

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

Ninety-eighth Legislative Day Tuesday, April 13, 2004

- Prayer By the chaplain, Reverend Glen Hamlyn.
- Pledge By Senator Keller.
- Call to Order By the President at 9:00 a.m.
- Roll Call Present--34.
Absent/Excused--1; Cairns.
Present later--Cairns.
- Quorum The President announced a quorum present.
- Reading of Journal On motion of Senator Kester, reading of the Journal of April 12, 2004, was dispensed with and the Journal was approved as corrected by the Secretary.

MESSAGE FROM THE HOUSE

April 12, 2004
 Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB04-1423.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB04-1284, amended as printed in House Journal, April 8, page 1253.
 HB04-1260, amended as printed in House Journal, April 8, page 1253.
 HB04-1414, amended as printed in House Journal, April 8, page 1253.

MESSAGE FROM THE REVISOR OF STATUTES

April 12, 2004

We herewith transmit:

Without comment, HB04-1423.
 Without comment, as amended, HB04-1284 and 1414.
 With comment, as amended, HB04-1260.

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:

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.

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

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YES	31	NO	4	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	N
Entz	Y	Isgar	Y	Owen	Y	Veiga	Y
Evans	Y	Johnson	Y	Phillips	Y	Windels	Y
Fitz-Gerald	N	Jones	Y	Reeves	Y	Mr. President	Y
Gordon	N	Keller	Y	Sandoval	Y		

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

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

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

YES	21	NO	13	EXCUSED	0	ABSENT	0
Anderson	Y	Groff	Y	Kester	N	Takis	Y
Arnold	N	Grossman	Y	Lamborn	N	Tapia	Y
Cairns	N	Hagedorn	Y	May	N	Taylor	N
Chlouber	Y	Hanna	Y	McElhany	N	Teck	Y
Dyer	N	Hillman	Y	Nichol	N	Tupa	Y
Entz	N	Isgar	N	Owen	Y	Veiga	*
Evans	N	Johnson	Y	Phillips	Y	Windels	Y
Fitz-Gerald	Y	Jones	N	Reeves	Y	Mr. President	Y
Gordon	Y	Keller	Y	Sandoval	Y		

Abstaining (*) from voting under Senate Rule 17(c)--Senator Veiga.

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

HB04-1381 by Representative(s) White; also Senator(s) McElhany--Concerning standards for the distribution of limited gaming revenues from the state historical fund by the governing bodies of existing cities that provide grants of such moneys for the benefit of historic properties.

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, and Taylor.

SB04-207 by Senator(s) Taylor, Johnson S.; also Representative(s) Hoppe--Concerning the welfare of pet animals, and, in connection therewith, authorizing the commissioner of agriculture to deny license renewal to people with unpaid civil penalties pursuant to the "Pet Animal Care and Facilities Act" and reestablishing the pet overpopulation fund voluntary contribution program.

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

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YES	34	NO	1	EXCUSED	0	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	Takis	Y
Arnold	N	Grossman	Y	Lamborn	Y	Tapia	Y
Cairns	Y	Hagedorn	Y	May	Y	Taylor	Y
Chlouber	Y	Hanna	Y	McElhany	Y	Teck	Y
Dyer	Y	Hillman	Y	Nichol	Y	Tupa	Y
Entz	Y	Isgar	Y	Owen	Y	Veiga	Y
Evans	Y	Johnson	Y	Phillips	Y	Windels	Y
Fitz-Gerald	Y	Jones	Y	Reeves	Y	Mr. President	Y
Gordon	Y	Keller	Y	Sandoval	Y		

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

Co-sponsors added: Chlouber, Entz, Fitz-Gerald, Groff, Grossman, Hanna, Tupa, and Veiga.

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

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, Fitz-Gerald, Groff, Hanna, Isgar, Keller, Kester, Phillips, Sandoval, Takis, Tapia, and Veiga.

SB04-138 by Senator(s) Owen, Reeves, Teck; also Representative(s) Witwer, Plant, Young--Concerning the repeal of the authority of the department of health care policy and financing to charge a monthly fee to families whose children are enrolled in a children's home- and community-based services waiver 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: Arnold, Evans, Groff, Hanna, Hillman, Isgar, Keller, Sandoval, Tapia, Veiga, and Windels.

SB04-183 by Senator(s) Chlouber; also Representative(s) White--Concerning the transfer of the division of racing events from the department of revenue to the department of agriculture, and making an appropriation therefor.

