

HOUSE JOURNAL
SIXTY-FOURTH GENERAL ASSEMBLY
STATE OF COLORADO
First Regular Session

Thirty-eighth Legislative Day

Friday, February 14, 2003

1 Prayer by Father Michael Suchnicki, Samaritan House, Denver.

2

3 The Speaker called the House to order at 9:00 a.m.

4

5 Pledge of Allegiance led by Representative Paccione.

6

7 The roll was called with the following result:

8

9 Present--64.

10 Excused--Representative Sanchez--1.

11

12 The Speaker declared a quorum present.

13

14

15 On motion of Representative Johnson, the reading of the journal of
16 February 13, 2003, was declared dispensed with and approved as
17 corrected by the Chief Clerk.

18

19

20 **LETTER OF RESIGNATION**

21

22 February 11, 2003

23

24 Hon. Lola Spradley

25 Speaker, Colorado House of Representatives

26

27 Madam Speaker:

28

29 It has indeed been my pleasure and privilege to represent House District 7
30 in the Colorado House of Representatives. However, on February 10,
31 2003, I was appointed to the Colorado State Senate to fulfill the term of
32 out going State Senator Penfield Tate III.

33

34 Therefore, I hereby announce my resignation from the Colorado House
35 of Representatives, effective upon adjournment on February 14, 2003.

36

37 Thank you for your attention.

38

39 Sincerely,

40 (signed)

41 Peter C. Groff

42 State Senator-Elect

43

1 **REPORT OF COMMITTEE OF REFERENCE**

2
3 **AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

4 After consideration on the merits, the Committee recommends the
5 following:

6
7 **HB03-1302** be amended as follows, and as so amended, be referred to
8 the Committee of the Whole with favorable
9 recommendation:

10
11 Amend printed bill, page 3, after line 11, insert the following:

12
13 "SECTION 2. 24-65.5-104 (1), Colorado Revised Statutes, is
14 amended, and the said 24-65.5-104 is further amended BY THE
15 ADDITION OF A NEW SUBSECTION, to read:

16
17 **24-65.5-104. Enforcement.** (1) Mineral estate owners entitled
18 to notice pursuant to section 24-65.5-103 or 31-23-215, C.R.S., shall have
19 standing to enforce the notice requirements of those sections and, subject
20 to the provisions of subsection (2) AND (2.5) of this section, to make
21 claims as may be available at law or equity for noncompliance.

22
23 (2.5) WITH RESPECT TO ANY APPLICATION THAT WAS GRANTED ON
24 OR AFTER AUGUST 7, 2002, FOR A CHANGE OF USE FOR AN EXISTING
25 STRUCTURE, A BOUNDARY ADJUSTMENT, THE PLATTING OF AN ADDITIONAL
26 SINGLE LOT, A LOT SITE PLAN, OR WITH RESPECT TO ELECTRIC LINES,
27 NATURAL GAS PIPELINES, STEAM PIPELINES, CHILLED AND OTHER WATER
28 PIPELINES, OR APPURTENANCES TO SAID LINES OR PIPELINES:

29
30 (a) A MINERAL ESTATE HOLDER WHO CLAIMS ENTITLEMENT TO
31 NOTICE PURSUANT TO SECTION 24-65.5-103 BUT WHO ALLEGES THAT THE
32 APPLICANT FAILED TO PROVIDE SUCH NOTICE SHALL BE LIMITED TO ONLY
33 THE REMEDY SET FORTH IN PARAGRAPH (b) OF SUBSECTION (2) OF THIS
34 SECTION; AND

35
36 (b) NO FAILURE AS ALLEGED IN PARAGRAPH (a) OF THIS
37 SUBSECTION (2.5) SHALL RESCIND, CURTAIL, ABROGATE, OR OTHERWISE
38 RESTRICT ANY FINAL APPROVAL OF AN APPLICATION SPECIFIED IN THIS
39 SUBSECTION (2.5).".

40
41 Renumber succeeding section accordingly.

42
43
44
45
46 **APPROPRIATIONS**

47 After consideration on the merits, the Committee recommends the
48 following:

49
50 **SB03-228** be referred to the Committee of the Whole with favorable
51 recommendation.

52
53
54
55

1 **TRANSPORTATION & ENERGY**

2 After consideration on the merits, the Committee recommends the
3 following:

4
5 **HB03-1295** be amended as follows, and as so amended, be referred to
6 the Committee of the Whole with favorable
7 recommendation:

8
9 Amend printed bill, page 4, line 9, after "ENERGY," insert "BIOMASS,".

10
11 Page 7, strike lines 1 through 14 and substitute the following:

12
13 "(7) THE COMMISSION MAY PROMULGATE RULES TO ESTABLISH A
14 SYSTEM OF RENEWABLE ENERGY CREDITS THAT MAY BE USED BY A
15 PROVIDER TO COMPLY WITH ITS ELECTRIC RESOURCE STANDARD. SUCH
16 RULES SHALL BE PROMULGATED IN ACCORDANCE WITH ARTICLE 4 OF TITLE
17 24, C.R.S."

18
19
20
21 **PRINTING REPORT**

22
23 The Chief Clerk reports the following bills have been correctly printed:
24 **HB03-1303, 1304, 1305.**

25
26
27
28 **THIRD READING OF BILLS--FINAL PASSAGE**

29
30 The following bills were considered on Third Reading. The titles were
31 publicly read. Reading of the bill at length was dispensed with by
32 unanimous consent.

33
34 On motion of Representative King, Consideration of **SB03-199, 206, 207,**
35 **208, 209, 210, 211, 212, 213, 216, 217, 218, 219, 220, 195, 197** was laid
36 over until February 17, retaining place on Calendar.

37
38 **HB03-1033** by Representative(s) Spradley, Jahn, Tochtrop; also
39 Senator(s) Hagedorn--Concerning the implementation of
40 the federal "Employee Retirement Income Security Act"
41 with regard to the administration of requests for health
42 benefits.

43
44 As shown by the following roll call vote, a majority of all members
45 elected to the House voted in the affirmative, and Representative
46 Spradley was given permission to offer a Third Reading amendment:

47
48

	YES	63	NO	00	EXCUSED	01	ABSENT	01
49	Berry	Y	Groff	Y	McCluskey	Y	Sinclair	Y
50	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
51	Boyd	Y	Harvey	Y	Merrifield	Y	Spence	Y
52	Briggs	-	Hefley	Y	Miller	Y	Stafford	Y
53	Brophy	Y	Hodge	Y	Mitchell	Y	Stengel	Y
54	Butcher	Y	Hoppe	Y	Paccione	Y	Tochtrop	Y
55	Cadman	Y	Jahn	Y	Plant	Y	Veiga	Y
56	Clapp	Y	Johnson	Y	Pommer	Y	Vigil	Y

1	Cloer	Y	Judd	Y	Ragsdale	Y	Weddig	Y
2	Coleman	Y	King	Y	Rhodes	Y	Weissmann	Y
3	Crane	Y	Larson	Y	Rippy	Y	White	Y
4	Decker	Y	Lee	Y	Romanoff	Y	Wiens	Y
5	Fairbank	Y	Lundberg	Y	Rose	Y	Williams S.	Y
6	Frangas	Y	Madden	Y	Salazar	Y	Williams T.	Y
7	Fritz	Y	Marshall	Y	Sanchez	E	Witwer	Y
8	Garcia	Y	May	Y	Schultheis	Y	Young	Y
9							Speaker	Y

10

11 **Third Reading amendment No. 1**, by Representative Spradley.

12

13 Amend engrossed bill, page 6, line 2, strike "shall consult with an
14 appropriate clinical peer or peers";

15

16 strike lines 3 through 11.

17

18 The amendment was declared **passed** by the following roll call vote:

19

20	YES	63	NO	00	EXCUSED	01	ABSENT	01
21	Berry	Y	Groff	Y	McCluskey	Y	Sinclair	Y
22	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
23	Boyd	Y	Harvey	Y	Merrifield	Y	Spence	Y
24	Briggs	-	Hefley	Y	Miller	Y	Stafford	Y
25	Brophy	Y	Hodge	Y	Mitchell	Y	Stengel	Y
26	Butcher	Y	Hoppe	Y	Paccione	Y	Tochtrop	Y
27	Cadman	Y	Jahn	Y	Plant	Y	Veiga	Y
28	Clapp	Y	Johnson	Y	Pommer	Y	Vigil	Y
29	Cloer	Y	Judd	Y	Ragsdale	Y	Weddig	Y
30	Coleman	Y	King	Y	Rhodes	Y	Weissmann	Y
31	Crane	Y	Larson	Y	Rippy	Y	White	Y
32	Decker	Y	Lee	Y	Romanoff	Y	Wiens	Y
33	Fairbank	Y	Lundberg	Y	Rose	Y	Williams S.	Y
34	Frangas	Y	Madden	Y	Salazar	Y	Williams T.	Y
35	Fritz	Y	Marshall	Y	Sanchez	E	Witwer	Y
36	Garcia	Y	May	Y	Schultheis	Y	Young	Y
37							Speaker	Y

38

39 The question being, "Shall the bill, as amended, pass?".

40 A roll call vote was taken. As shown by the following recorded vote, a
41 majority of those elected to the House voted in the affirmative, and the
42 bill, as amended, was declared **passed**.

43

44	YES	64	NO	00	EXCUSED	01	ABSENT	00
45	Berry	Y	Groff	Y	McCluskey	Y	Sinclair	Y
46	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
47	Boyd	Y	Harvey	Y	Merrifield	Y	Spence	Y
48	Briggs	Y	Hefley	Y	Miller	Y	Stafford	Y
49	Brophy	Y	Hodge	Y	Mitchell	Y	Stengel	Y
50	Butcher	Y	Hoppe	Y	Paccione	Y	Tochtrop	Y
51	Cadman	Y	Jahn	Y	Plant	Y	Veiga	Y
52	Clapp	Y	Johnson	Y	Pommer	Y	Vigil	Y
53	Cloer	Y	Judd	Y	Ragsdale	Y	Weddig	Y
54	Coleman	Y	King	Y	Rhodes	Y	Weissmann	Y
55	Crane	Y	Larson	Y	Rippy	Y	White	Y
56	Decker	Y	Lee	Y	Romanoff	Y	Wiens	Y

1	Fairbank	Y	Lundberg	Y	Rose	Y	Williams S.	Y
2	Frangas	Y	Madden	Y	Salazar	Y	Williams T.	Y
3	Fritz	Y	Marshall	Y	Sanchez	E	Witwer	Y
4	Garcia	Y	May	Y	Schultheis	Y	Young	Y
5							Speaker	Y

6 Co-sponsors added: Representatives Boyd, Coleman, Hoppe, Paccione, Young.

7
8 **HB03-1143** by Representative(s) Crane, Brophy, Cadman, Clapp,
9 Fairbank, Fritz, Harvey, Hefley, King, Lee, Lundberg,
10 May M., Mitchell, Rhodes, Schultheis, Sinclair, Spence,
11 Stafford, White; also Senator(s) May R., Andrews,
12 Arnold, Cairns, Hillman, Johnson S., Jones, Kester,
13 Lamborn--Concerning leave for teachers' union activities.

14
15 The question being "Shall the bill pass?".

16 A roll call vote was taken. As shown by the following recorded vote, a
17 majority of those elected to the House voted in the affirmative and the bill
18 was declared **passed**.

19	YES	36	NO	28	EXCUSED	01	ABSENT	00
21	Berry	Y	Groff	N	McCluskey	Y	Sinclair	Y
22	Borodkin	N	Hall	Y	McFadyen	N	Smith	Y
23	Boyd	N	Harvey	Y	Merrifield	N	Spence	Y
24	Briggs	Y	Hefley	N	Miller	Y	Stafford	Y
25	Brophy	Y	Hodge	N	Mitchell	Y	Stengel	Y
26	Butcher	N	Hoppe	Y	Paccione	N	Tochtrop	N
27	Cadman	Y	Jahn	N	Plant	N	Veiga	N
28	Clapp	Y	Johnson	Y	Pommer	N	Vigil	N
29	Cloer	N	Judd	N	Ragsdale	N	Weddig	N
30	Coleman	N	King	Y	Rhodes	Y	Weissmann	N
31	Crane	Y	Larson	Y	Rippy	Y	White	Y
32	Decker	Y	Lee	Y	Romanoff	N	Wiens	Y
33	Fairbank	Y	Lundberg	Y	Rose	Y	Williams S.	N
34	Frangas	N	Madden	N	Salazar	N	Williams T.	Y
35	Fritz	Y	Marshall	N	Sanchez	E	Witwer	Y
36	Garcia	N	May	Y	Schultheis	Y	Young	Y
37							Speaker	Y

38 Co-sponsor added: Representative Young.

39
40 **HB03-1097** by Representative(s) Hall; also Senator(s) S. Johnson--
41 Concerning the regulation of the hunting of wildlife.

