

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

---

16th Legislative Day

Thursday, January 22, 2009

---

		1
		2
		3
		4
		5
		6
		7
		8
		9
		10
Prayer	By Senator Foster.	11
		12
Pledge	By Senator Cadman.	13
		14
Call to Order	By the President <i>pro tem</i> at 9:00 a.m.	15
		16
		17
Roll Call	Present-- 30	18
	Excused--5, Groff, Kester, Kopp, Mitchell, Williams.	19
		20
Quorum	The President <i>pro tem</i> announced a quorum present.	21
		22
Reading of Journal	On motion of Senator King, reading of the Journal of January 21, 2009, was dispensed with and the Journal was approved as corrected by the Secretary.	23
		24
		25

---

**COMMITTEE OF REFERENCE REPORTS**

		26
		27
		28
Health & Human Services	After consideration on the merits, the Committee recommends that <b>SB09-053</b> be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	29
		30
		31
	Amend printed bill, page 2, strike lines 26 and 27.	32
		33
	Strike page 3 and substitute the following:	34
		35
		36
	<b>"SECTION 2. Act subject to petition - effective date.</b> (1) This act shall take effect October 1, 2009.	37
		38
		39
	(2) However, if a referendum petition is filed against this act or an item, section, or part of this act during the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution, then the act, item, section, or part, shall not take effect unless approved by the people at a biennial regular general election and shall take effect on the date specified in subsection (1) or on the date of the official declaration of the vote thereon by proclamation of the governor, whichever is later."	40
		41
		42
		43
		44
		45
		46
		47
Health & Human Services	After consideration on the merits, the Committee recommends that <b>SB09-010</b> be referred to the Committee of the Whole with favorable recommendation.	48
		49
		50
		51
Health & Human Services	After consideration on the merits, the Committee recommends that <b>SB09-005</b> be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	52
		53
		54
		55
	Amend printed bill, page 4, line 22, strike "PERSONS" and substitute "CIVILIAN OR MILITARY PERSONS";	56
		57
		58
	line 23, strike "A PERSON" and substitute "SUCH PERSONS".	59
		60
	Page 5, line 10, after "SECTIONS", insert "30-15-402 (3)," and, strike "(III)" and substitute "(III),".	61
		62
		63
	Page 6, line 1, after "SECTIONS", insert "30-15-402 (3)," and, strike "(III)" and substitute "(III),";	64
		65
		66
	line 17, after "SECTIONS", insert "30-15-402 (3)," and, strike "(III)" and substitute "(III),".	67

Page 7, line 6, after "SECTIONS", insert "30-15-402 (3),";

line 7, strike "(III)" and substitute "(III),";

strike lines 17 through 23.

Renumber succeeding sections accordingly.

Page 8, line 4, strike "ANY MONEYS THAT MAY BE";

line 5, strike "APPROPRIATED FUND BY THE GENERAL ASSEMBLY AND";

line 18, strike "February 1," and substitute "~~February 1~~ SEPTEMBER 1,";

line 19, strike "February 1" and substitute "~~February 1~~ SEPTEMBER 1" and, after "shall", insert "PROVIDE A".

Education

After consideration on the merits, the Committee recommends that **SB09-064** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 3, line 19, after "PERFORMING", insert "SCHOOL".

Education

After consideration on the merits, the Committee recommends that **SB09-062** be referred to the Committee of the Whole with favorable recommendation.

**MESSAGE FROM THE HOUSE**

January 7, 2009  
Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB09-1050.

**MESSAGE FROM THE REVISOR OF STATUTES**

January 21, 2009

We herewith transmit:

Without comment, HB09-1050.

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

**SB09-015**

by Senator(s) Tochtrop, Brophy, Isgar, Schwartz; also Representative(s) Gardner C., Curry, Hodge, McKinley, White--Concerning removal of the White river drainage basin from the jurisdiction of water division 5 to water division 6.

Laid over until Friday, January 23, retaining its place on the calendar.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69

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

**SB09-032** by Senator(s) Groff, Hudak, King K., Penry, Romer, Spence; also Representative(s) Marostica and Todd, Carroll T., Gardner C., Massey, McNulty, Rice, Scanlan--Concerning creation of the education innovation institute at the university of northern Colorado.

Laid over until Friday, January 23, retaining its place on the calendar.

**SB09-001** by Senator(s) Gibbs and Penry, Kopp; also Representative(s) Scanlan and King S.--Concerning the establishment of community wildfire protection plans by county governments.

Laid over until Friday, January 23, retaining its place on the calendar.

**SB09-044** by Senator(s) Boyd; also Representative(s) Hullinghorst--Concerning administrative procedures in relation to the department of human services.

Laid over until Friday, January 23, retaining its place on the calendar.

**CONSIDERATION OF RESOLUTIONS**

**SJR09-008** by Senator(s) Veiga, Penry; also Representative(s) Bradford--Concerning the recognition of Doug Phillips' contributions to the Colorado legal system and the development of Colorado's wine industry.

Laid over until Friday, January 23, retaining its place on the calendar.

**CONSIDERATION OF GOVERNOR'S APPOINTMENTS**

On motion of Senator Bacon, the following Governor's appointment was confirmed by a roll call vote:

BOARD OF GOVERNORS OF THE  
COLORADO STATE UNIVERSITY SYSTEM

effective January 1, 2009 for terms expiring December 31, 2012:

Joseph C. Zimlich of Fort Collins, Colorado.

YES	30	NO	0	EXCUSED	5	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	Y	Tochtrop	Y
Carroll M.	Y	Kester	E	Romer	Y	Veiga	Y
Foster	Y	King K.	Y	Sandoval	Y	White	Y
Gibbs	Y	Kopp	E	Scheffel	Y	Williams	E
Harvey	Y	Lundberg	Y	Schultheis	Y	President	E
Heath	Y	Mitchell	E	Schwartz	Y		



On motion of Senator Shaffer, the Senate adjourned until 9:00 a.m., January 23, 2009.

Approved:

Betty Boyd  
President *pro tem* of the Senate

Attest:

Karen Goldman  
Secretary of the Senate

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20