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

YES	21	NO	14	EXCUSED	0	ABSENT	0
Anderson	N	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	N	McElhany	N	Teck	N
Dyer	Y	Hillman	Y	Nichol	N	Tupa	N
Entz	Y	Isgar	Y	Owen	N	Veiga	N
Evans	Y	Johnson	Y	Phillips	Y	Windels	N
Fitz-Gerald	Y	Jones	Y	Reeves	N	Mr. President	Y
Gordon	Y	Keller	Y	Sandoval	N		

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

Co-sponsors added: Entz, Hillman, Phillips, and Taylor.

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

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.

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

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.

Laid over until Wednesday, April 14, retaining its place on the calendar.

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

Laid over until Wednesday, April 14, retaining its place on the calendar.

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- HB04-1080** by Representative(s) Williams T.; also Senator(s) Lamborn--Concerning the "Uniform Arbitration Act".
Laid over until Wednesday, April 14, retaining its place on the calendar.
- SB04-142** by Senator(s) Owen; also Representative(s) Jahn--Concerning the authorization of a specialized charter school by a community college.
Laid over until Wednesday, April 14, retaining its place on the calendar.
- SB04-210** by Senator(s) Andrews; --Concerning the performance of the functions of immigration officers by state personnel.
Laid over until Wednesday, April 14, retaining its place on the calendar.
- 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 Wednesday, April 14, retaining its place on the calendar.
- SB04-144** by Senator(s) Veiga; also Representative(s) Romanoff--Concerning reviews of school districts, and, in connection therewith, requiring pilot efficiency reviews of a limited number of school districts.
- Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, February 12, page 257 and placed in members' bill files.)
- Amendment No. 2, Education Committee Amendment.
(Printed in Senate Journal, April 5, pages 721-722 and placed in members' bill files.)
- Amendment No. 3(L.003), by Senator Veiga.
- Amend the Appropriations Committee Report, dated April 2, 2004, page 2, line 4, strike "FUND.;" and substitute "FUND.;"
- after line 4 of the committee report, insert the following:
- "(c) IF THERE ARE NOT SUFFICIENT MONEYS IN THE FUND FOR THE STATE AUDITOR TO CONDUCT AN ADEQUATE REVIEW OF THREE SCHOOL DISTRICTS, THE STATE AUDITOR SHALL CONDUCT AN ADEQUATE REVIEW OF AS MANY SCHOOL DISTRICTS AS THE MONEYS IN THE FUND ALLOW.";
- Amend the Education Committee Report, dated February 11, 2004, page 1, line 1, strike ""THREE" and substitute ""EACH";
- line 2 of the committee report, strike "DISTRICTS" and substitute "DISTRICT".
- Amend the printed bill, page 2, line 7, after "OF", insert "UP TO";
- line 12 of the printed bill, strike "SHALL" and substitute "MAY".
- As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage.
- HB04-1279** by Representative(s) Stafford, Rose; also Senator(s) Hillman, Kester--Concerning liability regarding the behavior of dogs.
- Amendment No. 1, Local Government Committee Amendment.
(Printed in Senate Journal, April 8, page 767 and placed in members' bill files.)
(Committee Report was severed. Severed section 1: Page 1, lines 1 and 2, was declared PASSED. Severed section 2: Page 1, lines 3 through 10, was declared LOST.)
- Amendment No. 2(L.019), by Senator Entz.
- Amend reengrossed bill, page 4, strike line 27.

Page 5, strike lines 1 through 18.

Renumber succeeding sections accordingly.

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

HB04-1367 by Representative(s) Weissmann; also Senator(s) Phillips--Concerning the exclusion of certain areas located within the territorial boundaries of a municipality from the area of a library district.

Laid over until Wednesday, April 14, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Anderson, 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: SB04-144 as amended, HB04-1279 as amended.
Laid over until Wednesday, April 14: HB04-1141, SB04-203, HB04-1080, SB04-142, SB04-210, SB04-215, HB04-1367.

APPOINTMENTS TO CONFERENCE COMMITTEE

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.

The President appointed Senators Teck, Chairman, Johnson, and Sandoval as Senate Conferees on the First Conference Committee on **SB04-024**.

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.

The President appointed Senators McElhany, Chairman, Dyer, and Hagedorn as Senate Conferees on the First Conference Committee on **SB04-094**.

SB04-125 by Senator(s) Kester; also Representative(s) Mitchell--Concerning the prompt payment of auto insurance benefits.

The President appointed Senators Kester, Chairman, Johnson, and Takis as Senate Conferees on the First Conference Committee on **SB04-125**.

MESSAGES FROM THE GOVERNOR

April 8, 2004

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

Ladies and Gentlemen:

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

S.B.04-014 – Concerning County Reserve Account Moneys Under The Colorado Works Program.

