

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

Ninety-second Legislative Day

Wednesday, April 7, 2004

Prayer	By the chaplain, Father Chris Misuira.	10
Pledge	By Senator Tapia.	11
Call to Order	By the President at 9:00 a.m.	12
Roll Call	Present--33. Absent/Excused--2; Gordon, Veiga. Present later--Gordon, Veiga.	13
Quorum	The President announced a quorum present.	14
Reading of Journal	On motion of Senator Keller, reading of the Journal of April 6, 2004, was dispensed with and the Journal was approved as corrected by the Secretary.	15

COMMITTEE OF REFERENCE REPORTS

Appropriations	After consideration on the merits, the Committee recommends that SB04-071 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	16
	Amend the Business Affairs and Labor Committee Report, dated February 3, 2004, page 4, after line 15, insert the following:	17
	"line 25, strike "(o)" and substitute "(X)";	18
	line 26, strike "(I)" and substitute "(A)".	19
	Page 5, line 1, strike "(II)" and substitute "(B)";	20
	line 3, strike "(III)" and substitute "(C)" and, after "A", insert "SHOWER OF SPARKS TO A";	21
	line 5, strike "(IV)" and substitute "(D)";	22
	line 7, strike "(V)" and substitute "(E)";	23
	after line 8, insert the following:";	24
	strike line 23 of the committee report.	25
	Page 5 of the committee report, after line 2, insert the following:	26
	"line 12, strike "(a)";";	27
	strike line 4 of the committee report and substitute the following:	28
	"strike lines 18 through 27 and substitute the following:";	29
	line 7 of the committee report, strike the quotation mark and semicolon;	30
	strike lines 8 through 12 of the committee report.	31
	Page 6 of the committee report, strike line 1 and substitute the following:	32

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67

"Page 6, strike line 1;

strike line 3 and substitute the following:".

Page 7 of the committee report, strike lines 3 through 9 and substitute the following:

~~"(b) All fees collected pursuant to paragraph (a) of this subsection (6) shall be transmitted to the state treasurer who shall credit the same to the fireworks licensing cash fund, which fund is hereby created in the state treasury. The general assembly shall appropriate the moneys in the fund to the department of public safety for payment of salaries and expenses necessary for the administration of this article~~ ALL MONEYS RECEIVED BY THE DIRECTOR PURSUANT TO THE ADMINISTRATION OF THIS ARTICLE AND ALL INTEREST EARNED ON THE MONEYS SHALL BE DEPOSITED IN THE STATE TREASURY IN THE FIREWORKS LICENSING CASH FUND, WHICH FUND IS HEREBY CREATED, AND THE MONEYS SHALL BE USED, SUBJECT TO ANNUAL APPROPRIATIONS BY THE GENERAL ASSEMBLY, FOR THE PURPOSES SET FORTH IN THIS ARTICLE, AND SHALL NOT BE DEPOSITED IN OR TRANSFERRED TO THE GENERAL FUND OF THE STATE OF COLORADO OR ANY OTHER FUND.";

after line 11 of the committee report, insert the following:

"strike lines 7 and 8 and substitute the following:

"(A) Retailer of fireworks license shall not exceed twenty-five";

strike lines 10 and 11.

Reletter succeeding sub-subparagraphs accordingly.

Page 6, line 12, strike "a wholesaler of fireworks" and substitute "a wholesaler of fireworks";

strike line 13 and substitute the following:

"license, or an exporter of fireworks license shall not exceed seven";

strike lines 15 and 16;

strike lines 19 through 27.";

strike lines 16 through 18 of the committee report and substitute the following:

"Page 7, strike lines 1 and 2 and substitute the following:".

Page 1, line 103, strike "FIREWORK", AND INCREASING FEES FOR";

strike lines 104 and 105 and substitute the following:

"FIREWORK" AND".

Appropriations

After consideration on the merits, the Committee recommends that **HB04-1397** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 23, strike lines 13 and 14 and substitute the following:

"by thirty-eight million eight hundred forty-six thousand fifty-five dollars (\$38,846,055). Of said sum, sixteen million ninety-one thousand two hundred seven dollars (\$16,091,207) shall be from the general fund and twenty-two million seven hundred fifty-four thousand eight hundred forty-eight dollars (\$22,754,848) shall be from the state education fund created in section 17 (4) of article IX of the state constitution.";

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69

	strike lines 24 through 27.	1
		2
	Page 24, strike lines 1 through 5.	3
		4
	Renumber succeeding section accordingly.	5
		6
		7
Appropriations	After consideration on the merits, the Committee recommends that HB04-1412 be referred to the Committee of the Whole with favorable recommendation.	8
		9
		10
		11
Appropriations	After consideration on the merits, the Committee recommends that HB04-1413 be referred to the Committee of the Whole with favorable recommendation.	12
		13
		14
		15
Appropriations	After consideration on the merits, the Committee recommends that HB04-1415 be referred to the Committee of the Whole with favorable recommendation.	16
		17
		18
		19
Appropriations	After consideration on the merits, the Committee recommends that HB04-1416 be referred to the Committee of the Whole with favorable recommendation.	20
		21
		22
		23
Appropriations	After consideration on the merits, the Committee recommends that HB04-1417 be referred to the Committee of the Whole with favorable recommendation.	24
		25
		26
		27
Appropriations	After consideration on the merits, the Committee recommends that HB04-1418 be referred to the Committee of the Whole with favorable recommendation.	28
		29
		30
		31
Appropriations	After consideration on the merits, the Committee recommends that HB04-1419 be referred to the Committee of the Whole with favorable recommendation.	32
		33
		34
		35
Appropriations	After consideration on the merits, the Committee recommends that HB04-1420 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	36
		37
		38
		39
	Amend reengrossed bill, page 2, strike lines 16 through 22 and substitute the following:	40
		41
		42
	"THAT FISCAL YEAR REDUCED BY THE AMOUNT OF GENERAL FUND MONEYS COMPRISING SUCH RESERVE THAT ARE DISBURSED PURSUANT TO SECTION 24-75-201.5 (1) (e).	43
		44
		45
		46
	SECTION 2. 24-75-201.5 (1), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:	47
		48
		49
	24-75-201.5. Revenue shortfalls - required actions by the governor with respect to the reserve. (1) (e) FOR THE FISCAL YEAR 2003-04 ONLY, IF THE REVENUE ESTIMATE PREPARED IN ACCORDANCE WITH SECTION 24-75-201.3 (2) IN JUNE OF 2004 INDICATES THAT GENERAL FUND EXPENDITURES FOR SUCH FISCAL YEAR BASED ON APPROPRIATIONS THEN IN EFFECT WILL EXCEED THE AMOUNT OF GENERAL FUND REVENUES AVAILABLE, EXCLUDING THE RESERVE REQUIRED BY SECTION 24-75-201.1 (1) (d), THE GOVERNOR SHALL, FROM TIME TO TIME DURING THE PERIOD BEGINNING ON JUNE 20, 2004, AND ENDING ON JUNE 30, 2004, UPON WRITTEN ORDER, DIRECT THE STATE TREASURER TO DISBURSE AN AMOUNT OF GENERAL FUND MONEYS OTHERWISE COMPRISING SUCH RESERVE AS IS NECESSARY TO COVER ANY APPROPRIATIONS THEN IN EFFECT MADE FROM THE GENERAL FUND FOR WHICH GENERAL FUND REVENUES WOULD NOT OTHERWISE BE AVAILABLE, NOT TO EXCEED FORTY-EIGHT MILLION DOLLARS."	50
		51
		52
		53
		54
		55
		56
		57
		58
		59
		60
		61
		62
		63
		64
		65
	Renumber succeeding section accordingly.	66
		67
		68
		69

Appropriations After consideration on the merits, the Committee recommends that **HB04-1421** be referred to the Committee of the Whole with favorable recommendation.

Appropriations After consideration on the merits, the Committee recommends that **HB04-1422** be referred to the Committee of the Whole with favorable recommendation.

INTRODUCTION OF CONCURRENT RESOLUTION--FIRST READING

The following concurrent resolution was read by title and referred to the committee indicated:

SCR04-012 by Senator(s) Andrews; --Submitting to the registered electors of the state of Colorado amendments to section 17 of article IX and section 20 of article X of the constitution of the state of Colorado, concerning a modification of constitutional restrictions affecting the ability of the general assembly to make adjustments to state spending in response to changing levels of state revenues, and, in connection therewith, restricting the growth in the statewide base per pupil funding for the 2005-06 and 2006-07 state fiscal years to the rate of inflation plus one additional percentage point; reducing by one hundred million dollars the amount of moneys required to be spent on public school funding in the 2005-06 and 2006-07 state fiscal years; for the 2005-06 state fiscal year, requiring the state to retain up to one hundred million dollars of excess state revenues; for the 2006-07 state fiscal year, requiring the state to retain up to the sum of one hundred million dollars of excess state revenues and one hundred million dollars of such revenues as adjusted for specified factors; and, for the 2007-08 and all succeeding state fiscal years, requiring the state to retain up to the amount of excess state revenues retained in the 2006-07 state fiscal year as adjusted for specified factors.

