

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

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2nd Legislative Day Thursday, January 12, 2006

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- Prayer 10  
By the chaplain, Rev. Paul Kottke, University Park United Methodist Church. 11
- Pledge 12  
By Senator Bacon. 13
- Call to 14  
Order 15  
By the President at 9:00 a.m. 16
- Roll Call 17  
Present--33. 18  
Absent/Excused--2; Owen, Wiens. 19  
Present later--Owen, Wiens. 20
- Quorum 21  
The President announced a quorum present. 22
- Reading of 23  
Journal 24  
On motion of Senator Kester, reading of the Journal of January 11, 2006 was 25  
dispensed with and the Journal was approved as corrected by the Secretary. 26

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**INTRODUCTION AND CONSIDERATION OF RESOLUTIONS**

**SR06-001** by Senator(s) Gordon, Fitz-Gerald, McElhany; --Concerning the appointment of officers and employees for the Senate of the Sixty-fifth General Assembly.

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

YES	35	NO	0	EXCUSED	0	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	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		

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The Senate staff was sworn in by Senator Fitz-Gerald.

**SR06-002** by Senator(s) Gordon, Fitz-Gerald, McElhany; --Concerning payment of employees for pre-session work for the Senate convened in the Second Regular Session of the Sixty-fifth General Assembly.

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

YES	35	NO	0	EXCUSED	0	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	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		

**APPOINTMENT TO COMMITTEE**

On motion of Senator Gordon, and with the unanimous consent of those elected to the Senate, Senator Spence was appointed to the Legislative Audit Committee to replace Senator Anderson.

**INTRODUCTION AND CONSIDERATION OF RESOLUTIONS**

**SR06-003** by Senator(s) Gordon, Fitz-Gerald, McElhany; --Concerning changes to the membership of certain Senate Committees of Reference.

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

YES	35	NO	0	EXCUSED	0	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	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		

**APPOINTMENT TO COMMITTEE**

On motion of Senator Gordon, and with the unanimous consent of those elected to the Senate, Senator Spence was appointed to the Legislative Council to replace Senator Anderson.

**INTRODUCTION OF BILLS -- FIRST READING**

**CORRECTED**

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

**SB06-071** by Senator(s) Veiga; also Representative(s) Massey--Concerning the increased regulation of agreements offered to a home owner in connection with foreclosure of the home owner's residence.

Business, Labor and Technology

**SENATE SERVICES REPORT**

**Correctly Printed:** SB06-001, 002, 003, 004, 005, 006, 007, 008, 009, 010, 011, 012, 013, 014, 015, 016, 017, 018, 019, 020, 021, 022, 023, 024, 025, 026, 027, 028, 029, 030, 031, 032, 033, 034, 035, 036, 037, 038, 039, 040, 041, 042, 043, 044, 045, 046, 047, 048, 049, 050, 051, 052, 053, 054, 055, 056, 057, 058, 059, 060, 061, 062, 063, 064, 065, 066, 067, 068, 069, 070, 071, 072, 073, and 074; SJR06-001,002, and 003.

**Correctly Engrossed:** SJR06-001.  
**Correctly Revised:** HJR06-1001 and 1002.

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Senate in recess.                      Senate reconvened.

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**INTRODUCTION OF BILLS -- FIRST READING**

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

- SB06-075** by Senator(s) Hanna; also Representative(s) Todd--Concerning human behaviors related to wildlife in urban areas.  
Agriculture, Natural Resources & Energy
- SB06-076** by Senator(s) Takis; --Concerning an exception to the prohibition against manufacturers of motor vehicles selling used vehicles at retail.  
Transportation
- SB06-077** by Senator(s) Entz; also Representative(s) Gallegos--Concerning authorization for the state to provide certain types of insurance in connection with the Cumbres and Toltec scenic railroad.  
Business, Labor and Technology

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**MESSAGE FROM THE GOVERNOR**

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

September 23, 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, appoint, reappoint and submit to your consideration, the following:

MEMBERS OF THE  
FIRE AND POLICE PENSION ASSOCIATION  
BOARD OF DIRECTORS

for a term expiring September 1, 2008:

Kirk J. Miller of Denver, Colorado, to fill the vacancy occasioned by the resignation of Edward Lujan, Jr. of Littleton, Colorado, and to serve as a full-time paid police officer representative, appointed;

for terms expiring September 1, 2009:

Todd A. Bower of Denver, Colorado, to serve as a full-time paid firefighter, reappointed;

Stanley T. Sponsel of Denver, Colorado, to serve as a retired firefighter, appointed.

