

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

Eighty-fourth Legislative Day Tuesday, April 1, 2003

- Prayer By the President.
- Pledge By Senator May.
- Call to Order By the President at 9:00 a.m.
- Roll Call Present-- 32
Absent/Excused--3; Grossman, Hillman, McElhany.
Present later--Hillman, McElhany.
- Quorum The President announced a quorum present.
- Reading of Journal On motion of Senator Sandoval, reading of the Journal of March 31, 2003 was dispensed with and the Journal was approved as corrected by the Secretary.

**FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON HB03-1103**

**THIS REPORT AMENDS THE
REREVISED BILL**

To the President of the Senate and the
Speaker of the House of Representatives:

Your first conference committee appointed on HB03-1103, concerning an increase of the service required to be provided by qualified private businesses pursuant to competitively negotiated contracts to fifty percent of the regional transportation district service that involves transporting the general public by means of any self-propelled vehicle that is designed primarily for travel on the public highways, has met and reports that it has agreed upon the following:

That the House accede to the Senate amendments made to the bill, as said amendments appear in the rerevised bill, with the following change:

Amend rerevised bill, page 5, line 8, strike "THIRTY" and substitute "THIRTY-FIVE".

Respectfully submitted,

House Committee:
(signed)
Representative Briggs, Chairman
Representative Miller
Representative Berry

Senate Committee:
(signed)
Senator Chlouber, Chairman
Senator Isgar
Senator May

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MESSAGE FROM THE HOUSE

March 31, 2003

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes; HB03-1164, amended as printed in House Journal, March 27, pages 1281-1284.

The House has passed on Third Reading and returns herewith SB03-119,034,042,021.

- The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB03-016, amended as printed in House Journal, March 27, page 1284. SB03-091, amended as printed in House Journal, March 27, pages 1284-1285. SB03-023, amended as printed in House Journal, March 27, page 1285. SB03-038, amended as printed in House Journal, March 25, page 1285-1286. SB03-088, amended as printed in House Journal, March 27, pages 1293-1294. SB03-044, amended as printed in House Journal, March 27, page 1294. SB03-056, amended as printed in House Journal, March 27, page 1294-1295. SB03-102, amended as printed in House Journal, March 27, page 1295. SB03-106, amended as printed in House Journal, March 27, pages 1295-1296. SB03-158, amended as printed in House Journal, March 28, pages 1316-1317. SB03-079, amended as printed in House Journal, March 28, page 1317.

MESSAGE FROM THE REVISOR OF STATUTES

March 31, 2003

We herewith transmit:

Without comment, as amended, HB03-1164 and SB03-016, 091, 023, 038, 088, 044, 056, 102, 106, 158, and 079.

INTRODUCTION OF RESOLUTION

The following resolution was read by title:

HJR03-1041 by Representative(s) Fritz, Lee, Brophy, Cadman, Crane, Jahn, McFadyen, Miller, Rippy, Salazar, Sinclair, White; also Senator(s) Taylor, May R.--Concerning support of the United States Armed Forces in Operation Iraqi Freedom.

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

INTRODUCTION OF BILL--FIRST READING

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

HB03-1164 by Representative(s) Spradley, Butcher; also Senator(s) Hillman--Concerning the expansion of access to health insurance, and making an appropriation therefor. Business Affairs & Labor Appropriations

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:

SB03-246 by Senator(s) Owen, Reeves, Teck; also Representative(s) Witwer, Plant, Young-- Concerning the authority of the department of human services to charge a monthly administrative fee to specified public assistance recipients receiving benefits via the electronic benefits transfer service.

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SB03-246

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

YES	19	NO	15	EXCUSED	1	ABSENT	0
Anderson	Y	Groff	N	Kester	Y	Sandoval	N
Arnold	Y	Grossman	E	Lamborn	Y	Takis	N
Cairns	Y	Hagedorn	N	Linkhart	N	Tapia	N
Chlouber	Y	Hanna	N	May	Y	Taylor	Y
Dyer	Y	Hillman	Y	McElhany	Y	Teck	Y
Entz	Y	Isgar	N	Nichol	N	Tupa	N
Evans	Y	Johnson	Y	Owen	Y	Windels	N
Fitz-Gerald	N	Jones	Y	Phillips	N	Mr. President	Y
Gordon	N	Keller	N	Reeves	Y		

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

SB03-240

by Senator(s) McElhany; also Representative(s) McCluskey--Concerning the selection process for an independent medical examiner in workers' compensation cases.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	Sandoval	Y
Arnold	Y	Grossman	E	Lamborn	Y	Takis	Y
Cairns	Y	Hagedorn	Y	Linkhart	Y	Tapia	Y
Chlouber	Y	Hanna	Y	May	Y	Taylor	Y
Dyer	Y	Hillman	Y	McElhany	Y	Teck	Y
Entz	Y	Isgar	Y	Nichol	Y	Tupa	Y
Evans	Y	Johnson	Y	Owen	Y	Windels	Y
Fitz-Gerald	Y	Jones	Y	Phillips	Y	Mr. President	Y
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**.

Co-sponsors added: Arnold, Jones, and May.

HB03-1142

by Representative(s) Crane, Clapp, Fairbank, Fritz, Harvey, Hefley, King, Lee, May M., Mitchell, Rhodes, Schultheis, Spence, Stafford, White; also Senator(s) Chlouber, Lamborn--Concerning minor political parties.

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

YES	20	NO	14	EXCUSED	1	ABSENT	0
Anderson	Y	Groff	N	Kester	Y	Sandoval	N
Arnold	Y	Grossman	E	Lamborn	Y	Takis	N
Cairns	Y	Hagedorn	N	Linkhart	N	Tapia	N
Chlouber	Y	Hanna	N	May	Y	Taylor	Y
Dyer	Y	Hillman	Y	McElhany	Y	Teck	Y
Entz	Y	Isgar	Y	Nichol	N	Tupa	N
Evans	Y	Johnson	Y	Owen	Y	Windels	N
Fitz-Gerald	N	Jones	Y	Phillips	N	Mr. President	Y
Gordon	Y	Keller	N	Reeves	N		

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

Co-sponsors added: Andrews, Arnold, Cairns, Entz, Jones, Kester, and May.

HB03-1197

by Representative(s) May M., Judd; also Senator(s) Taylor, Anderson--Concerning the use of confidential communications between certified public accountants and clients in proceedings relating to the attest activities of certified public accountants, and, in connection therewith, creating an exception to the Colorado accountant-client privilege for purposes of disciplinary functions of the state board of accountancy related to attest services.

