

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

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Ninety-first Legislative Day

Tuesday, April 8, 2003

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Prayer	By the chaplain, Reverend Dr. Kathryn Towne.	11
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Pledge	By Senator Fitz-Gerald.	13
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Call to Order	By the President at 9:00 a.m.	15
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Roll Call	Present-- 28.	18
	Absent/Excused--7; Dyer, Hillman, Linkhart, Nichol, Owen, Phillips, Tupa.	19
	Present later--Dyer, Hillman, Linkhart, Nichol, Owen, Phillips, Tupa.	20
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Quorum	The President announced a quorum present.	22
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Reading of Journal	On motion of Senator Tapia, reading of the Journal of April 7, 2003 was dispensed with and the Journal was approved as corrected by the Secretary.	24
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**COMMITTEE OF REFERENCE REPORTS**

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State, Veterans and Military Affairs	After consideration on the merits, the Committee recommends that <b>HB03-1314</b> be referred to the Committee of the Whole with favorable recommendation.	32
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State, Veterans and Military Affairs	After consideration on the merits, the Committee recommends that <b>HB03-1238</b> be referred to the Committee of the Whole with favorable recommendation.	37
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State, Veterans and Military Affairs	After consideration on the merits, the Committee recommends that <b>SJR03-023</b> be postponed indefinitely.	42
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State, Veterans and Military Affairs	After consideration on the merits, the Committee recommends that <b>SJM03-001</b> be amended and referred to the Senate for final action.	47
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	Amend printed joint memorial, page 2, line 35, strike "and the";	52
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	line 36, strike "President of the United States".	54
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	Page 1, line 101, strike " <b>AND PRESIDENT BUSH</b> ".	56
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**MESSAGE FROM THE GOVERNOR**

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Appointment	A letter of withdrawal from Governor Owens was read:	62
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March 28, 2003

To the Honorable  
Colorado Senate  
Colorado General Assembly  
State Capitol Building  
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I hereby withdraw the nomination of the following:

**MEMBER OF THE  
STATE HOUSE BOARD**

for terms expiring January 31, 2007:

Felix M. Lopez of Trinidad, Colorado, appointed.

Sincerely,  
(signed)  
Bill Owens  
Governor

Rec'd: 04/04/03  
Mona Heustis, Secretary of the Senate

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**SENATE SERVICES REPORT**

Senate  
Services

Correctly printed: SB03-308, 309, 310, 311, 312, 313.

Correctly engrossed: SB03-249.

Correctly reengrossed: SB-265.

Correctly revised: HB03-1044, 1121.

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**LETTER OF APPOINTMENTS**

Appointment A letter of appointment from Secretary of the Board of Regents, University of Colorado was read and assigned to Committee as follows:

April 1, 2003

Honorable John Andrews  
President of the Colorado  
Senate State Capitol Building  
200 East Colfax Avenue  
Denver, Colorado 80203

Attn: Mona Heustis  
Secretary of the Senate

Dear President Andrews:

On behalf of the Board of Regents of the University of Colorado, I am pleased to forward to you the following appointments to the University of Colorado Hospital Authority Board of Directors:

From the Seventh Congressional District: Timothy J. "Tim" Travis, for a term effective March 1, 2003, and continuing until February 28, 2007 (or until his

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successor is appointed by the Board of Regents).

From the Second Congressional District: Elizabeth Hoffman, Ph.D., for a term effective March 1, 2003, and continuing until February 28, 2007 (or until her successor is appointed by the Board of Regents).

These appointments were approved by the Board of Regents at its March 25, 2003, meeting (rescheduled from March 20 because of inclement weather).

In addition, I understand that the following reappointment I submitted in a letter dated October 24, 2001, has not been confirmed by the Senate and should be resubmitted:

Mike A. Leprino, as a resident of the First Congressional District, for a term effective October 1, 2001, and expiring on September 30, 2005.

This reappointment was approved by the Board of Regents at its October 11, 2001, meeting.

Per C.R.S. § 23-21-503(2), appointments to the Hospital Authority Board of Directors from the congressional districts are subject to the advice and consent of the Senate.

