

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

Forty-eighth Legislative Day

Monday, February 24, 2003

		1
		2
		3
		4
		5
		6
		7
		8
		9
		10
Prayer	By the chaplain, Reverend Dr. Kathryn Towne.	11
		12
Pledge	By Senator Takis.	13
		14
Call to Order	By the President at 10:00 a.m.	15
		16
Roll Call	Present-- 35.	17
		18
Quorum	The President announced a quorum present.	19
		20
Reading of Journal	On motion of Senator Grossman, reading of the Journal of February 21, 2003 was dispensed with and the Journal was approved as corrected by the Secretary.	21
		22
		23
		24
		25

COMMITTEE OF REFERENCE REPORTS

		26
		27
		28
Appropriations	After consideration on the merits, the Committee recommends that SB03-073 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	29
		30
		31
		32
	Amend the Agriculture, Natural Resources & Energy Committee Report, dated February 13, 2003, page 7, line 17, strike "DAYS, WHO" and substitute "DAYS.";	33
		34
		35
		36
	strike line 18.	37
		38
		39
Appropriations	After consideration on the merits, the Committee recommends that SB03-110 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	40
		41
		42
		43
		44
		45
	Amend the Agriculture, Natural Resources & Energy Committee Report, dated February 5, 2003, page 1, strike lines 1 through 5 and substitute the following:	46
		47
		48
		49
	"Amend printed bill, page 9, line 16, strike "year 2004-05." and substitute "years 2003-04 and 2004-05.".	50
		51
		52
	Page 12, strike lines 3 through 20.	53
		54
	ReNUMBER succeeding sections accordingly.";	55
		56
	page 1 of the Committee report, after line 11, insert the following:	57
		58
	"Page 16, after line 21, insert the following:	59
		60
	" SECTION 21. 37-60-122 (1) (b), Colorado Revised Statutes, is amended to read:	61
		62
		63
	37-60-122. General assembly approval. (1) Moneys in the Colorado water conservation board construction fund shall be expended in the following manner and under the following circumstances:	64
		65
		66
		67

SB03-110

(b) The general assembly may authorize such projects as it deems to be to the advantage of the people of the state of Colorado and shall direct the board to proceed with said projects in the priorities established by the general assembly under terms approved by the general assembly. The board is authorized to make loans without general assembly approval in amounts not to exceed ~~one~~ FIVE million dollars. The unappropriated balance of moneys in the Colorado water conservation board construction fund and the state severance tax trust fund perpetual base account shall be available and continuously appropriated for this purpose. The board shall submit a written determination of the basis for such project loans to the general assembly by January 15 of the year following the year in which the loan was made."

Renumber succeeding section accordingly."

MESSAGE FROM THE HOUSE

February 21, 2003
Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB03-1212,1194,1271,1221,1281.

The House has passed on Third Reading and transmitted to the Revisor of Statutes
 HB03-1272, amended as printed in House Journal, February 20, page 836.
 HB03-1273, amended as printed in House Journal, February 20, pages 836-837.
 HB03-1295, amended as printed in House Journal, February 20, pages 838-846.
 HB03-1246, amended as printed in House Journal, February 20, page 838.
 HB03-1266, amended as printed in House Journal, February 20, pages 839-840.
 HB03-1240, amended as printed in House Journal, February 20, page 840.
 HB03-1140, amended as printed in House Journal, February 20, pages 840-847.
 HB03-1205, amended as printed in House Journal, February 20, page 841.
 HB03-1286, amended as printed in House Journal, February 20, page 841.
 HB03-1197, amended as printed in House Journal, February 20, page 843.
 HB03-1204, amended as printed in House Journal, February 20, page 843.
 HB03-1288, amended as printed in House Journal, February 20, page 844.
 HB03-1142, amended as printed in House Journal, February 20, page 844.
 HB03-1290, amended as printed in House Journal, February 20, page 844.
 HB03-1237, amended as printed in House Journal, February 20, pages 844-845.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; HB03-1139, amended as printed in House Journal, February 20, page 845, and amended on Third Reading as printed in House Journal, February 21.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; HB03-1228, amended as printed in House Journal, February 20, page 842, and amended on Third Reading as printed in House Journal, February 21.

