

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

49th Legislative Day Tuesday, February 24, 2009

- Prayer 11
By the chaplain, Rev. Dr. Timothy Tyler, Shorter Community AME Church, Denver. 12
- Pledge 13
By Senator Penry. 14
- Call to 15
Order 16
By the President at 9:00 a.m. 17
- Roll Call 18
Present--33 19
Excused--2, Mitchell, Tochtrop. 20
Present later--2, Mitchell, Tochtrop. 21
- Quorum 22
The President announced a quorum present. 23
- Reading of 24
Journal 25
On motion of Senator Newell, reading of the Journal of Monday, February 23, 2009, was 26
dispensed with and the Journal was approved as corrected by the Secretary. 27

COMMITTEE OF REFERENCE REPORTS

- State, 28
Veterans, & 29
Military 30
Affairs 31
After consideration on the merits, the Committee recommends that **SB09-221** be 32
postponed indefinitely. 33
- State, 34
Veterans, & 35
Military 36
Affairs 37
After consideration on the merits, the Committee recommends that **SB09-220** be 38
postponed indefinitely. 39

THIRD READING OF BILLS -- FINAL PASSAGE

On Third Reading, the titles of the following bills were publicly read, the reading at length 44
 having been dispensed with by unanimous consent: 45

SB09-088 by Senator(s) Veiga; also Representative(s) Ferrandino--Concerning the extension of state 46
 employee group benefits to domestic partners of state employees. 47

The question being "Shall the bill pass?", the roll call was taken with the following result: 48

YES	22	NO	11	EXCUSED	2	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	E
Carroll M.	Y	Kester	Y	Romer	Y	Veiga	Y
Foster	Y	King K.	N	Sandoval	Y	White	Y
Gibbs	Y	Kopp	N	Scheffel	N	Williams	Y
Harvey	N	Lundberg	N	Schultheis	N	President	Y
Heath	Y	Mitchell	E	Schwartz	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill 53
 was declared **passed**. 54

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

SB09-173

by Senator(s) Veiga; also Representative(s) Rice--Concerning the economic development of large-scale regional tourism projects to be partially financed with a portion of state sales tax revenue above an existing base amount.

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

YES	30	NO	3	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	N	Keller	Y	Renfroe	Y	Tochtrop	E
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	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: Boyd, Foster, Gibbs, Groff, Heath, Isgar, Newell, Penry, Schwartz, White and Williams.

COMMITTEE OF REFERENCE REPORTS

Business, Labor, & Technology

The Committee on Business Labor and Technology has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

MEMBER OF THE STATEWIDE INTERNET PORTAL AUTHORITY

for a term expiring June 1, 2012:

Jack R. Arrowsmith of Highlands Ranch, Colorado to serve as a representative of local government, reappointed

Business, Labor, & Technology

The Committee on Business Labor and Technology has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

MEMBER OF THE EXAMINING BOARD OF PLUMBERS

for a term expiring July 1, 2012:

Michael K. Trapp of Colorado Springs, Colorado, a plumbing contractor engaged in the construction of residential or commercial buildings, appointed.

Business, Labor, & Technology

The Committee on Business Labor and Technology has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

MEMBERS OF THE STATE ELECTRICAL BOARD

for terms expiring July 1, 2011:

Loren R. Priest of Parker, Colorado, to serve as a representative of the public at large, reappointed;

Scott W. Berg of Highlands Ranch, Colorado, to serve as a building official from a political subdivision of the state performing electrical inspections, appointed;

Terry L. Schneider of Colorado Springs, Colorado, to serve as master electrician who is not an electrical contractor, reappointed;

Jose A. Amaya of Parker, Colorado, to serve as a general contractor actively engaged in the building industry, appointed;

Robin L. Kittel of Highlands Ranch, Colorado, to serve as a representative of private, municipal, or cooperative electric utilities rendering electric service to the ultimate public, appointed;

Rory J. Berumen of Aurora, Colorado, to serve as a journeyman electrician who is not an electrical contractor, appointed.

IMMEDIATE RECONSIDERATION OF SB09-088

SB09-088 by Senator(s) Veiga; also Representative(s) Ferrandino--Concerning the extension of state employee group benefits to domestic partners of state employees.

Having voted on the prevailing side, Senator Shaffer moved for reconsideration of the last Senate action, Third Reading of Bills -- Final Passage, on SB09-088. A majority of all members elected to the Senate having voted in the affirmative, reconsideration was granted.

