

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

Forty-eighth Legislative Day

Monday, February 24, 2003

1 Prayer by the Reverend Brad Meuli, Denver Rescue Mission.

2

3 The Speaker called the House to order at 10:00 a.m.

4

5 Pledge of Allegiance led by Representative May.

6

7 The roll was called with the following result:

8

9 Present--62.

10 Excused--Representatives Hall, Marshall, Sinclair--3.

11 Present after roll call--Representative Sinclair.

12

13 The Speaker declared a quorum present.

14

15

16 On motion of Representative Lundberg, the reading of the journal of
17 February 21, 2003, was declared dispensed with and approved as
18 corrected by the Chief Clerk.

19

20

CONSIDERATION OF RESOLUTION

21

22
23 **HR03-1010** by Representative(s) Williams S., Mitchell--Concerning
24 George Washington's birthday.

25

26 (Printed and placed in member's file, also printed in House Journal
27 February 18, pages 799-800.)

28

29 On motion of Representative Williams S., the resolution was read at
30 length and **adopted** by **viva voce** vote.

31

32 Co-sponsors added: Roll call of the House.

33

34

THIRD READING OF BILLS--FINAL PASSAGE

35

36
37 The following bills were considered on Third Reading. The titles were
38 publicly read. Reading of the bill at length was dispensed with by
39 unanimous consent.

40

41 **HB03-1232** by Representative(s) Stafford, Spradley; also Senator(s)
42 Johnson S.--Concerning evidence of admissions in civil
43 proceedings related to the provision of medical care.

1 The question being "Shall the bill pass?".
 2 A roll call vote was taken. As shown by the following recorded vote, a
 3 majority of those elected to the House voted in the affirmative and the bill
 4 was declared **passed**.

	YES	58	NO	04	EXCUSED	03	ABSENT	00
7	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	E
8	Borodkin	Y	Hall	E	McFadyen	N	Smith	Y
9	Boyd	Y	Harvey	Y	Merrifield	Y	Spence	Y
10	Briggs	Y	Hefley	Y	Miller	Y	Stafford	Y
11	Brophy	Y	Hodge	Y	Mitchell	Y	Stengel	Y
12	Butcher	Y	Hoppe	Y	Paccione	Y	Tochtrop	Y
13	Cadman	Y	Jahn	Y	Plant	Y	Veiga	Y
14	Carroll	N	Johnson	Y	Pommer	Y	Vigil	Y
15	Clapp	Y	Judd	Y	Ragsdale	Y	Weddig	Y
16	Cloer	Y	King	Y	Rhodes	Y	Weissmann	N
17	Coleman	Y	Larson	Y	Rippy	Y	White	Y
18	Crane	Y	Lee	Y	Romanoff	Y	Wiens	Y
19	Decker	Y	Lundberg	Y	Rose	Y	Williams S.	Y
20	Fairbank	Y	Madden	N	Salazar	Y	Williams T.	Y
21	Frangas	Y	Marshall	E	Sanchez	Y	Witwer	Y
22	Fritz	Y	May	Y	Schultheis	Y	Young	Y
23							Speaker	Y

24 Co-sponsor added: Representative Frangas.

25
 26 **HB03-1283** by Representative(s) Stafford; also Senator(s) Johnson S.--
 27 Concerning qualifications for designation as a managed
 28 service organization for the purchase of treatment services
 29 related to alcohol and drug abuse.

30
 31 The question being "Shall the bill pass?".
 32 A roll call vote was taken. As shown by the following recorded vote, a
 33 majority of those elected to the House voted in the affirmative and the bill
 34 was declared **passed**.