Approved April 8, 2004 at 12:21 p.m.

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Sincerely,	1
(signed)	2
Bill Owens	3
Governor	4
Rec'd 4-12-04, 2:45 p.m.	5
Mona Heustis, Secretary of the Senate	6
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April 8, 2004	9
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To the Honorable Senate	11
Sixty-fourth General Assembly	12
Second Regular Session	13
Denver, CO 80203	14
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Ladies and Gentlemen:	16
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I have the honor to inform you that I have approved and filed with the Secretary of State	18
the following act:	19
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S.B.04-003 – Concerning Certain Reporting Requirements Regarding	21
Enterprise Zones.	22
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Approved April 8, 2004 at 12:20 p.m.	24
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S.B.04-008 – Concerning The Authority Of The State Personnel Director To	26
Make Certain Decisions Regarding State Employee Health Benefits.	27
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Approved April 8, 2004 at 12:21 p.m.	29
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S.B.04-035 – Concerning Meetings Of County Boards Of Social Services To	31
Address Public Assistance Responsibilities Of County Departments.	32
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Approved April 8, 2004 at 12:22 p.m.	34
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S.B.04-042 – Concerning The Student Loan Advisory Committee.	36
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Approved April 8, 2004 at 12:22 p.m.	38
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S.B.04-046 – Concerning The Protection Of The Identity Of A Victim Of	40
Unlawful Sexual Behavior.	41
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Approved April 8, 2004 at 12:24 p.m.	43
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S.B.04-047 – Concerning Documents Filed With A County Official.	45
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Approved April 8, 2004 at 12:24 p.m.	47
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S.B.04-051 – Concerning An Increase In The Length Of Time For Which A	49
Temporary License May Be Issued To A Foreign Physician.	50
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Approved April 8, 2004 at 12:30 p.m.	52
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S.B.04-062 – Concerning Databases Of School District Employees.	54
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Approved April 8, 2004 at 12:31 p.m.	56
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S.B.04-063 – Concerning Court Review Of The Rejection Of A Claim For	58
Certain Tax Refunds.	59
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Approved April 8, 2004 at 12:32 p.m.	61
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S.B.04-064 – Concerning Support Obligations.	63
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Approved April 8, 2004 at 12:35 p.m.	65
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S.B.04-089 – Concerning Affordable Housing, And, In Connection	67
Therewith, Allowing The Certification Of Nonprofit Local Housing	68
Agencies As Local Public Procurement Units For Purposes Of Cooperative	69
Purchasing Agreements.	70
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Approved April 8, 2004 at 12:35 p.m.	72

S.B.04-109 – Concerning The Regulation Of Pawnbrokers.

Approved April 8, 2004 at 12:40 p.m.

S.B.04-116 – Concerning Rate-Making In Workers’ Compensation Cases, And, In Connection Therewith, Setting The Effective Date Of Workers’ Compensation Insurance And Medical Benefit Rates.

Approved April 8, 2004 at 12:42 p.m.

S.B.04-146 – Concerning The Procurement Of Law Enforcement Equipment For Counterdrug Activities Through The Federal Government.

Approved April 8, 2004 at 12:43 p.m.

S.B.04-147 – Concerning The Administration Of Certain Financial Assistance Programs In The Department Of Revenue.

Approved April 8, 2004 at 12:44 p.m.

S.B.04-175 – Concerning The Authority For A Bank To Rely On Knowledge Of An Adjudication Of Incompetence In Determining Incompetence Of A Bank Customer.

Approved April 8, 2004 at 12:50 p.m.

S.B.04-180 – Concerning A Motion To Dismiss For Forum Non Conveniens.

Approved April 8, 2004 at 12:51 p.m.

S.B.04-182 – Concerning The Release Of Funds Placed Into Escrow By A Tobacco Product Manufacturer That Is Not A Participating Manufacturer Under The Terms Of The Tobacco Litigation Master Settlement Agreement.

Approved April 8, 2004 at 12:52 p.m.

Sincerely,
(signed)
Bill Owens
Governor
Rec'd 4-12-04, 11:35 a.m.
Mona Heustis, Secretary of the Senate

April 12, 2004

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

Ladies and Gentlemen:

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

S.B.04-110 – Concerning A Prohibition Against Transporting Uncovered Trash Upon The Highway.

Approved April 12, 2004 at 10:42 a.m.

