

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

1st Legislative Day Wednesday, January 10, 2007

Prayer By the chaplain, Rev. Bill Calhoun, Montview Boulevard Presbyterian Church.

Presentation of Colors By Regional Transportation District Color Guard.

Pledge of Allegiance By Senator Sandoval.

Musical Presentation By Madrigal Ensemble, Clear Creek High School.

Call to Order The hour of 10:00 a.m. having arrived, the Senate of the 66th General Assembly of the State of Colorado, pursuant to law, was called to order by Senator Joan Fitz-Gerald, President of the Senate of the 65th General Assembly, State of Colorado.

Roll Call The roll call of the holdover Senators was called with the following result:
Present-- Bacon, Gordon, Groff, Hagedorn, May R., McElhany, Mitchell S., Shaffer, Spence, Takis, Taylor, Tupa, Veiga, Ward, Wiens, Williams, Windels -- Total, 17.

LETTER OF RESIGNATION

December 1, 2006

The Honorable Gigi Dennis, Secretary of State
Colorado Department of State
1700 Broadway, Suite 250
Denver, CO 80290

Dear Secretary Dennis:

This letter is to inform you of my resignation to the office of Senator in Senate District 32, effective December 1, 2006 at 10:00 A.M.

Sincerely,
(signed)
Dan Grossman
2864 Yosemite Street
Denver, CO 80238

COMMUNICATIONS FROM THE SECRETARY OF STATE

State of Colorado
Department of
State

United States of America, ss. Certificate
State of Colorado

I, Gigi Dennis, Secretary of State of the State of Colorado, do hereby certify that the attached is a true and exact copy of the Resignation from Office as filed in this office on the first day of December, 2006, by State Senator Dan Grossman.

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State of Colorado, at the City and County of Denver this fifth day of December, 2006.

(signed)
Gigi Dennis
Secretary of State

State of Colorado
Department of
State

United States of America, ss. Certificate
State of Colorado

I, Gigi Dennis, Secretary of State of the State of Colorado, do hereby certify that the attached is a true and exact copy of the Certificate of Appointment to Fill a Vacancy as filed in this office on the fifteenth day of December, 2006, by the Honorable Bill Owens, Governor of the State of Colorado, designating the appointment of Donna Johnson to fill the vacancy in the office of the Colorado State Senate, District 32, for the Sixty-Fifth General Assembly of the State of Colorado, caused by the resignation of the Honorable Dan Grossman.

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State of Colorado, at the City and County of Denver this eighteenth day of December, 2006.

(signed)
Gigi Dennis
Secretary of State

State of Colorado
Department of
State

United States of America, ss. Certificate
State of Colorado

I, Gigi Dennis, Secretary of State of the State of Colorado, do hereby certify that the attached is a true and exact copy of the Acceptance of Appointment to Fill a Vacancy in Office as filed in this office on the twenty-sixth day of December, 2006, by Donna R. Johnson, accepting the appointment of the Honorable Bill Owens, Governor of the State of Colorado, to fill the vacancy in the office of Colorado State Senate, District 32, for the Sixty-Fifth General Assembly of the State of Colorado, caused by the resignation of the Honorable Dan Grossman.

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State of Colorado, at the City and County of Denver this twenty-seventh day of December, 2006.

(signed)
Gigi Dennis
Secretary of State

(NOTE: On December 28, 2006, at 9:00 a.m., Donna R. Johnson, 7101 W. Yale Ave. #1003, Denver, CO 80227, was sworn in to the Sixty-Fifth General Assembly as Senator for District 22 to fill the vacancy created by the resignation of Senator Dan Grossman. Justice Gregory Hobbs administered the oath of office in the Chamber of the Senate.)

LETTER OF RESIGNATION

December 5, 2006

Secretary of State Gigi Dennis,
1700 Broadway
Denver, CO 80290

Dear Secretary Dennis,

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This letter is to inform you that I am resigning my Senate seat, Senate District 26, as of noon, Wednesday, December 6, 2006.

Sincerely,
(signed)
Senator Jim Dyer

COMMUNICATIONS FROM THE SECRETARY OF STATE

State of Colorado
Department of
State

United States of America, ss. Certificate
State of Colorado

I, Gigi Dennis, Secretary of State of the State of Colorado, do hereby certify that the attached is a true and exact copy of the Resignation from Office as filed in this office on the eleventh day of December, 2006, by State Senator Jim Dyer.

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State of Colorado, at the City and County of Denver this fifteenth day of December, 2006.

(signed)
Gigi Dennis
Secretary of State

State of Colorado
Department of
State

United States of America, ss. Certificate
State of Colorado

I, Gigi Dennis, 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 eighth day of December, 2006, by the Republican 26th Senate District Vacancy Committee, designating the appointment of Stephen P. Ward to fill the vacancy in the office of the Colorado State Senate, District 26, for the Sixty-Fifth General Assembly of the State of Colorado, caused by the resignation of the Honorable Jim Dyer.

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State of Colorado, at the City and County of Denver this twentieth day of December, 2006.

(signed)
Gigi Dennis
Secretary of State

State of Colorado
Department of
State

United States of America, ss. Certificate
State of Colorado

I, Gigi Dennis, 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/Nomination by Vacancy Committee and Declaration of Qualification as filed in this office on the eighteenth day of December, 2006, by Stephen P. Ward, accepting the appointment of the Republican 26th Senate District Vacancy Committee, to fill the vacancy in the office of Colorado State Senate, District 26, for the Sixty-Fifth General Assembly of the State of Colorado, caused by the resignation of the Honorable Jim Dyer.

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State of Colorado, at the City and County of Denver this twentieth day of December, 2006.

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(signed)
Gigi Dennis
Secretary of State

(NOTE: On December 28, 2006, 9:00 a.m., Steve Ward, 285 W. Davies Ave. S., Littleton, CO 80120, was sworn in to the Sixty-Fifth General Assembly as Senator for District 26 to fill the vacancy created by the resignation of Senator Jim Dyer. Justice Gregory Hobbs administered the oath of office in the Chamber of the Senate.)

LETTER OF RESIGNATION

November 29, 2006

The Honorable Joan Fitz-Gerald
Senate President
State of Colorado
Colorado State Capitol
Denver, CO 80203

Dear Madam President:

This letter is to inform you that I am resigning my State Senate seat (District 7) effective December 15, 2006.

I am taking this action due to the requirements of Amendment 41, recently passed by the Colorado electorate. Because I am leaving office because of term limits, it is in my best interest to keep all options for future employment open and the restriction on lobbying for two years puts an unfair burden on my ability to secure future employment.

It has been an incredible honor for me to have served the citizens of District 7 and the state for the past eight years and I am sorry to have to leave under these circumstances but I do not expect any formal action to be required of the State Senate between the time of my resignation and the swearing in of my replacement.

Respectfully Submitted,
(signed)
Ron Teck
State Senator, District 7

COMMUNICATIONS FROM THE SECRETARY OF STATE

State of Colorado
Department of
State

United States of America, ss. Certificate
State of Colorado

I, Gigi Dennis, Secretary of State of the State of Colorado, do hereby certify that the attached is a true and exact copy of the Resignation from Office as filed in this office on the first day of December, 2006, by State Senator Ron Teck.

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State of Colorado, at the City and County of Denver this fifteenth day of December, 2006.

(signed)
Gigi Dennis
Secretary of State

State of Colorado
Department of
State

United States of America, ss. Certificate
State of Colorado

I, Gigi Dennis, 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-second day of December, 2006, by the Republican 7th Senate District Vacancy Committee, designating the appointment of Joshua A. Penry to fill the vacancy in the office of the Colorado State Senate, District 7, for the Sixty-Fifth General Assembly of the State of Colorado, caused by the resignation of the Honorable Ron Teck.

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State of Colorado, at the City and County of Denver this twenty-seventh day of December, 2006.

