

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

One-hundred-seventh Legislative Day Thursday, April 24, 2003

Prayer	By Colorado Wing Chaplain Lt. Colonel Ralph Yuhasz.	10
Presentation of Colors	By Valkyrie Cadet Squadron.	11
Pledge	By the President <i>Pro Tem</i> .	12
Call to Order	By the President <i>Pro Tem</i> at 9:00 a.m.	13
Roll Call	Present--34 Absent/Excused--1; Andrews. Present later--Andrews.	14
Quorum	The President <i>Pro Tem</i> announced a quorum present.	15
Reading of Journal	On motion of Senator Johnson, reading of the Journal of April 23, 2003 was dispensed with and the Journal was approved as corrected by the Secretary.	16

COMMITTEE OF REFERENCE REPORTS

Agriculture, Natural Resources and Energy	After consideration on the merits, the Committee recommends that SCR03-002 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	17
	Amend printed concurrent resolution, page 2, line 18, strike "ALLOW, LIMIT," and substitute "LIMIT", and before "TAKING", insert "HUNTING OR";	18
	line 19, before "TAKING", insert "HUNTING OR";	19
	line 20, strike "VOTING." and substitute "VOTING; EXCEPT THAT IF A STATUTE OR CONSTITUTIONAL AMENDMENT CONCERNING SUCH ISSUES WAS PASSED PRIOR TO JULY 1, 2003, IT MAY BE REPEALED UPON APPROVAL OF A MAJORITY OF THOSE VOTING.".	20
	Page 3, line 2, after "HUNTING", insert "OR TAKING".	21
Agriculture, Natural Resources and Energy	After consideration on the merits, the Committee recommends that SB03-329 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	22
	Amend printed bill, page 2, line 11, before "hardrock", insert "certain".	23
	Page 3, line 2, strike "the state", and substitute "some of the office's";	24
	line 10, strike "hardrock and coal" and substitute "certain";	25
	line 15, strike "hardrock and coal" and substitute "certain".	26

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FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON HB03-1218

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 HB03-1218,
concerning a prohibition on a public corporation from making loans to
directors, has met and reports that it has agreed upon the following:

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

Amend rerevised bill, page 4, line 6, strike "SUBPARAGRAPH (I) OF".

Respectfully submitted,

House Committee:	Senate Committee:
(signed)	(signed)
Representative Rose, Chairman	Senator Jones, Chairman
Representative Smith	Senator Lamborn
Representative Miller	Senator Hanna

Education

After consideration on the merits, the Committee recommends that **SB03-264** be amended
as follows, and as so amended, be referred to the Committee on Appropriations with
favorable recommendation.

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

"SECTION 1. 23-5-101.5 (1), the introductory portion to
23-5-101.5 (1.5), 23-5-101.5 (2) (b) (II) (A), (2) (b) (II) (B), and (3) (a),
Colorado Revised Statutes, are amended, and the said 23-5-101.5 (2) is
further amended BY THE ADDITION OF A NEW PARAGRAPH, to
read:

**23-5-101.5. Enterprise status of institutions and auxiliary
facilities.** (1) Any INSTITUTION, GROUP OF INSTITUTIONS, auxiliary
facility, or group of auxiliary facilities with similar functions which is
managed by the governing body of an institution of higher education or
by the board of directors of the Auraria higher education center may be
designated as an enterprise for the purposes of section 20 of article X
of the state constitution so long as the governing body of the institution of
higher education or the board of directors of the Auraria higher education
center, whichever manages such INSTITUTION, GROUP OF INSTITUTIONS,
auxiliary facility, or group of auxiliary facilities, retains the authority to
issue revenue bonds on behalf of such INSTITUTION, GROUP OF
INSTITUTIONS, auxiliary facility, or group of auxiliary facilities and such
INSTITUTION, GROUP OF INSTITUTIONS, auxiliary facility, or group of
auxiliary facilities receives less than ten percent of its total annual
revenues in grants from all Colorado state and local governments
combined. The general assembly hereby finds and declares that, for the
purposes of determining whether an INSTITUTION, GROUP OF
INSTITUTIONS, auxiliary facility, or group of auxiliary facilities may be
designated as an enterprise, it is sufficient that the governing body of an
institution of higher education or the board of directors of the Auraria
higher education center, whichever manages such INSTITUTION, GROUPOF
INSTITUTIONS, auxiliary facility, or group of auxiliary facilities, has
authority to issue revenue bonds on behalf of such INSTITUTION, GROUP

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OF INSTITUTIONS, auxiliary facility, or group of auxiliary facilities. So long as it is designated as an enterprise pursuant to the provisions of this section, an INSTITUTION, GROUP OF INSTITUTIONS, auxiliary facility, or group of auxiliary facilities shall not be subject to any of the provisions of section 20 of article X of the state constitution.

(1.5) In pledging revenues for the repayment of revenue bonds issued on behalf of any INSTITUTION, GROUP OF INSTITUTIONS, auxiliary facility, or group of auxiliary facilities that is designated as an enterprise, THE INSTITUTION, GROUP OF INSTITUTIONS, OR the institution of higher education and the auxiliary facility, or group of auxiliary facilities may pledge internal revenues only if the INSTITUTION, GROUPOF INSTITUTIONS, auxiliary facility, or group of auxiliary facilities:

(2) As used in this article:

(b) (II) "Grant" does not include:

(A) Any indirect benefit conferred upon an auxiliary facility, AN INSTITUTION, OR GROUP OF INSTITUTIONS from the state or any local government in Colorado;

(B) Any revenues resulting from rates, fees, assessments, TUITIONS, or other charges imposed by an INSTITUTION, GROUP OF INSTITUTIONS, OR auxiliary facility for the provision of goods or services by such AN INSTITUTION, GROUP OF INSTITUTIONS, OR auxiliary facility, including fees paid to the auxiliary facility for internal services provided to the institution of higher education with which the auxiliary facility is associated;

(b.5) "INSTITUTION OF HIGHER EDUCATION" OR "INSTITUTION" MEANS THE COLORADO STATE UNIVERSITY - PUEBLO, ADAMS STATE COLLEGE, MESA STATE COLLEGE, METROPOLITAN STATE COLLEGE OF DENVER, FORT LEWIS COLLEGE, WESTERN STATE COLLEGE OF COLORADO, THE UNIVERSITY OF NORTHERN COLORADO, COLORADO SCHOOL OF MINES, THE UNIVERSITY OF COLORADO AT DENVER, THE UNIVERSITY OF COLORADO AT COLORADO SPRINGS, THE UNIVERSITY OF COLORADO AT BOULDER, THE UNIVERSITY OF COLORADO HEALTH SCIENCES CENTER, COLORADO STATE UNIVERSITY, AND ALL COMMUNITY COLLEGES GOVERNED BY THE STATE BOARD FOR COMMUNITY COLLEGES AND OCCUPATIONAL EDUCATION.

(3) (a) The governing body of an institution of higher education or the board of directors of the Auraria higher education center may, by resolution, designate any INSTITUTION, GROUPOF INSTITUTIONS, auxiliary facility, or group of auxiliary facilities with similar functions managed by such governing body or board of directors, as applicable, as an enterprise so long as such INSTITUTION, GROUP OF INSTITUTIONS, auxiliary facility, or group of auxiliary facilities meets the requirements for an enterprise as stated in subsection (1) of this section. The designation of a group of auxiliary facilities with similar functions may include auxiliary facilities that are located at one or more campuses or institutions under the jurisdiction of the governing body or board of directors. All designations shall expire at 11:59 p.m. on June 30 of the year following their adoption unless the general assembly, by bill, acts to postpone the expiration of a specific designation. The postponement of the expiration of a designation shall not constitute legislative approval of the designation nor be admissible in any court as evidence of legislative intent. The postponement of the expiration date of a specific designation shall not prohibit any action by the general assembly pursuant to the provisions of paragraph (b) of this subsection (3) with respect to such designation.

SECTION 2. 23-5-102 (2), Colorado Revised Statutes, is amended to read:

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23-5-102. Funding for auxiliary facilities and institutions of higher education - loans - bonds. (2) The governing body of any institution of higher education by resolution may issue revenue bonds on behalf of any INSTITUTION, GROUP OF INSTITUTIONS, auxiliary facility, or group of auxiliary facilities managed by such governing body for the purpose of obtaining funds for constructing, otherwise acquiring, equipping, or operating FACILITIES FOR SUCH INSTITUTION OR GROUP OF INSTITUTIONS OR such auxiliary facility or group of auxiliary facilities. Any bonds issued on behalf of any INSTITUTION, GROUP OF INSTITUTIONS, auxiliary facility, or group of auxiliary facilities, other than housing facilities, dining facilities, recreational facilities, health facilities, parking facilities, research facilities ~~which~~ THAT are funded from a revolving fund, or designated enterprise auxiliary facilities listed in section 23-5-101.5 (4), may be issued only after approval by both houses of the general assembly either by bill or by joint resolution and after approval by the governor in accordance with section 39 of article V of the state constitution. Bonds issued pursuant to this subsection (2) shall be payable only from revenues generated by the INSTITUTION, GROUP OF INSTITUTIONS, auxiliary facility, or group of auxiliary facilities on behalf of which such bonds are issued; except that, subject to section 23-1-123 (5) (a) (III) and (5) (b) (II), revenues generated by a designated enterprise auxiliary facility that is associated with the university of Colorado may be pledged for the repayment of bonds issued by another designated enterprise auxiliary facility ~~which~~ THAT is not part of the same enterprise. Such bonds shall be issued in accordance with the provisions of section 23-5-103 (2). The termination, rescission, or expiration of the enterprise designation of any INSTITUTION, GROUP OF INSTITUTIONS, auxiliary facility, or group of auxiliary facilities pursuant to section 23-5-101.5 (3) shall not adversely affect the validity of or security for any revenue bonds issued on behalf of such INSTITUTION, GROUP OF INSTITUTIONS, auxiliary facility, or group of auxiliary facilities.