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	Y	Tochtrop	E
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		

THIRD READING OF BILLS -- FINAL PASSAGE

SB09-088 by Senator(s) Veiga; also Representative(s) Ferrandino--Concerning the extension of state employee group benefits to domestic partners of state employees.

The roll call was taken with the following result:

YES	22	NO	12	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	E
Carroll M.	Y	Kester	Y	Romer	Y	Veiga	Y
Foster	Y	King K.	N	Sandoval	Y	White	Y
Gibbs	Y	Kopp	N	Scheffel	N	Williams	Y
Harvey	N	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**.

Committee of the Whole On motion of Senator Heath, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar and Senator Heath was called to the Chair to act as Chairman.

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

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:

SB09-175 by Senator(s) Sandoval; also Representative(s) Pommer--Concerning the issuance of group special license plates.

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

HB09-1024 by Representative(s) McNulty, Kerr J., Primavera; also Senator(s) Tochtrop, Isgar, Schultheis--Concerning the application of specified audit reporting requirements within the Colorado local government audit law to certain entities that are otherwise not required to comply with the requirements.

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

HB09-1037 by Representative(s) Tipton; also Senator(s) Isgar--Concerning the reclassification of Montrose county for county court purposes.

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

SB09-182 by Senator(s) Penry; also Representative(s) Stephens--Concerning the use of state parks by certain search and rescue organizations for training activities.

Amendment No. 1, Agriculture & Natural Resources Committee Amendment.
(Printed in Senate Journal, February 20, page 440 and placed in members' bill files.)

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

SB09-165 by Senator(s) Isgar and Penry; also Representative(s) Curry and Gardner C., Fischer--Concerning the funding of grants to small communities for water quality-related capital projects through allocation of a portion of revenues that would otherwise be credited to the severance tax trust fund.

Amendment No. 1, Agriculture & Natural Resources Committee Amendment.
(Printed in Senate Journal, February 20, page 440 and placed in members' bill files.)

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

**ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE --
CONSENT CALENDAR**

On motion of Senator Heath, the Report of the Committee of the Whole was adopted on the following roll call vote:

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	Y	Tochtrop	E
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		

The Committee of the Whole took the following action:

Passed on Second Reading: SB09-175, SB09-182 as amended, SB09-165 as amended,
HB09-1024, HB09-1037.

Committee of the Whole
On motion of Senator Heath, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills and Senator Heath was called to the Chair to act as Chairman.

GENERAL 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:

SB09-122 by Senator(s) Gibbs; also Representative(s) Scanlan--Concerning the release of security assessment reports to the county sheriff of the county in which a critical state infrastructure is located.

Laid over until Wednesday, February 25, retaining its place on the calendar.

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.

Amended in General Orders.

(Printed in Senate Journal, February 20, page 428 and placed in members' bill files.)

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

SB09-159 by Senator(s) Sandoval; --Concerning the mandatory offer of dependent coverage to an unmarried child.

Amendment No. 1, Health & Human Services Committee Amendment.

(Printed in Senate Journal, February 19, page 390 and placed in members' bill files.)

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

SB09-181 by Senator(s) Tapia, Keller, White; also Representative(s) Marostica, Ferrandino, Pommer-- Concerning the elimination of the annual resolution to certify the amount of moneys in the state education fund that are available for appropriation in the next fiscal year.

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

SB09-132 by Senator(s) Boyd; also Representative(s) Kerr J.--Concerning discounted prescription drug programs, and, in connection therewith, providing information regarding discounted prescription drug programs and repealing the "Colorado Cares Rx Act".

Amendment No. 1, Health & Human Services Committee Amendment.

(Printed in Senate Journal, February 13, page 318-319 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.

(Printed in Senate Journal, February 20, page 418-423 and placed in members' bill files.)

Amendment No. 3(L.002), by Senator Boyd.

Amend the Health and Human Services Committee Report, dated February 12, 2009, page 1, line 18, strike "safety." and substitute "safety;".

Page 2, strike lines 1 through 5 and substitute the following:

"(d) Currently, there is no limit on the amount that a pharmacy

may charge for a generic or nonpatented drug, and, although some retail pharmacies are offering some generic and nonpatented drugs at discounted prices, there are no guarantees that the pharmacies will continue to do so."

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

SB09-156 by Senator(s) Veiga; also Representative(s) Miklosi--Concerning the reduction of plastic bag use.

