

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

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1st Legislative Day Wednesday, January 13, 2010

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- Prayer By the chaplain, Rabbi Steven Foster, Congregation Temple Emanuel, Denver.
- Presentation of Colors & Pledge of Allegiance By University of Colorado Naval ROTC Color Guard.
- Musical Presentation Olivia and Joe Sponsler.
- Call to Order By the President at 10:00 a.m

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**LETTER OF RESIGNATION**

Ms. Karen Goldman  
Secretary of the Senate  
State Capitol Building, Room 250  
Denver, CO 80203

Ms. Goldman:

This letter serves to provide you with the notice of my resignation from the Colorado Senate effective 12:01 a.m., May 7, 2009. It has been my honor to serve the people of Colorado.

Respectfully,  
(Signed)  
Peter C. Groff  
President, Colorado State Senate

c: Pat Waak, Chair, Colorado Democratic Party  
Chris Martinez, Chair, Senate District 33 Vacancy Committee

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**COMMUNICATIONS FROM THE SECRETARY OF THE STATE**

State of Colorado  
Department of  
State

United States of America, ss. Certificate  
State of Colorado

I, Bernie Buescher, Secretary of State of the State of Colorado, do hereby certify that the attached is a true and exact copy of the Designation of Nomination by Vacancy Committee as filed in this office on the twelfth day of May, 2009, by the Democratic 33<sup>rd</sup> Senate District Vacancy Committee, designating the appointment of Michael C. Johnston to fill the vacancy in the office of the Colorado State Senate, District 33, for the Sixty-seventh

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General Assembly of the State of Colorado, caused by the resignation of the Honorable Peter Groff.

(Signed)  
Bernie Buescher  
Secretary of State

State of Colorado  
Department of  
State

United States of America, ss. Certificate  
State of Colorado

I, Bernie Buescher, Secretary of State of the State of Colorado, do hereby certify that the attached is a true and exact copy of the Acceptance of Designation by Vacancy Committee as filed in this office on the twelfth day of May, 2009, by Michael C. Johnston, accepting the appointment of the Democratic 33<sup>rd</sup> Senate District Vacancy Committee, to fill the vacancy in the office of Colorado State Senate, District 33, for the Sixty-seventh General Assembly of the State of Colorado, caused by the resignation of the Honorable Peter Groff.

(Signed)  
Bernie Buescher  
Secretary of State

(NOTE: On May 29, 2009, Michael C. Johnston, was sworn in to the sixty-seventh General Assembly as Senator for District 33 to fill the vacancy created by the resignation of Senator Peter Groff. Chief Justice Mary Mullarkey administered the oath of office in the chamber of the Senate.)

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**LETTER OF RESIGNATION**

April 17, 2009

Karen Goldman  
Secretary of the Senate  
Room 250  
Denver, CO 80203

Dear Ms. Goldman:

This letter is to inform you of my resignation from the Colorado General Assembly effective May 15, 2009.

Sincerely,  
(Signed)  
Jennifer Veiga  
State Senator

cc: Pat Waak, Chair of the Colorado Democratic Party  
Ed Hall, Chair of Senate District 31 Vacancy Committee

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**COMMUNICATIONS FROM THE SECRETARY OF THE STATE**

State of Colorado  
Department of  
State

United States of America, ss. Certificate  
State of Colorado

I, Bernie Buescher, Secretary of State of the State of Colorado, do hereby certify that the

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attached is a true and exact copy of the Designation of Nomination by Vacancy Committee as filed in this office on the twenty-first day of May, 2009, by the Democratic 31<sup>st</sup> Senate District Vacancy Committee, designating the appointment of M. Patrick Steadman to fill the vacancy in the office of the Colorado State Senate, District 31, for the Sixty-seventh General Assembly of the State of Colorado, caused by the resignation of the Honorable Jennifer Veiga.

(Signed)  
Bernie Buescher  
Secretary of State

State of Colorado  
Department of  
State

United States of America, ss. Certificate  
State of Colorado

I, Bernie Buescher, Secretary of State of the State of Colorado, do hereby certify that the attached is a true and exact copy of the Acceptance of Designation by Vacancy Committee as filed in this office on the twenty-first day of May, 2009, by M. Patrick Steadman, accepting the appointment of the Democratic 31<sup>st</sup> Senate District Vacancy Committee, to fill the vacancy in the office of Colorado State Senate, District 31, for the Sixty-seventh General Assembly of the State of Colorado, caused by the resignation of the Honorable Jennifer Veiga.

(Signed)  
Bernie Buescher  
Secretary of State

(NOTE: On May 29, 2009, M. Patrick Steadman, was sworn in to the sixty-seventh General Assembly as Senator for District 31 to fill the vacancy created by the resignation of Senator Jennifer Veiga. Chief Justice Mary Mullarkey administered the oath of office in the chamber of the Senate.)

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## LETTER OF RESIGNATION

July 15, 2009

Ms. Karen Goldman  
200 E. Colfax Avenue  
Denver, CO 80203

Dear Karen,

I am resigning from my seat as Colorado State Senator from, Senate District 6 effective July 19, 2009 at 11:59 pm.

Starting July 20, 2009 I will serve as the Colorado State Director for Rural Development in the U.S. Department of Agriculture.

It has been my honor to serve the constituents of Southwest Colorado for the last eight years. I look forward to continuing that service in U.S. Department of Agriculture.

Thanks again.

Sincerely,  
(Signed)  
Jim Isgar  
State Senator

cc: Brandon Shaffer, President of the Senate  
Beverly Rich, Chairman of the Vacancy Committee

COMMUNICATIONS FROM THE SECRETARY OF THE STATE

State of Colorado
Department of
State

United States of America, ss. Certificate
State of Colorado

I, Bernie Buescher, Secretary of State of the State of Colorado, do hereby certify that the attached is a true and exact copy of the Acceptance of Designation by Vacancy Committee as filed in this office on the tenth day of August, 2009, by Bruce T. Whitehead, accepting the appointment of the Democratic 6th Senate District Vacancy Committee, to fill the vacancy in the office of Colorado State Senate, District 6, for the Sixty-seventh General Assembly of the State of Colorado, caused by the resignation of the Honorable Jim Isgar.

(Signed)
Bernie Buescher
Secretary of State

State of Colorado
Department of
State

United States of America, ss. Certificate
State of Colorado

I, Bernie Buescher, Secretary of State of the State of Colorado, do hereby certify that the attached is a true and exact copy of the Designation of Nomination by Vacancy Committee as filed in this office on the tenth day of August, 2009, by the Democratic 6th Senate District Vacancy Committee, designating the appointment of Bruce T. Whitehead to fill the vacancy in the office of the Colorado State Senate, District 6, for the Sixty-seventh General Assembly of the State of Colorado, caused by the resignation of the Honorable Jim Isgar.

