

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

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One-hundred-fifteenth Legislative Day Friday, April 30, 2004

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On motion of Senator Taylor, the resolution, as amended, 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: Anderson, Arnold, Cairns, Chlouber, Dyer, Entz, Evans, Fitz-Gerald, Gordon, Groff, Grossman, Hagedorn, Hanna, Hillman, Isgar, Johnson, Jones, Keller, Kester, Lamborn, May, McElhany, Nichol, Owen, Phillips, Reeves, Sandoval, Takis, Tapia, Teck, Tupa, Veiga, and Windels.

**SJR04-043** by Senator(s) Anderson; also Representative(s) Fairbank--Concerning the recognition of the members of Company H, 3rd Battalion, 5th Marine Division, 1st Provisional Marine Brigade, who were called into action during the Korean War, and, in connection therewith, recognizing the reunion of these marines in Denver this May.

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

**SR04-010** by Senator(s) Tupa, Andrews, Chlouber, Entz, Fitz-Gerald, Gordon, Groff, Grossman, Hanna, Johnson S., Kester, Lamborn, Nichol, Owen, Phillips, Reeves, Tapia, Taylor, Teck, Windels; --Concerning human rights violations committed by the People's Republic of China in persecution of a person's political and spiritual beliefs and ethnicity, and, in connection therewith, acknowledging the fifteenth anniversary of the Tiananmen Square massacre and condemning the ongoing persecution of Tibetan citizens and Falun Gong practitioners.

On motion of Senator Tupa, 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, Arnold, Cairns, Dyer, Evans, Hagedorn, Hillman, Isgar, Jones, Keller, May, McElhany, Sandoval, Takis, and Veiga.

**COMMITTEE OF REFERENCE REPORTS**

Health, Environment, Welfare, & Institutions      After consideration on the merits, the Committee recommends that **HB04-1447** be referred to the Committee on Appropriations with favorable recommendation.

Education      The Committee on Education has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

**MEMBER OF THE  
PRIVATE OCCUPATIONAL SCHOOL BOARD**

for a term expiring July 1, 2006:

Lisa B. Noll of Colorado Springs, Colorado, to fill the vacancy occasioned by the resignation of Ryan L. Frazier of Denver, Colorado, and to serve as a member of the public, appointed.

Education      The Committee on Education has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

**MEMBERS OF THE  
STATE BOARD FOR COMMUNITY COLLEGES  
AND OCCUPATIONAL EDUCATION**

for terms expiring July 1, 2007:

Kurt D. Culbertson of Snowmass Village, Colorado, to serve as an Unaffiliated from the Third Congressional District, appointed.

Education      The Committee on Education has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

**MEMBERS OF THE  
BOARD OF TRUSTEES FOR THE COLORADO  
SCHOOL FOR THE DEAF AND THE BLIND**

effective July 1, 2004 for terms expiring July 1, 2006:

Dr. Corinne G. Harmon of Cascade, Colorado, to serve as a Democrat, appointed;

Richard E. Hartman of Grand Junction, Colorado, to serve as a Democrat, appointed.

Finance      After consideration on the merits, the Committee recommends that **HCR04-1016** be referred to the Committee of the Whole with favorable recommendation.

State, Veterans, & Military Affairs      After consideration on the merits, the Committee recommends that **HCR04-1001** be referred to the Committee of the Whole with favorable recommendation.

State, Veterans, & Military Affairs      After consideration on the merits, the Committee recommends that **SB04-259** be referred to the Committee of the Whole with favorable recommendation.

State, Veterans, & Military Affairs      After consideration on the merits, the Committee recommends that **SCR04-024** be referred to the Committee of the Whole with favorable recommendation.

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FIRST REPORT OF FIRST CONFERENCE COMMITTEE  
ON HB04-1376

\*\*\*\*\*  
THIS REPORT AMENDS THE  
REREVISED BILL  
\*\*\*\*\*

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

Your first conference committee appointed on HB04-1376,  
concerning the sealing of arrest records in cases that are not adjudicated  
due to plea agreements, has met and reports that it has agreed upon the  
following:

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

Amend rerevised bill, page 3, line 3, strike "TWENTY" and substitute  
"FIFTEEN";

line 7, strike "TWENTY" and substitute "FIFTEEN".

Respectfully submitted,

|                       |                   |
|-----------------------|-------------------|
| House Committee:      | Senate Committee: |
| (signed)              | (signed)          |
| Representative Lee    | Senator Dyer      |
| Representative Hefley | Senator Evans     |
| Representative Weddig | Senator Groff     |

FIRST REPORT OF FIRST CONFERENCE COMMITTEE  
ON HB04-1177

\*\*\*\*\*  
THIS REPORT AMENDS THE  
REREVISED BILL  
\*\*\*\*\*

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

Your first conference committee appointed on HB04-1177,  
concerning health insurance, and, in connection therewith, making it a  
deceptive trade practice under the consumer protection act to sell health  
discount services without certain disclosures and increasing incentives for  
insurers to provide health benefit coverage to multiple employer welfare  
arrangements, has met and reports that it has agreed upon the following:

1. That the House accede to the Senate amendments made to the  
bill as the amendments appear in the rerevised bill, with the following  
changes:

Amend rerevised bill, page 2, line 8, strike "AN INDIVIDUAL" and  
substitute "A".

Page 3, strike lines 12 through 27 and substitute the following:

"of the MEWA. THE COMMISSIONER SHALL EVALUATE EACH  
SELF-FUNDED MEWA TO DETERMINE WHETHER THE SELF-FUNDED MEWA

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SHALL BE REQUIRED TO MAINTAIN EXCESS LOSS INSURANCE, AND, IF SO, THE COMMISSIONER MAY DETERMINE THE SPECIFIC AND AGGREGATE EXCESS LOSS INSURANCE AND THE SPECIFIC ATTACHMENT POINT FOR SUCH EXCESS LOSS INSURANCE TO ENSURE ACTUARIAL SOUNDNESS BASED ON THE RESERVES OF, AND THE NUMBER OF INDIVIDUALS ENROLLED IN, THE MEWA AND ANY OTHER MATTER DEEMED APPROPRIATE BY THE COMMISSIONER. IF A SELF-FUNDED MEWA MAINTAINS ADEQUATE EXCESS LOSS INSURANCE AS DETERMINED BY THE COMMISSIONER, THE COMMISSIONER MAY WAIVE A PORTION OF THE RESERVES REQUIRED TO BE MAINTAINED PURSUANT TO THIS SUBPARAGRAPH (III)."

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

Amend rerevised bill, page 5, after line 1, insert the following:

"SECTION 3. 10-4-902 (3), Colorado Revised Statutes, is amended to read:

**10-4-902. Definitions.** As used in this part 9, unless the context otherwise requires:

(3) "Licensed health care provider" means a person, corporation, facility, or institution licensed or certified by this state to provide health care or professional services as a hospital, health care facility, or dispensary or to practice and practicing medicine, osteopathy, chiropractic, nursing, physical therapy, podiatry, dentistry, pharmacy, ACUPUNCTURE, or optometry in this state, or an officer, employee, or agent thereof working under the supervision of such person or institution in providing such health care services.

**SECTION 4.** Part 7 of article 16 of title 10, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

**10-16-709. Evaluation - nonparticipating health care providers - legislative declaration - rules.** (1) (a) THE GENERAL ASSEMBLY HEREBY FINDS AND DETERMINES THAT NOT ALL HEALTH CARE PROVIDERS CONTRACT WITH ALL HEALTH INSURERS AND THEREFORE NOT ALL ARE PARTICIPATING PROVIDERS. HEALTH CARE PROVIDERS WHO DO NOT CONTRACT WITH A CARRIER ARE CONSIDERED TO BE NONPARTICIPATING PROVIDERS AS TO THAT CARRIER. IN ADDITION, NOT ALL HEALTH CARE PROVIDERS ARE AWARE OF THE TERMS OF HEALTH INSURANCE COVERAGE FOR HEALTH CARE SERVICES PROVIDED TO A CONSUMER INSURED THROUGH INDIVIDUAL OR GROUP HEALTH CARE COVERAGE. THEREFORE, THE GENERAL ASSEMBLY DETERMINES THAT THERE IS A NEED TO INFORM INSURED CONSUMERS OF THE SCOPE OF HEALTH INSURANCE COVERAGE AVAILABLE TO THE CONSUMER FOR THE SERVICES OF NONPARTICIPATING PROVIDERS WHO RENDER SERVICES IN A PARTICIPATING FACILITY AND THE EXTENT OF AN INSURED CONSUMER'S RESPONSIBILITY WHEN SERVICES ARE RENDERED TO AN INSURED BY A NONPARTICIPATING PROVIDER.