(signed)
Gigi Dennis
Secretary of State

State of Colorado
Department of
State

United States of America, ss. Certificate
State of Colorado

I, Gigi Dennis, 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/Nomination by Vacancy Committee and Declaration of Qualification as filed in this office on the twenty-second day of December, 2006, by Joshua A. Penry, accepting the appointment of the Republican 7th Senate District Vacancy Committee, to fill the vacancy in the office of Colorado State Senate, District 7, for the Sixty-Fifth General Assembly of the State of Colorado, caused by the resignation of the Honorable Ron Teck.

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State of Colorado, at the City and County of Denver this twenty-seventh day of December, 2006.

(signed)
Gigi Dennis
Secretary of State

(NOTE: On January 2, 2007, at 9:00 a.m., Joshua Penry, 778 Doug Drive, Fruita, CO 81521, was sworn in to the Sixty-Fifth General Assembly as Senator for District 7 to fill the vacancy created by the resignation of Senator Ron Teck. Justice Gregory Hobbs administered the oath of office in the Chamber of the Senate.)

LETTER OF RESIGNATION

December 12, 2006

The Honorable Gigi Dennis
Colorado Secretary of State
1700 Broadway
Denver, CO 80290

Dear Madame Secretary:

I hereby resign my State Senate seat for District 22, effective December 12, 2006, at 5 PM.

Thank you.

Sincerely,
(signed)
Senator Kathleen (Kiki) Traylor

COMMUNICATIONS FROM THE SECRETARY OF STATE

State of Colorado
Department of
State

United States of America, ss. Certificate
State of Colorado

I, Gigi Dennis, Secretary of State of the State of Colorado, do hereby certify that the attached is a true and exact copy of the Resignation from Office as filed in this office on the twelfth day of December, 2006, by State Senator Kiki Traylor.

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State of Colorado, at the City and County of Denver this fifteenth day of December, 2006.

(signed)
Gigi Dennis
Secretary of State

State of Colorado
Department of
State

United States of America, ss. Certificate
State of Colorado

I, Gigi Dennis, 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 twenty-second day of December, 2006, by the Republican 22nd Senate District Vacancy Committee, designating the appointment of Mike Kopp to fill the vacancy in the office of the Colorado State Senate, District 22, for the Sixty-Fifth General Assembly of the State of Colorado, caused by the resignation of the Honorable Kiki Traylor.

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State of Colorado, at the City and County of Denver this twenty-seventh day of December, 2006.

(signed)
Gigi Dennis
Secretary of State

State of Colorado
Department of
State

United States of America, ss. Certificate
State of Colorado

I, Gigi Dennis, 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 to Fill a Vacancy In Office as filed in this office on the twenty-second day of December, 2006, by Mike Kopp, accepting the appointment of the Republican 22nd Senate District Vacancy Committee, to fill the vacancy in the office of Colorado State Senate, District 22, for the Sixty-Fifth General Assembly of the State of Colorado, caused by the resignation of the Honorable Kiki Traylor.

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State of Colorado, at the City and County of Denver this twenty-seventh day of December, 2006.

(signed)
Gigi Dennis
Secretary of State

(NOTE: On January 4, 2007, at 2:00 p.m., Mike Kopp, 10589 W. Raspberry Mtn., Littleton, CO 80127, was sworn in to the Sixty-Fifth General Assembly as Senator for District 22 to fill the vacancy created by the resignation of Senator Kiki Traylor. Justice Gregory Hobbs administered the oath of office in the Chamber of the Senate.)

LETTER OF RESIGNATION

Dear Secretary of State Gigi Dennis,

Pursuant to Article V, Section 8 of the Colorado Constitution, which prohibits members of Congress serving simultaneously in the Colorado General Assembly and the United States Congress, I hereby resign my seat in the State Senate effective of close business January 3, 2007.

The following day January 4th, I will be sworn into the 110th Congress at the United States Capitol in Washington, D.C..

It has been an honor and privilege to have the opportunity to make Colorado and specifically my Senate District a better place. I have every confidence that my successor State Representative Dave Schultheis will do an excellent job serving the constituents of Senate District 9, beginning January 10th.

I look forward to working harder than ever to serve the people of the 5th Congressional District and to help the United States continue being the freest and most prosperous nation in the world.

Sincerely,
(signed)
Doug Lamborn
State Senator Doug Lamborn

COMMUNICATIONS FROM THE SECRETARY OF STATE

State of Colorado
Department of
State

United States of America, ss. Certificate
State of Colorado

I, Gigi Dennis, Secretary of State of the State of Colorado, do hereby certify that the attached is a true and exact copy of the Resignation from Office as filed in this office on the twenty-seventh day of December, 2006, by State Senator Doug Lamborn.

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State of Colorado, at the City and County of Denver this third day of January, 2007.

(signed)
Gigi Dennis
Secretary of State

COMMUNICATIONS FROM THE SECRETARY OF STATE

State of Colorado
Department of
State

United States of America, ss. Certificate
State of Colorado

I, Gigi Dennis, Secretary of State of the State of Colorado, do hereby certify that I have canvassed the "Abstract of Votes" submitted in the State of Colorado, and do state that, to the best of my knowledge and belief, the attached list represents the votes cast for members of the Colorado State Senate for the Sixty-sixth General Assembly by the qualified electors of the State of Colorado in the November 7, 2006 General Election.

In Testimony Whereof I have hereunto set my hand and affixed the Great Seal of the State of Colorado, at the City of Denver this 13th day of December, 2006.

(signed)
Gigi Dennis
Secretary of State

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November 7, 2006 – General Election Final Results

St. Senate - District 1

Counties: Cheyenne, Elbert, Kiowa, Kit Carson, Lincoln, Logan, Morgan, Phillips, Prowers, Sedgwick, Washington, Yuma

James L. Bowen (DEM)	11,833	28.62 %
Greg Brophy (REP)	29,505	71.38 %

St. Senate - District 2

Counties: Baca, Bent, Crowley, Custer, Fremont, Huerfano, Las Animas, Otero, Pueblo

Michael R. (Mickey) Griego (DEM)	16,143	39.21 %
Kenneth Kester (REP)	25,031	60.79 %

St. Senate - District 3

Counties: Pueblo

Abel J. Tapia (DEM)	37,562	100.00 %
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St. Senate - District 5

Counties: Alamosa, Chaffee, Conejos, Costilla, Delta, Gunnison, Hinsdale, Mineral, Pitkin, Rio Grande, Saguache

Lewis H. Entz (REP)	23,691	48.98 %
Gail S. Schwartz (DEM)	24,677	51.02 %

St. Senate - District 6

Counties: Archuleta, Dolores, La Plata, Montezuma, Montrose, Ouray, San Juan, San Miguel

James Isgar (DEM)	30,495	60.38 %
Ron Tate (REP)	20,014	39.62 %

St. Senate - District 7

Counties: Garfield, Mesa

Dana Barker (DEM)	14,330	30.30 %
Josh Penry (REP)	32,962	69.70 %

St. Senate - District 9

Counties: El Paso

Dave Schultheis (REP)	31,944	68.64 %
Keely Marrs (DEM)	14,596	31.36 %

St. Senate - District 11

Counties: El Paso

John P. Morse (DEM)	16,420	60.66 %
Ed Jones (REP)	10,648	39.34 %

St. Senate - District 13

Counties: Weld

Solomon D. Little Owl (DEM)	17,035	40.23 %
Scott W. Renfroe (REP)	25,304	59.77 %

St. Senate - District 15

Counties: Larimer

Steve Johnson (REP)	35,517	60.64 %
Jennifer Miller (DEM)	23,056	39.36 %

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St. Senate - District 16

Counties: Boulder, Clear Creek, Gilpin, Grand, Jefferson, Summit

Marty Neilson (REP)	21,832	37.90 %
Joan Fitz-Gerald (DEM)	34,433	59.77 %
Tim Leonard (ACP)	1,343	2.33 %