(Signed)
Bernie Buescher
Secretary of State

(NOTE: On August 17, 2009, Bruce T. Whitehead, was sworn in to the sixty-seventh General Assembly as Senator for District 6 to fill the vacancy created by the resignation of Senator Jim Isgar. Justice Gregory Hobbs administered the oath of office in the chamber of the Senate.)

Roll Call Present--35.

Quorum The President announced a quorum present.

Election of Secretary On motion of Senator Morse, Karen Goldman was nominated to serve as Secretary of the Senate during the second regular session of the sixty-seventh General Assembly. The motion was adopted by a unanimous vote.

Oath of Office The President administered the oath of office to Karen Goldman as Secretary of the Senate.

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Temporary Rules

On motion of Senator Morse, and with the unanimous consent of the Senate, the rules of the Senate of the first regular session of the sixty-seventh General Assembly were made the temporary rules of the second regular session of the sixty-seventh General Assembly.

On motion of Senator Morse, and with the unanimous consent of the Senate, the President appointed Senators Newell, Whitehead, and Harvey as members of the committee to notify the House of Representatives that the Senate was organized and ready for business.

On motion of Senator Morse, and with the unanimous consent of the Senate, the President appointed Senators Johnston and Lundberg as members of the committee to notify the Governor that the Senate was organized and ready for business.

Senate in recess. Senate reconvened.

**INTRODUCTION OF RESOLUTIONS**

The following resolutions were read by title:

**SR10-001** by Senator(s) Morse, Shaffer B., Penry; --Concerning the Appointment of Officers and Employees for the Senate of the Sixty-seventh General Assembly.

Laid over one day under Senate Rule 30(c).

**SR10-003** by Senator(s) Morse; --Concerning amendments to the rules of the Senate.

Laid over one day under Senate Rule 30(c).

**INTRODUCTION AND CONSIDERATION OF RESOLUTIONS**

**SR10-004** by Senator(s) Morse, Shaffer B., Penry; --Concerning changes to the membership of certain Senate Committees of Reference.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Shaffer B.	Y
Boyd	Y	Hudak	Y	Newell	Y	Spence	Y
Brophy	Y	Johnston	Y	Penry	Y	Steadman	Y
Cadman	Y	Keller	Y	Renfroe	Y	Tapia	Y
Carroll M.	Y	Kester	Y	Romer	Y	Tochtrop	Y
Foster	Y	King K.	Y	Sandoval	Y	White	Y
Gibbs	Y	Kopp	Y	Scheffel	Y	Whitehead	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	Williams	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

**SJR10-001** by Senator(s) Morse; also Representative(s) Weissmann--Concerning amendments to the Joint Rules of the Senate and the House of Representatives relating to the preparation of bill summaries.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Shaffer B.	Y
Boyd	Y	Hudak	Y	Newell	Y	Spence	Y
Brophy	Y	Johnston	Y	Penry	Y	Steadman	Y
Cadman	Y	Keller	Y	Renfroe	Y	Tapia	Y
Carroll M.	Y	Kester	Y	Romer	Y	Tochtrop	Y
Foster	Y	King K.	Y	Sandoval	Y	White	Y
Gibbs	Y	Kopp	Y	Scheffel	Y	Whitehead	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	Williams	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

On motion of Senator Morse, and with the unanimous consent of those elected to the Senate, the Senate stood in recess to hear the opening day remarks of Senate President Brandon C. Shaffer and Minority Leader Josh Penry. The text of their remarks follows.

Senate in recess.

Remarks of President Shaffer:

We start this decade with a promise borne of hope – hope this legislature will lead Colorado to a better future.

We face no easy task. We expect no easy solutions. Our problems will not be solved by slogans, but with hard work and sacrifice.

Each member of this body represents a unique region of our state. But more important than where we are from, is who we represent: The people of Colorado.

We are here for school teachers and farmers, police officers and office workers, construction workers and miners. We are here for the mother who struggles to get her kids to school while getting dressed for work; for the father who barely gets by paying both the home mortgage and college tuition; for the senior citizen living on the state retirement pension wondering if it will still be there in five or ten years. We are here for every employer, worker and veteran, every parent, senior and child who call Colorado home.

For their sake, we must put aside partisanship and embrace cooperation. This is not a time to enlarge the divide between Republican and Democrat. It is a time to provide for the prosperity of our people.

Let our questions be honest, our debate be civil, and our proposals be genuine.

Every day Colorado families and small businesses grapple with the effects of a global recession. Families sacrifice necessities and small business owners make painful cutbacks. Hard working employees see their benefits cut and many have lost their jobs.

The gravity of our circumstance demands unity of purpose. This session is not about platitudes; it is about getting the job done.

Starting today, we have two goals: create good jobs and balance our budget.

Just as Franklin Roosevelt said in his first inaugural address, “Our greatest primary task is to put people to work.” Our legislation will focus on developing a 21<sup>st</sup> century workforce and creating jobs. Just a few of the ideas we will bring forward include:

- Job Retraining Accounts for employees to open accounts with tax benefits for education and retraining;
- Health care jobs to consolidate loan programs for health care professionals who serve rural communities;

- Renewable Energy Standard to increase investment in our New Energy Economy, and attract new jobs and investment capital to our state;
- And, Senator Penry and I will sponsor legislation to put PERA, the state's retirement fund, on a stable financial path.

As these bills and others move through the General Assembly, we will simultaneously work to balance our budget.

Our budget will be lean and responsible. Declining state revenues require substantial cuts in the services the state provides; however, we will craft a budget that keeps our communities safe, our classrooms open, and our hospitals accessible.

Undoubtedly, there will be differences of opinion about how to balance the budget. That is a hallmark of a strong democracy. Let us allow our differences to strengthen the policy that ultimately comes out of this body. Instead of becoming entrenched in partisan politics, let us listen and compromise and work together to produce a budget that serves the needs of Colorado.

While our agenda will focus on creating jobs and balancing our budget, we will continue to make progress in areas such as education reform, health care affordability, and government efficiency.

A better life for our children depends on their ability to compete in a global marketplace. A good job requires a good education. We will improve our measurement tools for student success and teacher performance. This will strengthen our schools and our competitiveness in Race-to-the-Top; a competition among states based on innovation and achievement in education; a race we intend to win.

Coloradans need good health care. Last year we added health care coverage for 100,000 people. This year we will expand access to primary care for rural Coloradans. We will end gender discrimination in health care coverage and we will require greater transparency in prescription drug pricing.

Finally, in recent years we have achieved greater accountability in government. Indeed, today is the first time in history the Senate is televised for all Coloradans to see. We will continue this trend as we work to build trust and confidence in the peoples' government.

Our task is to lead Colorado to a better tomorrow. Our agenda is to create jobs and balance our budget. We were sent here in difficult times to solve difficult problems. And solve them we will.

We are Coloradans and we will stand firm. We refuse to allow our current troubles to steal our children's future.

