

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

Fifteenth Legislative Day Wednesday, January 21, 2004

- Prayer By the chaplain, Greg Isaac, Jordan Road Christian School.
- Pledge By Senator Kester.
- Call to Order By the President at 9:00 a.m.
- Roll Call Present--32.
Absent/Excused--3; Chlouber, Evans, Phillips.
Present later--Chlouber, Evans, Phillips.
- Quorum The President announced a quorum present.
- Reading of Journal On motion of Senator Johnson, reading of the Journal of January 20, 2004, was dispensed with and the Journal was approved as corrected by the Secretary.

INTRODUCTION AND IMMEDIATE CONSIDERATION OF RESOLUTION

The following resolution was read by title:

SJR04-006 by Senator(s) Grossman, Fitz-Gerald, Isgar, Tupa; also Representative(s) White, Rippy-- Concerning Ski Safety Awareness Week.

Senator Hillman moved to suspend the rules for immediate consideration of SJR04-006.

A two-thirds majority of those elected to the Senate having voted in the affirmative, the rules were suspended and immediate consideration granted.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	Takis	Y
Arnold	Y	Grossman	Y	Lamborn	Y	Tapia	Y
Cairns	Y	Hagedorn	Y	May	Y	Taylor	Y
Chlouber	Y	Hanna	Y	McElhany	Y	Teck	Y
Dyer	Y	Hillman	Y	Nichol	Y	Tupa	Y
Entz	Y	Isgar	Y	Owen	Y	Veiga	Y
Evans	Y	Johnson	Y	Phillips	Y	Windels	Y
Fitz-Gerald	Y	Jones	Y	Reeves	Y	Mr. President	Y
Gordon	Y	Keller	Y	Sandoval	Y		

Co-sponsors added: Anderson, Andrews, Arnold, Cairns, Chlouber, Dyer, Entz, Evans, Gordon, Groff, Hagedorn, Hanna, Hillman, Johnson, Jones, Keller, Kester, Lamborn, May, McElhany, Nichol, Owen, Phillips, Reeves, Sandoval, Takis, Tapia, Taylor, Teck, Veiga, and Windels.

INTRODUCTION OF BILL--FIRST READING

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

SB04-119 by Senator(s) Teck; also Representative(s) Stengel--Concerning a substitution of the revenue source for payments to school districts for property tax revenue reductions resulting from business incentive agreements.
Finance

THIRD READING--FINAL PASSAGE OF BILLS

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

SB04-042 by Senator(s) Arnold; also Representative(s) Mitchell, Carroll, Rose--Concerning the student loan advisory committee.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	Takis	Y
Arnold	Y	Grossman	Y	Lamborn	Y	Tapia	Y
Cairns	Y	Hagedorn	Y	May	Y	Taylor	Y
Chlouber	Y	Hanna	Y	McElhany	Y	Teck	Y
Dyer	Y	Hillman	Y	Nichol	Y	Tupa	Y
Entz	Y	Isgar	Y	Owen	Y	Veiga	Y
Evans	Y	Johnson	Y	Phillips	Y	Windels	Y
Fitz-Gerald	Y	Jones	Y	Reeves	Y	Mr. President	Y
Gordon	Y	Keller	Y	Sandoval	Y		

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

Co-sponsors added: Entz, Groff, Phillips, and Tapia.

SB04-040 by Senator(s) Entz; also Representative(s) Larson--Concerning the acquisition of property by the division of wildlife, and, in connection therewith, authorizing the purchase of property in Rio Grande county for public purposes.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	Takis	Y
Arnold	Y	Grossman	Y	Lamborn	Y	Tapia	Y
Cairns	Y	Hagedorn	Y	May	Y	Taylor	Y
Chlouber	Y	Hanna	Y	McElhany	Y	Teck	Y
Dyer	Y	Hillman	Y	Nichol	Y	Tupa	Y
Entz	Y	Isgar	Y	Owen	Y	Veiga	Y
Evans	Y	Johnson	Y	Phillips	Y	Windels	Y
Fitz-Gerald	Y	Jones	Y	Reeves	Y	Mr. President	Y
Gordon	Y	Keller	Y	Sandoval	Y		

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

Co-sponsors added: Chlouber, Grossman, Hanna, and Phillips.

SB04-013 by Senator(s) Entz, Dyer, Isgar, Tapia, Taylor; also Representative(s) Hoppe, Miller, Rippy, Salazar, White--Concerning senate confirmation of membership of certain boards involved with water resources.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	Takis	Y
Arnold	Y	Grossman	Y	Lamborn	Y	Tapia	Y
Cairns	Y	Hagedorn	Y	May	Y	Taylor	Y
Chlouber	Y	Hanna	Y	McElhany	Y	Teck	Y
Dyer	Y	Hillman	Y	Nichol	Y	Tupa	Y
Entz	Y	Isgar	Y	Owen	Y	Veiga	Y
Evans	Y	Johnson	Y	Phillips	Y	Windels	Y
Fitz-Gerald	Y	Jones	Y	Reeves	Y	Mr. President	Y
Gordon	Y	Keller	Y	Sandoval	Y		

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

Co-sponsors added: Andrews, Chlouber, Grossman, Nichol, Phillips, and Teck.

