

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

Sixty-fifth Legislative Day

Thursday, March 13, 2003

Prayer By the chaplain, Father Dennis Woerter.

Pledge By Senator Hagedorn.

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

Roll Call Present-- 34.
Absent/Excused--1; Evans.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Jones, reading of the Journal of March 12, 2003 was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Finance After consideration on the merits, the Committee recommends that **SB03-238** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, line 23, after "REPLACED.", add "THE COMMISSION SHALL BY RULE DEFINE THE TYPES OF INFRASTRUCTURE OR FACILITIES ELIGIBLE FOR RELOCATION COST RECOVERY UNDER THIS SECTION."

Finance After consideration on the merits, the Committee recommends that **HB03-1160** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 6, strike lines 12 and 13 and substitute the following:

"SECTION 22-7-604 (5); OR";

strike lines 16 through 19 and substitute the following:

"(b) FOR PURPOSES OF THIS SUBSECTION (10), A SCHOOL IS DEEMED TO HAVE RECEIVED AN ACADEMIC PERFORMANCE RATING OF "LOW" OR "UNSATISFACTORY" IF ONE OR MORE SCHOOL LEVELS WITHIN THE SCHOOL HAS RECEIVED SAID RATING, AS "SCHOOL LEVEL" IS DEFINED IN SECTION 22-7-602 (8)."

Page 12, after line 18, insert the following:

"(II) THE PARENT FAILS TO SUBMIT AN APPLICATION TO A PARTICIPATING NONPUBLIC SCHOOL PURSUANT TO SECTION 22-56-105;"

Renumber succeeding subparagraphs accordingly.

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HB03-1160

Page 13, strike lines 3 through 5 and substitute the following:

"(VI) THE ELIGIBLE CHILD FAILS TO TAKE A STATEWIDE ASSESSMENT REQUIRED PURSUANT TO LAW, UNLESS THE FAILURE IS EXCUSED BY THE SCHOOL DISTRICT.";

line 15, strike "ON OR BEFORE APRIL 1" and substitute "ON OR AFTER APRIL 1, BUT PRIOR TO JUNE 1,".

Page 15, strike lines 6 through 9 and substitute the following:

"(f) THE NONPUBLIC SCHOOL AGREES TO MAKE AN INQUIRY TO THE DEPARTMENT PURSUANT TO SECTION 22-1-121, TO REQUIRE THE SUBMISSION OF FINGERPRINTS FOR EACH EMPLOYEE OR PROSPECTIVE EMPLOYEE OF THE NONPUBLIC SCHOOL, AND TO BEAR THE COSTS OF EACH FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK;"

line 17, strike "SOUND".

Page 17, strike line 26 and substitute the following:

"(5) BY DECEMBER 1 OF EACH SCHOOL YEAR, A SCHOOL DISTRICT SHALL PROVIDE INFORMATION".

Page 18, line 3, strike "PROGRAM AND" and substitute "PROGRAM,";

line 4, strike "SCHOOLS." and substitute "SCHOOLS, AND AN APPLICATION FOR PARTICIPATION IN THE PROGRAM.";

line 8, after "MAILING.", add "THE SCHOOL DISTRICT SHALL PROVIDE TO PARTICIPATING NONPUBLIC SCHOOLS AN ELECTRONIC FILE, IF AVAILABLE, THAT INCLUDES THE NAMES AND CONTACT INFORMATION OF THOSE ELIGIBLE STUDENTS WHO HAVE APPLIED TO PARTICIPATE IN THE PILOT PROGRAM.".

Page 19, line 4, strike "TO THE EXTENT THAT AN" and substitute "UNLESS OTHERWISE SPECIFIED IN THE OPPORTUNITY CONTRACT, THE PRESUMPTION SHALL BE THAT THE ADMINISTRATIVE UNIT IS RESPONSIBLE FOR PROVIDING ALL INDIVIDUAL EDUCATIONAL PROGRAM SERVICES.";

strike lines 5 through 12.

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

"SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.".

Page 23, strike lines 1 through 3.

