

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

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Seventieth Legislative Day Tuesday, March 18, 2003

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Prayer	By Senator Johnson.	11
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Pledge	By Senator Chlouber.	13
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Call to Order	By the President at 9:00 a.m.	15
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Roll Call	Present--30.	18
	Absent/Excused--5; Anderson, Keller, Nichol, Reeves, Windels.	19
	Present later--Reeves.	20
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Quorum	The President announced a quorum present.	22
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Reading of Journal	On motion of Senator Fitz-Gerald, reading of the Journal of March 17, 2003 was dispensed with and the Journal was approved as corrected by the Secretary.	24
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**MESSAGE FROM THE HOUSE**

March 17, 2003  
Mr. President:

The House has adopted and returns herewith SJR03-026.

The House has voted to concur in the Senate amendments to HB03-1047, 1026, 1117, 1077, 1287, 1272, 1027, 1006 and has repassed the bills as so amended.

The House has voted not to concur in the Senate amendments to HB03-1103 and requests that a conference committee be appointed. The Speaker has appointed Representatives Briggs, chairman, Berry, and Miller as House conferees on the First Conference Committee on HB03-1103. The bill is transmitted herewith.

The House has voted not to concur in the Senate amendments to HB03-1301 and requests that a conference committee be appointed. The Speaker has appointed Representatives Hall, chairman, Stengel, and Jahn as House conferees on the First Conference Committee on HB03-1301. The bill is transmitted herewith.

The House has voted not to concur in the Senate amendments to HB03-1025 and requests that a conference committee be appointed. The Speaker has appointed Representatives Lee, chairman, Hefley, and Frangas as House conferees on the First Conference Committee on HB03-1025. The bill is transmitted herewith.

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**INTRODUCTION OF RESOLUTION**

The following resolution was read by title:

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

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

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**INTRODUCTION OF BILL--FIRST READING**

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

**HB03-1021** by Representative(s) King; also Senator(s) Arnold--Concerning the financing of capital construction for qualified charter schools that have bonds issued on their behalf by the Colorado educational and cultural facilities authority, and making an appropriation in connection therewith.  
Education  
Appropriations

**SENATE SERVICES REPORT**

Senate Services

Correctly printed: SB03-252;  
SJR03-028.

Correctly engrossed: SJR03-026.

Correctly reengrossed: SB03-243.

Correctly revised: HB03-1015, 1035, 1097, 1111, 1127, 1286, 1290, 1299.

Correctly rerevised: HB03-1003, 1005, 1008, 1045, 1081, 1100, 1175, 1212, 1224, 1226, 1239, 1266, 1288.

Correctly enrolled: SB03-024, 025, 089, 139, 148.

**SIGNING OF BILLS--RESOLUTIONS--MEMORIALS**

The President has signed: SB03-024, 025, 089, 139, 148.

**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:

**SB03-132** by Senator(s) May R., Johnson S., McElhany, Chlouber; also Representative(s) Rippy-- Concerning the allocation of sales and use tax revenues to the highway users tax fund, and, in connection therewith, requiring allocations to be made for every state fiscal year that commences on or after July 1, 2006, without regard to the amount of state revenues for the fiscal year.

Laid over until Wednesday, March 19, retaining its place on the calendar.

**HB03-1298** by Representative(s) Harvey; also Senator(s) Lamborn--Concerning increased limitations on claims asserting that a mortgage is unconscionable.

Laid over until Wednesday, March 19, retaining its place on the calendar.

**HB03-1299** by Representative(s) Cadman; also Senator(s) Dyer--Concerning the minimum authorized return for a life insurance annuity.

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

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**HB03-1299**

YES	31	NO	0	EXCUSED	4	ABSENT	0
Anderson	E	Groff	Y	Kester	Y	Sandoval	Y
Arnold	Y	Grossman	Y	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	E	Tupa	Y
Evans	Y	Johnson	Y	Owen	Y	Windels	E
Fitz-Gerald	Y	Jones	Y	Phillips	Y	Mr. President	Y
Gordon	Y	Keller	E	Reeves	Y		

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

Co-sponsors added: Isgar.

**HB03-1290** by Representative(s) Lee; also Senator(s) Cairns--Concerning declarations of a state of emergency.

Laid over until Wednesday, March 19, retaining its place on the calendar.

**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.

Laid over until Wednesday, March 19, retaining its place on the calendar.