SB04-024

by Senator(s) Teck; also Representative(s) Romanoff--Concerning increased consistency in the regulation of certain professions by the division of registrations in the department of regulatory agencies, and, in connection therewith, enacting uniform statutory provisions governing the issuance of letters of admonition, immunity, renewal and reinstatement of licenses, registrations, or certificates, investigatory subpoenas, and disposition of fines collected.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	Takis	Y
Arnold	Y	Grossman	Y	Lamborn	Y	Tapia	Y
Cairns	Y	Hagedorn	Y	May	Y	Taylor	Y
Chlouber	Y	Hanna	Y	McElhany	Y	Teck	Y
Dyer	Y	Hillman	Y	Nichol	Y	Tupa	Y
Entz	Y	Isgar	Y	Owen	Y	Veiga	Y
Evans	Y	Johnson	Y	Phillips	Y	Windels	Y
Fitz-Gerald	Y	Jones	Y	Reeves	Y	Mr. President	Y
Gordon	Y	Keller	Y	Sandoval	Y		

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

Co-sponsors added: Groff and Nichol.

SB04-018

by Senator(s) Hillman; also Representative(s) Brophy--Concerning an increase in the contribution limit for local government retirement plans.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	Takis	Y
Arnold	Y	Grossman	Y	Lamborn	Y	Tapia	Y
Cairns	Y	Hagedorn	Y	May	Y	Taylor	Y
Chlouber	Y	Hanna	Y	McElhany	Y	Teck	Y
Dyer	Y	Hillman	Y	Nichol	Y	Tupa	Y
Entz	Y	Isgar	Y	Owen	Y	Veiga	Y
Evans	Y	Johnson	Y	Phillips	Y	Windels	Y
Fitz-Gerald	Y	Jones	Y	Reeves	Y	Mr. President	Y
Gordon	Y	Keller	Y	Sandoval	Y		

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

Co-sponsors added: Isgar and Taylor.

SB04-002 by Senator(s) Taylor, Anderson, Takis, Tupa; also Representative(s) Coleman, Rhodes, Williams T.--Concerning the annual fiscal requirements for a local government to qualify for an exemption from a local government audit.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	Takis	Y
Arnold	Y	Grossman	Y	Lamborn	Y	Tapia	Y
Cairns	Y	Hagedorn	Y	May	Y	Taylor	Y
Chlouber	Y	Hanna	Y	McElhany	Y	Teck	Y
Dyer	Y	Hillman	Y	Nichol	Y	Tupa	Y
Entz	Y	Isgar	Y	Owen	Y	Veiga	Y
Evans	Y	Johnson	Y	Phillips	Y	Windels	Y
Fitz-Gerald	Y	Jones	Y	Reeves	Y	Mr. President	Y
Gordon	Y	Keller	Y	Sandoval	Y		

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

Co-sponsors added: Isgar.

SB04-051 by Senator(s) Grossman; also Representative(s) Witwer--Concerning an increase in the length of time for which a temporary license may be issued to a foreign physician.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	Takis	Y
Arnold	Y	Grossman	Y	Lamborn	Y	Tapia	Y
Cairns	Y	Hagedorn	Y	May	Y	Taylor	Y
Chlouber	Y	Hanna	Y	McElhany	Y	Teck	Y
Dyer	Y	Hillman	Y	Nichol	Y	Tupa	Y
Entz	Y	Isgar	Y	Owen	Y	Veiga	Y
Evans	Y	Johnson	Y	Phillips	Y	Windels	Y
Fitz-Gerald	Y	Jones	Y	Reeves	Y	Mr. President	Y
Gordon	Y	Keller	Y	Sandoval	Y		

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

Co-sponsors added: Dyer, Entz, Gordon, Groff, Hanna, Hillman, Jones, May, Tapia, Taylor, Teck, and Tupa.

SB04-035 by Senator(s) Kester; also Representative(s) Briggs--Concerning meetings of county boards of social services to address public assistance responsibilities of county departments.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	Takis	Y
Arnold	Y	Grossman	Y	Lamborn	Y	Tapia	Y
Cairns	Y	Hagedorn	Y	May	Y	Taylor	Y
Chlouber	Y	Hanna	Y	McElhany	Y	Teck	Y
Dyer	Y	Hillman	Y	Nichol	Y	Tupa	Y
Entz	Y	Isgar	Y	Owen	Y	Veiga	Y
Evans	Y	Johnson	Y	Phillips	Y	Windels	Y
Fitz-Gerald	Y	Jones	Y	Reeves	Y	Mr. President	Y
Gordon	Y	Keller	Y	Sandoval	Y		

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

Co-sponsors added: Evans, Hanna, Jones, and Keller.

