

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

Eighty-seventh Legislative Day

Friday, April 4, 2003

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Prayer	By the chaplain, Pastor Stan Reeder.	11
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Pledge	By Senator May.	13
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Call to Order	By the President at 9:00 a.m.	15
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Roll Call	Present-- 31.	18
	Absent/Excused--4; Cairns, Lamborn, Nichol, Tupa.	19
	Present later--Cairns, Lamborn, Nichol, Tupa.	20
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Quorum	The President announced a quorum present.	22
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Reading of Journal	On motion of Senator Sandoval, reading of the Journal of April 4, 2003 was dispensed with and the Journal was approved as corrected by the Secretary.	24
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COMMITTEE OF REFERENCE REPORTS

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Judiciary	The Committee returns herewith <u>HB03-1149</u> and reports that said bill has been considered on its merits and voted upon by the committee in accordance with Senate Rules, that the deadline applicable to committees under Joint Rule 23 (a) (1) has passed, that final action has not been taken by this committee within said deadline, and that the Committee on Delayed Bills has not waived said deadline. Pursuant to Joint Rule 23 (a) (3) (A), said bill is deemed to be postponed indefinitely.	32
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Health, Environment, Welfare & Institutions	The Committee on <u>Health, Environment, Welfare, and Institutions</u> has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:	40
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**MEMBERS OF THE
COLORADO COMMISSION ON THE AGING**

for terms expiring July 1, 2006:

Danette L. Reitz of Englewood, Colorado, to serve as a Democrat from the First Congressional District, appointed;

Barbara J. Martig of Lafayette, Colorado, to serve as a Republican from the Second Congressional District, appointed;

Bruce Allen Eller of Lyons, Colorado, to serve as a Democrat from the Second Congressional District, appointed;

Richard L. Larsen of Colorado Springs, Colorado, to serve as a Republican from the Fifth Congressional District, reappointed;

Daphne L. Bernstein of Highlands Ranch, Colorado, to serve as a Republican from the Sixth Congressional District, reappointed;

Zachary Sahker of Idledale, Colorado, to serve as a Democrat from the Sixth Congressional District, appointed;

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Kathleen M. Turley of Centennial, Colorado, to serve as a Republican member from the State at Large, appointed;

for terms expiring July 1, 2004:

Scott E. Holwick of Longmont, Colorado, to fill the vacancy occasioned by the resignation of Harriet A. Azari and to serve as a Democrat from the Fourth Congressional District, appointed.

Health,
Environment,
Welfare &
Institutions

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:

MEMBERS OF THE
AIR QUALITY CONTROL COMMISSION

for terms expiring January 31, 2005:

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

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

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

for a term expiring January 31, 2004:

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

for terms expiring January 31, 2006:

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

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

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

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:

HB03-1001 by Representative(s) Hoppe; also Senator(s) Johnson S.--Concerning increased flexibility in the use of water resources, without regard to water division boundaries.

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

Third Reading Amendment No. 1(L.010), by Senator Isgar.

Amend revised bill, page 4, line 25, after "(IV)", insert "(4) (b)".

Page 6, after line 14, insert the following:

"(b) A substitute water supply plan approved pursuant to this subsection (4) shall not be approved for a period of more than one year; except that an applicant may request the renewal of a plan by repeating the application process described in this subsection (4). If an applicant requests a renewal of a plan that would extend the plan past three years

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HB03-1001

from the initial date of approval, the applicant shall demonstrate to the state engineer that the delay in obtaining a water court decree is justifiable and that not being able to continue operating under a substitute water supply plan until a decree is entered will cause undue hardship to the applicant. If an applicant requests renewal of a plan that would extend the plan past five years from the initial date of approval, the applicant shall demonstrate to the water judge in the applicable water division that the delay in obtaining a decree has been justifiable and that not being able to continue operating under a substitute water supply plan until a decree is entered will cause undue hardship to the applicant. APPROVAL OF A PLAN PURSUANT TO SUBSECTION (5) OF THIS SECTION SHALL BE DEEMED TO BE APPROVAL UNDER THIS SUBSECTION (4) FOR PURPOSES OF CALCULATING THE NUMBER OF YEARS SINCE THE INITIAL DATE OF APPROVAL."

Page 7, line 14, after "(5)", insert "OR ANY WATER USE INCLUDED IN SUCH PLAN".

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

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

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

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

Co-sponsors added: Grossman.

SB03-305

by Senator(s) Anderson, Andrews, Fitz-Gerald; also Representative(s) King, Spradley, Veiga--Concerning payment of expenses of the legislative department, and making an appropriation in connection therewith.

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

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

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

SB03-279

by Senator(s) Owen, Reeves, Teck; also Representative(s) Young, Plant, Witwer--Concerning limitations on the provision of services in the medical assistance program.

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

SB03-279

Third Reading Amendment No. 1(L.002), by Senator Keller.

Amend engrossed bill, page 2, line 15, after "REGULATION.", add "WHEN A RULE IS PROMULGATED PURSUANT TO THIS SUBSECTION (2), THE MEDICAL SERVICES BOARD SHALL PROVIDE A SUMMARY REPORT OF THE LIMITATIONS ESTABLISHED BY THE RULE AND ANY FISCAL IMPACT OF THE RULE TO MEMBERS OF THE HEALTH, ENVIRONMENT, WELFARE, AND INSTITUTIONS COMMITTEES OF THE SENATE AND HOUSE OF REPRESENTATIVES AND ANY OTHER MEMBERS OF THE GENERAL ASSEMBLY WHO REQUEST THE REPORTS."