SECTION 3. 23-5-103 (1), Colorado Revised Statutes, is amended to read:

23-5-103. Pledge of income. (1) The governing board of any one or more state educational institutions, including, but not limited to, the colleges under the control and operation of the trustees of the state colleges in Colorado, which enters into such a contract for the advancement of moneys is authorized, in connection with or as a part of such contract, to pledge the net income derived or to be derived from such land or facilities so constructed, acquired, and equipped as security for the repayment of the moneys advanced therefor, together with interest thereon, and for the establishment and maintenance of reserves in connection therewith; and, for the same purpose, any such governing board is also authorized, subject to the limitations specified in section 23-1-123 (5), to pledge the net income derived or to be derived from other auxiliary facilities ~~which~~ THAT are DESIGNATED AS ENTERPRISES PURSUANT TO SECTION 23-5-101.5, OR IF NOT SO individually designated as enterprises, ~~and which~~ OTHER AUXILIARY FACILITIES THAT are not acquired and not to be acquired with moneys appropriated to the institution by the state of Colorado, and to pledge the net income, fees, and revenues derived from such sources, if unpledged, or, if pledged, the net income, fees, and revenues currently in excess of the amount required to meet principal, interest, and reserve requirements in connection with outstanding obligations to which such net income, fees, and revenues have theretofore been pledged. If the contract for the advancement of moneys is entered into by the university of Colorado on behalf of a designated enterprise auxiliary facility that is associated with the university of Colorado, the board of regents is authorized to pledge only the net income, including fees and revenues derived or to be derived from the designated enterprise auxiliary facility and any other designated enterprise auxiliary facilities.

SECTION 4. 23-1-105, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

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(9) NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, THE COMMISSION, IN CONSULTATION WITH THE GOVERNING BODY OF AN INSTITUTION OF HIGHER EDUCATION OR GROUP OF INSTITUTIONS OF HIGHER EDUCATION THAT HAS BEEN DESIGNATED BY SUCH GOVERNING BODY AS AN ENTERPRISE PURSUANT TO SECTION 23-5-101.5, SHALL RECOMMEND TO THE GOVERNOR AND THE GENERAL ASSEMBLY TUITION RATES AT SUCH INSTITUTION OR GROUP OF INSTITUTIONS THAT ARE REQUESTED BY THE GOVERNING BODY AFTER CONSIDERING STUDENT ABILITY TO PAY, COST, DEMAND, MARKET FORCES, AND OTHER RELEVANT FACTORS.

SECTION 5. 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."

Judiciary After consideration on the merits, the Committee recommends that **SB03-318** be referred to the Committee of the Whole with favorable recommendation.

Judiciary After consideration on the merits, the Committee recommends that **HB03-1213** be referred to the Committee on Appropriations with favorable recommendation.

Judiciary After consideration on the merits, the Committee recommends that **HB03-1317** be referred to the Committee on Appropriations with favorable recommendation.

FIRST REPORT OF FIRST CONFERENCE COMMITTEE ON HB03-1240

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 HB03-1240, concerning changes to the juvenile justice system, has met and reports that it has agreed upon the following:

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

Amend rerevised bill, page 3, line 16, after "PRESUMPTION", insert "UNDER SUB-SUBPARAGRAPH (C) OF SUBPARAGRAPH (III) OF THIS PARAGRAPH (a)".

Respectfully submitted,

House Committee:
(signed)
Representative Clapp, Chairman
Representative Jahn
Representative Hefley

Senate Committee:
(signed)
Senator Dyer, Chairman
Senator Hagedorn
Senator Hillman

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MESSAGE FROM THE HOUSE

April 23, 2003
Mr. President:

The House has postponed indefinitely SB03-087, SB03-150. The bills are returned herewith.

The House has voted to concur in the Senate amendments to HJR03-1016 and has readopted the resolution as so amended.

The House voted to adhere to its position on SB03-126. The bill is transmitted herewith.

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:

HB03-1089 by Representative(s) Mitchell; also Senator(s) Taylor--Concerning reimbursement to owners whose property is acquired by a condemning authority in eminent domain proceedings.

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

Third Reading Amendment No. 1(L.014), by Senator Johnson.

Amend revised bill, page 3, line 1, strike "TITLE." and substitute "TITLE, ARTICLE 45 OF TITLE 37, C.R.S., OR SECTION 7 OF ARTICLE XVI OF THE COLORADO CONSTITUTION.".

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

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

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

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

Committee of the Whole

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

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GENERAL ORDERS--SECOND READING OF BILLS

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

On motion of Senator Anderson, and with a majority of those elected to the Senate having voted in the affirmative, **HB03-1274** and **SB03-327** were advanced to the beginning of the General Orders--Second Reading calendar.

HB03-1274 by Representative(s) Mitchell; also Senator(s) Arnold--Concerning modifications to the program under which the state treasurer makes loans to school districts with general fund cash deficits.

Amendment No. 1, Finance Committee Amendment.

(Printed in Senate Journal, April 16, pages 1066-1068 and placed in members' bill files.)

Amendment No. 2(L.017), by Senator Arnold.

Amend the Senate Finance Committee Report, dated April 15, 2003, page 1, strike lines 1 through 14, and substitute the following:

"Amend reengrossed bill, page 4, line 13, strike "AND";

line 14, after "OF", add "THE PREMIUM, IF ANY, AND";

line 16, after "OF", add "THE PREMIUM, IF ANY, AND";

line 20, after "OF", add "THE PREMIUM, IF ANY, AND";

line 21, strike "NOTES." and substitute "NOTES; AND";

after line 21, insert the following:

"(III) PLEDGING TOWARD THE PAYMENT OF THE PRINCIPAL ON THE TAX AND REVENUE ANTICIPATION NOTES MONEYS IN THE SCHOOL DISTRICT TAX AND REVENUE ANTICIPATION NOTES REPAYMENT ACCOUNT CREATED PURSUANT TO PARAGRAPH (b) OF SUBSECTION (4) OF THIS SECTION."

Page 5, line 14, after "PREMIUM,", insert "IF ANY,".

Page 6, line 2, strike "INTEREST ON" and substitute "PRINCIPAL, PREMIUM, IF ANY, AND INTEREST RELATED TO";

line 10, strike "AND";

line 13, strike "SECTION." and substitute "SECTION;";

strike lines 14 through 19 and substitute the following:

"(C) INCOME EARNED FROM ANY INVESTMENT OR DEPOSIT PURSUANT TO PARAGRAPH (b) OF SUBSECTION (3) OF THIS SECTION AND PARAGRAPH (b) OF THIS SUBSECTION (4); AND

(D) IF A DISTRICT FAILS TO FULLY REPAY A LOAN MADE PURSUANT TO SECTION 22-54-110, C.R.S., FROM THE PROCEEDS OF THE TAX AND REVENUE ANTICIPATION NOTES, ANY FUNDS THAT ARE ON HAND OR IN THE CUSTODY OR POSSESSION OF THE STATE TREASURER AND THAT ARE ELIGIBLE FOR INVESTMENT.

(II) THE FINANCIAL OBLIGATION OF THE STATE TREASURER TO PAY THE PRINCIPAL, PREMIUM, IF ANY, AND INTEREST RELATED TO THE TAX AND REVENUE ANTICIPATION NOTES SHALL BE DEEMED DISCHARGED ON ANY

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HB03-1274

DATE ON WHICH MONEYS OR INVESTMENTS IN AN AMOUNT SUFFICIENT FOR THE PAYMENT OF THE PRINCIPAL, PREMIUM, IF ANY, AND INTEREST RELATED TO THE NOTES ON THE DATE OF THEIR FINAL MATURITY IS ON DEPOSIT IN ONE OR MORE SEGREGATED AND RESTRICTED ACCOUNTS THAT ARE PLEDGED IRREVOCABLY FOR SUCH PURPOSE. SUCH SEGREGATED AND RESTRICTED ACCOUNTS SHALL BE THE SCHOOL DISTRICT TAX AND REVENUE ANTICIPATION NOTES REPAYMENT ACCOUNT OR A SPECIAL ACCOUNT CREATED BY THE CONTROLLER PURSUANT TO SUBPARAGRAPH (II) OF PARAGRAPH (e) OF SUBSECTION (2) OF THIS SECTION OR OTHERWISE CREATED AT THE REQUEST OF THE STATE TREASURER. FOLLOWING SUCH DEPOSIT, THE PRINCIPAL, PREMIUM, IF ANY, AND INTEREST RELATED TO THE NOTES SHALL BE PAYABLE SOLELY FROM THE SEGREGATED AND RESTRICTED ACCOUNTS WITHOUT FURTHER FINANCIAL OBLIGATION WHATSOEVER OF THE STATE TREASURER OR THE STATE. ANY MONEYS IN THE SEGREGATED AND RESTRICTED ACCOUNTS, PENDING USE FOR THEIR INTENDED PURPOSE, MAY BE INVESTED OR REINVESTED ONLY IN SECURITIES MEETING THE INVESTMENT REQUIREMENTS ESTABLISHED IN PART 6 OF ARTICLE 75 OF TITLE 24, C.R.S., AS SUCH INVESTMENT REQUIREMENTS MAY OTHERWISE BE LIMITED PURSUANT TO THE TERMS OF THE RESOLUTION, INDENTURE OF TRUST, OR OTHER INSTRUMENT PROVIDING FOR THE ISSUANCE OF THE NOTES."