A copy of the resolution regarding the appointments of Travis and Hoffman is attached. (The Leprino resolution was included with the original letter.)

Also attached in a list of the members of the University of Colorado Hospital Authority Board of Directors with their terms.

Sincerely,  
(signed)  
Milagros Cortez  
Secretary of the Board of Regents and of the University

Attachments (as referenced)

cc: Allen Staver, Vice President, General Counsel, Secretary to the Board, University of Colorado Hospital Authority

Rec'd: 04/04/03  
Mona Heustis, Secretary of the Senate

Committee on Education

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## INTRODUCTION OF BILLS--FIRST READING

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

- 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.  
Judiciary  
Appropriations
- HB03-1163** by Representative(s) Marshall; also Senator(s) Takis--Concerning administrative changes to the operation of CoverColorado, and, in connection therewith, directing to CoverColorado a portion of the premium tax, fines, and penalties collected by the division of insurance from health insurers authorized to conduct business in Colorado.  
Business Affairs & Labor
- HB03-1170** by Representative(s) Frangas, Butcher, Crane, Jahn, May M., Spence, Vigil; also Senator(s) Anderson--Concerning the penalties for a person convicted of certain crimes involving motor vehicles.  
Judiciary

**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.  
Transportation

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**INTRODUCTION OF RESOLUTION**

The following resolution was read by title:

**HJR03-1047** by Representative(s) Jahn, Hefley, Clapp, Frangas; also Senator(s) Anderson--Concerning National Crime Victims' Rights Week.

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

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Senate in recess.

Senate reconvened.

Senator Anderson moved a Call of the Senate.

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**THIRD READING--FINAL PASSAGE OF BILLS**

On Third Reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

**HB03-1303** by Representative(s) Crane; also Senator(s) Lamborn--Concerning crimes involving the unauthorized use of communication devices, and, in connection therewith, making an appropriation.

Laid over until Wednesday, April 9, retaining its place on the calendar.

**HB03-1044** by Representative(s) Williams S., Coleman, Stafford; also Senator(s) May R.--Concerning the enforcement of penalties for toll evasion, and, in connection therewith, requiring courts to report outstanding judgments and warrants and default judgments for toll evasion to the department of revenue, prohibiting a person who has an outstanding judgment or warrant or a default judgment for toll evasion from obtaining or renewing a driver's license, and allowing civil penalty assessment notices for toll evasion that is evidenced by means that do not involve a peace officer to be sent to suspected violators by mail delivery services other than the United States postal service.

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**.

**HB03-1121** by Representative(s) Wiens, King, May M., McCluskey, White; also Senator(s) Evans, Chlouber--Concerning offers of settlement in civil actions.

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

**HB03-1121**

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: Teck.

**SB03-249**

by Senator(s) Owen, Anderson; also Representative(s) Stengel--Concerning authority for the state to enter into leveraged leasing agreements, and, in connection therewith, specifying that property that is the subject of a leveraged leasing agreement is exempt from property taxation.

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: Kester, Lamborn, and Teck.

Committee of the Whole

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

On motion of Senator Anderson, and with a majority of those elected to the Senate having voted in the affirmative, **SB03-258** was advanced to the beginning of the General Orders--Second Reading calendar.

**GENERAL ORDERS--SECOND READING OF BILLS**

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

**SB03-258**

by Senator(s) Owen, Teck, Reeves; also Representative(s) Young, Witwer, Plant--Concerning the provision for payment of the expenses of the executive, legislative, and judicial departments of the state of Colorado, and of its agencies and institutions, for and during the fiscal year beginning July 1, 2003, except as otherwise noted.

**SB03-258**

Amendment No. 1(J.018), by Senator Arnold.

Amend printed bill, page 18, line 5, in the ITEM & SUBTOTAL column, strike "1,406,781" and substitute "1,287,682" and, in the GENERAL FUND column, strike "381,681" and substitute "262,582";

line 6, in the ITEM & SUBTOTAL column, strike "(18.0 FTE)" and substitute "(17.0 FTE)".

Adjust affected totals accordingly.

