

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

Ninety-third Legislative Day

Thursday, April 10, 2003

Prayer	By the chaplain, Reverend Paul Kottke.	1
Pledge	By Senator Fitz-Gerald.	2
Call to Order	By the President at 9:00 a.m.	3
Roll Call	Present-- 35.	4
Quorum	The President announced a quorum present.	5
Reading of Journal	On motion of Senator Tapia, reading of the Journal of April 9, 2003 was dispensed with and the Journal was approved as corrected by the Secretary.	6

COMMITTEE OF REFERENCE REPORTS

Health, Environment, Welfare & Institutions	After consideration on the merits, the Committee recommends that SB03-293 be postponed indefinitely.	7
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INTRODUCTION OF RESOLUTIONS AND MEMORIAL

The following resolutions were read by title:

SJR03-033	by Senator(s) Jones, May R.; also Representative(s) Sinclair--Concerning honoring the Tuskegee Airmen.	8
	Laid over one day under Senate Rule 30(b).	9

SJR03-034	by Senator(s) Keller; --Concerning National Philanthropy Day.	10
	Laid over one day under Senate Rule 30(b).	11

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

SJM03-005	by Senator(s) Windels; --Concerning memorializing Congress to provide adequate funding for mandates required under the federal "No Child Left Behind Act of 2001".	12
	Education	13

INTRODUCTION OF BILL--FIRST READING

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

SB03-314	by Senator(s) Johnson S.; also Representative(s) Clapp--Concerning the placement of children who are part of a sibling group.	14
	Health, Environment, Welfare & Institutions	15

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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:

HB03-1256 by Representative(s) Spradley, Fairbank, Fritz, Hefley, McFadyen, Miller, Rippey, Rose, Veiga, Boyd, Briggs, Garcia, Hall, Hoppe, Jahn, Mitchell, Stengel, Weddig, White, Wiens; also Senator(s) Anderson, Kester, Chlouber, Entz, Dyer--Concerning the authority of the state to enter into lease-purchase agreements, and, in connection therewith, authorizing lease-purchase agreements for a high-custody correctional facility and for the university of Colorado health sciences center at Fitzsimons.

Laid over until Friday, April 11, retaining its place on the calendar.

HB03-1140 by Representative(s) Larson, Tochtrop, Young, Harvey, Hodge, Hoppe, Rippey, White; also Senator(s) Entz, Chlouber, Taylor, Isgar, Kester--Concerning the classification of state noxious weeds, and, in connection therewith, implementing management programs for such classified noxious weeds.

A majority of those elected to the Senate having voted in the affirmative, Senator Entz was given permission to offer a Third Reading amendment.

Third Reading Amendment No. 1(L.015), by Senator Entz.

Amend revised bill, page 5, strike line 27 and substitute the following:

"34-32.5-116 (4), C.R.S.;"

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

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Anderson	Y	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	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**.

SB03-082 by Senator(s) Linkhart, Dyer; also Representative(s) Stafford--Concerning child placement in dependency or neglect actions.

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

YES	28	NO	7	EXCUSED	0	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	Sandoval	Y
Arnold	Y	Grossman	Y	Lamborn	N	Takis	Y
Cairns	N	Hagedorn	Y	Linkhart	Y	Tapia	Y
Chlouber	Y	Hanna	Y	May	N	Taylor	Y
Dyer	Y	Hillman	N	McElhany	N	Teck	Y
Entz	Y	Isgar	Y	Nichol	Y	Tupa	Y
Evans	Y	Johnson	Y	Owen	N	Windels	Y
Fitz-Gerald	Y	Jones	Y	Phillips	Y	Mr. President	N
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: Groff, Hanna, Keller, Tapia, and Windels.

SB03-019 by Senator(s) Anderson; also Representative(s) Rhodes--Concerning program reviews of tobacco settlement programs, and making an appropriation therefor.

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	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	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**.

SB03-033 by Senator(s) Anderson, Takis, Taylor, Tupa; also Representative(s) Coleman, Vigil, White, Williams T.--Concerning management of public records by governmental entities.

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	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	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**.

SB03-167 by Senator(s) Isgar; also Representative(s) Brophy--Concerning the valuation of possessory interests in land leased by the state board of land commissioners for purposes of property taxation.

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	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	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: Chlouber, Entz, Grossman, Hillman, Kester, Lamborn, and Taylor.