We are Coloradans and we will endure. We will confront these challenges with the determination of our founders.

We are Coloradans and we will lead the way. We will ask the tough questions, work the long hours and make the difficult decisions to serve the people of this great state. May we undertake these tasks drawing on the deep reserve of good will within us, the respect of our colleagues, and a sense of common purpose to serve well those who sent us here.

God bless you all, and God bless the great state of Colorado.

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Remarks of Minority Leader Penry:

Mr. President, Mr. Majority Leader, distinguished Members of the Senate, Honored Guests, Friends...It's an honor to stand before you on this the first day of this important session.

So not much new around here these days, huh?

Senator Shaffer became President Shaffer, and Senator Morse our Majority Leader. To both of you, we extend our warmest congratulations on this high honor and we look forward to working with you in your new leadership positions.

Of course, our friends on the Budget Committee spent their summer and fall anguishing over the budget outlook.

I know others of you traveled the mountains, traveled the world and just plain spent time with your kids and grandkids.

Me? I ran for Governor, but fortunately I got that out of my system before the New Year.

Many of you offered words of encouragement when I made the difficult decision to get out of the race. But I'm not going to lie: getting out of the race hurt my pride and bruised my ego...which might explain why Senator Romer has been trying so hard to get me to join him on a marijuana dispensary tour.

Speaking of medical marijuana, I read somewhere that the Public Health Department is approving around 300 permits for medical marijuana every day! Which brings me to the Republicans first economic development proposal of the day: we propose transferring the person in charge of processing marijuana permits to the Colorado oil and gas commission. With this small change, my friends we will create jobs and grow economic opportunity as natural gas dispensaries crop up around the western slope and eastern plains.

If weed jokes were a taxable event, we'd have a budget surplus before the Ides of March.

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Well the Good Book says that laughter is like a medicine, and when you're in the line of work we are, a sense of humor is an important thing to keep. And let's be honest: it's not always easy these days.

This is a time of change and challenge.

America is mired in the throes of great economic and social uncertainty. Today, for the first time in generations, Americans are wondering if tomorrow will be better than their yesterday.

Meanwhile, the citizenry has grown tired – even disgusted – with government and both political parties, and their habitual instinct to tax too much, borrow too much, spend too much – and make tough choices too little.

In Washington, that means unthinkable budget deficits and expensive entitlement programs that are within an economic stone's throw of insolvency.

In Colorado, that means a government that was inexplicably unprepared for a downturn in the business cycle – no rainy day fund, no savings strategy, no plan – and a public pension fund with an unfunded liability bigger than all the income, sales and corporate taxes State government collects in 4 full years.

Like an aged highway or a structurally deficient bridge, government institutions at the federal and state level are cracking, decaying – they're in desperate need of an overhaul.

Fellow Coloradans, government needs a shakeup – reform – because business as usual is no way to run the people's business anymore.

Now that brings us to the unexpected political circumstances in which we find ourselves today. Governor Ritter obviously surprised the state when he decided not to seek re-election.

And let me say this as one of the strongest critics of this Governor's policies over the last 3 years: he is an honorable man, he cares deeply about this State, and we wish him and his family well.

But his decision to leave the race – combined with the fact that a number of leaders in both chambers won't be on the ballot this fall -- creates a unique opportunity for government to be bold in an election environment that might otherwise invite caution – timidity.

Colleagues, let's not be timid. Let's be bold. Let's lead.

Because in politics, at the intersection of uncertainty and turmoil, rests opportunity.

And I believe there are at least 4 important reform opportunities where our common values and our common commitment to a better Colorado can bring the parties together, and move our state forward.

First, let's reform the State's public pension system – PERA. This one ain't going to be fun, but in this case, real reform is what real leadership requires.

PERA faces an unfunded liability of nearly \$30 billion – that makes our General Fund shortfall look like a cup of non-fat latte.

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And bear in mind, PERA isn't unique or alone as pension funds go. The American public has become all too familiar with the story of once-dominant American institutions being brought to their economic knees under the weight of a pension fund gone bad.

For years, a growing economy and a booming stock market masked the unsustainability of these systems. Today, that is no more.

General Motors, once the epitome of American manufacturing might, is now the epitome of something else: a corporate behemoth brought-down by its unrealistically generous retirement payments.

Which brings us to PERA, the political realities of this debate, and why bipartisan reform is a must.

I know some of my Republican friends do not like this reform because they don't care for defined benefit systems, and believe all future retirees should be directed into a 401k style plan. I'm not unsympathetic to this proposal, but there's no way to pay for the transition costs to such a program in the short term, and besides, I'm fairly certain such a reform wouldn't happen this year.

And I know that my friends on the other side of the aisle feel great consternation about reducing cost of living increases to current retirees. But if we don't reign in these automatic benefit increases, there is simply no way to save the PERA fund without a massive General Fund – i.e. taxpayer – bailout.

Given these strange bedfellow dynamics, you don't have to be a statistician to understand that PERA reform could fail in this General Assembly with Republicans voting against it for one reason, and Democrats for another.

Colleagues, we cannot let that happen. The stakes to the taxpayers and the 400 thousand members are too high.

That's why I'm truly honored by the good faith and determined efforts of the President and his very able staff who have been working with me and our team to craft a meaningful reform of this system.

To my Republican friends, I say this: these reforms are the real deal. For years our party has asked for an increase in the retirement age, a reduction in automatic benefit increases, and closing off the loopholes that look too much like a sweetheart deal for government employees. Our plan finally – finally – brings these changes about.

And remember, if these reforms fail this year, the actuarial emergency that makes them possible may pass, and these meaningful reforms would be impossible until the next inevitable crash.

To my Democratic friends, I would say this: these reforms wouldn't reduce by a dollar any retirees' current payment, and this pension system is still by far – and I mean by far – more generous than anything like it in the private sector.

To both sides of the aisle, I would say: let's not allow a legacy of this General Assembly to be that we pushed off a \$30 billion train wreck to another time, to another year.

President Shaffer and I are committed to getting these reforms passed quickly – deliberately, but quickly. And let's do it together.

The second area where Republicans and Democrats can come together to solve a major challenge confronting this State is in the area of higher education funding.

Everyone here today understands that something needs to be done to put our higher education system on a path towards financial sustainability and success.

A few in both parties have suggested that it may be time to defund our public institutions entirely, and let them go private.

Others have suggested that we should do nothing and hope for the best.

I reject both of these approaches and propose that now is the time for us to not study the problem endlessly – but to develop bold solutions that empower colleges and universities in our state.

At many of our State's colleges and universities, we have extremely engaged, thoughtful

and serious governing boards that are eager to lead – if we let them. Right now our bureaucracy requires duplicative accounting and reporting, we micromanage purchasing decisions and we refuse to allow those dedicated public servants who are appointed by the governor and confirmed by this body to make smart, informed decisions that benefit their institutions and the State of Colorado.

