

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

One-hundred-twelfth Legislative Day Tuesday, April 29, 2003

Prayer By the chaplain, Dr. Evan Hock.

Pledge By Senator Cairns.

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

Roll Call Present--30.
Absent/Excused--5; Hagedorn, Hillman, Isgar, Nichol, Taylor.
Present later--Hagedorn, Hillman, Isgar, Nichol, Taylor.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Jones, reading of the Journal of April 28, 2003 was dispensed with and the Journal was approved as corrected by the Secretary.

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 Resolution: **SJR03-036**.

CONSIDERATION OF RESOLUTION

SJR03-036 by Senator(s) Arnold, Teck, Andrews, Cairns, Chlouber, Hillman, Johnson S., May R., McElhany, Owen, Taylor; also Representative(s) King--Concerning honoring the ten-year anniversary of the "Charter Schools Act".

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

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

Co-sponsors added: Anderson, Dyer, Entz, Evans, Fitz-Gerald, Gordon, Groff, Grossman, Hagedorn, Hanna, Isgar, Jones, Keller, Kester, Lamborn, Linkhart, Nichol, Phillips, Reeves, Sandoval, Takis, Tapia, Tupa, and Windels.

INTRODUCTION OF BILL--FIRST READING

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

SB03-344 by Senator(s) Anderson; also Representative(s) Jahn--Concerning audit requirements for local government retirement systems.
Finance

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:

SB03-251 by Senator(s) Hagedorn, Hillman, Isgar, Johnson S., McElhany; also Representative(s) Mitchell, Carroll, McFadyen, Stafford--Concerning a prohibition on the use by local governments of amortization to eliminate nonconforming uses of property.

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

YES	22	NO	13	EXCUSED	0	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	Sandoval	N
Arnold	Y	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	Y	Isgar	Y	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**.

Co-sponsors added: Andrews, Jones, Lamborn, May, and Teck

SB03-236 by Senator(s) Dyer, Andrews, Hagedorn, Hillman; also Representative(s) Hoppe, Briggs, Brophy, Cadman, Clapp, Decker, Fritz, Hall, Harvey, Hefley, Johnson R., King, McCluskey, Sinclair, Stengel, Weddig--Concerning an authorization of the issuance of voter-approved revenue bonds for the purpose of financing water infrastructure projects by the state, and, in connection therewith, excluding revenues derived from bond proceeds and projects financed by bonds from state fiscal year spending.

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

YES	18	NO	17	EXCUSED	0	ABSENT	0
Anderson	Y	Groff	N	Kester	Y	Sandoval	Y
Arnold	Y	Grossman	N	Lamborn	Y	Takis	N
Cairns	Y	Hagedorn	Y	Linkhart	N	Tapia	N
Chlouber	Y	Hanna	N	May	Y	Taylor	N
Dyer	Y	Hillman	Y	McElhany	Y	Teck	N
Entz	Y	Isgar	N	Nichol	N	Tupa	N
Evans	Y	Johnson	Y	Owen	Y	Windels	N
Fitz-Gerald	N	Jones	Y	Phillips	N	Mr. President	Y
Gordon	N	Keller	N	Reeves	N		

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

Co-sponsors added: Entz, Evans, Johnson, Jones, Lamborn, May, and Owen.

SB03-323 by Senator(s) Andrews; also Representative(s) Spence--Concerning the board of directors of the regional transportation district.

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	Y	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	N	Tupa	N
Evans	Y	Johnson	Y	Owen	Y	Windels	N
Fitz-Gerald	N	Jones	Y	Phillips	N	Mr. President	Y
Gordon	N	Keller	N	Reeves	N		

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

SB03-323

Co-sponsors added: Chlouber, Lamborn, and May.

HB03-1341

by Representative(s) Berry; also Senator(s) Teck--Concerning the authority of the executive director of the department of revenue to administratively adjust occupational license renewal dates for licenses issued by entities within the department of revenue.

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**.

HB03-1188

by Representative(s) King, Cloer; also Senator(s) McElhany--Concerning compulsory insurance coverage for motor vehicles.

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

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

HB03-1329

by Representative(s) Rippy; also Senator(s) Johnson S.--Concerning additional funding to encourage the beneficial use of waste tires, and making an appropriation therefor.

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

YES	32	NO	3	EXCUSED	0	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	Sandoval	Y
Arnold	Y	Grossman	Y	Lamborn	N	Takis	Y
Cairns	Y	Hagedorn	Y	Linkhart	Y	Tapia	Y
Chlouber	Y	Hanna	Y	May	Y	Taylor	Y
Dyer	Y	Hillman	Y	McElhany	N	Teck	Y
Entz	Y	Isgar	Y	Nichol	Y	Tupa	Y
Evans	Y	Johnson	Y	Owen	N	Windels	Y
Fitz-Gerald	Y	Jones	Y	Phillips	Y	Mr. President	Y
Gordon	Y	Keller	Y	Reeves	Y		

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

Co-sponsors added: Kester.

SB03-328

by Senator(s) Owen; also Representative(s) Plant--Concerning changes to earned time computations, and making an appropriation in connection therewith.

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

SB03-328

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

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

Co-sponsors added: Chlouber, Groff, Sandoval, and Tupa.

HB03-1004 by Representative(s) Rhodes; also Senator(s) Reeves--Concerning amendment of the crime of child abuse to include actions related to the manufacture of a controlled substance in the presence of a child, and making an appropriation in connection therewith.

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: Anderson, Andrews, Arnold, Chlouber, Entz, Evans, Fitz-Gerald, Gordon, Groff, Grossman, Hagedorn, Hanna, Hillman, Isgar, Johnson, Jones, Keller, Kester, Lamborn, May, McElhany, Nichol, Owen, Phillips, Sandoval, Tapia, Taylor, Teck, and Windels.

HB03-1210 by Representative(s) Madden; also Senator(s) Hillman--Concerning a list of delinquent state taxpayers that is made available on the internet.

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: Arnold, Chlouber, Entz, Groff, Hanna, Nichol, Taylor, and Tupa.

HB03-1317 by Representative(s) Fritz, Clapp, Fairbank, Jahn, Rhodes, Rippy, Smith, Witwer; also Senator(s) Dyer--Concerning limitations on the provision of materials used to illegally manufacture a controlled substance, and making an appropriation in connection therewith.

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

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HB03-1317

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: Arnold, Chlouber, Entz, Fitz-Gerald, Groff, Hanna, Jones, Kester, Taylor, and Teck.

HB03-1164 by Representative(s) Spradley, Butcher; also Senator(s) Hillman--Concerning the expansion of access to health insurance, and making an appropriation therefor.

Laid over to follow General Orders--Second Reading.

SB03-252 by Senator(s) Kester, Anderson, Andrews, Cairns, Dyer, Entz, Evans, Gordon, Groff, Grossman, Isgar, Johnson S., Jones, May R., Owen, Tapia, Teck, Tupa; also Representative(s) Stengel--Concerning the placement following parole revocation of a parolee on parole for a nonviolent felony, and making an appropriation in connection therewith.

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: Hanna, Hillman, and Nichol.

SB03-313 by Senator(s) Entz; also Representative(s) McCluskey, Hoppe--Concerning an increase in the state engineer's authority to approve the use of water, and, in connection therewith, making an appropriation.

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

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

SB03-326 by Senator(s) Cairns; also Representative(s) Spence, Fritz--Concerning statutory provisions governing publicly-supported libraries.