Page 3, line 2, after "REGULATION.", add "WHEN A RULE IS PROMULGATED PURSUANT TO THIS SUBSECTION (2), THE MEDICAL SERVICES BOARD SHALL PROVIDE A SUMMARY REPORT OF THE LIMITATIONS ESTABLISHED BY THE RULE AND ANY FISCAL IMPACT OF THE RULE TO MEMBERS OF THE HEALTH, ENVIRONMENT, WELFARE, AND INSTITUTIONS COMMITTEES OF THE SENATE AND HOUSE OF REPRESENTATIVES AND ANY OTHER MEMBERS OF THE GENERAL ASSEMBLY WHO REQUEST THE REPORTS.";

line 16, after "REGULATION.", add "WHEN A RULE IS PROMULGATED PURSUANT TO THIS SUBSECTION (2), THE MEDICAL SERVICES BOARD SHALL PROVIDE A SUMMARY REPORT OF THE LIMITATIONS ESTABLISHED BY THE RULE AND ANY FISCAL IMPACT OF THE RULE TO MEMBERS OF THE HEALTH, ENVIRONMENT, WELFARE, AND INSTITUTIONS COMMITTEES OF THE SENATE AND HOUSE OF REPRESENTATIVES AND ANY OTHER MEMBERS OF THE GENERAL ASSEMBLY WHO REQUEST THE REPORTS."

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

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

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

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

SB03-268

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

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

Third Reading Amendment No. 1(L.016), by Senator Gordon.

Amend printed bill, page 15, line 21, strike "CONTRACTS." and substitute "CONTRACTS; EXCEPT THAT ANY PORTIONS SOLD, IN THE AGGREGATE, SHALL NOT EXCEED SIXTY PERCENT OF THE STATE'S RIGHT TO RECEIVE TOBACCO SETTLEMENT REVENUES."

SB03-268

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

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

YES	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	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	N	Reeves	Y		

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

SB03-280

by Senator(s) Teck, Owen, Reeves; also Representative(s) Witwer, Plant, Young--
Concerning the hazardous substance response fund, and, in connection therewith, making an appropriation.

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

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

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

SB03-259

by Senator(s) Teck, Owen, Reeves; also Representative(s) Witwer, Plant, Young--
Concerning the authority of the department of health care policy and financing to charge a monthly fee to specified families whose children are enrolled in a children's home- and community-based services waiver program.

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

Third Reading Amendment No. 1(L.002), by Senator Teck.

Amend engrossed bill, page 5, line 8, strike "IN SECTION 24-36-113, C.R.S." and substitute "BY LAW."

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

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

YES	25	NO	10	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	Y	May	Y	Taylor	Y
Dyer	Y	Hillman	Y	McElhany	Y	Teck	Y
Entz	Y	Isgar	Y	Nichol	N	Tupa	N
Evans	Y	Johnson	Y	Owen	Y	Windels	N
Fitz-Gerald	Y	Jones	Y	Phillips	Y	Mr. President	Y
Gordon	N	Keller	Y	Reeves	Y		

SB03-259

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

SB03-292

by Senator(s) Reeves, Owen, Teck; also Representative(s) Young, Plant, Witwer--
Concerning a suspension of the administration of certain statewide assessments, and making an appropriation in connection therewith.

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

YES	34	NO	1	EXCUSED	0	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	Sandoval	Y
Arnold	Y	Grossman	Y	Lamborn	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	N
Gordon	Y	Keller	Y	Reeves	Y		

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

SB03-287

by Senator(s) Teck, Owen, Reeves; also Representative(s) Witwer, Plant, Young--
Concerning an increase in the annual license fees paid by health facilities, and making an appropriation therefor.

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

YES	33	NO	2	EXCUSED	0	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	Sandoval	Y
Arnold	Y	Grossman	Y	Lamborn	Y	Takis	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	N
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**.

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.

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

YES	31	NO	4	EXCUSED	0	ABSENT	0
Anderson	Y	Groff	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	N
Fitz-Gerald	Y	Jones	Y	Phillips	Y	Mr. President	N
Gordon	Y	Keller	Y	Reeves	Y		

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

SB03-295

by Senator(s) Owen, Reeves, Teck; also Representative(s) Young, Plant, Witwer--
Concerning a reduction in the allocation of revenue to the older Coloradans fund, and making an appropriation in connection therewith.

SB03-295

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

Third Reading Amendment No. 1(L.003), by Senator Hagedorn.

Amend engrossed bill, page 2, line 18, strike "2004" and substitute "JULY 1, 2004,".

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

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

YES	24	NO	11	EXCUSED	0	ABSENT	0
Anderson	Y	Groff	N	Kester	Y	Sandoval	N
Arnold	Y	Grossman	Y	Lamborn	Y	Takis	N
Cairns	Y	Hagedorn	Y	Linkhart	N	Tapia	N
Chlouber	Y	Hanna	N	May	Y	Taylor	Y
Dyer	Y	Hillman	Y	McElhany	Y	Teck	Y
Entz	Y	Isgar	N	Nichol	N	Tupa	N
Evans	Y	Johnson	Y	Owen	Y	Windels	N
Fitz-Gerald	Y	Jones	Y	Phillips	Y	Mr. President	Y
Gordon	Y	Keller	N	Reeves	Y		

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

SB03-291

by Senator(s) Owen, Reeves, Teck; also Representative(s) Young, Plant, Witwer-- Concerning changes to the children's basic health plan, and making an appropriation in connection therewith.

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

YES	22	NO	13	EXCUSED	0	ABSENT	0
Anderson	Y	Groff	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	N	Nichol	N	Tupa	N
Evans	Y	Johnson	Y	Owen	Y	Windels	N
Fitz-Gerald	Y	Jones	Y	Phillips	Y	Mr. President	Y
Gordon	N	Keller	N	Reeves	Y		

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

SB03-299

by Senator(s) Owen, Reeves, Teck; also Representative(s) Young, Plant, Witwer-- Concerning a reduction in the transfer of specified tax revenue to the supplemental old age pension health and medical care fund, and making an appropriation in connection therewith.