These measures cost real money and they stifle creativity and leadership. It is high time to leave this archaic, top-down approach to higher education governance behind. It is time for us to empower our local governing boards to govern.

The thorny part of this conversation will inevitably be tuition control, and whether and how the General Assembly should share that responsibility with the governing boards. Given the General Fund cliff that awaits our colleges and universities, I believe it is time for this conversation – and balanced action. We should search for a mechanism that gives our schools greater authority over tuition policies when General Fund is not in abundance, even as we ask that these dollars be spent efficiently.

Of course, none of us would support a system that would clear the way for runaway tuition increases. But I do believe there is a way to find a middle course, creating a competitive cost environment where colleges and universities compete and students vote with their feet.

Let’s work together on this one. Senator Morse is already leading this dialogue and is preparing legislation, and I believe that this is the year we should join him.

The third area that I believe is ripe for bipartisan agreement is ballot reform – and specifically, rallying around a plan that would make it more difficult to amend Colorado's Constitution.

The founding fathers of this nation, whom we revere for their wisdom and foresight, believed it should be more difficult to alter the governing document – our constitution – than our statutes.

Yet, here in Colorado, we have a system in which it is too easy to place public policies directly into the constitution. Political priorities are like water – they will run to the path of least resistance. So all things being equal, why not amend the constitution? And the results have been plain.

The Colorado Constitution is over 45,000 words--ten times as long as the U.S. Constitution.

As we all remember, a proposal to raise the bar on amending the state constitution narrowly failed in 2008 – but the public education effort was incomplete. This year, let’s refine that proposal – make it more meaningful, understandable – and take a bipartisan front to the voters and make the case that our Founding Fathers embraced – that Constitutional change should require a higher bar.

The fourth area where this General Assembly can and should act is in creating the machinery for a meaningful rainy day fund. If we had taken that step and created a rainy day fund in 2006 when it was proposed, that fund would now contain more than \$2 billion.

When the economy recovers, and revenues return to the State’s coffers, we’ll have a choice: repeat the mistakes made by Republicans before the 9-11 recession, and repeated by the Democrats before this most recent Great Recession, or we can prepare for the next inevitable downturn.

Some will say there is no urgency to enact such a policy. I say, now seems like exactly the time for the General Assembly to show some foresight – to prove that elected leaders are capable of looking beyond the next fiscal year, beyond the next recession, and beyond the next election.

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While economic and political uncertainty creates a real window of opportunity for bipartisan reform, it will also expose familiar fault lines between the two political parties on the central question before the General Assembly this year: do we balance the budget through a combination of taxes, fees, borrowed federal dollars and one time fixes, or do we reduce spending?

During the course of this session, you will hear proponents of higher taxes talk about their desire to “close loopholes”, but the tax exemptions and credits they seek to eliminate are not “loopholes” or “accidents” or historical anomalies.

These exemptions and tax credits frequently represent a strategic effort on the part of our

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predecessors to tear down barriers to investment in manufacturing, technology, finance, and conservation.

They have served our economy well, in some cases, for decades.

The sales tax exemption for energy used for industrial or manufacturing purposes, for example, has been in place since 1937.

To put that in context for you, in 1937:

- America had just 48 states
- A new home cost about \$4,000
- The average annual salary was less than \$2k per year
- A new car cost around \$800
- Snow White and the Seven Dwarves hit box offices
- And Senator Kester was one year old.

Should this exemption be eliminated, it will be the first time that manufacturers' energy input costs are subjected to sales taxes – ever, in the history of this State. The net effect is a tax hike on business of some \$50 million in the worst Colorado economy in decades.

Does anyone in this room really believe that increasing costs for businesses in this climate is a prescription for job creation?

Another tax program targeted for increase has helped businesses create thousands of jobs in some unlikely places. These businesses are located in enterprise zones, which are established with the express purpose of promoting economic activity in economically distressed areas that suffered from higher-than-average unemployment and lower-than-average per capita income – even during good times.

In 2008 alone these businesses created or retained more than 150,000 jobs and invested more than \$2 billion in new equipment. Yet the tax credit that helped contribute to this economic growth is now being targeted for elimination.

Does anyone believe a new tax on “enterprise” is a recipe to bring us back?

These are just two examples, but there are many more.

There's been talk in this building of hiking taxes on everything from food, to pharmaceuticals, to farm land, and even the Internet.

Choosing to raise these taxes may bring in a few extra dollars to the state treasury, but these actions come with consequences.

Think about the owner of that struggling small business poring over his books to figure out how to make payroll in the face of higher taxes.

Think about the worker whose salary will be reduced, whose benefits will be cut, or whose job will be eliminated to pay that new tax imposed from Denver.

Think about that laid-off worker driving home – wondering how to tell his son that there isn't going to be enough money to pay his tuition this year.

This debate is about a lot more than numbers on a spreadsheet. It is about people's lives and people's livelihoods.

This money doesn't come out of thin air and it isn't printed in the basement. It comes out of the pockets of families, business owners, and workers, and frankly they don't have a whole lot extra to spare these days.

And of course, the alternative isn't an easy one – reducing spending, cutting programs, making tough choices.

But if the Democratic Governor of Montana can swear off hiking taxes this year – he's proposed a 5 percent across the board budget cut instead – my friends we can do the same.

If you don't like the across-the-board approach, Republicans will once again offer numerous specific proposals to reduce spending and reform government. I will be introducing a bill to implement a meaningful hiring freeze, consolidate boards and commissions, administrative functions, agencies and departments, shrink the size of the states payroll, and scale back on excessive public sector salaries.

Senator Kopp plans to introduce legislation that would take a slightly different approach by creating two BRAC-like commissions that would identify and eliminate waste, fraud and abuse, and look for ways to spin off government functions that could be better handled by the private sector.

To be sure, defenders of the status quo in government will dismiss our proposals as not enough. They will tell us it can't be done. They will criticize our ideas as \$1 million solutions to \$1 billion problems. To them, I would respond by paraphrasing former Illinois Senator Everett Dirksen, who famously opined, "A million here, a million there, and pretty soon you're talking about real money."

I sincerely hope the Majority will consider these and other Republican proposals to reduce the size, scope and cost of government -- and resist the temptation to be the "party of no" when it comes to cutting budgets and reforming government.

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But Mr. President, as you and I have privately discussed, let's not allow legitimate policy differences on the budget and other critical issues to undermine our willingness to work together on other important issues where our values are shared, like reforming the state's pension system, solving the higher ed funding conundrum, rallying around constitutional reform, and establishing the framework for a rainy day savings fund.

I'm reminded of comments I made about the first female President of the Senate, Joan FitzGerald upon her retirement from the Senate. I told a reporter that the thing I liked most about Joan was that you could have a spirited even heated argument with her about one issue in the morning, only to be in her office cutting a deal and making important compromise by the noon hour.

