

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

1st Legislative Day

Wednesday, January 12, 2005

- Prayer By the chaplain, Jeannette Cartin, Harmony Christian Church, Lakewood.
- Presentation of Colors and Pledge of Allegiance By Girl Scout Troop #1613, Kyffin Elementary School, Golden, and Senior Troop #1564, Chatfield High School, Littleton.
- Musical Presentation By The Summit Singers, Summit High School, Breckenridge.
- Call to Order The hour of 10:35 a.m. having arrived, the Senate of the 65th General Assembly of the State of Colorado, pursuant to law, was called to order by John Andrews, President of the Senate of the 64th General Assembly, State of Colorado.
- Roll Call The roll call of the holdover Senators was called with the following result:
Present-- Anderson, Entz, Evans, Fitz-Gerald, Grossman, Hillman, Isgar, Johnson, Jones, Keller, Kester, Lamborn, Owen, Sandoval, Tapia, Teck - Total, 16.

LETTER OF RESIGNATION

December 11, 2004

Dorothy Ator, Chair Senate District 24
8954 Clay Street
Federal Heights, CO 80620

Dear Dorothy,

As you are well aware, I have become the Adams County Commissioner elect for District 2. The official swearing in will be at the Adams County Dome on Tuesday, January 11, 2005.

I have certainly enjoyed representing Adams County as a State Representative for six years and a Senator for six years. I am especially excited and looking forward to representing all of the County as a County Commissioner.

Since I have two years left on my State Senate 24 seat I must resign so the Adams County Senate vacancy committee can choose my successor in a timely manner. There are going to be several indoctrination and educational meetings in December for new elected House and Senate members. My successor needs to have been appointed and able to attend the meetings.

Please accept this letter as notice of my officially resigning as State Senator for District 24 which will be effective on December 31, 2004 at 11:59 p.m.

This letter supercedes the letter of resignation dated November 13, 2004 and clarifies my intent of finishing my term thru December 31, 2004.

Sincerely,
(signed)
Senator Alice Nichol

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67

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 Fourth day of January, 2005, by State Senator Alice Nichol.

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 4th day of January, 2005.

(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 Certificate of Appointment to Fill a Vacancy as filed in this office on the seventh day of January, 2005, by the Democratic 24th Senate District Vacancy Committee, designating the appointment of Lois Tochtrop to fill the vacancy in the office on the Colorado State Senate, District 24, caused by the resignation of the Honorable Alice Nichol.

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 eleventh day of January, 2005.

(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 Acceptance of Designation to Fill a Vacancy In Office as filed in this office on the seventh day of January, 2005, by Lois Tochtrop, accepting the appointment of the Democratic 24th Senate District Vacancy Committee, to fill the vacancy in the office of Colorado State Senate, District 24 caused by the resignation of the Honorable Alice Nichol.

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 eleventh day of January, 2005.

(signed)
 Donetta Davidson
 Secretary of State

1
 2
 3
 4
 5
 6
 7
 8
 9
 10
 11
 12
 13
 14
 15
 16
 17
 18
 19
 20
 21
 22
 23
 24
 25
 26
 27
 28
 29
 30
 31
 32
 33
 34
 35
 36
 37
 38
 39
 40
 41
 42
 43
 44
 45
 46
 47
 48
 49
 50
 51
 52
 53
 54
 55
 56
 57
 58
 59
 60
 61
 62
 63
 64
 65
 66
 67
 68
 69
 70
 71
 72

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 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-fifth General Assembly by the qualified electors of the State of Colorado in the November 2, 2004 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 3rd day of December A.D. 2004.

(signed)
Donetta Davidson
Secretary of State

November 2, 2004 General Election Final Results

Candidate	Vote Totals	Percentage
<u>St. Senate - District 4</u>		
<u>Counties: Douglas, El Paso, Lake, Park, Teller</u>		
Jim Miller (DEM)	23,733	30.68%
Tom J. Wiens (REP)	53,617	69.32%
<u>St. Senate – District 8 to</u>		
<u>Counties: Eagle, Garfield, Jackson, Moffat, Rio Blanco, Routt</u>		
Jay Fetcher (DEM)	26,896	48.53%
Jack Taylor (REP)	28,521	51.47%
<u>St. Senate - District 10</u>		
<u>Counties: El Paso</u>		
Ron May (REP)	47,090	100.00%
<u>St. Senate - District 12</u>		
<u>Counties: El Paso</u>		
Andy McElhany (REP)	34,678	77.80%
Robert G. Herzfeld (LIB)	9,893	22.20%
<u>St. Senate – District 14</u>		
<u>Counties: Larimer</u>		
Ray Martinez (REP)	28,539	40.96%
Bob Bacon (DEM)	38,719	55.57%
Mark Brophy (LIB)	2,419	3.47%
<u>St. Senate - District 17</u>		
<u>Counties: Boulder</u>		
Brandon C. Shaffer (DEM)	34,470	54.34%
Sandy Hume (REP)	26,616	41.96%
Bo Shaffer (LIB)	2,352	3.71%
<u>St. Senate - District 18</u>		
<u>Counties: Boulder</u>		
Ron Tupa (DEM)	52,332	78.36%
Krista Poch (REP)	14,456	21.64%

St. Senate - District 19
Counties: Jefferson

Sue Windels (DEM)	31,200	53.70%
Jessica Corry (REP)	26,905	46.30%

St. Senate - District 21
Counties: Jefferson

Deanna Hanna (DEM)	31,046	59.48%
Tori Merritts (REP)	21,153	40.52%

St. Senate - District 23
Counties: Adams, Broomfield, Weld

Shawn Mitchell (REP)	37,787	58.43%
Curt Darius Williams (DEM)	26,889	41.57%

St. Senate - District 25
Counties: Adams

Stephanie Takis (DEM)	22,606	56.53%
Kevin D. Blount (REP)	17,386	43.47%

St. Senate - District 26
Counties: Arapahoe, Jefferson

Jared B. Ingwalson (DEM)	27,488	48.67%
Jim Dyer (REP)	28,994	51.33%

St. Senate - District 27
Counties: Arapahoe

Nancy Spence (REP)	42,749	61.52%
Lisa Karen Love (DEM)	26,740	38.48%

St. Senate - District 28
Counties: Arapahoe, Denver

Bruce Cairns (REP)	22,631	44.64%
Suzanne S. Williams (DEM)	28,066	55.36%

St. Senate - District 29
Counties: Arapahoe

Bob Hagedorn (DEM)	20,985	63.30%
Mike Martin (REP)	12,169	36.70%

St. Senate - District 31
Counties: Adams, Denver

Jennifer Veiga (DEM)	34,856	100.00%
-----------------------------	---------------	----------------

St. Senate - District 33
Counties: Adams, Denver

Peter C. Groff (DEM)	36,863	100.00%
-----------------------------	---------------	----------------

St. Senate - District 35
Counties: Arapahoe, Denver

Ronald B. Olson (REP)	18,258	33.44%
Ken Gordon (DEM)	34,272	62.77%
Kathleen Pierce (LIB)	2,072	3.79%

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70

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 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 2, 2004 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 3rd day of December A.D. 2004.

