

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

One-hundred-twentieth Legislative Day Wednesday, May 7, 2003

Prayer By the chaplain, Lt. Colonel Harold Brodin.

Pledge By Senator Isgar.

Choral Music "The Star Spangled Banner", sung by Forever His
 directed by Denise Lynch

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

Roll Call Present-- 35.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Johnson, reading of the Journal of May 6, 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: **HJR03-1052**.

CONSIDERATION OF RESOLUTION -- HJR03-1052

HJR03-1052 by Representative(s) Cloer, Williams S.; also Senator(s) Sandoval--Concerning the proclamation of American Indian heritage month.

On motion of Senator Sandoval, the resolution was read at length and **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		

Co-sponsors added: Anderson, Andrews, Arnold, Cairns, Chlouber, Dyer, Entz, Evans, Fitz-Gerald, Gordon, Groff, Grossman, Hagedorn, Hanna, Hillman, Isgar, Johnson, Jones, Keller, Kester, Lamborn, Linkhart, May, McElhany, Nichol, Owen, Phillips, Reeves, Takis, Tapia, Taylor, Teck, Tupa, and Windels.

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 Memorial: **SM03-002**.

CONSIDERATION OF MEMORIAL -- SM03-002

SM03-002 by Senator(s) McElhany; --Concerning memorializing former Senator Kingston G. Minister.

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

Table with 8 columns: YES, NO, EXCUSED, ABSENT and corresponding counts. Rows list names and their votes (Y for Yes).

Co-sponsors added: Anderson, Andrews, Arnold, Cairns, Chlouber, Dyer, Entz, Evans, Fitz-Gerald, Gordon, Groff, Grossman, Hagedorn, Hanna, Hillman, Isgar, Johnson, Jones, Keller, Kester, Lamborn, Linkhart, May, Nichol, Owen, Phillips, Reeves, Sandoval, Takis, Tapia, Taylor, Teck, Tupa, and Windels.

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:

HB03-1356 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.

Senator Fitz-Gerald moved a Call of the Senate.

Senator Fitz-Gerald requested that the bill be read at length.

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

Table with 8 columns: YES, NO, EXCUSED, ABSENT and corresponding counts. Rows list names and their votes (Y for Yes, N for No).

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

Co-sponsors added: Arnold, Cairns, Entz, Groff, Hagedorn, Hanna, Hillman, Isgar, Jones, Kester, Lamborn, Linkhart, May, Nichol, Phillips, Reeves, Tapia, Taylor, and Teck.

Senate in recess.

Senate reconvened.

Senator Anderson moved a Call of the Senate.

On motion of Senator Anderson, HB03-1377, was advanced to the top of the calendar.

HB03-1377 by Representative(s) Williams T.; also Senator(s) Evans--Concerning statutory provisions governing business entities contained in title 7 of the Colorado revised statutes.

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, Jones, Lamborn, May, and Taylor.

HB03-1347 by Representative(s) Young; also Senator(s) Owen--Concerning uses of moneys in the employment support fund for the department of labor and employment, and making an appropriation in connection therewith.

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**.

HB03-1340 by Representative(s) Briggs; also Senator(s) Johnson S.--Concerning revisions to the motor vehicle emission budgets contained in certain carbon monoxide maintenance plans according to the latest federally-approved mobile source emissions model.

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**.

HB03-1358 by Representative(s) Spradley, King, Borodkin, Fairbank, McFadyen, Merrifield, Plant, Pommer, Williams S.; also Senator(s) Kester, Grossman--Concerning additional requirements relating to radioactive classified waste disposal.

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

HB03-1358

Third Reading Amendment No. 1(L.025), by Senator Grossman.

Amend revised bill, page 5, line 18, after "PROCESSING", insert "AT THE FACILITY".

Page 8, line 22, after "DISPOSAL", insert "AT A FACILITY".

Page 9, line 16, after "DISPOSAL", insert "AT A FACILITY".

Page 14, line 16, strike "processing," and substitute "processing at a facility,".

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

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

YES	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: Groff.

HB03-1373 by Representative(s) Spence, Hall, Rippey, Weddig; also Senator(s) Entz--Concerning the authority of a municipality to propose a sales or use tax when a county in which the municipality is located has a pending proposal for a sales or use tax.

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

YES	27	NO	8	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	N	Taylor	N
Dyer	N	Hillman	Y	McElhany	N	Teck	Y
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	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**.

HB03-1024 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.

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		

HB03-1024

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

Co-sponsors added: Hagedorn.

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.

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**.

HB03-1372 by Representative(s) Cadman, Williams T., Briggs, May M., Rhodes, Rippy, White; also Senator(s) Owen--Concerning the authority of the commissioner of insurance to regulate certain workers' compensation insurers, and, in connection therewith, deleting certain exemptions for Pinnacol Assurance from otherwise applicable provisions of insurance law and prohibiting other state government instrumentalities from writing workers' compensation insurance in Colorado.

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

YES	31	NO	4	EXCUSED	0	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	Sandoval	Y
Arnold	Y	Grossman	Y	Lamborn	Y	Takis	N
Cairns	Y	Hagedorn	N	Linkhart	Y	Tapia	Y
Chlouber	Y	Hanna	N	May	Y	Taylor	Y
Dyer	Y	Hillman	Y	McElhany	Y	Teck	Y
Entz	Y	Isgar	Y	Nichol	N	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**.

IMMEDIATE RECONSIDERATION OF HB03-1372

HB03-1372 by Representative(s) Cadman, Williams T., Briggs, May M., Rhodes, Rippy, White; also Senator(s) Owen--Concerning the authority of the commissioner of insurance to regulate certain workers' compensation insurers, and, in connection therewith, deleting certain exemptions for Pinnacol Assurance from otherwise applicable provisions of insurance law and prohibiting other state government instrumentalities from writing workers' compensation insurance in Colorado.

Having voted on the prevailing side, Senator Tupa moved for immediate reconsideration of the last Senate action, Third Reading--Final Passage, on **HB03-1372**.

A majority of all members elected to the Senate having voted in the affirmative, reconsideration was granted.

THIRD READING--FINAL PASSAGE OF BILLS -- CONTINUED

HB03-1372 by Representative(s) Cadman, Williams T., Briggs, May M., Rhodes, Rippy, White; also Senator(s) Owen--Concerning the authority of the commissioner of insurance to regulate certain workers' compensation insurers, and, in connection therewith, deleting certain exemptions for Pinnacol Assurance from otherwise applicable provisions of insurance law and prohibiting other state government instrumentalities from writing workers' compensation insurance in Colorado.

The question being "Shall the bill 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	Y
Arnold	Y	Grossman	Y	Lamborn	Y	Takis	N
Cairns	Y	Hagedorn	N	Linkhart	N	Tapia	N
Chlouber	Y	Hanna	N	May	Y	Taylor	Y
Dyer	Y	Hillman	Y	McElhany	Y	Teck	Y
Entz	Y	Isgar	Y	Nichol	N	Tupa	N
Evans	Y	Johnson	Y	Owen	Y	Windels	N
Fitz-Gerald	N	Jones	Y	Phillips	N	Mr. President	Y
Gordon	Y	Keller	N	Reeves	Y		

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

IMMEDIATE RECONSIDERATION OF HB03-1373

HB03-1373 by Representative(s) Spence, Hall, Rippy, Weddig; also Senator(s) Entz--Concerning the authority of a municipality to propose a sales or use tax when a county in which the municipality is located has a pending proposal for a sales or use tax.

Having voted on the prevailing side, Senator Anderson moved for immediate reconsideration of the last Senate action, Third Reading--Final Passage, on **HB03-1373**.

A majority of all members elected to the Senate having voted in the affirmative, reconsideration was granted.

THIRD READING--FINAL PASSAGE OF BILLS -- CONTINUED

HB03-1373 by Representative(s) Spence, Hall, Rippy, Weddig; also Senator(s) Entz--Concerning the authority of a municipality to propose a sales or use tax when a county in which the municipality is located has a pending proposal for a sales or use tax.

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

YES	21	NO	14	EXCUSED	0	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	Sandoval	Y
Arnold	Y	Grossman	Y	Lamborn	N	Takis	N
Cairns	Y	Hagedorn	N	Linkhart	Y	Tapia	Y
Chlouber	Y	Hanna	N	May	N	Taylor	N
Dyer	N	Hillman	N	McElhany	N	Teck	Y
Entz	Y	Isgar	Y	Nichol	N	Tupa	Y
Evans	N	Johnson	Y	Owen	N	Windels	N
Fitz-Gerald	Y	Jones	N	Phillips	Y	Mr. President	Y
Gordon	Y	Keller	Y	Reeves	Y		

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

Co-sponsors added: Grossman.

HB03-1367 by Representative(s) Cloer, Larson, Stafford, Briggs, Harvey, McFadyen, Merrifield, Ragsdale, Sinclair, Spence, Wiens, Williams S.; also Senator(s) Nichol, Lamborn, Johnson S.--Concerning the issuance of a military valor special license plate to persons who have received a military award for valor, and making an appropriation in connection therewith.