And so it should be with us. We have important opportunities to reform our system of government, make it work better, leave it in better shape than we found it.

That's what brought most of us here in the first place. Let's seize this moment and make those opportunities a Colorado reality.

Thank you Mr. President and Members of the Senate.

Senate reconvened.

On motion of Senator Morse, and with the unanimous consent of those elected to the Senate, the remarks of Senate President Brandon C. Shaffer and Minority Leader Josh Penry were ordered spread upon the pages of the journal.

**INTRODUCTION OF BILLS -- FIRST READING**

The following bill was read by title and referred to the committee indicated:

**SB10-036**

by Senator(s) Johnston, Bacon, Heath, Hudak, Penry, Romer, Shaffer B., Steadman; also Representative(s) Merrifield--Concerning requiring the department of education to prepare an annual report analyzing educator preparation program effectiveness using data obtained through the educator identifier system.  
Education

Senate in recess. Senate reconvened.

Call of the Senate. Call raised.

**COMMITTEE OF REFERENCE REPORTS**

Education After consideration on the merits, the Committee recommends that **SB10-036** be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 2, line 11, strike "PLACEMENT." and substitute "PLACEMENT AS THE EDUCATOR OF RECORD."

Page 2, strike line 13 and substitute "PROGRAMS IN THE STATE, INCLUDING ALTERNATIVE EDUCATOR PREPARATION PROGRAMS, AND STUDENT ACADEMIC GROWTH, EDUCATOR".

Page 2, line 16, strike "COMPLETION." and substitute "COMPLETION, AND THE INFORMATION SHALL BE SHARED WITH EDUCATOR PREPARATION PROGRAMS TO INFORM CURRICULUM AND PROGRAM IMPROVEMENTS."

Page 4, strike lines 16 through 25 and substitute:

**"SECTION 2. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety."

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Senator Morse requested permission for the committee on Appropriations to meet at the microphone. A majority of the Senate having voted in the affirmative, permission was granted.

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Senate in recess.                      Senate reconvened.

**COMMITTEE OF REFERENCE REPORTS**

Appropriations After consideration on the merits, the Committee recommends that **SB10-036** be referred to the Committee of the Whole with favorable recommendation.

On motion of Senator Morse, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, SB10-036 was made Special Orders at 2:18 p.m.

Committee of the Whole The hour of 2:18 p.m. of having arrived, Senator Steadman moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders --Second Reading of Bills and Senator Steadman was called to the chair to act as Chairman.

**SPECIAL ORDERS -- SECOND READING OF BILLS**

The Committee of the Whole having risen, the Chairman reported that the following bill, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

**SB10-036** by Senator(s) Johnston, Bacon, Heath, Hudak, Penry, Romer, Shaffer B., Steadman; also Representative(s) Merrifield--Concerning requiring the department of education to prepare an annual report analyzing educator preparation program effectiveness using data obtained through the educator identifier system.

Amendment No. 1, Education Committee Amendment.

(Printed in Senate Journal, January 13, page 13 and placed in members' bill files.)

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

Amend the Education Committee Report, dated January 13, 2010, page 1, after line 5 insert:

"Page 2 of the printed bill, line 15, after "SHALL" insert "WORK COLLABORATIVELY WITH EDUCATOR PREPARATION PROGRAMS AND THE DEPARTMENT OF HIGHER EDUCATION AND".".

Page 1 of the report, line 6, strike "COMPLETION, AND" and substitute "COMPLETION.".

Page 1 of the report, line 7, strike "THE" and substitute "THE".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

As amended, **lost** on second reading.

( For further action, see amendments to the report of the Committee of the Whole.)

**AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE**

**SB10-036** by Senator(s) Johnston, Bacon, Heath, Hudak, Penry, Romer, Shaffer B., Steadman; also Representative(s) Merrifield--Concerning requiring the department of education to prepare an annual report analyzing educator preparation program effectiveness using data obtained through the educator identifier system.

Senator Johnston moved to amend the Report of the Committee of the Whole to show that SB10-036, as amended, did pass.

The amendment to the report of the Committee of the Whole was **passed** on the following roll call vote:

YES	29	NO	6	EXCUSED	0	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Shaffer B.	Y
Boyd	Y	Hudak	Y	Newell	Y	Spence	Y
Brophy	Y	Johnston	Y	Penry	Y	Steadman	Y
Cadman	N	Keller	Y	Renfroe	N	Tapia	Y
Carroll M.	Y	Kester	Y	Romer	Y	Tochtrop	Y
Foster	Y	King K.	Y	Sandoval	Y	White	Y
Gibbs	Y	Kopp	N	Scheffel	Y	Whitehead	Y
Harvey	N	Lundberg	N	Schultheis	N	Williams	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

**ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE**

On motion of Senator Steadman, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	30	NO	5	EXCUSED	0	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Shaffer B.	Y
Boyd	Y	Hudak	Y	Newell	Y	Spence	Y
Brophy	Y	Johnston	Y	Penry	Y	Steadman	Y
Cadman	N	Keller	Y	Renfroe	N	Tapia	Y
Carroll M.	Y	Kester	Y	Romer	Y	Tochtrop	Y
Foster	Y	King K.	Y	Sandoval	Y	White	Y
Gibbs	Y	Kopp	Y	Scheffel	Y	Whitehead	Y
Harvey	N	Lundberg	N	Schultheis	N	Williams	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

The Committee of the Whole took the following action:

Passed on Second Reading: SB10-036 as amended.

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**MESSAGE FROM THE HOUSE**

January 13, 2010

The House has adopted and transmits herewith HJR10-1001 and HJR10-1002, as printed in House Journal, January 13.

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**INTRODUCTION AND CONSIDERATION OF RESOLUTIONS**

The following resolutions were read by title:

**HJR10-1001** by Representative(s) Weissmann, Carroll T., May; also Senator(s) Morse, Shaffer B., 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 Morse, the resolution was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Shaffer B.	Y
Boyd	Y	Hudak	Y	Newell	Y	Spence	Y
Brophy	Y	Johnston	Y	Penry	Y	Steadman	Y
Cadman	Y	Keller	Y	Renfroe	Y	Tapia	Y
Carroll M.	Y	Kester	Y	Romer	Y	Tochtrop	Y
Foster	Y	King K.	Y	Sandoval	Y	White	Y
Gibbs	Y	Kopp	Y	Scheffel	Y	Whitehead	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	Williams	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

Co-sponsors added: Brophy, Steadman.

The President appointed Senators Steadman and Brophy to serve on the committee to escort the Governor to the joint session.