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SB03-326

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

YES	32	NO	3	EXCUSED	0	ABSENT	0
Anderson	Y	Groff	Y	Kester	N	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	N	Teck	Y
Entz	Y	Isgar	Y	Nichol	Y	Tupa	Y
Evans	Y	Johnson	Y	Owen	N	Windels	Y
Fitz-Gerald	Y	Jones	Y	Phillips	Y	Mr. President	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: Arnold and Kester.

HB03-1056

by Representative(s) Stengel, Spradley; also Senator(s) Anderson--Concerning the extension of certain solid waste disposal fees, and making an appropriation in connection therewith.

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**.

Committee of the Whole

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

GENERAL ORDERS--SECOND READING OF BILLS

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

HB03-1137

by Representative(s) King, Williams T., Fritz, Berry, Briggs, Cadman, Clapp, Crane, Decker, Fairbank, Hall, Harvey, Hefley, Hoppe, Lee, Lundberg, May M., McCluskey, Mitchell, Rhodes, Rippey, Rose, Schultheis, Sinclair, Spence, Stafford, White, Wiens; also Senator(s) Hagedorn--Concerning a credit against state income tax for contributions to nonprofit organizations that provide resources for education, and making an appropriation in connection therewith.

Laid over until Thursday, May 1, retaining its place on the calendar.

SB03-244

by Senator(s) Cairns, Lamborn, Andrews; also Representative(s) Schultheis--Concerning an exemption for all business personal property.

Referred to the Committee on Appropriations.

HB03-1314

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

Laid over until Thursday, May 1, retaining its place on the calendar.

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- SB03-257** by Senator(s) Andrews; --Concerning additional purposes related to the sales tax levied by the regional transportation district for which the registered electors within the geographical boundaries of the district may use the initiative process. 1
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Laid over until Halloween, October 31, 2003. 5
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- SB03-077** by Senator(s) Jones, Chlouber, Entz, Johnson S., Lamborn, May R., Andrews, Cairns, Evans, Kester; also Representative(s) King--Concerning a pilot program to provide financial assistance to families of students attending poorly performing public schools. 7
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Laid over until Thursday, May 1, retaining its place on the calendar. 11
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- SCR03-002** by Senator(s) Teck; also Representative(s) Fritz--Submitting to the registered electors of the state of Colorado an amendment to section 1 (4) of article V of the constitution of the state of Colorado, concerning a requirement that any ballot measure affecting the hunting of wildlife be approved by a two-thirds vote. 13
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Amendment No. 1, Agriculture, Natural Resources and Energy Committee Amendment. 18
(Printed in Senate Journal, April 24, page 1187 and placed in members' bill files.) 19
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As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage. 21
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- HB03-1173** by Representative(s) Coleman, Boyd, Butcher, Groff, Jahn, Judd, Marshall, McFadyen, Ragsdale, Romanoff, Tochtrop; also Senator(s) Tapia, Windels--Concerning the funding of Colorado family literacy programs. 24
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Amendment No. 1, Education Committee Amendment. 28
(Printed in Senate Journal, April 25, pages 1223-1224 and placed in members' bill files.) 29
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As amended, ordered revised and placed on the calendar for Third Reading and Final Passage. 31
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- SB03-254** by Senator(s) Evans; also Representative(s) Spence--Concerning closing the achievement gap, and, in connection therewith, creating a program to assist schools that have received an "unsatisfactory" rating or have a significant achievement gap, establishing a commission to propose actions to close the achievement gap, and creating a cash fund. 34
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Amendment No. 1, Appropriations Committee Amendment. 39
(Printed in Senate Journal, April 25, page 1236 and placed in members' bill files.) 40
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As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage. 42
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- SB03-264** by Senator(s) Teck, Owen, Reeves; also Representative(s) Plant, Witwer, Young--Concerning the enterprise status of institutions of higher education for the purposes of section 20 of article X of the state constitution. 45
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Amendment No. 1, Education Committee Amendment. 49
(Printed in Senate Journal, April 24, pages 1188-1191 and placed in members' bill files.) 50
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As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage. 52
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- SB03-325** by Senator(s) Phillips, Anderson, Dyer, Andrews, Cairns, Chlouber, Gordon, McElhany, Owen, Isgar, Entz, Evans, Fitz-Gerald, Lamborn, Hillman, Kester, Taylor, Jones, Nichol, Groff, Tapia, Hanna, Sandoval, Grossman, Reeves, Windels, Johnson S.; also Representative(s) Pommer, McFayden, Berry, Madden, Hefley, Sinclair, Tochtrop, Butcher, Borodkin, Boyd, Briggs, Cadman, Carroll, Cerbo, Clapp, Frangas, Fritz, Hodge, Jahn, Johnson R., Lundberg, McCluskey, Merrifield, Miller, Mitchell, Paccione, Plant, Ragsdale, Rippey, Romanoff, Salazar, Spence, Stafford, Veiga, Vigil, Weddig, Weissmann, Williams T., Witwer, Young--Concerning the deferral of property taxes owed by active duty military personnel. 55
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Amendment No. 1, Finance Committee Amendment. 65
(Printed in Senate Journal, April 23, page 1180 and placed in members' bill files.) 66
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Amendment No. 2(L.007), by Senator Phillips. 68
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Amend the Finance Committee Report, dated April 22, 2003, page 1, 70
after line 11, insert the following: 71
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SB03-325

"line 22, strike "(1), Colorado Revised Statutes, is" and substitute "(1) and the introductory portion to 39-3.5-102 (2), Colorado Revised Statutes, are";

line 23, strike "amended" and substitute "amended, and the said 39-3.5-102 is further amended BY THE ADDITION OF A NEW SUBSECTION,";"

Page 2 of the committee report, line 8, strike "JUNE 1," and substitute "JUNE 30,";

line 10, strike "JUNE 1, 2003.;" and substitute "JUNE 30, 2003.;"

after line 10, insert the following:

"(2) When ~~the~~ A taxpayer WHO IS SIXTY-FIVE YEARS OF AGE OR OLDER OR WHO IS A PERSON CALLED INTO MILITARY SERVICE files a valid claim for deferral under subsection (1) of this section, it shall have the effect of:

(2.5) A PERSON CALLED INTO MILITARY SERVICE MAY DEFER ONLY THE REAL PROPERTY TAXES PAYABLE IN A YEAR IN WHICH THE PERSON IS A PERSON CALLED INTO MILITARY SERVICE. A PERSON WHO IS NO LONGER A PERSON CALLED INTO MILITARY SERVICE MAY FILE A VALID CLAIM IN A SUBSEQUENT YEAR TO CONTINUE THE DEFERRAL OF TAXES PAYABLE IN A YEAR IN WHICH THE PERSON WAS A PERSON CALLED INTO MILITARY SERVICE.";"

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

HB03-1138 by Representative(s) Hefley, Schultheis, Cloer, May M., Crane, Lee, Rhodes; also Senator(s) Hillman--Concerning offenses against pregnant women that affect their unborn children, and making an appropriation in connection therewith.

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

HB03-1318 by Representative(s) Hoppe, Brophy, Hall, Hefley, Lee, Plant, Tochtrop, Veiga, Wiens, Williams T., Witwer; also Senator(s) Grossman--Concerning the creation of water banks to operate in each water division, and, in connection therewith, making an appropriation.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 25, page 1237 and placed in members' bill files.)

