

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

43rd Legislative Day Wednesday, February 18, 2009

- Prayer By the chaplain, Rev. Arlyn Tolzmann, Holy Cross Lutheran Church, Wheat Ridge.
- Pledge By Mariah Jones.
- Call to Order By the President at 9:00 a.m.
- Roll Call Present--33
Excused--2, Mitchell, Renfroe.
Present later--1, Mitchell.
- Quorum The President announced a quorum present.
- Reading of Journal On motion of Senator Heath, reading of the Journal of Tuesday, February 17, 2009, was dispensed with and the Journal was approved as corrected by the Secretary.

**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:

SB09-157 by Senator(s) Sandoval; also Representative(s) Hullinghorst--Concerning the retirement plan eligibility of specified employees of the university of Colorado.

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	Y	Shaffer B.	Y
Boyd	Y	Hudak	Y	Newell	Y	Spence	Y
Brophy	Y	Isgar	Y	Penry	Y	Tapia	Y
Cadman	Y	Keller	Y	Renfroe	E	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	E	Schwartz	Y		

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

SB09-117 by Senator(s) Isgar, Hodge; also Representative(s) Vigil--Concerning the continuation of the regulation by the department of agriculture of persons selling processed meat, and, in connection therewith, clarifying the statutory distinction between custom meat processors and the sellers of home food service plans, amending terms to comport with current business practices, and increasing consumer protections.

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		Y Shaffer B.	Y
Boyd		Y Hudak		Y Newell		Y Spence	Y
Brophy		Y Isgar		Y Penry		Y Tapia	Y
Cadman		Y Keller		Y Renfroe		E 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		E Schwartz		Y	

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

SB09-119 by Senator(s) Harvey; also Representative(s) --Concerning a clarification of the enforcement of water quality laws relating to the discharge of certain hazardous pollutants.

Laid over until Thursday, February 19, retaining its place on the calendar.

HB09-1002 by Representative(s) McFadyen; also Senator(s) Tapia--Concerning the operation of the state lottery.

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		Y Shaffer B.	Y
Boyd		Y Hudak		Y Newell		Y Spence	Y
Brophy		Y Isgar		Y Penry		Y Tapia	Y
Cadman		Y Keller		Y Renfroe		E 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		E Schwartz		Y	

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

SB09-069 by Senator(s) Boyd; also Representative(s) McCann--Concerning court-appointed parenting coordinators.

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		Y Shaffer B.	Y
Boyd		Y Hudak		Y Newell		Y Spence	Y
Brophy		Y Isgar		Y Penry		Y Tapia	Y
Cadman		Y Keller		Y Renfroe		E 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		E Schwartz		Y	

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

Co-sponsors added: Foster, Gibbs, Newell and Williams.

SB09-169 by Senator(s) Tochtrop; also Representative(s) Riesberg--Concerning the continuation of the board of examiners of nursing home administrators.

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

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YES	33	NO	0	EXCUSED	2	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Shaffer B.	Y
Boyd	Y	Hudak	Y	Newell	Y	Spence	Y
Brophy	Y	Isgar	Y	Penry	Y	Tapia	Y
Cadman	Y	Keller	Y	Renfroe	E	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	E	Schwartz	Y		

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

SB09-016 by Senator(s) Kopp and Penry, Gibbs, Schwartz; also Representative(s) King S. and Scanlan, Lundberg--Concerning measures to encourage the restoration of forest areas affected by bark beetle infestation.

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	Y	Shaffer B.	Y
Boyd	Y	Hudak	Y	Newell	Y	Spence	Y
Brophy	Y	Isgar	Y	Penry	Y	Tapia	Y
Cadman	Y	Keller	Y	Renfroe	E	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	E	Schwartz	Y		

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

Co-sponsors added: Newell, Shaffer B. and Williams.

SB09-012 by Senator(s) Morse and Kopp, Boyd; also Representative(s) Frangas and Massey, Riesberg--Concerning professional review of facilities designated by the department of public health and environment as trauma care facilities.

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	Y	Shaffer B.	Y
Boyd	Y	Hudak	Y	Newell	Y	Spence	Y
Brophy	Y	Isgar	Y	Penry	Y	Tapia	Y
Cadman	Y	Keller	Y	Renfroe	E	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	E	Schwartz	Y		

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

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

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

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YES	33	NO	0	EXCUSED	2	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Shaffer B.	Y
Boyd	Y	Hudak	Y	Newell	Y	Spence	Y
Brophy	Y	Isgar	Y	Penry	Y	Tapia	Y
Cadman	Y	Keller	Y	Renfroe	E	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	E	Schwartz	Y		

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

Co-sponsors added: Schwartz

IMMEDIATE RECONSIDERATION OF HB09-1002

HB09-1002 by Representative(s) McFadyen; also Senator(s) Tapia--Concerning the operation of the state lottery.

Having voted on the prevailing side, Senator Shaffer moved for immediate reconsideration of the last Senate action, Third Reading of Bills -- Final Passage -- Consent Calendar, on HB09-1002. A majority of all members elected to the Senate having voted in the affirmative, reconsideration was granted.

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

HB09-1002 by Representative(s) McFadyen; also Senator(s) Tapia--Concerning the operation of the state lottery.

The roll call was taken with the following result:

YES	30	NO	4	EXCUSED	1	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Shaffer B.	Y
Boyd	Y	Hudak	Y	Newell	Y	Spence	Y
Brophy	Y	Isgar	Y	Penry	Y	Tapia	Y
Cadman	N	Keller	Y	Renfroe	E	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	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**.

THIRD READING OF BILLS -- FINAL PASSAGE

On Third Reading, the title of the following bill was publicly read, the reading at length having been dispensed with by unanimous consent:

SB09-057 by Senator(s) Harvey, Kopp; also Representative(s) Stephens--Concerning searchable budget database web sites containing public education financial information, and, in connection therewith, enacting the "Public School Financial Transparency Act".

Laid over until Thursday, February 19, retaining its place on the calendar.

GENERAL ORDERS -- SECOND READING OF BILLS

SB09-064 by Senator(s) King K., Romer, Bacon, Groff, Heath, Hudak, Kopp, Spence, Williams; also Representative(s) Massey, Merrifield, Baumgardner, Benefield, Gardner B., Middleton, Murray, Peniston, Priola, Scanlan, Schafer S., Solano, Summers, Todd--Concerning building inspections relating to utilities.

	Laid over until Thursday, February 19, retaining its place on the calendar.	1
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SB09-061	by Senator(s) Carroll M.; also Representative(s) Primavera--Concerning the qualifications of health care professionals who review claims for medical treatment under insurance policies.	4
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	Laid over until Thursday, February 19, retaining its place on the calendar.	8
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SB09-137	by Senator(s) Renfroe; also Representative(s) Baumgardner--Concerning the timely payment of debts in relation to a waiver of the right to attach a property lien.	10
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	Laid over until Thursday, February 19, retaining its place on the calendar.	13
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SB09-156	by Senator(s) Veiga; also Representative(s) Miklosi--Concerning the reduction of plastic bag use.	15
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	Laid over until Thursday, February 19, retaining its place on the calendar.	18
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SB09-143	by Senator(s) Bacon; also Representative(s) Hullinghorst, Fischer--Concerning enforcing traffic regulations through the expanded use of an automated vehicle identification system.	20
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	Laid over until Thursday, February 19, retaining its place on the calendar.	23
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SB09-029	by Senator(s) Shaffer B.; --Concerning a requirement that people on a school bus wear safety belts.	25
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	Laid over until Thursday, February 19, retaining its place on the calendar.	28
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SB09-091	by Senator(s) Romer; also Representative(s) Rice--Concerning motor vehicle dealer franchise agreements.	30
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	Laid over until Thursday, February 19, retaining its place on the calendar.	33
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SB09-149	by Senator(s) Boyd; also Representative(s) Kerr J.--Concerning the method by which a county home rule charter commission is created for the purpose of proposing a home rule charter.	35
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	Laid over until Thursday, February 19, retaining its place on the calendar.	39
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SB09-129	by Senator(s) Tochtrop; also Representative(s) Gagliardi--Concerning the duties that may be performed by a dental hygienist.	41
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	Laid over until Thursday, February 19, retaining its place on the calendar.	44
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SB09-123	by Senator(s) Williams, Sandoval; also Representative(s) Todd, Solano--Concerning a pilot program to reduce the dropout rate of adolescent students, and making an appropriation therefor.	47
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	Laid over until Thursday, February 19, retaining its place on the calendar.	51
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SB09-121	by Senator(s) White; also Representative(s) May--Concerning the sales and use tax exempt status of meals provided to employees of a business where prepared food is regularly sold.	53
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	Laid over until Thursday, February 19, retaining its place on the calendar.	56
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SJR09-013	by Senator(s) Keller; also Representative(s) Gerou--Concerning awareness day for individuals with disabilities.	62
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	On motion of Senator Keller, the resolution was adopted by the following roll call vote:	65
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YES	34	NO	0	EXCUSED	1	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Shaffer B.	Y
Boyd	Y	Hudak	Y	Newell	Y	Spence	Y
Brophy	Y	Isgar	Y	Penry	Y	Tapia	Y
Cadman	Y	Keller	Y	Renfroe	E	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, Brophy, Cadman, Carroll M., Foster, Gibbs, Groff, Harvey, Heath, Hodge, Hudak, Isgar, Kester, King K., Kopp, Lundberg, Mitchell, Morse, Newell, Penry, Romer, Sandoval, Scheffel, Schultheis, Schwartz, Shaffer B., Spence, Tapia, Tochtrop, Veiga, White and Williams.