Page 62, line 6, in the ITEM & SUBTOTAL column, strike "7,554,122<sup>a</sup>" and substitute "7,485,012<sup>a</sup>" and, in the GENERAL FUND column, strike "5,279,804" and substitute "5,210,694";

line 7, in the GENERAL FUND column, strike "(60.5 FTE)" and substitute "(60.0 FTE)".

Adjust affected totals accordingly.

Page 64, line 11, strike "\$5,304,939" and substitute "\$5,235,829".

Page 228, line 9, in the ITEM & SUBTOTAL column, strike "3,657,866" and substitute "3,539,912" and, in the GENERAL FUND column, strike "3,605,483" and substitute "3,487,529";

line 10, in the GENERAL FUND column, strike "(48.0 FTE)" and substitute "(47.0 FTE)".

Adjust affected totals accordingly.

Page 255, line 5, in the ITEM & SUBTOTAL column, strike "10,437,254" and substitute "10,304,670";

line 6, in the ITEM & SUBTOTAL column, strike "(161.4 FTE)" and substitute "(160.4 FTE)".

Page 257, line 8, in the TOTAL column, strike "22,131,084" and substitute "21,998,500", in the CASH FUNDS column, strike "7,453,265<sup>a</sup>" and substitute "7,408,614<sup>a</sup>", in the CASH FUNDS EXEMPT column, strike "1,081,944<sup>b</sup>" and substitute "1,075,462<sup>b</sup>", and, in the FEDERAL FUNDS column, strike "13,595,875" and substitute "13,514,424".

Adjust affected totals accordingly.

Page 257, line 12, strike "\$533,653" and substitute "\$489,002";

line 13, strike "\$648,879" and substitute "\$642,397".

Page 270, line 5, in the ITEM & SUBTOTAL column, strike "2,279,389" and substitute "2,162,490" and, in the CASH FUNDS EXEMPT column, strike "2,274,389(T)<sup>b</sup>" and substitute "2,157,490(T)<sup>b</sup>";

line 6, in the ITEM & SUBTOTAL column, strike "(37.7 FTE)" and substitute "(36.7 FTE)".

Adjust affected totals and affected (T) notation totals accordingly.

Page 306, line 5, in the ITEM & SUBTOTAL column, strike "1,524,950" and substitute "1,427,004" and, in the GENERAL FUND column, strike "1,443,394" and substitute "1,345,448";

line 6, in the GENERAL FUND column, strike "(26.7 FTE)" and substitute "(25.7 FTE)".

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Adjust affected totals accordingly.

Page 315, line 6, in the ITEM & SUBTOTAL column, strike "3,064,334" and substitute "2,948,039" and, in the CASH FUNDS EXEMPT column, strike "2,219,715(T)<sup>a</sup>" and substitute "2,103,420(T)<sup>a</sup>";

line 7, in the ITEM & SUBTOTAL column, strike "(43.6 FTE)" and substitute "(42.6 FTE)".

Adjust affected totals and affected (T) notation totals accordingly.

Page 348, line 5, in the ITEM & SUBTOTAL column, strike "1,528,220" and substitute "1,397,108" and, in the CASH FUNDS EXEMPT column, strike "1,528,220(T)<sup>a</sup>" and substitute "1,397,108(T)<sup>a</sup>";

line 6, in the ITEM & SUBTOTAL column, strike "(26.0 FTE)" and substitute "(25.0 FTE)".

Adjust affected totals and affected (T) notation totals accordingly.

Page 350, line 8, strike "\$1,403,222" and substitute "\$1,272,110".

Page 377, line 6, in the ITEM & SUBTOTAL column, strike "3,850,587" and substitute "3,733,522" and, in the CASH FUNDS EXEMPT column, strike "3,676,655(T)<sup>b</sup>" and substitute "3,559,590(T)<sup>b</sup>";

line 7, in the ITEM & SUBTOTAL column, strike "(58.2 FTE)" and substitute "(57.2 FTE)".

Adjust affected totals and affected (T) notation totals accordingly.

Page 379, line 9, strike "\$6,343,861" and substitute "\$6,226,796".