Page 7, line 3, after "PREMIUM," insert "IF ANY,";

line 4, after "NOTES", insert "ARE PLEDGED IRREVOCABLY AND";

line 5, after "PREMIUM," insert "IF ANY,";

line 22, strike "ID" and substitute "IS".

Page 8, line 8, after "ISSUED.", add "IN THE EVENT THAT THE TAX AND REVENUE ANTICIPATION NOTES HAVE A DATE OF MATURITY THAT IS AFTER THE END OF THE FISCAL YEAR IN WHICH THE NOTES ARE ISSUED, ON OR BEFORE THE FINAL DAY OF THE FISCAL YEAR IN WHICH THE NOTES ARE ISSUED THERE SHALL BE DEPOSITED IN ONE OR MORE SPECIAL SEGREGATED AND RESTRICTED ACCOUNTS AND PLEDGED IRREVOCABLY TO THE PAYMENT OF THE NOTES AN AMOUNT SUFFICIENT TO PAY THE PRINCIPAL, PREMIUM, IF ANY, AND INTEREST RELATED TO THE NOTES ON THEIR STATED MATURITY DATE."

Page 9, strike line 18 and substitute the following:

"SECTION 2. 22-54-110 (1) (a) and (1) (a.5), Colorado".

Page 3, strike line 25 and insert the following:

"Page 11, after line 1, insert the following:

"SECTION 3. 22-54-110 (2) (a), (2) (c), and (3), Colorado Revised Statutes, are amended to read:"

Renumber succeeding sections accordingly.

Page 11, line 2, before "(2)", insert "**22-54-110. Loans to alleviate cash flow deficits.**";

after line 11, insert the following:

"(c) A lien in the amount of any such loan, PLUS ANY INTEREST SPECIFIED IN PARAGRAPH (a.7) OF THIS SUBSECTION (2), shall attach to any district property tax revenues, except for bond redemption fund revenues, collected during the state fiscal year in which the loan was made, and such lien shall have priority over all other expenditures from such revenues until the loan shall have been repaid in full. The county treasurer of the county in which the headquarters of the district are located shall be jointly responsible with the district for repayment of any

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HB03-1274

loan, PLUS ANY INTEREST SPECIFIED IN PARAGRAPH (a.7) OF THIS SUBSECTION (2), made pursuant to this section. If a district fails to repay a loan to the state treasurer in accordance with the provisions of this section, the state treasurer shall notify the county treasurer of the county in which the district is located that the district is in default on the loan and the amount of the default, PLUS ANY INTEREST SPECIFIED IN PARAGRAPH (a.7) OF THIS SUBSECTION (2). The county treasurer shall withhold any moneys of the district in the county treasurer's possession in an amount equal to the amount of the default, PLUS ANY INTEREST SPECIFIED IN PARAGRAPH (a.7) OF THIS SUBSECTION (2), and transmit said moneys to the state treasurer. If the amount of moneys of the district in the county treasurer's possession at the time notice of the default is given is less than the amount of the default, the county treasurer shall withhold additional moneys of the district until such time as the default, PLUS ANY INTEREST SPECIFIED IN PARAGRAPH (a.7) OF THIS SUBSECTION (2), has been completely paid to the state treasurer.";

strike lines 12 through 16 and substitute the following:";

line 31, strike "DISTRICT." and substitute "DISTRICT.";

after line 31, insert the following:

"line 18, strike "A NEW PARAGRAPH" and substitute "THE FOLLOWING NEW PARAGRAPHS";

after line 26, insert the following:

"(a.7) IF A DISTRICT DEFAULTS ON A LOAN THAT IS MADE FROM THE PROCEEDS OF THE TAX AND REVENUE ANTICIPATION NOTES ISSUED PURSUANT TO SECTION 29-15-112, C.R.S., BY FAILING TO REPAY THE LOAN ON OR BEFORE THE DATE REQUIRED, INTEREST SHALL ACCRUE ON THE UNPAID BALANCE FROM THE DATE OF DEFAULT UNTIL THE LOAN IS REPAYED IN AN AMOUNT THAT IS EQUAL TO THE INTEREST PAID BY THE STATE TREASURER ON NOTES ISSUED BY THE STATE PURSUANT TO PART 9 OF ARTICLE 75 OF TITLE 24, C.R.S.".

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

SB03-327 by Senator(s) Evans; also Representative(s) Stafford--Concerning hearings in dependency and neglect actions.

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

The remaining bills on the Second Reading--General Orders calendar were laid over until Friday, April 25, retaining their place: **HB03-1137, SB03-244, HB03-1314, SB03-257, SB03-077** as amended, **SB03-251** as amended, **SB03-236** as amended.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

Passed on Second Reading: SB03-1274 as amended, SB03-327.

Laid over until Friday, April 25: HB03-1137, SB03-244, HB03-1314, SB03-257, SB03-077 as amended, SB03-251 as amended, SB03-236 as amended.

CONSIDERATION OF RESOLUTIONS

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

Laid over until Friday, April 25, retaining its place on the calendar.

SJR03-038 by Senator(s) Groff; --Concerning awareness and treatment of Epilepsy.

Laid over until Friday, April 25, retaining its place on the calendar.

HJR03-1043 by Representative(s) Cloer, Schultheis, Larson, Williams S., Butcher, Carroll, Crane, Frangas, Harvey, Hefley, Jahn, Johnson R., King, McFadyen, Ragsdale, Salazar, Sinclair, Spence, Spradley, Stafford; also Senator(s) McElhany--Concerning the naming of a portion of State Highway 115 as the "Vietnam Veterans Memorial Highway".

Laid over until Friday, April 25, retaining its place on the calendar.

SJR03-040 by Senator(s) Windels, Andrews; also Representative(s) Merrifield--Concerning the creation of a legislative interim committee to study civic education.

On motion of Senator Windels, the resolution was referred to Appropriations.

SJR03-042 by Senator(s) May R.; also Representative(s) Berry--Concerning a request that the Congress of the United States return responsibility for surface transportation policy to the states by allowing the states to retain federal fuel tax revenues.

Amendment No. 1(L.001), by Senator May.

Amend printed joint resolution, page 2, strike lines 1 through 6.

On motion of Senator May, the resolution, as amended, was read at length and **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	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	N	Jones	Y	Phillips	Y	Mr. President	Y
Gordon	Y	Keller	N	Reeves	N		

Co-sponsors added: Anderson, Andrews, Arnold, Cairns, Entz, Evans, Hillman, Isgar, Johnson, Jones, Kester, Lamborn, McElhany, Nichol, Owen, Taylor, and Teck.

SJR03-046 by Senator(s) Entz, Phillips, Windels, Nichol; also Representative(s) Salazar--Concerning the military personnel from Colorado who have served in Operation Iraqi Freedom.

On request of Senator Entz, the resolution was read at length.

Amendment No. 1(L.001), by Senator Entz.

Amend printed joint resolution, page 2, line 25, strike "Rippetoe." and substitute "Rippetoe, and to the commanding general of Fort Carson, the superintendent of the United States Air Force Academy, the commanding officers of Buckley Air Force Base and Peterson Air Force Base, and the adjutant general."

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SJR03-046 On motion of Senator Entz, 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		

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

HJR03-1029 by Representative(s) Clapp, Cadman, Frangas, Harvey, Hefley, Jahn, Judd, King, May M., Rhodes, Schultheis, Smith, Stafford, Wiens; also Senator(s) Johnson S.--Concerning Foster Care Month.

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, Isgar, Jones, Keller, Kester, Lamborn, Linkhart, May, McElhany, Nichol, Owen, Phillips, Reeves, Sandoval, Takis, Tapia, Taylor, Teck, Tupa, and Windels.

HJR03-1038 by Representative(s) Spradley; also Senator(s) Kester--Concerning declaration of the week of May 5, 2003, as Correctional Employees Appreciation Week.

On motion of Senator Kester, 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, Lamborn, Linkhart, May, McElhany, Nichol, Owen, Phillips, Reeves, 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 Friday, April 25, retaining its place on the calendar.

MESSAGE FROM THE HOUSE

April 24, 2003
Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB03-1363.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB03-1359, amended as printed in House Journal, April 23, pages 1944-1945.

The House has passed on Third Reading and returns herewith SB03-121.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB03-294, amended as printed in House Journal, April 23, page 1945.

The House has adopted and transmits herewith HJR03-1049, as printed in House Journal, April 9, pages 1520-1522.

The House has adopted and transmits herewith HJR03-1060, as printed in House Journal, April 18, pages 1821-1823.

INTRODUCTION AND CONSIDERATION OF RESOLUTION

HJR03-1049 by Representative(s) Tochtrop, Borodkin, Boyd, Butcher, Coleman, Fritz, Madden, Marshall, McCluskey, Pommer, Romanoff, Stafford, Weddig, Weissmann, Williams S.; also Senator(s) Takis--Concerning remembrance of the Armenian Genocide from 1915 to 1923, and, in connection therewith, designating April 24, 2003, and every year hereafter as "Colorado Day of Remembrance of the Armenian Genocide".

Senator Anderson moved to suspend the rules for immediate consideration of **HJR03-1049**.

A two-thirds majority of those elected to the Senate having voted in the affirmative, the rules were suspended and immediate consideration granted.

On motion of Senator Takis, 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, Sandoval, 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 House Amendments to Senate Bills.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB03-242 by Senator(s) Dyer; also Representative(s) Larson--Concerning membership of the peace officers standards and training board.

Senator Dyer moved that the Senate concur in House amendments to **SB03-242**, as printed in House Journal, April 21, page 1869. 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**.