COMMITTEE OF REFERENCE REPORTS

Transportation

After consideration on the merits, the Committee recommends that **SB09-098** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 3, line 6, strike "SUCH" and substitute "IN ACCORDANCE WITH SECTION 39-27-104 (1) (d.5), SUCH";

after line 13, insert the following:

"SECTION 3. 39-27-104 (1), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

39-27-104. License and deposit - exception. (1) (d.5) NO PERSON SHALL BLEND EXEMPT DYED DIESEL FUEL WITH BIODIESEL FUEL AFTER WITHDRAWAL AT A TERMINAL RACK OR REFINERY RACK UNLESS SUCH PERSON IS A LICENSED BLENDER IN ACCORDANCE WITH PARAGRAPH (d) OF THIS SUBSECTION (1) WHO HAS A VALID FEDERAL BLENDING PERMIT. ANY PERSON WHO VIOLATES THE PROVISIONS OF THIS PARAGRAPH (d.5) OR THE REPORTING OR OTHER REQUIREMENTS OF THIS SECTION RELATING TO SUCH BLENDING OR WHO MISREPRESENTS THE AMOUNT OF BIODIESEL FUEL THAT IS BLENDED WITH DYED DIESEL FUEL SHALL BE SUBJECT TO THE FOLLOWING CIVIL PENALTIES:

(I) A FIVE-THOUSAND-DOLLAR FINE FOR THE FIRST VIOLATION;

(II) A TEN-THOUSAND-DOLLAR FINE FOR THE SECOND OR SUBSEQUENT VIOLATION; AND

(III) IN ACCORDANCE WITH RULES PROMULGATED PURSUANT TO THE "STATE ADMINISTRATIVE PROCEDURE ACT", ARTICLE 4 OF TITLE 24, C.R.S., REVOCATION OF ANY LICENSE ISSUED IN ACCORDANCE WITH THE PROVISIONS OF THIS SECTION FOR THE THIRD VIOLATION.

SECTION 4. 39-27-109.7, Colorado Revised Statutes, is amended to read:

39-27-109.7. Data collection services. In order to track the movement of gasoline or special fuel within this state and thereby facilitate and expedite the collection of excise taxes imposed pursuant to this part 1, the executive director of the department of revenue may enter into a contract with one or more private entities for the provision of a computer-based program to monitor and track the data that licensees are required to report to the department pursuant to this part 1. Such computer-based program shall be funded solely with moneys from the highway users tax fund; EXCEPT THAT, FOR THE STATE FISCAL YEAR 2009-10, UP TO THIRTY-SEVEN THOUSAND SIX HUNDRED THIRTY DOLLARS FOR THE COMPUTER-BASED PROGRAM TO MONITOR AND TRACK EXEMPT

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DYED DIESEL FUEL THAT IS BLENDED WITH BIODIESEL FUEL AFTER WITHDRAWAL AT A TERMINAL RACK OR REFINERY RACK PURSUANT TO SECTION 39-27-102.5 (2) (a) MAY BE FUNDED BY MONEYS RECEIVED BY THE GOVERNOR'S ENERGY OFFICE CREATED IN SECTION 24-38.5-101, C.R.S., FROM THE UNITED STATES DEPARTMENT OF ENERGY."

Renumber succeeding section accordingly.

SENATE SERVICES REPORT

- Correctly Printed:** SB09-223.
- Correctly Engrossed:** SB09-012, 016, 069, 117, 119, 141, 157 and 169.
- Correctly Reengrossed:** SB09-013, 030, 035, 048, 092, 100, 101, 104, 107, 109, 111, 113, 114, 115, 126, 127, 139, 148, 150 and 151.
- Correctly Revised:** HB09-1002.
- Correctly Rerevised:** HB09-1014.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: **HJR09-1010, 1011.**

On motion of Senator Shaffer, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, SB09-183, SB09-184, SB09-185, SB09-186, SB09-187, SB09-188, SB09-189, SB09-190, SB09-191, SB09-192, SB09-193, SB09-194, SB09-195, SB09-196, SB09-197, SB09-198, SB09-199, SB09-200, SB09-201, SB09-202, SB09-203, SB09-204, SB09-206, SB09-207, SB09-208, SB09-209, SB09-210, SB09-211, SB09-215, SB09-212, SB09-213, SB09-214, SB09-216, SB09-217, SB09-218, and SB09-219 were made Special Orders at 9:25 a.m.

Committee of the Whole The hour of 9:25 having arrived, Senator Veiga moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders -- Second Reading of Bills and Senator Veiga 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:

SB09-183 by Senator(s) Keller, Tapia, White; also Representative(s) Pommer, Ferrandino, Marostica-- Concerning a supplemental appropriation to the department of agriculture.

Ordered engrossed and placed on the calendar for Third Reading and Final Passage.

SB09-184 by Senator(s) Keller, Tapia, White; also Representative(s) Pommer, Ferrandino, Marostica-- Concerning a supplemental appropriation to the department of corrections.

Ordered engrossed and placed on the calendar for Third Reading and Final Passage.

SB09-185 by Senator(s) Keller, Tapia, White; also Representative(s) Pommer, Ferrandino, Marostica-- Concerning a supplemental appropriation to the department of education.

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

Amend printed bill, page 19, line 13, in the ITEM & SUBTOTAL column, strike "~~1,000,000~~" and substitute "1,000,000";

line 14, in the ITEM & SUBTOTAL column, strike "27,105" and, in the GENERAL FUND column, enter "972,895".

Page 21, line 1, in the ITEM & SUBTOTAL column, strike

"376,863,450" and substitute "377,836,345".

Page 22, line 14, in the TOTAL column, strike "4,103,923,246" and substitute "4,104,896,141".

Page 27, line 11, in the TOTAL column, strike "\$4,166,180,084" and substitute "\$4,167,152,979" and, in the GENERAL FUND column, strike "\$2,742,353,606" and substitute "\$2,743,326,501".

PURPOSE: Department of Education, Assistance to Public Schools, Grant Programs, Distributions, and Other Assistance, Summer and After-school Programs, Summer School Grant Program -- Restores funding for the Summer School Grant Program. The General Fund impact of this amendment is offset by a corresponding amendment to S.B. 09-208 which would increase the transfer from the Hazardous Substance Response Fund to the General Fund by \$972,895.

G.F. \$972,895 G.F.E. -0- C.F. -0-
R.F. -0- F.F. -0- F.T.E. -0-

Amendment No. 2(L.004), by Senator Morse.

Amend printed bill, page 20, line 8, strike "~~Military Dependent~~" and substitute "Military Dependent";

line 9, strike "~~Supplemental Pupil~~" and substitute "Supplemental Pupil";

line 10, strike "~~Enrollment~~" and substitute "Enrollment", in the ITEM & SUBTOTAL column, strike "~~1,818,517~~" and substitute "1,818,517", and, in the GENERAL FUND column, strike "~~1,818,517~~" and substitute "1,818,517".

