

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

Eighty-fifth Legislative Day

Wednesday, April 2, 2003

1 Prayer by Dr. Gene Selander, Cherry Creek Community Church, Denver.

2

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

4

5 Pledge of Allegiance led by Representative Lee.

6

7 The roll was called with the following result:

8

9 Present--63.

10 Excused--Representatives Crane, Harvey--2.

11 Present after roll call--Representative Harvey.

12

13 The Speaker declared a quorum present.

14

15

16 On motion of Representative Merrifield, the reading of the journal of  
 17 April 1, 2003, was declared dispensed with and approved as corrected by  
 18 the Chief Clerk.

19

20

21

22 **CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS**

23

24 **HB03-1211** by Representative(s) Williams T.; also Senator(s)  
 25 Anderson--Concerning records of child abuse or neglect  
 26 for the protection of children.

27

28 (Amended as printed in Senate Journal, March 21, page 703.)

29

30 Representative Williams T. moved that the House **concur** in Senate  
 31 amendments. The motion was declared **passed** by the following roll call  
 32 vote:

33

34

	YES	62	NO	00	EXCUSED	02	ABSENT	01
35	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
36	Borodkin	Y	Garcia	Y	McCluskey	Y	Smith	Y
37	Boyd	Y	Hall	Y	McFadyen	Y	Spence	Y
38	Briggs	-	Harvey	E	Merrifield	Y	Stafford	Y
39	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
40	Butcher	Y	Hodge	Y	Mitchell	Y	Tochtrop	Y
41	Cadman	Y	Hoppe	Y	Paccione	Y	Veiga	Y
42	Carroll	Y	Jahn	Y	Plant	Y	Vigil	Y
43	Cerbo	Y	Johnson	Y	Pommer	Y	Weddig	Y

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

10 The question being, "Shall the bill, as amended, pass?".  
 11 A roll call vote was taken. As shown by the following recorded vote, a  
 12 majority of those elected to the House voted in the affirmative, and the  
 13 bill, as amended, was declared **repassed**.

15	YES	62	NO	01	EXCUSED	02	ABSENT	00
16	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
17	Borodkin	Y	Garcia	Y	McCluskey	Y	Smith	Y
18	Boyd	Y	Hall	Y	McFadyen	Y	Spence	Y
19	Briggs	Y	Harvey	E	Merrifield	Y	Stafford	Y
20	Brophy	Y	Hefley	N	Miller	Y	Stengel	Y
21	Butcher	Y	Hodge	Y	Mitchell	Y	Tochtrop	Y
22	Cadman	Y	Hoppe	Y	Paccione	Y	Veiga	Y
23	Carroll	Y	Jahn	Y	Plant	Y	Vigil	Y
24	Cerbo	Y	Johnson	Y	Pommer	Y	Weddig	Y
25	Clapp	Y	Judd	Y	Ragsdale	Y	Weissmann	Y
26	Cloer	Y	King	Y	Rhodes	Y	White	Y
27	Coleman	Y	Larson	Y	Rippy	Y	Wiens	Y
28	Crane	E	Lee	Y	Romanoff	Y	Williams S.	Y
29	Decker	Y	Lundberg	Y	Rose	Y	Williams T.	Y
30	Fairbank	Y	Madden	Y	Salazar	Y	Witwer	Y
31	Frangas	Y	Marshall	Y	Schultheis	Y	Young	Y
32							Speaker	Y

33 Co-sponsors added: Representatives Borodkin, Boyd, Cloer, Jahn, Lundberg,  
 34 Mitchell.

35  
 36 **HB03-1297** by Representative(s) Fritz, Lee, Hefley, Spradley,  
 37 Fairbank, Frangas, Jahn, Mitchell, White, Williams T.;  
 38 also Senator(s) Dyer, Anderson--Concerning death penalty  
 39 aggravating factors.

40 (Amended as printed in Senate Journal, March 21, page 697.)

41  
 42  
 43 Representative Fritz moved that the House **concur** in Senate amendments.  
 44 The motion was declared **passed** by the following roll call vote:

46	YES	59	NO	04	EXCUSED	02	ABSENT	00
47	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
48	Borodkin	Y	Garcia	Y	McCluskey	Y	Smith	Y
49	Boyd	Y	Hall	Y	McFadyen	Y	Spence	Y
50	Briggs	Y	Harvey	E	Merrifield	Y	Stafford	Y
51	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
52	Butcher	Y	Hodge	Y	Mitchell	Y	Tochtrop	Y
53	Cadman	Y	Hoppe	Y	Paccione	Y	Veiga	Y
54	Carroll	N	Jahn	Y	Plant	N	Vigil	Y
55	Cerbo	Y	Johnson	Y	Pommer	Y	Weddig	Y
56	Clapp	Y	Judd	Y	Ragsdale	Y	Weissmann	N

1	Cloer	Y	King	Y	Rhodes	Y	White	Y
2	Coleman	Y	Larson	Y	Rippy	Y	Wiens	Y
3	Crane	E	Lee	Y	Romanoff	Y	Williams S.	Y
4	Decker	Y	Lundberg	Y	Rose	Y	Williams T.	Y
5	Fairbank	Y	Madden	N	Salazar	Y	Witwer	Y
6	Frangas	Y	Marshall	Y	Schultheis	Y	Young	Y
7							Speaker	Y

8  
9 The question being, "Shall the bill, as amended, pass?".  
10 A roll call vote was taken. As shown by the following recorded vote, a  
11 majority of those elected to the House voted in the affirmative, and the  
12 bill, as amended, was declared **repassed**.

14	YES	50	NO	13	EXCUSED	02	ABSENT	00
15	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
16	Borodkin	N	Garcia	Y	McCluskey	Y	Smith	Y
17	Boyd	N	Hall	Y	McFadyen	N	Spence	Y
18	Briggs	Y	Harvey	E	Merrifield	Y	Stafford	Y
19	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
20	Butcher	Y	Hodge	N	Mitchell	Y	Tochtrop	Y
21	Cadman	Y	Hoppe	Y	Paccione	Y	Veiga	Y
22	Carroll	N	Jahn	Y	Plant	N	Vigil	N
23	Cerbo	Y	Johnson	Y	Pommer	N	Weddig	Y
24	Clapp	Y	Judd	N	Ragsdale	Y	Weissmann	N
25	Cloer	Y	King	Y	Rhodes	Y	White	Y
26	Coleman	Y	Larson	Y	Rippy	Y	Wiens	Y
27	Crane	E	Lee	Y	Romanoff	Y	Williams S.	Y
28	Decker	Y	Lundberg	Y	Rose	Y	Williams T.	Y
29	Fairbank	Y	Madden	N	Salazar	N	Witwer	Y
30	Frangas	Y	Marshall	N	Schultheis	Y	Young	Y
31							Speaker	Y

32 Co-sponsors added: Representatives Hoppe, Johnson, Stengel.

33  
34 **HB03-1241** by Representative(s) Fairbank; also Senator(s) McElhany--  
35 Concerning signature verification on election ballots.