	YES	61	NO	01	EXCUSED	03	ABSENT	00
37	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	E
38	Borodkin	Y	Hall	E	McFadyen	Y	Smith	Y
39	Boyd	Y	Harvey	Y	Merrifield	Y	Spence	Y
40	Briggs	Y	Hefley	Y	Miller	Y	Stafford	Y
41	Brophy	Y	Hodge	Y	Mitchell	Y	Stengel	Y
42	Butcher	Y	Hoppe	Y	Paccione	Y	Tochtrop	Y
43	Cadman	Y	Jahn	Y	Plant	Y	Veiga	Y
44	Carroll	Y	Johnson	Y	Pommer	Y	Vigil	Y
45	Clapp	Y	Judd	Y	Ragsdale	Y	Weddig	Y
46	Cloer	Y	King	Y	Rhodes	Y	Weissmann	Y
47	Coleman	Y	Larson	Y	Rippy	Y	White	Y
48	Crane	Y	Lee	Y	Romanoff	Y	Wiens	Y
49	Decker	Y	Lundberg	Y	Rose	Y	Williams S.	Y
50	Fairbank	Y	Madden	Y	Salazar	Y	Williams T.	Y
51	Frangas	Y	Marshall	E	Sanchez	Y	Witwer	Y
52	Fritz	Y	May	Y	Schultheis	N	Young	Y
53							Speaker	Y

54 Co-sponsor added: Representatives Plant.

55

1 **HB03-1222** by Representative(s) Johnson R.; also Senator(s) Kester--
 2 Concerning the electronic filing of documents with the
 3 division of workers' compensation.
 4

5 The question being "Shall the bill 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 bill
 8 was declared **passed**.
 9

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

28 Co-sponsors added: Representatives McCluskey, Speaker.
 29

30 **HB03-1299** by Representative(s) Cadman; also Senator(s) Dyer--
 31 Concerning the minimum authorized return for a life
 32 insurance annuity.
 33

34 The question being "Shall the bill pass?".
 35 A roll call vote was taken. As shown by the following recorded vote, a
 36 majority of those elected to the House voted in the affirmative and the bill
 37 was declared **passed**.
 38

	YES	49	NO	13	EXCUSED	03	ABSENT	00
39	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	E
40	Borodkin	Y	Hall	E	McFadyen	N	Smith	Y
41	Boyd	Y	Harvey	Y	Merrifield	Y	Spence	Y
42	Briggs	Y	Hefley	Y	Miller	Y	Stafford	Y
43	Brophy	Y	Hodge	Y	Mitchell	Y	Stengel	Y
44	Butcher	N	Hoppe	Y	Paccione	Y	Tochtrop	Y
45	Cadman	Y	Jahn	N	Plant	N	Veiga	Y
46	Carroll	N	Johnson	Y	Pommer	Y	Vigil	N
47	Clapp	Y	Judd	Y	Ragsdale	N	Weddig	N
48	Cloer	N	King	Y	Rhodes	Y	Weissmann	N
49	Coleman	Y	Larson	Y	Rippy	Y	White	Y
50	Crane	Y	Lee	Y	Romanoff	Y	Wiens	Y
51	Decker	Y	Lundberg	Y	Rose	Y	Williams S.	Y
52	Fairbank	Y	Madden	N	Salazar	Y	Williams T.	Y
53	Frangas	N	Marshall	E	Sanchez	N	Witwer	Y
54	Fritz	Y	May	Y	Schultheis	Y	Young	Y
55							Speaker	Y

56 Co-sponsors added: Representatives Crane, Jahn.

1 **HB03-1207** by Representative(s) Briggs; also Senator(s) Entz--
 2 Concerning a modification to the statutory provisions
 3 regarding special districts to allow a municipality to agree
 4 to be the approving authority of a special district that was
 5 originally approved by a board of county commissioners
 6 but has since become wholly contained within the
 7 boundaries of the municipality by annexation.

8
 9 The question being "Shall the bill 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 bill
 12 was declared **passed**.

	YES	62	NO	00	EXCUSED	03	ABSENT	00
15	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	E
16	Borodkin	Y	Hall	E	McFadyen	Y	Smith	Y
17	Boyd	Y	Harvey	Y	Merrifield	Y	Spence	Y
18	Briggs	Y	Hefley	Y	Miller	Y	Stafford	Y
19	Brophy	Y	Hodge	Y	Mitchell	Y	Stengel	Y
20	Butcher	Y	Hoppe	Y	Paccione	Y	Tochtrop	Y
21	Cadman	Y	Jahn	Y	Plant	Y	Veiga	Y
22	Carroll	Y	Johnson	Y	Pommer	Y	Vigil	Y
23	Clapp	Y	Judd	Y	Ragsdale	Y	Weddig	Y
24	Cloer	Y	King	Y	Rhodes	Y	Weissmann	Y
25	Coleman	Y	Larson	Y	Rippy	Y	White	Y
26	Crane	Y	Lee	Y	Romanoff	Y	Wiens	Y
27	Decker	Y	Lundberg	Y	Rose	Y	Williams S.	Y
28	Fairbank	Y	Madden	Y	Salazar	Y	Williams T.	Y
29	Frangas	Y	Marshall	E	Sanchez	Y	Witwer	Y
30	Fritz	Y	May	Y	Schultheis	Y	Young	Y
31							Speaker	Y

