

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

Eighty-seventh Legislative Day

Friday, April 2, 2004

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Prayer	By the chaplain, Reverend David Clarke.	11
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Pledge	By the President.	13
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Call to Order	By the President at 9:00 a.m.	15
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Roll Call	Present--35.	18
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Quorum	The President announced a quorum present.	20
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Reading of Journal	On motion of Senator Jones, reading of the Journal of April 1, 2004, was dispensed with and the Journal was approved as corrected by the Secretary.	22
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COMMITTEE OF REFERENCE REPORTS

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Local Government	After consideration on the merits, the Committee recommends that HB04-1401 be referred to the Committee of the Whole with favorable recommendation.	29
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Local Government	After consideration on the merits, the Committee recommends that HB04-1309 be amended as follows, and as so amended, be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	32
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	Amend reengrossed bill, page 3, line 25, strike the second "AND";	36
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	after line 25, insert the following:	38
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	"(g) THE GOAL OF FUNDING PROJECTS THROUGHOUT THE STATE IN PROPORTION TO THE GEOGRAPHIC DISTRIBUTION OF THE STUDENT POPULATION; AND".	40
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	Reletter succeeding paragraph accordingly.	44
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Health, Environment, Welfare, & Institutions	The Committee on <u>Health, Environment, Welfare, and Institutions</u> has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:	47
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MEMBER OF THE
COLORADO CHILDREN'S TRUST FUND BOARD

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	for a term expiring November 7, 2005:	55
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	Thomas H. McMillen of Golden, Colorado, to serve as a member with knowledge of child abuse prevention and law, reappointed;	57
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Finance	After consideration on the merits, the Committee recommends that HB04-1358 be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	61
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Finance After consideration on the merits, the Committee recommends that **HB04-1381** be referred to the Committee of the Whole with favorable recommendation. 1
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Education After consideration on the merits, the Committee recommends that **HB04-1367** be referred to the Committee of the Whole with favorable recommendation. 3
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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: 7
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MEMBERS OF THE
COLORADO SCHOOL OF MINES, BOARD OF TRUSTEES

for terms expiring March 23, 2008: 10
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L. Roger Hutson of Englewood, Colorado, to serve as a representative of graduates, appointed; 16
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DeAnn Craig of Denver, Colorado, to serve as a representative of graduates, appointed. 20
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Education After consideration on the merits, the Committee recommends that **SB04-200** be postponed indefinitely. 23
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FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON HB04-1072 28
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THIS REPORT AMENDS THE
REENGROSSED BILL
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To the President of the Senate and the Speaker of the House of Representatives: 38
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Your first conference committee appointed on HB04-1072, concerning the authority of the governing body of a municipality to submit to the registered electors of the municipality the question of changing the regular election date of the municipality, has met and reports that it has agreed upon the following: 41
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1. That the Senate recede from its amendments made to the bill, as said amendments appear in the rerevised bill. 47
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2. That, under the authority granted the committee to consider matters not at issue between the two houses, the following amendment be recommended: 50
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Amend reengrossed bill, page 4, line 25, strike "MUNICIPALITY" and substitute "MUNICIPALITY, IN CONSULTATION WITH THE CLERK AND RECORDER OF THE COUNTY IN WHICH THE MUNICIPALITY IS LOCATED,". 54
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Respectfully submitted, 58
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House Committee:
(signed)
Representative M. May
Representative Berry
Representative Ragsdale

Senate Committee:
(signed)
Senator Evans
Senator Jones
Senator Fitz-Gerald

INTRODUCTION OF RESOLUTIONS

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

SCR04-011 by Senator(s) Teck, Anderson, Chlouber, Entz, Johnson S., Kester, Owen, Reeves, Sandoval, Takis; also Representative(s) White, Larson, Coleman, Crane, Hefley, May M., Miller, Vigil, Weddig, Welker, Williams T.--Submitting to the registered electors of the state of Colorado an amendment to section 1 (4) of article V of the constitution of the state of Colorado, concerning a supermajority requirement for passage of certain types of changes to the Colorado constitution and Colorado Revised Statutes.
State Veterans & Military Affairs

SJR04-032 by Senator(s) Hillman, Kester; also Representative(s) Brophy, Young, Hoppe--Concerning the designation of certain highways as the Ports-to-Plains Trade Corridor, the Heartland Expressway, and the High Plains Highway.
Laid over one day under Senate Rule 30(b).

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:

HB04-1098 by Representative(s) Young, Witwer, Plant; also Senator(s) Owen, Teck, Reeves--Concerning the disposition of moneys received by the state, and, in connection therewith, creating a definition of "custodial moneys".