36  
37 (Amended as printed in Senate Journal, March 21, pages 699-701 &  
38 March 25 pages 735-736.)

39  
40 Representative Fairbank moved that the House **concur** in Senate amend-  
41 ments. The motion was declared **passed** by the following roll call vote:

43	YES	63	NO	01	EXCUSED	01	ABSENT	00
44	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
45	Borodkin	Y	Garcia	Y	McCluskey	Y	Smith	Y
46	Boyd	Y	Hall	Y	McFadyen	Y	Spence	Y
47	Briggs	Y	Harvey	Y	Merrifield	Y	Stafford	Y
48	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
49	Butcher	N	Hodge	Y	Mitchell	Y	Tochtrop	Y
50	Cadman	Y	Hoppe	Y	Paccione	Y	Veiga	Y
51	Carroll	Y	Jahn	Y	Plant	Y	Vigil	Y
52	Cerbo	Y	Johnson	Y	Pommer	Y	Weddig	Y
53	Clapp	Y	Judd	Y	Ragsdale	Y	Weissmann	Y
54	Cloer	Y	King	Y	Rhodes	Y	White	Y
55	Coleman	Y	Larson	Y	Rippy	Y	Wiens	Y
56	Crane	E	Lee	Y	Romanoff	Y	Williams S.	Y

1	Decker	Y	Lundberg	Y	Rose	Y	Williams T.	Y
2	Fairbank	Y	Madden	Y	Salazar	Y	Witwer	Y
3	Frangas	Y	Marshall	Y	Schultheis	Y	Young	Y
4							Speaker	Y

5  
6 The question being, "Shall the bill, as amended, pass?".  
7 A roll call vote was taken. As shown by the following recorded vote, a  
8 majority of those elected to the House voted in the affirmative, and the  
9 bill, as amended, was declared **repassed**.

10	YES	60	NO	04	EXCUSED	01	ABSENT	00
11	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
12	Borodkin	N	Garcia	Y	McCluskey	Y	Smith	Y
13	Boyd	Y	Hall	Y	McFadyen	N	Spence	Y
14	Briggs	Y	Harvey	Y	Merrifield	Y	Stafford	Y
15	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
16	Butcher	N	Hodge	Y	Mitchell	Y	Tochtrop	Y
17	Cadman	Y	Hoppe	Y	Paccione	Y	Veiga	Y
18	Carroll	Y	Jahn	Y	Plant	Y	Vigil	Y
19	Cerbo	Y	Johnson	Y	Pommer	Y	Weddig	Y
20	Clapp	Y	Judd	N	Ragsdale	Y	Weissmann	Y
21	Cloer	Y	King	Y	Rhodes	Y	White	Y
22	Coleman	Y	Larson	Y	Rippy	Y	Wiens	Y
23	Crane	E	Lee	Y	Romanoff	Y	Williams S.	Y
24	Decker	Y	Lundberg	Y	Rose	Y	Williams T.	Y
25	Fairbank	Y	Madden	Y	Salazar	Y	Witwer	Y
26	Frangas	Y	Marshall	Y	Schultheis	Y	Young	Y
27							Speaker	Y

28  
29 Co-sponsors added: Representatives Frangas, Spence.

30  
31 **HB03-1267** by Representative(s) McCluskey; also Senator(s) Taylor--  
32 Concerning the repeal of the statutory provision that limits  
33 a governmental entity from imposing a surcharge upon any  
34 person using an alternative form of payment for the  
35 payment of moneys to the state.

36  
37 (Amended as printed in Senate Journal, March 25, page 736.)

38  
39 Representative McCluskey moved that the House **concur** in Senate  
40 amendments. The motion was declared **passed** by the following roll call  
41 vote:

42	YES	63	NO	01	EXCUSED	01	ABSENT	00
43	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
44	Borodkin	Y	Garcia	Y	McCluskey	Y	Smith	Y
45	Boyd	Y	Hall	Y	McFadyen	Y	Spence	Y
46	Briggs	Y	Harvey	Y	Merrifield	Y	Stafford	Y
47	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
48	Butcher	N	Hodge	Y	Mitchell	Y	Tochtrop	Y
49	Cadman	Y	Hoppe	Y	Paccione	Y	Veiga	Y
50	Carroll	Y	Jahn	Y	Plant	Y	Vigil	Y
51	Cerbo	Y	Johnson	Y	Pommer	Y	Weddig	Y
52	Clapp	Y	Judd	Y	Ragsdale	Y	Weissmann	Y
53	Cloer	Y	King	Y	Rhodes	Y	White	Y
54	Coleman	Y	Larson	Y	Rippy	Y	Wiens	Y
55	Crane	E	Lee	Y	Romanoff	Y	Williams S.	Y

1	Decker	Y	Lundberg	Y	Rose	Y	Williams T.	Y
2	Fairbank	Y	Madden	Y	Salazar	Y	Witwer	Y
3	Frangas	Y	Marshall	Y	Schultheis	Y	Young	Y
4							Speaker	Y

5  
6 The question being, "Shall the bill, as amended, pass?".  
7 A roll call vote was taken. As shown by the following recorded vote, a  
8 majority of those elected to the House voted in the affirmative, and the  
9 bill, as amended, was declared **repassed**.

10

11	YES	62	NO	02	EXCUSED	01	ABSENT	00
12	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
13	Borodkin	Y	Garcia	Y	McCluskey	Y	Smith	Y
14	Boyd	Y	Hall	Y	McFadyen	Y	Spence	Y
15	Briggs	Y	Harvey	Y	Merrifield	Y	Stafford	Y
16	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
17	Butcher	N	Hodge	Y	Mitchell	Y	Tochtrop	Y
18	Cadman	Y	Hoppe	Y	Paccione	Y	Veiga	Y
19	Carroll	Y	Jahn	Y	Plant	Y	Vigil	Y
20	Cerbo	Y	Johnson	Y	Pommer	Y	Weddig	Y
21	Clapp	Y	Judd	Y	Ragsdale	Y	Weissmann	N
22	Cloer	Y	King	Y	Rhodes	Y	White	Y
23	Coleman	Y	Larson	Y	Rippy	Y	Wiens	Y
24	Crane	E	Lee	Y	Romanoff	Y	Williams S.	Y
25	Decker	Y	Lundberg	Y	Rose	Y	Williams T.	Y
26	Fairbank	Y	Madden	Y	Salazar	Y	Witwer	Y
27	Frangas	Y	Marshall	Y	Schultheis	Y	Young	Y
28							Speaker	Y

29 Co-sponsor added: Representative Fritz.

30

31 **HB03-1007** by Representative(s) Williams T., Clapp; also Senator(s)  
32 Hillman--Concerning the limitation on noneconomic  
33 damages for certain physical injuries in medical  
34 malpractice actions.

35

36 (Amended as printed in Senate Journal, March 27.)

37

38 Representative Williams T. moved that the House **not concur** in Senate  
39 amendments and that a Conference Committee be appointed.