(signed)
 Donetta Davidson
 Secretary of State

November 2, 2004 General Election Final Results

Candidate	Vote Totals	Percentage
<u>St. Senate - District 4</u> <u>Counties: Douglas, El Paso, Lake, Park, Teller</u>		
Tom J. Wiens (REP) 5567 South Perry Park Road Sedalia, CO 80135	53,617	69.32%
<u>St. Senate – District 8</u> <u>Counties: Eagle, Garfield, Jackson, Moffat, Rio Blanco, Routt</u>		
Jack Taylor (REP) 41525 RCR 36, P.O. Box 775656 Steamboat, CO 80477	28,521	51.47%
<u>St. Senate - District 10</u> <u>Counties: El Paso</u>		
Ron May (REP) 6609 Showhorse Court Colorado Springs, CO 80922	47,090	100.00%
<u>St. Senate - District 12</u> <u>Counties: El Paso</u>		
Andy McElhany (REP) 2830 Orion Drive Colorado Springs, CO 80906	34,678	77.80%
<u>St. Senate – District 14</u> <u>Counties: Larimer</u>		
Bob Bacon (DEM) 720 Gilgalad Way Fort Collins, CO 80526	38,719	55.57%
<u>St. Senate - District 17</u> <u>Counties: Boulder</u>		
Brandon C. Shaffer (DEM) 3028 Colgate Drive Longmont, CO 80503	34,470	54.34%

St. Senate - District 18
Counties: Boulder

Ron Tupa (DEM) 52,332 78.36%
 5438 Glendale Gulch Circle
 Boulder, CO 80301

St. Senate - District 19
Counties: Jefferson

Sue Windels (DEM) 31,200 53.70%
 13925 West 73rd Avenue
 Arvada, CO 80005

St. Senate - District 21
Counties: Jefferson

Deanna Hanna (DEM) 31,046 59.48%
 9536 West Ohio Place
 Lakewood, CO 80226

St. Senate - District 23
Counties: Adams, Broomfield, Weld

Shawn Mitchell (REP) 37,787 58.43%
 12530 Newton Street
 Broomfield, CO 80020

St. Senate - District 25
Counties: Adams

Stephanie Takis (DEM) 22,606 56.53%
 1927 Ironton Street
 Aurora, CO 80010

St. Senate - District 26
Counties: Arapahoe, Jefferson

Jim Dyer (REP) 28,994 51.33%
 6380 Southwood Drive
 Centennial, CO 80121-2457

St. Senate - District 27
Counties: Arapahoe

Nancy Spence (REP) 42,749 61.52%
 6330 South Olathe Street
 Centennial, CO 80016

St. Senate - District 28
Counties: Arapahoe, Denver

Suzanne S. Williams (DEM) 28,066 55.36%
 2647 South Troy Court
 Aurora, CO 80014

St. Senate - District 29
Counties: Arapahoe

Bob Hagedorn (DEM) 20,985 63.30%
 1278 Sable Boulevard
 Aurora, CO 80041

St. Senate - District 31
Counties: Adams, Denver

Jennifer Veiga (DEM) 34,856 100.00%
 1020 15th Street #209
 Denver, CO 80202

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71

St. Senate - District 33
Counties: Adams, Denver

Peter C. Groff (DEM) 36,863 100.00%
1400 Pontiac Street
Denver, CO 80220

St. Senate - District 35
Counties: Arapahoe, Denver

Ken Gordon (DEM) 34,272 62.77 %
566 Rampart Way
Denver, CO 80230

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 Tupa, Chairman, Windels, and Johnson 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 12, 2005

Mr. President:

Your Committee on Credentials, to which was referred the list of members of the Senate for the Sixty-fifth 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-fifth General Assembly of the State of Colorado.

(signed)
Senator Tupa, Chairman
Senator Windels
Senator Johnson

On motion of Senator Tupa, 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 Grossman, Shaffer, and Kester 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.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69

Roll Call The roll call of the Senators-elect was called with the following result: 1
 Present: Bacon, Dyer, Gordon, Groff, Hagedorn, Hanna, May, McElhany, Mitchell, 2
 Shaffer, Spence, Takis, Taylor, Tochtrop, Tupa, Veiga, Wiens, Williams, Windels-- 3
 Total, 19. 4
 5
 Oath of Office The Chief Justice administered the Oath of Office to the Senators-elect. 6
 7
 8
 9
 Roll Call The roll call of the entire Senate was called with the following result: 10
 Present--32. 11
 Excused--3; Grossman, Kester, Shaffer. 12
 13
 Quorum The President announced a quorum present. 14
 15
 On motion of Senator Gordon, and with the unanimous consent of the Senate, the 16
 temporary roll call of the Senate was made the permanent roll call. 17
 18
 19

 Senate in recess. Senate reconvened.

Election of President On motion of Senator Gordon and seconded by Senator Hillman, Senator Joan Fitz-Gerald 25
 was nominated as President of the Senate. 26
 27
 On motion of Senator Anderson, Senator Peter Groff was nominated as President of the 28
 Senate. 29
 30
 Senator Peter Groff declined the nomination as President of the Senate. 31
 32
 Senator Joan Fitz-Gerald was elected as President of the Senate on the following roll call 33
 vote: 34
 35
 36

YES	28	NO	4	EXCUSED	3	ABSENT	0
Anderson	N	Hanna	Y	McElhany	Y	Teck	Y
Bacon	Y	Hillman	Y	Mitchell	Y	Tochtrop	Y
Dyer	N	Isgar	Y	Owen	Y	Tupa	Y
Entz	Y	Johnson	Y	Sandoval	Y	Veiga	Y
Evans	Y	Jones	Y	Shaffer	E	Wiens	Y
Gordon	Y	Keller	Y	Spence	N	Williams	Y
Groff	Y	Kester	E	Takis	Y	Windels	Y
Grossman	E	Lamborn	Y	Tapia	Y	Fitz-Gerald	Y
Hagedorn	Y	May	N	Taylor	Y		

On motion of Senator Gordon, and with the unanimous consent of those elected to the 49
 Senate, the Senate stood in recess to hear the opening day remarks of Senate President 50
 Joan Fitz-Gerald and Minority Leader Mark Hillman. The text of their remarks follows. 51
 52

 Senate in recess.

