

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

One-hundred-eighth Legislative Day Friday, April 25, 2003

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Prayer	By the chaplain, Reverend Dr. Marjorie Williams Cooper.	11
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Pledge	By Senator Groff.	13
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Call to Order	By the President at 9:00 a.m.	15
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Roll Call	Present--25.	18
	Absent/Excused--10; Chlouber, Dyer, Grossman, Hillman, Keller, Lamborn, Owen, Phillips, Reeves, and Teck.	19
	Present later-- Chlouber, Dyer, Grossman, Hillman, Keller, Lamborn, Owen, Phillips, and Reeves.	20
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Quorum	The President announced a quorum present.	24
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Reading of Journal	On motion of Senator Johnson, reading of the Journal of April 24, 2003 was dispensed with and the Journal was approved as corrected by the Secretary.	26
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	Senate in recess.	31
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	Senate reconvened.	33
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COMMITTEE OF REFERENCE REPORTS

Health, Environment, Welfare & Institutions	The Committee on <u>Health, Environment, Welfare, and Institutions</u> has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:	37 38 39 40 41 42
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**MEMBERS OF THE
COLORADO COMMISSION ON THE AGING**

	for a term expiring when no longer a legislator:	43 44 45 46 47
	Representative William Sinclair of Colorado Springs, Colorado, to serve as a representative of the House of Representatives and as a Republican, appointed;	48 49 50 51
	for a term expiring July 1, 2006:	52 53
	Jerald F. Wathen of Fort Morgan, Colorado, to serve as a Republican from the Fourth Congressional District, appointed.	54 55 56

Education	After consideration on the merits, the Committee recommends that HB03-1173 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	57 58 59 60
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Amend reengrossed bill, page 2, strike lines 11 through 20 and substitute the following:

"AVAILABLE THROUGH:

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HB03-1173

(A) THE FEDERAL "NO CHILD LEFT BEHIND ACT OF 2001", INCLUDING BUT NOT LIMITED TO THE WILLIAM F. GOODLING EVEN START FAMILY LITERACY PROGRAMS, 20 U.S.C. SEC. 6381 ET SEQ.; AND

(B) TITLE II OF THE FEDERAL "WORKFORCE INVESTMENT ACT OF 1998", AS AMENDED, 20 U.S.C. SEC. 9201 ET SEQ.

(b) (I) If sufficient moneys have not been credited to the family literacy education fund pursuant to subsection (8) of this section prior to December 1, 2002, AND DECEMBER 1 OF EACH YEAR THEREAFTER, the state treasurer shall immediately provide notification of such fact to the department and the revisor of statutes.

(II) This section is repealed upon receipt by the revisor of statutes of the notification described in subparagraph (I) of this paragraph (b).".

MESSAGE FROM THE HOUSE

April 24, 2003
Mr. President:

The House has adopted the First Report of the First Conference Committee on SB03-007, as printed in House Journal, April 22, page 1902-1903, and has repassed the bill as so amended. The bill is returned herewith.

The House has adopted the First Report of the First Conference Committee on SB03-106, as printed in House Journal, April 23, pages 1937-1938, and has repassed the bill as so amended. The bill is returned herewith.

The House has adopted the First Report of the First Conference Committee on HB03-1253, as printed in House Journal, April 23, page 1951, and has repassed the bill as amended.

The House has adopted the First Report of the First Conference Committee on HB03-1305, as printed in House Journal, April 23, pages 1951-1953, and has repassed the bill as amended.

The House has adopted the First Report of the First Conference Committee on HB03-1025, as printed in House Journal, April 23, pages 1949-1950, and has repassed the bill as amended.

The House has adopted the First Report of the First Conference Committee on HB03-1092, as printed in House Journal, April 23, pages 1950-1951, and has repassed the bill as amended.

The House has voted to concur in the Senate amendments to HB03-1163, 1292, 1040, 1130, 1021, and has repassed the bills as so amended.

The House has voted not to concur in the Senate amendments to HB03-1244 and requests that a conference committee be appointed. The bill is transmitted herewith.

MESSAGE FROM THE REVISOR OF STATUTES

April 24, 2003

We herewith transmit:

Without comment, HB03-1363.

Without comment, as amended, HB03-1359 and SB03-294.

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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:

HB03-1274 by Representative(s) Mitchell; also Senator(s) Arnold--Concerning modifications to the program under which the state treasurer makes loans to school districts with general fund cash deficits.

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

Third Reading Amendment No. 1(L.018), by Senator Arnold.

Amend revised bill, page 6, line 1, strike "REVENUES OF".

Page 8, line 4, strike "INSTRUMENTS FOR REVENUES OF" and substitute "INVESTMENTS FOR".

Page 14, strike lines 26 and 27 and substitute the following:

"loan made pursuant to this section, PLUS ANY INTEREST SPECIFIED IN PARAGRAPH (a.7) OF THIS SUBSECTION (2). If a district fails to repay".

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	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	E
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**.

SB03-327 by Senator(s) Evans; also Representative(s) Stafford--Concerning hearings in dependency and neglect actions.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	Sandoval	Y
Arnold	Y	Grossman	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	E
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**.

On motion of Senator Anderson, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, **SB03-321, SB03-320, HB03-1190, SB03-329, SB03-318, HB03-1206, HB03-1332, SB03-333, SB03-256, HB03-1327, SB03-331** were made Special Orders at 9:30 a.m.

Committee of the Whole The hour of 9:30 a.m. having arrived, Senator Arnold moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders--Second Reading of Bills and Senator Arnold was called to the Chair to act as Chairman.

SPECIAL 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:

SB03-321 by Senator(s) Taylor; also Representative(s) Stengel--Concerning the repeal of a periodic reporting requirement on a subject assigned to the finance committees under title 39, Colorado Revised Statutes.

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

SB03-320 by Senator(s) May R.; also Representative(s) Berry--Concerning periodic reporting requirements on subjects assigned to the legislative committees dealing with transportation issues under title 43, Colorado Revised Statutes.

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

HB03-1190 by Representative(s) Spence; also Senator(s) Entz--Concerning the authority of the department of revenue to issue a temporary special event license plate.

Amendment No. 1, Transportation Committee Amendment.

(Printed in Senate Journal, April 23, page 1181 and placed in members' bill files.)

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

SB03-329 by Senator(s) Taylor; also Representative(s) Miller--Concerning the conformance of state law regarding mining explosives oversight to federal law.

Amendment No. 1, Agriculture, Natural Resources and Energy Committee Amendment.

(Printed in Senate Journal, April 24, page 1187 and placed in members' bill files.)

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

HB03-1206 by Representative(s) Rhodes; also Senator(s) McElhany--Concerning the clarification of responsibilities related to compensation for employment.

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

(Printed in Senate Journal, April 24, page 1208-1210 and placed in members' bill files.)

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

HB03-1332 by Representative(s) May M.; also Senator(s) Phillips--Concerning the adjustment of the ratio of valuation for assessment for residential real property.

Amendment No. 1, Finance Committee Amendment.

(Printed in Senate Journal, April 24, page 1212 and placed in members' bill files.)

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

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SB03-318

by Senator(s) Gordon; also Representative(s) Hefley--Concerning reduction of sentences for particular drug crimes, and, in connection therewith, creating a drug offender treatment fund.

Amendment No. 1(L.010), by Senator Gordon.