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

HB03-1213 by Representative(s) Johnson R., Stengel; also Senator(s) Dyer--Concerning the removal of commercial purpose from the crime of sexual exploitation of a child, and making an appropriation therefor.

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

HB03-1319 by Representative(s) Fritz, Briggs, Brophy, Cadman, Hall, Harvey, McFadyen, Plant, Rippy, Salazar, Stengel, Tochtrop, White; also Senator(s) Dyer, Hagedorn, Teck--Concerning the augmentation of law enforcement tools used to gain compliance with laws regulating the recreational use of Colorado's natural resources.

Amendment No. 1, Agriculture, Natural Resources and Energy Committee Amendment.
(Printed in Senate Journal, April 18, page 1097 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 25, pages 1239-1240 and placed in members' bill files.)

Amendment No. 3(L.019), by Senator Dyer.

Strike the Appropriations Committee Report, dated April 25, 2003, and substitute the following:

"Amend reengrossed bill, page 4, line 1, strike "CONTROL" and substitute "DESTRUCTION";

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HB03-1319

line 2, strike "SUCH CONTROL SHALL";
strike line 3.

Amendment No. 4(L.014), by Senators Taylor, Isgar, and Entz.

Amend reengrossed bill, page 4, line 8, strike "OR SUBSECTION (3)";
line 19, after "mammals.", insert "ANY WILDLIFE KILLED AS PERMITTED UNDER THIS SUBSECTION (3) SHALL REMAIN THE PROPERTY OF THE STATE, AND SUCH KILLING SHALL BE REPORTED TO THE DIVISION WITHIN FIVE DAYS.".

Amendment No. 5(L.018), by Senator Grossman.

Amend reengrossed bill, page 12, line 2, after "a", insert "SIGNED AND";
line 4, after "~~twenty-five~~", insert "ONE HUNDRED".

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

HB03-1223 by Representative(s) Veiga; also Senator(s) Chlouber--Concerning the penalties for failure to maintain financial responsibility for a motor vehicle, and making an appropriation in connection therewith.

Laid over until Wednesday, April 30, retaining its place on the calendar.

HB03-1320 by Representative(s) Rippy; also Senator(s) McElhany--Concerning the state engineer's authority to administer temporary instream flows held by the Colorado water conservation board, and, in connection therewith, requiring the state engineer to determine whether such temporary instream flows would injure existing water rights.

Amendment No. 1, Appropriations Committee Amendment.

(Printed in Senate Journal, April 25, page 1240 and placed in members' bill files.)

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

HB03-1289 by Representative(s) Briggs, Larson, Decker, McCluskey, Merrifield; also Senator(s) Arnold, Kester--Concerning consumer protection for intrastate household moves, and, in connection therewith, changing the registration requirements for a motor carrier of household goods within Colorado, and making an appropriation therefor.

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

HB03-1323 by Representative(s) Mitchell; also Senator(s) Hagedorn--Concerning the coordination of the permitting by all levels of government of natural resource development projects.

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

(Printed in Senate Journal, April 24, page 1219 and placed in members' bill files.)

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

HB03-1123 by Representative(s) Sinclair, King, Lee, Rippy, Stafford; also Senator(s) Johnson S.--Concerning the cash funding of the regulation of racing events, and, in connection therewith, making an appropriation.

Laid over until Wednesday, April 30, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Lamborn, 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:

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Passed on Second Reading: SCR03-002 as amended, HB03-1173 as amended, SB03-254
 as amended, SB03-264 as amended, SB03-325 as amended, HB03-1138, HB03-1318 as
 amended, HB03-1213, HB03-1319 as amended, HB03-1320 as amended, HB03-1289,
 HB03-1323 as amended.
 Referred to Committee on Appropriations: SB03-244.
 Laid over until Wednesday, April 30: HB03-1223, HB03-1123.
 Laid over until Thursday, May 1: HB03-1137, HB03-1314, SB03-077.
 Laid over until Halloween, October 31, 2003: SB03-257.

THIRD READING--FINAL PASSAGE OF BILL

On Third Reading, the title of the following bill was publicly read, the reading at length
 having been dispensed with by unanimous consent:

HB03-1164 by Representative(s) Spradley, Butcher; also Senator(s) Hillman--Concerning the expansion
 of access to health insurance, and making an appropriation therefor.

Laid over until later in the day to precede Special Orders--Second Reading.

MESSAGE FROM THE HOUSE

April 29, 2003
 Mr. President:

The House has postponed indefinitely SB03-010. The bill is returned herewith.

The House has adopted and returns herewith SJR03-036.

The House has adopted and transmits herewith HJR03-1066, as printed in House Journal,
 April 18, pages 1829-1830, and amended as printed in House Journal, April 28.

SENATE SERVICES REPORT

Senate
 Services

Correctly printed: SJR-049.

Correctly engrossed: SB03-251, 252, 323, 236, 313, 326, 328.

Correctly reengrossed: SB03-256, 318, 320, 321, 329, 331, 333.

Correctly revised: HB03-1004, 1056, 1164, 1188, 1210, 1317, 1329, 1341.

Correctly rerevised: HB03-1190, 1206, 1327, 1332.

Correctly enrolled: SB03-073.

Senate in recess.

Senate reconvened.

Senator Anderson moved a Call of the Senate.

COMMITTEE OF REFERENCE REPORTS

**FIRST REPORT OF FIRST CONFERENCE COMMITTEE
 ON HB03-1290**

 THIS REPORT ADOPTS THE
 REENGROSSED BILL

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HB03-1290

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

Your first conference committee appointed on HB03-1290,
concerning declarations of a state of emergency, has met and reports that
it has agreed upon the following:

That the Senate recede from its amendments made to the bill and
that the reengrossed bill be adopted without change.

Respectfully submitted,

House Committee:
(signed)
Representative Lee, Chairman
Representative Fritz
Representative Miller

Senate Committee:
(signed)
Senator Cairns, Chairman
Senator Lamborn
Senator Nichol

**FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON HB03-1326**

**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 HB03-1326,
concerning limitations on liability for providers of services for persons
with developmental disabilities, 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 6, line 11, strike "FEDERAL AND STATE
STATUTE" and substitute "FEDERAL OR STATE LAW".

Respectfully submitted,

House Committee:
(signed)
Representative Fritz, Chairman
Representative Spence
Representative Jahn

Senate Committee:
(signed)
Senator Dyers, Chairman
Senator Hagedorn
Senator Evans

**FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON SB03-113**

**THIS REPORT ADOPTS THE
REENGROSSED BILL**

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

Your first conference committee appointed on SB03-113,
concerning the continuation of the division of gaming within the
department of revenue, has met and reports that it has agreed upon the
following:

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SB03-113

That the House recede from its amendment made to the bill and that the reengrossed bill be adopted without change.

