

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

92nd Legislative Day

Wednesday, April 8, 2009

Prayer	By the chaplain, Rev. Arlyn Tolzmann, Holy Cross Lutheran Church, Wheat Ridge.	11
Pledge	By Senator Kester.	13
Call to Order	By the President at 9:00 a.m.	15
Roll Call	Present--35	18
Quorum	The President announced a quorum present.	20
Reading of Journal	On motion of Senator Foster, reading of the Journal of Tuesday, April 7, 2009, was dispensed with and the Journal was approved as corrected by the Secretary.	22

COMMITTEE OF REFERENCE REPORTS

Appropriations	After consideration on the merits, the Committee recommends that SB09-259 be referred to the Committee of the Whole with favorable recommendation.	30
Appropriations	After consideration on the merits, the Committee recommends that SB09-260 be referred to the Committee of the Whole with favorable recommendation.	33
Appropriations	After consideration on the merits, the Committee recommends that SB09-261 be referred to the Committee of the Whole with favorable recommendation.	36
Appropriations	After consideration on the merits, the Committee recommends that SB09-262 be referred to the Committee of the Whole with favorable recommendation.	39
Appropriations	After consideration on the merits, the Committee recommends that SB09-263 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	42
	Amend printed bill, page 11, after line 27, insert the following:	46
	" SECTION 4. Part V (2), and the affected totals of section 2 of chapter 474, Session Laws of Colorado 2008, as amended by section 1 of Senate Bill 09-187, are amended to read:	48
	Section 2. Appropriation.	51

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
PART V							
DEPARTMENT OF HEALTH CARE POLICY AND FINANCING							
1							
2							
3	(2) MEDICAL SERVICES PREMIUMS^{9, 10, 11, 12, 13}						
4	Services for 37,483						
5	Supplemental Security						
6	Income Adults 65 and Older						
7	(SSI 65 +) at an average cost						
8	of \$20,120.77	754,186,704					
9	Services for 6,368						
10	Supplemental Security						
11	Income Adults 60 to 64						
12	Years of Age (SSI 60 - 64) at						
13	an average cost of						
14	\$17,368.19	110,600,623					

		APPROPRIATION FROM					
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Services for 15,172						
2	Qualified Medicare						
3	Beneficiaries (QMBs) and						
4	Special Low-Income						
5	Medicare Beneficiaries						
6	(SLIMBs) at an average cost						
7	of \$1,330.45	20,185,656					
8	Services for 51,263						
9	Supplemental Security						
10	Income Disabled Individuals						
11	at an average cost of						
12	\$14,120.57	723,862,731					
13	Services for 48,328						
14	Categorically Eligible						
15	Low-income Adults at an						
16	average cost of \$4,482.29	216,619,998					

		APPROPRIATION FROM					
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Services for 6,922 Baby Care						
2	Program Adults at an						
3	average cost of \$8,801.03	60,920,717					
4	Services for 301 Breast and						
5	Cervical Cancer Treatment						
6	Clients at an average cost of						
7	\$22,938.31	6,904,430					
8	Services for 12,514						
9	Expansion Health Care						
10	Low-Income Adult Clients at						
11	an average cost of \$1,780.03	22,275,238					
12	Services for 231,030 Eligible						
13	Children at an average cost						
14	of \$1,802.05	416,328,602					

		APPROPRIATION FROM					
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Services for 18,003 Foster						
2	Children at an average cost						
3	of \$3,722.25	67,011,705					
4	Services for 4,030						
5	Non-Citizens at an average						
6	cost of \$15,193.07	61,228,080					
7	Repayment of Federal						
8	Disallowance	3,176,846					
9		2,463,301,330	769,068,351(M)	369,000,000	92,737,346*	661,475 ^b	1,231,834,158
10			765,356,392(M)		96,449,305 ^a		
11							

12 ^a Of this amount, \$73,929,336 shall be from the Health Care Expansion Fund created in Section 24-22-117 (2) (a) (I), C.R.S.; \$18,180,399 represents public funds certified as
 13 expenditures incurred by public hospitals and agencies that are eligible for federal financial participation under the Medicaid program; \$3,711,959 SHALL BE FROM THE NURSING
 14 FACILITY CASH FUND CREATED IN SECTION 25.5-6-203 (2) (a), C.R.S., and \$627,611 shall be from the Autism Treatment Fund created in Section 25.5-6-805, C.R.S.

