

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

Seventy-second Legislative Day

Thursday, March 20, 2003

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Prayer	By Senator Teck.	11
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Pledge	By Senator Taylor.	13
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Call to Order	By the President <i>Pro Tem</i> at 9:15 a.m.	15
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Roll Call	Present--26 .	18
	Absent/Excused--9; Andrews, Dyer, Entz, Hagedorn, Hanna, Kester, Lamborn, Linkhart, Takis.	19
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Quorum	The President <i>Pro Tem</i> announced a quorum present.	22
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Reading of Journal	On motion of Senator Keller, reading of the Journal of March 18, 2003 was dispensed with and the Journal was approved as corrected by the Secretary.	24
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COMMITTEE OF REFERENCE REPORTS

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State, Veterans and Military Affairs	After consideration on the merits, the Committee recommends that HB03-1158 be postponed indefinitely.	33
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INTRODUCTION OF BILL--FIRST READING

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	The following bill was read by title and referred to the committee indicated:	42
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SB03-253	by Senator(s) Chlouber; also Representative(s) White--Concerning the validation of certain parental liability waivers.	44
	Judiciary	45
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SENATE SERVICES REPORT

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	Correctly printed: SJR03-029	51
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	Correctly rerevised: HB03- 1035, 1097, 1111, 1127, 1286, 1298.	53
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	To the Governor for signature on Tuesday, March 18, 2003, at 10:15AM	56
	SB03-024, 025, 089, 139, 148.	57
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On motion of Senator Anderson, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of Governor's Appointments.

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CONSIDERATION OF GOVERNOR'S APPOINTMENTS

On motion of Senator McElhany, the following Governor's appointments were confirmed by a roll call vote:

**MEMBERS OF THE
COLORADO TOURISM OFFICE BOARD OF DIRECTORS**

for terms expiring June 1, 2006:

Sarah L. MacQuiddy of Greeley, Colorado, to serve as a representative of the destination marketing industry, reappointed;

Robert A. Kunkel of Durango, Colorado, to serve as a representative of the ski industry, appointed;

Kathy Palmeri of Estes Park, Colorado, to serve as a representative of other outdoor recreation industries, reappointed.

YES	26	NO	0	EXCUSED	9	ABSENT	0
Anderson	Y	Groff	Y	Kester	E	Sandoval	Y
Arnold	Y	Grossman	Y	Lamborn	E	Takis	E
Cairns	Y	Hagedorn	E	Linkhart	E	Tapia	Y
Chlouber	Y	Hanna	E	May	Y	Taylor	Y
Dyer	E	Hillman	Y	McElhany	Y	Teck	Y
Entz	E	Isgar	Y	Nichol	Y	Tupa	Y
Evans	Y	Johnson	Y	Owen	Y	Windels	Y
Fitz-Gerald	Y	Jones	Y	Phillips	Y	Mr. President	E
Gordon	Y	Keller	Y	Reeves	Y		

On motion of Senator Arnold, the following Governor's appointment was confirmed by a roll call vote:

**MEMBER OF THE
JUVENILE PAROLE BOARD**

for a term expiring at the pleasure of the Governor:

George E. Epp of Boulder, Colorado, to serve as the member of the public, reappointed.

YES	26	NO	0	EXCUSED	9	ABSENT	0
Anderson	Y	Groff	Y	Kester	E	Sandoval	Y
Arnold	Y	Grossman	Y	Lamborn	E	Takis	E
Cairns	Y	Hagedorn	E	Linkhart	E	Tapia	Y
Chlouber	Y	Hanna	E	May	Y	Taylor	Y
Dyer	E	Hillman	Y	McElhany	Y	Teck	Y
Entz	E	Isgar	Y	Nichol	Y	Tupa	Y
Evans	Y	Johnson	Y	Owen	Y	Windels	Y
Fitz-Gerald	Y	Jones	Y	Phillips	Y	Mr. President	E
Gordon	Y	Keller	Y	Reeves	Y		

On motion of Senator Johnson, the following Governor's appointments were confirmed by a roll call vote:

**MEMBERS OF THE
COLORADO TRAUMATIC BRAIN INJURY BOARD**

for terms expiring June 30, 2004:

Judy L. Dettmer of Fort Collins, Colorado, to serve as a social worker experienced in working with persons who have sustained traumatic brain injuries, appointed;

Kathleen Rohan Hague of Denver, Colorado, to serve as a family member of an individual with traumatic brain injuries, appointed;

Joy G. Henika of Boulder, Colorado, to serve as an individual with a traumatic brain injury, appointed;

Pamela A. Law of Westminster, Colorado, to serve as a speech pathologist who has experience working with persons with traumatic brain injuries, appointed;

for terms expiring June 30, 2005:

Melissa Francis of Denver, Colorado, to serve as a member of the public who has experience with persons with traumatic brain injuries, appointed;

Theresa D. Hernández of Boulder, Colorado, to serve as a clinical research scientist who has experience evaluating persons with traumatic brain injuries, appointed;

A. Stewart Levy, M.D. of Denver, Colorado, to serve as a neurologist who has experience working with persons with traumatic brain injuries, appointed;

for terms expiring June 30, 2006:

David B. Arciniegas, M.D. of Denver, Colorado, to serve as a neuropsychiatrist who has experience working with persons with traumatic brain injuries, appointed;

Jeanne E. Dise-Lewis, Ph.D. of Denver, Colorado, to serve as a neuropsychologist who has experience working with persons with traumatic brain injuries, appointed;

Michael Scott Manley, Ed.D. of Littleton, Colorado, to serve as a member of the public who has experience with persons with traumatic brain injuries, appointed.

YES	26	NO	0	EXCUSED	9	ABSENT	0
Anderson	Y	Groff	Y	Kester	E	Sandoval	Y
Arnold	Y	Grossman	Y	Lamborn	E	Takis	E
Cairns	Y	Hagedorn	E	Linkhart	E	Tapia	Y
Chlouber	Y	Hanna	E	May	Y	Taylor	Y
Dyer	E	Hillman	Y	McElhany	Y	Teck	Y
Entz	E	Isgar	Y	Nichol	Y	Tupa	Y
Evans	Y	Johnson	Y	Owen	Y	Windels	Y
Fitz-Gerald	Y	Jones	Y	Phillips	Y	Mr. President	E
Gordon	Y	Keller	Y	Reeves	Y		

On motion of Senator Johnson, the following Governor's appointments were confirmed by a roll call vote:

**MEMBERS OF THE
STATEWIDE POISON CONTROL OVERSIGHT BOARD**

for terms expiring July 1, 2006:

Derk L. Maniscalco of Arvada, Colorado, to serve as a member from the public at large and as a Republican from the Seventh Congressional District, appointed;

Barbara Bailey of Colorado Springs, Colorado, to serve as a representative of the Department of Public Health and Environment and as a Democrat from the Fifth Congressional District, appointed;

James A. Ruth, Ph.D. of Boulder, Colorado, to serve as the designee of the chancellor of the University of Colorado Health Sciences Center and as a Democrat from the Second Congressional District, reappointed;

Carol M. Warner of Centennial, Colorado, to serve as a member from the public at large and as a Republican from the Sixth Congressional District, reappointed

YES	26	NO	0	EXCUSED	9	ABSENT	0
Anderson	Y	Groff	Y	Kester	E	Sandoval	Y
Arnold	Y	Grossman	Y	Lamborn	E	Takis	E
Cairns	Y	Hagedorn	E	Linkhart	E	Tapia	Y
Chlouber	Y	Hanna	E	May	Y	Taylor	Y
Dyer	E	Hillman	Y	McElhany	Y	Teck	Y
Entz	E	Isgar	Y	Nichol	Y	Tupa	Y
Evans	Y	Johnson	Y	Owen	Y	Windels	Y
Fitz-Gerald	Y	Jones	Y	Phillips	Y	Mr. President	E
Gordon	Y	Keller	Y	Reeves	Y		

On motion of Senator Arnold, the following Governor's appointments were confirmed by a roll call vote:

MEMBERS OF THE
BOARD OF TRUSTEES FOR FORT LEWIS COLLEGE

for terms expiring January 1, 2004:

Leonel B. Silva of Centennial, Colorado, to serve as a Democrat, appointed;

for terms expiring January 1, 2005:

Linda Campbell of Ignacio, Colorado, to serve as a Republican, appointed;

Peter Decker of Ridgway, Colorado, to serve as a Democrat, appointed;

for terms expiring January 1, 2006:

Michael Pugh of Pueblo, Colorado, to serve as a Republican, appointed;

Sally Schaefer of Grand Junction, Colorado, to serve as a Republican, appointed;

for a term expiring January 1, 2007:

Ronald W. Pettigrew of Durango, Colorado, to serve as a Republican, appointed.

YES	26	NO	0	EXCUSED	9	ABSENT	0
Anderson	Y	Groff	Y	Kester	E	Sandoval	Y
Arnold	Y	Grossman	Y	Lamborn	E	Takis	E
Cairns	Y	Hagedorn	E	Linkhart	E	Tapia	Y
Chlouber	Y	Hanna	E	May	Y	Taylor	Y
Dyer	E	Hillman	Y	McElhany	Y	Teck	Y
Entz	E	Isgar	Y	Nichol	Y	Tupa	Y
Evans	Y	Johnson	Y	Owen	Y	Windels	Y
Fitz-Gerald	Y	Jones	Y	Phillips	Y	Mr. President	E
Gordon	Y	Keller	Y	Reeves	Y		

On motion of Senator Anderson, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of Resolution: **SJR03-029**.