St. Senate - District 20

Counties: Jefferson

Maryanne Moe Keller (DEM)	23,925	56.96 %
Dick Sargent (REP)	18,079	43.04 %

St. Senate - District 21

Counties: Jefferson

Matt Knoedler (REP)	17,884	43.56 %
Betty Boyd (DEM)	23,175	56.44 %

St. Senate - District 22

Counties: Jefferson

Paula E. Noonan (DEM)	24,092	47.13 %
Mike Kopp (REP)	27,024	52.87 %

St. Senate - District 24

Counties: Adams

Luis Alvarez (REP)	13,005	39.98 %
Lois Tochtrop (DEM)	19,520	60.02 %

St. Senate - District 30

Counties: Douglas

Ted Harvey (REP)	30,447	62.77 %
Shelly Tokerud (DEM)	18,061	37.23 %

St. Senate - District 32

Counties: Denver, Jefferson

Dave Lewis (REP)	12,049	29.41 %
Chris Romer (DEM)	28,917	70.59 %

St. Senate - District 34

Counties: Denver

Paula E. Sandoval (DEM)	19,519	100.00 %
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COMMUNICATIONS FROM THE SECRETARY OF STATE

State of Colorado
 Department of
 State

United States of America, ss. Certificate
 State of Colorado

I, Gigi Dennis, Secretary of State of the State of Colorado, do hereby certify that I have canvassed the "Abstract of Votes" submitted in the State of Colorado, and do state that, to the best of my knowledge and belief, the persons listed on the attached list were duly elected to the Colorado State Senate by the qualified electors of the State of Colorado in the November 7, 2006 General Election.

In Testimony Whereof I have hereunto set my hand and affixed the Great Seal of the State of Colorado, at the City of Denver this 13th day of December, 2006.

(signed)
 Gigi Dennis
 Secretary of State

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November 7, 2006 – General Election Final Results

St. Senate - District 1

Counties: Cheyenne, Elbert, Kiowa, Kit Carson, Lincoln, Logan, Morgan, Phillips, Prowers, Sedgwick, Washington, Yuma

Greg Brophy (REP)	29,505	71.38 %
320 East 6th Street		
Wray, CO 80758		

St. Senate - District 2

Counties: Baca, Bent, Crowley, Custer, Fremont, Huerfano, Las Animas, Otero, Pueblo

Kenneth Kester (REP)	25,031	60.79 %
530 McAfee Avenue		
Las Animas, CO 81054		

St. Senate - District 3

Counties: Pueblo

Abel J. Tapia (DEM)	37,562	100.00 %
1827 North Elizabeth		
Pueblo, CO 81003		

St. Senate - District 5

Counties: Alamosa, Chaffee, Conejos, Costilla, Delta, Gunnison, Hinsdale, Mineral, Pitkin, Rio Grande, Saguache

Gail S. Schwartz (DEM)	24,677	51.02 %
PO Box 5537		
Snowmass Village, CO 81615		

St. Senate - District 6

Counties: Archuleta, Dolores, La Plata, Montezuma, Montrose, Ouray, San Juan, San Miguel

James Isgar (DEM)	30,495	60.38 %
11190 County Road 141		
Hesperus, CO 81326		

St. Senate - District 7

Counties: Garfield, Mesa

Josh Penry (REP)	32,962	69.70 %
778 Doug Drive		
Fruita, CO 81521		

St. Senate - District 9

Counties: El Paso

Dave Schultheis (REP)	31,944	68.64 %
1250 Golden Hills Road		
Colorado Springs, CO 80919		

St. Senate - District 11

Counties: El Paso

John P. Morse (DEM)	16,420	60.66 %
1213 East San Miguel Street #5		
Colorado Springs, CO 80909		

St. Senate - District 13

Counties: Weld

Scott W. Renfroe (REP)	25,304	59.77 %
3201 Grandview Drive		
Greeley, CO 80631		

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St. Senate - District 15Counties: Larimer

Steve Johnson (REP)	35,517	60.64 %
5928 Lakeview Drive		
Fort Collins, CO 80526		

St. Senate - District 16Counties: Boulder, Clear Creek, Gilpin, Grand, Jefferson, Summit

Joan Fitz-Gerald (DEM)	34,433	59.77 %
11283 Shimley Lane		
Golden, CO 80403		

St. Senate - District 20Counties: Jefferson

Maryanne Moe Keller (DEM)	23,925	56.96 %
4325 Iris Street		
Wheat Ridge, CO 80033		

St. Senate - District 21Counties: Jefferson

Betty Boyd (DEM)	23,175	56.44 %
12527 West Arizona Place		
Lakewood, CO 80228		

St. Senate - District 22Counties: Jefferson

Mike Kopp (REP)	27,024	52.87 %
10589 Raspberry Mountain		
Littleton, CO 80127		

St. Senate - District 24Counties: Adams

Lois Tochtrop (DEM)	19,520	60.02 %
9984 Appletree Place		
Thornton, CO 80260		

St. Senate - District 30Counties: Douglas

Ted Harvey (REP)	30,447	62.77 %
3010 Wyecliff Lane		
Highlands Ranch, CO 80126		

St. Senate - District 32Counties: Denver, Jefferson

Chris Romer (DEM)	28,917	70.59 %
549 Cook Street		
Denver, CO 80206		

St. Senate - District 34Counties: Denver

Paula E. Sandoval (DEM)	19,519	100.00 %
4077 West 26th Avenue		
Denver, CO 80212		

Credentials
Committee

On motion of Senator Gordon, and with unanimous consent of the Senate, a committee of three was appointed by the President as the Committee on Credentials. The President appointed Senators Gordon, Chairman, Veiga, and Spence as members of the Committee.

The President announced that the Senate would be in recess so that the Committee on Credentials could meet and prepare its report.

Senate in recess. Senate reconvened.

REPORT OF THE COMMITTEE ON CREDENTIALS

January 10, 2007

Madam President:

Your Committee on Credentials, to which was referred the list of members of the Senate for the Sixty-sixth General Assembly of the State of Colorado, transmitted by the Secretary of State, begs leave to report that the persons named therein constitute a true and correct list of the members as shown by the election certificates and records in the office of the Secretary of State, and your committee recommends that the list so furnished and read be adopted as the temporary roll call of the Senate of the Sixty-sixth General Assembly of the State of Colorado.

(signed)
Senator Gordon, Chairman
Senator Veiga
Senator Spence

On motion of Senator Gordon, the Credentials report was read and adopted by unanimous consent of the Senate.

On motion of Senator Gordon, and with the unanimous consent of the Senate, the President appointed a committee composed of Senators Bacon, Williams, and Brophy to wait upon Chief Justice Mullarkey of the Supreme Court and request her to administer the oath of office to the Senators-elect.

The President announced that the Senate would be in recess until the return of the Committee with the Chief Justice Mullarkey.

Senate in recess. Senate reconvened.

Chief Sergeant-at-Arms Philip Brown announced the arrival of the Committee and Chief Justice Mullarkey.

Oath of Office The Chief Justice administered the Oath of Office to the Senators-elect.

Roll Call The roll call of the Senators-elect was called with the following result:
Present: Boyd, Brophy, Fitz-Gerald, Harvey, Isgar, Johnson, Keller, Kester, Kopp, Morse, Penry, Renfroe, Romer, Sandoval, Schultheis, Schwartz, Tapia, Tochtrop -- Total, 18.

Quorum The President announced a Senate membership of 35 and that a quorum was present.

Senate in recess. Senate reconvened.

On motion of Senator Gordon, and with the unanimous consent of the Senate, the temporary roll call of the Senate was made the permanent roll call.

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Election of President

On motion of Senator Gordon and seconded by Senator McElhany, Senator Joan Fitz-Gerald was nominated as President of the Senate.

Senator Joan Fitz-Gerald was elected as President of the Senate on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Keller	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Kester	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kopp	Y	Schultheis	Y	Veiga	Y
Gordon	Y	May R.	Y	Schwartz	Y	Ward	Y
Groff	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Hagedorn	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Harvey	Y	Morse	Y	Takis	Y	Windels	Y
Isgar	Y	Penry	Y	Tapia	Y	President	Y
Johnson	Y	Renfroe	Y	Taylor	Y		

On motion of Senator Gordon, 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 Joan Fitz-Gerald and Minority Leader Andrew McElhaney. The text of their remarks follows.