MESSAGE FROM THE REVISOR OF STATUTES

February 21, 2003

We herewith transmit:

Without comment, HB03-1212, 1194, 1271, 1221, and 1281.
 Without comment, as amended, HB03-1272, 1273, 1295, 1246, 1266, 1240, 1140, 1205, 1286, 1197, 1204, 1288, 1142, 1290, 1237, 1139, and 1228.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64

INTRODUCTION OF BILLS--FIRST READING

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

- | | |
|--|----|
| | 1 |
| | 2 |
| | 3 |
| | 4 |
| | 5 |
| | 6 |
| HB03-1140 | 7 |
| by Representative(s) Larson, Tochtrop, Young, Harvey, Hodge, Hoppe, Rippy, White; also | 8 |
| Senator(s) Entz, Chlouber, Taylor, Isgar, Kester--Concerning the classification of state | 9 |
| noxious weeds, and, in connection therewith, implementing management programs for such | 10 |
| classified noxious weeds. | 11 |
| Agriculture, Natural Resources & Energy | 12 |
| HB03-1142 | 13 |
| by Representative(s) Crane, Clapp, Fairbank, Fritz, Harvey, Hefley, King, Lee, May M., | 14 |
| Mitchell, Rhodes, Schultheis, Spence, Stafford, White; also Senator(s) Chlouber, Lamborn-- | 15 |
| Concerning minor political parties. | 16 |
| State Veterans & Military Affairs | 17 |
| HB03-1160 | 18 |
| by Representative(s) Spence, Briggs, Cadman, Clapp, Crane, Fairbank, Harvey, Hefley, | 19 |
| King, Lee, Lundberg, Rhodes, Rose, Schultheis, Spradley, Stafford, White, Williams T., | 20 |
| Witwer; also Senator(s) Anderson--Concerning the provision of financial assistance for | 21 |
| kindergarten through twelfth grade education to disadvantaged children. | 22 |
| Finance | 23 |
| HB03-1194 | 24 |
| by Representative(s) White; also Senator(s) Kester--Concerning real property instruments | 25 |
| filed with a county clerk and recorder. | 26 |
| Local Government | 27 |
| HB03-1204 | 28 |
| by Representative(s) Stengel; also Senator(s) Jones--Concerning disclosure by an | 29 |
| investment firm to fiduciaries of public moneys regarding any business agreement that may | 30 |
| create a conflict of interest for the investment firm. | 31 |
| Business Affairs & Labor | 32 |
| HB03-1205 | 33 |
| by Representative(s) McCluskey, Hoppe, Briggs, Brophy, Fairbank, Fritz, Hall, Johnson R., | 34 |
| King, May M., Miller, Rose, White, Wiens; also Senator(s) Taylor--Concerning the refund | 35 |
| of beef board fees by the board of directors of the Colorado beef council authority. | 36 |
| Agriculture, Natural Resources & Energy | 37 |
| HB03-1212 | 38 |
| by Representative(s) Veiga; also Senator(s) Evans--Concerning restitution orders entered in | 39 |
| criminal cases. | 40 |
| Judiciary | 41 |
| HB03-1221 | 42 |
| by Representative(s) Fairbank; also Senator(s) Cairns--Concerning accessibility standards | 43 |
| for residential projects designed to serve persons with disabilities. | 44 |
| Local Government | 45 |
| HB03-1228 | 46 |
| by Representative(s) Cadman, Crane, Fairbank, Rhodes; also Senator(s) Dyer--Concerning | 47 |
| a limitation on liability for the treatment costs of specified health care conditions of a | 48 |
| person in a county jail. | 49 |
| Local Government | 50 |
| HB03-1237 | 51 |
| by Representative(s) Judd; also Senator(s) Lamborn--Concerning technical modifications to | 52 |
| the statutes enforced by the administrator of the "Uniform Consumer Credit Code", and, in | 53 |
| connection therewith, amending or repealing obsolete, inconsistent, and conflicting | 54 |
| provisions of law. | 55 |
| Business Affairs & Labor | 56 |
| HB03-1240 | 57 |
| by Representative(s) Clapp; also Senator(s) Dyer--Concerning changes to the juvenile | 58 |
| justice system. | 59 |
| Judiciary | 60 |
| HB03-1246 | 61 |
| by Representative(s) Lundberg; also Senator(s) Johnson S.--Concerning specification of the | 62 |
| eligibility requirements for the Colorado works program, and, in connection therewith, | 63 |
| replacing outdated references to the former aid to families with dependent children program | 64 |
| eligibility with the actual eligibility standards and requirements and directing the state board | 65 |
| of human services to adopt rules relating to eligibility determinations. | 66 |
| Health, Environment, Welfare & Institutions | 67 |