Amend printed bill, page 3, line 14, strike "03-____," and substitute "03-318,".

Page 6, line 9, strike "03-____," and substitute "03-318,".

Page 8, line 23, strike "03-____," and substitute "03-318,".

Page 9, line 18, strike "03-____," and substitute "03-318,".

Page 12, line 8, strike "03-____," and substitute "03-318,".

Page 13, line 7, strike "03-____," and substitute "03-318,".

Amendment No. 2(L.009), by Senator Gordon.

Amend printed bill, page 3, line 16, strike "2005," and substitute "2007,".

Page 6, line 11, strike "2005," and substitute "2007,".

Page 8, line 25, strike "2005," and substitute "2007,".

Page 9, line 20, strike "2005," and substitute "2007,".

Page 11, strike lines 12 through 27 and substitute the following:

"SECTION 5. Article 19 of title 18, Colorado Revised Statutes, is amended BY THE ADDITION OF THE FOLLOWING NEW SECTIONS to read:

18-19-104. State drug offender treatment board - repeal.

(1) THERE IS HEREBY CREATED THE STATE DRUG OFFENDER TREATMENT BOARD THAT SHALL CONSIST OF THREE MEMBERS AS FOLLOWS:

(a) THE PRESIDENT OF THE COLORADO DISTRICT ATTORNEYS' COUNCIL, OR HIS OR HER DESIGNEE;

(b) THE STATE PUBLIC DEFENDER, OR HIS OR HER DESIGNEE; AND

(c) THE STATE COURT ADMINISTRATOR, OR HIS OR HER DESIGNEE.

(2) (a) THE STATE DRUG OFFENDER TREATMENT BOARD SHALL ALLOCATE AT LEAST EIGHTY PERCENT OF THE YEARLY DRUG OFFENDER TREATMENT FUND ALLOCATION TO THE JUDICIAL DISTRICT DRUG OFFENDER TREATMENT BOARDS CREATED PURSUANT TO SECTION 18-19-105. SUCH ALLOCATION SHALL BE BASED UPON A FORMULA DEVELOPED BY THE STATE DRUG OFFENDER TREATMENT BOARD. THE FORMULA, AT A MINIMUM, SHALL ACCOUNT FOR A JUDICIAL DISTRICT'S POPULATION AND THE NUMBER OF DRUG CASE FILINGS IN THE JUDICIAL DISTRICT.

(b) THE STATE DRUG OFFENDER TREATMENT BOARD MAY ALLOCATE UP TO TWENTY PERCENT OF THE YEARLY DRUG OFFENDER TREATMENT FUND ALLOCATION TO DRUG TREATMENT PROGRAMS THAT SERVE MORE THAN ONE JUDICIAL DISTRICT. WHEN ALLOCATING FUNDS PURSUANT TO THIS PARAGRAPH (b), THE STATE DRUG OFFENDER TREATMENT BOARD IS ENCOURAGED TO FUND AND DEVELOP INNOVATIVE AND EFFECTIVE DRUG TREATMENT PROGRAMS.

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SB03-318

(3) THE STATE DRUG OFFENDER TREATMENT BOARD SHALL REPORT TO THE JUDICIARY COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND SENATE ON OR BEFORE JANUARY 31, 2005, JANUARY 31, 2006, AND JANUARY 31, 2007, REGARDING THE ANTICIPATED SAVINGS GENERATED BY THE ENACTMENT OF SENATE BILL 03-318, ENACTED AT THE FIRST REGULAR SESSION OF THE SIXTY-FOURTH GENERAL ASSEMBLY.

(4) THIS SECTION IS REPEALED ON THE FIRST DAY OF JULY FOLLOWING RECEIPT BY THE REVISOR OF STATUTES OF WRITTEN NOTICE FROM THE JOINT BUDGET COMMITTEE STAFF DIRECTOR THAT AN AMOUNT OF MONEY OF AT LEAST ONE MILLION THREE HUNDRED THOUSAND DOLLARS GENERATED FROM ESTIMATED SAVINGS FROM THE ENACTMENT OF SENATE BILL 03-318, ENACTED AT THE FIRST REGULAR SESSION OF THE SIXTY-FOURTH GENERAL ASSEMBLY, DURING ANY GIVEN FISCAL YEAR COMMENCING ON OR AFTER JULY 1, 2007, WAS NOT APPROPRIATED TO THE DRUG OFFENDER TREATMENT FUND FOR THE SAME FISCAL YEAR.

18-19-105. Judicial district drug offender treatment boards - repeal. (1) EACH JUDICIAL DISTRICT SHALL CREATE A DRUG OFFENDER TREATMENT BOARD CONSISTING OF THE DISTRICT ATTORNEY SERVING THE JUDICIAL DISTRICT OR HIS OR HER DESIGNEE, THE CHIEF PUBLIC DEFENDER SERVING THE JUDICIAL DISTRICT OR HIS OR HER DESIGNEE, AND A PROBATION OFFICER WORKING IN THE JUDICIAL DISTRICT CHOSEN BY THE CHIEF JUDGE OF THE JUDICIAL DISTRICT.

(2) EACH DRUG OFFENDER TREATMENT BOARD SHALL RECEIVE MONEYS FROM THE STATE DRUG OFFENDER TREATMENT BOARD PURSUANT TO SECTION 18-19-104 (2) (a) AND SHALL DISTRIBUTE THOSE MONEYS TO DRUG TREATMENT PROGRAMS BASED IN THE JUDICIAL DISTRICT. NO PROGRAM SHALL RECEIVE MONEYS FROM THE DRUG OFFENDER TREATMENT BOARD WITHOUT A MAJORITY VOTE OF THE BOARD. THE BOARD SHALL GIVE PRIORITY TO DRUG COURT FUNDING IF THE JURISDICTION OPERATES A DRUG COURT.

(3) EACH JUDICIAL DISTRICT'S DRUG OFFENDER TREATMENT BOARD MAY ADOPT RULES AND GUIDELINES AS NECESSARY TO PERFORM THE FUNCTIONS OF THE BOARD.

(4) THIS SECTION IS REPEALED ON THE FIRST DAY OF JULY FOLLOWING RECEIPT BY THE REVISOR OF STATUTES OF WRITTEN NOTICE FROM THE JOINT BUDGET COMMITTEE STAFF DIRECTOR THAT AN AMOUNT OF MONEY OF AT LEAST ONE MILLION THREE HUNDRED THOUSAND DOLLARS GENERATED FROM ESTIMATED SAVINGS FROM THE ENACTMENT OF SENATE BILL 03-318, ENACTED AT THE FIRST REGULAR SESSION OF THE SIXTY-FOURTH GENERAL ASSEMBLY, DURING ANY GIVEN FISCAL YEAR COMMENCING ON OR AFTER JULY 1, 2007, WAS NOT APPROPRIATED TO THE DRUG OFFENDER TREATMENT FUND FOR THE SAME FISCAL YEAR."

Page 12, strike lines 1 through 11.

Page 13, line 9, strike "2005," and substitute "2007,".

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

SB03-333

by Senator(s) May R.; also Representative(s) Berry--Concerning the use of electronic formats in the enforcement of traffic law.

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

SB03-256

by Senator(s) Windels; also Representative(s) Briggs--Concerning the review by a local government of a development plan submitted by a school district in connection with the siting of a new public school facility.