Senate in recess.

President Fitz-Gerald's remarks:

Good morning and welcome to the opening of the 66th General Assembly.

Members, we have a lot of work to do, so in the words of Franklin Delano Roosevelt, I will "Be sincere, be brief, and be seated."

For some of you, family and friends of incoming Senators you will find your first visit to these chambers to be awe-inspiring. We are all humbled by the personalities on our stained glass windows, members of this chamber who left their imprint on this state and its people.

I hope that each of us takes time every day we are here to realize that those visionaries whose images we see were weighed down with many of the same cares and concerns that will drive this session.

People like Governor Edwin Johnson, who in the 1930's was a champion of highway construction and water projects or Emily Griffith who was a pioneer in adult education.

They may not have been perfect, but just like you and me; they dedicated their careers to a better Colorado.

Today, with term limits, no one is graced with a long service in the Senate. The General Assembly is a changing institution. Term limits can make us distracted and complacent or they can push us to be dynamic and full of a sense of urgency.

I would like to welcome our newest members of this body. Please stand as I call your name-first, those who are joining us from the House: Senators Ted Harvey, Josh Penry and Dave Schultheis. Welcome to the Senate.

We also welcome new Senators who have not served in this building, but all of whom have already participated in public service elsewhere. Please join me in welcoming Senators Mike Kopp, served as a Ranger in the 82nd Airborne Divisions, John Morse former police chief of Fountain, Scott Renfroe, former school board member in Eaton, Chris Romer, founder and past president of Colorado I Have a Dream Foundation, Gail Schwartz, former CU Regent and Steve Ward, former Arapahoe County Commissioner and former mayor and city councilman of Glendale.

As you can see in just one election cycle, with all of these new members, almost a quarter of the state Senate has changed.

Public service is never easy and the sacrifices can be great. For the past eight years we have worked with Governor Bill Owens and our challenges in the lean times were enormous. I know you all join me in wishing the Governor and Mrs. Owens well as they go on to their next great adventure.

I.

Ladies and gentlemen, allow me talk about our time here together and just how precious it is and why the work we do here is so important.

Time in the legislature is similar to the journey of the Colorado River.

The river starts out in Grand County as a small stream, just like our policies here. We may think that a vote here, a vote there is not that much in itself, but like the Colorado River, the policies we create and the laws we enact, can someday carve Grand Canyons.

We see the river work its magic where it irrigates the cottonwoods that line its banks. Our votes, just like the water, can irrigate the institutions and infrastructure that change peoples' lives-like schools, hospitals and roads.

There are only 120 days in the session and we must not let our water fall on fallow land. To again quote FDR, "The only limit to our realization of tomorrow will be our doubts of today."

In preparing for this session I have had the opportunity to reflect on where the river that is Colorado has been.

I can remember coming to the Senate for my first term in 2001. The economy was booming and the state was flush with money. Then the dot-com industry went bust and a recession settled over the state. In just two short years, the state went into an economic drought and we had to start making painful decisions that impacted people's lives.

Many suffered including those who dedicated their lives to public service including state workers who made a tremendous sacrifice through some very rough times. The Senate thanks you.

But as we know, adversity creates a need for creative solutions and action. We started to take control of our destiny and point our raft downriver. We had to be responsible enough to ask the hard questions about how we could forge a better future.

In the last two years we started working a lot more closely together as a body and with the governor and made significant progress, especially in restoring the fiscal well-being of the state budget.

We joined with Senators Jim Isgar, Jack Taylor and the Governor to increase funding for tourism from \$5 million to \$20 million. We have already seen that pay dividends.

Senator Groff and our caucus worked with Governor Owens, Steve Johnson, Norma Anderson and many others who paved the way for a compromise to fix TABOR. When voters passed Referendum C, the river started running again. We saw the promise of a brighter future.

We have stopped the hemorrhaging from the state budget, but we are under no illusions that we are now overflowing with money. We are still stretched very thin, and as we did last year, we must practice extreme fiscal responsibility.

II.

With Referendum C, our state was at a grand junction. We made a promise to Coloradans for a different direction for the state and we intend to honor that promise. Let me talk about some of our priorities for the next session.

First, there are fantastic possibilities to create a new energy future. We have untapped potential in Colorado and already have the resources right in our backyard with the National Renewable Energy Laboratory and a favorable landscape for wind and solar power.

I look forward to joining with Governor Ritter to encourage investments in renewable energy. We should increase our use of renewable energy around the state to at least 20 percent of total energy use.

Rural and urban Colorado should be ready technologically and economically to position Colorado as a national leader in renewable energy. That is why I am, today, announcing a Senate Select Committee on Colorado's Energy Future. There is a moral imperative for us to do our share in reducing our contribution to global warming as well ass contribute another component to Colorado's economy

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We must commit ourselves to funding higher education. Let's begin by restoring some of the devastating cuts we made during the last several years. 81 faculty positions remain unfilled due to budget constraints. A third of library materials were cut.

We cut funding for the Health Sciences Center by nearly forty percent. As a result, our medical school places 73rd out of 75 public medical schools for public funding.

We will have the opportunity this session to assure Colorado that our best and brightest young physicians can afford to learn at CU Medical School and that quality faculty will be retained.

We must rebuild our higher education system. It is perhaps the greatest investment we can make as a state.

In K-12, we must ensure that children are ready to learn when they reach kindergarten by increasing the number of preschool slots. Requiring that 6-year-olds attend school, not just 7-year-olds will go toward that end.

We made progress last year in lowering the cost of health care by supporting community health centers, but we must do more. Insurance costs continue to rise and more people cannot afford rising premiums.

Last year, we directed Referendum C dollars to expand basic healthcare for Coloradans. We eliminated waitlists for disabled children, so they can enjoy a fuller life.

This year we need to provide immediate relief from skyrocketing drug costs. We are introducing legislation to give the state power to negotiate lower prescription drug prices and allow bulk purchasing by the state. As it has done in other states, we can save taxpayers millions of dollars.

One of the most unique challenges we face this session is the pine beetle devastation in our forests. This dead timber presents a potential disaster for our watersheds, which includes the water systems for the Front Range. The dead trees increase the risk for catastrophic forest fires.

I have already convened several bipartisan meetings, with local officials, Denver Water, fire marshals, CDOT, the Division of Insurance and many others because we have to bring resources to the table to formulate a partnership to address this environmental challenge.

And so the river that is Colorado keeps running. It is an exciting time to be a part of this body. There will certainly be rapids ahead, but also magnificent scenery and many confluences. We have many canyons to carve and institutions to irrigate.

And this is my challenge to all of you in our limited time here: Create a better future in each and every bill you carry and vote you cast. Each day of the legislature is precious--Make every drop count.

To use the eloquent words of Robert F. Kennedy, "Few will have the greatness to bend history itself but each of us can work to change a small portion of events and in the total of all those acts will be written the history of this generation."

God bless Colorado and God bless the United States of America.

Thank you.

Senator Fitz-Gerald recognized Minority Leader Senator Andrew McElhany to address the Senate.

Senator McElhany's remarks:

Congratulations to Senator Fitz-Gerald upon being re-elected Senate president, and welcome to the new members across the aisle. Although I wasn't crazy about the outcome of their races, I do respect the effort they put into them.

Of course, the same goes for our new governor. We look forward to working with him and will be seeking his support on some key policy decisions he may have to make.

Republicans are going to present the 66th General Assembly with an agenda of our own. We aren't just about digging in our heels. We want to move the ball forward. And we want to take this opportunity to invite members across the aisle - and our new governor - to help us advance policies we all should be able to embrace in a spirit of bipartisanship and can-do cooperation.