Senator Fitz-Gerald's remarks:

My fellow Senators, guests, staff, friends and family. Welcome to the 65th General 61
 Assembly. I would especially like to welcome United States Senator Ken Salazar, his 62
 brother U.S. Representative John Salazar, Representative Diana DeGette and my 63
 congressman Representative Mark Udall. A very special welcome to the father of our new 64
 Senate President Pro-Tem, Senator Regis Groff. It is with great pride that I stand with all 65
 of you to open this session. 66
 67

Indulge me for a moment in a little Colorado history...

In 1876, Colorado entered statehood and within 17 years women's suffrage was passed by 69
 referendum. The very next year Colorado saw fit to elect three women to the state 70
 legislature—the very first in U.S. history. 71
 72

This is another historic day for Colorado. I humbly stand before you as the first woman president of this body in its 129 year history and the only sitting female Senate President in the United States today—here only because of the courageous acts of those women who have gone before me, the settlers who shared the burden of building homes and schools and communities in the west and the suffragettes who were imprisoned and tortured before they gained full citizenship—the right to vote.

I want to congratulate as well, our Senate President Pro-tem, Peter Groff, who is the highest ranking African-American to serve in the Colorado State Senate and the first African American President Pro-Tem of this body.

But for all the history of this day, one word summarizes what is actually before us: opportunity. We in this body share an opportunity to shape the future of this great and majestic state. This is a privilege and an honor.

My personal experiences of the past months have made me realize how little time we have on this earth and particularly here at the statehouse. 120 days—less than 1,000 hours to create a better Colorado. It is a daunting responsibility, but a great opportunity first and foremost.

You will see on your desks a gift from me to you by the photographer, John Fielder—the book Mountain Ranges of Colorado—that is the very best of our great state. It reminds us all of what is so special about the districts we represent. I hope you enjoy this gift and are as overtaken as I am by the God-given beauty, from plains to snow capped peaks, that is Colorado.

In Routt County there is a quiet and imposing mountain called Sleeping Giant that makes me think of where the state is today. Like the wildflowers that will bloom on Sleeping Giant in the summer, our potential lies dormant.

Ladies and gentleman, we have an opportunity to unleash our tremendous potential and to be a better state than we are.

I see an opportunity to provide

*A paycheck for every family,
A textbook for every child, and
A doctor for every patient.*

This is our vision for a better Colorado.

The only way to awaken our economic vitality is to allow us to rebound from a devastating recession. We have been meeting with leaders from around the state and have heard that they expect us to fix the state budget problems now, so that once again, Colorado has an attractive climate for job creation and prosperity.

We will bring a sense of urgency to the state's economic problems because we know that education, health care and transportation systems are essential for the Colorado of the future.

This state has added 300,000 residents since 2000 and lost 150,000 jobs during the same time period. Business leaders know the sleeping giant will continue sleeping under the present constraints. Other states will not be so foolish.

For all its physical beauty, the private sector cannot entice business to a state that cannot get its fiscal house in order.

Last week we unveiled an agenda for economic revitalization. It includes a focus on economic development and encouraging projects like developing a deep underground research facility and investments in technology. It also includes keeping tourism healthy and strong.

Part of our mission must be to protect people's pensions and retirement savings through aggressive pursuit of securities fraud.

We know that we must bridge the transportation funding gap. The safety of our citizens demands it. Goods, services and people use our rural roads, state highways and interstates. These veins of commerce must be maintained, plowed and patrolled so that Colorado stays competitive with 49 other states.

All of this makes our sense of urgency all the more essential. With only 120 days, solving the budget gap is our number one priority, because without that, nothing else really

matters. We will work to see a bipartisan package move through the legislature as soon as possible. 1
 2
 3
 Whatever that package looks like, we will keep limits on government spending and any tax increases must be approved by voters. 4
 5
 6
 Second, healthcare is going to be a major component of our agenda. Though the state's role is limited and finite, we have a vision to make healthcare more accessible and affordable for everyone. Our plan includes expanding preferred drug lists and drug purchasing pools and making it easier for small businesses to get insurance for employees. 7
 8
 9
 10
 Lastly, we need to invest in education. At all levels, from preschool through college, we have a sacred trust with the next generation to exceed the opportunities given to each one of us by the generation that went before. It is selfish and inexcusable to do any less when the challenges of technology and a global workforce put our children and college students into worldwide competition. 11
 12
 13
 14
 15
 A gentleman I know, who was in the Peace Corps, brought someone over he had met while stationed in Africa. He brought this young man to Boston and showed him the great buildings of Harvard and MIT. 16
 17
 18
 The young man had never left his small African village and had never seen a plane much less ridden on one. My friend was anxious to know his reaction to all the wonders of a big American city. 19
 20
 21
 "What do you think?" he asked this young man. 22
 The young man replied, "Your ancestors have been very busy." 23
 Our ancestors in this nation and in this state have given us much. The legacy cannot end here. 24
 25
 But you know, Colorado stills lags behind 39 other states in per pupil funding. Education and a prosperous economy are inextricably linked. 26
 27
 Besides the budget, healthcare and education, there are many other issues facing us this session such as, water, rising heating bills for our citizens, childhood immunizations, the environment and homeland security. 28
 29
 30
 We must be aware that the safety and security of our citizens is in our hands. Are our first responders adequately equipped? Have we enough regional partnerships in place to move forward if something should happen here? Are we ready and are we prepared? 31
 32
 33
 We all bring heartfelt values to this chamber. Judge our moral character and values by whether we are fair in the process, respect our peers, and are good stewards of this state. 34
 35
 We would do well to follow the advice of Colorado Senator Henry W. Toll when he remarked in April of 1936: 36
 37
 38
 "As we gather together from every point of the compass, we have an opportunity to inspire others—and at the same time to inspire ourselves—with devotion to a just and honest democratic government..." 39
 40
 41
 42
 That is my charge to all of you, especially our newest members. I want to welcome Bob Bacon, Shawn Mitchell, Brandon Shaffer, Nancy Spence, Lois Tochtrop, Tom Weins and Suzanne Williams to our distinguished body. I wish for you that your days in this chamber be happy and productive. 43
 44
 45
 46
 47
 I also want to recognize the three men in my life. I wouldn't be standing here if it wasn't for my valued family who has supported me every step of the way and made the sacrifices that all of our families have had to endure living with an elected official. I would like to recognize my husband of 32 years, John, and my sons Matthew and Patrick, who are products of CU and DU Law School. 48
 49
 50
 51
 52
 53
 Because of politics and public service, I know our journey through life has been hectic and unpredictable. I hope the interesting has outweighed the inconvenience. 54
 55
 56
 In conclusion, let the flowers bloom on Sleeping Giant Mountain in the summer and let jobs, textbooks and healthcare bloom all around Colorado. We have an incredible opportunity to be a better state than we are. Indeed, it is a new day in Colorado, because we are a sleeping giant that is stirring and is about to wake up. 57
 58
 59
 60
 61
 Thank you and God Bless Colorado. 62

Senator Fitz-Gerald recognized Minority Leader Senator Mark Hillman to address the Senate.