(b) THE GENERAL ASSEMBLY HEREBY DECLARES THAT IT IS IN THE BEST INTEREST OF THE RESIDENTS OF THIS STATE TO PROVIDE ADMINISTRATIVE DIRECTION TO HEALTH INSURANCE CARRIERS, HEALTH CARE PROVIDERS, AND HEALTH FACILITIES TO PROVIDE TIMELY NOTICE TO A CONSUMER CONCERNING WHEN THE PERSON MAY OR MAY NOT INCUR ADDITIONAL CHARGES FOR COVERED HEALTH BENEFITS RECEIVED FROM HEALTH CARE PROVIDERS.

(2) THE INSURANCE COMMISSIONER SHALL, IN COLLABORATION WITH THE DIVISION OF REGISTRATIONS WITHIN THE DEPARTMENT OF REGULATORY AGENCIES, THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, ANY OTHER STATE AGENCY, AND ANY INTERESTED PARTY, HOLD PUBLIC HEARINGS TO DETERMINE THE EXTENT AND SOURCE OF THE PROBLEM OF A CONSUMER BEING BILLED FOR AN AMOUNT NOT PAID BY HIS OR HER HEALTH INSURANCE AS A RESULT OF A NONPARTICIPATING PROVIDER DELIVERING HEALTH CARE SERVICES IN A PARTICIPATING

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FACILITY. THESE HEARINGS SHALL ALSO INCLUDE AN EVALUATION OF THE FOLLOWING:

(a) PAYMENTS TO NONPARTICIPATING PROVIDERS IN PARTICIPATING FACILITIES;

(b) METHODS TO IMPROVE DISCLOSURE TO CONSUMERS OF INDIVIDUAL AND GROUP HEALTH INSURANCE;

(c) WHEN A PERSON MAY BE RESPONSIBLE FOR AMOUNTS IN EXCESS OF THE PERSON'S COVERED BENEFITS FROM A NONPARTICIPATING PROVIDER;

(d) WHAT THE CARRIER'S RESPONSIBILITIES ARE FOR PAYMENT FOR HEALTH BENEFITS COVERED UNDER THE PERSON'S HEALTH BENEFIT PLAN; AND

(e) THE APPROPRIATE APPEALS PROCESS FOR INSURERS AND HEALTH CARE PROVIDERS TO SETTLE DISPUTES.

(3) THE INSURANCE COMMISSIONER, THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, AND THE DIVISION OF REGISTRATIONS, INCLUDING, BUT NOT LIMITED TO, ANY TYPE 1 BOARD UNDER THE SUPERVISION OF THE DIVISION OF REGISTRATIONS, MAY PROMULGATE RULES IN ACCORDANCE WITH THE FINDINGS FROM THE EVALUATION CONDUCTED PURSUANT TO SUBSECTION (2) OF THIS SECTION.

(4) ON OR BEFORE FEBRUARY 1, 2005, THE INSURANCE COMMISSIONER SHALL REPORT THE FINDINGS OF THE EVALUATION PURSUANT TO SUBSECTION (2) OF THIS SECTION TO THE BUSINESS AFFAIRS AND LABOR COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE. THE INSURANCE COMMISSIONER SHALL INCLUDE IN THE REPORT A DESCRIPTION OF THE RULES PROMULGATED PURSUANT TO SUBSECTION (3) OF THIS SECTION. IF A STATE AGENCY DID NOT PROMULGATE RULES PURSUANT TO SUBSECTION (3) OF THIS SECTION, THAT STATE AGENCY SHALL SUBMIT TO THE INSURANCE COMMISSIONER, FOR INCLUSION IN THE COMMISSIONER'S REPORT TO THE BUSINESS AFFAIRS AND LABOR COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND SENATE, THE REASONS WHY RULES WERE NOT PROMULGATED PURSUANT TO SUBSECTION (3) OF THIS SECTION.

**SECTION 5.** 13-64-202 (3), Colorado Revised Statutes, is amended to read:

**13-64-202. Definitions.** As used in this part 2, unless the context otherwise requires:

(3) "Health care institution" means any licensed or certified hospital, health care facility, dispensary, or other institution for the treatment or care of the sick or injured, OR A LABORATORY CERTIFIED UNDER THE FEDERAL "CLINICAL LABORATORIES IMPROVEMENT ACT OF 1967", AS AMENDED, 42 U.S.C. SEC. 263a, TO PERFORM HIGH COMPLEXITY TESTING.

**SECTION 6.** 27-13-110, Colorado Revised Statutes, is amended to read:

**27-13-110. Alternative uses for institute facilities - repeal.**

(1) The department of human services shall determine the existence of resources at Colorado mental health institute at Pueblo which THAT are in excess of the needs of the primary purpose of said institute and may make available to the regents of the university of Colorado, on mutually agreeable terms, a maximum of ten beds at said institute for the purpose of teaching students in the family practice medical training program conducted by and under the control of the regents. Such resources shall be a supplement to any existing health care resources and academic facilities in the region.

(2) (a) TO THE EXTENT THAT RESOURCES AT COLORADO MENTAL

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HEALTH INSTITUTE AT PUEBLO ARE IN EXCESS OF THE NEEDS OF THE  
 PRIMARY PURPOSE OF SAID INSTITUTE AND THE PURPOSES OF SUBSECTION  
 (1) OF THIS SECTION, THE INSTITUTE IS AUTHORIZED TO ACCEPT AND TREAT  
 UNINSURED INDIVIDUALS FOR MEDICAL CARE OR TREATMENT. AN  
 UNINSURED PERSON SEEKING CARE OR TREATMENT FROM THE INSTITUTE  
 SHALL PROVIDE SUFFICIENT EVIDENCE THAT HE OR SHE IS WITHOUT  
 INSURANCE FROM HIS OR HER EMPLOYER AND NOT ENROLLED IN THE  
 STATE'S MEDICAL ASSISTANCE PROGRAM PURSUANT TO ARTICLE 4 OF TITLE  
 26, C.R.S. THE DEPARTMENT OF HUMAN SERVICES MAY DETERMINE BY  
 RULE WHAT EVIDENCE MAY BE REQUESTED. THE UNINSURED PERSON  
 SHALL BE RESPONSIBLE FOR PAYMENT OF CHARGES FOR CARE AND  
 TREATMENT BY THE INSTITUTION. THE COLORADO MENTAL HEALTH  
 INSTITUTE AT PUEBLO SHALL CHARGE SUCH UNINSURED INDIVIDUALS A  
 RATE THAT IS COMPARABLE TO THE RATE CHARGED FOR SERVICES  
 RENDERED FOR ENROLLEES IN THE STATE'S MEDICAL ASSISTANCE PROGRAM  
 PURSUANT TO ARTICLE 4 OF TITLE 26, C.R.S.

(b) THE OFFICE OF BEHAVIORAL HEALTH AND HOUSING WITHIN THE  
 DEPARTMENT OF HUMAN SERVICES SHALL REPORT TO THE JOINT BUDGET  
 COMMITTEE ON OR BEFORE JANUARY 15, 2009, THE FOLLOWING  
 INFORMATION:

(I) THE NUMBER OF UNINSURED PATIENTS TREATED BY THE  
 COLORADO MENTAL HEALTH INSTITUTE AT PUEBLO PURSUANT TO THIS  
 SUBSECTION (2);

(II) THE AMOUNT OF REVENUE GENERATED BY THE INSTITUTE BY  
 TREATING THESE UNINSURED INDIVIDUALS; AND

(III) THE IMPACT, IF ANY, ON THE ABILITY OF THE INSTITUTE TO  
 FULFILL ITS PRIMARY PURPOSES AS A RESULT OF TREATING UNINSURED  
 INDIVIDUALS PURSUANT TO THIS SUBSECTION (2).

(c) THIS SUBSECTION (2) IS REPEALED, EFFECTIVE JULY 1, 2009."

Renumber succeeding sections accordingly.

Respectfully submitted,

|                            |                   |
|----------------------------|-------------------|
| House Committee:           | Senate Committee: |
| (signed)                   | (signed)          |
| Representative Spradley    | Senator Hillman   |
| Representative T. Williams | Senator Hagedorn  |
| Representative Miller      | Senator Cairns    |

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**MESSAGE FROM THE HOUSE**

April 30, 2004  
 Mr. President:

The House has adopted and transmits herewith HJR04-1062.

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**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:

**SB04-215** by Senator(s) Entz, Chlouber, Dyer, Evans, Hillman, Isgar, May R., McElhany, Owen,  
 Tapia, Taylor, Teck; also Representative(s) Rippey, Briggs, Hall, Miller, White--Concerning  
 the applicability of section 29-20-107, Colorado Revised Statutes, of the "Local  
 Government Land Use Control Enabling Act".

Laid over until Monday, May 3, retaining its place on the calendar.

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**HB04-1256** by Representative(s) Hodge, Brophy, Harvey, Hoppe, Johnson R., Madden, Rose, Tochtrop; also Senator(s) Hillman--Concerning an expansion of the period during which an interruptible water supply agreement may operate, 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 | 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 |               |   |

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

Co-sponsors added: Isgar.

