

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

Thirty-fifth Legislative Day Tuesday, February 11, 2003

Prayer By the chaplain, Father Dennis Woerter, St. Dominic's Catholic Parish.

Pledge By Senator Tupa.

Call to Order By the President at 9:00 a.m.

Roll Call Present-- 34.
Absent/Excused--1; Entz.
Present later--Entz.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Sandoval, reading of the Journal of February 10, 2003, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

State, Veterans and Military Affairs After consideration on the merits, the Committee recommends that SB03-111 be referred to the Committee on Judiciary with favorable recommendation.

Business Affairs and Labor The Committee on Business Affairs and Labor has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

MEMBERS OF THE
STATE ELECTRICAL BOARD

effective July 1, 2002 for terms expiring July 1, 2005:

Richard G. Weingardt of Aurora, Colorado, to serve as a representative of the public at large, reappointed;

Jeffrey L. Pagnard of Highlands Ranch, Colorado, to serve as a building official from a political subdivision of the state performing electrical inspections, appointed;

Von Dewayne Stelljes, Jr. of Brighton, Colorado, to serve as a journeyman electrician, reappointed;

Douglas J. Tamminga of Bailey, Colorado, to serve as a general contractor actively engaged in the building industry, reappointed;

Richard D. Brinkley of Glenwood Springs, Colorado, to serve as a private, municipal, or cooperative electric utilities rendering electric service to the ultimate electrical inspections, reappointed.

Business Affairs and Labor After consideration on the merits, the Committee recommends that SB03-039 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 2, strike lines 5 through 12 and substitute the following:

Page 312	Senate Journal-Thirty-fifth Day-February 11, 2003	
SB03-039		1
	"(4) (a) AT THE TIME OF APPLYING FOR A LICENSE, AN APPLICANT SHALL";	2
	strike lines 16 through 19 and substitute the following:	3
	"CRIMINAL HISTORY RECORD CHECK. UPON RECEIPT OF".	4
	Page 3, line 1, after "CHECK.", add "ONLY THE ACTUAL COSTS OF SUCH	5
	RECORD CHECK SHALL BE BORNE BY THE APPLICANT.";	6
	after line 1, insert the following:	7
	"(b) FOR THE PURPOSES OF THIS SUBSECTION (4), "APPLICANT"	8
	MEANS ANY APPLICANT FOR AN ORIGINAL LICENSE FOR MOTOR VEHICLE	9
	DEALER, MOTOR VEHICLE SALESPERSON, USED MOTOR VEHICLE DEALER,	10
	WHOLESALE MOTOR VEHICLE AUCTION DEALER, OR WHOLESALER.	11
	(c) FOR PURPOSES OF THIS SUBSECTION (4), "APPLICANT FOR AN	12
	ORIGINAL LICENSE" MEANS:	13
	(I) ANY APPLICANT WHO IS APPLYING FOR A LICENSE FOR THE FIRST	14
	TIME;	15
	(II) ANY APPLICANT WHOSE PREVIOUS LICENSE HAD BEEN DENIED,	16
	SUSPENDED, REVOKED, OR HAD EXPIRED;	17
	(III) ANY APPLICANT WHO HAD VOLUNTARILY SURRENDERED HIS	18
	OR HER LICENSE OR WHO HAD ABANDONED HIS OR HER PRINCIPAL PLACE	19
	OF BUSINESS FOR MORE THAN THIRTY DAYS; AND	20
	(IV) ANY APPLICANT WHO IS APPLYING FOR A CHANGE OF ENTITY	21
	OR A CHANGE OF OWNERSHIP.".	22
Business Affairs and Labor	After consideration on the merits, the Committee recommends that SB03-104 be postponed indefinitely.	23
Business Affairs and Labor	After consideration on the merits, the Committee recommends that SB03-108 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	24
	Amend printed bill, page 2, line 2, strike "(17) (e)," and substitute "(17),";	25
	strike line 3 and substitute the following:	26
	"amended BY THE";	27
	line 4, strike the comma;	28
	strike lines 22 through 27.	29
	Page 3, strike lines 1 through 3, and substitute the following:	30
	"(i) A SUPERVISED LENDER AS DEFINED PURSUANT TO SECTION	31
	5-1-301 (46), C.R.S., THAT OFFERS FOR SALE A REPOSSESSED MOTOR	32
	VEHICLE OR A MOTOR VEHICLE THAT HAS BEEN FORECLOSED UPON.".	33
Business Affairs and Labor	After consideration on the merits, the Committee recommends that SB03-116 be referred to the Committee of the Whole with favorable recommendation.	34
Business Affairs and Labor	After consideration on the merits, the Committee recommends that SB03-136 be postponed indefinitely.	35