42
43 The question being "Shall the bill pass?".

44 A roll call vote was taken. As shown by the following recorded vote, a
45 majority of those elected to the House voted in the affirmative and the bill
46 was declared **passed**.

47	YES	64	NO	00	EXCUSED	01	ABSENT	00
49	Berry	Y	Groff	Y	McCluskey	Y	Sinclair	Y
50	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
51	Boyd	Y	Harvey	Y	Merrifield	Y	Spence	Y
52	Briggs	Y	Hefley	Y	Miller	Y	Stafford	Y
53	Brophy	Y	Hodge	Y	Mitchell	Y	Stengel	Y
54	Butcher	Y	Hoppe	Y	Paccione	Y	Tochtrop	Y
55	Cadman	Y	Jahn	Y	Plant	Y	Veiga	Y
56	Clapp	Y	Johnson	Y	Pommer	Y	Vigil	Y

1	Cloer	Y	Judd	Y	Ragsdale	Y	Weddig	Y
2	Coleman	Y	King	Y	Rhodes	Y	Weissmann	Y
3	Crane	Y	Larson	Y	Rippy	Y	White	Y
4	Decker	Y	Lee	Y	Romanoff	Y	Wiens	Y
5	Fairbank	Y	Lundberg	Y	Rose	Y	Williams S.	Y
6	Frangas	Y	Madden	Y	Salazar	Y	Williams T.	Y
7	Fritz	Y	Marshall	Y	Sanchez	E	Witwer	Y
8	Garcia	Y	May	Y	Schultheis	Y	Young	Y
9							Speaker	Y

10 Co-sponsors added: Representatives Butcher, Frangas, Fritz, Harvey, Hefley,
11 Johnson, Larson, Lee, May, Pommer, Rippy, Romanoff, Rose, Salazar, Smith,
12 Stengel, Tochtrop, White.

13
14
15
16 On motion of Representative King, **SB03-176, 180, 190, 228, 200, 201,**
17 **202, 203, 204, 205, 214, 215** were added to the Special Orders calendar
18 on Friday, February 14, 2003, at 9:53 a.m.

19
20
21 The hour of 9:53 a.m., having arrived, on motion of Representative
22 Hoppe, the House resolved itself into Committee of the Whole for
23 consideration of Special Orders and she was called to the Chair to act as
24 Chairman.

25 26 27 **SPECIAL ORDERS--SECOND READING OF BILLS**

28
29 The Committee of the Whole having risen, the Chairman reported the
30 titles of the following bills had been read (reading at length had been
31 dispensed with by unanimous consent), the bills considered and action
32 taken thereon as follows:

33
34 (Amendments to the committee amendment are to the printed committee
35 report which was printed and placed in the members' bill file.)

36
37 **SB03-173** by Senator(s) Owen, Reeves, Teck; also Representative(s)
38 Young, Plant, Witwer--Concerning the repeal of specified
39 nursing facility provider payments, and making an
40 appropriation in connection therewith.

41
42 Amendment No. 1, Health, Environment, Welfare, & Institutions Report,
43 dated February 5, 2003, and placed in member's bill file; Report also
44 printed in House Journal, February 6, pages 334-335.

45
46 As amended, ordered revised and placed on the Calendar for Third
47 Reading and Final Passage.

48
49
50 **SB03-176** by Senator(s) Owen, Reeves, Teck; also Representative(s)
51 Witwer, Plant, Young--Concerning the repeal of eligibility
52 under the "Colorado Medical Assistance Act" for specified
53 legal immigrants, and making an appropriation in
54 connection therewith.

55

1 Amendment No. 1, by Representative Witwer.

2

3 Amend reengrossed bill, page 3, after line 17, insert the following:

4

5 "SECTION 2. 26-4-301, Colorado Revised Statutes, is amended
6 BY THE ADDITION OF A NEW SUBSECTION to read:

7

8 **26-4-301. Optional provisions - optional groups.** (5) A
9 QUALIFIED ALIEN SHALL NOT BE ELIGIBLE FOR SERVICES UNDER THIS
10 ARTICLE EXCEPT AS PROVIDED FOR IN SECTIONS 26-4-201 (2) AND
11 26-4-203 (3). QUALIFIED ALIENS WHO ARE NOT ELIGIBLE FOR SERVICES
12 PURSUANT TO SECTION 26-4-201 (2) SHALL NOT BE AN OPTIONAL GROUP."

13

14 Page 5, strike lines 20 through 22.

15

16 Strike pages 6 through 12 and substitute the following:

17

18 "SECTION 5. Part V (2), (3), and (6) (D) and the affected totals
19 of section 2 of chapter 399, Session Laws of Colorado 2002, are amended
20 to read:

21

22 Section 2. **Appropriation.**

23

24

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
1			PART V				
2			DEPARTMENT OF HEALTH CARE POLICY AND FINANCING				
3							
4	(2) MEDICAL PROGRAMS ADMINISTRATION^{43,44}						
5	Personal Services	9,260,099	4,239,323(M)			71,913 ^a	4,948,863
6	(147.7 FTE)						
7	Operating Expenses	684,213	330,671(M)			250 ^b	353,292
8		719,213	348,171(M)				370,792
9	S.B. 01-78 Nursing Home Quality						
10	of Care Contract Costs	68,524	34,262(M)				34,262
11	Alternative Care Facility Cost						
12	Reporting System Consulting						
13	Services	16,667	8,334(M)				8,333
14	Medicaid Management Information						
15	System Contract	18,324,459	4,418,380(M)			147,191 ^c	13,758,888
16	Health Insurance Portability and						
17	Accountability Act of 1996						
18	(HIPAA) Implementation Staffing						
19	Costs	298,576	70,180(M) ^d			6,250 ^e	222,146
20	(5.0 FTE)						
21	Health Insurance Portability and						
22	Accountability Act of 1996						
23	(HIPAA) Implementation Contract						
24	Costs ⁴⁵	11,530,545	2,753,374(M) ^d			180,967 ^e	8,596,204

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
1 Health Insurance Portability and 2 Accountability Act of 1996 3 (HIPAA) Implementation Central 4 State Appropriations	2,214,057		520,407(M) ^d			46,351 ^e	1,647,299
5 Medicaid Authorization Cards	1,323,100		661,550(M)				661,550
6 Department of Public Health and 7 Environment Facility Survey and 8 Certification	4,081,464		1,124,860(M)				2,956,604
9 Other Case-Mix Administrative 10 Costs	42,000		12,000(M)				30,000
11 Contractual Utilization Review	4,557,179		1,157,499(M)			1,093 ^b	3,398,587
12 Early and Periodic Screening, 13 Diagnosis, and Treatment Program	3,058,718		1,529,359(M)				1,529,359
14 Nursing Facility Audits	880,650		440,325(M)				440,325
15 Hospital and Federally Qualified 16 Health Clinic Audits	250,000		125,000(M)				125,000
17 Nursing Home Preadmission and 18 Resident Assessments	1,240,534		310,134(M)				930,400
19 Nurse Aide Certification	310,330		142,321(M)			12,844(T) ^f	155,165
20 Nursing Home Quality Assessments	26,955		6,739(M)				20,216
21 Estate Recovery	700,000				350,000 ^g		350,000
22 Single Entry Point Administration	65,900		32,950(M)				32,950
23 Single Entry Point Audits	35,339		17,669(M)				17,670
24 Phone Triage/Advice	324,513		81,128(M)				243,385

		APPROPRIATION FROM					
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
1	S.B. 97-05 Enrollment Broker	1,073,258		536,629(M)			536,629
2	Primary Care Physician						
3	Credentialing	116,788		58,394(M)			58,394
4	H.B. 01-1271 Medicaid Buy-in	<u>327,427</u>					327,427
5		60,811,295					
6		60,846,295					
7							
8	^a Of this amount, \$24,907 shall be from the Breast and Cervical Cancer Prevention and Treatment Fund created in Section 26-4-532 (7), C.R.S., and \$47,006 shall be						
9	from the Children's Basic Health Plan Trust created in Section 26-19-105, C.R.S.						
10	^b This amount shall be from the Breast and Cervical Cancer Prevention and Treatment Fund created in Section 26-4-532 (7), C.R.S.						
11	^c Of this amount, \$146,867(T) shall be from the Old Age Pension Health and Medical Care Fund appropriated in the Department of Human Services and \$324 shall be						
12	from the Breast and Cervical Cancer Prevention and Treatment Fund created in Section 26-4-532 (7), C.R.S.						
13	^d Of these amounts, \$3,333,893 is exempt from the statutory limit on state General Fund appropriations pursuant to Section 24-75-201.1 (1) (a) (III) (B), C.R.S.						
14	^e This amount shall be from the Children's Basic Health Plan Trust created in Section 26-19-105, C.R.S.						
15	^f This amount shall be from the Department of Regulatory Agencies.						
16	^g This amount shall be from estate recoveries.						
17							
18	(3) MEDICAL SERVICES PREMIUMS ^{46, 47, 48, 49, 50, 51, 52, 53, 54, 54a}						
19	Services for 35,230 35,027 Old Age						
20	Pensioners (OAP-A) at an average						
21	cost of \$16,895.22 \$16,973.13	595,218,541					
22		594,517,689					

			APPROPRIATION FROM				
			GENERAL	GENERAL	CASH	CASH	FEDERAL
ITEM &	TOTAL	SUBTOTAL	FUND	FUND	FUNDS	FUNDS	FUNDS
				EXEMPT		EXEMPT	
1 Services for 5,430 5,401 Old Age							
2 Pensioners (OAP-B) at an average							
3 cost of \$12,504.16 \$12,560.33	67,897,616						
4		67,838,351					
5 Services for 4,046 Old Age Pension							
6 State Medical Program clients at an							
7 average cost of \$2,435.28		9,853,133					
8 Services for 49,669 49,494 Non-							
9 Elderly Disabled Recipients of							
10 Supplemental Security Income at an							
11 average cost of \$10,450.73							
12 \$10,475.48	519,077,445						
13		518,473,400					
14 Services for 38,349 38,185							
15 Categorically Eligible Low-income							
16 Adults at an average cost of							
17 \$3,273.42 \$3,275.65	125,532,402						
18		125,080,757					
19 Services for 158,488 158,279							
20 Categorically Eligible Low-income							
21 Children and Baby Care Program							
22 Children at an average cost of							
23 \$1,750.40 \$1,751.06	277,418,122						
24		277,155,501					

		APPROPRIATION FROM					
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
1	Services for 13,877 13,854 Foster						
2	Children at an average cost of						
3	\$2,652.07 \$2,652.89	36,802,812					
4		36,753,177					
5	Services for 5,983 5,918 Baby Care						
6	Program Adults at an average cost						
7	of \$5,564.49 \$5,569.81	33,292,341					
8		32,962,123					
9	Services for 9,492 Qualified						
10	Medicare Beneficiaries (QMBs) and						
11	Special Low-Income Medicare						
12	Beneficiaries (SLIMBs) at an						
13	average cost of \$1,071.80	10,173,529					
14	Services for 5,414 Non-Citizens at						
15	an Average Cost of \$9,876.00	53,468,640					
16	Services for 71 S.B. 01S2-12 Breast						
17	and Cervical Cancer Treatment						
18	Clients at an Average Cost of						
19	\$22,501.62	<u>1,597,615</u>					
20		1,730,332,196	838,728,143(M)			34,565,803 ^a	857,038,250
21		1,727,873,915	837,437,768(M)				855,870,344
22							
23							
24							

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
1	^a Of this amount, \$9,853,133(T) shall be from the Old Age Pension Health and Medical Care Fund appropriated in the Department of Human Services, \$559,165 shall						
2	be from the Breast and Cervical Cancer Prevention and Treatment Fund created in Section 26-4-532 (7), C.R.S., and \$24,153,505 represents public funds certified as						
3	representing expenditures incurred by public nursing homes and hospitals that are eligible for federal financial participation under the Medicaid program.						
4							
5	(6) DEPARTMENT OF HUMAN SERVICES MEDICAID-FUNDED PROGRAMS^{62, 63, 64}						
6	(D) Office of Behavioral Health						
7	and Housing - Medicaid Funding						
8	Administration	835,306		417,653(M)			417,653
9	Mental Health Community						
10	Programs, Mental Health Capitation						
11	and Performance Incentive Awards	148,707,702		74,353,851(M)			74,353,851
12		148,516,188		74,258,094(M)			74,258,094
13	Mental Health Community						
14	Programs, Medicaid Mental Health						
15	Fee for Service Payments	3,618,529		1,809,265(M)			1,809,264
16	Mental Health Community						
17	Programs, Medicaid Mental Health						
18	Services for Breast and Cervical						
19	Cancer Patients	71,175				24,911 ^a	46,264
20	Mental Health Community						
21	Programs, Medicaid Anti-psychotic						
22	Pharmaceuticals	24,589,830		12,294,915(M)			12,294,915
23	Mental Health Institutes	3,984,829		1,992,415(M)			1,992,414

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
1 Alcohol and Drug Abuse Division, 2 High Risk Pregnant Women 3 Program	349,656		174,828(M)				174,828
4	182,157,027						
5	181,965,513						
6							
7 ^a This amount shall be from the Breast and Cervical Cancer Prevention and Treatment Fund created in Section 26-4-532 (7), C.R.S.							
8							
9							
10		562,500,756					
11							
12 TOTALS PART V							
13 (HEALTH CARE POLICY AND							
14 FINANCING)^{5,6}	\$2,714,652,157		\$1,180,936,543^m		\$751,563	\$186,737,806 ^b	\$1,346,226,245
15	<u>2,712,037,362</u>		<u>1,179,567,911^a</u>				<u>1,344,980,082</u>
16							

17 ^a Of this amount, \$3,355,821 is exempt from the statutory limit on state General Fund appropriations pursuant to Section 24-75-201.1 (1) (a) (III) (B), C.R.S.