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

HB03-1367

YES	32	NO	3	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	N
Entz	Y	Isgar	Y	Nichol	Y	Tupa	Y
Evans	Y	Johnson	Y	Owen	Y	Windels	Y
Fitz-Gerald	N	Jones	Y	Phillips	Y	Mr. President	Y
Gordon	Y	Keller	Y	Reeves	N		

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

Co-sponsors added: Anderson, Andrews, Arnold, Cairns, Chlouber, Dyer, Entz, Evans, Gordon, Groff, Hagedorn, Hillman, Isgar, Jones, Keller, Kester, McElhany, Owen, Phillips, Sandoval, Tapia, and Taylor.

HB03-1378

by Representative(s) Hefley, Williams T., Madden, Carroll, Coleman, Crane, Fairbank, Jahn, Judd, Lee, Lundberg, Mitchell, Romanoff, Spradley, Stengel, Veiga; also Senator(s) Anderson, Dyer, Taylor, Evans, Fitz-Gerald, Gordon, Groff, Grossman, Jones, Kester, Lamborn, Windels--Concerning moneys deposited in the state commission on judicial performance cash fund, and, in connection therewith, increasing the docket fees for criminal and traffic actions and 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	Y	Hanna	Y	May	Y	Taylor	Y
Dyer	Y	Hillman	N	McElhany	Y	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: Jones and Phillips.

HB03-1114

by Representative(s) Clapp; also Senator(s) Hillman--Concerning employees in public schools, 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: Arnold, Evans, Groff, Hanna, Isgar, Jones, Keller, Lamborn, Tapia, Tupa, and Windels.

HB03-1370

by Representative(s) Rhodes; also Senator(s) Anderson--Concerning reviews of designated trauma facilities.

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

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HB03-1370

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**.

HB03-1382 by Representative(s) Young, Plant, Witwer; also Senator(s) Teck, Owen, Reeves-- Concerning the interest rate on certain moneys that the state owes taxpayers for overpayment of certain taxes, 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, Arnold, Phillips, and Tapia.

HB03-1369 by Representative(s) Spence; also Senator(s) Anderson--Concerning a modification to the eligibility criteria for children in one of grades one through three for purposes of the "Colorado Opportunity Contract Pilot Program" to require a child to have been continuously attending a public school during the previous school year.

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

YES	29	NO	6	EXCUSED	0	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	Sandoval	Y
Arnold	Y	Grossman	Y	Lamborn	N	Takis	Y
Cairns	N	Hagedorn	Y	Linkhart	Y	Tapia	Y
Chlouber	Y	Hanna	Y	May	N	Taylor	Y
Dyer	Y	Hillman	Y	McElhany	N	Teck	Y
Entz	Y	Isgar	Y	Nichol	Y	Tupa	Y
Evans	N	Johnson	Y	Owen	Y	Windels	Y
Fitz-Gerald	Y	Jones	Y	Phillips	Y	Mr. President	N
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, Jones, and Kester.

HB03-1371 by Representative(s) Clapp; also Senator(s) Lamborn--Concerning the repeal of the authority of the department of public health and environment to contract with an outside entity for services related to voluntary vaccinations.

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

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HB03-1371

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**.

IMMEDIATE RECONSIDERATION OF HB03-1369

HB03-1369 by Representative(s) Spence; also Senator(s) Anderson--Concerning a modification to the eligibility criteria for children in one of grades one through three for purposes of the "Colorado Opportunity Contract Pilot Program" to require a child to have been continuously attending a public school during the previous school year.

Having voted on the prevailing side, Senator Anderson moved for immediate reconsideration of the last Senate action, Third Reading--Final Passage, on **HB03-1369**. The roll call was taken with the following result:

YES	6	NO	29	EXCUSED	0	ABSENT	0
Anderson	N	Groff	N	Kester	N	Sandoval	N
Arnold	N	Grossman	N	Lamborn	Y	Takis	N
Cairns	Y	Hagedorn	N	Linkhart	N	Tapia	N
Chlouber	N	Hanna	N	May	Y	Taylor	N
Dyer	N	Hillman	N	McElhany	Y	Teck	N
Entz	N	Isgar	N	Nichol	N	Tupa	N
Evans	Y	Johnson	N	Owen	N	Windels	N
Fitz-Gerald	N	Jones	N	Phillips	N	Mr. President	Y
Gordon	N	Keller	N	Reeves	N		

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

THIRD READING--FINAL PASSAGE OF BILLS -- CONTINUED

HB03-1132 by Representative(s) Fairbank, Lee; also Senator(s) Hillman--Concerning modifications to the "Fair Campaign Practices Act" in furtherance of constitutional provisions addressing campaign finance enacted as article XXVIII of the state constitution by a vote of the people at the 2002 general election.

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**.

Co-sponsors added: Andrews, May, and Teck.

IMMEDIATE RECONSIDERATION OF HB03-1132

HB03-1132 by Representative(s) Fairbank, Lee; also Senator(s) Hillman--Concerning modifications to the "Fair Campaign Practices Act" in furtherance of constitutional provisions addressing campaign finance enacted as article XXVIII of the state constitution by a vote of the people at the 2002 general election.

Having voted on the prevailing side, Senator Hillman moved for immediate reconsideration of the last Senate action, Third Reading--Final Passage, on **HB03-1132**.

A majority of all members elected to the Senate having voted in the affirmative, reconsideration was granted.

THIRD READING--FINAL PASSAGE OF BILLS -- CONTINUED

HB03-1132 by Representative(s) Fairbank, Lee; also Senator(s) Hillman--Concerning modifications to the "Fair Campaign Practices Act" in furtherance of constitutional provisions addressing campaign finance enacted as article XXVIII of the state constitution by a vote of the people at the 2002 general election.

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	N
Arnold	Y	Grossman	N	Lamborn	Y	Takis	N
Cairns	Y	Hagedorn	N	Linkhart	N	Tapia	N
Chlouber	Y	Hanna	N	May	Y	Taylor	Y
Dyer	Y	Hillman	Y	McElhany	Y	Teck	Y
Entz	Y	Isgar	N	Nichol	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**.

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.

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, Dyer, Evans, Fitz-Gerald, Groff, Hanna, Kester, Lamborn, Nichol, Sandoval, Tapia, Teck, and Windels.

HB03-1354 by Representative(s) Carroll; also Senator(s) Groff--Concerning the establishment of a microenterprise development advisory council.

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

HB03-1354

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: Andrews, Chlouber, Entz, Hagedorn, Hillman, Johnson, Jones, Kester, Owen, Sandoval, Teck, and Windels.

HB03-1381 by Representative(s) Mitchell; also Senator(s) Groff--Concerning child restraint systems in motor vehicles.

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: Andrews, Dyer, Hagedorn, Hanna, Nichol, and Windels.

HB03-1368 by Representative(s) Crane, Harvey, May M., Schultheis, Hefley, Wiens, Briggs, Brophy, Cadman, Clapp, Cloer, Decker, Fairbank, Fritz, Hall, Hoppe, Johnson R., King, Lee, Lundberg, McCluskey, Mitchell, Rhodes, Rippy, Rose, Sinclair, Smith, Spence, Spradley, Stafford, Stengel, White, Williams T.; also Senator(s) Lamborn--Concerning the requirement of a daily recitation of the pledge of allegiance in each public school in the state.

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	N	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	Y	May	Y	Taylor	N
Dyer	Y	Hillman	Y	McElhany	Y	Teck	N
Entz	Y	Isgar	N	Nichol	Y	Tupa	N
Evans	Y	Johnson	Y	Owen	Y	Windels	N
Fitz-Gerald	N	Jones	Y	Phillips	N	Mr. President	Y
Gordon	N	Keller	N	Reeves	N		

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

Co-sponsors added: Andrews, Arnold, Cairns, Dyer, Evans, Hillman, Johnson, Jones, Kester, May, McElhany, and Nichol.

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IMMEDIATE RECONSIDERATION OF HB03-1368

HB03-1368 by Representative(s) Crane, Harvey, May M., Schultheis, Hefley, Wiens, Briggs, Brophy, Cadman, Clapp, Cloer, Decker, Fairbank, Fritz, Hall, Hoppe, Johnson R., King, Lee, Lundberg, McCluskey, Mitchell, Rhodes, Rippy, Rose, Sinclair, Smith, Spence, Spradley, Stafford, Stengel, White, Williams T.; also Senator(s) Lamborn--Concerning the requirement of a daily recitation of the pledge of allegiance in each public school in the state.

Having voted on the prevailing side, Senator Lamborn moved for immediate reconsideration of the last Senate action, Third Reading--Final Passage, on **HB03-1368**.

The roll call was taken with the following result:

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

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

INTRODUCTION OF RESOLUTIONS

The following resolutions were read by title:

SR03-019 by Senator(s) Arnold; --Concerning honoring Chief Lonnie J. Westphal.