40

41 A substitute motion by Representative Veiga that the House **concur** in  
42 Senate amendments was declared **lost** by the following roll call vote:

43

44	YES	25	NO	39	EXCUSED	01	ABSENT	00
45	Berry	N	Fritz	N	May	N	Sinclair	N
46	Borodkin	Y	Garcia	Y	McCluskey	N	Smith	Y
47	Boyd	Y	Hall	N	McFadyen	Y	Spence	N
48	Briggs	N	Harvey	N	Merrifield	Y	Stafford	N
49	Brophy	N	Hefley	N	Miller	N	Stengel	N
50	Butcher	Y	Hodge	Y	Mitchell	N	Tochtrop	Y
51	Cadman	N	Hoppe	N	Paccione	Y	Veiga	Y
52	Carroll	Y	Jahn	Y	Plant	Y	Vigil	Y
53	Cerbo	Y	Johnson	N	Pommer	N	Weddig	Y
54	Clapp	N	Judd	Y	Ragsdale	N	Weissmann	Y
55	Cloer	N	King	N	Rhodes	N	White	N
56	Coleman	Y	Larson	N	Rippy	N	Wiens	N

1	Crane	E	Lee	N	Romanoff	Y	Williams S.	N
2	Decker	N	Lundberg	N	Rose	N	Williams T.	N
3	Fairbank	N	Madden	Y	Salazar	Y	Witwer	N
4	Frangas	Y	Marshall	Y	Schultheis	N	Young	N
5							Speaker	N

6  
7 Representative T. Williams' motion that the House **not concur** in Senate  
8 amendments and that a Conference Committee be appointed was declared  
9 **passed** by the following roll call vote:

11	YES	40	NO	24	EXCUSED	01	ABSENT	00
12	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
13	Borodkin	N	Garcia	N	McCluskey	Y	Smith	N
14	Boyd	N	Hall	Y	McFadyen	N	Spence	Y
15	Briggs	Y	Harvey	Y	Merrifield	N	Stafford	Y
16	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
17	Butcher	N	Hodge	N	Mitchell	Y	Tochtrop	N
18	Cadman	Y	Hoppe	Y	Paccione	N	Veiga	N
19	Carroll	N	Jahn	Y	Plant	N	Vigil	N
20	Cerbo	N	Johnson	Y	Pommer	Y	Weddig	N
21	Clapp	Y	Judd	N	Ragsdale	N	Weissmann	N
22	Cloer	Y	King	Y	Rhodes	Y	White	Y
23	Coleman	Y	Larson	Y	Rippy	Y	Wiens	Y
24	Crane	E	Lee	Y	Romanoff	N	Williams S.	Y
25	Decker	Y	Lundberg	Y	Rose	Y	Williams T.	Y
26	Fairbank	Y	Madden	N	Salazar	N	Witwer	Y
27	Frangas	N	Marshall	N	Schultheis	Y	Young	Y
28							Speaker	Y

29 The Speaker appointed Representatives Williams T., Chairman, Rhodes  
30 and Miller as House conferees to the bill.

31  
32 **HB03-1207** by Representative(s) Briggs; also Senator(s) Entz--  
33 Concerning a modification to the statutory provisions  
34 regarding special districts to allow a municipality to agree  
35 to be the approving authority of a special district that was  
36 originally approved by a board of county commissioners  
37 but has since become wholly contained within the  
38 boundaries of the municipality by annexation.

39  
40 (Amended as printed in Senate Journal, March 26, page 748.)

41  
42 Representative Briggs moved that the House **concur** in Senate amend-  
43 ments. The motion was declared **passed** by the following roll call vote:

45	YES	61	NO	03	EXCUSED	01	ABSENT	00
46	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
47	Borodkin	Y	Garcia	Y	McCluskey	Y	Smith	Y
48	Boyd	Y	Hall	Y	McFadyen	Y	Spence	Y
49	Briggs	Y	Harvey	Y	Merrifield	Y	Stafford	Y
50	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
51	Butcher	Y	Hodge	Y	Mitchell	Y	Tochtrop	Y
52	Cadman	Y	Hoppe	Y	Paccione	Y	Veiga	Y
53	Carroll	Y	Jahn	Y	Plant	Y	Vigil	Y
54	Cerbo	N	Johnson	Y	Pommer	Y	Weddig	Y
55	Clapp	Y	Judd	Y	Ragsdale	Y	Weissmann	N
56	Cloer	Y	King	Y	Rhodes	Y	White	Y

1	Coleman	N	Larson	Y	Rippy	Y	Wiens	Y
2	Crane	E	Lee	Y	Romanoff	Y	Williams S.	Y
3	Decker	Y	Lundberg	Y	Rose	Y	Williams T.	Y
4	Fairbank	Y	Madden	Y	Salazar	Y	Witwer	Y
5	Frangas	Y	Marshall	Y	Schultheis	Y	Young	Y
6							Speaker	Y

7  
8 The question being, "Shall the bill, as amended, pass?".  
9 A roll call vote was taken. As shown by the following recorded vote, a  
10 majority of those elected to the House voted in the affirmative, and the  
11 bill, as amended, was declared **repassed**.

13	YES	61	NO	03	EXCUSED	01	ABSENT	00
14	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
15	Borodkin	Y	Garcia	Y	McCluskey	Y	Smith	Y
16	Boyd	Y	Hall	Y	McFadyen	Y	Spence	Y
17	Briggs	Y	Harvey	Y	Merrifield	Y	Stafford	Y
18	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
19	Butcher	Y	Hodge	Y	Mitchell	Y	Tochtrop	Y
20	Cadman	Y	Hoppe	Y	Paccione	Y	Veiga	Y
21	Carroll	Y	Jahn	Y	Plant	Y	Vigil	Y
22	Cerbo	N	Johnson	Y	Pommer	Y	Weddig	Y
23	Clapp	Y	Judd	Y	Ragsdale	Y	Weissmann	N
24	Cloer	Y	King	Y	Rhodes	Y	White	Y
25	Coleman	N	Larson	Y	Rippy	Y	Wiens	Y
26	Crane	E	Lee	Y	Romanoff	Y	Williams S.	Y
27	Decker	Y	Lundberg	Y	Rose	Y	Williams T.	Y
28	Fairbank	Y	Madden	Y	Salazar	Y	Witwer	Y
29	Frangas	Y	Marshall	Y	Schultheis	Y	Young	Y
30							Speaker	Y

31  
32 **HB03-1033** by Representative(s) Spradley, Jahn, Tochtrop; also  
33 Senator(s) Hagedorn--Concerning the implementation of  
34 the federal "Employee Retirement Income Security Act"  
35 with regard to the administration of requests for health  
36 benefits.

37  
38 (Amended as printed in Senate Journal, March 26, pages 750-751.)

39  
40 Representative Spradley moved that the House **concur** in Senate amend-  
41 ments. The motion was declared **passed** by the following roll call vote:

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

1	Decker	Y	Lundberg	Y	Rose	Y	Williams T.	Y
2	Fairbank	Y	Madden	Y	Salazar	Y	Witwer	Y
3	Frangas	Y	Marshall	Y	Schultheis	Y	Young	Y
4							Speaker	Y

5  
6 The question being, "Shall the bill, as amended, pass?".  
7 A roll call vote was taken. As shown by the following recorded vote, a  
8 majority of those elected to the House voted in the affirmative, and the  
9 bill, as amended, was declared **repassed**.