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

YES	24	NO	11	EXCUSED	0	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	Sandoval	N
Arnold	Y	Grossman	Y	Lamborn	Y	Takis	N
Cairns	Y	Hagedorn	N	Linkhart	N	Tapia	N
Chlouber	Y	Hanna	N	May	Y	Taylor	Y
Dyer	Y	Hillman	Y	McElhany	Y	Teck	Y
Entz	Y	Isgar	N	Nichol	N	Tupa	N
Evans	Y	Johnson	Y	Owen	Y	Windels	N
Fitz-Gerald	Y	Jones	Y	Phillips	Y	Mr. President	Y
Gordon	Y	Keller	N	Reeves	Y		

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

SB03-266

by Senator(s) Reeves, Owen, Teck; also Representative(s) Young, Plant, Witwer--
Concerning the authority of the department of health care policy and financing to charge a nursing facility provider fee to certain medicaid providers in order to establish nursing facility-related programs, and, in connection therewith, establishing the nursing facility quality of care grant program and the state nursing facility service program for specified legal immigrants, and making appropriations in connection therewith.

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

Third Reading Amendment No. 1(L.006), by Senator Reeves.

Amend engrossed bill, page 4, line 7, strike "IN SECTION 24-36-113, C.R.S." and substitute "BY LAW."

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

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

YES	32	NO	3	EXCUSED	0	ABSENT	0
Anderson	Y	Groff	N	Kester	Y	Sandoval	Y
Arnold	Y	Grossman	Y	Lamborn	Y	Takis	N
Cairns	Y	Hagedorn	N	Linkhart	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: Gordon.

SB03-302

by Senator(s) Reeves, Owen, Teck; also Representative(s) Plant, Witwer, Young--
Concerning the repeal of annual gathering of statistical information by the division of insurance regarding the workers' compensation system of Colorado, and making an appropriation therefor.

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

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

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

SB03-296

by Senator(s) Reeves, Owen, Teck; also Representative(s) Young, Plant, Witwer--
Concerning the diversion of the unemployment tax surcharge from the unemployment compensation fund to the general fund.

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

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SB03-296

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

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

SB03-260

by Senator(s) Teck, Owen, Reeves; also Representative(s) Plant, Witwer, Young--
Concerning the registration of wholesale food manufacturers, and, in connection therewith,
assessing a wholesale food manufacturing and storage fee and making an appropriation.

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

YES	34	NO	1	EXCUSED	0	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	Sandoval	Y
Arnold	Y	Grossman	Y	Lamborn	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**.

SB03-288

by Senator(s) Owen, Reeves, Teck; also Representative(s) Witwer, Plant, Young--
Concerning limitations on the provision of private duty nursing services under medical
assistance.

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

YES	30	NO	5	EXCUSED	0	ABSENT	0
Anderson	Y	Groff	N	Kester	Y	Sandoval	Y
Arnold	Y	Grossman	N	Lamborn	Y	Takis	Y
Cairns	Y	Hagedorn	Y	Linkhart	Y	Tapia	N
Chlouber	Y	Hanna	Y	May	Y	Taylor	Y
Dyer	Y	Hillman	Y	McElhany	Y	Teck	Y
Entz	Y	Isgar	Y	Nichol	Y	Tupa	Y
Evans	Y	Johnson	Y	Owen	Y	Windels	N
Fitz-Gerald	Y	Jones	Y	Phillips	Y	Mr. President	Y
Gordon	Y	Keller	N	Reeves	Y		

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

SB03-284

by Senator(s) Teck, Owen, Reeves; also Representative(s) Young, Plant, Witwer--
Concerning the reduction of the period of mandatory juvenile parole, and making an
appropriation in connection therewith.

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

SB03-284

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

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

SB03-274

by Senator(s) Owen, Reeves, Teck; also Representative(s) Young, Plant, Witwer--
Concerning the suspension of certain transfers of state limited gaming revenues to funds other than the state general fund, and making an appropriation in connection therewith.

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

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

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

SB03-286

by Senator(s) Reeves, Owen, Teck; also Representative(s) Plant, Witwer, Young--
Concerning a limitation on the number of juvenile detention beds in the state of Colorado, and, in connection therewith, creating a working group to manage the use of juvenile detention beds within the limitation and making an appropriation.

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

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

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

SB03-276

by Senator(s) Reeves, Owen, Teck; also Representative(s) Plant, Witwer, Young--
Concerning cash funding of water quality programs, and, in connection therewith, making appropriations.

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

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SB03-276

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: Tapia.

SB03-290

by Senator(s) Owen, Reeves, Teck; also Representative(s) Young, Plant, Witwer--
Concerning the authority of the board of parks and outdoor recreation regarding its budget, and, in connection therewith, allowing the board to establish fees by rule and creating a stores revolving fund.

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

Third Reading Amendment No. 1(L.001), by Senator Owen.

Amend engrossed bill, page 3, strike lines 2 through 4;

after line 22, insert the following:

"(1.7) THE BOARD SHALL ESTABLISH BY RULE THE FEE FOR FACILITIES USED FOR WEDDING PARTIES IN AN AMOUNT THAT IS NO MORE THAN TWENTY DOLLARS."

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

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

YES	30	NO	5	EXCUSED	0	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	Sandoval	Y
Arnold	Y	Grossman	Y	Lamborn	Y	Takis	N
Cairns	N	Hagedorn	Y	Linkhart	Y	Tapia	Y
Chlouber	Y	Hanna	N	May	Y	Taylor	N
Dyer	Y	Hillman	Y	McElhany	Y	Teck	Y
Entz	Y	Isgar	Y	Nichol	Y	Tupa	Y
Evans	Y	Johnson	Y	Owen	Y	Windels	N
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**.

SB03-297

by Senator(s) Owen, Reeves, Teck; also Representative(s) Plant, Witwer, Young--
Concerning a reduction in the level of funding provided from the state general fund for certain activities of the department of agriculture, and, in connection therewith, creating an inspection and consumer services cash fund and granting authority to the agricultural commission to set fees for the support of such activities and making an appropriation.