Laid over until Thursday, April 8, retaining its place on the calendar.

SB04-118 by Senator(s) Entz, Taylor, Isgar; --Concerning the exclusion of lands within a designated ground water basin from a water conservancy district.

Laid over until Thursday, April 8, retaining its place on the calendar.

SB04-189 by Senator(s) Anderson; also Representative(s) King--Concerning institutions of higher education.

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

YES	22	NO	13	EXCUSED	0	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	Takis	N
Arnold	Y	Grossman	Y	Lamborn	Y	Tapia	N
Cairns	Y	Hagedorn	Y	May	Y	Taylor	Y
Chlouber	Y	Hanna	N	McElhany	Y	Teck	Y
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	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, Chlouber, Entz, Evans, Owen, and Teck.

Committee of the Whole On motion of Senator Owen, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills and Senator Owen 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:

SB04-001	by Senator(s) Cairns, Hillman, Andrews, Lamborn; also Representative(s) Spradley, Schultheis, Crane, Harvey, Lundberg, May M., Mitchell, Welker, Williams T.--Concerning the exemption of business personal property from property taxation.	1 2 3 4
	Laid over until Thursday, April 8, retaining its place on the calendar.	5 6 7
SB04-164	by Senator(s) Owen; also Representative(s) Berry--Concerning the retention of state revenues in excess of the constitutional limitation on state fiscal year spending for the purposes of funding state infrastructure needs, and, in connection therewith, requiring excess state revenues retained to be used first to fund state and local transportation needs and next to fund other state capital construction needs.	8 9 10 11 12
	Laid over until Thursday, April 8, retaining its place on the calendar.	13 14 15 16
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.	17 18 19 20
	Laid over until Thursday, April 8, retaining its place on the calendar.	21 22 23 24
HB04-1230	by Representative(s) Hall, May M., Crane, Fairbank, Lundberg, Mitchell, Rose, Williams S., Williams T.; also Senator(s) Jones--Concerning the election of school district directors from director districts.	25 26 27
	Ordered revised and placed on the calendar for Third Reading and Final Passage.	28 29 30 31
SCR04-005	by Senator(s) Owen; also Representative(s) Williams T.--Submitting to the registered electors of the state of Colorado amendments to articles IV, VI, VII, IX, XVII, XVIII, and XXIV of the constitution of the state of Colorado, concerning the elimination of obsolete provisions of the state constitution.	32 33 34 35
	Laid over until Thursday, April 8, retaining its place on the calendar.	36 37 38 39
SB04-190	by Senator(s) Johnson S.; --Concerning the creation of liens for health care providers on moneys collected by an injured person.	40 41 42
	Laid over until Thursday, April 8, retaining its place on the calendar.	43 44 45
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.	46 47 48 49
	As amended, Senate Journal, March 26, pages 644-647.	50 51
	Laid over until Thursday, April 8, retaining its place on the calendar.	52 53 54
HB04-1141	by Representative(s) King, Briggs, Cadman, Carroll, Clapp, Cloer, Crane, Decker, Fairbank, Hall, Harvey, Hefley, Jahn, Lee, Lundberg, May M., Miller, Mitchell, Rhodes, Rose, Schultheis, Sinclair, Spence, Spradley, Stafford, Welker, White, Wiens, Witwer; also Senator(s) Andrews, Arnold, Chlouber, Dyer, Evans, Groff, Hagedorn, Hillman, Johnson S., Jones, Kester, Lamborn, May R., McElhany, Owen, Teck--Concerning charter schools, and, in connection therewith, providing for the creation of state charter schools, and making an appropriation therefor.	55 56 57 58 59 60 61
	Laid over until Thursday, April 8, retaining its place on the calendar.	62 63 64 65 66
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	67 68 69

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.

Laid over until Thursday, April 8, retaining its place on the calendar.

HB04-1384 by Representative(s) Sinclair, Coleman, Johnson R., Larson, May M., McCluskey, Rose, Weddig; also Senator(s) Lamborn--Concerning reporting requirements reviewed by the state, veterans, and military affairs committees of the general assembly pursuant to Colorado's "Information Coordination Act".

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

SB04-204 by Senator(s) Anderson; also Representative(s) Coleman--Concerning the administration of the state-supervised lottery program.

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

SB04-136 by Senator(s) Arnold; also Representative(s) King--Concerning the provision of remedial assistance to high school students who perform below a certain level of proficiency in an academic area on a statewide assessment.

As amended, Senate Journal, March 18, page 558.

Amendment No. 2(L.004), by Senator Tupa.