Page 437, line 6, in the ITEM & SUBTOTAL column, strike "1,849,408" and substitute "1,708,235" and, in the CASH FUNDS EXEMPT column, strike "1,753,664<sup>a</sup>" and substitute "1,612,491<sup>a</sup>";

line 7, in the CASH FUNDS EXEMPT column, strike "(27.5 FTE)" and substitute "(26.5 FTE)".

Adjust affected totals accordingly.

Page 439, line 8, strike "2,149,813(T)" and substitute "2,008,640(T)".

Adjust affected (T) notation totals accordingly.

Page 467, line 5, in the ITEM & SUBTOTAL column, strike "3,531,046" and substitute "3,424,016" and, in the CASH FUNDS EXEMPT column, strike "3,531,046(T)<sup>a</sup>" and substitute "3,424,016(T)<sup>a</sup>";

line 6, in the CASH FUNDS EXEMPT column, strike "(53.0 FTE)" and substitute "(52.0 FTE)".

Adjust affected totals and affected (T) notation totals accordingly.

Page 469, line 9, strike "\$4,886,768" and substitute "\$4,779,738".

Page 522, line 6, in the TOTAL column, strike "22,550,974" and substitute "22,424,210" and, in the CASH FUNDS EXEMPT column, strike "22,550,974<sup>a</sup>" and substitute "22,424,210<sup>a</sup>";

line 7, in the CASH FUNDS EXEMPT column, strike "(219.7 FTE)<sup>b</sup>" and substitute "(218.7 FTE)<sup>b</sup>";

line 9, strike "\$21,215,613" and substitute "\$21,088,849";

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line 11, strike "205.7" and substitute "204.7".

Adjust affected totals accordingly.

Amendment No. 2(J.013), by Senator Entz.

Amend printed bill, page 18, line 6, in the ITEM & SUBTOTAL column, strike "(18.0 FTE)" and substitute "(18.7 FTE)".

Amendment No. 3(J.015), by Senator Johnson.

Amend printed bill, page 20, line 11, strike "Personal Services" and substitute "Personal Services<sup>1a</sup>".

Page 26, after line 11, insert the following:

1a Department of Agriculture, Agricultural Services Division, Personal Services -- It is the intent of the General Assembly that the Department of Agriculture provide 2.0 FTE to the Bureau of Animal Protection without an increase to the number of total FTE appropriated to the Agricultural Services Division. Such an allocation of FTE may be accomplished through lay-offs or vacancies in other programs, employee turnover or other methods."

Amendment No. 4(J.054), by Senator Evans.

Amend printed bill, page 39, line 5, in the ITEM & SUBTOTAL column, strike "319,186" and substitute "219,186";

line 6, in the ITEM & SUBTOTAL column, strike "1,134,548" and substitute "1,034,548" and, in the GENERAL FUND column, strike "1,134,548" and substitute "1,034,548".

Adjust affected totals accordingly.

Page 145, after line 7, insert the following:

	TOTAL	GENERAL FUND	FEDERAL FUNDS
	\$	\$	\$
<b>"(8) COUNCIL ON THE ARTS</b>			
Program Costs	200,000	100,000	100,000
		(1.0 FTE)".	

Adjust affected totals accordingly.

Page 145, line 9, strike "(8)" and substitute "(9)".

Amendment No. 5(J.048), by Senator Hagedorn.

Amend printed bill, page 87, line 12, in the ITEM & SUBTOTAL column, strike "5,424,129" and substitute "2,924,129" and, in the GENERAL FUND column, strike "5,374,129" and substitute "2,874,129".

Adjust affected totals accordingly.

Page 198, line 9, in the ITEM & SUBTOTAL column, strike "2,493,956" and substitute "4,993,956" and, in the GENERAL FUND column, strike

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"493,956" and substitute "2,993,956".

Adjust affected totals accordingly.

Amendment No. 6(J.023), by Senator Owen.

Amend printed bill, page 131, line 14, strike "**Grants**" and substitute "**Grants**<sup>50a</sup>", in the ITEM & SUBTOTAL column, strike "7,437,249" and substitute "6,877,309", and, in the GENERAL FUND column, strike "7,437,249" and substitute "6,877,309".