Business
Affairs and
Labor

After consideration on the merits, the Committee recommends that **HB03-1161** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 4, line 24, after "TO", insert "A CONSTRUCTION PROFESSIONAL BY".

Page 5, line 10, strike "ON" and substitute "TO".

Page 9, strike lines 8 through 26 and substitute the following:

"(6) (a) IN ANY CLAIM ALLEGING A CONSTRUCTION DEFECT, A CLAIMANT MAY RECOVER ONLY ACTUAL DAMAGES AND SHALL IN NO CIRCUMSTANCES RECOVER DAMAGES THAT MAY OTHERWISE BE AWARDED UNDER THE PROVISIONS OF THE "COLORADO CONSUMER PROTECTION ACT", ARTICLE 1 OF TITLE 6, C.R.S., OR DAMAGES FOR NONECONOMIC LOSS OR INJURY, AS DEFINED IN SECTION 13-21-102.5; EXCEPT THAT A CLAIMANT MAY RECOVER SUCH DAMAGES UNDER THE PROVISIONS OF THE "COLORADO CONSUMER PROTECTION ACT" IF A JUDGE OR ARBITRATOR FINDS BEYOND A REASONABLE DOUBT IN AN EVIDENTIARY HEARING HELD PRIOR TO A JURY'S DETERMINATION OF ANY ISSUE RELATING TO LIABILITY OR DAMAGES THAT A CONSTRUCTION PROFESSIONAL ACTED FRAUDULENTLY AND IN BAD FAITH IN THE CONSTRUCTION OF IMPROVEMENTS TO REAL PROPERTY AND THAT SUCH CONDUCT RESULTED IN PROPERTY LOSS OR DAMAGE.

(b) (I) FOR PURPOSES OF THIS SUBSECTION (6), "ACTUAL DAMAGES" MEANS ECONOMIC DAMAGES CAUSED BY A CONSTRUCTION DEFECT, RELOCATION COSTS, AND INTEREST AND SUCH COSTS OF SUIT AND REASONABLE ATTORNEY FEES AS MAY BE AWARDBLE PURSUANT TO CONTRACT OR APPLICABLE LAW.

(II) FOR PURPOSES OF THIS PARAGRAPH (b), "ECONOMIC DAMAGES" MEANS THE DIMINUTION IN VALUE OF REAL PROPERTY AS A RESULT OF AN ALLEGED CONSTRUCTION DEFECT OR THE REASONABLE COST TO REPAIR THE ALLEGED CONSTRUCTION DEFECT, WHICHEVER IS LESS.

(c) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPHS (a) AND (b) OF THIS SUBSECTION (6), IN ANY CLAIM ALLEGING A CONSTRUCTION DEFECT, A CLAIMANT MAY CLAIM DAMAGES FOR EXPENSES INCURRED AND INCOME LOST AS A RESULT OF PERSONAL INJURY OR DEATH CAUSED BY THE CONSTRUCTION DEFECT AND, SUBJECT TO THE LIMITATIONS SET FORTH IN SECTIONS 13-21-102.5 AND 13-21-203, MAY ALSO CLAIM DAMAGES FOR NONECONOMIC LOSS OR INJURY THAT RESULTS FROM PERSONAL INJURY OR DEATH CAUSED BY THE CONSTRUCTION DEFECT."

