

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

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62nd Legislative Day

Monday, March 13, 2006

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| Prayer             | By the chaplain, Mohammed Jodeh, Past Chairman and President of the Colorado Muslim Society.  | 11 |
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| Pledge             | By Senator Isgar.   | 14 |
|                    |   | 15 |
| Call to Order      | By the President at 10:00 a.m.  | 16 |
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| Roll Call          | Present--30.  | 19 |
|                    | Absent--1; Mitchell.  | 20 |
|                    | Excused--4; Gordon, Taylor, Tochtrop, Williams.   | 21 |
|                    | Present later--Mitchell.  | 22 |
|                    |   | 23 |
| Quorum             | The President announced a quorum present.   | 24 |
|                    |   | 25 |
| Reading of Journal | On motion of Senator Tapia, reading of the Journal of March 10, 2006 was dispensed with and the Journal was approved as corrected by the Secretary. | 26 |
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**MESSAGE FROM THE HOUSE**

March 10, 2006  
Madame President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB06-1338,1353.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB06-1335, amended as printed in House Journal, March 9, page 652.  
HB06-1132, amended as printed in House Journal, March 9, page 653.  
HB06-1161, amended as printed in House Journal, March 9, page 654.  
HB06-1247, amended as printed in House Journal, March 9, pages 660-661.  
HB06-1066, amended as printed in House Journal, March 9, pages 662-664.  
HB06-1281, amended as printed in House Journal, March 9, pages 665-667.

The House has passed on Third Reading and returns herewith SB06-033,093, 142,132,032,053,095,074,140,005.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB06-057, amended as printed in House Journal, March 9, page 652.  
SB06-118, amended as printed in House Journal, March 9, page 660.  
SB06-097, amended as printed in House Journal, March 9, page 661.

The House has voted to concur in the Senate amendments to HB06-1040, 1033,1048,1187,1068,1059,1039,1143,1265 and has repassed the bills as so amended.

The House has adopted and transmits herewith HJR06-1013.

**MESSAGE FROM THE REVISOR OF STATUTES**

March 10, 2006

We herewith transmit:

Without comment, HB06-1338 and 1353.

Without comment, as amended, HB06-1066, 1132, 1161, 1247, 1281, and 1335.

Without comment, as amended, SB06-057, 097, and 118.

**MESSAGE FROM THE GOVERNOR**

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

February 3, 2006

To the Honorable  
Colorado Senate  
Colorado General Assembly  
State Capitol Building  
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint, reappoint and submit to your consideration, the following:

MEMBERS OF THE  
COLORADO WATER CONSERVATION BOARD

for terms expiring February 12, 2009:

Eric W. Wilkinson of Greeley, Colorado, to serve as a representative from the South Platte drainage basin and as a Republican, reappointed;

Carl Trick II of Cowdrey, Colorado, to serve as a representative from the North Platte drainage basin and as a Republican, appointed;

Marcus Keith Catlin of Montrose, Colorado, to serve as a representative from the Gunnison-Uncompahgre basin and as a Democrat, reappointed.

Sincerely,  
(signed)  
Bill Owens  
Governor  
Rec'd: 2/24/06  
Karen Goldman, Secretary of the Senate

Committee on Agriculture, Natural Resources & Energy

February 17, 2006

To the Honorable  
Colorado Senate  
Colorado General Assembly  
State Capitol Building  
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint, reappoint, and submit to your consideration, the following:

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MEMBERS OF THE  
WATER QUALITY CONTROL COMMISSION

for terms expiring February 15, 2009:

Gary L. Teague of Fort Morgan, Colorado, appointed;

Robert T. Sakata of Brighton, Colorado, reappointed;

Jeffrey T. Bedingfield of Greeley, Colorado, reappointed.

Sincerely,  
(signed)  
Bill Owens  
Governor  
Rec'd: 3/7/06  
Karen Goldman, Secretary of the Senate

Committee on Agriculture, Natural Resources & Energy

February 17, 2006

To the Honorable  
Colorado Senate  
Colorado General Assembly  
State Capitol Building  
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint, and submit to your consideration the following:

MEMBER OF THE  
COLORADO TRAUMATIC BRAIN INJURY BOARD

for a term expiring June 30, 2007:

Christina G. Hoagland of Grand Junction, Colorado, to fill the vacancy occasioned by the resignation of Pamela A. Law of Westminster, Colorado, and to serve as a speech pathologist who has experience working with persons with traumatic brain injuries, appointed.

Sincerely,  
(signed)  
Bill Owens  
Governor  
Rec'd: 3/7/06  
Karen Goldman, Secretary of the Senate

Committee on Health & Human Services

June 20, 2005

To the Honorable  
Colorado Senate  
Colorado General Assembly  
State Capitol Building  
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, reappoint and submit to your consideration, the following:

MEMBERS OF THE  
COLORADO BANKING BOARD

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for a term expiring July 1, 2009:

Mary S. Reisher of Cherry Hills Village, Colorado, to serve as an executive officer of a state bank and as an Unaffiliated from the First Congressional District, reappointed;

William A. Mitchell, Jr., of Superior, Colorado, to serve as an executive officer of a state bank and as a Republican from the Second Congressional District, reappointed;

D. Terry Reitan of Golden, Colorado, to serve as the representative of an executive officer of a trust company and as an Unaffiliated from the Sixth Congressional District, reappointed;

Adam P. Coyle of Parker, Colorado, to serve as the representative of an executive officer of an industrial bank and as a Democrat from the Sixth Congressional District, reappointed.