SB03-006 by Senator(s) Windels, Anderson, Takis; also Representative(s) Hoppe, Veiga--Concerning the creation of a local initiative committee pilot program for management of community-based programs for adults with mental illness who come into contact with the criminal justice system.

Senator Windels moved that the Senate concur in House amendments to **SB03-006**, as printed in House Journal, April 21, page 1870. 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:

SB03-006

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**.

SB03-045

by Senator(s) Entz, Isgar, Phillips, Taylor; also Representative(s) Miller, Hodge, Hoppe, Rippy, White--Concerning the increased regulation of water wells, and, in connection therewith, requiring continuing education of water well construction contractors and pump installers as a condition of licensure, increasing well permit fees, creating a cash fund, specifying additional well construction and pump installation enforcement authority, creating a well inspection program, and making an appropriation in connection therewith.

Senator Entz moved that the Senate concur in House amendments to **SB03-045**, as printed in House Journal, April 21, page 1871. 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**.

SB03-068

by Senator(s) Hagedorn; also Representative(s) Brophy--Concerning the creation of the commission on mandated health insurance benefits to assess the impact of mandated health insurance benefits in Colorado, and, in connection therewith, making an appropriation.

Laid over until Friday, April 25, retaining its place on the calendar.

SB03-085

by Senator(s) Isgar, Entz; also Representative(s) Smith--Concerning the state engineer's authority to approve temporary loans of water rights, and making an appropriation in connection therewith.

Senator Isgar moved that the Senate concur in House amendments to **SB03-085**, as printed in House Journal, April 21, page 1872. 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**.

SB03-141

by Senator(s) Tapia, Entz, Grossman, Jones, Kester, Sandoval, Taylor; also Representative(s) Salazar--Concerning persons convicted of a crime, and, in connection therewith, waiving certain fees, establishing reimbursement rates for medical care, and authorizing medical care at state hospitals.

Senator Tapia moved that the Senate concur in House amendments to **SB03-141**, as printed in House Journal, April 21, page 1875. 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**.

SB03-238

by Senator(s) Chlouber; also Representative(s) Stengel--Concerning the recovery of actual costs of utility facility relocation at the request of a government entity.

SB03-238

Senator Chlouber moved that the Senate concur in House amendments to **SB03-238**, as printed in House Journal, April 21, page 1875. 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	Y	Takis	Y
Cairns	Y	Hagedorn	Y	Linkhart	Y	Tapia	Y
Chlouber	Y	Hanna	Y	May	Y	Taylor	Y
Dyer	Y	Hillman	Y	McElhany	N	Teck	Y
Entz	Y	Isgar	Y	Nichol	Y	Tupa	Y
Evans	Y	Johnson	Y	Owen	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**.

SB03-110

by Senator(s) Entz, Chlouber, Hillman, Isgar, Tapia, Taylor, Owen; also Representative(s) Hoppe, Miller, Salazar--Concerning the funding of Colorado water conservation board projects, and making appropriations in connection therewith.

Senator Entz moved that the Senate concur in House amendments to **SB03-110**, as printed in House Journal, April 21, page 1872. 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	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**.

SB03-110 Co-sponsors added: Evans.

SB03-070 by Senator(s) Lamborn; also Representative(s) McCluskey--Concerning payment procedures for a public works construction project, and, in connection therewith, creating requirements for contractors' bonds that are consistent with existing mechanics' liens requirements applicable to private projects.

Senator Lamborn moved that the Senate concur in House amendments to **SB03-070**, as printed in House Journal, April 22, page 1913. 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**.

SB03-249 by Senator(s) Owen, Anderson; also Representative(s) Stengel--Concerning authority for the state to enter into leveraged leasing agreements, and, in connection therewith, specifying that property that is the subject of a leveraged leasing agreement is exempt from property taxation.

Senator Owen moved that the Senate concur in House amendments to **SB03-249**, as printed in House Journal, April 22, pages 1913-1914. 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:

SB03-249

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**.

SB03-240

by Senator(s) McElhany; also Representative(s) McCluskey--Concerning the selection process for an independent medical examiner in workers' compensation cases.

Senator McElhany moved that the Senate concur in House amendments to **SB03-240**, as printed in House Journal, April 22, page 1915. 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: Cairns and Kester.

SB03-317

by Senator(s) Chlouber; also Representative(s) Young--Concerning the reduction of the amount that vendors are allowed to retain as payment for the collection of taxes imposed by the state, and making an appropriation in connection therewith.

Senator Chlouber moved that the Senate concur in House amendments to **SB03-317**, as printed in House Journal, April 22, page 1915. The motion was **passed** by the following roll call vote:

SB03-317

YES	33	NO	2	EXCUSED	0	ABSENT	0
Anderson	Y	Groff	N	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	N
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	25	NO	10	EXCUSED	0	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	Sandoval	N
Arnold	Y	Grossman	N	Lamborn	N	Takis	Y
Cairns	N	Hagedorn	Y	Linkhart	N	Tapia	Y
Chlouber	Y	Hanna	Y	May	N	Taylor	Y
Dyer	Y	Hillman	Y	McElhany	N	Teck	Y
Entz	Y	Isgar	N	Nichol	N	Tupa	Y
Evans	Y	Johnson	Y	Owen	Y	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, as amended, was declared **repassed**.

RECONSIDERATION OF THIRD READING--FINAL PASSAGE OF HB03-1294

HB03-1294 by Representative(s) Stafford, Williams S.; also Senator(s) McElhany--Concerning health insurance for employers with fewer than fifty-one employees.

Senator McElhany moved for reconsideration of **HB03-1294**.

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

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

Third Reading Amendment No. 1(L.013), by Senator McElhany.

Amend revised bill, page 3, line 26, strike "MONTHS SOUGHT" and substitute "MONTHS, PURCHASED";

line 27, strike "EMPLOYER, BEEN" and substitute "EMPLOYER THAT IS".

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

HB03-1294 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	Y	Takis	N
Cairns	Y	Hagedorn	Y	Linkhart	Y	Tapia	Y
Chlouber	Y	Hanna	Y	May	Y	Taylor	Y
Dyer	Y	Hillman	Y	McElhany	Y	Teck	Y
Entz	Y	Isgar	Y	Nichol	Y	Tupa	Y
Evans	Y	Johnson	Y	Owen	Y	Windels	Y
Fitz-Gerald	Y	Jones	Y	Phillips	Y	Mr. President	Y
Gordon	Y	Keller	Y	Reeves	Y		

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

Co-sponsors added: Arnold, Jones, and Teck.

IMMEDIATE RECONSIDERATION OF SJR03-042

SJR03-042 by Senator(s) May R.; also Representative(s) Berry--Concerning a request that the Congress of the United States return responsibility for surface transportation policy to the states by allowing the states to retain federal fuel tax revenues.

Having voted on the prevailing side, Senator Grossman moved for immediate reconsideration of the last Senate action, Consideration of Resolutions, on **SJR03-042**.

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

RECONSIDERATION OF RESOLUTION -- SJR03-042

SJR03-042 by Senator(s) May R.; also Representative(s) Berry--Concerning a request that the Congress of the United States return responsibility for surface transportation policy to the states by allowing the states to retain federal fuel tax revenues.

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

YES	22	NO	13	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	Y	Tupa	Y
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: Anderson, Andrews, Cairns, Evans, Johnson, Jones, McElhany, Taylor, and Teck.

CONFERENCE COMMITTEE GRANTED FURTHER POWERS

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

HB03-1219 Senator Johnson moved that the Senate Conferees on the First Conference Committee on **HB03-1219** be given the powers to go beyond the scope of the differences between the two Houses. 1
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 A majority of all members elected to the Senate having voted in the affirmative, the motion was declared **adopted**. 5
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COMMITTEE OF REFERENCE REPORTS 8
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FIRST REPORT OF FIRST CONFERENCE COMMITTEE 11
ON SB03-235 12
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THIS REPORT AMENDS THE 16
REREVISED BILL 17
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To the President of the Senate and the Speaker of the House of Representatives: 21
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Your first conference committee appointed on SB03-235, concerning the right to display the United States flag, has met and reports that it has agreed upon the following: 24
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1. That the Senate accede to the House amendments made to the bill, as the amendments appear in the rerevised bill. 28
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2. That, under the authority granted the committee to consider matters not at issue between the two houses, the following amendments be recommended: 31
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Amend rerevised bill, page 2, line 7, strike "HIS OR HER" and substitute "AN INDIVIDUAL'S"; 35
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line 8, strike "HIS OR HER" and substitute "AN INDIVIDUAL'S"; 38
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line 17, after "(2)", insert "(a)"; 40
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line 18, strike "A PERSON'S" and substitute "AN INDIVIDUAL'S"; 42
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strike line 25 and substitute the following: 44
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"CODE, AS AMENDED. 46
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(b) NOTWITHSTANDING ANY PROVISION OF PARAGRAPH (a) OF THIS SUBSECTION (2) TO THE CONTRARY, AN OWNERS' ASSOCIATION, THE STATE, OR A". 48
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Respectfully submitted, 53
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Senate Committee:	House Committee:
Senator Lamborn, Chairman	Representative Mitchell, Chairman
Senator Cairns	Representative Crane
Senator Tapia	Representative Vigil