State Veterans & Military Affairs

INTRODUCTION OF BILLS--FIRST READING

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

SB04-223 by Senator(s) McElhany; also Representative(s) Briggs--Concerning the designation of public transit officers as peace officers.
Judiciary

HB04-1390 by Representative(s) Hefley, Coleman, Berry, Borodkin, Boyd, Carroll, Clapp, Crane, Frangas, Harvey, Hodge, Hoppe, Jahn, Judd, Larson, Madden, Marshall, May M., McFadyen, McGihon, Paccione, Ragsdale, Rippey, Rose, Schultheis, Stafford, Tochtrop, White, Wiens, Williams S.; also Senator(s) Johnson S.--Concerning the requirement that each health insurer provide information to consumers regarding covered benefits for cancer screening on the Colorado health benefit plan description form.

State Veterans & Military Affairs

HB04-1404 by Representative(s) Fairbank; also Senator(s) Kester--Concerning investments by local governments, and, in connection therewith, amending provisions governing the issuance of securities and increasing the range of investment vehicles available to local governmental entities.

Local Government

On motion of Senator Hillman, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of Resolution--HJR04-1018.

CONSIDERATION OF RESOLUTION--HJR04-1018

HJR04-1018 by Representative(s) Rose, Stafford, Berry, Boyd, Cerbo, Clapp, Cloer, Garcia, Hall, Harvey, Hefley, Hodge, Hoppe, Jahn, Johnson R., King, Larson, Madden, McCluskey, McFadyen, Paccione, Pommer, Ragsdale, Rhodes, Sinclair, Spradley, White, Wiens,

Williams S.; also Senator(s) Johnson S.--Concerning recognition of the month of April as Child Abuse Prevention 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	Takis	Y
Arnold	Y	Grossman	Y	Lamborn	Y	Tapia	Y
Cairns	Y	Hagedorn	Y	May	Y	Taylor	Y
Chlouber	Y	Hanna	Y	McElhany	Y	Teck	Y
Dyer	Y	Hillman	Y	Nichol	Y	Tupa	Y
Entz	Y	Isgar	Y	Owen	Y	Veiga	Y
Evans	Y	Johnson	Y	Phillips	Y	Windels	Y
Fitz-Gerald	Y	Jones	Y	Reeves	Y	Mr. President	Y
Gordon	Y	Keller	Y	Sandoval	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, May, McElhany, Nichol, Owen, Phillips, Reeves, Sandoval, Takis, Tapia, Taylor, Teck, Tupa, Veiga, and Windels.

On motion of Senator Hillman, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, HB04-1397, HB04-1412, HB04-1413, HB04-1415, HB04-1416, HB04-1417, HB04-1419, HB04-1420, HB04-1418, HB04-1421, HB04-1422 were made Special Orders at 9:15 a.m.

Committee of the Whole

The hour of 9:15 a.m. having arrived, Senator Taylor moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders--Second Reading of Bills and Senator Taylor was called to the Chair to act as Chairman.

SPECIAL 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:

HB04-1397 by Representative(s) King; also Senator(s) Anderson--Concerning the financing of public schools, and making an appropriation therefor.

Amendment No. 1, Education Committee Amendment.

(Printed in Senate Journal, April 6, pages 733-734 and placed in members' bill files.)
 (Committee Report was severed. Severed section 1: Pages 1-2, page 3, lines 1 through 19 and line 33, and page 4 was declared passed. Severed section 2: Page 3, lines 20 through 32 was declared passed.)

Amendment No. 2, Appropriations Committee Amendment.

(Printed in Senate Journal, April 7, pages 738-739, and placed in members' bill files.)

Amendment No. 3(L.059), by Senator Windels.

Amend reengrossed bill, page 17, line 8, strike "FIVE MILLION" and substitute "SIX MILLION SIX HUNDRED THOUSAND";

line 9, strike "TWENTY-FIVE" and substitute "THIRTY-THREE";

line 21, strike "TWO MILLION FIVE" and substitute "FOUR MILLION ONE".

Page 22, after line 22, insert the following:

"SECTION 16. 22-54-124 (3) (a) (III) (A), Colorado Revised Statutes, is amended to read:

22-54-124. State aid for charter schools - use of state education fund moneys. (3) (a) (III) (A) The total amount of state education fund moneys to be appropriated for all eligible districts for the 2003-04 budget year and each budget year thereafter shall be an amount equal to five

million dollars; EXCEPT THAT, FOR THE 2004-05 BUDGET YEAR, THE TOTAL AMOUNT OF STATE EDUCATION FUND MONEYS TO BE APPROPRIATED FOR ALL ELIGIBLE DISTRICTS SHALL BE AN AMOUNT EQUAL TO THREE MILLION FOUR HUNDRED THOUSAND DOLLARS."

Renumber succeeding sections accordingly.

Page 23, line 17, strike "five";

strike line 18 and substitute the following:

"one million eight hundred thousand dollars (\$1,800,000). Of said sum, nine hundred thousand dollars (\$900,000)";

line 19, strike "thousand dollars (\$2,500,000)";

line 20, strike "two";

strike line 21 and substitute the following:

"nine hundred thousand dollars (\$900,000) shall be from the";

after line 23, insert the following:

"(c) The cash funds exempt appropriation for assistance to public schools, grant programs and other distributions, charter school capital construction, is decreased by one million six hundred thousand dollars (\$1,600,000). Said sum shall be from the state education fund created in section 17 (4) of article IX of the state constitution."

Amendment No. 4(L.061), by Senators Gordon and Anderson.

Amend the Appropriations Committee Report, dated April 6, 2004, page 1, strike line 1 and substitute the following:

"Amend the Education Committee Report, dated April 6, 2004, page 1, strike lines 5 through 13.

Page 2, strike lines 1 through 25 and substitute the following:

"Page 8, line 22, strike "FUNDING." and substitute "FUNDING; EXCEPT THAT, FOR THE 2004-05, 2005-06, AND 2006-07 BUDGET YEARS, THE DISTRICT'S TOTAL PROGRAM AS CALCULATED BY: ADDING THE AMOUNT DETERMINED BY MULTIPLYING THE DISTRICT'S PER PUPIL FUNDING BY FOUR HUNDRED FIFTY-NINE TO THE AMOUNT DETERMINED BY MULTIPLYING 11% OF THE DISTRICT'S PER PUPIL FUNDING BY THE DISTRICT'S AT-RISK PUPILS; THEN DIVIDING THE SUM OF THOSE TWO AMOUNTS BY FOUR HUNDRED FIFTY-NINE; AND THEN MULTIPLYING THE RESULTING AMOUNT BY THE DISTRICT'S FUNDED PUPIL COUNT MINUS THE DISTRICT'S ON-LINE PUPIL ENROLLMENT.

SECTION 4. 22-54-104 (4), Colorado Revised Statutes, is amended BY THE ADDITION OF THE FOLLOWING NEW PARAGRAPHS to read:

22-54-104. District total program. (4) A district's at-risk funding shall be determined in accordance with one of the following formulas:

(c) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (a) OF THIS SUBSECTION (4), FOR THE 2004-05, 2005-06, AND 2006-07 BUDGET YEARS, IF THE DISTRICT PERCENTAGE OF AT-RISK PUPILS IS EQUAL TO OR LESS THAN THE STATEWIDE AVERAGE PERCENTAGE OF AT-RISK PUPILS OR THE DISTRICT'S FUNDED PUPIL COUNT IS EQUAL TO OR LESS THAN FOUR HUNDRED FIFTY-NINE, THE FORMULA SHALL BE:

(DISTRICT PER PUPIL FUNDING X 11%) X DISTRICT AT-RISK PUPILS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69

(d) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (a) OF THIS SUBSECTION (4), FOR THE 2004-05, 2005-06, AND 2006-07 BUDGET YEARS, IF THE DISTRICT PERCENTAGE OF AT-RISK PUPILS IS GREATER THAN THE STATEWIDE AVERAGE PERCENTAGE OF AT-RISK PUPILS AND THE DISTRICT'S FUNDED PUPIL COUNT IS GREATER THAN FOUR HUNDRED FIFTY-NINE, THE FORMULA SHALL BE:

$$((\text{DISTRICT PER PUPIL FUNDING} \times 11\%) \times (\text{STATEWIDE AVERAGE PERCENTAGE OF AT-RISK PUPILS} \times \text{DISTRICT PUPIL ENROLLMENT})) + ((\text{DISTRICT PER PUPIL FUNDING} \times \text{DISTRICT AT-RISK FACTOR}) \times (\text{DISTRICT AT-RISK PUPILS} - (\text{STATEWIDE AVERAGE PERCENTAGE OF AT-RISK PUPILS} \times \text{DISTRICT PUPIL ENROLLMENT})))$$