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

SR03-020 by Senator(s) Johnson S., Isgar, Reeves; --Concerning honoring Dr. Albert C. Yates, president of Colorado State University.

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

On motion of Senator Anderson, and with a majority of those elected to the Senate having voted in the affirmative, the rules were suspended for Immediate Consideration of Resolutions.

CONSIDERATION OF RESOLUTIONS

SR03-019 by Senator(s) Arnold; --Concerning honoring Chief Lonnie J. Westphal.

On motion of Senator Arnold, the resolution was read at length and **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		

Co-sponsors added: Anderson, Andrews, Cairns, Chlouber, Dyer, Entz, Evans, Fitz-Gerald, Gordon, Groff, Grossman, Hagedorn, Hanna, Hillman, Isgar, Johnson, Jones, Keller, Kester, Lamborn, Linkhart, May, McElhany, Nichol, Owen, Phillips, Reeves, Sandoval, Takis, Tapia, Taylor, Teck, Tupa, and Windels.

SR03-020 by Senator(s) Johnson S., Isgar, Reeves; --Concerning honoring Dr. Albert C. Yates, president of Colorado State University.

On motion of Senator Johnson, the resolution 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		

Co-sponsors added: Anderson, Andrews, Arnold, Cairns, Chlouber, Dyer, Entz, Evans, Fitz-Gerald, Gordon, Groff, Grossman, Hagedorn, Hanna, Hillman, Jones, Keller, Kester, Lamborn, Linkhart, May, McElhany, Nichol, Owen, Phillips, Sandoval, Takis, Tapia, Taylor, Teck, Tupa, and Windels.

SJR03-048 by Senator(s) Johnson S., Isgar, Reeves; also Representative(s) McCluskey, Paccione--Concerning honoring Dr. Albert C. Yates, president of Colorado State University.

Laid over until May 8.

SJR03-049 by Senator(s) Arnold; also Representative(s) Berry--Concerning honoring Chief Lonnie J. Westphal.

Laid over until May 8.

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: **SJR03-050**.

SJR03-050 by Senator(s) Teck, Lamborn; also Representative(s) Young--Concerning authority for the Legislative Audit Committee of the General Assembly to investigate the implementation of the "Certified Capital Company Act", and, in connection therewith, authorizing the Legislative Audit Committee to subpoena witnesses, take testimony under oath, and assemble records, documents, and other records by subpoena duces tecum or otherwise to the extent necessary to complete the investigation.

Amendment No. 1, State, Veterans and Military Affairs Committee Amendment.
(Printed in Senate Journal, May 6, page 1518 and placed in members' bill files.)

On motion of Senator Teck, the resolution, as amended, was **adopted** by the following roll call vote:

YES	34	NO	1	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	N	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		

Co-sponsors added: Anderson, Fitz-Gerald, Hanna, Isgar, Owen, Phillips, Tapia, Taylor, Tupa, and Windels.

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: **HJR03-1059, SR03-018, HJR03-1023**.

HJR03-1059 by Representative(s) Larson, Cloer, Rose, Berry, Williams S., May M., Boyd, Butcher, Carroll, Cerbo, Frangas, Hodge, Johnson R., McCluskey, Merrifield, Miller, Paccione, Plant, Ragsdale, Rippy, Salazar, Smith, Stengel, Tochtrop, Vigil, Weddig, Weissmann, Wiens, Williams T.; also Senator(s) Isgar--Concerning the recognition of the San Juan Forum as a model for regional development.

On motion of Senator Isgar, the resolution was read at length and **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		

Co-sponsors added: Anderson, Andrews, Arnold, Cairns, Chlouber, Dyer, Entz, Evans, Fitz-Gerald, Gordon, Groff, Grossman, Hagedorn, Hanna, Hillman, Johnson, Jones, Keller, Kester, Lamborn, Linkhart, May, McElhany, Nichol, Owen, Phillips, Reeves, Sandoval, Takis, Tapia, Taylor, Teck, Tupa, and Windels.

SR03-018 by Senator(s) Lamborn, Nichol, Tapia; --Concerning commending cities that celebrate Columbus Day.

On motion of Senator Lamborn, the resolution was read at length and **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		

Co-sponsors added: Anderson, Andrews, Arnold, Cairns, Chlouber, Dyer, Entz, Evans, Fitz-Gerald, Groff, Hagedorn, Hanna, Hillman, Isgar, Johnson, Jones, Keller, Kester, May, McElhany, Owen, Phillips, Reeves, Sandoval, Takis, Taylor, Teck, and Windels.

HJR03-1023 by Representative(s) Cloer, Cadman, Decker, Hefley, King, Schultheis, Sinclair, Spradley, Stafford; also Senator(s) Lamborn--Concerning the expression of gratitude and support for the United States Armed Forces stationed abroad.

On motion of Senator Lamborn, the resolution 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		

Co-sponsors added: Anderson, Andrews, Arnold, Cairns, Chlouber, Dyer, Entz, Evans, Fitz-Gerald, Gordon, Groff, Grossman, Hagedorn, Hanna, Hillman, Isgar, Johnson, Jones, Keller, Kester, Linkhart, May, McElhany, Nichol, Owen, Phillips, Reeves, Sandoval, Takis, Tapia, Taylor, Teck, Tupa, and Windels.

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CONFERENCE COMMITTEE GRANTED FURTHER POWERS

HB03-1172 by Representative(s) Clapp, Crane, Hefley, Lee, Lundberg, Rhodes, Spradley, White; also Senator(s) Dyer--Concerning school board policies covering when personnel may address health care treatment for student behavior issues.

Senator Dyer moved that the Senate Conferees on the First Conference Committee on HB03-1172 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

FIRST REPORT OF FIRST CONFERENCE COMMITTEE ON HB03-1147

***** 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 HB03-1147, concerning existing income tax checkoffs, has met and reports that it has agreed upon the following:

1. That the House accede to the Senate amendments made to the bill, as the amendments appear 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:

Page 2, line 4, strike "(4), Colorado Revised Statutes, is" and substitute "(2), (3), and (4), Colorado Revised Statutes, are";

strike line 6 and substitute the following:

"39-22-903. Repeal of part. (2) The change of the date in section 39-22-901 from January 1, 1994, to January 1, 1998, and the change of the repeal date in subsection (1) of this section from January 1, 1995, to January 1, 1999, were made by the general assembly during the second regular session of the fifty-ninth general assembly to continue and reestablish the olympic committee program established by this part 9. Section 39-22-1001 (2), which requires the elimination of any income tax checkoff that does not have contributions that equal or exceed ten percent of the total amount contributed to all income tax checkoffs during the period between January 1, 1994, and September 30, 1994, shall not apply to the olympic committee program continued and reestablished by this subsection (2); except that section 39-22-1001 (3) shall apply to the period between January 1, 1995, and September 30, 1999.

(3) The change of the date in section 39-22-901 from January 1, 1998, to January 1, 2001, and the change of the repeal date in subsection (1) of this section from January 1, 1999, to January 1, 2002, were made by the general assembly during the second regular session of the sixty-first general assembly to continue and reestablish the olympic committee program established by this part 9. Section 39-22-1001 (2), which requires the elimination of any income tax checkoff that does not have contributions that equal or exceed ten percent of the total amount contributed to all income tax checkoffs during the period between January 1, 1998, and September 30, 1998, shall not apply to the olympic committee program continued and reestablished by this subsection (2); except that section 39-22-1001 (3) shall apply to the period between January 1, 1999, and September 30, 2000.

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(4) The change of the date in section";

strike lines 12 through 16.

Page 3, strike lines 1 through 3 and substitute the following:

~~"Section 39-22-1001 (2), which requires the elimination of any income tax checkoff that does not have contributions that equal or exceed ten percent of the total amount contributed to all income tax checkoffs during the period between January 1, 2002, and September 30, 2002, shall not apply to the olympic committee program continued and reestablished by this subsection (4); except that section 39-22-1001 (3) shall apply to the period between January 1, 2003, and September 30, 2004.";~~

strike lines 4 through 27.

Strike page 4.

Page 5, strike lines 1 through 23 and substitute the following:

"SECTION 2. 39-22-1001, Colorado Revised Statutes, is amended to read:

39-22-1001. Limitation on the duration of voluntary contribution programs - repeal. (1) (a) EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPH (b) OF THIS SUBSECTION (1), it is the intent of the general assembly that any program funded by voluntary contributions of income tax refunds that is created on or after June 2, 1985, shall have a sunset clause providing that the program shall apply to no more than three income tax years, unless the program is continued or reestablished by the general assembly acting by bill during the regular session immediately preceding the program's expiration. ~~except that there shall be no requirement for a sunset clause for the homeless prevention tax check-off program in part 13 of this article or the child care tax check-off in part 17 of this article and except that the olympic committee tax check-off shall have a sunset clause as provided in subsection (3) of this section.~~ It is the intent of the general assembly that such sunset clause shall also provide that, prior to the termination, continuation, or reestablishment of any such program, a committee of reference in each house of the general assembly shall hold a hearing thereon.