Sincerely,  
(signed)  
Bill Owens  
Governor  
Rec'd: 10/13/05  
Karen Goldman, Secretary of the Senate

Committee on State, Veterans & Military Affairs

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August 17, 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, appoint, and submit to your consideration, the following:

MEMBERS OF THE  
BOARD OF TRUSTEES FOR THE COLORADO  
SCHOOL FOR THE DEAF AND THE BLIND

for a term expiring July 1, 2006:

Kay A. Ferrell of Greeley, Colorado, to fill the vacancy occasioned by the resignation of Ronald E. Harlow of Highlands Ranch, Colorado, and to serve as a Republican, appointed;

for a term expiring July 1, 2008:

David N. Dawson of Boulder, Colorado, to fill the vacancy occasioned by the resignation of Douglas J. Miles of Manitou Springs, Colorado, and to serve as representative of the blind community and as a Democrat, appointed.

Sincerely,  
(signed)  
Bill Owens  
Governor  
Rec'd: 8/24/05  
Karen Goldman, Secretary of the Senate

Committee on Education

August 17, 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, appoint and submit for your consideration, the following:

MEMBER OF THE  
COLORADO AERONAUTICAL BOARD

for a term expiring December 19, 2008:

Dennis R Heap of Commerce City, Colorado, to fill the vacancy occasioned by the resignation of Corinne C. Nystrom of Mesa, Colorado, and to serve as a representative of a statewide association of airport managers, appointed.

Sincerely,  
(signed)  
Bill Owens  
Governor  
Rec'd: 8/24/05  
Karen Goldman, Secretary of the Senate

Committee on Transportation

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June 9, 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:

MEMBER OF THE  
COLORADO AGRICULTURAL DEVELOPMENT AUTHORITY  
BOARD OF DIRECTORS

for a term expiring June 30, 2009:

Don R. Schulz of Alamosa, Colorado, to serve as a member knowledgeable of agricultural activity in the state and as a Democrat, reappointed.

Sincerely,  
(signed)  
Bill Owens  
Governor  
Rec'd: 6/16/05  
Karen Kuhlmann, Asst. Secretary

Committee on Agriculture, Natural Resources & Energy

July 25, 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 BOARD OF VETERANS AFFAIRS

for terms expiring June 30, 2009:

Marvin L. Meyers of Denver, Colorado, to serve as a veteran and as a Democrat, reappointed;

Rodolfo F. Arguello of San Pablo, Colorado, to serve as a veteran and as a Democrat, reappointed.

Sincerely,  
(signed)  
Bill Owens  
Governor  
Rec'd: 8/2/05  
Karen Kuhlmann, Asst. Secretary

Committee on State, Veterans & Military Affairs

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September 23, 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, appoint, and submit to your consideration, the following:

MEMBER OF THE  
COLORADO CHILDREN'S TRUST FUND BOARD

for a term expiring at the pleasure of the Governor:

Cynthia L. Wakefield of Thornton, Colorado, to fill the vacancy occasioned by the resignation of David M. Furman of Littleton, Colorado, and to represent the Department of Education designee, appointed.

Sincerely,  
(signed)  
Bill Owens  
Governor  
Rec'd: 10/13/05  
Karen Goldman, Secretary of the Senate

Committee on Health & Human Services

On motion of Senator Shaffer, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of January 12, was laid over until Friday, January 13, 2006, retaining its place on the calendar.

Consideration of Resolutions: SJR06-003.

On motion of Senator Shaffer, the Senate adjourned until 9:00 a.m., Friday, January 13, 2006.

Approved:

Peter C. Groff  
President *pro tem* of the Senate

Attest:

Karen Goldman  
Secretary of the Senate

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