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

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HB03-1197

YES	22	NO	12	EXCUSED	1	ABSENT	0
Anderson	Y	Groff	N	Kester	Y	Sandoval	N
Arnold	Y	Grossman	E	Lamborn	N	Takis	N
Cairns	N	Hagedorn	Y	Linkhart	N	Tapia	Y
Chlouber	N	Hanna	Y	May	Y	Taylor	Y
Dyer	N	Hillman	Y	McElhany	N	Teck	Y
Entz	Y	Isgar	Y	Nichol	Y	Tupa	Y
Evans	Y	Johnson	Y	Owen	Y	Windels	Y
Fitz-Gerald	Y	Jones	N	Phillips	Y	Mr. President	N
Gordon	N	Keller	Y	Reeves	Y		

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

Co-sponsors added: Evans and Phillips.

HB03-1001 by Representative(s) Hoppe; also Senator(s) Johnson S.--Concerning increased flexibility in the use of water resources.

Laid over until Wednesday, April 2, retaining its place on the calendar.

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 Resolutions.

CONSIDERATION OF RESOLUTIONS

SJR03-030 by Senator(s) Lamborn, Andrews; also Representative(s) Mitchell--Concerning support for President Bush's position on the University of Michigan's affirmative action admissions policy.

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

YES	18	NO	16	EXCUSED	1	ABSENT	0
Anderson	Y	Groff	N	Kester	Y	Sandoval	N
Arnold	Y	Grossman	E	Lamborn	Y	Takis	N
Cairns	Y	Hagedorn	N	Linkhart	N	Tapia	N
Chlouber	Y	Hanna	N	May	Y	Taylor	Y
Dyer	Y	Hillman	Y	McElhany	Y	Teck	Y
Entz	Y	Isgar	N	Nichol	N	Tupa	N
Evans	Y	Johnson	Y	Owen	Y	Windels	N
Fitz-Gerald	N	Jones	Y	Phillips	N	Mr. President	Y
Gordon	N	Keller	N	Reeves	N		

Co-sponsors added: Jones and Cairns.

SJR03-027 by Senator(s) Hagedorn, Hanna, Windels; also Representative(s) Stafford, Madden, Romanoff--Concerning streamlining health care billing.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	Sandoval	Y
Arnold	Y	Grossman	E	Lamborn	Y	Takis	Y
Cairns	Y	Hagedorn	Y	Linkhart	Y	Tapia	Y
Chlouber	Y	Hanna	Y	May	Y	Taylor	Y
Dyer	Y	Hillman	Y	McElhany	Y	Teck	Y
Entz	Y	Isgar	Y	Nichol	Y	Tupa	Y
Evans	Y	Johnson	Y	Owen	Y	Windels	Y
Fitz-Gerald	Y	Jones	Y	Phillips	Y	Mr. President	Y
Gordon	Y	Keller	Y	Reeves	Y		

Co-sponsors added: Evans, Gordon, Groff, Hanna, Johnson, May, Nichol, Phillips, Sandoval, Tapia, and Tupa.

SJR03-032 by Senator(s) Windels; also Representative(s) McFadyen--Concerning recognition of May 24 as Colorado aviation maintenance technician day, and, in connection therewith, honoring the life of airplane mechanic Charles Edward Taylor.

Laid over until Wednesday, April 2, retaining its place on the calendar.

HJR03-1032 by Representative(s) Crane, Schultheis, Borodkin, Boyd, Briggs, Brophy, Cadman, Carroll, Cloer, Coleman, Decker, Fairbank, Frangas, Fritz, Garcia, Harvey, Hefley, Hoppe, Jahn, Johnson R., Judd, King, Larson, Lee, Lundberg, May M., McCluskey, Merrifield, Miller, Mitchell, Rhodes, Rippy, Rose, Salazar, Sinclair, Smith, Spence, Spradley, Stafford, Stengel, Tochtrop, Vigil, White, Wiens, Williams S., Williams T., Witwer; also Senator(s) Lamborn, Phillips, Andrews, Arnold, Cairns, Chlouber, Entz, Evans, Hagedorn, Hillman, Johnson S., Jones, Kester, Taylor--Concerning an expression by the Colorado general assembly of solidarity with the State of Israel in its fight against terrorism.

Laid over until Wednesday, April 2, retaining its place on the calendar.

HJR03-1034 by Representative(s) Madden, Spradley, Veiga, Williams T., Tochtrop; also Senator(s) Anderson, Fitz-Gerald--Concerning the General Assembly's support of the full investigation of the alleged sexual assaults at the United States Air Force Academy.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	Sandoval	Y
Arnold	Y	Grossman	E	Lamborn	Y	Takis	Y
Cairns	Y	Hagedorn	Y	Linkhart	Y	Tapia	Y
Chlouber	Y	Hanna	Y	May	Y	Taylor	Y
Dyer	Y	Hillman	Y	McElhany	Y	Teck	Y
Entz	Y	Isgar	Y	Nichol	Y	Tupa	Y
Evans	Y	Johnson	Y	Owen	Y	Windels	Y
Fitz-Gerald	Y	Jones	Y	Phillips	Y	Mr. President	Y
Gordon	Y	Keller	Y	Reeves	Y		

Co-sponsors added: Andrews, Cairns, Chlouber, Entz, Evans, Gordon, Groff, Hagedorn, Hillman, Isgar, Johnson, Jones, Kester, Linkhart, McElhany, Nichol, Sandoval, Tapia, Taylor, 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 Consideration of House Amendments to Senate Bills.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILL

SB03-067 by Senator(s) Johnson S.; also Representative(s) Stengel--Concerning procedures to be followed by county governments in connection with the merging of parcels of land.

Senator Johnson moved that the Senate concur in House amendments to **SB03-067**, as printed in House Journal, March 21, page 1202. The motion was **passed** by the following roll call vote:

YES	29	NO	5	EXCUSED	1	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	Sandoval	Y
Arnold	Y	Grossman	E	Lamborn	Y	Takis	Y
Cairns	Y	Hagedorn	Y	Linkhart	Y	Tapia	Y
Chlouber	Y	Hanna	N	May	Y	Taylor	Y
Dyer	Y	Hillman	Y	McElhany	Y	Teck	Y
Entz	Y	Isgar	Y	Nichol	Y	Tupa	N
Evans	Y	Johnson	Y	Owen	Y	Windels	Y
Fitz-Gerald	N	Jones	Y	Phillips	N	Mr. President	Y
Gordon	N	Keller	Y	Reeves	Y		

SB03-067

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

YES	25	NO	9	EXCUSED	1	ABSENT	0
Anderson	Y	Groff	N	Kester	Y	Sandoval	Y
Arnold	Y	Grossman	E	Lamborn	Y	Takis	Y
Cairns	Y	Hagedorn	Y	Linkhart	Y	Tapia	Y
Chlouber	Y	Hanna	N	May	Y	Taylor	Y
Dyer	Y	Hillman	Y	McElhany	Y	Teck	Y
Entz	Y	Isgar	Y	Nichol	Y	Tupa	N
Evans	Y	Johnson	Y	Owen	Y	Windels	N
Fitz-Gerald	N	Jones	Y	Phillips	N	Mr. President	Y
Gordon	N	Keller	N	Reeves	N		