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State, Veterans and Military Affairs After consideration on the merits, the Committee recommends that **SB03-229** be postponed indefinitely. 61
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State, Veterans and Military Affairs	After consideration on the merits, the Committee recommends that HB03-1085 be postponed indefinitely.	1 2 3 4 5
Business Affairs and Labor	After consideration on the merits, the Committee recommends that SB03-332 be postponed indefinitely.	6 7 8 9
Business Affairs and Labor	After consideration on the merits, the Committee recommends that HB03-1276 be amended as follows, and as so amended, be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	10 11 12 13 14
	Amend reengrossed bill, page 3, line 23, after the period, insert "NOTHING IN THIS SUBPARAGRAPH (IV) SHALL BE CONSTRUED TO IMPOSE THE OBLIGATION OF PAYING PREMIUM TAX ON ANY CARRIER THAT IS NOT SUBJECT TO THE PROVISIONS OF THIS SECTION.";	15 16 17 18
	strike lines 24 and 25 and substitute the following:	19 20
	""RURAL AREA" MEANS ANY AREA WITHIN A COUNTY, WHICH COUNTY IS NOT".	21 22 23
	Page 4, line 1, strike "PUEBLO,", and strike "WELD; OR" and substitute "WELD.";	24 25 26
	strike lines 2 through 6.	27 28
Business Affairs and Labor	After consideration on the merits, the Committee recommends that HB03-1206 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	29 30 31 32 33
	Amend reengrossed bill, page 2, line 12, strike "labor." and substitute "labor OR HIS OR HER DESIGNEE.".	34 35 36 37
	Page 3, line 14, after "to", insert "THE STATE OR ITS AGENCIES OR ENTITIES,".	38 39 40
	Page 5, line 22, after "IS", insert "EARNED,";	41 42
	line 23, strike "VESTED" and substitute "VESTED,";	43 44
	line 25, after "BONUSES", insert "OR COMMISSIONS".	45 46
	Page 6, strike lines 2 and 3 and substitute the following:	47 48
	"ANY AGREEMENT. IF AN";	49 50
	line 6, after "EARNED", insert "AND DETERMINABLE";	51 52
	strike lines 7 through 12, and substitute the following:	53 54
	"THE EMPLOYER AND THE EMPLOYEE.".	55 56
	Page 7, strike lines 12 through 15 and substitute the following:	57 58
	"States if the employee has voluntarily authorized such deposit in the financial institution of the employee's choice.".	59 60
	Page 12, line 12, strike "OR FOR THE";	61 62
	line 13, strike "AMOUNT OF MONEY AND", and substitute "OR";	63 64
	strike line 14, and substitute the following:	65 66 67

HB03-1206

"FAILED TO PROPERLY PAY OR RETURN TO THE";

line 15, strike "DISCHARGED OR QUITTING" and substitute "TERMINATED";

line 16, after "DURING", insert "HIS OR HER";

line 17, after "OF", insert "SUCH";

line 19, strike "OF" and substitute "AND PROPERTY VALUE OF ANY ITEMS ENTRUSTED TO";

line 20, strike "COMMISSIONS" and substitute "COMPENSATION";

strike line 21 and substitute the following:

"PROVIDED IN SECTION 8-4-109. THIS IS AN EXCEPTION TO THE PAY REQUIREMENTS IN SECTION 8-4-109. THE PENALTY PROVIDED IN SECTION 8-4-109";

line 23, before "PERIOD", insert "TEN-DAY";

line 24, strike "COMMISSIONS." and substitute "COMPENSATION.";

line 25, strike "OF" and substitute "AND PROPERTY VALUE OF ANY ITEMS ENTRUSTED TO".

strike line 27, and substitute the following:

"PROPERLY PAID OR RETURNED THE EMPLOYER AS".

Page 13, line 4, strike "COMMISSIONS" and substitute "COMPENSATION";

line 5, strike "LAW." and substitute "THIS ARTICLE.";

strike lines 8 through 11, and substitute the following:

"ACT OF 1938", 29 U.S.C. SEC. 201 ET SEQ.".

Page 14, line 16, strike "earned" and substitute "earned, VESTED, DETERMINABLE,".

Page 15, line 12, strike "lawful charges or indebtedness", and substitute "~~lawful charges or indebtedness~~ DEDUCTIONS PURSUANT TO SECTION 8-4-105";

line 27, strike "EARNED" and substitute "EARNED, VESTED, AND DETERMINABLE".

Page 16, line 1, strike "COMMISSIONS" and substitute "COMPENSATION";

line 4, strike "ADDITIONAL AMOUNT" and substitute "AMOUNT, IN ADDITION TO THE WAGES OR COMPENSATION,";

line 9, strike "be imposed", and substitute "~~be imposed~~ BEGIN TO ACCRUE";

line 19, strike "WORK, LABOR, OR";

line 20, strike "SERVICES PERFORMED," and substitute "WAGES OR COMPENSATION,";

line 22, strike "AMOUNT DUE" and substitute "AMOUNT EARNED, VESTED, AND DETERMINABLE TO";

strike lines 25 through 27.

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HB03-1206

Page 17, line 1, strike "EMPLOYER." and substitute "OF SUCH HEIR. IF A PERSONAL REPRESENTATIVE FOR THE EMPLOYEE HAS BEEN APPOINTED AND IS KNOWN TO THE EMPLOYER PRIOR TO PAYMENT OF THE AMOUNT DUE TO THE SPOUSE OR OTHER LEGAL HEIR, THE EMPLOYER SHALL PAY THE AMOUNT DUE TO SUCH PERSONAL REPRESENTATIVE UPON THE REQUEST OF SUCH REPRESENTATIVE.";

line 11, after "SPOUSE", insert "OR LEGAL HEIR";

line 22, strike "COMMISSIONS", and substitute "COMPENSATION";

line 26, strike "SUM GREATER THAN THE AMOUNT TENDERED," and substitute "PENALTY,".

Page 18, line 6, after "EMPLOYEE'S", insert "REASONABLE".

Page 19, line 7, strike "every", and substitute "~~every~~ ANY".

SENATE SERVICES REPORT

Senate
Services

Correctly printed: SB03-337, 338, 339, 340;
SJR03-048.

Correctly reengrossed: SB03-314.

Correctly enrolled: SB03-053, 058, 246;
SJR03-033, 035;
SR03-017.

To the Governor for signature on Wednesday, April 23, 2003 at 8:30 a.m.,
SB03-258, 271, 291, 300.

SIGNING OF BILLS--RESOLUTIONS--MEMORIALS

The President has signed: SB03-053, 058;
SJR03-033, 035;
SR03-017.

CONFERENCE COMMITTEE GRANTED FURTHER POWERS

SB03-275

by Senator(s) Teck, Owen, Reeves; also Representative(s) Witwer, Plant, Young--
Concerning the distribution of school accountability reports, and making an appropriation in
connection therewith.

Senator Teck moved that the Senate Conferees on the First Conference Committee on
SB03-275 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.

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COMMITTEE OF REFERENCE REPORTS

FIRST REPORT OF FIRST CONFERENCE COMMITTEE ON HB03-1007

***** THIS REPORT AMENDS THE REENGROSSED BILL *****

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

Your first conference committee appointed on HB03-1007, concerning the limitation on noneconomic damages for certain physical injuries in medical malpractice actions, has met and reports that it has agreed upon the following:

That the Senate recede from its amendments made to the bill, as said amendments appear in the rerevised bill, and that the following amendment be substituted therefor:

Amend reengrossed bill, page 6, after line 18, insert the following:

"(c) EFFECTIVE JULY 1, 2003, THE DAMAGES LIMITATION OF TWO HUNDRED FIFTY THOUSAND DOLLARS DESCRIBED IN PARAGRAPH (b) OF THIS SUBSECTION (1) SHALL BE INCREASED TO THREE HUNDRED THOUSAND DOLLARS WHICH INCREASED AMOUNT SHALL APPLY TO ACTS OR OMISSIONS OCCURRING ON OR AFTER SAID DATE. IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE INCREASE REFLECT AN ADJUSTMENT FOR INFLATION TO THE DAMAGES LIMITATION."

Respectfully submitted,

House Committee: Representative T. Williams, Chairman Representative Rhodes Representative Miller Senate Committee: Senator Hillman, Chairman Senator Sandoval Senator Johnson

Finance After consideration on the merits, the Committee recommends that HB03-1210 be referred to the Committee on Appropriations with favorable recommendation.

Finance After consideration on the merits, the Committee recommends that HB03-1123 be referred to the Committee on Appropriations with favorable recommendation.

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Finance After consideration on the merits, the Committee recommends that **HB03-1332** 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 15, strike "8.18" and substitute "7.96".

Trans- After consideration on the merits, the Committee recommends that **SB03-333** be referred portation to the Committee of the Whole with favorable recommendation.

Business After consideration on the merits, the Committee recommends that **HB03-1164** be Affairs and amended as follows, and as so amended, be referred to the Committee on Appropriations Labor with favorable recommendation.

Amend reengrossed bill, page 3, line 11, strike "2002" and substitute "2001";

strike lines 17 through 27.

Page 4, strike lines 1 through 14 and substitute the following:

SECTION 2. 10-8-512 (3), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

10-8-512. Premiums - standard risk rate. (3) (c) ON OR AFTER JULY 1, 2003, THE BOARD SHALL INCREASE THE PREMIUM RATES TO AN AVERAGE OF ONE HUNDRED FIFTY PERCENT OF THE STANDARD RISK RATE ESTABLISHED PURSUANT TO SUBSECTION (2) OF THIS SECTION AND CONSIDER A REDUCTION IN BENEFITS PROVIDED TO ENROLLEES IN THE PROGRAM BEFORE THE BOARD ESTABLISHES ANY ASSESSMENT PURSUANT TO SECTION 10-8-530 (1.5).

SECTION 3. Part 5 of article 8 of title 10, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

10-8-533. Evaluation of ceding risk to CoverColorado - repeal.