Sincerely,  
(signed)  
Bill Owens  
Governor  
Recd: 7/6/05  
Karen Kuhlmann, Asst. Secretary

Committee on Business, Labor & Technology

June 20, 2005

To the Honorable  
Colorado Senate  
Colorado General Assembly  
State Capitol Building  
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, reappoint, and submit to your consideration, the following:

MEMBERS OF THE  
CHARTER SCHOOL INSTITUTE BOARD

for terms expiring July 1, 2008:

Peggy S. Kerns of Aurora, Colorado, to serve as a member with detailed knowledge of charter school law, and as a Democrat, reappointed;

Dean L. Titterington of Englewood, Colorado, to serve as a member with financial management expertise, and as a Republican, reappointed.

Sincerely,  
(signed)  
Bill Owens  
Governor  
Rec'd: 7/6/05  
Karen Kuhlmann, Asst. Secretary

Committee on Education

June 20, 2005

To the Honorable  
Colorado Senate  
Colorado General Assembly  
State Capitol Building  
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of

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Colorado, I have the honor to designate, reappoint and submit to your consideration, the following:

MEMBERS OF THE  
STATE BOARD FOR COMMUNITY COLLEGES  
AND OCCUPATIONAL EDUCATION

for terms expiring July 1, 2009:

Barbara F. McKellar of Castle Rock, Colorado, to serve as a Republican from the Sixth Congressional District, reappointed;

Patricia A. Erjavec of Pueblo, Colorado, to serve as a Democrat from the Third Congressional District, reappointed.

Sincerely,  
(signed)  
Bill Owens  
Governor  
Rec'd: 7/6/05  
Karen Kuhlmann, Asst. Secretary

Committee on Education

February 17, 2006

To the Honorable  
Colorado Senate  
Colorado General Assembly  
State Capitol Building  
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint, and submit to your consideration, the following:

MEMBER OF THE  
STATE HOUSING BOARD

for a term expiring January 31, 2009:

John J. Kelly of Centennial, Colorado, to serve as a member from the Sixth Congressional District and as a Republican, appointed.

Sincerely,  
(signed)  
Bill Owens  
Governor  
Rec'd: 3/7/06  
Karen Goldman, Secretary of the Senate

Committee on Business, Labor & Technology

February 27, 2006

To the Honorable  
Colorado Senate  
Colorado General Assembly  
State Capitol Building  
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint, and submit to your consideration, the following:

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MEMBER OF THE  
PRIVATE OCCUPATIONAL SCHOOL BOARD

for a term expiring July 1, 2006:

Earl F. Douglass of Lakewood, Colorado, to serve as a member employed by a lending institution located in Colorado, appointed.

Sincerely,  
(signed)  
Bill Owens  
Governor  
Rec'd: 3/7/06  
Karen Goldman, Secretary of the Senate

Committee on Education

February 3, 2006

To the Honorable  
Colorado Senate  
Colorado General Assembly  
State Capitol Building  
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint and submit to your consideration, the following:

MEMBERS OF THE  
COLORADO WILDLIFE HABITAT STAMP COMMITTEE

for terms expiring December 31, 2006:

Caroline R. Doyle of Denver, Colorado, to serve as a representative of a national or regionally recognized conservation organization whose mission is focused on nongame wildlife and whose membership is composed primarily of nongame wildlife users, appointed;

Leslie G. White of Gunnison, Colorado, to serve as a sportsperson representative, appointed;

for terms expiring December 31, 2007:

Scott A. Hoover of Golden, Colorado, to serve as a representative of the Division of Wildlife, appointed;

Wendy J. Keefover-Ring of Broomfield, Colorado, to serve as a representative of a national or regionally recognized conservation organization whose mission is focused on nongame wildlife and whose membership is composed primarily of nongame wildlife users, appointed;

for terms expiring December 31, 2008:

Daniel J. Larkin of Salida, Colorado, to serve as a sportsperson representative, appointed;

Jean E. Stetson of Craig, Colorado, to serve as a representative of landowners actively engaged in agriculture, appointed;

for terms expiring December 31, 2009:

Kenneth "Mark" Smith of Center, Colorado, to serve as a representative of landowners actively engaged in agriculture, appointed;

Ron D. Velarde of Grand Junction, Colorado, to serve as a wildlife biologist at the Division of Wildlife, appointed;

for terms expiring December 31, 2010:

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Denny C. Behrens of Grand Junction, Colorado, to serve as a sportsperson representative,  
appointed;

J. Bradford Coors of Littleton, Colorado, to serve as a sportsperson representative,  
appointed;

for a term expiring December 31, 2011:

Thomas L. Kenyon of Grand Junction, Colorado, to serve as a representative of the public  
at large, appointed.

