

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

22nd Legislative Day Wednesday, February 1, 2006

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Prayer	By Senator Fitz-Gerald.	11
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Pledge	By Senator Tochtrop.	13
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Call to Order	By the President at 9:00 a.m.	15
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Roll Call	Present--30.	18
	Absent--4; Evans, Keller, Shaffer, Veiga.	19
	Excused--1; Mitchell.	20
	Present later--Evans, Keller, Mitchell, Shaffer, Veiga.	21
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Quorum	The President announced a quorum present.	23
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Reading of Journal	On motion of Senator Williams, reading of the Journal of January 31, 2006 was dispensed with and the Journal was approved as corrected by the Secretary.	25
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COMMITTEE OF REFERENCE REPORTS

Judiciary	After consideration on the merits, the Committee recommends that SB06-045 be amended as follows, and as so amended, be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	30
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Amend printed bill, page 4, strike lines 23 and 24 and substitute the following:

"BE CONDUCTED THROUGH THE COLORADO BUREAU OF INVESTIGATION FOR AN EXEMPT FAMILY CHILD CARE HOME PROVIDER OR QUALIFIED ADULT WHO HAS RESIDED IN COLORADO FOR MORE THAN TWO YEARS. AN EXEMPT FAMILY CHILD CARE HOME PROVIDER OR QUALIFIED ADULT WHO HAS RESIDED IN COLORADO FOR LESS THAN TWO YEARS SHALL BE REQUIRED TO ADDITIONALLY HAVE A FEDERAL BUREAU OF INVESTIGATION FINGERPRINT CHECK CONDUCTED THROUGH THE COLORADO BUREAU OF INVESTIGATION.";

line 25, strike "INVESTIGATION FCC."

Page 8, strike lines 9 through 27.

Page 9, strike lines 1 through 3.

Renumber succeeding sections accordingly.

Trans- portation	After consideration on the merits, the Committee recommends that SB06-100 be amended as follows, and as so amended, be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	56
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Amend printed bill, page 2, line 18, strike "2007." and substitute "2008.";

line 19, strike "2008," and substitute "2009,";

line 23, strike "2008." and substitute "2009."

Page 3, strike lines 18 through 20 and substitute the following:

"OR ITS SUCCESSOR ORGANIZATION SHALL FILE AN ANNUAL STATEMENT VERIFYING THAT IT IS A NONPROFIT ORGANIZATION. THE STATEMENT SHALL BE FILED UNDER PENALTY OF".

Page 5, line 2, strike "2006." and substitute "2007."

Trans-
portation

After consideration on the merits, the Committee recommends that **SB06-080** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 2, line 15, strike "A YELLOW RIBBON AND".

Page 3, strike lines 1 and 2 and substitute the following:

"PROVIDES A CERTIFICATE ISSUED BY AMERICAN MILITARY FAMILY, INC., OR A SUCCESSOR ORGANIZATION, SHOWING THE PERSON HAS DONATED TEN DOLLARS TO SUCH ORGANIZATION."

Trans-
portation

After consideration on the merits, the Committee recommends that **SB06-028** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 2, line 14, after the period, add "THE BRONZE STAR FOR VALOR LICENSE PLATE SHALL BE DESIGNED TO INDICATE THAT AN OWNER OF A MOTOR VEHICLE BEARING SUCH LICENSE PLATE HAS RECEIVED THE BRONZE STAR MEDAL WITH THE "V" FOR VALOR DISTINCTION.";

line 15, strike "A NATURAL" and substitute "ON OR AFTER JANUARY 1, 2007, A NATURAL";

line 16, after the period, insert "A NATURAL PERSON WHO HAS BEEN AWARDED A BRONZE STAR WITH THE "V" FOR VALOR DISTINCTION MAY USE A BRONZE STAR FOR VALOR SPECIAL LICENSE PLATE.";

line 19, strike "OR" and substitute "AND".

MESSAGE FROM THE REVISOR OF STATUTES

January 31, 2006

We herewith transmit:

Without comment, HB06-1009, 1061, and 1087.

Without comment, as amended, HB06-1095.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

SJR06-007

by Senator(s) Lamborn, Gordon, Brophy, Dyer, Evans, Jones, May R., Mitchell, Spence, Wiens; also Representative(s) Hefley, Berens, Cadman, Clapp, Cloer, Harvey, Kerr, King, Knoedler, Liston, Massey, Rose, Stafford--Concerning the recognition of February 6, 2006, as "Ronald Reagan Day" in Colorado.

Laid over until Monday, February 6.

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INTRODUCTION OF CONCURRENT RESOLUTIONS -- FIRST READING

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

SCR06-002 by Senator(s) Owen; --Submitting to the registered electors of the state of Colorado amendments to articles XVII, XVIII, XX, XXIV, and XXVI of the constitution of the state of Colorado, concerning the elimination of obsolete provisions of the state constitution.
Judiciary

INTRODUCTION OF BILLS -- FIRST READING

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

HB06-1009 by Representative(s) Liston; also Senator(s) Spence--Concerning an increase in the limit on the amount of money to be collected as penalties for delinquent property tax payments that the county treasurer is authorized to refrain from collecting.
Finance

HB06-1061 by Representative(s) Coleman, Schultheis, Vigil, White; also Senator(s) Takis, Hanna, Taylor--Concerning complaints by state employees alleging retaliation for disclosure of information.
State, Veterans & Military Affairs

HB06-1087 by Representative(s) Larson and Rose; also Senator(s) Isgar--Concerning the classification of Montezuma county for purposes of fixing the salaries of county officers.
Local Government

HB06-1095 by Representative(s) Weissmann, Garcia, Marshall; also Senator(s) Hanna, Groff, Takis--Concerning a preference for the purchase of environmentally preferable products by governmental entities.
Finance

THIRD READING OF BILLS -- FINAL PASSAGE

On Third Reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

SB06-009 by Senator(s) Mitchell, Grossman; also Representative(s) McGihon, Carroll T., Witwer--Concerning a requirement that discussions occurring in executive sessions of public bodies be electronically recorded.