SB03-022 by Senator(s) Johnson S., Anderson; also Representative(s) Sinclair--Concerning the administration of the old age pension health and medical care programs, and making an appropriation therefor.

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

SB03-022

YES	35	NO	0	EXCUSED	0	ABSENT	0
Anderson	Y	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	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: Kester and Tapia.

SB03-049

by Senator(s) Sandoval; also Representative(s) Hall--Concerning the method by which moneys in the aviation fund may be appropriated by the general assembly.

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

YES	34	NO	1	EXCUSED	0	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	Sandoval	Y
Arnold	Y	Grossman	Y	Lamborn	Y	Takis	Y
Cairns	N	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: Entz, May, Tapia, and Taylor.

SB03-239

by Senator(s) Chlouber; also Representative(s) Berry--Concerning the enforcement of compulsory motor vehicle insurance, and, in connection therewith, continuing the motorist insurance identification database program.

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	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	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: Entz and Isgar.

SB03-103

by Senator(s) Reeves, Teck; also Representative(s) Berry, Larson--Concerning training programs for Colorado peace officers overseen by the peace officer standards and training board, and, in connection therewith, providing funding for such peace officer training programs.

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

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SB03-103

YES	28	NO	7	EXCUSED	0	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	Sandoval	Y
Arnold	Y	Grossman	Y	Lamborn	N	Takis	Y
Cairns	N	Hagedorn	Y	Linkhart	Y	Tapia	Y
Chlouber	Y	Hanna	Y	May	N	Taylor	Y
Dyer	Y	Hillman	N	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	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, Chlouber, Dyer, Evans, Fitz-Gerald, Groff, Hanna, Isgar, Keller, Kester, Linkhart, Phillips, Tapia, Taylor, and Windels.

SB03-076

by Senator(s) Teck, Arnold, Taylor; also Representative(s) Mitchell--Concerning time frames applicable to penalties for offenses relating to the use of substances.

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

YES	33	NO	2	EXCUSED	0	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	Sandoval	Y
Arnold	Y	Grossman	Y	Lamborn	Y	Takis	Y
Cairns	N	Hagedorn	Y	Linkhart	Y	Tapia	Y
Chlouber	Y	Hanna	Y	May	N	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: Linkhart.

SB03-005

by Senator(s) Owen; also Representative(s) Tochtrop--Concerning a care management pilot program for the oversight of medical services provided to specified recipients of medicaid.

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	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	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: Groff, Hanna, Phillips, Tapia, and Teck.

SB03-230

by Senator(s) May R., Lamborn, Cairns, Andrews, Fitz-Gerald; also Representative(s) Fritz--Concerning an authorization for the secretary of state to promulgate rules pursuant to the "Uniform Electronic Signatures Act".

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

SB03-230

YES	35	NO	0	EXCUSED	0	ABSENT	0
Anderson	Y	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	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: Entz, Jones, Phillips, Taylor, and Teck.

Committee of the Whole

On motion of Senator Hillman, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills and Senator Hillman was called to the Chair to act as Chairman.

GENERAL ORDERS--SECOND READING OF BILLS

The Committee of the Whole having risen, the Chairman reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB03-121 by Senator(s) McElhany; also Representative(s) Williams T.--Concerning the preparation of a cost-benefit analysis of rules proposed for adoption by state agencies under the "State Administrative Procedure Act" to determine the impact of the proposed rules on the state's economy.

Amendment No. 1, Business Affairs and Labor Committee Amendment.

(Printed in Senate Journal, March 11, pages 610-612 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage.

HB03-1314 by Representative(s) Fairbank; also Senator(s) McElhany--Concerning a requirement that a meeting of a school board at which employment contracts are negotiated be open to the public.

Laid over until Friday, April 11, retaining its place on the calendar.

HB03-1238 by Representative(s) Brophy; also Senator(s) McElhany--Concerning a requirement that the general fund surplus be determined based upon the accrual system of accounting, as enunciated by the governmental accounting standards board.

Ordered revised and placed on the calendar for Third Reading and Final Passage.

HB03-1214 by Representative(s) Harvey; also Senator(s) Cairns--Concerning not requiring notification to a parent that the parent's minor child is seeking an abortion in a case of a medical emergency.

Laid over until Friday, April 11, retaining its place on the calendar.

HB03-1016 by Representative(s) Mitchell; also Senator(s) Dyer--Concerning the effective duration of certification of emissions control for motor vehicles.

Amendment No. 1(L.007), by Senator Dyer.