(b) THERE SHALL BE NO REQUIREMENT FOR A SUNSET CLAUSE FOR THE HOMELESS PREVENTION ACTIVITIES PROGRAM FUND VOLUNTARY CONTRIBUTION ESTABLISHED IN PART 13 OF THIS ARTICLE OR THE WESTERN SLOPE MILITARY VETERANS' CEMETERY VOLUNTARY CONTRIBUTION ESTABLISHED IN PART 19 OF THIS ARTICLE. ALL OTHER VOLUNTARY CONTRIBUTION PROGRAMS SHALL REMAIN ON COLORADO INCOME TAX RETURNS FOR THE INCOME TAX YEARS SPECIFIED IN THE PART IN WHICH THE VOLUNTARY CONTRIBUTION IS ESTABLISHED AND SHALL BE REPEALED OR REESTABLISHED AS DIRECTED IN SUCH PART.

~~(2) (a) Any other provision of law to the contrary notwithstanding, except as provided in subsections (3) and (4) of this section, for the period January 1, 1988, through September 30, 1988, and for each January 1 through September 30 thereafter, if the amount designated on Colorado income tax returns as contributed under the provisions of any voluntary contribution program created by law does not equal or exceed ten percent of the total amount contributed to all income tax checkoffs during such period according to the records of the department of revenue, then any such voluntary contribution program shall no longer be effective as of January 1 of the then current calendar year and shall not be reflected on the Colorado income tax returns made for such year or any subsequent year.~~

~~(b) Repealed.~~

~~(3) (a) Paragraph (a) of subsection (2) of this section shall not apply to the United States olympic voluntary contribution established pursuant to part 9 of this article. Beginning January 1, 2003, and continuing through September 30, 2004, if the aggregate amount designated on Colorado income tax returns as contributed under the provisions of the olympic committee income tax checkoff program during~~

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~~the period commencing January 1, 2003, and ending September 30, 2004, does not equal or exceed ten percent of the aggregate amount contributed to all income tax checkoffs during the period commencing January 1, 2003, and ending September 30, 2004, according to the records of the department of revenue, then the olympic committee income tax checkoff program shall no longer be effective as of January 1, 2004, and shall not be reflected on the Colorado income tax returns made for such year or any subsequent year.~~

~~(b) This subsection (3) is repealed, effective January 1, 2006.~~

~~(4) (a) Paragraph (a) of subsection (2) of this section shall not apply to the western slope military veterans' cemetery voluntary contribution program established pursuant to part 19 of this article. Beginning January 1, 2002, and continuing through September 30, 2003, if the aggregate amount designated on Colorado income tax returns as contributed under the provisions of the western slope military veterans' cemetery voluntary contribution program during the period commencing January 1, 2002, and ending September 30, 2003, does not equal or exceed ten percent of the aggregate amount contributed to all income tax checkoffs during the period commencing January 1, 2002, and ending September 30, 2003, according to the records of the department of revenue, then the western slope military veterans' cemetery voluntary contribution program shall no longer be effective as of January 1, 2003, and shall not be reflected on the Colorado income tax returns made for such year or any subsequent year.~~

~~(b) This subsection (4) is repealed, effective January 1, 2005.~~

(5) FOR INCOME TAX YEARS COMMENCING ON OR AFTER JANUARY 1, 2003, EVERY VOLUNTARY CONTRIBUTION ESTABLISHED IN THIS ARTICLE SHALL RECEIVE A MINIMUM DOLLAR AMOUNT OF CONTRIBUTIONS IN EACH INCOME TAX YEAR AS FOLLOWS:

(a) EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPHS (b) AND (c) OF THIS SUBSECTION (5), FOR THE PERIOD JANUARY 1, 2003, THROUGH SEPTEMBER 30, 2003, AND FOR EACH JANUARY 1 THROUGH SEPTEMBER 30 THEREAFTER, IF THE AMOUNT DESIGNATED ON COLORADO INCOME TAX RETURNS AS CONTRIBUTED UNDER THE PROVISIONS OF ANY VOLUNTARY CONTRIBUTION ESTABLISHED IN THIS ARTICLE DOES NOT EQUAL OR EXCEED ONE HUNDRED FIFTY THOUSAND DOLLARS ACCORDING TO THE RECORDS OF THE DEPARTMENT OF REVENUE, THEN ANY SUCH VOLUNTARY CONTRIBUTION SHALL NO LONGER BE EFFECTIVE AND SHALL NOT BE REFLECTED ON THE COLORADO INCOME TAX RETURNS MADE FOR ANY SUBSEQUENT INCOME TAX YEAR, REGARDLESS OF WHETHER THE VOLUNTARY CONTRIBUTION IS REESTABLISHED BY THE GENERAL ASSEMBLY PURSUANT TO SUBSECTION (1) OF THIS SECTION.

(b) (I) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (a) OF THIS SUBSECTION (5), FOR ANY VOLUNTARY CONTRIBUTION THAT APPEARS ON COLORADO INCOME TAX RETURNS FOR THE FIRST TIME IN THE 2002 INCOME TAX YEAR OR ANY INCOME TAX YEAR THEREAFTER, THE AMOUNT DESIGNATED ON COLORADO INCOME TAX RETURNS AS CONTRIBUTED UNDER THE PROVISIONS OF ANY VOLUNTARY CONTRIBUTION ESTABLISHED IN THIS ARTICLE SHALL EQUAL OR EXCEED ONE HUNDRED FIFTY THOUSAND DOLLARS ACCORDING TO THE RECORDS OF THE DEPARTMENT OF REVENUE DURING THE JANUARY 1 THROUGH SEPTEMBER 30 PERIOD FOR WHICH MONEYS ARE COLLECTED FOR THE THIRD INCOME TAX YEAR IN WHICH THE VOLUNTARY CONTRIBUTION APPEARS ON COLORADO INCOME TAX RETURNS. ANY SUCH VOLUNTARY CONTRIBUTION SHALL NOT BE REQUIRED TO COLLECT ONE HUNDRED FIFTY THOUSAND DOLLARS IN EITHER THE FIRST OR THE SECOND YEAR THAT IT APPEARS ON COLORADO INCOME TAX RETURNS.

(II) IF ANY VOLUNTARY CONTRIBUTION SUBJECT TO THE REQUIREMENTS OF SUBPARAGRAPH (I) OF THIS PARAGRAPH (b) DOES NOT EQUAL OR EXCEED THE REQUISITE AMOUNT OF CONTRIBUTIONS FOR THE THIRD INCOME TAX YEAR FOR WHICH IT APPEARS ON COLORADO INCOME TAX RETURNS, THEN THE VOLUNTARY CONTRIBUTION SHALL NO LONGER BE EFFECTIVE AND SHALL NOT BE REFLECTED ON COLORADO INCOME TAX

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RETURNS FOR ANY SUBSEQUENT INCOME TAX YEAR, REGARDLESS OF WHETHER THE VOLUNTARY CONTRIBUTION IS REESTABLISHED BY THE GENERAL ASSEMBLY PURSUANT TO SUBSECTION (1) OF THIS SECTION.

(III) AFTER ANY VOLUNTARY CONTRIBUTION SUBJECT TO THE REQUIREMENTS OF THIS PARAGRAPH (b) HAS BEEN ON COLORADO INCOME TAX RETURNS FOR THREE YEARS, THE PROVISIONS OF PARAGRAPH (a) OF THIS SUBSECTION (5) SHALL APPLY TO SUCH VOLUNTARY CONTRIBUTION AND THE PROVISIONS OF THIS PARAGRAPH (b) SHALL NO LONGER APPLY.

(c) (I) PARAGRAPHS (a) AND (b) OF THIS SUBSECTION (5) SHALL NOT APPLY TO THE WESTERN SLOPE MILITARY VETERANS' CEMETERY VOLUNTARY CONTRIBUTION ESTABLISHED IN PART 19 OF THIS ARTICLE. SUCH VOLUNTARY CONTRIBUTION SHALL NOT BE REQUIRED TO RECEIVE A MINIMUM AMOUNT OF CONTRIBUTIONS IN ANY INCOME TAX YEAR.

(II) PARAGRAPHS (a) AND (b) OF THIS SUBSECTION (5) SHALL NOT APPLY TO THE UNITED STATES OLYMPIC COMMITTEE VOLUNTARY CONTRIBUTION ESTABLISHED IN PART 9 OF THIS ARTICLE. FOR THE PERIOD JANUARY 1, 2003, THROUGH SEPTEMBER 30, 2004, AND FOR EACH SUCH PERIOD THEREAFTER, IF THE AMOUNT DESIGNATED ON COLORADO INCOME TAX RETURNS AS CONTRIBUTED UNDER THE PROVISIONS OF ANY VOLUNTARY CONTRIBUTION ESTABLISHED IN THIS ARTICLE DOES NOT EQUAL OR EXCEED THREE HUNDRED THOUSAND DOLLARS DURING SUCH JANUARY THROUGH SEPTEMBER PERIOD ACCORDING TO THE RECORDS OF THE DEPARTMENT OF REVENUE, THEN ANY SUCH VOLUNTARY CONTRIBUTION SHALL NO LONGER BE EFFECTIVE AND SHALL NOT BE REFLECTED ON THE COLORADO INCOME TAX RETURNS MADE FOR ANY SUBSEQUENT INCOME TAX YEAR, REGARDLESS OF WHETHER THE UNITED STATES OLYMPIC COMMITTEE VOLUNTARY CONTRIBUTION IS REESTABLISHED BY THE GENERAL ASSEMBLY PURSUANT TO SUBSECTION (1) OF THIS SECTION.