15 ^b This amount shall be transferred from the Department of Public Health and Environment pursuant to Section 24-22-117 (2) (d) (II) (D), C.R.S.

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				FEDERAL FUNDS
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	
	\$	\$	\$	\$	\$	\$	\$
1							
2							
3	TOTALS PART V						
4	(HEALTH CARE POLICY						
5	AND FINANCING)	\$3,849,682,072	\$1,210,844,196	\$369,495,000 ^a	\$367,532,737 ^b	\$22,948,578	\$1,878,861,561
6			\$1,207,132,237		\$371,244,696 ^b		
7							

8 ^a Of this amount, \$369,000,000 shall be from the General Fund Exempt Account created in Section 24-77-103.6 (2), C.R.S., and \$495,000 shall be General Fund Exempt pursuant to
 9 Section 24-22-117 (1) (c) (I) (B), C.R.S. Further, said \$495,000 is also not subject to the statutory limitation on General Fund appropriations imposed by Section 24-75-201.1,
 10 C.R.S.

11 ^b This amount includes \$725,598 the Colorado Autism Treatment Fund created in Section 25.5-6-805, C.R.S., and represents the total amount that the State Treasurer shall transfer
 12 from the Tobacco Litigation Settlement Cash Fund created in Section 24-22-115 (1) (a), C.R.S., to the Colorado Autism Treatment Fund pursuant to Section 24-22-115 (1) (a),
 13 C.R.S.

SECTION 5. Appropriation - adjustments in 2009 long bill.

(1) For the implementation of this act, appropriations in the annual general appropriation act to the department of health care policy and financing, for the fiscal year beginning July 1, 2009, shall be adjusted as follows:

(a) The appropriation for medical service premiums is decreased by thirty-one million four hundred fifteen thousand one hundred sixty-nine dollars (\$31,415,169). Of said sum, seventeen million one hundred forty thousand eighty-nine dollars (\$17,140,089) shall be from the general fund and fourteen million two hundred seventy-five thousand eighty dollars (\$14,275,080) shall be from federal funds.

(b) The appropriation for medical service premiums cash fund is increased by two million eight hundred sixty-five thousand nine dollars (\$2,865,009). Said amount shall be from the nursing facility cash fund created in section 25.5-6-203 (2) (a), Colorado Revised Statutes."

Renumber succeeding section accordingly.

Page 1, line 101, strike "**PROVIDERS.**" and substitute "**PROVIDERS, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH.**".

** *** ** *** **

Appropriations

After consideration on the merits, the Committee recommends that **SB09-264** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 12, line 12, strike "cash fund" and substitute "reappropriated funds";

line 20, strike "cash fund" and substitute "reappropriated funds".

Appropriations

After consideration on the merits, the Committee recommends that **SB09-265** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 6, line 22, strike "three hundred ten thousand one hundred forty dollars" and substitute "five hundred seventy-five thousand nine hundred seventy-three dollars (\$575,973)";

line 23, strike "(\$310,140)".

Appropriations

After consideration on the merits, the Committee recommends that **SB09-267** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **SB09-268** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, strike line 11 and substitute "state.";

strike lines 12 and 13.

Page 3, strike line 15 and substitute "disbursements shall be borne by the state.";

strike lines 16 through 18.

Page 5, after line 16, insert the following:

"SECTION 4. Appropriation - adjustments to the 2009 long bill. For the implementation of this act, the general fund appropriation made in the annual general appropriation act for the fiscal year beginning July 1, 2009, to the judicial department, office of the child's representative, for court appointed counsel, is decreased by ninety-seven thousand dollars (\$97,000)."

Renumber succeeding section accordingly.

Page 1, line 102, strike "**CHILDREN.**" and substitute "**CHILDREN, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH.**".