Amend reengrossed bill, page 6, strike lines 4 through 14.

Renumber succeeding section accordingly.

As amended, ordered revised and placed on the calendar for Third Reading and Final Passage.

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HB03-1128 by Representative(s) Stafford, Crane, Harvey, Rhodes, Schultheis, Sinclair; also Senator(s) Cairns, Andrews, Arnold, Hillman, Johnson S., Kester, Lamborn, May R.--Concerning the required display of the national motto in public buildings in the state.

Laid over until Monday, April 14, retaining its place on the calendar.

SB03-001 by Senator(s) Cairns; also Representative(s) Lee--Concerning property tax credits to support education in the state.

Amendment No. 1, Education Committee Amendment.

(Printed in Senate Journal, February 14, page 370-371 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.

(Printed in Senate Journal, February 28, pages 512-513 and placed in members' bill files.)

As amended, declared **LOST** on Second Reading.

(For further action, see roll call vote.)

On motion of Senator Anderson, the remaining bill was laid over until Friday, April 11, retaining its place on the calendar: SB03-236.

ROLL CALL VOTE ON SB03-001

SB03-001 by Senator(s) Cairns; also Representative(s) Lee--Concerning property tax credits to support education in the state.

Senator Cairns requested a roll call vote on **SB03-001**.

YES	10	NO	25	EXCUSED	0	ABSENT	0
Anderson	N	Groff	N	Kester	N	Sandoval	N
Arnold	Y	Grossman	N	Lamborn	Y	Takis	N
Cairns	Y	Hagedorn	N	Linkhart	N	Tapia	N
Chlouber	N	Hanna	N	May	Y	Taylor	N
Dyer	N	Hillman	N	McElhany	Y	Teck	N
Entz	N	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		

Declared **LOST** on Second Reading.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Hillman, the Report of the Committee of the Whole was adopted and, a majority of all members elected to the Senate having voted in the affirmative, the following action was taken:

Passed on Second Reading: SB03-121 as amended, HB03-1238, HB03-1016 as amended.

Lost on Second Reading: SB03-001 as amended.

Laid over until Friday, April 11: HB03-1314, HB03-1214, SB03-236.

Laid over until Monday, April 14: HB03-1128.

CONSIDERATION OF RESOLUTIONS

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 Friday, April 11, 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.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Anderson	Y	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	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: Anderson, Dyer, Fitz-Gerald, Gordon, Groff, Grossman, Hanna, Isgar, Keller, Linkhart, May, McElhany, Nichol, Owen, Reeves, Sandoval, Takis, Tapia, Teck, Tupa, and Windels.

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.

On request of Senator Taylor, the resolution was read at length.

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

Amend joint resolution, as printed in House Journal, March 28, page 1325, after line 53, insert the following:

"Be It Further Resolved, That copies of this Joint Resolution be sent to President George W. Bush, Secretary of Defense Donald Rumsfeld, Secretary of State Colin Powell, the Joint Chiefs of Staff, Colorado's Congressional Delegation, and the Colorado Department of Military and Veterans Affairs."

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

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

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

HJR03-1020 by Representative(s) Wiens, Brophy, Cadman, Crane, Decker, May M., Rhodes, Rippy, Smith, Spence, White; also Senator(s) Evans--Concerning support for administrative procedures that would enable increased forest management to help reduce the risk of catastrophic wildfires.

HJR03-1020

Senator Evans requested that the resolution be read at length and withdrew his request.

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

YES	27	NO	8	EXCUSED	0	ABSENT	0
Anderson	Y	Groff	N	Kester	Y	Sandoval	Y
Arnold	Y	Grossman	N	Lamborn	Y	Takis	Y
Cairns	Y	Hagedorn	Y	Linkhart	N	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	N
Evans	Y	Johnson	Y	Owen	Y	Windels	N
Fitz-Gerald	N	Jones	Y	Phillips	Y	Mr. President	Y
Gordon	Y	Keller	N	Reeves	N		

Co-sponsors added: Anderson, Andrews, Arnold, Cairns, Chlouber, Entz, Isgar, Johnson, Kester, Lamborn, May, McElhany, Owen, Sandoval, Taylor, and Teck.

HJR03-1022

by Representative(s) Pommer, Butcher, Frangas, McCluskey, Merrifield; also Senator(s) Groff--Concerning spay and neuter your pet day.

Laid over until Friday, April 11, retaining its place on the calendar.