Page 10, after line 18, insert the following:

"(8) EXCEPT FOR THE PROVISIONS OF SUBSECTION (6) OF THIS SECTION, THE PROVISIONS OF THIS SECTION SHALL NOT APPLY TO CLAIMS BY PUBLIC UTILITIES FOR LOSSES RELATED TO CONSTRUCTION DEFECTS."

Page 11, line 2, strike "AN IMMINENT" and substitute "A".

Page 13, after line 8, insert the following:

"13-20-808. Inapplicability to governments. (1) THE PROVISIONS OF THIS PART 8 SHALL NOT APPLY TO CLAIMS BY GOVERNMENTS FOR LOSSES RELATED TO CONSTRUCTION DEFECTS.

(2) FOR PURPOSES OF THIS SECTION "GOVERNMENT" MEANS THE STATE, A CITY, COUNTY, CITY AND COUNTY, SCHOOL DISTRICT, OR SPECIAL DISTRICT."

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:

SB03-203 by Senator(s) Owen, Teck, Reeves; also Representative(s) Young, Witwer, Plant--
Concerning a supplemental appropriation to the department of health care policy and financing.

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

Third Reading Amendment No. 1(J.005), by Senator Owen.

Amend engrossed bill, page 29, line 2, in the ITEM & SUBTOTAL column, strike "4,673,651" and substitute "4,587,847", in the GENERAL FUND column, strike "2,336,826(M)" and substitute "2,293,924(M)", and, in the FEDERAL FUNDS column, strike "2,336,825" and substitute "2,293,923".

Adjust affected totals accordingly.

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

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	Grossman	Y	Lamborn	Y	Takis	Y
Arnold	Y	Hagedorn	Y	Linkhart	Y	Tapia	Y
Cairns	Y	Hanna	Y	May	Y	Tate	Y
Chlouber	Y	Hillman	Y	McElhany	Y	Taylor	Y
Dyer	Y	Isgar	Y	Nichol	Y	Teck	Y
Entz	E	Johnson	Y	Owen	Y	Tupa	Y
Evans	Y	Jones	Y	Phillips	Y	Windels	Y
Fitz-Gerald	Y	Keller	Y	Reeves	Y	Mr. President	Y
Gordon	Y	Kester	Y	Sandoval	Y		

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

SB03-205 by Senator(s) Owen, Teck, Reeves; also Representative(s) Young, Witwer, Plant--
Concerning a supplemental appropriation to the department of human services.

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

Third Reading Amendment No. 1(J.007), by Senator Owen.

Amend engrossed bill, page 3, line 7, in the ITEM & SUBTOTAL column, strike "7,910,673" and substitute "7,890,699";

line 9, in the ITEM & SUBTOTAL column, strike "(109.4 FTE)" and substitute "(108.9 FTE)";

line 11, in the ITEM & SUBTOTAL column, strike "7,672,337" and substitute "7,652,807";

line 13, in the ITEM & SUBTOTAL column, strike "247,645" and substitute "247,154".

Page 4, line 6, in the ITEM & SUBTOTAL column, strike "2,745,615"