**HJR10-1002** by Representative(s) Benefield, Court, Massey, Vaad; also Senator(s) Morse, Shaffer B., Penry--Concerning the officers and employees of the Second Regular Session of the Sixty-seventh General Assembly.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Shaffer B.	Y
Boyd	Y	Hudak	Y	Newell	Y	Spence	Y
Brophy	Y	Johnston	Y	Penry	Y	Steadman	Y
Cadman	Y	Keller	Y	Renfroe	Y	Tapia	Y
Carroll M.	Y	Kester	Y	Romer	Y	Tochtrop	Y
Foster	Y	King K.	Y	Sandoval	Y	White	Y
Gibbs	Y	Kopp	Y	Scheffel	Y	Whitehead	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	Williams	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

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**INTRODUCTION OF RESOLUTIONS**

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

**SCR10-001** by Senator(s) Heath, Morse; also Representative(s) Ferrandino, Court--Submitting to the registered electors of the state of Colorado an amendment to article XIX of the constitution

of the state of Colorado, concerning the creation of the fiscal policy constitutional commission, and, in connection therewith, establishing a commission consisting of nineteen members appointed by various state officials for the purpose of reviewing the fiscal policy set forth in the state constitution and, if appropriate, submitting to the voters in 2012 one or more measures to amend the fiscal policy set forth in the constitution; permitting a measure to include more than one subject; exempting a measure from existing constitutional election requirements; requiring the general assembly to conduct public hearings related to a measure and make a recommendation to voters about the measure; and requiring each measure to be published prior to the election and included in the ballot information booklet.  
State, Veterans & Military Affairs

**SJR10-002** by Senator(s) Heath, Brophy, Morse; also Representative(s) Court, Ferrandino, Gerou--  
Concerning a request for a comprehensive tax study.  
State, Veterans & Military Affairs

**SR10-002** by Senator(s) Morse, Shaffer B., Penry; --Concerning pre-session pay for senate employees.  
Laid over one day under Senate Rule 30(c).

**SR10-005** by Senator(s) Spence; --Concerning amendments to the rules of the Senate, and, in connection therewith, providing for a line of succession for the secretary of the Senate and addressing questions of parliamentary authority.  
Laid over one day under Senate Rule 30(c).

#### INTRODUCTION OF BILLS -- FIRST READING

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

**SB10-001** by Senator(s) Shaffer B. and Penry, Bacon, Boyd, Brophy, Carroll M., Foster, Gibbs, Heath, Hodge, Hudak, Johnston, Keller, Kester, Morse, Newell, Romer, Sandoval, Schwartz, Steadman, Tapia, Tochtrop, Whitehead, Williams; also Representative(s) Kerr A.--  
Concerning modifications to the public employees' retirement association necessary to reach a one hundred percent funded ratio within the next thirty years.  
Finance

**SB10-002** by Senator(s) Steadman and Keller; also Representative(s) Looper and Primavera, Acree, Todd--Concerning the denial of benefits by health coverage plans, and, in connection therewith, increasing recoveries to the medicaid program and establishing a long-term care ombudsman office.  
Health and Human Services

**SB10-003** by Senator(s) Morse, Heath; also Representative(s) Ferrandino, Court, Gerou--Concerning higher education flexibility.  
Education

**SB10-004** by Senator(s) White; --Concerning the repeal of the increased penalties for late vehicle registration enacted by Senate Bill 09-108.  
State, Veterans & Military Affairs

**SB10-005** by Senator(s) Hudak, Hodge, Williams; also Representative(s) Benefield, Massey, Peniston, Solano--Concerning continuity of services to public school kindergarten students who were enrolled in certain preschool programs during the prior year.  
Education

**SB10-006** by Senator(s) Boyd, Hudak, Sandoval, White; also Representative(s) Summers, Gagliardi, Kefalas, Waller--Concerning reductions in barriers to obtaining identity-related documents.  
Health and Human Services

**SB10-007** by Senator(s) Hudak; also Representative(s) Gagliardi--Concerning collaboration in the provision of multi-agency services.  
Health and Human Services

**SB10-008** by Senator(s) Johnston, Romer; also Representative(s) Scanlan, Massey, Middleton--  
Concerning a study to evaluate the feasibility of a system to determine pupil enrollment for

	purposes of the "Public School Finance Act of 1994" based on the average daily membership of pupils in school districts.	1
	Education	2
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<b>SB10-009</b>	by Senator(s) Sandoval, Boyd, Hudak; also Representative(s) Gagliardi, Kefalas-- Concerning the duties of the economic opportunity poverty reduction task force.	5
	Health and Human Services	6
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<b>SB10-010</b>	by Senator(s) Boyd, Sandoval; also Representative(s) Kefalas--Concerning authorizing the department of human services to use a portion of existing appropriations to conduct an independent evaluation of the statewide strategic use fund.	9
	Health and Human Services	10
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<b>SB10-011</b>	by Senator(s) Carroll M., Hodge, Tochtrop; also Representative(s) Miklosi, Pace, Ryden-- Concerning measures to reduce conflicts of interest in workers' compensation cases.	14
	Judiciary	15
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<b>SB10-012</b>	by Senator(s) Tochtrop, Carroll M., Hodge; also Representative(s) Pace, Miklosi, Ryden-- Concerning increased penalties for violations of the workers' compensation laws.	18
	Judiciary	19
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<b>SB10-013</b>	by Senator(s) Hodge, Carroll M., Tochtrop; also Representative(s) Ryden, Miklosi, Pace-- Concerning accountability for workers' compensation insurers.	22
	Judiciary	23
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<b>SB10-014</b>	by Senator(s) Tochtrop, Boyd; also Representative(s) Solano, Labuda--Concerning changes to the demonstration programs for system of care family advocates.	26
	Health and Human Services	27
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<b>SB10-015</b>	by Senator(s) Renfro, Kopp; also Representative(s) McNulty, Baumgardner, Frangas, McFadyen--Concerning behind-the-wheel training requirements necessary to receive a driver's license.	30
	Transportation	31
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<b>SB10-016</b>	by Senator(s) Williams, Romer, Spence; also Representative(s) Vaad, Fischer, Frangas, King S., McFadyen, McNulty, Merrifield, Tyler--Concerning modification of the manner in which a civil penalty assessment notice of toll evasion evidenced by automatic vehicle identification technology is provided to the owner of a vehicle so identified.	35
	Transportation	36
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<b>SB10-017</b>	by Senator(s) King K.; also Representative(s) Stephens--Concerning assistance to school districts for implementing weighted student funding formulas.	41
	Education	42
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<b>SB10-018</b>	by Senator(s) King K., Johnston; also Representative(s) Merrifield, Massey, Middleton, Scanlan--Concerning the school awards program fund.	45
	Education	46
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		48
<b>SB10-019</b>	by Senator(s) Schwartz, Brophy, Hodge, White, Whitehead; also Representative(s) Fischer, Baumgardner, Curry, Gardner C., McKinley--Concerning the valuation of new hydroelectric energy facilities for the purpose of property taxation.	49
	Local Government and Energy	50
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<b>SB10-020</b>	by Senator(s) Boyd, Foster, Schwartz; also Representative(s) Massey, Apuan--Concerning measures to address the financial viability of the CoverColorado program.	54
	Health and Human Services	55
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<b>SB10-021</b>	by Senator(s) Morse, Lundberg, Tochtrop, Williams; also Representative(s) Labuda, Benefield, Gardner B., King S., Liston, Peniston, Schafer S., Waller--Concerning a volunteer firefighter pension plan.	58
	Business, Labor and Technology	59
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		62
<b>SB10-022</b>	by Senator(s) Morse, Lundberg, Tochtrop, Williams; also Representative(s) Riesberg and King S., Benefield, Gardner B., Labuda, Liston, Peniston, Schafer S., Waller--Concerning a member-approved increase in the member contribution rate to the statewide defined benefit plan administered by the fire and police pension association.	63
	Business, Labor and Technology	64
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<b>SB10-023</b>	by Senator(s) Williams, Lundberg, Morse, Tochtrop; also Representative(s) Riesberg and	69