In the past election year, we all learned a lot about what issues are most on voters' minds. Time and again, we heard that people are concerned about gridlock on our highways; the availability and affordability of health care coverage; the quality of our public schools, and job creation. Those themes are familiar to both parties by now, but we Republicans have a distinct vision for addressing them. It is a vision that, regardless of the particular policy issue, gives taxpayers the most value for the least tax dollars:

We all know there is a backlog of highway projects that has left huge gaps in Colorado's transportation network. We also all agree there must be a sustainable funding source to chip away at that backlog over the long run. Members, that funding source already exists. There is no need to raise taxes. The money is in fact pouring into state coffers as we speak, all the more so now that voters have suspended constitutional spending limits for five years. All we have to do is honor current law - Senate Bill 1 and House Bill 1310 - when we spend that money. The law says tax revenue that is collected in excess of the 6 percent by which our General Fund is allowed to grow each year must go first to transportation.

We just have to stop diverting money out of the General Fund to pet projects, which lowers the amount available for our highways.

We also have to accept that 6 percent annual General Fund growth is very generous. According to projections last month by Legislative Council, in five years, we'll actually be spending over one-third more than we do now. If that isn't enough, just how much is? We must resist calls to change the law - and attempts to dodge it - in a way that grows government programs at the expense of paving roads.

That is why I will introduce a measure this session asking voters in 2008 to place SB1 and HB 1310 into our state constitution, guaranteeing that it will remain a dedicated funding mechanism for highways for years to come. House Minority Leader Mike May is joining me in this effort. If we don't take this crucial step, we risk losing the confidence of the public as well as our business community, which depends on our transportation grid to drive our economy.

The worries about health care coverage in many Colorado households are very real. It is somewhat troubling that we are going to wait at least a year before the legislature's "208 Commission" comes up with some answers. We want to begin chipping away at the problem sooner. We also want to ensure the commission's eventual recommendations don't wind up undermining the first-rate coverage and care many Coloradans already enjoy. In other words, let's not impose costly and restrictive solutions that already have failed in some other states. Here are a couple of things we can do right now:

House Minority Leader May will introduce a bill in the lower chamber to connect Coloradans who need coverage with the best health care options. I will carry the measure in the Senate. It will match those who need coverage with the most affordable private plans that are available as well as any state health care benefits for which they might qualify.

Before we consider any expansion of our state's budget-straining Medicaid program, it is important we find out just how accountable the program is over the money it already spends. Senator Shawn Mitchell will introduce a bill for a top-to-bottom, annual Medicaid audit arguably, the most comprehensive ever.

As for Colorado's public schools, they are a mixed bag at best. There are some exemplary districts and schools out there and many, many outstanding and dedicated teachers. However, there also are abysmal graduation rates and test scores at plenty of schools, especially those serving low-income kids. Our schools need help, and they cannot wait for a landmark education overhaul. We would be waiting a long time. Here are some simple things we can do this year to empower our best and brightest teachers and to give a leg up to more of our children:

Senator Nancy Spence, a veteran of education reform and school choice, will introduce a proposal to establish Florida's STAR program for performance pay in Colorado. We will provide the incentive to more school districts to do as some innovative districts already have make sure good teachers get good pay. This will see to it that the teachers who really make a difference are rewarded and retained.

Senator Spence also will carry a bill establishing a unique teacher identifier to track the

progress of teachers and link them to specific students over time. 1
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It's about time we had a comprehensive, statewide standard for the courses a student must 3
take before he or she can get a high school diploma in Colorado. Our kids deserve it, and 4
the job market virtually requires it. Senator Josh Penry will carry a bill setting such a 5
standard. 6
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We also will be championing an effort to give cash-strapped parents and teachers a tax 8
credit for school supplies they purchase for their children from dictionaries to computers. 9
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There is also considerable concern around Colorado about the ability of our economy to 11
add jobs. Even in good times, job creation can dodge some sectors of our state's economy 12
and vast expanses of our state's geography. 13
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Senator Ken Kester, who was a businessman for decades in the Lower Arkansas Valley, 15
understands that challenge about as well as anyone in here. He is carrying a bill with 16
Representative Ray Rose in the House to offer employers a tax credit each time they add a 17
new job to payroll. 18
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Underscoring our commitment to making it easier for employers to create jobs, Senator 20
Scott Renfroe is introducing a bill that will lighten the load of small businesses by 21
reducing paperwork they have to file with the state. Everyone knows small businesses 22
need relief; it's about time we did something to lighten their load. 23
24

That's our core agenda: highways, health care, schools and jobs, and let me be the first to 25
point out that we do not regard it as a cure-all. It is intended to get the ball rolling to set the 26
pace on policy issues that are important to the people who sent us all here. 27
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There are some things we hope NOT to see emerge from the General Assembly this 29
session, and they are things we will vigorously oppose: 30
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One thing we will oppose will be any attempts to gut the gift ban voters just approved. 32
Amendment 41 is poor public policy. However, our hands are tied now that voters have 33
inserted the measure into the constitution. Any change that we seek, no matter how much 34
we may feel it is warranted, must be referred to voters if it in any way can be read to 35
narrow Amendment 41's focus. 36
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If the voters didn't trust us enough to let lobbyists buy us a sandwich in the Capitol 38
basement, imagine how they would feel about a legislative rollback of their handiwork. 39
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One thing we can do through enacting legislation is to make sure this measure is fairly 41
applied. Let's close the loopholes that the measure provides for other government bodies 42
to lobby the General Assembly. 43
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Republicans pride themselves on an understanding of who really creates jobs and drives 45
our prosperity - business. In the past two sessions, Gov. Bill Owens vetoed nearly 100 46
bills, many of which were measures passed by this body that could have undermined the 47
business climate in Colorado. 48
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Our new governor has gone on record saying he would have vetoed at least some of those 50
same bills. Good. Here is our offer: Governor Ritter, we stand ready to sustain your veto of 51
any job-killing, bad-for-business bills that make it out of the General Assembly. 52
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The same goes for promised legislation that would undermine hard-won education 54
reforms, like accountability measures that keep parents informed about the state of their 55
neighborhood schools. Governor Ritter, we will sustain your veto of any bills that roll back 56
education reform. 57
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We also have been hearing from some who insist the curbs we passed on illegal 59
immigration last summer are being too zealously enforced. As if that were the problem 60
with illegal immigration. Governor, we also stand ready to sustain your veto of any 61
attempts to roll back those reforms. We must continue to fight illegal immigration even 62
when it's not an election year. 63
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A couple of points in closing: 65
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We have just emerged from one of the biggest-spending and dirtiest campaign seasons in 67
memory. Amendment 27, passed four years ago, was supposed to prevent that. It had the 68
opposite effect, diverting big money into unaccountable independent groups that could 69
sling mud and raise cash with impunity. 70
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It is time we found a way to hold politicians accountable for the money raised on their 72

behalf. Let's join Senator Penry and Representative Rob Witwer in calling on legislative leadership to establish a Special Select Committee during the 66th General Assembly to develop reforms to Colorado's broken system of campaign finance in an open, comprehensive and bipartisan manner.

Finally, the war in Iraq continues to be the cause of much debate, but on one thing we can agree, the need to honor Coloradans who have died fighting the war on terror. Sen. Mike Kopp will be carrying a bill this session to establish a memorial for the men and women in uniform who have lost their lives for freedom. I am hoping we all can come together on behalf of this nonpartisan, nonpolitical endeavor. Mike Kopp ought to know; he is a Gulf War veteran.

Thank you.

Senate reconvened.

On motion of Senator Gordon, and with the unanimous consent of those elected to the Senate, the remarks of President Fitz-Gerald and Minority Leader McElhany were ordered spread upon the pages of the journal.

Election of President *pro tem*

On motion of Senator Gordon, Senator Peter Groff was nominated as President *pro tem* of the Senate.

Senator Gordon moved that the nominations for President *pro tem* of the Senate be closed and that a unanimous vote be cast for Senator Groff. The motion was adopted by a unanimous vote.

