

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

One-hundred-thirteenth Legislative Day Wednesday, April 28, 2004

Prayer	By the chaplain, Reverend Kelby Cotton.	1 2 3 4 5 6 7 8 9 10 11
Pledge	By Senator Isgar.	12 13 14
Call to Order	By the President at 9:00 a.m.	15 16 17
Roll Call	Present--31. Absent/Excused--4; Evans, Nichol, Phillips, and Veiga. Present later--Evans, Nichol, Phillips, and Veiga.	18 19 20 21
Quorum	The President announced a quorum present.	22 23
Reading of Journal	On motion of Senator Tapia, reading of the Journal of April 27, 2004, was dispensed with and the Journal was approved as corrected by the Secretary.	24 25 26 27

MESSAGES FROM THE HOUSE

April 27, 2004
 Mr. President:

The House failed to pass SB04-228 as amended on Second Reading. The bill is returned herewith.

INTRODUCTION OF BILL--FIRST READING

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

SB04-257 by Senator(s) Owen; also Representative(s) Young--Concerning modifications to the retirement plans for public employees.
 State Veterans & Military Affairs

On motion of Senator Hillman, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, Senate Rule 4 was suspended to proceed to Third Reading of Bills--Final Passage.

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:

HB04-1309 by Representative(s) Brophy, Briggs, Merrifield; also Senator(s) Tupa, Chlouber--
 Concerning the creation of a safe routes to school program, and making an appropriation in connection therewith.

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

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

Amend revised bill, page 4, line 6, strike "WHO" and substitute "WHICH";
 line 8, strike "WHICH" and substitute "WHO".

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

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

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

HB04-1134 by Representative(s) Miller; also Senator(s) Arnold--Concerning the administration of programs relating to the prohibition against using identity information for an unlawful purpose.

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**.

HB04-1269 by Representative(s) Brophy; also Senator(s) Veiga--Concerning creation of the crime of criminal operation of a device in a motion picture theater.

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, Chlouber, Groff, Hillman, Isgar, Jones, Tapia, and Teck.

HB04-1030 by Representative(s) Frangas, Boyd, Johnson R., Stafford, Tochtrop; also Senator(s) Hanna, Hagedorn, Kester, Sandoval--Concerning the evaluation of the Colorado works program, 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: Groff.

HB04-1157 by Representative(s) Larson; also Senator(s) Isgar--Concerning the procedures for purging title to a manufactured home.

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.

HB04-1003 by Representative(s) McCluskey; also Senator(s) Johnson S.--Concerning laws related to the impersonation of a peace officer, and making an appropriation therefor.

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

Third Reading Amendment No. 1(L.013), by Senator Teck (offered by Senator Johnson).

Amend revised bill, page 6, line 17, strike "1, 6, and 7" and substitute "1, 5, and 6".

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

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	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, Gordon, Groff, Grossman, Hanna, Keller, Nichol, Reeves, Tapia, Taylor, Teck, Tupa, Veiga, and Windels.

HB04-1075 by Representative(s) Romanoff; also Senator(s) Johnson S.--Concerning continued services for women in the treatment program for high-risk pregnant women, 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: Fitz-Gerald, Groff, Grossman, Hagedorn, Hanna, Isgar, Jones, Keller, Nichol, Phillips, Sandoval, Tapia, Tupa, Veiga, and Windels.

HB04-1254 by Representative(s) Welker; also Senator(s) Johnson S.--Concerning investigations of child care providers.

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	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		

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

Co-sponsors added: Evans.

HB04-1261 by Representative(s) Lee; also Senator(s) Johnson S.--Concerning the regulation of dangerous dogs.

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	N	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**.

HB04-1300 by Representative(s) Garcia, Carroll; also Senator(s) Sandoval--Concerning the regulation of notaries public, and, in connection therewith, modernizing the office of notary public, and making an appropriation.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	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, Kester, and Lamborn.

HB04-1077 by Representative(s) Jahn; also Senator(s) Anderson--Concerning the requirement that a current background investigation be conducted on persons who apply for placement on certain treatment services provider lists, 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**.

HB04-1411 by Representative(s) Witwer, Plant, Young; also Senator(s) Teck, Owen, Reeves--Concerning the administration of appropriated moneys.

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**.

HB04-1104 by Representative(s) King; also Senator(s) McElhany--Concerning educator licensure, and making an appropriation in connection therewith.

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

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

Page 32, strike lines 1 through 23.

Renumber succeeding sections accordingly.

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

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	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 Lamborn.

HB04-1202 by Representative(s) Pommer; also Senator(s) Chlouber--Concerning the funding of "Colorado History Day", 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: Arnold, Evans, Lamborn, Taylor, and Tupa.

SB04-249 by Senator(s) Hillman; also Representative(s) King--Concerning the definition of an employer for purposes of the "Colorado Workers' Compensation Act" in situations in which a general contractor engages others to perform work on the general contractor's behalf.

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: Entz and Taylor.

SB04-243

by Senator(s) Andrews; also Representative(s) Stengel--Concerning the creation of an incentive for a state agency to achieve cost savings by allowing the agency to keep a portion of the cost savings for the purpose of paying performance-based bonuses to the employees of the agency.

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, Cairns, Chlouber, Evans, Johnson, Kester, Lamborn, Owen, Taylor, Teck, and Veiga.

SB04-256

by Senator(s) Taylor; also Representative(s) White--Concerning the sale of securities in the custody of the state treasurer as the administrator of unclaimed property to provide a source of revenue from the investment of the sale proceeds for the promotion of tourism in the state.

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: Chlouber, Isgar, Tapia, and Veiga.