- HB03-1266** by Representative(s) Larson, McCluskey, Rippey, Rose, Salazar, Stengel, Weddig; also Senator(s) Taylor--Concerning recodification of statutes related to peace officers.
Local Government
- HB03-1271** by Representative(s) Sinclair; also Senator(s) Taylor--Concerning voting by certain electors who are located outside the state.
State Veterans & Military Affairs
- HB03-1272** by Representative(s) Jahn, Fritz, Marshall, Vigil; also Senator(s) Kester--Concerning a prohibition against recording certain information when accepting a negotiable instrument as payment.
Business Affairs & Labor
- HB03-1273** by Representative(s) Jahn; also Senator(s) Johnson S.--Concerning disclosure of credit scoring information to the consumer when used to underwrite motor vehicle insurance.
Business Affairs & Labor
- HB03-1281** by Representative(s) Cloer, Spradley, Stafford, Williams S.; also Senator(s) Evans--Concerning the eligibility of a taxpayer who is a person with a disability to participate in a property tax work-off program.
Local Government
- HB03-1288** by Representative(s) Smith; also Senator(s) Evans--Concerning the definition of terms used in connection with an injury arising out of certain public facilities for purposes of the "Colorado Governmental Immunity Act".
Judiciary
- HB03-1290** by Representative(s) Lee; also Senator(s) Cairns--Concerning declarations of a state of emergency.
State Veterans & Military Affairs

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.

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

Amendment No. 1(L.048), by Senator Evans.

Amend engrossed bill, page 3, line 17, strike "___ U.S. __," and substitute "536 U.S. 639,".

Page 6, strike lines 10 and 11 and substitute the following:

"SCHOLARSHIPS TO ATTEND PARTICIPATING NONPUBLIC SCHOOLS.";

line 23, strike "HAS" and substitute "HAVE".

Page 7, line 27, strike the second "THE".

Page 8, line 2, strike "(4)" and substitute "(6)".

Page 13, line 13, strike "SHALL" and substitute "MAY".

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

As amended, laid over until Tuesday, February 25, retaining its place on the calendar.

HB03-1069 by Representative(s) McCluskey; also Senator(s) Takis--Concerning the modification of certain procedures related to the issuance of a duplicate warrant to pay money.

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

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

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

HB03-1302 by Representative(s) Rippey; also Senator(s) Kester--Concerning clarification of the applicability of statutory provisions that enacted certain notification requirements affecting only those applications for development filed on or after July 1, 2001.

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

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

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

Co-sponsors added: Entz.

SB03-102 by Senator(s) Arnold; also Representative(s) White--Concerning voter identification.

Senator Arnold moved a Call of the Senate.

Call of Senate.

Call Raised.

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

YES	19	NO	16	EXCUSED	0	ABSENT	0
Anderson	Y	Groff	N	Kester	Y	Sandoval	N
Arnold	Y	Grossman	N	Lamborn	Y	Takis	N
Cairns	Y	Hagedorn	N	Linkhart	N	Tapia	N
Chlouber	Y	Hanna	N	May	Y	Taylor	Y
Dyer	Y	Hillman	Y	McElhany	Y	Teck	Y
Entz	Y	Isgar	N	Nichol	Y	Tupa	N
Evans	Y	Johnson	Y	Owen	Y	Windels	N
Fitz-Gerald	N	Jones	Y	Phillips	N	Mr. President	Y
Gordon	N	Keller	N	Reeves	N		

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

SB03-102

Co-sponsors added: Andrews, Cairns, Dyer, Entz, Hillman, Johnson, Jones, Lamborn, May, McElhany, and Teck.

