

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

First Legislative Day

Wednesday, January 7, 2004

Prayer By the chaplain, the Reverend Glen Hamlyn.

Presentation of the Colors By the Colorado National Guard Honor Guard.

Pledge By Senator McElhany.

Music Presentation "The Star Spangled Banner", sung by C.C. Collier.

Call to Order By the President at 10:00 a.m.

COMMUNICATIONS FROM THE SECRETARY OF STATE

State of Colorado
Department of
State

United States of America, ss. Certificate
State of Colorado

I, Donetta Davidson, 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 21st day of July, 2003, by State Senator Doug Linkhart.

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 23rd day of July, 2003.

(Signed)
Donetta Davidson
Secretary of State

July 16, 2003

The Honorable Donetta Davidson
Colorado Secretary of the State
1560 Broadway, Suite 200
Denver CO 80202

Dear Secretary Davidson:

I am writing to officially notify you that, effective Monday, July 21, I am resigning my position as State Senator for District 31.

As you know, I have been elected to the Denver City Council, and local laws prohibit me from holding any other elective office. As a result, I will have to give up the remaining 18 months of my term as a State Senator.

I have enjoyed the opportunity to serve our district and state during my eight years as a State Senator. I look forward to working with the person selected by the Vacancy Committee to ensure the best possible service for the residents of our district.

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Sincerely,
(signed)
Doug Linkhart
State Senator

State of Colorado
Department of
State

United States of America, ss. Certificate
State of Colorado

I, Donetta Davidson, 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 21st day of July, 2003, by the Democratic 31st Senate District Vacancy Committee, designating the appointment of Jennifer Veiga to fill the vacancy in the office of the Colorado State Senate, District 31, for the Sixty-Fourth General Assembly of the State of Colorado, caused by the resignation of the Honorable Doug Linkhart.

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 23rd day of July, 2003.

(Signed)
Donetta Davidson
Secretary of State

State of Colorado
Department of
State

United States of America, ss. Certificate
State of Colorado

I, Donetta Davidson, Secretary of State of the State of Colorado, do hereby certify that the attached is a true and exact copy of the Declaration of Acceptance of Appointment to Fill a Vacancy in Office as filed in this office on the 21st day of July, 2003, by Jennifer Veiga, accepting the appointment of the Democratic 31st Senate District Vacancy Committee, to fill the vacancy in the office of Colorado State Senate, District 31, for the Sixty-Fourth General Assembly of the State of Colorado, caused by the resignation of the Honorable Doug Linkhart.

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 23rd day of July, 2003.

(Signed)
Donetta Davidson
Secretary of State

(NOTE: On July 28, 2003, at 11:30 a.m., Jennifer Veiga, 765 S. Grant St., Denver 80209, was sworn in to the Sixty-Fourth General Assembly as Senator for District 31 to fill the vacancy created by the resignation of Senator Doug Linkhart. Chief Justice Mary Mullarkey administered the oath of office in the Chamber of the Senate.)

Roll Call Present--34.
Absent/Excused--1; Tupa.

Quorum The President announced a quorum present.

Election of Secretary On motion of Senator Hillman, Mona Heustis was elected to serve as Secretary of the Senate during the Second Regular Session of the Sixty-fourth General Assembly. The motion was adopted.

Oath of Office The President administered the oath of office to Mona Heustis as Secretary of the Senate.

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Temporary Rules

On motion of Senator Hillman, and with the unanimous consent of the Senate, the Rules of the Senate of the First Regular Session of the Sixty-fourth General Assembly were made the Temporary Rules of the Second Regular Session of the Sixty-fourth General Assembly.

On motion of Senator Hillman, and with the unanimous consent of the Senate, the President appointed Senators Johnson, Chairman, Taylor, and Windels as members of the committee to notify the House of Representatives that the Senate was organized and ready for business.

Senate in recess.

A Committee composed of Representatives Mitchell, Smith, and Jahn reported to the Senate that the House of Representatives was organized and ready for business.

Senate reconvened.

INTRODUCTION AND IMMEDIATE CONSIDERATION OF RESOLUTION

SJR04-001 by Senator Hillman; also Representative King--Concerning the appointment of a joint committee to notify the governor that the Second Regular Session of the Sixty-fourth General Assembly is organized and ready to transact business.