Page 132, line 2, strike "**Study**<sup>51</sup>" and substitute "**Study**<sup>50a, 51</sup>", in the ITEM & SUBTOTAL column, strike "16,612,357" and substitute "15,030,062", and, in the GENERAL FUND column, strike "16,612,357" and substitute "15,030,062".

Adjust affected totals accordingly.

Page 152, after line 8, insert the following:

50a Department of Higher Education, Colorado Commission on Higher Education Financial Aid, Merit Based Grants; Work Study -- It is the intent of the General Assembly that reductions for merit based grants and work study shall be allocated proportionally between public and nonpublic higher education institutions."

Amendment No. 7(J.003), by Senators Entz and Isgar.

Amend printed bill, page 288, line 7, in the ITEM & SUBTOTAL column, strike "411,145" and substitute "423,339" and, in the CASH FUNDS EXEMPT column, strike "13,622<sup>c</sup>" and substitute "25,816<sup>j</sup>";

line 8, in the ITEM & SUBTOTAL column, strike "24,359" and substitute "28,801" and, in the CASH FUNDS EXEMPT column, strike "5,305<sup>c</sup>" and substitute "9,747<sup>k</sup>".

Adjust affected totals accordingly.

Page 291, after line 6, insert the following:

<sup>j</sup> Of this amount, \$8,129(T) shall be from the Local Government Severance Tax Fund, \$4,065(T) shall be from the Local Government Mineral Impact fund, and \$13,622 shall be from various sources of cash funds. The Severance Tax and Mineral Impact Amounts are transferred from the Local Government Mineral and Energy Impact Grants and Disbursements line item.

<sup>k</sup> Of this amount, \$2,961(T) shall be from the Local Government Severance Tax Fund, \$1,481(T) shall be from the Local Government Mineral Impact fund, and \$5,305 shall be from various sources of cash funds. The Severance Tax and Mineral Impact Amounts are transferred from the Local Government Mineral and Energy Impact Grants and Disbursements line item."

Adjust affected (T) notation totals accordingly.

Page 299, line 5, in the ITEM & SUBTOTAL column, strike "1,596,763" and substitute "1,965,867" and, in the CASH FUNDS EXEMPT column, strike "992,575(T)<sup>a</sup>" and substitute "1,361,679(T)<sup>a</sup>";

line 6, in the CASH FUNDS EXEMPT column, strike "(11.4 FTE)" and substitute "(16.0 FTE)".

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Adjust affected totals and affected (T) notation totals accordingly.

Page 300, line 5, strike "\$481,049" and substitute "\$727,118";

line 6, strike "\$240,525" and substitute "\$363,560".

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.)

On motion of Senator Anderson, the remaining bills were laid over until Wednesday, April 9, retaining their place on the calendar: HB03-1016, SB03-073, SB03-232, SB03-001, SB03-236, SB03-121, HB03-1140, HB03-1256, HB03-1214, HB03-1128, SB03-019, SB03-033, SB03-167, SB03-022, SB03-049, SB03-239, SB03-103, SB03-076, SB03-005, SB03-230, SB03-082.

**AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE**

**SB03-258**

by Senator(s) Owen, Teck, Reeves; also Representative(s) Young, Witwer, Plant-- Concerning the provision for payment of the expenses of the executive, legislative, and judicial departments of the state of Colorado, and of its agencies and institutions, for and during the fiscal year beginning July 1, 2003, except as otherwise noted.

Senator Lamborn moved to amend the Report of the Committee of the Whole to show that the following Arnold floor amendment, (J.018) to SB 03-258, did not pass.

Amend printed bill, page 18, line 5, in the ITEM & SUBTOTAL column, strike "1,406,781" and substitute "1,287,682" and, in the GENERAL FUND column, strike "381,681" and substitute "262,582";

line 6, in the ITEM & SUBTOTAL column, strike "(18.0 FTE)" and substitute "(17.0 FTE)".

Adjust affected totals accordingly.