IMMEDIATE RECONSIDERATION OF SB03-102

SB03-102

by Senator(s) Arnold; also Representative(s) White--Concerning voter identification.

Having voted on the prevailing side, Senator Arnold moved for reconsideration of SB03-102.

Immediate reconsideration was denied by the following roll call vote:

YES	16	NO	19	EXCUSED	0	ABSENT	0	
Anderson		N	Groff	Y	Kester	N	Sandoval	Y
Arnold		N	Grossman	Y	Lamborn	N	Takis	Y
Cairns		N	Hagedorn	Y	Linkhart	Y	Tapia	Y
Chlouber		N	Hanna	Y	May	N	Taylor	N
Dyer		N	Hillman	N	McElhany	N	Teck	N
Entz		N	Isgar	Y	Nichol	N	Tupa	Y
Evans		N	Johnson	N	Owen	N	Windels	Y
Fitz-Gerald		Y	Jones	N	Phillips	Y	Mr. President	N
Gordon		Y	Keller	Y	Reeves	Y		

THIRD READING--FINAL PASSAGE OF BILLS--CONTINUED

HB03-1018

by Representative(s) Miller; also Senator(s) Chlouber--Concerning the statutory limitation on bonded indebtedness that may be issued by county governments.

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

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

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

Co-sponsors added: Tupa.

HB03-1048

by Representative(s) Vigil, Coleman, White, Williams T.; also Senator(s) Taylor, Anderson, Tupa--Concerning authorization to move moneys from the Colorado student obligation bond authority fund to funds established for the future payment of higher education expenses.

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

HB03-1048

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

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

Co-sponsors added: Groff and Tapia.

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.

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

Amendment No. 1(L.044), by Senator Dyer.

Amend engrossed bill, page 5, line 11, strike "EXCHANGE, OR PAWN" and substitute "OR EXCHANGE";

line 16, strike "PAWNED,".

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

As amended, laid over until later in the day.

Senate in recess.

Senate reconvened.

On motion of Senator Anderson, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, **SB03-039, SB03-037, SB03-024, SB03-006** were made Special Orders at 10:59 a.m.

Committee of the Whole

The hour of 10:59 a.m. having arrived, Senator Hillman moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders--Second Reading of Bills and Senator Hillman 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:

SB03-039

by Senator(s) Grossman; also Representative(s) Mitchell--Concerning fingerprint-based criminal history record checks of applicants for licenses involving sales of motor vehicles.

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

(Printed in Senate Journal, February 11, pages 311-312 and placed in members' bill files.)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67

SB03-039

Amendment No. 2, Appropriations Committee Amendment.
 (Printed in Senate Journal, February 21, pages 452-453 and placed in members' bill files.)
 As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage.

SB03-037

by Senator(s) Nichol; also Representative(s) Mitchell--Concerning modifications to the county maintenance of effort calculations for the Colorado child care assistance program.
Amendment No. 1, Health, Environment, Welfare & Institutions Committee Amendment.
 (Printed in Senate Journal, February 6, page 263 and placed in members' bill files.)
Amendment No. 2, Appropriations Committee Amendment.
 (Printed in Senate Journal, February 21, page 453 and placed in members' bill files.)
 As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage.

SB03-024

by Senator(s) Chlouber; also Representative(s) White, Rose--Concerning permits that authorize persons who demonstrate competence with handguns to carry concealed handguns in all statutorily authorized areas of the state, and, in connection therewith, identifying the carrying of concealed handguns as an issue of statewide concern, creating statewide standards for issuance of permits to carry concealed handguns, and making an appropriation.

Amendment No. 1, State, Veterans and Military Affairs Committee Amendment.
 (Printed in Senate Journal, February 14, page 363 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
 (Printed in Senate Journal, February 21, page 453 and placed in members' bill files.)

Amendment No. 3(L.033), by Senator Gordon.

Amend the State Veterans & Military Affairs Committee Report, dated February 10, 2003, page 1, strike lines 5 through 10.