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

SB03-297

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**.

SB03-278

by Senator(s) Reeves, Owen, Teck; also Representative(s) Young, Plant, Witwer-- Concerning the collection of a water administration fee from users of adjudicated water rights for allocation to the division of water resources, and, in connection therewith, making an appropriation.

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

YES	34	NO	1	EXCUSED	0	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	Sandoval	Y
Arnold	Y	Grossman	Y	Lamborn	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**.

RECONSIDERATION OF SB03-292

SB03-292

by Senator(s) Reeves, Owen, Teck; also Representative(s) Young, Plant, Witwer-- Concerning a suspension of the administration of certain statewide assessments, and making an appropriation in connection therewith.

Having voted on the prevailing side, Senator Lamborn moved for reconsideration of the last Senate action, Third Reading--Final Passage, of **SB03-292**.

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

THIRD READING--FINAL PASSAGE OF BILL

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

SB03-292

by Senator(s) Reeves, Owen, Teck; also Representative(s) Young, Plant, Witwer-- Concerning a suspension of the administration of certain statewide assessments, and making an appropriation in connection therewith.

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

SB03-292

YES	32	NO	3	EXCUSED	0	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	Sandoval	Y
Arnold	Y	Grossman	Y	Lamborn	N	Takis	Y
Cairns	N	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	N
Gordon	Y	Keller	Y	Reeves	Y		

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

MESSAGE FROM THE HOUSE

April 4, 2003
Mr. President:

The House has adopted and transmits herewith HJR03-1045, as printed in House Journal, April 3, pages 1435-1436.

INTRODUCTION AND CONSIDERATION OF RESOLUTION

HJR03-1045 by Representative(s) Stafford; also Senator(s) Dyer--Concerning Scottish Tartan Day.

Senator Anderson moved to suspend the rules for immediate consideration of **HJR03-1045**.

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

Senate in recess.

Senate reconvened.

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

SB03-091 by Senator(s) Tupa, Phillips; also Representative(s) Briggs--Concerning incentives for increased use of alternative fuels, and, in connection therewith, allowing hybrid vehicles to use high occupancy vehicle lanes and requiring the use of alternative fuels for certain state vehicles.

Senator Tupa moved that the Senate concur in House amendments to **SB03-091**, as printed in House Journal, March 27, page 1284. 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	28	NO	7	EXCUSED	0	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	Sandoval	Y
Arnold	N	Grossman	Y	Lamborn	N	Takis	Y
Cairns	N	Hagedorn	Y	Linkhart	Y	Tapia	Y
Chlouber	Y	Hanna	Y	May	N	Taylor	Y
Dyer	Y	Hillman	Y	McElhany	N	Teck	Y
Entz	Y	Isgar	Y	Nichol	Y	Tupa	Y
Evans	Y	Johnson	Y	Owen	Y	Windels	Y
Fitz-Gerald	Y	Jones	N	Phillips	Y	Mr. President	N
Gordon	Y	Keller	Y	Reeves	Y		

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

SB03-023 by Senator(s) Keller; also Representative(s) Hefley--Concerning the creation of time lines for terminating the parent-child legal relationship of certain children.

Senator Keller moved that the Senate concur in House amendments to **SB03-023**, as printed in House Journal, March 27, page 1285. 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:

SB03-023

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: Fitz-Gerald, Groff, Nichol, and Windels.

SB03-016

by Senator(s) Lamborn; also Representative(s) Wiens--Concerning the prohibition of certain persons controlling an industrial bank.

Senator Lamborn moved that the Senate concur in House amendments to **SB03-016**, as printed in House Journal, March 27, page 1284. 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**.

SB03-038

by Senator(s) Windels; also Representative(s) Jahn--Concerning a clarification of certain terms contained in the unlawful acts section of the "Mortuary Science Code".

Laid over until Monday, April 7, retaining its place on the calendar.

SB03-088

by Senator(s) Linkhart, Evans, Gordon; also Representative(s) Plant, Groff, Mitchell--Concerning implementation of recommendations of the committee on legal services in connection with legislative review of rules and regulations of state agencies.

Laid over until Monday, April 7, retaining its place on the calendar.

SB03-044

by Senator(s) Hagedorn; also Representative(s) Fritz--Concerning restrictions on post-tenure employment of former members of the general assembly.

Laid over until Monday, April 7, retaining its place on the calendar.

SB03-056 by Senator(s) Phillips, Hanna; also Representative(s) Ragsdale--Concerning membership in plans administered by the fire and police pension association.

Senator Phillips moved that the Senate concur in House amendments to **SB03-056**, as printed in House Journal, March 27, pages 1294-1295. 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: Arnold and Nichol.

SB03-102 by Senator(s) Arnold; also Representative(s) White--Concerning voter identification.

Senator Arnold moved that the Senate concur in House amendments to **SB03-102**, as printed in House Journal, March 27, page 1295. 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	22	NO	13	EXCUSED	0	ABSENT	0
Anderson	Y	Groff	N	Kester	Y	Sandoval	N
Arnold	Y	Grossman	N	Lamborn	Y	Takis	Y
Cairns	Y	Hagedorn	Y	Linkhart	N	Tapia	N
Chlouber	Y	Hanna	N	May	Y	Taylor	Y
Dyer	Y	Hillman	Y	McElhany	Y	Teck	Y
Entz	Y	Isgar	N	Nichol	Y	Tupa	N
Evans	Y	Johnson	Y	Owen	Y	Windels	Y
Fitz-Gerald	N	Jones	Y	Phillips	N	Mr. President	Y
Gordon	N	Keller	N	Reeves	N		

SB03-102

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

Co-sponsors added: Andrews, Cairns, Chlouber, Dyer, Hillman, Jones, Lamborn, May, McElhany, Nichol, Owen, and Teck.

SB03-106

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

Laid over until Monday, April 7, retaining its place on the calendar.