Amend the Education Committee Report, dated March 11, 2004, page 3, line 17, strike "PROFICIENCY," and substitute "PROFICIENCY IN AN ACADEMIC AREA ON THE STATEWIDE ASSESSMENT ADMINISTERED TO STUDENTS ENROLLED IN THE TENTH GRADE,".

As amended, declared **LOST** on Second Reading.
(For further action, see Amendments to the Report of the Committee of the Whole.)

HB04-1387 by Representative(s) Hefley; also Senator(s) Dyer--Concerning changes to the procedural criminal laws.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, March 31, page 687 and placed in members' bill files.)

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

HB04-1395 by Representative(s) Spence; also Senator(s) Kester--Concerning matters related to evaluations by the state board of parole of persons seeking parole.

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

HB04-1388 by Representative(s) Hefley; also Senator(s) Dyer--Concerning nonsubstantive changes to statutory provisions identifying crimes that pose an extraordinary risk of harm to society.

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

HB04-1095 by Representative(s) Witwer; also Senator(s) Gordon--Concerning the prospective applicability of certain amendments to the "Colorado Governmental Immunity Act".

Laid over until Monday, April 5, retaining its place on the calendar.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

Senator Arnold moved to amend the Report of the Committee of the Whole to show that

SB04-136, as amended, was laid over to the general orders calendar of April 5, 2004, retaining its place on the calendar.

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 PASSED.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Owen, 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: HB04-1230, HB04-1384, SB04-204, HB04-1387 as amended, HB04-1395, HB04-1388.

Laid over until Monday, April 5: HB04-1095, SB04-136 as amended.

Laid over until Thursday, April 8: SB04-001, SB04-164, HB04-1242, SCR04-005, SB04-190, SB04-151 as amended, HB04-1141, SB04-203.

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 Amendment to Senate Bill--SB04-013.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILL--SB04-013

SB04-013 by Senator(s) Entz, Dyer, Isgar, Tapia, Taylor; also Representative(s) Hoppe, Miller, Rippy, Salazar, White--Concerning senate confirmation of membership of certain boards involved with water resources.

Senator Entz moved that the Senate concur in House amendments to **SB04-013**, as printed in House Journal, March 29, pages 1110-1113. The motion was **passed** by the following roll call vote:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	Takis	Y
Arnold	Y	Grossman	N	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: Chlouber and Teck.

MESSAGE FROM THE HOUSE

April 2, 2004
Mr. President:

The House has adopted and transmits herewith HJR04-1043

**CONFERENCE COMMITTEES GRANTED FURTHER POWERS
and APPOINTMENTS TO CONFERENCE COMMITTEES**

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 that the Senate Conferees on the First Conference Committee on **HB04-1177** be given the powers to go beyond the scope of the differences between the two Houses.

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

The President appointed Senators Hillman, Chairman, Cairns, and Hagedorn as Senate Conferees on the First Conference Committee on **HB04-1177**.

HB04-1236 by Representative(s) McCluskey; also Senator(s) Cairns--Concerning notice requirements to be made by an insurer to an applicant for homeowner's insurance.

Senator Cairns moved that the Senate Conferees on the First Conference Committee on **HB04-1236** be given the powers to go beyond the scope of the differences between the two Houses.

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

The President appointed Senators Cairns, Chairman, McElhany, and Veiga as Senate Conferees on the First Conference Committee on **HB04-1236**.

On motion of Senator Hillman, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, SB04-216, HB04-1399, HB04-1394, HB04-1380, HB04-1401 were made Special Orders at 10:30 a.m.

Committee of the Whole The hour of 10:30 a.m. having arrived, Senator Owen moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders--Second Reading of Bills and Senator Owen was called to the Chair to act as Chairman.

SPECIAL ORDERS--SECOND READING OF BILLS

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

SB04-216 by Senator(s) Lamborn; also Representative(s) Cloer--Concerning limitations on the use of credit information for the purposes of personal lines of property and casualty insurance rating, and, in connection therewith, substantially adopting the provisions of the National Conference of Insurance Legislators model for uses of credit information for personal lines of property and casualty insurance.

Amendment No. 1, Business Affairs and Labor Committee Amendment.
(Printed in Senate Journal, April 1, page 692 and placed in members' bill files.)

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

HB04-1394 by Representative(s) Fairbank; also Senator(s) Kester--Concerning alternative loan charges by supervised lenders for small loans.

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

HB04-1399 by Representative(s) Williams T.; also Senator(s) Kester--Concerning statutory provisions governing limited liability companies contained in title 7 of the Colorado Revised Statutes.