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

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HB03-1327 by Representative(s) Butcher, McFadyen, Tochtrop; also Senator(s) Tapia--Concerning an extension of the time in which retirees of the public employees' retirement association may be employed to work as nonlicensed employees for schools without reducing the retirement benefits of the retirees.

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

SB03-331 by Senator(s) Johnson S.; also Representative(s) Mitchell--Concerning enforcement of health benefit coverage by the insurance commissioner.

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Arnold, 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: SB03-321, SB03-320, HB03-1190 as amended, SB03-329 as amended, HB03-1206 as amended, HB03-1332 as amended, SB03-318 as amended, SB03-333, SB03-256, HB03-1327, SB03-331.

On motion of Senator Anderson, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of Memorials.

CONSIDERATION OF MEMORIALS

SJM03-006 by Senator(s) Phillips, Arnold, Evans, Fitz-Gerald, Tupa; also Representative(s) Madden, Plant, Pommer, Weissmann--Memorializing former Senator Les Fowler.

Laid over until Monday, April 28, retaining its place on the calendar.

SM03-001 by Senator(s) Teck; --Memorializing former senator Dan D. Noble.

Laid over until Monday, April 28, retaining its place on the calendar.

SJM03-007 by Senator(s) Tupa, Andrews, Arnold, Dyer, Entz, Fitz-Gerald, Grossman, Hanna, Hillman, Isgar, Lamborn, Tapia, Windels; also Representative(s) Fairbank--Memorializing Congress and the President to address the issue of unfunded and underfunded federal mandates.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	Sandoval	Y
Arnold	Y	Grossman	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	E
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, Chlouber, Johnson, Kester, Nichol, and Owen.

SJM03-008 by Senator(s) Tupa, Lamborn, Windels, Grossman, Hanna, Nichol, Hillman, Entz, Andrews, Dyer, Cairns, Arnold, Evans; also Representative(s) Cadman--Memorializing Congress to propose an amendment to the United States Constitution requiring that the total amount of all federal appropriations made by Congress for any fiscal year shall not exceed the total of all estimated federal revenues for that fiscal year.

SJM03-008

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

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

Co-sponsors added: Groff, Johnson, May, and Taylor.

Senator Dyer asked that his name be removed as a co-sponsor of **SJM03-008**.

SJM03-005

by Senator(s) Windels; also Representative(s) Williams S.--Concerning memorializing Congress to provide adequate funding for mandates required under the federal "No Child Left Behind Act of 2001".

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	Sandoval	Y
Arnold	Y	Grossman	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	E
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, Arnold, Fitz-Gerald, Groff, Grossman, Hanna, Isgar, Jones, Keller, Linkhart, Phillips, Tapia, and Tupa.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILL

SB03-068

by Senator(s) Hagedorn; also Representative(s) Brophy--Concerning the creation of the commission on mandated health insurance benefits to assess the impact of mandated health insurance benefits in Colorado, and, in connection therewith, making an appropriation.

Senator Hagedorn moved that the Senate concur in House amendments to **SB03-068**, as printed in House Journal, April 21, page 1871. The motion was **passed** 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	Y	Taylor	Y
Dyer	Y	Hillman	Y	McElhany	Y	Teck	E
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	N		

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

SB03-068

YES	29	NO	5	EXCUSED	1	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	Sandoval	Y
Arnold	Y	Grossman	Y	Lamborn	N	Takis	Y
Cairns	Y	Hagedorn	Y	Linkhart	N	Tapia	Y
Chlouber	Y	Hanna	Y	May	Y	Taylor	Y
Dyer	Y	Hillman	Y	McElhany	N	Teck	E
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	Y
Gordon	Y	Keller	Y	Reeves	N		

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

On motion of Senator Anderson, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of Conference Committee Reports.

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

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

Senator Jones moved for the adoption of the First Report of the First Conference Committee on **HB03-1218**, as printed in Senate Journal, April 24, page 1188. The motion was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	Sandoval	Y
Arnold	Y	Grossman	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	E
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		

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	E
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, as amended, was declared **repassed**.

HB03-1240 by Representative(s) Clapp; also Senator(s) Dyer--Concerning changes to the juvenile justice system.

Senator Dyer moved for the adoption of the First Report of the First Conference Committee on **HB03-1240**, as printed in Senate Journal, April 24, page 1191. The motion was **adopted** by the following roll call vote:

HB03-1240

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	E
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		

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	E
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, as amended, was declared **repassed**.

On motion of Senator Anderson, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, the rules were suspended for Consideration of Conference Committee to Report: **SB03-007**.

CONSIDERATION OF CONFERENCE COMMITTEE TO REPORT

SB03-007 by Senator(s) Chlouber; also Representative(s) Harvey--Concerning toll evasion violations committed in vehicles not owned by the operator.

Senator Chlouber moved for the adoption of the First Report of the First Conference Committee on **SB03-007**, as printed in Senate Journal, April 22, pages 1165-1166. The motion was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	Sandoval	Y
Arnold	Y	Grossman	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	E
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		

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

SB03-007

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	E
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, as amended, was declared **repassed**.

COMMITTEE OF REFERENCE REPORTS

**FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON HB03-1228**

THIS REPORT AMENDS THE
REREVISED BILL

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

Your first conference committee appointed on HB03-1228, concerning a limitation on liability for the treatment costs of specified health care conditions of a person in a county jail, has met and reports that it has agreed upon the following:

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

Amend rerevised bill, page 2, line 21, strike "may" and substitute "**may** SHALL".

Page 3, line 12, strike "OR" and strike "ENTITY." and substitute "ENTITY, OR MEDICAL CARE PROVIDED BY THE COLORADO MENTAL HEALTH INSTITUTE AT PUEBLO.";

strike lines 15 through 19 and substitute the following:
"RECEIVING SUCH SERVICES, EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (1) OF THIS SECTION."

Respectfully submitted,

House Committee:
(signed)
Representative Cadman, Chairman
Representative Miller
Representative Hall

Senate Committee:
(signed)
Senator Dyer, Chairman
Senator Gordon
Senator Hillman

On motion of Senator Anderson, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, the rules were suspended for Immediate Consideration of Conference Committee Report: **HB03-1228**.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

HB03-1228 by Representative(s) Cadman, Crane, Fairbank, Rhodes; also Senator(s) Dyer--Concerning a limitation on liability for the treatment costs of specified health care conditions of a person in a county jail.

Senator Dyer moved for the adoption of the First Report of the First Conference Committee on **HB03-1228**, as printed in Senate Journal, April 25, page 1233. The motion was **adopted** by the following roll call vote:

YES	33	NO	1	EXCUSED	1	ABSENT	0
Anderson	Y	Groff	N	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	E
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		

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

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

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

**MEMORANDUM
REPORT FROM THE HOUSE AND SENATE
COMMITTEES ON DELAYED BILLS**

Pursuant to Joint Rule 23 (c), the House and Senate Committees on Delayed Bills, acting jointly, extend the following deadline for Senate Bill No. 03-248, Concerning the Financing of Public Schools and Making an Appropriation Therefor:

The Friday, March 14 deadline (the 66th legislative day) for final passage, including any conference committee report, for any bill prescribing all or a substantial portion of the total funding for public schools pursuant to the "Public School Finance Act of 1994", article 54 of title 22, Colorado Revised Statutes, as extended until Friday, March 28, 2003 (the 80th legislative day), Friday, April 4, 2003 (the 87th legislative day), Friday, April 18, 2003 (the 101st legislative day), Monday, April 21, 2003 (the 104th legislative day), and Friday, April 25, 2003 (the 108th legislative day), is further extended until Wednesday, April 30, 2003 (the 113th legislative day).