SCR04-023

by Senator(s) Andrews; also Representative(s) Fairbank--Submitting to the registered electors of the state of Colorado an amendment to section 2 of article XXI of the constitution of the state of Colorado, concerning elections to recall state elected officials, and, in connection therewith, providing for the deadlines regarding recall petitions and hearings to be set in statute rather than in the constitution and stating that a recall election shall be held as part of a general election if a general election will be held between fifty and ninety days after the time for filing a protest has passed and all protests have been finally decided.

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

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

Amend engrossed concurrent resolution, page 4, line 11, strike "from the date of submission of said petition;" and substitute "~~from the date of submission of said petition~~ AFTER THE TIME FOR FILING A PROTEST HAS PASSED AND ALL PROTESTS HAVE BEEN FINALLY DECIDED;"

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

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

YES	34	NO	1	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	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 Kester.

HB04-1225 by Representative(s) Berry, Spradley, Romanoff, Boyd, Cloer, Stafford; also Senator(s) Sandoval, Jones--Concerning the "Low-income Energy Assistance Act".

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	N	Grossman	Y	Lamborn	N	Tapia	Y
Cairns	N	Hagedorn	Y	May	N	Taylor	Y
Chlouber	Y	Hanna	Y	McElhany	N	Teck	N
Dyer	Y	Hillman	N	Nichol	N	Tupa	Y
Entz	Y	Isgar	Y	Owen	N	Veiga	Y
Evans	N	Johnson	N	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**.

Co-sponsors added: Chlouber, Gordon, Groff, Grossman, Hanna, Kester, Phillips, Tapia, Tupa, and Veiga.

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 later in the day, Wednesday, April 28, retaining its place on the calendar.

IMMEDIATE RECONSIDERATION OF HB04-1309

HB04-1309 by Representative(s) Brophy, Briggs, Merrifield; also Senator(s) Tupa, Chlouber--Concerning the creation of a safe routes to school program, and making an appropriation in connection therewith.

Having voted on the prevailing side, Senator Lamborn moved for immediate reconsideration of the last Senate action, Third Reading of Bills--Final Passage, on HB04-1309. A majority of all members elected to the Senate having voted in the affirmative, reconsideration was granted.

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:

HB04-1309 by Representative(s) Brophy, Briggs, Merrifield; also Senator(s) Tupa, Chlouber--Concerning the creation of a safe routes to school program, and making an appropriation in connection therewith.

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

YES	26	NO	9	EXCUSED	0	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	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	N
Dyer	Y	Hillman	N	Nichol	Y	Tupa	Y
Entz	Y	Isgar	Y	Owen	N	Veiga	Y
Evans	Y	Johnson	Y	Phillips	Y	Windels	Y
Fitz-Gerald	Y	Jones	N	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**.

Co-sponsors added: Fitz-Gerald, Gordon, Groff, Grossman, Hanna, Isgar, Nichol, Phillips, Veiga, and Windels.

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

HB04-1061 by Representative(s) Berry, Hefley, Jahn, Madden, McFadyen, Williams S.; also Senator(s) Takis--Concerning the utilization of child advocacy centers.

Senator Takis moved for the adoption of the First Report of the First Conference Committee on **HB04-1061**, as printed in Senate Journal, April 14, pages 812-813. 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**.

SB04-082 by Senator(s) Kester; also Representative(s) Paccione--Concerning the authorization of certain persons to taste alcohol beverages in the course of post-secondary educational programs involving the culinary arts.

Senator Kester moved for the adoption of the First Report of the First Conference Committee on **SB04-082**, as printed in Senate Journal, April 19, page 867. 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: Tupa.

HB04-1115 by Representative(s) Rhodes, Coleman, Harvey, Hodge, Hoppe, Larson, Marshall, McCluskey, Paccione, Wiens, White, Williams T.; also Senator(s) Tapia--Concerning the continuation of the state board of registration for professional engineers and professional land surveyors.

Senator Tapia moved for the adoption of the First Report of the First Conference Committee on **HB04-1115**, as printed in Senate Journal, April 26, page 983. 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**.

SB04-024 by Senator(s) Teck; also Representative(s) Romanoff--Concerning increased consistency in the regulation of certain professions by the division of registrations in the department of regulatory agencies, and, in connection therewith, enacting uniform statutory provisions governing the issuance of letters of admonition, immunity, renewal and reinstatement of

licenses, registrations, or certificates, investigatory subpoenas, and disposition of fines collected.

Senator Teck moved for the adoption of the First Report of the First Conference Committee on **SB04-024**, as printed in Senate Journal, April 26, pages 984-990. 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**.

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.

Senator Hagedorn moved for the adoption of the First Report of the First Conference Committee on **SB04-094**, as printed in Senate Journal, April 26, pages 990-991. 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: Andrews, Dyer, Hillman, Johnson, Jones, May, McElhany, Owen, and Taylor.

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

Senator Dyer moved for the adoption of the First Report of the First Conference Committee on **HB04-1387**, as printed in Senate Journal, April 26, pages 1008-1009. 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**.

HB04-1263 by Representative(s) Lundberg, Schultheis, May M., Brophy, Cloer, Frangas, Hall, Harvey, Lee, Miller, Rippy, Rose, Spradley, Tochtrop, Welker; also Senator(s) Cairns--Concerning the removal of the requirement under Colorado law for submission of a social security number on an application for a license issued by the division of wildlife.

Senator Cairns moved for the adoption of the First Report of the First Conference Committee on **HB04-1263**, as printed in Senate Journal, April 27, page 1047. 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: Arnold, Grossman, Hillman, Isgar, Jones, Kester, May, Taylor, and Teck.

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 Third Reading of Bills-- Final Passage.

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:

On motion of Senator Anderson, and with a majority of those elected to the Senate having voted in the affirmative, the Senate considered HB04-1373 followed by HCR04-1005.