Appropriations	After consideration on the merits, the Committee recommends that SB09-269 be referred to the Committee of the Whole with favorable recommendation.	1 2 3 4
Appropriations	After consideration on the merits, the Committee recommends that SB09-270 be referred to the Committee of the Whole with favorable recommendation.	5 6 7 8
Appropriations	After consideration on the merits, the Committee recommends that SB09-271 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	9 10 11 12
	Amend printed bill, page 4, line 25, strike "ten" and substitute "eight";	13
	line 26, strike "\$10,000,000" and substitute "\$8,000,000";	14 15
	line 27, strike "ten" and substitute "twelve".	16 17
	Page 5, line 1, strike "\$10,000,000" and substitute "\$12,000,000";	18 19
	line 9, strike "six" and substitute "four" and strike "\$6,000,000" and substitute "\$4,000,000".	20 21 22 23
Appropriations	After consideration on the merits, the Committee recommends that SB09-272 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	24 25 26 27
	Amend printed bill, page 5, after line 6, insert the following:	28 29
	"SECTION 3. Effective date. This act shall take effect upon passage; except that Section 1 of this act shall not take effect unless Senate Bill 09-279 is enacted and becomes law."	30 31 32 33
	Renumber succeeding section accordingly.	34 35
Appropriations	After consideration on the merits, the Committee recommends that SB09-273 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	36 37 38 39
	Amend printed bill, page 4, strike lines 19 through 27.	40 41
	Page 5, strike lines 1 and 2, and substitute the following:	42 43
	"SECTION 5. Adjustments to the 2009 long bill. (1) For the implementation of this act, appropriations made in the annual general appropriation act for the fiscal year beginning July 1, 2009, to the department of higher education, shall be adjusted as follows:	44 45 46 47 48
	(a) The general fund appropriation to the college opportunity fund program, for stipends for students attending state institutions, is increased by one hundred forty-seven million three hundred ninety-one thousand three hundred fifty dollars (\$147,391,350), in order to increase the stipend rate by one thousand one hundred ten dollars per thirty credit hours.	49 50 51 52 53 54
	(b) The general fund appropriation to the college opportunity fund program, for fee-for-service contracts with state institutions, is increased by one hundred forty million nine hundred ninety-nine thousand eighteen dollars (\$140,999,018).	55 56 57 58 59
	(c) The general fund appropriation to the college opportunity fund program, for stipends for students attending participating private institutions, is increased by four hundred forty-four thousand dollars (\$444,000), in order to increase the stipend rate by ninety dollars per thirty credit hours.	60 61 62 63 64 65
	(d) (I) The general fund appropriation to the college opportunity fund program, for stipends for students attending participating private institutions, is increased by fifty-one thousand six hundred fifteen dollars (\$51,615), for application of the stipend rate increase identified in paragraph (c) of this subsection (1) to the additional ninety-three eligible full-time equivalent students estimated to attend participating private	66 67 68 69 70 71 72

institutions pursuant to House Bill 09-1267.

(II) This paragraph (d) shall take effect only if House Bill 09-1267 is enacted in 2009 and becomes law.

(e) The appropriation to the governing boards, trustees of Adams state college, from reappropriated funds, is increased by six million two hundred fifty-eight thousand four hundred fifty-nine dollars (\$6,258,459). Said sum shall consist of the following amounts:

(I) One million four hundred forty-five thousand two hundred twenty dollars (\$1,445,220) shall be from the appropriation made in paragraph (a) of this subsection (1) for student stipend payments; and

(II) Four million eight hundred thirteen thousand two hundred thirty-nine dollars (\$4,813,239) shall be from the appropriation made in paragraph (b) of this subsection (1) for fee-for-service contracts.

(f) The appropriation to the governing boards, trustees of Mesa state college, from reappropriated funds, is increased by ten million two hundred seventy-nine thousand five dollars (\$10,279,005). Said sum shall consist of the following amounts:

(I) Four million nine hundred five thousand ninety dollars (\$4,905,090) shall be from the appropriation made in paragraph (a) of this subsection (1) for student stipend payments; and

(II) Five million three hundred seventy-three thousand nine hundred fifteen dollars (\$5,373,915) shall be from the appropriation made in paragraph (b) of this subsection (1) for fee-for-service contracts.