This memorandum shall be printed in the journal of each house as is required by said Joint Rule 23 (c).

(signed)
Representative Spradley
Speaker of the House of Representatives

(signed)
Senator Andrews
President of the Senate

(signed)
Representative King
House Majority Leader

(signed)
Senator Anderson
Senate Majority Leader

(signed)
Representative Veiga
House Minority Leader

(signed)
Senator Fitz-Gerald
Senate Minority Leader

SENATE SERVICES REPORT

Senate
Services

Correctly printed: SB03-331

Correctly engrossed: SB03-327;
SJR03-042, 046.

Correctly revised: HB03-1274;
HJR03-1029, 1038, 1049.

Correctly rerevised: HB03-1089, 1294.

Correctly enrolled: SB03-226.

To the Governor for signature on Thursday, April 24, 2003 at 11:55 a.m.,
SB03-053, 058, 246.

APPOINTMENTS TO CONFERENCE COMMITTEE

The President appointed Senators Dyer, Chairman, Evans, and Hagedorn as Senate Conferees on the First Conference Committee on **HB03-1326**.

SIGNING OF BILLS--RESOLUTIONS--MEMORIALS

The President has signed: SB03-226.

The President has signed: HB03-1005, 1012, 1016, 1333, 1337.

MESSAGE FROM THE HOUSE

April 25, 2003
Mr. President:

The House has adopted and returns herewith SJR03-032.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB03-1362, 1366, 1357.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB03-1347, amended as printed in House Journal, April 24, page 1984.
HB03-1351, amended as printed in House Journal, April 24, page 1985.

The House has passed on Third Reading and returns herewith SB03-019, 167, 308.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB03-253, amended as printed in House Journal, April 24, page 1964.
SB03-073, amended as printed in House Journal, April 24, page 1984.
SB03-103, amended as printed in House Journal, April 24, page 1985.

The House has adopted the First Report of the First Conference Committee on SB03-235, as printed in House Journal, April 24, pages 1969-1970, and has repassed the bill as so amended. The bill is returned herewith.

The House has voted to concur in the Senate amendments to HB03-1089 and has repassed the bill as so amended.

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Senate in recess.

Senate reconvened.

COMMITTEE OF REFERENCE REPORTS

Appropriations

After consideration on the merits, the Committee recommends that **HB03-1164** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **HB03-1329** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **HB03-1123** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **SB03-254** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 5, line 15, strike "SIXTEEN" and substitute "EIGHT";

strike lines 16 through 22;

line 23, strike "(III)" and substitute "(I)";

line 24, strike "(IV)" and substitute "(II)";

strike line 27 and substitute the following:

"(c) NO FEWER THAN SIX MEMBERS OF THE COMMISSION SHALL BE".

Page 6, strike line 1;

strike lines 9 and 10 and substitute the following:

"(d) THE MEMBERS OF THE COMMISSION SHALL";

strike lines 23 through 27 and substitute the following:

"WITHIN AVAILABLE RESOURCES, THE DEPARTMENT SHALL BE AVAILABLE TO ASSIST THE COMMISSION AND SHALL COVER ANY NECESSARY AND INCIDENTAL COSTS INCURRED BY THE COMMISSION IN CARRYING OUT ITS DUTIES PURSUANT TO THIS SECTION.".

Page 7, strike line 1.

Appropriations

After consideration on the merits, the Committee recommends that **SB03-264** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **SB03-328** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

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SB03-328

Amend printed bill page 3, strike lines 10 through 23 and substitute the following:

"SECTION 2. Appropriation - adjustments to the 2003 long bill. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of corrections, for community services, parole subprogram, for personal services, for the fiscal year beginning July 1, 2003, the sum of twelve thousand five hundred twenty dollars (\$12,520) and 0.2 FTE, or so much thereof as may be necessary, for the implementation of this act.

(2) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of corrections, for community services, parole subprogram, for operating expenses, for the fiscal year beginning July 1, 2003, five hundred seventy-one dollars (\$571), or so much thereof as may be necessary, for the implementation of this act.

(3) 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:

(a) The general fund appropriation to the department of corrections, management, external capacity subprogram, payments to house state prisoners, for local jails, is decreased by sixty-three thousand six hundred thirty-three dollars (\$63,633).

(b) The general fund appropriation to the department of corrections, management, external capacity subprogram, payments to house state prisoners, for private prisons, is decreased by sixty-eight thousand nine hundred forty-five dollars (\$68,945).".

Appropriations After consideration on the merits, the Committee recommends that **HB03-1004** be referred to the Committee of the Whole with favorable recommendation.

Appropriations After consideration on the merits, the Committee recommends that **SB03-325** be referred to the Committee of the Whole with favorable recommendation.

Appropriations After consideration on the merits, the Committee recommends that **HB03-1210** be referred to the Committee of the Whole with favorable recommendation.

Appropriations After consideration on the merits, the Committee recommends that **HB03-1138** be referred to the Committee of the Whole with favorable recommendation.

Appropriations After consideration on the merits, the Committee recommends that **HB03-1318** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 7, strike line 27 and substitute the following:

"department of natural resources, for the fiscal year beginning July 1, 2003, the sum of one hundred thousand dollars (\$100,000), or so much thereof as may be necessary for the implementation of this act. Of said sum, seventy-five thousand dollars (\$75,000) shall be for allocation to the executive director's office, for legal services, and twenty-five thousand dollars (\$25,000) shall be for allocation to the division of water resources.".

Page 8, strike lines 1 through 3.

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Appropriations

After consideration on the merits, the Committee recommends that **HB03-1317** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 4, strike lines 17 through 20, and substitute the following:

"SECTION 5. Part 1 of article 1 of title 17, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

17-1-146. Appropriation to comply with section 2-2-703 - HB 03-1317. (1) PURSUANT TO SECTION 2-2-703, C.R.S., THE FOLLOWING STATUTORY APPROPRIATIONS, OR SO MUCH THEREOF AS MAY BE NECESSARY, ARE MADE IN ORDER TO IMPLEMENT H.B. 03-1317, ENACTED AT THE FIRST REGULAR SESSION OF THE SIXTY-FOURTH GENERAL ASSEMBLY:

(a) FOR THE FISCAL YEAR BEGINNING JULY 1, 2004, IN ADDITION TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED FROM THE CAPITAL CONSTRUCTION FUND CREATED IN SECTION 24-75-302, C.R.S., TO THE CORRECTIONS EXPANSION RESERVE FUND CREATED IN SECTION 17-1-116, THE SUM OF SIXTY-NINE THOUSAND FOUR HUNDRED SIXTY-SEVEN DOLLARS (\$69,467).

(b) (I) FOR THE FISCAL YEAR BEGINNING JULY 1, 2005, IN ADDITION TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED, FROM THE CAPITAL CONSTRUCTION FUND CREATED IN SECTION 24-75-302, C.R.S., TO THE CORRECTIONS EXPANSION RESERVE FUND CREATED IN SECTION 17-1-116, THE SUM OF SIXTY-NINE THOUSAND FOUR HUNDRED SIXTY-SEVEN DOLLARS (\$69,467).