10

11	YES	64	NO	00	EXCUSED	01	ABSENT	00
12	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
13	Borodkin	Y	Garcia	Y	McCluskey	Y	Smith	Y
14	Boyd	Y	Hall	Y	McFadyen	Y	Spence	Y
15	Briggs	Y	Harvey	Y	Merrifield	Y	Stafford	Y
16	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
17	Butcher	Y	Hodge	Y	Mitchell	Y	Tochtrop	Y
18	Cadman	Y	Hoppe	Y	Paccione	Y	Veiga	Y
19	Carroll	Y	Jahn	Y	Plant	Y	Vigil	Y
20	Cerbo	Y	Johnson	Y	Pommer	Y	Weddig	Y
21	Clapp	Y	Judd	Y	Ragsdale	Y	Weissmann	Y
22	Cloer	Y	King	Y	Rhodes	Y	White	Y
23	Coleman	Y	Larson	Y	Rippy	Y	Wiens	Y
24	Crane	E	Lee	Y	Romanoff	Y	Williams S.	Y
25	Decker	Y	Lundberg	Y	Rose	Y	Williams T.	Y
26	Fairbank	Y	Madden	Y	Salazar	Y	Witwer	Y
27	Frangas	Y	Marshall	Y	Schultheis	Y	Young	Y
28							Speaker	Y

29 Co-sponsors added: Representatives Butcher, Stafford, Stengel, Weddig,  
30 Williams T.

31

32

33 **HB03-1012** by Representative(s) Williams T., Clapp; also Senator(s)  
34 Hillman--Concerning the prohibition of the corporate  
35 practice of medicine by a professional services corporation  
36 formed by persons licensed to practice medicine.

37

38 (Amended as printed in Senate Journal, March 27, pages 783-784.)

39

40 Representative Williams T. moved that the House **concur** in Senate  
41 amendments. The motion was declared **passed** by the following roll call  
42 vote:

43

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



1	Crane	E	Lee	Y	Romanoff	Y	Williams S.	Y
2	Decker	Y	Lundberg	Y	Rose	Y	Williams T.	Y
3	Fairbank	Y	Madden	Y	Salazar	Y	Witwer	Y
4	Frangas	Y	Marshall	Y	Schultheis	Y	Young	Y
5							Speaker	Y

6  
7 The question being, "Shall the bill, as amended, pass?".  
8 A roll call vote was taken. As shown by the following recorded vote, a  
9 majority of those elected to the House voted in the affirmative, and the  
10 bill, as amended, was declared **repassed**.

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

30 Co-sponsors added: Representatives Coleman, Hoppe, Johnson.

31  
32  
33 **HB03-1251** by Representative(s) Boyd; also Senator(s) Cairns--  
34 Concerning the creation of the auto theft prevention  
35 authority.

36  
37 (Amended as printed in Senate Journal, March 27, page 784.)

38  
39 Representative Boyd moved that the House **concur** in Senate amend-  
40 ments. The motion was declared **passed** by the following roll call vote:

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

1	Fairbank	Y	Madden	Y	Salazar	Y	Witwer	Y
2	Frangas	Y	Marshall	Y	Schultheis	Y	Young	Y
3							Speaker	Y

4  
5 The question being, "Shall the bill, as amended, pass?".  
6 A roll call vote was taken. As shown by the following recorded vote, a  
7 majority of those elected to the House voted in the affirmative, and the  
8 bill, as amended, was declared **repassed**.

9	YES	49	NO	15	EXCUSED	01	ABSENT	00
11	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
12	Borodkin	Y	Garcia	Y	McCluskey	Y	Smith	Y
13	Boyd	Y	Hall	N	McFadyen	Y	Spence	N
14	Briggs	Y	Harvey	Y	Merrifield	Y	Stafford	Y
15	Brophy	N	Hefley	Y	Miller	Y	Stengel	Y
16	Butcher	Y	Hodge	Y	Mitchell	N	Tochtrop	Y
17	Cadman	N	Hoppe	Y	Paccione	Y	Veiga	Y
18	Carroll	Y	Jahn	Y	Plant	Y	Vigil	Y
19	Cerbo	Y	Johnson	N	Pommer	Y	Weddig	Y
20	Clapp	Y	Judd	Y	Ragsdale	Y	Weissmann	Y
21	Cloer	Y	King	N	Rhodes	N	White	Y
22	Coleman	Y	Larson	Y	Rippy	N	Wiens	Y
23	Crane	E	Lee	N	Romanoff	Y	Williams S.	Y
24	Decker	Y	Lundberg	N	Rose	N	Williams T.	N
25	Fairbank	Y	Madden	Y	Salazar	Y	Witwer	Y
26	Frangas	Y	Marshall	Y	Schultheis	Y	Young	N
27							Speaker	N

28 Co-sponsors added: Representatives Butcher, Cerbo, Coleman, Frangas, May,  
29 McCluskey, McFadyen, Merrifield, Salazar, Stengel, Vigil, Williams S.

30  
31  
32 **HB03-1305** by Representative(s) Stafford; also Senator(s) Johnson S.--  
33 Concerning standards of conduct regarding dead human  
34 bodies.

35  
36 (Amended as printed in Senate Journal, March 27, page 784.)

37  
38 Representative Stafford moved that the House **not concur** in Senate  
39 amendments and that a Conference Committee be appointed. The motion  
40 was declared **passed** by the following roll call vote:

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

1	Fairbank	Y	Madden	Y	Salazar	Y	Witwer	Y
2	Frangas	Y	Marshall	Y	Schultheis	Y	Young	Y
3							Speaker	Y

4 The Speaker appointed Representatives Stafford, Chairman, Clapp and  
5 Frangas as House conferees to the bill.

6

7

8 **HB03-1092** by Representative(s) White, Hoppe, Rippy, Wiens; also  
9 Senator(s) Anderson--Concerning management of  
10 Colorado's state-owned forested land.

11

12 (Amended as printed in Senate Journal, March 27, pages 785-786.)

13

14 Representative White moved that the House **not concur** in Senate  
15 amendments and that a Conference Committee be appointed.