Page 62, line 6, in the ITEM & SUBTOTAL column, strike "7,554,122<sup>a</sup>" and substitute "7,485,012<sup>a</sup>" and, in the GENERAL FUND column, strike "5,279,804" and substitute "5,210,694";

line 7, in the GENERAL FUND column, strike "(60.5 FTE)" and substitute "(60.0 FTE)".

Adjust affected totals accordingly.

Page 64, line 11, strike "\$5,304,939" and substitute "\$5,235,829".

Page 228, line 9, in the ITEM & SUBTOTAL column, strike "3,657,866" and substitute "3,539,912" and, in the GENERAL FUND column, strike "3,605,483" and substitute "3,487,529";

line 10, in the GENERAL FUND column, strike "(48.0 FTE)" and substitute "(47.0 FTE)".

Adjust affected totals accordingly.

Page 255, line 5, in the ITEM & SUBTOTAL column, strike "10,437,254" and substitute "10,304,670";

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line 6, in the ITEM & SUBTOTAL column, strike "(161.4 FTE)" and substitute "(160.4 FTE)".

Page 257, line 8, in the TOTAL column, strike "22,131,084" and substitute "21,998,500", in the CASH FUNDS column, strike "7,453,265<sup>a</sup>" and substitute "7,408,614<sup>a</sup>", in the CASH FUNDS EXEMPT column, strike "1,081,944<sup>b</sup>" and substitute "1,075,462<sup>b</sup>", and, in the FEDERAL FUNDS column, strike "13,595,875" and substitute "13,514,424".

Adjust affected totals accordingly.

Page 257, line 12, strike "\$533,653" and substitute "\$489,002";

line 13, strike "\$648,879" and substitute "\$642,397".

Page 270, line 5, in the ITEM & SUBTOTAL column, strike "2,279,389" and substitute "2,162,490" and, in the CASH FUNDS EXEMPT column, strike "2,274,389(T)<sup>b</sup>" and substitute "2,157,490(T)<sup>b</sup>";

line 6, in the ITEM & SUBTOTAL column, strike "(37.7 FTE)" and substitute "(36.7 FTE)".

Adjust affected totals and affected (T) notation totals accordingly.

Page 306, line 5, in the ITEM & SUBTOTAL column, strike "1,524,950" and substitute "1,427,004" and, in the GENERAL FUND column, strike "1,443,394" and substitute "1,345,448";

line 6, in the GENERAL FUND column, strike "(26.7 FTE)" and substitute "(25.7 FTE)".

Adjust affected totals accordingly.

Page 315, line 6, in the ITEM & SUBTOTAL column, strike "3,064,334" and substitute "2,948,039" and, in the CASH FUNDS EXEMPT column, strike "2,219,715(T)<sup>a</sup>" and substitute "2,103,420(T)<sup>a</sup>";

line 7, in the ITEM & SUBTOTAL column, strike "(43.6 FTE)" and substitute "(42.6 FTE)".

Adjust affected totals and affected (T) notation totals accordingly.

Page 348, line 5, in the ITEM & SUBTOTAL column, strike "1,528,220" and substitute "1,397,108" and, in the CASH FUNDS EXEMPT column, strike "1,528,220(T)<sup>a</sup>" and substitute "1,397,108(T)<sup>a</sup>";

line 6, in the ITEM & SUBTOTAL column, strike "(26.0 FTE)" and substitute "(25.0 FTE)".

Adjust affected totals and affected (T) notation totals accordingly.

Page 350, line 8, strike "\$1,403,222" and substitute "\$1,272,110".

Page 377, line 6, in the ITEM & SUBTOTAL column, strike "3,850,587" and substitute "3,733,522" and, in the CASH FUNDS EXEMPT column, strike "3,676,655(T)<sup>b</sup>" and substitute "3,559,590(T)<sup>b</sup>";

line 7, in the ITEM & SUBTOTAL column, strike "(58.2 FTE)" and substitute "(57.2 FTE)".

Adjust affected totals and affected (T) notation totals accordingly.

Page 379, line 9, strike "\$6,343,861" and substitute "\$6,226,796".