(II) FOR THE FISCAL YEAR BEGINNING JULY 1, 2005, IN ADDITION TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE DEPARTMENT OF CORRECTIONS, OUT OF ANY MONEYS IN THE GENERAL FUND NOT OTHERWISE APPROPRIATED, THE SUM OF TWENTY-EIGHT THOUSAND TWO HUNDRED EIGHTEEN DOLLARS (\$28,218).

(c) (I) FOR THE FISCAL YEAR BEGINNING JULY 1, 2006, IN ADDITION TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED, FROM THE CAPITAL CONSTRUCTION FUND CREATED IN SECTION 24-75-302, C.R.S., TO THE CORRECTIONS EXPANSION RESERVE FUND CREATED IN SECTION 17-1-116, THE SUM OF SIXTY-NINE THOUSAND FOUR HUNDRED SIXTY-SEVEN DOLLARS (\$69,467).

(II) FOR THE FISCAL YEAR BEGINNING JULY 1, 2006, IN ADDITION TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE DEPARTMENT OF CORRECTIONS, OUT OF ANY MONEYS IN THE GENERAL FUND NOT OTHERWISE APPROPRIATED, THE SUM OF FIFTY-SIX THOUSAND FOUR HUNDRED THIRTY-SIX DOLLARS (\$56,436).

(d) (I) FOR THE FISCAL YEAR BEGINNING JULY 1, 2007, IN ADDITION TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED, FROM THE CAPITAL CONSTRUCTION FUND CREATED IN SECTION 24-75-302, C.R.S., TO THE CORRECTIONS EXPANSION RESERVE FUND CREATED IN SECTION 17-1-116, THE SUM OF FIFTY-FIVE THOUSAND FIVE HUNDRED SEVENTY-FOUR DOLLARS (\$55,574).

(II) FOR THE FISCAL YEAR BEGINNING JULY 1, 2007, IN ADDITION TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE DEPARTMENT OF CORRECTIONS, OUT OF ANY MONEYS IN THE GENERAL FUND NOT OTHERWISE APPROPRIATED, THE SUM OF EIGHTY-FOUR THOUSAND SIX HUNDRED FIFTY-FOUR DOLLARS (\$84,654).

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HB03-1317

SECTION 6. The introductory portion to 24-75-302 (2) and 24-75-302 (2) (q), (2) (r), and (2) (s), Colorado Revised Statutes, are amended, and the said 24-75-302 (2) is further amended BY THE ADDITION OF THE FOLLOWING NEW PARAGRAPH, to read:

24-75-302. Capital construction fund - capital assessment fees - calculation. (2) As of July 1, 1988, and July 1 of each year thereafter through July 1, ~~2006~~ 2008, a sum as specified in this subsection (2) shall accrue to the capital construction fund. The state treasurer and the controller shall transfer such sum out of the general fund and into the capital construction fund as moneys become available in the general fund during the fiscal year beginning on said July 1. Transfers between funds pursuant to this subsection (2) shall not be deemed to be appropriations subject to the limitations of section 24-75-201.1. The amount which shall accrue pursuant to this subsection (2) shall be as follows:

(q) On July 1, 2004, one hundred million dollars, plus two hundred thirty-three thousand eight hundred seventy-two dollars pursuant to H.B. 00-1201, enacted at the second regular session of the sixty-second general assembly; plus seventy-nine thousand eight hundred eighty-seven dollars pursuant to H.B. 01-1242, enacted at the first regular session of the sixty-third general assembly; plus four hundred eighty-six thousand two hundred sixty-nine dollars pursuant to S.B. 02-050, enacted at the second regular session of the sixty-third general assembly; plus nine hundred seventy-two thousand five hundred thirty-eight dollars pursuant to H.B. 02-1038, enacted at the second regular session of the sixty-third general assembly; plus four thousand twelve dollars pursuant to section 3 of H.B. 02S-1006 enacted at the third extraordinary session of the sixty-third general assembly; PLUS SIXTY-NINE THOUSAND FOUR HUNDRED SIXTY-SEVEN DOLLARS PURSUANT TO H.B. 03-1317, ENACTED AT THE FIRST REGULAR SESSION OF THE SIXTY-FOURTH GENERAL ASSEMBLY;

(r) On July 1, 2005, one hundred million dollars, plus four hundred forty-nine thousand seven hundred ninety-nine dollars pursuant to S.B. 02-050, enacted at the second regular session of the sixty-third general assembly; PLUS SIXTY-NINE THOUSAND FOUR HUNDRED SIXTY-SEVEN DOLLARS PURSUANT TO H.B. 03-1317, ENACTED AT THE FIRST REGULAR SESSION OF THE SIXTY-FOURTH GENERAL ASSEMBLY;

(s) On July 1, 2006, twenty-two thousand nine hundred twenty-four dollars pursuant to section 3 of H.B. 02S-1006, enacted at the third extraordinary session of the sixty-third general assembly; PLUS SIXTY-NINE THOUSAND FOUR HUNDRED SIXTY-SEVEN DOLLARS PURSUANT TO H.B. 03-1317, ENACTED AT THE FIRST REGULAR SESSION OF THE SIXTY-FOURTH GENERAL ASSEMBLY;

(t) ON JULY 1, 2007, FIFTY-FIVE THOUSAND FIVE HUNDRED SEVENTY-FOUR DOLLARS PURSUANT TO H.B. 03-1317, ENACTED AT THE FIRST REGULAR SESSION OF THE SIXTY-FOURTH GENERAL ASSEMBLY."

Renumber succeeding sections accordingly.

Page 1, line 102, strike "SUBSTANCE." and substitute "SUBSTANCE, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH."

Appropriations After consideration on the merits, the Committee recommends that **HB03-1213** be referred to the Committee of the Whole with favorable recommendation.

Appropriations After consideration on the merits, the Committee recommends that **HB03-1319** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 3, strike lines 2 through 5.

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HB03-1319

Page 4, strike lines 1 through 3.

Renumber succeeding sections accordingly.

Appropriations

After consideration on the merits, the Committee recommends that **SB03-247** be postponed indefinitely.

Appropriations

After consideration on the merits, the Committee recommends that **HB03-1223** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 2, line 22, strike "FIVE HUNDRED" and substitute "TWO HUNDRED FIFTY";

line 24, strike "(b) ALL" and substitute "(b) (I) SEVENTY-FIVE PERCENT OF THE".

Page 3, after line 2, insert the following:

(II) TWENTY-FIVE PERCENT OF THE FEES COLLECTED PURSUANT TO THIS SUBSECTION (5) SHALL BE RETAINED BY THE AUTHORIZED AGENT AND DISPOSED AS PROVIDED BY LAW."

Page 4, strike lines 16 through 24.

Renumber succeeding section accordingly.

Page 1, line 102, strike "VEHICLE, AND MAKING AN" and substitute "VEHICLE.";

strike line 103.

Appropriations

After consideration on the merits, the Committee recommends that **HB03-1320** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 3, line 15, after the period, insert "MONEYS FROM THE FEE SHALL BE TRANSMITTED TO THE STATE TREASURER AND DEPOSITED IN THE GROUND WATER MANAGEMENT CASH FUND, CREATED IN SECTION 37-80-111.5."

Page 6, after line 1, insert the following:

SECTION 2. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the ground water management cash fund created in section 37-80-111.5, Colorado Revised Statutes, not otherwise appropriated, to the department of natural resources, division of water resources, for the fiscal year beginning July 1, 2003, the sum of five thousand dollars (\$5,000), or so much thereof as may be necessary, for the implementation of this act."