**HB04-1430** by Representative(s) May M., Berry, Harvey; also Senator(s) Lamborn--Concerning the dates by which certain action is to be taken affecting municipal elections.

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 | 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 |               |   |

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

Co-sponsors added: Arnold.

**HB04-1034** by Representative(s) Welker, Berry, Borodkin, Larson, Pommer, Sinclair, Spence, Stafford; also Senator(s) Takis, Isgar, May R.--Concerning electronic renewal of a driver's license.

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 | Takis         | Y |
| Arnold      | N  | 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 |               |   |

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

Co-sponsors added: Groff, Grossman, Hanna, May, and Veiga.

**SB04-251** by Senator(s) Teck; also Representative(s) Young--Concerning the authority of the department of regulatory agencies to contract for personal services.

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 | 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 | N  | Jones    | Y | Reeves   | Y | Mr. President | Y |
| Gordon      | Y  | Keller   | Y | Sandoval | Y |               |   |

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

**SB04-253** by Senator(s) Reeves; also Representative(s) Judd--Concerning the interception of certain moneys payable to a defendant to satisfy the defendant's obligations imposed pursuant to a judicial proceeding.

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 | 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 |               |   |

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

Co-sponsors added: Groff, Grossman, Keller, Tupa, and Windels.

**SB04-254** by Senator(s) Teck; also Representative(s) Rose, Berry--Concerning the clarification of the regulatory relationship between special events and wine festivals, and, in connection therewith, authorizing joint fines.

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 | 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 |               |   |

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

Co-sponsors added: Arnold and Chlouber.

**HB04-1171** by Representative(s) Weddig, Borodkin; also Senator(s) Hagedorn--Concerning directing the state personnel director to investigate the feasibility of establishing a retirement health savings trust for the benefit of state employees.

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 | 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 |               |   |

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

Co-sponsors added: Andrews, Tapia, and Veiga.

**HB04-1210** by Representative(s) Williams T.; also Senator(s) McElhany--Concerning authority of the insurance commissioner to promulgate rules related to the administration of medical payments coverage for the purposes of motor vehicle insurance.

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 | 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 |               |   |

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

Co-sponsors added: Evans and Taylor.

**HB04-1375** by Representative(s) Mitchell, Brophy, Cadman, Crane, Harvey, Hefley, King, Lee, Lundberg, May M., Miller, Rhodes, Rose, Sinclair, Welker, Wiens; also Senator(s) Arnold, Hillman, Johnson S., McElhany--Concerning limitations on education regarding manifestations of human sexuality.

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

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

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

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

**HB04-1405** by Representative(s) Spradley, King, Romanoff; also Senator(s) Andrews, Fitz-Gerald, Grossman, Veiga--Concerning the power of the Colorado educational and cultural facilities authority to enter into additional financing agreements.

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

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| 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 |               |   |

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

Co-sponsors added: Sandoval.

**HB04-1435** by Representative(s) Mitchell, Carroll, Clapp, Cloer, Coleman, Hall, McFadyen, Miller, Rippy, Rose, Schultheis, Spradley; also Senator(s) Johnson S.--Concerning legislative approval of air quality control commission action on march 12, 2004, regarding ozone.

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 | 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 |               |   |

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

Co-sponsors added: Evans, Gordon, Groff, Grossman, Hanna, Keller, Kester, Tapia, Veiga, and Windels.

**HB04-1441** by Representative(s) Rhodes; also Senator(s) McElhany--Concerning consumer protections regarding financial matters, and, in connection therewith, limiting the use of lender information in solicitations and expanding the definition of security accounts for the purposes of nonprobate transfers upon death.

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 | 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 |               |   |

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

Co-sponsors added: Evans, Grossman, and Veiga.

**HB04-1451** by Representative(s) Clapp; also Senator(s) Reeves--Concerning the collaborative management of multi-agency services provided to children.

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 | 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 |               |   |

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

Co-sponsors added: Keller, Sandoval, Taylor, and Windels.

**HB04-1438** by Representative(s) Stafford; also Senator(s) Johnson S.--Concerning hospital reimbursements under the Colorado indigent care program.

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 | 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 |               |   |

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

**HB04-1362** by Representative(s) Carroll, Hefley, King, Lee, Rose, Spence, Williams T.; also Senator(s) Groff, Grossman, Hagedorn, Jones--Concerning the authorization of institute charter schools by the state charter school institute, and making an appropriation therefor.

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

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

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, Chlouber, Evans, Hillman, Jones, Lamborn, May, Owen, and Teck.

**HB04-1347** by Representative(s) Witwer; also Senator(s) Jones--Concerning tuition assistance to members of the Colorado national guard, 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 | 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 | N  | Jones    | Y | Reeves   | Y | Mr. President | Y |
| Gordon      | Y  | Keller   | Y | Sandoval | Y |               |   |

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

Co-sponsors added: Anderson, Andrews, Arnold, Chlouber, Dyer, Entz, Evans, Groff, Grossman, Hillman, Isgar, Johnson, Kester, Lamborn, May, McElhany, Nichol, Phillips, Taylor, and Teck.

**HB04-1360** by Representative(s) Marshall, Pommer, Spence; also Senator(s) McElhany, Groff-- Concerning financial literacy education within public schools, and making an appropriation in connection therewith.

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

| YES         | 35 | NO       | 0 | EXCUSED  | 0 | ABSENT        | 0 |
|-------------|----|----------|---|----------|---|---------------|---|
| Anderson    | Y  | Groff    | Y | Kester   | Y | 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 |               |   |

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

Co-sponsors added: Arnold, Evans, Grossman, Jones, Nichol, and Taylor.

**SB04-233** by Senator(s) McElhany; also Representative(s) Harvey--Concerning the construction of a parking structure in the capitol complex.

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

| YES         | 32 | NO       | 3 | EXCUSED  | 0 | ABSENT        | 0 |
|-------------|----|----------|---|----------|---|---------------|---|
| Anderson    | Y  | Groff    | N | Kester   | Y | Takis         | Y |
| Arnold      | Y  | Grossman | Y | Lamborn  | Y | Tapia         | Y |
| Cairns      | Y  | Hagedorn | Y | May      | Y | Taylor        | N |
| 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 | N | Windels       | Y |
| Fitz-Gerald | Y  | Jones    | Y | Reeves   | Y | Mr. President | Y |
| Gordon      | Y  | Keller   | Y | Sandoval | Y |               |   |

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

Co-sponsors added: May.

**HB04-1445** by Representative(s) Spradley; also Senator(s) Andrews--Concerning the timing of meetings of the ballot title board.

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 | 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 |               |   |

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

**HB04-1086** by Representative(s) Spradley, King, Young; also Senator(s) Teck, Owen--Concerning the structure of the state system of community colleges.

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 | 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 | N |
| Gordon      | Y  | Keller   | Y | Sandoval | Y |               |   |

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

**HB04-1207** by Representative(s) Spence, Lee, Rose; also Senator(s) Groff--Concerning higher education fixed-rate contracts.

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

| YES         | 28 | NO       | 7 | EXCUSED  | 0 | ABSENT        | 0 |
|-------------|----|----------|---|----------|---|---------------|---|
| Anderson    | Y  | Groff    | Y | Kester   | Y | Takis         | Y |
| Arnold      | N  | Grossman | Y | Lamborn  | Y | Tapia         | Y |
| Cairns      | Y  | Hagedorn | Y | May      | Y | Taylor        | Y |
| Chlouber    | Y  | Hanna    | Y | McElhany | Y | Teck          | Y |
| Dyer        | N  | Hillman  | Y | Nichol   | N | Tupa          | Y |
| Entz        | Y  | Isgar    | N | Owen     | Y | Veiga         | Y |
| Evans       | N  | Johnson  | Y | Phillips | Y | Windels       | Y |
| Fitz-Gerald | N  | Jones    | Y | Reeves   | N | Mr. President | Y |
| Gordon      | Y  | Keller   | Y | Sandoval | Y |               |   |

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

Co-sponsors added: Chlouber and Jones.

**HB04-1433** by Representative(s) King, Spence; also Senator(s) Grossman--Concerning the longitudinal measurement of student academic growth.

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 | 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 |               |   |

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

Co-sponsors added: Evans, Groff, Hanna, Hillman, Isgar, Jones, Keller, May, McElhany, Sandoval, Tupa, Veiga, and Windels.

**SB04-257** by Senator(s) Owen; also Representative(s) Young--Concerning modifications to the retirement plans for public employees.

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 | Takis         | Y |
| Arnold      | N  | 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 |               |   |

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

Co-sponsors added: Andrews and Phillips.

**HB04-1199** by Representative(s) Lee, Briggs, Crane, Hefley, Jahn, King, Larson, Pommer, Rose, Schultheis, Sinclair, Spence, Stafford, Welker, Williams S.; also Senator(s) McElhany--Concerning nonfelony traffic matters involving minors under the age of eighteen years.