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, February 12, page 286 and placed in members' bill files.)

Declared **LOST** on Second Reading.

SB09-025 by Senator(s) Spence; also Representative(s) Benefield--Concerning an extension of fees on certain identification documents issued by the department of revenue to fund identification security.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, February 20, page 424 and placed in members' bill files.)

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

SB09-031 by Senator(s) Heath; also Representative(s) Riesberg--Concerning the creation of the clean technology discovery evaluation grant program.

Amendment No. 1, Local Government & Energy Committee Amendment.
(Printed in Senate Journal, February 9, page 223-227 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, February 20, page 424 and placed in members' bill files.)

As amended, 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 4:00 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.

MESSAGE FROM THE HOUSE

February 24, 2009

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB09-1264, 1190, 1249, 1229.

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The House has passed on Third Reading and transmitted to the Revisor of Statutes HB09-1076, amended as printed in House Journal, February 17, page 375. 1
 HB09-1254, amended as printed in House Journal, February 20, page 444. 2
 HB09-1186, amended as printed in House Journal, February 20, page 444. 3
 HB09-1236, amended as printed in House Journal, February 20, page 445. 4
 HB09-1214, amended as printed in House Journal, February 20, page 445. 5
 HB09-1260, amended as printed in House Journal, February 20, page 446. 6
 HB09-1108, amended as printed in House Journal, February 20, pages 446-447. 7
 HB09-1224, amended as printed in House Journal, February 20, page 447. 8
 HB09-1217, amended as printed in House Journal, February 20, page 447. 9
 HB09-1220, amended as printed in House Journal, February 20, page 447. 10
 HB09-1218, amended as printed in House Journal, February 20, pages 447-448. 11

The House has passed on Third Reading and returns herewith SB09-211, 213, 12
 204, 206, 207, 195. 13

The House has passed on Third Reading and transmitted to the Revisor of Statutes; 14
 SB09-215, amended as printed in House Journal, February 23, page 475. 15
 SB09-212, amended as printed in House Journal, February 23, page 475, and 16
 amended on Third Reading as printed in House Journal, February 24. 17
 SB09-208, amended as printed in House Journal, February 23, page 476. 18
 SB09-217, amended as printed in House Journal, February 23, page 476. 19
 SB09-185, amended as printed in House Journal, February 23, pages 476-477. 20
 SB09-210, amended as printed in House Journal, February 23, page 477. 21

 Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS

Business, After consideration on the merits, the Committee recommends that **HB09-1155** be referred 32
 Labor, & to the Committee of the Whole with favorable recommendation and with a 33
 Technology recommendation that it be placed on the Consent Calendar. 34

Business, After consideration on the merits, the Committee recommends that **HB09-1030** be referred 35
 Labor, & to the Committee of the Whole with favorable recommendation and with a 36
 Technology recommendation that it be placed on the Consent Calendar. 37

Business, After consideration on the merits, the Committee recommends that **HB09-1052** be 38
 Labor, & amended as follows, and as so amended, be referred to the Committee of the Whole with 39
 Technology favorable recommendation. 40

Amend reengrossed bill, page 2, strike line 11 and substitute the 41
 following: 42

(b) (I) "A PERSON OTHER THAN AN ORGANIZATION THAT HAS RECEIVED A 43
 DETERMINATION THAT IT IS EXEMPT UNDER SECTION 501 (c) (3) OF THE 44
 FEDERAL "INTERNAL REVENUE CODE OF 1986", AS AMENDED, WHO 45
 PLACES A"; 46

after line 20, insert the following: 47

"(II) THIS PARAGRAPH (b) SHALL NOT APPLY TO CONTAINERS USED 48
 EXCLUSIVELY FOR THE COLLECTION OF USED PAPER, CARDBOARD, MOTOR 49
 OIL, BOTTLES, CANS, OR OTHER CONTAINERS OR MATERIALS FOR 50
 RECYCLING OR WASTE DIVERSION PURPOSES." 51