HB04-1373 by Representative(s) Marshall, Jahn, Miller; also Senator(s) Anderson--Concerning modifications to the "State Personnel System Act".

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

Third Reading Amendment No. 1(L.027), by Senator Hagedorn.

Amend revised bill, page 27, line 21, strike "TEMPORARY appointment." and substitute "INITIAL HIRE DATE OF THE TEMPORARY appointment. IN NO EVENT SHALL A PERMANENT POSITION BE FILLED THROUGH A SUCCESSION OF TEMPORARY EMPLOYEES.".

Page 51, line 9, strike "BALANCING".

Page 53, strike lines 2 through 4 and substitute the following:

"(h) PROVISIONS REQUIRING THE CONTRACTOR TO CERTIFY THAT THE CONTRACTOR OFFERS ITS EMPLOYEES THAT ARE PROVIDING THE PERSONAL SERVICES TO THE STATE UNDER THE CONTRACT A HEALTH INSURANCE PLAN WITH BENEFITS THAT ARE AT LEAST COMPARABLE TO OR BETTER THAN THE BENEFITS THAT ARE AVAILABLE IN A BASIC PLAN UNDER THE SMALL GROUP MARKET PURSUANT TO SECTION 10-16-105 (7.2) (b), C.R.S.; AND".

Page 54, strike lines 1 and 2 and substitute the following:

"(2) A DEPARTMENT MAY CONTRACT FOR PERSONAL SERVICES THAT WILL BE PERFORMED AT A SITE OUTSIDE THE UNITED STATES IF:

(a) THE DEPARTMENT CLEARLY DEMONSTRATES THAT THE CONTRACT WILL NOT RESULT IN A REDUCTION IN THE QUALITY OF SERVICES OFFERED OR PROVIDED BY THE DEPARTMENT TO COLORADO RESIDENTS.

(b) THE CONTRACT CONTAINS SAFEGUARDS TO ENSURE THE CONFIDENTIALITY AND RIGHT TO PRIVACY OF ANY NONMEDICAL PERSONAL INFORMATION CONCERNING COLORADO RESIDENTS THAT IS PROVIDED BY THE CONTRACTING DEPARTMENT TO THE CONTRACTOR IN CONNECTION WITH THE PERSONAL SERVICES TO BE PERFORMED UNDER THE CONTRACT.

(c) THE CONTRACT CONTAINS SAFEGUARDS TO ENSURE THE CONFIDENTIALITY AND RIGHT TO PRIVACY OF ANY MEDICAL INFORMATION CONCERNING COLORADO RESIDENTS THAT IS PROVIDED BY THE CONTRACTING DEPARTMENT TO THE CONTRACTOR IN CONNECTION WITH THE PERSONAL SERVICES TO BE PERFORMED UNDER THE CONTRACT, CONSISTENT WITH THE FEDERAL "HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996", 42 U.S.C. SEC. 1320d TO 1320d-8.

(d) THE CONTRACTOR DISCLOSES TO THE DEPARTMENT THE

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PORTION OF THE PERSONAL SERVICES TO BE PROVIDED TO THE STATE THAT WILL BE PERFORMED OUTSIDE OF THE UNITED STATES."

Page 55, line 26, strike "SYSTEM OR FOR AN" and substitute "SYSTEM;"; strike line 27.

Page 56, strike lines 1 through 5 and substitute the following:

"(d) ARE FOR A STATE PROGRAM THAT INVOLVES A COMBINATION OF DUTIES THAT HAVE NEVER BEEN PERFORMED BY CERTIFIED EMPLOYEES AND DUTIES THAT ARE SIMILAR TO DUTIES CURRENTLY OR PREVIOUSLY PERFORMED BY CERTIFIED EMPLOYEES; HOWEVER, THE DEPARTMENT HEAD SHALL MAKE THE DETERMINATIONS REQUIRED BY SECTION 24-50-503.5 (1) (a) AND (1) (b); OR".

Reletter succeeding paragraph accordingly.

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

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

YES	24	NO	11	EXCUSED	0	ABSENT	0
Anderson	Y	Groff	N	Kester	Y	Takis	N
Arnold	N	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	Y	Owen	Y	Veiga	Y
Evans	Y	Johnson	Y	Phillips	N	Windels	N
Fitz-Gerald	N	Jones	Y	Reeves	Y	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: McElhany and Teck.

HCR04-1005 by Representative(s) Marshall, Jahn, Coleman, Carroll, Crane, Hefley, King, Lee, Miller, Mitchell, Paccione, Romanoff, Rose, Schultheis, Spence, Stengel, Weddig, Welker, White, Williams S.; also Senator(s) Anderson, Andrews, Hillman, Sandoval, Takis--Submitting to the registered electors of the state of Colorado an amendment to sections 13, 14, and 15 of article XII, section 22 of article IV, and section 49 (3) of article V of the constitution of the state of Colorado, concerning reform of the state civil service system, and, in connection therewith, modifying the merit principle, exempting certain positions from the system, modifying the number of eligible applicants from which an appointment is to be made, modifying the residency requirement, expanding the duration of temporary employment, specifying the rule-making authority of the state personnel board and the state personnel director, authorizing a modification to the veterans' preference calculation, repealing the requirement that the state auditor's staff be included in the state personnel system, and making conforming amendments.

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

Third Reading Amendment No. 1(L.027), by Senator Hagedorn.

Amend revised bill, page 6, line 3, strike "ONE-HALF" and substitute "FORTY-FIVE ONE-HUNDREDTHS".