SB03-205

and substitute "2,735,405";	1
	2
	3
line 9, in the ITEM & SUBTOTAL column, strike "949,924" and	4
substitute "945,702".	5
	6
Page 5, line 10, in the ITEM & SUBTOTAL column, strike "38,927,404"	7
and substitute "38,872,977" and, in the GENERAL FUND column,	8
strike "22,425,170(M)" and substitute "22,370,743(M)".	9
	10
Adjust affected totals accordingly.	11
	12
Page 13, line 14, in the ITEM & SUBTOTAL column, strike	13
"20,519,779" and substitute "20,472,042".	14
	15
Page 14, line 1, in the ITEM & SUBTOTAL column, strike "(475.6	16
FTE)" and substitute "(474.4 FTE)";	17
	18
line 3, in the ITEM & SUBTOTAL column, strike "2,422,164" and	19
substitute "2,415,992".	20
	21
Page 15, line 4, in the TOTAL column, strike "34,747,759" and substitute	22
"34,693,850" and, in the GENERAL FUND column, strike	23
"17,583,396(M)" and substitute "17,529,487(M)".	24
	25
Adjust affected totals accordingly.	26
	27
Page 21, line 15, in the ITEM & SUBTOTAL column, strike	28
"71,554,381" and substitute "70,989,384".	29
	30
Page 22, line 2, in the ITEM & SUBTOTAL column, strike "(1,260.5	31
FTE)" and substitute "(1,251.5 FTE)";	32
	33
line 4, in the ITEM & SUBTOTAL column, strike "8,533,206" and	34
substitute "8,441,659".	35
	36
Page 23, line 3, in the ITEM & SUBTOTAL column, strike "83,876,632"	37
and substitute "83,220,088", in the GENERAL FUND column, strike	38
"58,269,487 ^a " and substitute "57,799,073 ^a ", in the CASH FUNDS	39
column, strike "3,179,299 ^b " and substitute "3,152,089 ^b ", and, in the	40
CASH FUNDS EXEMPT column, strike "22,427,846 ^c " and substitute	41
"22,268,926 ^c ";	42
	43
line 7, strike "\$2,695,731" and substitute "\$2,668,521";	44
	45
line 8, strike "\$19,919,776" and substitute "\$19,760,856";	46
	47
line 10, strike "\$7,452,807" and substitute "\$7,379,691";	48
	49
line 12, strike "3,984,829(T)" and substitute " \$3,984,829(T)	50
\$3,899,025(T)".	51
	52
Adjust affected totals and affected (T) notation totals accordingly.	53
	54
A majority of all members elected to the Senate having voted in the	55
affirmative, the amendment was adopted.	56
	57
The question being "Shall the bill, as amended, pass?", the roll call was taken	58
with the following result:	59
	60
	61

SB03-205

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

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

SB03-202

by Senator(s) Owen, Teck, Reeves; also Representative(s) Young, Witwer, Plant--Concerning a supplemental appropriation to the offices of the governor, lieutenant governor, and state planning and budgeting.

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

Third Reading Amendment No. 1(J.018), by Senator Owen.

Amend engrossed bill, page 14, line 8, in the ITEM & SUBTOTAL column, strike "7,805,661" and substitute "5,170,604" and, in the GENERAL FUND column, strike "7,805,661" and substitute "5,170,604".

Adjust affected totals accordingly.

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

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	Grossman	Y	Lamborn	Y	Takis	Y
Arnold	Y	Hagedorn	Y	Linkhart	Y	Tapia	Y
Cairns	Y	Hanna	Y	May	Y	Tate	Y
Chlouber	Y	Hillman	Y	McElhany	Y	Taylor	Y
Dyer	Y	Isgar	Y	Nichol	Y	Teck	Y
Entz	E	Johnson	Y	Owen	Y	Tupa	Y
Evans	Y	Jones	Y	Phillips	Y	Windels	Y
Fitz-Gerald	Y	Keller	Y	Reeves	Y	Mr. President	Y
Gordon	Y	Kester	Y	Sandoval	Y		

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

Co-sponsors added: Isgar, Taylor.

SB03-204

by Senator(s) Owen, Teck, Reeves; also Representative(s) Young, Witwer, Plant--Concerning a supplemental appropriation to the department of higher education.

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

SB03-204

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

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

SB03-109

by Senator(s) Windels; also Representative(s) Rose--Concerning the judicial procedures relating to criminal records.

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	Grossman	Y	Lamborn	Y	Takis	Y
Arnold	Y	Hagedorn	Y	Linkhart	Y	Tapia	Y
Cairns	Y	Hanna	Y	May	Y	Tate	Y
Chlouber	Y	Hillman	Y	McElhany	Y	Taylor	Y
Dyer	Y	Isgar	Y	Nichol	Y	Teck	Y
Entz	E	Johnson	Y	Owen	Y	Tupa	Y
Evans	Y	Jones	Y	Phillips	Y	Windels	Y
Fitz-Gerald	Y	Keller	Y	Reeves	Y	Mr. President	Y
Gordon	Y	Kester	Y	Sandoval	Y		

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

Co-sponsors added: Isgar.