18 ^b Of this amount, \$781,748 contains an (L) notation, and \$10,068,871 contains a (T) notation.

19

20 **SECTION 6.** Part VII (4) (B) and the affected totals of section 2 of chapter 399, Session Laws of Colorado 2002, are amended to read:

21

22 Section 2. **Appropriation.**

23

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
1			PART VII				
2			DEPARTMENT OF HUMAN SERVICES				
3							
4			(4) OFFICE OF BEHAVIORAL HEALTH AND HOUSING				
5			(B) Mental Health Community Programs^{59, 84}				
6	Mental Health Capitation ^{54, 62}	146,127,702				146,127,702(T) ^a	
7		145,936,188				145,936,188(T) ^a	
8	Capitation Performance Incentive						
9	Awards ⁶³	2,580,000				2,580,000(T) ^a	
10	Medicaid Mental Health Fee for						
11	Service Payments	3,618,529				3,618,529(T) ^a	
12	Medicaid Mental Health Services for						
13	Breast and Cervical Cancer Patients	71,175				71,175(T) ^a	
14	Medicaid Mental Health Child						
15	Placement Agency Program	7,152,728				7,152,728(T) ^b	
16	Medicaid Anti-Psychotic						
17	Pharmaceuticals ⁶⁴	24,589,830				24,589,830(T) ^a	
18	Services for Target Clients ⁸⁵	27,399,346	20,164,969			2,235,259 ^c	4,999,118 ^d
19	Services for Non-Target Clients	703,762	703,762				
20	Goebel Lawsuit Settlement ^{86, 87}	18,313,230	9,316,678			8,996,552(T) ^e	
21			(2.0 FTE)				
22	Assertive Community Treatment						
23	Programs	1,225,736	612,868			612,868(L) ^f	

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
1	Alternatives to Inpatient						
2	Hospitalization for Not Less than						
3	Twenty-four Full-time Placements for						
4	Six Months ⁸⁸	877,500	877,500				
5		<u>232,659,538</u>					
6		232,468,024					
7							
8	^a These amounts shall be from Medicaid funds appropriated to the Department of Health Care Policy and Financing.						
9	^b This amount is shown for informational purposes only and reflects total estimated expenditures which originate as 50 percent General Fund appropriated to the						
10	Division of Child Welfare in the Department of Human Services and 50 percent federal funds transferred from the Department of Health Care Policy and Financing.						
11	^c Of this amount, \$1,688,201(T) shall be from the Division of Vocational Rehabilitation and \$547,058(L) shall be from local matching funds to provide a 33 percent						
12	match for General Fund appropriations for purchase of pharmaceuticals.						
13	^d Of this amount, it is estimated that \$4,577,373 shall be from the Mental Health Services Block Grant and \$421,745 shall be from the Homeless Prevention Block						
14	Grant.						
15	^e Of this amount, \$161,909 shall be from the Division of Vocational Rehabilitation and \$8,834,643 is shown for informational purposes only and reflects the portion of						
16	the Mental Health Capitation line item estimated to be used for services to the Goebel plaintiff class.						
17	^f This amount shall be from local matching funds.						
18							
19		367,210,736					
20		367,019,222					
21							
22	TOTALS PART VII,						
23	(HUMAN SERVICES) ^{5, 6, 126, 127, 128, 129, 130}	<u>\$1,894,987,436</u>	<u>\$551,358,333^a</u>		<u>\$85,414,768</u>	<u>\$776,015,115^b</u>	<u>\$482,199,220</u>
24		<u>\$1,894,795,922</u>				<u>\$775,823,601^b</u>	

1

2 ^a Of this amount, \$410,751 is exempt from the statutory limit on state General Fund appropriations pursuant to Section 24-75-201.1 (1) (a) (III) (A), C.R.S.

3 ^b Of this amount, ~~\$616,140,764~~ \$615,964,460 contains a (T) notation, and \$105,838,701 contains an (L) notation."

4

5 Renumber succeeding section accordingly.

6

7

8

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

1 **SB03-190** by Senator(s) Owen, Reeves, Teck; also Representative(s)
2 Witwer, Plant, Young--Concerning tobacco litigation
3 settlement moneys received by the state, and, in
4 connection therewith, reallocating the moneys for the
5 2002-03 fiscal year for the purpose of augmenting the state
6 general fund, providing authorization for the state
7 treasurer to invest moneys transferred on July 5, 2002,
8 from the tobacco litigation settlement trust fund to the
9 general fund in any manner in which the trust fund
10 moneys may be invested, and modifying appropriations for
11 the 2002-03 fiscal year.
12

13 Amendment No. 1, by Representative Spradley.
14

15 Amend reengrossed bill, page 3, line 1, strike "TWENTY-NINE MILLION
16 SIXTY-TWO" and substitute "THIRTY-TWO MILLION SEVEN HUNDRED
17 EIGHTY-EIGHT";

18
19 line 2, strike "FOUR HUNDRED EIGHTY-SIX" and substitute "EIGHT
20 HUNDRED AND SEVENTY-SIX".

21
22 Page 6, line 5, strike "SEVEN MILLION THIRTEEN" and substitute "FIVE
23 MILLION SEVEN HUNDRED SIXTEEN";

24
25 line 6, strike "TWO HUNDRED TWENTY-TWO" and substitute "FOUR
26 HUNDRED THIRTY-NINE";

27
28 line 9, strike "THIRTEEN MILLION ONE HUNDRED FORTY-NINE" and
29 substitute "TEN MILLION SEVEN HUNDRED TWENTY";

30
31 line 10, strike "SEVEN HUNDRED NINETY-THREE" and substitute "ONE
32 HUNDRED EIGHTY-SIX".

33
34 Page 24, line 13, in the ITEM & SUBTOTAL column, strike
35 "49,375,427" and substitute "48,078,644" and, in the CASH FUNDS
36 EXEMPT column, strike "7,670,753^c" and substitute "6,373,970^c".

37
38 Adjust affected totals accordingly.

39
40 Page 25, line 5, strike "\$7,013,222" and substitute "\$5,716,439".

41
42 Page 29, line 13, in the ITEM & SUBTOTAL column, strike
43 "13,149,793" and substitute "10,720,186" and, in the CASH FUNDS
44 EXEMPT column, strike "13,149,793^b" and substitute "10,720,186^b".

45
46 Page 30, line 1, in the ITEM & SUBTOTAL column, strike "12,503,297"
47 and substitute "10,073,690" and, in the CASH FUNDS EXEMPT
48 column, strike "12,503,297^a" and substitute "10,073,690^a".

49
50 Adjust affected totals accordingly.

51
52 Amendment No. 2, by Representative Spradley.
53

54 Amend reengrossed bill, page 3, line 1, strike "SIXTY-TWO" and substitute
55 "SIX HUNDRED EIGHTY-FOUR";

56

1 line 2, strike "FOUR HUNDRED EIGHTY-SIX" and substitute "ONE HUNDRED
2 THIRTY-EIGHT".

3

4 Page 6, line 5, strike "SEVEN MILLION THIRTEEN" and substitute "SIX
5 MILLION SEVEN HUNDRED NINETY-SIX";

6

7 line 6, strike "TWO HUNDRED TWENTY-TWO" and substitute "EIGHT
8 HUNDRED EIGHTY-SEVEN";

9

10 line 9, strike "THIRTEEN MILLION ONE HUNDRED FORTY-NINE" and
11 substitute "TWELVE MILLION SEVEN HUNDRED FORTY-FOUR";

12

13 line 10, strike "SEVEN HUNDRED NINETY-THREE" and substitute "FOUR
14 HUNDRED SEVENTY-SIX".

15

16 Page 24, line 13, in the ITEM & SUBTOTAL column, strike
17 "49,375,427" and substitute "49,159,092" and, in the CASH FUNDS
18 EXEMPT column, strike "7,670,753^c" and substitute "7,454,418^c".

19

20 Adjust affected totals accordingly.

21

22 Page 25, line 5, strike "\$7,013,222" and substitute "\$6,796,887".

23

24 Page 29, line 13, in the ITEM & SUBTOTAL column, strike
25 "13,149,793" and substitute "12,744,476" and, in the CASH FUNDS
26 EXEMPT column, strike "13,149,793^b" and substitute "12,744,476^b".

27

28 Page 30, line 1, in the ITEM & SUBTOTAL column, strike "12,503,297"
29 and substitute "12,097,980" and, in the CASH FUNDS EXEMPT
30 column, strike "12,503,297^a" and substitute "12,097,980^a".

31

32 Adjust affected totals accordingly.

33

34 As amended, ordered revised and placed on the Calendar for Third
35 Reading and Final Passage.

36

37

38 **SB03-228** by Senator(s) Teck, Owen, Reeves; also Representative(s)
39 Plant, Witwer, Young--Concerning the authority of the
40 general assembly to appropriate moneys from the highway
41 users tax fund to the department of revenue for license
42 plate funding, and making an appropriation therefor.

43

44 Amendment No. 1, by Representative Plant.

45

46 Amend reengrossed bill, page 3, strike lines 6 through 10 and substitute
47 the following:

48

49 "SECTION 24-75-201.1 (1) (a) (II), C.R.S., SHALL NOT BE BASED ON A
50 LEVEL OF APPROPRIATION THAT EXPANDS THE SIX PERCENT OVERALL
51 LIMIT.".

52

53 As amended, ordered revised and placed on the Calendar for Third
54 Reading and Final Passage.

55

- 1 **SB03-180** by Senator(s) Owen, Reeves, Teck; also Representative(s)
2 Plant, Witwer, Young--Concerning the authority of the
3 department of agriculture to expend moneys from the
4 mandatory fruit and vegetable inspection fund for
5 purposes other than the direct costs of mandatory
6 inspections, and, in connection therewith, making a
7 supplementary appropriation from the mandatory fruit and
8 vegetable inspection fund and the brand inspection fund.
9
- 10 Ordered revised and placed on the Calendar for Third Reading and Final
11 Passage.
12
13
- 14 **SB03-200** by Senator(s) Owen, Teck, Reeves; also Representative(s)
15 Young, Witwer, Plant--Concerning a supplemental
16 appropriation to the department of corrections.
17
- 18 Amendment No. 1, by Representative Berry.
19
- 20 Amend reengrossed bill, page 26, line 7, in the ITEM & SUBTOTAL
21 column, strike "1,297,609" and substitute "1,172,609";
22
23 line 9, in the ITEM & SUBTOTAL column, strike "(21.4 FTE)" and
24 substitute "(19.3 FTE)";
25
26 line 13, in the ITEM & SUBTOTAL column, strike "1,410,151" and
27 substitute "1,285,151" and, in the GENERAL FUND column, strike
28 "1,410,151" and substitute "1,285,151".
29
- 30 Adjust affected totals accordingly.
31
- 32 As amended, ordered revised and placed on the Calendar for Third
33 Reading and Final Passage.
34 (For change in action, see Amendments to Report.)
35
36
- 37 **SB03-201** by Senator(s) Owen, Teck, Reeves; also Representative(s)
38 Young, Witwer, Plant--Concerning a supplemental
39 appropriation to the department of education.
40
- 41 Ordered revised and placed on the Calendar for Third Reading and Final
42 Passage.
43
44
- 45 **SB03-203** by Senator(s) Owen, Teck, Reeves; also Representative(s)
46 Young, Witwer, Plant--Concerning a supplemental
47 appropriation to the department of health care policy and
48 financing.
49
- 50 Amendment No. 1, Appropriations Report, dated February 12, 2003, and
51 placed in member's bill file; Report also printed in House Journal,
52 February 12, page 634.
53
- 54 Amendment No. 2, by Representative Spradley.
55
- 56 Amend reengrossed bill, page 29, line 2, in the ITEM & SUBTOTAL

1 column, strike "4,587,847" and substitute "4,673,651", in the GENERAL
2 FUND column, strike "2,293,924(M)" and substitute "2,336,826(M)",
3 and, in the FEDERAL FUNDS column, strike "2,293,923" and substitute
4 "2,336,825".