	Liston, Benefield, Gardner B., King S., Labuda, Peniston, Schafer S., Waller--Concerning the discretion of the board of directors of the fire and police pension association to adopt rules regarding the return to work by a member participating in the defined benefit system of the association who elects retirement.	1 2 3 4
	Business, Labor and Technology	5 6
<b>SB10-024</b>	by Senator(s) Tochtrop, Lundberg, Morse, Williams; also Representative(s) Labuda, Benefield, Gardner B., King S., Liston, Peniston, Riesberg, Schafer S., Waller--Concerning the repeal of the authority of the board of directors of the fire and police pension association to affiliate with a local money purchase pension plan.	7 8 9 10
	Business, Labor and Technology	11 12
<b>SB10-025</b>	by Senator(s) Whitehead, Brophy, Hodge, Schwartz, White; also Representative(s) Baumgardner, Curry, Fischer, Gardner C., McKinley--Concerning the long-term funding of the water efficiency grant program.	13 14 15
	Agriculture and Natural Resources	16 17
<b>SB10-026</b>	by Senator(s) Romer; --Concerning providing to the public information to facilitate successful participation in postsecondary education, and, in connection therewith, transferring the college in Colorado division to the department of education.	18 19 20
	Education	21 22
<b>SB10-027</b>	by Senator(s) Sandoval; also Representative(s) Roberts--Concerning a fine for the unauthorized diversion of surface water.	23 24
	Agriculture and Natural Resources	25 26
<b>SB10-028</b>	by Senator(s) Heath; --Concerning the establishment of the Colorado "Work Share Program" to allow payment of unemployment compensation benefits to eligible employees who have received a reduction in work hours.	27 28 29
	Business, Labor and Technology	30 31
<b>SB10-029</b>	by Senator(s) Penry; --Concerning the creation of efficiencies in governmental entities that provide services to the people of the state.	32 33
	State, Veterans & Military Affairs	34 35
<b>SB10-030</b>	by Senator(s) Kopp; --Concerning a requirement that vacancies in the office of a United States senator from this state be filled by a vacancy election.	36 37
	State, Veterans & Military Affairs	38 39
<b>SB10-031</b>	by Senator(s) Scheffel; also Representative(s) Rice--Concerning a prohibition against the inclusion of facilities that offer gambling-related activities in a regional tourism project for purposes of the "Colorado Regional Tourism Act".	40 41 42
	Business, Labor and Technology	43 44
<b>SB10-032</b>	by Senator(s) Tapia; also Representative(s) Lambert--Concerning the authorization of amendments to existing state information technology contracts for purposes of furthering consolidation of the management of state agency information technology resources in the office of information technology.	45 46 47 48
	State, Veterans & Military Affairs	49 50
<b>SB10-033</b>	by Senator(s) Schultheis, Harvey, Renfroe; also Representative(s) Baumgardner, King S., Lambert--Concerning the verification of the work eligibility status of new employees through the federal electronic verification program.	51 52 53
	State, Veterans & Military Affairs	54 55
<b>SB10-034</b>	by Senator(s) Whitehead; also Representative(s) Looper--Concerning the administration of laws regulating pesticides, and, in connection therewith, amending the "Pesticide Act" to authorize the commissioner of the department of agriculture to inspect refillers, impose residue removal and record-keeping requirements, and set expiration dates for pesticide and device registrations by rule.	56 57 58 59
	Agriculture and Natural Resources	60 61 62
<b>SB10-035</b>	by Senator(s) Newell; also Representative(s) Bradford--Concerning automatic enrollment in employee retirement plans.	63 64
	Business, Labor and Technology	65 66
<b>SB10-037</b>	by Senator(s) Kester; also Representative(s) Casso--Concerning an increase in the amounts payable from the horse breeders' and owners' awards and supplemental purse fund for costs of administration.	67 68 69