Laid over until Monday, May 3, retaining its place on the calendar.

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

**GENERAL ORDERS--SECOND READING OF BILLS**

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

**SB04-227** by Senator(s) Lamborn; also Representative(s) Clapp--Concerning the incorporation of the elements of the federal definition cited in 42 United States Code section 710 (b) (2) in certain health-related education programs.

As amended, Senate Journal, April 20, page 899.

Laid over until Monday, May 3, retaining its place on the calendar.

**HB04-1242** by Representative(s) Sinclair, Cadman, Schultheis, Berry, Crane, Fairbank, Harvey, Hefley, Johnson R., King, Lee, May M., McCluskey, Rhodes, Spence, Young; also Senator(s) McElhany--Concerning a meeting of a school district board of education at which employment contracts are negotiated.

Amendment No. 1, State, Veterans and Military Affairs Committee Amendment.  
(Printed in Senate Journal, March 11, page 486 and placed in members' bill files.)

As amended, declared **lost** on Second Reading.

**SB04-190** by Senator(s) Johnson S.; also Representative(s) Harvey--Concerning the creation of liens for health care providers on moneys collected by an injured person.

Laid over until Monday, May 3, retaining its place on the calendar.

- SB04-151**

by Senator(s) Evans, Hillman, Kester, Arnold, Cairns, Johnson S., Jones, Lamborn, May R.; also Representative(s) Lee, Clapp, Decker, Hefley, King, May M., Spence, Stengel-- Concerning judicial evaluations by commissions on judicial performance.

As amended, Senate Journal, March 26, pages 644-647.

Laid over until Monday, May 3, retaining its place on the calendar.

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- HB04-1021**

by Representative(s) Briggs, Merrifield; also Senator(s) McElhany--Concerning the consumption of alcohol, and making an appropriation therefor.

Laid over until Monday, May 3, retaining its place on the calendar.

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- SB04-248**

by Senator(s) Andrews; --Concerning contributions to issue committees in elections to increase tax revenue.

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

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

**"SECTION 1.** Article 45 of title 1, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

**1-45-117.5. Bond elections - contributions from securities professionals.** A STATE OR LOCAL GOVERNMENT THAT DIRECTLY OR INDIRECTLY SOLICITS CAMPAIGN CONTRIBUTIONS IN A BOND ELECTION FROM AN INVESTMENT BANKER, BOND COUNSEL, FINANCIAL ADVISOR, OR TRUSTEE SHALL, FOR A PERIOD OF THREE YEARS AFTER THE ELECTION, SELL BONDS, NOTES, OR SIMILAR SECURITIES BY COMPETITIVE SALE. BEFORE SELLING BONDS, NOTES, OR SIMILAR SECURITIES PURSUANT TO A SUCCESSFUL BOND ELECTION, THE CHIEF ELECTED OFFICIAL OF THE STATE OR LOCAL GOVERNMENT SHALL FILE A WRITTEN AFFIDAVIT WITH THE DIVISION OF SECURITIES IN THE DEPARTMENT OF REGULATORY AGENCIES INDICATING WHETHER THE STATE OR LOCAL GOVERNMENT DIRECTLY OR INDIRECTLY SOLICITED CAMPAIGN CONTRIBUTIONS IN THE BOND ELECTION FROM AN INVESTMENT BANKER, BOND COUNSEL, FINANCIAL ADVISOR, OR TRUSTEE.

**SECTION 2. Applicability.** This act shall apply to elections held on or after the effective date of this act.

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

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

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- SB04-242**

by Senator(s) Andrews; --Concerning the ability for eligible electors within the boundaries of the regional transportation district to vote to be excluded from the district.

Laid over until Monday, May 3, retaining its place on the calendar.

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- SCR04-007**

by Senator(s) Andrews; also Representative(s) Lee--Submitting to the registered electors of the state of Colorado amendments to article VI of the constitution of the state of Colorado, concerning judicial personnel, and, in connection therewith, limiting future terms of office for certain state court justices, judges, and magistrates; providing that the governor nominate all state court justices, judges, and magistrates subject to senate confirmation and later voter approval; eliminating the requirement that justices and judges be licensed attorneys; establishing a procedure for removal elections; requiring that any justice, judge, or magistrate who is convicted of certain crimes, receive a negative disciplinary finding, or be made the subject of a removal petition to stand for election; providing that any justice, judge, or magistrate receiving a majority of less than sixty percent at an election be retained or not be removed for one year only; requiring records and reports on each justice, judge, and magistrate to be made public and computer accessible; requiring that voters receive specified information on each justice, judge, and magistrate standing for election; prohibiting certain persons from serving as active or retired judges or in other judicial

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positions; providing enforcement procedures; and repealing certain constitutional provisions to conform with this amendment.

Laid over until May 6, 2004.

**SB04-217** by Senator(s) Cairns; also Representative(s) Stengel, Crane--Concerning the protection of victims.

Laid over until later in the day, April 30, retaining its place on the calendar.

**SB04-232** by Senator(s) Dyer, Entz, Andrews, Cairns, Evans, Hagedorn, Hillman, Jones, Lamborn, McElhany, Owen; also Representative(s) King, Hefley, Cadman, Cloer, Crane, Decker, Harvey, Lee, Schultheis, Sinclair, Spence, Stafford, Stengel--Concerning creation of a front range water conservation district.

Laid over until later in the day, April 30, retaining its place on the calendar.

**SB04-203** by Senator(s) Anderson, Andrews; also Representative(s) Young, Fairbank--Concerning tobacco litigation settlement moneys, and, in connection therewith, creating a tobacco litigation settlement financing corporation for the purpose of securitizing tobacco settlement revenues scheduled to be received by the state, creating a state rainy day fund, and requiring securitization proceeds to be credited to the fund and expended for specified purposes.

As amended, Senate Journal, April 26, pages 998-1005.

Amendment No. 8(L.024), by Senator Lamborn.

Amend printed bill, page 31, line 5, strike "FIVE" and substitute "NINE".

As amended, laid over until later in the day, April 30, retaining its place on the calendar.

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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.

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## AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

Senator Hanna moved to amend the Report of the Committee of the Whole to show that the following Hanna floor amendment, (L.033) to SB 04-203, did pass by the following roll call vote.

Amend the Finance Committee Report, dated March 25, 2004, page 2, strike line 2 and substitute the following:

"line 21, strike "2005, THE GENERAL ASSEMBLY SHALL APPROPRIATE" and substitute "2004, THE GENERAL ASSEMBLY SHALL APPROPRIATE OR TRANSFER";";

after line 3, insert the following:

"Page 29, strike line 13 and substitute the following:

"SPECIFIED AMOUNTS:

(a) FOR FISCAL YEARS 2004-05, THE FIRE AND POLICE MEMBERS' BENEFIT FUND CREATED IN SECTION 31-31-301, C.R.S., SHALL RECEIVE ONE HUNDRED FIFTY MILLION EIGHT HUNDRED THOUSAND DOLLARS TO FUND ALL UNFUNDED ACCRUED LIABILITIES OF THE FUND. THE FIRE AND POLICE PENSION ASSOCIATION BOARD OF DIRECTORS SHALL DISTRIBUTE MONEYS RECEIVED ANNUALLY PURSUANT TO SECTION 31-30.5-307(1)(a), C.R.S.

(b) FOR FISCAL YEARS 2006-07 TO 2019-20:";

line 14, strike "(a)" and substitute "(I)";  
 line 16, strike "(I)" and substitute "(A)";  
 line 18, strike "(II)" and substitute "(B)";  
 line 20, strike "(III)" and substitute "(C)";  
 line 22, strike "(IV)" and substitute "(D)";  
 line 23, strike "(V)" and substitute "(E)";  
 line 25, strike "(VI)" and substitute "(F)";  
 line 27, strike "(VII)" and substitute "(G)".  
 Page 30, line 2, strike "(VIII)" and substitute "(H)";  
 line 4, strike "(IX)" and substitute "(I)";  
 line 6, strike "(X)" and substitute "(J)";  
 line 8, strike "(XI)" and substitute "(K)";  
 line 10, strike "(b)" and substitute "(II)";  
 line 15, strike "(c)" and substitute "(III)";  
 line 18, strike "(d) (I)" and substitute "(IV) (A)";  
 line 24, strike "(II)" and substitute "(B)".  
 Page 31, line 4, strike "(e)" and substitute "(V)";";  
 line 4, strike "Page 31,";  
 line 6, strike "PARAGRAPH (e)" and substitute "SUBPARAGRAPH (V) OF PARAGRAPH (b)";  
 after line 22, insert the following:  
 "Page 33, line 23, strike "24-75-1104.5 (1) (d)," and substitute "24-75-1104.5 (1) (b) (IV),".  
 Page 36, line 17, strike "24-75-1104.5 (1) (b)," and substitute "24-75-1104.5 (1) (b) (II),";";  
 line 23, strike "Page 36,".  
 Page 3, line 2, strike "24-75-1104.5 (1) (e)," and substitute "24-75-1104.5 (1) (b) (V),";  
 line 8, strike "24-75-1104.5 (1) (e)," and substitute "24-75-1104.5 (1) (b) (V),".