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

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

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YES	29	NO	6	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	N	McElhany	Y	Teck	Y
Dyer	Y	Hillman	Y	Nichol	N	Tupa	N
Entz	Y	Isgar	Y	Owen	Y	Veiga	Y
Evans	Y	Johnson	Y	Phillips	N	Windels	N
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: Dyer, Evans, Lamborn, May, McElhany, Owen, and Teck.

Senate Groff asked to be removed as a cosponsor of HCR04-1005.

Senate Grossman asked to be removed as a cosponsor of HCR04-1005.

Senate in recess.

Senate reconvened.

Senator Hillman moved a Call of the Senate.

Senator Chlouber moved the Call of the Senate be raised.

COMMITTEE OF REFERENCE REPORTS

Agriculture,
Natural
Resources, &
Energy

After consideration on the merits, the Committee recommends that **HB04-1131** be postponed indefinitely.

MESSAGE FROM THE HOUSE

April 28, 2004
Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB04-1445,1449,1446.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB04-1441, amended as printed in House Journal, April 27, page 1606.

The House has passed on Third Reading and returns herewith SB04-138,154,178,238.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB04-037, amended as printed in House Journal, April 27, page 1603.
SB04-071, amended as printed in House Journal, April 27, pages 1603-1604.
SB04-078, amended as printed in House Journal, April 27, page 1604.
SB04-134, amended as printed in House Journal, April 27, page 1604.
SB04-144, amended as printed in House Journal, April 27, page 1605.

The House has voted to authorize the House conferees on the First Conference Committee on HB04-1117 to consider matters not at issue between the two houses.

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MESSAGE FROM THE REVISOR OF STATUTES

April 28, 2004

We herewith transmit:

Without comment, HB04-1445, 1449, and 1446.

Without comment, as amended, HB04-1441 and SB04-037, 071, 078, 134, and 144.

On motion of Senator Hillman, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, SB04-246, HB04-1227, HB04-1428, HB04-1424, SB04-252, SB04-244 were made Special Orders at 1:41 p.m.

Committee of the Whole

The hour of 1:41 p.m. having arrived, Senator Teck moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders--Second Reading of Bills and Senator Teck 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:

SB04-246 by Senator(s) Johnson S.; also Representative(s) Clapp--Concerning the number of pharmacy personnel that a pharmacist may supervise.

Amendment No. 1(L.005), by Senator Johnson.

Amend printed bill, page 2, line 7, after "INTERNS.", insert "IF THREE PHARMACY TECHNICIANS ARE ON DUTY, AT LEAST ONE SHALL BE CERTIFIED BY A NATIONALLY RECOGNIZED CERTIFICATION BOARD, POSSESS A DEGREE FROM AN ACCREDITED PHARMACY TECHNICIAN TRAINING PROGRAM, OR HAVE COMPLETED FIVE HUNDRED HOURS OF EXPERIENTIAL TRAINING AT THE PHARMACY AS CERTIFIED BY THE PHARMACIST MANAGER. DOCUMENTATION VERIFYING THE TRAINING SHALL BE RETAINED WITHIN THE PHARMACY FOR REVIEW BY THE PHARMACIST RESPONSIBLE FOR THE FINAL CHECK ON PRESCRIPTIONS FILLED BY THE PHARMACY TECHNICIAN AND AVAILABLE FOR INSPECTION BY THE BOARD."

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

HB04-1428 by Representative(s) Spradley, King; also Senator(s) May R.--Concerning a moratorium on the granting of permits to create a landfill in which to dispose only of tires.

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

HB04-1424 by Representative(s) Spradley, Young; also Senator(s) Kester, Johnson S.--Concerning the valuation of possessory interests of negligible value.

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

SB04-252 by Senator(s) McElhany; also Representative(s) King--Concerning financing of state institutions of higher education.

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

Amend printed bill, page 2, strike lines 2 through 23.

Page 3, strike lines 1 through 18 and substitute the following:

"SECTION 1. Legislative declaration. (1) The general

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assembly finds that greater resource flexibility for state institutions of higher education can enhance more educational opportunities, as well as increase educational excellence.

(2) The general assembly hereby finds and declares that:

(a) The provision of higher education services is a business; and

(b) For the purposes of determining whether an institution or group of institutions may be designated as an enterprise, it is sufficient that the institution or group of institutions receives less than ten percent of its total annual revenues in grants from all Colorado state and local governments combined and the governing board of the institution of higher education or group of institutions has authority to issue revenue bonds on behalf of such institution or group of institutions.

SECTION 2. Article 5 of title 23, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

23-5-101.8. Enterprise status of institutions of higher education - loans - bonds. (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) (I) "GRANT" MEANS ANY DIRECT CASH SUBSIDY OR OTHER DIRECT CONTRIBUTION OF MONEY FROM THE STATE OR ANY LOCAL GOVERNMENT IN COLORADO WHICH IS NOT REQUIRED TO BE REPAYED.

(II) "GRANT" DOES NOT INCLUDE:

(A) ANY INDIRECT BENEFIT CONFERRED UPON AN INSTITUTION OR GROUP OF INSTITUTIONS FROM THE STATE OR ANY LOCAL GOVERNMENT IN COLORADO, INCLUDING ANY INTEREST IN OR USE OF EXISTING FACILITIES OWNED, FUNDED, OR FINANCED BY THE GOVERNING BOARD OF AN INSTITUTION, THE STATE, OR ANY LOCAL GOVERNMENT IN COLORADO;

(B) ANY REVENUES RESULTING FROM RATES, FEES, ASSESSMENTS, TUITION, OR OTHER CHARGES IMPOSED BY AN INSTITUTION OR GROUP OF INSTITUTIONS FOR THE PROVISION OF GOODS OR SERVICES BY SUCH INSTITUTION OR GROUP OF INSTITUTIONS, INCLUDING SERVICES TO THE STATE OR A LOCAL GOVERNMENT IN COLORADO; OR

(C) ANY FEDERAL FUNDS, REGARDLESS OF WHETHER SUCH FEDERAL FUNDS PASS THROUGH THE STATE OR ANY LOCAL GOVERNMENT IN COLORADO PRIOR TO RECEIPT BY AN INSTITUTION OR GROUP OF INSTITUTIONS.