Senator Hillman moved to suspend the rules for immediate consideration of SJR04-001.

A two-thirds majority of those elected to the Senate having voted in the affirmative, the rules were suspended and immediate consideration granted.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	Takis	Y
Arnold	Y	Grossman	Y	Lamborn	Y	Tapia	Y
Cairns	Y	Hagedorn	Y	May	Y	Taylor	Y
Chlouber	Y	Hanna	Y	McElhany	Y	Teck	Y
Dyer	Y	Hillman	Y	Nichol	Y	Tupa	E
Entz	Y	Isgar	Y	Owen	Y	Veiga	Y
Evans	Y	Johnson	Y	Phillips	Y	Windels	Y
Fitz-Gerald	Y	Jones	Y	Reeves	Y	Mr. President	Y
Gordon	Y	Keller	Y	Sandoval	Y		

The President appointed Senators Anderson and Tapia to serve on the committee to notify the Governor pursuant to SJR04-001.

Senate in recess.

Senate reconvened.

Senators Johnson, Taylor, and Windels announced that the House of Representatives had been informed that the Senate was organized and ready for business.

INTRODUCTION AND IMMEDIATE CONSIDERATION OF RESOLUTION

SJR04-002 by Senator(s) Hillman, Andrews, Fitz-Gerald; also Representative(s) Cloer, Johnson R., Garcia, Jahn--Concerning employee salary ranges for the Second Regular Session of the Sixty-fourth General Assembly.

Senator Hillman moved to suspend the rules for immediate consideration of SJR04-002.

A two-thirds majority of those elected to the Senate having voted in the affirmative, the rules were suspended and immediate consideration granted.

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

YES	32	NO	2	EXCUSED	1	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	Takis	Y
Arnold	Y	Grossman	N	Lamborn	Y	Tapia	Y
Cairns	Y	Hagedorn	Y	May	Y	Taylor	Y
Chlouber	Y	Hanna	Y	McElhany	Y	Teck	Y
Dyer	Y	Hillman	Y	Nichol	Y	Tupa	E
Entz	Y	Isgar	Y	Owen	Y	Veiga	Y
Evans	Y	Johnson	Y	Phillips	Y	Windels	Y
Fitz-Gerald	Y	Jones	Y	Reeves	Y	Mr. President	Y
Gordon	N	Keller	Y	Sandoval	Y		

Senate in recess.

Senate reconvened.

MESSAGE FROM THE HOUSE

January 7, 2004
Mr. President:

The House has adopted and transmits herewith HJR04-1001.

The House has adopted and returns herewith SJR04-001.

INTRODUCTION AND IMMEDIATE CONSIDERATION OF RESOLUTIONS

HJR04-1001 by Representative(s) King, White, Romanoff, Vigil; also Senator(s) Hillman, Andrews, Fitz-Gerald--Concerning a Joint Session of the House of Representatives and the Senate for the purpose of hearing a message from His Excellency, Governor Bill Owens, and appointing a committee to escort the Governor.

Senator Hillman moved to suspend the rules for immediate consideration of HJR04-1001.

A two-thirds majority of those elected to the Senate having voted in the affirmative, the rules were suspended and immediate consideration granted.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	Takis	Y
Arnold	Y	Grossman	Y	Lamborn	Y	Tapia	Y
Cairns	Y	Hagedorn	Y	May	Y	Taylor	Y
Chlouber	Y	Hanna	Y	McElhany	Y	Teck	Y
Dyer	Y	Hillman	Y	Nichol	Y	Tupa	E
Entz	Y	Isgar	Y	Owen	Y	Veiga	Y
Evans	Y	Johnson	Y	Phillips	Y	Windels	Y
Fitz-Gerald	Y	Jones	Y	Reeves	Y	Mr. President	Y
Gordon	Y	Keller	Y	Sandoval	Y		

The President appointed Senators Chlouber and Nichol to serve on the committee to escort the Governor to the Joint Session of the General Assembly.

SR04-001 by Senator(s) Hillman, Andrews, Fitz-Gerald; --Concerning the appointment of officers and employees for the Senate of the Sixty-fourth General Assembly.

