

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

Forty-fourth Legislative Day

Thursday, February 20, 2003

Prayer	By the chaplain, Reverend Paul Kottke, University Park United Methodist Church.	11
Pledge	By Senator Teck.	13
Call to Order	By the President at 9:00 a.m.	15
Roll Call	Present-- 32. Absent/Excused--3; Gordon, Linkhart, McElhany. Present later--Gordon, Linkhart.	18 19 20
Quorum	The President announced a quorum present.	22
Reading of Journal	On motion of Senator Tapia, reading of the Journal of February 19, 2003 was dispensed with and the Journal was approved as corrected by the Secretary.	24 25

INTRODUCTION OF RESOLUTIONS

The following resolutions were read by title:

SJR03-021	by Senator(s) May R., Cairns, Dyer, Entz, Jones, Owen, Taylor; also Representative(s) King--Concerning a request that congress give first priority to supporting and passing the defense appropriations bill.	32 33 34
	Laid over one day under Senate Rule 30(b).	35 36
SJR03-022	by Senator(s) Cairns, Andrews, Arnold, Chlouber, Entz, Evans, Hillman, Johnson S., Jones, Kester, Lamborn, May, McElhany, Owen, Taylor, Teck; also Representative(s) Fairbank--Concerning a request that the Colorado congressional delegation work to protect the permanency of the savings of the United States.	37 38 39 40 41
	Laid over one day under Senate Rule 30(b).	42 43

INTRODUCTION OF BILLS--FIRST READING

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

HB03-1081	by Representative(s) Coleman, Vigil, White, Williams T.; also Senator(s) Takis, Anderson, Taylor, Tupa--Concerning foster care services. Local Government	52 53 54
HB03-1127	by Representative(s) Smith; also Senator(s) Arnold--Concerning allegations against education providers. Education	55 56 57 58
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. State Veterans & Military Affairs	59 60 61 62 63
HB03-1153	by Representative(s) Weddig; also Senator(s) Hanna--Concerning the conduct of absentee mail ballot elections. State Veterans & Military Affairs	64 65 66 67

- HB03-1157** by Representative(s) Sinclair, Decker, May M., Rhodes, Smith; also Senator(s) Kester--
Concerning credit terms for the sale of alcohol beverages to retailers.
Business Affairs & Labor1
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- HB03-1158** by Representative(s) Romanoff; also Senator(s) Entz, Teck--Concerning landlord and tenant
relations.
State Veterans & Military Affairs6
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- HB03-1174** by Representative(s) Williams S., Frangas, Briggs, Butcher, Coleman, Groff, Hefley, Jahn,
McFadyen, Merrifield, Paccione, Plant, Romanoff, Salazar, Spence, White; also Senator(s)
Kester, Entz, Hanna, Johnson S., Keller, Tapia, Windels--Concerning full-day kindergarten
for low-performing schools.
State Veterans & Military Affairs10
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- HB03-1186** by Representative(s) Mitchell; also Senator(s) Teck--Concerning the assertion of claims for
exemplary damages.
Judiciary16
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- HB03-1192** by Representative(s) Rhodes; also Senator(s) Sandoval--Concerning actions taken by the
Colorado state board of chiropractic examiners that affect a chiropractor's licensing status.
Business Affairs & Labor20
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- HB03-1193** by Representative(s) Berry; also Senator(s) Teck--Concerning the membership of a board of
cooperative services that consists of a single school district and a single postsecondary
institution.
Education24
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- 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.
State Veterans & Military Affairs29
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- HB03-1226** by Representative(s) Frangas, Williams S.; also Senator(s) Sandoval--Concerning a
juvenile's right to counsel at proceedings under the "School Attendance Law of 1963".
Education34
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- HB03-1243** by Representative(s) Marshall; also Senator(s) Chlouber--Concerning the application of the
statute of limitations for prosecuting offenses based on a series of acts performed at
different times to criminal violations under the "Colorado Securities Act".
Judiciary38
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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:

- SB03-099** by Senator(s) Evans, Lamborn, Andrews, Jones, May R., McElhany, Owen; also
Representative(s) King--Concerning the establishment of a scholarship program to provide
low-income children with educational options.

Laid over until Monday, February 24, retaining its place on the calendar.