Page 21, line 1, in the ITEM & SUBTOTAL column, strike "376,863,450" and substitute "378,681,967".

Page 22, line 14, in the TOTAL column, strike "4,103,923,246" and substitute "4,105,741,763".

Page 27, line 11, in the TOTAL column, strike "\$4,166,180,084" and substitute "\$4,167,998,601" and, in the GENERAL FUND column, strike "\$2,742,353,606" and substitute "\$2,744,172,123".

PURPOSE: Department of Education, Assistance to Public Schools, Grant Programs, Distributions, and Other Assistance, Other Assistance, Military Dependent Supplemental Pupil Enrollment -- Restores funding for Military Dependent Supplemental Pupil Enrollment aid. The General Fund impact of this amendment is offset by a corresponding amendment to S.B. 09-208 which would increase the transfer from the Hazardous Substance Response Fund to the General Fund by \$1,818,517.

G.F. \$1,818,517 G.F.E. -0- C.F. -0-
R.F. -0- F.F. -0- F.T.E. -0-

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

SB09-186 by Senator(s) Keller, Tapia, White; also Representative(s) Pommer, Ferrandino, Marostica-- Concerning a supplemental appropriation to the offices of the governor, lieutenant governor, and state planning and budgeting.

Ordered engrossed and placed on the calendar for Third Reading and Final Passage.

SB09-187 by Senator(s) Keller, Tapia, White; also Representative(s) Pommer, Ferrandino, Marostica-- Concerning a supplemental appropriation to the department of health care policy and financing.

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

Amend printed bill, page 11, line 14, strike "\$20,091.20" and substitute "\$20,120.77";

line 15, in the ITEM & SUBTOTAL column, strike "753,078,619" and substitute "754,186,704".

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Page 12, line 6, strike "\$17,288.34" and substitute "\$17,368.19";
line 7, in the ITEM & SUBTOTAL column, strike "110,092,131" and substitute "110,600,623";
line 14, strike "\$1,329.89" and substitute "\$1,330.45";
line 15, in the ITEM & SUBTOTAL column, strike "20,177,040" and substitute "20,185,656".
Page 13, line 5, strike "\$14,038.40" and substitute "\$14,120.57";
line 6, in the ITEM & SUBTOTAL column, strike "719,650,724" and substitute "723,862,731";
line 11, strike "\$4,445.80" and substitute "\$4,482.29";
line 12, in the ITEM & SUBTOTAL column, strike "214,856,388" and substitute "\$216,619,998";
line 16, strike "\$8,738.04" and substitute "\$8,801.03".
Page 14, line 1, in the ITEM & SUBTOTAL column, strike "60,484,689" and substitute "60,920,717";
line 11, strike "\$1,766.12" and substitute "\$1,780.03";
line 12, in the ITEM & SUBTOTAL column, strike "22,101,164" and substitute "22,275,238".
Page 15, line 4, strike "\$1,789.05" and substitute "\$1,802.05";
line 5, in the ITEM & SUBTOTAL column, strike "413,324,317" and substitute "416,328,602";
line 8, strike "\$3,684.54" and substitute "\$3,722.25";
line 9, in the ITEM & SUBTOTAL column, strike "66,332,841" and substitute "67,011,705";
line 13, strike "\$15,086.95" and substitute "\$15,193.07";
line 14, in the ITEM & SUBTOTAL column, strike "60,800,388" and substitute "\$61,228,080".
Page 16, line 4, in the TOTAL column, strike "2,450,979,577" and substitute "2,463,301,330" and, in the GENERAL FUND column, strike "763,438,673(M)" and substitute "769,068,351(M)" and, in the CASH FUND column strike "92,206,147^{am}" and substitute "92,737,346^{am}", and, in the FEDERAL FUNDS column strike "1,225,673,282" and substitute "1,231,834,158".
Page 16, line 6, strike "\$73,398,137" and substitute "\$73,929,336".
Page 17, line 1, in the ITEM & SUBTOTAL column, strike "212,717,408" and substitute "214,959,961" and, in the GENERAL FUND column, strike "97,894,717(M)" and substitute "98,923,278(M)" and, in the CASH FUNDS column, strike "8,445,264^{am}" and substitute "8,537,860^{am}", and, in the FEDERAL FUNDS column, strike "106,370,097" and substitute "107,491,493";
line 3, strike "\$8,388,438" and substitute "\$8,480,437" and, strike "\$56,826" and substitute "\$57,423";
line 13, in the TOTAL column, strike "214,154,563" and substitute "216,397,116".
Page 28, line 10, in the ITEM & SUBTOTAL column, strike "18,334,048" and substitute "18,508,228" and, in the GENERAL FUND column, strike "9,167,024(M)" and substitute "9,254,114(M)", and, in the FEDERAL FUNDS column, strike "9,167,024" and substitute "9,254,114";
line 12, in the ITEM & SUBTOTAL column, strike "18,461,734" and substitute "18,635,914".
Page 30, line 4, in the ITEM & SUBTOTAL column, strike "284,692,157" and substitute "285,577,499" and, in the GENERAL FUND column, strike "141,733,617(M)" and substitute "142,176,022(M)" and, in the CASH FUNDS column, strike "579,620^{am}" and substitute "579,886^{am}", and, in the FEDERAL FUNDS column, strike "142,378,920" and substitute "142,821,591";
line 15, in the ITEM & SUBTOTAL column, strike "336,597,778" and substitute "337,483,120".
Page 31, line 13, in the ITEM & SUBTOTAL column, strike "2,885,273"

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and substitute "2,885,273" and, in the GENERAL FUND column, strike "~~1,442,637(M)~~" and substitute "1,442,637(M)", and, in the FEDERAL FUNDS column, strike "~~1,442,636~~" and substitute "1,442,636";

strike line 14.

Page 32, line 9, in the TOTAL column, strike "396,027,265" and substitute "397,100,635";

line 14, in the TOTAL column, strike "\$3,826,744,396" and substitute "\$3,842,382,072" and, in the GENERAL FUND column, strike "\$1,199,999,538" and substitute "\$1,207,194,196" and, in the CASH FUNDS column, strike "\$366,908,676" and substitute "\$367,532,737" and, in the FEDERAL FUNDS column, strike "\$1,867,392,604" and substitute "\$1,875,211,561".

Page 33, line 4, strike "\$725,001" and substitute "\$725,598".

PURPOSE: Department of Health Care Policy and Financing, Medical Service Premiums, various line items and Medicaid Mental Health Community Programs, (A) Mental Health Capitation Payments for 412,302 Estimated Medicaid Eligible Clients -- Adds \$15.6 million total funds (\$7.2 million General Fund) to restore various provider rate cuts in the Medicaid program as shown in the table below.

Provider Group	TOTAL FUND Impact for Restoring Provider Rate Cut
Pharmaceuticals	\$3,192,896
Physician Services	3,075,234
Hospitals - Inpatient Care	2,225,480
Hospitals - Outpatient Care	911,526
Behavior Health Organizations - Mental Health Services	2,242,553
Home Health Services	896,927
Home and Community-Based Services	790,259
Dental Services	453,779
Hospice Services	245,745
Laboratory and X-ray Services	166,859
Single Entry Point Agencies	143,071
Private Duty Nursing	134,168
Non-Emergency Transportation	55,291
Emergency Transportation	30,518
Human Services Medicaid-funded Programs	<u>1,073,370</u>
TOTAL Provider Rate Reductions Restored	\$15,637,676

It is the intent of the sponsor that the \$7,194,658 General Fund increase contained in this amendment will be offset by reduced General Fund expenditures due to any federal medical assistance percentage (FMAP) increase in FY 2008-09 above the 4.9 percentage points currently estimated in the Joint Budget Committee budget balancing package that was introduced in the Senate.

G.F. \$7,194,658 G.F.E. -0- C.F. \$624,061
 R.F. -0- F.F. \$7,818,957 F.T.E. -0-

Amendment No. 2(J.003), by Senator Morse.