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

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.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS

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

MEMBERS OF THE STATE HOUSING BOARD

for terms expiring January 31, 2007:

Rick L. Padilla of Denver, Colorado, to serve as a member from the First Congressional District and as an Unaffiliated, reappointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	Sandoval	Y
Arnold	Y	Grossman	E	Lamborn	Y	Takis	Y
Cairns	Y	Hagedorn	Y	Linkhart	Y	Tapia	Y
Chlouber	Y	Hanna	Y	May	Y	Taylor	Y
Dyer	Y	Hillman	Y	McElhany	Y	Teck	Y
Entz	Y	Isgar	Y	Nichol	Y	Tupa	Y
Evans	Y	Johnson	Y	Owen	Y	Windels	Y
Fitz-Gerald	Y	Jones	Y	Phillips	Y	Mr. President	Y
Gordon	Y	Keller	Y	Reeves	Y		

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

MEMBERS OF THE PINNACOL ASSURANCE BOARD OF DIRECTORS

for terms expiring January 1, 2008:

Peter M. Meersman of Aurora, Colorado, to serve as an employee representative whose liability is insured by Pinnacol Assurance, reappointed;

Debra E. Lovejoy of Colorado Springs, Colorado, to serve as an employee representative whose liability is insured by Pinnacol Assurance, appointed;

J. Mark Eagleton of Golden, Colorado to serve as an employee representative whose liability is insured by Pinnacol Assurance, appointed;

Gary O. Johnson of Lakewood, Colorado, to serve as a representative with experience in management and operation of an insurance company, appointed;

David L. Stevens of Denver, Colorado, to serve as a representative with experience in investment and finance, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	Sandoval	Y
Arnold	Y	Grossman	E	Lamborn	Y	Takis	Y
Cairns	Y	Hagedorn	Y	Linkhart	Y	Tapia	Y
Chlouber	Y	Hanna	Y	May	Y	Taylor	Y
Dyer	Y	Hillman	Y	McElhany	Y	Teck	Y
Entz	Y	Isgar	Y	Nichol	Y	Tupa	Y
Evans	Y	Johnson	Y	Owen	Y	Windels	Y
Fitz-Gerald	Y	Jones	Y	Phillips	Y	Mr. President	Y
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
STATE BOARD OF NURSING

for terms expiring July 1, 2005:

Linda L. Roan of Colorado Springs, Colorado, to serve as a representative of nursing education, reappointed;

Tammy C. Will of Platteville, Colorado, to serve as a licensed practical nurse, appointed;

Lois K. Lynch of Lakewood, Colorado, to serve as a hospital staff nurse, reappointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	Sandoval	Y
Arnold	Y	Grossman	E	Lamborn	Y	Takis	Y
Cairns	Y	Hagedorn	Y	Linkhart	Y	Tapia	Y
Chlouber	Y	Hanna	Y	May	Y	Taylor	Y
Dyer	Y	Hillman	Y	McElhany	Y	Teck	Y
Entz	Y	Isgar	Y	Nichol	Y	Tupa	Y
Evans	Y	Johnson	Y	Owen	Y	Windels	Y
Fitz-Gerald	Y	Jones	Y	Phillips	Y	Mr. President	Y
Gordon	Y	Keller	Y	Reeves	Y		

Consideration of Governor's Appointments as Members of the Colorado Student Obligation Bond Authority Board of Directors and Members of the Board of Trustees for Fort Lewis College, laid over until Wednesday, April 2, retaining their place on the calendar.

Senate returned to Consideration of House Amendments to Senate Bills.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILL

SB03-117 by Senator(s) Cairns; also Representative(s) Spence--Concerning the schedule by which the department of education releases school accountability reports.

Senator Cairns moved that the Senate concur in House amendments to **SB03-117**, as printed in House Journal, March 7, page 1071. The motion was **passed** by the following roll call vote:

YES	22	NO	12	EXCUSED	1	ABSENT	0
Anderson	Y	Groff	N	Kester	Y	Sandoval	N
Arnold	Y	Grossman	E	Lamborn	Y	Takis	N
Cairns	Y	Hagedorn	Y	Linkhart	Y	Tapia	N
Chlouber	Y	Hanna	N	May	Y	Taylor	Y
Dyer	Y	Hillman	Y	McElhany	Y	Teck	Y
Entz	Y	Isgar	N	Nichol	Y	Tupa	N
Evans	Y	Johnson	Y	Owen	Y	Windels	N
Fitz-Gerald	N	Jones	Y	Phillips	N	Mr. President	Y
Gordon	Y	Keller	N	Reeves	N		

SB03-117

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

YES	21	NO	13	EXCUSED	1	ABSENT	0
Anderson	Y	Groff	N	Kester	Y	Sandoval	Y
Arnold	Y	Grossman	E	Lamborn	Y	Takis	N
Cairns	Y	Hagedorn	Y	Linkhart	N	Tapia	N
Chlouber	Y	Hanna	N	May	Y	Taylor	Y
Dyer	Y	Hillman	Y	McElhany	Y	Teck	Y
Entz	Y	Isgar	N	Nichol	N	Tupa	N
Evans	Y	Johnson	Y	Owen	Y	Windels	N
Fitz-Gerald	N	Jones	Y	Phillips	N	Mr. President	Y
Gordon	Y	Keller	N	Reeves	N		

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

SENATE SERVICES REPORT

Senate Services

Correctly printed: SB-258, 303, 304, 305.

Correctly engrossed: SB03-240, 246;
SR03-014.

Correctly revised: HB03-1001, 1142, 1197;
HJR03-1035, 1039.

Correctly rerevised: HB03-1237.

Correctly enrolled: SR03-014.

SIGNING OF BILLS--RESOLUTIONS--MEMORIALS

The President has signed: SB03-013;
SJR03-012, 022, 026;
SR03-014.

MESSAGE FROM THE HOUSE

April 1, 2003

Mr. President:

The House has adopted and transmits herewith HJR03-1036, as printed in House Journal, March 26, pages 1275-1276.

INTRODUCTION AND CONSIDERATION OF RESOLUTION

HJR03-1036 by Representative(s) Boyd, Hefley; also Senator(s) Anderson, Reeves--Concerning Child Abuse Prevention Month.

Senator Anderson moved to suspend the rules for immediate consideration of **HJR03-1036**.

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 Anderson, the resolution was read at length and **adopted** by the following roll call vote:

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HJR03-1036

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	Sandoval	Y
Arnold	Y	Grossman	E	Lamborn	Y	Takis	Y
Cairns	Y	Hagedorn	Y	Linkhart	Y	Tapia	Y
Chlouber	Y	Hanna	Y	May	Y	Taylor	Y
Dyer	Y	Hillman	Y	McElhany	Y	Teck	Y
Entz	Y	Isgar	Y	Nichol	Y	Tupa	Y
Evans	Y	Johnson	Y	Owen	Y	Windels	Y
Fitz-Gerald	Y	Jones	Y	Phillips	Y	Mr. President	Y
Gordon	Y	Keller	Y	Reeves	Y		

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

Senate in recess.