Trans-
portation

After consideration on the merits, the Committee recommends that **SB03-241** be referred to the Committee of the Whole with favorable recommendation.

Trans-
portation

After consideration on the merits, the Committee recommends that **SB03-239** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 9, strike lines 22 through 27.

Strike page 10.

Page 11, strike lines 1 through 15.

Renumber succeeding sections accordingly.

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Trans- portation	After consideration on the merits, the Committee recommends that HB03-1253 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	2 3 4 5 6
	Amend reengrossed bill, page 5, strike line 2 and substitute "(c) INTIMIDATE, COERCE, OR THREATEN A";	7 8 9
	strike lines 4 through 8 and substitute "REPAIRS.".	10 11
	Page 6, strike lines 14 through 16.	12 13
	Reletter succeeding paragraphs accordingly.	14 15
	Page 6, strike lines 19 through 27.	16 17
	Reletter succeeding paragraphs accordingly.	18 19
	Page 7, line 6, strike "AREA;" and substitute "AREA.";	20 21
	strike lines 7 through 25.	22 23
	Renumber succeeding subsection accordingly.	24 25 26
Agriculture, Natural Resources and Energy	After consideration on the merits, the Committee recommends that HB03-1205 be referred to the Committee of the Whole with favorable recommendation.	27 28 29 30 31
Agriculture, Natural Resources and Energy	After consideration on the merits, the Committee recommends that HB03-1046 be referred to the Committee of the Whole with favorable recommendation.	32 33 34 35 36 37
State, Veterans and Military Affairs	After consideration on the merits, the Committee recommends that HB03-1001 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	38 39 40 41 42
	Amend reengrossed bill, page 6, strike lines 14 through 17 and substitute the following:	43 44 45
	"address the issues.".	46 47
	Page 7, strike lines 12 through 16 and substitute the following:	48 49
	"the state engineer finds it necessary to address the issues.".	50 51
	Page 1, line 102, strike " RESOURCES. " and substitute " RESOURCES, WITHOUT REGARD TO WATER DIVISION BOUNDARIES. ".	52 53 54 55
State, Veterans and Military Affairs	After consideration on the merits, the Committee recommends that HB03-1241 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	56 57 58 59 60
	Amend reengrossed bill, page 3, line 15, strike "DATABASE AS OF 7P.M. ON ELECTION DAY." and substitute "DATABASE.".	61 62 63
	Page 5, line 19, strike "DATABASE AS OF 7P.M. ON" and substitute "DATABASE.";	64 65 66
	strike line 20.	67

State, Veterans and Military Affairs 1
 After consideration on the merits, the Committee recommends that **HB03-1271** be referred to the Committee of the Whole with favorable recommendation. 2
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State, Veterans and Military Affairs 6
 After consideration on the merits, the Committee recommends that **HB03-1142** be referred to the Committee of the Whole with favorable recommendation. 7
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Health, Environment, Welfare & Institutions 11
 After consideration on the merits, the Committee recommends that **HB03-1255** be referred to the Committee of the Whole with favorable recommendation. 12
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Health, Environment, Welfare & Institutions 16
 The Committee on Health, Environment, Welfare, and Institutions has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed: 17
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MEMBERS OF THE
COLORADO TRAUMATIC BRAIN INJURY BOARD