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Judiciary	After consideration on the merits, the Committee recommends that HB09-1044 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	3 4 5 6
Judiciary	After consideration on the merits, the Committee recommends that HB09-1121 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	7 8 9 10
Judiciary	After consideration on the merits, the Committee recommends that HB09-1122 be referred to the Committee of the Whole with favorable recommendation.	11 12 13
Judiciary	After consideration on the merits, the Committee recommends that HB09-1080 be referred to the Committee of the Whole with favorable recommendation.	14 15 16
Judiciary	After consideration on the merits, the Committee recommends that HB09-1021 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	17 18 19 20 21
	Amend reengrossed bill, page 3, strike lines 2 and 3 and substitute the following:	22 23 24
	SECTION 3. The introductory portion to 18-1.9-104 (1) (c) and 18-1.9-104 (1) (c) (IV) (A), (1) (c) (IV) (D), (1) (c) (XV), (3), and (4), Colorado";	25 26 27 28
	line 7, strike "(a) There is hereby created a task";	29 30
	strike lines 8 through 12;	31 32
	line 14, strike " twenty-six TWENTY-SEVEN" and substitute "twenty-six";	33 34
	after line 14, insert the following:	35 36
	(IV) Six members who represent the department of human services, as follows:	37 38 39
	(A) One member who represents the unit within the department of human services that is responsible for mental health AND DRUG AND ALCOHOL ABUSE services;	40 41 42 43
	(D) One member who represents the alcohol and drug abuse division;	44 45 46
Judiciary	After consideration on the merits, the Committee recommends that SB09-110 be amended as follows, and as so amended, be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	47 48 49 50
	Amend printed bill, page 4, line 25, after "(2)," insert "(4),".	51 52
	Page 8, after line 4, insert the following:	53 54
	"(4) When the director is satisfied that further efforts to settle the matter by conference, conciliation, and persuasion will be futile, he OR SHE shall so report to the commission. If the commission determines that the circumstances warrant, it shall issue and cause to be served, in the manner provided by section 24-4-105 (2), a written notice and complaint requiring the respondent to answer the charges at a formal hearing before the commission, a commissioner, or an administrative law judge; EXCEPT THAT IN CASES WHERE THE CHARGING PARTY HAS ASSERTED A CLAIM THAT COULD NOT BE BROUGHT UNDER TITLE VII OF THE FEDERAL "CIVIL RIGHTS ACT OF 1964", AS AMENDED, THE FEDERAL "AMERICANS WITH DISABILITIES ACT OF 1990", AS AMENDED, 42 U.S.C. SEC. 12101 ET SEQ., OR THE FEDERAL "AGE DISCRIMINATION IN EMPLOYMENT ACT OF 1967", AS AMENDED, 29 U.S.C. SEC. 621 ET SEQ., THE CHARGING PARTY, UPON REQUEST, SHALL BE ENTITLED TO A FORMAL HEARING BEFORE THE COMMISSION OR AN ADMINISTRATIVE LAW JUDGE AS SPECIFIED IN THIS	55 56 57 58 59 60 61 62 63 64 65 66 67 68 69

SUBSECTION (4). Such hearing shall be commenced within one hundred twenty days after the service of such written notice and complaint. Such notice and complaint shall state the time, place, and nature of the hearing, the legal authority and jurisdiction under which it is to be held, and the matters of fact and law asserted."

Page 9, strike lines 15 through 27.

Strike pages 10 through 14.

Page 15, strike lines 1 through 22.

Renumber succeeding sections accordingly.

Trans-
portation

After consideration on the merits, the Committee recommends that **SB09-222** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

MESSAGE FROM THE HOUSE

February 24, 2009

The House has recalled SB09-212 for purposes of reconsideration, and requests the return of the bill.

MESSAGE FROM THE REVISOR OF STATUTES

February 24, 2009

We herewith transmit:

Without comment, HB09-1190, 1229, 1249, and 1264.

Without comment, as amended, HB09-1076, 1108, 1186, 1214, 1217, 1218, 1220, 1224, 1236, 1254, and 1260.

Without comment, as amended, SB09-185, 208, 210, 212, 215, and 217.

INTRODUCTION OF BILLS -- FIRST READING

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

SB09-240 by Senator(s) Shaffer B.; --Concerning the fiscal autonomy of the regional transportation district.
Finance

SB09-241 by Senator(s) Morse; also Representative(s) King S. and Tipton--Concerning DNA testing of adults arrested for a felony.
Judiciary

Call of the Senate. Call raised.

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

SB09-076 by Senator(s) Heath, Schwartz; also Representative(s) Court--Concerning the appropriation of employer tax surcharge moneys to the employment and training technology fund for use by the division of employment and training within the department of labor and employment.

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, January 27, page 115 and placed in members' bill files.)

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

SB09-068 by Senator(s) Morse; also Representative(s) McCann--Concerning funding to support domestic abuse services, and, in connection therewith, allocating a portion of the funding to

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assist military members and their families.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, February 20, page 424-425 and placed in members' bill files.)

