller, White; also Representative(s) Pommer, Ferrandino, Marostica-- Concerning the augmentation of the general fund through transfers of certain moneys in the 2008-09 fiscal year.

Laid over until Tuesday, March 31, retaining its place on the calendar.

**SB09-210** by Senator(s) Tapia, Keller, White; also Representative(s) Ferrandino, Pommer, Marostica-- Concerning transfers for health programs from the tobacco litigation funds, and, in connection therewith, making modifications to appropriations.

Laid over until Tuesday, March 31, retaining its place on the calendar.

**HB09-1108** by Representative(s) Kerr A.; also Senator(s) Boyd--Concerning the failure of an employer's bank to honor an employee's paycheck upon presentment.

Senator Boyd moved for the adoption of the First Report of the First Conference Committee on **HB09-1108**, as printed in Senate Journal, March 26, page 663. The motion was **adopted** on the following roll call vote:

YES	32	NO	1	EXCUSED	2	ABSENT	0
Bacon	Y	Hodge	Y	Morse	E	Shaffer B.	Y
Boyd	Y	Hudak	Y	Newell	Y	Spence	Y
Brophy	Y	Isgar	Y	Penry	Y	Tapia	Y
Cadman	E	Keller	Y	Renfroe	Y	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	Veiga	Y
Foster	Y	King K.	Y	Sandoval	Y	White	Y
Gibbs	Y	Kopp	Y	Scheffel	Y	Williams	Y
Harvey	N	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

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

YES	23	NO	11	EXCUSED	1	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Shaffer B.	Y
Boyd	Y	Hudak	Y	Newell	Y	Spence	N
Brophy	N	Isgar	Y	Penry	N	Tapia	Y
Cadman	E	Keller	Y	Renfroe	N	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	Veiga	Y
Foster	Y	King K.	N	Sandoval	Y	White	Y
Gibbs	Y	Kopp	N	Scheffel	N	Williams	Y
Harvey	N	Lundberg	N	Schultheis	N	President	Y
Heath	Y	Mitchell	N	Schwartz	Y		

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

**APPOINTMENTS TO CONFERENCE COMMITTEE**

The President appointed Senators Bacon,, Chair, Groff, and King as Senate Conferees on the First Conference Committee on **SB09-1057**.

**COMMITTEE OF REFERENCE REPORTS**

Finance After consideration on the merits, the Committee recommends that **HB09-1164** be referred to the Committee on Appropriations with favorable recommendation.

Finance After consideration on the merits, the Committee recommends that **HB09-1294** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

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

**MEMBERS OF THE:  
COLORADO EDUCATIONAL AND CULTURAL  
FACILITIES AUTHORITY BOARD OF DIRECTORS**

for terms expiring June 30, 2012:

Beth Lamberson Warren of Durango, Colorado, a Democrat, reappointed;

Kent C. Veio of Denver, Colorado, a Republican, reappointed.

**SENATE SERVICES REPORT**

**Correctly Printed:** SB09-255; SJR09-031, 032 and 033.  
**Correctly Engrossed:** SB09-003, 090, 118, 167 and 230; SJR09-031.  
**Correctly Revised:** HB09-1281.

**SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS**

The President has signed: SB09-066 and 114.

**DELIVERY TO THE GOVERNOR**

To the Governor for signature on Monday, March 30, 2009, at 10:25 a.m.: SB09-66 and 114.

On motion of Senator Shaffer, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Monday, March 30 was laid over until Tuesday, March 31, retaining its place on the calendar.

Consideration of Conference Committee Reports: SB09-208, SB09-210.  
Conference Committees to Report: HB09-1153, HB09-1162.  
Request for Conference Committees: HB09-1057.

Senate in recess. Senate reconvened.

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**MESSAGE FROM THE HOUSE**

March 30, 2009

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB09-1314.

The House has passed on Third Reading and returns herewith SB09-054, 059, 181, 227, 053, 014, 157, 047, 060, 109, 182, 222, 137.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB09-080, amended as printed in House Journal, March 26, pages 904-906.

SB09-050, amended as printed in House Journal, March 26, page 906.

SB09-062, amended as printed in House Journal, March 26, page 907.

SB09-150, amended as printed in House Journal, March 26, pages 907-908.

SB09-101, amended as printed in House Journal, March 26, pages 908-909.

SB09-039, amended as printed in House Journal, March 26, page 909.

SB09-165, amended as printed in House Journal, March 26, pages 909-910.

SB09-107, amended as printed in House Journal, March 26, page 910, and amended on Third Reading as printed in House Journal, March 30.

SB09-005, amended as printed in House Journal, March 26, page 910.

SB09-129, amended as printed in House Journal, March 26, page 910.

SB09-169, amended as printed in House Journal, March 26, page 911.

SB09-013, amended as printed in House Journal, March 26, page 911.

SB09-168, amended on Third Reading as printed in House Journal, March 30.

SB09-042, amended as printed in House Journal, March 26, pages 912-913.

SB09-131, amended as printed in House Journal, March 26, page 914.

SB09-237, amended as printed in House Journal, March 26, page 914.

SB09-231, amended as printed in House Journal, March 26, page 915.

SB09-051, amended as printed in House Journal, March 26, page 915.

SB09-078, amended as printed in House Journal, March 26, page 915.

SB09-148, amended as printed in House Journal, March 26, page 914.

The House has adopted the First Report of the First Conference Committee on SB09-208, as printed in House Journal, March 16, pages 742-743, and has repassed the bill as so amended. The bill is returned herewith.

