

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

15th Legislative Day Wednesday, January 25, 2006

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Pledge	By Senator Brophy.	10
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Call to Order	By the President at 10:50 a.m.	13
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Roll Call	Present--31.	16
	Absent--3; Mitchell, Owen, Taylor.	17
	Excused--1; Spence.	18
	Present later--Mitchell, Owen, Taylor.	19
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Quorum	The President announced a quorum present.	21
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Reading of Journal	On motion of Senator Jones, reading of the Journal of January 24, 2006 was dispensed with and the Journal was approved as corrected by the Secretary.	23
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COMMITTEE OF REFERENCE REPORTS

State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that SB06-009 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	30 31 32 33
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Amend printed bill, page 3, strike lines 23 through 27 and substitute the following:

~~Any written minutes shall contain a signed statement from~~ OR the attorney representing the state public body MAY PROVIDE A SIGNED STATEMENT attesting that the portion of the executive session that was not recorded constituted a privileged attorney-client communication in the opinion of the attorney. ~~and a signed statement from the chair of the~~".

Page 5, strike lines 14 through 18 and substitute the following:

~~Any written minutes shall contain a signed statement from~~ OR the attorney representing the local public body MAY PROVIDE A SIGNED STATEMENT attesting that the portion of the executive session that was not recorded constituted a privileged attorney-client communication in the opinion of the attorney. ~~and a signed statement from the chair of the~~";

line 22, strike "**date.** This" and substitute "**date - applicability.** (1) This".

Page 6, after line 4, insert the following:

"(2) The provisions of this act shall apply to discussions occurring in an executive session of a state public body or local public body on or after the effective date of this act."

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State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that SB06-104 be postponed indefinitely.	1 2 3 4 5
State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that SB06-057 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	6 7 8 9 10
	Amend printed bill, page 3, line 23, strike "RADIO AND" and substitute "RADIO STATIONS,";	11 12
	line 24, strike "STATIONS SHALL" and substitute "STATIONS, AND OTHER MEDIA OUTLETS MAY".	13 14 15 16 17
State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that SB06-062 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	18 19 20 21 22
	Amend printed bill, page 3, line 21, strike "AN ABSENT" and substitute "A";	23 24 25
	line 22, after "ELECTOR", insert "SERVING OUTSIDE THE UNITED STATES".	26 27 28
Finance	The Committee on <u>Finance</u> has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:	29 30 31
	<u>MEMBER OF THE COLORADO HOUSING AND FINANCE AUTHORITY BOARD OF DIRECTORS</u>	32 33 34 35 36
	for a term expiring July 1, 2009:	37
	John A. Blumberg of Cherry Hills Village, Colorado, to serve as a member of the public, reappointed.	38 39 40 41 42
Finance	After consideration on the merits, the Committee recommends that SJR06-004 be amended as follows, and as amended, be referred to the Senate for final action.	43 44 45
	Amend printed joint resolution, page 3, line 3, strike "\$6,670.3" and substitute "\$6,548.9".	46 47 48 49
Finance	After consideration on the merits, the Committee recommends that SB06-056 be referred to the Committee of the Whole with favorable recommendation, and with a recommendation that it be placed on the Consent Calendar.	50 51 52 53 54
Trans- portation	After consideration on the merits, the Committee recommends that SB06-016 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	55 56 57 58
	Amend printed bill, page 3, line 6, before the period, insert "AND THAT IS PRODUCED IN COLORADO".	59 60 61 62
Trans- portation	After consideration on the merits, the Committee recommends that SB06-076 be postponed indefinitely.	63 64 65 66
Local Government	After consideration on the merits, the Committee recommends that SB06-054 be postponed indefinitely.	67 68 69

Local Government After consideration on the merits, the Committee recommends that **SB06-025** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 4, line 4, after "HANDLER," insert "OR";
line 5, strike "OR DOG SHOW JUDGE,".

Page 6, line 1, strike "trainer, or dog show judge" and substitute "OR trainer ~~or dog show judge~~";

line 3, strike "(c.5)" and substitute "(e.5)".

On motion of Senator Gordon, and with a majority of those elected to the Senate having voted in the affirmative, Senate Rule 15(c) was suspended for Consideration of Resolutions -- SJR06-004.

CONSIDERATION OF RESOLUTIONS

SJR06-004 by Senator(s) Sandoval, Keller, Owen, Tapia; also Representative(s) Vigil, Buescher, Hall, Plant--Concerning the certification by the general assembly of its estimate of state general fund revenues and allowable state general fund appropriations for the 2006-07 fiscal year.

Amendment No. 1, Finance Committee Amendment.