Amend printed bill, page 18, line 11, strike "~~5,551,000(M)~~" and substitute "5,551,000(M)";

line 12, in the ITEM & SUBTOTAL column, strike "8,828,584" and substitute "12,828,584" and, in the GENERAL FUND column, strike "~~3,551,000(M)~~", and, in the FEDERAL FUNDS column, strike "~~4,414,292~~" and substitute "6,414,292".

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Page 21, line 6, strike "539,989,019" and substitute "543,989,019".

Page 32, line 14, in the TOTAL column, strike "\$3,826,744,396" and substitute "\$3,830,744,396" and, in the GENERAL FUND column, strike "\$1,199,999,538" and substitute "\$1,201,999,538" and, in the FEDERAL FUNDS column, strike "\$1,867,392,604" and substitute "\$1,869,392,604".

PURPOSE: Department of Health Care Policy and Financing, Indigent Care Program, Pediatric Speciality Hospital -- Add \$4.0 million total funds (\$2.0 million General Fund) to the Pediatric Speciality Hospital line item. It is the intent of the sponsor, that the \$2.0 million General Fund increase contained in this amendment will be offset by reduced General Fund expenditures due to any federal medical assistance percentage (FMAP) increase in FY 2008-09 above the 4.9 percentage points currently estimated in the Joint Budget Committee budget balancing package that was introduced in the Senate.

G.F. \$2,000,000 G.F.E. -0- C.F. -0-
R.F. -0- F.F. \$2,000,000 F.T.E. -0-

Amendment No. 3(J.005), by Senator Morse.

Amend printed bill, page 30, line 4, in the ITEM & SUBTOTAL column, strike "284,692,157" and substitute "287,992,157", in the GENERAL FUND column, strike "141,733,617(M)", and substitute "143,383,617(M)", and, in the FEDERAL FUNDS column, strike "142,378,920" and substitute "144,028,920";

line 15, in the ITEM & SUBTOTAL column, strike "336,597,778" and substitute "339,897,778".

Page 32, line 9, in the TOTAL column, strike "396,027,265" and substitute "399,327,265";

line 14, in the TOTAL column, strike "\$3,826,744,396" and substitute "\$3,830,044,396", in the GENERAL FUND column, strike "\$1,199,999,538" and substitute "\$1,201,649,538", and, in the FEDERAL FUNDS column, strike "\$1,867,392,604" and substitute "\$1,869,042,604".

PURPOSE: Department of Health Care Policy and Financing, Department of Human Services Medicaid-funded Programs, Services for People with Disabilities - Medicaid Funding, Community Services for People with Developmental Disabilities, Program Costs -- Restore \$3,300,000 total funds, including \$1,650,000 General Fund and \$1,650,000 federal funds to eliminate restrictions on the use of new and turnover placements for people with developmental disabilities. To accomplish this restoration, an additional \$3,300,000 reappropriated funds must also be restored via amendment J.004 to S.B. 09-189 (Human Services supplemental).

It is the intent of the sponsor that the \$1,650,000 General Fund increase contained in this amendment be funded via an additional transfer of \$1,650,000 cash funds from the Hazardous Substances Response Fund to the General Fund, based on an amendment to S.B. 09-208 (cash funds transfers).

G.F. \$1,650,000 G.F.E. -0- C.F. -0-
R.F. -0- F.F. \$1,650,000 F.T.E. -0-

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

SB09-188 by Senator(s) Keller, Tapia, White; also Representative(s) Pommer, Ferrandino, Marostica-- Concerning a supplemental appropriation to the department of higher education.

Ordered engrossed and placed on the calendar for Third Reading and Final Passage.

SB09-189 by Senator(s) Keller, Tapia, White; also Representative(s) Pommer, Ferrandino, Marostica-- Concerning a supplemental appropriation to the department of human services.

Amendment No. 1(J.002), by Senator Morse.

Amend printed bill, page 18, line 7, in the ITEM & SUBTOTAL column, strike "347,487,968^{en}" and substitute "349,161,288^{en}", in the "GENERAL FUND column, strike "168,083,320" and substitute "168,913,724", in the CASH FUNDS column, strike "64,845,938(L)^{en}" and substitute "65,141,538(L)^{en}", in the REAPPROPRIATED FUNDS column, strike "18,334,048^{an}" and substitute "18,508,228^{an}", and, in the FEDERAL FUNDS column, strike "96,224,662ⁱⁿ" and substitute "96,597,798ⁱⁿ";

line 15, in the CASH FUNDS column, strike "5,213,955(L)^{en}" and

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substitute "5,213,955(L)^c" and, in the FEDERAL FUNDS column, strike "2,092,426^m" and substitute "2,092,426^m".

Page 19, line 1, in the ITEM & SUBTOTAL column, strike "45,464,574" and substitute "45,689,850", in the GENERAL FUND column, strike "38,194,185" and substitute "38,383,469", in the CASH FUNDS column, strike "5,188,271(L)^c", and, in the FEDERAL FUNDS column, strike "2,082,118^m";

line 14, in the TOTAL column, strike "416,502,648" and substitute "418,401,244".

Page 20, line 8, strike "\$342,882,957" and substitute "\$344,556,277";

line 9, strike "\$259,702,971" and substitute "\$260,906,511" and strike "\$64,845,938" and substitute "\$65,141,538";

line 10, strike "\$18,334,048" and substitute "\$18,508,228";

line 12, strike "\$71,596,918" and substitute "\$71,980,362".

Page 44, line 8, in the ITEM & SUBTOTAL column, strike "244,904,276" and substitute "245,729,365";

line 13, in the ITEM & SUBTOTAL column, strike "52,200,966" and substitute "52,240,309".

Page 45, line 4, in the ITEM & SUBTOTAL column, strike "11,043,576" and substitute "11,098,328";

line 7, in the ITEM & SUBTOTAL column, strike "6,475,860" and substitute "6,507,966";

line 15, in the ITEM & SUBTOTAL column, strike "22,285,522" and substitute "22,373,098".

Page 46, line 2, in the ITEM & SUBTOTAL column, strike "1,055,913" and substitute "1,057,693";

line 4, in the ITEM & SUBTOTAL column, strike "344,848,840" and substitute "345,889,486", in the GENERAL FUND column, strike "31,325,244" and substitute "31,480,548", and, in the REAPPROPRIATED FUNDS column, strike "285,183,471^b" and substitute "286,068,813^b";

line 7, strike "\$284,692,157" and substitute "\$285,577,499".

Page 54, line 2, in the TOTAL column, strike "508,020,148" and substitute "509,060,794".

Page 61, line 3, in the ITEM & SUBTOTAL column, strike "44,295,653" and substitute "44,515,261", in the GENERAL FUND column, strike "41,502,084" and substitute "41,707,844" and, in the REAPPROPRIATED FUNDS column, strike "2,793,569^b" and substitute "2,807,417^b";

line 10, in the ITEM & SUBTOTAL column, strike "72,773,636" and substitute "72,993,244".

Page 62, line 3, in the TOTAL column, strike "133,762,448" and substitute "133,982,056";

line 7, in the TOTAL column, strike "\$2,096,013,257" and substitute "\$2,099,172,107", in the GENERAL FUND column, strike "\$670,248,160" and substitute "\$671,628,912", in the CASH FUNDS column, strike "\$358,233,058" and substitute "\$358,554,342", in the REAPPROPRIATED FUNDS column, strike "\$421,139,612^a" and substitute "\$422,212,982^a", and, in the FEDERAL FUNDS column, strike "\$646,392,427" and substitute "\$646,775,871";

line 9, strike "\$119,549,634" and substitute "\$119,870,918".

Page 64, line 10, strike "\$5,019,160 \$3,346,640" and substitute "\$5,019,160";

line 11, strike "rates. RATES FOR THE FIRST EIGHT MONTHS OF THE FISCAL YEAR ONLY." and substitute "rates.";

Page 65, line 8, strike "\$675,831 \$450,555" and substitute "\$675,831";

line 9, strike "tribes. TRIBES FOR THE FIRST EIGHT MONTHS OF THE FISCAL YEAR ONLY." and substitute "tribes.";

line 12, strike "\$4,088,723" and substitute "\$4,088,723";

line 13, strike "\$4,068,582".