(b) "INSTITUTION OF HIGHER EDUCATION" OR "INSTITUTION" MEANS THE COLORADO STATE UNIVERSITY - PUEBLO, ADAMS STATE COLLEGE, MESA STATE COLLEGE, METROPOLITAN STATE COLLEGE OF DENVER, FORT LEWIS COLLEGE, WESTERN STATE COLLEGE OF COLORADO, THE UNIVERSITY OF NORTHERN COLORADO, COLORADO SCHOOL OF MINES, THE UNIVERSITY OF COLORADO, COLORADO STATE UNIVERSITY, AND ALL COMMUNITY COLLEGES GOVERNED BY THE STATE BOARD FOR COMMUNITY COLLEGES AND OCCUPATIONAL EDUCATION.

(2) (a) AN INSTITUTION OF HIGHER EDUCATION, OR A GROUP OF INSTITUTIONS OF HIGHER EDUCATION THAT IS MANAGED BY A SINGLE GOVERNING BOARD, MAY BE DESIGNATED AS AN ENTERPRISE FOR THE PURPOSES OF SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION SO LONG AS THE GOVERNING BOARD OF THE INSTITUTION OR GROUP OF INSTITUTIONS RETAINS AUTHORITY TO ISSUE REVENUE BONDS ON BEHALF OF THE INSTITUTION OR GROUP OF INSTITUTIONS AND THE INSTITUTION OR GROUP OF INSTITUTIONS RECEIVES LESS THAN TEN PERCENT OF ITS TOTAL ANNUAL REVENUES IN GRANTS FROM ALL COLORADO STATE AND LOCAL GOVERNMENTS COMBINED. SO LONG AS IT IS DESIGNATED AS AN ENTERPRISE PURSUANT TO THE PROVISIONS OF THIS SECTION, AN INSTITUTION OR GROUP OF INSTITUTIONS SHALL NOT BE SUBJECT TO ANY OF THE PROVISIONS OF SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION.

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(b) THE AUTHORITY FOR AN INSTITUTION OR GROUP OF INSTITUTIONS TO BE DESIGNATED AS AN ENTERPRISE PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (2) SHALL BE IN ADDITION TO THE AUTHORITY GRANTED IN SECTION 23-5-101.7.

(3) IN PLEDGING REVENUES FOR THE REPAYMENT OF REVENUE BONDS ISSUED ON BEHALF OF AN INSTITUTION OF HIGHER EDUCATION OR GROUP OF INSTITUTIONS OF HIGHER EDUCATION THAT IS DESIGNATED AS AN ENTERPRISE, THE INSTITUTION OR GROUP OF INSTITUTIONS MAY PLEDGE SUCH REVENUES ONLY IF THE INSTITUTION OR GROUP OF INSTITUTIONS:

(a) IS ACCOUNTED FOR SEPARATELY IN INSTITUTIONAL FINANCIAL RECORDS; AND

(b) ENGAGES IN THE TYPE OF ACTIVITIES THAT ARE COMMONLY CARRIED ON FOR PROFIT OUTSIDE THE PUBLIC SECTOR.

(4) (a) THE GOVERNING BOARD OF AN INSTITUTION OF HIGHER EDUCATION MAY, BY RESOLUTION, DESIGNATE AN INSTITUTION OF HIGHER EDUCATION OR GROUP OF INSTITUTIONS OF HIGHER EDUCATION MANAGED BY THE GOVERNING BOARD AS AN ENTERPRISE SO LONG AS THE INSTITUTION OR GROUP OF INSTITUTIONS MEETS THE REQUIREMENTS FOR AN ENTERPRISE STATED IN SUBSECTION (2) OF THIS SECTION. EXCEPT AS PROVIDED IN PARAGRAPH (b) OF THIS SUBSECTION (4), ANY SUCH ENTERPRISE DESIGNATION SHALL NOT TERMINATE, EXPIRE, OR BE RESCINDED AS LONG AS THE INSTITUTION OR GROUP OF INSTITUTIONS MEETS THE REQUIREMENTS FOR AN ENTERPRISE.

(b) ALL RESOLUTIONS ADOPTED PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (4) SHALL BE SUBMITTED BY THE ADOPTING GOVERNING BOARD TO THE OFFICE OF THE STATE AUDITOR IN THE FORM AND MANNER PRESCRIBED BY THE LEGISLATIVE AUDIT COMMITTEE. THE DESIGNATIONS SHALL BE REVIEWED BY THE OFFICE OF THE STATE AUDITOR TO DETERMINE WHETHER THE DESIGNATIONS ARE WITHIN THE AUTHORITY OF THE ADOPTING GOVERNING BOARD PURSUANT TO THE PROVISIONS OF THIS SECTION. THE LEGISLATIVE AUDIT COMMITTEE SHALL ALSO REVIEW THE DESIGNATIONS TO DETERMINE WHETHER THE DESIGNATIONS CONFORM WITH THE PROVISIONS OF THIS SECTION. THE OFFICIAL CERTIFICATE OF THE STATE AUDITOR AS TO THE FACT OF SUBMISSION OR THE DATE OF SUBMISSION OF A DESIGNATION AS SHOWN BY THE RECORDS OF THE OFFICE OF THE STATE AUDITOR, AS WELL AS TO THE FACT OF NONSUBMISSION AS SHOWN BY THE NONEXISTENCE OF SUCH RECORDS, SHALL BE RECEIVED AND HELD IN ALL CIVIL CASES AS COMPETENT EVIDENCE OF THE FACTS CONTAINED THEREIN. A DESIGNATION ADOPTED BY A GOVERNING BOARD OF AN INSTITUTION OR GROUP OF INSTITUTIONS OF HIGHER EDUCATION WITHOUT BEING SUBMITTED WITHIN TWENTY DAYS AFTER ADOPTION TO THE OFFICE OF THE STATE AUDITOR FOR REVIEW BY THE OFFICE AND BY THE LEGISLATIVE AUDIT COMMITTEE SHALL BE VOID.