Senator Hillman moved to suspend the rules for immediate consideration of SR04-001.

A two-thirds majority of those elected to the Senate having voted in the affirmative, the rules were suspended and immediate consideration granted.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	Takis	Y
Arnold	Y	Grossman	Y	Lamborn	Y	Tapia	Y
Cairns	Y	Hagedorn	Y	May	Y	Taylor	Y
Chlouber	Y	Hanna	Y	McElhany	Y	Teck	Y
Dyer	Y	Hillman	Y	Nichol	Y	Tupa	E
Entz	Y	Isgar	Y	Owen	Y	Veiga	Y
Evans	Y	Johnson	Y	Phillips	Y	Windels	Y
Fitz-Gerald	Y	Jones	Y	Reeves	Y	Mr. President	Y
Gordon	Y	Keller	Y	Sandoval	Y		

SR04-002 by Senator(s) Hillman, Andrews, Fitz-Gerald; --Concerning payment of employees for pre-session work for the Senate convened in the Second Regular Session of the Sixty-fourth General Assembly.

Senator Hillman moved to suspend the rules for immediate consideration of SR04-002.

A two-thirds majority of those elected to the Senate having voted in the affirmative, the rules were suspended and immediate consideration granted.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	Takis	Y
Arnold	Y	Grossman	Y	Lamborn	Y	Tapia	Y
Cairns	Y	Hagedorn	Y	May	Y	Taylor	Y
Chlouber	Y	Hanna	Y	McElhany	Y	Teck	Y
Dyer	Y	Hillman	Y	Nichol	Y	Tupa	E
Entz	Y	Isgar	Y	Owen	Y	Veiga	Y
Evans	Y	Johnson	Y	Phillips	Y	Windels	Y
Fitz-Gerald	Y	Jones	Y	Reeves	Y	Mr. President	Y
Gordon	Y	Keller	Y	Sandoval	Y		

SR04-003 by Senator(s) Hillman, Andrews, Fitz-Gerald; --Concerning changes to the membership of certain Senate Committees of Reference.

Senator Hillman moved to suspend the rules for immediate consideration of SR04-003.

A two-thirds majority of those elected to the Senate having voted in the affirmative, the rules were suspended and immediate consideration granted.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	Takis	Y
Arnold	Y	Grossman	Y	Lamborn	Y	Tapia	Y
Cairns	Y	Hagedorn	Y	May	Y	Taylor	Y
Chlouber	Y	Hanna	Y	McElhany	Y	Teck	Y
Dyer	Y	Hillman	Y	Nichol	Y	Tupa	E
Entz	Y	Isgar	Y	Owen	Y	Veiga	Y
Evans	Y	Johnson	Y	Phillips	Y	Windels	Y
Fitz-Gerald	Y	Jones	Y	Reeves	Y	Mr. President	Y
Gordon	Y	Keller	Y	Sandoval	Y		

On motion of Senator Hillman, and with the unanimous consent of those elected to the Senate, the Senate stood in recess to hear the opening day remarks of the Senate President John Andrews, Minority Leader Joan Fitz-Gerald.

Senate in recess.

Senator Andrews' remarks:

Colleagues, families, staff, distinguished guests, and friends – good morning, happy New Year, and welcome to the 2004 session. Senator Hillman, welcome to your new responsibilities. Senator Veiga, welcome to the upper chamber.

This is going to be a good year. Colorado’s economy is coming back. America’s leadership is changing the world, changing it for the better. We have many reasons to be grateful, many reasons to be hopeful.

Yet this new session is sure to have its challenges. Every session does. It will have its sunny days and its stormy ones. Let's hope the storms are fewer than last year. We have it in our power to achieve that, working together with goodwill.

They tell the story of two small children in a big house, stuck indoors on a winter day without enough to do. Think back a few years and picture little Lewis Entz and little Alice Nichol, both age five, both seriously bored and driving mom to distraction.

The mother spotted a puzzle on the toy shelf, a map of the world. She thought it would keep the kids busy for a good hour. But in five minutes they were done with the puzzle and bothering her again.