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

SB09-171 by Senator(s) Schwartz, Heath, Veiga; also Representative(s) Todd and Vigil, Liston, McFadyen, Rice, Solano--Concerning the use of moneys in the Colorado customized training program for new energy economy training programs.

Amendment No. 1, Local Government & Energy Committee Amendment.
(Printed in Senate Journal, February 20, page 438 and placed in members' bill files.)

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

SB09-026 by Senator(s) Williams; also Representative(s) Riesberg --Concerning the regulation of athletic trainers.

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, February 4, page 171 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, February 20, page 440 and placed in members' bill files.)

Amendment No. 3(L.002), by Senator Penry.

Amend printed bill, page 11, line 8, after "ROUTINE", insert "ASSISTANCE OR" and strike "OR NECESSARY";

line 9, strike "EMERGENCY ASSISTANCE"/

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

SB09-179 by Senator(s) Tochtrop; also Representative(s) Gagliardi--Concerning communicable disease control.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, February 19, page 389 and placed in members' bill files.)

Amendment No. 2(L.003), by Senator Tochtrop.

Amend printed bill, page 5, line 18, strike "contagious." and substitute "contagious;"

line 19, after "and", add "EXCEPT THAT CASES OF AIDS, HIV-RELATED ILLNESS, AND HIV INFECTIONS SHALL BE GOVERNED SOLELY BY THE REQUIREMENTS OF PART 14 OF ARTICLE 4 OF THIS TITLE."

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

HB09-1093 by Representative(s) Levy, McGihon, Benefield, Judd, Miklosi, Ferrandino, Fischer, Gagliardi, Green, Merrifield, Pommer, Solano; also Senator(s) Veiga, Carroll M.--Concerning additional income tax reporting requirements for a corporate taxpayer.

Laid over until Wednesday, February 25, retaining its place on the calendar.

HB09-1101 by Representative(s) Benefield, Todd, Apuan, Ferrandino, Kefalas, Merrifield, Murray, Stephens; also Senator(s) Veiga, Hudak--Concerning the administration of sales tax collections by the department of revenue.

Laid over until Wednesday, February 25, retaining its place on the calendar.

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ROLL CALL VOTE ON SB09-068

SB09-068

by Senator(s) Morse; also Representative(s) McCann--Concerning funding to support domestic abuse services, and, in connection therewith, allocating a portion of the funding to assist military members and their families.

Senator Brophy requested a roll call vote on SB09-068.

YES	21	NO	13	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	Y
Gibbs	E	Kopp	N	Scheffel	N	Williams	Y
Harvey	N	Lundberg	N	Schultheis	N	President	Y
Heath	Y	Mitchell	N	Schwartz	Y		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Heath, the Report of the Committee of the Whole was adopted on the following roll call vote:

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	Y	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	Veiga	Y
Foster	Y	King K.	Y	Sandoval	Y	White	Y
Gibbs	E	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: SB09-061 as amended, SB09-159 as amended, SB09-181, SB09-132 as amended, SB09-025 as amended, SB09-031 as amended, SB09-076 as amended, SB09-068 as amended, SB09-171 as amended, SB09-026 as amended, SB09-179 as amended.

Lost on Second Reading: SB09-156 as amended

Laid over until Wednesday, February 25: SB09-122, HB09-1093, HB09-1101

CONSIDERATION OF GOVERNOR'S APPOINTMENTS

On motion of Senator Shaffer, consideration of Governor's Appointments of Tuesday, February 24, was laid over until Wednesday, February 25, retaining its place on the calendar:

- Colorado Traumatic Brain Injury Board
- Colorado Commission for Deaf and Hard of Hearing
- Ground Water Commission
- Board of Parks and Outdoor Recreation

SENATE SERVICES REPORT

Correctly Printed: SB09-230, 231, 232, 233, 234, 235, 236, 237, 238 and 239.

Correctly Engrossed: SB09-088 and 173.

Correctly Reengrossed: SB09-002, 029, 042, 066, 091, 105, 106, 123, 129, 137, 149 and 227.

Correctly Rerevised: HB09-1033 and 1128.

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On motion of Senator Shaffer, the Senate adjourned until 9:00 a.m., Wednesday, February 25, 2009.

Approved:

Peter C. Groff
President of the Senate

Attest:

Karen Goldman
Secretary of the Senate

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