SB03-158

by Senator(s) Tupa, Phillips; also Representative(s) Pommer, Madden, Plant, Weissmann--Concerning the sale of property of a school district.

Senator Tupa moved that the Senate concur in House amendments to **SB03-158**, as printed in House Journal, March 28, pages 1316-1317. 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**.

SB03-079

by Senator(s) Reeves; also Representative(s) Smith--Concerning support obligations.

Laid over until Monday, April 7, retaining its place on the calendar.

SB03-015

by Senator(s) Owen, Hanna; also Representative(s) Jahn, Tochtrop--Concerning disclosure by a health care provider to the named insured of the estimated charges for nonemergency procedures prior to the scheduling of such procedures.

Senator Owen moved that the Senate concur in House amendments to **SB03-015**, as printed in House Journal, March 31, pages 1339 and April 1, pages 1356-1357. The motion was **passed** by the following roll call vote:

SB03-015

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: Sandoval.

SB03-113

by Senator(s) McElhany; also Representative(s) Wiens--Concerning the continuation of the division of gaming within the department of revenue.

Senator McElhany moved that the Senate concur in House amendments to **SB03-113**, as printed in House Journal, March 31, pages 1339-1340 and April 1, pages 1357-1358. The motion was **rejected** by the following roll call vote:

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

Senator McElhany moved that the Senate not concur in House amendments to **SB03-113**, as printed in House Journal, March 31, pages 1339-1340 and April 1, pages 1357-1358 and that a Conference Committee be appointed.

Motion was adopted on the following roll call vote:

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

SB03-231 by Senator(s) Hillman; also Representative(s) Mitchell--Concerning product liability actions.

Senator Hillman moved that the Senate concur in House amendments to **SB03-231**, as printed in House Journal, March 31, page 1344, and April 1, pages 1364-1365. 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	21	NO	14	EXCUSED	0	ABSENT	0
Anderson	Y	Groff	N	Kester	Y	Sandoval	N
Arnold	Y	Grossman	N	Lamborn	Y	Takis	Y
Cairns	Y	Hagedorn	N	Linkhart	N	Tapia	N
Chlouber	Y	Hanna	Y	May	Y	Taylor	Y
Dyer	Y	Hillman	Y	McElhany	Y	Teck	Y
Entz	Y	Isgar	N	Nichol	N	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		

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

Co-sponsors added: Andrews.

SB03-149 by Senator(s) Arnold; also Representative(s) Spence--Concerning practices relating to school districts' budgets.

Senator Arnold moved that the Senate concur in House amendments to **SB03-149**, as printed in House Journal, March 31, pages 1340 and 1345. 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		

SB03-149

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

SB03-233

by Senator(s) Hillman; also Representative(s) Fairbank--Concerning the inclusion of employees of a district attorney in specified retirement plans.

Senator Hillman moved that the Senate concur in House amendments to **SB03-233**, as printed in House Journal, March 31, page 1340. 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**.

SB03-036

by Senator(s) Andrews; also Representative(s) Lee--Concerning the requirement of completion of a course on civil government for high school graduation.

Senator Andrews moved that the Senate concur in House amendments to **SB03-036**, as printed in House Journal, March 31, page 1340. 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:

SB03-036

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, Chlouber, Dyer, Evans, Gordon, Groff, Grossman, Hagedorn, Hillman, Isgar, Johnson, Jones, Keller, Lamborn, May, McElhany, Nichol, Sandoval, Takis, Tapia, Taylor, Teck, and Tupa.

SB03-235

by Senator(s) Lamborn; also Representative(s) Mitchell--Concerning the right to display the United States flag.

Laid over until Monday, April 7, retaining its place on the calendar.

SB03-126

by Senator(s) Entz; also Representative(s) McCluskey--Concerning procedures for the development of water projects by the Colorado water resources and power development authority.

Senator Entz moved that the Senate not concur in House amendments to **SB03-126**, as printed in House Journal, March 31, pages 1342-1343, 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**.

APPOINTMENTS TO CONFERENCE COMMITTEE

The President appointed Senators Entz, Chairman, Hillman, and Isgar as Senate Conferees on the First Conference Committee on **SB03-126**.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS -- Continued

SB03-237

by Senator(s) Anderson; also Representative(s) Pommer--Concerning moneys for the repayment of school district obligations.

Senator Anderson moved that the Senate concur in House amendments to **SB03-237**, as printed in House Journal, March 31, pages 1341-1342 and 1346-1347. 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:

SB03-237

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: Phillips.

SB03-107

by Senator(s) Chlouber; also Representative(s) Hefley--Concerning the number of days simulcast facilities may broadcast out-of-state greyhound races.

Senator Chlouber moved that the Senate concur in House amendments to **SB03-107**, as printed in House Journal, March 31, page 1341. 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	N	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: Taylor.

SB03-007

by Senator(s) Chlouber; also Representative(s) Harvey--Concerning toll evasion violations committed in vehicles not owned by the operator.

Senator Chlouber moved that the Senate not concur in House amendments to **SB03-007**, as printed in House Journal, March 31, page 1343-1344, 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**.

APPOINTMENTS TO CONFERENCE COMMITTEE

The President appointed Senators Chlouber, Chairman, McElhany, and Nichol as Senate Conferees on the First Conference Committee on **SB03-007**.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS -- Continued

SB03-058 by Senator(s) May R.; also Representative(s) Cadman--Concerning state government efficiencies, and, in connection therewith, clarifying the meaning of grants under the "Procurement Code", authorizing the creation of alternative procurement methods, allowing an exception to the selection and contract formation requirements of the "Procurement Code", and allowing an exception to the emissions testing requirements for motor vehicles under certain circumstances.

Laid over until Monday, April 7, retaining its place on the calendar.

SB03-120 by Senator(s) Johnson S.; also Representative(s) Clapp--Concerning the continuation of the regulatory functions of the state board of dental examiners.