CONSIDERATION OF RESOLUTION

SJR03-029 by Senator(s) Taylor, Cairns, Entz; also Representative(s) Stafford--Concerning the Aurora Veterans' Memorial at Fitzsimons - "National Debt".

SJR03-029

Amendment No. 1(L.001), by Senator Taylor.

Amend printed joint resolution, page 2, line 35, strike "____;" and substitute "March 17, 2003;".

The amendment was declared adopted.

On motion of Senator Taylor, the resolution, as amended, was read at length and **adopted** by the following roll call vote:

YES	26	NO	0	EXCUSED	9	ABSENT	0
Anderson	Y	Groff	Y	Kester	E	Sandoval	Y
Arnold	Y	Grossman	Y	Lamborn	E	Takis	E
Cairns	Y	Hagedorn	E	Linkhart	E	Tapia	Y
Chlouber	Y	Hanna	E	May	Y	Taylor	Y
Dyer	E	Hillman	Y	McElhany	Y	Teck	Y
Entz	E	Isgar	Y	Nichol	Y	Tupa	Y
Evans	Y	Johnson	Y	Owen	Y	Windels	Y
Fitz-Gerald	Y	Jones	Y	Phillips	Y	Mr. President	E
Gordon	Y	Keller	Y	Reeves	Y		

Co-sponsors added: Anderson, Arnold, Chlouber, Evans, Fitz-Gerald, Gordon, Groff, Grossman, Hillman, Isgar, Johnson, Jones, Keller, May, McElhany, Nichol, Owen, Phillips, Reeves, Sandoval, Tapia, Teck, Tupa, and Windels.

On motion of Senator Anderson, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Third Reading--Final Passage of Bills.

THIRD READING--FINAL PASSAGE OF BILLS

On Third Reading, the title of the following bill was publicly read, the reading at length having been dispensed with by unanimous consent:

HB03-1015 by Representative(s) Marshall; also Senator(s) Anderson--Concerning the alleviation of the administrative workload of the department of public health and environment in areas not directly related to the enforcement of health and safety regulations, and, in connection therewith, delaying a statewide economic analysis and repealing a fee credit program.

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

YES	26	NO	0	EXCUSED	9	ABSENT	0
Anderson	Y	Groff	Y	Kester	E	Sandoval	Y
Arnold	Y	Grossman	Y	Lamborn	E	Takis	E
Cairns	Y	Hagedorn	E	Linkhart	E	Tapia	Y
Chlouber	Y	Hanna	E	May	Y	Taylor	Y
Dyer	E	Hillman	Y	McElhany	Y	Teck	Y
Entz	E	Isgar	Y	Nichol	Y	Tupa	Y
Evans	Y	Johnson	Y	Owen	Y	Windels	Y
Fitz-Gerald	Y	Jones	Y	Phillips	Y	Mr. President	E
Gordon	Y	Keller	Y	Reeves	Y		

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

On motion of Senator Anderson, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of March 20, was laid over until Friday, March 21, retaining its place on the calendar.

Third Reading--Final Passage: SB03-132, HB03-1298, HB03-1290.
 Second Reading--General Orders: SB03-001, HB03-1237, SB03-236, HB03-1007, SB03-121, HB03-1232, HB03-1240, HB03-1304, HB03-1297, HB03-1221, HB03-1207, HB03-1306, HB03-1244, HB03-1186, HB03-1243, HB03-1197, SB03-238, HB03-1160, SB03-241, HB03-1253, HB03-1205, HB03-1046, HB03-1001, HB03-1241, HB03-1271, HB03-1142, HB03-1255, HB03-1283, HB03-1061, HB03-1033, HB03-1219, HB03-1172, HB03-1083, HB03-1108, HB03-1218, HB03-1216, HB03-1053, HB03-1050, HB03-1229, HB03-1211, HB03-1228, HB03-1087, SB03-237.
 Consideration of Resolution: SJR03-028.
 Consideration of House Amendments to Senate Bills: SB03-117.
 Consideration of Governor's Vetoes: SB03-207.
 Conference Committee to Report: HB03-1161.
 Request for Conference Committee: SB03-065, HB03-1103, HB03-1301, HB03-1025.

On motion of Senator Anderson, the Senate adjourned until 9:00 a.m., Friday, March 21, 2003.

Approved:

Ken Chlouber
President *Pro Tem* of the Senate

Attest:

Mona Heustis
Secretary of the Senate

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