

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

---

10th Legislative Day Friday, January 16, 2009

---

		1
		2
		3
		4
		5
		6
		7
		8
		9
		10
Prayer	By the chaplain, Rev. John Thompson, Park Hill United Methodist Church, Denver.	11
		12
Pledge	By Senator Harvey	13
		14
Call to Order	By the President at 9:00 a.m.	15
		16
		17
Roll Call	Present--31	18
	Absent--1, Romer.	19
	Excused--3, Cadman, Morse, Williams.	20
	Present later--3, Cadman, Morse, Romer.	21
		22
Quorum	The President announced a quorum present.	23
		24
Reading of Journal	On motion of Senator Hudak, reading of the Journal of January 15, 2009, was dispensed with and the Journal was approved as corrected by the Secretary.	25
		26
		27
		28
		29

**COMMITTEE OF REFERENCE REPORTS**

Education	The Committee on Education has had under consideration and has had a hearing on the following appointment and recommends that the appointment be confirmed:	32
		33
		34

**MEMBER OF THE  
 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, a Larimer County resident and a Democrat, appointed.

Local Government and Energy	After consideration on the merits, the Committee recommends that <b>SB09-001</b> be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	47
		48
		49

Amend printed bill, page 4, line 2, after "HOMEOWNERS,", insert "ELECTRIC, GAS, AND WATER UTILITY PROVIDERS IN THE SUBJECT AREA,".

Page 5, line 18, after "DISTRICTS,", insert "ELECTRIC, GAS, AND WATER UTILITY PROVIDERS IN THE SUBJECT AREA,".

Page 7, line 22, after "HOMEOWNERS,", insert "ELECTRIC, GAS, AND WATER UTILITY PROVIDERS IN THE SUBJECT AREA,".

Page 9, line 23, after "CWPP", insert "OR AN EQUIVALENT PLAN".

Agriculture and Natural Resources	After consideration on the merits, the Committee recommends that <b>SB09-015</b> be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	61
		62
		63
		64
		65
		66

Agriculture and Natural Resources

After consideration on the merits, the Committee recommends that **SB09-027** be postponed indefinitely.

Health & Human Services

After consideration on the merits, the Committee recommends that **SB09-044** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 5, line 14, strike "09-\_\_\_\_," and substitute "09-044,".

Page 6, line 27, strike "09-\_\_\_\_," and substitute "09-044,".

Page 8, line 20, strike "09-\_\_\_\_," and substitute "09-044,".

Page 9, line 17, strike "09-\_\_\_\_," and substitute "09-044,";

line 23, strike "09-\_\_\_\_," and substitute "09-044,".

**CONSIDERATION OF RESOLUTIONS**

**SJR09-006**

by Senator(s) Boyd; also Representative(s) Riesberg--Concerning support of the federal reauthorization of the state child health insurance plan.

Amendment No. 1(L.001), by Senator Renfroe.

Amend printed joint resolution, page 2, after line 15, insert the following:

"WHEREAS, The General Assembly recognizes that an unborn child is a person; and"

Less than a majority of all members elected to the Senate having voted in the affirmative, the motion was declared **LOST**.

YES	14	NO	20	EXCUSED	1	ABSENT	0
Bacon	N	Hodge	N	Morse	N	Shaffer B.	N
Boyd	N	Hudak	N	Newell	N	Spence	N
Brophy	Y	Isgar	N	Penry	Y	Tapia	N
Cadman	Y	Keller	N	Renfroe	Y	Tochtrop	N
Carroll M.	N	Kester	Y	Romer	N	Veiga	N
Foster	N	King K.	Y	Sandoval	N	White	Y
Gibbs	N	Kopp	Y	Scheffel	Y	Williams	E
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	N	Mitchell	Y	Schwartz	N		

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

YES	20	NO	14	EXCUSED	1	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Shaffer B.	Y
Boyd	Y	Hudak	Y	Newell	Y	Spence	N
Brophy	N	Isgar	Y	Penry	N	Tapia	Y
Cadman	N	Keller	Y	Renfroe	N	Tochtrop	Y
Carroll M.	Y	Kester	N	Romer	Y	Veiga	Y
Foster	Y	King K.	N	Sandoval	Y	White	N
Gibbs	Y	Kopp	N	Scheffel	N	Williams	E
Harvey	N	Lundberg	N	Schultheis	N	President	Y
Heath	Y	Mitchell	N	Schwartz	Y		

Co-sponsors added: Bacon, Carroll M., Foster, Gibbs, Groff, Heath, Hodge, Hudak, Isgar, Keller, Morse, Newell, Sandoval, Schwartz, Shaffer B., Tapia, Tochtrop and Veiga.

Senate in recess. Senate reconvened.

**CONSIDERATION OF RESOLUTIONS**

**SR09-005** by Senator(s) Shaffer B.; --Concerning the change of the designation of the committees of reference that handle energy matters, and, in connection therewith, moving energy matters from the agriculture, natural resources, and energy committee to the local government committee.

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

YES	18	NO	16	EXCUSED	1	ABSENT	0
Bacon	Y	Hodge	Y	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	N	Tochtrop	Y
Carroll M.	Y	Kester	N	Romer	Y	Veiga	Y
Foster	Y	King K.	N	Sandoval	N	White	N
Gibbs	Y	Kopp	N	Scheffel	N	Williams	E
Harvey	N	Lundberg	N	Schultheis	N	President	Y
Heath	Y	Mitchell	N	Schwartz	Y		

**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 Tuesday, January 20, retaining its place on the calendar.

**SR09-007** by Senator(s) Romer; --Concerning World AIDS Day.

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

YES	33	NO	1	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	Y	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	Veiga	Y
Foster	Y	King K.	Y	Sandoval	Y	White	Y
Gibbs	Y	Kopp	Y	Scheffel	Y	Williams	E
Harvey	Y	Lundberg	Y	Schultheis	N	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

Co-sponsors added: Co-sponsors added: Bacon, Boyd, Carroll M., Foster, Gibbs, Groff, Heath, Hodge, Hudak, Isgar, Keller, Morse, Penry, Sandoval, Schwartz, Shaffer B., Tochtrop and Veiga.

**MESSAGE FROM THE HOUSE**

January 16, 2009  
Mr. President:

The House has adopted and transmits herewith HJR09-1003, as printed in House Journal, January 16.

CONSIDERATION OF RESOLUTIONS

HJR09-1003 by Representative(s) Carroll T.; also Senator(s) Groff--Concerning the appointment of members of the Colorado Commission on Uniform State Laws.

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

Table with 4 columns: YES (34), NO (0), EXCUSED (1), ABSENT (0). Rows list names and their corresponding votes (Y, N, E).

SENATE SERVICES REPORT

Correctly Engrossed: SJR09-006 and 007; SR005. Correctly Revised: HJR09-1003.

On motion of Senator Shaffer, the Senate adjourned until 9:00 a.m., January 20, 2009.

Approved:

Peter C. Groff
President 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
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