

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

Ninth Legislative Day

Thursday, January 15, 2004

Prayer	By the chaplain, Reverend Paul Kottke, University Park United Methodist Church.	1
Pledge	By Senator Nichol.	2
Call to Order	By the President at 9:00 a.m.	3
Roll Call	Present--33. Absent/Excused--2; Anderson, Owen. Present later--Anderson.	4
Quorum	The President announced a quorum present.	5
Reading of Journal	On motion of Senator Grossman, reading of the Journal of January 14, 2003, was dispensed with and the Journal was approved as corrected by the Secretary.	6

COMMITTEE OF REFERENCE REPORTS

State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that SB04-005 be referred to the Committee of the Whole with favorable recommendation.	7
State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that SB04-031 be postponed indefinitely.	8
Business Affairs & Labor	After consideration on the merits, the Committee recommends that SB04-044 be referred to the Committee of the Whole with favorable recommendation.	9
Business Affairs & Labor	After consideration on the merits, the Committee recommends that SB04-024 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	10
	Amend printed bill, page 57, strike lines 3 through 27.	11
	Strike pages 58 through 62.	12
	ReNUMBER succeeding sections accordingly.	13
	Page 123, strike line 27.	14
	Strike page 124.	15
	Page 125, strike lines 1 through 7.	16
	ReNUMBER succeeding sections accordingly.	17

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

INTRODUCTION OF RESOLUTION

The following resolution was read by title:

HJR04-1002 by Representative(s) Spradley; also Senator(s) Andrews--Concerning the declaration of September 11, 2004, as "Patriot Day".

Laid over one day under Senate Rule 30(e).

INTRODUCTION OF BILLS--FIRST READING

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

SB04-113 by Senator(s) Evans, Lamborn, Chlouber, Jones, May R., Cairns, Entz, Hagedorn, Johnson S., Keller, Kester, Tapia, Taylor, Windels; also Representative(s) Lee, Coleman, Lundberg, Wiens--Concerning the property tax exemption for qualifying seniors, and, in connection therewith, increasing the maximum amount of actual value of the primary owner-occupied residence of a qualifying senior that is partly exempt from property taxation for the 2005 property tax year.
Finance

SB04-114 by Senator(s) Andrews, May R.; --Concerning the authority of the state auditor to undertake a performance audit of the regional transportation district.
Transportation

SB04-115 by Senator(s) Dyer; also Representative(s) Mitchell--Concerning a limitation on the recovery of noneconomic damages in breach of contract claims.
Judiciary

SB04-116 by Senator(s) Jones; --Concerning rate-making in workers' compensation cases, and, in connection therewith, setting the effective date of workers' compensation insurance and medical benefit rates.
Business Affairs & Labor

Committee of the Whole On motion of Senator Anderson, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills and Senator Anderson was called to the Chair to act as Chairman.

GENERAL ORDERS--SECOND READING OF BILLS

The Committee of the Whole having risen, the Chairman reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB04-004 by Senator(s) May R.; also Representative(s) Spence--Concerning the statewide tolling enterprise, and, in connection therewith, clarifying the division of responsibilities between the board of the enterprise and the transportation commission with respect to the operation of the enterprise.

Ordered engrossed and placed on the calendar for Third Reading and Final Passage.

SB04-012 by Senator(s) May R.; also Representative(s) Ragsdale, Welker--Concerning the types of records necessary for the department of revenue to administratively revoke a driver's license for tampering with an interlock device.

Ordered engrossed and placed on the calendar for Third Reading and Final Passage.

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

SB04-021 by Senator(s) Takis; also Representative(s) Hodge--Concerning eliminating the requirement that motor vehicle insurance coverage indemnify loss that occurs outside of the areas controlled by the United States.

Ordered engrossed and placed on the calendar for Third Reading and Final Passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Anderson, the Report of the Committee of the Whole was adopted and, a majority of all members elected to the Senate having voted in the affirmative, the following action was taken:

Passed on Second Reading: SB04-004, SB04-012, SB04-021.

COMMITTEE OF REFERENCE REPORTS

Business Affairs & Labor The Committee on Business Affairs and Labor has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

MEMBERS OF THE SECURITIES BOARD

for terms expiring July 1, 2006:

E. Lee Reichert of Denver, Colorado, to serve as a member who is licensed by the State Supreme Court to practice law in the state of Colorado and who is conversant in securities law, appointed.

Business Affairs & Labor The Committee on Business Affairs and Labor has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

MEMBERS OF THE COLORADO LIMITED GAMING CONTROL COMMISSION

for terms expiring July 1, 2007:

Barbara A. Jenkins of Lakewood, Colorado, to serve as a member from the Seventh Congressional District and to serve as a certified public accountant, appointed;

Robert A. Millman of Colorado Springs, Colorado, to serve as a member from the Fifth Congressional District and to serve as an attorney, reappointed.

Business Affairs & Labor The Committee on Business Affairs and Labor has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

MEMBER OF THE EXAMINING BOARD OF PLUMBERS

for a term expiring July 1, 2007:

Thomas B. Fox of Steamboat Springs, Colorado, to serve as a general contractor and also as a representative of the western slope, reappointed.

Business Affairs & Labor The Committee on Business Affairs and Labor has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

MEMBER OF THE
COLORADO LOTTERY COMMISSION

for a term expiring July 1, 2007:

Micheal L. Acree of Parker, Colorado, to serve as a representative of law enforcement, reappointed.

Business
Affairs &
Labor

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

MEMBERS OF THE
COLORADO BANKING BOARD

for terms expiring July 1, 2007:

Steve A. Sherlock of Lamar, Colorado, to serve as a banker and also as a Democrat, reappointed;

John R. Young of Carbondale, Colorado, to serve as a banker and also as a Republican, reappointed;

Richard F. Mutzebaugh of Highlands Ranch, Colorado, to serve as a public member and also as a Republican, reappointed.

Education

After consideration on the merits, the Committee recommends that **SB04-042** be referred to the Committee of the Whole with favorable recommendation.

Education

After consideration on the merits, the Committee recommends that **SB04-007** be referred to the Committee of the Whole with favorable recommendation.

SENATE SERVICES REPORT

Correctly Printed: SB04-106, 107, 108, 109, 110, 111, and 112. SJR04-003, and 004.

On motion of Senator Hillman, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of January 15, 2004, was laid over until Friday, January 16, 2004, retaining its place on the calendar.

On motion of Senator Hillman, the Senate adjourned until 9:00 a.m., Friday, January 16, 2004.

Approved:

John Andrews
President of the Senate

Attest:

Mona Heustis
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
54
55
56
57
58
59
60
61
62
63
64
65
66