Senator Hillman's remarks:

I have occasionally observed that the Legislature's job is a bit like that of a referee -- we weren't elected to determine the outcome of life for our fellow Coloradans, but to make sure everything runs smoothly and otherwise stay out of the way.

Fans don't applaud referees for making the right call; they expect that. But when the referee goofs -- or makes an unpopular decision, even if it's right -- the fans speak out.

Likewise, citizens rarely call their legislators to say "atta boy!" Instead, they expect us to make government operate smoothly and efficiently. When government gets in the way, the citizens let us know about it.

For the next 120 days we must remember that our primary responsibility is to blow the whistle when government gets in the way:

- The foremost issue facing us is clearly our state budget. Every budget has two sides -- revenue from taxpayers and spending by government. Working with Governor Owens, we have made tough, sometimes unpopular choices to balance the budget in the past two years, but so have many Colorado families.

Most of our budget is now on "auto pilot" -- dictated by constitutional amendments or by federal mandates.

Although many around this building have complained about the Taxpayers Bill of Rights, the fact is that budget cuts have thus far been driven by a sluggish economy and inflexible spending mandates - not by TABOR.

But beginning this year, the state will, for the first time, be forced into the incredible posture of making budget "cuts" in certain areas while refunding TABOR surplus at the same time.

Over the next two years, current law requires that spending increase by \$696 million, but current law allows spending to increase by just \$274 million.

Ask 100 legislators what to about the budget and you get 100 different answers. However, each of us has a responsibility to offer a constructive solution.

If your solution is to leave in place spending mandates like Amendment 23, then it is incumbent upon you to explain to your fellow legislators why the budget must be balanced entirely on the backs of taxpayers.

If your solution is to refund every dollar over today's TABOR limit, then you should accept the responsibility of explaining precisely how to balance the budget entirely with spending cuts.

Many of us, I believe, are looking for a solution somewhere in the middle.

All of us have a responsibility to the people who elected us to be honest and candid about the choices we face -- not to pretend that our favorite constitutional amendments are perfect.

In passing TABOR, voters told us, "Always *limit* spending." In Amendment 23 they said, "Always *increase* spending." Rather than frustrate the voters by taking shortcuts around either, we now ought to ask what to do when we can't do both.

Remembering that this is the taxpayers' money, we must provide choices -- not just to spend more -- but also to spend less.

- Jobs. Simplistic rhetoric about complex issues like outsourcing and offshoring actually creates more questions than it answers. For example, what about "insourcing" -- the jobs created in Colorado by out-of-state or out-of-country employers? Do we really expect that we can launch our own little "trade war in a teapot" without incurring the wrath of the very people who create jobs in Colorado and around the world?

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72

But this diverts attention from the biggest hindrance to job creation in our state -- business personal property tax. This ill-conceived penalty on production discourages employers from staying or expanding in Colorado, much less moving here.

Although some local governments have grown to depend on BPPT revenue, preserving the tax solely on that account begs the question: "Do taxpayers exist to serve government or does government exist to serve taxpayers?"

• Reining in lawsuit abuse was a quiet success in the past two years. We've made Colorado a state where employers can do business without risking outrageous, unexpected litigation costs.

Excessive litigation imposes a hidden tax on the economy. While it's often assumed that lawsuits target only big corporations with deep pockets, the truth is that lawsuits cost small businesses an average of \$150,000 each year.

That's money that could go toward creating jobs, buying health insurance or improving working conditions.

Lawsuits should insure that people injured through no fault of their own are justly compensated. But, lawsuits should be a matter of last resort.

• Health care. Two years ago, we re-introduced competition into the health care market. That market is beginning to stabilize as those reforms take effect, but further improvements are needed.

Re-invigorating the small group market adds to Colorado's attractive business climate -- plus it eases pressure on the state budget by helping citizens remain self-sufficient.

• Education. Job creation depends on an effective education system -- one that doesn't deny choice and opportunity to poor students in struggling schools.

With their futures hanging in the balance, these students don't have time to wait for their school to improve. They need public and private choices in education, and they need them today.

• Water. Job creation is futile without adequate water, and a few snowstorms -- or even one wet season -- won't cure a five-year drought. It's true that agriculture accounts for some 80 percent of the water used in Colorado, but it's also true that 100 percent of Coloradans eat. (They eat products grown by Colorado farmers and ranchers.)

As a farmer, I know how precious water is and how we quickly become desperate without it -- not just agriculture, but our cities and favorite getaways, as well.

As we argue about how to -- or whether to -- increase storage or improve conservation, farms along the South Platte and the Arkansas are drying up. Main street businesses and rural schools are suffering, too. But casinos in Las Vegas, golf courses in Phoenix, and lawns in Los Angeles are benefitting from our inaction.

Now that the long-awaited Statewide Water Supply Initiative study is complete, it is time for people of all political stripes and for responsible leaders from all areas of the state to stop the strategy of divide-and-conquer which has, for so long, made inaction the path of least resistance.

It is time for all of us to come together to formulate a strategy which puts all of Colorado first. A strategy which meets the needs of our cities, our tourism and recreational industries, and, certainly not least, our family farmers and ranchers who put food on our table.

As we have worked together in the past to meet the needs of our great state, we as Republicans extend our hand in cooperation again today. We will compromise when we can, but we will stand our ground when we must.

Thomas Jefferson reminded us that "the God who gave us life gave us liberty." The Founders of the Centennial State acknowledged that providence our motto, "*Nil Sine Numine*," which translates "Nothing without the Deity."

No matter what your particular concept of our Creator may be, we need only step onto the west steps of this Capitol to realize that just as our mountains, rivers and plains did not appear by chance, all of us, as well as our families, friends and neighbors, are here for a purpose.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72

Each day, let us in this building be humbled as we work together in service to our Creator through service to His Creation.

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 Hillman 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 elected to serve as Secretary of the Senate during the First Regular Session of the Sixty-fifth 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.

On motion of Senator Gordon and with the unanimous consent of the Senate, the President appointed Senators Williams, Bacon, and Taylor as members of a committee of three to notify the House that the Senate was organized and ready for business.

Senate in recess.

A Committee composed of Representatives Coleman, Hodge, and Harvey reported to the Senate that the House was organized and ready for business.

Senators Williams, Bacon, and Taylor announced that the House had been informed that the Senate was organized and ready for business.

Senate reconvened.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

SJR05-001 by Senator(s) Gordon, Fitz-Gerald, Hillman; also Representative(s) Madden, Romanoff, Stengel--Concerning the adoption of the Joint Rules as the temporary Joint Rules of the Sixty-fifth General Assembly.

Senator Gordon moved to suspend Senate Rule 30(b) for immediate consideration of **SJR05-001**.