HJR03-1033

by Representative(s) King, Spradley; also Senator(s) Anderson, Andrews--Concerning the requirement that the legislative council staff conduct a study of certain constitutional and statutory provisions.

Laid over until Friday, April 11, retaining its place on the calendar.

HJR03-1047

by Representative(s) Jahn, Hefley, Clapp, Frangas; also Senator(s) Anderson--Concerning National Crime Victims' Rights Week.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Anderson	Y	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	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, Grossman, Hagedorn, Hanna, Hillman, Isgar, Johnson, Jones, Keller, Kester, Lamborn, Linkhart, May, McElhany, Nichol, Owen, Phillips, Reeves, Sandoval, Takis, Tapia, Taylor, Teck, Tupa, and Windels.

CONSIDERATION OF MEMORIALS

SJM03-002

by Senator(s) Evans, Andrews; also Representative(s) Wiens, Brophy--Concerning memorializing the United States Senate to support the floor vote and nomination of federal judicial nominee Miguel Estrada.

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

SJM03-002

YES	29	NO	6	EXCUSED	0	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	Sandoval	Y
Arnold	Y	Grossman	Y	Lamborn	Y	Takis	N
Cairns	Y	Hagedorn	N	Linkhart	N	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	N
Evans	Y	Johnson	Y	Owen	Y	Windels	Y
Fitz-Gerald	N	Jones	Y	Phillips	Y	Mr. President	Y
Gordon	Y	Keller	Y	Reeves	N		

Co-sponsors added: Anderson, Arnold, Cairns, Chlouber, Entz, Johnson, Jones, Lamborn, May, McElhany, Nichol, Owen, Sandoval, Tapia, Taylor, and Teck.

SJM03-004

by Senator(s) Entz; also Representative(s) Rippy--Memorializing the Congress of the United States to appropriate the authorized amount of payments in lieu of taxes.

On motion of Senator Entz, the memorial was read at length and **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	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	Y	Tupa	Y
Evans	Y	Johnson	Y	Owen	E	Windels	Y
Fitz-Gerald	Y	Jones	Y	Phillips	Y	Mr. President	Y
Gordon	Y	Keller	Y	Reeves	Y		

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

SJM03-001

by Senator(s) Hanna, Phillips, Arnold, Dyer, Entz, Fitz-Gerald, Gordon, Groff, Grossman, Hagedorn, Hillman, Isgar, Johnson S., Keller, Kester, Linkhart, Nichol, Owen, Reeves, Sandoval, Taylor, Teck, Windels; also Representative(s) Young, Borodkin, Coleman, Frangas, Paccione, Ragsdale, Rippy, Vigil, Weddig--Memorializing Congress and President Bush to fulfill the pledge to help fund states to fight terrorist attacks.

On request of Senator Hanna, the memorial was read at length.

Amendment No. 1, State, Veterans and Military Affairs Committee Amendment.
(Printed in Senate Journal, April 8, page 943 and placed in members' bill files.)

On motion of Senator Hanna, the memorial, as amended, was **adopted** by the following roll call vote:

YES	33	NO	1	EXCUSED	1	ABSENT	0
Anderson	Y	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	N	Taylor	Y
Dyer	Y	Hillman	Y	McElhany	Y	Teck	Y
Entz	Y	Isgar	Y	Nichol	Y	Tupa	Y
Evans	Y	Johnson	Y	Owen	E	Windels	Y
Fitz-Gerald	Y	Jones	Y	Phillips	Y	Mr. President	Y
Gordon	Y	Keller	Y	Reeves	Y		

Co-sponsors added: Tupa.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB03-038

by Senator(s) Windels; also Representative(s) Jahn--Concerning a clarification of certain terms contained in the unlawful acts section of the "Mortuary Science Code".

Laid over until Friday, April 11, retaining its place on the calendar.

SB03-088

by Senator(s) Linkhart, Evans, Gordon; also Representative(s) Plant, Groff, Mitchell-- Concerning implementation of recommendations of the committee on legal services in connection with legislative review of rules and regulations of state agencies.

Senator Linkhart moved that the Senate not concur in House Amendments to **SB03-088**, as printed in House Journal, March 27, pages 1293-1294, and that a Conference Committee be appointed.

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

The President appointed Senators Chlouber, Chairman, Evans, and Linkhart as Senate Conferees on the First Conference Committee on **SB03-088**.