(g) The appropriation to the governing boards, trustees of Metropolitan state college of Denver, from reappropriated funds, is increased by twenty million five hundred forty-six thousand three hundred forty-seven dollars (\$20,546,347). Said sum shall consist of the following amounts:

(I) Eighteen million eight hundred fourteen thousand five hundred dollars (\$18,814,500) shall be from the appropriation made in paragraph (a) of this subsection (1) for student stipend payments; and

(II) One million seven hundred thirty-one thousand eight hundred forty-seven dollars (\$1,731,847) shall be from the appropriation made in paragraph (b) of this subsection (1) for fee-for-service contracts.

(h) The appropriation to the governing boards, trustees of Western state college, from reappropriated funds, is increased by five million two hundred sixteen thousand four hundred twenty-three dollars (\$5,216,423). Said sum shall consist of the following amounts:

(I) One million five hundred eighty-nine thousand five hundred twenty dollars (\$1,589,520) shall be from the appropriation made in paragraph (a) of this subsection (1) for student stipend payments; and

(II) Three million six hundred twenty-six thousand nine hundred three dollars (\$3,626,903) shall be from the appropriation made in paragraph (b) of this subsection (1) for fee-for-service contracts.

(i) The appropriation to the governing boards, board of governors of the Colorado state university system, from reappropriated funds, is increased by sixty-one million four hundred eighty-three thousand eight hundred seventy-five dollars (\$61,483,875). Said sum shall consist of the following amounts:

(I) Twenty-two million five hundred ninety-four thousand fifty dollars (\$22,594,050) shall be from the appropriation made in paragraph (a) of this subsection (1) for student stipend payments; and

(II) Thirty-eight million eight hundred eighty-nine thousand eight hundred twenty-five dollars (\$38,889,825) shall be from the appropriation made in paragraph (b) of this subsection (1) for fee-for-service contracts.

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(j) The appropriation to the governing boards, trustees of Fort Lewis college, from reappropriated funds, is increased by five million three hundred fifty-four thousand two hundred eighty-five dollars (\$5,354,285). Said sum shall consist of the following amounts:

(I) Two million five hundred sixty thousand seven hundred seventy dollars (\$2,560,770) shall be from the appropriation made in paragraph (a) of this subsection (1) for student stipend payments; and

(II) Two million seven hundred ninety-three thousand five hundred fifteen dollars (\$2,793,515) shall be from the appropriation made in paragraph (b) of this subsection (1) for fee-for-service contracts.

(k) The appropriation to the governing boards, regents of the university of Colorado, from reappropriated funds, is increased by eighty-nine million five hundred seventy thousand four hundred fifty-eight dollars (\$89,570,458). Said sum shall consist of the following amounts:

(I) Thirty-two million one hundred thirty-one thousand one hundred seventy dollars (\$32,131,170) shall be from the appropriation made in paragraph (a) of this subsection (1) for student stipend payments; and

(II) Fifty-seven million four hundred thirty-nine thousand two hundred eighty-eight dollars (\$57,439,288) shall be from the appropriation made in paragraph (b) of this subsection (1) for fee-for-service contracts.

(l) The appropriation to the governing boards, trustees of the Colorado school of mines, from reappropriated funds, is increased by nine million nine hundred eighty-five thousand one hundred forty-six dollars (\$9,985,146). Said sum shall consist of the following amounts:

(I) Three million six thousand nine hundred ninety dollars (\$3,006,990) shall be from the appropriation made in paragraph (a) of this subsection (1) for student stipend payments; and

(II) Six million nine hundred seventy-eight thousand one hundred fifty-six dollars (\$6,978,156) shall be from the appropriation made in paragraph (b) of this subsection (1) for fee-for-service contracts.