16

17 A substitute motion by Representative Madden that the House **concur** in  
18 Senate amendments was declared **lost** by the following roll call vote:

19

20	YES	24	NO	40	EXCUSED	01	ABSENT	00
21	Berry	N	Fritz	N	May	N	Sinclair	N
22	Borodkin	N	Garcia	Y	McCluskey	N	Smith	N
23	Boyd	N	Hall	Y	McFadyen	Y	Spence	N
24	Briggs	N	Harvey	N	Merrifield	Y	Stafford	N
25	Brophy	N	Hefley	N	Miller	N	Stengel	N
26	Butcher	N	Hodge	Y	Mitchell	N	Tochtrop	N
27	Cadman	N	Hoppe	N	Paccione	Y	Veiga	Y
28	Carroll	Y	Jahn	Y	Plant	Y	Vigil	Y
29	Cerbo	Y	Johnson	N	Pommer	Y	Weddig	Y
30	Clapp	N	Judd	Y	Ragsdale	Y	Weissmann	Y
31	Cloer	N	King	N	Rhodes	N	White	N
32	Coleman	N	Larson	Y	Rippy	N	Wiens	N
33	Crane	E	Lee	N	Romanoff	Y	Williams S.	Y
34	Decker	N	Lundberg	N	Rose	N	Williams T.	N
35	Fairbank	N	Madden	Y	Salazar	N	Witwer	Y
36	Frangas	Y	Marshall	Y	Schultheis	N	Young	N
37							Speaker	N

38

39 Representative White's motion that the House **not concur** in Senate  
40 amendments and that a Conference Committee be appointed was declared  
41 **passed** by the following roll call vote:

42

43	YES	43	NO	21	EXCUSED	01	ABSENT	00
44	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
45	Borodkin	Y	Garcia	N	McCluskey	Y	Smith	Y
46	Boyd	Y	Hall	Y	McFadyen	N	Spence	Y
47	Briggs	Y	Harvey	Y	Merrifield	N	Stafford	Y
48	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
49	Butcher	N	Hodge	N	Mitchell	Y	Tochtrop	N
50	Cadman	Y	Hoppe	Y	Paccione	N	Veiga	N
51	Carroll	N	Jahn	Y	Plant	N	Vigil	N
52	Cerbo	N	Johnson	Y	Pommer	N	Weddig	N
53	Clapp	Y	Judd	N	Ragsdale	N	Weissmann	N
54	Cloer	Y	King	Y	Rhodes	Y	White	Y
55	Coleman	N	Larson	Y	Rippy	Y	Wiens	Y
56	Crane	E	Lee	Y	Romanoff	N	Williams S.	Y



1	Fairbank	Y	Madden	Y	Salazar	Y	Witwer	Y
2	Frangas	Y	Marshall	Y	Schultheis	Y	Young	Y
3							Speaker	Y

4 Co-sponsors added: Representatives Paccione, Stengel.

5  
6 **HB03-1237** by Representative(s) Judd; also Senator(s) Lamborn--  
7 Concerning technical modifications to the statutes  
8 enforced by the administrator of the "Uniform Consumer  
9 Credit Code", and, in connection therewith, amending or  
10 repealing obsolete, inconsistent, and conflicting provisions  
11 of law.

12  
13 (Amended as printed in Senate Journal, March 27, pages 782-783.)

14  
15 Representative Judd moved that the House **not concur** in Senate  
16 amendments and that a Conference Committee be appointed. The motion  
17 was declared **passed** by the following roll call vote:

18	YES	64	NO	00	EXCUSED	01	ABSENT	00
19	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
20	Borodkin	Y	Garcia	Y	McCluskey	Y	Smith	Y
21	Boyd	Y	Hall	Y	McFadyen	Y	Spence	Y
22	Briggs	Y	Harvey	Y	Merrifield	Y	Stafford	Y
23	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
24	Butcher	Y	Hodge	Y	Mitchell	Y	Tochtrop	Y
25	Cadman	Y	Hoppe	Y	Paccione	Y	Veiga	Y
26	Carroll	Y	Jahn	Y	Plant	Y	Vigil	Y
27	Cerbo	Y	Johnson	Y	Pommer	Y	Weddig	Y
28	Clapp	Y	Judd	Y	Ragsdale	Y	Weissmann	Y
29	Cloer	Y	King	Y	Rhodes	Y	White	Y
30	Coleman	Y	Larson	Y	Rippy	Y	Wiens	Y
31	Crane	E	Lee	Y	Romanoff	Y	Williams S.	Y
32	Decker	Y	Lundberg	Y	Rose	Y	Williams T.	Y
33	Fairbank	Y	Madden	Y	Salazar	Y	Witwer	Y
34	Frangas	Y	Marshall	Y	Schultheis	Y	Young	Y
35							Speaker	Y
36								

37  
38  
39 On motion of Representative King, Consideration of **HB03-1219, 1228,**  
40 **1313, 1253** was laid over until April 3, retaining place on Calendar.

41  
42  
43  
44  
45 **REPORT OF COMMITTEE OF REFERENCE**

46  
47 **JUDICIARY**

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

50  
51 **HB03-1344** be referred to the Committee of the Whole with favorable  
52 recommendation.

53  
54  
55

**PRINTING REPORT**1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56

The Chief Clerk reports the following bill has been correctly printed:  
**HB03-1345.**

---

**SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

The Speaker has signed: **HB03-1050, 1081, 1087, 1216, 1283, 1286;**  
**SB03-032, 086, 115, 116, 130, 135, 224, 234.**

---

**DELIVERY OF RESOLUTION TO GOVERNOR**

The Chief Clerk of the House of Representatives reports the following  
resolution has been delivered to the Office of the Governor:  
**HJR03-1012** at 3:22 p.m., April 1, 2003.

---

**MESSAGE FROM THE GOVERNOR**

I certify I received the following on the 1st day of April, 2003, at  
2:55 p.m. The original is on file in the records of the House of  
Representatives of the General Assembly.

Judith Rodrigue,  
Chief Clerk of the House

April 1, 2003

To the Honorable  
House of Representatives  
Sixty-fourth General Assembly  
First 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:

**HB03-1169** Concerning Amendment Of The Definition Of Child  
Abuse To Include Actions Related To The Manufacture  
Of A Controlled Substance In The Presence Of A Child.

Approved April 1, 2003 at 10:10 A.M.

Sincerely,  
(signed)  
Bill Owens  
Governor

---

**INTRODUCTION OF BILLS**  
**First Reading**

- 1  
2  
3  
4 The following bills were read by title and referred to the committees  
5 indicated:  
6  
7 **HB03-1345** by Representative(s) Vigil; also Senator(s) Takis--  
8 Concerning the concurrent legislative jurisdiction over the  
9 real property constituting the Rocky Mountain arsenal.  
10 Committee on State, Veterans, & Military Affairs  
11  
12 **HB03-1346** by Representative(s) Clapp; also Senator(s) Owen--  
13 Concerning the administrative operation of the dental  
14 assistance program.  
15 Committee on Health, Environment, Welfare, & Institutions  
16  
17 **HB03-1347** by Representative(s) Young; also Senator(s) Owen--  
18 Concerning uses of moneys in the employment support  
19 fund for the department of labor and employment.  
20 Committee on Business Affairs & Labor  
21  
22 **HB03-1348** by Representative(s) Rhodes--Concerning the authority of  
23 domestic life insurance companies relating to separate  
24 account contracts.  
25 Committee on Business Affairs & Labor  
26  
27 **SB03-238** by Senator(s) Chlouber; also Representative(s) Stengel--  
28 Concerning the recovery of actual costs of utility facility  
29 relocation at the request of a government entity.  
30 Committee on Transportation & Energy  
31 Committee on Finance  
32  
33 **SB03-240** by Senator(s) McElhany; also Representative(s)  
34 McCluskey--Concerning the selection process for an  
35 independent medical examiner in workers' compensation  
36 cases.  
37 Committee on Business Affairs & Labor  
38  
39 **SB03-242** by Senator(s) Dyer; also Representative(s) Larson--  
40 Concerning membership of the peace officers standards  
41 and training board.  
42 Committee on Local Government  
43  
44 **SB03-245** by Senator(s) Groff, Johnson S., Kester; also  
45 Representative(s) Hefley--Concerning the protection of an  
46 innocent spouse from debts incurred by the other spouse  
47 after the initiation of domestic relations proceedings.  
48 Committee on Judiciary  
49  
50 **SB03-246** by Senator(s) Owen, Reeves, Teck; also Representative(s)  
51 Witwer, Plant, Young--Concerning the authority of the  
52 department of human services to charge a monthly admin-  
53 istrative fee to specified public assistance recipients re-  
54 ceiving benefits via the electronic benefits transfer service.  
55 Committee on Health, Environment, Welfare, & Institutions  
56 Committee on Appropriations