SB03-097

by Senator(s) Takis, Hagedorn; also Representative(s) Stafford--Concerning reconsideration of the parole application of a person convicted of certain crimes of violence.

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	Grossman	Y	Lamborn	Y	Takis	Y
Arnold	Y	Hagedorn	Y	Linkhart	Y	Tapia	Y
Cairns	Y	Hanna	Y	May	Y	Tate	Y
Chlouber	Y	Hillman	Y	McElhany	Y	Taylor	Y
Dyer	Y	Isgar	Y	Nichol	Y	Teck	Y
Entz	E	Johnson	Y	Owen	Y	Tupa	Y
Evans	Y	Jones	Y	Phillips	Y	Windels	Y
Fitz-Gerald	Y	Keller	Y	Reeves	Y	Mr. President	Y
Gordon	Y	Kester	Y	Sandoval	Y		

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

Co-sponsors added: Grossman, Nichol, Tapia.

SB03-147

by Senator(s) Dyer; also Representative(s) Hefley--Concerning strengthening Colorado's criminal procedure laws.

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

SB03-051

Third Reading Amendment No. 1(L.007), by Senator Hagedorn.

Amend engrossed bill, page 12, line 24, strike "9" and substitute "10".

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

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	Grossman	Y	Lamborn	Y	Takis	Y
Arnold	Y	Hagedorn	Y	Linkhart	Y	Tapia	Y
Cairns	Y	Hanna	Y	May	Y	Tate	Y
Chlouber	Y	Hillman	Y	McElhany	Y	Taylor	Y
Dyer	Y	Isgar	Y	Nichol	Y	Teck	Y
Entz	E	Johnson	Y	Owen	Y	Tupa	Y
Evans	Y	Jones	Y	Phillips	Y	Windels	Y
Fitz-Gerald	Y	Keller	Y	Reeves	Y	Mr. President	Y
Gordon	Y	Kester	Y	Sandoval	Y		

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

SB03-223

by Senator(s) McElhany; also Representative(s) Berry--Concerning extension of the public utilities commission to a date no earlier than July 1, 2008.

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	Grossman	Y	Lamborn	Y	Takis	Y
Arnold	Y	Hagedorn	Y	Linkhart	Y	Tapia	Y
Cairns	Y	Hanna	Y	May	Y	Tate	Y
Chlouber	Y	Hillman	Y	McElhany	Y	Taylor	Y
Dyer	Y	Isgar	Y	Nichol	Y	Teck	Y
Entz	E	Johnson	Y	Owen	Y	Tupa	Y
Evans	Y	Jones	Y	Phillips	Y	Windels	Y
Fitz-Gerald	Y	Keller	Y	Reeves	Y	Mr. President	Y
Gordon	Y	Kester	Y	Sandoval	Y		

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

SB03-224

by Senator(s) Jones; also Representative(s) Butcher--Concerning the continuation of the workers' compensation physician accreditation program under rules adopted by the director of the division of workers' compensation.

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	Grossman	Y	Lamborn	Y	Takis	Y
Arnold	Y	Hagedorn	Y	Linkhart	Y	Tapia	Y
Cairns	Y	Hanna	Y	May	Y	Tate	Y
Chlouber	Y	Hillman	Y	McElhany	Y	Taylor	Y
Dyer	Y	Isgar	Y	Nichol	Y	Teck	Y
Entz	E	Johnson	Y	Owen	Y	Tupa	Y
Evans	Y	Jones	Y	Phillips	Y	Windels	Y
Fitz-Gerald	Y	Keller	Y	Reeves	Y	Mr. President	Y
Gordon	Y	Kester	Y	Sandoval	Y		

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

SB03-155

by Senator(s) Kester; also Representative(s) Rhodes--Concerning the administration of regulations pertaining to debt collectors, and, in connection therewith, continuing the collection agency board.