(6) NO MORE THAN TWELVE VOLUNTARY CONTRIBUTIONS SHALL APPEAR ON COLORADO INCOME TAX RETURNS IN ANY INCOME TAX YEAR.

SECTION 3. 39-22-1904 (3), Colorado Revised Statutes, is amended to read:

39-22-1904. Repeal of part. (3) The change of the date in section 39-22-1902 from January 1, 2002, to January 1, 2004, and the change of the repeal date in subsection (1) of this section from January 1, 2002, to January 1, 2005, were made by the general assembly during the first regular session of the sixty-third general assembly to continue and reestablish the western slope military veterans' cemetery voluntary contribution program established by this part 19. ~~Section 39-22-1001 (2), which requires the elimination of any income tax checkoff that does not have contributions that equal or exceed ten percent of the total amount contributed to all income tax checkoffs during the period from January 1 through September 30, shall not apply to the western slope military veterans' cemetery voluntary contribution program continued and reestablished by this subsection (3); except that section 39-22-1001 (4) shall apply to the period between January 1, 2002, and September 30, 2003.~~

SECTION 4. Repeal. 39-22-2203 (2), Colorado Revised Statutes, is repealed as follows:

39-22-2203. Repeal of part. (2) ~~Section 39-22-1001 (2), which requires the elimination of any income tax checkoff that does not have contributions that equal or exceed ten percent of the total amount contributed to all income tax checkoffs during the period between January 1, 2001, and January 1, 2004, shall apply to the pet overpopulation fund."~~

Renumber succeeding section accordingly.

Respectfully submitted,

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House Committee:	Senate Committee:
(signed)	(signed)
Representative Stengel, Chairman	Senator Teck, Chairman
Representative Sinclair	Senator Entz
Representative Frangas	Senator Nichol

MESSAGES FROM THE HOUSE

May 6, 2003
Mr. President:

The House has postponed indefinitely SB03-354. The bill is returned herewith.

May 7, 2003
Mr. President:

The House has passed on Third Reading and returns herewith SB03-340, 334,347,345,344.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB03-309, amended as printed in House Journal, May 5, page 2231.
SB03-352, amended as printed in House Journal, May 6, pages 2358-2372.
SB03-328, amended as printed in House Journal, May 6, pages 2390-2391
SB03-252, amended as printed in House Journal, May 6, pages 2391-2392.
SB03-353, amended as printed in House Journal, May 6, pages 2393-2394.
The House has adopted the First Report of the First Conference Committee on SB03-101, as printed in House Journal, May 6, page 2356, and has repassed the bill as so amended. The bill is returned herewith.

The House has adopted the First Report of the First Conference Committee on SB03-134, as printed in House Journal, May 6, page 2388, and has repassed the bill as so amended. The bill is returned herewith.

May 7, 2003
Mr. President:

The House has failed to pass SJR03-030, the resolution is returned herewith.

MESSAGE FROM THE REVISOR OF STATUTES

May 7, 2003

We herewith transmit:

Without comment, as amended, SB03-309, 328, 252, and 353.

APPOINTMENTS TO CONFERENCE COMMITTEE

The President appointed Senators Evans, Chairman, McElhany, and Hagedorn as Senate Conferees on the First Conference Committee on **SB03-353**.

SENATE SERVICES REPORT

Correctly reengrossed: SB03-344, 352, 353, 354.

Correctly revised: HB03-1114, 1132, 1356, 1352, 1347, 1354, 1340, 1368, 1372, 1358, 1367, 1370, 1378, 1381, 1382, 1369, 1371, 1377, 1373, 1024, 1099.

Correctly enrolled: SM03-001, SJR03-014.

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Senate in recess.

Senate reconvened.

Senator Anderson moved a Call of the Senate.

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 Governor's Appointments.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS

On motion of Senator Jones, the following Governor's appointments were confirmed by a roll call vote:

**MEMBER OF THE
PINNACOL ASSURANCE BOARD OF DIRECTORS**

for a term expiring January 1, 2008:

Robert "R.J." Jolly of Kit Carson, Colorado, to serve as a farmer and employer whose liability is insured by Pinnacol Assurance, appointed.

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

On motion of Senator Johnson, the following Governor's appointments were confirmed by a roll call vote:

**MEMBERS OF THE
STATE BOARD OF HUMAN SERVICES**

for a term expiring March 1, 2005:

Maria G. Williams of Grand Junction, Colorado, to fill the vacancy occasioned by the resignation of Patricia D. Baca of Denver, Colorado and to serve as a member of the public, appointed;

for terms expiring March 1, 2007:

Youlon D. Savage of Denver, Colorado, to serve as a member of the public, reappointed;

Honorable Richard M. Sheehan of Littleton, Colorado, to serve as a representative of county commissioners, reappointed;

Arthur W. Hogling, Ph.D. of Evergreen, Colorado, to serve as a member of the public, reappointed;

Honorable David E. Long of New Raymer, Colorado, to serve as a representative of county commissioners, appointed;

Honorable Wayne E. Wolf of Cedaredge, Colorado, to serve as a representative of county commissioners, appointed.

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

On motion of Senator Entz, the following Governor's appointments were confirmed by a roll call vote:

MEMBERS OF THE
COLORADO STATE FAIR AUTHORITY
BOARD OF COMMISSIONERS

for terms expiring November 1, 2004:

Dr. John K. Young of Arvada, Colorado, to serve as a Republican from the Seventh Congressional District, appointed;

Jim I. Snook of Alamosa, Colorado, to serve as a Republican from the Third Congressional District, appointed;

for terms expiring November 1, 2006:

Janette L. Kochis of Matheson, Colorado, to serve as a Democrat from the Sixth Congressional District, appointed;

Marjorie "Lynne" Sherrod of Steamboat Springs, Colorado, to serve as a Republican from the Third Congressional District, appointed.

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

On motion of Senator Entz, the following Governor's appointments were confirmed by a roll call vote:

MEMBERS OF THE
GROUND WATER COMMISSION

for terms expiring May 1, 2007:

Robert Loose of Wiggins, Colorado, to serve as a representative from Upper Black Squirrel and as a resident agriculturist, reappointed;

Charles "Max" Smith of Walsh, Colorado, to serve as a representative from the Southern High Plains and as a resident agriculturist, reappointed.

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

On motion of Senator Entz, the following Governor's appointments were confirmed by a roll call vote:

MEMBERS OF THE
STATE BOARD OF THE
GREAT OUTDOORS COLORADO TRUST FUND

for terms expiring April 15, 2005:

Charles R. Frederickson of Englewood, Colorado, to serve as a Democrat from the First Congressional District, appointed;

Leonard W. Gregory of Pueblo, Colorado, to serve as a Democrat from the Third Congressional District, reappointed;

Claire M. O'Neal of Holyoke, Colorado, to serve as a Democrat from the Fourth Congressional District, appointed;

Clarke D. Becker of Woodland Park, Colorado, to serve as a Republican from the Fifth Congressional District, appointed;

Greg Romberg of Lakewood, Colorado, to serve as a Democrat from the Sixth Congressional District, appointed;

Ruben A. Valdez of Lakewood, Colorado, to serve as a Democrat from the Seventh Congressional District, reappointed;

Senator Norma Anderson of Lakewood, Colorado, to serve as a Republican from the Seventh Congressional District, appointed.

for terms expiring April 15, 2007:

Jeffrey A. Crawford of Englewood, Colorado, to serve as a Republican from the First Congressional District, reappointed;

Ron G. Holliday of Breckenridge, Colorado, to serve as an Unaffiliated from the Second Congressional District, appointed;

Hon. T. Wright Dickinson of Maybell, Colorado, to serve as a Republican from the Third Congressional District, reappointed;

Gerald Faust of Las Animas, Colorado, to serve as a Republican from the Fourth Congressional District, reappointed;

Hon. Carl Miller of Leadville, Colorado, to serve as a Democrat from the Fifth Congressional District, appointed;

Hon. James R. Sullivan of Larkspur, Colorado, to serve as a Republican from the Sixth Congressional District, appointed.

for terms expiring April 15, 2005:

Joan E. Harned of Gypsum, Colorado, to serve as a Republican from the Second Congressional District, appointed.

YES	34	NO	0	EXCUSED	0	ABSENT	0
Anderson	*	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		

Abstaining (*) from voting under Senate Rule 17(c)--Senator Anderson.

