

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

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Sixth Legislative Day

Monday, January 12, 2004

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Prayer	By the chaplain, Reverend Shirley Riggs.	10
Pledge	By Senator Nichol.	11
Call to Order	By the President at 10:00 a.m.	12
Roll Call	Present--34. Absent/Excused--1; Phillips. Present later--Phillips.	13
Quorum	The President announced a quorum present.	14
Reading of Journal	On motion of Senator Grossman, reading of the Journal of January 9, 2004, was dispensed with and the Journal was approved as corrected by the Secretary.	15

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**INTRODUCTION OF BILLS--FIRST READING**

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

<b>SB04-083</b>	by Senator(s) Sandoval, Groff, Grossman, Keller, Tapia, Windels; --Concerning the creation of an additional category of alternative education campus. Education	16
<b>SB04-084</b>	by Senator(s) Windels; --Concerning technical modifications to voter identification requirements implementing the federal "Help America Vote Act of 2002". State Veterans & Military Affairs	17
<b>SB04-085</b>	by Senator(s) Grossman; also Representative(s) Larson--Concerning additional limitations on telephone solicitations under the "Colorado No-Call List Act". Business Affairs & Labor State Veterans & Military Affairs	18
<b>SB04-086</b>	by Senator(s) Tupa; --Concerning the boundaries of certain special districts, and, in connection therewith, making the boundaries of the Denver metropolitan scientific and cultural facilities district and the metropolitan football stadium district coterminous with the boundaries of the regional transportation district. Transportation Local Government	19
<b>SB04-087</b>	by Senator(s) Owen; also Representative(s) Hall--Concerning the nonsubstantive recodification of statutory provisions that address sales and use tax exemptions. Finance	20
<b>SB04-088</b>	by Senator(s) Hanna, Groff, Keller, Sandoval; --Concerning the encouragement of breastfeeding, and, in connection therewith, recognizing the benefits of breastfeeding and providing for breastfeeding in public. Health, Environment, Welfare & Institutions Local Government	21

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- SB04-089** by Senator(s) Reeves; also Representative(s) Paccione--Concerning affordable housing, and, in connection therewith, allowing the certification of nonprofit local housing agencies as local public procurement units for purposes of cooperative purchasing agreements and allowing home owners in a mobile home park the right of first refusal in the event that the landlord of the park is selling the park.  
Business Affairs & Labor
- SB04-090** by Senator(s) Anderson; also Representative(s) Berry--Concerning the confidentiality of information regarding investments made by the public employees' retirement association.  
Finance
- SB04-091** by Senator(s) Teck; --Concerning the provision of waste services within the limits of local government entities.  
State Veterans & Military Affairs
- SB04-092** by Senator(s) Tapia, Fitz-Gerald, Groff, Keller, Sandoval; also Representative(s) Salazar--Concerning the creation of a prescription drug discount program under the "Colorado Medical Assistance Act".  
Health, Environment, Welfare & Institutions  
Appropriations
- SB04-093** by Senator(s) Chlouber; also Representative(s) Fairbank--Concerning creation of the "Responsible Alcohol Beverage Vendor Act".  
Business Affairs & Labor
- SB04-094** by Senator(s) Hagedorn; also Representative(s) Spradley, Hall--Concerning the implementation of health savings accounts, and, in connection therewith, eliminating medical savings accounts for basic health benefit plans for small employers and converting the tax provisions for medical savings accounts to apply to health savings accounts.  
Business Affairs & Labor
- SB04-095** by Senator(s) Veiga; also Representative(s) Mitchell--Concerning certificates of stillbirth.  
Health, Environment, Welfare & Institutions
- SB04-096** by Senator(s) Veiga; also Representative(s) Fairbank--Concerning the transfer of interests in telecommunication utility assets that are not used in the provision of regulated services without authorization by the public utilities commission.  
Finance

**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:

- SB04-011** by Senator(s) Anderson, Taylor, Tupa; also Representative(s) Coleman, Rhodes, Williams T.--Concerning limitations on allowable qualified distributions pursuant to the "Certified Capital Company Act".

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, Cairns, Chlouber, Entz, Gordon, Groff, Jones, Kester, Lamborn, May, McElhany, Sandoval, Tapia, Teck, and Veiga.

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**SENATE SERVICES REPORT**

**Correctly Printed:** SB04-073, 074, 075, 076, 077, 078, 079, 080, 081, and 082;  
 SCR04-001, 002, 003, and 004.  
**Correctly Engrossed:** SB04-011

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Senate in recess.

Senate reconvened.

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**INTRODUCTION OF BILLS--FIRST READING**

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

- SB04-097** by Senator(s) McElhany; --Concerning the acquisition of property by the division of wildlife in El Paso county, and, in connection therewith, making an appropriation.  
 Agriculture, Natural Resources & Energy
- SB04-098** by Senator(s) Hanna; also Representative(s) Stengel--Concerning the establishment of a "Structured Settlement Protection Act".  
 Business Affairs & Labor
- SB04-099** by Senator(s) Fitz-Gerald; --Concerning mandating reports related to at-risk adults.  
 Health, Environment, Welfare & Institutions  
 Judiciary
- SB04-100** by Senator(s) Isgar, Taylor; also Representative(s) Larson--Concerning the payment of proceeds to unleased mineral owners in drilling units.  
 State Veterans & Military Affairs  
 Judiciary
- SB04-101** by Senator(s) Gordon, Chlouber, Dyer, Entz, Evans, Grossman, Isgar, Kester, Tapia, Teck; also Representative(s) Stafford, Berry, Briggs, Decker, Salazar, White, Young--Concerning required disclosure of a nonrenewable water source in a contract for the purchase and sale of residential real property.  
 Agriculture, Natural Resources & Energy  
 Business Affairs & Labor
- SB04-102** by Senator(s) Gordon, Isgar; also Representative(s) Stafford, Hefley--Concerning the protection of consumers relating to the payment of health insurance claims.  
 Business Affairs & Labor  
 Appropriations
- SB04-103** by Senator(s) Sandoval, Gordon, Phillips, Arnold, Entz, Fitz-Gerald, Groff, Grossman, Hagedorn, Hanna, Isgar, Johnson S., Jones, Keller, Kester, Reeves, Takis, Tapia, Tupa, Veiga, Windels; --Concerning policies to increase the inclusion of nutritious choices in school vending machines.  
 Health, Environment, Welfare & Institutions  
 State Veterans & Military Affairs  
 Appropriations
- SB04-104** by Senator(s) Tupa; also Representative(s) Weissmann--Concerning water conservation measures.  
 Agriculture, Natural Resources & Energy  
 Local Government  
 Appropriations
- SB04-105** by Senator(s) Kester; also Representative(s) Spence--Concerning the regulation of health insurance, and, in connection therewith, adopting certain modifications to health insurance laws recommended by the 2001 sunset report conducted by the department of regulatory agencies.  
 Business Affairs & Labor

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On motion of Senator Anderson, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of January 12, 2004, was laid over until Tuesday, January 13, 2004, retaining its place on the calendar.

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On motion of Senator Anderson, the Senate adjourned until 9:00 a.m., Tuesday, January 13, 2004.

Approved:

John Andrews  
President of the Senate

Attest:

Mona Heustis  
Secretary of the Senate

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