Election of Secretary

On motion of Senator Gordon, Karen Goldman was nominated to serve as Secretary of the Senate during the First Regular Session of the Sixty-sixth 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.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

SR07-001

by Senator(s) Gordon, Fitz-Gerald, McElhany; --Concerning the temporary Rules of the Senate.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Keller	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Kester	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kopp	Y	Schultheis	Y	Veiga	Y
Gordon	Y	May R.	Y	Schwartz	Y	Ward	Y
Groff	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Hagedorn	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Harvey	Y	Morse	Y	Takis	Y	Windels	Y
Isgar	Y	Penry	Y	Tapia	Y	President	Y
Johnson	Y	Renfroe	Y	Taylor	Y		

SJR07-001

by Senator(s) Gordon, Fitz-Gerald, McElhany; also Representative(s) Madden, Romanoff, May M.--Concerning the adoption of the Joint Rules as the temporary Joint Rules of the Sixty-sixth General Assembly.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Keller	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Kester	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kopp	Y	Schultheis	Y	Veiga	Y
Gordon	Y	May R.	Y	Schwartz	Y	Ward	Y
Groff	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Hagedorn	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Harvey	Y	Morse	Y	Takis	Y	Windels	Y
Isgar	Y	Penry	Y	Tapia	Y	President	Y
Johnson	Y	Renfroe	Y	Taylor	Y		

The President appointed Senators Romer, Boyd, and Johnson to notify the House of Representatives that the Senate was organized and ready for business.

SJR07-002 by Senator(s) Gordon, Fitz-Gerald, McElhany; also Representative(s) Madden, Romanoff, May M.--Concerning a Joint Session of the Senate and the House of Representatives of the Sixty-sixth General Assembly for the purpose of canvassing the votes for certain officials at the election held November 7, 2006.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Keller	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Kester	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kopp	Y	Schultheis	Y	Veiga	Y
Gordon	Y	May R.	Y	Schwartz	Y	Ward	Y
Groff	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Hagedorn	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Harvey	Y	Morse	Y	Takis	Y	Windels	Y
Isgar	Y	Penry	Y	Tapia	Y	President	Y
Johnson	Y	Renfroe	Y	Taylor	Y		

SJR07-004 by Senator(s) Gordon, Fitz-Gerald, McElhany; also Representative(s) Jahn, Gallegos, Hicks, Kerr J.--Concerning employee salary ranges for the First Regular Session of the Sixty-sixth General Assembly.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Keller	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Kester	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kopp	Y	Schultheis	Y	Veiga	Y
Gordon	Y	May R.	Y	Schwartz	Y	Ward	Y
Groff	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Hagedorn	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Harvey	Y	Morse	Y	Takis	Y	Windels	Y
Isgar	Y	Penry	Y	Tapia	Y	President	Y
Johnson	Y	Renfroe	Y	Taylor	Y		

MESSAGE FROM THE GOVERNOR

Appointment Letters of designation and appointment from Governor Ritter were read and assigned to Committees as follows:

January 9, 2007

To the Honorable
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:

COMMISSIONER OF AGRICULTURE

for a term expiring at the pleasure of the Governor:

John R. Stulp of Lamar, Colorado.

Sincerely,
(signed)
Bill Ritter, Jr.
Governor
Rec'd: 1/9/07
Karen Goldman, Secretary of the Senate

Committee on Agriculture, Natural Resources & Energy

January 9, 2007

To the Honorable
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:

EXECUTIVE DIRECTOR OF THE
DEPARTMENT OF HIGHER EDUCATION and
THE COLORADO COMMISSION ON
HIGHER EDUCATION

for a term expiring at the pleasure of the Governor:

David E. Skaggs, Esq., of Boulder, Colorado.

Sincerely,
(signed)
Bill Ritter, Jr.
Governor
Rec'd: 1/9/07
Karen Goldman, Secretary of the Senate

Committee on Education

January 9, 2007

To the Honorable
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:

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EXECUTIVE DIRECTOR OF THE
DEPARTMENT OF HUMAN SERVICES

for a term expiring at the pleasure of the Governor:

Karen Legault Beye of Conifer, Colorado.

Sincerely,
(signed)
Bill Ritter, Jr.
Governor
Rec'd: 1/9/07
Karen Goldman, Secretary of the Senate

Committee on Health & Human Services

January 9, 2007

To the Honorable
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:

EXECUTIVE DIRECTOR OF THE
DEPARTMENT OF LABOR AND EMPLOYMENT

for a term expiring at the pleasure of the Governor:

Donald J. Mares, Esq., of Denver, Colorado.

Sincerely,
(signed)
Bill Ritter, Jr.
Governor
Rec'd: 1/9/07
Karen Goldman, Secretary of the Senate

Committee on Business, Labor & Technology

January 9, 2007

To the Honorable
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:

EXECUTIVE DIRECTOR OF THE
DEPARTMENT OF CORRECTIONS

for a term expiring at the pleasure of the Governor:

Aristedes W. Zavaras of Denver, Colorado.

Sincerely,
(signed)
Bill Ritter, Jr.

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Governor
Rec'd: 1/9/07
Karen Goldman, Secretary of the Senate

Committee on Judiciary

January 9, 2007

To the Honorable
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:

EXECUTIVE DIRECTOR OF THE
DEPARTMENT OF PUBLIC SAFETY

for a term expiring at the pleasure of the Governor:

Peter A. Weir, Esq., of Golden, Colorado.

Sincerely,
(signed)
Bill Ritter, Jr.
Governor
Rec'd: 1/9/07
Karen Goldman, Secretary of the Senate

Committee on Judiciary

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

SR07-002 by Senator(s) Gordon, Fitz-Gerald, McElhany; --Concerning the appointment of Members of the Senate to Committees of the Senate.

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

Amend printed resolution, page 2, line 16, strike "McElhany," and substitute "Penry,".

A majority of all members elected to the Senate having voted in the affirmative, the amendment was declared **adopted**.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Keller	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Kester	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kopp	Y	Schultheis	Y	Veiga	Y
Gordon	Y	May R.	Y	Schwartz	Y	Ward	Y
Groff	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Hagedorn	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Harvey	Y	Morse	Y	Takis	Y	Windels	Y
Isgar	Y	Penry	Y	Tapia	Y	President	Y
Johnson	Y	Renfroe	Y	Taylor	Y		

Senate in recess.

Senate reconvened.

MESSAGE FROM THE HOUSE

January 10, 2007
Madame President:

The House has adopted and transmits herewith HJR07-1001, as printed in House Journal, January 10.

Pursuant to the resolution, the Speaker has appointed Representatives Benefield, chairman, McKinley, and Liston.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

HJR07-1001 by Representative(s) Madden, Romanoff, May M.; also Senator(s) Gordon, Fitz-Gerald, McElhany--Concerning the appointment of a Joint Committee to notify the Governor that the First Regular Session of the Sixty-sixth General Assembly is organized and ready to transact business.

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

Table with 8 columns: YES, NO, EXCUSED, ABSENT and corresponding names of senators and representatives. YES: 32, NO: 0, EXCUSED: 3, ABSENT: 0.

The President appointed Senators Schwartz and Ward to notify the Governor that the Senate was organized.

Senate in recess. Senate reconvened.

MESSAGE FROM THE HOUSE

January 10, 2007
Madame President:

The House has adopted and returns herewith SJR07-001.

Senate in recess. Senate reconvened.

MESSAGE FROM THE HOUSE

January 10, 2007
Madame President:

The House has adopted and transmits herewith HJR07-1002.

Pursuant to the resolution, the Speaker has appointed Representatives Marshall, chairman, Buescher, and Stafford.

January 10, 2007
Madame President:

The House has adopted and returns herewith SJR07-002.

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COMMITTEE OF REFERENCE REPORTS

Agriculture, Natural Resources, & Energy The Committee on Agriculture, Natural Resources, and Energy has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

COMMISSIONER OF AGRICULTURE

for a term expiring at the pleasure of the Governor:

John R. Stulp of Lamar, Colorado.

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

EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HIGHER EDUCATION and THE COLORADO COMMISSION ON HIGHER EDUCATION

for a term expiring at the pleasure of the Governor:

David E. Skaggs, Esq., of Boulder, Colorado.