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| 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      | Y  | Hagedorn | N  | 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   | Y | 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

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**ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE**

On motion of Senator Chlouber, 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: 5  
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Passed on Second Reading: SB04-248 as amended. 8  
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Lost on Second Reading: HB04-1242 as amended. 10

Laid over until the next Second Reading, April 40: SB04-217, SB04-232, SB04-203 as amended. 11  
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Laid over until Monday, May 3: SB04-227 as amended, SB04-190, SB04-151 as amended, HB04-1021, SB04-242. 13  
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Laid over until May 6, 2004: SCR04-007. 15  
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On motion of Senator Hillman, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, HB04-1240, HCR04-1016, HCR04-1001, SB04-259, SCR04-024 were made Special Orders at 11:20 a.m. 17  
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Committee of the Whole The hour of 11:20 a.m having arrived, Senator Chlouber moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders--Second Reading of Bills and Senator Chlouber was called to the Chair to act as Chairman. 23  
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**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: 28  
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**HB04-1240** by Representative(s) Cadman, Brophy, Butcher, McGihon, Rhodes, Welker; also Senator(s) Hagedorn--Concerning continuation of the regulation of bail bonding agents by the division of insurance. 35  
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Amendment No. 1, Business Affairs and Labor Committee Amendment. 39

(Printed in Senate Journal, April 29, pages 1074-1075 and placed in members' bill files.) 40  
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Amendment No. 2(L.029), by Senator Hagedorn. 42  
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Amend reengrossed bill, page 13, line 3, before "RECORDS", insert "RELEVANT". 44  
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Amendment No. 3(L.030), by Senator Hagedorn. 48  
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Amend reengrossed bill, page 7, strike line 19; 50  
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line 20, strike "THE INDEMNITY AGREEMENT," and substitute "ALL INDEMNITY AGREEMENTS,". 52  
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As amended, ordered revised and placed on the calendar for Third Reading and Final Passage. 56  
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**HCR04-1016** by Representative(s) Spradley; also Senator(s) Hillman--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 seventy-five 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 fifty million dollars of excess state revenues; for the 2006-07 state fiscal year, requiring the state to retain up to the sum 59  
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of one hundred fifty million dollars of excess state revenues and one hundred fifty 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.

Amendment No. 1(L.002), by Senator Hillman.

Amend reengrossed concurrent resolution, page 4, line 9, after "FUNDING", insert "AND TOTAL STATE FUNDING FOR ALL CATEGORICAL PROGRAMS".

Page 6, line 23, after "FUNDING", insert "AND TOTAL STATE FUNDING FOR ALL CATEGORICAL PROGRAMS".

Page 1, line 109, after "FUNDING", insert "AND TOTAL STATE FUNDING FOR ALL CATEGORICAL PROGRAMS".

As amended, ordered revised and placed on the calendar for Third Reading and Final Passage.  
(For further action, see Roll Call Vote on HCR04-1016, page 1146.)

**SB04-259** by Senator(s) Andrews; --Concerning expenditures by political subdivisions of the state that are related to lobbying activities.

Declared **lost** on Second Reading.  
(For further action, see Roll Call Vote on SB04-259, page 1146.)

**SCR04-024** by Senator(s) Johnson S.; --Submitting to the registered electors of the state of Colorado amendments to article X and section 17 (1) of article IX of the constitution of the state of Colorado, concerning the stabilization of the fiscal condition of the state, and, in connection therewith, requiring the state to retain specified amounts of excess state revenues for fiscal years 2005-06 and 2006-07 for state budget purposes and to repay the retained amounts plus interest to the taxpayers of the state as refunds of excess state revenues in subsequent fiscal years; including the excess state revenues retained as state fiscal year spending and increasing the state fiscal year spending base accordingly, creating a Colorado rainy day fund and reducing the rate of certain required education funding growth by one percentage point for fiscal years 2005-06 and 2006-07 in order to divert moneys from education funding to the fund; requiring moneys in the fund to be transferred to the general fund and used to maintain the state fiscal year spending base when revenue shortfalls occur; limiting the balance of the fund to an amount equal to fifteen percent of the amount of general fund revenues for the prior fiscal year and requiring any additional fund moneys to be transferred to the permanent school fund; allowing general fund appropriations to annually grow by the greater of the rate of inflation or the maximum rate specified in law; and limiting the use of cash funds for general fund purposes.

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

**HCR04-1001** by Representative(s) Romanoff; also Senator(s) Anderson--Submitting to the registered electors of the state of Colorado amendments to section 17 (1) of article IX and section 20 of article X of the constitution of the state of Colorado, concerning the stabilization of government revenues, and, in connection therewith, suspending the required one percent increase in certain state education funding for the 2006-07 state fiscal year and during an economic downturn and requiring fiscal year spending limits for state and local districts to be calculated based upon prior fiscal year spending limits, with adjustments for inflation and growth, without being subject to reduction due to declines in revenues.

Amendment No. 1(L.009), by Senator Anderson.

Amend reengrossed concurrent resolution, page 3, strike lines 3 through 27.

Page 4, strike lines 1 through 24 and substitute the following:

"Section 17 (1) and (4) (b) of article IX of the constitution of the state of Colorado are amended to read:

**Section 17. Education - Funding. (1) Purpose.** (a) ~~In-state fiscal year 2001-2002 through state fiscal year 2010-2011, the statewide~~

~~base per pupil funding, as defined by the Public School Finance Act of 1994, article 54 of title 22, Colorado Revised Statutes on the effective date of this section, for public education from preschool through the twelfth grade and total state funding for all categorical programs shall grow annually at least by the rate of inflation plus an additional one percentage point. In state fiscal year 2011-2012 YEAR 2005-06, and IN each STATE fiscal year thereafter, the statewide base per pupil funding for public education from preschool through the twelfth grade, AS DEFINED BY THE "PUBLIC SCHOOL FINANCE ACT OF 1994", ARTICLE 54 OF TITLE 22, COLORADO REVISED STATUTES, ON DECEMBER 28, 2000, and total state funding for all categorical programs shall grow annually at a rate set by the general assembly that is at least equal to the rate of inflation.~~

(b) (I) EXCEPT AS PROVIDED IN PARAGRAPH (c) OF THIS SUBSECTION (1), FOR ANY STATE FISCAL YEAR THAT COMMENCES ON OR AFTER JULY 1, 2005, BUT BEFORE JULY 1, 2011, THE STATEWIDE BASE PER PUPIL FUNDING FOR PUBLIC EDUCATION FROM PRESCHOOL THROUGH THE TWELFTH GRADE AND TOTAL STATE FUNDING FOR ALL CATEGORICAL PROGRAMS SHALL BE INCREASED BY AN ADDITIONAL ONE PERCENTAGE POINT ABOVE THE RATE OF GROWTH REQUIRED BY PARAGRAPH (a) OF THIS SUBSECTION (1) IF THE AMOUNT OF STATE REVENUES FOR THE PRIOR STATE FISCAL YEAR EXCEEDED THE LIMITATION ON STATE FISCAL YEAR SPENDING IMPOSED BY SECTION 20 (7) (a) OF ARTICLE X OF THIS CONSTITUTION. THE STATE SHALL RETAIN THE LESSER OF ALL EXCESS STATE REVENUES COLLECTED DURING THE PRIOR STATE FISCAL YEAR OR AN AMOUNT OF THE EXCESS STATE REVENUES EQUAL TO THE AMOUNT OF THE ADDITIONAL ONE PERCENTAGE POINT INCREASE.

(II) IF THE AMOUNT OF STATE REVENUES FOR ANY STATE FISCAL YEAR COMMENCING ON OR AFTER JULY 1, 2004, BUT PRIOR TO JULY 1, 2010, DOES NOT EXCEED THE LIMITATION ON STATE FISCAL YEAR SPENDING IMPOSED BY SECTION 20 (7) (a) OF ARTICLE X OF THIS CONSTITUTION FOR THAT STATE FISCAL YEAR, THE ONE PERCENTAGE POINT INCREASE SPECIFIED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (b) SHALL BE SUSPENDED FOR THE NEXT STATE FISCAL YEAR. FOR EACH STATE FISCAL YEAR IN WHICH THE ONE PERCENTAGE POINT INCREASE IS SUSPENDED, THE SIX-YEAR PERIOD DESCRIBED IN SAID SUBPARAGRAPH (I) SHALL BE EXTENDED BY ONE YEAR TO ENSURE THAT THE ONE PERCENTAGE POINT INCREASE REQUIREMENT APPLIES FOR AN AGGREGATE RATHER THAN A CONSECUTIVE TOTAL OF SIX STATE FISCAL YEARS."