Senator Johnson moved that the Senate concur in House amendments to **SB03-120**, as printed in House Journal, April 2, pages 1400-1401. 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**.

CONFERENCE COMMITTEE GRANTED FURTHER POWERS

SB03-226 by Senator(s) Kester; also Representative(s) White--Concerning continuation of the examining board of plumbers.

Senator Kester moved that the Senate Conferees on the First Conference Committee on **SB03-226** 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**.

IMMEDIATE RECONSIDERATION OF SB03-231

SB03-231 by Senator(s) Hillman; also Representative(s) Mitchell--Concerning product liability actions.

Having voted on the prevailing side, Senator Hanna moved for immediate reconsideration of the last Senate action, Third Reading--Final Passage, on SB03-231.

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

Senator Hillman moved a Call of the Senate.

THIRD READING--FINAL PASSAGE OF BILL

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

SB03-231 by Senator(s) Hillman; also Representative(s) Mitchell--Concerning product liability actions.

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

Table with 8 columns: YES, NO, EXCUSED, ABSENT and their respective counts (18, 17, 0, 0). Rows list names and their votes (Y/N).

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

Co-sponsors added: Andrews, Arnold, Cairns, Jones, Kester, May, Taylor, and Teck.

COMMITTEE OF REFERENCE REPORTS

Appropriations After consideration on the merits, the Committee recommends that SB03-018 be postponed indefinitely.

Appropriations After consideration on the merits, the Committee recommends that SB03-142 be postponed indefinitely.

Appropriations After consideration on the merits, the Committee recommends that SB03-019 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 3, after line 27, insert the following:

"SECTION 4. Appropriation - adjustments to the 2003 long bill. (1) For the implementation of this act, appropriations made in the annual general appropriation act to the department of education, for the fiscal year beginning July 1, 2003, shall be adjusted as follows:

SB03-019

(a) The cash funds exempt appropriation to assistance to public schools, grant programs and other distributions, read-to-achieve cash fund, is decreased by twenty-five thousand one hundred forty-nine dollars (\$25,149). Said sum shall be from the tobacco litigation settlement cash fund pursuant to section 24-75-1104, Colorado Revised Statutes.

(b) The cash funds exempt appropriation to assistance to public schools, grant programs and other distributions, for the read-to-achieve grant program, is decreased by twenty-five thousand one hundred forty-nine dollars (\$25,149). Said sum shall be from the read-to-achieve cash fund pursuant to section 22-7-506, Colorado Revised Statutes.

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

(a) The cash funds exempt appropriation to the indigent care program, h.b. 97-1304 children's basic health plan trust, is decreased by twenty-three thousand four hundred fifty-nine dollars (\$23,459). Said sum shall be from the tobacco litigation settlement cash fund pursuant to section 24-75-1104, Colorado Revised Statutes.

(b) The cash funds exempt appropriation to the indigent care program, comprehensive primary and preventive care fund, is decreased by seven thousand nine hundred forty-two dollars (\$7,942). Said sum shall be from the tobacco litigation settlement cash fund pursuant to section 24-75-1104, Colorado Revised Statutes.

(c) The cash funds exempt appropriation to the indigent care program, for the comprehensive primary and preventive care grants program, is decreased by seven thousand nine hundred forty-two dollars (\$7,942). Said sum shall be from the comprehensive primary and preventive care fund pursuant to section 26-4-1007, Colorado Revised Statutes.

(3) For the implementation of this act, appropriations made in the annual general appropriation act to the department of higher education, for the fiscal year beginning July 1, 2003, shall be adjusted as follows: The cash funds exempt appropriation to the governing boards and local district junior colleges, regents of the university of Colorado, other than tuition revenue, is decreased by ten thousand five hundred eighty-nine dollars (\$10,589). Said sum shall be from the tobacco litigation settlement cash fund pursuant to section 24-75-1104, Colorado Revised Statutes.

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

(a) The cash funds exempt appropriation to prevention and intervention services for children and youth division, nurse home visitor program fund, is decreased by ten thousand one hundred fifty-seven dollars (\$10,157). Said sum shall be from the tobacco litigation settlement cash fund pursuant to section 24-75-1104, Colorado Revised Statutes.

(b) The cash funds exempt appropriation to prevention and intervention services for children and youth division, for the nurse home visitor program, is decreased by ten thousand one hundred fifty-seven dollars (\$10,157). Said sum shall be from the nurse home visitor program fund created in section 25-31-107,(4), Colorado Revised Statutes.

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SB03-019

(c) The cash funds exempt appropriation to health promotion and disease prevention, tobacco education and prevention, for tobacco cessation and prevention grants, is decreased by nineteen thousand eight hundred fifty-five dollars (\$19,855). Said sum shall be from the tobacco program fund pursuant to section 25-3.5-807, Colorado Revised Statutes.

(d) The cash funds exempt appropriation to health promotion and disease prevention, for tobacco education and prevention, tobacco program fund, is decreased by nineteen thousand eight hundred fifty-five dollars (\$19,855). Said sum shall be from the tobacco litigation settlement cash fund pursuant to section 24-75-1104, Colorado Revised Statutes.

(e) The cash funds exempt appropriation to health promotion and disease prevention, rural - primary care, state dental loan repayment fund, is decreased by two hundred sixty-eight dollars (\$268). Said sum shall be from the tobacco litigation settlement cash fund pursuant to section 24-75-1104, Colorado Revised Statutes.

(f) The cash funds exempt appropriation to health promotion and disease prevention, rural - primary care, for dental programs, is decreased by two hundred sixty-eight dollars (\$268). Said sum shall be from the state dental loan repayment fund, pursuant to section 25-23-104, Colorado Revised Statutes.

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

(a) The cash funds exempt appropriation to the division of veterans affairs, Colorado state veterans trust fund, is decreased by one thousand three hundred twenty-four dollars (\$1,324). Said sum shall be from the tobacco litigation settlement cash fund pursuant to section 24-75-1104, Colorado Revised Statutes.