(Printed in Senate Journal, January 25, page 62 and placed in members' bill files.)

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

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bacon	Y	Hanna	Y	Mitchell	Y	Tochtrop	Y
Brophy	Y	Isgar	Y	Owen	Y	Traylor	Y
Dyer	Y	Johnson	Y	Sandoval	Y	Tupa	Y
Entz	Y	Jones	Y	Shaffer	Y	Veiga	Y
Evans	Y	Keller	Y	Spence	E	Wiens	Y
Gordon	Y	Kester	Y	Takis	Y	Williams	Y
Groff	Y	Lamborn	Y	Tapia	Y	Windels	Y
Grossman	Y	May R.	Y	Taylor	Y	President	Y
Hagedorn	Y	McElhany	Y	Teck	Y		

MESSAGE FROM THE HOUSE

Jan 25, 2006

Madame President:

The House has adopted and transmits herewith HJR06-1006, and amended as printed in House Journal, January 25.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

HJR06-1006 by Representative(s) Madden; also Senator(s) Shaffer--Concerning the recognition of military and veterans appreciation day.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bacon	Y	Hanna	Y	Mitchell	Y	Tochtrop	Y
Brophy	Y	Isgar	Y	Owen	Y	Traylor	Y
Dyer	Y	Johnson	Y	Sandoval	Y	Tupa	Y
Entz	Y	Jones	Y	Shaffer	Y	Veiga	Y
Evans	Y	Keller	Y	Spence	E	Wiens	Y
Gordon	Y	Kester	Y	Takis	Y	Williams	Y
Groff	Y	Lamborn	Y	Tapia	Y	Windels	Y
Grossman	Y	May R.	Y	Taylor	Y	President	Y
Hagedorn	Y	McElhany	Y	Teck	Y		

Co-sponsors added: Bacon, Brophy, Dyer, Entz, Evans, Fitz-Gerald, Gordon, Groff, Grossman, Hagedorn, Hanna, Isgar, Johnson, Jones, Keller, Kester, Lamborn, May R., McElhany, Mitchell, Owen, Sandoval, Takis, Tapia, Taylor, Teck, Tochtrop, Traylor, Tupa, Veiga, Wiens, Williams and Windels.

INTRODUCTION OF BILLS -- FIRST READING

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

- SB06-115** by Senator(s) Takis; also Representative(s) Larson--Concerning the rights of a local government with regard to the construction of a private toll road or toll highway.
Transportation
- HB06-1012** by Representative(s) Ragsdale; also Senator(s) Johnson--Concerning absentee ballots.
State, Veterans & Military Affairs
- HB06-1014** by Representative(s) Hoppe; also Senator(s) Isgar--Concerning the authority of the department of agriculture over the disposition of moneys received from other sources.
Agriculture, Natural Resources & Energy
- HB06-1033** by Representative(s) Coleman, Vigil, White; also Senator(s) Takis, Hanna, Taylor--Concerning the modification of the manner in which the state controller makes required allocations of two-thirds of the general fund surplus for any state fiscal year commencing on or after July 1, 2006, to the highway users tax fund and one-third of such general fund surplus to the capital construction fund to require the state controller to make ninety percent of the estimated annual allocations on September 20 of each year and the remaining amounts of the allocations on the date the state controller issues the comprehensive annual report of the state.
Finance
- HB06-1039** by Representative(s) McFadyen, Larson, Pommer, Ragsdale; also Senator(s) Hagedorn, May R.--Concerning the placement of on-premise advertising devices at comprehensive developments.
Transportation

On motion of Senator Gordon, and with a majority of those elected to the Senate having voted in the affirmative, the General Orders -- Second Reading of Bills -- Consent Calendar (SB06-049, SB06-063, SB06-013, SB06-034) of January 25 was laid over until Friday, January 27, 2006, retaining its place on the calendar.

On motion of Senator Gordon, and with a majority of those elected to the Senate having voted in the affirmative, the General Orders -- Second Reading of Bills calendar (SB06-003, SB06-051, SB06-047, SB06-078) of January 25 was laid over until Friday, January 27, 2006, retaining its place on the calendar.

SENATE SERVICES REPORT

Correctly Printed: SB06-113, and 114.
Correctly Engrossed: SJR06-002.

TRIBUTES

Honoring:

Roger Cisneros -- by Senator Fitz-Gerald.

On motion of Senator Gordon, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of January 25 was laid over until Thursday, January 26, 2006, retaining its place on the calendar.

On motion of Senator Gordon, the Senate adjourned until 9:00 a.m., Thursday, January 26, 2006.

Approved:

Joan Fitz-Gerald
President of the Senate

Attest:

Karen Goldman
Secretary of the Senate

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