- SB03-152** by Senator(s) Gordon; also Representative(s) Rippy--Concerning the authority of local
governments to establish transferable development rights programs.

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

YES	32	NO	2	EXCUSED	1	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	Y	Taylor	Y
Dyer	Y	Hillman	Y	McElhany	E	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		

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SB03-152

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

Co-sponsors added: Fitz-Gerald, Groff, Grossman, Hagedorn, Hanna, Johnson, Keller, Linkhart, Phillips, Takis, Tupa, and Windels.

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.

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

YES	32	NO	2	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	E	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	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**.

HB03-1161

by Representative(s) Rippy, Fritz, Cadman, White; also Senator(s) McElhany--Concerning limitations on claims for damages filed against construction professionals.

The question being "Shall the bill 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	Y	Lamborn	Y	Takis	N
Cairns	Y	Hagedorn	Y	Linkhart	Y	Tapia	Y
Chlouber	Y	Hanna	N	May	Y	Taylor	Y
Dyer	Y	Hillman	Y	McElhany	E	Teck	Y
Entz	N	Isgar	Y	Nichol	Y	Tupa	N
Evans	Y	Johnson	Y	Owen	Y	Windels	N
Fitz-Gerald	Y	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**.

Co-sponsors added: Andrews.

SB03-025

by Senator(s) Dyer; also Representative(s) Hefley--Concerning limitation of the ability of a local government to regulate firearms, and, in connection therewith, identifying firearms regulation as a matter of statewide concern.

Laid over until Monday, February 24, retaining its place on the calendar.

SENATE SERVICES REPORT

Senate Services

Correctly engrossed: SB03-025, 088, 099, 152.

Correctly reengrossed: SB03-015, 058, 085, 137, 139.

Correctly revised: HB03-1161.

Senate in recess.

Senate reconvened.

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COMMITTEE OF REFERENCE REPORTS

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Finance	After consideration on the merits, the Committee recommends that HB03-1069 be referred to the Committee of the Whole with favorable recommendation.	6
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Finance	After consideration on the merits, the Committee recommends that SB03-165 be postponed indefinitely.	10
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Agriculture, Natural Resources and Energy	After consideration on the merits, the Committee recommends that HB03-1302 be referred to the Committee of the Whole with favorable recommendation.	15
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MESSAGES FROM THE HOUSE

February 20, 2003

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB03-1224, amended as printed in House Journal, February 19, page 815.
HB03-1257, amended as printed in House Journal, February 19, page 814.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; HB03-1218, amended as printed in House Journal, February 19, page 814, and amended on Third Reading as printed in House Journal, February 20.

February 20, 2003

Mr. President:

In response to the request of the Senate, the Speaker has appointed Representatives Witwer, chairman, Young, and Plant as House conferees on the First Conference Committee on SB03-190.

In response to the request of the Senate, the Speaker has appointed Representatives Young, chairman, Witwer, and Plant as House conferees on the First Conference Committee on SB03-200.

In response to the request of the Senate, the Speaker has appointed Representatives Young, chairman, Witwer, and Plant as House conferees on the First Conference Committee on SB03-203.

In response to the request of the Senate, the Speaker has appointed Representatives Young, chairman, Witwer, and Plant as House conferees on the First Conference Committee on SB03-205.

MESSAGE FROM THE REVISOR OF STATUTES

February 20, 2003

We herewith transmit:

Without comment, as amended, HB03-1224, 1257, and 1218.

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INTRODUCTION OF BILL--FIRST READING

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

HB03-1218 by Representative(s) Rose, Stengel; also Senator(s) Jones--Concerning a prohibition on a public corporation from making loans to directors.
State Veterans & Military Affairs

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 February 20, 2003, was laid over until February 21, 2003, retaining its place on the calendar.

Second Reading--General Orders: SB03-074, SB03-106 as amended, SB03-102 as amended, HB03-1018, HB03-1048.
Consideration of Resolution: SJR03-019.
Conference Committees to Report: SB03-175, SB03-183, SB03-185.
Requests for Conference Committees: SB03-190, SB03-200, SB03-203, SB03-205.

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

Approved:

John Andrews
President of the Senate

Attest:

Mona Heustis
Secretary of the Senate

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