Amendment No. 1(L.004), by Senator Kester.

Amend reengrossed bill, page 6, line 16, strike "A NATURAL PERSON" and substitute "AN INDIVIDUAL";

line 22, strike "A NATURAL" and substitute "AN INDIVIDUAL";

line 23, strike "PERSON".

Page 13, line 21, after "THE", insert "RESIGNING".

Page 18, strike lines 23 through 27.

Page 19, strike line 1 and substitute the following:

"SECTION 20. Repeal. 7-80-712, Colorado Revised Statutes, including the introductory portion to 7-80-712 (1) (b) as it will become effective July 1, 2004, is repealed as follows:

7-80-712. Information and accounting. ~~(1) A member of a limited liability company shall have the right to:~~

~~(a) Inspect and copy limited liability company records, as provided by section 7-80-411;~~

~~(b) Obtain from the manager or managers from time to time, subject to such reasonable standards as may be stated in the operating agreement or otherwise established by the manager or managers, upon reasonable demand for any purpose reasonably related to the member's interest as a member;~~

~~(f) True and full information regarding the state of the business and financial condition of the limited liability company and any other information regarding the affairs of the limited liability company; and~~

~~(H) Promptly after becoming available, a copy of the limited liability company's federal, state, and local income tax returns for each year; and~~

~~(c) Have a formal accounting of limited liability company affairs whenever circumstances render it just and reasonable.";~~

line 10, strike "(1)," and substitute "(1) and (2)," and strike "it" and substitute "they";

line 11, strike "is" and substitute "are";

after line 17, insert the following:

"(2) If the limited liability company does not correct each ground for dissolution, or demonstrate to the reasonable satisfaction of the secretary of state that each ground determined by the secretary of state does not exist, within sixty days after mailing DELIVERY of the notice contemplated in subsection (1) of this section, the secretary of state may administratively dissolve the limited liability company. The secretary of state shall mail DELIVER written notice of the administrative dissolution, stating the effective date thereof, to the principal office address of the dissolved limited liability company's principal office and shall mail DELIVER a copy of such THE notice to the registered agent address of the dissolved limited liability company's last registered agent."

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

HB04-1380 by Representative(s) Spence; also Senator(s) Arnold--Concerning reports to the education committees of the general assembly pursuant to Colorado's "Information Coordination Act".

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

HB04-1401 by Representative(s) Crane; also Senator(s) Arnold--Concerning the statutory designation of the boundaries of the city and county of Broomfield, and, in connection therewith, excluding areas of the city and county of Broomfield from the counties of Adams, Jefferson, Boulder, and Weld.

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Owen, 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: SB04-216 as amended, HB04-1394, HB04-1399 as amended, HB04-1380, HB04-1401.

On motion of Senator Hillman, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, the rules were suspended for Immediate Consideration of Resolution--HJR04-1043.

IMMEDIATE CONSIDERATION OF RESOLUTION--HJR04-1043

HJR04-1043 by Representative(s) Romanoff, Carroll, Larson, Berry, Borodkin, Boyd, Briggs, Brophy, Butcher, Cadman, Cerbo, Clapp, Cloer, Coleman, Crane, Decker, Fairbank, Frangas, Garcia, Hall, Harvey, Hefley, Hodge, Hoppe, Jahn, Johnson R., Judd, King, Lee, Lundberg, Madden, Marshall, May M., McCluskey, McFadyen, McGihon, Merrifield, Miller, Mitchell, Paccione, Plant, Pommer, Ragsdale, Rippey, Rhodes, Rose, Salazar, Schultheis, Sinclair, Smith, Spence, Spradley, Stafford, Stengel, Tochtrop, Vigil, Weddig, Weissmann, Welker, White, Wiens, Williams S., Williams T., Witwer, Young; also Senator(s) Sandoval--Concerning support for all Spaniards following the March 11, 2004, terrorist attacks in Madrid, Spain.

On motion of Senator Sandoval, 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: Anderson, 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, Takis, Tapia, Taylor, Teck, Tupa, Veiga, and Windels.

COMMITTEE OF REFERENCE REPORTS

Agriculture,
Natural
Resources, &
Energy

After consideration on the merits, the Committee recommends that **SB04-207** be referred to the Committee of the Whole with favorable recommendation.

Agriculture,
Natural
Resources, &
Energy

After consideration on the merits, the Committee recommends that **SB04-215** be referred to the Committee of the Whole with favorable recommendation.