	Agriculture and Natural Resources	1
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<b>SB10-038</b>	by Senator(s) Hodge; also Representative(s) Fischer--Concerning the "organic certification act", and, in connection therewith, authorizing the commissioner of agriculture to contract with independent organics inspectors and altering the composition of the organic certification advisory board.	3
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	Agriculture and Natural Resources	6
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<b>SB10-039</b>	by Senator(s) Carroll M., Heath, Hudak, Shaffer B., Tochtrop, Williams; also Representative(s) Gagliardi, Fischer, Kefalas--Concerning scholarships for job training, and making an appropriation therefor.	9
	Education	10
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<b>SB10-040</b>	by Senator(s) Tochtrop; --Concerning motorcycle safety education programs.	13
	Transportation	14
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<b>SB10-041</b>	by Senator(s) Bacon; --Concerning technical modifications to statutory provisions governing campaign finance.	16
	State, Veterans & Military Affairs	17
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<b>SB10-042</b>	by Senator(s) Schwartz; also Representative(s) Frangas and Kefalas--Concerning prior consent for release of financial information to facilitate investigations of financial exploitation of at-risk adults.	20
	Judiciary	21
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<b>SB10-043</b>	by Senator(s) White; also Representative(s) Pommer--Concerning the repeal date of the office of the child's representative.	25
	Judiciary	26
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<b>SB10-044</b>	by Senator(s) Lundberg, Kester, King K., Mitchell, Scheffel, Schultheis; also Representative(s) Lambert, Baumgardner, McNulty, Murray, Priola, Sonnenberg--Concerning the repeal of statutory changes enacted by Senate Bill 09-108.	29
	State, Veterans & Military Affairs	30
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<b>SB10-045</b>	by Senator(s) Morse; also Representative(s) Kerr A.--Concerning increasing the rights of homeowners, and, in connection therewith, enacting the "Homeowner Protection Act of 2010".	33
	State, Veterans & Military Affairs	34
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<b>SB10-046</b>	by Senator(s) Gibbs; also Representative(s) Levy--Concerning the boundaries of forest improvement districts.	37
	Local Government and Energy	38
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<b>SB10-047</b>	by Senator(s) King K.; also Representative(s) Looper--Concerning rights relating to the disposition of the last remains of members of the armed forces.	41
	State, Veterans & Military Affairs	42
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<b>SB10-048</b>	by Senator(s) Heath; also Representative(s) Levy--Concerning the regulation of the purchase of commodity scrap metals.	44
	Business, Labor and Technology	45
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<b>SB10-049</b>	by Senator(s) Sandoval, Bacon, Hudak, Steadman, Tochtrop; also Representative(s) Benefield, Frangas, Hullinghorst--Concerning the liability limits applicable to the life and health insurance protection association, and, in connection therewith, increasing the liability limits for annuity benefits, structured settlement annuities, and long-term care benefits.	47
	Health and Human Services	48
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<b>SB10-050</b>	by Senator(s) Spence; --Concerning teacher employment status as it relates to contract renewal, and, in connection therewith, improving teaching quality for students.	50
	Education	51
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<b>SB10-051</b>	by Senator(s) Renfroe, Brophy, Harvey, Lundberg, Scheffel, Schultheis; also Representative(s) Sonnenberg--Concerning the governor's authority to restrict the distribution of firearms during a state of disaster emergency.	53
	State, Veterans & Military Affairs	54
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<b>SB10-052</b>	by Senator(s) Brophy, Hodge; also Representative(s) Curry--Concerning the ability of the groundwater commission to alter the boundaries of a designated groundwater basin.	57
	Agriculture and Natural Resources	58
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<b>SB10-053</b>	by Senator(s) Foster; also Representative(s) Acree--Concerning the exception of weighted votes from voting requirements governing the board of directors of a metropolitan sewage disposal district. Local Government and Energy	1 2 3 4 5
<b>SB10-054</b>	by Senator(s) Hudak, Steadman; also Representative(s) Levy--Concerning the provision of educational services for juveniles against whom charges have been filed in district court. Judiciary	6 7 8 9
<b>SB10-055</b>	by Senator(s) Harvey; --Concerning the receipt of donations by the division of motor vehicles in the department of revenue to be deposited in the Colorado state titling and registration account in the highway users tax fund. Transportation	10 11 12 13 14
<b>SB10-056</b>	by Senator(s) Boyd; also Representative(s) Riesberg--Concerning developing standardized immunization information to provide to parents. Health and Human Services	15 16 17 18
<b>SB10-057</b>	by Senator(s) Cadman; --Concerning the repeal of the increased penalty for late vehicle registration of a nonmotorized vehicle enacted by Senate Bill 09-108. State, Veterans & Military Affairs	19 20 21 22
<b>SB10-058</b>	by Senator(s) Tapia; also Representative(s) Ferrandino--Concerning the eligibility requirements for the nursing teacher loan forgiveness pilot program. Education	23 24 25 26
<b>SB10-059</b>	by Senator(s) Williams; also Representative(s) Ryden--Concerning the addition of a line to Colorado state individual income tax return forms whereby individual taxpayers may make a voluntary contribution benefiting the Colorado D.A.R.E. fund. Finance	27 28 29 30 31
<b>SB10-060</b>	by Senator(s) Morse, Carroll M., Mitchell, Schwartz; also Representative(s) Labuda, Gardner B., Kagan, Levy, Roberts--Concerning implementation of recommendations of the committee on legal services in connection with legislative review of rules and regulations of state agencies. Legal Services	32 33 34 35 36 37
<b>SB10-061</b>	by Senator(s) Tochtrop, Newell, Williams; also Representative(s) Soper, Riesberg, Roberts, Tyler--Concerning medicaid payments for inpatient care for hospice recipients. Health and Human Services	38 39 40 41
<b>SB10-062</b>	by Senator(s) Steadman; also Representative(s) Peniston--Concerning the existing categorical education programs described by section 17 of article IX of the state constitution, and making an appropriation in connection therewith. Education	42 43 44 45 46
<b>SB10-063</b>	by Senator(s) White; also Representative(s) Waller--Concerning limiting civil liability for attorneys who contract to provide certain services for the office of alternate defense counsel. Judiciary	47 48 49 50
<b>SB10-064</b>	by Senator(s) Bacon; --Concerning authorization for an institution of higher education to apply for stipends from the college opportunity fund. Education	51 52 53 54
<b>SB10-065</b>	by Senator(s) Keller, Tapia, White; also Representative(s) Pommer, Ferrandino, Lambert--Concerning a supplemental appropriation to the department of education. Appropriations	55 56 57 58 59

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**MESSAGE FROM THE GOVERNOR**

Appointment A letter of designation and appointment from Governor Ritter was read and assigned to committee as follows:

September 11, 2009

To the Honorable

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Colorado Senate  
Colorado General Assembly  
State Capitol Building  
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint, and submit to your consideration, the following:

MEMBER OF THE  
COLORADO WATER CONSERVATION BOARD

for a term expiring February 12, 2011:

April D. Montgomery of Norwood, Colorado, a resident of the San Miguel-Dolores-San Juan drainage basin and a Democrat, to fill the vacancy occasioned by the resignation of Bruce T. Whitehead of Hesperus, Colorado, appointed.

Sincerely,  
(signed)  
Bill Ritter, Jr.  
Governor  
Rec'd: 9/15/09  
Cindi Markwell, Asst. Secretary

Committee on Agriculture and Natural Resources

**MEMORANDUM  
REPORT FROM THE HOUSE AND SENATE  
COMMITTEES ON DELAYED BILLS**

Pursuant to Joint Rule 23 (c), the House and Senate Committees on Delayed Bills, acting jointly, extend the following deadlines:

**Early introduction deadline for House bills:**

The Monday, January 18 deadline (the 6th legislative day) for the introduction of the two remaining House bills requested prior to the December 1 bill request deadline is extended until Tuesday, January 19, 2010 (the 7th legislative day).

**Last bill request deadline for the House and Senate:**

The Monday, January 18 deadline (the 6th legislative day) for all remaining bill requests to the Office of Legislative Legal Services is extended until Tuesday, January 19, 2010 (the 7th legislative day).

This memorandum shall be printed in the journal of each house as is required by said Joint Rule 23 (c).

(signed)  
Representative T. Carroll  
Speaker of the House of Representatives

(signed)  
Senator Shaffer  
President of the Senate

(signed)  
Representative Weissmann  
House Majority Leader

(signed)  
Senator Morse  
Senate Majority Leader

(signed)  
Representative May  
House Minority Leader

(signed)  
Senator Penry  
Senate Minority Leader

On motion of Senator Morse, the Senate adjourned until 10:00 a.m., Thursday, January 14, 2010.

Approved:

Brandon C. Shaffer  
President of the Senate

Attest:

Karen Goldman  
Secretary of the Senate

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