5

6 Adjust affected totals accordingly.

7

8 As amended, ordered revised and placed on the Calendar for Third
9 Reading and Final Passage.

10

11

12 **SB03-204** by Senator(s) Owen, Teck, Reeves; also Representative(s)
13 Young, Witwer, Plant--Concerning a supplemental
14 appropriation to the department of higher education.

15

16 Ordered revised and placed on the Calendar for Third Reading and Final
17 Passage.

18

19

20 **SB03-205** by Senator(s) Owen, Teck, Reeves; also Representative(s)
21 Young, Witwer, Plant--Concerning a supplemental
22 appropriation to the department of human services.

23

24 Amendment No. 1, Appropriations Report, dated February 12, 2003, and
25 placed in member's bill file; Report also printed in House Journal,
26 February 12, page 635.

27

28 Amendment No. 2, by Representative Spradley.

29

30 Amend reengrossed bill, page 3, line 7, in the ITEM & SUBTOTAL
31 column, strike "7,890,699" and substitute "7,910,673";

32

33 line 9, in the ITEM & SUBTOTAL column, strike "(108.9 FTE)" and
34 substitute "(109.4 FTE)";

35

36 line 11, in the ITEM & SUBTOTAL column, strike "7,652,807" and
37 substitute "7,672,337";

38

39 line 13, in the ITEM & SUBTOTAL column, strike "247,154" and
40 substitute "247,645".

41

42 Page 4, line 6, in the ITEM & SUBTOTAL column, strike "2,735,405"
43 and substitute "2,745,615";

44

45 line 9, in the ITEM & SUBTOTAL column, strike "945,702" and
46 substitute "949,924".

47

48 Page 5, line 10, in the ITEM & SUBTOTAL column, strike "38,872,977"
49 and substitute "38,927,404" and, in the GENERAL FUND column, strike
50 "22,370,743(M)" and substitute "22,425,170(M)".

51

52 Adjust affected totals accordingly.

53

54 Page 13, line 14, in the ITEM & SUBTOTAL column, strike
55 "20,472,042" and substitute "20,519,779".

56

1 Page 14, line 1, in the ITEM & SUBTOTAL column, strike "(474.4
2 FTE)" and substitute "(475.6 FTE)";

3

4 line 3, in the ITEM & SUBTOTAL column, strike "2,415,992" and
5 substitute "2,422,164".

6

7 Page 15, line 4, in the TOTAL column, strike "34,693,850" and substitute
8 "34,747,759" and, in the GENERAL FUND column, strike
9 "17,529,487(M)" and substitute "17,583,396(M)".

10

11 Adjust affected totals accordingly.

12

13 Page 21, line 15, in the ITEM & SUBTOTAL column, strike
14 "70,989,384" and substitute "71,554,381".

15

16 Page 22, line 2, in the ITEM & SUBTOTAL column, strike "(1,251.5
17 FTE)" and substitute "(1,260.5 FTE)";

18

19 line 4, in the ITEM & SUBTOTAL column, strike "8,441,659" and
20 substitute "8,533,206".

21

22 Page 23, line 3, in the ITEM & SUBTOTAL column, strike "83,220,088"
23 and substitute "83,876,632", in the GENERAL FUND column, strike
24 "57,799,073^a" and substitute "58,269,487^a", in the CASH FUNDS
25 column, strike "3,152,089^b" and substitute "3,179,299^b", and, in the
26 CASH FUNDS EXEMPT column, strike "22,268,926^c" and substitute
27 "22,427,846^c";

28

29 line 7, strike "\$2,668,521" and substitute "\$2,695,731";

30

31 line 8, strike "\$19,760,856" and substitute "\$19,919,776";

32

33 line 10, strike "\$7,379,691" and substitute "\$7,452,807";

34

35 line 12, strike "~~\$3,984,829(T)~~ \$3,899,025(T)" and substitute
36 "3,984,829(T)".

37

38 Adjust affected totals and affected (T) notation totals accordingly.

39

40 As amended, ordered revised and placed on the Calendar for Third
41 Reading and Final Passage.

42 (For change in action, see Amendments to Report.)

43

44

45 **SB03-202** by Senator(s) Owen, Teck, Reeves; also Representative(s)
46 Young, Witwer, Plant--Concerning a supplemental
47 appropriation to the offices of the governor, lieutenant
48 governor, and state planning and budgeting.

49

50 Ordered revised and placed on the Calendar for Third Reading and Final
51 Passage.

52

53 **SB03-214** by Senator(s) Owen, Teck, Reeves; also Representative(s)
54 Young, Witwer, Plant--Concerning a supplemental
55 appropriation to the department of public health and
56 environment.

1 Amendment No. 1, Appropriations Report, dated February 12, 2003, and
 2 placed in member's bill file; Report also printed in House Journal,
 3 February 12, page 635.

4
 5 As amended, ordered revised and placed on the Calendar for Third
 6 Reading and Final Passage.

7
 8
 9 **SB03-215** by Senator(s) Owen, Teck, Reeves; also Representative(s)
 10 Young, Witwer, Plant--Concerning a supplemental
 11 appropriation to the department of public safety.

12
 13 Amendment No. 1, by Representative Berry.

14
 15 Amend reengrossed bill, page 19, line 6, in the ITEM & SUBTOTAL
 16 column, strike "231,474" and substitute "356,474" and, in the GENERAL
 17 FUND column, strike "231,474" and substitute "356,474".

18
 19 Adjust affected totals accordingly.

20
 21 As amended, ordered revised and placed on the Calendar for Third
 22 Reading and Final Passage.

23
 24
 25
 26 **AMENDMENTS TO THE COMMITTEE OF THE WHOLE REPORT**

27
 28 Representative Frangas moved to amend the Report of the Committee of
 29 the Whole to show that the following Frangas amendment, to SB03-176,
 30 did pass, and that SB03-176, as amended, did pass.

31
 32 Amend reengrossed bill, page 2, strike line 2 and substitute the following:
 33 "**SECTION 1. Repeal.** 26-4-301 (1) (l), (1) (m), (2), and (3).".

34
 35 Page 3, strike lines 13 through 17;

36
 37 strike line 24 and substitute the following:
 38 "(2), AND (3).".

39
 40 The amendment was declared **lost** by the following roll call vote:

	YES	25	NO	39	01	ABSENT	00	
43	Berry	N	Groff	Y	McCluskey	N	Sinclair	N
44	Borodkin	Y	Hall	N	McFadyen	Y	Smith	N
45	Boyd	Y	Harvey	N	Merrifield	Y	Spence	N
46	Briggs	N	Hefley	N	Miller	N	Stafford	N
47	Brophy	N	Hodge	Y	Mitchell	N	Stengel	N
48	Butcher	Y	Hoppe	N	Paccione	Y	Tochtrop	Y
49	Cadman	N	Jahn	Y	Plant	N	Veiga	Y
50	Clapp	N	Johnson	N	Pommer	Y	Vigil	Y
51	Cloer	Y	Judd	Y	Ragsdale	Y	Weddig	Y
52	Coleman	Y	King	N	Rhodes	N	Weissmann	Y
53	Crane	N	Larson	N	Rippy	N	White	N
54	Decker	N	Lee	N	Romanoff	Y	Wiens	N
55	Fairbank	N	Lundberg	N	Rose	N	Williams S.	Y
56	Frangas	Y	Madden	Y	Salazar	Y	Williams T.	N

1	Fritz	N	Marshall	Y	Sanchez	E	Witwer	N
2	Garcia	N	May	N	Schultheis	N	Young	N
3							Speaker	N

4
5 Representative Plant moved to amend the Report of the Committee of the
6 Whole to show that Amendment No. 1, by Representative Spradley
7 (printed in House Journal, February 14, page 678, lines 13-50) to
8 SB03-190, did not pass, and that SB03-190, as amended, did pass.

9
10 The amendment was declared **lost** by the following roll call vote:

12	YES	14	NO	50	01	ABSENT	00	
13	Berry	N	Groff	Y	McCluskey	N	Sinclair	N
14	Borodkin	N	Hall	N	McFadyen	Y	Smith	N
15	Boyd	N	Harvey	N	Merrifield	N	Spence	N
16	Briggs	N	Hefley	N	Miller	N	Stafford	N
17	Brophy	N	Hodge	Y	Mitchell	N	Stengel	N
18	Butcher	N	Hoppe	N	Paccione	Y	Tochtrop	N
19	Cadman	N	Jahn	N	Plant	Y	Veiga	Y
20	Clapp	N	Johnson	N	Pommer	Y	Vigil	Y
21	Cloer	N	Judd	Y	Ragsdale	N	Weddig	N
22	Coleman	N	King	N	Rhodes	N	Weissmann	Y
23	Crane	N	Larson	N	Rippy	N	White	N
24	Decker	N	Lee	N	Romanoff	Y	Wiens	N
25	Fairbank	N	Lundberg	N	Rose	N	Williams S.	Y
26	Frangas	N	Madden	Y	Salazar	Y	Williams T.	N
27	Fritz	N	Marshall	N	Sanchez	E	Witwer	N
28	Garcia	N	May	N	Schultheis	N	Young	N
29							Speaker	N

30
31 Representative Garcia moved to amend the Report of the Committee of
32 the Whole to show that Amendment No. 2, by Representative Spradley
33 (printed in House Journal, February 14, page 678, lines 52-55, and page
34 679, lines 1-32) to SB03-190, did not pass, and that SB03-190, as
35 amended, did pass.

36
37 The amendment was declared **lost** by the following roll call vote:

39	YES	05	NO	59	01	ABSENT	00	
40	Berry	N	Groff	N	McCluskey	N	Sinclair	N
41	Borodkin	N	Hall	N	McFadyen	N	Smith	N
42	Boyd	N	Harvey	N	Merrifield	N	Spence	N
43	Briggs	N	Hefley	N	Miller	N	Stafford	N
44	Brophy	N	Hodge	N	Mitchell	N	Stengel	N
45	Butcher	N	Hoppe	N	Paccione	N	Tochtrop	N
46	Cadman	N	Jahn	N	Plant	N	Veiga	N
47	Clapp	N	Johnson	N	Pommer	Y	Vigil	N
48	Cloer	N	Judd	N	Ragsdale	N	Weddig	N
49	Coleman	N	King	N	Rhodes	N	Weissmann	N
50	Crane	N	Larson	N	Rippy	N	White	N
51	Decker	N	Lee	N	Romanoff	N	Wiens	N
52	Fairbank	N	Lundberg	N	Rose	N	Williams S.	N
53	Frangas	N	Madden	N	Salazar	N	Williams T.	N
54	Fritz	N	Marshall	Y	Sanchez	E	Witwer	Y
55	Garcia	Y	May	N	Schultheis	N	Young	Y
56							Speaker	N

1 Representative Merrifield moved to amend the Report of the Committee
2 of the Whole to show that the following Merrifield amendment, to
3 SB03-201, did pass, and that SB03-201, as amended, did pass.

4
5 Amend reengrossed bill, page 18, line 10, in the ITEM & SUBTOTAL
6 column, strike "~~2,565,038~~" and substitute "2,565,038" and, in the
7 GENERAL FUND column, strike "~~2,565,038~~" and substitute
8 "2,565,038";

9
10 strike line 11.

11
12 Adjust affected totals accordingly.