Senate reconvened.

Senator Anderson moved a Call of the Senate.

Senate in recess.

Senate reconvened.

COMMITTEE OF REFERENCE REPORTS

Local Government After consideration on the merits, the Committee recommends that **SB03-261** be referred to the Committee of the Whole with favorable recommendation.

Local Government After consideration on the merits, the Committee recommends that **SB03-265** be referred to the Committee of the Whole with favorable recommendation.

Local Government After consideration on the merits, the Committee recommends that **SB03-273** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 6, after line 7, insert the following:

"(3) Footnote number 101 as enacted in part VIII of section 2 of Senate Bill 03-285, enacted at the first regular session of the sixty-fourth general assembly, is amended to read:

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State, Veterans and Military Affairs 1
 After consideration on the merits, the Committee recommends that **SB03-263** be referred to the Committee of the Whole with favorable recommendation. 2
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State, Veterans and Military Affairs 5
 After consideration on the merits, the Committee recommends that **SB03-269** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation. 6
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10 Amend printed bill, strike everything below the enacting clause and substitute the following: 11
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 14 **"SECTION 1.** 23-3.3-102, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read: 15
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17 **23-3.3-102. Assistance program authorized - procedure - audits.** (6.5) FOR FISCAL YEAR 2003-04, THE COMMISSION SHALL ALLOCATE AN AMOUNT TO NONPUBLIC INSTITUTIONS FOR NEED-BASED FINANCIAL AID THAT MAINTAINS THE PROPORTION OF THE TOTAL APPROPRIATED AMOUNT OF NEED-BASED FINANCIAL AID, NOT INCLUDING THE AMOUNT APPROPRIATED FOR REQUIRED FEDERAL MATCHING FUNDS, ALLOCATED TO NONPUBLIC INSTITUTIONS FOR FISCAL YEAR 2002-03. 18
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 25 **SECTION 2. Appropriation - adjustments in long bill.** For the implementation of this act, appropriations made in the annual general appropriation act to the department of higher education for the fiscal year beginning July 1, 2003, shall be adjusted as follows: The general fund appropriation for the Colorado commission on higher education financial aid is decreased by seven million eight hundred thirty-six thousand eight hundred fifty-nine dollars (\$7,836,859). 26
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 33 **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." 34
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 39 State, Veterans and Military Affairs After consideration on the merits, the Committee recommends that **SB03-282** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation. 40
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43 Amend printed bill, page 8, strike line 22 and substitute the following: 44
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46 **"SECTION 8.** 28-5-709 (1) (b) (III), (2) (a), and (3), Colorado Revised Statutes, are"; 47
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49 line 24, strike "**report.**" and substitute "**report - repeal.**"; 50

51 strike line 25 and substitute the following: 52

53 "(1) (b) The moneys in the trust fund shall be used for: 54

55 (III) Veterans ~~outreach~~ programs administered by the division; 56
 and 57

58 (2) (a) EXCEPT AS OTHERWISE PROVIDED IN SECTION 24-75-1104 (1.8) (a)". 59
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61 Page 9, after line 9, insert the following: 62

63 "(3) (a) All of the funds appropriated to the trust fund pursuant to subsection (2) of this section in fiscal year 2000-01 shall be credited to the trust fund and retained as principal in the trust fund. For fiscal years 2001-02 and fiscal years thereafter, seventy-five percent of the amount of annual appropriations made pursuant to subsection (2) of this section shall be credited to the trust fund and retained as principal in the trust fund. For fiscal years 2001-02 and fiscal years thereafter, twenty-five 64
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percent of the amount of annual appropriations made pursuant to subsection (2) of this section and one hundred percent of any interest earned on the principal in the trust fund shall be subject to annual appropriation by the general assembly and may be allocated by the board for the purposes outlined in subsection (1) of this section.

(b) (I) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (a) OF THIS SUBSECTION (3), FOR THE 2003-04, 2004-05, AND 2005-06 FISCAL YEARS, TWENTY-FIVE PERCENT OF THE AMOUNT OF ANNUAL APPROPRIATIONS MADE PURSUANT TO SUBSECTION (2) OF THIS SECTION SHALL BE CREDITED TO THE TRUST FUND AND RETAINED AS PRINCIPAL IN THE TRUST FUND, AND SEVENTY-FIVE PERCENT OF THE AMOUNT OF ANNUAL APPROPRIATIONS MADE PURSUANT TO SUBSECTION (2) OF THIS SECTION AND ONE HUNDRED PERCENT OF ANY INTEREST EARNED ON THE PRINCIPAL IN THE TRUST FUND SHALL BE SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY AND MAY BE ALLOCATED BY THE BOARD FOR THE PURPOSES OUTLINED IN SUBSECTION (1) OF THIS SECTION.

(II) THIS PARAGRAPH (b) IS REPEALED, EFFECTIVE JULY 1, 2006."

Page 10, after line 26, insert the following:

"SECTION 11. Appropriation - adjustments to the 2002 long bill. (1) For the implementation of this act, appropriations made in the annual general appropriation act to the department of public health and environment, for the fiscal year beginning July 1, 2002, shall be adjusted as follows:

(a) The cash funds exempt appropriation to health promotion and disease prevention, tobacco education and prevention, for personal services, is decreased by three hundred thousand seven hundred forty-nine dollars (\$300,749). Said sum shall be from the tobacco program fund pursuant to section 25-3.5-807, Colorado Revised Statutes.

(b) The cash funds exempt appropriation to health promotion and disease prevention, tobacco education and prevention, for operating expenses, is decreased by twenty-two thousand four hundred ninety-nine dollars (\$22,499). Said sum shall be from the tobacco program fund pursuant to section 25-3.5-807, Colorado Revised Statutes.

(c) The cash funds exempt appropriation to health promotion and disease prevention, tobacco education and prevention, tobacco program fund, is decreased by five million six hundred fifty-one thousand one hundred five dollars (\$5,651,105). Said sum shall be from the tobacco litigation settlement cash fund pursuant to section 24-75-1104, Colorado Revised Statutes.

(d) The cash funds exempt appropriation to health promotion and disease prevention, for tobacco education and prevention, tobacco cessation and prevention grants, is decreased by five million three hundred twenty-seven thousand eight hundred fifty-seven dollars (\$5,327,857). Said sum shall be from the tobacco program fund pursuant to section 25-3.5-807, Colorado Revised Statutes.