Sincerely,  
(signed)

Bill Owens

Governor

Rec'd: 2/24/06

Karen Goldman, Secretary of the Senate

Committee on Agriculture, Natural Resources & Energy

February 3, 2006

To the Honorable  
Colorado Senate  
Colorado General Assembly  
State Capitol Building  
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of  
Colorado, I have the honor to designate, appoint, reappoint and submit to your  
consideration, the following:

MEMBERS OF THE  
COLORADO WATER RESOURCES  
AND POWER DEVELOPMENT AUTHORITY

for a term expiring October 1, 2008:

Clair B. Orr of Kersey, Colorado, to serve as a member from the South Platte drainage  
basin and as a Republican, appointed;

for terms expiring October 1, 2009:

Douglas B. Monger of Hayden, Colorado, to serve as a member from the Yampa-White  
drainage basins and as a member experienced in the engineering aspects of water projects  
and as a Democrat, appointed;

Ann E. Nichols of Manitou Springs, Colorado, to serve as a member from the Arkansas  
drainage basin and as a Republican, reappointed.

Sincerely,

Bill Owens

Governor

Rec'd: 2/24/06

Karen Goldman, Secretary of the Senate

Committee on Agriculture, Natural Resources & Energy

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**SENATE SERVICES REPORT**

**Correctly Engrossed:** SB06-176.

**Correctly Reengrossed:** SB06-090.

**Correctly Revised:** HB06-1020, 1025, 1061, 1074, 1093, 1106, 1112, 1156, 1242, 1250,  
1254, and 1321; HJR06-1018.

**Correctly Rerevised:** HB06-1005, 1007, 1031, 1032, 1125, 1177, 1181, and 1179.

**SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS**

The President has signed: HB06-1030.

**COMMITTEE OF REFERENCE REPORTS**

Education

After consideration on the merits, the Committee recommends that **SB06-204** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 3, line 21, strike "PERSONS APPOINTED BY THE GOVERNOR WHO ARE UNAFFILIATED";

line 22, strike "SHALL COUNT TOWARD THE GOVERNOR'S POLITICAL PARTY.".

Page 4, line 27, strike "PERSONS APPOINTED BY THE".

Page 5, strike line 1;

line 2, strike "GOVERNOR'S POLITICAL PARTY.".

Page 6, line 21, strike "PERSONS APPOINTED BY THE";

strike line 22;

line 23, strike "GOVERNOR'S POLITICAL PARTY.".

Page 8, line 7, strike "PERSONS";

strike line 8;

line 9, strike "TOWARD THE GOVERNOR'S POLITICAL PARTY.".

Page 9, line 15, strike "party. and PERSONS APPOINTED BY THE GOVERNOR WHO ARE" and substitute "party and";

strike line 16;

line 17, strike "OF THE SEVEN MEMBERS APPOINTED BY THE GOVERNOR,".

Page 10, strike line 21;

line 22, strike "COUNT TOWARD THE GOVERNOR'S POLITICAL PARTY.".

Page 11, line 23, strike "PERSONS APPOINTED BY THE";

strike lines 24 and 25.

Page 12, strike line 26;

line 27, strike "COUNT TOWARD THE GOVERNOR'S POLITICAL PARTY.".

Page 13, line 26, strike "PERSONS APPOINTED BY THE";

strike line 27.

Page 14, line 1, strike "GOVERNOR'S POLITICAL PARTY.".

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Education

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

MEMBER OF THE  
PRIVATE OCCUPATIONAL SCHOOL BOARD

for a term expiring July 1, 2008:

Jerald B. Sirbu of Littleton, Colorado, to fill the vacancy occasioned by the resignation of Gayla G. Henry of Aurora, Colorado, and to serve as an owner or operator of a private occupational school that receives Title IV funds, appointed.

On motion of Senator Isgar, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of March 13 was laid over until Tuesday, March 14, 2006, retaining its place on the calendar.

Third Reading of Bills -- Final Passage -- Consent Calendar: HB06-1250, HB06-1093, HB06-1020, HB06-1061, HB06-1025, HB06-1242, HB06-1254.

Third Reading of Bills -- Final Passage: HB06-1112, SB06-176, HB06-1074, HB06-1321, HB06-1156, HB06-1106.

General Orders -- Second Reading of Bills -- Consent Calendar: HB06-1340, HB06-1098, HB06-1118, HB06-1210, HB06-1191.

General Orders -- Second Reading of Bills: HB06-1084, HB06-1080, HB06-1204, HB06-1198, HB06-1195, SCR06-003.

Consideration of Governor's Appointments:

- Member of the Oil and Gas Conservation Commission of the State of Colorado.
- Members of the Colorado Board of Veterans Affairs.

On motion of Senator Isgar, the Senate adjourned until 9:00 a.m., Tuesday, March 14, 2006.

Approved:

Joan Fitz-Gerald  
President of the Senate

Attest:

Karen Goldman  
Secretary of the Senate

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