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Page 437, line 6, in the ITEM & SUBTOTAL column, strike "1,849,408" and substitute "1,708,235" and, in the CASH FUNDS EXEMPT column, strike "1,753,664<sup>a</sup>" and substitute "1,612,491<sup>a</sup>";

line 7, in the CASH FUNDS EXEMPT column, strike "(27.5 FTE)" and substitute "(26.5 FTE)".

Adjust affected totals accordingly.

Page 439, line 8, strike "2,149,813(T)" and substitute "2,008,640(T)".

Adjust affected (T) notation totals accordingly.

Page 467, line 5, in the ITEM & SUBTOTAL column, strike "3,531,046" and substitute "3,424,016" and, in the CASH FUNDS EXEMPT column, strike "3,531,046(T)<sup>a</sup>" and substitute "3,424,016(T)<sup>a</sup>";

line 6, in the CASH FUNDS EXEMPT column, strike "(53.0 FTE)" and substitute "(52.0 FTE)".

Adjust affected totals and affected (T) notation totals accordingly.

Page 469, line 9, strike "\$4,886,768" and substitute "\$4,779,738".

Page 522, line 6, in the TOTAL column, strike "22,550,974" and substitute "22,424,210" and, in the CASH FUNDS EXEMPT column, strike "22,550,974<sup>a</sup>" and substitute "22,424,210<sup>a</sup>";

line 7, in the CASH FUNDS EXEMPT column, strike "(219.7 FTE)<sup>b</sup>" and substitute "(218.7 FTE)<sup>b</sup>";

line 9, strike "\$21,215,613" and substitute "\$21,088,849";

line 11, strike "205.7" and substitute "204.7".

Adjust affected totals accordingly.

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

YES	20	NO	15	EXCUSED	0	ABSENT	0
Anderson	Y	Groff	N	Kester	Y	Sandoval	Y
Arnold	N	Grossman	N	Lamborn	Y	Takis	Y
Cairns	N	Hagedorn	Y	Linkhart	Y	Tapia	Y
Chlouber	N	Hanna	N	May	Y	Taylor	Y
Dyer	Y	Hillman	N	McElhany	N	Teck	Y
Entz	Y	Isgar	Y	Nichol	N	Tupa	N
Evans	Y	Johnson	N	Owen	Y	Windels	N
Fitz-Gerald	N	Jones	N	Phillips	N	Mr. President	Y
Gordon	Y	Keller	Y	Reeves	Y		

Senators Owen, Teck, and Reeves moved to amend the Report of the Committee of the Whole to show that the Evans floor amendment, (J.054) to SB 03-258, did not pass.

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

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YES	15	NO	20	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	N	Hanna	N	May	Y	Taylor	N
Dyer	Y	Hillman	Y	McElhany	Y	Teck	Y
Entz	N	Isgar	N	Nichol	N	Tupa	Y
Evans	N	Johnson	N	Owen	Y	Windels	N
Fitz-Gerald	N	Jones	N	Phillips	N	Mr. President	Y
Gordon	Y	Keller	N	Reeves	Y		

Senator Fitz-Gerald moved to amend the Report of the Committee of the Whole to show that the following Fitz-Gerald floor amendment, (J.050) to SB 03-258, did pass.

Amend printed bill, page 73, after line 13, insert the following:

	ITEM & SUBTOTAL	GENERAL FUND
	\$	\$
"Regional Library Service Systems	896,293	896,293".

Adjust affected totals accordingly.

Page 460, line 13, in the ITEM & SUBTOTAL column, strike "1,000,383" and substitute "333,541" and, in the GENERAL FUND column, strike "1,000,383" and substitute "333,541";

line 14, in the GENERAL FUND column, strike "(22.0 FTE)" and substitute "(7.3 FTE)".

Page 461, line 1, in the ITEM & SUBTOTAL column, strike "344,057" and substitute "114,606" and, in the GENERAL FUND column, strike "344,057" and substitute "114,606".

Adjust affected totals accordingly.

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

YES	14	NO	21	EXCUSED	0	ABSENT	0
Anderson	N	Groff	Y	Kester	N	Sandoval	N
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	N		

Senator Tupa moved to amend the Report of the Committee of the Whole to show that the Evans floor amendment, (J.054) to SB 03-258, did not pass and that the following Tupa floor amendment, (J.047) to SB 03-258, did pass.