(5) FOR THE PURPOSE OF OBTAINING FUNDS FOR CONSTRUCTING, OTHERWISE ACQUIRING, AND EQUIPPING FACILITIES FOR USE BY ANY INSTITUTION OR GROUP OF INSTITUTIONS THAT ARE DESIGNATED AS AN ENTERPRISE PURSUANT TO THIS SECTION AND FOR THE ACQUISITION OF LAND FOR SUCH PURPOSES, THE GOVERNING BOARD OF ANY STATE EDUCATIONAL INSTITUTION IS AUTHORIZED, AFTER NOTIFICATION TO THE COMMISSION ON HIGHER EDUCATION, TO ENTER INTO CONTRACTS WITH ANY PERSON, CORPORATION, OR STATE OR FEDERAL GOVERNMENT AGENCY FOR THE ADVANCEMENT OF MONEY FOR SUCH PURPOSES AND PROVIDING FOR THE REPAYMENT OF SUCH ADVANCEMENTS WITH INTEREST AT A SPECIFIED NET EFFECTIVE INTEREST RATE.

(6) THE GOVERNING BOARD OF ANY INSTITUTION OF HIGHER EDUCATION BY RESOLUTION MAY ISSUE REVENUE BONDS ON BEHALF OF ANY INSTITUTION OR GROUP OF INSTITUTIONS DESIGNATED AS AN ENTERPRISE PURSUANT TO THIS SECTION AND MANAGED BY SUCH GOVERNING BOARD FOR THE PURPOSE OF OBTAINING FUNDS FOR CONSTRUCTING, OTHERWISE ACQUIRING, EQUIPPING, OR OPERATING FACILITIES FOR SUCH INSTITUTION OR GROUP OF INSTITUTIONS. THE GOVERNING BOARD OF AN INSTITUTION OR GROUP OF INSTITUTIONS THAT

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ISSUES BONDS ON BEHALF OF THE INSTITUTION OR GROUP OF INSTITUTIONS SHALL FILE NOTICE OF SUCH ISSUANCE WITH THE COLORADO COMMISSION ON HIGHER EDUCATION. BONDS ISSUED PURSUANT TO THIS SUBSECTION (6) SHALL BE PAYABLE ONLY FROM REVENUES GENERATED BY THE INSTITUTION OR GROUP OF INSTITUTIONS ON BEHALF OF WHICH SUCH BONDS ARE ISSUED; EXCEPT THAT, SUBJECT TO SECTION 23-1-123 (5) (a) (III) AND (5) (b) (II), REVENUES GENERATED BY A DESIGNATED ENTERPRISE THAT IS ASSOCIATED WITH THE UNIVERSITY OF COLORADO MAY BE PLEDGED FOR THE REPAYMENT OF BONDS ISSUED BY ANOTHER DESIGNATED ENTERPRISE THAT IS NOT PART OF THE SAME ENTERPRISE. SUCH BONDS SHALL BE ISSUED IN ACCORDANCE WITH THE PROVISIONS OF SECTION 23-5-103 (2). THE TERMINATION, RESCISSION, OR EXPIRATION OF THE ENTERPRISE DESIGNATION OF ANY INSTITUTION OR GROUP OF INSTITUTIONS SHALL NOT ADVERSELY AFFECT THE VALIDITY OF OR SECURITY FOR ANY REVENUE BONDS ISSUED ON BEHALF OF ANY INSTITUTION OR GROUP OF INSTITUTIONS.

(7) A GOVERNING BOARD OF AN INSTITUTION OR GROUP OF INSTITUTIONS DESIGNATED AS AN ENTERPRISE PURSUANT THIS SECTION THAT HAS ENTERED INTO A CONTRACT FOR THE ADVANCEMENT OF MONEY ON BEHALF OF SUCH AN INSTITUTION OR GROUP OF INSTITUTIONS MAY PLEDGE UP TO TEN PERCENT OF TUITION REVENUES OF SUCH AN ENTERPRISE, EXCEPT FOR GENERAL FUND MONEYS APPROPRIATED BY THE GENERAL ASSEMBLY, AND ALL OR A PORTION OF A FACILITY CONSTRUCTION FEE THAT MAY BE IMPOSED AS SECURITY FOR THE REPAYMENT OF THE MONEYS ADVANCED PURSUANT TO SAID CONTRACT. THE PLEDGE OF TUITION REVENUES OR THE IMPOSITION OF A FACILITY CONSTRUCTION FEE SHALL INCLUDE A PROCESS FOR STUDENT INPUT CONSISTENT WITH THE PROVISIONS OF SECTION 23-1-123."

Renumber succeeding sections accordingly.

Page 4, line 12, strike "23-5-103," and substitute "23-5-101.8,";

strike lines 15 through 18 and substitute the following:

SECTION 5. 24-77-102 (16) (b), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

24-77-102. Definitions - repeal. As used in this article, unless the context otherwise requires:

(16) (b) "State" does not include:

(I.5) AN INSTITUTION OR GROUP OF INSTITUTIONS OF HIGHER EDUCATION THAT HAS BEEN DESIGNATED AS AN ENTERPRISE PURSUANT TO SECTION 23-5-101.8, C.R.S.;

SECTION 6. Appropriations in long bill to be adjusted.