Respectfully submitted,

Senate Committee: (signed) Senator McElhany, Chairman Senator Andrews Senator Fitz-Gerald	House Committee: (signed) Representative Wiens, Chairman Representative Spradley Representative Plant
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FIRST REPORT OF FIRST CONFERENCE COMMITTEE ON SB03-282

***** 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 SB03-282, concerning tobacco litigation settlement moneys received by the state, and, in connection therewith, reallocating a portion of the moneys received in the 2002-03 fiscal year for the purpose of augmenting the state general fund, modifying appropriations for the 2002-03 fiscal year, and reducing and eliminating funding of specified programs from tobacco litigation settlement moneys in the 2003-04 fiscal year, has met and reports that it has agreed upon the following:

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

Amend rerevised bill, page 3, line 13, after "(1)," , insert "THE LESSER OF"; line 15, strike "SHALL BE TRANSFERRED" and substitute "OR SEVEN MILLION FIVE HUNDRED NINETY-FOUR THOUSAND EIGHT HUNDRED SIXTEEN DOLLARS SHALL BE TRANSFERRED FROM THE CASH FUND".

Page 11, strike lines 8 and 9 and substitute the following: "BE APPROPRIATED TO THE DIVISION OF CRIMINAL JUSTICE IN THE DEPARTMENT OF PUBLIC SAFETY FOR THE JUVENILE DIVERSION PROGRAM ESTABLISHED PURSUANT TO SECTION 19-2-303, C.R.S.".

Page 27, strike lines 2 and 3 and substitute the following: "to the department of public safety, division of criminal justice, juvenile justice and delinquency prevention, for juvenile diversion programs, for the fiscal year beginning".

2. That, under the authority granted the committee to consider matters not at issue between the two houses, the following amendments be recommended:

Amend rerevised bill, page 5, line 27, strike "PARAGRAPH (b) OF SUBSECTION (1)" and substitute "SUBPARAGRAPH (VII) OF PARAGRAPH (a) OF SUBSECTION (1.8)".

Page 7, line 16, strike "TWELVE" and substitute "ELEVEN"; after line 24, insert the following: "(VII) THE CHILDREN'S BASIC HEALTH PLAN TRUST CREATED IN SECTION 26-19-105, C.R.S., SHALL RECEIVE EIGHTEEN MILLION FIVE HUNDRED THOUSAND DOLLARS.".

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SB03-282

Page 13, after line 13, insert the following:

"SECTION 11. 26-19-105 (2.5), Colorado Revised Statutes, is amended to read:

26-19-105. Trust - created. (2.5) For fiscal year 2000-01, the general assembly shall appropriate to the trust ten million dollars from the moneys received by the state for said fiscal year pursuant to the master settlement agreement. For fiscal year 2001-02, the general assembly shall appropriate to the trust nine million eight hundred thousand dollars from the moneys annually received by the state pursuant to the master settlement agreement. EXCEPT AS OTHERWISE PROVIDED IN SECTION 24-75-1104 (1.8) (a) (VII), C.R.S., beginning in fiscal year 2002-03, and for each fiscal year thereafter so long as the state receives moneys pursuant to the master settlement agreement, the general assembly shall appropriate to the trust seventeen million five hundred thousand dollars from the moneys annually received by the state pursuant to the master settlement agreement. Except as otherwise provided in section 24-22-115.5, C.R.S., the general assembly shall appropriate the amount specified in this subsection (2.5) from moneys credited to the tobacco litigation settlement cash fund created in section 24-22-115, C.R.S. The amount appropriated pursuant to this subsection (2.5) shall be in addition to and not in replacement of any general fund moneys appropriated to the trust."

Renumber succeeding sections accordingly.

Page 23, strike line 9 and substitute the following:

"of four hundred fifty-one thousand three hundred fifty-four dollars (\$451,354), or so much thereof as may";

line 11, strike "one";

strike line 12 and substitute the following:

"ninety-five thousand nine hundred eighteen dollars (\$95,918)";

line 13, strike "(\$123,863)";

line 14, strike "four hundred thirty-three";

strike line 15 and substitute the following:

"three hundred fifty-five thousand four hundred thirty-six dollars (\$355,436) shall be cash funds";

line 23, strike "two hundred sixteen thousand";

strike line 24 and substitute the following:

"one hundred seventy-seven thousand seven hundred eighteen dollars (\$177,718) out of any moneys in the".

Page 24, line 1, strike "two hundred sixteen";

strike line 2 and substitute the following:

"one hundred seventy-seven thousand seven hundred eighteen dollars (\$177,718) in federal funds."

Page 28, after line 8, insert the following:

"SECTION 22. Appropriation - adjustments in 2003 long bill.

(1) For the implementation of this act, appropriations made in the annual general appropriation act to the department of education, for the fiscal year beginning July 1, 2003, shall be adjusted as follows:

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SB03-282

(a) The cash funds exempt appropriation to assistance to public schools, grant programs and other distributions, for the read-to-achieve cash fund, is decreased by one million dollars (\$1,000,000). Said sum shall be from the tobacco litigation settlement cash fund pursuant to section 24-75-1104, Colorado Revised Statutes.

(b) The cash funds exempt appropriation to assistance to public schools, grant programs and other distributions, for the read-to-achieve grant program, is decreased by one million dollars (\$1,000,000). Said sum shall be from the read-to-achieve cash fund pursuant to section 22-7-506, Colorado Revised Statutes.

(2) For the implementation of this act, appropriations made in the annual general appropriation act to the department of health care policy and financing, for the fiscal year beginning July 1, 2003, shall be adjusted as follows:

(a) The cash funds exempt appropriation to the indigent care program, H.B. 97-1304 children's basic health plan trust, for the fiscal year beginning July 1, 2003, is increased by one million dollars (\$1,000,000). Said sum shall be from the tobacco litigation settlement cash fund pursuant to section 24-75-1104, Colorado Revised Statutes.

(b) The appropriation to the indigent care program, for children's basic health plan premium costs, is increased by two million five hundred thirty-three thousand seven hundred eighty-six dollars (\$2,533,786). Of said sum, eight hundred eighty-six thousand eight hundred twenty-five dollars (\$886,825) shall be from the children's basic health plan trust pursuant to section 26-19-105, Colorado Revised Statutes, and one million six hundred forty-six thousand nine hundred sixty-one dollars (\$1,646,961) shall be from federal funds.

(c) The appropriation to the indigent care program, for children's basic health plan dental benefit costs, is increased by three hundred twenty-two thousand eight hundred six dollars (\$322,806). Of said sum, one hundred twelve thousand nine hundred eighty-two dollars (\$112,982) shall be from the children's basic health plan trust pursuant to section 26-19-105, Colorado Revised Statutes, and two hundred nine thousand eight hundred twenty-four dollars (\$209,824) shall be from federal funds."

Renumber succeeding sections accordingly.

Page 28, line 12, strike "13" and substitute "14";

line 15, strike "14 and 15" and substitute "15 and 16".

Respectfully submitted,

Senate Committee:
(signed)
Senator Teck, Chairman
Senator Owen
Senator Reeves

House Committee:
(signed)
Representative Witwer, Chairman
Representative Young
Representative Plant

Appropriations

After consideration on the merits, the Committee recommends that **HB03-1334** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend the Agriculture, Natural Resources and Energy Committee Report, dated April 28, 2003, page 2, line 15, strike "(A)";

line 17, strike the second "OR" and substitute "AND";

strike lines 18 through 23 and substitute the following:

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HB03-1334

"(II) DURING THE FIRST FULL CALENDAR YEAR AFTER THE CALENDAR YEAR DURING WHICH THE EMERGENCY DECLARED PURSUANT TO SUBPARAGRAPH (I) OF THIS PARAGRAPH (c) TERMINATES."