A two-thirds majority of those elected to the Senate having voted in the affirmative, Senate Rule 30(b) was suspended and immediate consideration granted.

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69

YES	32	NO	0	EXCUSED	3	ABSENT	0
Anderson	Y	Hanna	Y	McElhany	Y	Teck	Y
Bacon	E	Hillman	Y	Mitchell	Y	Tochtrop	Y
Dyer	Y	Isgar	Y	Owen	Y	Tupa	Y
Entz	Y	Johnson	Y	Sandoval	Y	Veiga	Y
Evans	Y	Jones	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Keller	Y	Spence	Y	Williams	E
Groff	Y	Kester	Y	Takis	Y	Windels	Y
Grossman	Y	Lamborn	Y	Tapia	Y	Mdm. President	Y
Hagedorn	Y	May	Y	Taylor	E		

SJR05-002 by Senator(s) Gordon, Fitz-Gerald, Hillman; also Representative(s) Jahn, Gallegos, Cloer, Kerr--Concerning employee salary ranges for the First Regular Session of the Sixty-fifth General Assembly.

Senator Gordon moved to suspend Senate Rule 30(b) for immediate consideration of **SJR 05-002**.

A two-thirds majority of those elected to the Senate having voted in the affirmative, Senate Rule 30(b) was suspended and immediate consideration granted.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Anderson	Y	Hanna	Y	McElhany	Y	Teck	Y
Bacon	Y	Hillman	Y	Mitchell	Y	Tochtrop	Y
Dyer	Y	Isgar	Y	Owen	Y	Tupa	Y
Entz	Y	Johnson	Y	Sandoval	Y	Veiga	Y
Evans	Y	Jones	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Keller	Y	Spence	Y	Williams	Y
Groff	Y	Kester	Y	Takis	Y	Windels	Y
Grossman	Y	Lamborn	Y	Tapia	Y	Mdm. President	Y
Hagedorn	Y	May	Y	Taylor	Y		

SR05-001 by Senator(s) Gordon, Fitz-Gerald, Hillman; --Concerning the temporary Rules of the Senate.

Senator Gordon moved to suspend Senate Rule 30(c) for immediate consideration of **SR 05-001**.

A two-thirds majority of those elected to the Senate having voted in the affirmative, Senate Rule 30(c) was suspended and immediate consideration granted.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Anderson	Y	Hanna	Y	McElhany	Y	Teck	Y
Bacon	Y	Hillman	Y	Mitchell	Y	Tochtrop	Y
Dyer	Y	Isgar	Y	Owen	Y	Tupa	Y
Entz	Y	Johnson	Y	Sandoval	Y	Veiga	Y
Evans	Y	Jones	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Keller	Y	Spence	Y	Williams	Y
Groff	Y	Kester	Y	Takis	Y	Windels	Y
Grossman	Y	Lamborn	Y	Tapia	Y	Mdm. President	Y
Hagedorn	Y	May	Y	Taylor	Y		

SR05-002 by Senator(s) Gordon, Fitz-Gerald, Hillman; --Concerning the appointment of officers and employees for the Senate of the Sixty-fifth General Assembly.

Senator Gordon moved to suspend Senate Rule 30(c) for immediate consideration of **SR 05-002**.

A two-thirds majority of those elected to the Senate having voted in the affirmative, Senate Rule 30(c) was suspended and immediate consideration granted.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Anderson	Y	Hanna	Y	McElhany	Y	Teck	Y
Bacon	Y	Hillman	Y	Mitchell	Y	Tochtrop	Y
Dyer	Y	Isgar	Y	Owen	Y	Tupa	Y
Entz	Y	Johnson	Y	Sandoval	Y	Veiga	Y
Evans	Y	Jones	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Keller	Y	Spence	Y	Williams	Y
Groff	Y	Kester	Y	Takis	Y	Windels	Y
Grossman	Y	Lamborn	Y	Tapia	Y	Mdm. President	Y
Hagedorn	Y	May	Y	Taylor	Y		

SR05-003 by Senator(s) Gordon, Hillman; --Concerning changes to Senate rules.

Senator Gordon moved to suspend Senate Rule 30(c) for immediate consideration of **SR 05-003**.

A two-thirds majority of those elected to the Senate having voted in the affirmative, Senate Rule 30(c) was suspended and immediate consideration granted.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Anderson	Y	Hanna	Y	McElhany	Y	Teck	Y
Bacon	Y	Hillman	Y	Mitchell	Y	Tochtrop	Y
Dyer	Y	Isgar	Y	Owen	Y	Tupa	Y
Entz	Y	Johnson	Y	Sandoval	Y	Veiga	Y
Evans	Y	Jones	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Keller	Y	Spence	Y	Williams	Y
Groff	Y	Kester	Y	Takis	Y	Windels	Y
Grossman	Y	Lamborn	Y	Tapia	Y	Mdm. President	Y
Hagedorn	Y	May	Y	Taylor	Y		

SR05-004 by Senator(s) Gordon, Fitz-Gerald, Hillman; --Concerning the appointment of Members of Senate Committees of Reference.

Senator Gordon moved to suspend Senate Rule 30(c) for immediate consideration of **SR 05-004**.

A two-thirds majority of those elected to the Senate having voted in the affirmative, Senate Rule 30(c) was suspended and immediate consideration granted.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Anderson	Y	Hanna	Y	McElhany	Y	Teck	Y
Bacon	Y	Hillman	Y	Mitchell	Y	Tochtrop	Y
Dyer	Y	Isgar	Y	Owen	Y	Tupa	Y
Entz	Y	Johnson	Y	Sandoval	Y	Veiga	Y
Evans	Y	Jones	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Keller	Y	Spence	Y	Williams	Y
Groff	Y	Kester	Y	Takis	Y	Windels	Y
Grossman	Y	Lamborn	Y	Tapia	Y	Mdm. President	Y
Hagedorn	Y	May	Y	Taylor	Y		

SJR05-003 by Senator(s) Gordon, Hillman; also Representative(s) Madden, Stengel--Concerning changes to the Joint Rules relating to the committees of reference.

Senator Gordon moved to suspend Senate Rule 30(b) for immediate consideration of **SJR 05-003**.