She couldn’t imagine how they had put the whole map together so quickly. “Simple, Mom,” said little Alice. “We turned the puzzle over and found a picture of some people on the back.” “Faces are easier than countries,” said little Lewis. “As soon as we got the people together, the map didn’t matter.”

The point is obvious for us as senators. For almost three years, under Democratic leadership and then under Republican leadership, we’ve struggled over putting the map together. Both sides had their reasons. Neither side was blameless. The battle took its toll. Now it’s up to the judges once and for all.

So this year it’s time for us to turn the puzzle over and work on getting the people together – doing our civic duty for Coloradans and their families. No map is as important as that.

Our agenda for 2004 should include a budget that protects the taxpayer, a business climate second to none, state agencies that run leaner, and courts that interpret the law, rather than trying to make the law.

Our agenda should include schools that truly leave no child behind, a university and college system that excels, a transportation system with personal mobility for everyone, and a water policy that strengthens the economy while respecting the environment.

In pursuing those goals, we should end the wasteful CAPCO giveaway program – end the special spending privileges of the education lobby – restore the senior homestead exemption – reduce the job-killing business personal property tax – push ahead with tort reform and regulatory reform – civil service reform and judicial reform.

We should continue moving control of school decisions to families, rather than bureaucrats, through innovative scholarship plans at every level from kindergarten through college.

We should remember that people’s overall transportation preference is 98% for their own personal vehicles – only 2% prefer buses or trains.

We should continue working hard on keeping and using all of Colorado’s water here in Colorado.

We should continue to respect the fiscal guardrails that keep government from taking too much of the people’s hard-earned money.

Many Americans these days are looking at the idea of how you live a purpose-driven life. I would encourage the Senate to take the same approach – to come in here every day as purpose-driven legislators.

Not that the body could have a single unified purpose. Not that any two senators would necessarily have the same purpose.

But the more clearly that each of us can define our own individual purpose in serving here – working on committees – voting on bills – the more direct we can be in making that purpose known to colleagues and constituents and everyone we deal with – the better we will all do our job for the people who sent us here.

A purpose-driven senator sitting in each of these 35 chairs would not guarantee harmony in our relationships or success in our work. Sometimes just the opposite. But it would do a lot for the integrity of the process. Democracy thrives on vigorous disagreement. Iron sharpens iron, the Good Book says.

The purpose that drives me is to do something every day to see that the process of self-government for the people of our state brings about a little more freedom, a little more responsibility, and a little more opportunity for every single person who lives here.

More freedom – more responsibility – more opportunity – that’s my purpose as Senate President.

Taking those things as generalities, we’d probably find little disagreement about them here in the chamber. But in balancing them and applying them, we would begin to differ.

For me, in using those ideas to evaluate each of the many bills we’ll see this year, it seems clear that the way to provide greater individual responsibility and greater personal freedom is to lighten the weight of government and lessen the burden of taxes, as much as we reasonably can.

To me it seems clear that the way to expand opportunity is to make sure that we are strengthening families, strengthening communities, and encouraging voluntary private solutions to the problems we face as a state.

That’s the yardstick I’ll use to measure every bill. That’s the purpose I’m driven by. Others will have a different purpose and a different yardstick, equally determined, equally honorable. I’m just encouraging each senator to be clear about your purpose and really devote yourself to it.

Will that strike sparks in our chamber sometimes? Probably, but that’s fine. I think we would all rather serve in a body where iron sharpens iron, than in one where putty just putters around with putty.

Three outstanding Coloradans are with us today as honored guests of the Senate. Each in their own way exemplifies the purpose-driven life. Please hold your applause while I introduce all three of them.

Representing the thousands of men and women in our state who are serving this country in wartime, we have a senior officer and a senior enlisted soldier from Fort Carson, the departure point for countless troops heading over to the battlefield in Iraq.

Brigadier General Joseph Orr, US Army, is the deputy commanding general at Fort Carson. Staff Sergeant Kathy Nieto of the 3rd Brigade Combat Team, 4th Infantry Division, has played a key staff role at the fort – while courageously recovering from life-threatening injuries that prevented her deploying overseas with the rest of her unit. We’ll ask General Orr to briefly address the Senate a bit later.