Sincerely,
(signed)
Bill Owens
Governor
Rec'd 4-12-04, 2:45 p.m.
Mona Heustis, Secretary of the Senate

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INTRODUCTION OF BILL--FIRST READING

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

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

SENATE SERVICES REPORTS

Correctly Printed: SB04-225 and 226; SCR04-013.
Correctly Engrossed: SB04-037, 071, 138, 183, 207; SCR04-005
Correctly Revised: HB04-1095 and 1381.
Correctly Rerevised: HB04-1397.

INTRODUCTION OF BILLS--FIRST READING

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

- SB04-228** by Senator(s) Hillman; --Concerning the valuation of mineral interests for purposes of property taxation.
Agriculture, Natural Resources & Energy
- SB04-229** by Senator(s) Evans; also Representative(s) Williams T.--Concerning modifications to the "Central Filing of Effective Financing Statement Act".
Business Affairs & Labor
- SB04-230** by Senator(s) Cairns, May R., Andrews, Chlouber, Dyer, Entz, Evans, Hagedorn, Hillman, Isgar, Johnson S., Jones, Kester, Lamborn, McElhany, Nichol, Owen, Sandoval, Tapia, Taylor, Teck; --Concerning the issuance of a Vietnam veteran special license plate.
Transportation
- HB04-1284** by Representative(s) White, Rippey, Boyd, Cloer, Larson, Tochtrop; also Senator(s) Dyer--Concerning audit procedures related to providers under the "Colorado Medical Assistance Act".
Health, Environment, Welfare & Institutions
- HB04-1414** by Representative(s) Witwer, Plant, Young; also Senator(s) Reeves, Owen, Teck--Concerning the distribution of the excess of the amount set aside from federal revenues earned by the state pursuant to Title IV-E of the federal "Social Security Act", as amended, and making an appropriation therefor.
Appropriations
- HB04-1423** by Representative(s) Witwer, Plant, Young; also Senator(s) Teck, Owen, Reeves--Concerning the indirect costs of programs administered by the state of Colorado, which are funded by moneys other than state general fund moneys appropriated by the general assembly.
Appropriations

Senate in recess.

Senate reconvened.

MESSAGE FROM THE HOUSE

April 13, 2004
Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB04-1254, amended as printed in House Journal, April 12, pages 1275-1276.
HB04-1293, amended as printed in House Journal, April 12, page 1277.
HB04-1123, amended as printed in House Journal, April 12, page 1277.

The House has voted not to concur in the Senate amendments to HB04-1422 and requests that a conference committee be appointed. The Speaker has appointed Representatives Young, chairman, Witwer, and Plant as House conferees on the First Conference Committee on HB04-1422. The House has granted authorization to go beyond the scope of the differences. The bill is transmitted herewith.

In response to the request of the Senate, the Speaker has appointed Representatives Spradley, chairman, T. Williams, and Miller as House conferees on the First Conference Committee on SB04-094.

In response to the request of the Senate, the Speaker has appointed Representatives T. Williams, chairman, McCluskey and Romanoff as House conferees on the First Conference Committee on SB04-024.

MESSAGE FROM THE REVISOR OF STATUTES

April 13, 2004

We herewith transmit:

Without comment, as amended, HB04-1254, 1293, and 1123.

INTRODUCTION OF RESOLUTIONS AND MEMORIALS

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

- SJR04-039 by Senator(s) Sandoval, Tapia, Andrews; also Representative(s) Cloer, Cerbo, Coleman, Frangas, Vigil, Salazar, Garcia--Concerning the recognition of Colorado's Hispanic population and the designation of a month to acknowledge their contributions to the state. Laid over one day under Senate Rule 30(b).
SJR04-040 by Senator(s) May R., Jones; also Representative(s) Sinclair--Concerning American patriotism in Colorado schools. Laid over one day under Senate Rule 30(b).
SJR04-041 by Senator(s) Kester; also Representative(s) Spradley--Concerning declaration of the week of May 3, 2004, as correctional employees appreciation week. Laid over one day under Senate Rule 30(b).
SJR04-042 by Senator(s) Chlouber; also Representative(s) Witwer--Concerning an Office of Men's Health, and, in connection therewith, requesting that Congress pass S. 1028 and H.R. 1734 to amend the "Public Health Service Act" to create such office. Laid over one day under Senate Rule 30(b).
SJR04-043 by Senator(s) Anderson; --Concerning the recognition of the members of Company H, 3rd Battalion, 5th Marine Division, 1st Provisional Marine Brigade, who were called into action during the Korean War, and, in connection therewith, recognizing the reunion of these marines in Denver this May. Laid over one day under Senate Rule 30(b).
SJR04-044 by Senator(s) Cairns; --Concerning recognition of the Vietnamese-American community of Colorado. Laid over one day under Senate Rule 30(b).
SJR04-045 by Senator(s) Windels; also Representative(s) Williams S.--Concerning "Equal Pay Day". Business Affairs & Labor
SJM04-004 by Senator(s) Arnold, Andrews; also Representative(s) Mitchell--Memorializing Congress to abolish the alternative minimum tax for individuals and corporations. Laid over one day under Senate Rule 30(d).
SJM04-003 by Senator(s) Tupa, Andrews, Arnold, Cairns, Entz, Evans, Gordon, Groff, Grossman, Hagedorn, Hanna, Hillman, Johnson S., Jones, Kester, Lamborn, Nichol, Owen, Reeves, Sandoval, Tapia, Taylor, Teck, Veiga, Windels; also Representative(s) Cloer, Borodkin, Boyd, Briggs, Brophy, Butcher, Cadman, Carroll, Cerbo, Clapp, Crane, Fairbank, Garcia, Hall, Hefley, Hodge, Hoppe, Jahn, Larson, Lee, Lundberg, May M., McFadyen, McGihon, Merrifield, Miller, Paccione, Ragsdale, Rippey, Romanoff, Rose, Salazar, Schultheis, Smith, Spence, Stafford, Tochtrop, Vigil, Weddig, Welker, Williams S., Young--Memorializing