for terms expiring June 30, 2004: 21
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Judy L. Dettmer of Fort Collins, Colorado, to serve as a social worker experienced in working with persons who have sustained traumatic brain injuries, appointed; 26
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Kathleen Rohan Hague of Denver, Colorado, to serve as a family member of an individual with traumatic brain injuries, appointed; 30
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Joy G. Henika of Boulder, Colorado, to serve as an individual with a traumatic brain injury, appointed; 34
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Pamela A. Law of Westminster, Colorado, to serve as a speech pathologist who has experience working with persons with traumatic brain injuries, appointed; 37
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for terms expiring June 30, 2005: 40
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Melissa Francis of Denver, Colorado, to serve as a member of the public who has experience with persons with traumatic brain injuries, appointed; 42
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Theresa D. Hernández of Boulder, Colorado, to serve as a clinical research scientist who has experience evaluating persons with traumatic brain injuries, appointed; 45
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A. Stewart Levy, M.D. of Denver, Colorado, to serve as a neurologist who has experience working with persons with traumatic brain injuries, appointed; 48
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for terms expiring June 30, 2006: 51
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David B. Arciniegas, M.D. of Denver, Colorado, to serve as a neuropsychiatrist who has experience working with persons with traumatic brain injuries, appointed; 53
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Jeanne E. Dise-Lewis, Ph.D. of Denver, Colorado, to serve as a neuropsychologist who has experience working with persons with traumatic brain injuries, appointed; 56
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Michael Scott Manley, Ed.D. of Littleton, Colorado, to serve as a member of the public who has experience with persons with traumatic brain injuries, appointed. 59
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Health, Environment, Welfare & Institutions 62
 After consideration on the merits, the Committee recommends that **HB03-1283** be referred to the Committee of the Whole with favorable recommendation. 63
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Business
Affairs and
Labor

After consideration on the merits, the Committee recommends that **HB03-1061** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 2, line 7, strike "C.R.S. which shall be published" and substitute "C.R.S., which shall be published.";

line 10, strike "(F)" and substitute "(I)";

strike lines 16 through 27 and substitute the following:

"(II) ~~The roster shall contain:~~ MAKE AVAILABLE THROUGH PRINTED OR ELECTRONIC MEANS THE FOLLOWING:

(A) The annual fiscal year report prepared by the board;

(B) Statutes administered by the board;

(C) ~~An alphabetical~~ A list of the names and addresses, of record, of all professional engineers;

(D) ~~The location of all technical publications purchased by the board which are made available to the public;~~

(E) Rules and regulations of the board;

(F) Such other pertinent information as the board deems necessary;

(G) The rules of professional conduct adopted pursuant to paragraph (b) of this subsection (1).".

Page 3, line 10, strike "C.R.S. which shall be published" and substitute "C.R.S., which shall be published.";

line 13, strike "(F)" and substitute "(I)";

strike lines 19 through 27 and substitute the following:

"(II) ~~The roster shall contain:~~ MAKE AVAILABLE THROUGH PRINTED OR ELECTRONIC MEANS THE FOLLOWING:

(A) The surveying statutes administered by the board;

(B) ~~An alphabetical~~ A list of the names and addresses, of record, of all currently registered professional land surveyors;

(C) A list containing the registration numbers in numerical sequence and the names of all CURRENT AND PREVIOUSLY registered professional land surveyors;

(D) The rules of conduct for professional land surveyors adopted pursuant to paragraph (a) of this subsection (1), and

(E) The rules of the board.".

Business
Affairs and
Labor

After consideration on the merits, the Committee recommends that **HB03-1033** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 2, line 7, strike "coverage BENEFIT" and substitute "coverage".

Page 3, line 16, after "PERSON", insert "AND THE COVERED PERSON'S TREATING HEALTH CARE PROVIDER";

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HB03-1033

line 19, after "PERSON", insert "AND THE COVERED PERSON'S TREATING HEALTH CARE PROVIDER";

line 23, strike "BENEFIT" and substitute "COVERAGE";

line 27, after "INSURED", insert "AND THE POLICYHOLDER OR INSURED'S TREATING HEALTH CARE PROVIDER".

Page 4, line 5, after "PERSON", insert "AND THE COVERED PERSON'S TREATING HEALTH CARE PROVIDER";

line 9, after "INSURED", insert "AND THE POLICYHOLDER OR INSURED'S TREATING HEALTH CARE PROVIDER";

line 15, strike "BENEFIT" and substitute "COVERAGE";

line 18, after "PERSON", insert "AND THE COVERED PERSON'S TREATING HEALTH CARE PROVIDER".

Page 5, strike lines 11 and 12 and substitute the following:

"promulgate rules FOR THE ELEMENTS AND TIME LINES FOR SUCH BENEFIT DENIALS. IN ADDITION, THE";

line 14, strike "these" and substitute "these".

Business Affairs and Labor

After consideration on the merits, the Committee recommends that **HB03-1219** be referred to the Committee of the Whole with favorable recommendation.