32 Co-sponsors added: Representatives Johnson, Weddig.

33
 34 **HB03-1239** by Representative(s) Stengel; also Senator(s) Dyer--
 35 Concerning minor adjustments to the boundaries between
 36 certain contiguous counties.

37
 38 The question being "Shall the bill pass?".
 39 A roll call vote was taken. As shown by the following recorded vote, a
 40 majority of those elected to the House voted in the affirmative and the bill
 41 was declared **passed**.

	YES	62	NO	00	EXCUSED	03	ABSENT	00
44	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	E
45	Borodkin	Y	Hall	E	McFadyen	Y	Smith	Y
46	Boyd	Y	Harvey	Y	Merrifield	Y	Spence	Y
47	Briggs	Y	Hefley	Y	Miller	Y	Stafford	Y
48	Brophy	Y	Hodge	Y	Mitchell	Y	Stengel	Y
49	Butcher	Y	Hoppe	Y	Paccione	Y	Tochtrop	Y
50	Cadman	Y	Jahn	Y	Plant	Y	Veiga	Y
51	Carroll	Y	Johnson	Y	Pommer	Y	Vigil	Y
52	Clapp	Y	Judd	Y	Ragsdale	Y	Weddig	Y
53	Cloer	Y	King	Y	Rhodes	Y	Weissmann	Y
54	Coleman	Y	Larson	Y	Rippy	Y	White	Y
55	Crane	Y	Lee	Y	Romanoff	Y	Wiens	Y
56	Decker	Y	Lundberg	Y	Rose	Y	Williams S.	Y

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

5 Co-sponsors added: Representatives Frangas, Weddig.

6
7 **HB03-1287** by Representative(s) Ragsdale, Briggs, Cloer, Coleman,
8 Hodge, Merrifield, Weissmann, Williams S.; also
9 Senator(s) Chlouber--Concerning the exemption of an
10 applicant requesting a new certificate of title for an older
11 vehicle from posting a security in a case where the
12 applicant is unable to provide evidence of ownership of
13 the vehicle to the department of revenue.
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**.

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

38 Co-sponsors added: Representatives Hoppe, Stafford, Speaker.

39
40 **HB03-1298** by Representative(s) Harvey; also Senator(s) Lamborn--
41 Concerning increased limitations on claims asserting that
42 a mortgage is unconscionable.
43

44 The question being "Shall the bill pass?".

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

49	YES	52	NO	10	EXCUSED	03	ABSENT	00
50	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	E
51	Borodkin	Y	Hall	E	McFadyen	N	Smith	Y
52	Boyd	Y	Harvey	Y	Merrifield	Y	Spence	Y
53	Briggs	Y	Hefley	Y	Miller	Y	Stafford	Y
54	Brophy	Y	Hodge	N	Mitchell	Y	Stengel	Y
55	Butcher	Y	Hoppe	Y	Paccione	Y	Tochtrop	Y
56	Cadman	Y	Jahn	Y	Plant	N	Veiga	Y

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

11 Co-sponsors added: Representatives Johnson.

12
 13 **HB03-1211** by Representative(s) Williams T.; also Senator(s)
 14 Anderson--Concerning records of child abuse or neglect
 15 for the protection of children.

16
 17 The question being "Shall the bill pass?".
 18 A roll call vote was taken. As shown by the following recorded vote, a
 19 majority of those elected to the House voted in the affirmative and the bill
 20 was declared **passed**.