SB03-155

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	Grossman	Y	Lamborn	Y	Takis	Y
Arnold	Y	Hagedorn	Y	Linkhart	Y	Tapia	Y
Cairns	Y	Hanna	Y	May	Y	Tate	Y
Chlouber	Y	Hillman	Y	McElhany	Y	Taylor	Y
Dyer	Y	Isgar	Y	Nichol	Y	Teck	Y
Entz	E	Johnson	Y	Owen	Y	Tupa	Y
Evans	Y	Jones	Y	Phillips	Y	Windels	Y
Fitz-Gerald	Y	Keller	Y	Reeves	Y	Mr. President	Y
Gordon	Y	Kester	Y	Sandoval	Y		

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

INTRODUCTION OF BILLS--FIRST READING

The following bills were read by title and referred to the committees indicated:

SB03-231by Senator(s) Hillman; --Concerning product liability actions.
Judiciary

SB03-232by Senator(s) Chlouber; --Concerning the office of consumer counsel.
State Veterans & Military Affairs

SENATE SERVICES REPORT

Senate
Services

Correctly printed: SB03-229, 230.
Correctly engrossed: SB03-051, 056, 097, 109, 135, 147, 148, 155, 223, 224.
Correctly reengrossed: SB03-036, 044, 070, 078, 086, 089, 100, 113, 115, 119, 120, 143, 227, 228.
Correctly rerevised: HB03-1091.

SIGNING OF BILLS--RESOLUTIONS--MEMORIALS

The President has signed: SR03-008, 009;
SJR03-006, 007, 008, 009.
HJR03-1007, 1008, 1014.

Senate in recess.

Senate reconvened.

MESSAGE FROM THE HOUSE

February 11, 2003
Mr. President:
The House has passed on Third Reading and returns herewith SB03-196,198.

The House has passed on Third Reading and transmitted to the Revisor of Statutes;
SB03-191, amended as printed in House Journal, February 10, page 617.
SB03-192, amended as printed in House Journal, February 10, page 618.

MESSAGE FROM REVISOR OF STATUTES

February 11, 2003
We herewith transmit:
Without comment, as amended, SB03-191 and 192.

TRIBUTES

Honoring Kurt Wolter and Ann Sullivan Wolter -- by Senator Andrews
Honoring Officer John Super -- by Senator Andrews
Honoring Officer Kurt Peterson -- by Senator Andrews
Honoring Jim and Joan Varner -- by Senator Andrews

On motion of Senator Owen, and with a majority of those elected to the Senate having
voted in the affirmative, the balance of the calendar of February 11, 2003, was laid over
until February 12, 2003, retaining its place on the calendar.

Second Reading--General Orders: SB03-098, SB03-154,SB03-133, SB03-055, SB03-025,
SB03-074, HB03-1018, SB03-053, SB03-117, SB03-153, SB03-158, SB03-126,
SB03-118, SB03-079, SB03-112, SB03-130, SB03-099, SB03-096.
Consideration of House Amendments to Senate Bills: SB03-179, SB03-182, SB03-175,
SB03-183, SB03-185, SB03-189.
Consideration of Governor's Appointments:
Members of the Colorado Banking Board;
Members of the Advisory Committee to the Property Tax Administrator;
Member of the Examining Board of Plumbers;
Member of the Colorado Racing Commission;
Member of the Colorado Limited Gaming Control Commission;
Member of the Securities Board;
Member of the Board of Trustees of Metropolitan State College of Denver;
Member of the Colorado Educational and Cultural Facilities Authority Board of
Directors;
Member of the Board of Real Estate Appraisers;
Member of the Workers' Compensation Cost Containment Board;
Member of the Private Occupational School Board;
Member of the Colorado Commission on Higher Education.

On motion of Senator Owen, the Senate adjourned until 9:00 a.m., February 12, 2003.

Approved:

John Andrews
President of the Senate

Attest:

Mona Heustis
Secretary of the Senate