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PURPOSE: Department of Human Services, Division of Child Welfare, Child Welfare Services and Family and Children's Programs; Services for People with Disabilities, Community Services for People with Developmental Disabilities, Program Costs; Division of Youth Corrections, Community Programs, Purchase of Contract Placements -- Restore all provider rate reductions taken, as reflected in the table below. To accomplish this restoration, an additional \$1,073,370 total funds, including \$536,419 General Fund, \$266 cash funds, and \$536,685 federal funds is also restored in amendment J.002 to S.B. 09-187 (Health Care Policy and Financing supplemental).

It is the intent of the sponsor, that the \$1,380,752 General Fund increase contained in this amendment will be offset by reduced General Fund expenditures due to any federal medical assistance percentage (FMAP) increase in FY 2008-09 above the 4.9 percentage points currently estimated in the Joint Budget Committee budget balancing package that was introduced in the Senate.

Provider Group	TOTAL FUND Impact for Restoring Provider Rate Cut
Division of Child Welfare, Child Welfare Services and Family and Children's Programs	\$1,898,596
Services for People with Disabilities, Community Services for People with Developmental Disabilities, Program Costs	1,040,646
Division of Youth Corrections, Purchase of Contract Placements	219,608
TOTAL Provider Rate Reductions Restored	\$3,158,850

G.F. \$1,380,752 G.F.E. -0- C.F. \$321,284
 R.F. \$1,073,370 F.F. \$383,444 F.T.E. -0-

Amendment No. 2(J.004), by Senator Morse.

Amend printed bill, page 44, line 8, in the ITEM & SUBTOTAL column, strike "244,904,276" and substitute "248,204,276".

Page 46, line 4, in the ITEM & SUBTOTAL column, strike "344,848,840" and substitute "348,148,840" and, in the REAPPROPRIATED FUNDS column, strike "285,183,471^b" and substitute "288,483,471^b";

line 7, strike "\$284,692,157" and substitute "\$287,992,157".

Page 54, line 2, in the TOTAL column, strike "508,020,148" and substitute "511,320,148".

Page 62, line 7, in the TOTAL column, strike "\$2,096,013,257" and substitute "\$2,099,313,257" and, in the REAPPROPRIATED FUNDS column, strike "\$421,139,612^a" and substitute "\$424,439,612^a".

PURPOSE: Department of Human Services, Services for People with Disabilities, Community Services for People with Developmental Disabilities, Program Costs -- Restore \$3,300,000 reappropriated funds (Medicaid transferred from Department of Health Care Policy and Financing) to eliminate restrictions on use of new and turnover placements for people with developmental disabilities. To accomplish this restoration, an additional \$3,300,000 total funds, including \$1,650,000 General Fund and \$1,650,000 federal funds, must also be restored via amendment J.005 to S.B. 09-187 (Health Care Policy and Financing supplemental).

G.F. -0- G.F.E. -0- C.F. -0-
 R.F. \$3,300,000 F.F. -0- F.T.E. -0-

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).

SB09-190 by Senator(s) Keller, Tapia, White; also Representative(s) Pommer, Ferrandino, Marostica-- Concerning a supplemental appropriation to the judicial department.

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- Ordered engrossed and placed on the calendar for Third Reading and Final Passage. 1
- SB09-191** by Senator(s) Keller, Tapia, White; also Representative(s) Pommer, Ferrandino, Marostica-- 2
Concerning a supplemental appropriation to the department of labor and employment. 3
- Ordered engrossed and placed on the calendar for Third Reading and Final Passage. 4
- SB09-192** by Senator(s) Keller, Tapia, White; also Representative(s) Pommer, Ferrandino, Marostica-- 5
Concerning a supplemental appropriation to the department of law. 6
- Ordered engrossed and placed on the calendar for Third Reading and Final Passage. 7
- SB09-193** by Senator(s) Keller, Tapia, White; also Representative(s) Pommer, Ferrandino, Marostica-- 8
Concerning a supplemental appropriation to the department of local affairs. 9
- Ordered engrossed and placed on the calendar for Third Reading and Final Passage. 10
- SB09-194** by Senator(s) Keller, Tapia, White; also Representative(s) Pommer, Ferrandino, Marostica-- 11
Concerning a supplemental appropriation to the department of military and veterans affairs. 12
- Ordered engrossed and placed on the calendar for Third Reading and Final Passage. 13
- SB09-195** by Senator(s) Keller, Tapia, White; also Representative(s) Pommer, Ferrandino, Marostica-- 14
Concerning a supplemental appropriation to the department of natural resources. 15
- Ordered engrossed and placed on the calendar for Third Reading and Final Passage. 16
- SB09-196** by Senator(s) Keller, Tapia, White; also Representative(s) Pommer, Ferrandino, Marostica-- 17
Concerning a supplemental appropriation to the department of personnel and administration. 18
- Ordered engrossed and placed on the calendar for Third Reading and Final Passage. 19
- SB09-197** by Senator(s) Keller, Tapia, White; also Representative(s) Pommer, Ferrandino, Marostica-- 20
Concerning a supplemental appropriation to the department of public health and 21
environment. 22
- Ordered engrossed and placed on the calendar for Third Reading and Final Passage. 23
- SB09-198** by Senator(s) Keller, Tapia, White; also Representative(s) Pommer, Ferrandino, Marostica-- 24
Concerning a supplemental appropriation to the department of public safety. 25
- Ordered engrossed and placed on the calendar for Third Reading and Final Passage. 26
- SB09-199** by Senator(s) Keller, Tapia, White; also Representative(s) Pommer, Ferrandino, Marostica-- 27
Concerning a supplemental appropriation to the department of regulatory agencies. 28
- Ordered engrossed and placed on the calendar for Third Reading and Final Passage. 29
- SB09-200** by Senator(s) Keller, Tapia, White; also Representative(s) Pommer, Ferrandino, Marostica-- 30
Concerning a supplemental appropriation to the department of revenue. 31
- Ordered engrossed and placed on the calendar for Third Reading and Final Passage. 32
- SB09-201** by Senator(s) Keller, Tapia, White; also Representative(s) Pommer, Ferrandino, Marostica-- 33
Concerning a supplemental appropriation to the department of state. 34
- Ordered engrossed and placed on the calendar for Third Reading and Final Passage. 35
- SB09-202** by Senator(s) Keller, Tapia, White; also Representative(s) Pommer, Ferrandino, Marostica-- 36
Concerning a supplemental appropriation to the department of transportation. 37
- Ordered engrossed and placed on the calendar for Third Reading and Final Passage. 38
- SB09-203** by Senator(s) Keller, Tapia, White; also Representative(s) Pommer, Ferrandino, Marostica-- 39
Concerning a supplemental appropriation to the department of the treasury. 40
- Ordered engrossed and placed on the calendar for Third Reading and Final Passage. 41
- SB09-204** by Senator(s) White, Keller, Tapia; also Representative(s) Ferrandino, Pommer, Marostica-- 42
Concerning changes to the designation of funds constituting the state emergency reserve for 43
state fiscal year 2008-09. 44
- Ordered engrossed and placed on the calendar for Third Reading and Final Passage. 45
- SB09-206** by Senator(s) Keller, Tapia, White; also Representative(s) Pommer, Ferrandino, Marostica-- 46
Concerning the repeal of the waiting list navigator pilot program. 47
- Amendment No. 1, Appropriations Committee Amendment. 48
(Printed in Senate Journal, February 17, page 360 and placed in members' bill files.) 49
- As amended, ordered engrossed and placed on the calendar for Third Reading and Final 50
Passage. 51
- SB09-207** by Senator(s) White, Keller, Tapia; also Representative(s) Marostica, Ferrandino, Pommer-- 52
Concerning delaying implementation of the child welfare and mental health services pilot 53

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program.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, February 17, page 360 and placed in members' bill files.)

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

SB09-209 by Senator(s) White, Keller, Tapia; also Representative(s) Marostica, Ferrandino, Pommer--
Concerning the repeal of the inmate assistance demonstration grant program.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, February 17, page 360 and placed in members' bill files.)

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

SB09-210 by Senator(s) Tapia, Keller, White; also Representative(s) Ferrandino, Pommer, Marostica--
Concerning transfers for health programs from the tobacco litigation funds.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, February 17, page 360-361 and placed in members' bill files.)