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:

EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LABOR AND EMPLOYMENT

for a term expiring at the pleasure of the Governor:

Donald J. Mares, Esq., of Denver, Colorado.

Health & Human Services The Committee on Health and Human Services has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HUMAN SERVICES

for a term expiring at the pleasure of the Governor:

Karen Legault Beye of Conifer, Colorado.

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

EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC SAFETY

for a term expiring at the pleasure of the Governor:

Peter A. Weir, Esq., of Golden, Colorado.

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

EXECUTIVE DIRECTOR OF THE
DEPARTMENT OF CORRECTIONS

for a term expiring at the pleasure of the Governor:

Aristedes W. Zavaras of Denver, Colorado.

INTRODUCTION OF BILLS -- FIRST READING

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

- SB07-001** by Senator(s) Hagedorn, ; also Representative(s) Madden, --Concerning a generic and nonpatented prescription drug program.
Health and Human Services
- SB07-002** by Senator(s) Sandoval; also Representative(s) Stafford, Butcher, Frangas, Todd-- Concerning extending medicaid eligibility for persons who are in the foster care system immediately prior to emancipation.
Health and Human Services
- SB07-003** by Senator(s) Kester, Takis, Windels; also Representative(s) Jahn, Solano, Stafford-- Concerning the creation of an advisory board to make recommendations concerning competency evaluations in adult criminal cases.
Judiciary
- SB07-004** by Senator(s) Shaffer, Williams; also Representative(s) Todd, Solano--Concerning a coordinated system of payment for early intervention services for children eligible for benefits under Part C of the federal "Individuals with Disabilities Education Act", and, in connection therewith, requiring the department of human services to develop a coordinated payment system and requiring coverage of early intervention services by public medical assistance and private health insurance.
Health and Human Services
- SB07-005** by Senator(s) Takis, Isgar, Spence, Taylor; also Representative(s) Kerr J., White-- Concerning the repeal of an obsolete legislative oversight provision in the Colorado works program.
State, Veterans & Military Affairs
- SB07-006** by Senator(s) Takis, Isgar, May R., Williams; also Representative(s) Kerr J., Borodkin, Green, McFadyen, Pommer, Rose--Concerning authorization for the abolition of a redundant, nonsignalized, and unattended at-grade railroad crossing without a hearing before the public utilities commission.
Transportation
- SB07-007** by Senator(s) Taylor, Tochtrop, Williams; also Representative(s) Witwer, Liston, Riesberg-- Concerning the qualification as a volunteer firefighter for purposes of a volunteer firefighter pension plan.
Business, Labor and Technology
- SB07-008** by Senator(s) Taylor, Fitz-Gerald, Isgar; also Representative(s) Curry, Butcher, Hodge, White--Concerning expansion of the water efficiency grant program.
Agriculture, Natural Resources & Energy
- SB07-009** by Senator(s) Tochtrop, Keller; also Representative(s) Butcher, Frangas, Stafford, Todd-- Concerning the transfer of the electronic prescription drug monitoring program to the department of public health and environment.
Health and Human Services
- SB07-010** by Senator(s) Tochtrop; also Representative(s) Frangas, --Concerning nurse staffing levels in hospitals.
Health and Human Services

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SB07-011	by Senator(s) Williams; also Representative(s) Todd, --Concerning a commission to study issues impacting early childhood programs, and, in connection therewith, replacing the early childhood and school readiness commission with the early childhood commission, and making an appropriation therefor. Education	1 2 3 4 5 6
SB07-012	by Senator(s) Williams, Shaffer; also Representative(s) Solano, Todd--Concerning the investigation of child care providers who provide care for children whose care is funded with moneys received on the children's behalf from the Colorado child care assistance program. Health and Human Services	7 8 9 10 11 12
SB07-013	by Senator(s) Penry; also Representative(s) Pommer, --Concerning clarification of statutes governing the administration of water court-approved plans for augmentation. Agriculture, Natural Resources & Energy	13 14 15 16
SB07-014	by Senator(s) Taylor, Tochtrop; also Representative(s) Balmer, Cloer, Hodge, Jahn-- Concerning the appropriation of funds to the central fund for state nursing homes. Health and Human Services	17 18 19 20
SB07-015	by Senator(s) Boyd; --Concerning nonsubstantive recodification of section 14-10-115, Colorado Revised Statutes, regarding child support. Judiciary	21 22 23 24
SB07-016	by Senator(s) Tapia; also Representative(s) Butcher, --Concerning the minimum age for compulsory education. Education	25 26 27 28
SB07-017	by Senator(s) Harvey; --Concerning county representation on the sex offender management board. Judiciary	29 30 31 32
SB07-018	by Senator(s) Sandoval; --Concerning clarification of procedures for the expedited relinquishment of parental rights. Judiciary	33 34 35 36
SB07-019	by Senator(s) Spence, Windels; also Representative(s) Kerr A., Merrifield--Concerning the review of teacher preparation programs not more frequently than once every five years. Education	37 38 39 40
SB07-020	by Senator(s) Windels; also Representative(s) Merrifield, --Concerning the office of commissioner of education, and, in connection therewith, prescribing qualifications, tenure, and performance review criteria for the commissioner of education. Education	41 42 43 44 45
SB07-021	by Senator(s) Johnson, Bacon; also Representative(s) Kefalas, --Concerning limitations on the conduct of rail operations at grade crossings. Transportation	46 47 48 49
SB07-022	by Senator(s) Veiga; --Concerning the authority of the public utilities commission to consider the needs of low-income households when setting utility rates for energy. Business, Labor and Technology	50 51 52 53
SB07-023	by Senator(s) Hagedorn; also Representative(s) McGihon, --Concerning restricting access by a minor to an artificial tanning device. Health and Human Services	54 55 56 57
SB07-024	by Senator(s) Williams; also Representative(s) Riesberg, --Concerning the regulation of athletic trainers. Business, Labor and Technology	58 59 60 61
SB07-025	by Senator(s) Veiga; also Representative(s) Madden, --Concerning the expansion of employment nondiscrimination protections. State, Veterans & Military Affairs	62 63 64 65
SB07-026	by Senator(s) Bacon; also Representative(s) Pommer, --Concerning the authorization of additional school district revenues to fund costs associated with full-day kindergarten programs. Education	66 67 68 69

SB07-027	by Senator(s) Tupa; also Representative(s) Witwer, --Concerning the issuance of a United States Coast Guard special license plate. Transportation	1 2 3 4
SB07-028	by Senator(s) Takis; also Representative(s) Witwer, --Concerning the board of directors of a metropolitan sewage disposal district. Local Government	5 6 7 8
SB07-029	by Senator(s) Schultheis; also Representative(s) Lambert, Looper--Concerning employer participation in the extended federal basic employment verification pilot program for the purpose of determining the work eligibility status of employees. State, Veterans & Military Affairs	9 10 11 12 13
SB07-030	by Senator(s) Romer; also Representative(s) Rice, --Concerning the establishment of a program to reimburse group life insurance premiums paid by members of the Colorado National Guard. State, Veterans & Military Affairs	14 15 16 17 18
SB07-031	by Senator(s) Taylor; --Concerning the regulation of petroleum products. Business, Labor and Technology	19 20 21
SB07-032	by Senator(s) Kester; also Representative(s) Massey, --Concerning juvenile court proceedings. Judiciary	22 23 24 25
SB07-033	by Senator(s) Brophy; --Concerning adoption of high-risk children. Health and Human Services	26 27 28
SB07-034	by Senator(s) Morse; --Concerning clarification of residency status for the purpose of granting reciprocity to concealed weapons permits issued by states other than Colorado. Judiciary	29 30 31 32
SB07-035	by Senator(s) Shaffer, Morse; --Concerning the employment of physicians by a hospice. Health and Human Services	33 34 35
SB07-036	by Senator(s) Keller; also Representative(s) Stafford, --Concerning the inclusion of certain additional mental disorders in the mandatory health insurance coverage for mental illness, and, in connection therewith, defining mental disorder as a condition classified as a mental disorder in the ninth revision of the international classification of diseases and excluding specified conditions defined as mental disorders therein. State, Veterans & Military Affairs	36 37 38 39 40 41 42
SB07-037	by Senator(s) Groff; also Representative(s) Witwer, --Concerning the continuation of the organ and tissue donation awareness fund. Health and Human Services	43 44 45 46
SB07-038	by Senator(s) Renfro; --Concerning the suspension of payment of temporary disability benefits due to an employee's failure to attend a medical appointment. Health and Human Services	47 48 49 50
SB07-039	by Senator(s) Brophy, Schultheis; --Concerning due process rights of affected landowners relating to the salvage of gas transmission lines. State, Veterans & Military Affairs	51 52 53 54
SB07-040	by Senator(s) Tochtrop; also Representative(s) Marshall, --Concerning the prohibition of a financial institution from conducting operations on the premises of an affiliate engaged in nonfinancial activities. Business, Labor and Technology	55 56 57 58 59
SB07-041	by Senator(s) Schwartz; --Concerning the creation of the "Public School Facilities Equity Act" to address the capital construction needs of Colorado public schools. Education	60 61 62 63
SB07-042	by Senator(s) Kopp, Brophy; also Representative(s) Hodge, --Concerning the enrollment of a member of the armed forces in the motorcycle operators safety training program. Transportation	64 65 66 67 68