Amendment No. 4(L.009), by Senator Chlouber.

Amend the State Veterans and Military Affairs Committee Report, dated February 10, 2003, page 1, line 8, strike "PERMIT, BUT MAY NOT SHARE THE" and substitute "PERMIT. THE SHERIFF MAY, AT HIS OR HER DISCRETION, SHARE INFORMATION IN THE DATABASE WITH A LAW ENFORCEMENT AGENCY, UPON REQUEST, FOR THE PURPOSE OF DETERMINING THE VALIDITY OF A PERMIT. A DATABASE MAINTAINED PURSUANT TO THIS SUBSECTION (3) AND ANY DATABASE OPERATED BY A STATE AGENCY THAT INCLUDES PERMITTEES SHALL BE SEARCHABLE ONLY BY NAME."";

strike lines 9 and 10.

Amendment No. 5(L.036), by Senator Chlouber.

Amend the Appropriations Committee Report, dated February 21, 2003, page 1, strike lines 10 and 11.

Amendment No. 6(L.011), by Senator Cairns.

Amend printed bill, page 9, line 26, strike "FIVE" and substitute "TEN".

Amendment No. 7(L.010), by Senator Dyer.

Amend printed bill, page 25, strike lines 20 through 22 and substitute the following:

"PRIVATE BUSINESS ENTITY."

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67

Committee of the Whole in recess.

Committee of the Whole reconvened.

SB03-024

Amendment No. 8(L.053), by Senator Chlouber.

Strike amendment SB024_L.009.

Amend printed bill, page 17, strike lines 22 through 24 and substitute the following:

"PURPOSES, THE SHERIFF MAY, AT HIS OR HER DISCRETION, SHARE INFORMATION IN THE DATABASE WITH A LAW ENFORCEMENT AGENCY, UPON REQUEST, FOR THE PURPOSE OF DETERMINING THE VALIDITY OF A PERMIT. A DATABASE MAINTAINED PURSUANT TO THIS SUBSECTION (3) AND ANY DATABASE OPERATED BY A STATE AGENCY THAT INCLUDES PERMITTEES SHALL BE SEARCHABLE ONLY BY NAME."

Amendment No. 9(L.072), by Senator Keller.

Amend printed bill, page 18, line 2, strike "AND" and strike "DENIAL." and substitute "DENIAL, THE NUMBER OF REVOCATIONS DURING THE YEAR, AND THE REASONS FOR THE REVOCATIONS."

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

SB03-006

by Senator(s) Windels, Anderson, Takis; also Representative(s) Hoppe, Veiga--Concerning the creation of a local initiative committee pilot program for management of community-based programs for adults with mental illness who come into contact with the criminal justice system.

Amendment No. 1, Judiciary Committee Amendment.

(Printed in Senate Journal, February 5, page 256 and placed in members' bill files.)

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

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

SB03-024

by Senator(s) Chlouber; also Representative(s) White, Rose--Concerning permits that authorize persons who demonstrate competence with handguns to carry concealed handguns in all statutorily authorized areas of the state, and, in connection therewith, identifying the carrying of concealed handguns as an issue of statewide concern, creating statewide standards for issuance of permits to carry concealed handguns, and making an appropriation.

Senator Linkhart moved to amend the Report of the Committee of the Whole to show that the following Linkhart floor amendment, (L.076) to SB03-024, did pass:

Amend printed bill, page 24, line 5, strike everything after the period;

strike lines 6 through 8;

line 15, strike "LAW." and substitute "LAW OR BY AN ORDINANCE OR REGULATION OF A LOCAL GOVERNMENT."