Laid over until Thursday, February 2, retaining its place on the calendar.

SB06-079 by Senator(s) Groff; also Representative(s) Buescher--Concerning the post-enactment review of the implementation of bills by nonpartisan legislative staff.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bacon	Y	Hanna	Y	Mitchell	E	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	Y	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		

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

Co-sponsors added: Bacon, Gordon, Grossman, Hanna, Isgar, Jones, Keller, Lamborn, May R., Sandoval, Shaffer, Tapia, Teck, Tupa, Williams and Windels.

SB06-012

by Senator(s) Isgar, Kester, Bacon, Entz, Fitz-Gerald, Keller, Williams, Windels; also Representative(s) Curry, Vigil, Witwer, Gallegos--Concerning the voluntary contribution designation benefiting the family resource centers fund that appears on the state individual income tax return forms, and, in connection therewith, extending the period for the contribution designation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bacon	Y	Hanna	Y	Mitchell	E	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	Y	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		

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

Co-sponsors added: Groff, Hanna, Sandoval, Shaffer, Tapia, Taylor, Tochtrop, Tupa and Veiga.

SB06-016

by Senator(s) Entz, Fitz-Gerald, Kester, Shaffer; also Representative(s) Rose, Gallegos, Gardner, Hodge--Concerning the use of biodiesel fuel for all state-owned diesel vehicles.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	30	NO	4	EXCUSED	1	ABSENT	0
Bacon	Y	Hanna	Y	Mitchell	E	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	Y	Wiens	Y
Gordon	Y	Kester	Y	Takis	Y	Williams	Y
Groff	Y	Lamborn	N	Tapia	Y	Windels	Y
Grossman	Y	May R.	N	Taylor	Y	President	Y
Hagedorn	Y	McElhany	N	Teck	N		

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

Co-sponsors added: Bacon, Brophy, Gordon, Groff, Grossman, Hanna, Isgar, Sandoval, Spence, Tapia, Taylor, Tochtrop, Tupa, Veiga, Wiens, Williams and Windels.

SB06-025

by Senator(s) Owen; also Representative(s) Coleman--Concerning modifications to the statute governing unlawful ownership of a dangerous dog.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	23	NO	12	EXCUSED	0	ABSENT	0
Bacon	Y	Hanna	Y	Mitchell	N	Tochtrop	Y
Brophy	N	Isgar	N	Owen	Y	Traylor	Y
Dyer	N	Johnson	Y	Sandoval	Y	Tupa	N
Entz	N	Jones	Y	Shaffer	N	Veiga	Y
Evans	Y	Keller	Y	Spence	Y	Wiens	N
Gordon	N	Kester	Y	Takis	N	Williams	Y
Groff	Y	Lamborn	Y	Tapia	Y	Windels	Y
Grossman	N	May R.	Y	Taylor	N	President	Y
Hagedorn	Y	McElhany	Y	Teck	Y		

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

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 (SB06-053, SB06-095) of February 1 was laid over until Thursday, February 2, 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 (SB06-041, SB06-056, SB06-051, SB06-062, SB06-074, SB06-005, SB06-032, SB06-070) of February 1 was laid over until Thursday, February 2, retaining its place on the calendar.

SENATE SERVICES REPORT

Correctly Engrossed: SB06-012, 016, 025, 079.
Correctly Reengrossed: SB06-003, 008, 023, 042, 057, 078.

COMMITTEE OF REFERENCE REPORTS

Finance After consideration on the merits, the Committee recommends that **HB06-1033** be referred to the Committee on Appropriations with favorable recommendation.

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

**MEMBERS OF THE
COLORADO HOUSING AND FINANCE AUTHORITY
BOARD OF DIRECTORS**

for terms expiring July 1, 2009:

Michele M. Dressel of Glenwood Springs, Colorado, to serve as a member experienced in mortgage banking, reappointed;

Joseph A. Garcia of Colorado Springs, Colorado, to serve as a member of the public, reappointed;

Joel S. Rosenstein of Denver, Colorado, to serve as a member experienced in real estate transactions, appointed;

Eric C. Moore of Aurora, Colorado, to serve as a member of the public, appointed.

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS

State, Veterans, & Military Affairs After consideration on the merits, the Committee recommends that **HB06-1200** be referred to the Committee on Appropriations with favorable recommendation.

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MESSAGE FROM THE HOUSE

February 1, 2006
Madame President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB06-1056, 1098, 1063.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB06-1093, amended as printed in House Journal, January 31, page 143.

MESSAGE FROM THE REVISOR OF STATUTES

February 1, 2006

We herewith transmit:

Without comment, HB06-1056, 1063, and 1098.
Without comment, as amended, HB06-1093.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HJR06-1003, 1004, 1005, 1007, 1008.

On motion of Senator Gordon, the Senate adjourned until 9:00 a.m., Thursday, February 2, 2006.

Approved:

Joan Fitz-Gerald
President of the Senate

Attest:

Karen Goldman
Secretary of the Senate

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