Our third special guest is Pastor Brad Meuli, director of the Denver Rescue Mission. He and his staff are fighting a different kind of battle, working to see that the least fortunate among us have shelter on these bitter winter nights and some hope for a better future.

Pastor Meuli, Sgt. Nieto, and Gen. Orr, we extend our admiration and gratitude to you and all of those you serve with. Please stand and let the Senate welcome you.

Senators, I wanted Brad Meuli to be here this morning so we could return the hospitality he extended to several of us two weeks ago. Not overnight hospitality, just an hour or so around noontime.

Some people have doubted, after the tough confrontation of last May, whether the civility and cooperation of this General Assembly can be rescued. I feel certain it can. The doubters should have been with Sen. Gordon and Rep. Romanoff and me over at the Denver Rescue Mission with Brad on Dec. 24.

There I was, a Presbyterian Republican, helping a couple of Jewish Democrats serve ham to the homeless on Christmas eve. Colleagues, I submit to you, if we could put aside our

differences and do that, it is still very possible for all of us under the dome to work together constructively, work together amicably, and accomplish good things for the people of Colorado. So let's get busy and do it.

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One final word of recognition to several important people who are part of our Senate family. We should congratulate Senator Arnold and his wife Marilyn on their recent 50th wedding anniversary. We should congratulate Senator McElhany and his wife Anna Marie on their recent marriage. Which is rather odd when you think that Ken and Andy are almost the same age.

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We should say thank you to Senate Secretary Mona Heustis for her excellent work – to Senator Norma Anderson for a successful year as Majority Leader – and to Senator Joan Fitz-Gerald for serving the state so loyally as Minority Leader. For each of these admirable women I have a New Year's bouquet, and with that I thank the Senate for your attention and I yield the floor to you, Madame Minority Leader.

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Senator Andrews recognized Minority Leader, Senator Joan Fitz-Gerald to address the Senate.

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Senator Fitz-Gerald's remarks:

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Thank you Senator Andrews and thank you friends, colleagues, family and honored guests for being here for the opening of what promises to be an interesting session.

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First, I would like to acknowledge the work and sacrifice of the men and women in our armed services and especially those in Iraq and Afghanistan who had to be away from their families and loved ones this holiday season.

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Fort Carson soldiers and their families have paid a very high price in these conflicts. As a nation and as a state we are very proud of our troops from Fort Carson and appreciate their courage and devotion to duty.

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The courage of the battlefield is only surpassed by the day-to-day fortitude of those who have sustained life-altering wounds. To say thank you is not enough. We will remember you and what you have given in the service of our country.

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Our prayer would be that all children will be spared the ravages of war and that their days upon this earth will be spent in peace.

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As every session of the General Assembly opens it bring so much potential. The shape of a new Colorado hangs before us in the shadows. My fellow Senators, we in this body are creating Colorado history.

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The choices we make will alter the way Colorado looks, the way its people live, the safety of our water supply, and the quality of our air. The future well being of generations to come depend upon our decisions regarding accessibility and affordability of higher education.

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Will our young children be immunized? Will we have schools that we are proud of? Proud, not only for their academic excellence, but because our public schools are where the next generation of Americans socialize together, work and learn together so that they grow up with an appreciation for the wonderful diversity of American life.

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As the session gets busier and busier, we frequently forget that by our participation in this process we are building on the work of 128 years that have gone before us. To see ourselves as part of a historical continuum is to realize our part in Colorado history. We cannot fail those who will come after us.

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They have a right to expect that we are thoughtful, and good to the citizens of this state. Although we work in party caucuses we are each responsible for our individual votes.

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Abraham Lincoln said, "Any man can handle adversity. But if you want to test a man's real character, give him power."

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We see change on the horizon. We are looking forward to taking care of business for Colorado... and there is a lot of business to take care of. We have a vision and a clear plan for this state:

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Our agenda begins with a plan to spark job growth. Senate Democrats want to take care of business by creating **jobs** through transit and energy development. That begins with supporting FASTRACKS.

A recent study estimated nearly 10,000 jobs would be created from building the regional mass transit plan. Not only would it create jobs and cut pollution, but also it would allow workers to get to and from their jobs more easily and stop wasting hours sitting in traffic.