Page 3, line 6, strike "REFEREE.", and substitute "REFEREE; EXCEPT THAT THE WATER JUDGE SHALL NOT DEEM ANY FAILURE TO APPEAL ALL OR ANY PART OF THE DECISION OF THE STATE ENGINEER OR FAILURE TO STATE ANY GROUNDS FOR APPEAL TO BE A FAILURE TO EXHAUST ADMINISTRATIVE REMEDIES AND SHALL NOT PRECLUDE ANY PARTY FROM RAISING ANY CLAIMS OF INJURY IN A LATER PROCEEDING BEFORE THE WATER JUDGE."

Appropriations

After consideration on the merits, the Committee recommends that **SB03-342** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 3, line 3, after "ANY", insert "FINANCIALLY";
after line 7, insert the following:

"(3) "LEGAL INTEREST" MEANS A FEE SIMPLE OR LEASEHOLD INTEREST."

Renumber succeeding subsections accordingly.

Page 3, line 12, after "SELLS", insert "A LEGAL INTEREST IN";

line 19, after "SELL", insert "A LEGAL INTEREST IN";

line 22, after "SELL", insert "A LEGAL INTEREST IN";

line 27, after "SELL", insert "A LEGAL INTEREST IN".

Page 4, line 7, after "OF", insert "A LEGAL INTEREST IN";

line 11, after "OF", insert "A LEGAL INTEREST IN";

line 20, after "ANY", insert "LEGAL INTEREST IN A".

Page 5, line 17, strike "FROM ANY MONEYS" and substitute "FROM:";

strike line 18;

line 19, strike "THE" and substitute "ANY MONEYS TRANSFERRED TO THE STATE GENERAL FUND FROM THE".

Page 6, line 2, after "TITLE", insert "OR ALL REMAINING LEASEHOLD INTERESTS";

line 4, strike "AGREEMENT." and substitute "AGREEMENT UPON PAYMENT OF ALL RENTALS AND OTHER AMOUNTS DUE PURSUANT TO THE TERMS OF THE LEASE-PURCHASE AGREEMENT.";

line 22, strike "INTEREST" and substitute "AMOUNTS REPRESENTING INTEREST";

line 23, strike "SECTION, INCLUDING INTEREST" and substitute "SECTION";

line 24, strike "REPRESENTED BY SUCH INSTRUMENTS,".

Page 1, line 103, after "SELLING", insert "LEGAL INTERESTS IN".

Appropriations

After consideration on the merits, the Committee recommends that **HB03-1316** be referred to the Committee of the Whole with favorable recommendation.

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FIRST REPORT OF SECOND CONFERENCE COMMITTEE
ON SB03-275

THIS REPORT AMENDS THE
REREVISED BILL

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

Your second conference committee appointed on SB03-275,
concerning the distribution of school accountability reports, and making
an appropriation in connection therewith, has met and reports that it has
agreed upon the following:

1. That the Senate accede to the House amendment made to the
bill, as the amendment appears in the rerevised bill.

2. That, under the authority granted the committee to consider
matters not at issue between the two houses, the following amendments
be recommended:

Amend rerevised bill, page 2, line 2, strike "(a) and (2)," and substitute
"(a),";

line 3, strike "are" and substitute "is";

strike lines 8 through 18 and substitute the following:

"department shall print and provide to the public school copies of the
accountability reports in the amount of: Total pupil enrollment at last
annual count, plus the total number of teachers as listed on the school
accountability report. ~~plus an additional twenty-five percent.~~".

Page 3, strike lines 3 and 4 and substitute the following:

"decreased by ten thousand dollars (\$10,000).".

Respectfully submitted,

Senate Committee:
(signed)
Senator Teck, Chairman
Senator Owen
Senator Reeves

House Committee:
(signed)
Representative Witwer, Chairman
Representative Young
Representative Plant

Trans-
portation

After consideration on the merits, the Committee recommends that **HB03-1357** be referred
to the Committee of the Whole with favorable recommendation.

Trans-
portation

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

MEMBERS OF THE
AIR QUALITY CONTROL COMMISSION

for a term expiring January 31, 2004:

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

for terms expiring January 31, 2005:

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

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

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

for terms expiring January 31, 2006:

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

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

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

MESSAGE FROM THE HOUSE

April 29, 2003

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB03-1376, amended as printed in House Journal, April 28, pages 2063-2064, and on Third Reading, April 29.

HB03-1024, amended as printed in House Journal, April 28, page 2064.

HB03-1099, amended as printed in House Journal, April 28, page 2064.

HB03-1352, amended as printed in House Journal, April 28, pages 2064-2065.

HB03-1354, amended as printed in House Journal, April 28, page 2065.

HB03-1356, amended as printed in House Journal, April 28, page 2065.

The House has adopted the First Report of the First Conference Committee on HB03-1007, as printed in House Journal, April 28, pages 2061-2062, and has repassed the bill as amended.

The House has adopted the First Report of the First Conference Committee on HB03-1218, as printed in House Journal, April 25, pages 2044-2045, and has repassed the bill as amended.

The House has adopted the First Report of the First Conference Committee on HB03-1228, as printed in House Journal, April 25, page 2045, and has repassed the bill as amended.

The House has adopted the First Report of the First Conference Committee on HB03-1240, as printed in House Journal, April 25, pages 2045-2046, and has repassed the bill as amended.

The House has voted not to concur in the Senate amendments to HB03-1263 and requests that a conference committee be appointed. The House has granted authorization to go beyond the scope of the differences. The bill is transmitted herewith.

The House has voted to concur in the Senate amendments to HB03-1294, 1274 and has repassed the bills as so amended.

The House has voted to authorize the House conferees on the First Conference Committee on HB03-1147 to consider matters not at issue between the two houses.

INTRODUCTION OF RESOLUTION

The following resolution was read by title:

HJR03-1066 by Representative(s) Judd, Borodkin, Boyd, Carroll, Cerbo, Coleman, Crane, Fritz, Lee, May M., Romanoff, Sinclair, Smith, Stengel, Weissmann; also Senator(s) Grossman-- Concerning the proclamation of "Holocaust Days of Remembrance".

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

INTRODUCTION OF MEMORIAL

The following memorial was read by title:

SJM03-010 by Senator(s) Anderson; also Representative(s) Fairbank--Concerning memorializing former legislator Claire Traylor.

WHEREAS, By the Will of Divine Providence, our beloved former member, Claire Traylor, departed this life on August 31, 2002, at the age of 71; and

WHEREAS, Senator Traylor served in the General Assembly from 1979 to 1994, first in the House and then the Senate; and

WHEREAS, Senator Traylor was born January 18, 1931, in Kansas City, Missouri; and

WHEREAS, Senator Traylor earned her bachelor of science degree in education and counseling from Northwestern University in 1952, followed by a masters of arts from Washington University; and

WHEREAS, Senator Traylor was a fellow at the Kennedy School of Government, State and Local Executives Program; and

WHEREAS, Senator Traylor began her career as an elementary school teacher; and

WHEREAS, Senator Traylor was elected in 1978 to the Colorado House of Representatives where she served for four years, and was House Majority Caucus Leader in 1981 and 1982; and

WHEREAS, Senator Traylor subsequently was elected to the Colorado Senate, where she served for twelve more years; and

WHEREAS, Senator Traylor was known as a fiscally responsible, moderate Republican, who was loved and admired by Democrats and Republicans alike; and

WHEREAS, Senator Traylor worked hard to further women's issues and pass health care legislation for all Coloradans, including the poor and uninsured; and