(m) The appropriation to the governing boards, university of northern Colorado, from reappropriated funds, is increased by eighteen million nine hundred five thousand six hundred fifty dollars (\$18,905,650). Said sum shall consist of the following amounts:

(I) Eight million five hundred seventy-two thousand five hundred thirty dollars (\$8,572,530) shall be from the appropriation made in paragraph (a) of this subsection (1) for student stipend payments; and

(II) Ten million three hundred thirty-three thousand one hundred twenty dollars (\$10,333,120) shall be from the appropriation made in paragraph (b) of this subsection (1) for fee-for-service contracts.

(h) The appropriation to the governing boards, state board for community colleges and occupational education state system community colleges, from reappropriated funds, is increased by sixty million seven hundred ninety thousand seven hundred twenty dollars (\$60,790,720). Said sum shall consist of the following amounts:

(I) Fifty-one million seven hundred seventy-one thousand five hundred ten dollars (\$51,771,510) shall be from the appropriation made in paragraph (a) of this subsection (1) for student stipend payments; and

(II) Nine million nineteen thousand two hundred ten dollars (\$9,019,210) shall be from the appropriation made in paragraph (b) of this subsection (1) for fee-for-service contracts.

(o) The general fund appropriation to local district junior college grants pursuant to section 23-71-301, Colorado Revised Statutes, is increased by six million eight hundred nine thousand one hundred ninety

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dollars (\$6,809,190).

(p) The general fund appropriation to the division of occupational education, for allocation to area vocational school support, is increased by four million eight hundred thousand four hundred forty-two dollars (\$4,800,442).".

Appropriations

After consideration on the merits, the Committee recommends that **SB09-274** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 9, line 13, strike "43-4-201" and substitute "The introductory portion to 43-4-201 (3) (a) (I) and 43-4-201 (3) (a) (I) (B).";

strike line 16 and substitute the following:

"43-4-201. Funds created. (3) (a) (I) The general assembly shall not make any annual appropriation (whether by regular, special, or supplementary appropriation) or any statutory distribution from the highway users tax fund for any purpose or purposes in a total amount which THAT is:

~~(B) Commencing in the fiscal year 1981-82 through the fiscal year 1994-95, more than a seven percent increase over such appropriation for the prior fiscal year and Commencing in the fiscal year 1995-96, more than a six percent increase over such appropriation to the department of public safety for the Colorado state patrol and to the department of revenue for the ports of entry division for the prior fiscal year; except in fiscal years 2002-03 to 2005-06, more than a six percent increase over such appropriation to the department of public safety for the Colorado state patrol, to the department of revenue for the ports of entry division, to the department of revenue for license plate funding pursuant to sub-subparagraph (L) of subparagraph (H) of this paragraph (a), and to the department of revenue for administration and expenses of the division of motor vehicles pursuant to sub-subparagraph (M) of subparagraph (H) of this paragraph (a) for the prior fiscal year. Commencing in the fiscal year 2006-07, the general assembly shall not make any annual appropriation (whether by regular, special, or supplementary appropriation) or any statutory distribution from the highway users tax fund for any purpose or purposes in a total amount that is more than a six percent increase over such appropriation to the department of public safety for the Colorado state patrol and to the department of revenue for the ports of entry division. For fiscal years 2002-03 to 2005-06, any annual appropriation or statutory distribution from the highway users tax fund to the department of revenue for license plate funding unrelated to license plate replacement pursuant to sub-subparagraph (L) of subparagraph (H) of this paragraph (a) and to the department of revenue for administration and expenses of the division of motor vehicles pursuant to sub-subparagraph (M) of subparagraph (H) of this paragraph (a) within the six percent overall limit on state appropriations pursuant to section 24-75-201.1 (1) (a) (H), C.R.S., shall not be based on a level of appropriation that expands the six percent overall limit EXCEPT IN FISCAL YEARS 2009-10 AND 2010-11, MORE THAN A SIX PERCENT INCREASE OVER SUCH APPROPRIATION TO THE DEPARTMENT OF PUBLIC SAFETY FOR THE COLORADO STATE PATROL, TO THE DEPARTMENT OF REVENUE FOR THE PORTS OF ENTRY DIVISION, AND TO THE DEPARTMENT OF REVENUE FOR THE DIVISION OF MOTOR VEHICLES PURSUANT TO SUB-SUBPARAGRAPH (C) OF SUBPARAGRAPH (III) OF THIS PARAGRAPH (a) FOR THE PRIOR FISCAL YEAR.~~