21	YES	62	NO	00	EXCUSED	03	ABSENT	00
23	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	E
24	Borodkin	Y	Hall	E	McFadyen	Y	Smith	Y
25	Boyd	Y	Harvey	Y	Merrifield	Y	Spence	Y
26	Briggs	Y	Hefley	Y	Miller	Y	Stafford	Y
27	Brophy	Y	Hodge	Y	Mitchell	Y	Stengel	Y
28	Butcher	Y	Hoppe	Y	Paccione	Y	Tochtrop	Y
29	Cadman	Y	Jahn	Y	Plant	Y	Veiga	Y
30	Carroll	Y	Johnson	Y	Pommer	Y	Vigil	Y
31	Clapp	Y	Judd	Y	Ragsdale	Y	Weddig	Y
32	Cloer	Y	King	Y	Rhodes	Y	Weissmann	Y
33	Coleman	Y	Larson	Y	Rippy	Y	White	Y
34	Crane	Y	Lee	Y	Romanoff	Y	Wiens	Y
35	Decker	Y	Lundberg	Y	Rose	Y	Williams S.	Y
36	Fairbank	Y	Madden	Y	Salazar	Y	Williams T.	Y
37	Frangas	Y	Marshall	E	Sanchez	Y	Witwer	Y
38	Fritz	Y	May	Y	Schultheis	Y	Young	Y
39							Speaker	Y

40 Co-sponsors added: Representatives Brophy, Coleman, Frangas, Hoppe,
 41 Paccione, Stafford, Vigil, Williams S., Speaker.

42
 43 **HB03-1229** by Representative(s) Cloer, Schultheis; also Senator(s)
 44 Johnson --Concerning an exemption from authority-to-
 45 practice requirements for mental health professionals with
 46 authority to practice in another state who practice in
 47 Colorado up to twenty days annually.

48
 49 As shown by the following roll call vote, a majority of all members
 50 elected to the House voted in the affirmative, and Representative
 51 Weissmann was given permission to offer a Third Reading amendment:

52	YES	60	NO	02	EXCUSED	03	ABSENT	00
54	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	E
55	Borodkin	Y	Hall	E	McFadyen	Y	Smith	Y
56	Boyd	Y	Harvey	Y	Merrifield	Y	Spence	Y

1	Briggs	Y	Hefley	Y	Miller	Y	Stafford	Y
2	Brophy	N	Hodge	Y	Mitchell	Y	Stengel	Y
3	Butcher	Y	Hoppe	Y	Paccione	Y	Tochtrop	Y
4	Cadman	Y	Jahn	Y	Plant	Y	Veiga	Y
5	Carroll	Y	Johnson	Y	Pommer	Y	Vigil	Y
6	Clapp	Y	Judd	Y	Ragsdale	Y	Weddig	Y
7	Cloer	Y	King	Y	Rhodes	Y	Weissmann	Y
8	Coleman	Y	Larson	Y	Rippy	Y	White	Y
9	Crane	Y	Lee	N	Romanoff	Y	Wiens	Y
10	Decker	Y	Lundberg	Y	Rose	Y	Williams S.	Y
11	Fairbank	Y	Madden	Y	Salazar	Y	Williams T.	Y
12	Frangas	Y	Marshall	E	Sanchez	Y	Witwer	Y
13	Fritz	Y	May	Y	Schultheis	Y	Young	Y
14							Speaker	Y

15
16 **Third Reading amendment No. 1**, by Representative Weissmann.

17
18 Amend engrossed bill, page 2, line 4, after "(9)", insert "(a)";

19
20 line 12, strike "(a)" and substitute "(I)";

21
22 line 14, strike "(b)" and substitute "(II)";

23
24 line 15, strike "(c)" and substitute "(III)";

25
26 line 16, strike "(d)" and substitute "(IV)";

27
28 after line 17, insert the following:

29
30 "(b) AN EXEMPTION FROM LICENSURE PURSUANT TO THIS
31 SUBSECTION (9) SHALL ONLY APPLY TO AN OUT-OF-STATE PERSON WHO IS
32 LICENSED OR CERTIFIED AS A PSYCHOLOGIST, MARRIAGE AND FAMILY
33 THERAPIST, CLINICAL SOCIAL WORKER, PROFESSIONAL COUNSELOR, OR
34 ADDICTION COUNSELOR WHO IS PROVIDING EVALUATIONS OR EXPERT
35 WITNESS TESTIMONY.".