Colorado was ranked 3rd worst in the nation for traffic congestion. It has been proven that just building more roads will only increase traffic and that is why we need a balanced multi-modal approach to transportation.

We also want to foster renewable **energy** development that would create thousands of jobs on the plains and in the technology field. Senator Phillips is sponsoring a bill that could easily position Colorado as a national leader in renewable energy development. What are we waiting for?

*Senate Democrats will be taking care of business by supporting **education**:* Talk about smart economic development: for every dollar we invest in CU at Boulder, \$17 is returned to the economy. We cannot continue to erode the future prosperity of the state by ignoring the needs of higher education. That is why Senator Tupa will be offering legislation to remove the University of Colorado from grip of TABOR. The importance of our community college system to thousand of Coloradans cannot be underestimated.

There has been a lot of talk about how Amendment 23 is responsible for the fiscal train wreck of the state. Last year, it was TABOR that forced massive cuts to state services—not Amendment 23.

I will say right here and now that we will fight to protect the core principles of Amendment 23 because it is just too important. Leaving no child behind has got to be more than just an empty slogan.

*Taking care of business means keeping people **healthy**:* We see families who cannot access healthcare. Senator Hanna will be offering a proposal to begin to look at universal healthcare and Senator Windels wants to make sure our children are immunized against disease.

The Flu has just cost Colorado \$657 million in lost productivity and medical costs. It is penny-wise and pound-foolish to spend more dollars caring for sick children than spending a small amount upfront for immunization.

Senator Hagedorn is sponsoring legislation for whistleblower protection for healthcare professionals. Senator Sandoval is offering a bill to require healthy alternatives to junk food in schools.

*Let us take care of business for **consumers**:* HMOs posted record profits this year while insurance rates rose 18%. 650,000 Coloradans don't have health insurance today. We can do better.

Our caucus will be offering a package of legislative reforms aimed at keeping insurance rates from going up. Senator Tapia will again be introducing an exciting proposal to pay for basic auto insurance at the pump and Senator Gordon's bill will punish wrongful denial of insurance claims.

It may be true that the out of pocket cost of auto insurance has decreased without no-fault, but coverage is less and the rates for the same coverage are up.

*Taking care of business in Colorado means protecting **water and air**:* We envision a Colorado with clean water and streams. It is unacceptable that 30 new rivers have been added to a list of polluted and impaired rivers—already at 125.

We will again be introducing legislation aimed at promoting more conservation and water development. The people of Colorado spoke loudly and clearly in November: they don't want more legislation or funding options like Referendum A.

Before closing let me say that when this body enacts legislation the courts have a responsibility to determine the constitutionality of the work we do here. Decisions overturning laws for mandatory Pledge of Allegiance, school vouchers and redistricting were based on over 100 years of Colorado law and the Colorado and U.S. Constitution.

We cannot allow the undermining and punishment of our judiciary, which will put their independence in jeopardy. We are a nation of laws not of men and that is why the separation of powers is so important.

Thomas Jefferson in 1776 warned about the overreaching of legislative bodies when he said, "...the judicial power ought to be distinct from both the legislative and executive and independent upon both, that so it may be a check upon both..."

Our caucus is ready to roll up our sleeves to take care of business for Colorado. Will you join us? Last session we proved that we could work together on the budget and other issues until those three fateful days May. We can work together again.

Together we can make a better future for Colorado by taking care of business today.

Thank you.

Remarks

Senator Andrews invited Brigadier General Joseph Orr of Fort Carson, Colorado, to address the Senate.

Senate reconvened.

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

Senate in recess.

Senate reconvened.

MESSAGE FROM THE HOUSE

January 7, 2004
Mr. President:

The House has adopted and returns herewith SJR04-002.