On motion of Senator Taylor, the following Governor's appointments were confirmed by a roll call vote:

MEMBERS OF THE
ADVISORY COMMITTEE TO THE PROPERTY
TAX ADMINISTRATOR

for terms expiring September 1, 2004:

Patricia Huskey of Dove Creek, Colorado, to replace Maclovio Martinez of San Acacio, Colorado, who no longer qualifies, and to serve as an assessor from a county with less than seventy-five thousand in population and as a Democrat, appointed;

Lynn K. Whiteman of Meeker, Colorado, to fill the vacancy occasioned by the resignation of Stephen Michael Snyder of Grand Junction, Colorado, and to serve as a non-assessor from the Western Slope and as a Republican, appointed.

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		

On motion of Senator Taylor, the following Governor's appointments were confirmed by a roll call vote:

MEMBERS OF THE
ADVISORY COMMITTEE ON
GOVERNMENTAL ACCOUNTING

for terms expiring May 18, 2007:

Karl R. Peacock of Littleton, Colorado, to fill the vacancy occasioned by the resignation of Jeffrey M. Reynolds of Golden, Colorado and to serve as a representative of special service districts, appointed;

Kevin F. Collins of Pueblo, Colorado, to serve as a representative of certified public accountants, reappointed;

Michael S. Clark of Denver, Colorado, to serve as a representative of local city and county governments, reappointed.

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		

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

HB03-1244 by Representative(s) Ragsdale; also Senator(s) Tapia--Concerning penalties imposed for committing the crime of defacing property.

Senator Tapia moved for the adoption of the First Report of the First Conference Committee on **HB03-1244**, as printed in Senate Journal, May 5, page 1473. The motion was **adopted** by the following roll call vote:

HB03-1244

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**.

SB03-078

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

Laid over to follow HB03-1223 under Conference Committees to Report.

HB03-1263

by Representative(s) Plant; also Senator(s) Owen, Teck--Concerning the granting of parole to special needs offenders.

Senator Owen moved for the adoption of the First Report of the First Conference Committee on **HB03-1263**, as printed in Senate Journal, May 5, pages 1479-1480. 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**.

HB03-1334

by Representative(s) Mitchell; also Senator(s) Hillman--Concerning the state engineer's authority to approve the temporary operation of interruptible water supply agreements, and making an appropriation in connection therewith.

HB03-1334

Senator Hillman moved for the adoption of the First Report of the First Conference Committee on **HB03-1334**, as printed in Senate Journal, May 6, page 1509. 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: Entz and Teck.

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.

Senator Cairns moved that the Report of the First Conference Committee on HB03-1376 be rejected, that the First Conference Committee on HB03-1376 be dissolved, and that a Second Conference Committee be appointed.

The President appointed Senators Cairns, Chairman, Andrews, and Tapia as Senate Conferees on the Second Conference Committee on **HB03-1376**.

SB03-106

by Senator(s) Jones, May R.; also Representative(s) Larson--Concerning third-party damages subject to subrogation in claims that are paid pursuant to the "Workers' Compensation Act of Colorado".

Senator Jones moved for the adoption of the First Report of the First Conference Committee on **SB03-106**, as printed in Senate Journal, April 23, pages 1170-1171. The motion was **adopted** by the following roll call vote:

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

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

SB03-106

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	N	Linkhart	N	Tapia	N
Chlouber	N	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 **repassed**.

Co-sponsors added: Andrews and May.

COMMITTEE OF REFERENCE REPORTS

**FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON HB03-1172**

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 HB03-1172, concerning school board policies covering when personnel may address health care treatment for student behavior issues, has met and reports that it has agreed upon the following:

1. That the House accede to the Senate amendment made to the bill, as said 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 amendment be recommended:

Amend rerevised bill, page 2, line 7, strike "PRESCRIBED DRUG USED FOR" and substitute "PSYCHOTROPIC DRUG";

line 8, strike "BEHAVIOR CONTROL OR MANAGEMENT".

Respectfully submitted,

House Committee:
(signed)
Representative Clapp, Chairman
Representative Stafford
Representative Frangas

Senate Committee:
(signed)
Senator Dyer
Senator Tupa
Senator Jones

On motion of Senator Anderson, and with a majority of those elected to the Senate having voted in the affirmative, the rules were suspended for Immediate Consideration of Conference Committees to Report: **HB03-1172, HB03-1147, SB03-134, SB03-101.**

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

HB03-1172 by Representative(s) Clapp, Crane, Hefley, Lee, Lundberg, Rhodes, Spradley, White; also Senator(s) Dyer--Concerning school board policies covering when personnel may address health care treatment for student behavior issues.

HB03-1172

Senator Dyer moved for the adoption of the First Report of the First Conference Committee on **HB03-1172**, as printed in Senate Journal, May 7, pages 1559-1560. 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: Andrews, Arnold, and Tupa.

HB03-1147 by Representative(s) Frangas, Butcher, Spence, Vigil; also Senator(s) Teck--Concerning existing income tax checkoffs.

Senator Teck moved for the adoption of the First Report of the First Conference Committee on **HB03-1147**, as printed in Senate Journal, May 7, pages 1548-1552. 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**.

SB03-134

by Senator(s) Keller, Hagedorn; also Representative(s) Tochtrop--Concerning the continuation of the certification of nurse aides by the state board of nursing, and making an appropriation therefor.

Senator Keller moved for the adoption of the First Report of the First Conference Committee on **SB03-134**, as printed in Senate Journal, May 6, pages 1521-1522. 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: Hanna.

SB03-101

by Senator(s) Owen, Anderson, Arnold, Hanna, Teck; also Representative(s) Young, Coleman, Decker, Miller, Williams T.--Concerning stabilization of employer contributions to the public employees' retirement association, and making an appropriation therefor.

Senator Owen moved for the adoption of the First Report of the First Conference Committee on **SB03-101**, as printed in Senate Journal, May 6, pages 1512-1513. 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		

SB03-101

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

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

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.

Senator Chlouber moved to dissolve the First Conference Committee on HB03-1223 and that the Senate adhere to its position.

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

COMMITTEE OF REFERENCE REPORTS

Judiciary

The Committee returns herewith House Bill 03-1086 because consideration of the measure was postponed for more than 30 days or until a date beyond the date for adjournment sine die of the legislative session. Therefore, under Senate Rule 22 (f), said bill is deemed to be postponed indefinitely.

Appropriations

After consideration on the merits, the Committee recommends that **SB03-125** be postponed indefinitely.

Appropriations

After consideration on the merits, the Committee recommends that **SB03-306** be postponed indefinitely.

Appropriations

After consideration on the merits, the Committee recommends that **SJR03-040** be postponed indefinitely.

Appropriations

After consideration on the merits, the Committee recommends that **SB03-244** be postponed indefinitely.

Appropriations

After consideration on the merits, the Committee recommends that **SB03-337** be postponed indefinitely.

Appropriations

After consideration on the merits, the Committee recommends that **HB03-1343** be postponed indefinitely.

MESSAGE FROM THE HOUSE

May 7, 2003
Mr. President:

The House has voted to reject the Conference Committee Report on SB03-078. The bill is returned herewith.

MESSAGE FROM THE REVISOR OF STATUTES

May 7, 2003

We herewith transmit:

Without comment, as amended, SB03-352.

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 Resolutions: **HJR03-1068, HJR03-1072, HJR03-1073, HJR03-1074.**

CONSIDERATION OF RESOLUTIONS

HJR03-1068 by Representative(s) Young; also Senator(s) Owen--Concerning the creation of an interim committee to study state government expenditures.

Amendment No. 1(L.003), by Senator Owen.

Amend engrossed joint resolution, page 2, line 14, strike "be comprised of" and substitute "comprise";

line 15, strike "President" and substitute "President, the Majority Leader,";

line 16, strike "Speaker" and substitute "Speaker, the Majority Leader,".

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

On motion of Senator Owen, the resolution, as amended, 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		

HJR03-1072 by Representative(s) Cloer, Johnson R., Garcia, Jahn; also Senator(s) Anderson, Andrews, Fitz-Gerald--Concerning the retention of officers and employees of the First Regular Session of the Sixty-fourth General Assembly.

On motion of Senator Anderson, the resolution 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		

HJR03-1073 by Representative(s) King, Spradley, Veiga; also Senator(s) Anderson, Andrews, Fitz-Gerald--Concerning the appointment of a joint committee to notify the Governor that the First Regular Session of the Sixty-fourth General Assembly is about to adjourn sine die.

On motion of Senator Anderson, the resolution 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		

Co-sponsors added: Evans.

HJR03-1074 by Representative(s) King, Spradley, Veiga; also Senator(s) Anderson, Andrews, Fitz-Gerald--Concerning the adjournment sine die of the First Regular Session of the Sixty-fourth General Assembly.

On motion of Senator Anderson, the resolution 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		

Co-sponsors added: Cairns, Evans, Groff, Grossman, Jones, and Lamborn.