A two-thirds majority of those elected to the Senate having voted in the affirmative, Senate Rule 30(b) was suspended and immediate consideration granted.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Anderson	Y	Hanna	Y	McElhany	Y	Teck	Y
Bacon	Y	Hillman	Y	Mitchell	Y	Tochtrop	Y
Dyer	Y	Isgar	Y	Owen	Y	Tupa	Y
Entz	Y	Johnson	Y	Sandoval	Y	Veiga	Y
Evans	Y	Jones	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Keller	Y	Spence	Y	Williams	Y
Groff	Y	Kester	Y	Takis	Y	Windels	Y
Grossman	Y	Lamborn	Y	Tapia	Y	Mdm. President	Y
Hagedorn	Y	May	Y	Taylor	Y		

MESSAGE FROM THE HOUSE

January 12, 2005
Mr. President:

The House has adopted and transmits herewith HJR05-1001, as printed in House Journal, January 12. Pursuant to the resolution, the Speaker has appointed Representatives Butcher, chairman, Cerbo, and McCluskey.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

HJR05-1001 by Representative(s) Madden, Romanoff, Stengel; also Senator(s) Gordon, Fitz-Gerald, Hillman--Concerning the appointment of a Joint Committee to notify the Governor that the First Regular Session of the Sixty-fifth General Assembly is organized and ready to transact business.

Senator Gordon moved to suspend Senate Rule 30(e) for immediate consideration of **HJR05-1001**.

A two-thirds majority of those elected to the Senate having voted in the affirmative, Senate Rule 30(e) was suspended and immediate consideration granted.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Anderson	Y	Hanna	Y	McElhany	Y	Teck	Y
Bacon	Y	Hillman	Y	Mitchell	Y	Tochtrop	Y
Dyer	Y	Isgar	Y	Owen	Y	Tupa	Y
Entz	Y	Johnson	Y	Sandoval	Y	Veiga	Y
Evans	Y	Jones	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Keller	Y	Spence	Y	Williams	Y
Groff	Y	Kester	Y	Takis	Y	Windels	Y
Grossman	Y	Lamborn	Y	Tapia	Y	Mdm. President	Y
Hagedorn	Y	May	Y	Taylor	Y		

The President appointed Senators Hanna and Anderson to serve on the committee to notify the Governor.

MESSAGE FROM THE HOUSE

January 12, 2005
Mr. President:

The House has adopted and transmits herewith HJR05-1002 as printed in House Journal, January 12. Pursuant to the resolution, the Speaker has appointed Representatives Paccione, chairman, Frangas, and Crane.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

HJR05-1002 by Representative(s) Madden, Romanoff, Stengel; also Senator(s) Gordon, Fitz-Gerald, Hillman--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 Gordon moved to suspend Senate Rule 30(e) for immediate consideration of **HJR05-1002**.

A two-thirds majority of those elected to the Senate having voted in the affirmative, Senate Rule 30(e) was suspended and immediate consideration granted.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Anderson	E	Hanna	E	McElhany	Y	Teck	Y
Bacon	Y	Hillman	Y	Mitchell	Y	Tochtrop	Y
Dyer	Y	Isgar	Y	Owen	Y	Tupa	Y
Entz	Y	Johnson	Y	Sandoval	Y	Veiga	Y
Evans	Y	Jones	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Keller	Y	Spence	Y	Williams	Y
Groff	Y	Kester	Y	Takis	Y	Windels	Y
Grossman	Y	Lamborn	Y	Tapia	Y	Mdm. President	Y
Hagedorn	Y	May	Y	Taylor	Y		

The President appointed Senators Teck and Isgar to serve on the committee to notify the Governor.

MESSAGE FROM THE HOUSE

January 12, 2005
Mr. President:

The House has adopted and transmits herewith HJR05-1003, as printed in House Journal, January 12.

Pursuant to the resolution, the Speaker has appointed Representatives Carroll, T., chairman, Carroll, M., and Larson.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

HJR05-1003 by Representative(s) Madden, Romanoff, Stengel; also Senator(s) Gordon, Fitz-Gerald, Hillman--Concerning a Joint Session of the House of Representatives and the Senate for the purpose of hearing a message from the Chief Justice of the Supreme Court, and appointing a committee to escort the Chief Justice.

Senator Gordon moved to suspend Senate Rule 30(e) for immediate consideration of **HJR05-1003**.

A two-thirds majority of those elected to the Senate having voted in the affirmative, Senate Rule 30(e) was suspended and immediate consideration granted.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Anderson	E	Hanna	E	McElhany	Y	Teck	Y
Bacon	Y	Hillman	Y	Mitchell	Y	Tochtrop	Y
Dyer	Y	Isgar	Y	Owen	Y	Tupa	Y
Entz	Y	Johnson	Y	Sandoval	Y	Veiga	Y
Evans	Y	Jones	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Keller	Y	Spence	Y	Williams	Y
Groff	Y	Kester	Y	Takis	Y	Windels	Y
Grossman	Y	Lamborn	Y	Tapia	Y	Mdm. President	Y
Hagedorn	Y	May	Y	Taylor	Y		

The President appointed Senators Grossman and Entz to serve on the committee to notify the Governor.

MESSAGE FROM THE HOUSE

January 12, 2005
Mr. President:

The House has adopted and transmits herewith HJR05-1004, and amended as printed in House Journal, January 12.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

HJR05-1004 by Representative(s) Madden, Romanoff; also Senator(s) Gordon, Fitz-Gerald, Hillman-- Concerning a joint session of the House of Representatives and the Senate of the Sixty-fifth General Assembly for the purpose of presenting information to the members of the General Assembly relating to the state budget.

Senator Gordon moved to suspend Senate Rule 30(e) for immediate consideration of HJR05-1004.

A two-thirds majority of those elected to the Senate having voted in the affirmative, Senate Rule 30(e) was suspended and immediate consideration granted.

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

Table with 4 columns: YES (35), NO (0), EXCUSED (0), ABSENT (0). Rows list names of senators and their votes (Y for Yes).

Senate in recess. Senate reconvened.

INTRODUCTION OF BILLS--FIRST READING

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

- SB05-001 by Senator(s) Sandoval; --Concerning creation of the "Low-income Energy Assistance Act". Business, Labor and Technology
SB05-002 by Senator(s) Takis, Anderson, Taylor, Tupa; also Representative(s) Vigil, Coleman-- Concerning juvenile parole. Judiciary
SB05-003 by Senator(s) Tapia; also Representative(s) Hall--Concerning the creation of the Colorado achievement scholarship program. Education
SB05-004 by Senator(s) Tochtrop; --Concerning additions to the list of persons required to report child abuse or neglect. Judiciary