Page 5, line 4, strike "SUBPARAGRAPH (I) OF PARAGRAPH (a)" and substitute "PARAGRAPH (b)";

line 5, strike "TEN-YEAR" and substitute "SIX-YEAR";

line 6, strike "SUBPARAGRAPH (I) OF PARAGRAPH (a)" and substitute "PARAGRAPH (b)";

line 9, strike "TEN" and substitute "SIX";

after line 9, insert the following:

"(4) **State Education Fund Created.** (b) In state fiscal year 2001-2002, and each fiscal year thereafter, the general assembly may annually appropriate monies from the state education fund. Monies in the state education fund may only be used to comply with PARAGRAPH (a) OF subsection (1) of this section and for accountable education reform, for accountable programs to meet state academic standards, for class size reduction, for expanding technology education, for improving student safety, for expanding the availability of preschool and kindergarten programs, for performance incentives for teachers, for accountability reporting, or for public school building capital construction."

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**ROLL CALL VOTE ON HCR04-1016**

**HCR04-1016** by Representative(s) Spradley; also Senator(s) Hillman--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 seventy-five 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 fifty 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 fifty million dollars of excess state revenues and one hundred fifty 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.

Senator Hillman requested a roll call vote on **HCR04-1016**, as amended.

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

**HCR04-1016**, as amended, was declared **lost** on Second Reading.

**ROLL CALL VOTE ON SB04-259**

**SB04-259** by Senator(s) Andrews; --Concerning expenditures by political subdivisions of the state that are related to lobbying activities.

Senator McElhany requested a roll call vote on **SB04-259**.

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

**SB04-259** was **lost** on Second Reading.

**ROLL CALL VOTE ON HCR04-1001**

**HCR04-1001** by Representative(s) Romanoff; also Senator(s) Anderson--Submitting to the registered electors of the state of Colorado amendments to section 17 (1) of article IX and section 20 of article X of the constitution of the state of Colorado, concerning the stabilization of government revenues, and, in connection therewith, suspending the required one percent increase in certain state education funding for the 2006-07 state fiscal year and during an economic downturn and requiring fiscal year spending limits for state and local districts to be calculated based upon prior fiscal year spending limits, with adjustments for inflation and growth, without being subject to reduction due to declines in revenues.

Senator Anderson requested a roll call vote on **HCR04-1001**.

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

**HCR04-1001**, as amended, was declared **lost** on Second Reading.

**ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE**

On motion of Senator Chlouber, 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: HB04-1240 as amended, SCR04-024 as amended.  
 Lost on Second Reading: SB04-259, HCR04-1016 as amended, HCR04-1001 as amended.

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 Conference Committee Reports.

**CONSIDERATION OF CONFERENCE COMMITTEE REPORTS**

**HB04-1361** by Representative(s) Frangas, Jahn; also Senator(s) Owen--Concerning area vocational schools.

Senator Owen moved for the adoption of the First Report of the First Conference Committee on **HB04-1361**, as printed in Senate Journal, April 28, pages 1070-1071. The motion 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 |               |   |

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 | 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 |               |   |

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

Co-sponsors added: Isgar and Taylor.

**HB04-1311** by Representative(s) Frangas, Cloer, Schultheis, Hefley, Jahn, Lundberg, May M., Tochtrop, Weissmann; also Senator(s) Jones--Concerning identity theft.

Laid over until Monday, May 3, retaining its place on the calendar.

**HB04-1189** by Representative(s) Romanoff; also Senator(s) Dyer--Concerning changes to decrease the disparity between the time sentenced and the time served by individuals who are convicted of violent crimes, and making an appropriation in connection therewith.

Senator Dyer moved for the adoption of the First Report of the First Conference Committee on **HB04-1189**, as printed in Senate Journal, April 20, pages 909-910. The motion 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 |               |   |

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

| YES         | 33 | NO       | 2 | EXCUSED  | 0 | ABSENT        | 0 |
|-------------|----|----------|---|----------|---|---------------|---|
| Anderson    | Y  | Groff    | N | 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 | N |               |   |

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

**SENATE ADHERE ON HB04-1117**

**HB04-1117** by Representative(s) Rhodes; also Senator(s) Hillman--Concerning a grace period in which a health insurance carrier may reenter the Colorado insurance market without penalty.

Senator Hillman moved that the Conference Committee be dissolved and that the Senate Conferees be discharged. The motion was declared **adopted**.

Senator Hillman moved that the Senate adhere to its position on **HB04-1117**. The motion was declared **adopted**.

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 Consideration of Conference Committee to Report--HB04-1177.

**CONSIDERATION OF CONFERENCE COMMITTEE REPORT--HB04-1177**

**HB04-1177** by Representative(s) Spradley, Cloer; also Senator(s) Hillman--Concerning health insurance, and, in connection therewith, making it a deceptive trade practice under the



consumer protection act to sell health discount services without certain disclosures and increasing incentives for insurers to provide health benefit coverage to multiple employer welfare arrangements.

Senator Hillman moved for the adoption of the First Report of the First Conference Committee on **HB04-1177**, as printed in Senate Journal, March 19, pages 576-578. The motion 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 |               |   |

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 | 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 |               |   |

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

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 Consideration of Conference Committee to Report--HB04-1376.

#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT--HB04-1376

**HB04-1376** by Representative(s) Weddig, Johnson R.; also Senator(s) Dyer--Concerning the sealing of arrest records in cases that are not adjudicated due to plea agreements.

Senator Dyer moved for the adoption of the First Report of the First Conference Committee on **HB04-1376**, as printed in Senate Journal, March 29, pages 659-660. The motion 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 |               |   |

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 | 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 |               |   |

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

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 House Amendments to Senate Bills beginning with SB04-078.

**CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS**

**SB04-078** by Senator(s) Groff; also Representative(s) Hall--Concerning administration by the insurance commissioner of provisions to ensure the financial responsibility of insurance companies.

Senator Groff moved that the Senate concur in House amendments to **SB04-078**, as printed in House Journal, April 27, page 1604. The motion was **passed** 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 |               |   |

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 | 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 |               |   |

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.

**SB04-134** by Senator(s) Hillman; also Representative(s) Brophy, Hoppe--Concerning the funding of offices of district attorneys.

Senator Hillman moved that the Senate concur in House amendments to **SB04-134**, as printed in House Journal, April 27, page 1604. The motion was **passed** 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 |               |   |

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 | 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 |               |   |

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

**SB04-144**

by Senator(s) Veiga; also Representative(s) Romanoff--Concerning reviews of school districts, and, in connection therewith, requiring pilot efficiency reviews of a limited number of school districts, and making an appropriation.

Senator Veiga moved that the Senate concur in House amendments to **SB04-144**, as printed in House Journal, April 27, page 1605. The motion was **passed** 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 |               |   |

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   | N | Takis         | Y |
| Arnold      | N  | Grossman | Y | Lamborn  | N | Tapia         | Y |
| Cairns      | N  | Hagedorn | Y | May      | N | 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 |               |   |

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

The Senate proceeded to **SB04-037** on page 7 of the Senate Calendar, Consideration of House Amendments to Senate Bills.

**SB04-037** by Senator(s) Anderson, Windels; also Representative(s) Stafford--Concerning the continuing examination of the treatment of persons with mental illness who are involved in the justice system, and making an appropriation therefor.

Senator Anderson moved that the Senate concur in House amendments to **SB04-037**, as printed in House Journal, April 27, page 1603. The motion was **passed** 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 |               |   |

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 | 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 |               |   |

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

Co-sponsors added: Keller.

**SB04-071** by Senator(s) Anderson; also Representative(s) Fairbank--Concerning the regulation of fireworks, and, in connection therewith, clarifying the definitions of a "firework" and "permissible firework" and clarifying when fireworks may be prohibited during an open fire ban.

Senator Anderson moved that the Senate concur in House amendments to **SB04-071**, as printed in House Journal, April 27, pages 1603-1604. The motion was **passed** 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 |               |   |

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 | 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 |               |   |

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

On motion of Senator Hillman, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded back to General Orders--Second Reading of Bills for consideration of SB04-217, SB04-232, and SB04-203.

Committee  
of the  
Whole

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

#### **GENERAL ORDERS--SECOND READING OF BILLS--continued**

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

On motion of Senator Hillman, and with a majority of those elected to the Senate having voted in the affirmative, SB04-203 will move to the front of the General Orders--Second Reading of Bills calendar.

**SB04-203**

by Senator(s) Anderson, Andrews; also Representative(s) Young, Fairbank--Concerning tobacco litigation settlement moneys, and, in connection therewith, creating a tobacco litigation settlement financing corporation for the purpose of securitizing tobacco settlement revenues scheduled to be received by the state, creating a state rainy day fund, and requiring securitization proceeds to be credited to the fund and expended for specified purposes.

As amended, Senate Journal, April 26, pages 998-1005 and April 30, page 1141.

Amendment No. 9(L.034), by Senator Grossman.