Renumber succeeding section accordingly.

Page 1, line 106, strike "RIGHTS." and substitute "RIGHTS, AND MAKING AN APPROPRIATION."

Appropriations

After consideration on the merits, the Committee recommends that **SB03-252** 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:

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SB03-252

"SECTION 1. 17-2-103 (9) (a) and (11) (b), Colorado Revised Statutes, are amended, and the said 17-2-103 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

17-2-103. Arrest of parolee - revocation proceedings. (9) (a) In the event of a plea of not guilty, the division of adult parole, at the final hearing before the board, shall have the burden of establishing by a preponderance of the evidence the violation of a condition of parole; except that the commission of a criminal offense must be established beyond a reasonable doubt, unless the parolee has been convicted thereof in a criminal proceeding. When it appears that the alleged violation of a condition or conditions of parole consists of an offense with which the parolee is charged in a criminal case then pending, testimony given before the board in a parole revocation proceeding shall not be admissible in such criminal proceeding before a court. When, in a parole revocation hearing, the alleged violation of a condition of parole is the parolee's failure to pay court-ordered compensation to appointed counsel, probation fees, court costs, restitution, or reparations, evidence of the failure to pay shall constitute prima facie evidence of a violation. The board shall MAY revoke the parole if requested to do so by the parolee. Any evidence having probative value shall be admissible in all proceedings related to a parole violation complaint, regardless of its admissibility under the exclusionary rules of evidence, if the parolee is accorded a fair opportunity to rebut hearsay evidence. The parolee shall have the right to confront and to cross-examine adverse witnesses unless the board specifically finds good cause for not allowing confrontation of an informer.

(11) (b) (I) If the board determines that the parolee has violated parole through commission of a crime, the board may revoke parole and request the sheriff of the county in which the hearing is held to transport the parolee to a place of confinement designated by the executive director.

(II) If the board determines that the parolee has violated any condition of parole other than commission of a crime AND IS NOT SUBJECT TO THE PROVISIONS OF SUBPARAGRAPH (III) OR SUBPARAGRAPH (IV) OF THIS PARAGRAPH (b), the board may:

(A) Revoke parole and request the sheriff of the county in which the hearing is held to transport the parolee to a place of confinement designated by the executive director; or

(B) Revoke parole for a period not to exceed one hundred eighty days and request the sheriff of the county in which the hearing is held to transport the parolee to a community corrections program pursuant to section 18-1.3-301 (3), C.R.S., a place of confinement within the department of corrections, or any private facility that is under contract to the department of corrections; or

(C) Revoke parole for a period not to exceed ninety days and request the sheriff of the county in which the hearing is held to transport the parolee to the county jail of such county or to any private facility that is under contract to the department of corrections; or

(D) Revoke parole for a period not to exceed one hundred eighty days and request the sheriff of the county in which the hearing is heard to transport the parolee to the facility described in section 17-1-206.5.

(III) IF THE BOARD DETERMINES THAT THE PAROLEE HAS VIOLATED ANY CONDITION OF PAROLE OTHER THAN COMMISSION OF A CRIME AND THE PAROLEE WAS ON PAROLE FOR AN OFFENSE THAT WAS A CLASS 5 OR CLASS 6 NONVIOLENT FELONY AS DEFINED IN SECTION 17-22.5-405 (5) (b), EXCEPT FOR MENACING AS DEFINED IN SECTION 18-3-206, C.R.S., ANY UNLAWFUL SEXUAL BEHAVIOR CONTAINED IN SECTION 16-22-102 (9), C.R.S., OR SUBJECT TO ARTICLE 6.5 OF TITLE 18, C.R.S., THE BOARD MAY

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SB03-252

REVOKE PAROLE FOR A PERIOD NOT TO EXCEED ONE HUNDRED EIGHTY DAYS AND REQUEST THE SHERIFF OF THE COUNTY IN WHICH THE HEARING IS HELD TO TRANSPORT THE PAROLEE TO THE FACILITY DESCRIBED IN SECTION 17-1-206.5 (3).

(IV) IF THE BOARD DETERMINES THAT THE PAROLEE HAS VIOLATED ANY CONDITION OF PAROLE OTHER THAN COMMISSION OF A NEW CRIME AND THE PAROLEE WAS NOT ON PAROLE FOR A CRIME OF VIOLENCE AS DEFINED IN SECTION 18-1.3-406 (2), C.R.S., THE BOARD MAY:

(A) REVOKE PAROLE FOR A PERIOD NOT TO EXCEED ONE HUNDRED EIGHTY DAYS AND REQUEST THE SHERIFF OF THE COUNTY IN WHICH THE HEARING IS HELD TO TRANSPORT THE PAROLEE TO A PLACE OF CONFINEMENT DESIGNATED BY THE EXECUTIVE DIRECTOR; OR

(B) REVOKE PAROLE FOR A PERIOD NOT TO EXCEED ONE HUNDRED EIGHTY DAYS AND REQUEST THE SHERIFF OF THE COUNTY IN WHICH THE HEARING IS HELD TO TRANSPORT THE PAROLEE TO A COMMUNITY CORRECTIONS PROGRAM; OR

(C) REVOKE PAROLE FOR A PERIOD NOT TO EXCEED ONE HUNDRED EIGHTY DAYS AND REQUEST THE SHERIFF OF THE COUNTY IN WHICH THE HEARING IS HELD TO TRANSPORT THE PAROLEE TO THE FACILITY DESCRIBED IN SECTION 17-1-206.5.

(13) (a) THE BOARD MAY REVOKE THE PAROLE IF REQUESTED TO DO SO BY THE PAROLEE. IF A PAROLEE REQUESTS TO HAVE HIS OR HER PAROLE REVOKED, THE PAROLEE SHALL PROVIDE THE BOARD A JUSTIFIABLE REASON FOR REQUESTING REVOCATION OF PAROLE.

(b) PRIOR TO REVOKING PAROLE UPON THE REQUEST OF A PAROLEE, THE BOARD MAY RECOMMEND OR IMPLEMENT APPROPRIATE INTERVENTIONS IN ORDER TO ASSIST IN THE PAROLEE WITH REINTEGRATION AND PREVENT A RETURN TO INCARCERATION.

(c) IF THE BOARD REVOKES THE PAROLE UPON THE REQUEST OF THE PAROLEE, THE BOARD SHALL PROCEED PURSUANT TO PARAGRAPH (b) OF SUBSECTION (11) OF THIS SECTION.

SECTION 2. 17-22.5-303, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

17-22.5-303. Parole. (8) THE STATE BOARD OF PAROLE SHALL CONSIDER THE PAROLE OF A PERSON WHOSE PAROLE IS REVOKED EITHER FOR A TECHNICAL VIOLATION OR BASED ON A SELF-REVOCATION AT LEAST ONCE WITHIN ONE HUNDRED EIGHTY DAYS AFTER THE REVOCATION IF THE PERSON'S RELEASE DATE IS MORE THAN NINE MONTHS FROM THE DATE OF THE PERSON'S REVOCATION; EXCEPT THAT A PERSON WHOSE PAROLE IS REVOKED BASED ON A TECHNICAL VIOLATION THAT INVOLVED THE USE OF A WEAPON SHALL NOT BE CONSIDERED FOR PAROLE FOR ONE YEAR.