1 **SB03-248** by Senator(s) Anderson; also Representative(s) King--  
 2 Concerning the financing of public schools, and making an  
 3 appropriation in connection therewith.  
 4 Committee on Education  
 5 Committee on Appropriations  
 6

---

7  
 8 **INTRODUCTION OF RESOLUTIONS**  
 9

10 The following resolutions were read by title and referred to the  
 11 committees indicated:  
 12

13 **HR03-1014** by Representative(s) Williams S., Spence--Concerning  
 14 encouraging schools to adopt measures concerning  
 15 students' backpack weight.  
 16 Committee on State, Veterans, & Military Affairs  
 17 Committee on Information & Technology  
 18

19 WHEREAS, Thirty-four percent of school children carry more  
 20 than 30% of their body weight in backpacks at least once a week; and  
 21

22 WHEREAS, Students who carry 15% or more of their body weight  
 23 in backpacks are more susceptible to lower back and spinal pain; and  
 24

25 WHEREAS, In 1999, the American Academy of Orthopaedic  
 26 Surgeons surveyed more than 100 doctors at 2 children's hospitals and  
 27 58% said that they had young patients who complained of back and  
 28 shoulder pain brought on by backpacks; and  
 29

30 WHEREAS, A recent survey of 345 Massachusetts children  
 31 revealed that 55% of grade 5-8 students tote backpacks with loads  
 32 topping 15% of their body weight and 1/3 of these students reported  
 33 experiencing back pain; and  
 34

35 WHEREAS, Back and neck injuries can be lessened or prevented  
 36 if students properly wear padded backpacks with waist straps; and  
 37

38 WHEREAS, To prevent back and neck strain, students should  
 39 pack their backpacks with heavier items closest to their backs and lighter  
 40 items farther from their backs; and  
 41

42 WHEREAS, The way backpacks are worn also affects students'  
 43 posture and lower positioning of the backpack on a student's back  
 44 approximates the body's center of gravity and has the least adverse effect  
 45 on posture; and  
 46

47 WHEREAS, Schools should encourage students to wear their  
 48 backpacks properly; and  
 49

50 WHEREAS, Schools should help students to develop good  
 51 organizational skills, to anticipate assignment due dates, and to use their  
 52 lockers effectively so that students don't carry unnecessary extra weight  
 53 in their backpacks; now, therefore,  
 54

55 *Be It Resolved by the House of Representatives of the Sixty-fourth*  
 56 *General Assembly of the State of Colorado:*



1 (1) That we, the members of the House of Representatives of the  
2 Sixty-fourth General Assembly, encourage school districts to adopt  
3 methods to limit students' backpack weight and policies to encourage  
4 students to wear and pack their backpacks properly.  
5

6 (2) That we encourage schools to incorporate strategies suggested  
7 by the American Occupational Therapy Association to help students  
8 reduce the weight they are carrying daily in their backpacks and to  
9 participate in such events as National School Backpack Awareness Day.  
10

11 *Be It Further Resolved*, That copies of this resolution be sent to  
12 the State Board of Education; the Colorado Association of School  
13 Boards; the Board of Education for the Cherry Creek School District; the  
14 Parent-Teacher Organization of Thunderridge Middle School; Terry  
15 Killin, Principal of Thunderridge Middle School; The Center for  
16 Education in Law and Democracy; Michael Fisher, Director of Project  
17 Citizen with the Center for Civic Education; and the National Conference  
18 of State Legislatures.  
19  
20  
21

22 **HJR03-1044** by Representative(s) Johnson R., Boyd, Briggs, Carroll,  
23 Cerbo, Crane, Fairbank, Frangas, Judd, King, Larson, Lee,  
24 Madden, McCluskey, Paccione, Rippy, Rose, Smith,  
25 Stengel, Tochtrop, Vigil, White, Wiens, Williams S.,  
26 Williams T.; also Senator(s) Johnson S.--Concerning  
27 encouraging school districts to offer students more foods  
28 and beverages that are high in calcium.  
29 Committee on Health, Environment, Welfare, & Institutions  
30

31 WHEREAS, Calcium is an essential part of a healthy diet, and it  
32 is integral to almost every human physiological function; and  
33

34 WHEREAS, Calcium deficient diets are known to be associated  
35 with many diseases and conditions, including osteoporosis, hypertension,  
36 obesity, colon cancer, pre-eclampsia, polycystic ovary disease, and  
37 kidney stones; and  
38

39 WHEREAS, Calcium deficient diets are an epidemic in America  
40 and more than 50% of the children in this country do not receive the  
41 recommended daily amount of calcium; and  
42

43 WHEREAS, The National Institute of Child Health and Human  
44 Development recognizes our calcium needs are highest during childhood  
45 and adolescence; and  
46

47 WHEREAS, Bones grow and incorporate calcium most rapidly  
48 during the teen years and a person establishes approximately 90% of his  
49 or her adult bone mass by age 17, but only about 15% of teenage girls get  
50 the calcium necessary to build their bones to peak capacity; and  
51

52 WHEREAS, Many children do not receive enough calcium  
53 because foods and beverages that are high in calcium have been displaced  
54 by less nutritious fare; and  
55

56 WHEREAS, There are a variety of natural and fortified foods that

1 are high in calcium, such as milk, cheese, yogurt, juices, water, bread,  
2 crackers, and breakfast bars; and  
3

4 WHEREAS, Many children and adolescents can receive foods and  
5 beverages that are high in calcium without drastically changing their  
6 dietary habits; now, therefore,  
7

8 *Be It Resolved by the House of Representatives of the Sixty-fourth*  
9 *General Assembly of the State of Colorado, the Senate concurring*  
10 *herein:*  
11

12 (1) That the General Assembly finds that calcium deficiencies are  
13 an epidemic among Colorado's children; and  
14

15 (2) That the General Assembly strongly encourages each school  
16 district in Colorado to offer students more foods and beverages that are  
17 high in calcium in school breakfast, lunch, and snack bar programs.  
18