SECTION 5. 22-54-104 (5) (f), Colorado Revised Statutes, is amended to read:

22-54-104. District total program. (5) For purposes of the formulas used in this section:

(f) (I) If the district percentage of at-risk pupils is greater than the statewide average percentage of at-risk pupils and the district's funded pupil count is greater than four hundred fifty-nine but not in excess of fifty thousand, the district's at-risk factor shall be 11.5% plus a 0.30 percentage point for each percentage point that the district percentage of at-risk pupils exceeds the statewide average percentage of at-risk pupils; except that no district's at-risk factor shall exceed 30%. NOTWITHSTANDING THE PROVISIONS OF THIS SUBPARAGRAPH (I), FOR THE 2004-05, 2005-06, AND 2006-07 BUDGET YEARS, IF THE DISTRICT PERCENTAGE OF AT-RISK PUPILS IS GREATER THAN THE STATEWIDE AVERAGE PERCENTAGE OF AT-RISK PUPILS AND THE DISTRICT'S FUNDED PUPIL COUNT IS GREATER THAN FOUR HUNDRED FIFTY-NINE BUT NOT IN EXCESS OF FIFTY THOUSAND, THE DISTRICT'S AT-RISK FACTOR SHALL BE 11% PLUS A 0.30 PERCENTAGE POINT FOR EACH PERCENTAGE POINT THAT THE DISTRICT PERCENTAGE OF AT-RISK PUPILS EXCEEDS THE STATEWIDE AVERAGE PERCENTAGE OF AT-RISK PUPILS; EXCEPT THAT NO DISTRICT'S AT-RISK FACTOR SHALL EXCEED 30%.

(II) If the district percentage of at-risk pupils is greater than the statewide average percentage of at-risk pupils and the district's funded pupil count is greater than fifty thousand, the district's at-risk factor shall be 11.5% plus a 0.36 percentage point for each percentage point that the district percentage of at-risk pupils exceeds the statewide average percentage of at-risk pupils; except that no district's at-risk factor shall exceed 30%. NOTWITHSTANDING THE PROVISIONS OF THIS SUBPARAGRAPH (I), FOR THE 2004-05, 2005-06, AND 2006-07 BUDGET YEARS, IF THE DISTRICT PERCENTAGE OF AT-RISK PUPILS IS GREATER THAN THE STATEWIDE AVERAGE PERCENTAGE OF AT-RISK PUPILS AND THE DISTRICT'S FUNDED PUPIL COUNT IS GREATER THAN FIFTY THOUSAND, THE DISTRICT'S AT-RISK FACTOR SHALL BE 11% PLUS A 0.36 PERCENTAGE POINT FOR EACH PERCENTAGE POINT THAT THE DISTRICT PERCENTAGE OF AT-RISK PUPILS EXCEEDS THE STATEWIDE AVERAGE PERCENTAGE OF AT-RISK PUPILS; EXCEPT THAT NO DISTRICT'S AT-RISK FACTOR SHALL EXCEED 30%."

Amend reengrossed bill, page 23, strike lines 13 and 14 and substitute".

Amendment No. 5(L.062), by Senator Reeves.

Amend the Education Committee Report, dated April 6, 2004, page 1, strike lines 1 through 4 and substitute the following:

"Amend reengrossed bill, page 3, line 2, strike "(9.5), (10) (b) (I), (10) (e.5), and (10)" and substitute "(9.5) and (10) (b) (I),";

line 3, strike "(f),";

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69

- line 16, strike "SEPTEMBER" and substitute "OCTOBER". 1
 2
 Page 4, line 2, strike "SEPTEMBER" and substitute "OCTOBER"; 3
 4
 line 5, strike "SEPTEMBER" and substitute "OCTOBER"; 5
 6
 line 12, strike "SEPTEMBER" and substitute "OCTOBER"; 7
 8
 strike lines 13 through 27. 9
 10
 Strike pages 5 and 6. 11
 12
 Page 7, strike lines 1 through 8; 13
 14
 line 17, strike "SEPTEMBER" and substitute "OCTOBER". 15
 16
 17
 As amended, ordered revised and placed on the calendar for Third Reading and Final 18
 Passage. 19
 20
- HB04-1412** by Representative(s) Young, Plant, Witwer; also Senator(s) Owen, Reeves, Teck-- 21
 Concerning transfers of money related to capital construction. 22
 23
 Ordered revised and placed on the calendar for Third Reading and Final Passage. 24
 25
- HB04-1413** by Representative(s) Plant, Witwer, Young; also Senator(s) Teck, Owen, Reeves-- 26
 Concerning the surcharge collected on documents received by a county clerk and recorder 27
 that is used for the purpose of defraying the costs of providing electronic filing capabilities. 28
 29
 Ordered revised and placed on the calendar for Third Reading and Final Passage. 30
 31
- HB04-1415** by Representative(s) Young, Plant, Witwer; also Senator(s) Reeves, Owen, Teck-- 32
 Concerning changes to reimbursements of nursing facilities, and, in connection therewith, 33
 repealing the nursing facility provider fee and quality of care grant program and making an 34
 appropriation. 35
 36
 Ordered revised and placed on the calendar for Third Reading and Final Passage. 37
 38
- HB04-1416** by Representative(s) Witwer, Plant, Young; also Senator(s) Owen, Reeves, Teck-- 39
 Concerning the elimination of the requirement to use general fund moneys for the breast 40
 and cervical cancer prevention and treatment program in state fiscal year 2004-05, and 41
 making an appropriation therefor. 42
 43
 Ordered revised and placed on the calendar for Third Reading and Final Passage. 44
 45
- HB04-1417** by Representative(s) Witwer, Plant, Young; also Senator(s) Reeves, Owen, Teck-- 46
 Concerning the transfer of moneys in the Colorado heritage communities fund to the general 47
 fund. 48
 49
 Ordered revised and placed on the calendar for Third Reading and Final Passage. 50
 51
- HB04-1419** by Representative(s) Witwer, Plant, Young; also Senator(s) Teck, Owen, Reeves-- 52
 Concerning a requirement that private prison contractors reimburse the state only for 53
 monitoring costs associated with monitoring out-of-state inmates with a corresponding 54
 reduction in the private prison reimbursement rate from \$50.37 per inmate per day to \$49.56 55
 per inmate per day, and making an appropriation in connection therewith. 56
 57
 Ordered revised and placed on the calendar for Third Reading and Final Passage. 58
 59
- HB04-1420** by Representative(s) Young, Plant, Witwer; also Senator(s) Owen, Reeves, Teck-- 60
 Concerning the fiscal policy of the state for the 2003-04 state fiscal year in relation to the 61
 statutorily required general fund reserve. 62
 63
Amendment No. 1, Appropriations Committee Amendment. 64
 (Printed in Senate Journal, April 7, page 739 and placed in members' bill files.) 65
 66
 As amended, ordered revised and placed on the calendar for Third Reading and Final 67
 Passage. 68
 69

HB04-1418 by Representative(s) Plant, Witwer, Young; also Senator(s) Teck, Owen, Reeves--
Concerning the quarterly payment of specified assistance grants to individuals for certain
programs administered by the executive director of the department of revenue, and making
an appropriation therefor.

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

HB04-1422 by Representative(s) Young, Witwer, Plant; also Senator(s) Owen, Teck, Reeves--
Concerning the provision for payment of the expenses of the executive, legislative, and
judicial departments of the state of Colorado, and of its agencies and institutions, for and
during the fiscal year beginning July 1, 2004, except as otherwise noted.

Amendment No. 1(J.130), by Senator Anderson.

Amend reengrossed bill, page 33, line 5, in the ITEM & SUBTOTAL
column, strike "127,806,510^a" and substitute "127,640,302^a";

line 6, in the ITEM & SUBTOTAL column, strike "(2,804.5 FTE)"; and
substitute "(2,800.5 FTE)";

line 8, in the ITEM & SUBTOTAL column, strike "129,364,451" and
substitute "129,198,243" and, in the GENERAL FUND column, strike
"129,364,451" and substitute "129,198,243".

Adjust affected totals accordingly.

Page 49, line 14, in the ITEM & SUBTOTAL column, strike "257,130"
and substitute "423,338" and, in the GENERAL FUND column, strike
"257,130" and substitute "423,338".

Page 50, line 1, in the GENERAL FUND column, strike "(4.0 FTE)" and
substitute "(8.0 FTE)".