(1) For the implementation of this act, appropriations made in the annual general appropriation act to the department of higher education, governing boards and local district junior colleges, regents of the university of Colorado, governing board and general campuses, general fund and tuition allocation, for the fiscal year beginning July 1, 2004, shall be adjusted as follows:

(a) The general fund appropriation shall be reduced by four million five hundred thousand dollars (\$4,500,000).

(b) The cash funds appropriation shall be increased by four million five hundred thousand dollars (\$4,500,000). Said sum shall be from tuition.

SECTION 7. Effective date. (1) Except as provided in subsections (2) and (3) of this section, this act shall take effect July 1, 2004.

(2) Section 23-5-101.8 (2) (b), as enacted in section 2 of this act, and section 3 of this act shall take effect only if Senate Bill 04-189 is

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enacted at the Second Regular Session of the Sixty-fourth General Assembly and becomes law.

(3) Section 6 of this act shall take effect only if:

(a) During state fiscal year 2004-05, the board of regents of the university of Colorado designates the university of Colorado as an enterprise pursuant to section 23-5-101.8, Colorado Revised Statutes; and

(b) The board of regents of the university of Colorado files written notice with the revisor of statutes and the staff director of the joint budget committee of the enterprise designation specified in paragraph (a) of this subsection (3)."

Renumber succeeding section accordingly.

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

SB04-244 by Senator(s) May R.; also Representative(s) Rippy--Concerning the statewide internet portal.

Amendment No. 1, Business Affairs and Labor Committee Amendment.

(Printed in Senate Journal, April 27, pages 1038-1039 and placed in members' bill files.)
(Committee Report was severed. Severed section 1: Page 1, lines 11-16 and Page 2, lines 1-5 was declared LOST. Severed section 2: Page 1, line 1-10 and Page 2, lines 6 and 7 was declared PASSED.)

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

(For further action, see Amendments to the Report of the Committee of the Whole. Severed section 1 (Page 1, line 11 through 16 and Page 2, lines 1 through 5) of the Business Affairs and Labor Committee amendment to SB 04-244, did pass.)

HB04-1227 by Representative(s) Sinclair; also Senator(s) Lamborn--Concerning voting systems.

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

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

SB04-244 by Senator(s) May R.; also Representative(s) Rippy--Concerning the statewide internet portal.

Senator McElhany moved to amend the Report of the Committee of the Whole to show that severed section one (Page 1, line 11 through 16 and Page 2, lines 1 through 5) of the Business Affairs and Labor Committee amendment to SB 04-244, did pass.

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 Teck, 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: SB04-246 as amended, HB04-1428, HB04-1424, SB04-252 as amended, SB04-244 as amended, HB04-1227.

CONFERENCE COMMITTEE GRANTED FURTHER POWERS

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

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of violent crimes, and making an appropriation in connection therewith.

Senator Dyer moved that the Senate Conferees on the First Conference Committee on **HB04-1189** 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**.

APPOINTMENTS TO CONFERENCE COMMITTEE

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.

The President appointed Senators Dyer, Chairman, Evans, and Groff as Senate Conferees on the First Conference Committee on **HB04-1189**.

On motion of Senator Hillman, and with a majority of those elected to the Senate having voted in the affirmative, the Senate gave permission for the Committees on Business Affairs & Labor, Judiciary, and State, Veterans & Military Affairs to begin hearings before the Senate has adjourned.

COMMITTEE OF REFERENCE REPORTS

Education After consideration on the merits, the Committee recommends that **HB04-1362** be referred to the Committee on Appropriations with favorable recommendation.

Education After consideration on the merits, the Committee recommends that **HB04-1249** be postponed indefinitely.

Education After consideration on the merits, the Committee recommends that **HB04-1260** be postponed indefinitely.

Education After consideration on the merits, the Committee recommends that **HB04-1405** be referred to the Committee of the Whole with favorable recommendation.

Education After consideration on the merits, the Committee recommends that **HB04-1347** be referred to the Committee on Appropriations with favorable recommendation.

Education After consideration on the merits, the Committee recommends that **HB04-1375** be referred to the Committee of the Whole with favorable recommendation.

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

MEMBER OF THE
ADVISORY COMMITTEE ON
GOVERNMENTAL ACCOUNTING

for a term expiring May 18, 2005:

Velma A. Rose of Denver, Colorado, to fill the vacancy occasioned by the resignation of John D. Musso of Pueblo, Colorado and to serve as a representative of school and junior college districts, appointed.

Health,
Environment,
Welfare, &
Institutions

After consideration on the merits, the Committee recommends that **HB04-1451** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 3, line 13, after "MANAGEMENT", insert "THAT INCLUDES THE INPUT, EXPERTISE, AND ACTIVE PARTICIPATION OF PARENT ADVOCACY OR FAMILY ADVOCACY ORGANIZATIONS".

Page 5, line 20, strike "SECTOR." and substitute "SECTOR, AS WELL AS PARENT ADVOCACY OR FAMILY ADVOCACY ORGANIZATIONS THAT REPRESENT FAMILY MEMBERS OR CAREGIVERS OF CHILDREN WHO WOULD BENEFIT FROM MULTI-AGENCY SERVICES.".

Page 14, after line 9, insert the following:

"(VII) A REPRESENTATIVE FROM A STATEWIDE PARENT ADVOCACY OR FAMILY ADVOCACY ORGANIZATION WHO PARTICIPATED IN THE DEVELOPMENT OF A MEMORANDUM OF UNDERSTANDING, AS SUCH REPRESENTATIVE IS SELECTED BY A DIRECTOR OF A COUNTY DEPARTMENT OF SOCIAL SERVICES CHOSEN BY THE STATE DEPARTMENT OF HUMAN SERVICES.".