SECTION 3. 17-2-201, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

17-2-201. State board of parole. (14) THE BOARD SHALL CONSIDER THE PAROLE OF A PERSON WHOSE PAROLE IS REVOKED EITHER FOR A TECHNICAL VIOLATION OR BASED ON A SELF-REVOCATION AT LEAST ONCE WITHIN ONE HUNDRED EIGHTY DAYS AFTER THE REVOCATION IF THE PERSON'S RELEASE DATE IS MORE THAN NINE MONTHS FROM THE DATE OF THE PERSON'S REVOCATION; EXCEPT THAT A PERSON WHOSE PAROLE IS REVOKED BASED ON A TECHNICAL VIOLATION THAT INVOLVED THE USE OF A WEAPON SHALL NOT BE CONSIDERED FOR PAROLE FOR ONE YEAR.

SECTION 4. 17-22.5-403 (9), Colorado Revised Statutes, is amended to read:

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17-22.5-403. Parole eligibility. (9) (a) ~~The provisions of this subsection (9) shall apply to any offender who is paroled for a class 2, 3, 4, or 5 felony or a class 6 felony that is the offender's second or subsequent felony offense committed on or after July 1, 1998, and is subsequently reincarcerated pursuant to subsection (8) of this section. Following reincarceration, the offender may apply for parole and the state board of parole, working in conjunction with the department and using the guidelines established pursuant to section 17-22.5-404, shall determine whether to grant parole. If the state board of parole determines that placing the offender on parole is appropriate, it shall set the length of the period of parole at any time remaining on the offender's mandatory period of parole established in section 18-1.3-401 (1) (a) (V), C.R.S.; except that, if the offender's remaining mandatory period of parole is less than twelve months, the state board of parole shall release the offender to twelve months of supervision and the offender shall not be required to serve the remaining mandatory period of parole. If an application for parole is refused by the state board of parole, the state board of parole shall reconsider within one year thereafter whether the offender should be granted parole. The state board of parole shall continue such reconsideration each year thereafter, except as otherwise provided for the crimes specified in subsection (7) of this section, until the board grants the offender parole or releases the offender on supervision or until the offender completes the mandatory period of parole in incarceration. If the offender completes the mandatory period of parole in incarceration, he or she shall be released to a twelve-month period of supervision.~~

~~(b) (f) If the state board of parole grants parole to an offender pursuant to paragraph (a) of this subsection (9) for the period remaining on the offender's mandatory period of parole, the provisions of subsection (8) of this section shall apply while the offender is serving the remainder of the mandatory period of parole; except that, if the state board of parole subsequently revokes the offender's parole as provided in subsection (8) of this section and the offender's remaining period of mandatory parole is less than six months, the state board shall impose intermediate sanctions as provided in paragraph (f) of this subsection (9) or return the offender to a place of confinement for a period of up to twelve months and the offender shall not be required to serve the remaining mandatory period of parole. Any person reincarcerated for a period of up to twelve months pursuant to this paragraph (b) shall be eligible for subsequent release for a twelve-month period of supervision at any time during such reincarceration or upon completion of such incarceration.~~

~~(H) If the offender completes the mandatory period of parole or the state board of parole discharges the offender from mandatory parole pursuant to subsection (8) of this section, the offender's sentence shall be deemed fully discharged.~~

~~(c) For any offender released to a twelve-month period of supervision pursuant to this subsection (9), the division of adult parole shall provide supervision and assistance in securing employment, housing, and such other services as may affect the offender's successful reintegration into the community while recognizing the need for public safety. The state board of parole, pursuant to section 17-22.5-404, shall establish the conditions for the offender's twelve-month supervision prior to the offender's release from incarceration. Upon a determination in a revocation proceeding that the conditions of supervision have been violated, the state board of parole shall continue the supervision in effect; modify the conditions of supervision if circumstances then shown to exist require such modifications, which circumstances shall be set forth in writing, or revoke the supervision and impose intermediate sanctions as provided in paragraph (f) of this subsection (9) or order the return of the offender to a place of confinement designated by the executive director for any period of time up to twelve months. Any offender who has been reincarcerated due to a supervision revocation pursuant to this paragraph (c) shall be eligible for subsequent release for a twelve-month period of supervision at any time during such reincarceration.~~

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~~(d) The state board of parole may discharge an offender released on supervision under this subsection (9) at any time during the term of supervision upon a determination that the offender has been sufficiently rehabilitated and reintegrated into society and can no longer benefit from supervision. In making any such determination, the state board of parole shall make written findings as to why the offender is no longer in need of supervision. Upon completion of twelve consecutive months of supervision or discharge from supervision as provided in this paragraph (d), the offender's sentence shall be deemed fully discharged.~~

~~(e) Notwithstanding any provisions of this subsection (9) to the contrary, the total amount of time spent by an offender in incarceration as a result of revocation of supervision shall not exceed the length of the offender's original sentence to incarceration plus the length of the offender's original sentence to mandatory parole plus twelve months. In calculating the time spent in incarceration by an offender for purposes of this paragraph (e), the offender shall receive credit for time spent in incarceration as a result of the original sentence to incarceration, any time spent in incarceration as a result of revocation of mandatory parole, and any time spent in incarceration as a result of revocation of supervision.~~

~~(f) If revocation of mandatory parole for less than twelve months or revocation of supervision is based on a technical violation of the conditions of parole or supervision, the state board of parole shall impose intermediate sanctions where facilities appropriate for such intermediate sanctions are available. For purposes of this paragraph (f), "intermediate sanctions" may include, but are not limited to, a community corrections program, as defined in section 17-27-102 (3), a home detention program, as described in article 27.8 of this title, or a specialized restitution and community service program, as described in article 27.9 of this title. THE STATE BOARD OF PAROLE SHALL CONSIDER THE PAROLE OF A PERSON WHOSE PAROLE IS REVOKED EITHER FOR A TECHNICAL VIOLATION OR BASED ON A SELF-REVOICATION AT LEAST ONCE WITHIN ONE HUNDRED EIGHTY DAYS AFTER THE REVOCATION IF THE PERSON'S RELEASE DATE IS MORE THAN NINE MONTHS FROM THE DATE OF THE PERSON'S REVOCATION; EXCEPT THAT A PERSON WHOSE PAROLE IS REVOKED BASED ON A TECHNICAL VIOLATION THAT INVOLVED THE USE OF A WEAPON SHALL NOT BE CONSIDERED FOR PAROLE FOR ONE YEAR.~~

SECTION 5. 18-1.3-401 (1) (a) (VI), Colorado Revised Statutes, is amended to read:

18-1.3-401. Felonies classified - presumptive penalties.
 (1) (a) (VI) Any person sentenced for a class 2, 3, 4, or 5 felony, or a class 6 felony that is the offender's second or subsequent felony offense, committed on or after July 1, 1998, regardless of the length of the person's sentence to incarceration and the mandatory period of parole, shall not be deemed to have fully discharged his or her sentence until said person has either completed or been discharged by the state board of parole from the mandatory period of parole imposed pursuant to subparagraph (V) of this paragraph (a). ~~or completed or been discharged by the state board of parole from the twelve-month period of supervision imposed pursuant to section 17-22.5-403 (9), C.R.S., whichever occurs first. Prior to fully discharging his or her sentence, upon revocation of parole, a person may be returned to incarceration for the periods specified in section 17-22.5-403 (9), C.R.S.~~