~~(III) (A) The general assembly".~~

Page 15, after line 12, insert the following:

"SECTION 12. Appropriation. For the implementation of this act, appropriations made in the annual general appropriation act to the department of revenue for the fiscal year beginning July 1, 2009, shall be adjusted as follows:

(1) The general fund appropriation to the executive director's office, for centrally appropriated line items, is decreased by three million nine hundred eighty thousand eight hundred fifty-one dollars

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(\$3,980,851) dollars.

(2) The cash funds appropriation to the executive director's office, for centrally appropriated line items, is increased by three million nine hundred eighty thousand eight hundred fifty-one dollars (\$3,980,851). Said sum shall be from the licensing services cash fund created in section 42-2-114.5, Colorado Revised Statutes.

(3) The general fund appropriation to the division of motor vehicles, driver and vehicle services, for personal services, is decreased by eight million eight hundred ninety-five thousand eight hundred ninety-three dollars (\$8,895,893).

(4) The cash funds appropriation to the division of motor vehicles, driver and vehicle services, for personal services, is increased by nine million seven hundred four thousand six hundred twelve dollars (\$9,704,612). Of said sum, four million sixty-four thousand eight hundred thirty-nine dollars (\$4,064,839) shall be from the highway users tax fund pursuant to section 43-4-201 (3) (a) (III) (C), Colorado Revised Statutes, and five million six hundred thirty-nine thousand seven hundred seventy-three dollars (\$5,639,773) shall be from the licensing services cash fund created in section 42-2-114.5, Colorado Revised Statutes.

(5) The general fund appropriation to the division of motor vehicles, driver and vehicle services, for operating expenses, is decreased by one million two hundred fourteen thousand nine hundred thirty-seven dollars (\$1,214,937).

(6) The cash funds appropriation to the division of motor vehicles, driver and vehicle services for operating expenses, is increased by one million two hundred fourteen thousand nine hundred thirty-seven dollars (\$1,214,937). Said sum shall be from the licensing services cash fund created in section 42-2-114.5, Colorado Revised Statutes.

(7) The general fund appropriation to the division of motor vehicles, driver and vehicle services, for driver's license documents, is decreased by two million eighty-five thousand five hundred seventy-seven dollars (\$2,085,577).

(8) The cash funds appropriation to the division of motor vehicles, driver and vehicle services for driver's license documents, is increased by two million eighty-five thousand five hundred seventy-seven dollars (\$2,085,577). Said sum shall be from the licensing services cash fund created in section 42-2-114.5, Colorado Revised Statutes."

Renumber succeeding section accordingly

Page 1, line 109, strike "AND";

line 111, strike "BILL." and substitute "BILL, AND MAKING AN APPROPRIATION."

Appropriations

After consideration on the merits, the Committee recommends that SB09-275 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 3, after line 1, insert the following:

"(C) IF THE SEPTEMBER 2010 FORECAST PREPARED BY THE LEGISLATIVE COUNCIL STAFF INDICATES SUFFICIENT REVENUES TO FULLY FUND A SIX PERCENT INCREASE IN GENERAL FUND SPENDING FOR THE 2010-11 STATE FISCAL YEAR, THEN THE PROVISIONS OF THIS SUBPARAGRAPH (I) SHALL NOT APPLY AND THE AMOUNT RETAINED BY A VENDOR TO COVER THE VENDOR'S EXPENSE IN COLLECTING AND REMITTING TAX SHALL BE AS PROVIDED IN PARAGRAPH (a) OF THIS SUBSECTION (1) COMMENCING JANUARY 1, 2011.

SECTION 2. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, to the department of revenue, for the fiscal year beginning July 1, 2008, the sum of one hundred eighty-five thousand four hundred thirty-two dollars (\$185,432) and 0.1 FTE, or

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so much thereof as may be necessary, for the implementation of this act.
Of said sum, one hundred eighty-five thousand one hundred twenty-three
dollars (\$185,123) shall be from the general fund, and three hundred nine
dollars (\$309) shall be from the Colorado state titling and registration
account created in section 42-1-211 (2), Colorado Revised Statutes.