INTRODUCTION OF BILLS--FIRST READING

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

- SB04-001** by Senator(s) Cairns, Hillman, Andrews, Lamborn; also Representative(s) Spradley, Schultheis, Crane, Harvey, Lundberg, May M., Mitchell, Welker, Williams T.--Concerning the exemption of business personal property from property taxation.
State Veterans & Military Affairs
- SB04-002** by Senator(s) Taylor, Anderson, Takis, Tupa; also Representative(s) Coleman, Rhodes, Williams T.--Concerning the annual fiscal requirements for a local government to qualify for an exemption from a local government audit.
Local Government
- SB04-003** by Senator(s) Taylor, Anderson, Takis, Tupa; also Representative(s) Williams T., Coleman, Rhodes--Concerning certain reporting requirements regarding enterprise zones.
Finance
- SB04-004** by Senator(s) May R.; also Representative(s) Spence--Concerning the statewide tolling enterprise, and, in connection therewith, clarifying the division of responsibilities between the board of the enterprise and the transportation commission with respect to the operation of the enterprise.
Transportation

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SB04-005	by Senator(s) Reeves; also Representative(s) Witwer, King, Romanoff, Spradley, Young-- Concerning the presentation of information by each principal department of the executive branch of state government to legislative committees of reference at the beginning of every regular session of the general assembly. State Veterans & Military Affairs	1 2 3 4 5 6
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SB04-053	by Senator(s) Owen, Reeves, Teck; also Representative(s) Spradley, King--Concerning changes in the traffic laws. Transportation	13 14 15 16
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SB04-055	by Senator(s) Hagedorn; also Representative(s) Carroll--Concerning training for the reporting of hate crimes, and, in connection therewith, assisting law enforcement agencies in the identification of hate and bias-motivated crimes and hate-related terrorist activity. Judiciary	21 22 23 24 25
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SB04-057	by Senator(s) Johnson S.; also Representative(s) Johnson R.--Concerning the provision of information on meningococcal disease to students at postsecondary institutions. Health, Environment, Welfare & Institutions	30 31 32 33
SB04-058	by Senator(s) Sandoval; also Representative(s) Briggs--Concerning the creation of a Colorado "Kids First" special license plate. Transportation	34 35 36 37
SB04-059	by Senator(s) Isgar, Entz, Hillman; --Concerning the valuation of possessory interests in agricultural land. Finance Agriculture, Natural Resources & Energy	38 39 40 41 42

TRIBUTES
Interim 2003

Honoring:

The Apartment Association of Metro Denver – by Senator John Andrews	50
Weston F. Cottrell – by Senator John Andrews	51
Ted Hackworth – by Senator John Andrews	52
Jamie Johannes – by Senator Ken Arnold	53
Nathan Shoaf – by Senator Ken Arnold	54
Nathaniel Schimberg – by Senator Joan Fitz-Gerald	55
Bruce Wayne Laird – by Senator Mark Hillman	56
Taryn Ridley – by Senator Steve Johnson	57
Ethan Kessinger – by Senator Doug Linkhart	58
Gregory Robert Beckman Davies – by Senator Andy McElhany	59
Elmer Pfertsh – by Senator Alice Nichol	60
Sam & Marie Reffel – by Senator Alice Nichol	61
David Eaton – by Senator Stephanie Takis	62
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Devon James Alper – by Senator Terry Phillips	67
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Char Sorensen – by Senator Ken Arnold	70
Karol Sacca – by Senator Ken Arnold	71
Henry McIntosh – by Senator Ken Arnold	72

Janet Junkin – by Senator Ken Arnold	1
Dr. Don Unger – by Senator Steve Johnson and Senator Peggy Reeves	2
Jeff Byers – by Senator Steve Johnson	3
Dr. Robert S. Feingold – by Senator Ron May and Representative Gregg Rippey	4
Jay Wilson – by President John Andrews and Speaker Lola Spradley	5
Randal Stieselmeyer – by Senator Jim Isgar and Representative Mark Larson	6
Pennington Elementary, 4 th Grade Class of 2002-2003, Wheat Ridge, CO	7
– by Senator Moe Keller and Representative Cheri Jahn	8
Pat Day – by Senator Mark Hillman and Representative Greg Brophy	9
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On motion of Senator Hillman, and with a majority of those elected to the Senate having	12
voted in the affirmative, the balance of the calendar of January 7, 2004, was laid over until	13
Thursday, January 8, 2004, retaining its place on the calendar.	14
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On motion of Senator Hillman, the Senate adjourned until 9:00 a.m., January 8, 2004.	18
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Approved:	21
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John Andrews	23
President of the Senate	24
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Attest:	26
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Mona Heustis	29
Secretary of the Senate	30
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