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

38	YES	22	NO	41	EXCUSED	02	ABSENT	00
39								
40	Berry	N	Garcia	Y	McCluskey	N	Sinclair	N
41	Borodkin	Y	Hall	E	McFadyen	Y	Smith	N
42	Boyd	N	Harvey	N	Merrifield	Y	Spence	N
43	Briggs	N	Hefley	N	Miller	N	Stafford	N
44	Brophy	N	Hodge	Y	Mitchell	N	Stengel	N
45	Butcher	Y	Hoppe	N	Paccione	Y	Tochtrop	Y
46	Cadman	N	Jahn	Y	Plant	Y	Veiga	Y
47	Carroll	Y	Johnson	N	Pommer	N	Vigil	Y
48	Clapp	N	Judd	Y	Ragsdale	Y	Weddig	Y
49	Cloer	N	King	N	Rhodes	N	Weissmann	Y
50	Coleman	Y	Larson	N	Rippy	N	White	N
51	Crane	N	Lee	N	Romanoff	Y	Wiens	N
52	Decker	N	Lundberg	N	Rose	N	Williams S.	Y
53	Fairbank	N	Madden	Y	Salazar	N	Williams T.	N
54	Frangas	N	Marshall	E	Sanchez	N	Witwer	Y
55	Fritz	N	May	N	Schultheis	N	Young	N
56							Speaker	N

1 The question being, "Shall the bill pass?".
 2 A roll call vote was taken. As shown by the following recorded vote, a
 3 majority of those elected to the House voted in the affirmative, and the
 4 bill was declared **passed**.

	YES	57	NO	06	EXCUSED	02	ABSENT	00
7	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
8	Borodkin	Y	Hall	E	McFadyen	Y	Smith	N
9	Boyd	Y	Harvey	Y	Merrifield	Y	Spence	Y
10	Briggs	Y	Hefley	Y	Miller	Y	Stafford	Y
11	Brophy	Y	Hodge	Y	Mitchell	Y	Stengel	N
12	Butcher	Y	Hoppe	Y	Paccione	Y	Tochtrop	Y
13	Cadman	Y	Jahn	Y	Plant	Y	Veiga	Y
14	Carroll	Y	Johnson	Y	Pommer	Y	Vigil	Y
15	Clapp	Y	Judd	Y	Ragsdale	Y	Weddig	N
16	Cloer	Y	King	Y	Rhodes	Y	Weissmann	N
17	Coleman	Y	Larson	Y	Rippy	Y	White	Y
18	Crane	Y	Lee	Y	Romanoff	Y	Wiens	Y
19	Decker	Y	Lundberg	Y	Rose	Y	Williams S.	Y
20	Fairbank	Y	Madden	N	Salazar	Y	Williams T.	Y
21	Frangas	Y	Marshall	E	Sanchez	Y	Witwer	N
22	Fritz	Y	May	Y	Schultheis	Y	Young	Y
23							Speaker	Y

24 Co-sponsors added: Representatives Frangas, Stafford, Young.

25
 26
 27
 28 On motion of Representative Schultheis, the House resolved itself into
 29 Committee of the Whole for consideration of General Orders, and he was
 30 called to the Chair to act as Chairman.

31 32 33 **GENERAL ORDERS--SECOND READING OF BILLS**

34
 35 The Committee of the Whole having risen, the Chairman reported the
 36 titles of the following bills had been read (reading at length had been
 37 dispensed with by unanimous consent), the bills considered and action
 38 taken thereon as follows:

39
 40 (Amendments to the committee amendment are to the printed committee
 41 report which was printed and placed in the members' bill file.)

42
 43 On motion of Representative King, Consideration of **HB03-1146, 1225,**
 44 **SB03-072, HB03-1250, 1301, 1306** was laid over until February 25,
 45 retaining place on Calendar.

46
 47 **SB03-071** by Senator(s) Sandoval; also Representative(s)
 48 Williams T.--Concerning the prerequisites for the issuance
 49 of liquor licenses to certain types of premises.