Adjust affected totals accordingly.

Senator Hillman moved that the Committee of the Whole rise, report progress, and beg
leave to sit again. A majority of those elected to the Senate having voted in the
affirmative, the motion was adopted.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

Passed on Second Reading: HB04-1397 as amended, HB04-1412, HB04-1413,
HB04-1415, HB04-1416, HB04-1417, HB04-1419, HB04-1420 as amended, HB04-1418.
Laid over until the next Special Orders calendar of Wednesday, April 7: HB04-1422 as
amended, HB04-1421.

MESSAGE FROM THE HOUSE

April 7, 2004
Mr. President:

The House has postponed indefinitely SB04-121. The bill is returned herewith.

The House has passed on Third Reading and transmitted to the Revisor of Statutes
HB04-1028.

The House has passed on Third Reading and transmitted to the Revisor of Statutes
HB04-1135, amended as printed in House Journal, April 6, page 1217.
HB04-1157, amended as printed in House Journal, April 6, pages 1217-1218.

HB04-1237, amended as printed in House Journal, April 6, pages 1218-1219.
 HB04-1030, amended as printed in House Journal, April 6, page 1219.
 HB04-1269, amended as printed in House Journal, April 6, pages 1219-1221.
 HB04-1344, amended as printed in House Journal, April 6, page 1221.
 HB04-1347, amended as printed in House Journal, April 6, pages 1221-1222.
 HB04-1015, amended as printed in House Journal, April 6, page 1222.
 HB04-1016, amended as printed in House Journal, April 6, page 1222.
 HB04-1021, amended as printed in House Journal, April 6, pages 1222-1223.
 HB04-1134, amended as printed in House Journal, April 6, pages 1223-1224.
 HB04-1189, amended as printed in House Journal, April 6, page 1224.

The House has adopted and transmits herewith HJR04-1044.

The House has voted to concur in the Senate amendments to HJR04-1027 and has re-adopted the resolution as so amended.

On motion of Senator Hillman, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, the rules were suspended for Immediate Consideration of Resolution--HJR04-1044.

IMMEDIATE CONSIDERATION OF RESOLUTION--HJR04-1044

HJR04-1044 by Representative(s) McFadyen, Spradley, Butcher, Salazar, Berry, Borodkin, Boyd, Briggs, Brophy, Carroll, Cerbo, Cloer, Coleman, Crane, Decker, Fairbank, Frangas, Garcia, Hall, Harvey, Hodge, Hoppe, Jahn, Johnson R., Judd, King, Larson, Lundberg, Madden, Marshall, McCluskey, McGihon, Merrifield, Miller, Mitchell, Paccione, Plant, Pommer, Ragsdale, Rippy, Romanoff, Rose, Schultheis, Sinclair, Smith, Spence, Stafford, Stengel, Tochtrop, Vigil, Weddig, Weissmann, Welker, White, Wiens, Williams S., Williams T., Witwer, Young; also Senator(s) Tapia, Andrews, Entz, Chlouber, Phillips, Anderson, Arnold, Cairns, Dyer, Fitz-Gerald, Gordon, Groff, Grossman, Hagedorn, Hanna, Hillman, Isgar, Johnson S., Jones, Keller, Kester, Lamborn, McElhany, Nichol, Owen, Reeves, Sandoval, Takis, Taylor, Teck, Tupa, Veiga, Windels--Concerning a request for the return of the USS Pueblo.

On motion of Senator Tapia, 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	Takis	Y
Arnold	Y	Grossman	Y	Lamborn	Y	Tapia	Y
Cairns	Y	Hagedorn	Y	May	Y	Taylor	Y
Chlouber	Y	Hanna	Y	McElhany	Y	Teck	Y
Dyer	Y	Hillman	Y	Nichol	Y	Tupa	Y
Entz	Y	Isgar	Y	Owen	Y	Veiga	Y
Evans	Y	Johnson	Y	Phillips	Y	Windels	Y
Fitz-Gerald	Y	Jones	Y	Reeves	Y	Mr. President	Y
Gordon	Y	Keller	Y	Sandoval	Y		

Co-sponsors added: Evans and May.

Senate in recess.

Senate reconvened.

Senator Hillman moved a Call of the Senate.

Senator Hillman moved the Call of the Senate be raised.

On motion of Senator Hillman, the Senate resolved itself into the Committee of the Whole for continuation of Consideration of Special Orders--Second Reading of Bills and Senator Taylor returned to the chair to act a chairman.

Committee of the Whole The Senate resolved itself into the Committee of the Whole to continue consideration of Special Orders--Second Reading of Bills and Senator Taylor returned to the Chair to act as Chairman.

SPECIAL ORDERS--SECOND READING OF BILLS--continued

HB04-1422 by Representative(s) Young, Witwer, Plant; also Senator(s) Owen, Teck, Reeves-- Concerning the provision for payment of the expenses of the executive, legislative, and judicial departments of the state of Colorado, and of its agencies and institutions, for and during the fiscal year beginning July 1, 2004, except as otherwise noted.

As amended, Senate Journal, April 7, page 745.

Amendment No. 2(J.091), by Senators Owen, Teck, and Reeves.

Amend reengrossed bill, page 98, line 7, in the ITEM & SUBTOTAL column, strike "413,392" and substitute "429,879", in the GENERAL FUND column, strike "188,019(M)" and substitute "196,262(M)", and, in the FEDERAL FUNDS column, strike "223,126" and substitute "231,370";

line 8, in the ITEM & SUBTOTAL column, strike "18,205" and substitute "18,843", in the GENERAL FUND column, strike "8,175(M)" and substitute "8,494(M)", and, in the FEDERAL FUNDS column, strike "9,837" and substitute "10,156";

line 10, in the ITEM & SUBTOTAL column, strike "235,928" and substitute "248,845", in the GENERAL FUND column, strike "106,122(M)" and substitute "112,580(M)", and, in the FEDERAL FUNDS column, strike "128,413" and substitute "134,872";

line 11, in the ITEM & SUBTOTAL column, strike "130,514" and substitute "136,130", in the GENERAL FUND column, strike "58,610(M)" and substitute "61,418(M)", and, in the FEDERAL FUNDS column, strike "71,109" and substitute "73,917".

Adjust affected totals accordingly.

Page 109, after line 2, insert the following:

Adjust affected totals and (T) notation totals accordingly.	1
	2
Page 109, line 4, strike "(3)" and substitute "(4)".	3
	4
Page 111, line 5, strike "(4)" and substitute "(5)".	5
	6
Page 113, line 7, strike "(5)" and substitute "(6)";	7
	8
line 10, in the ITEM & SUBTOTAL column, strike "9,423,418" and substitute "9,387,760", in the GENERAL FUND column, strike "4,711,709(M)" and substitute "4,693,881(M)", and, in the FEDERAL FUNDS column, strike "4,711,709" and substitute "4,693,879".	9
	10
	11
	12
	13
Page 116, line 10, in the ITEM & SUBTOTAL column, strike "1,315,047" and substitute "277,951", in the GENERAL FUND column, strike "569,322(M)" and substitute "138,976(M)", and, in the FEDERAL FUNDS column, strike "745,725" and substitute "138,975";	14
	15
	16
	17
	18
strike lines 11 through 14.	19
	20
Page 117, strike lines 1 through 4.	21
	22
Adjust affected totals accordingly.	23
	24
Page 118, strike line 1.	25
	26
Page 126, after line 2, insert the following:	27
	28
"39b Department of Health Care Policy and Financing, Medicaid Mental Health Community Programs, Mental Health Programs, Medicaid Mental Health Capitation -- It is the intent of the General Assembly that expenditures for these services should be recorded only against the Long Bill group total for Medicaid Mental Health Capitation."	29
	30
	31
	32
	33
	34
	35
Page 158, line 8, in the ITEM & SUBTOTAL column, strike "10,159,426" and substitute "10,142,939";	36
	37
	38
line 9, in the ITEM & SUBTOTAL column, strike "305,555" and substitute "304,917";	39
	40
	41
line 11, in the ITEM & SUBTOTAL column, strike "4,412,927" and substitute "4,400,010";	42
	43
	44
line 13, in the ITEM & SUBTOTAL column, strike "2,653,710" and substitute "2,648,094".	45
	46
	47
Page 159, line 12, in the ITEM & SUBTOTAL column, strike "33,391,632" and substitute "33,355,974" and, in the CASH FUNDS EXEMPT column, strike "11,648,356 ^b " and substitute "11,612,698 ^b ".	48
	49
	50
	51
Page 160, line 3, strike "\$8,320,658(T)" and substitute "\$8,285,000(T)".	52
	53
Adjust affected totals and affected (T) notation totals accordingly.	54
	55
Page 182, line 6, in the ITEM & SUBTOTAL column, strike "1,673,133" and substitute "1,137,015";	56
	57
	58
line 7, in the ITEM & SUBTOTAL column, strike "(25.6 FTE)" and substitute "(16.6 FTE)";	59
	60
	61
line 8, in the ITEM & SUBTOTAL column, strike "181,861" and substitute "33,690".	62
	63
	64
Page 183, strike lines 1 and 2;	65
	66
line 6, in the ITEM & SUBTOTAL column, strike "20,460,674" and substitute "19,423,578" and, in the CASH FUNDS EXEMPT column, strike "1,403,208 ^b " and substitute "366,112 ^b ".	67
	68
	69

Adjust affected totals accordingly. 1
 Page 183, line 9, strike "\$1,315,047(T)" and substitute "\$277,951(T)". 2
 Adjust affected (T) notation totals accordingly. 3
 Strike pages 184 and 185. 4
 Page 186, strike lines 1 through 9. 5
 Adjust affected totals and affected (T) notations totals accordingly. 6
 Page 186, line 11, strike "(2)" and substitute "(1)". 7
 Page 188, line 5, strike "(3)" and substitute "(2)". 8
 Page 220, strike lines 5 through 7. 9

Amendment No. 3(J.132), by Senator Hanna.