SB05-005	by Senator(s) Lamborn; --Concerning a prohibition against the use of credit-based insurance scoring for the purpose of insurance underwriting. Business, Labor and Technology	1 2 3 4
SB05-006	by Senator(s) Tupa, Anderson, Takis, Taylor; also Representative(s) Coleman, Vigil-- Concerning the suspension of professional licenses for failure to pay debts to the state. Finance	5 6 7 8
SB05-007	by Senator(s) Sandoval; --Concerning the elimination of the repeal of the department of local affairs' authority to charge an administrative fee for bonding authority applications pursuant to the "Colorado Private Activity Bond Ceiling Allocation Act". Local Government	9 10 11 12 13
SB05-008	by Senator(s) Evans; also Representative(s) Plant, Rose--Concerning the expansion of authority for retired old hire members of firefighters' and police officers' old hire pension plans to be involved in the administration of such plans. Local Government	14 15 16 17 18
SB05-009	by Senator(s) Isgar, May R., Spence, Takis, Williams; also Representative(s) Stafford, Borodkin, Larson, Pommer, Ragsdale--Concerning an increase in the amount of the fine imposed as punishment for illicit disposal of containers of human waste upon or along a state highway. Transportation	19 20 21 22 23 24
SB05-010	by Senator(s) Anderson, Takis, Taylor, Tupa; also Representative(s) Coleman, Vigil-- Concerning the administration of retirement plans created by local governments. Local Government	25 26 27 28
SB05-011	by Senator(s) Entz, Dyer, Isgar, Tapia, Taylor; also Representative(s) Hoppe, Butcher, Rose, White--Concerning certain water project revolving fund eligibility lists. Agriculture, Natural Resources and Energy	29 30 31 32
SB05-012	by Senator(s) Evans; also Representative(s) Harvey--Concerning an increase in the maximum amount of compensation that may be paid to members of the board of directors of a special district. Local Government	33 34 35 36 37
SB05-013	by Senator(s) Veiga; also Representative(s) Marshall--Concerning the requirement of a criminal history record check upon renewal of certain licenses issued by the real estate commission. Business, Labor and Technology	38 39 40 41 42
SB05-014	by Senator(s) Entz; also Representative(s) Massey--Concerning the registration of a motor vehicle after it has been purchased. Transportation	43 44 45 46
SB05-015	by Senator(s) Spence; also Representative(s) Lindstrom--Concerning the ability of the public utilities commission to specify mandated motor carrier insurance requirements by rule. Business, Labor and Technology	47 48 49 50 51
SB05-016	by Senator(s) Anderson, Takis, Taylor, Tupa; also Representative(s) Vigil--Concerning the manner in which surplus property is handled by the division of correctional industries in the department of corrections. Judiciary	52 53 54 55 56
SB05-017	by Senator(s) Windels; also Representative(s) Jahn--Concerning creation of the crime of engaging in sexual activity with knowledge of being infected with human immunodeficiency virus. Judiciary	57 58 59 60 61
SB05-018	by Senator(s) Mitchell; also Representative(s) Carroll T.--Concerning the forfeiture of vehicles for driving under restraint due to substance-related offenses. Transportation	62 63 64 65
SB05-019	by Senator(s) Bacon; --Concerning school district data reporting. Education	66 67 68
SB05-020	by Senator(s) Owen; also Representative(s) Coleman--Concerning the elimination of obsolete provisions of law. State, Veterans and Military Affairs	69 70 71 72

SB05-021	by Senator(s) Groff; also Representative(s) Carroll T.--Concerning parental leave for parents whose children are participating in school-related activities. Business, Labor and Technology	1 2 3 4
SB05-022	by Senator(s) Johnson, Hagedorn, Hanna; also Representative(s) Boyd, Buescher, Larson, Madden, McGihon--Concerning the establishment of a preferred drug list for the state's medicaid program, and, in connection therewith, developing a prior authorization process for prescription drugs. Health and Human Services	5 6 7 8 9 10
SB05-023	by Senator(s) Hanna; also Representative(s) Merrifield--Concerning a prohibition on state contracts for services being performed outside of the United States, and, in connection therewith, enacting the "Keep Jobs in America Act". Business, Labor and Technology	11 12 13 14 15
SB05-024	by Senator(s) Isgar; also Representative(s) Hoppe--Concerning the recodification of statutes relating to livestock health, and, in connection therewith, making substantive amendments. Agriculture, Natural Resources and Energy	16 17 18 19
SB05-025	by Senator(s) Grossman; also Representative(s) Stengel--Concerning adjustments to damages limitation statutes to reflect the effects of inflation. Judiciary	20 21 22 23
SB05-026	by Senator(s) Fitz-Gerald; --Concerning regulation of the sale of securities, and, in connection therewith, conferring regulatory authority upon the attorney general. Business, Labor and Technology	24 25 26 27
SB05-027	by Senator(s) Hillman; --Concerning the rights of a client of an attorney. Judiciary	28 29 30
SB05-028	by Senator(s) Veiga; also Representative(s) Madden--Concerning the expansion of employment nondiscrimination protections. Business, Labor and Technology	31 32 33 34
SB05-029	by Senator(s) Takis; --Concerning additional authority of the public utilities commission over motor vehicle carriers exempt from regulation as a public utility. Transportation	35 36 37 38
SB05-030	by Senator(s) Shaffer; --Concerning the "Family-friendly Courts Act". Judiciary	39 40 41
SB05-031	by Senator(s) Keller, Hillman; also Representative(s) Merrifield, Buescher, Cloer, McKinley--Concerning the election offense of making false statements designed to affect the vote as proscribed by section 1-13-109, Colorado Revised Statutes. Local Government	42 43 44 45 46
SB05-032	by Senator(s) Williams, Windels; also Representative(s) Hefley--Concerning the date for determining the enrollment of preschool-age children in public education programs. Education	47 48 49 50
SB05-033	by Senator(s) Entz; --Concerning legislative approval of certain water project eligibility lists by joint resolution signed by the governor. Agriculture, Natural Resources and Energy	51 52 53 54
SB05-034	by Senator(s) Hagedorn; also Representative(s) Boyd--Concerning a ban on alcohol-without-liquid devices. Health and Human Services	55 56 57 58
SB05-035	by Senator(s) Groff, Anderson, Fitz-Gerald, Hagedorn, Williams; also Representative(s) Paccione--Concerning innovative programs at public institutions of higher education. Education	59 60 61 62
SB05-036	by Senator(s) Williams, May R., Spence; also Representative(s) May M., Borodkin, Larson, McFadyen, Merrifield, Pommer, Stafford, Welker--Concerning limitations on the driving privileges of newly licensed minor drivers, and, in connection therewith, prohibiting newly licensed minor drivers from driving during certain hours or carrying passengers who are under twenty-one years of age. Transportation	63 64 65 66 67 68 69
SB05-037	by Senator(s) Gordon; also Representative(s) Hefley--Concerning the appeals process for the denial of health benefits. Health and Human Services	70 71 72