SB04-017 by Senator(s) Johnson S., Evans, Hagedorn, Hanna, Kester, Sandoval; also Representative(s) Stafford, Boyd, Cloer, Frangas, Johnson R., Schultheis, Tochtrop--Concerning modifications to alien eligibility requirements under the Colorado works program in order to comply with federal law.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	Takis	Y
Arnold	Y	Grossman	Y	Lamborn	Y	Tapia	Y
Cairns	Y	Hagedorn	Y	May	Y	Taylor	Y
Chlouber	Y	Hanna	Y	McElhany	Y	Teck	Y
Dyer	Y	Hillman	Y	Nichol	Y	Tupa	Y
Entz	Y	Isgar	Y	Owen	Y	Veiga	Y
Evans	Y	Johnson	Y	Phillips	Y	Windels	Y
Fitz-Gerald	Y	Jones	Y	Reeves	Y	Mr. President	Y
Gordon	Y	Keller	Y	Sandoval	Y		

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

Co-sponsors added: Groff and Tapia.

SB04-032 by Senator(s) Isgar, Taylor, Entz; also Representative(s) Salazar, Hoppe, Miller, Rippy-- Concerning an authorization for loans of agricultural irrigation water rights, and making an appropriation in connection therewith.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	Takis	Y
Arnold	Y	Grossman	Y	Lamborn	Y	Tapia	Y
Cairns	Y	Hagedorn	Y	May	Y	Taylor	Y
Chlouber	Y	Hanna	Y	McElhany	Y	Teck	Y
Dyer	Y	Hillman	Y	Nichol	Y	Tupa	Y
Entz	Y	Isgar	Y	Owen	Y	Veiga	Y
Evans	Y	Johnson	Y	Phillips	Y	Windels	Y
Fitz-Gerald	Y	Jones	Y	Reeves	Y	Mr. President	Y
Gordon	Y	Keller	Y	Sandoval	Y		

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

Co-sponsors added: Fitz-Gerald, Groff, Grossman, Hanna, Kester, Nichol, Sandoval, Teck, and Tupa.

SB04-067 by Senator(s) Owen; also Representative(s) Smith--Concerning the elimination of obsolete provisions of law.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	Takis	Y
Arnold	Y	Grossman	Y	Lamborn	Y	Tapia	Y
Cairns	Y	Hagedorn	Y	May	Y	Taylor	Y
Chlouber	Y	Hanna	Y	McElhany	Y	Teck	Y
Dyer	Y	Hillman	Y	Nichol	Y	Tupa	Y
Entz	Y	Isgar	Y	Owen	Y	Veiga	Y
Evans	Y	Johnson	Y	Phillips	Y	Windels	Y
Fitz-Gerald	Y	Jones	Y	Reeves	Y	Mr. President	Y
Gordon	Y	Keller	Y	Sandoval	Y		

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

Co-sponsors added: Evans, Jones, Kester, Lamborn, May, Nichol, Tapia, and Tupa.

COMMITTEE OF REFERENCE REPORTS

Finance After consideration on the merits, the Committee recommends that **SJR04-005** be referred to the Senate for final action.

- Finance After consideration on the merits, the Committee recommends that **SB04-087** be referred to the Committee of the Whole with favorable recommendation. 1
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- Finance After consideration on the merits, the Committee recommends that **SB04-096** be referred to the Committee of the Whole with favorable recommendation. 6
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- Finance After consideration on the merits, the Committee recommends that **SB04-090** be referred to the Committee of the Whole with favorable recommendation. 10
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- Finance After consideration on the merits, the Committee recommends that **SB04-059** be referred to the Committee on Agriculture, Natural Resources, and Energy with favorable recommendation. 14
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- Finance After consideration on the merits, the Committee recommends that **SB04-107** be referred to the Committee of the Whole with favorable recommendation. 18
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SIGNING OF BILLS--RESOLUTIONS--MEMORIALS

The President has signed: SB04-011. 22
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SENATE SERVICES REPORT

- Correctly Printed:** SB04-118 27
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- Correctly Engrossed:** SB04-002, 013, 017, 018, 024, 032, 035, 040, 042, 051, and 067. 33
- Correctly Reengrossed:** SB04-003, 005, 007, 009, 016, 026, 030, 044, 061, and 063. 34
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Journal correction: 38
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Senate Journal, page 88, line 4, strike "2, 2004." and substitute "21, 2004.". 40
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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 21, 2004, was laid over until Thursday, January 22, 2004, retaining its place on the calendar. 45
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Second Reading -- General Orders: SB04-020. 49

Consideration of Resolutions: HJR04-1002. 50

Consideration of Governor's Appointments: 51

- Members of the Special Funds Board for Workers' Compensation Self Insurers; 52

- Member of the State Electrical Board; 53

- Members of the Securities Board; 54

- Members of the Colorado Limited Gaming Control Commission; 55

- Member of the Examining Board of Plumbers; 56

- Member of the Colorado Lottery Commission; 57

- Members of the Colorado Banking Board; 58

- Members of the Oil and Gas Conservation Commission of the State of Colorado; 59

- Members of the Colorado Water Conservation Board; 60

- Executive Director of the Department of Natural Resources; 61

- Members of the State Board of Parole. 62
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On motion of Senator Hillman, the Senate adjourned until 9:00 a.m., Thursday, January 22, 2004.

Approved:

John Andrews
President of the Senate

Attest:

Mona Heustis
Secretary of the Senate

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