(b) The cash funds exempt appropriation to the division of veterans affairs, Colorado state veterans trust fund expenditures, is decreased by one thousand three hundred twenty-four dollars (\$1,324). Said sum shall be from the Colorado state veterans trust fund pursuant to section 28-5-709 (1) (a), Colorado Revised Statutes.

SECTION 5. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, to the legislative department, for allocation to the office of the state auditor, for the fiscal year beginning July 1, 2003, the sum of ninety-eight thousand seven hundred forty-three dollars (\$98,743), or so much thereof as may be necessary, for the implementation of this act. The source of the cash funds shall be from the tobacco litigation settlement cash fund pursuant to section 2-3-113, Colorado Revised Statutes."

Renumber succeeding sections accordingly.

Page 1, line 102, strike "**PROGRAMS.**" and insert "**PROGRAMS, AND MAKING AN APPROPRIATION THEREFOR.**".

Appropriations After consideration on the merits, the Committee recommends that **SB03-033** be referred to the Committee of the Whole with favorable recommendation.

Appropriations After consideration on the merits, the Committee recommends that **SB03-167** be referred to the Committee of the Whole with favorable recommendation.

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Appropriations	After consideration on the merits, the Committee recommends that SB03-022 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	1 2 3 4
	Amend printed bill, page 10, after line 15, insert the following:	5 6
	"SECTION 10. Transfer of Appropriations. (1) From the appropriation made in the annual general appropriation act for the fiscal year beginning July 1, 2003, from the old age pension health and medical care fund, created in section 26-2-117 (2), Colorado Revised Statutes, to the department of human services, adult assistance programs, old age pension program, old age pension health and medical care program, is hereby transferred to the department of health care policy and financing, medical services premiums, for the implementation of this act.	7 8 9 10 11 12 13 14 15
	(2) From the appropriation made in the annual general appropriation act for the fiscal year beginning July 1, 2003, from the supplemental old age pension health and medical care fund, created in section 26-2-117 (3), Colorado Revised Statutes, to the department of human services, adult assistance programs, old age pension program, old age pension supplemental health and medical care program, is hereby transferred to the department of health care policy and financing, medical services premiums, for the implementation of this act."	16 17 18 19 20 21 22 23 24
	Renumber succeeding sections accordingly.	25 26
	Page 1, line 102, strike " PROGRAMS. " and substitute " PROGRAMS, AND MAKING AN APPROPRIATION THEREFOR. ".	27 28 29 30
Appropriations	After consideration on the merits, the Committee recommends that SB03-049 be referred to the Committee of the Whole with favorable recommendation.	31 32 33 34
Appropriations	After consideration on the merits, the Committee recommends that SB03-063 be postponed indefinitely.	35 36 37
Appropriations	After consideration on the merits, the Committee recommends that SB03-239 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	38 39 40 41
	Amend printed bill, page 11, after line 15, insert the following:	42 43
	"SECTION 13. Appropriation - adjustments in 2003 long bill. For the implementation of this act, appropriations made in the annual general appropriations act for the fiscal year beginning July 1, 2003, shall be adjusted as follows: The appropriation to the department of regulatory agencies, division of insurance, is decreased by twelve thousand five hundred dollars (\$12,500). Said sum shall be cash funds exempt from the motorist insurance identification account, created in section 43-4-201, Colorado Revised Statutes."	44 45 46 47 48 49 50 51 52
	Renumber succeeding sections accordingly.	53 54
	Page 1, line 104, strike " PROGRAM. " and substitute " PROGRAM, AND MAKING AN APPROPRIATION THEREFOR. ".	55 56 57 58
Appropriations	After consideration on the merits, the Committee recommends that SB03-103 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	59 60 61 62
	Amend printed bill, page 5, after line 21, insert the following:	63 64
	"SECTION 4. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the P.O.S.T. board cash fund created in section 24-31-303 (2) (b), Colorado Revised Statutes, not otherwise appropriated, to the department of law, for the fiscal year beginning July 1, 2003, the sum of nine hundred thirty-	65 66 67 68 69

SB03-103

seven thousand five hundred ninety-two dollars (\$937,592) and 2.0 FTE, or so much thereof as may be necessary, for the implementation of this act."

Renumber succeeding section accordingly.

Page 1, line 104, strike "**PROGRAMS.**" and substitute "**PROGRAMS, AND MAKING AN APPROPRIATION THEREFOR.**".

Appropriations

After consideration on the merits, the Committee recommends that **SB03-076** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 6, after line 2, insert the following:

"SECTION 3. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the offender services fund created in section 16-11-214, Colorado Revised Statutes, to the judicial department, for the fiscal year beginning July 1, 2003, the sum of two hundred thirty-nine thousand seven hundred fifty-three dollars (\$239,753) and 5.5 FTE, or so much thereof as may be necessary, for the implementation of this act.

(2) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the drivers license administrative revocation account in the highway users tax fund created in section 42-2-132, Colorado Revised Statutes, to the department of revenue, for the fiscal year beginning July 1, 2003, the sum of one hundred eighty-three thousand nine hundred thirty dollars (\$183,930) and 4.0 FTE, or so much thereof as may be necessary, for the implementation of this act."

Renumber succeeding sections accordingly.

Page 1, line 102, strike "**SUBSTANCES.**" and substitute "**SUBSTANCES, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH.**".