SECTION 6. 17-1-206.5, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

17-1-206.5. Preparole release and revocation facility - community return to custody facility. (3) IN ADDITION TO THE PREPAROLE RELEASE AND REVOCATION FACILITY DESCRIBED IN SUBSECTIONS (1) AND (2) OF THIS SECTION, THE DEPARTMENT HAS THE AUTHORITY TO OPERATE COMMUNITY RETURN-TO-CUSTODY FACILITIES AND PROVIDE OTHER SUPPORT AND MONITORING SERVICES AS A

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REVOCATION FACILITY FOR THE PLACEMENT OF NONVIOLENT PAROLEES WHOSE PAROLE IS REVOKED PURSUANT TO SECTION 17-2-103 (11) (b) (III) UNDER THE FOLLOWING CONDITIONS:

(a) THE FACILITIES SHALL BE LIMITED TO THE PLACEMENT OF NONVIOLENT PAROLEES WHOSE PAROLE IS REVOKED PURSUANT TO SECTION 17-2-103 (11) (b) (III);

(b) THE SCOPE OF THE FACILITIES' PROGRAMMING SHALL BE LIMITED TO SERVICES AND MONITORING THAT ADDRESS THE FAILURE OF A NONVIOLENT PAROLEE WHOSE PAROLE IS REVOKED PURSUANT TO SECTION 17-2-103 (11) (b) (III) AND WILL ALLOW FOR LIMITED PERFORMANCE-BASED ACCESS TO THE COMMUNITY. A REQUEST FOR PROPOSALS FOR SUCH SERVICES AND MONITORING SHALL BE ISSUED BY THE DEPARTMENT ON OR BEFORE AUGUST 31, 2003, AND THE CONTRACTS AWARDED BY NOVEMBER, 2003.

(c) THE DEPARTMENT MAY ASSESS AND COLLECT FEES FROM PAROLEES PLACED IN THE FACILITY PURSUANT TO SECTION 17-2-103 (11) (b) (III).

SECTION 7. Appropriation - adjustments to the 2003 long bill. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of corrections, for payments to community corrections programs, for the fiscal year beginning July 1, 2003, the sum of three hundred three thousand nine hundred eighty-four dollars (\$303,984), or so much thereof as may be necessary, for the implementation of this act.

(2) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of corrections, for community services, community supervision subprogram, for personal services, for the fiscal year beginning July 1, 2003, the sum of seventy-six thousand one hundred fifty-five dollars (\$76,155) and 1.4 FTE, or so much thereof as may be necessary, for the implementation of this act.

(3) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of corrections, for community services, community supervision subprogram, for operating expenses, for the fiscal year beginning July 1, 2003, three thousand four hundred seventy-seven dollars (\$3,477), or so much thereof as may be necessary, for the implementation of this act.

(4) 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:

(a) The general fund appropriation to the department of corrections, management, external capacity subprogram, payments to house state prisoners, for local jails, is decreased by five hundred thirty-seven thousand sixty-four dollars (\$537,064).

(b) The general fund appropriation to the department of corrections, management, external capacity subprogram, payments to house state prisoners, for private prisons, is decreased by five hundred eighty-one thousand eight hundred ninety dollars (\$581,890).

SECTION 8. Effective date - applicability. This act shall take effect July 1, 2003, and shall apply to violations of parole committed on or after said date.

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SECTION 9. 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."

Appropriations

After consideration on the merits, the Committee recommends that **HB03-1323** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **SB03-313** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 13, strike lines 1 through 11, and substitute the following:

"SECTION 3. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the ground water management cash fund created in section 37-80-111.5 (1) (d), Colorado Revised Statutes, not otherwise appropriated, to the department of natural resources, division of water resources, for the fiscal year beginning July 1, 2003, the sum of sixty-five thousand two hundred seventy-four dollars (\$65,274) and 1.0 FTE, or so much thereof as may be necessary, for the implementation of this act."

Appropriations

After consideration on the merits, the Committee recommends that **SB03-326** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **HB03-1289** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **HB03-1056** be referred to the Committee of the Whole with favorable recommendation.

Business Affairs and Labor

After consideration on the merits, the Committee recommends that **HB03-1188** be referred to the Committee of the Whole with favorable recommendation.

MESSAGE FROM THE REVISOR OF STATUTES

April 25, 2003

We herewith transmit:

Without comment, HB03-1362, 1366, and 1357.

Without comment, as amended, HB03-1347 and 1351 and SB03-253, 073, and 103.

INTRODUCTION OF MEMORIAL

The following memorial was read by title:

SJM03-009 by Senator(s) Evans; --Memorializing former senator and representative Joe Winkler.

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

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INTRODUCTION OF BILLS--FIRST READING

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

- SB03-342** by Senator(s) Owen, Reeves, Teck; also Representative(s) Young, Plant, Witwer--
Concerning the sale of state property that is simultaneously leased back by the state
pursuant to a lease-purchase agreement.
Appropriations
- SB03-343** by Senator(s) Hillman; also Representative(s) Stengel--Concerning the addition of a line to
the Colorado state individual income tax return form whereby individual taxpayers may
elect to make a voluntary contribution to the state.
State Veterans & Military Affairs
- HB03-1347** by Representative(s) Young; also Senator(s) Owen--Concerning uses of moneys in the
employment support fund for the department of labor and employment, and making an
appropriation in connection therewith.
Business Affairs & Labor
Appropriations
- HB03-1351** by Representative(s) Hall; also Senator(s) Kester--Concerning an increase in the annual
license fee for retail food establishments, and making an appropriation in connection
therewith.
Business Affairs & Labor
Appropriations
- HB03-1357** by Representative(s) Cloer, Larson; also Senator(s) Jones--Concerning an exemption of
certain statutorily authorized sales of abandoned motor vehicles from the requirement to
obtain a certification of emissions control.
Transportation
- HB03-1362** by Representative(s) Stengel; also Senator(s) Taylor--Concerning the collection of sales tax
on telephone and telegraph services when taxable services are aggregated with nontaxable
services.
Finance
- HB03-1366** by Representative(s) White; also Senator(s) Anderson--Concerning a limitation on
supersedeas bonds.
Business Affairs & Labor

TRIBUTES

Honoring Dean Titterington -- by Senator Andrews.

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 25, was laid over until
Monday, April 28, retaining its place on the calendar.

General Orders--Second Reading: HB03-1137, SB03-244, HB03-1314, SB03-257,
SB03-077, SB03-251, SB03-236, SB03-323, HB03-1209, HB03-1341.

Consideration of Resolutions: SJR03-036, SJR03-038, HJR03-1043, SJR03-048,
HJR03-1060.

Consideration of Governor's Vetoes: SB03-207.

Consideration of Conference Committee Reports: HB03-1007.

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Conference Committees to Report: SB03-098, HB03-1111, SB03-065, SB03-088,
 HB03-1237, SB03-038, HB03-1219, SB03-113, SB03-106, SB03-282, SB03-268,
 HB03-1290, SB03-235, HB03-1172, SB03-248, HB03-1147, HB03-1301, HB03-1224,
 SB03-275.
 Request for Conference Committees: HB03-1326.

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On motion of Senator Anderson, the Senate adjourned until 10:00 a.m., Monday, April 28, 2003.

Approved:

John Andrews
 President of the Senate

Attest:

Mona Heustis
 Secretary of the Senate