- SB05-038** by Senator(s) Takis; --Concerning the clarification of statutes addressing the titling of motor vehicles.
Transportation 1
2
3
4
- SB05-039** by Senator(s) Taylor, Isgar; also Representative(s) Marshall, Larson--Concerning the administration of the petroleum storage tank fund.
Finance 5
6
7
8
- SB05-040** by Senator(s) Tupa, Groff, Tapia; also Representative(s) Merrifield--Concerning benefits that may be accepted by certain public officials, and, in connection therewith, prohibiting certain public officials from accepting monetary gifts and treating specified gifts to such officials as contributions for campaign finance law purposes.
State, Veterans and Military Affairs 9
10
11
12
13
14
- SB05-041** by Senator(s) Teck; --Concerning clarification of the statutory requirements that govern the allocation of moneys from the highway users tax fund for the purpose of codifying existing allocation practices of the state treasurer without changing existing allocations in any way.
Finance 15
16
17
18
19
- SB05-042** by Senator(s) Taylor, Anderson, Takis, Tupa; also Representative(s) Vigil, Coleman--Concerning the annual compensation of members of the public utilities commission, and, in connection therewith, repealing obsolete provisions.
Business, Labor and Technology 20
21
22
23
24
- SB05-043** by Senator(s) Evans; also Representative(s) Stengel, Rose--Concerning clarification of employers' exemption from providing pension benefits to employees under the statewide defined benefit plan established for police officers and firefighters for employers that cover employees under social security.
Local Government 25
26
27
28
29
30
- SB05-044** by Senator(s) Lamborn; also Representative(s) May M., McCluskey--Concerning an exemption from property tax for business personal property that has fully depreciated.
State, Veterans and Military Affairs 31
32
33
34
- SB05-045** by Senator(s) Dyer; also Representative(s) Rose, Butcher, Hoppe--Concerning authorization for certain special water districts to provide park and recreation services in connection with a reservoir.
Agriculture, Natural Resources and Energy 35
36
37
38
39
- SB05-046** by Senator(s) Evans; --Concerning creation of a department of water resources, and, in connection therewith, transferring water-related powers, duties, employees, property, and unexpended appropriations from existing state agencies to such department.
Agriculture, Natural Resources and Energy 40
41
42
43
44
- SB05-047** by Senator(s) May R.; also Representative(s) Ragsdale--Concerning driver's licenses.
Transportation 45
46
47
- SB05-048** by Senator(s) Dyer; --Concerning the preparation of the ballot information booklet on initiated and referred measures submitted to the voters of the entire state.
State, Veterans and Military Affairs 48
49
50
51
- SB05-049** by Senator(s) Evans; also Representative(s) May M.--Concerning the authorization of independent school districts.
Education 52
53
54
55
- SB05-050** by Senator(s) Hillman; also Representative(s) Merrifield--Concerning school districts.
Education 56
57
58
- SB05-051** by Senator(s) Spence; also Representative(s) Merrifield--Concerning the exemption of certain private educational institutions from the "Private Occupational Education Act of 1981".
Education 59
60
61
62
63
- SB05-052** by Senator(s) Jones; also Representative(s) Carroll M.--Concerning the creation of the military family relief fund to assist the families of certain military personnel who have been called to active duty, and, in connection therewith, requiring the addition of a line to Colorado state individual income tax return forms whereby individual taxpayers may make a voluntary contribution to the military family relief fund.
State, Veterans and Military Affairs 64
65
66
67
68
69
70
71
72

- SB05-053** by Senator(s) Taylor, Anderson, Takis, Tupa; also Representative(s) Coleman, Vigil--
Concerning the Colorado national guard tuition assistance program.
State, Veterans and Military Affairs 1
2
3
4
- SB05-054** by Senator(s) Anderson, Entz, Evans, Groff, Grossman; also Representative(s) Romanoff,
Borodkin, Garcia, Larson--Concerning the conversion of Pinnacol Assurance to a nonprofit
entity, and, in connection therewith, subjecting Pinnacol Assurance to premium tax and
repealing certain obsolete provisions applicable to Pinnacol Assurance.
Business, Labor and Technology 5
6
7
8
9

TRIBUTES -- Interim 2004

By Senator Andrews --

Honoring:

Alan Philip	Dudley Brown	Nancy Carrizales	16
Alex Cranberg	Ed McVaney	Nancy Doty	17
Andrew Morse	Elizabeth Bliss	Pam Benigno	18
Barry Poulson	Fred Holden	Penn Pfiffner	19
Beth Treat	George Morse	Philip Brown	20
Bill Miller	Guy Short	Pastor Jerry Preston	21
Bret Brown	Harold Jackson	Ralph Nagel	22
Brett Johnson	Jack Stansbery	Renee White	23
Brian Taylor	Jacque Ponder	Richard Schroeder	24
Bruce Benson	Jessica Peck Corry	Richard Westfall	25
Bruce Peterson	Jill Glaspey	Royda Kimball	26
Charlotte Jackson	Jim Chapman	Sandy Drago	27
Cindy Trevithick	John Helper	Scott Gessler	28
Daniel Goldstein	John Saeman	Scott Laudenslager	29
Darin Goens	Jon Caldara	Scott Russell	30
David Balmer	Jon Hotaling	Scott Shires	31
David Crater	Karen Kuhlmann	Sean Duffy	32
David Kopel	Kathy Chavez	Sean Murphy	33
David Votava	Kelley Harp	Senator Bruce Cairns	34
David Wardrop	Kevin Miller	Shane Phillips	35
Debi Brazzale	Kim Herzfeldt	Sharon Johnson	36
Debra Monroe	Larry Mizel	Sharon Suman	37
Dennis Pohill	Linda Gorman	Steve Schuck	38
Diane Maywhort	Lloyd Sumner	Sue Bosier	39
Dominic Dezzutti	Marty Neilson	Ted Halaby	40
Donna Acierno	Matt Dunn	Thom Scheffel	41
Donna Cooley	Matthey Gorley	Vickie Agler	42
Dorothy Cardinale	Miriam Frey	Wil Armstrong	43
Dorothy Miller	Mona Heustis	William Mutch	44

Memorializing:

Arch Decker 46
Kathy McKean 47
48
49

By Senator Arnold --

Honoring:

Julie Robertson 50
Celia Dunham 51
Patricia Toornman Bales 52
Kathy Heavers 53
Stephanie McIntosh 54
Jenny Siegle 55
56
57
58
59
60

Senator Chlouber & Representative Miller --

Honoring:

Tabor Opera House 61
The Herald Democrat 62
63
64
65
66

Senator Evans --

Honoring:

Charlee Weeks 67
Michael Guerin 68
69
70
71

Senator Hagedorn --

Honoring:
Brandon Pittman
Crossroads Turning Points
Jason Pittman
Nichol Franceski

Senator Hanna --

Honoring:
Dale Gatz

Senator Keller --

Honoring:
City of Mountain View

Senator Keller & Representative Jahn --

Honoring:
City of Mountain View

Senator Owen --

Honoring:
Ray Banks

Senator Tapia --

Memorializing:
Feliz Duran

On motion of Senator Gordon, the Senate adjourned until 9:00 a.m., January 13, 2005.

Approved:

Joan Fitz-Gerald
President of the Senate

Attest:

Karen Goldman
Secretary of the Senate

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53