Amend the Finance Committee Report, dated March 25, 2004, page 2, strike line 2 and substitute the following:

"line 21, strike "2005, THE GENERAL ASSEMBLY SHALL APPROPRIATE" and substitute "2004, THE GENERAL ASSEMBLY SHALL APPROPRIATE OR TRANSFER";";

after line 3, insert the following:

"Page 29, strike line 13 and substitute the following:

"SPECIFIED AMOUNTS:

(a) (I) FOR FISCAL YEAR 2005-06, THE TOBACCO EDUCATION, PREVENTION, AND CESSATION GRANT PROGRAM CREATED IN PART 8 OF ARTICLE 3.5 OF TITLE 25, C.R.S., SHALL RECEIVE EIGHT MILLION DOLLARS IN LIEU OF THE AMOUNTS THAT SAID PROGRAM WOULD OTHERWISE RECEIVE PURSUANT TO SECTION 24-75-1104 (1) (d). THE MAXIMUM AMOUNT OF MONEYS THAT MAY BE TRANSFERRED FROM THE STATE RAINY DAY FUND TO THE GENERAL FUND IN STATE FISCAL YEAR 2005-06

PURSUANT TO SECTION 24-82.5-110 (3) (b) (I) (A) AND (3) (b) (I) (B) SHALL BE REDUCED BY EIGHT MILLION DOLLARS.

(II) FOR FISCAL YEAR 2005-06, THE COLORADO AUTISM TREATMENT FUND CREATED IN SECTION 26-4-695, C.R.S., PURSUANT TO SENATE BILL 04-177, ENACTED AT THE SECOND REGULAR SESSION OF THE SIXTY-FOURTH GENERAL ASSEMBLY, SHALL RECEIVE ONE MILLION DOLLARS TO BE USED TO PAY FOR SERVICES PROVIDED TO ELIGIBLE CHILDREN PURSUANT TO THE "HOME- AND COMMUNITY-BASED SERVICES FOR CHILDREN WITH AUTISM ACT", SUBPART 7 OF PART 6 OF ARTICLE 4 OF TITLE 26, C.R.S. THE MAXIMUM AMOUNT OF MONEYS THAT MAY BE TRANSFERRED FROM THE STATE RAINY DAY FUND TO THE GENERAL FUND IN STATE FISCAL YEAR 2005-06 PURSUANT TO SECTION 24-82.5-110 (3) (b) (I) (A) AND (3) (b) (I) (B) SHALL BE REDUCED BY ONE MILLION DOLLARS.

(III) FOR FISCAL YEAR 2005-06, THE TONY GRAMPSAS YOUTH SERVICES PROGRAM CREATED IN PART 2 OF ARTICLE 20.5 OF TITLE 25, C.R.S., SHALL RECEIVE TWO MILLION DOLLARS. IN EXPENDING SUCH MONEYS, THE TONY GRAMPSAS YOUTH SERVICES BOARD SHALL GIVE PREFERENCE TO PROGRAMS WITH PROVEN EFFECTIVENESS AT REDUCING CRIMINAL JUSTICE EXPENDITURES AND ADDRESSING HOMELESS YOUTH. THE MAXIMUM AMOUNT OF MONEYS THAT MAY BE TRANSFERRED FROM THE STATE RAINY DAY FUND TO THE GENERAL FUND IN STATE FISCAL YEAR 2005-06 PURSUANT TO SECTION 24-82.5-110 (3) (b) (I) (A) AND (3) (b) (I) (B) SHALL BE REDUCED BY TWO MILLION DOLLARS.

(IV) FOR FISCAL YEARS 2004-05 AND 2005-06, THE PROGRAM FOR THE PROVISION OF HEALTH CARE TO THE MEDICALLY INDIGENT CREATED IN PART 1 OF ARTICLE 15 OF TITLE 26, C.R.S., SHALL RECEIVE NINE MILLION DOLLARS PER YEAR, WHICH SHALL BE ALLOCATED TO GENERAL PROVIDERS WHOSE INPATIENT HOSPITAL CENSUS DAYS FOR THE MEDICALLY INDIGENT EXCEED TWENTY-FIVE PERCENT OF THE PROVIDER'S TOTAL INPATIENT HOSPITAL CENSUS DAYS. THE MAXIMUM AMOUNTS OF MONEYS THAT MAY BE TRANSFERRED FROM THE STATE RAINY DAY FUND TO THE GENERAL FUND IN STATE FISCAL YEARS 2004-05 AND 2005-06 PURSUANT TO SECTION 24-82.5-110 (3) (b) (I) (A) AND (3) (b) (I) (B) SHALL BE REDUCED BY TWO MILLION DOLLARS EACH.

(b) FOR FISCAL YEARS 2006-07 TO 2019-20:";

line 14, strike "(a)" and substitute "(I)";

line 16, strike "(I)" and substitute "(A)";

line 18, strike "(II)" and substitute "(B)";

line 20, strike "(III)" and substitute "(C)";

line 22, strike "(IV)" and substitute "(D)";

line 23, strike "(V)" and substitute "(E)";

line 25, strike "(VI)" and substitute "(F)";

line 27, strike "(VII)" and substitute "(G)".

Page 30, line 2, strike "(VIII)" and substitute "(H)";

line 4, strike "(IX)" and substitute "(I)";

line 6, strike "(X)" and substitute "(J)";

line 8, strike "(XI)" and substitute "(K)";

line 10, strike "(b)" and substitute "(II)";

line 15, strike "(c)" and substitute "(III)";

line 18, strike "(d) (I)" and substitute "(IV) (A)";

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line 24, strike "(II)" and substitute "(B)".

Page 31, line 4, strike "(e)" and substitute "(V)";

after line 6, insert the following:

"(VI) FOR FISCAL YEARS 2006-07 AND 2007-08 ONLY, THE TOBACCO EDUCATION, PREVENTION, AND CESSATION GRANT PROGRAM CREATED IN PART 8 OF ARTICLE 3.5 OF TITLE 25, C.R.S., SHALL RECEIVE FOUR MILLION FOUR HUNDRED THOUSAND DOLLARS PER YEAR.

(VII) THE COLORADO AUTISM TREATMENT FUND CREATED IN SECTION 26-4-695, C.R.S., PURSUANT TO SENATE BILL 04-177, ENACTED AT THE SECOND REGULAR SESSION OF THE SIXTY-FOURTH GENERAL ASSEMBLY, SHALL RECEIVE ONE MILLION DOLLARS PER YEAR TO BE USED TO PAY FOR SERVICES PROVIDED TO ELIGIBLE CHILDREN PURSUANT TO THE "HOME- AND COMMUNITY-BASED SERVICES FOR CHILDREN WITH AUTISM ACT", SUBPART 7 OF PART 6 OF ARTICLE 4 OF TITLE 26, C.R.S.

(VIII) FOR FISCAL YEARS 2006-07 AND 2007-08 ONLY, THE TONY GRAMPSAS YOUTH SERVICES PROGRAM CREATED IN PART 2 OF ARTICLE 20.5 OF TITLE 25, C.R.S., SHALL RECEIVE TWO MILLION DOLLARS PER YEAR. IN EXPENDING SUCH MONEYS, THE TONY GRAMPSAS YOUTH SERVICES BOARD SHALL GIVE PREFERENCE TO PROGRAMS WITH PROVEN EFFECTIVENESS AT REDUCING CRIMINAL JUSTICE EXPENDITURES AND ADDRESSING HOMELESS YOUTH.

(IX) THE AIDS DRUG ASSISTANCE PROGRAM CREATED IN SECTION 25-4-1411, C.R.S., SHALL RECEIVE THREE MILLION FOUR HUNDRED THOUSAND DOLLARS PER YEAR.

(X) FOR FISCAL YEARS 2006-07 AND 2007-08 ONLY, THE PROGRAM FOR THE PROVISION OF HEALTH CARE TO THE MEDICALLY INDIGENT CREATED IN PART 1 OF ARTICLE 15 OF TITLE 26, C.R.S., SHALL RECEIVE NINE MILLION DOLLARS PER YEAR, WHICH SHALL BE ALLOCATED TO GENERAL PROVIDERS WHOSE INPATIENT HOSPITAL CENSUS DAYS FOR THE MEDICALLY INDIGENT EXCEED TWENTY-FIVE PERCENT OF THE PROVIDER'S TOTAL INPATIENT HOSPITAL CENSUS DAYS."";

line 4, strike "Page 31,";

line 6, strike "PARAGRAPH (e)" and substitute "SUBPARAGRAPH (V) OF PARAGRAPH (b)";

after line 22, insert the following:

"Page 32, strike line 2 and substitute the following:

**SECTION 4.** 24-75-1104 (1) (d), Colorado Revised Statutes, is amended, and the said 24-75-1104 is further amended";

line 3, strike "SUBSECTION" and substitute "SUBSECTION,";

line 4, strike "(1.3) (a) If" and substitute "(1) For the 2000-01 fiscal year and for each fiscal year thereafter, the following programs shall receive appropriations in the specified amounts from the settlement moneys annually received by the state:

(d) EXCEPT AS OTHERWISE PROVIDED IN SECTION 24-75-1104.5 (1) (a), the tobacco education, prevention, and cessation grant program created in part 8 of article 3.5 of title 25, C.R.S., shall receive fifteen percent of the total amount of settlement moneys annually received by the state; except that the amount received in any fiscal year shall not exceed fifteen million dollars.