(1) THE BOARD, IN CONSULTATION WITH THE COMMISSIONER, SHALL CONDUCT AN ACTUARIAL STUDY TO DETERMINE THE IMPACTS OF SMALL EMPLOYER CARRIERS CEDING A BUSINESS GROUP OF ONE THAT IS PRESUMPTIVELY ELIGIBLE TO THE PROGRAM AND THE PROGRAM ACTING AS A REINSURANCE MECHANISM FOR SUCH CEDED RISK. THE EVALUATION SHALL INCLUDE THE ADMINISTRATIVE COSTS TO THE PROGRAM AND SMALL EMPLOYER CARRIERS, THE EFFECT OF CEDING THIS RISK ON THE SMALL EMPLOYER HEALTH INSURANCE MARKET, AND THE IMPACT ON THE ASSESSMENT PAID BY INSURERS AS A RESULT OF CEDING SUCH RISK. THE BOARD SHALL REPORT TO THE BUSINESS AFFAIRS AND LABOR COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE CONCERNING THIS EVALUATION NO LATER THAN FEBRUARY 1, 2004.

(2) THIS SECTION IS REPEALED, EFFECTIVE MARCH 1, 2004."

Page 5, line 4, after "BUSINESS", insert "WHEN THE CARRIER HAS GROUP COVERAGE IN PLACE WITH THE EMPLOYER".

after line 16, insert the following:

SECTION 6. 10-16-104, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

10-16-104. Mandatory coverage provisions.

(15) NOTWITHSTANDING ANY PROVISION TO THE CONTRARY, A SMALL EMPLOYER MAY PURCHASE HEALTH BENEFIT COVERAGE THAT DOES NOT INCLUDE THE COVERAGE FOR BENEFITS PURSUANT TO SUBSECTIONS (4), (5), AND (8) TO (12) OF THIS SECTION THROUGH A BASIC HEALTH BENEFIT

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PLAN PURSUANT TO SECTION 10-16-105 (7.2) (b)."

Renumber succeeding sections accordingly.

Page 5, line 17, strike "The introductory portion to";

line 18, strike "10-16-105".

Page 6, line 7, strike "ANNUALLY." and substitute "NO MORE FREQUENTLY THAN ONCE EVERY TWO YEARS.";

after line 9, insert the following:

"(a) The standard health benefit plan shall reflect the benefit design of common plan offerings in the small group market AND MAY REFLECT A PLAN DESIGN THAT HAS A DEDUCTIBLE AMOUNT OF TWO THOUSAND FIVE HUNDRED DOLLARS FOR WHICH THE COVERED PERSON IS RESPONSIBLE AFTER THE FIRST ONE THOUSAND DOLLARS OF COVERAGE HAS BEEN PROVIDED BY AN EMPLOYER IN A MANNER SIMILAR TO A PERSONAL CARE ACCOUNT; and

(b) The basic health benefit plan shall reflect one of the following benefit designs:

~~(I) Coverage that meets the requirements for a high deductible health plan for the purposes of qualifying for a federal medical savings account; except that health maintenance organization basic health benefit plans shall reflect a sharing of higher consumer costs through higher copayments instead of deductible amounts. Such health insurance shall be offered in conjunction with a medical savings account, as defined in section 39-22-504.7, C.R.S., or an account or other mechanism as defined in federal law that is comparable to a medical savings account, which account or mechanism shall reflect an employer contribution of not less than one hundred percent of the amount of the premium paid by the employer for each individual employee up to seventy-five percent of the amount of the deductible; except that a business group of one may not contribute more than the business group of one's net income to a medical savings account or more than sixty-five percent of the deductible amount of the plan. A medical savings account may be accessed through a debit card system.~~

~~(II) Coverage that meets the requirements for a high deductible health plan for the purposes of qualifying for a federal medical savings account; except that a health maintenance organization may reflect a sharing of higher consumer costs through higher copayments instead of deductible amounts. Such high deductible health plan shall include all of the mandated benefits required pursuant to section 10-16-104 and may be offered in conjunction with a medical savings account or other mechanism as defined in federal law that is comparable to a medical savings account.~~

~~(III) A health benefit plan that has a deductible amount of two thousand five hundred dollars in which the covered person is responsible after the first one thousand dollars of coverage has been provided by an employer in a manner similar to a personal care account; or~~

~~(IV) A basic health benefit plan as determined by rule by the commissioner; NOT INCLUDE COVERAGE PURSUANT TO THE MANDATORY COVERAGE PROVISIONS OF SECTION 10-16-104 (4), (5), AND (8) TO (12).";~~

line 10, strike "1995," and substitute "1995 2004,";

line 12, strike "same" and substitute "same GROUP";

line 13, strike "employer. and their dependents." and substitute "employer and their dependents.";

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line 21, after "OFFERING", insert "TO A SMALL EMPLOYER ADDITIONAL OPTIONS OF".

Strike pages 7 and 8.

Page 9, strike lines 1 through 12.

Renumber succeeding sections accordingly.

Page 10, line 1, after "OFFERING", insert "TO A SMALL EMPLOYER ADDITIONAL OPTIONS OF";

strike lines 14 through 26 and substitute the following:

"(1) "BONA FIDE ASSOCIATION" MEANS A BONA FIDE ASSOCIATION AS DEFINED IN SECTION 10-16-102 (5.5) THAT HAS A PROFESSIONAL OR TRADE AFFILIATION.";

Renumber succeeding subsections accordingly.

Page 11, line 3, after "(a)", insert "(I)";

line 4, strike "ARRANGEMENT;" and substitute "ARRANGEMENT; OR";

line 5, strike "(b)" and substitute "(II)".

Reletter succeeding paragraph accordingly.

Page 11, strike lines 14 through 27 and substitute the following:

"(a). "MEWA" ALSO MEANS A MEWA THAT PROVIDES HEALTH BENEFITS OR COVERAGE TO AT LEAST ONE HUNDRED EMPLOYEES AND DEPENDENTS OF SUCH EMPLOYEES OF TWO OR MORE EMPLOYERS WHO ARE MEMBERS OF A BONA FIDE ASSOCIATION. A MEWA DOES NOT INCLUDE:

(a) A LICENSED INSURER;

(b) A COLLECTIVE BARGAINING ARRANGEMENT PURSUANT TO THE TAFT-HARTLEY ACT, 29 U.S.C. SEC. 141 ET SEQ.

(c) AN EMPLOYEE LEASING PLAN ISSUED PURSUANT TO SECTION 10-16-214 (5); OR

(d) A MEWA OR MULTIPLE EMPLOYER TRUST PURSUANT TO SECTION 10-3-903.5 (7)."

Page 12, strike lines 1 through 7.

Renumber succeeding subsections accordingly.

Page 12, strike lines 10 through 27.

Page 13, strike lines 1 through 3;

line 4, strike "rules." and substitute "rules - fees - cash fund.";

strike lines 10 through 15 and substitute the following:

"(b) THE COMMISSIONER SHALL DETERMINE A".

Reletter succeeding paragraph accordingly.

Page 13, line 18, strike "10-16-907." and substitute "10-16-902 (1) (b). THE COMMISSIONER SHALL PROMULGATE RULES TO ENSURE THE SOLVENCY AND OPERATION OF ALL SELF-FUNDED PLANS SUBJECT TO THIS PART 9. THE COMMISSIONER MAY EXAMINE THE SELF-FUNDED PLANS PURSUANT TO ARTICLE 3 OF THIS TITLE.";

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line 21, strike "SATISFIED:" and substitute "MET:"; 1