In accordance with HJR03-1073, the President appointed Senators Jones and Sandoval to notify the Governor that the First Regular Session of the Sixty-fourth General Assembly is about to adjourn sine die.

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 Memorial: **SJM03-011**.

CONSIDERATION OF MEMORIAL

SJM03-011 by Senator(s) Teck; --Concerning a request that the Congress of the United States work to achieve fiscal discipline in the federal budget.

Laid over until May 8.

On motion of Senator Anderson, and with a majority of those elected to the Senate having voted in the affirmative, the rules were suspended for Consideration of House Amendments to Senate Bills: **SB03-309, SB03-328, SB03-252, SB03-353**.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB03-309

by Senator(s) Anderson; also Representative(s) Young--Concerning a suspension of the administration of statewide assessments in writing, and making an appropriation therefor.

Senator Anderson moved that the Senate concur in House amendments to **SB03-309**, as printed in House Journal, May 1, page 2231. 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**.

SB03-328

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

Senator Owen moved that the Senate concur in House amendments to **SB03-328**, as printed in House Journal, May 6, pages 2390-2391. The motion was **passed** by the following roll call vote:

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		

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		

SB03-328

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

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.

Senator Kester moved that the Senate concur in House amendments to **SB03-252**, as printed in House Journal, May 6, pages 2391-2392. 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	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: Hanna.

SB03-353

by Senator(s) Evans, Sandoval; also Representative(s) Harvey, Frangas, Wiens--Concerning the requirement of medical payment coverage for persons injured in a motor vehicle accident when services are provided by emergency medical professionals.

Laid over until May 8.

MESSAGES FROM THE HOUSE

May 7, 2003
Mr. President:

The House has voted to concur in the Senate amendments to HB03-1356, 1340,1099,1024,1378,1114,1382,1132,1368,1352, 1358 and has repassed the bills as so amended.

Pursuant to HJR03-1073, the Speaker has appointed Representatives Young, Sinclair and Veiga as House members on the joint committee to notify the Governor of adjournment sine die.

In response to the request of the Senate for a Second Conference Committee on HB03-1376, the House has dissolved the First Conference Committee and the Speaker has appointed representative(s) Harvey, chairman, Mitchell and Carroll as House conferees on

the Second Conference Committee on HB03-1376. The House has voted to authorize the House conferees to consider matters not a issue between the two houses.

May 7, 2003
Mr. President:

The House has adopted the First Report of the First Conference Committee on HB03-1244, as printed in House Journal, May 7, and has repassed the bill as amended. The House has adopted the First Report of the First Conference Committee on HB03-1263, as printed in House Journal, May 7, and has repassed the bill as amended.

The House has adopted the First Report of the First Conference Committee on HB03-1334, as printed in House Journal, May 7, and has repassed the bill as amended.

The House has adopted the First Report of the First Conference Committee on HB03-1172, as printed in House Journal, May 7, and has repassed the bill as amended.

The House has adopted the First Report of the First Conference Committee on HB03-1147, as printed in House Journal, May 7, and has repassed the bill as amended.

The House has voted to recede from its position on HB03-1223 and dissolved the First Conference Committee on HB03-1223, concurred in the Senate amendments and repassed the bill as so amended.

The House has adopted and returns herewith SJR03-050.

The House has voted to concur in the Senate amendments to HJR03-1068 and has repassed the resolution as so amended.

The House has adopted the First Report of the Second Conference Committee on HB03-1376, as printed in House Journal, May 7, and repassed the bill as amended.

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 Memorial.

CONSIDERATION OF MEMORIAL

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

Laid over until May 8.

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 Report.

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

SB03-078 by Senator(s) McElhany; also Representative(s) Williams T.--Concerning regulation of insurance by the insurance commissioner.

Laid over until May 8.

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CONFERENCE COMMITTEE GRANTED FURTHER POWERS

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.

Senator Cairns moved that the Senate Conferees on the Second Conference Committee on HB03-1376 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.

Senate in recess.

Senate reconvened.

Senator Anderson moved a Call of the Senate.

COMMITTEE OF REFERENCE REPORTS

FIRST REPORT OF SECOND CONFERENCE COMMITTEE ON HB03-1376

***** 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 HB03-1376, concerning amendments to the "Colorado Parental Notification Act" to address legal concerns, has met and reports that it has agreed upon the following:

1. 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 3, strike lines 7 through 11 and substitute the following:

"(5) "MEDICAL EMERGENCY" MEANS A CONDITION THAT, ON THE BASIS OF THE PHYSICIAN'S GOOD-FAITH CLINICAL JUDGMENT, SO COMPLICATES THE MEDICAL CONDITION OF A PREGNANT MINOR AS TO NECESSITATE A MEDICAL PROCEDURE NECESSARY TO PREVENT THE PREGNANT MINOR'S DEATH OR FOR WHICH A DELAY WILL CREATE A SERIOUS RISK OF SUBSTANTIAL AND IRREVERSIBLE IMPAIRMENT OF A MAJOR BODILY FUNCTION.

(6) "RELATIVE OF THE MINOR" MEANS A MINOR'S GRANDPARENT, ADULT AUNT, OR ADULT UNCLE, IF THE MINOR IS NOT RESIDING WITH A PARENT AND RESIDES WITH THE GRANDPARENT, ADULT AUNT, OR ADULT UNCLE.";

strike lines 16 through 18 and substitute the following:

"SECTION, IF THE MINOR IS RESIDING WITH A RELATIVE OF THE MINOR AND NOT A PARENT, THE WRITTEN NOTICE OF THE PENDING ABORTION SHALL BE PROVIDED TO EITHER THE RELATIVE OF THE MINOR OR A PARENT.";

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HB03-1376

strike lines 19 and 20.

Page 6, strike lines 13 through 15 and substitute the following:

"(b) The court, in its discretion, may appoint a guardian ad litem for the minor and also an attorney if said minor is not represented by counsel."

Page 7, line 23, after "PROCEEDING.", insert "THE COLORADO SUPREME COURT SHALL PROMULGATE THE RULES AND FORM GOVERNING THE JUDICIAL BYPASS PROCEDURE BY AUGUST 1, 2003."

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

Amend rerevised bill, page 4, after line 8, insert the following:

"SECTION 5. 12-37.5-104 (1) (a) (III), Colorado Revised Statutes, is amended, and the said 12-37.5-104 (1) (a) is further amended BY THE ADDITION OF A NEW SUBPARAGRAPH, to read:

12-37.5-104. Notification concerning abortion. (1) No abortion shall be performed upon an unemancipated until at least 48 hours after written notice of the pending abortion has been delivered in the following manner:

(a) The notice shall be addressed to the parent at the dwelling house or usual place of abode of the parent. Such notice shall be delivered to the parent by:

(III) By any other person over the age of eighteen years who is not related to the minor; OR

(IV) By a clergy member who is over the age of eighteen."

Renumber succeeding sections accordingly.

Respectfully submitted,

House Committee:
(signed)
Representative Harvey, Chairman
Representative Mitchell
Representative Carroll

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

On motion of Senator Anderson, and with a majority of those elected to the Senate having voted in the affirmative, the rules were suspended for Immediate Consideration of First Report of the Second Conference Committee: **HB03-1376.**

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

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.

Senator Cairns moved for the adoption of the First Report of the Second Conference Committee on **HB03-1376**, as printed in Senate Journal, May 7, pages 1568-1569. The motion was **adopted** by the following roll call vote:

HB03-1376

YES	19	NO	15	EXCUSED	0	ABSENT	1
Anderson	Y	Groff	Y	Kester	Y	Sandoval	Y
Arnold	A	Grossman	N	Lamborn	Y	Takis	N
Cairns	Y	Hagedorn	N	Linkhart	N	Tapia	Y
Chlouber	N	Hanna	N	May	Y	Taylor	N
Dyer	Y	Hillman	Y	McElhany	Y	Teck	Y
Entz	Y	Isgar	N	Nichol	Y	Tupa	N
Evans	Y	Johnson	Y	Owen	Y	Windels	N
Fitz-Gerald	N	Jones	Y	Phillips	N	Mr. President	Y
Gordon	N	Keller	N	Reeves	N		

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

YES	17	NO	17	EXCUSED	0	ABSENT	1
Anderson	N	Groff	Y	Kester	Y	Sandoval	Y
Arnold	A	Grossman	N	Lamborn	Y	Takis	N
Cairns	Y	Hagedorn	N	Linkhart	N	Tapia	Y
Chlouber	N	Hanna	N	May	Y	Taylor	N
Dyer	Y	Hillman	Y	McElhany	Y	Teck	Y
Entz	N	Isgar	N	Nichol	Y	Tupa	N
Evans	Y	Johnson	Y	Owen	Y	Windels	N
Fitz-Gerald	N	Jones	Y	Phillips	N	Mr. President	Y
Gordon	N	Keller	N	Reeves	N		

Declared **LOST**.

RECONSIDERATION OF HB03-1376

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.