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

SB09-211 by Senator(s) Keller, Tapia, White; also Representative(s) Ferrandino, Pommer, Marostica--
Concerning a delay in the expansion of eligibility for the children's basic health plan.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, February 17, page 361 and placed in members' bill files.)

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

SB09-213 by Senator(s) Tapia, Keller, White; also Representative(s) Pommer, Ferrandino, Marostica--
Concerning appropriations for the alternative teacher compensation plan grant program.

Ordered engrossed and placed on the calendar for Third Reading and Final Passage.

SB09-214 by Senator(s) Tapia, Keller, White; also Representative(s) Pommer, Ferrandino, Marostica--
Concerning appropriations for the quality teacher program created in 2008.

Ordered engrossed and placed on the calendar for Third Reading and Final Passage.

SB09-218 by Senator(s) White, Keller, Tapia; also Representative(s) Ferrandino, Pommer, Marostica--
Concerning an increase in the amount of moneys appropriated from the state general fund to the controlled maintenance trust fund for the fiscal year beginning July 1, 2007.

Ordered engrossed and placed on the calendar for Third Reading and Final Passage.

SB09-219 by Senator(s) Tapia, Keller, White; also Representative(s) Ferrandino, Pommer, Marostica--
Concerning the general fund reserve required for the 2008-09 state fiscal year.

Ordered engrossed and placed on the calendar for Third Reading and Final Passage.

Senator Shaffer moved that the Committee of the Whole rise, report progress, and beg leave to sit again at 2:00 p.m. A majority of those elected to the Senate having voted in the affirmative, the motion was adopted.

Committee of the Whole in Recess

COMMITTEE OF REFERENCE REPORTS

Local Government and Energy After consideration on the merits, the Committee recommends that **SB09-122** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, line 6, strike "OR";

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line 7, strike "PRIVATELY".

Page 3, after line 1, insert the following:

"(b) (I) THE OFFICE OF PREPAREDNESS, SECURITY, AND FIRE SAFETY SHALL COMPLY WITH ALL REQUIREMENTS OF 6 U.S.C. SEC. 101, ET. SEQ., AS AMENDED, THE IMPLEMENTING REGULATIONS THERETO, AS AMENDED, AND THE APPLICABLE PROCEDURES ESTABLISHED BY THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY FOR THE RELEASE OF CRITICAL INFRASTRUCTURE INFORMATION.

(II) BEFORE THE OFFICE OF PREPAREDNESS, SECURITY, AND FIRE SAFETY RELEASES CRITICAL INFRASTRUCTURE INFORMATION TO A PERSON, THE DEPARTMENT OF PUBLIC SAFETY, AT THE EXPENSE OF THE LOCAL GOVERNMENT THAT EMPLOYS THE PERSON, SHALL CAUSE A ONE-TIME BACKGROUND INVESTIGATION OF THE PERSON TO BE CONDUCTED. THE BACKGROUND INVESTIGATION SHALL BE CONDUCTED BY THE COLORADO BUREAU OF INVESTIGATION AND SHALL INCLUDE A REFERENCE CHECK, A FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK, AND A BACKGROUND INVESTIGATION THAT GOES BEYOND THE SCOPE OF A FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK.

(c) ANY RECIPIENT OF CRITICAL INFRASTRUCTURE INFORMATION PROVIDED BY THE OFFICE OF PREPAREDNESS, SECURITY, AND FIRE SAFETY SHALL:

(I) ONLY USE THE CRITICAL INFRASTRUCTURE INFORMATION FOR THE PURPOSES SET FORTH IN 6 U.S.C. SEC. 101, ET. SEQ., AS AMENDED, THE IMPLEMENTING REGULATIONS THERETO, AS AMENDED, AND THE APPLICABLE PROCEDURES ESTABLISHED BY THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY FOR THE RELEASE OF CRITICAL INFRASTRUCTURE INFORMATION; AND

(II) ENTER INTO AN INDIVIDUAL NONDISCLOSURE AGREEMENT PROVIDED OR APPROVED BY THE OFFICE OF PREPAREDNESS, SECURITY, AND FIRE SAFETY.

(d) ANY PERSON WHO KNOWINGLY PUBLISHES, DIVULGES, OR MAKES KNOWN IN ANY MANNER OR TO ANY EXTENT NOT AUTHORIZED BY LAW ANY CRITICAL INFRASTRUCTURE INFORMATION PROTECTED FROM DISCLOSURE BY THIS SUBSECTION (2) SHALL BE GUILTY OF A CLASS 1 MISDEMEANOR."

Reletter succeeding paragraph accordingly.

Page 3, line 6, after the second "COUNTY", insert "AND THE CHIEF OF POLICE OF THE MUNICIPALITY";

line 20, after "COUNTY", insert "AND THE CHIEF OF POLICE OF THE MUNICIPALITY";

line 21, strike "24-33.5-1611 (2) (b)," and substitute "24-33.5-1611 (2) (e),".

Local Government and Energy

After consideration on the merits, the Committee recommends that **HB09-1041** be referred to the Committee on Finance with favorable recommendation.

Local Government and Energy

After consideration on the merits, the Committee recommends that **SB09-105** be referred to the Committee of the Whole with favorable recommendation.

MESSAGE FROM THE HOUSE

February 18, 2009

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB09-1112, 1185, 1257.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB09-1153, amended as printed in House Journal, February 13, pages 323-324, and amended on Third Reading as printed in House Journal, February 18. HB09-1181, amended as printed in House Journal, February 13, page 324. HB09-1197, amended as printed in House Journal, February 17, page 364. HB09-1183, amended as printed in House Journal, February 17, page 365. HB09-1198, amended as printed in House Journal, February 17, pages 365-374. HB09-1036, amended as printed in House Journal, February 17, page 374. HB09-1065, amended as printed in House Journal, February 17, page 375. HB09-1149, amended as printed in House Journal, February 17, page 375. HB09-1150, amended as printed in House Journal, February 17, pages 375-376.

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HB09-1188, amended as printed in House Journal, February 17, page 376.
The House has passed on Third Reading and returns herewith SB09-015, 040.
The House has adopted and returns herewith SJR09-013.

MESSAGE FROM THE REVISOR OF STATUTES
February 18, 2009

We herewith transmit:

Without comment, HB09-1112, 1185, and 1257.
Without comment, as amended, HB09-1036, 1065, 1149, 1150, 1153, 1181, 1183, 1188,
1197, and 1198.

INTRODUCTION OF RESOLUTIONS

SJR09-014 by Senator(s) Heath; also Representative(s) Miklosi--Concerning recognition of career and technical education month.

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

SPECIAL ORDERS -- SECOND READING OF BILLS -- con't

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:

SB09-208 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.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, February 17, page 360 and placed in members' bill files.)

Amendment No. 2(L.004), by Senator Hudak.

Amend the Appropriations Committee Report, dated February 17, 2009, page 1, line 2, strike "MILLION" and substitute "MILLION NINE HUNDRED SEVENTY-TWO THOUSAND EIGHT HUNDRED NINETY-FIVE".

Amendment No. 3(L.015), by Senator Spence.

Amend printed bill, page 18, strike lines 23 through 27.

Page 19, strike lines 1 through 4.

Renumber succeeding sections accordingly.

Amendment No. 4(L.016), by Senator Spence.

Amend printed bill, page 19, strike lines 5 through 11.

Renumber succeeding sections accordingly.

Amendment No. 5(L.021), by Senator Morse.

Amend the Appropriations Committee Report, dated February 17, 2009, page 1, line 2, strike "FIFTEEN MILLION" and substitute "NINETEEN MILLION FOUR HUNDRED FORTY-TWO THOUSAND FOUR HUNDRED TWELVE".

Amendment No. 6(L.012), by Senator Kester.

Amend printed bill, page 14, strike lines 15 through 22.

Renumber succeeding sections accordingly.

Amendment No. 7(L.022), by Senators Schwartz and Heath.

Amend the Appropriations Committee Report, dated February 17, 2009, page 1, line 2, strike "FIFTEEN MILLION" and substitute "TWENTY-SIX MILLION TWO HUNDRED FORTY-NINE THOUSAND ONE HUNDRED FORTY-FOUR".

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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).