SB07-043	by Senator(s) Mitchell S., Brophy, Harvey, May R., Spence; also Representative(s) Todd, Balmer, Cadman, Gardner C., Kerr J., Liston, Looper, Lundberg, Marostica, Stafford, Swalm, White, Witwer--Concerning an exemption from civil liability for certain health care providers who render emergency assistance to persons injured in scholastically sponsored competitive sports. Judiciary	1 2 3 4 5 6 7
SB07-044	by Senator(s) May R; --Concerning the repayment of moneys in certain cash funds that were previously used to augment the general fund. State, Veterans & Military Affairs	8 9 10 11
SB07-045	by Senator(s) McElhany; also Representative(s) McGihon, --Concerning fees for providing public records. Finance	12 13 14 15
SB07-046	by Senator(s) Gordon; --Concerning adoption of an agreement among the states to elect the president of the United States by national popular vote. State, Veterans & Military Affairs	16 17 18 19
SB07-047	by Senator(s) Wiens; --Concerning a limitation on the use of video lottery terminals. State, Veterans & Military Affairs	20 21 22
SB07-048	by Senator(s) Bacon; --Concerning multi-year research contracts for higher education. Education	23 24 25
SB07-049	by Senator(s) Isgar; --Concerning the availability of supplemental insurance under CoverColorado for certain individuals eligible for medicare. Health and Human Services	26 27 28 29
SB07-050	by Senator(s) Renfroe; --Concerning authorization of a school district employee to represent the school district in truancy proceedings. Judiciary	30 31 32 33
SB07-051	by Senator(s) Gordon; --Concerning a requirement for increased resource efficiency for state-assisted buildings. Agriculture, Natural Resources & Energy	34 35 36 37
SB07-052	by Senator(s) Tapia; also Representative(s) McFadyen, --Concerning changes to the membership requirements for the board of governors of the Colorado state university system. Education	38 39 40 41 42
SB07-053	by Senator(s) Tupa; also Representative(s) Merrifield, --Concerning an integrated, seamless public education system ranging from pre-kindergarten through higher education, and, in connection therewith, creating a legislative oversight committee and special council. Education	43 44 45 46 47
SB07-054	by Senator(s) Schwartz; --Concerning removal of bonding limits on higher education research building revolving funds. Education	48 49 50 51
SB07-055	by Senator(s) Boyd; --Concerning surcharges created in title 24, Colorado Revised Statutes, for the benefit of persons affected by crime. Judiciary	52 53 54 55 56
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TRIBUTES		58
Interim -- 2006		59
Honoring:		60
Major Mike Coffman -- by Senator Dyer & Senator Wiens.		61 62
Cameron Mark Anderson -- by Senator Boyd.		63
Arthur Prostkoff -- by Senator Gordon.		64
Chantry T. Rasmussen -- by Senator Shaffer.		65
African American Voice -- by Senator Groff.		66
Alpha Phi Alpha Fraternity -- by Senator Groff.		67
Kyle Lyons -- by Senator Dyer.		68 69

Scott Bullock -- by Senator Dyer.	1
Jase Adams -- by Senator Dyer.	2
Andrew Okazaki -- by Senator Dyer.	3
2006 North American Indigenous Games -- by Senator Williams.	4
Earl Ruesch -- by Senator Johnson.	5
Katie Matteo -- by Senator Isgar.	6
Ben Anderson -- by Senator Isgar.	7
Ryan Wilson -- by Senator Entz.	8
City of Wheat Ridge -- by Senator Keller.	9
Dan Chapman -- by Senator Teck.	10
Karen Goldman -- by Senator Teck.	11
Kirk Mlinek -- by Senator Teck.	12
Scott Nachtrieb -- by Senator Teck.	13
Don Walker -- by Senator Teck.	14
Marilyn Eddins -- by Senator Teck.	15
Janis Baron -- by Senator Teck.	16
David Beaujon -- by Senator Teck.	17
Elizabeth Burger -- by Senator Teck.	18
Marc Carey -- by Senator Teck.	19
Jeanette Chapman -- by Senator Teck.	20
Brad Denning -- by Senator Teck.	21
Kerryn Duran -- by Senator Teck.	22
Cathy Eslinger -- by Senator Teck.	23
Marie Garcia -- by Senator Teck.	24
Debbie Grunlien -- by Senator Teck.	25
Carl Jarrett -- by Senator Teck.	26
Geoff Johnson -- by Senator Teck.	27
Ron Kirk -- by Senator Teck.	28
Amy Larsen -- by Senator Teck.	29
Christie Lee -- by Senator Teck.	30
Jennifer Moe -- by Senator Teck.	31
Natalie Mullis -- by Senator Teck.	32
Molly Otto -- by Senator Teck.	33
Tom Otto -- by Senator Teck.	34
Bo Pogue -- by Senator Teck.	35
Raegan Robb -- by Senator Teck.	36
Jamila Rockette -- by Senator Teck.	37
Gay Roesch -- by Senator Teck.	38
Jason Schrock -- by Senator Teck.	39
Jessika Shipley -- by Senator Teck.	40
Lauren Sisneros -- by Senator Teck.	41
Chris Ward -- by Senator Teck.	42
Delphine Whatley -- by Senator Teck.	43
Michelle Zale -- by Senator Teck.	44
Michael Dohr -- by Senator Teck.	45
Jason Gelender -- by Senator Teck.	46
Beth Treat -- by Senator Teck.	47
Jerry Shierkolk -- by Senator Teck.	48
David Lee Buch -- by Senator Tochtrop.	49
Army Corporal Chris Sitton -- by Senator Isgar.	50
Marie Zwiebel -- by Senator Johnson.	51
Timothy Paul DaCosta -- by Senator Entz.	52
Eli Lane -- by Senator Isgar.	53
Dr. Jim Oberheid -- by Senator Fitz-Gerald.	54
Northern Colorado AIDS Project -- by Senator Johnson.	55
Major Courtney Walsh -- by Senator Dyer.	56
Patti Buschjost -- by Senator Johnson.	57
Grant Conquest -- by Senator Shaffer.	58
John Stencil -- by Senator Shaffer.	59
John Michael Kleinheksel -- by Senator Gordon.	60
Monica Grigg -- by Senator Bacon.	61
Elizabeth Greenwood -- by Senator Bacon.	62
Sarah Hildebrant -- by Senator Bacon.	63
Kari Hilmes -- by Senator Bacon.	64
Morgan Hungenberg -- by Senator Bacon.	65
Kylie Svancara -- by Senator Bacon.	66
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On motion of Senator Gordon, the Senate adjourned until 10:00 a.m., Thursday, January 11, 2007.

Approved:

Joan Fitz-Gerald
President of the Senate

Attest:

Karen Goldman
Secretary of the Senate

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