19 *Be It Further Resolved,* That copies of this Joint Resolution be  
20 sent to the Commissioner of Education, the State Board of Education, the  
21 Colorado Association of School Boards, the Colorado Association of  
22 School Executives, and the Colorado Education Association for  
23 dissemination to each school district in the state.  
24

25  
26  
27 **SJR03-027** by Senator(s) Hagedorn, Hanna, Windels; also  
28 Representative(s) Stafford, Madden, Romanoff--  
29 Concerning streamlining health care billing.  
30 Committee on Health, Environment, Welfare, & Institutions  
31  
32

33  
34 The following resolution was read by title and laid over one day under the  
35 rules:  
36

37 **SJR03-030** by Senator(s) Lamborn, Andrews; also Representative(s)  
38 Mitchell--Concerning support for President Bush's  
39 position on the University of Michigan's affirmative action  
40 admissions policy.  
41  
42

43  
44 House in recess. House reconvened.  
45  
46

47  
48  
49 **CHANGE IN SPONSORSHIP**  
50

51 The Speaker announced that Senator Chlouber has replaced Senator  
52 Fitz-Gerald as Senate sponsor for **HB03-1252**.  
53  
54  
55

1           **APPOINTMENTS TO CONFERENCE COMMITTEES**

2  
3           The Speaker appointed Representatives Harvey, Chairman, Lundberg and  
4           Weddig as House conferees to the First Conference Committee on  
5           **HB03-1111**.

6  
7           Pursuant to a request from the Senate, the Speaker appointed  
8           Representatives Mitchell, Chairman, Coleman and Fritz as House  
9           conferees to the First Conference Committee on **SB03-009**.

10  
11  
12  
13           **CONSENT GRANTED TO CONFERENCE COMMITTEE**

14  
15           Representative White moved that the First Conference Committee on  
16           **SB03-226** be granted permission to go beyond the scope of the difference  
17           between the House and the Senate. The motion was passed by **viva voce**.

18  
19  
20  
21           On motion of Representative Hall, the House resolved itself into  
22           Committee of the Whole for consideration of General Orders, and he was  
23           called to the Chair to act as Chairman.

24  
25  
26           **GENERAL ORDERS--SECOND READING OF BILLS**

27  
28           The Committee of the Whole having risen, the Chairman reported the  
29           titles of the following bills had been read (reading at length had been  
30           dispensed with by unanimous consent), the bills considered and action  
31           taken thereon as follows:

32  
33           (Amendments to the committee amendment are to the printed committee  
34           report which was printed and placed in the members' bill file.)

35  
36           On motion of Representative King, Consideration of **HB03-1311, 1132**  
37           was laid over until April 3, retaining place on Calendar.

38  
39  
40           **HB03-1252** by Representative(s) Boyd; also Senator(s) Fitz-Gerald--  
41           Concerning the availability of emergency contraception to  
42           a survivor of a sexual assault.

43  
44           Amendment No. 1, State, Veterans, & Military Affairs Report, dated  
45           March 4, 2003, and placed in member's bill file; Report also printed in  
46           House Journal, March 6, page 1060.

47  
48           As amended, ordered engrossed and placed on the Calendar for Third  
49           Reading and Final Passage.

50  
51  
52           **HB03-1085** by Representative(s) Rippey; also Senator(s) Teck--  
53           Concerning the duration of the validity of certain forms of  
54           identification issued by the department of revenue, and, in  
55           connection therewith, making an appropriation.

56

1 Amendment No. 1, Information & Technology Report, dated February 3,  
2 2003, and placed in member's bill file; Report also printed in House  
3 Journal, February 4, page 283.

4  
5 Amendment No. 2, Appropriations Report, dated March 14, 2003, and  
6 placed in member's bill file; Report also printed in House Journal,  
7 March 14, page 1148.

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

11  
12  
13 **HB03-1173** by Representative(s) Coleman, Boyd, Butcher, Groff,  
14 Jahn, Judd, Marshall, McFadyen, Ragsdale, Romanoff,  
15 Tochtrop; also Senator(s) Tapia, Windels--Concerning the  
16 funding of Colorado family literacy programs, and making  
17 an appropriation therefor.

18  
19 Amendment No. 1, Education Report, dated January 27, 2003, and placed  
20 in member's bill file; Report also printed in House Journal, January 29,  
21 page 224.

22  
23 Amendment No. 2, Appropriations Report, dated March 14, 2003, and  
24 placed in member's bill file; Report also printed in House Journal,  
25 March 14, page 1148.

26  
27 As amended, ordered engrossed and placed on the Calendar for Third  
28 Reading and Final Passage.

29  
30  
31 **SB03-120** by Senator(s) Johnson S.; also Representative(s) Clapp--  
32 Concerning the continuation of the regulatory functions of  
33 the state board of dental examiners.

34  
35 Amendment No. 1, Health, Environment, Welfare, & Institutions Report,  
36 dated March 3, 2003, and placed in member's bill file; Report also printed  
37 in House Journal, March 4, pages 1030-1031.

38  
39 Amendment No. 2, Appropriations Report, dated March 14, 2003, and  
40 placed in member's bill file; Report also printed in House Journal,  
41 March 14, page 1149.

42  
43 Amendment No. 3, by Representative Clapp.

44  
45 Amend the Health, Environment, Welfare, and Institutions Committee  
46 Report, dated March 3, 2003, page 1, strike lines 1 through 4;

47  
48 line 5, before "strike" insert "Amend reengrossed bill, page 10,".

49  
50 Page 2 of the committee report, before line 1, insert the following:

51  
52 "Page 24, line 19, strike "TERRITORY, PROVINCE, OR COUNTRY" and  
53 substitute "TERRITORY, OR PROVINCE".

54  
55 Page 25, line 9, strike "TERRITORY, PROVINCE, OR COUNTRY" and  
56 substitute "TERRITORY, OR PROVINCE".

1 Amendment No. 4, by Representative Spence.

2

3 Amend reengrossed bill, page 43, line 18, before "settlement" insert  
4 "MALPRACTICE".

5

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

8

9

10 **HB03-1330** by Representative(s) Stengel; also Senator(s) Dyer--  
11 Concerning measures to ensure compliance with existing  
12 statutory provisions that govern tobacco escrow funds.

13

14 Amendment No. 1, Finance Report, dated March 13, 2003, and placed in  
15 member's bill file; Report also printed in House Journal, March 14,  
16 page 1152.

17

18 Amendment No. 2, by Representative Stengel.

19

20 Amend the Finance Committee Report, dated March 13, 2003, page 1,  
21 line 5, after "FAMILY.", insert "IN ADDITION, THE DEPARTMENT SHALL  
22 TRANSMIT BY ELECTRONIC MAIL OR OTHER PRACTICAL MEANS TO EACH  
23 STAMPING AGENT NOTICE OF THE POTENTIAL REMOVAL FROM THE  
24 DIRECTORY OF A TOBACCO PRODUCT BRAND MANUFACTURER OR BRAND  
25 FAMILY THREE CALENDAR DAYS BEFORE THE TOBACCO PRODUCT BRAND  
26 MANUFACTURER OR BRAND FAMILY IS ACTUALLY REMOVED FROM THE  
27 DIRECTORY.".