SECTION 12. Appropriation - adjustments to the 2003 long bill. (1) For the implementation of this act, appropriations made in the annual general appropriation act to the department of education, for the fiscal year beginning July 1, 2003, shall be adjusted as follows:

(a) The cash funds exempt appropriation to assistance to public schools, grant programs and other distributions, read-to-achieve cash fund, is decreased by five million nine hundred sixty-two thousand seven hundred fifty-nine dollars (\$5,962,759). Said sum shall be from the tobacco litigation settlement cash fund pursuant to section 24-75-1104, Colorado Revised Statutes.

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(b) The cash funds exempt appropriation to assistance to public schools, grant programs and other distributions, for the read-to-achieve grant program, is decreased by five million nine hundred sixty-two thousand seven hundred fifty-nine dollars (\$5,962,759). Said sum shall be from the read-to-achieve cash fund pursuant to section 22-7-506, Colorado Revised Statutes.

(2) For the implementation of this act, appropriations made in the annual general appropriation act to the department of health care policy and financing, for the fiscal year beginning July 1, 2003, shall be adjusted as follows:

(a) The cash funds exempt appropriation to the indigent care program, comprehensive primary and preventive care fund, is decreased by five hundred eight thousand four hundred ninety-four dollars (\$508,494). Said sum shall be from the tobacco litigation settlement cash fund pursuant to section 24-75-1104, Colorado Revised Statutes.

(b) The cash funds exempt appropriation to the indigent care program, for the comprehensive primary and preventive care grants program, is decreased by five hundred eight thousand four hundred ninety-four dollars (\$508,494). Said sum shall be from the comprehensive primary and preventive care fund pursuant to section 26-4-1007, Colorado Revised Statutes.

(3) For the implementation of this act, appropriations made in the annual general appropriation act to the department of higher education, for the fiscal year beginning July 1, 2003, shall be adjusted as follows: the cash funds exempt appropriation to the governing boards and local district junior colleges, regents of the university of Colorado, other than tuition revenue, is decreased by seven million eight hundred ninety-nine thousand four hundred forty dollars (\$7,899,440). Said sum shall be from the tobacco litigation settlement cash fund pursuant to section 24-75-1104, Colorado Revised Statutes.

(4) For the implementation of this act, appropriations made in the annual general appropriation act to the department of public health and environment, for the fiscal year beginning July 1, 2003, shall be adjusted as follows:

(a) The cash funds exempt appropriation to prevention and intervention services for children and youth division, nurse home visitor program fund, is decreased by six hundred fifty thousand three hundred twenty-one dollars (\$650,321). Said sum shall be from the tobacco litigation settlement cash fund pursuant to section 24-75-1104, Colorado Revised Statutes.

(b) The cash funds exempt appropriation to prevention and intervention services for children and youth division, for the nurse home visitor program, is decreased by six hundred fifty thousand three hundred twenty-one dollars (\$650,321). Said sum shall be from the nurse home visitor program fund created in section 25-31-107,(4), Colorado Revised Statutes.

(c) The cash funds exempt appropriation to health promotion and disease prevention, tobacco education and prevention, personal services, is decreased by three hundred ninety-four thousand five hundred thirty-three dollars (\$394,533). Said sum shall be from the tobacco program fund pursuant to section 25-3.5-807, Colorado Revised Statutes.

(d) The cash funds exempt appropriation to health promotion and disease prevention, tobacco education and prevention, for operating expenses, is decreased by twenty-eight thousand eight hundred fifty-eight dollars (\$28,858). Said sum shall be from the tobacco program fund pursuant to section 25-3.5-807, Colorado Revised Statutes.

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(e) The cash funds exempt appropriation to health promotion and disease prevention, tobacco education and prevention, for tobacco cessation and prevention grants, is decreased by nine million seventy-five thousand three hundred ninety-three dollars (\$9,075,393). Said sum shall be from the tobacco program fund pursuant to section 25-3.5-807, Colorado Revised Statutes.

(f) The cash funds exempt appropriation to health promotion and disease prevention, for tobacco education and prevention, tobacco program fund, is decreased by nine million four hundred ninety-eight thousand seven hundred eighty-four dollars (\$9,498,784). Said sum shall be from the tobacco litigation settlement cash fund pursuant to section 24-75-1104, Colorado Revised Statutes.

(g) The cash funds exempt appropriation to health promotion and disease prevention, rural - primary care, state dental loan repayment fund, is decreased by seventeen thousand one hundred sixty-six dollars (\$17,166). Said sum shall be from the tobacco litigation settlement cash fund pursuant to section 24-75-1104, Colorado Revised Statutes.

(h) The cash funds exempt appropriation to health promotion and disease prevention, rural - primary care, for dental programs, is decreased by seventeen thousand one hundred sixty-six dollars (\$17,166). Said sum shall be from the state dental loan repayment fund, pursuant to section 25-23-104, Colorado Revised Statutes.

(5) For the implementation of this act, appropriations made in the annual general appropriation act to the department of military and veterans affairs, for the fiscal year beginning July 1, 2003, shall be adjusted as follows:

(a) The cash funds exempt appropriation to the division of veterans affairs, Colorado state veterans trust fund, is decreased by eighty-four thousand seven hundred forty-nine dollars (\$84,749). Said sum shall be from the tobacco litigation settlement cash fund pursuant to section 24-75-1104, Colorado Revised Statutes.

(b) The cash funds exempt appropriation to the division of veterans affairs, Colorado state veterans trust fund expenditures, is decreased by twenty-seven thousand five hundred eighty-one dollars (\$27,581). Said sum shall be from the Colorado state veterans trust fund pursuant to section 28-5-709(1)(a), Colorado Revised Statutes."

Renumber succeeding section accordingly.

Trans-
portation

After consideration on the merits, the Committee recommends that **SB03-267** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 4, after line 21, insert the following:

"SECTION 3. Appropriation - adjustments in long bill.

(1) For the implementation of this act, appropriations made in the annual general appropriation act to the department of revenue for the fiscal year beginning July 1, 2003, shall be adjusted as follows:

(a) The general fund appropriation for motor vehicle business group, motor vehicle division, personal services is decreased by three million two hundred sixty-three thousand four hundred eighty-one dollars (\$3,263,481).

(b) The cash funds exempt appropriation for motor vehicle business group, motor vehicle division, personal services is increased by three million two hundred sixty-three thousand four hundred eighty-one dollars (\$3,263,481). Such sum shall be from the highway users tax fund pursuant to section 43-4-201 (3) (a), Colorado Revised Statutes."

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SB03-267

Renumber succeeding sections accordingly.

Page 4, line 27, strike "three" and substitute the following:

"one million three hundred thirty-six thousand eight hundred twenty-three dollars (\$1,336,823).".