13
14 The amendment was declared **lost** by the following roll call vote:

	YES	25	NO	39		01	ABSENT	00
17	Berry	N	Groff	Y	McCluskey	N	Sinclair	N
18	Borodkin	Y	Hall	N	McFadyen	Y	Smith	N
19	Boyd	Y	Harvey	N	Merrifield	Y	Spence	N
20	Briggs	N	Hefley	N	Miller	N	Stafford	N
21	Brophy	N	Hodge	Y	Mitchell	N	Stengel	N
22	Butcher	Y	Hoppe	N	Paccione	Y	Tochtrop	Y
23	Cadman	N	Jahn	Y	Plant	N	Veiga	Y
24	Clapp	N	Johnson	N	Pommer	Y	Vigil	Y
25	Cloer	Y	Judd	Y	Ragsdale	Y	Weddig	Y
26	Coleman	N	King	N	Rhodes	N	Weissmann	Y
27	Crane	N	Larson	Y	Rippy	N	White	N
28	Decker	N	Lee	N	Romanoff	Y	Wiens	N
29	Fairbank	N	Lundberg	N	Rose	N	Williams S.	Y
30	Frangas	Y	Madden	Y	Salazar	Y	Williams T.	N
31	Fritz	N	Marshall	Y	Sanchez	E	Witwer	N
32	Garcia	N	May	N	Schultheis	N	Young	N
33							Speaker	N

34
35
36 Representative Paccione moved to amend the Report of the Committee
37 of the Whole to show that the following Paccione amendment, to
38 SB03-205, did pass, and that SB03-205, as amended, did pass.

39
40 Amend reengrossed bill, page 54, line 6, in the ITEM & SUBTOTAL
41 column, strike "289,944,933" and substitute "291,322,641" and, in the
42 GENERAL FUND column, strike "90,396,082" and substitute
43 "91,773,790".

44
45 Adjust affected totals accordingly.

46
47 The amendment was declared **lost** by the following roll call vote:

	YES	26	NO	38		01	ABSENT	00
50	Berry	N	Groff	Y	McCluskey	N	Sinclair	N
51	Borodkin	Y	Hall	N	McFadyen	Y	Smith	N
52	Boyd	Y	Harvey	N	Merrifield	Y	Spence	N
53	Briggs	N	Hefley	N	Miller	N	Stafford	N
54	Brophy	N	Hodge	Y	Mitchell	N	Stengel	N
55	Butcher	Y	Hoppe	N	Paccione	Y	Tochtrop	Y
56	Cadman	N	Jahn	Y	Plant	N	Veiga	Y

1	Clapp	N	Johnson	N	Pommer	Y	Vigil	Y
2	Cloer	N	Judd	Y	Ragsdale	Y	Weddig	Y
3	Coleman	Y	King	N	Rhodes	N	Weissmann	Y
4	Crane	N	Larson	Y	Rippy	N	White	N
5	Decker	N	Lee	N	Romanoff	Y	Wiens	N
6	Fairbank	N	Lundberg	N	Rose	N	Williams S.	Y
7	Frangas	Y	Madden	Y	Salazar	Y	Williams T.	N
8	Fritz	N	Marshall	Y	Sanchez	E	Witwer	N
9	Garcia	Y	May	N	Schultheis	N	Young	N
10							Speaker	N

11

12

13 Representative Madden moved to amend the Report of the Committee of
 14 the Whole to show that the following Madden amendment, to SB03-200,
 15 did pass, that the following Madden amendment to SB03-205, did pass,
 16 and that SB03-200, as amended, and SB03-205, as amended, did pass.

17

18 Amendment to SB03-200

19

20 Amend reengrossed bill, page 28, line 7, in the ITEM & SUBTOTAL
 21 column, strike "4,137,686" and substitute "3,632,632" and, in the
 22 GENERAL FUND column, strike "3,137,686" and substitute
 23 "2,632,632".

24

25 Adjust affected totals accordingly.

26

27 Amendment to SB03-205

28

29 Amend reengrossed bill, page 19, line 1, in the ITEM & SUBTOTAL
 30 column, strike "19,446,045" and substitute "19,775,158" and, in the
 31 GENERAL FUND column, strike "12,211,668" and substitute
 32 "12,540,781";

33

34 line 4, in the ITEM & SUBTOTAL column, strike "344,913" and
 35 substitute "520,854" and, in the GENERAL FUND column, strike
 36 "344,913" and substitute "520,854".

37

38 Adjust affected totals accordingly.

39

40 The amendment was declared **passed** by the following roll call vote:

41

42	YES	36	NO	28	01	ABSENT	00	
43	Berry	N	Groff	Y	McCluskey	Y	Sinclair	N
44	Borodkin	Y	Hall	N	McFadyen	Y	Smith	N
45	Boyd	Y	Harvey	N	Merrifield	Y	Spence	N
46	Briggs	N	Hefley	N	Miller	N	Stafford	Y
47	Brophy	Y	Hodge	Y	Mitchell	Y	Stengel	N
48	Butcher	Y	Hoppe	N	Paccione	Y	Tochtrop	Y
49	Cadman	N	Jahn	Y	Plant	Y	Veiga	Y
50	Clapp	N	Johnson	Y	Pommer	Y	Vigil	Y
51	Cloer	N	Judd	Y	Ragsdale	Y	Weddig	Y
52	Coleman	Y	King	N	Rhodes	Y	Weissmann	Y
53	Crane	N	Larson	Y	Rippy	N	White	N
54	Decker	N	Lee	N	Romanoff	Y	Wiens	Y
55	Fairbank	N	Lundberg	N	Rose	N	Williams S.	Y
56	Frangas	Y	Madden	Y	Salazar	Y	Williams T.	Y

1	Fritz	N	Marshall	Y	Sanchez	E	Witwer	N
2	Garcia	Y	May	Y	Schultheis	N	Young	N
3							Speaker	N

4
5 Representatives Witwer and Young moved to amend the Report of the
6 Committee of the Whole to show that Amendment No. 1, by
7 Representative Berry (printed in House Journal, February 14, page 683,
8 lines 13-19) to SB03-215, did not pass, and that SB03-215, as amended,
9 did pass.

10
11 The amendment was declared **lost** by the following roll call vote:

13	YES	23	NO	41	01	ABSENT	00	
14	Berry	N	Groff	N	McCluskey	N	Sinclair	N
15	Borodkin	N	Hall	Y	McFadyen	N	Smith	N
16	Boyd	N	Harvey	N	Merrifield	N	Spence	Y
17	Briggs	N	Hefley	N	Miller	Y	Stafford	N
18	Brophy	Y	Hodge	N	Mitchell	N	Stengel	N
19	Butcher	N	Hoppe	Y	Paccione	N	Tochtrop	N
20	Cadman	N	Jahn	N	Plant	N	Veiga	N
21	Clapp	Y	Johnson	Y	Pommer	N	Vigil	N
22	Cloer	Y	Judd	N	Ragsdale	N	Weddig	N
23	Coleman	N	King	N	Rhodes	N	Weissmann	N
24	Crane	Y	Larson	N	Rippy	Y	White	N
25	Decker	Y	Lee	Y	Romanoff	N	Wiens	Y
26	Fairbank	Y	Lundberg	Y	Rose	N	Williams S.	N
27	Frangas	N	Madden	N	Salazar	N	Williams T.	Y
28	Fritz	Y	Marshall	N	Sanchez	E	Witwer	Y
29	Garcia	Y	May	Y	Schultheis	Y	Young	Y
30							Speaker	Y

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

34
35 Passed Second Reading: **SB03-173 amended, 176 amended,**
36 **190 amended, 228 amended, 180, 200 amended, 201, 203 amended,**
37 **204, 205 amended, 202, 214 amended, 215 amended.**

38
39 The Chairman moved the adoption of the Committee of the Whole
40 Report. As shown by the following roll call vote, a majority of those
41 elected to the House voted in the affirmative, and the Report was
42 **adopted.**

44	YES	64	NO	00	01	ABSENT	00	
45	Berry	Y	Groff	Y	McCluskey	Y	Sinclair	Y
46	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
47	Boyd	Y	Harvey	Y	Merrifield	Y	Spence	Y
48	Briggs	Y	Hefley	Y	Miller	Y	Stafford	Y
49	Brophy	Y	Hodge	Y	Mitchell	Y	Stengel	Y
50	Butcher	Y	Hoppe	Y	Paccione	Y	Tochtrop	Y
51	Cadman	Y	Jahn	Y	Plant	Y	Veiga	Y
52	Clapp	Y	Johnson	Y	Pommer	Y	Vigil	Y
53	Cloer	Y	Judd	Y	Ragsdale	Y	Weddig	Y
54	Coleman	Y	King	Y	Rhodes	Y	Weissmann	Y
55	Crane	Y	Larson	Y	Rippy	Y	White	Y
56	Decker	Y	Lee	Y	Romanoff	Y	Wiens	Y

1	Fairbank	Y	Lundberg	Y	Rose	Y	Williams S.	Y
2	Frangas	Y	Madden	Y	Salazar	Y	Williams T.	Y
3	Fritz	Y	Marshall	Y	Sanchez	E	Witwer	Y
4	Garcia	Y	May	Y	Schultheis	Y	Young	Y
5							Speaker	Y

6
7
8
9 **CONSENT GRANTED TO CONFERENCE COMMITTEES**

10
11 Representative Plant moved that the First Conference Committee on
12 **SB03-183** be granted permission to go beyond the scope of the difference
13 between the House and the Senate. The motion was passed by the
14 following roll call vote:

16	YES	60	NO	03	02	ABSENT	00	
17	Berry	Y	Groff	Y	McCluskey	Y	Sinclair	Y
18	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
19	Boyd	Y	Harvey	Y	Merrifield	Y	Spence	Y
20	Briggs	Y	Hefley	N	Miller	Y	Stafford	Y
21	Brophy	Y	Hodge	Y	Mitchell	Y	Stengel	Y
22	Butcher	Y	Hoppe	Y	Paccione	Y	Tochtrop	Y
23	Cadman	Y	Jahn	Y	Plant	Y	Veiga	Y
24	Clapp	Y	Johnson	Y	Pommer	Y	Vigil	Y
25	Cloer	Y	Judd	Y	Ragsdale	Y	Weddig	Y
26	Coleman	Y	King	Y	Rhodes	Y	Weissmann	Y
27	Crane	Y	Larson	E	Rippy	Y	White	Y
28	Decker	Y	Lee	N	Romanoff	Y	Wiens	Y
29	Fairbank	Y	Lundberg	Y	Rose	Y	Williams S.	Y
30	Frangas	Y	Madden	Y	Salazar	Y	Williams T.	Y
31	Fritz	Y	Marshall	Y	Sanchez	E	Witwer	Y
32	Garcia	Y	May	N	Schultheis	Y	Young	Y
33							Speaker	Y

34
35
36
37 Representative Young moved that the First Conference Committee on
38 **SB03-175** be granted permission to go beyond the scope of the difference
39 between the House and the Senate. The motion was passed by the
40 following roll call vote:

42	YES	60	NO	00	03	ABSENT	02	
43	Berry	Y	Groff	Y	McCluskey	Y	Sinclair	Y
44	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
45	Boyd	Y	Harvey	Y	Merrifield	Y	Spence	Y
46	Briggs	Y	Hefley	Y	Miller	Y	Stafford	Y
47	Brophy	Y	Hodge	Y	Mitchell	Y	Stengel	Y
48	Butcher	-	Hoppe	E	Paccione	Y	Tochtrop	Y
49	Cadman	Y	Jahn	Y	Plant	Y	Veiga	Y
50	Clapp	Y	Johnson	Y	Pommer	Y	Vigil	Y
51	Cloer	Y	Judd	Y	Ragsdale	Y	Weddig	Y
52	Coleman	Y	King	Y	Rhodes	Y	Weissmann	Y
53	Crane	Y	Larson	E	Rippy	Y	White	Y
54	Decker	Y	Lee	Y	Romanoff	Y	Wiens	Y
55	Fairbank	Y	Lundberg	Y	Rose	Y	Williams S.	Y
56	Frangas	Y	Madden	Y	Salazar	Y	Williams T.	-

1	Fritz	Y	Marshall	Y	Sanchez	E	Witwer	Y
2	Garcia	Y	May	Y	Schultheis	Y	Young	Y
3							Speaker	Y

REPORTS OF COMMITTEES OF REFERENCE

BUSINESS AFFAIRS & LABOR

After consideration on the merits, the Committee recommends the following:

HB03-1197 be referred to the Committee of the Whole with favorable recommendation.

HB03-1202 be postponed indefinitely.

HB03-1203 be postponed indefinitely.

