

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

---

2nd Legislative Day Thursday, January 8, 2009

---

- Prayer 11  
By the chaplain, Rev. Arlyn Tolzmann, Holy Cross Lutheran Church, Wheat Ridge. 12
- Pledge 13  
By Senator Hodge. 14
- Call to 15  
Order 16  
By the President at 10:00 a.m. 17
- Roll Call 18  
Present--31 19  
Absent--1, Williams. 20  
Excused--2, Cadman, Gibbs. 21  
Present later--Cadman, Williams. 22  
Vacant--1, Senate District 15. 23
- Quorum 24  
The President announced a quorum present. 25
- Reading of 26  
Journal 27  
On motion of Senator Scheffel, reading of the Journal of January 7, 2009, was 28  
dispensed with and the Journal was approved as corrected by the Secretary. 29

---

**CONSIDERATION OF RESOLUTIONS**

**SJR09-002** by Senator(s) Shaffer B., Groff, Penry; also Representative(s) Benefield, Court, Massey, 35  
 Vaad--Concerning employee salary ranges for the First Regular Session of the Sixty-seventh 36  
 General Assembly. 37

Amendment No. 1(L.001), by Senator Shaffer B. 38  
39

Amend printed joint resolution, page 2, after line 16, insert the following: 40  
41

"1 Policy Director for Majority Leader . . . . . N/A 42  
 1 Receptionist - Majority Leader (contract) . . . . . \$8,800". 43  
44

The amendment was declared **passed** on the following roll call vote: 45  
46  
47  
48

YES	31	NO	0	EXCUSED	2	ABSENT	1
Bacon	Y	Hodge	Y	Newell	Y	Spence	Y
Boyd	Y	Hudak	Y	Penry	Y	Tapia	Y
Brophy	Y	Isgar	Y	Renfroe	Y	Tochtrop	Y
Cadman	E	Keller	Y	Romer	Y	VACANT	*
Carroll M.	Y	Kester	Y	Sandoval	Y	Veiga	Y
Foster	Y	King K.	Y	Scheffel	Y	White	Y
Gibbs	E	Kopp	Y	Schultheis	Y	Williams	A
Harvey	Y	Mitchell	Y	Schwartz	Y	President	Y
Heath	Y	Morse	Y	Shaffer B.	Y		

\*Vacancy in Senate District 15. 51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62

On motion of Senator Shaffer B., the resolution, as amended was **adopted** by the 63  
 following roll call vote: 64  
65  
66  
67

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

\*Vacancy in Senate District 15.

**SR09-003** by Senator(s) Shaffer B., Groff, Penry; --Concerning the Appointment of Officers and Employees for the Senate of the Sixty-seventh General Assembly.

Amendment No. 1(SR003 L.001), by Senator Shaffer.

Amend printed resolution, page 2, after line 7, insert the following:

"Policy Director for Majority Leader . . . . . John Cevette  
Receptionist - Majority Leader . . . . . Eliza Schultz".

The amendment was declared **passed** on the following roll call vote:

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

\*Vacancy in Senate District 15.

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

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

\*Vacancy in Senate District 15.

**HJR09-1001** by Representative(s) Weissmann, Carroll T., May; also Senator(s) Shaffer B., Groff, Penry--Concerning a Joint Session of the House of Representatives and the Senate for the purpose of hearing a message from His Excellency, Governor Bill Ritter, and appointing a committee to escort the Governor.

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

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  
70  
71

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

\*Vacancy in Senate District 15.

The President appointed Senators Schwartz and Kester to serve on the committee to escort the Governor to the joint session.

**SJR09-003** by Senator(s) Shaffer B., Groff, Penry; also Representative(s) Weissmann, Carroll T., May-- Concerning a joint session of the Senate and the House of Representatives for the purpose of hearing a message from the Chief Justice of the Supreme Court, and appointing a committee to escort the Chief Justice.

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

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

\*Vacancy in Senate District 15.

The President appointed Senators Foster and Brophy to serve on the committee to escort the Chief Justice to the state of the judiciary address.

**SR09-004** by Senator(s) Shaffer B., Groff, Penry; --Concerning pre-session pay for senate employees.

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

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

\*Vacancy in Senate District 15.

**SJR09-004** by Senator(s) Shaffer B.; also Representative(s) Weissmann--Concerning amendments to the Joint Rules of the Senate and the House of Representatives.

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

YES	33	NO	0	EXCUSED	1	ABSENT	0
Bacon	Y	Hodge	Y	Newell	Y	Spence	Y
Boyd	Y	Hudak	Y	Penry	Y	Tapia	Y
Brophy	Y	Isgar	Y	Renfroe	Y	Tochtrop	Y
Cadman	Y	Keller	Y	Romer	Y	VACANT	*
Carroll M.	Y	Kester	Y	Sandoval	Y	Veiga	Y
Foster	Y	King K.	Y	Scheffel	Y	White	Y
Gibbs	E	Kopp	Y	Schultheis	Y	Williams	Y
Harvey	Y	Mitchell	Y	Schwartz	Y	President	Y
Heath	Y	Morse	Y	Shaffer B.	Y		

\*Vacancy in Senate District 15.

Senate in recess. Senate reconvened.

**MESSAGE FROM THE HOUSE**

January 8, 2009  
Mr. President:

The House has adopted and returns herewith SJR09-002, SJR09-003.

**INTRODUCTION OF BILLS -- FIRST READING**

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

- SB09-055** by Senator(s) Isgar, Keller, Kester, White; also Representative(s) Judd, Roberts--  
Concerning the family resource center program.  
Health and Human Services
- SB09-056** by Senator(s) Kester; also Representative(s) Riesberg--Concerning the Trinidad state  
nursing home.  
Health and Human Services
- 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".  
Education
- SB09-058** by Senator(s) White; --Concerning immunity for attorneys contracting with state judicial  
department agencies to provide statutorily mandated services.  
Judiciary
- SB09-059** by Senator(s) Schwartz, Brophy, Mitchell, Shaffer B., Veiga; also Representative(s)  
Gardner B., Labuda, Levy, McGihon, Roberts--Concerning the enactment of Colorado  
Revised Statutes 2008 as the positive and statutory law of the state of Colorado.  
Judiciary

**SB09-060** by Senator(s) Tochtrop; --Concerning clarifications to the law regarding testing illegal drug laboratories for methamphetamine.  
 Judiciary

1  
2  
3  
4  
5  
6  
7  
8  
9  
10

---

**SENATE SERVICES REPORT**

**Correctly Printed:** SB09-001, 002, 003, 004, 005, 006, 007, 008, 009, 010, 011, 012, 013, 014, 015, 016, 017, 018, 019, 020, 021, 022, 023, 024, 025, 026, 027, 028, 029, 030, 031, 032, 033, 034, 035, 036, 037, 038, 039, 040, 041, 042, 043, 044, 045, 046, 047, 048, 049, 050, 051, 052, 053, and 054; SJR09-001, 002, 003, and 004; SR09-001, 002, 003, and 004.

11  
12  
13  
14  
15

**Correctly Engrossed:** SJR09-001; SR09-001, and 002.

16

---

On motion of Senator Shaffer, the Senate adjourned until 10:00 a.m., January 9, 2009.

17  
18  
19  
20  
21

Approved:

22

Peter C. Groff  
 President of the Senate

23  
24  
25  
26  
27  
28  
29

Attest:

30

Karen Goldman  
 Secretary of the Senate

31  
32  
33  
34  
35  
36