Page 5, strike lines 1 and 2;

strike lines 5 and 6, and substitute the following:

"one million three hundred thirty-six thousand eight hundred twenty-three dollars (\$1,336,823). Such sum shall be from the highway users tax fund";

after line 7, insert the following:

"SECTION 5. Effective date. This act shall take effect July 1, 2003; except that section 3 of this act shall take effect only if Senate Bill 03-273 is enacted at the First Regular Session of the Sixty-fourth General Assembly and becomes law, and section 4 of this act shall take effect only if Senate Bill 03-273 is not enacted at the First Regular Session of the Sixty-fourth General assembly and does not become law.".

Renumber succeeding section accordingly.

Trans-
portation

After consideration on the merits, the Committee recommends that **SB03-272** 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 11, strike "THE COST OF ISSUING" and substitute "THE DIRECT COSTS OF";

line 19, strike "AND";

line 20, strike "INDIRECT".

Page 4, line 8, strike "NOT".

Page 6, strike lines 5 through 13.

Renumber succeeding sections accordingly.

Trans-
portation

After consideration on the merits, the Committee recommends that **HB03-1016** be referred to the Committee of the Whole with favorable recommendation.

Trans-
portation

After consideration on the merits, the Committee recommends that **HB03-1044** be referred to the Committee of the Whole with favorable recommendation.

Finance

After consideration on the merits, the Committee recommends that **SB03-262** be referred to the Committee of the Whole with favorable recommendation.

Finance

After consideration on the merits, the Committee recommends that **SB03-271** 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 6, strike "ON JUNE 30, 2003, AND";

line 7, strike "THE BALANCE OF" and substitute "UP TO ONE MILLION DOLLARS OF LOCALLY UNENCUMBERED";

after line 8, insert the following:

"SECTION 2. 24-4.2-104 (1) (a) (I) and (1) (a) (II) (A), Colorado Revised Statutes, are amended to read:

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24-4.2-104. Surcharges levied on criminal actions and traffic offenses. (1) (a) (I) A surcharge equal to thirty-seven percent of the fine imposed for each felony, misdemeanor, or class 1 or class 2 misdemeanor traffic offense, or a surcharge of ~~one hundred twenty-five~~ ONE HUNDRED SIXTY-THREE dollars for felonies, ~~sixty~~ SEVENTY-EIGHT dollars for misdemeanors, ~~thirty-five~~ FORTY-SIX dollars for class 1 misdemeanor traffic offenses, and ~~twenty-five~~ THIRTY-THREE dollars for class 2 misdemeanor traffic offenses, whichever amount is greater, except as otherwise provided in paragraph (b) of this subsection (1), is hereby levied on each criminal action resulting in a conviction or in a deferred judgment and sentence, as provided in section 18-1.3-102, C.R.S., which criminal action is charged pursuant to state statute, or upon each petition alleging that a child is delinquent that results in a finding of guilty pursuant to part 8 of article 2 of title 19, C.R.S., or a deferral of adjudication pursuant to section 19-2-709, C.R.S. These surcharges shall be paid to the clerk of the court by the defendant. Each clerk shall transmit the moneys to the court administrator of the judicial district in which the offense occurred for credit to the victims and witnesses assistance and law enforcement fund established in that judicial district.

(II) (A) In addition to any other surcharge provided for in this section, a surcharge of one thousand THREE HUNDRED dollars shall be levied on each criminal action resulting in a conviction or in a deferred judgment and sentence, as provided in section 18-1.3-102, C.R.S., which criminal action is charged pursuant to the statutes listed in sub-subparagraph (B) of this subparagraph (II). These surcharges shall be paid to the clerk of the court by the defendant. Any moneys collected by the clerk pursuant to this subparagraph (II) shall be transmitted to the court administrator of the judicial district in which the offense occurred for credit to the victims and witnesses assistance and law enforcement fund established in that judicial district."

Renumber succeeding sections accordingly.

Page 4, after line 2, insert the following:

"SECTION 7. 42-4-1701 (4) (a) (I), (4) (a) (II), and (4) (a) (III) (A), Colorado Revised Statutes, are amended to read:

42-4-1701. Traffic offenses and infractions classified - penalties - penalty and surcharge schedule - repeal. (4) (a) (I) Except as provided in paragraph (c) of subsection (5) of this section, every person who is convicted of, who admits liability for, or against whom a judgment is entered for a violation of any provision of this title to which the provisions of paragraph (a) or (b) of subsection (5) of this section apply shall be fined or penalized, and have a surcharge levied thereon pursuant to section 24-4.2-104 (1) (b) (I), C.R.S., in accordance with the penalty and surcharge schedule set forth in sub-subparagraphs (A) to (P) of this subparagraph (I); or, if no penalty or surcharge is specified in the schedule, the penalty for class A and class B traffic infractions shall be fifteen dollars, and the surcharge shall be two dollars. These penalties and surcharges shall apply whether the defendant acknowledges the defendant's guilt or liability in accordance with the procedure set forth by paragraph (a) of subsection (5) of this section or is found guilty by a court of competent jurisdiction or has judgment entered against the defendant by a county court magistrate. Penalties and surcharges for violating specific sections shall be as follows:

Section Violated	Penalty	Surcharge
(A) Drivers' license violations:		
42-2-101 (1) or (4)	\$ 35.00	4.00 5.20
42-2-101 (2), (3), or (5)	15.00	2.00 2.60
42-2-103	15.00	2.00 2.60
42-2-105	35.00	4.00 5.20
42-2-105.5	35.00	4.00 5.20
42-2-106	35.00	4.00 5.20