SB09-212

by Senator(s) White, Keller, Tapia; also Representative(s) Pommer, Ferrandino, Marostica-- Concerning a temporary limitation on the maximum amount of state sales and use tax revenues that may be retained by a retail vendor to compensate for the vendor's expenses incurred in the collection and remittance of the tax revenues to the state.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, February 17, page 361 and placed in members' bill files.)

Amendment No. 2(L.004), by Senator Williams.

Amend printed bill, page 2, line 10, after the period, add "FOR ANY RETURN MADE PRIOR TO APRIL 1, 2009, A VENDOR SHALL NOT BE LIABLE FOR ANY INTEREST OR OTHER PENALTY IMPOSED AS A RESULT OF AN ERROR MADE IN CONNECTION WITH THE IMPOSITION OF A MAXIMUM AMOUNT OF SALES TAX REVENUES THAT MAY BE RETAINED IN ACCORDANCE WITH THE PROVISIONS OF THIS SUBPARAGRAPH (I).".

Amendment No. 3(L.003), by Senator White.

Amend printed bill, page 2, line 8, after "DOLLARS", insert "PER VENDOR";
line 9, strike "JUNE 30," and substitute "JULY 1,".

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).

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.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, February 17, page 361 and placed in members' bill files.)

Amendment No. 2(L.002), by Senator Tapia.

Amend the Senate Appropriations Committee Report, dated February 17, 2009, strike lines 9 and 10 and substitute the following:

"Page 15, line 3, strike "from the state education fund, created in" and substitute "~~from the state education fund, created in~~";

line 4, strike "section 17 (4) of article IX of the state constitution," and substitute "~~section 17 (4) of article IX of the state constitution,~~";".

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

SB09-217

by Senator(s) White, Keller, Tapia; also Representative(s) Ferrandino, Pommer, Marostica-- Concerning the reduction of moneys transferred to certain funds from the portion of limited gaming fund moneys that would otherwise be transferred to the general fund after the transfer to the local government limited gaming impact fund.

Amendment No. 1(L.001), by Senators Schwartz, Heath, and Isgar.

Amend printed bill, page 4, strike line 27.

Page 5, strike line 1 and substitute the following:

"12-47.1-1601, TWENTY MILLION EIGHT HUNDRED SIXTY-FIVE THOUSAND SEVEN HUNDRED TWENTY DOLLARS SHALL BE TRANSFERRED";

line 3, strike "TWO HUNDRED" and substitute "SIX HUNDRED FORTY-SEVEN";

line 4, strike "TWENTY-SIX" and substitute "TWO HUNDRED NINETY-FOUR";

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line 5, strike "ONE" and substitute "TWO";

line 6, strike "FOUR HUNDRED THOUSAND FIFTY-TWO" and substitute "TWO HUNDRED NINETY-FOUR THOUSAND FIVE HUNDRED EIGHTY-EIGHT";

line 8, strike "FOUR HUNDRED EIGHTY" and substitute "SIX HUNDRED FIFTY-EIGHT";

line 9, strike "ELEVEN" and substitute "NINE HUNDRED EIGHTEEN".

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

SB09-216 by Senator(s) Tapia, Keller, White; also Representative(s) Pommer, Ferrandino, Marostica-- Concerning increases in the fees paid to the division of water resources in the department of natural resources, and, in connection therewith, modifying appropriations made to the division of water resources in the fiscal year 2008-09 long appropriations bill.

On a substitute motion, Senator Isgar moved that the Senate refer **SB09-216** to the Committee on Agriculture and Natural Resources. With the majority of those voting in the affirmative, the motion was **adopted**.

(For further action, see Amendments to the Report of the Committee of the Whole).

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

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.

Senator Lundberg moved to amend the Report of the Committee of the Whole to show that the following amendment to SB 09-208 did pass.

Amend printed bill, page 22, after line 11, insert the following:

"**SECTION 39.** Part 2 of article 75 of title 24, Colorado Revised Statutes, is amended BY THE ADDITION OF THE A NEW SECTION to read:

24-75-211.5. Restoration of funds transferred to augment the general fund. NOTWITHSTANDING ANY LAW TO THE CONTRARY , IN ANY FISCAL YEAR IN WHICH THERE ARE SUFFICIENT REVENUES IN THE GENERAL FUND FOR THE RESERVE REQUIRED PURSUANT TO SECTION 24-75-201.1 (1) (d) AND TO ALLOW THE TOTAL STATE GENERAL FUND APPROPRIATIONS MADE FOR SAID FISCAL YEAR TO EQUAL SIX PERCENT OVER THE TOTAL STATE GENERAL FUND APPROPRIATIONS FOR THE PREVIOUS FISCAL YEAR, THE STATE TREASURER SHALL RESTORE TO THE FUNDS THAT WERE TRANSFERRED TO AUGMENT THE GENERAL FUND PURSUANT TO SENATE BILL 09-208, ENACTED IN 2009, IN AN AMOUNT NOT TO EXCEED TWENTY-FIVE PERCENT OF THE AMOUNT SO TRANSFERRED FROM EACH FUND UNTIL EACH SUCH FUND IS COMPLETELY RESTORED. SUCH RESTORATION SHALL BE MADE BY TRANSFERRING MONEYS TO THE APPROPRIATE CASH FUNDS FROM THE GENERAL FUND."

Renumber succeeding section accordingly.

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

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

Senator Penry moved to amend the Report of the Committee of the Whole to show that the following Penry floor amendment, (L.010) to SB 09-208, did pass.

Amend printed bill, page 10, strike lines 2 through 16.
Renumber succeeding sections accordingly.

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

YES	14	NO	19	EXCUSED	2	ABSENT	0
Bacon	N	Hodge	Y	Morse	N	Shaffer B.	N
Boyd	N	Hudak	N	Newell	N	Spence	Y
Brophy	Y	Isgar	Y	Penry	Y	Tapia	N
Cadman	Y	Keller	N	Renfroe	E	Tochtrop	N
Carroll M.	N	Kester	Y	Romer	N	Veiga	N
Foster	N	King K.	E	Sandoval	N	White	N
Gibbs	N	Kopp	Y	Scheffel	Y	Williams	N
Harvey	Y	Lundberg	Y	Schultheis	Y	President	N
Heath	N	Mitchell	Y	Schwartz	Y		

Senator Harvey moved to amend the Report of the Committee of the Whole to show that the following Harvey floor amendment, (L.017) to SB 09-208, did pass.

Amend printed bill, page 20, strike lines 13 through 27.
Page 21, strike lines 1 through 21.
Renumber succeeding sections accordingly.

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

YES	11	NO	22	EXCUSED	2	ABSENT	0
Bacon	N	Hodge	N	Morse	N	Shaffer B.	N
Boyd	N	Hudak	N	Newell	N	Spence	Y
Brophy	Y	Isgar	N	Penry	Y	Tapia	N
Cadman	Y	Keller	N	Renfroe	E	Tochtrop	N
Carroll M.	N	Kester	Y	Romer	N	Veiga	N
Foster	N	King K.	E	Sandoval	N	White	N
Gibbs	N	Kopp	Y	Scheffel	Y	Williams	N
Harvey	Y	Lundberg	Y	Schultheis	Y	President	N
Heath	N	Mitchell	Y	Schwartz	N		

Senator Schultheis moved to amend the Report of the Committee of the Whole to show that the following Schultheis floor amendment, (L.018) to SB 09-208, did pass.

Amend printed bill, page 21, strike lines 22 through 27.
Page 22, strike lines 1 and 2.
Renumber succeeding sections accordingly.

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

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YES	11	NO	22	EXCUSED	2	ABSENT	0
Bacon	N	Hodge	N	Morse	N	Shaffer B.	N
Boyd	N	Hudak	N	Newell	N	Spence	Y
Brophy	Y	Isgar	N	Penry	Y	Tapia	N
Cadman	Y	Keller	N	Renfroe	E	Tochtrop	N
Carroll M.	N	Kester	Y	Romer	N	Veiga	N
Foster	N	King K.	E	Sandoval	N	White	N
Gibbs	N	Kopp	Y	Scheffel	Y	Williams	N
Harvey	Y	Lundberg	Y	Schultheis	Y	President	N
Heath	N	Mitchell	Y	Schwartz	N		

SB09-189 by Senator(s) Keller, Tapia, White; also Representative(s) Pommer, Ferrandino, Marostica-- Concerning a supplemental appropriation to the department of human services.