line 23, strike "EITHER"; 2

line 24, strike "OR" and substitute "AND". 3

Page 14, line 7, strike "AS OF THE END OF " and substitute "AT ALL TIMES"; 4

line 8, strike "EACH YEAR OF OPERATION"; 5

strike line 10; 6

line 11, strike "COMMISSIONER SHALL REQUIRE THAT A MEWA" and 7

substitute the following: 8

"(c) A MEWA SHALL"; 9

line 12, strike "SIMILAR TO THOSE"; 10

line 19, strike "10-16-914." and substitute "10-16-909."; 11

strike lines 21 through 27. 12

Page 15, strike lines 1 through 22 and substitute the following: 13

"(3) (a) NOTWITHSTANDING ANY PROVISION OF LAW TO THE 14

CONTRARY, ANY MEWA ESTABLISHED PURSUANT TO THIS PART 9 SHALL 15

BE EXEMPT FROM THE SMALL EMPLOYER PREMIUM RATING PROVISIONS IN 16

SECTION 10-16-105 (8). 17

(b) A MEWA SHALL GUARANTEE ISSUE HEALTH BENEFIT 18

COVERAGE TO ALL EMPLOYEES AND DEPENDENTS OF AN EMPLOYEE OF AN 19

EMPLOYER THAT IS A MEMBER OF A BONA FIDE ASSOCIATION WITHIN THE 20

SAME ARRANGEMENT PURSUANT TO SECTION 10-16-105 (7.3). 21

(c) THE PREMIUM CHARGED BY THE MEWA SHALL AGGREGATE 22

THE HEALTH STATUS OF ALL INDIVIDUALS WITHIN THE MEWA AS A SINGLE 23

LARGE GROUP."; 24

line 23, strike "(c)" and substitute "(4)"; 25

line 25, strike "FUND OR" and substitute "ASSOCIATION, PURSUANT TO 26

PART 5 OF ARTICLE 4 OF THIS TITLE, OR THE"; 27

strike lines 26 and 27 and substitute the following: 28

"LIFE AND HEALTH INSURANCE PROTECTION ASSOCIATION CREATED IN 29

ARTICLE 20 OF THIS TITLE." 30

Page 16, strike lines 1 through 6 and substitute the following: 31

"(5) (a) THE COMMISSIONER MAY REQUIRE AN APPLICATION FEE 32

FOR A MEWA TO INVESTIGATE AND PROCESS AN INITIAL APPLICATION FOR 33

AUTHORIZATION AS A MEWA TO DO BUSINESS IN THIS STATE. THE FEE 34

SHALL BE A NONREFUNDABLE FEE OF FIVE HUNDRED DOLLARS AND SHALL 35

ACCOMPANY EACH APPLICATION FOR AUTHORIZATION. 36

(b) IN ADDITION TO ANY FEE REQUIRED PURSUANT TO PARAGRAPH 37

(a) OF THIS SUBSECTION (5), A MEWA SHALL BE SUBJECT TO AN ANNUAL 38

NONREFUNDABLE PAYMENT ON OR BEFORE MARCH 1 OF EACH YEAR BASED 39

ON THE FOLLOWING SCHEDULE AT THE TIME OF AUTHORIZATION AND EACH 40

SUBSEQUENT RENEWAL YEAR: 41

(I) FOR A MEWA THAT HAS PRIOR YEAR'S DIRECT WRITTEN 42

PREMIUMS, GROSS CONTRACT FUNDS, OR CHARGES RECEIVED IN 43

COLORADO NOT EXCEEDING ONE MILLION DOLLARS, A FEE OF SIX 44

HUNDRED SEVENTY DOLLARS. 45

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(II) FOR A MEWA THAT HAS PRIOR YEAR'S DIRECT WRITTEN PREMIUMS, GROSS CONTRACT FUNDS, OR CHARGES RECEIVED IN COLORADO IN EXCESS OF ONE MILLION DOLLARS BUT NOT EXCEEDING TEN MILLION DOLLARS, A FEE OF TWO THOUSAND TEN DOLLARS.

(III) FOR A MEWA THAT HAS PRIOR YEAR'S DIRECT WRITTEN PREMIUMS, GROSS CONTRACT FUNDS, OR CHARGES RECEIVED IN COLORADO IN EXCESS OF TEN MILLION DOLLARS, A FEE OF THREE THOUSAND THREE HUNDRED FORTY-FIVE DOLLARS.

(6) SELF-FUNDED MEWA AND FULLY INSURED MEWAS PURSUANT TO THIS PART 9 SHALL PAY FEES AS DETERMINED BY THE COMMISSIONER. THE REVENUE COLLECTED BY THE COMMISSIONER PURSUANT TO THIS SECTION SHALL BE TRANSMITTED TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME TO THE MULTIPLE EMPLOYER WELFARE ARRANGEMENT CASH FUND, WHICH IS HEREBY CREATED. ALL INTEREST DERIVED FROM THIS CASH FUND SHALL BE CREDITED TO THE FUND AND SHALL NOT REVERT TO THE GENERAL FUND. THE GENERAL ASSEMBLY SHALL ANNUALLY APPROPRIATE MONEYS FROM THE FUND TO THE COMMISSIONER FOR THE ADMINISTRATIVE EXPENSES RELATED TO MULTIPLE EMPLOYER WELFARE ARRANGEMENTS AUTHORIZED PURSUANT TO THIS PART 9.

(7) THE COMMISSIONER SHALL SET THE FEES REQUIRED PURSUANT TO SUBSECTION (1) OF THIS SECTION TO COVER THE DIRECT AND INDIRECT COSTS OF THE ADMINISTRATION OF THIS PART 9. THE FIRST YEAR THE FEE SHALL BE NO MORE THAN TWO THOUSAND TWO HUNDRED DOLLARS AND IN SUBSEQUENT YEARS THE FEE SHALL BE NO MORE THAN ONE THOUSAND SEVEN HUNDRED DOLLARS. IN ADDITION, THE FEES REQUIRED BY THIS SECTION SHALL BE SET IN AN AMOUNT TO ADDRESS THE EXPENSES THAT WILL BE INCURRED BY THE DEPARTMENT OF REGULATORY AGENCIES' EVALUATION OF THIS PART 9 PURSUANT TO SECTION 10-16-910."

Page 17, line 4, strike "PLAN" and substitute "MEWA";

strike lines 26 and 27.

Page 18, strike lines 1 through 3 and substitute the following:

"(c) INVESTMENT OF MEWA PLAN MONEYS SHALL BE LIMITED TO INVESTMENTS IN SECURITIES OR OTHER INVESTMENTS PERMITTED BY STATE LAW FOR THE INVESTMENT OF ASSETS CONSTITUTING THE LEGAL RESERVES OF A LIFE INSURANCE COMPANY, PURSUANT TO SECTION 10-3-215.";

strike lines 9 through 27.

Page 19, strike lines 1 through 6.

Renumber succeeding C.R.S. sections accordingly.

Page 19, line 9, after "10-3-903.5", insert "(7) (a)";

strike lines 11 through 27.

Strike page 20.

Page 21, strike lines 1 through 10 and substitute the following:

"10-16-907. Prohibited acts - producers - insurers - lack of knowledge no defense. (1) NO PRODUCER MAY, DIRECTLY OR INDIRECTLY, SOLICIT, ADVERTISE, OR MARKET IN THIS STATE HEALTH BENEFITS OR COVERAGE FROM, OR ACCEPT AN APPLICATION FOR, OR PLACE COVERAGE FOR A PERSON WHO RESIDES IN THIS STATE WITH, A REPORTABLE MEWA UNLESS THE MEWA IS AUTHORIZED TO CONDUCT BUSINESS PURSUANT TO THIS PART 9.

(2) NO INSURER MAY SOLICIT OR EFFECT COVERAGE OF, UNDERWRITE FOR, COLLECT CHARGES OR PREMIUMS FOR, ADJUST OR

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SETTLE CLAIMS OF A RESIDENT OF THIS STATE FOR, OR ENTER INTO ANY AGREEMENT TO PERFORM ANY OF THOSE FUNCTIONS FOR, A REPORTABLE MEWA THAT IS NOT AUTHORIZED TO CONDUCT BUSINESS PURSUANT TO THIS PART 9.

(3) AN INSURER THAT ISSUES OR HAS ISSUED ANY INSURANCE COVERAGE TO A REPORTABLE MEWA THAT COVERS RESIDENTS OF THIS STATE, INCLUDING, BUT NOT LIMITED TO, SPECIFIC OR EXCESS LOSS COVERAGE, SHALL FILE WITH THE COMMISSIONER THE INFORMATION REQUIRED UNDER SECTION 10-16-908 WITHIN THIRTY DAYS AFTER THE COVERAGE IS ISSUED OR WITHIN THIRTY DAYS AFTER THE DATE THE REPORTABLE MEWA FIRST PROVIDES COVERAGE TO A RESIDENT OF THIS STATE, WHICHEVER IS LATER.

(4) LACK OF KNOWLEDGE OR INTENT TO DECEIVE WITH RESPECT TO THE ORGANIZATION OR STATUS OF INSURANCE COVERAGE OF A REPORTABLE MEWA IS NOT A DEFENSE TO A VIOLATION OF THIS PART 9.

(5) IF AN ARRANGEMENT HOLDS ITSELF OUT AS A SELF-FUNDED MEWA PURSUANT TO THIS PART 9, IS NOT AUTHORIZED AS SUCH, AND FAILS TO PAY A CLAIM OR LOSS IN THIS STATE WITHIN THE PROVISIONS OF ITS CONTRACT, THE PRODUCER OR INSURER IS LIABLE TO THE INSURED FOR THE FULL AMOUNT OF THE CLAIM OR LOSS."

Renumber succeeding C.R.S. sections accordingly.

Page 21, strike lines 12 and 13 and substitute the following:

"(1) A MEWA SHALL FILE WITH THE";

line 17, strike "MEWA OR COLLECTIVELY BARGAINED ARRANGEMENT," and substitute "MEWA,";

line 22, strike "OR COLLECTIVELY";

line 23, strike "BARGAINED ARRANGEMENT".

Page 22, line 1, strike "A THIRD PARTY";

line 2, strike "ADMINISTRATOR" and substitute "RISK MANAGEMENT, CLAIMS HANDLING, OR ANY OTHER ADMINISTRATIVE FUNCTION OF A MEWA";

strike lines 4 through 7 and substitute the following:

"(2) A MEWA THAT HAS FILED INFORMATION PURSUANT TO";

line 8, strike "TO 10-16-911 AND";

strike lines 14 through 21.

Renumber succeeding C.R.S. sections accordingly.

Page 22, line 24, strike "ARRANGEMENT THROUGH THE".

Page 23, after line 11, insert the following:

SECTION 11. 10-3-903 (2), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

10-3-903. Definition of transacting insurance business. (2) The provisions of this section do not apply to:

(k) PARTICIPATION IN A DIRECT PROVIDER CONTRACTING PILOT PROGRAM PURSUANT TO SECTION 26-4-127, C.R.S.

SECTION 12. Part 1 of article 16 of title 10, Colorado Revised

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Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

10-16-126. Coinsurance and deductibles. A CARRIER SUBJECT TO THE PROVISIONS OF PARTS 2, 3, AND 4 OF THIS ARTICLE MAY OFFER ONE OR MORE HEALTH COVERAGE PLANS THAT CONTAIN DEDUCTIBLES OR COINSURANCE WITHOUT ANY LIMITATION OR RESTRICTION ON THE MAXIMUM OUT-OF-POCKET PAYABLE BY THE INSURED.

SECTION 13. Repeal. Part 8 of article 16 of title 10, Colorado Revised Statutes, is repealed."

Renumber succeeding sections accordingly.