MESSAGES FROM THE HOUSE

April 2, 2004
Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB04-1412,1413,1415,1416,1417,1419,1420.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB04-1397, amended as printed in House Journal, April 1, pages 1142-1144.
HB04-1418, amended as printed in House Journal, April 1, page 1145.
HB04-1421, amended as printed in House Journal, April 1, pages 1158-1159.
HB04-1422, amended as printed in House Journal, April 1, pages 1159-1164.

The House has passed on Third Reading and returns herewith SB04-193.

The House has voted to concur in the Senate amendments to HB04-1054, 1298, 1241, 1084,1271,1062,1109,1153,1066 and has repassed the bills as so amended.

The House has voted not to concur in the Senate amendments to HB04-1061 and requests that a conference committee be appointed. The Speaker has appointed Representatives Berry, chairman, Stengel, and Boyd as House conferees on the First Conference Committee on HB04-1061. The bill is transmitted herewith.

April 2, 2004
Mr. President:

The House has laid over SB04-020 until May 6, deeming it lost. The bill is returned herewith.

MESSAGE FROM THE GOVERNOR

Appointment

A letter of designation and appointment from Governor Owens was read and assigned to Committee as follows:

March 8, 2004

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

Ladies and Gentlemen:

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

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

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effective July 1, 2004 for terms expiring July 1, 2006: 1
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3
Ronald E. Harlow of Highlands Ranch, Colorado, to serve as an Unaffiliated, appointed; 4
5
Dr. Corinne G. Harmon of Cascade, Colorado, to serve as a Democrat, appointed; 6
7
Richard E. Hartman of Grand Junction, Colorado, to serve as a Democrat, appointed; 8
9
effective July 1, 2004 for terms expiring July 1, 2008: 10
11
Douglas J. Miles of Manitou Springs, Colorado, to serve as a Democrat and to represent 12
the blind community, appointed; 13
14
John C. Dickinson of Longmont, Colorado, to serve as an Unaffiliated and to represent the 15
deaf community, appointed; 16
17
David S. Ek of Colorado Springs, Colorado, to serve as a Republican, appointed; 18
19
Dr. Morris D. Ververs of Simla, Colorado, to serve as a Republican, appointed. 20
21
Sincerely, 22
(signed) 23
Bill Owens 24
Governor 25
Rec'd: 3/26/04 26
Mona Heustis 27
Secretary of the Senate 28
29
Committee on Education 30
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SIGNING OF BILLS--RESOLUTIONS--MEMORIALS

The President has signed: HJR04-1005, 1029, 1041. 35
36
The President has signed: HB04-1151. 37
38
The President has signed: HJR04-1034. 39
40
41

SENATE SERVICES REPORTS

To the Governor for signature on Thursday, April 1, 2004, at 1:46 p.m. 42
43
44
SB04-003, 008, 014, 035, 042, 046, 047, 051, 062, 063, 064, 089, 109, 110, 116, 146, 45
147, 175, 180, and 182. 46
47
Correctly Printed: SB04-217, 218, 219 and 220. 48
49
Correctly Engrossed: SB04-189. 50
Correctly Reengrossed: SJR04-030. 51
Correctly Rerevised: HB04-1393; HJR04-1034. 52
Correctly Enrolled: SB04-007, 040, 041, 084, 095, 117, 152, 157, 187 and 195; SJR026. 53
54
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TRIBUTES

Honoring Jessica Lee Stackhouse -- by Senator Joan Fitz-Gerald. 57
58
Memorializing Omar D. Blair -- by Senator Peter Groff. 59
60
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62

On motion of Senator Hillman, and with a majority of those elected to the Senate having 63
voted in the affirmative, the balance of the calendar of April 2, 2004, was laid over until 64
Monday, April 5, 2004, retaining its place on the calendar. 65
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67

Consideration of Resolutions: SJR04-011, SJR04-013, SJR04-014, SJR04-022, 68
SJR04-010, HJR04-1020, SJR04-017, SJR04-028, HJR04-1045. 69

Consideration of House Amendments to Senate Bills: SB04-108, SB04-137, SB04-115, 1
 SB04-125, SB04-105, SB04-024, SB04-094, SB04-045, SB04-188. 2
 Consideration of Governor's Appointments: 3
 Members of the Water Quality Control Commission. 4
 Consideration of Conference Committee Reports: HB04-1102. 5
 Conference Committees to Report: HB04-1117, SB04-082. 6
 Requests for Conference Committee: SB04-131. 7



On motion of Senator Hillman, the Senate adjourned until 10:00 a.m., Monday, April 5, 2004. 8
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Approved: 12
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John Andrews 16
President of the Senate 17
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Attest: 21
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Mona Heustis 26
Secretary of the Senate 27
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