(2) In addition to any other appropriation, there is hereby
appropriated, out of any moneys in the general fund, not otherwise
appropriated, to the department of revenue, for the fiscal year beginning
July 1, 2009, the sum of sixty-eight thousand four hundred twelve dollars
(\$68,412) and 0.8 FTE, or so much thereof as may be necessary, for the
implementation of this act."

Renumber succeeding section accordingly.

Page 1, line 105, strike "STATE." and substitute "STATE, AND MAKING AN
APPROPRIATION IN CONNECTION THEREWITH."

Appropriations After consideration on the merits, the Committee recommends that **SB09-276** be referred
to the Committee of the Whole with favorable recommendation.

Appropriations After consideration on the merits, the Committee recommends that **SB09-277** be referred
to the Committee of the Whole with favorable recommendation.

Appropriations After consideration on the merits, the Committee recommends that **SB09-278** be referred
to the Committee of the Whole with favorable recommendation.

Appropriations After consideration on the merits, the Committee recommends that **SB09-279** be amended
as follows, and as so amended, be referred to the Committee of the Whole with favorable
recommendation.

Amend printed bill, page 8, line 2, strike "ONE HUNDRED FIFTY" and
substitute "FIVE HUNDRED".

Page 10, line 15, strike "FIVE" and substitute "ONE";

line 16, before "THOUSAND", insert "FIFTY".

Page 16, line 1, strike "FIFTEEN MILLION DOLLARS";

line 2, before "AND", insert "AN AMOUNT EQUAL TO THE AMOUNT
TRANSFERRED TO THE FUND PURSUANT TO SENATE BILL 09-272, ENACTED
IN 2009," and strike "SUM" and substitute "AMOUNT";

line 20, strike " _____ " and substitute "Senate";

line 21, strike " _____ " and substitute "272";

line 23, strike " _____ Bill 09- _____ " and substitute "Senate Bill 09-274".

Appropriations After consideration on the merits, the Committee recommends that **SB09-280** be referred
to the Committee of the Whole with favorable recommendation.

Appropriations After consideration on the merits, the Committee recommends that **SB09-281** be amended
as follows, and as so amended, be referred to the Committee of the Whole with favorable
recommendation.

Amend printed bill, page 7, line 15, after the period add "THE COST OF
PERFORMANCE AUDITS SHALL BE PAID FROM THE OPERATING FUNDS OF
PINNACOL ASSURANCE."

Appropriations After consideration on the merits, the Committee recommends that **SJR09-035** be referred
to the Senate for final action.

SENATE SERVICES REPORT

Correctly Enrolled: SB09-020, 036, 039, 042, 050, 051, 056, 062, 078, 080, 111, 129, 150,

165, 168, 169, 177 and 237.

On motion of Senator Shaffer and with those elected to the senate having voted in the affirmative, the prayer by Rev. Arlyn Tolzmann were ordered spread upon the pages of the journal.

From the very first gavel by President Groff,
a difficult year began, nothing at which to cough.
The JBC burned the midnight oil,
with wringing hands, headaches and toil.
The economy means hits to the budget,
there was no way around it, no way to fudge it.
Some waited for things to get worse,
sure enough it did, since you're now stuck with my verse.
With Kings in the Senate and House, you took MLK day off,
but soon it was cats with I.D. chips or slow drivers, do not scoff;
safety belts on school buses, school safety drills,
more smackdowns with the budget, one without frills;
counselor competency, car cell phones hands free,
wellness incentive discounts for you and for me.
Then plans for wildfire protection for the community,
defibrillator civil liability immunity;
sixteen year olds giving blood,
political rivals throwing some mud.
From the guv, appointment power relieving,
arguing the pros and cons of parental leaving;
healthy school snacks, early childhood services lunches free,
the Institute of education innovation at UNC;
entertainment event ticket sale prices,
carbon monoxide detectors preventing dire crises.
Manufactured home regulation, illegal drug lab testing,
while immunities for some means no arresting;
expanding photo radar sites with maximum fine,
commending the contribution of the industry of wine.
150 minutes a week of student physical activity seemed wise,
but does that include all the text messaging thumb exercise?
Some said they would sooner wait for hell to freeze
than raise vehicle registration fees.
Certain employees of CU retirements,
the discharge of hazardous pollutant requirements.
You may not have to be crazy to serve in this place,
but some days it helps, when one cuts to the chase.
It is often a very small world we can easily see,
the father of Senator Heath's aide grew up two doors from me.
Athletic trainers, domestic abuse, ski country license plates,
benefits for domestic partners, tobacco litigation funds, hospital infection rates.
Regulation of flight schools, bark beetle trees,
discount prescription drugs, no more rancorous debate, please.
The death penalty and cases gone cold,
solicitation of donated items for profit sold.
Excavation, conservation, modification, valuations, expectations,
education, taxation, codification, recommendations, appropriations.