WHEREAS, Senator Traylor was a sponsor of legislation dealing with issues including adult abuse, welfare reform, emergency medical services, and pre-school programs for at-risk children; and

WHEREAS, While serving on the Joint Budget Committee, Senator Traylor was instrumental in securing funding to repair and reconstruct buildings on the Colorado School of Mines campus, and will be honored by the school with an atrium named in her memory; and

WHEREAS, Senator Traylor served her community for many years as an active member of the Colorado Housing Finance Authority Board, the Rocky Mountain Health Policy Council, the Colorado District Export Council, the World Trade Center Advisory Board, and Wheat Ridge Presbyterian Church; and

WHEREAS, Senator Traylor had four children, and considered her role as mother her highest calling; and

WHEREAS, Senator Traylor was known as a refined, stylish woman who had a large collection of antique jewelry and loved to frequent the Native American jewelry markets around Santa Fe; and

WHEREAS, Senator Traylor is remembered by current and former legislators as a mentor and a friend; and

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SJM03-010

WHEREAS, It is fitting that we, the members of the Sixty-fourth General Assembly of the State of Colorado, pay tribute to the dedicated service of Senator Claire Traylor and express our deep regret and sorrow occasioned by her death; now, therefore,

Be It Resolved by the Senate of the Sixty-fourth General Assembly of the State of Colorado, the House of Representatives concurring herein:

That, in the death of Claire Traylor, the people of the State of Colorado have lost a dedicated public servant and outstanding citizen, and that we, the members of the Sixty-fourth General Assembly, do hereby extend our deep and heartfelt sympathy to the members of her family and pay tribute to a woman who served her state well and faithfully.

Be It Further Resolved, That copies of this Joint Memorial be sent to Senator Traylor's former husband Frank Traylor, sons Frank Traylor and David Traylor, and daughters Nancy Newsom and Susan Lykes.

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

INTRODUCTION OF BILL--FIRST READING

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

SB03-345 by Senator(s) McElhany; also Representative(s) King--Concerning a clarification that a person who receives a certificate of self-insurance for motor vehicles from the commissioner of insurance is not subject to certain other compulsory motor vehicle coverage requirements.
Business Affairs & Labor

THIRD READING--FINAL PASSAGE OF BILL

On Third Reading, the title of the following bill was publicly read, the reading at length having been dispensed with by unanimous consent:

HB03-1164 by Representative(s) Spradley, Butcher; also Senator(s) Hillman--Concerning the expansion of access to health insurance, and making an appropriation therefor.

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

Third Reading Amendment No. 1(L.049), by Senator Hillman.

Amend revised bill, page 6, line 19, strike "10-16-105 (7.2) (b)." and substitute "10-16-105 (7.2) (b) (I).".

Page 7, line 23, strike "A basic health benefit plan as determined by" and substitute "A BASIC HEALTH BENEFIT PLAN";

line 24, strike "rule by the commissioner;";

line 27, strike "THE" and substitute "IN ADDITION TO THE BASIC PLAN PURSUANT TO SUBPARAGRAPH (I) OF THIS PARAGRAPH (b), A".

Page 10, line 7, before "SUBPARAGRAPH", insert "SUB-SUBPARAGRAPH(A) OF".

Page 11, line 15, before "HEALTH", insert "SMOKING STATUS,".

Page 20, line 13, strike "PLANS" and substitute "MEWAS".

Page 26, strike lines 21 and 22 and substitute the following:

HB03-1164

"SECTION 21. Effective dates - applicability. (1) Sections 4, 11, 12, and 15 of this act shall take effect January 1, 2004, and";

line 26, strike "10" and substitute "13".

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

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

Third Reading Amendment No. 2(L.045), by Senator McElhany.

Amend revised bill, page 14, strike line 12 and substitute the following:

"COMMERCE AND AN ASSOCIATION OF NONPROFIT ENTITIES."

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

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

Third Reading Amendment No. 3(L.047), by Senator Groff.

Amend revised bill, page 6, line 18, strike "AND (8) TO (12)" and substitute "(8), (9), (10), AND (12)".

Page 7, strike line 26 and substitute the following:

"(5), (8), (9), (10), AND (12)."

The amendment was declared **passed** on the following roll call vote:

YES	20	NO	15	EXCUSED	0	ABSENT	0
Anderson	N	Groff	Y	Kester	Y	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	Y	Isgar	Y	Nichol	Y	Tupa	Y
Evans	N	Johnson	Y	Owen	N	Windels	Y
Fitz-Gerald	Y	Jones	N	Phillips	Y	Mr. President	N
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	19	NO	16	EXCUSED	0	ABSENT	0
Anderson	Y	Groff	N	Kester	Y	Sandoval	N
Arnold	Y	Grossman	N	Lamborn	Y	Takis	Y
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	N	Tupa	N
Evans	Y	Johnson	Y	Owen	Y	Windels	N
Fitz-Gerald	N	Jones	Y	Phillips	N	Mr. President	Y
Gordon	N	Keller	N	Reeves	N		

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

Co-sponsors added: Andrews, Cairns, Johnson, Owen, and Teck.

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IMMEDIATE RECONSIDERATION OF HB03-1164

HB03-1164 by Representative(s) Spradley, Butcher; also Senator(s) Hillman--Concerning the expansion of access to health insurance, and making an appropriation therefor.

Having voted on the prevailing side, Senator Hillman moved for immediate reconsideration of the last Senate action, Third Reading--Final Passage, on **HB03-1164**. The roll call was taken with the following result:

YES	16	NO	19	EXCUSED	0	ABSENT	0
Anderson	N	Groff	Y	Kester	N	Sandoval	Y
Arnold	N	Grossman	Y	Lamborn	N	Takis	N
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	Y	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		

Less than a majority of all members elected to the Senate having voted in the affirmative, reconsideration **LOST**.

On motion of Senator Anderson, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, **HB03-1123, HB03-1366, SB03-340, SB03-336, SB03-339, HB03-1345, HB03-1350, SB03-322, SB03-341** were made Special Orders at 4:50 p.m.

Committee of the Whole The hour of 4:50 p.m. having arrived, Senator Lamborn moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders--Second Reading of Bills and Senator Lamborn 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:

HB03-1123 by Representative(s) Sinclair, King, Lee, Rippy, Stafford; also Senator(s) Johnson S.--Concerning the cash funding of the regulation of racing events, and, in connection therewith, making an appropriation.

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

HB03-1366 by Representative(s) White; also Senator(s) Anderson--Concerning a limitation on supersedeas bonds.

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

SB03-340 by Senator(s) May R.; also Representative(s) Cadman--Concerning exemptions from registration under the "Colorado Charitable Solicitations Act".

Amendment No. 1, State, Veterans and Military Affairs Committee Amendment.
(Printed in Senate Journal, April 28, pages 1266-1267 and placed in members' bill files.)

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

SB03-336 by Senator(s) May R., Andrews; also Representative(s) Fritz--Concerning the statewide internet portal.

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

- SB03-339**

by Senator(s) Johnson S.; also Representative(s) Fairbank--Concerning the information required to be provided by the proponents of certain nonrecall, citizen-initiated petitions.

Laid over until Wednesday, April 30, retaining its place on the calendar.

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- HB03-1345**

by Representative(s) Vigil; also Senator(s) Takis--Concerning the concurrent legislative jurisdiction over the real property constituting the Rocky Mountain arsenal.