Appropriations

After consideration on the merits, the Committee recommends that **SB03-005** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 5, after line 10, insert the following:

"SECTION 4. Appropriation - adjustments to the 2003 long bill. (1) In addition to any other appropriation, there is hereby appropriated, to the department of health care policy and financing, executive director's office, for care management contracts, for the fiscal year beginning July 1, 2003, the sum of one million one hundred forty-six thousand dollars (\$1,146,000), or so much thereof as may be necessary, for the implementation of this act. Said sum shall be from the general fund and shall be subject to the "(M)" notation as defined in the general appropriation act. In addition to said appropriation, the general assembly anticipates that, for the fiscal year beginning July 1, 2003, the department of health care policy and financing will receive the sum of one million one hundred forty-six thousand dollars (\$1,146,000) in federal funds for the implementation of this act. Although the federal funds are not appropriated in this act, they are noted for the purpose of indicating the assumptions used relative to these funds.

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

(a) The appropriation to the executive director's office, for personal services, is increased by three hundred fifty-three thousand five hundred forty-six dollars (\$353,546). Of said sum, one hundred seventy-

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SB03-005

six thousand seven hundred seventy-three dollars (\$176,773) shall be from the general fund and one hundred seventy-six thousand seven hundred seventy-three dollars (\$176,773) shall be from federal funds.

(b) The appropriation to the executive director's office, for operating expenses, is increased by four thousand two hundred eighty-eight dollars (\$4,288). Of said sum, two thousand one hundred forty-four dollars (\$2,144) shall be from the general fund and two thousand one hundred forty-four dollars (\$2,144) shall be from federal funds.

(c) The appropriation to the executive director's office, for the medicaid management information system, is increased by one hundred twenty-eight thousand dollars (\$128,000). Of said sum, thirty-two thousand dollars (\$32,000) shall be from the general fund and ninety-six thousand dollars (\$96,000) shall be from federal funds.

(d) The appropriation to the other medical programs, for the primary care physician program market rate, is increased by four hundred thirty thousand one hundred eighty-five dollars (\$430,185). Of said sum, two hundred fifteen thousand ninety-three dollars (\$215,093) shall be from the general fund and two hundred fifteen thousand ninety-two dollars (\$215,092) shall be from federal funds.

(e) The appropriation for medical services premiums is decreased by three million two hundred eight thousand eight hundred dollars (\$3,208,800). Of said sum, one million six hundred four thousand four hundred dollars (\$1,604,400) shall be from the general fund and one million six hundred four thousand four hundred dollars (\$1,604,400) shall be from federal funds."

Renumber succeeding sections accordingly.

Page 1, line 103, strike "MEDICAID." and substitute "MEDICAID, AND MAKING AN APPROPRIATION THEREFOR."

Appropriations

After consideration on the merits, the Committee recommends that SB03-230 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 4, after line 9, insert the following:

"SECTION 4. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the department of state cash fund created in section 24-21-104 (3) (b), Colorado Revised Statutes, not otherwise appropriated, to the department of state, for the fiscal year beginning July 1, 2003, the sum of one hundred ninety-four thousand five hundred seventeen dollars (\$194,517) and 1.5 FTE, or so much thereof as may be necessary, for the implementation of this act."

Renumber succeeding section accordingly.

Page 1, line 103, strike "ACT"." and substitute "ACT", AND MAKING AN APPROPRIATION THEREFOR."

Appropriations

After consideration on the merits, the Committee recommends that SB03-082 be referred to the Committee of the Whole with favorable recommendation.

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SENATE SERVICES REPORT

Senate Services

Correctly printed: SB03-307.

Correctly engrossed: SB03-259, 260, 266, 268, 274, 275, 276, 278, 279, 280, 284, 286, 287, 288, 290, 291, 292, 295, 296, 297, 299, 302, 305. SJR03-031.

Correctly reengrossed: SB03-261, 262, 263, 267, 269, 271, 272, 273, 277, 282, 285, 300.

Correctly enrolled: SJR03-031.

To the Governor for signature on Wednesday, April 3, 2003 at 11:32 a.m., SB03-112, 133.

MESSAGE FROM THE HOUSE

April 4, 2003

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB03-1333, 1332.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB03-1319, amended as printed in House Journal, April 3, pages 1410-1411. HB03-1337, amended as printed in House Journal, April 3, page 1411. HB03-1274, amended as printed in House Journal, April 3, page 1412. HB03-1073, amended as printed in House Journal, April 3, pages 1412-1413. HB03-1191, amended as printed in House Journal, April 3, pages 1442-1443. HB03-1289, amended as printed in House Journal, April 3, page 1443. HB03-1223, amended as printed in House Journal, April 3, pages 1443-1444.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB03-241, amended as printed in House Journal, April 3, page 1443.

The House has adopted and transmits herewith HJR03-1020, as printed in House Journal, February 27, pages 952-953. The House has adopted and transmits herewith HJR03-1033, as printed in House Journal, March 20, pages 1196-1197.

The House has adopted and transmits herewith HJR03-1022, as printed in House Journal, February 25, pages 928-929, and amended as printed in House Journal, April 4.

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 4, was laid over until Monday, April 7, retaining its place on the calendar.

General Orders--Second Reading: SB03-073, SB03-232, SB03-001, SB03-236, SB03-121, HB03-1121, HB03-1140, HB03-1256, HB03-1214, HB03-1128, SB03-249, SB03-258.

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

Consideration of Memorial: SJM03-002.

Consideration of Governor's Vetoes: SB03-207.

Consideration of Governor's Appointments:

Member of the Board of Trustees for Fort Lewis College;

Members of the Mined Land Reclamation Board.

Consideration of Conference Committee: HB03-1103.

Conference Committees to Report: HB03-1161, HB03-1301, HB03-1025, HB03-1224, HB03-1003, HB03-1005, SB03-226, SB03-098, HB03-1111, SB03-009.

Request for Conference Committees: SB03-065, HB03-1240, HB03-1172, HB03-1218, HB03-1007, HB03-1305, HB03-1092, HB03-1237.

Notice of Intent to Reconsider: SB03-265.

On motion of Senator Anderson, the Senate adjourned until 10:00 a.m., Monday, April 7, 2003.

Approved:

John Andrews
President of the Senate

Attest:

Mona Heustis
Secretary of the Senate

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