The amendment was declared **LOST** by the following roll call vote:

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67

SB03-024

YES	12	NO	22	EXCUSED	1	ABSENT	0
Anderson	N	Groff	Y	Kester	N	Sandoval	Y
Arnold	N	Grossman	Y	Lamborn	N	Takis	Y
Cairns	N	Hagedorn	N	Linkhart	Y	Tapia	N
Chlouber	N	Hanna	Y	May	N	Taylor	N
Dyer	N	Hillman	N	McElhany	N	Teck	N
Entz	N	Isgar	N	Nichol	N	Tupa	Y
Evans	N	Johnson	N	Owen	N	Windels	Y
Fitz-Gerald	Y	Jones	N	Phillips	Y	Mr. President	N
Gordon	Y	Keller	E	Reeves	Y		

Senator Grossman moved to amend the Report of the Committee of the Whole to show that the following Grossman floor amendment, (L.073) to SB03-024, did pass:

Amend printed bill, page 4, strike lines 6 through 26.

Page 5, strike lines 1 through 23.

Renumber succeeding C.R.S. sections accordingly.

The amendment was declared **LOST** by the following roll call vote:

YES	14	NO	20	EXCUSED	1	ABSENT	0
Anderson	N	Groff	Y	Kester	N	Sandoval	Y
Arnold	N	Grossman	Y	Lamborn	N	Takis	Y
Cairns	N	Hagedorn	Y	Linkhart	Y	Tapia	Y
Chlouber	N	Hanna	Y	May	N	Taylor	N
Dyer	N	Hillman	N	McElhany	N	Teck	N
Entz	N	Isgar	N	Nichol	N	Tupa	Y
Evans	N	Johnson	N	Owen	N	Windels	Y
Fitz-Gerald	Y	Jones	N	Phillips	Y	Mr. President	N
Gordon	Y	Keller	E	Reeves	Y		

Senator Lamborn moved to amend the Report of the Committee of the Whole to show that the following Gordon floor amendment, (L.033) to SB03-024, did not pass:

Amend the State Veterans & Military Affairs Committee Report, dated February 10, 2003, page 1, strike lines 5 through 10.

The amendment was declared **LOST** by the following roll call vote:

YES	6	NO	28	EXCUSED	1	ABSENT	0
Anderson	N	Groff	N	Kester	N	Sandoval	N
Arnold	N	Grossman	N	Lamborn	Y	Takis	N
Cairns	Y	Hagedorn	N	Linkhart	N	Tapia	N
Chlouber	N	Hanna	N	May	N	Taylor	N
Dyer	N	Hillman	Y	McElhany	Y	Teck	N
Entz	N	Isgar	N	Nichol	N	Tupa	N
Evans	N	Johnson	N	Owen	Y	Windels	N
Fitz-Gerald	N	Jones	N	Phillips	N	Mr. President	Y
Gordon	N	Keller	E	Reeves	N		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

Passed on Second Reading: SB03-039 as amended, SB03-027 as amended, SB03-024 as amended, SB03-006 as amended.

MESSAGE FROM THE HOUSE

February 24, 2003
Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB03-1283, 1222, 1239, 1298, 1229.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB03-1232, amended as printed in House Journal, February 21, pages 813-814. HB03-1299, amended as printed in House Journal, February 21, page 778. HB03-1207, amended as printed in House Journal, February 21, page 878. HB03-1287, amended as printed in House Journal, February 21, page 878. HB03-1211, amended as printed in House Journal, February 21, pages 879-880.

MESSAGE FROM THE REVISOR OF STATUTES

February 24, 2003

We herewith transmit:

Without comment, HB03-1283, 1222, 1239, 1298, and 1229.
Without comment, as amended, HB03-1232, 1299, 1207, 1287, and 1211.

SENATE SERVICES REPORT

Senate Services

Correctly engrossed: SB03-102;
SJR03-019, 021.

Correctly revised: HB03-1069, 1302.

The President has signed: SJR03-010, 011, 013, 015;
SR03-010, 011, 012.

SIGNING OF BILLS--RESOLUTIONS--MEMORIALS

The President has signed: **HJR03-1015**.

THIRD READING--FINAL PASSAGE OF BILLS

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.

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

Amendment No. 2(L.045), by Senators Isgar and Dyer.