Business Affairs and Labor

After consideration on the merits, the Committee recommends that **HB03-1295** be postponed indefinitely.

Education

After consideration on the merits, the Committee recommends that **HB03-1172** be referred to the Committee of the Whole with favorable recommendation.

Education

After consideration on the merits, the Committee recommends that **HB03-1083** be referred to the Committee of the Whole with favorable recommendation.

Education

After consideration on the merits, the Committee recommends that **HB03-1108** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, strike everything below the enacting clause and substitute the following:

"SECTION 1. Article 1 of title 23, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

23-1-113.2. Commission directive - admission standards for students holding international baccalaureate diplomas. (1) (a) THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT:

(I) IT IS IN THE BEST INTERESTS OF THE STATE TO ENCOURAGE THE DEVELOPMENT AND ADOPTION OF INNOVATIVE AND EFFECTIVE CURRICULA FOR HIGH SCHOOL STUDENTS;

(II) THE INTERNATIONAL BACCALAUREATE DIPLOMA PROGRAM IS AN ESTABLISHED AND WELL-RESPECTED PROGRAM DESIGNED TO PROVIDE INNOVATIVE CURRICULA WORLD-WIDE;

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HB03-1108

(III) IN MOST OTHER WESTERN EDUCATIONAL SYSTEMS, SECONDARY EDUCATION INCLUDES THE EQUIVALENT OF A THIRTEENTH GRADE, AND THE INTERNATIONAL BACCALAUREATE DIPLOMA PROGRAM CONFORMS TO THIS APPROACH WITH ITS RIGOROUS COURSE OF STUDY OVER TWO YEARS;

(IV) A STUDENT WHO HAS SUCCESSFULLY COMPLETED THE INTERNATIONAL BACCALAUREATE DIPLOMA PROGRAM IS VIEWED AS A HIGHLY ATTRACTIVE STUDENT BY INSTITUTIONS OF HIGHER EDUCATION DUE TO THE STUDENT'S AMBITION, WORK HABITS, AND SCHOLARSHIP;

(V) NATIONWIDE, INSTITUTIONS OF HIGHER EDUCATION RECOGNIZE THE HIGH LEVEL OF ACADEMIC SOPHISTICATION OF INTERNATIONAL BACCALAUREATE STUDENTS AND MANY OFFER CONSIDERABLE COLLEGE CREDIT AS AN INDUCEMENT FOR THOSE STUDENTS TO ATTEND THEIR INSTITUTIONS;

(VI) MANY COLORADO INTERNATIONAL BACCALAUREATE STUDENTS LEAVE THE STATE TO ATTEND INSTITUTIONS OF HIGHER EDUCATION THAT PROVIDE ATTRACTIVE OFFERS OF CREDIT; AND

(VII) IT IS IN THE BEST INTERESTS OF COLORADO TO RETAIN THE STATE'S BEST AND BRIGHTEST STUDENTS WHO CAN ESTABLISH PERMANENT RESIDENCY AND SUBSEQUENTLY CONTRIBUTE TO THE INTELLECTUAL AND ECONOMIC VITALITY OF THE STATE.

(b) IT IS THEREFORE THE INTENT OF THE GENERAL ASSEMBLY IN ENACTING THIS SECTION THAT COLORADO INSTITUTIONS OF HIGHER EDUCATION BE REQUIRED TO ADOPT COMPREHENSIVE AND REASONABLE POLICIES TO OFFER CREDIT TO INTERNATIONAL BACCALAUREATE STUDENTS.

(2) (a) ON OR BEFORE JANUARY 1, 2004, THE COMMISSION SHALL ENSURE THAT EACH GOVERNING BOARD OF A STATE-SUPPORTED BACCALAUREATE AND GRADUATE INSTITUTION OF HIGHER EDUCATION IN THE STATE ADOPT AND IMPLEMENT, FOR EACH OF THE INSTITUTIONS UNDER ITS CONTROL, A POLICY FOR THE ACCEPTANCE OF FIRST-TIME FRESHMAN STUDENTS WHO HAVE SUCCESSFULLY COMPLETED AN INTERNATIONAL BACCALAUREATE DIPLOMA PROGRAM.