Amend reengrossed bill, page 105, line 2, strike 10
 "**PREMIUMS**^{31,32,33,34,35,36,37,38,39,39a}" and substitute 11
 "**PREMIUMS**^{31,32,33,34,35,37,38,39,39a}". 12
 Page 124, strike lines 13 through 15. 13

Amendment No. 4(J.136), by Senators Hillman, Taylor, Entz, Kester, Isgar, and Tapia.

Amend reengrossed bill, page 113, line 10, in the ITEM & SUBTOTAL 14
 column, strike "9,423,418" and substitute "9,538,221", in the GENERAL 15
 FUND column, strike "4,711,709(M)" and substitute "4,769,111(M)", 16
 and, in the FEDERAL FUNDS column, strike "4,711,709" and substitute 17
 "4,769,110". 18
 Adjust affected totals accordingly. 19
 Page 158, line 6, in the ITEM & SUBTOTAL column, strike "1,131,046" 20
 and substitute "751,046"; 21
 line 7, in the ITEM & SUBTOTAL column, strike "(15.4 FTE)" and 22
 substitute "(7.4 FTE)". 23
 Page 159, line 12, in the ITEM & SUBTOTAL column, strike 24
 "33,391,632" and substitute "33,011,632" and, in the GENERAL FUND 25
 column, strike "17,181,253(M)" and substitute "16,801,253(M)". 26
 Page 160, line 12, in the ITEM & SUBTOTAL column, strike 27
 "4,437,740" and substitute "5,213,630", in the GENERAL FUND 28
 column, strike "1,502,678" and substitute "1,825,276", in the CASH 29
 FUNDS column, strike "152,141^a" and substitute "182,895^a", in the 30
 CASH FUNDS EXEMPT column, strike "716,890^b" and substitute 31
 "847,863^b", and, in the FEDERAL FUNDS column, strike "2,066,031^c" 32
 and substitute "2,357,596^c"; 33
 line 13, in the ITEM & SUBTOTAL column, strike "(69.1 FTE)" and 34
 substitute "(77.1 FTE)". 35
 Adjust affected totals accordingly. 36
 Page 162, line 2, strike "\$1,102,760(T)" and substitute "\$1,217,563(T)"; 37
 line 3, strike "\$94,706" and substitute "\$110,876"; 38
 line 4, strike "\$586,481" and substitute "\$878,046". 39
 Adjust affected (T) notation totals accordingly. 40

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69

Amendment No. 5(J.119), by Senators Reeves, Owen, and Teck.

Amend reengrossed bill, page 135, after line 8, insert the following:

	ITEM & SUBTOTAL	CASH FUNDS EXEMPT
	\$	\$
"Early Childhood Professional Loan Repayment Program	24,000	24,000(T) ^a .

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

Page 135, after line 11, insert the following:

"^a This amount shall be from federal Child Care Development Funds transferred from the Department of Human Services."

Page 174, after line 6, insert the following:

	ITEM & SUBTOTAL	FEDERAL FUNDS
	\$	\$
"Early Childhood Professional Loan Repayment Program	24,000	24,000 ^d .

Adjust affected totals accordingly.

Amendment No. 6(J.101), by Senators Owen, Teck, and Reeves.

Amend reengrossed bill, page 136, line 5, in the ITEM & SUBTOTAL column, strike "635,063" and substitute "666,000" and, in the CASH FUNDS column, strike "635,063^b" and substitute "666,000^b";

line 6, in the ITEM & SUBTOTAL column, strike "737,420" and substitute "774,000" and, in the CASH FUNDS column, strike "737,420^c" and substitute "774,000^c".

Adjust affected totals accordingly.

Page 137, line 2, in the ITEM & SUBTOTAL column, strike "26,837,933" and substitute "27,168,081" and, in the CASH FUNDS column, strike "11,062,768^a" and substitute "11,392,916^a";

line 4, in the ITEM & SUBTOTAL column, strike "367,346" and substitute "387,550" and, in the CASH FUNDS column, strike "367,346^b" and substitute "387,550^b";

line 5, in the ITEM & SUBTOTAL column, strike "1,663,533" and substitute "1,755,027" and, in the CASH FUNDS column, strike "1,663,533^c" and substitute "1,755,027^c".

Adjust affected totals accordingly.

Page 138, line 4, in the ITEM & SUBTOTAL column, strike "2,096,447" and substitute "1,694,200" and, in the CASH FUNDS column, strike "2,096,447^b" and substitute "1,694,200^b";

line 5, in the ITEM & SUBTOTAL column, strike "4,965,287" and substitute "5,109,300" and, in the CASH FUNDS column, strike "4,965,287^c" and substitute "5,109,300^c".

Adjust affected totals accordingly.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69

Page 139, line 4, in the ITEM & SUBTOTAL column, strike "183,000" and substitute "193,980" and, in the CASH FUNDS column, strike "183,000^b" and substitute "193,980^b";

1
2
3
4

line 5, in the ITEM & SUBTOTAL column, strike "700,000" and substitute "742,000" and, in the CASH FUNDS column, strike "700,000^c" and substitute "742,000^c".

5
6
7
8

Adjust affected totals accordingly.

9
10

Page 140, line 4, in the ITEM & SUBTOTAL column, strike "27,637,000" and substitute "27,982,594" and, in the CASH FUNDS column, strike "27,467,000^b" and substitute "27,812,594^b";

11
12
13
14

line 5, in the ITEM & SUBTOTAL column, strike "26,020,384" and substitute "26,423,280" and, in the CASH FUNDS column, strike "26,020,384^d" and substitute "26,423,280^d".

15
16
17
18

Adjust affected totals accordingly.

19
20

Page 141, line 5, in the ITEM & SUBTOTAL column, strike "2,090,016" and substitute "2,107,205" and, in the CASH FUNDS column, strike "2,043,926^b" and substitute "2,061,115^b";

21
22
23
24

line 6, in the ITEM & SUBTOTAL column, strike "2,184,395" and substitute "2,206,239" and, in the CASH FUNDS column, strike "2,184,395^d" and substitute "2,206,239^d".

25
26
27
28

Adjust affected totals accordingly.

29
30

Page 142, line 6, in the ITEM & SUBTOTAL column, strike "47,796,894" and substitute "48,315,427" and, in the CASH FUNDS column, strike "47,139,363^b" and substitute "47,657,896^b";

31
32
33
34

line 7, in the ITEM & SUBTOTAL column, strike "37,412,789" and substitute "37,824,330" and, in the CASH FUNDS column, strike "37,412,789^d" and substitute "37,824,330^d".

35
36
37
38

Adjust affected totals accordingly.

39
40

Page 143, line 7, in the ITEM & SUBTOTAL column, strike "1,684,000" and substitute "1,750,000" and, in the CASH FUNDS column, strike "1,434,000^b" and substitute "1,500,000^b";

41
42
43
44

line 8, in the ITEM & SUBTOTAL column, strike "917,052" and substitute "950,000" and, in the CASH FUNDS column, strike "917,052^d" and substitute "950,000^d".

45
46
47
48

Adjust affected totals accordingly.

49
50

Page 144, line 8, in the ITEM & SUBTOTAL column, strike "2,440,449" and substitute "2,529,258" and, in the CASH FUNDS column, strike "2,440,449^b" and substitute "2,529,258^b";

51
52
53
54

line 9, in the ITEM & SUBTOTAL column, strike "1,400,355" and substitute "1,600,000" and, in the CASH FUNDS column, strike "1,400,355^c" and substitute "1,600,000^c".