Renumber succeeding subparagraphs accordingly.

Health,
Environment,
Welfare, &
Institutions

After consideration on the merits, the Committee recommends that **HB04-1435** be referred to the Committee of the Whole with favorable recommendation.

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON HB04-1361

THIS REPORT AMENDS THE
REENGROSSED BILL

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

Your first conference committee appointed on HB04-1361, concerning area vocational schools, has met and reports that it has agreed upon the following:

That the Senate recede from its amendments made to the bill, as said amendments appear in the rerevised bill, and that the following amendments be substituted therefor:

Amend reengrossed bill, page 3, line 6, strike "GRADUATES FROM" and substitute "COMPLETES A PROGRAM OF STUDY AT";

line 10, strike "THE COURSE" and substitute "ANY POSTSECONDARY COURSE";

strike lines 12 and 13 and substitute the following:

"VOCATIONAL SCHOOL WILL APPLY IN FULL AT ANOTHER AREA VOCATIONAL SCHOOL OR TO AN APPROPRIATE PROGRAM LEADING TO A CERTIFICATE OR TO AN ASSOCIATE DEGREE AT A COMMUNITY OR TECHNICAL COLLEGE. POSTSECONDARY CREDITS EARNED BY A STUDENT AT AN AREA VOCATIONAL SCHOOL MAY BE TRANSFERRED INTO AN ASSOCIATE DEGREE PROGRAM AT A COMMUNITY COLLEGE OR INTO A DEGREE PROGRAM AT A FOUR-YEAR INSTITUTION OF HIGHER EDUCATION AS PROVIDED IN SECTION 23-1-108 (7) AND THE STATE CREDIT TRANSFER POLICIES ESTABLISHED BY THE COLORADO COMMISSION ON HIGHER EDUCATION.".

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Respectfully submitted,

House Committee:	Senate Committee:
(signed)	(signed)
Representative Rose	Senator Lamborn
Representative Larson	Senator Evans
Representative Frangas	Senator Groff

MESSAGE FROM THE HOUSE

April 28, 2004
Mr. President:

The House has voted to authorize the House conferees on the First Conference Committee on HB04-1189 to consider matters not at issue between the two houses.

INTRODUCTION OF BILLS--FIRST READING

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

- SB04-258** by Senator(s) Hagedorn; also Representative(s) Carroll--Concerning the modification of definitions within higher education that address the religious nature of an institution of higher education.
Education
- 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.
Business Affairs & Labor
- HB04-1445** by Representative(s) Spradley; also Senator(s) Andrews--Concerning the timing of meetings of the ballot title board.
State Veterans & Military Affairs
- HB04-1446** by Representative(s) McFadyen; also Senator(s) Chlouber--Concerning the ability of a state employee to receive compensation from more than one state agency.
Business Affairs & Labor
- HB04-1449** by Representative(s) Rhodes; also Senator(s) Tupa--Concerning the authority of the state personnel director to establish the group benefit plan year.
Business Affairs & Labor

SIGNING OF BILLS--RESOLUTIONS--MEMORIALS

The President has signed: SB04-238.

SENATE SERVICES REPORTS

To the Governor for signature on Wednesday, April 28, 2004, at 3:05 p.m.

SB04-238.

Correctly Engrossed: SB04-215, 243, 249 and 256; SCR04-023.

Correctly Revised: HB04-1003, 1030, 1075, 1077, 1104, 1134, 1157, 1202, 1254, 1261, 1269, 1300, 1309 and 1411.

Correctly Rerevised: HB04-1015, 1123, 1135, 1165, 1203, 1221, 1225, 1231, 1277, 1284, 1344, 1359, 1365, 1386, 1390, 1406 1425, 1426 and 1431.

Correctly Enrolled: SJR04-052.

Journal correction:

Page 865, line 5, strike "1383." and substitute "1383, 1422."

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 28, 2004, was laid over until Thursday, April 29, 2004, retaining its place on the calendar.

Third Reading of Bills--Final Passage: SCR04-010, SCR04-009, SCR04-013, SB04-215.
General Orders--Second Reading of Bills: SB04-227 as amended, SCR04-007, SB04-164, HB04-1242, SB04-190, SB04-151 as amended, SB04-232, SB04-203 as amended, HCR04-1004, HB04-1021, SB04-217, HB04-1256, HB04-1430.
Consideration of Resolutions: SJR04-013, SJR04-014, SJR04-022, SJR04-010, SJR04-017, HJR04-1045, SJR04-032, HJR04-1037, SJR04-035, SJR04-038, SJR04-039, SJR04-040, SJR04-042, SJR04-043, SJR04-044, HJR04-1038, SJR04-046, SJR04-047, SJR04-048, SJR04-049, SR04-010, SR04-011, HJR04-1057, HJR04-1077, HJR04-1052, HJR04-1058, HJR04-1085, HJR04-1090, SJR04-036, SJR04-057, HJR04-1051.
Consideration of Memorials: SJM04-004, SJM04-003.
Consideration of House Amendments to Senate Bills: SB04-168.
Consideration of Governor's Appointments:
Member of the Juvenile Parole Board.
Conference Committees to Report: HB04-1117, HB04-1236, HB04-1177, SB04-131, SB04-108, HB04-1311, SB04-125, HB04-1376.
Requests for Conference Committees: SB04-153.

On motion of Senator Hillman, the Senate adjourned until 9:00 a.m., Thursday, April 29, 2004.

Approved:

John Andrews
President of the Senate

Attest:

Mona Heustis
Secretary of the Senate

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