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

53
 54 **SB03-059** by Senator(s) Taylor; also Representative(s) White,
 55 Williams T.--Concerning the recreation of the division of
 56 insurance within the department of regulatory agencies,

1 and, in connection therewith, reinstating the regulatory
2 functions of the division of insurance as they existed as of
3 July 1, 2002, staggering the time frame under which the
4 division of insurance undergoes sunset review, and
5 making conforming amendments.
6

7 Declared **lost** on Second Reading.
8 (For change in action, see Amendments to Report, page 899.)
9

10 **HB03-1294** by Representative(s) Stafford, Williams S.; also Senator(s)
11 McElhany--Concerning health insurance for employers
12 with fewer than fifty-one employees.
13

14 Amendment No. 1, Business Affairs & Labor Report, dated February 18,
15 2003, and placed in member's bill file; Report also printed in House
16 Journal, February 19, pages 816-817.
17

18 Amendment No. 2, by Representative Stafford.
19

20 Amend printed bill, page 3, line 26, strike "PRIOR TO SEEKING" and
21 substitute "DURING THE PAST TWELVE MONTHS SOUGHT";
22

23 line 27, strike "THE".
24

25 Page 4, strike line 1 and substitute the following:
26

27 "A HEALTH BENEFIT PLAN THAT IS NOT A SMALL GROUP PLAN; EXCEPT FOR
28 HEALTH BENEFIT PLANS SPONSORED BY AN EMPLOYEE LEASING COMPANY,
29 AS DEFINED IN SECTION 8-70-114 (2) (a) (I), PURSUANT TO
30 SUB-SUBPARAGRAPHS (D) TO (F) OF THIS SUBPARAGRAPH (I). THE";
31

32 line 12, strike "GOVERNED BY" and substitute "SUBJECT TO";
33

34 line 27, before "PRIOR", insert "DURING THE PAST TWELVE MONTHS".
35

36 Page 5, line 25, strike "ELIGIBLE FOR" and substitute "SUBJECT TO".
37

38 Page 6, line 1, strike "BUSINESS" and substitute "EMPLOYER".
39

40 Amendment No. 3, by Representative Stafford.
41

42 Amend printed bill, page 6, strike lines 15 through 27 and substitute the
43 following:
44

45 "(15) ON AND AFTER JANUARY 1, 2004, SMALL EMPLOYER GROUPS
46 WHO HAVE NOT PREVIOUSLY SPONSORED HEALTH BENEFIT COVERAGE
47 SHALL NOT BE SUBJECT TO PREMIUM ADJUSTMENTS FOR HEALTH STATUS
48 PURSUANT TO SUBSECTION (13) OF THIS SECTION."
49

50 Renumber succeeding sections accordingly.
51

52 Page 7, strike lines 1 through 6.
53

54 As amended, ordered engrossed and placed on the Calendar for Third
55 Reading and Final Passage.
56

1 **HB03-1244** by Representative(s) Ragsdale--Concerning penalties
2 imposed for committing the crime of defacing property.
3

4 Amendment No. 1, Judiciary Report, dated February 11, 2003, and placed
5 in member's bill file; Report also printed in House Journal, February 12,
6 pages 637-639.
7

8 Amendment No. 2, Finance Report, dated February 20, 2003, and placed
9 in member's bill file; Report also printed in House Journal, February 20,
10 page 856.
11

12 As amended, ordered engrossed and placed on the Calendar for Third
13 Reading and Final Passage.
14

15 **HB03-1308** by Representative(s) Decker; also Senator(s) Jones--
16 Concerning property tax interest rates.
17

18 Amendment No. 1, Finance Report, dated February 20, 2003, and placed
19 in member's bill file; Report also printed in House Journal, February 20,
20 page 856.
21

22 Amendment No. 2, by Representative Decker.
23

24 Amend printed bill, page 3, line 14, strike "2004," and substitute "2003,";
25 line 21, strike "2004," and substitute "2003,".
26

27 Page 4, line 6, strike "2004," and substitute "2003,";
28 line 11, strike "2004," and substitute "2003,";
29

30 line 15, strike "2004," and substitute "2003,".
31

32 Page 5, line 5, strike "2004," and substitute "2003,";
33 line 8, strike "2004," and substitute "2003,".
34

35 Amendment No. 3, by Representative Stengel.
36

37 Amend printed bill, page 4, line 24, strike "DECEMBER" and substitute
38 "SEPTEMBER";
39 line 26, strike "DECEMBER" and substitute "SEPTEMBER".
40