55
56
57
58

Adjust affected totals accordingly.

59
60

Page 145, line 8, in the ITEM & SUBTOTAL column, strike "11,085,048" and substitute "11,769,197" and, in the CASH FUNDS column, strike "9,085,048^b" and substitute "9,769,197^b";

61
62
63
64

line 9, in the ITEM & SUBTOTAL column, strike "668,056" and substitute "718,364" and, in the CASH FUNDS column, strike "668,056^d" and substitute "718,364^d".

65
66
67
68

Adjust affected totals accordingly.

69

Amendment No. 7(J.122), by Senators Owen, Teck, and Reeves.

Amend reengrossed bill, page 157, line 1, after the period, insert the following: "Of said eight percent additional revenue, spending authority for one and one-tenths percent additional revenue shall be from the appropriation in this section, and spending authority for six and nine-tenths percent additional revenue shall be from the appropriation in section 15 of this act."

Page 608, after line 13, insert the following:

SECTION 15. Appropriation. In addition to any other appropriation, there is hereby appropriated, for the fiscal year beginning July 1, 2004, to the department of higher education, governing boards and local district junior colleges, from cash funds exempt tuition revenue, the following sums:

(1) For the trustees of Adams state college, three hundred eighty-four thousand six hundred eleven dollars (\$384,611);

(2) For the trustees of Mesa state college, seven hundred seventy-seven thousand five hundred fifty eight dollars (\$777,558);

(3) For the trustees of Metropolitan state college of Denver, two million six hundred eighty-nine thousand seven hundred seventy dollars (\$2,689,770);

(4) For the trustees of Western state college, five hundred sixty-one thousand two hundred eighty-four dollars (\$561,284);

(5) For the board of governors of the Colorado state university system, nine million six hundred eighty-four thousand three hundred forty dollars (\$9,684,340);

(6) For the trustees of Fort Lewis college, one million four hundred eighty-nine thousand two hundred twenty-two dollars (\$1,489,222);

(7) For the regents of the university of Colorado, twenty-four million nine hundred sixty-one thousand four hundred six dollars (\$24,961,406);

(8) For the trustees of the Colorado school of mines, two million one hundred forty-six thousand seventy-three dollars (\$2,146,073);

(9) For the university of northern Colorado, two million seven hundred seventy thousand two hundred eighty-two dollars (\$2,770,282);

(10) For the state board for community colleges and occupational education state system community colleges, seven million seven hundred seventy thousand nine hundred sixty-nine dollars (\$7,770,969).

SECTION 16. Effective date. This act shall take effect upon passage; except that each of subsections 1 through 10 of section 15 of this act shall take effect only if legislation allowing designation of institutions of higher education as enterprises, as the term is used in Article X of Section 20 of the Colorado constitution, is enacted by the Sixty-fourth General Assembly and becomes law, and the governing board named in the respective subsection designates the institution or group of institutions under its control as an enterprise pursuant to such legislation."

Renumber succeeding section accordingly.

Amendment No. 8(J.106), by Senator Lamborn.

Amend reengrossed bill, page 331, line 1, strike "Programs" and substitute "Programs^{104b}".

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69

Page 338, after line 10, insert the following:

"104b Department of Natural Resources, Division of Wildlife, Division Operations, Biological Programs -- It is the intent of the General Assembly that no funds be expended for peer reviews unless the associated peer reviewers meet all of the following criteria: (1) have no financial interest in the outcome of the study; (2) have not advocated a specific position previously; and (3) have not received and will not potentially receive funding that is dependent on the study's outcome."

As amended, ordered revised and placed on the calendar for Third Reading and Final Passage.
(For further action, see Amendments to the Report of the Committee of the Whole.)

HB04-1421 by Representative(s) Witwer, Plant, Young; also Senator(s) Teck, Owen, Reeves-- Concerning the allocation of tobacco settlement moneys received by the state, and making an appropriation therefor.

Amendment No. 1(L.019), by Senator Teck.

Amend reengrossed bill, page 9, line 1, strike "(I)";

strike lines 5 through 18 and substitute the following:

"MILLION DOLLARS IN ANY FISCAL YEAR."

As amended, ordered revised and placed on the calendar for Third Reading and Final Passage.
(For further action, see Amendments to the Report of the Committee of the Whole.)

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

HB04-1422 by Representative(s) Young, Witwer, Plant; also Senator(s) Owen, Teck, Reeves-- Concerning the provision for payment of the expenses of the executive, legislative, and judicial departments of the state of Colorado, and of its agencies and institutions, for and during the fiscal year beginning July 1, 2004, except as otherwise noted.

Senator Tapia moved to amend the Report of the Committee of the Whole to show that the following Tapia and Tupa floor amendment, (J.098) to HB 04-1422, did pass.

Amend reengrossed bill, page 18, line 10, in the ITEM & SUBTOTAL column, strike "277,030" and substitute "441,850", in the GENERAL FUND column, strike "75,787" and substitute "122,644", and, in the CASH FUNDS column, strike "189,888^b" and substitute "307,851^b";

strike lines 11 through 12.

Page 28, line 11, in the ITEM & SUBTOTAL column, strike "6,060,921" and substitute "9,417,869", in the GENERAL FUND column, strike "5,853,322" and substitute "9,059,207", in the CASH FUNDS column, strike "24,724^b" and substitute "41,509^b", and, in the CASH FUNDS EXEMPT column, strike "182,875^c" and substitute "317,153^c";

strike lines 12 through 13.

Page 61, line 13, in the ITEM & SUBTOTAL column, strike "549,029" and substitute "791,558", in the GENERAL FUND column, strike "278,552" and substitute "367,464", in the CASH FUNDS column, strike "18,536^b" and substitute "28,593^b", in the CASH FUNDS EXEMPT column, strike "47,875(T)^c" and substitute "79,114(T)^c", and, in the FEDERAL FUNDS column, strike "204,066" and substitute "316,387".

Page 62, strike lines 1 through 2.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69

Page 83, line 10, in the ITEM & SUBTOTAL column, strike "119,060" and substitute "194,238", in the GENERAL FUND column, strike "91,333" and substitute "148,586", in the CASH FUNDS column, strike "1,227^a" and substitute "2,101^a", and, in the CASH FUNDS EXEMPT column, strike "23,931(T)^b" and substitute "40,982(T)^b";

strike lines 11 through 12.

Page 98, line 10, in the ITEM & SUBTOTAL column, strike "235,928" and substitute "366,442", in the GENERAL FUND column, strike "106,122(M)" and substitute "164,732(M)", in the CASH FUNDS EXEMPT column, strike "1,393^c" and substitute "2,188^c", and, in the FEDERAL FUNDS column, strike "128,413" and substitute "199,522";

strike line 11.

Page 130, line 8, in the ITEM & SUBTOTAL column, strike "161,462" and substitute "258,306", in the CASH FUNDS column, strike "23,543^a" and substitute "37,046^a", in the CASH FUNDS EXEMPT column, strike "136,568(T)^b" and substitute "219,138(T)^b", and, in the FEDERAL FUNDS column, strike "1,351" and substitute "2,122";

strike lines 9 through 10.

Page 158, line 11, in the ITEM & SUBTOTAL column, strike "4,412,927" and substitute "7,066,637";

strike lines 12 through 13.

Page 250, line 10, in the ITEM & SUBTOTAL column, strike "1,286,607" and substitute "1,991,995";

strike lines 11 through 12.

Page 264, line 10, in the ITEM & SUBTOTAL column, strike "152,486" and substitute "236,922", in the GENERAL FUND column, strike "58,514" and substitute "91,161", in the CASH FUNDS column, strike "21,563^c" and substitute "33,320^c", in the CASH FUNDS EXEMPT column, strike "61,113^d" and substitute "95,227^d", and, in the FEDERAL FUNDS column, strike "11,296" and substitute "17,214";

line 12, in the ITEM & SUBTOTAL column, strike "361,924" and substitute "563,244", in the GENERAL FUND column, strike "92,068" and substitute "136,260", in the CASH FUNDS column, strike "5,004^c" and substitute "8,157^c", in the CASH FUNDS EXEMPT column, strike "262,257^d" and substitute "414,469^d", and, in the FEDERAL FUNDS column, strike "2,595" and substitute "4,358".

Page 265, strike lines 1 through 6.

Page 281, line 10, in the ITEM & SUBTOTAL column, strike "229,655" and substitute "345,620", in the GENERAL FUND column, strike "103,456" and substitute "160,565", in the CASH FUNDS column, strike "28,797^b" and substitute "36,994^b", in the CASH FUNDS EXEMPT column, strike "52,184^c" and substitute "76,909^c", and, in the FEDERAL FUNDS column, strike "45,218" and substitute "71,152";

strike lines 11 through 12.