HB03-1204 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 2, strike lines 6 through 15 and substitute the following:

"(c) (I) EACH INVESTMENT FIRM OFFERING FOR SALE TO THE BOARD CORPORATE STOCKS, BONDS, NOTES, DEBENTURES, OR A MUTUAL FUND THAT CONTAINS CORPORATE SECURITIES, SHALL DISCLOSE, IN ANY RESEARCH OR OTHER DISCLOSURE DOCUMENTS PROVIDED IN SUPPORT OF THE SECURITIES BEING OFFERED, TO THE BOARD WHETHER THE INVESTMENT FIRM HAS AN AGREEMENT WITH A FOR-PROFIT CORPORATION THAT IS NOT A GOVERNMENT-SPONSORED ENTERPRISE, WHOSE SECURITIES ARE BEING OFFERED FOR SALE TO THE BOARD AND BECAUSE OF SUCH AGREEMENT THE INVESTMENT FIRM:

(A) HAD RECEIVED COMPENSATION FOR INVESTMENT BANKING SERVICES WITHIN THE MOST RECENT TWELVE MONTHS; OR

(B) MAY RECEIVE COMPENSATION FOR INVESTMENT BANKING SERVICES WITHIN THE NEXT THREE CONSECUTIVE MONTHS."

Page 3, strike lines 8 through 19 and substitute the following:

"(b) (I) IF THE STATE TREASURER INVESTS STATE MONEYS THROUGH AN INVESTMENT FIRM OFFERING FOR SALE CORPORATE STOCKS, BONDS, NOTES, DEBENTURES, OR A MUTUAL FUND THAT CONTAINS CORPORATE SECURITIES, THE INVESTMENT FIRM SHALL DISCLOSE, IN ANY RESEARCH OR OTHER DISCLOSURE DOCUMENTS PROVIDED IN SUPPORT OF THE SECURITIES BEING OFFERED, TO THE STATE TREASURER WHETHER THE INVESTMENT FIRM HAS AN AGREEMENT WITH A FOR-PROFIT CORPORATION THAT IS NOT A GOVERNMENT-SPONSORED ENTERPRISE, WHOSE SECURITIES ARE BEING OFFERED FOR SALE TO THE STATE TREASURER AND BECAUSE OF

1 SUCH AGREEMENT THE INVESTMENT FIRM:

2

3 (A) HAD RECEIVED COMPENSATION FOR INVESTMENT BANKING
4 SERVICES WITHIN THE MOST RECENT TWELVE MONTHS; OR

5

6 (B) MAY RECEIVE COMPENSATION FOR INVESTMENT BANKING
7 SERVICES WITHIN THE NEXT THREE CONSECUTIVE MONTHS."

8

9 Page 4, strike lines 1 through 9 and substitute the following:

10

11 "A MUTUAL FUND THAT CONTAINS CORPORATE SECURITIES, THE
12 INVESTMENT FIRM SHALL DISCLOSE, IN ANY RESEARCH OR OTHER
13 DISCLOSURE DOCUMENTS PROVIDED IN SUPPORT OF THE SECURITIES BEING
14 OFFERED, TO THE PUBLIC ENTITY WHETHER THE INVESTMENT FIRM HAS AN
15 AGREEMENT WITH A FOR-PROFIT CORPORATION THAT IS NOT A
16 GOVERNMENT-SPONSORED ENTERPRISE, WHOSE SECURITIES ARE BEING
17 OFFERED FOR SALE TO THE PUBLIC ENTITY AND BECAUSE OF SUCH
18 AGREEMENT THE INVESTMENT FIRM:

19

20 (A) HAD RECEIVED COMPENSATION FOR INVESTMENT BANKING
21 SERVICES WITHIN THE MOST RECENT TWELVE MONTHS; OR

22

23 (B) MAY RECEIVE COMPENSATION FOR INVESTMENT BANKING
24 SERVICES WITHIN THE NEXT THREE CONSECUTIVE MONTHS.";

25

26 strike lines 26 and 27 and substitute the following:

27

28 "SECURITIES, THE INVESTMENT FIRM SHALL DISCLOSE, IN ANY RESEARCH
29 OR OTHER DISCLOSURE DOCUMENTS PROVIDED IN SUPPORT OF THE
30 SECURITIES BEING OFFERED, TO THE BOARD WHETHER THE INVESTMENT
31 FIRM HAS AN AGREEMENT WITH A FOR-PROFIT CORPORATION THAT IS NOT
32 A GOVERNMENT-SPONSORED ENTERPRISE, WHOSE SECURITIES ARE BEING
33 OFFERED FOR SALE TO THE BOARD AND BECAUSE OF SUCH AGREEMENT THE
34 INVESTMENT FIRM:

35

36 (A) HAD RECEIVED COMPENSATION FOR INVESTMENT SERVICES
37 BANKING WITHIN THE MOST RECENT TWELVE MONTHS; OR

38

39 (B) MAY RECEIVE COMPENSATION FOR INVESTMENT BANKING
40 SERVICES WITHIN THE NEXT THREE CONSECUTIVE MONTHS."

41

42 Page 5, strike lines 1 through 6.

43

44

45

46 **HB03-1222** be referred to the Committee of the Whole with favorable
47 recommendation.

48

49

50 **HB03-1277** be postponed indefinitely.

51

52

53

54

55

1 **JUDICIARY**

2 After consideration on the merits, the Committee recommends the
3 following:

4
5 **HB03-1150** be postponed indefinitely.

6
7
8 **HB03-1288** be amended as follows, and as so amended, be referred to
9 the Committee of the Whole with favorable
10 recommendation:

11
12 Amend printed bill, page 2, line 12, strike "unlimited" and substitute
13 "increased".

14
15 Page 4, line 13, strike "RUNOFFOR DISCHARGE FROM STORM SEWERS;" and
16 substitute "RUNOFF, DISCHARGE FROM A STORM SEWER, OR DISCHARGE
17 FROM A SEWAGE TREATMENT PLANT OUTFALL;";

18
19 line 14, strike "DITCH;" and substitute "DITCH EVEN IF DAMMED,
20 CHANNELIZED, OR CONTAINING STORM WATER RUNOFF OR DISCHARGE;";

21
22 line 21, strike "DITCH;" and substitute "DITCH EVEN IF DAMMED,
23 CHANNELIZED, OR CONTAINING STORM WATER RUNOFF OR DISCHARGE;".

24
25
26
27
28 **STATE, VETERANS, & MILITARY AFFAIRS**

29 After consideration on the merits, the Committee recommends the
30 following:

31
32 **HB03-1142** be amended as follows, and as so amended, be referred to
33 the Committee of the Whole with favorable
34 recommendation:

35
36 Amend printed bill, strike everything below the enacting clause and
37 substitute the following:

38
39 **SECTION 1.** 1-1-104 (1.3) and (23), Colorado Revised Statutes,
40 are amended to read:

41
42 **1-1-104. Definitions.** As used in this code, unless the context
43 otherwise requires:

44
45 (1.3) "Assembly" means a meeting of delegates of a political
46 party, organized in accordance with the rules and regulations of the
47 political party, held for the purpose of designating candidates for
48 nominations. ~~at a primary election.~~

49
50 (23) "Minor political party" means a political party other than a
51 major political party that satisfies one of the conditions set forth in
52 section 1-4-1303 (1) or has submitted a SUFFICIENT petition in accordance
53 with section 1-4-1302.

54
55 **SECTION 2.** 1-2-218.5 (2), Colorado Revised Statutes, is
56 amended to read:

1 **1-2-218.5. Declaration of affiliation.** (2) Any eligible elector
2 who has not declared an affiliation with a political party or political
3 organization shall be designated on the registration records of the county
4 clerk and recorder as "unaffiliated". Any unaffiliated eligible elector may
5 declare a ~~major~~ political party affiliation when the elector desires to vote
6 at a primary election, as provided in section 1-7-201 (2), or the elector
7 may declare his or her political party or political organization affiliation
8 at any other time during which electors are permitted to register by
9 submitting a letter or a form furnished by the county clerk and recorder,
10 either by mail or in person.

11
12 **SECTION 3.** 1-2-219 (1), Colorado Revised Statutes, is amended
13 to read:

14
15 **1-2-219. Changing or withdrawing declaration of affiliation.**
16 (1) Any eligible elector desiring to change or withdraw the elector's
17 affiliation may do so by completing and signing a prescribed request for
18 the change or withdrawal and filing it with the county clerk and recorder
19 or by submitting a personal letter written by the elector to the county
20 clerk and recorder at any time up to and including the twenty-ninth day
21 preceding an election. The prescribed form or personal letter for the
22 change shall include the elector's printed name, address within the
23 county, birth date, social security number, if the elector wishes to state it,
24 and signature, the date, the elector's previous affiliation status, and the
25 requested change in affiliation status. A prescribed form shall be
26 furnished by the county clerk and recorder upon the elector's oral or
27 written request. Upon receiving the request, the county clerk and
28 recorder shall change the elector's affiliation on the registration record.
29 If the affiliation is withdrawn, the designation on the registration record
30 shall be changed to "unaffiliated". If an elector changes affiliation, the
31 elector is entitled to vote, at any primary election, only the ballot of the
32 ~~major~~ political party to which the elector is currently affiliated. A change
33 or withdrawal of affiliation may not be made by anyone other than the
34 elector.

35
36 **SECTION 4.** 1-4-101 (1) and (2), Colorado Revised Statutes, are
37 amended to read:

38
39 **1-4-101. Primary election nominations made.** (1) A primary
40 election shall be held at the regular polling places in each precinct on the
41 second Tuesday of August in even-numbered years to nominate
42 candidates of ~~major~~ political parties to be voted for at the succeeding
43 general election. EXCEPT AS PROVIDED BY SECTION 1-4-1304 (1.5), only
44 a major political party, as defined in section 1-1-104 (22), shall be
45 entitled to nominate candidates in a primary election.

46
47 (2) Each ~~major~~ political party THAT is entitled to participate in the
48 primary election ~~and~~ shall have a separate party ballot. The primary
49 election of all ~~major~~ political parties shall be held at the same time and
50 at the same polling places and shall be conducted by the same election
51 officials.

52
53 **SECTION 5.** 1-4-104, Colorado Revised Statutes, is amended to
54 read:

55
56 **1-4-104. Party nominees.** Candidates voted on for offices at

1 primary elections who receive a plurality of the votes cast shall be the
2 respective party nominees for the respective offices. If more than one
3 office of the same kind is to be filled, the number of candidates equal to
4 the number of offices to be filled receiving the highest number of votes
5 shall be the nominees of the ~~major~~ political party for the offices. The
6 names of the nominees shall be printed on the official ballot prepared for
7 the ensuing general election.

8
9 **SECTION 6.** 1-4-502 (1), Colorado Revised Statutes, is amended
10 to read:

11
12 **1-4-502. Methods of nomination for partisan candidates.**

13 (1) Except as otherwise provided in paragraphs (b) and (c) of subsection
14 (3) of this section, nominations for United States senator, representative
15 in congress, governor, lieutenant governor, secretary of state, state
16 treasurer, attorney general, member of the state board of education, regent
17 of the university of Colorado, member of the general assembly, district
18 attorney, and all county officers to be elected at the general election may
19 be made by primary election by major political parties, by petition for
20 nomination of an unaffiliated candidate as provided in section 1-4-802,
21 or by a minor political party as provided in section 1-4-1304. ~~(2).~~

22
23 **SECTION 7.** The introductory portion to 1-4-802 (1) and
24 1-4-802 (1) (a), (1) (d), (1) (e), (1) (f), and (1) (g), Colorado Revised
25 Statutes, are amended to read:

26
27 **1-4-802. Petitions for nominating minor political party and**
28 **unaffiliated candidates for a partisan office.** (1) Candidates for
29 partisan public offices to be filled at a general or congressional vacancy
30 election who do not wish to affiliate with a MAJOR political party may be
31 nominated, other than by a primary election or a convention, in the
32 following manner:

33
34 (a) A petition for nominating MINOR POLITICAL PARTY OR
35 unaffiliated candidates shall be prepared, ~~which shall contain~~ INDICATING
36 the name and address of any candidate for the office to be filled. The
37 petition shall INDICATE THE NAME OF THE MINOR POLITICAL PARTY OR
38 designate in not more than three words the political or other name ~~which~~
39 ~~the signers select~~ SELECTED BY THE SIGNERS TO IDENTIFY AN
40 UNAFFILIATED CANDIDATE. No name of any political party shall be used,
41 in whole or in part, ~~for this purpose~~ TO IDENTIFY AN UNAFFILIATED
42 CANDIDATE.

43
44 (d) (I) No petition TO NOMINATE AN UNAFFILIATED CANDIDATE,
45 except petitions for candidates for vacancies to unexpired terms of
46 representatives in congress and for presidential electors, shall be
47 circulated or any signatures obtained thereon earlier than one hundred
48 sixty-five days before the general election.

49
50 (II) NO PETITION TO NOMINATE A MINOR POLITICAL PARTY
51 CANDIDATE SHALL BE CIRCULATED NOR ANY SIGNATURES OBTAINED
52 THEREON EARLIER THAN THE FIRST MONDAY IN APRIL IN THE GENERAL
53 ELECTION YEAR.