The House has adopted the First Report of the First Conference Committee on SB09-210, as printed in House Journal, March 23, pages 850-851, and has repassed the bill as so amended. The bill is returned herewith.

The House has adopted the First Report of the First Conference Committee on HB09-1058, as printed in House Journal, March 25, page 898, and has repassed the bill as amended.

The House has adopted and returns herewith SJR09-026.

The House has postponed indefinitely SB09-064. The bill is returned herewith.

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**MESSAGE FROM THE REVISOR OF STATUTES**

March 30, 2009

Without comment, HB09-1314.

Without comment, as amended, SB09-005, 013, 039, 042, 050, 051, 062, 078, 080, 101, 107, 129, 131, 148, 150, 165, 168, 169, 231, and 237.

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**INTRODUCTION OF RESOLUTIONS**

The following resolutions were read by title:

**SJR09-034** by Senator(s) Kopp; also Representative(s) Rice--Concerning honoring the Colorado Rush soccer club for its outreach efforts through the Iraq REACH program, and, in connection therewith, proclaiming "Colorado Rush 'REACH' Day".

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

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**SR09-013** by Senator(s) Penry; --Concerning changes to the membership of certain Senate Committees of Reference.

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

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**INTRODUCTION OF BILLS -- FIRST READING**

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

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**SB09-256** by Senator(s) Romer and Bacon; also Representative(s) Pommer and Scanlan--Concerning the financing of public schools.  
Education  
Appropriations

**HB09-1120** by Representative(s) Stephens; also Senator(s) Penry--Concerning criminalizing certain acts in order to protect the safety of certain public servants.  
Judiciary

**HB09-1176** by Representative(s) Green; also Senator(s) Williams--Concerning the driving privilege of minor drivers, and, in connection therewith, enacting the "Kayla Sealy DeMars Drivers' Safety Act".  
Transportation

**HB09-1196** by Representative(s) Gerou, Kerr J., Kerr A., McNulty, Schafer S., Summers; also Senator(s) Boyd--Concerning the use of moneys derived from civil money penalties imposed on nursing facilities to fund innovation in nursing home care, and making an appropriation therefor.  
Health and Human Services

**HB09-1213** by Representative(s) Gagliardi; also Senator(s) Schwartz--Concerning the creation of the housing development grant fund in the state treasury to be administered by the division of housing for purposes associated with increasing the supply of affordable housing in the state.  
Local Government and Energy

**HB09-1243** by Representative(s) Middleton and Massey, Labuda, Casso, Court, McGihon, Miklosi, Peniston, Primavera, Ryden, Scanlan, Todd, Vigil; also Senator(s) Bacon, Spence--Concerning measures to raise the graduation rate in public high schools in Colorado, and making an appropriation in connection therewith.  
Education  
Appropriations

**HB09-1275** by Representative(s) Apuan, Balmer, McFadyen, Rice, Solano; also Senator(s) Morse, Heath, Mitchell, Schwartz, Veiga--Concerning the ability of the department of public health and environment to issue a provisional certification to an applicant seeking certification as an emergency medical technician, and making an appropriation therefor.  
Health and Human Services  
Finance

**HB09-1284** by Representative(s) Levy; also Senator(s) Williams--Concerning corridor capacity strategic planning to foster transportation efficiency.  
Transportation  
Appropriations

**HB09-1291** by Representative(s) Nikkel, Casso, Court, Gardner C., Hullinghorst, Kerr J., Labuda, Lambert, Massey, Miklosi, Murray, Stephens, Todd; also Senator(s) Shaffer B., Bacon, Boyd, Cadman, Lundberg, Schultheis, Williams--Concerning providing information regarding resources available to veterans of the United States armed forces.  
State, Veterans & Military Affairs

**HB09-1293** by Representative(s) Riesberg and Ferrandino, Pommer, Marostica, Apuan, Carroll T., Court, Curry, Gagliardi, Green, Judd, Kefalas, Levy, Massey, McFadyen, McGihon, Middleton, Miklosi, Pace, Peniston, Primavera, Schafer S., Todd, Vigil, Weissmann; also Senator(s) Keller and Boyd, Tapia, White, Carroll M., Foster, Groff, Hodge, Isgar, Kester, Morse, Newell, Shaffer B., Tochtrop, Williams--Concerning a hospital provider fee, and, in connection therewith, authorizing the department of health care policy and financing to

charge and collect a hospital provider fee, specifying the allowable uses of the fees, requiring a post-enactment review of the implementation of this act, and making an appropriation in connection therewith.

Finance  
Appropriations

**HB09-1305**

by Representative(s) Levy, Apuan, Benefield, Casso, Court, Ferrandino, Frangas, Hullinghorst, Judd, Kerr A., Labuda, McFadyen, Merrifield, Middleton, Miklosi, Pace, Peniston, Pommer, Primavera, Ryden, Scanlan, Schafer S., Solano, Todd, Vigil; also Senator(s) Veiga, Romer, Bacon, Boyd, Carroll M., Foster, Heath, Hodge, Hudak, Isgar, Morse, Newell, Shaffer B., Tapia, Tochtrop, Williams--Concerning limitations on the requirements for cost bonds in civil lawsuits.

Judiciary

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**SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS**

The President has signed: SB09-035, 097, 147, 179 and SJR09-031.

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On motion of Senator Shaffer, the Senate adjourned until 9:00 a.m., Tuesday, March 31, 2009.

Approved:

Peter C. Groff  
President of the Senate

Attest:

Karen Goldman  
Secretary of the Senate

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