Page 297, line 10, in the ITEM & SUBTOTAL column, strike "107,502" and substitute "161,873", in the GENERAL FUND column, strike "47,032" and substitute "71,390", in the CASH FUNDS column, strike "74^a" and substitute "128^a", in the CASH FUNDS EXEMPT column, strike "5,953^b" and substitute "9,705^b", and, in the FEDERAL FUNDS column, strike "54,443^c" and substitute "80,650^c";

strike lines 11 through 12.

Page 308, line 11, in the ITEM & SUBTOTAL column, strike

"1,772,694" and substitute "2,749,261", in the GENERAL FUND column, strike "565,132" and substitute "884,418", in the CASH FUNDS column, strike "212,122^b" and substitute "330,584^b", in the CASH FUNDS EXEMPT column, strike "951,860^c" and substitute "1,464,184^c", and, in the FEDERAL FUNDS column, strike "43,580" and substitute "70,075";

strike lines 12 through 13.

Page 339, line 10, in the ITEM & SUBTOTAL column, strike "609,695" and substitute "964,464", in the GENERAL FUND column, strike "215,475" and substitute "383,990", in the CASH FUNDS column, strike "16,376(T)^b" and substitute "19,924(T)^b", and, in the CASH FUNDS EXEMPT column, strike "377,844(T)^d" and substitute "560,550(T)^d";

strike line 11.

Page 370, line 12, in the ITEM & SUBTOTAL column, strike "1,428,007" and substitute "2,247,576", in the GENERAL FUND column, strike "77,292" and substitute "122,366", in the CASH FUNDS column, strike "371,199^c" and substitute "583,589^c", in the CASH FUNDS EXEMPT column, strike "290,252^d" and substitute "457,681^d", and, in the FEDERAL FUNDS column, strike "689,264" and substitute "1,083,940";

strike lines 13 through 14.

Page 427, line 11, in the ITEM & SUBTOTAL column, strike "1,511,041" and substitute "2,365,667", in the GENERAL FUND column, strike "320,080" and substitute "490,151", in the CASH FUNDS column, strike "61,300^b" and substitute "95,775^b", in the CASH FUNDS EXEMPT column, strike "1,073,965^e" and substitute "1,680,459^e", and, in the FEDERAL FUNDS column, strike "55,696" and substitute "99,282";

strike lines 12 through 13.

Page 430, line 7, strike "\$1,009,126" and substitute "\$1,578,417", and strike "\$5,125(T)" and substitute "\$8,145(T)";

line 8, strike "\$59,714" and substitute "\$93,897";

strike lines 9 through 10.

Page 456, line 10, in the ITEM & SUBTOTAL column, strike "648,354" and substitute "1,025,520", in the GENERAL FUND column, strike "19,212" and substitute "30,303", in the CASH FUNDS column, strike "552,385^b" and substitute "877,855^b", and, in the CASH FUNDS EXEMPT column, strike "76,757(T)^a" and substitute "117,362(T)^a";

strike lines 11 through 12.

Page 471, line 10, in the ITEM & SUBTOTAL column, strike "1,363,702" and substitute "2,203,224", in the GENERAL FUND column, strike "876,274" and substitute "1,367,767", in the CASH FUNDS column, strike "85,423^c" and substitute "146,725^c", and, in the CASH FUNDS EXEMPT column, strike "402,005^d" and substitute "688,732^d";

strike lines 11 through 12.

Page 501, line 10, in the ITEM & SUBTOTAL column, strike "112,906" and substitute "171,723";

strike lines 11 through 12.

Page 508, line 2, in the ITEM & SUBTOTAL column, strike "9,733" and substitute "15,030", in the CASH FUNDS column, strike "6,462^a" and substitute "9,680^a", and, in the FEDERAL FUNDS column, strike

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69

"3,271^b" and substitute "5,350^b";

strike lines 3 through 4.

Page 515, line 10, in the ITEM & SUBTOTAL column, strike "30,709" and substitute "46,300";

strike lines 11 through 12.

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

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the Report of the Committee of the Whole was declared LOST.

Senator Gordon moved to amend the Report of the Committee of the Whole to show that the following Gordon floor amendment, (J.144) to HB 04-1422, did pass.

Amend reengrossed bill, page 82, line 5, strike "**Office**" and substitute "**Office**^{18a}".

Page 93, after line 5, insert the following:

18a Governor - Lieutenant Governor - State Planning and Budgeting, Office of the Governor, Governor's Office -- It is the intent of the General Assembly that the Governor sell the replacement state aircraft for which \$3,750,000 in funds from the federal "Job and Growth Tax Relief Reconciliation Act of 2003", as amended, (P.L. No. 108-27), were allocated according to the Office of State Planning and Budgeting, and for which \$3,830,000 was actually expended according to the State Controller's Office. It is the intent of the General Assembly that the proceeds from the sale of this aircraft be deposited in the General Fund, subject to future appropriation by the General Assembly."

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

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the Report of the Committee of the Whole was declared LOST.

Senator Hanna moved to amend the Report of the Committee of the Whole to show that the following Hanna, Grossman, Windels, Tapia, Isgar, Sandoval, Groff, Gordon, and Fitz-Gerald floor amendment, (J.152) to HB 04-1422, did pass.

Amend reengrossed bill, page 105, line 2, strike "**PREMIUMS**^{31, 32, 33, 34, 35, 36, 37, 38, 39, 39a}" and substitute "**PREMIUMS**^{31, 32, 33, 34, 35, 36, 37, 39, 39a}".

line 8, strike "\$19,141.20" and substitute "\$19,149.01" and, in the ITEM & SUBTOTAL column, strike "651,719,554" and substitute "651,985,642";

line 14, strike "\$12,922.21" and substitute "\$12,927.81" and, in the ITEM & SUBTOTAL column, strike "72,984,627" and substitute "73,016,261".

Page 106, line 7, strike "\$979.99" and substitute "\$980.03" and, in the ITEM & SUBTOTAL column, strike "10,145,840" and substitute "10,146,262";

line 12, strike "\$12,651.62" and substitute "\$12,661.11" and, in the ITEM & SUBTOTAL column, strike "584,833,914" and substitute "585,272,274".

Page 107, line 5, strike "\$3,641.29" and substitute "\$3,641.53" and, in the ITEM & SUBTOTAL column, strike "178,492,611" and substitute "178,502,257";

line 9, strike "\$6,112.61" and substitute "\$6,112.76" and, in the ITEM & SUBTOTAL column, strike "49,059,808" and substitute "49,061,018".

Page 108, line 12, in the TOTAL column, strike "1,939,124,986" and substitute "1,939,872,346", in the GENERAL FUND column, strike "939,525,973(M)" and substitute "939,899,653(M)", and, in the FEDERAL FUNDS column, strike "969,619,247" and substitute "969,992,927".

Adjust affected totals accordingly.

Page 125, strike lines 6 and 7.

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

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the Report of the Committee of the Whole was declared LOST

Senator Tupa moved to amend the Report of the Committee of the Whole to show that the following Tupa floor amendment, (J.104) to HB 04-1422, did pass.

Amend reengrossed bill, page 130, line 2, strike "**EDUCATION**" and substitute "**EDUCATION**^{47a}".

Page 154, after line 12, insert the following:

47a Department of Higher Education -- It is the intent of the General Assembly that if voters approve a ballot initiative allowing the State to retain revenues in excess of the limit imposed by Article X, Section 20 of the Colorado Constitution (TABOR), the General Assembly will use up to \$25.0 million of the additional funds to support higher education."

YES	15	NO	19	EXCUSED	1	ABSENT	0	
Anderson	N	Groff	Y	Kester	N	Takis	Y	1
Arnold	N	Grossman	Y	Lamborn	N	Tapia	Y	2
Cairns	N	Hagedorn	Y	May	N	Taylor	N	3
Chlouber	N	Hanna	Y	McElhany	N	Teck	N	4
Dyer	N	Hillman	N	Nichol	N	Tupa	Y	5
Entz	N	Isgar	Y	Owen	N	Veiga	Y	6
Evans	N	Johnson	N	Phillips	Y	Windels	Y	7
Fitz-Gerald	Y	Jones	N	Reeves	N	Mr. President	E	8
Gordon	Y	Keller	Y	Sandoval	Y			9

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the Report of the Committee of the Whole was declared LOST.

Senator Tupa moved to amend the Report of the Committee of the Whole to show that the following Tupa floor amendment, (J.113) to HB 04-1422, did pass.

Amend reengrossed bill, page 134, line 8, in the ITEM & SUBTOTAL column, strike "37,935,202" and substitute "45,435,202";

line 11, in the ITEM & SUBTOTAL column, strike "45,935,202" and substitute "53,435,202" and, in the FEDERAL FUNDS column, insert "7,500,000".