Senator Morse moved to amend the Report of the Committee of the Whole to show that the following amendment to SB 09-189 did pass.

Amend the Morse floor amendment, (SB189_J.002), page 2, after line 20, insert the following:

"Page 61, line 2, in the REAPPROPRIATED FUNDS column, strike "~~2,807,417^b~~" and substitute "2,807,417^b";";

line 21 of the amendment, strike "Page 61,";

line 24 of the amendment, strike ""~~2,793,569^b~~" and substitute" and substitute ""~~2,793,569^b~~";";

strike line 25 of the amendment.

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 declared **passed** on the following roll call vote:

YES	32	NO	1	EXCUSED	2	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Shaffer B.	Y
Boyd	Y	Hudak	Y	Newell	Y	Spence	Y
Brophy	Y	Isgar	Y	Penry	Y	Tapia	Y
Cadman	Y	Keller	Y	Renfroe	E	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	Veiga	Y
Foster	Y	King K.	E	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		

SB09-212 by Senator(s) White, Keller, Tapia; also Representative(s) Pommer, Ferrandino, Marostica-- Concerning a temporary limitation on the maximum amount of state sales and use tax revenues that may be retained by a retail vendor to compensate for the vendor's expenses incurred in the collection and remittance of the tax revenues to the state.

Senator Sandoval moved to amend the Report of the Committee of the Whole to show that the following Sandoval floor amendment, (L.007) to SB 09-212, did pass.

Amend printed bill, page 2, strike line 8 and substitute the following:

"NOT EXCEED AN AMOUNT EQUAL TO ONE AND FOUR TENTHS PERCENT OF ALL SALES REPORTED ON".

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 declared **passed** on the following roll call vote:

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

SB09-216

by Senator(s) Tapia, Keller, White; also Representative(s) Pommer, Ferrandino, Marostica-- Concerning increases in the fees paid to the division of water resources in the department of natural resources, and, in connection therewith, modifying appropriations made to the division of water resources in the fiscal year 2008-09 long appropriations bill.

Senator Shaffer, Boyd, and Tapia moved to amend the Report of the Committee of the Whole to show that SB 09-216, as amended, did pass.

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 declared **passed** on the following roll call vote:

YES	18	NO	15	EXCUSED	2	ABSENT	0
Bacon	Y	Hodge	N	Morse	Y	Shaffer B.	Y
Boyd	Y	Hudak	Y	Newell	Y	Spence	N
Brophy	N	Isgar	N	Penry	N	Tapia	Y
Cadman	N	Keller	Y	Renfroe	E	Tochtrop	Y
Carroll M.	Y	Kester	N	Romer	Y	Veiga	Y
Foster	Y	King K.	E	Sandoval	N	White	Y
Gibbs	Y	Kopp	N	Scheffel	N	Williams	Y
Harvey	N	Lundberg	N	Schultheis	N	President	Y
Heath	Y	Mitchell	N	Schwartz	N		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Veiga, 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	Y	Shaffer B.	Y
Boyd	Y	Hudak	Y	Newell	Y	Spence	Y
Brophy	Y	Isgar	Y	Penry	Y	Tapia	Y
Cadman	Y	Keller	Y	Renfroe	E	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	Veiga	Y
Foster	Y	King K.	E	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: SB09-183, SB09-184, SB09-185 as amended, SB09-186, SB09-187 as amended, SB09-188, SB09-189 as amended, SB09-190, SB09-191, SB09-192, SB09-193, SB09-194, SB09-195, SB09-196, SB09-197, SB09-198, SB09-199, SB09-200, SB09-201, SB09-202, SB09-203, SB09-204, SB09-206 as amended, SB09-207 as amended, SB09-209 as amended, SB09-210 as amended, SB09-211 as amended, SB09-213, SB09-214, SB09-218, SB09-219, SB09-208 as amended, SB09-212 as amended, SB09-215 as amended, SB09-217 as amended, SB09-216 as amended.

COMMITTEE OF REFERENCE REPORTS

Education

After consideration on the merits, the Committee recommends that **HB09-1128** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Education After consideration on the merits, the Committee recommends that **HB09-1033** 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 **HB09-1091** be referred to the Committee of the Whole with favorable recommendation.

INTRODUCTION OF BILLS -- FIRST READING

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

SB09-224 by Senator(s) Shaffer B., Groff, Penry; also Representative(s) Weissmann, Carroll T., May-- Concerning payment of expenses of the legislative department, and making an appropriation in connection therewith.
Appropriations

SB09-225 by Senator(s) Boyd; also Representative(s) McGihon--Concerning the definition of contraceptive.
Health and Human Services

SB09-226 by Senator(s) Sandoval; --Concerning policies for the management of food allergies among school children.
Health and Human Services

HB09-1059 by Representative(s) Primavera; also Senator(s) Carroll M.--Concerning the continuation of health care coverage while participating in a clinical trial.
Health and Human Services

HB09-1124 by Representative(s) Liston, Gardner B., Massey, Tipton, Gardner C., Bradford, Frangas, Labuda, Lambert, Murray, Soper; also Senator(s) Veiga--Concerning certain conferences with an attorney representing a state public body that may be held in an executive session at a meeting of the state public body.
State, Veterans & Military Affairs

HB09-1125 by Representative(s) Merrifield, Massey, Benefield, Gagliardi, Middleton, Pace, Peniston, Priola, Scanlan, Solano, Summers, Weissmann; also Senator(s) Hudak--Concerning limitations on the incentives local education providers may provide for participation in public educational programs.
Education

HB09-1168 by Representative(s) Riesberg, McFadyen, Sonnenberg; also Senator(s) Schwartz, Bacon, Penry--Concerning the timing of reports to the capital development committee.
State, Veterans & Military Affairs

HB09-1169 by Representative(s) Riesberg, McFadyen, Sonnenberg; also Senator(s) Bacon, Penry, Schwartz--Concerning an extension of the repeal date for the capital development committee.
State, Veterans & Military Affairs

HB09-1171 by Representative(s) Court; also Senator(s) Kester--Concerning requirements related to the installation of manufactured homes.
Business, Labor and Technology

HB09-1178 by Representative(s) Green; also Senator(s) Boyd--Concerning the creation of a task force to study the establishment of a registry of caregivers who are deemed to have a substantiated allegation of wrongdoing against a person with a developmental disability.
Judiciary

HB09-1179 by Representative(s) Labuda, McGihon, Gardner B., Levy, Roberts; also Senator(s) Veiga-- Concerning participation in the address confidentiality program by a person who resides with a victim participant.
State, Veterans & Military Affairs

HB09-1182 by Representative(s) Marostica, Ferrandino, Pommer; also Senator(s) White, Keller, Tapia-- Concerning changes in the funding of administrative costs incurred by the division of on-line learning in the department of education.
Education

HB09-1189 by Representative(s) Pommer, Ferrandino, Marostica; also Senator(s) Tapia, Keller, White-- Concerning per pupil funding for education programs that report their pupil enrollment counts to the facility schools unit in the department of education.
Education

HB09-1203 by Representative(s) Tipton, Roberts; also Senator(s) Isgar--Concerning the reclassification of Montezuma county.
Local Government and Energy

HB09-1215 by Representative(s) Ferrandino, Pommer, Marostica; also Senator(s) Tapia, Keller, White-- Concerning the creation of a stabilization fund to assist with the state's efforts to meet the federal maintenance of effort requirements for the state supplemental security income program.
Finance

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HB09-1219 by Representative(s) Judd; also Senator(s) Sandoval--Concerning the interest paid to taxpayers on certain tax overpayments.
Finance

HB09-1265 by Representative(s) Liston, Kerr J., Looper, Massey, Murray, Priola, Tipton; also Senator(s) King K.--Concerning a two-year limitation on abatement interest awarded to a nonprofit entity that has not qualified for tax exemption due to an error made by the nonprofit entity.
Finance



On motion of Senator Shaffer, the Senate adjourned until 9:00 a.m., Thursday, February 19, 2009.

Approved:

Peter C. Groff
President of the Senate

Attest:

Karen Goldman
Secretary of the Senate

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