SB03-044

by Senator(s) Hagedorn; also Representative(s) Fritz--Concerning restrictions on post-tenure employment of former members of the general assembly.

Senator Hagedorn moved that the Senate concur in House amendments to **SB03-044**, as printed in House Journal, March 27, page 1294. The motion was **passed** 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	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	Y	Tupa	Y
Evans	Y	Johnson	Y	Owen	E	Windels	Y
Fitz-Gerald	Y	Jones	Y	Phillips	Y	Mr. President	Y
Gordon	Y	Keller	Y	Reeves	Y		

The question being "Shall the bill, as amended, 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	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	Y	Tupa	Y
Evans	Y	Johnson	Y	Owen	E	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, as amended, was declared **repassed**.

Co-sponsors added: Andrews.

SB03-106

by Senator(s) Jones, May R.; also Representative(s) Larson--Concerning third-party damages subject to subrogation in claims that are paid pursuant to the "Workers' Compensation Act of Colorado".

Laid over until Friday, April 11, retaining its place on the calendar.

SB03-079

by Senator(s) Reeves; also Representative(s) Smith--Concerning support obligations.

Senator Reeves moved that the Senate concur in House amendments to **SB03-079**, as printed in House Journal, March 28, page 1317. The motion was **passed** by the following roll call vote:

SB03-079

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	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	Y	Tupa	Y
Evans	Y	Johnson	Y	Owen	E	Windels	Y
Fitz-Gerald	Y	Jones	Y	Phillips	Y	Mr. President	Y
Gordon	Y	Keller	Y	Reeves	Y		

The question being "Shall the bill, as amended, 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	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	Y	Tupa	Y
Evans	Y	Johnson	Y	Owen	E	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, as amended, was declared **repassed**.

SB03-235

by Senator(s) Lamborn; also Representative(s) Mitchell--Concerning the right to display the United States flag.

Laid over until Friday, April 11, retaining its place on the calendar.

SB03-058

by Senator(s) May R.; also Representative(s) Cadman--Concerning state government efficiencies, and, in connection therewith, clarifying the meaning of grants under the "Procurement Code", authorizing the creation of alternative procurement methods, allowing an exception to the selection and contract formation requirements of the "Procurement Code", and allowing an exception to the emissions testing requirements for motor vehicles under certain circumstances.

Laid over until Friday, April 11, retaining its place on the calendar.

SB03-241

by Senator(s) May R.; also Representative(s) Rippy--Concerning the continuation of the regulation of certain persons in the business of automotive sales, and, in connection therewith, continuing the regulatory functions of the executive director of the department of revenue related to motor vehicle sales.

Senator May moved that the Senate concur in House amendments to **SB03-241**, as printed in House Journal, March 31, pages 1344-1345. The motion was **passed** 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	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	Y	Tupa	Y
Evans	Y	Johnson	Y	Owen	E	Windels	Y
Fitz-Gerald	Y	Jones	Y	Phillips	Y	Mr. President	Y
Gordon	Y	Keller	Y	Reeves	Y		

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

SB03-241

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	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	Y	Tupa	Y
Evans	Y	Johnson	Y	Owen	E	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, as amended, was declared **repassed**.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS

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

**MEMBER OF THE
BOARD OF TRUSTEES FOR FORT LEWIS COLLEGE**

for terms expiring January 1, 2004:

Rita Kahn of Denver, Colorado, to serve as a Democrat, appointed;

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	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	Y	Tupa	Y
Evans	Y	Johnson	Y	Owen	E	Windels	Y
Fitz-Gerald	Y	Jones	Y	Phillips	Y	Mr. President	Y
Gordon	Y	Keller	Y	Reeves	Y		

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

**MEMBERS OF THE
MINED LAND RECLAMATION BOARD**

for terms expiring March 1, 2007:

Daniel R. Ellison of Steamboat Springs, Colorado to serve as a member with experience in conservation, appointed;

Ira J. Paulin of Holly, Colorado to serve as a member with experience in agriculture, reappointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	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	Y	Tupa	Y
Evans	Y	Johnson	Y	Owen	E	Windels	Y
Fitz-Gerald	Y	Jones	Y	Phillips	Y	Mr. President	Y
Gordon	Y	Keller	Y	Reeves	Y		

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

MEMBERS OF THE
COLORADO STUDENT OBLIGATION BOND
AUTHORITY BOARD OF DIRECTORS

for a term expiring July 31, 2003:

Debra A. Baldwin of Cherry Hills Village, Colorado, to fill the vacancy occasioned by the resignation of Joanne G. Ballard, appointed;

effective July 31, 2002 for terms expiring July 31, 2006:

James B. Haass of Englewood, Colorado, appointed;

Gilbert D. Friesen of Westminster, Colorado, reappointed;

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	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	Y	Tupa	Y
Evans	Y	Johnson	Y	Owen	E	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
COLORADO COMMISSION ON THE AGING

for terms expiring July 1, 2006:

Danette L. Reitz of Englewood, Colorado, to serve as a Democrat from the First Congressional District, appointed;

Barbara J. Martig of Lafayette, Colorado, to serve as a Republican from the Second Congressional District, appointed;

Bruce Allen Eller of Lyons, Colorado, to serve as a Democrat from the Second Congressional District, appointed;

Richard L. Larsen of Colorado Springs, Colorado, to serve as a Republican from the Fifth Congressional District, reappointed;

Daphne L. Bernstein of Highlands Ranch, Colorado, to serve as a Republican from the Sixth Congressional District, reappointed;

Zachary Sahker of Idledale, Colorado, to serve as a Democrat from the Sixth Congressional District, appointed;

Kathleen M. Turley of Centennial, Colorado, to serve as a Republican member from the State at Large, appointed;

for terms expiring July 1, 2004:

Scott E. Holwick of Longmont, Colorado, to fill the vacancy occasioned by the resignation of Harriet A. Azari and to serve as a Democrat from the Fourth Congressional District, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	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	Y	Tupa	Y
Evans	Y	Johnson	Y	Owen	E	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 referred to the Committee on Transportation:

MEMBERS OF THE
AIR QUALITY CONTROL COMMISSION

for a term expiring January 31, 2004:

Jim Evans of Grand Junction, Colorado, to fill the vacancy occasioned by the resignation of Suzanne R. Griffin and to serve as a member with private sector employment experience, appointed.

for terms expiring January 31, 2005:

Robert H. Lowdermilk of Denver, Colorado, to serve as a member with industrial experience and as a Republican, reappointed;

Doug N. Blewitt of Englewood, Colorado, to serve a member with technical experience and as an Unaffiliated, reappointed;

Cynthia S. Peterson of Littleton, Colorado, to serve as a member with technical experience and as a Democrat, reappointed

for terms expiring January 31, 2006:

James B. Martin of Longmont, Colorado, to serve as a member with technical experience, appointed;

John W. Daily of Boulder, Colorado, to serve as a member with scientific experience, appointed;

Marian I. Smith of Glenwood Springs, Colorado, to serve as a member with industrial training experience, reappointed.

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

MEMBER OF THE
STATE ELECTRICAL BOARD

for a term expiring July 1, 2005:

Thomas J. Lofland of Arvada, Colorado to fill the vacancy occasioned by the resignation of Frank J. Peralta of Pueblo West, Colorado, and to serve as a master electrician and as an Unaffiliated, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	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	Y	Tupa	Y
Evans	Y	Johnson	Y	Owen	E	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
STATE HOUSING BOARD

for terms expiring January 31, 2005:

Janet S. Oldham of Louisville, Colorado, to serve as a member from the Second Congressional District and as a Democrat, reappointed;

for terms expiring January 31, 2007:

Ted J. Chavez of Milliken, Colorado, to serve as a member from the Fourth Congressional District and as a Democrat, appointed;

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	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	Y	Tupa	Y
Evans	Y	Johnson	Y	Owen	E	Windels	Y
Fitz-Gerald	Y	Jones	Y	Phillips	Y	Mr. President	Y
Gordon	Y	Keller	Y	Reeves	Y		

COMMITTEE OF REFERENCE REPORTS

Business
Affairs and
Labor

After consideration on the merits, the Committee recommends that **SB03-294** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, strike everything below the enacting clause and substitute the following:

"SECTION 1. 26-4-408, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

26-4-408. Prescribed drugs. (3) (a) THE STATE DEPARTMENT SHALL IMPLEMENT DRUG UTILIZATION MECHANISMS, INCLUDING, BUT NOT LIMITED TO, PRIOR AUTHORIZATION, TO CONTROL COSTS IN THE MEDICAL ASSISTANCE PROGRAM ASSOCIATED WITH PRESCRIBED DRUGS.