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

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- SB03-322**

by Senator(s) Andrews, Dyer, Owen, McElhany, Chlouber, Taylor, May R., Arnold, Cairns, Entz, Evans, Hillman, Johnson S., Jones, Lamborn; also Representative(s) Lee, Harvey, May M., Wiens, Schultheis, Sinclair, Hefley, Clapp, Smith, Briggs, Brophy, Cadman, Crane, Fairbank, Fritz, Lundberg, Rhodes, Rose, Spence, Stafford, Stengel--Concerning the requirement that state-supported institutions of higher education verify the visa status of enrolled foreign students from specified countries with links to Islamic terrorism.

Amendment No. 1, State, Veterans and Military Affairs Committee Amendment.
(Printed in Senate Journal, April 28, page 1278 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage.
(For further action, see Amendments to the Report of the Committee of the Whole.)

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- SB03-341**

by Senator(s) Andrews; also Representative(s) Mitchell--Concerning the exclusion of candidate debate programs aired by broadcast facilities from the definition of "electioneering communication" for purposes of Colorado law governing campaign finance.

Amendment No. 1, State, Veterans and Military Affairs Committee Amendment.
(Printed in Senate Journal, April 28, page 1278 and placed in members' bill files.)

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

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- HB03-1350**

by Representative(s) Rippy; also Senator(s) Dyer--Concerning the electronic publication of administrative rule-making materials by the secretary of state.

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

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AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

- SB03-322**

by Senator(s) Andrews, Dyer, Owen, McElhany, Chlouber, Taylor, May R., Arnold, Cairns, Entz, Evans, Hillman, Johnson S., Jones, Lamborn; also Representative(s) Lee, Harvey, May M., Wiens, Schultheis, Sinclair, Hefley, Clapp, Smith, Briggs, Brophy, Cadman, Crane, Fairbank, Fritz, Lundberg, Rhodes, Rose, Spence, Stafford, Stengel--Concerning the requirement that state-supported institutions of higher education verify the visa status of enrolled foreign students from specified countries with links to Islamic terrorism.

Senator Groff moved to amend the Report of the Committee of the Whole to show that the following Groff amendment (L.001) to **SB03-322**, did pass:

Amend printed bill, page 2, strike lines 2 through 15.

Renumber succeeding sections accordingly.

Page 2, strike lines 22 through 25 and substitute the following:

"FOREIGN STUDENTS ENROLLED AT THE".

Page 3, strike line 3 and substitute the following:

"AND AT THE BEGINNING OF EACH ACADEMIC TERM.".

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SB03-322

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

YES	17	NO	18	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	Y	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		

Senator Gordon moved to amend the Report of the Committee of the Whole to show that the following Gordon amendment (L.004) to **SB03-322**, did pass:

Amend printed bill, page 2, line 4, strike "Islamic";

line 7, strike "Islamic";

line 13, strike "Islamic";

line 15, strike "Islamic".

Page 1, line 104, strike "**ISLAMIC**".

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

YES	17	NO	18	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	Y	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		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Lamborn, 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: HB03-1123, HB03-1366, SB03-340 as amended, SB03-336, HB03-1345, SB03-322 as amended, SB03-341 as amended, HB03-1350.

Laid over until Wednesday, April 30: SB03-339.

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 House Amendments to Senate Bills.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB03-294

by Senator(s) Teck, Owen, Reeves; also Representative(s) Witwer, Plant, Young--
Concerning pharmaceutical benefits administered through the state's medical assistance program, and, in connection therewith, requiring the state to implement drug utilization mechanisms for the medical assistance program, and making an appropriation in connection therewith.

SB03-294

Senator Teck moved that the Senate concur in House amendments to **SB03-294**, as printed in House Journal, April 23, page 1945. The motion was **passed** by the following roll call vote:

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

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

YES	34	NO	1	EXCUSED	0	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	Sandoval	Y
Arnold	Y	Grossman	Y	Lamborn	N	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, as amended, was declared **repassed**.

SB03-078

by Senator(s) McElhany; also Representative(s) Williams T.--Concerning regulation of insurance by the insurance commissioner.

Senator McElhany moved that the Senate not concur in House amendments to **SB03-078**, as printed in House Journal, April 25, pages 2005-2009, and April 28, pages 2057-2059, and that a Conference Committee be appointed.

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

The President appointed Senators McElhany, Chairman, Hillman, and Nichol as Senate Conferees on the First Conference Committee on **SB03-078**.

CONFERENCE COMMITTEE GRANTED FURTHER POWERS

SB03-268

by Senator(s) Reeves, Owen, Teck; also Representative(s) Plant, Witwer, Young-- Concerning tobacco litigation settlement moneys, and, in connection therewith, creating a tobacco litigation settlement financing corporation for the purpose of securitizing a portion of the tobacco settlement revenues scheduled to be received by the state, requiring the net proceeds of any securitization to be used to fund the three percent reserve required by the state constitution and a cash flow reserve, and modifying the level of future appropriations for programs funded with tobacco litigation settlement moneys.

Senator Owen moved that the Senate Conferees on the First Conference Committee on **SB03-268** be given the powers to go beyond the scope of the differences between the two Houses.

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

COMMITTEE OF REFERENCE REPORTS

- Finance After consideration on the merits, the Committee recommends that **HB03-1342** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.
- Amend reengrossed bill, page 4, line 3, strike "~~providing~~ THE AUTHORIZED AGENT WHO PROVIDED" and substitute "providing".
- Page 5, line 9, strike "(a) and (2)," and substitute "(a), (2), and (3),";
- line 13, strike "(5)," and substitute "(4),".
- Page 6, line 3, after "42-6-137", insert "(1) (a), (4), OR";
- after line 4, insert the following:
- "(3) All fees paid to the director's authorized agent under section 42-6-137 (3) ~~or (4)~~ for the extension ~~or release~~ of any mortgage on a motor vehicle filed in the authorized agent's office shall be kept and retained by said authorized agent to defray the cost of such extension or release and shall be disposed of by the authorized agent as provided by law; except that fees for this service which may be paid to the authorized agent in the city and county of Denver shall, by such agent, be disposed of in the same manner as fees retained by the agent which were paid upon application being made for a certificate of title.";
- line 13, after "(2),", insert "(4),";
- line 14, after "(1), (2),", insert "(4),";
- after line 21, insert the following:
- "SECTION 7.** 38-29-139 (3), Colorado Revised Statutes, is amended to read:
- 38-29-139. Disposition of fees.** (3) All fees paid to the authorized agent under section 38-29-138 (3) ~~or (4)~~ for the filing OR extension ~~or release~~ of any mortgage on a manufactured home filed in his OR HER office shall be kept and retained by said agent to defray the cost thereof and shall be disposed of by him OR HER as provided by law; except that fees for this service ~~which~~ THAT may be paid to the authorized agent in the city and county of Denver shall by such agent be disposed of in the same manner as fees retained by him ~~which~~ OR HER THAT were paid upon application being made for a certificate of title.".
- Renumber succeeding sections accordingly.
- Finance After consideration on the merits, the Committee recommends that **HB03-1315** be referred to the Committee of the Whole with favorable recommendation.
- Finance After consideration on the merits, the Committee recommends that **HB03-1349** be referred to the Committee of the Whole with favorable recommendation.
- Finance After consideration on the merits, the Committee recommends that **SB03-337** be referred to the Committee on Appropriations with favorable recommendation.
- Finance After consideration on the merits, the Committee recommends that **SB03-334** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.
- Amend printed bill, page 3, line 2, strike "MAY" and substitute "SHALL".