Page 33, line 23, strike "24-75-1104.5 (1) (d)," and substitute "24-75-1104.5 (1) (b) (IV),".

Page 36, line 17, strike "24-75-1104.5 (1) (b)," and substitute

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"24-75-1104.5 (1) (b) (II),"";

line 23, strike "Page 36,".

Page 3, line 2, strike "24-75-1104.5 (1) (e)," and substitute "24-75-1104.5 (1) (b) (V),"";

line 8, strike "24-75-1104.5 (1) (e)," and substitute "24-75-1104.5 (1) (b) (V),"";

after line 15, insert the following:

"page 6, after line 2, insert the following:

"Page 37, after line 6, insert the following:

**SECTION 16.** 24-75-102, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**24-75-102. Appropriations expended, when - balance.** (4) ANY MONEYS APPROPRIATED TO THE NURSE HOME VISITOR PROGRAM FUND CREATED IN SECTION 25-31-107, C.R.S., FOR THE 2003-04 FISCAL YEAR THAT WOULD OTHERWISE REVERT TO THE GENERAL FUND PURSUANT TO SUBSECTION (1) OF THIS SECTION SHALL BE TRANSFERRED BY THE STATE TREASURER TO THE FAMILY VIOLENCE JUSTICE FUND CREATED IN SECTION 14-4-107, C.R.S.; EXCEPT THAT THIS AMOUNT SHALL NOT EXCEED FIVE HUNDRED THOUSAND DOLLARS (\$500,000). THIS TRANSFER SHALL TAKE PLACE PRIOR TO A TRANSFER MADE PURSUANT TO SECTION 24-75-218."."

Renumber succeeding section accordingly.

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

On motion of Senator Hillman, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the General Orders -- Second Reading of Bills Calendar (SB04-217 and SB04-232) of April 30, was laid over until Monday, May 3, retaining its place on the calendar.

**ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE**

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

Passed on Second Reading: SB04-203 as amended.  
Laid over until Monday, May 3: SB04-217, SB04-232.

**MESSAGE FROM THE HOUSE**

April 30, 2004  
Mr. President:

The House has adopted and returns herewith SJR04-035.  
The House has adopted and returns herewith SJR04-043.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB04-1455, amended as printed in House Journal, April 29, page 1666.  
HB04-1456, amended as printed in House Journal, April 29, page 1667.

The House has passed on Third Reading and returns herewith SB04-223, 221, 236, 213, 206, 001, 114, 222, 224, 243, 249, 237.

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The House has passed on Third Reading and transmitted to the Revisor of Statutes;  
 SB04-196, amended as printed in House Journal, April 29, page 1658.  
 SB04-211, amended as printed in House Journal, April 29, page 1659.  
 SB04-065, amended as printed in House Journal, April 29, page 1666.  
 SB04-219, amended as printed in House Journal, April 29, page 1667.  
 SB04-230, amended as printed in House Journal, April 29, page 1668.  
 SB04-247, amended as printed in House Journal, April 29, page 1669.  
 SB04-229, amended as printed in House Journal, April 29, page 1669.

The House failed to pass SB04-192 on Third Reading. The bill is returned herewith.  
 The House has postponed indefinitely SB04-118. The bill is returned herewith.

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#### INTRODUCTION OF CONCURRENT RESOLUTION--FIRST READING

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

**SCR04-025** by Senator(s) Owen; --Submitting to the registered electors of the state of Colorado amendments to section 17 (1) and (5) of article IX and section 20 (7) of article X of the constitution of the state of Colorado, concerning the modification of constitutional restrictions that limit the ability of the general assembly to adjust state spending in response to changing levels of state revenues, and, in connection therewith, allowing the general assembly to reduce to a limited extent in response to a revenue shortfall the constitutionally required amount of annual growth in certain state funding for education from preschool through the twelfth grade and requiring state fiscal year spending limits to be calculated based upon prior fiscal year spending limits, with adjustments for inflation and population growth, without being subject to reduction due to declines in revenues.

State Veterans & Military Affairs

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#### INTRODUCTION OF RESOLUTIONS

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

**SJR04-058** by Senator(s) Hillman, Andrews, Fitz-Gerald; also Representative(s) King, Spradley, Romanoff--Concerning the adjournment sine die of the Second Regular Session of the Sixty-fourth General Assembly.  
 Laid over one day under Senate Rule 30(b).

**SJR04-059** by Senator(s) Hillman, Andrews, Fitz-Gerald; also Representative(s) Cloer, Johnson R., Garcia, Jahn--Concerning the retention of officers and employees of the Second Regular Session of the Sixty-fourth General Assembly.  
 Laid over one day under Senate Rule 30(b).

**HJR04-1062** by Representative(s) Weissmann, Mitchell; also Senator(s) Tupa--Concerning the general assembly urging the National Aeronautics and Space Administration to reconsider its decision to not extend the life of the Hubble Space Telescope.  
 Laid over one day under Senate Rule 30(e).

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#### INTRODUCTION OF BILL--FIRST READING

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

**SB04-260** by Senator(s) Evans; also Representative(s) Lee--Concerning the definition of the price of property on which the sales tax is imposed, and, in connection therewith, excluding from the definition separately stated charges for services performed after the property is offered for sale.  
 Finance

**MESSAGE FROM THE GOVERNOR**

April 30, 2004

To the Honorable Senate  
Sixty-fourth General Assembly  
Second Regular Session  
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following act:

**S.B.04-132** – Concerning The Modification Of Existing Benefit Plans For Members Of The Public Employees' Retirement Association.

Approved April 30, 2004 at 9:10 A.M.

Sincerely,  
(signed)  
Bill Owens  
Governor  
Rec'd 4-30-04, 11:30 a..m.  
Mona Heustis, Secretary of the Senate

**APPOINTMENTS TO CONFERENCE COMMITTEE**

**SB04-153** by Senator(s) Johnson S., Reeves; also Representative(s) McCluskey, Lundberg, Paccione, Witwer--Concerning combining polling places, and, in connection therewith, authorizing designated election officials to establish vote centers where any elector registered in the political subdivision may vote.

The President appointed Senators Johnson, Chairman, Kester, and Reeves as Senate Conferees on the First Conference Committee on **SB04-153**.

**SIGNING OF BILLS--RESOLUTIONS--MEMORIALS**

The President has signed: SB04-205.  
The President has signed: SJR04-033 and 048.

**SENATE SERVICES REPORTS**

**Correctly Printed:** SB04-259; SCR04-024.  
**Correctly Engrossed:** SB04-233, 251, 253, 254 and 257.  
**Correctly Reengrossed:** SB04-244, 246, 252; SJR04-010, 013, 014, 017, 022, 032, 039, 040, 042, 044, 046 and 048; SJM04-003 and 004.  
**Correctly Revised:** HB04-1034, 1086, 1171, 1199, 1207, 1210, 1256, 1347, 1360, 1362, 1375, 1405, 1430, 1433, 1435, 1438, 1441, 1445 and 1451.  
**Correctly Rerevised:** HB04-1227, 1424 and 1428; HJR04-1037, 1045 and 1066.

**TRIBUTES**

Honoring The Royal Gorge Bridge -- by Senator Ken Kester.  
Honoring Bob Zaitz -- by Senator Ken Chlouber.

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 30, 2004, was laid over until Monday, May 3, 2004, retaining its place on the calendar.

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| Consideration of Resolutions: SJR04-047, HJR04-1038, SJR04-049, SR04-011,          | 1  |
| HJR04-1057, HJR04-1077, HJR04-1052, HJR04-1058, HJR04-1085, HJR04-1090,            | 2  |
| SJR04-036, SJR04-057, HJR04-1051, SJR04-056.                                       | 3  |
| Consideration of House Amendments to Senate Bills: SB04-168, SB04-216.             | 4  |
| Notice of Intent to Reconsider Resolution: SCR04-013.                              | 5  |
| Consideration of Governor's Appointments:  | 6  |
| Member of the Juvenile Parole Board;   | 7  |
| Member of the Securities Board;  | 8  |
| Members of the Pinnocal Assurance Board of Directors;                              | 9  |
| Member of the Advisory Committee on Governmental Accounting.                       | 10 |
| Conference Committees to Report: HB04-1236, SB04-131, SB04-108, SB04-125,          | 11 |
| HB04-1261, HB04-1003.  | 12 |
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| On motion of Senator Hillman, the Senate adjourned until 9:00 a.m., Monday, May 3, | 16 |
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