Having voted on the prevailing side, Senator Cairns moved for reconsideration of the last Senate action, Readoption of **HB03-1376**.

A majority of all members elected to the Senate having voted in the affirmative, reconsideration was granted.

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

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

Co-sponsors added: Andrews, Arnold, Hillman, Jones, Lamborn, Nichol, and Teck.

On motion of Senator Anderson, and with a majority of those elected to the Senate having voted in the affirmative, the rules were suspended for Immediate Consideration of House Amendments to Senate Bill: **SB03-352**.

Senator Anderson moved a Call of the Senate.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB03-352 by Senator(s) Lamborn; also Representative(s) Fairbank--Concerning the congressional redistricting of Colorado with minimal population deviation.

Senator Lamborn moved that the Senate concur in House amendments to **SB03-352**, as printed in House Journal, May 6, pages 2358-2372. The motion was **passed** by the following roll call vote:

YES	18	NO	17	EXCUSED	0	ABSENT	0
Anderson	Y	Groff	N	Kester	Y	Sandoval	N
Arnold	Y	Grossman	N	Lamborn	Y	Takis	N
Cairns	Y	Hagedorn	N	Linkhart	N	Tapia	N
Chlouber	Y	Hanna	N	May	Y	Taylor	Y
Dyer	Y	Hillman	Y	McElhany	Y	Teck	Y
Entz	Y	Isgar	N	Nichol	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		

The question being "Shall the bill, as amended, 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	N
Arnold	Y	Grossman	N	Lamborn	Y	Takis	N
Cairns	Y	Hagedorn	N	Linkhart	N	Tapia	N
Chlouber	Y	Hanna	N	May	Y	Taylor	Y
Dyer	Y	Hillman	Y	McElhany	Y	Teck	Y
Entz	Y	Isgar	N	Nichol	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 **repassed**.

Co-sponsors added: Andrews, Arnold, Cairns, Chlouber, Hillman, Jones, May, and Teck.

MESSAGES FROM THE HOUSE

May 7, 2003
Mr. President:

The House has adopted and returns herewith SJM03-010.

The House has adopted and returns herewith SJR03-041, SJR03-042, SJR03-039,

The House has adopted and returns herewith SJR03-004, amended as printed in House Journal, April 30, pages 2140-2142.

The House has adopted and returns herewith SJR03-027, amended as printed in House Journal, April 30, page 2142.

The House has adopted and transmits herewith HJR03-1069, as printed in House Journal, April 25, pages 2048-2049.

The House has adopted and transmits herewith HJR03-1064, as printed in House Journal, April 18, pages 1827-1828.

The House has adopted and transmits herewith HJR03-1044, as printed in House Journal, April 30, pages 2153-2154, and amended as printed in House Journal, May 7.

May 7, 2003
Mr. President:

The House has adopted and returns herewith SJR03-039, SJR03-045.

The House has adopted and returns herewith SJM03-001, SJM03-004.

The House has adopted and transmits herewith HJR03-1061, as printed in House Journal, April 18, page 1823.

The House has voted to recede from its position on SB03-088, and repassed the bill. The bill is returned herewith.

MESSAGE FROM THE GOVERNOR

May 7, 2003

To the Honorable Members
Colorado Senate
Colorado House of Representatives
Sixty-Fourth General Assembly
First Regular Session
State Capitol
Denver, Colorado 80203

Dear Ladies and Gentlemen:

This clemency report is submitted to you as required under Article IV, Section 7, of the Colorado Constitution. Attached is the copy of the one Executive Order granting clemency.

No requests for clemency were granted in the year 2001. During the year 2002, Governor Bill Owens granted one pardon to Donald R. McIntosh and commuted no sentences. Mr. McIntosh was granted a pardon for the 1952 conviction of felony theft receiving committed in the City and County of Denver.

Sincerely,
(signed)
Mark Noel
Director for Extraditions & Clemency
Sincerely,
(signed)
Bill Owens
Governor
Rec'd 05-07-03 8:00 p.m.
Mona Heustis, Secretary of the Senate

The Governor's Executive Order is on file with the Secretary of State. A copy is available upon request from the Secretary of State.

On motion of Senator Anderson, and with a majority of those elected to the Senate having voted in the affirmative, the rules were suspended for Consideration of House Amendments to Senate Joint Resolutions: **SJR03-027, SJR03-004.**

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE JOINT RESOLUTIONS

SJR03-027 by Senator(s) Hagedorn, Hanna, Windels; also Representative(s) Stafford, Madden, Romanoff--Concerning streamlining health care billing.

SJR03-027

Senator Hagedorn moved that the Senate concur in House amendments to **SJR03-027**, as printed in House Journal, April 30, page 2142. 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 resolution, as amended, be adopted?", 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 resolution, as amended, was declared **readopted**.

SJR03-004 by Senator(s) Hagedorn, Hanna, Windels; also Representative(s) Madden, Romanoff-- Concerning the promotion of healthy lifestyles to reduce the cost of health care.

Senator Hagedorn moved that the Senate concur in House amendments to **SJR03-004**, as printed in House Journal, April 30, pages 2140-2142. 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 resolution, as amended, be adopted?", 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 resolution, as amended, was declared **readopted**.

On motion of Senator Anderson, and with a majority of those elected to the Senate having voted in the affirmative, the rules were suspended for Immediate Consideration of Resolution: **HJR03-1064**.

INTRODUCTION AND CONSIDERATION OF RESOLUTION

HJR03-1064 by Representative(s) Lee; also Senator(s) Hanna--Concerning marriage and relationship skills education.

On motion of Senator Hanna, the resolution 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		

Co-sponsors added: Anderson, Andrews, Arnold, Cairns, Chlouber, Dyer, Entz, Evans, Fitz-Gerald, Gordon, Groff, Grossman, Hagedorn, Hillman, Isgar, Johnson, Jones, Keller, Kester, Lamborn, Linkhart, May, McElhany, Nichol, Owen, Phillips, Reeves, Sandoval, Takis, Tapia, Taylor, Teck, Tupa, and Windels.

On motion of Senator Anderson, and with a majority of those elected to the Senate having voted in the affirmative, the rules were suspended for Immediate Consideration of Resolutions: **HJR03-1044, HJR03-1069**.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

HJR03-1044 by Representative(s) Johnson R., Boyd, Briggs, Carroll, Cerbo, Crane, Fairbank, Frangas, Judd, King, Larson, Lee, Madden, McCluskey, Paccione, Rippy, Rose, Smith, Stengel, Tochtrop, Vigil, White, Wiens, Williams S., Williams T.; also Senator(s) Johnson S.--Concerning encouraging school districts to offer students more foods and beverages that are high in calcium.

On motion of Senator Johnson, the resolution 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		

HJR03-1069 by Representative(s) Spence; also Senator(s) Kester--Concerning the importance of personal financial literacy.

On motion of Senator Kester, the resolution was **adopted** by the following roll call vote:

HJR03-1069

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		

Co-sponsors added: Anderson, Andrews, Arnold, Cairns, Chlouber, Dyer, Entz, Evans, Fitz-Gerald, Gordon, Groff, Hanna, Hillman, Isgar, Johnson, Jones, Keller, Lamborn, Linkhart, May, McElhany, Nichol, Owen, Phillips, Reeves, Sandoval, Takis, Tapia, Taylor, Teck, Tupa, and Windels.

On motion of Senator Anderson, and with a majority of those elected to the Senate having voted in the affirmative, the rules were suspended for Immediate Consideration of Resolution: **HJR03-1061**.

INTRODUCTION AND CONSIDERATION OF RESOLUTION

HJR03-1061 by Representative(s) Romanoff; also Senator(s) Evans--Concerning the celebration of bicycling, and, in connection therewith, designating a permanent Bike to Work Day and Colorado Bike Month.

On motion of Senator Evans, the resolution was **adopted** by the following roll call vote:

YES	32	NO	3	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	N	Hillman	Y	McElhany	Y	Teck	N
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		

Co-sponsors added: Johnson.

TRIBUTES

- Honoring Professor Lynn Weldon -- by Senator Entz.
- Honoring Cub Scout Pack 286 -- by Senator Entz.
- Honoring Columbine Girl Scout Council Troops 6, 230, 64, 189, and 65 -- by Senator Entz.
- Honoring Larry Lopez -- by Senator Linkhart.
- Honoring James E. Bye -- by Senator Linkhart.
- Honoring The Arvada Rotary Club -- by Senator Linkhart.
- Honoring Mrs. Elizabeth Calabrese -- by Senator Linkhart.

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 May 7, was laid over.

Consideration of Governor's Vetoes: SB03-207, SB03-120, SB03-258, SB03-292.

On motion of Senator Anderson, and with the unanimous consent of those elected to the Senate having voted in the affirmative, the First Regular Session of the Sixty-fourth General Assembly adjourned *sine die* at 9:16 p.m., Wednesday, May 7, 2003.

Approved:

John Andrews
President of the Senate

Attest:

Mona Heustis
Secretary of the Senate

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