(b) THE STATE DEPARTMENT SHALL REPORT TO THE HEALTH, ENVIRONMENT, WELFARE, AND INSTITUTIONS COMMITTEES FOR THE HOUSE OF REPRESENTATIVES AND THE SENATE AND THE JOINT BUDGET COMMITTEE NO LATER THAN DECEMBER 1, 2003, AND EACH DECEMBER 1 THEREAFTER, ON PLAN UTILIZATION MECHANISMS THAT HAVE BEEN IMPLEMENTED OR THAT WILL BE IMPLEMENTED BY THE STATE DEPARTMENT, THE TIME FRAMES FOR IMPLEMENTATION, THE EXPECTED SAVINGS ASSOCIATED WITH EACH UTILIZATION MECHANISM, AND ANY OTHER INFORMATION DEEMED APPROPRIATE BY THE HEALTH, ENVIRONMENT, WELFARE, AND INSTITUTIONS COMMITTEES OR THE JOINT BUDGET COMMITTEE.

SECTION 2. Appropriation - adjustments to 2003 long bill.

(1) In addition to any other appropriation, there is hereby appropriated, to the department of health care policy and financing, executive director's office, for the fiscal year beginning July 1, 2003, the sum of one hundred eighteen thousand two hundred twenty-five dollars (\$118,225), for the implementation of this act. Of said sum, twenty-nine thousand five hundred fifty-six dollars (\$29,556) shall be from the general fund and shall be subject to the "(M)" notation as defined in the general appropriation act. In addition to said appropriation, the general assembly anticipates that, for the fiscal year beginning July 1, 2003, the department of health care policy and financing, executive director's office, will receive the sum of eighty-eight thousand six hundred sixty-nine dollars (\$88,669) in federal funds for the implementation of this act. Although the federal funds are not appropriated in this act, they are noted for the purpose of indicating the assumptions used relative to these funds.

(2) For the implementation of this act, appropriations made in the annual general appropriation act for the fiscal year beginning July 1, 2003, shall be adjusted as follows: The appropriation to the department of health care policy and financing, medical services premiums, is decreased by one million seventy-two thousand nine hundred twelve dollars (\$1,072,912). Of said sum, five hundred thirty-six thousand four hundred fifty-six dollars (\$536,456) shall be from the general fund and five hundred thirty-six thousand four hundred fifty-six dollars (\$536,456) shall be from federal funds.

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SB03-294

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."

Page 1, strike lines 104 through 107 and substitute the following:

"IMPLEMENT DRUG UTILIZATION MECHANISMS FOR THE MEDICAL ASSISTANCE PROGRAM, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH."

Business
Affairs and
Labor

After consideration on the merits, the Committee recommends that **HB03-1337** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 1, line 3, strike "amended" and substitute "amended, and the said 12-47-412 is further amended BY THE ADDITION OF A NEW SUBSECTION,".

Page 2, after line 16, insert the following:

"(9) IF FIFTY PERCENT OR MORE OF A TAVERN LICENSEE'S PATRONS ARE COWBOYS, SUCH LICENSEE SHALL BE EXEMPT FROM THE PROVISIONS OF THIS SECTION."

Business
Affairs and
Labor

After consideration on the merits, the Committee recommends that **HB03-1106** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 11, after line 16, insert the following:

"SECTION 7. Effective date. This act shall take effect July 1, 2003."

Renumber succeeding section accordingly.

Business
Affairs and
Labor

After consideration on the merits, the Committee recommends that **HB03-1220** be referred to the Committee of the Whole with favorable recommendation.

State,
Veterans and
Military
Affairs

After consideration on the merits, the Committee recommends that **SB03-244** 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 4, strike "BUT PRIOR TO JANUARY 1, 2003,";

line 12, strike "ALL" and substitute "A PART OF ANY";

line 13, strike "ACQUIRED OR";

line 14, strike "2003," and substitute "2004,";

line 17, after "PAY", insert "AS MUCH";

line 19, strike "DRASTICALLY" and substitute "PROPORTIONALLY";

line 21, strike "PROPERTY THAT WOULD HAVE" and substitute "PROPERTY,";

line 22, strike "BEEN TAXED PREVIOUSLY,".