(b) EACH GOVERNING BOARD SHALL REPORT THE POLICY ADOPTED AND IMPLEMENTED PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (2) TO THE COMMISSION AND SHALL MAKE THE POLICY AVAILABLE TO THE PUBLIC IN AN ELECTRONIC FORMAT.

(c) EACH GOVERNING BOARD SHALL SET THE NUMBER OF CREDITS THE INSTITUTION MAY GRANT TO A STUDENT WHO HAS SUCCESSFULLY COMPLETED AN INTERNATIONAL BACCALAUREATE DIPLOMA PROGRAM. EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPH (d) OF THIS SUBSECTION (2), THE NUMBER OF CREDITS GRANTED BY AN INSTITUTION SHALL BE, AT A MINIMUM, TWENTY-FOUR SEMESTER CREDITS OR THEIR EQUIVALENT. EACH GOVERNING BOARD SHALL IDENTIFY THE SPECIFIC GENERAL EDUCATION OR ELECTIVE REQUIREMENTS THAT THE STUDENT SATISFIES BY HAVING SUCCESSFULLY COMPLETED THE INTERNATIONAL BACCALAUREATE DIPLOMA PROGRAM AND SHALL OUTLINE THE CONDITIONS NECESSARY TO AWARD THE CREDITS.

(d) EACH INSTITUTION MAY DETERMINE THE LEVEL OF STUDENT PERFORMANCE NECESSARY TO GRANT THE CREDITS, AS MEASURED BY A STUDENT'S EXAM PERFORMANCE IN THE SPECIFIC COURSES CONSTITUTING THE INTERNATIONAL BACCALAUREATE DIPLOMA PROGRAM. AN INSTITUTION MAY ONLY GRANT LESS THAN TWENTY-FOUR SEMESTER CREDITS OR THEIR EQUIVALENT IF THE STUDENT HAS RECEIVED A SCORE OF LESS THAN FOUR ON AN EXAM ADMINISTERED AS PART OF THE INTERNATIONAL BACCALAUREATE DIPLOMA PROGRAM, IN WHICH CASE THE NUMBER OF SEMESTER CREDITS OR THEIR EQUIVALENT GRANTED BY THE

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HB03-1108

INSTITUTION SHALL BE REDUCED ACCORDINGLY.

(3) THE PROVISIONS OF THIS SECTION SHALL NOT APPLY TO ANY INSTITUTION OF HIGHER EDUCATION THAT HAS ENTERED INTO A PERFORMANCE CONTRACT WITH THE COMMISSION AS AN EXEMPLARY INSTITUTION OF HIGHER EDUCATION.

SECTION 2. Effective date. This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution; except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor."

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

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB03-060

by Senator(s) May R., Entz, Teck; also Representative(s) Stafford--Concerning the authority of a fleet owner to process the registration renewal for a fleet vehicle in the county in which the fleet owner's principal office is located instead of in the county in which the fleet vehicle is located at the time of registration.

Senator May moved that the Senate concur in House amendments to **SB03-060**, as printed in House Journal, March 4, page 1018. The motion was **passed** by the following roll call vote:

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

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	Sandoval	Y
Arnold	Y	Grossman	Y	Lamborn	Y	Takis	Y
Cairns	Y	Hagedorn	Y	Linkhart	Y	Tapia	Y
Chlouber	Y	Hanna	Y	May	Y	Taylor	Y
Dyer	Y	Hillman	Y	McElhany	Y	Teck	Y
Entz	Y	Isgar	Y	Nichol	Y	Tupa	Y
Evans	E	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**.

SB03-117 by Senator(s) Cairns; also Representative(s) Spence--Concerning the schedule by which the department of education releases school accountability reports.

Senator Cairns moved that the Senate concur in House amendments to **SB03-117**, as printed in House Journal, March 7, page 1071.

The motion was withdrawn.

Senator Anderson moved to lay over **SB03-117** until Friday, March 14, retaining its place on the calendar.