Grocery store sales of stronger beer,
all sides bellied up their views made clear.
Workers comp, tourism, plastic bags, waste tire fees,
yes, I'm leaving for Illinois to clean up the sleaze.
Pet care regulation, division of wildlife fees, transfer of firearms and background check;
Cesar Chavez Day, Colorado cool cities, on certain bills you must stick out your neck.
Abandoned motor vehicles, surcharges for traffic violations, Help America Vote Act;
defining contraception, academic programs for state prison inmates - it's a fact.
Getting parent involvement in high gear
could be correlated to making Teachers of the Year.
There are fines here for a cell phone call,
and looking for money from Pinnacol.
On April third at Elaine's leaving there were many tears,
then at lunch came tributes, a gift, and hearty cheers.
I begin my day here with my sergeant buddies,
they're a lot of fun, not fuddy-duddies.

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I talk to anyone around and then sit down with Royda for a chat
 about the good ole days and the media table where Sanko sat.
 Senators, Karen, the Sergeants and Chris,
 Royda, the clerks, all of you I will miss.
 There will be no more legislative poems from me,
 I know, I know the tears in your eyes, I see.
 For the past eleven years I've enjoyed my Senate run,
 a privilege, an honor, and delightful fun.
 However, if I'm ever in the area, Karen has invited me back,
 along with you at welcoming me, she has quite the knack!
 God bless you as the public's good you serve,
 pledging liberty and justice for all, with compassion and verve.
 And remember, as soon as we draw lines between us and others in the sand,
 be certain the good Lord with the others will assuredly stand.

Senator Rap:

I came to this place a long time ago;
 it's been quite the time and quite the show.
 A time to receive and a time to send;
 a time to begin and a time to end.
 So into the sunset I now will ride,
 my thanks for good times I cannot hide.

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 Wednesday, April 8, was laid over
 until Thursday, April 9, retaining its place on the calendar.

Special Orders -- Second Reading of Bills: SB09-180, HB09-1180, HB09-1042, SB09-
 235.

Third Reading Bills -- Final Passage -- Consent Calendar: HB09-1309, SB09-254,
 SB09-252.

General Orders -- Second Reading of Bills -- Consent Calendar: HB09-1295, HB09-
 1130, HB09-1213.

General Orders -- Second Reading of Bills: HB09-1299, HB09-1170, SB09-093,
 HB09-1287, SB09-223, HB09-1063, SB09-245, HB09-1001, SB09-135, SB09-239,
 SB09-226, SB09-163, SB09-130, SB09-121, SB09-045, SB09-089.

Consideration of Resolutions: SJR09-032.

Consideration of House Amendments to Senate Bills: SB09-031, SB09-171.

Consideration of Governor's Appointments:

Members of the Board of Trustees for Adams State College

Members of the Board of Trustees for Western State College of Colorado

Conference Committees to Report: HB09-1057, SB09-101, SB09-131, SB09-148.

Consideration of Conference Committee Reports: HB09-1281.

Request for Conference Committees: SB09-013.

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

Approved:

Peter C. Groff
 President of the Senate

Attest:

Karen Goldman
 Secretary of the Senate