Amend engrossed bill, page 5, after line 24, insert the following:

"29-11.7-104. Regulation - carrying - posting. A LOCAL GOVERNMENT MAY ENACT AN ORDINANCE, REGULATION, OR OTHER LAW THAT PROHIBITS THE OPEN CARRYING OF A FIREARM IN A BUILDING OR SPECIFIC AREA WITHIN THE LOCAL GOVERNMENT'S JURISDICTION. IF A LOCAL GOVERNMENT ENACTS AN ORDINANCE, REGULATION, OR OTHER

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67

SB03-025

LAW THAT PROHIBITS THE OPEN CARRYING OF A FIREARM IN A BUILDING OR SPECIFIC AREA, THE LOCAL GOVERNMENT SHALL POST SIGNS AT THE PUBLIC ENTRANCES TO THE BUILDING OR SPECIFIC AREA INFORMING PERSONS THAT THE OPEN CARRYING OF FIREARMS IS PROHIBITED IN THE BUILDING OR SPECIFIC AREA."

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

IMMEDIATE RECONSIDERATION OF (L.045) TO SB03-025

Having voted on the prevailing side, Senator Phillips moved for reconsideration of amendment (L.045) to SB03-025.

The motion was **LOST** on the following roll call vote:

YES	16	NO	18	EXCUSED	1	ABSENT	0
Anderson	Y	Groff	Y	Kester	N	Sandoval	Y
Arnold	Y	Grossman	Y	Lamborn	N	Takis	Y
Cairns	N	Hagedorn	N	Linkhart	Y	Tapia	Y
Chlouber	N	Hanna	Y	May	N	Taylor	N
Dyer	N	Hillman	N	McElhany	N	Teck	N
Entz	Y	Isgar	N	Nichol	N	Tupa	Y
Evans	N	Johnson	N	Owen	N	Windels	Y
Fitz-Gerald	Y	Jones	N	Phillips	Y	Mr. President	N
Gordon	Y	Keller	E	Reeves	Y		

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

YES	18	NO	16	EXCUSED	1	ABSENT	0
Anderson	Y	Groff	N	Kester	Y	Sandoval	N
Arnold	N	Grossman	N	Lamborn	Y	Takis	N
Cairns	Y	Hagedorn	Y	Linkhart	N	Tapia	N
Chlouber	Y	Hanna	N	May	Y	Taylor	Y
Dyer	Y	Hillman	Y	McElhany	Y	Teck	Y
Entz	N	Isgar	Y	Nichol	N	Tupa	N
Evans	Y	Johnson	Y	Owen	Y	Windels	N
Fitz-Gerald	N	Jones	Y	Phillips	N	Mr. President	Y
Gordon	N	Keller	E	Reeves	N		

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

Co-sponsors added: Andrews and Teck.

IMMEDIATE RECONSIDERATION OF SB03-025

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.

Having voted on the prevailing side, Senator Dyer moved for immediate reconsideration of **SB03-025**.

Immediate reconsideration was denied by the following roll call vote:

SB03-025

YES	16	NO	18	EXCUSED	1	ABSENT	0
Anderson	N	Groff	Y	Kester	N	Sandoval	Y
Arnold	Y	Grossman	Y	Lamborn	N	Takis	Y
Cairns	N	Hagedorn	N	Linkhart	Y	Tapia	Y
Chlouber	N	Hanna	Y	May	N	Taylor	N
Dyer	N	Hillman	N	McElhany	N	Teck	N
Entz	Y	Isgar	N	Nichol	Y	Tupa	Y
Evans	N	Johnson	N	Owen	N	Windels	Y
Fitz-Gerald	Y	Jones	N	Phillips	Y	Mr. President	N
Gordon	Y	Keller	E	Reeves	Y		

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 24, was laid over until Tuesday, February 25, retaining its place on the calendar.

Second Reading--General Orders: SB03-106, SB03-074, SB03-154.
 Consideration of Resolution: SJR03-022.
 Consideration of Governor's Appointments:
 Member of the Coal Mine Board of Examiners;
 Member of the Board of Governors of the Colorado State University System.
 Conference Committees to Report: SB03-175, SB03-183, SB03-185, SB03-190, SB03-200, SB03-203, SB03-205.

On motion of Senator Anderson, the Senate adjourned until 9:00 a.m., Tuesday, February 25, 2003.

Approved:

John Andrews
 President of the Senate

Attest:

Mona Heustis
 Secretary of the Senate

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45