SB03-147 by Senator(s) Dyer; also Representative(s) Hefley--Concerning strengthening Colorado's criminal procedure laws.

Senator Dyer moved that the Senate concur in House amendments to **SB03-147**, as printed in House Journal, March 7, page 1072. The motion was **passed** by the following roll call vote:

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

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	Sandoval	Y
Arnold	Y	Grossman	Y	Lamborn	Y	Takis	Y
Cairns	Y	Hagedorn	Y	Linkhart	Y	Tapia	Y
Chlouber	Y	Hanna	Y	May	Y	Taylor	Y
Dyer	Y	Hillman	Y	McElhany	Y	Teck	Y
Entz	Y	Isgar	Y	Nichol	Y	Tupa	Y
Evans	E	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**.

SB03-097 by Senator(s) Takis, Hagedorn; also Representative(s) Stafford--Concerning reconsideration of the parole application of a person convicted of certain crimes of violence.

Senator Takis moved that the Senate concur in House amendments to **SB03-097**, as printed in House Journal, March 7, page 1073. The motion was **passed** by the following roll call vote:

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

SB03-097

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	Sandoval	Y
Arnold	Y	Grossman	Y	Lamborn	Y	Takis	Y
Cairns	Y	Hagedorn	Y	Linkhart	Y	Tapia	Y
Chlouber	Y	Hanna	Y	May	Y	Taylor	Y
Dyer	Y	Hillman	Y	McElhany	Y	Teck	Y
Entz	Y	Isgar	Y	Nichol	Y	Tupa	Y
Evans	E	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**.

SB03-053

by Senator(s) McElhany; also Representative(s) King--Concerning operations of the Colorado school for the deaf and the blind, and, in connection therewith, creating an independent governing board for the school.

Senator McElhany moved that the Senate concur in House amendments to **SB03-053**, as printed in House Journal, March 10, page 1088. The motion was **passed** by the following roll call vote:

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

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	Sandoval	Y
Arnold	Y	Grossman	Y	Lamborn	Y	Takis	Y
Cairns	Y	Hagedorn	Y	Linkhart	Y	Tapia	Y
Chlouber	Y	Hanna	Y	May	Y	Taylor	Y
Dyer	Y	Hillman	Y	McElhany	Y	Teck	Y
Entz	Y	Isgar	Y	Nichol	Y	Tupa	Y
Evans	E	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: Chlouber.

SB03-164

by Senator(s) Gordon; also Representative(s) Hefley--Concerning creation of a post-conviction DNA evidence procedure.

Senator Gordon moved that the Senate concur in House amendments to **SB03-164**, as printed in House Journal, March 10, page 1089. The motion was **passed** by the following roll call vote:

SB03-164

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

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	Sandoval	Y
Arnold	Y	Grossman	Y	Lamborn	Y	Takis	Y
Cairns	Y	Hagedorn	Y	Linkhart	Y	Tapia	Y
Chlouber	Y	Hanna	Y	May	Y	Taylor	Y
Dyer	Y	Hillman	Y	McElhany	Y	Teck	Y
Entz	Y	Isgar	Y	Nichol	Y	Tupa	Y
Evans	E	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**.

SB03-135

by Senator(s) Lamborn; also Representative(s) Smith--Concerning the elimination of outdated provisions of law resulting from the law's obsolescence, infrequency of use, or inapplicability to current society, and, in connection therewith, repealing or amending various provisions of law.

Senator Lamborn moved that the Senate concur in House amendments to **SB03-135**, as printed in House Journal, March 10, page 1090. The motion was **passed** by the following roll call vote:

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

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

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

SB03-135

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

Co-sponsors added: May.

SB03-065

by Senator(s) Chlouber; also Representative(s) Miller--Concerning animal protection.

Senator Chlouber moved that the Senate not concur in House amendments to **SB03-065**, as printed in House Journal, March 11, pages 1099-1101, and that a Conference Committee be appointed.