Page 24, line 13, strike "10-16-915," and substitute "10-16-910,";

line 23, strike "1" and substitute "3";

line 24, strike "3" and substitute "9 and sections 12 and 13";

line 27, strike "4 though 7" and substitute "10, 11, and 14 through 16".

Education

After consideration on the merits, the Committee recommends that **SB03-326** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 24, line 7, strike "(g)" and substitute "(h)".

Page 27, line 14, strike "STATE." and substitute "STATE PURSUANT TO THE PROVISIONS OF ARTICLE 26 OF TITLE 39, C.R.S.".

Page 29, after line 2, insert the following:

"(g) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, ANY SALES TAX AUTHORIZED PURSUANT TO SUBPARAGRAPH (I) OF PARAGRAPH (f) OF THIS SUBSECTION (3) SHALL NOT BE LEVIED ON:

(I) THE SALE OF TANGIBLE PERSONAL PROPERTY DELIVERED BY A RETAILER OR A RETAILER'S AGENT OR DELIVERED TO A COMMON CARRIER FOR DELIVERY TO A DESTINATION OUTSIDE THE DISTRICT; AND

(II) THE SALE OF TANGIBLE PERSONAL PROPERTY ON WHICH A SPECIFIC OWNERSHIP TAX HAS BEEN PAID OR IS PAYABLE WHEN SUCH SALE MEETS THE FOLLOWING CONDITIONS:

(A) THE PURCHASER DOES NOT RESIDE IN THE DISTRICT OR THE PURCHASER'S PRINCIPAL PLACE OF BUSINESS IS OUTSIDE THE DISTRICT; AND

(B) THE PERSONAL PROPERTY IS REGISTERED OR REQUIRED TO BE REGISTERED OUTSIDE THE GEOGRAPHICAL BOUNDARIES OF THE DISTRICT UNDER THE LAWS OF THIS STATE."

Reletter succeeding paragraphs accordingly.

Page 29, line 7, strike "(g)" and substitute "(h)";

line 26, strike "(g)," and substitute "(h),".

Page 35, line 4, strike "(g)" and substitute "(h)".

Education

After consideration on the merits, the Committee recommends that **SB03-338** be postponed indefinitely.

Education

After consideration on the merits, the Committee recommends that **SB03-256** be referred to the Committee of the Whole with favorable recommendation.

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Education	After consideration on the merits, the Committee recommends that HB03-1327 be referred to the Committee of the Whole with favorable recommendation.	1 2 3
Health, Environment, Welfare & Institutions	After consideration on the merits, the Committee recommends that SJR03-045 be referred to the Senate for final action.	4 5 6 7 8
Health, Environment, Welfare & Institutions	After consideration on the merits, the Committee recommends that SB03-331 be referred to the Committee of the Whole with favorable recommendation.	9 10 11 12 13
Health, Environment, Welfare & Institutions	After consideration on the merits, the Committee recommends that HB03-1329 be amended as follows, and as so amended, be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	14 15 16 17 18
	Amend reengrossed bill, page 2, line 21, strike "PURPOSES" and substitute "TO BE USED IN THE FOLLOWING AMOUNTS FOR THE FOLLOWING PURPOSES:";	19 20 21 22
	strike line 22 and substitute the following:	23 24
	"(a) SEVENTY-TWO PERCENT SHALL BE USED FOR THE PURPOSES DESCRIBED IN SECTION 24-32-114 (1) (c), C.R.S.	25 26 27
	(b) TWENTY-EIGHT PERCENT SHALL BE USED FOR THE PURPOSES DESCRIBED IN SECTION 24-32-114 (1) (b), C.R.S."	28 29 30
Agriculture, Natural Resources and Energy	After consideration on the merits, the Committee recommends that HB03-1323 be amended as follows, and as so amended, be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	31 32 33 34 35
	Amend reengrossed bill, page 4, line 10, after "A", insert "FILING";	36 37
	line 11, after the period, insert "THE COUNCIL SHALL ESTABLISH AND PUBLISH HOURLY RATES FOR COORDINATION CHARGES PERFORMED BY THE COUNCIL IN CONNECTION WITH APPLICATIONS FILED UNDER THIS ARTICLE. WITHIN THIRTY DAYS AFTER THE FINAL APPROVAL OR DENIAL OF A PROJECT, THE COUNCIL SHALL BILL THE SPONSOR FOR THE COUNCIL'S DIRECT AND INDIRECT COSTS IN ACCORDANCE WITH THE HOURLY RATE STRUCTURE ESTABLISHED PURSUANT TO THIS SUBSECTION (2). THE COUNCIL'S CHARGES SHALL BE BILLED AGAINST THE FILING FEE PAID PURSUANT TO THIS SUBSECTION (2), BUT SUCH CHARGES SHALL NOT EXCEED THE AMOUNT OF THE FILING FEE. IF THE COUNCIL BILLS CHARGES IN AN AMOUNT LESS THAN THE FILING FEE, THE COUNCIL SHALL RETURN ANY UNUSED BALANCE TO THE SPONSOR AFTER THE FINAL DETERMINATION IN THE MATTER HAS BEEN MADE."	38 39 40 41 42 43 44 45 46 47 48 49 50 51 52
Agriculture, Natural Resources and Energy	After consideration on the merits, the Committee recommends that SJR03-043 be referred to the Committee on <u>Judiciary</u> with favorable recommendation.	53 54 55 56 57
Agriculture, Natural Resources and Energy	After consideration on the merits, the Committee recommends that SJR03-039 be amended as follows, and as so amended be referred to the Senate for final action.	58 59 60 61 62
	Amend printed joint resolution, page 1, strike lines 9 through 15 and substitute the following:	63 64 65
	"promulgate rules requiring United States cattle producers to verify the country of origin of beef products; and".	66 67

SJR03-039

Page 2, strike lines 1 and 2;
 strike lines 6 through 12;
 strike lines 17 through 20.

MESSAGE FROM THE HOUSE

April 24, 2003
 Mr. President:

The House has voted to authorize the House conferees on the First Conference Committee on SB03-268 to consider matters not at issue between the two houses.

In response to the request of the Senate for a Second Conference Committee on SB03-275, the House has dissolved the First Conference Committee and the Speaker has appointed Representatives Witwer, chairman, Young and Plant as House conferees on the Second Conference Committee on SB03-275. The House has voted to authorize the House conferees to consider matters not at issue between the two houses.

INTRODUCTION OF RESOLUTION

The following resolution was read by title:

HJR03-1060 by Representative(s) King, Spradley; also Senator(s) Anderson, Andrews--Concerning the creation of an interim committee to study the impact of various constitutional and statutory provisions on the ability of the state to provide programs and services to its citizens.

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

INTRODUCTION OF BILLS--FIRST READING

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

SB03-341 by Senator(s) Andrews; also Representative(s) Mitchell--Concerning the exclusion of candidate debate programs aired by broadcast facilities from the definition of "electioneering communication" for purposes of Colorado law governing campaign finance.
 State Veterans & Military Affairs

HB03-1105 by Representative(s) Witwer; also Senator(s) Evans--Concerning qualifications of county coroners.
 Judiciary

HB03-1315 by Representative(s) Rippy; also Senator(s) Anderson--Concerning the master lease program.
 Finance

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.
 Health, Environment, Welfare & Institutions

HB03-1342 by Representative(s) Coleman; also Senator(s) Johnson S.--Concerning fees that support the Colorado state titling and registration system.
 Finance
 Appropriations

HB03-1346 by Representative(s) Clapp; also Senator(s) Owen--Concerning the administrative operation of the dental assistance program.
 Health, Environment, Welfare & Institutions

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- HB03-1348** by Representative(s) Rhodes; also Senator(s) Kester--Concerning the authority of domestic life insurance companies relating to separate account contracts.
Business Affairs & Labor
- HB03-1349** by Representative(s) Larson, Berry, May M., Marshall; also Senator(s) Taylor--Concerning the repeal of the time line that moneys appropriated from the federal unemployment trust fund may be obligated for administrative purposes.
Finance
- HB03-1359** by Representative(s) Stafford; also Senator(s) Johnson S.--Concerning the discontinuation of in-home support services for a medical assistance recipient when other care has not been secured for that recipient.
Health, Environment, Welfare & Institutions
- HB03-1363** by Representative(s) King, Lundberg, Stafford, Briggs, Brophy, Cadman, Carroll, Clapp, Cloer, Crane, Fairbank, Fritz, Hall, Harvey, Hoppe, Lee, May M., Mitchell, Paccione, Rhodes, Rose, Schultheis, Sinclair, Smith, Spence, Spradley, Wiens, Witwer; also Senator(s) Andrews, Hagedorn, Lamborn, Owen, Teck, May R.--Concerning repeal of provisions that discriminate against religious entities in the receipt of services from the Colorado educational and cultural facilities authority.
Education

TRIBUTES

Memorializing Carl Turner -- by Senator Phillips

On motion of Senator Anderson, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of April 24, was laid over until Friday, April 25, retaining its place on the calendar.

Consideration of Memorials: SJM03-006, SM03-001, SJM03-007, SJM03-008, SJM03-005.

Consideration of Governor's Vetoes: SB03-207.

Consideration of Conference Committee Reports:

Conference Committees to Report: SB03-098, HB03-1111, SB03-065, SB03-088, SB03-007, HB03-1237, HB03-1007, SB03-038, HB03-1219, SB03-113, SB03-106, SB03-282, SB03-268, HB03-1290, SB03-235, HB03-1172, HB03-1228, SB03-248, HB03-1147, HB03-1301, HB03-1224.

Request for Conference Committees: HB03-1326, SB03-275.

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

Approved:

John Andrews
President of the Senate

Attest:

Mona Heustis
Secretary of the Senate

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