Amend printed bill, page 87, line 12, in the ITEM & SUBTOTAL column, strike "5,424,129" and substitute "4,924,129" and, in the GENERAL FUND column, strike "5,374,129" and substitute "4,874,129".

Adjust affected totals accordingly.

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Page 145, after line 7, insert the following:

	TOTAL	GENERAL	FEDERAL
	FUND	FUND	FUNDS
	\$	\$	\$
<b>"(8) COUNCIL ON THE ARTS</b>			
Program Costs	1,000,000	500,000	500,000
		(1.0 FTE)".	

Adjust affected totals accordingly.

Page 145, line 9, strike "(8)" and substitute "(9)".

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

YES	14	NO	21	EXCUSED	0	ABSENT	0
Anderson	N	Groff	Y	Kester	Y	Sandoval	N
Arnold	N	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	N	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	Y	Reeves	N		

Senator Keller moved to amend the Report of the Committee of the Whole to show that the Keller floor amendment, (J.006) to SB 03-258, did pass.

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment was declared **lost**.

Senator Grossman moved to amend the Report of the Committee of the Whole to show that the following Grossman floor amendment, (J.035) to SB 03-258, did pass.

Amend printed bill, page 411, line 14, in the ITEM & SUBTOTAL column, strike "146,240" and substitute "746,240" and, in the GENERAL FUND column, insert "600,000".

Page 412, line 1, in the GENERAL FUND column, insert "(1.0 FTE)".

Adjust affected totals accordingly.

Page 460, line 13, in the ITEM & SUBTOTAL column, strike "1,000,383" and substitute "553,933" and, in the GENERAL FUND column, strike "1,000,383" and substitute "553,933";

line 14, in the GENERAL FUND column, strike "(22.0 FTE)" and substitute "(12.2 FTE)".

Page 461, line 1, in the ITEM & SUBTOTAL column, strike "344,057" and substitute "190,507" and, in the GENERAL FUND column, strike "344,057" and insert "190,507".

Adjust affected totals accordingly.

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

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YES	15	NO	20	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	N		

**ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE**

On motion of Senator Taylor, 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: SB03-258 as amended.

Laid over until Wednesday, April 9: HB03-1016, SB03-073, SB03-232, SB03-001, SB03-236, SB03-121, HB03-1140, HB03-1256, HB03-1214, HB03-1128, SB03-019, SB03-033, SB03-167, SB03-022, SB03-049, SB03-239, SB03-103, SB03-076, SB03-005, SB03-230, SB03-082.

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 8, was laid over until Wednesday, April 9, retaining its place on the calendar.

Consideration of Resolutions: SJR03-032, HJR03-1032, HJR03-1041, HJR03-1020, HJR03-1022, HJR03-1033.

Consideration of Memorial: SJM03-002, SJM03-004.

Consideration of House Amendments to Senate Bills: SB03-038, SB03-088, SB03-044, SB03-106, SB03-079, SB03-235, SB03-058, SB03-241.

Consideration of Governor's Vetoes: SB03-207.

Consideration of Governor's Appointments:

Member of the Board of Trustees for Fort Lewis College;

Members of the Mined Land Reclamation Board;

Members of the Colorado Student Obligation Bond Authority Board of Directors;

Members of the Colorado Commission on the Aging;

Member of the Air Quality Control Commission.

Consideration of Conference Committee: HB03-1103, HB03-1301.

Conference Committees to Report: HB03-1161, HB03-1025, HB03-1224, HB03-1003, HB03-1005, SB03-226, SB03-098, HB03-1111, SB03-009.

Request for Conference Committees: SB03-065, HB03-1240, HB03-1172, HB03-1218, HB03-1007, HB03-1305, HB03-1092, HB03-1237, SB03-113, SB03-126, SB03-007, HB03-1219, HB03-1253, HB03-1228.

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

Approved:

John Andrews  
President of the Senate

Attest:

Mona Heustis  
Secretary of the Senate

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