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

MESSAGES FROM THE GOVERNOR

Appointment Letters of designation and appointment from Governor Owens were read and assigned to Committees as follows:

February 20, 2003

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

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint, and submit to your consideration, the following:

**MEMBERS OF THE
STATE AGRICULTURAL COMMISSION**

for terms expiring March 1, 2007:

Mark A. Arndt of Ft. Morgan, Colorado, to serve as a Republican and at large member, appointed;

Michael K. Deardorff of Brighton, Colorado, to serve as a Republican from the First Agricultural District, appointed;

Vickie I. Ford of Center, Colorado, to serve as a Democrat from the Third Agricultural District, appointed;

Penny H. Lewis of Kremmling, Colorado, to serve as a Republican from the Fourth Agricultural District, reappointed;

Steven D. Ela of Hotchkiss, Colorado, to serve as a Democrat from the Fourth Agricultural District, reappointed.

Sincerely,
(signed)
Bill Owens
Governor

Rec'd: 03/07/03
Mona Heustis, Secretary of the Senate

Committee on Agriculture, Natural Resources & Energy

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February 21, 2003

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

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint, reappoint, and submit to your consideration, the following:

**MEMBERS OF THE
MINED LAND RECLAMATION BOARD**

for terms expiring March 1, 2007:

Michael T. Nelligan of Denver, Colorado to serve as a member with experience in the mining industry, appointed;

Daniel R. Ellison of Steamboat Springs, Colorado to serve as a member with experience in conservation, appointed;

Ira J. Paulin of Holly, Colorado to serve as a member with experience in agriculture, reappointed.

Sincerely,
(signed)
Bill Owens
Governor

Rec'd: 03/07/03
Mona Heustis, Secretary of the Senate

Committee on Agriculture, Natural Resources & Energy

SENATE SERVICES REPORT

Senate
Services

Correctly printed: SB03-248, 249;
SJR03-026.

Correctly reengrossed: SB03-149.

Correctly revised: HJR03-1011, 1028.

Correctly enrolled: SB03-046, 143, 223;
SJR03-017, 025.

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

Pursuant to Joint Rule 23 (c), the House and Senate Committees on Delayed Bills, acting jointly, extend the following deadline for OLLS NO. 03-0173, Concerning the Financing of Public Schools and Making an Appropriation Therefor:

The Friday, March 14 deadline (the 66th legislative day) for final passage, including any conference committee report, for any bill prescribing all or a substantial portion of the total funding for public schools pursuant to the "Public School Finance Act of 1994", article 54 of title 22, Colorado Revised Statutes, is extended until Friday, March 28, 2003 (the 80th legislative day).

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

(Signed)
Representative Spradley
Speaker of the House of Representatives

(Signed)
Senator Andrews
President of the Senate

Representative King
House Majority Leader

Senator Anderson
Senate Majority Leader

Representative Veiga
House Minority Leader

Senator Fitz-Gerald
Senate Minority Leader

SIGNING OF BILLS--RESOLUTIONS--MEMORIALS

The President has signed: SB03-046, 143, 223; SJR03-017, 025.

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 March 13, was laid over until Friday, March 14, retaining its place on the calendar.

Second Reading--General Orders: HB03-1003, SB03-232, HB03-1237, HB03-1081, HB03-1299, HB03-1290, HB03-1143, HB03-1224, HB03-1298, HB03-1005, HB03-1008, HB03-1100, HB03-1175, HB03-1045, HB03-1212, HB03-1288, SB03-236, HB03-1266, HB03-1239, HB03-1226, HB03-1127, HB03-1197, SB03-243, HB03-1015, HB03-1007, HB03-1232, HB03-1097, HB03-1035, HB03-1111, SB03-121, HB03-1286, HB03-1240, HB03-1304, HB03-1297.

Consideration of Resolution: SJR03-026.

Consideration of House Amendments to Senate Joint Resolution: SJR03-012.

Consideration of Governor's Vetoes: SB03-207.

Consideration of Governor's Appointments:

Members of the Colorado Tourism Office Board of Directors.

Request for Conference Committee: HB03-1161.

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On motion of Senator Anderson, the Senate adjourned until 9:00 a.m., Friday, March 14, 2003.

Approved:

John Andrews
President of the Senate

Attest:

Mona Heustis
Secretary of the Senate

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