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42-2-116	15.00	2.00 2.60	1
42-2-119	15.00	2.00 2.60	2
42-2-134	35.00	4.00 5.20	3
42-2-136	35.00	4.00 5.20	4
42-2-139	35.00	4.00 5.20	5
42-2-140	35.00	4.00 5.20	6
42-2-141	35.00	4.00 5.20	7
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(B) Registration and taxation violations:			10
			11
42-3-103	\$ 50.00	\$6.00 7.80	12
42-3-112	15.00	2.00 2.60	13
42-3-123	15.00	2.00 2.60	14
42-3-127	50.00	6.00 7.80	15
42-3-133 (1)(a)	75.00	9.00 11.70	16
42-3-133 (1)(c)	35.00	4.00 5.20	17
42-3-133 (1)(f), (1)(g), and (1)(h)	75.00	9.00 11.70	18
42-3-134	50.00	6.00 7.80	19
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(C) Traffic regulation generally:			21
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42-4-1412	\$ 15.00	\$2.00 2.60	24
42-4-109	15.00	2.00 2.60	25
42-4-1211	15.00	2.00 2.60	26
42-4-1405	15.00	2.00 2.60	27
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(D) Equipment violations:			29
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42-4-201	\$ 35.00	\$4.00 5.20	31
42-4-202	35.00	4.00 5.20	32
42-4-204	15.00	2.00 2.60	33
42-4-205	15.00	2.00 2.60	34
42-4-206	15.00	2.00 2.60	35
42-4-207	15.00	2.00 2.60	36
42-4-208	15.00	2.00 2.60	37
42-4-209	15.00	2.00 2.60	38
42-4-210	15.00	2.00 2.60	39
42-4-211	15.00	2.00 2.60	40
42-4-212	15.00	2.00 2.60	41
42-4-213	15.00	2.00 2.60	42
42-4-214	15.00	2.00 2.60	43
42-4-215	15.00	2.00 2.60	44
42-4-216	15.00	2.00 2.60	45
42-4-217	15.00	2.00 2.60	46
42-4-218	15.00	2.00 2.60	47
42-4-219	15.00	2.00 2.60	48
42-4-220	15.00	2.00 2.60	49
42-4-221	15.00	2.00 2.60	50
42-4-222 (1)	15.00	2.00 2.60	51
42-4-223	15.00	2.00 2.60	52
42-4-224	15.00	2.00 2.60	53
42-4-225 (1)	15.00	2.00 2.60	54
42-4-226	15.00	2.00 2.60	55
42-4-227 (1)	50.00	6.00 7.80	56
42-4-227 (2)	15.00	2.00 2.60	57
42-4-228 (1), (2), (3), (5), or (6)	15.00	2.00 2.60	58
42-4-229	15.00	2.00 2.60	59
42-4-230	15.00	2.00 2.60	60
42-4-231	15.00	2.00 2.60	61
42-4-232	15.00	2.00 2.60	62
42-4-233	75.00	9.00 11.70	63
42-4-234	15.00	2.00 2.60	64
42-4-235	50.00	6.00 7.80	65
42-4-236	50.00	6.00 7.80	66
42-4-237	15.00	2.00 2.60	67
42-4-1411	15.00	2.00 2.60	68
42-4-1412	15.00	2.00 2.60	69

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42-4-1901	35.00	4.00 5.20	1
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(E) Emissions inspections:			4
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42-4-313 (3)(c)	\$ 50.00	\$ 6.00 7.80	6
42-4-313 (3)(d)	15.00	2.00 2.60	7
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(F) Size, weight, and load violations:			9
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42-4-502	\$ 75.00	\$9.00 11.70	11
42-4-503	15.00	2.00 2.60	12
42-4-504	75.00	9.00 11.70	13
42-4-505	75.00	9.00 11.70	14
42-4-506	15.00	2.00 2.60	15
42-4-509	50.00	6.00 7.80	16
42-4-510 (12)(a)	35.00	4.00 5.20	17
42-4-106 (1), (3), (4), (6), or (7)	35.00	4.00 5.20	18
42-4-106 (5)(a)(I)	100.00	12.00 15.60	19
42-4-106 (5)(a)(II)	500.00	60.00 78.00	20
42-4-512	75.00	9.00 11.70	21
42-8-105 (1) to (5)	50.00	6.00 7.80	22
42-8-106	50.00	6.00 7.80	23
			24
(G) Signals, signs, and markings violations:			25
			26
42-4-603	\$ 35.00	\$4.00 5.20	27
42-4-604	35.00	4.00 5.20	28
42-4-605	35.00	4.00 5.20	29
42-4-606	15.00	2.00 2.60	30
42-4-607	50.00	6.00 7.80	31
42-4-608	15.00	2.00 2.60	32
42-4-609	15.00	2.00 2.60	33
42-4-610	15.00	2.00 2.60	34
42-4-612	35.00	4.00 5.20	35
42-4-613	35.00	4.00 5.20	36
			37
(H) Rights-of-way violations:			38
			39
42-4-701	\$ 35.00	\$4.00 5.20	40
42-4-702	35.00	4.00 5.20	41
42-4-703	35.00	4.00 5.20	42
42-4-704	35.00	4.00 5.20	43
42-4-705	50.00	6.00 7.80	44
42-4-706	35.00	4.00 5.20	45
42-4-707	35.00	4.00 5.20	46
42-4-708	35.00	4.00 5.20	47
42-4-709	35.00	4.00 5.20	48
42-4-710	35.00	4.00 5.20	49
42-4-711	35.00	4.00 5.20	50
42-4-712	35.00	4.00 5.20	51
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(I) Pedestrian violations:			53
			54
42-4-801	\$ 15.00	\$2.00 2.60	55
42-4-802	15.00	2.00 2.60	56
42-4-803	15.00	2.00 2.60	57
42-4-805	15.00	2.00 2.60	58
42-4-806	35.00	4.00 5.20	59
42-4-807	35.00	4.00 5.20	60
42-4-808	35.00	4.00 5.20	61
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(J) Turning and stopping violations:			63
			64
42-4-901	\$ 35.00	\$ 4.00 5.20	65
42-4-902	35.00	4.00 5.20	66
42-4-903	35.00	4.00 5.20	67
			68
(K) Driving, overtaking, and passing violations:			69

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42-4-1001	\$ 35.00	\$ 4.00 5.20	1	
42-4-1002	35.00	4.00 5.20	2	
42-4-1003	35.00	4.00 5.20	3	
42-4-1004	35.00	4.00 5.20	4	
42-4-1005	35.00	4.00 5.20	5	
42-4-1006	35.00	4.00 5.20	6	
42-4-1007	35.00	4.00 5.20	7	
42-4-1008	35.00	4.00 5.20	8	
42-4-1009	35.00	4.00 5.20	9	
42-4-1010	35.00	4.00 5.20	10	
42-4-1011	100.00	12.00 15.60	11	
42-4-1012 (3)(a)	65.00	(NONE)	12	
42-4-1012 (3)(b)	125.00	(NONE)	13	
(L) Speeding violations:				14
42-4-1101 (1) or (8)(b) (1 to 4 miles per hour over the reasonable and prudent speed or over the maximum lawful speed limit of 75 miles per hour)				15
	\$ 15.00	\$ 2.00 2.60	16	
42-4-1101 (1) or (8)(b) (5 to 9 miles per hour over the reasonable and prudent speed or over the maximum lawful speed limit of 75 miles per hour)				17
	35.00	4.00 5.20	18	
42-4-1101 (1) or (8)(b) (10 to 19 miles per hour over the reasonable and prudent speed or over the maximum lawful speed limit of 75 miles per hour)				19
	50.00	6.00 7.80	20	
42-4-1101 (1) or (8)(b) (20 to 24 miles per hour over the reasonable and prudent speed or over the maximum lawful speed limit of 75 miles per hour)				21
	100.00	12.00 15.60	22	
42-4-1101 (3)	35.00	4.00 5.20	23	
42-4-1103	15.00	2.00 2.60	24	
42-4-1104	15.00	2.00 2.60	25	
(M) Parking violations:				26
42-4-1201				27
	\$ 15.00	\$ 2.00 2.60	28	
42-4-1202	15.00	2.00 2.60	29	
42-4-1204	15.00	2.00 2.60	30	
42-4-1205	15.00	2.00 2.60	31	
42-4-1206	15.00	2.00 2.60	32	
42-4-1207	15.00	2.00 2.60	33	
42-4-1208 (6) or (9)	100.00	12.00 15.60	34	
(N) Other offenses:				35
42-4-1301 (2)(a.5)				36
	\$ 50.00	\$ 6.00 7.80	37	
42-4-1402	50.00	6.00 7.80	38	
42-4-1403	15.00	2.00 2.60	39	
42-4-1404	15.00	2.00 2.60	40	
42-4-1406	35.00	4.00 5.20	41	
42-4-1407	35.00	4.00 5.20	42	
42-4-314	35.00	4.00 5.20	43	
42-4-1408	15.00	2.00 2.60	44	
42-4-1414 (2)(a)	500.00	60.00 78.00	45	
42-4-1414 (2)(b)	1,000.00	120.00 156.00	46	
42-4-1414 (2)(c)	5,000.00	600.00 780.00	47	