**HB03-1127** by Representative(s) Smith; also Senator(s) Arnold--Concerning allegations against education providers.

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

YES	30	NO	1	EXCUSED	4	ABSENT	0
Anderson	E	Groff	Y	Kester	Y	Sandoval	Y
Arnold	Y	Grossman	Y	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	E	Tupa	Y
Evans	Y	Johnson	Y	Owen	Y	Windels	E
Fitz-Gerald	Y	Jones	Y	Phillips	Y	Mr. President	Y
Gordon	N	Keller	E	Reeves	Y		

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

Co-sponsors added: Hagedorn, Hanna, Lamborn, and Tupa.

**HB03-1097** by Representative(s) Hall; also Senator(s) Johnson S.--Concerning the regulation of the hunting of wildlife.

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

YES	31	NO	0	EXCUSED	4	ABSENT	0
Anderson	E	Groff	Y	Kester	Y	Sandoval	Y
Arnold	Y	Grossman	Y	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	E	Tupa	Y
Evans	Y	Johnson	Y	Owen	Y	Windels	E
Fitz-Gerald	Y	Jones	Y	Phillips	Y	Mr. President	Y
Gordon	Y	Keller	E	Reeves	Y		

**HB03-1097**

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

Co-sponsors added: Entz and Hagedorn.

**HB03-1035**

by Representative(s) Briggs, Young; also Senator(s) Entz--Concerning the management of pest control districts, and, in connection therewith, authorizing cooperative pest control agreements.

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

YES	31	NO	0	EXCUSED	4	ABSENT	0
Anderson	E	Groff	Y	Kester	Y	Sandoval	Y
Arnold	Y	Grossman	Y	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	E	Tupa	Y
Evans	Y	Johnson	Y	Owen	Y	Windels	E
Fitz-Gerald	Y	Jones	Y	Phillips	Y	Mr. President	Y
Gordon	Y	Keller	E	Reeves	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, Isgar, Kester, Phillips, and Taylor.

**HB03-1111**

by Representative(s) Harvey; also Senator(s) Evans--Concerning the authority of county governments to prosecute violations of the county's building code.

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

YES	31	NO	0	EXCUSED	4	ABSENT	0
Anderson	E	Groff	Y	Kester	Y	Sandoval	Y
Arnold	Y	Grossman	Y	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	E	Tupa	Y
Evans	Y	Johnson	Y	Owen	Y	Windels	E
Fitz-Gerald	Y	Jones	Y	Phillips	Y	Mr. President	Y
Gordon	Y	Keller	E	Reeves	Y		

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

Co-sponsors added: Hagedorn and Phillips.

**HB03-1286**

by Representative(s) Hefley, Clapp, Romanoff; also Senator(s) Dyer--Concerning acceleration of the process for terminating the parent-child legal relationship of children under one year of age, and, in connection therewith, expediting the voluntary relinquishment process.

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

YES	29	NO	2	EXCUSED	4	ABSENT	0
Anderson	E	Groff	Y	Kester	Y	Sandoval	Y
Arnold	Y	Grossman	Y	Lamborn	Y	Takis	Y
Cairns	Y	Hagedorn	Y	Linkhart	Y	Tapia	N
Chlouber	Y	Hanna	Y	May	Y	Taylor	Y
Dyer	Y	Hillman	Y	McElhany	Y	Teck	Y
Entz	Y	Isgar	Y	Nichol	E	Tupa	Y
Evans	Y	Johnson	Y	Owen	Y	Windels	E
Fitz-Gerald	Y	Jones	Y	Phillips	Y	Mr. President	Y
Gordon	N	Keller	E	Reeves	Y		

**HB03-1286**

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

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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 March 18, was laid over until Wednesday, March 19, retaining its place on the calendar.

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.

Consideration of Governor's Appointments:

Members of the Colorado Tourism Office Board of Directors;

Members of the Juvenile Parole Board;

Members of the Colorado Traumatic Brain Injury Board;

Members of the Statewide Poison Control Oversight Board;

Members of the Board of Trustees for Fort Lewis College.

Conference Committee to Report: HB03-1161.

Request for Conference Committee: SB03-065.

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On motion of Senator Hillman, the Senate adjourned until 9:00 a.m., Wednesday, March 19, 2003.

Approved:

John Andrews  
President of the Senate

Attest:

Mona Heustis  
Secretary of the Senate

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