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Congress to propose an amendment to the United States Constitution requiring that the total amount of all federal appropriations made by Congress for any fiscal year not exceed the total of all estimated federal revenues for that fiscal year.

Laid over one day under Senate Rule 30(d).

- HJR04-1038** by Representative(s) Spradley; also Senator(s) Andrews--Concerning nonsubstantive changes to the joint rules of the senate and the house of representatives, and, in connection therewith, making the joint rules gender-neutral, aligning the joint rules with current practices, and eliminating obsolete provisions.
Laid over one day under Senate Rule 30(e).

INTRODUCTION OF BILLS--FIRST READING

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

- SB04-231** by Senator(s) Owen; also Representative(s) White--Concerning the utilization of electronic services related to documents filed with the department of state.
State Veterans & Military Affairs
- SB04-232** by Senator(s) Dyer, Andrews, Cairns, Entz, Evans, Hagedorn, Hillman, Jones, Lamborn, May R., Owen; also Representative(s) --Concerning creation of a front range water conservation district.
State Veterans & Military Affairs
- HB04-1123** by Representative(s) Coleman, Decker, Carroll, Frangas, Paccione, Ragsdale, Witwer, Young; also Senator(s) Owen--Concerning the operation of the Colorado mental health institute at Fort Logan.
Health, Environment, Welfare & Institutions
- HB04-1254** by Representative(s) Welker; also Senator(s) Johnson S.--Concerning investigations of child care providers.
Business Affairs & Labor
Appropriations
- HB04-1260** by Representative(s) Wiens, Harvey; also Senator(s) Kester--Concerning an age requirement for the funding of kindergarten pupils.
Education
- HB04-1293** by Representative(s) Plant, Wiens; also Senator(s) Johnson S.--Concerning the creation of the volunteer fire department grant fund to provide the matching funds required in order for volunteer fire departments to receive certain federal grants, and making an appropriation in connection therewith.
Agriculture, Natural Resources & Energy
Appropriations

APPOINTMENTS TO CONFERENCE COMMITTEE

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

The President appointed Senators Owen, Chairman, Teck, and Reeves as Senate Conferees on the First Conference Committee on **HB04-1422**.

SIGNING OF BILLS--RESOLUTIONS--MEMORIALS

The President has signed: HJR04-1049.

TRIBUTES

Honoring The Colorado Eagles -- by Senator Steve Johnson.
Honoring Kyle Sherry -- by Senator Steve Johnson.
Honoring Delfino Gallegos -- by Senate Lewis H. Entz.

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 13, 2004, was laid over until Wednesday, April 14, 2004, retaining its place on the calendar.

Consideration of Resolutions: SJR04-011, SJR04-013, SJR04-014, SJR04-022, SJR04-010, HJR04-1020, SJR04-017, SJR04-028, HJR04-1045, SJR04-032, HJR04-1037, SJR04-035, SJR04-037, SJR04-038.

Consideration of House Amendments to Senate Bills: SB04-108.

Consideration of Governor's Appointments:

Members of the Water Quality Control Commission.

Conference Committees to Report: HB04-1117, SB04-082, HB04-1236, HB04-1177, HB04-1061, SB04-131.

On motion of Senator Hillman, the Senate adjourned until 10:00 a.m., Wednesday, April 14, 2004.

Approved:

John Andrews
President of the Senate

Attest:

Mona Heustis
Secretary of the Senate

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