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(O) Motorcycle violations:

42-4-1502	\$ 15.00	\$2.00 2.60
42-4-1503	15.00	2.00 2.60
42-4-1504	15.00	2.00 2.60

(P) Offenses by persons controlling vehicles:

42-4-1704	\$ 15.00	\$2.00 2.60
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(II) Any person convicted of violating section 42-4-507 or 42-4-508 shall be fined pursuant to this subparagraph (II), whether the defendant acknowledges the defendant's guilt pursuant to the procedure set forth in paragraph (a) of subsection (5) of this section or is found guilty by a court of competent jurisdiction. Any violation of section 42-4-507 or 42-4-508 shall be punished by a fine and surcharge as follows:

Excess Weight - Pounds	Penalty	Surcharge
1 - 3,000	\$ 15.00	\$ 5.00 6.50
3,001 - 4,250	25.00	9.00 11.70
4,251 - 4,500	50.00	18.00 23.40
4,501 - 4,750	55.00	20.00 26.00
4,751 - 5,000	60.00	22.00 28.60
5,001 - 5,250	65.00	24.00 31.20
5,251 - 5,500	75.00	27.00 35.10
5,501 - 5,750	85.00	31.00 40.30
5,751 - 6,000	95.00	35.00 45.50
6,001 - 6,250	105.00	38.00 49.40
6,251 - 6,500	125.00	46.00 59.80
6,501 - 6,750	145.00	53.00 68.90
6,751 - 7,000	165.00	61.00 79.30
7,001 - 7,250	185.00	68.00 88.40
7,251 - 7,500	215.00	80.00 104.00
7,501 - 7,750	245.00	90.00 117.00
7,751 - 8,000	275.00	101.00 131.30
8,001 - 8,250	305.00	112.00 145.60
8,251 - 8,500	345.00	127.00 165.10
8,501 - 8,750	385.00	142.00 184.60
8,751 - 9,000	425.00	157.00 204.10
9,001 - 9,250	465.00	172.00 223.60
9,251 - 9,500	515.00	190.00 247.00
9,501 - 9,750	565.00	209.00 271.70
9,751 - 10,000	615.00	227.00 295.10
10,001 - 10,250	665.00	246.00 319.80
Over 10,250	\$ 30.00	\$ 11.00 14.30
	for each 250 pounds	for each 250 pounds
	additional overweight,	additional overweight,
	plus \$ 665.00	plus \$ 246.00

(III) Any person convicted of violating any of the rules and regulations promulgated pursuant to section 42-4-510, except section 42-4-510 (2) (b) (IV), shall be fined as follows, whether the violator acknowledges the violator's guilt pursuant to the procedure set forth in paragraph (a) of subsection (5) of this section or is found guilty by a court of competent jurisdiction:

(A) Any person who violates the maximum permitted weight on an axle or on gross weight shall be punished by a fine and surcharge as follows:

Excess Weight Above Maximum Permitted Weight - Pounds	Penalty	Surcharge
1 - 2,500	\$ 50.00	\$ 18.00 23.40
2,501 - 5,000	100.00	37.00 48.10
5,001 - 7,500	200.00	74.00 96.20

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7,501 - 10,000	400.00	148.00 192.40	
Over 10,000	\$150.00	\$ 55.00 71.50	
	for each 1,000	for each 1,000	
	pounds additional	pounds additional	
	overweight, plus	overweight, plus	
	\$400.00	148.00".	

Renumber succeeding section accordingly.

Finance

After consideration on the merits, the Committee recommends that **SB03-277** 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 6, strike "OF THE STATE AND SCHOOL DIVISION OR";

line 7, strike "THE JUDICIAL DIVISION";

line 11, strike "ELECT TO PAY THE" and substitute "PAY DURING THE MONTH PRIOR TO THE EFFECTIVE DATE OF RETIREMENT OR THE DATE OF TERMINATION THE MEMBER";

line 12, strike "EMPLOYEE";

line 14, strike "AN EMPLOYEE MAKES AN" and substitute "A MEMBER PAYS THE MEMBER CONTRIBUTION";

line 15, strike "ELECTION";

line 17, strike "SUCH AMOUNT BY THE TENTH CALENDAR DAY OF THE" and substitute "THE AMOUNT OF PAY REDUCTION WITHIN TEN BUSINESS DAYS FOLLOWING NOTICE BY THE ASSOCIATION OF THE AMOUNT DUE.";

line 18, strike "MONTH FOLLOWING THE ELECTION.".

Finance

After consideration on the merits, the Committee recommends that **SB03-285** be referred to the Committee of the Whole with favorable recommendation.

Finance

After consideration on the merits, the Committee recommends that **SB03-300** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 3, strike lines 13 through 16 and substitute the following:

"BEHALF OF THE UNIVERSITIES AND COLLEGES GOVERNED BY TITLE 23, C.R.S.";

strike lines 25 through 27.

Strike pages 4 through 7.

Page 8, strike lines 1 through 10.

Renumber succeeding sections accordingly.

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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 balance of the calendar of April 1, was laid over until Wednesday, April 2, retaining its place on the calendar.

General Orders--Second Reading: SB03-073, SB03-232, SB03-001, SB03-236, SB03-121, HB03-1121, HB03-1140, HB03-1256, HB03-1214, HB03-1128, SB03-249.
 Consideration of Memorial: SJM03-002.
 Consideration of Governor's Vetoes: SB03-207.
 Conference Committees to Report: HB03-1161, HB03-1103, HB03-1301, HB03-1025, HB03-1224, HB03-1003, HB03-1005.
 Request for Conference Committees: SB03-065, HB03-1111, SB03-098, SB03-009, SB03-226.

On motion of Senator Anderson, the Senate adjourned until 9:00 a.m., Wednesday, April 2, 2003.

Approved:

John Andrews
 President of the Senate

Attest:

Mona Heustis
 Secretary of the Senate

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