Page 3, line 1, after "TO", insert "AS MUCH";

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SB03-244

line 3, after "TO", insert "THE FULL";

strike lines 6 through 8 and substitute the following:

"(b) (I) FOR ALL BUSINESS PERSONAL PROPERTY FIRST USED IN A BUSINESS DURING A PROPERTY TAX YEAR COMMENCING ON AND AFTER JANUARY 1, 2004, THE DIFFERENCE BETWEEN THE ACTUAL VALUE OF SUCH BUSINESS PERSONAL PROPERTY AND THE ECONOMIC STIMULUS VALUE ESTABLISHED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH (b) SHALL BE EXEMPT FROM THE LEVY AND COLLECTION OF PROPERTY TAX FOR THE PROPERTY TAX YEAR IN WHICH THE BUSINESS PERSONAL PROPERTY IS FIRST USED. FOR ALL PROPERTY TAX YEARS THEREAFTER, THE AMOUNT OF THE EXEMPTION FOR SUCH BUSINESS PERSONAL PROPERTY SHALL BE EQUAL TO THE AMOUNT OF THE EXEMPTION FOR THE YEAR IN WHICH THE BUSINESS PERSONAL PROPERTY WAS FIRST USED.

(II) THE ECONOMIC STIMULUS VALUE SHALL BE EQUAL TO THE ACTUAL VALUE MULTIPLIED BY NINETY-FIVE PERCENT IN THE TAX YEAR COMMENCING JANUARY 1, 2004, AND FOR EACH PROPERTY TAX YEAR THEREAFTER, SUCH PERCENTAGE SHALL BE REDUCED BY FIVE PERCENTAGE POINTS FROM THE IMMEDIATELY PRECEDING TAX YEAR. FOR ALL TAX YEARS COMMENCING ON AND AFTER JANUARY 1, 2023, THE ECONOMIC STIMULUS VALUE SHALL BE ZERO.

(III) THE ECONOMIC STIMULUS VALUE SHALL BE USED AS THE ACTUAL VALUE IN DETERMINING WHETHER THE BUSINESS PERSONAL PROPERTY QUALIFIES FOR AN EXEMPTION PURSUANT TO SECTION 39-3-119.5."

State,
Veterans and
Military
Affairs

After consideration on the merits, the Committee recommends that **HB03-1249** be referred to the Committee on Appropriations with favorable recommendation.

State,
Veterans and
Military
Affairs

After consideration on the merits, the Committee recommends that **HB03-1335** be referred to the Committee of the Whole with favorable recommendation.

State,
Veterans and
Military
Affairs

After consideration on the merits, the Committee recommends that **SR03-015** be postponed indefinitely.

State,
Veterans and
Military
Affairs

After consideration on the merits, the Committee recommends that **HB03-1325** be postponed indefinitely.

Judiciary

After consideration on the merits, the Committee recommends that **HB03-1319** be amended as follows, and as so amended, be referred to the Committee on Agriculture, Natural Resources and Energy with favorable recommendation.

Amend reengrossed bill, page 5, line 12, strike "or property" and substitute "~~or property~~".

Judiciary

After consideration on the merits, the Committee recommends that **SB03-303** be referred to the Committee of the Whole with favorable recommendation.

Judiciary

After consideration on the merits, the Committee recommends that **HB03-1170** be referred to the Committee on Appropriations with favorable recommendation.

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SENATE SERVICES REPORT

Senate
Services

Correctly engrossed: SB03-005, 019, 022, 033, 049, 079, 082, 103, 167, 230, 239.

Correctly reengrossed: SB03-258.

Correctly revised: HB03-1140, 1256.

Correctly rerevised: HB03-1303.

SIGNING OF BILLS--RESOLUTIONS--MEMORIALS

The President has signed: SB03-021, 117.

The President has signed: HB03-1006, 1008.

The President has signed: HJR03-1045.

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 10, was laid over until Friday, April 11, retaining its place on the calendar.

Consideration of Governor's Vetoes: SB03-207.

Consideration of Conference Committee Reports: HB03-1103, HB03-1301, HB03-1005, SB03-226, HB03-1161.

Conference Committees to Report: HB03-1025, HB03-1224, HB03-1003, SB03-098, HB03-1111, SB03-009, SB03-065, HB03-1218, HB03-1305, HB03-1253.

Request for Conference Committees: HB03-1240, HB03-1172, HB03-1007, HB03-1092, HB03-1237, SB03-113, SB03-126, SB03-007, HB03-1219, HB03-1228.

On motion of Senator Anderson, the Senate adjourned until 9:00 a.m., Friday, April 11, 2003.

Approved:

John Andrews
President of the Senate

Attest:

Mona Heustis
Secretary of the Senate

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