54
55 (e) The petition TO NOMINATE AN UNAFFILIATED CANDIDATE may
56 designate or appoint upon its face one or more unaffiliated registered

1 electors as a committee to fill vacancies in accordance with section
2 1-4-1002 (4) and (5). However, in the case of a petition for the office of
3 state senator or state representative, the petition shall designate or appoint
4 upon its face three or more unaffiliated registered electors as a committee
5 to fill vacancies in accordance with section 1-4-1002 (4) and (5) and
6 section 1-12-203.

7
8 (f) (I) EXCEPT AS PROVIDED BY SUBPARAGRAPH (II) OF THIS
9 PARAGRAPH (f), petitions shall be filed not later than 3 p.m. on the one
10 hundred twentieth day before the general election or 3 p.m. on the
11 fifty-fifth day preceding the congressional vacancy election.

12
13 (II) PETITIONS TO NOMINATE CANDIDATES OF MINOR POLITICAL
14 PARTIES SHALL BE FILED NOT LATER THAN 3 P.M. ON THE SEVENTIETH DAY
15 BEFORE THE PRIMARY ELECTION AS SPECIFIED IN SECTION 1-4-101.

16
17 (g) No person shall be placed in nomination by petition unless the
18 person is an eligible elector of the political subdivision or district in
19 which the officer is to be elected and unless the person was registered as
20 AFFILIATED WITH A MINOR POLITICAL PARTY OR AS unaffiliated, as shown
21 on the books of the county clerk and recorder, for at least twelve months
22 prior to the last date the petition may be filed; except that, if such
23 nomination is for a nonpartisan election, the person shall be an eligible
24 elector of the political subdivision or district and be a registered elector,
25 as shown on the books of the county clerk and recorder, on the date of the
26 earliest signature on the petition.

27
28 **SECTION 8.** 1-4-904 (2), Colorado Revised Statutes, is amended
29 to read:

30
31 **1-4-904. Signatures on the petitions.** (2) (a) For **partisan**
32 petitions TO NOMINATE CANDIDATES FROM A MAJOR POLITICAL PARTY IN
33 A PARTISAN ELECTION, each signer shall be affiliated with the major
34 political party named in the petition and shall state the following to the
35 circulator: That the signer has been affiliated with the major political
36 party named in the petition for at least twenty-nine days as shown on the
37 registration books of the county clerk and recorder; and that the signer
38 has not signed any other petition for any other candidate for the same
39 office.

40
41 (b) PETITIONS TO NOMINATE CANDIDATES FROM A MINOR
42 POLITICAL PARTY OR UNAFFILIATED CANDIDATES IN A PARTISAN ELECTION
43 MAY BE SIGNED BY ANY ELIGIBLE ELECTOR WHO HAS NOT SIGNED ANY
44 OTHER PETITION FOR ANY OTHER CANDIDATE FOR THE SAME OFFICE.

45
46 **SECTION 9.** 1-4-1301 (1) (b), (1) (c), and (1) (h), Colorado
47 Revised Statutes, are amended to read:

48
49 **1-4-1301. Formation of minor political party.** (1) A minor
50 political party shall adopt a constitution or set of bylaws to govern its
51 organization and the conduct of its affairs and shall exercise thereunder
52 any power not inconsistent with the laws of this state. The constitution
53 or set of bylaws shall be filed with the secretary of state. Any minor
54 political party failing to file its constitution or set of bylaws pursuant to
55 this section shall not be qualified as a minor political party. The
56 constitution or set of bylaws shall contain the following:

1 (b) A method for calling and conducting ASSEMBLIES AND
2 conventions;

3
4 (c) A method for selecting delegates to ASSEMBLIES AND
5 conventions;

6
7 (h) A statement that any meeting to elect party officers, including
8 delegates, AND ANY ASSEMBLY TO NOMINATE CANDIDATES, shall be held
9 at a public place at the time specified by the party chairperson and that
10 the time and place of such meeting shall be published once, no later than
11 fifteen days before such meeting, in a newspaper of general circulation
12 in each county wherein the members of the minor political party reside;

13
14 **SECTION 10.** 1-4-1302 (1), (2), and (4) (d) (I), Colorado
15 Revised Statutes, are amended to read:

16
17 **1-4-1302. Petition to qualify as a minor political party.** (1) A
18 petition to allow QUALIFY AS a minor political party ~~to nominate~~
19 ~~candidates according to its constitution or set of bylaws~~ shall be signed
20 by at least ten thousand registered electors and shall be submitted to the
21 secretary of state no later than ~~May~~ MARCH 1 of the election year for
22 which the minor political party seeks to qualify.

23
24 (2) The petition shall contain the name of the minor political
25 party, and the heading of the petition shall state that the signers thereof
26 desire that ~~the~~ IT BE QUALIFIED AS A minor political party. ~~be allowed to~~
27 ~~nominate candidates according to its constitution or set of bylaws.~~

28
29 (4) (d) Upon determining that the petition is sufficient:

30
31 (I) The secretary of state shall notify the minor political party and
32 the clerk and recorder of each county that such party is qualified; ~~to~~
33 ~~nominate minor political party candidates;~~ and

34
35 **SECTION 11.** The introductory portion to 1-4-1303 (1) and
36 1-4-1303 (3), Colorado Revised Statutes, are amended to read:

37
38 **1-4-1303. Qualifications to nominate by constitution or bylaws.**
39 (1) Subject to the provisions of subsection (2) of this section, a minor
40 political party ~~may nominate candidates according to the provisions of its~~
41 ~~constitution or set of bylaws~~ QUALIFIES AS A MINOR POLITICAL PARTY if
42 the party satisfies the requirements of section 1-4-1302 or any one of the
43 following conditions:

44
45 (3) ~~Nothing in this section shall be construed to prevent a minor~~
46 ~~political party not meeting the conditions set forth in subsection (1) of~~
47 ~~this section from placing candidates on the ballot by a petition to~~
48 ~~nominate unaffiliated candidates under section 1-4-802.~~

49
50 **SECTION 12.** 1-4-1304 (1) and (3), Colorado Revised Statutes,
51 are amended, and the said 1-4-1304 is further amended BY THE
52 ADDITION OF A NEW SUBSECTION, to read:

53
54 **1-4-1304. Nomination of candidates.** (1) A minor political party
55 may nominate candidates in accordance with ~~sections 1-4-302, 1-4-402~~
56 ~~(1)(a), and 1-4-502 (1)~~ SECTIONS 1-4-302, 1-4-402 (1) (a), 1-4-502 (1),

1 AND 1-4-802 and this article.

2

3 (1.5) (a) A MINOR POLITICAL PARTY MAY NOMINATE CANDIDATES
4 FOR OFFICES TO BE FILLED AT A GENERAL ELECTION BY PETITION IN
5 ACCORDANCE WITH SECTION 1-4-802.

6

7 (b) (I) A minor political party may nominate candidates for offices
8 to be filled at a general election by assembly. An assembly shall be held
9 no later than sixty-five days preceding the primary election.

10

11 (II) AN ASSEMBLY SHALL TAKE NO MORE THAN TWO BALLOTS FOR
12 PARTY CANDIDATES FOR EACH OFFICE TO BE FILLED AT THE NEXT GENERAL
13 ELECTION. EACH CANDIDATE RECEIVING THIRTY PERCENT OR MORE OF THE
14 VOTES OF ALL DULY ACCREDITED ASSEMBLY DELEGATES WHO ARE
15 PRESENT AND VOTING ON THAT OFFICE SHALL BE DESIGNATED BY THE
16 ASSEMBLY AND CERTIFIED PURSUANT TO SUBSECTION (3) OF THIS SECTION.
17 IF NO CANDIDATE RECEIVES THIRTY PERCENT OR MORE OF THE VOTES OF
18 ALL DULY ACCREDITED ASSEMBLY DELEGATES WHO ARE PRESENT AND
19 VOTING, A SECOND BALLOT SHALL BE CAST ON ALL THE CANDIDATES FOR
20 THAT OFFICE. IF ON THE SECOND BALLOT NO CANDIDATE RECEIVES THIRTY
21 PERCENT OR MORE OF THE VOTES CAST, NO CANDIDATE SHALL BE
22 DESIGNATED BY THE ASSEMBLY FOR THAT OFFICE.

23

24 (c) IF AN ASSEMBLY DESIGNATES MORE THAN ONE CANDIDATE FOR
25 AN OFFICE, OR IF AN ASSEMBLY DESIGNATES ONE OR MORE CANDIDATES
26 AND ONE OR MORE CANDIDATES QUALIFIES BY PETITION, THE CANDIDATE
27 OF THE MINOR POLITICAL PARTY FOR THAT OFFICE SHALL BE NOMINATED
28 AT A PRIMARY ELECTION HELD IN ACCORDANCE WITH THIS CODE.

29

30 (d) IF ONLY ONE CANDIDATE IS DESIGNATED FOR AN OFFICE BY
31 PETITION OR ASSEMBLY, THAT CANDIDATE SHALL BE THE CANDIDATE OF
32 THE MINOR POLITICAL PARTY IN THE GENERAL ELECTION.

33

34 (e) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO PREVENT
35 ANY ELIGIBLE ELECTOR ASSOCIATED WITH A POLITICAL ORGANIZATION
36 THAT DOES NOT QUALIFY AS A MINOR POLITICAL PARTY IN AN ELECTION
37 FROM QUALIFYING FOR THE BALLOT BY PETITION AS AN UNAFFILIATED
38 CANDIDATE UNDER SECTION 1-4-802.

39

40 (3) Any minor political party nominating candidates in accordance
41 with this part 13 shall file a certificate of designation with the designated
42 election official no later than ~~one hundred twenty days before the general~~
43 ~~election~~ FOUR DAYS AFTER THE ASSEMBLY WAS HELD AT WHICH THE
44 CANDIDATE WAS DESIGNATED. The certificate of designation shall state
45 the name of the office for which each person is a candidate and the
46 candidate's name and address, the date on which the assembly was held
47 at which the candidate was designated, shall designate in not more than
48 three words the name of the minor political party that the candidate
49 represents, and shall certify that the candidate is a member of the minor
50 political party. The candidate's affiliation as shown on the registration
51 books of the county clerk and recorder is prima facie evidence of party
52 membership.

53

54 **SECTION 13.** 1-7-201 (1) and (2), Colorado Revised Statutes,
55 are amended to read:

56

1 **1-7-201. Voting at primary election.** (1) Any registered elector
2 who has declared ~~a major~~ AN AFFILIATION WITH A political party
3 ~~affiliation~~ THAT IS PARTICIPATING IN A PRIMARY ELECTION and who
4 desires to vote for candidates of that party at a primary election shall
5 write his or her name and address on a form available at the polling place
6 and give the form to one of the election judges, who shall clearly and
7 audibly announce the name.

8
9 (2) If the name is found on the registration list, the election judge
10 having charge of the list shall likewise repeat the elector's name and
11 present the elector with the party ballot of the ~~major~~ political party
12 affiliation last recorded. If unaffiliated, the eligible elector shall openly
13 declare to the election judges the name of the ~~major~~ political party with
14 which the elector wishes to affiliate, complete the approved form for
15 voter registration information changes, and initial the registration list in
16 the space provided. Declaration of affiliation with a ~~major~~ political party
17 shall be separately dated and signed or dated and initialed by the eligible
18 elector in such manner that the elector clearly acknowledges that the
19 affiliation has been properly recorded. Thereupon, the election judges
20 shall deliver the appropriate party ballot to the eligible elector. Eligible
21 electors who decline to state ~~a major~~ AN AFFILIATION WITH A political
22 party ~~affiliation~~ THAT IS PARTICIPATING IN THE PRIMARY shall not be
23 entitled to vote at the primary election.