Adjust affected totals accordingly.

Page 134, after line 11, insert the following: "a This amount shall be from federal relief payments received by the State pursuant to the federal "Jobs and Growth Tax Relief Reconciliation Act of 2003", as amended, (P.L. No. 108-27)".

YES	16	NO	19	EXCUSED	0	ABSENT	0	
Anderson	N	Groff	Y	Kester	N	Takis	Y	10
Arnold	N	Grossman	Y	Lamborn	N	Tapia	Y	11
Cairns	N	Hagedorn	Y	May	N	Taylor	N	12
Chlouber	N	Hanna	Y	McElhany	N	Teck	N	13
Dyer	N	Hillman	N	Nichol	Y	Tupa	Y	14
Entz	N	Isgar	Y	Owen	N	Veiga	Y	15
Evans	N	Johnson	N	Phillips	Y	Windels	Y	16
Fitz-Gerald	Y	Jones	N	Reeves	N	Mr. President	N	17
Gordon	Y	Keller	Y	Sandoval	Y			18

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the Report of the Committee of the Whole was declared LOST.

Senator Hillman moved to amend the Report of the Committee of the Whole to show that the following Hillman floor amendment, (J.110) to HB 04-1422, did pass.

Amend reengrossed bill, page 149, line 14, in the TOTAL column, strike "1,116,000" and substitute "616,000" and, in the GENERAL FUND column, strike "500,000".

Adjust affected totals according.

Page 206, line 5, in the ITEM & SUBTOTAL column, strike "3,000,000" and substitute "3,500,000" and, in the GENERAL FUND column, strike "1,500,000" and substitute "2,000,000".

Adjust affected totals accordingly.

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

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the Report of the Committee of the Whole was declared LOST.

Senator Sandoval moved to amend the Report of the Committee of the Whole to show that the following Sandoval, Grossman, Hanna, Windels, Tapia, Isgar, Groff, Gordon, and Fitz-Gerald floor amendment, (J.121) to HB 04-1422, did pass.

Amend reengrossed bill, page 169, line 3, in the ITEM & SUBTOTAL column, strike "11,069,321" and substitute "14,759,095" and, in the FEDERAL FUNDS column, insert "3,689,774^e";

after line 13, insert the following:

"^e This amount shall be from federal relief payments received by the State pursuant to the federal "Jobs and Growth Tax Relief Reconciliation Act of 2003", as amended, (P.L. No. 108-27)."

Adjust affected totals accordingly.

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

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the Report of the Committee of the Whole was declared LOST.

Senator Windels moved to amend the Report of the Committee of the Whole to show that the following Windels, Hanna, Grossman, Tapia, Isgar, Sandoval, Groff, Gordon, and Fitz-Gerald floor amendment, (J.124) to HB 04-1422, did pass.

Amend reengrossed bill, page 229, after line 11, insert the following:

	ITEM & SUBTOTAL	FEDERAL FUNDS
	\$	\$
"Family Violence Grants	500,000	500,000 ^g .

Adjust affected totals accordingly.

Page 230, after line 10, insert the following:

"^g This amount shall be from federal relief payments received by the State pursuant to the federal "Jobs and Growth Tax Relief Reconciliation Act of 2003", as amended, (P.L. No. 108-27)."

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

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the Report of the Committee of the Whole was declared LOST.

Senator Windels moved to amend the Report of the Committee of the Whole to show that the following Windels, Fitz-Gerald, Gordon, Groff, Grossman, Hanna, Isgar, Sandoval, and Tapia floor amendment, (J.147) to HB 04-1422, did pass.

Amend reengrossed bill, page 400, line 3, in the ITEM & SUBTOTAL column, strike "7,910,033" and substitute "10,910,033" and, in the FEDERAL FUNDS column, strike "7,496,433" and substitute "10,496,433".

Adjust affected totals accordingly.

Page 401, after line 10, insert the following:

"^b Of this amount, \$7,496,433 shall be from the federal Vaccines for Children program and \$3,000,000 shall be from federal relief payments received by the State pursuant to the federal "Jobs and Growth Tax Relief Reconciliation Act of 2003", as amended, (P.L. No. 108-27).".

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

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the Report of the Committee of the Whole was declared LOST.

Senator Phillips moved to amend the Report of the Committee of the Whole to show that the following Phillips, Hanna, and Hagedorn floor amendment, (J.111) to HB 04-1422, did pass.

Amend reengrossed bill, page 355, line 14, strike "**PROCUREMENT**" and substitute "**PROCUREMENT**^{105a}".

Page 369, after line 5, insert the following:

"105a Department of Personnel and Administration, Finance and Procurement -- The Department is encouraged to establish incentives and guidelines for state agencies and departments, such that when required to use contractors, they should use contractors who do not use foreign labor.".

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

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the Report of the Committee of the Whole was declared LOST.

HB04-1421 by Representative(s) Witwer, Plant, Young; also Senator(s) Teck, Owen, Reeves-- Concerning the allocation of tobacco settlement moneys received by the state, and making an appropriation therefor.

Senator Isgar moved to amend the Report of the Committee of the Whole to show that the following Isgar floor amendment, (L.018) to HB 04-1421, did pass.

Amend reengrossed bill, page 9, line 3, strike "FIVE" and substitute "SIX";

line 24, strike "FIVE" and substitute "FOUR".

Page 11, line 4, strike "FIVE" and substitute "FOUR".

Page 12, line 8, strike "FIVE" and substitute "SIX".

Page 20, strike line 6 and substitute the following:

"by thirteen million six hundred two thousand six hundred ninety-three dollars (\$13,602,693).";

line 7, strike "fifteen dollars (\$12,728,215).";

strike line 12 and substitute the following:

"decreased by thirteen million six hundred two thousand six hundred ninety-three dollars (\$13,602,693).";

line 13, strike "hundred fifteen dollars (\$12,728,215).".

Page 23, strike line 9 and substitute the following:

"is decreased by seven million eight hundred sixty thousand five hundred forty-four dollars (\$7,860,544).";

line 10, strike "twenty-two dollars (\$8,735,022).";

line 15, strike "eight million two hundred ninety-six";

strike line 16 and substitute the following:

"seven million four hundred twenty-one thousand nine hundred thirty-four dollars (\$7,421,934). Said sum shall be".

YES	14	NO	20	EXCUSED	1	ABSENT	0
Anderson	N	Groff	Y	Kester	N	Takis	Y
Arnold	N	Grossman	Y	Lamborn	N	Tapia	Y
Cairns	N	Hagedorn	E	May	N	Taylor	N
Chlouber	N	Hanna	Y	McElhany	N	Teck	N
Dyer	N	Hillman	N	Nichol	N	Tupa	Y
Entz	N	Isgar	Y	Owen	N	Veiga	Y
Evans	N	Johnson	N	Phillips	Y	Windels	Y
Fitz-Gerald	Y	Jones	N	Reeves	N	Mr. President	N
Gordon	Y	Keller	Y	Sandoval	Y		

Less than a majority of all members elected to the Senate having voted in the affirmative,
the amendment to the Report of the Committee of the Whole was declared LOST.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

Passed on Second Reading: HB04-1422 as amended, HB04-1421 as amended

On motion of Senator Hillman, and with a majority of those elected to the Senate having
voted in the affirmative, the balance of the calendar of April 7, 2004, was laid over until
Thursday, April 8, 2004, retaining its place on the calendar.

General Orders--Second Reading: HB04-1095, SB04-136 as amended, HB04-1080,
HB04-1381, HB04-1367, SB04-207, SB04-215, SB04-037, SB04-142, SB04-138,
SB04-183, SB04-144.

Consideration of Resolutions: SJR04-011, SJR04-013, SJR04-014, SJR04-022,
SJR04-010, HJR04-1020, SJR04-017, SJR04-028, HJR04-1045, SJR04-032, SJR04-033,
HJR04-1037.

Consideration of House Amendments to Senate Bills: SB04-108, SB04-137, SB04-115,
SB04-125, SB04-105, SB04-024, SB04-094, SB04-045, SB04-188.

Consideration of Governor's Appointments:

Members of the Water Quality Control Commission;

Member of the Colorado Children's Trust Fund Board;

Members of the Colorado School of Mines, Board of Trustees.

Consideration of Conference Committee Reports: HB04-1102, HB04-1072.

Conference Committees to Report: HB04-1117, SB04-082, HB04-1236, HB04-1177,
HB04-1061.

Requests for Conference Committee: SB04-131.

On motion of Senator Hillman, the Senate adjourned until 9:00 a.m., Thursday, April 8,
2004.

Approved:

John Andrews
President of the Senate

Attest:

Mona Heustis
Secretary of the Senate

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57