

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

Eighth Legislative Day

Wednesday, January 14, 2004

Prayer By the chaplain, Pastor Patrick Harrison.

Pledge By Senator Nichol.

Call to Order By the President at 9:00 a.m.

Roll Call Present--34.
Absent/Excused--1; Phillips.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Grossman, reading of the Journal of January 13, 2004, was dispensed with and the Journal was approved as corrected by the Secretary.

INTRODUCTION OF RESOLUTIONS

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

SJR04-003 by Senator(s) Entz; also Representative(s) Hoppe--Concerning additions and modifications to the water pollution control revolving fund eligibility list.
Agriculture, Natural Resources & Energy

SJR04-004 by Senator(s) Entz; also Representative(s) Hoppe--Concerning additions and modifications to the drinking water revolving fund project eligibility list.
Agriculture, Natural Resources & Energy

INTRODUCTION OF BILLS--FIRST READING

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

SB04-106 by Senator(s) Teck; also Representative(s) Stengel--Concerning a repeal of the second pool of premium tax credits available under the "Certified Capital Company Act", and, in connection therewith, creating tax credits for contributions to a venture capital program.
Finance

SB04-107 by Senator(s) Hillman; also Representative(s) Hall--Concerning public employee retirement plans.
Finance

SB04-108 by Senator(s) Hillman; also Representative(s) McCluskey--Concerning the administration of claims under the "Unclaimed Property Act".
Finance

SB04-109 by Senator(s) Kester, Takis; also Representative(s) Stengel--Concerning the regulation of pawnbrokers.
Business Affairs & Labor

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MESSAGE FROM THE GOVERNOR

Appointment A letter of designation and appointment from Governor Owens was read and assigned to Committee as follows:

January 12, 2004

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:

EXECUTIVE DIRECTOR OF THE DEPARTMENT OF NATURAL RESOURCES

That Russell George of Rifle, Colorado, be and he is hereby appointed:

EXECUTIVE DIRECTOR OF THE DEPARTMENT OF NATURAL RESOURCES

effective January 12, 2004, for a term expiring at the pleasure of the Governor.

Sincerely, (signed) Bill Owens Governor Rec'd: 1/13/04 Karen Kuhlmann Asst. Secretary of the Senate

Committee on Agriculture, Natural Resources and Energy

Senate in recess.

Senate reconvened.

COMMITTEE OF REFERENCE REPORTS

Transportation After consideration on the merits, the Committee recommends that SB04-058 be referred to the Committee on Appropriations with favorable recommendation.

Transportation After consideration on the merits, the Committee recommends that SB04-026 be referred to the Committee of the Whole with favorable recommendation.

Judiciary After consideration on the merits, the Committee recommends that SB04-030 be referred to the Committee of the Whole with favorable recommendation.

Judiciary After consideration on the merits, the Committee recommends that SB04-020 be referred to the Committee of the Whole with favorable recommendation.

Judiciary After consideration on the merits, the Committee recommends that SB04-061 be referred to the Committee of the Whole with favorable recommendation.

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Finance After consideration on the merits, the Committee recommends that **SB04-016** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, line 8, strike "AND";

line 9, after "REVENUE," insert "AND A STATE-WIDE ORGANIZATION REPRESENTING AUTOMOBILE DEALERS,".

Finance After consideration on the merits, the Committee recommends that **SB04-009** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, strike lines 17 through 22.

Page 3, strike lines 1 through 7 and substitute the following:

"SECTION 2. Applicability. The provisions of this act shall apply to contributions from nonstate sources accepted by the board of the Colorado state fair authority on or after the effective date of this act.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety."

Finance After consideration on the merits, the Committee recommends that **SB04-003** be referred to the Committee of the Whole with favorable recommendation.

Finance After consideration on the merits, the Committee recommends that **SB04-063** be referred to the Committee of the Whole with favorable recommendation.

Agriculture, Natural Resources, & Energy After consideration on the merits, the Committee recommends that **SB04-040** be referred to the Committee of the Whole with favorable recommendation.

Agriculture, Natural Resources, & Energy After consideration on the merits, the Committee recommends that **SB04-013** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, strike line 27.

Page 3, strike lines 1 through 23.

Renumber succeeding section accordingly.

MESSAGE FROM THE HOUSE

January 14, 2004
Mr. President:

The House has adopted and transmits herewith HJR04-1002.

INTRODUCTION OF BILLS--FIRST READING

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

SB04-110 by Senator(s) Cairns; also Representative(s) Frangas--Concerning a prohibition against transporting uncovered trash upon the highway.
Transportation

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SB04-111 by Senator(s) Grossman, Groff; also Representative(s) Stengel--Concerning the authority of a governing body to use emergency telephone charges to fund the costs associated with providing emergency services.
 Judiciary

SB04-112 by Senator(s) May R., Cairns, Taylor, Andrews, Dyer, Hillman, Jones, Lamborn, McElhany; also Representative(s) Mitchell, Cadman, May M., Schultheis, Briggs, Brophy, Cloer, Decker, Johnson R., Lundberg, McCluskey, Rhodes, Rose, Spence, Welker--
 Concerning the requirement that the general assembly repay certain cash funds from which moneys were transferred to augment the general fund in specified state fiscal years prior to the expansion of state-funded services.
 State Veterans & Military Affairs

MESSAGE FROM THE GOVERNOR

Appointment A letter of designation and appointment from Governor Owens was read and assigned to Committee as follows:

January 13, 2004

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
BOARD OF TRUSTEES FOR THE
 UNIVERSITY OF NORTHERN COLORADO**

for terms expiring June 30, 2007:

- Kevin Smith of Littleton, Colorado, reappointed;
- Marcy H. Benson of Denver, Colorado, appointed;
- Jerry L. Morgensen of Greeley, Colorado, appointed;
- Gary M. Reiff of Englewood, Colorado, appointed;
- Jerry D. Bryant of Yuma, Colorado, appointed.

This letter shall amend, repeal and supercede the letter dated May 13, 2003 pertaining to the Board of Trustees for the University of Northern Colorado.

Sincerely,
 (signed)
 Bill Owens
 Governor
 Rec'd: 1/13/04
 Karen Kuhlmann
 Asst. Secretary of the Senate

Committee on Education

On motion of Senator Entz, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of January 14, 2004, was laid over until Thursday, January 15, 2004, retaining its place on the calendar.

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On motion of Senator Entz, the Senate adjourned until 9:00 a.m., Thursday, January 15, 2004.

Approved:

John Andrews
President of the Senate

Attest:

Mona Heustis
Secretary of the Senate

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