24
25 **SECTION 14. Safety clause.** The general assembly hereby
26 finds, determines, and declares that this act is necessary for the immediate
27 preservation of the public peace, health, and safety."
28

29
30
31 **HB03-1249** be amended as follows, and as so amended, be referred to
32 the Committee on Appropriations with favorable
33 recommendation:

34
35 Amend printed bill, page 3, line 15, after "**military**", insert "**and**
36 **veterans**";

37
38 line 19, after "MILITARY", insert "AND VETERANS".
39

40
41
42 **HB03-1290** be amended as follows, and as so amended, be referred to
43 the Committee of the Whole with favorable
44 recommendation:

45
46 Amend printed bill, strike everything below the enacting clause and
47 substitute the following:

48
49 **"SECTION 1.** 24-32-2103 (1.5), Colorado Revised Statutes, is
50 amended to read:

51
52 **24-32-2103. Definitions.** As used in this part 21, unless the
53 context otherwise requires:

54
55 (1.5) "Disaster" means the occurrence or imminent threat of
56 widespread or severe damage, injury, or loss of life or property resulting

1 from any natural cause or cause of human origin, including but not
2 limited to fire, flood, earthquake, wind, storm, wave action, hazardous
3 substance incident, oil spill or other water contamination requiring
4 emergency action to avert danger or damage, volcanic activity, epidemic,
5 air pollution, blight, drought, infestation, explosion, civil disturbance, or
6 hostile military or paramilitary action, OR A CONDITION OF RIOT,
7 INSURRECTION, OR INVASION EXISTING IN THE STATE OR IN ANY COUNTY,
8 CITY, TOWN, OR DISTRICT IN THE STATE.
9

10 **SECTION 2. Repeal.** 24-20-201, Colorado Revised Statutes, is
11 repealed as follows:
12

13 **24-20-201. Insurrection - firearms prohibited.** ~~When, in the~~
14 ~~opinion of the governor, a condition of riot, insurrection, or invasion~~
15 ~~exists in this state or in any county, city, town, or district in this state, he~~
16 ~~shall have the right to declare the state or any such county, city, town, or~~
17 ~~district to be in a state of riot, or insurrection, or invasion, by~~
18 ~~proclamation, and to prohibit the purchase, manufacture for sale or use,~~
19 ~~receiving, carrying, or use, or the selling, giving away, transportation, or~~
20 ~~otherwise disposing, or the permitting of others to obtain possession of~~
21 ~~any firearms or ammunition in the places covered by said proclamation~~
22 ~~or in any other portion of the state designated by him during the time that~~
23 ~~said proclamation remains in force.~~
24

25 **SECTION 3. Repeal.** 24-20-202, Colorado Revised Statutes, is
26 repealed as follows:
27

28 **24-20-202. Permit to bear arms.** ~~If the governor at any time~~
29 ~~issues his proclamation as provided in section 24-20-201 declaring the~~
30 ~~state or any county, city, town, or district within the state to be in a state~~
31 ~~of riot, or insurrection, or invasion, it is unlawful while said proclamation~~
32 ~~is in force for any person, firm, or corporation within the territory~~
33 ~~covered by said proclamation to purchase, manufacture for sale or use,~~
34 ~~receive, transport, carry, or use any firearm or ammunition or to sell, give~~
35 ~~away, or otherwise dispose of or permit others to obtain possession of~~
36 ~~any firearm or ammunition without a written permit from the governor or~~
37 ~~his regularly authorized representative. No permit shall be issued by the~~
38 ~~governor or his representative unless and until the person so desiring such~~
39 ~~permit satisfies the governor or his representative that the same is to be~~
40 ~~used in defense of his home, person, or property. This section shall not~~
41 ~~apply to legally authorized peace officers, or sheriffs, designated by the~~
42 ~~governor or his representative, or members of the national guard of~~
43 ~~Colorado. No permit shall be issued to allow the purchase, manufacture~~
44 ~~for sale or use, receipt, use, transportation, or disposing of firearms or~~
45 ~~ammunition by anyone not a citizen of the United States or to anyone~~
46 ~~who has not been a resident of the state of Colorado for more than one~~
47 ~~year prior to the issuance of the proclamation mentioned in section~~
48 ~~24-20-201.~~
49

50 **SECTION 4. Repeal.** 24-20-204, Colorado Revised Statutes, is
51 repealed as follows:
52

53 **24-20-204. Violation - penalty.** ~~Any person, firm, or corporation~~
54 ~~violating the provisions of section 24-20-202 is guilty of a misdemeanor~~
55 ~~and, upon conviction thereof, shall be punished by a fine of not less than~~
56 ~~one hundred dollars nor more than one thousand dollars, or by~~

1 ~~imprisonment in the county jail for not more than one year, or by both~~
2 ~~such fine and imprisonment.~~

3

4 **SECTION 5. Safety clause.** The general assembly hereby finds,
5 determines, and declares that this act is necessary for the immediate
6 preservation of the public peace, health, and safety."

7

8 Page 1, line 101, strike "EMERGENCY, AND, IN" and substitute
9 "EMERGENCY.";

10

11 strike lines 102 through 105.

12

13

14

15 **HB03-1259** be postponed indefinitely.

16

17

18 **SB03-227** be postponed indefinitely.

19

20

21

MESSAGE FROM THE SENATE

22

23
24 Madam Speaker:

25

26 The Senate granted permission to members of the First Conference
27 Committees on SB03-175, 183 to consider matters not at issue between
28 the two houses.

29

30

INTRODUCTION OF BILLS First Reading

31

32

33

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

36

37 **HB03-1306** by Representative(s) Hall; also Senator(s) Jones--
38 Concerning the appointment of independent referees by a
39 board of county commissioners to conduct a hearing
40 related to a petition for an abatement or refund of property
41 taxes.

42 Committee on Local Government

43

44 **HB03-1307** by Representative(s) Wiens, White; also Senator(s) Evans,
45 Cairns, Dyer, Hagedorn, Kester--Concerning certificate of
46 review requirements in medical malpractice actions.

47 Committee on Business Affairs & Labor

48

49 **HB03-1308** by Representative(s) Decker; also Senator(s) Jones--
50 Concerning property tax interest rates.

51 Committee on Finance

52

53 **HB03-1309** by Representative(s) Schultheis; also Senator(s) Cairns--
54 Concerning an increase in the exemptions for business
55 personal property from property taxation.

56 Committee on Finance

1 **HB03-1310** by Representative(s) Hefley, Williams S., Frangas, Jahn--
 2 Concerning the addition of emotional abuse to the crime
 3 of felony child abuse, and making an appropriation
 4 therefor.

5 Committee on Judiciary

6 Committee on Appropriations

7
 8 **SB03-051** by Senator(s) Hagedorn, Chlouber, Evans, Hanna,
 9 Windels; also Representative(s) Clapp, Madden,
 10 Romanoff, Stafford--Concerning changes to state laws in
 11 relation to the federal "Health Insurance Portability and
 12 Accountability Act of 1996", as amended.

13 Committee on Health, Environment, Welfare, & Institutions

14
 15 **SB03-135** by Senator(s) Lamborn; also Representative(s) Smith--
 16 Concerning the elimination of outdated provisions of law
 17 resulting from the law's obsolescence, infrequency of use,
 18 or inapplicability to current society, and, in connection
 19 therewith, repealing or amending various provisions of
 20 law.

21 Committee on Information & Technology

25 INTRODUCTION OF RESOLUTION

26
 27 The following resolution was read by title and referred to the committee
 28 indicated:

29
 30 **HJR03-1016** by Representative(s) Wiens; also Senator(s) Evans, Entz,
 31 McElhany, Owen--Concerning urging federal land
 32 management agencies to work with appropriate state
 33 agencies in Colorado to establish an immediate plan of
 34 action to improve unnatural forest conditions in the state
 35 in order to reduce the threat of wildfires.

36 Committee on Agriculture, Livestock, & Natural Resources

37
 38 WHEREAS, Federal agencies own and manage 14 million acres
 39 or 68% of Colorado's forestland; and

40
 41 WHEREAS, Wildfires during the 2002 season burned more than
 42 500,000 acres, destroyed 384 homes and 624 other structures, required
 43 a record 18 Federal Emergency Management Agency declarations, forced
 44 the evacuation of 81,000 residents, caused the tragic loss of 9 brave
 45 firefighters, destroyed critical habitat for threatened and endangered
 46 species, decimated wildlife, and cost local, state, and federal governments
 47 more than \$152 million in suppression costs; and

48
 49 WHEREAS, The Hayman Fire burned 138,000 acres and the
 50 Missionary Ridge Fire burned 70,000 acres and were both larger than any
 51 previous individual wildfires in Colorado's recorded history; and

52
 53 WHEREAS, Post-fire rehabilitation costs to date have been
 54 estimated at \$50 million on federal land and \$25 million on nonfederal
 55 land, with the long-term costs of protecting watersheds and water quality
 56 being much higher; and

1 WHEREAS, Unnatural catastrophic wildfires in Colorado not only
2 cause environmental damage to forests and other lands but also place the
3 lives of firefighters at risk and pose threats to human health and personal
4 property; and

5
6 WHEREAS, Unnatural high intensity wildfire poses the greatest
7 risk to Colorado's air quality; and

8
9 WHEREAS, Unnatural high intensity wildfire poses the greatest
10 risk to Colorado's water quality; and

11
12 WHEREAS, Unnatural high intensity wildfire poses the greatest
13 risk to Colorado's wildlife; and

14
15 WHEREAS, Unnatural high intensity wildfire poses the greatest
16 risk to Colorado's threatened and endangered species and their habitat;
17 and

18
19 WHEREAS, A number of forest management tools, such as
20 thinning, prescribed burning, and insect and disease treatments, combined
21 with the efforts of homeowners to improve the fire resistance of homes,
22 can be effective in reducing the risk of large-scale, high intensity
23 wildfires and insect and disease epidemics; and

24
25 WHEREAS, The United States Department of Agriculture Forest
26 Service conducted research following the Hayman Fire that suggests that,
27 in order to be effective, fuel treatments must be implemented and
28 maintained in a more timely manner and on a much larger scale than is
29 currently being accomplished; and

30
31 WHEREAS, Since 2001, the National Fire Plan has provided
32 federal land management agencies with substantially increased funding
33 for fuel treatments that reduce wildfire risks and restore healthy forest
34 conditions, and despite these increased funds, federal agencies continue
35 to fall far short of implementing critical forest management activities on
36 the ground; and

37
38 WHEREAS, Without accelerated treatment and restoration
39 activities on federal forested lands, public risks and costs will escalate as
40 fuels continue to accumulate and more acres become high-risk for
41 large-scale wildfire; now, therefore,

42
43 *Be It Resolved by the House of Representatives of the Sixty-fourth*
44 *General Assembly of the State of Colorado, the Senate concurring*
45 *herein:*

46
47 (1) That the General Assembly holds the federal government
48 responsible for the degraded health conditions of Colorado's
49 federally-owned forested lands and for the loss of state and private lands
50 that were burned by unnatural wildfires that started on federal lands;

51
52 (2) That in addition to this finding of responsibility, the General
53 Assembly declares a forest health state of emergency on all of Colorado's
54 forested lands held in federal ownership and hereby calls on the federal
55 government to take immediate stewardship actions that will restore our
56 federally-owned forested lands to a more healthy and sustainable

1 condition; and

2
3 (3) That the General Assembly calls on federal land management
4 agencies to meet immediately with the Colorado State Forester, his staff
5 of forest professionals, the Colorado Department of Natural Resources,
6 and other appropriate state agencies to establish an immediate action plan
7 for how the unnatural forest conditions across the state can be improved
8 so as to protect the citizens and natural resources of this state from the
9 increasing threat of devastating wildfire and insect and disease epidemics.
10 The General Assembly believes the federal land managers must actively
11 manage these public forested lands in a manner consistent with the
12 historic purpose for which these lands were set aside.

13
14 *Be It Further Resolved*, That copies of this Joint Resolution be
15 sent to Colorado's Congressional Delegation, the Colorado State Forester,
16 the Colorado Department of Natural Resources, the United States Forest
17 Service, and the United States Bureau of Land Management.

18
19
20
21 **LAY OVER OF CALENDAR ITEMS**

22
23 On motion of Representative King, the following items on the Calendar
24 were laid over until February 17, retaining place on Calendar:

25
26 Consideration of General Orders--**HB03-1013, 1081, 1121, 1101, 1172,**
27 **1158, SB03-071, HB03-1127, 1160, 1175, 1112, 1139, 1149, 1111,**
28 **1171, 1087, 1174, 1186, 1153, 1113, 1157, 1192, 1214, 1243, 1128,**
29 **1193, 1226, 1232, 1246, 1283, 1218, 1224, 1272, 1194, 1266, 1273,**
30 **SB03-059, HB03-1212, 1240, 1271.**

31 Consideration of Resolutions--**SJR03-016.**

32
33
34 **Correction**

35
36 H.J. page 656, line 26, strike "On Reconsideration,";
37 line 33, strike "On Reconsideration,";
38 line 39, strike "On Reconsideration,".

39
40
41 On motion of Representative King, the House adjourned until 10:00 a.m.,
42 February 17, 2003.

43
44 Approved:

45
46
47
48 LOLA SPRADLEY,
49 Speaker

50 Attest:

51
52 JUDITH RODRIGUE,
53 Chief Clerk