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Finance

After consideration on the merits, the Committee recommends that **HB03-1362** be referred to the Committee of the Whole with favorable recommendation.

MESSAGE FROM THE HOUSE

April 29, 2003
Mr. President:

The Speaker has appointed Representatives Witwer, chairman, Plant, and Larson as House conferees on the First Conference Committee on HB03-1263.

Speaker Spradley announced the First Report of the First Conference Committee on SB03-098 was out of order. Permission to go beyond the differences between the House and Senate was denied, April 17, as printed in House Journal, page 1715. The report went beyond the scope of differences.

MESSAGE FROM THE REVISOR OF STATUTES

April 29, 2003

We herewith transmit:

Without comment, as amended, HB03-1376, 1024, 1099, 1352, 1354, and 1356.

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

HB03-1224 by Representative(s) Lee, Schultheis, Harvey, Briggs, Brophy, Cadman, Clapp, Crane, Decker, Fairbank, Fritz, Hall, Hefley, King, Larson, Lundberg, May M., McCluskey, Mitchell, Rhodes, Rose, Sinclair, Spence, Spradley, Stafford, Stengel, White, Wiens; also Senator(s) Andrews, May R., Chlouber, Arnold, Cairns, Dyer, Entz, Hillman, Johnson S., Jones, Kester, McElhany, Owen, Taylor, Teck--Concerning a prohibition against the acceptance by public entities of identity documents that are not secure.

Senator Andrews moved for the adoption of the First Report of the Second Conference Committee on **HB03-1224**, as printed in Senate Journal, April 28, pages 1261-1262.

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

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

YES	23	NO	12	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	Y	May	Y	Taylor	Y
Dyer	Y	Hillman	Y	McElhany	Y	Teck	Y
Entz	Y	Isgar	Y	Nichol	Y	Tupa	N
Evans	Y	Johnson	Y	Owen	Y	Windels	Y
Fitz-Gerald	N	Jones	Y	Phillips	N	Mr. President	Y
Gordon	N	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**.

HB03-1224

Co-sponsors added:Entz, Jones, Lamborn, and May.

HB03-1237 by Representative(s) Judd; also Senator(s) Lamborn--Concerning technical modifications to the statutes enforced by the administrator of the "Uniform Consumer Credit Code", and, in connection therewith, amending or repealing obsolete, inconsistent, and conflicting provisions of law.

Senator Lamborn moved for the adoption of the First Report of the First Conference Committee on **HB03-1237**, as printed in Senate Journal, April 28, pages 1264-1265. The motion was **adopted** by the following roll call vote:

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

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

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

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

Co-sponsors added: Evans.

HB03-1301 by Representative(s) Hall; also Senator(s) Teck--Concerning the penalties for persons who issue checks to the department of revenue that are returned as unpaid for any reason caused by the maker.

Senator Teck moved for the adoption of the First Report of the Second Conference Committee on **HB03-1301**, as printed in Senate Journal, April 28, page 1265. The motion was **adopted** by the following roll call vote:

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

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

HB03-1301

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

HB03-1219 by Representative(s) Hall, Fritz, Hoppe, Larson, McCluskey, White, Williams T.; also Senator(s) Johnson S.--Concerning the regulation of collection agencies, and, in connection therewith, continuing the collection agency board.

Senator Johnson moved for the adoption of the First Report of the First Conference Committee on **HB03-1219**, as printed in Senate Journal, April 28, pages 1265-1266. The motion was **adopted** by the following roll call vote:

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

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

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

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

INTRODUCTION OF BILLS--FIRST READING

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

SB03-346 by Senator(s) Entz; --Concerning the appointment of members of certain boards involved with water resources, and, in connection therewith, clarifying that members appointed while the senate is in session to the Colorado water conservation board and the board of directors of the Colorado water and power development authority require senate confirmation prior to taking office.

Agriculture, Natural Resources & Energy

SB03-347 by Senator(s) Taylor, Isgar, Entz; also Representative(s) Rippy--Concerning the valuation of possessory interests in land involving timber contracts.

Agriculture, Natural Resources & Energy

- HB03-1024** by Representative(s) Jahn; also Senator(s) Chlouber--Concerning child care, and, in connection therewith, making modifications to certain statutes affecting child placement agencies, and making an appropriation therefor.
Health, Environment, Welfare & Institutions
Appropriations
- HB03-1099** by Representative(s) Brophy, Witwer, Young; also Senator(s) Hillman, Teck--Concerning the regulation of liquefied petroleum gas by the director of the division of oil and public safety in the department of labor and employment, and making an appropriation therefor.
Agriculture, Natural Resources & Energy
Appropriations
- HB03-1352** by Representative(s) Carroll, Jahn, Miller, Smith, Weissmann; also Senator(s) Tupa--Concerning fingerprint-based criminal history record checks for students entering training programs approved by the peace officers standards and training board, and making an appropriation in connection therewith.
Judiciary
Appropriations
- HB03-1354** by Representative(s) Carroll; also Senator(s) Groff--Concerning the establishment of a microenterprise development advisory council.
Local Government
- HB03-1356** by Representative(s) Fairbank; also Senator(s) Sandoval--Concerning implementation of the federal "Help America Vote Act of 2002", and, in connection therewith, creating a federal elections assistance fund, creating a statewide centralized voter registration system, requiring specified forms of identification from first-time voters, making other changes in response to the federal act, and making an appropriation therefor.
State Veterans & Military Affairs
Appropriations
- HB03-1376** by Representative(s) Harvey, May M., Hefley, Schultheis, Lundberg, Brophy, Cadman, Carroll, Clapp, Cloer, Coleman, Crane, Decker, Fairbank, Hall, Hoppe, King, Lee, Miller, Mitchell, Rhodes, Rose, Salazar, Sinclair, Smith, Spence, Stafford, Stengel, White, Wiens, Williams T., Witwer; also Senator(s) Cairns, May R., Johnson S., McElhany--Concerning amendments to the "Colorado Parental Notification Act" to address legal concerns.
State Veterans & Military Affairs
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- 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 29, was laid over until Wednesday, April 30, retaining its place on the calendar.
- Consideration of Resolutions: SJR03-038, HJR03-1043, SJR03-048, HJR03-1060, SJR03-045, SJR03-039, SJR03-049, HJR03-1046, HJR03-1048, HJR03-1055, HJR03-1065, HJR03-1067.
- Consideration of Memorials: SJM03-006, SM03-001, SJM03-009.
- Consideration of Governor's Vetoes: SB03-207, SB03-120.
- Consideration of Governor's Appointments:
Members of the Colorado Commission on the Aging.
- Conference Committees to Report: SB03-098, HB03-1111, SB03-065, SB03-088, SB03-038, SB03-113, SB03-106, SB03-282, SB03-268, HB03-1172, SB03-248, HB03-1147, SB03-275.
- Request for Conference Committees: HB03-1244.

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On motion of Senator Anderson, the Senate adjourned until 9:00 a.m., Wednesday, April 30, 2003.

Approved:

John Andrews
President of the Senate

Attest:

Mona Heustis
Secretary of the Senate

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