28

29 As amended, ordered engrossed and placed on the Calendar for Third  
30 Reading and Final Passage.

31

32

33 **HB03-1327** by Representative(s) Butcher, McFadyen, Tochtrop; also  
34 Senator(s) Tapia--Concerning an extension of the time in  
35 which retirees of the public employees' retirement  
36 association may be employed to work as nonlicensed  
37 employees for schools without reducing the retirement  
38 benefits of the retirees.

39

40 Amendment No. 1, Education Report, dated March 17, 2003, and placed  
41 in member's bill file; Report also printed in House Journal, March 20,  
42 pages 1185-1186.

43

44 Amendment No. 2, by Representative Butcher.

45

46 Amend printed bill, page 3, after line 22, insert the following:

47

48 "SECTION 3. 22-64-111 (4) (b), Colorado Revised Statutes, is  
49 amended to read:

50

51 **22-64-111. Employment after retirement - repeal.** (4) (b) This  
52 subsection (4) is repealed, effective ~~July 1, 2003~~ JULY 1, 2005.

53

54 **SECTION 4.** 22-64-211 (4) (b), Colorado Revised Statutes, is  
55 amended to read:

56

1           **22-64-211. Employment after retirement - repeal.** (4) (b) This  
 2 subsection (4) is repealed, effective ~~July 1, 2003~~ JULY 1, 2005.".

3  
 4 Renumber succeeding section accordingly.

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

8  
 9  
 10  
 11           **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

12  
 13 Passed Second Reading: **HB03-1252 amended, 1085 amended,**  
 14 **1173 amended, SB03-120 amended, HB03-1330 amended,**  
 15 **1327 amended.**

16  
 17 Laid over until date indicated retaining place on Calendar:  
 18 **HB03-1311, 1132--April 3, 2003.**

19  
 20 The Chairman moved the adoption of the Committee of the Whole  
 21 Report. As shown by the following roll call vote, a majority of those  
 22 elected to the House voted in the affirmative, and the Report was  
 23 **adopted.**

24  
 25

YES	63	NO	00	EXCUSED	02	ABSENT	00
Berry	Y	Fritz	Y	May	Y	Sinclair	Y
Borodkin	Y	Garcia	Y	McCluskey	Y	Smith	Y
Boyd	Y	Hall	Y	McFadyen	Y	Spence	Y
Briggs	Y	Harvey	Y	Merrifield	Y	Stafford	Y
Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
Butcher	Y	Hodge	Y	Mitchell	Y	Tochtrop	Y
Cadman	Y	Hoppe	Y	Paccione	Y	Veiga	Y
Carroll	Y	Jahn	Y	Plant	Y	Vigil	Y
Cerbo	Y	Johnson	Y	Pommer	Y	Weddig	Y
Clapp	Y	Judd	Y	Ragsdale	Y	Weissmann	Y
Cloer	E	King	Y	Rhodes	Y	White	Y
Coleman	Y	Larson	Y	Rippy	Y	Wiens	Y
Crane	E	Lee	Y	Romanoff	Y	Williams S.	Y
Decker	Y	Lundberg	Y	Rose	Y	Williams T.	Y
Fairbank	Y	Madden	Y	Salazar	Y	Witwer	Y
Frangas	Y	Marshall	Y	Schultheis	Y	Young	Y
						Speaker	Y

26  
 27  
 28  
 29  
 30  
 31  
 32  
 33  
 34  
 35  
 36  
 37  
 38  
 39  
 40  
 41  
 42  
 43  
 44  
 45  
 46

47           **REPORTS OF COMMITTEE OF REFERENCE**

48  
 49 **BUSINESS AFFAIRS & LABOR**

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

52  
 53 **HB03-1316** be referred favorably to the Committee on Appropriations.  
 54  
 55

1 **HB03-1339** be amended as follows, and as so amended, be referred to  
2 the Committee of the Whole with favorable  
3 recommendation:  
4

5 Amend printed bill, page 2, strike lines 23 through 25.  
6  
7  
8

9 **SB03-068** be amended as follows, and as so amended, be referred to  
10 the Committee on Appropriations with favorable  
11 recommendation:  
12

13 Amend reengrossed bill, page 3, line 13, strike "BY THE GOVERNOR";  
14

15 strike lines 15 through 21 and substitute the following:

16 "(I) THE PRESIDENT OF THE SENATE, IN CONSULTATION WITH THE  
17 MINORITY LEADER SHALL APPOINT ONE MEMBER WHO IS A MEMBER OF THE  
18 SENATE BUSINESS AFFAIRS AND LABOR COMMITTEE;  
19

20 (II) THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, IN  
21 CONSULTATION WITH THE MINORITY LEADER, SHALL APPOINT ONE MEMBER  
22 WHO IS A MEMBER OF THE HOUSE OF REPRESENTATIVES BUSINESS AFFAIRS  
23 AND LABOR COMMITTEE.  
24

25 (III) THE GOVERNOR SHALL APPOINT THE FOLLOWING MEMBERS:";  
26

27 line 22, strike "(III)" and substitute "(A)";  
28

29 line 24, strike "(IV)" and substitute "(B)";  
30

31 line 26, strike "(V)" and substitute "(C)".  
32

33 Page 4, line 1, strike "(VI)" and substitute "(D)";  
34

35 line 3, strike "(VII)" and substitute "(E)";  
36

37 line 6, strike "(VIII)" and substitute "(F)";  
38

39 line 21, after "EXPENSES", insert "NOT TO EXCEED TWENTY THOUSAND  
40 DOLLARS ANNUALLY,".  
41

42 Page 8, line 1, strike "2008." and substitute "2005."  
43  
44  
45

46 **SB03-241** be amended as follows, and as so amended, be referred to  
47 the Committee of the Whole with favorable  
48 recommendation:  
49

50 Amend reengrossed bill, page 5, line 8, strike "(1) (e), (1) (f), and (5),"  
51 and substitute "(1) (e) and (1) (f),";  
52

53 strike lines 17 through 27.  
54

55 Page 6, strike lines 1 through 12.  
56

---

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39

**SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

The Speaker has signed: **SB03-112, 133.**

---

**DELIVERY OF BILLS TO GOVERNOR**

The Chief Clerk of the House of Representatives reports the following bills have been delivered to the Office of the Governor: **HB03-1050, 1081, 1087, 1216, 1283, 1286** at 11:34 a.m., April 2, 2003.

---

**LAY OVER OF CALENDAR ITEMS**

On motion of Representative King, the following items on the Calendar were laid over until April 3, retaining place on Calendar:

Consideration of General Orders--**HB03-1319, 1333, 1209, 1337, 1332, 1274, 1073, 1190, 1191, 1223, 1247, 1289.**  
Consideration of Resolutions--**HJR03-1020, 1029, 1022, 1033, 1037, 1038, 1040, 1042, 1043.**

---

On motion of Representative King, the House adjourned until 9:00 a.m., April 3, 2003.

Approved:

**LOLA SPRADLEY,**  
Speaker

Attest:

**JUDITH RODRIGUE,**  
Chief Clerk