41 As amended, ordered engrossed and placed on the Calendar for Third
42 Reading and Final Passage.
43

44 **HB03-1255** by Representative(s) Stafford, Williams S.; also Senator(s)
45 Johnson S.--Concerning the enhancement of patient safety
46 through the confidential analysis of health care
47 information by nongovernmental patient safety
48 organizations.
49

50 Amendment No. 1, Information & Technology Report, dated February
51 19, 2003, and placed in member's bill file; Report also printed in House
52 Journal, February 20, page 831.
53
54
55
56

1 Amendment No. 2, by Representatives Mitchell, Stafford.

2
3 Amend the Information & Technology Committee Report, dated February
4 19, 2003, page 1, strike lines 3 through 6 and substitute the following:

5
6 **"SECTION 1.** The introductory portion to 25-3-109 (4),
7 Colorado Revised Statutes, is amended and the said 25-3-109 is further
8 amended BY THE ADDITION OF A NEW SUBSECTION, to read:

9
10 **25-3-109. Quality management functions - confidentiality and**
11 **immunity.** (4) The records, reports, and other information described in
12 subsection (3) AND SUBSECTION (5.5) of this section shall not be subject
13 to subpoena or discoverable or admissible as evidence in any civil or
14 administrative proceeding. No person who participates in the reporting,
15 collection, evaluation, or use of such quality management information
16 with regard to a specific circumstance shall testify thereon in any civil or
17 administrative proceeding. However, this subsection (4) shall not apply
18 to:

19 (5.5) (a) THE CONFIDENTIALITY OF INFORMATION PROVIDED".

20
21 Amendment No. 3, by Representative Judd.

22
23 Amend the Information and Technology Committee Report, dated
24 February 19, 2003, page 1, strike lines 17 through 19 and substitute the
25 following:

26
27 "IN STUDIES RELYING UPON THOSE RECORDS, REPORTS, OR OTHER
28 INFORMATION SHALL BE DEEMED TO ESTABLISH A STANDARD OF CARE FOR
29 HEALTH CARE FACILITIES.".

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

33
34
35
36 **AMENDMENT TO THE COMMITTEE OF THE WHOLE REPORT**

37
38 Representatives Cadman, White, Berry, Boyd, Briggs, Brophy, Clapp,
39 Cloer, Coleman, Crane, Decker, Fairbank, Frangas, Fritz, Harvey, Hefley,
40 Hodge, Hoppe, Jahn, King, Lee, May, McCluskey, McFadyen,
41 Merrifield, Miller, Mitchell, Ragsdale, Rhodes, Rippey, Romanoff, Rose,
42 Schultheis, Sinclair, Smith, Spence, Spradley, Stafford, Stengel,
43 Tochtrop, Veiga, Vigil, Weddig, Wiens, Williams S., Williams T.,
44 Witwer, and Young moved to amend the Report of the Committee of the
45 Whole to show that SB 03-059 did pass.

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

48
49

	YES	63	NO	00	EXCUSED	02	ABSENT	00
50	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
51	Borodkin	Y	Hall	E	McFadyen	Y	Smith	Y
52	Boyd	Y	Harvey	Y	Merrifield	Y	Spence	Y
53	Briggs	Y	Hefley	Y	Miller	Y	Stafford	Y
54	Brophy	Y	Hodge	Y	Mitchell	Y	Stengel	Y
55	Butcher	Y	Hoppe	Y	Paccione	Y	Tochtrop	Y
56	Cadman	Y	Jahn	Y	Plant	Y	Veiga	Y

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

11
12
13
14 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

15
16 Passed Second Reading: **SB03-071, 059, HB03-1294 amended,**
17 **1244 amended, 1308 amended, 1255 amended.**

18
19 Laid over until date indicated retaining place on Calendar: **HB03-1146,**
20 **1225, SB03-072, HB03-1250, 1301, 1306--February 25, 2003.**

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

26	YES	63	NO	00	EXCUSED	02	ABSENT	00
28	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
29	Borodkin	Y	Hall	E	McFadyen	Y	Smith	Y
30	Boyd	Y	Harvey	Y	Merrifield	Y	Spence	Y
31	Briggs	Y	Hefley	Y	Miller	Y	Stafford	Y
32	Brophy	Y	Hodge	Y	Mitchell	Y	Stengel	Y
33	Butcher	Y	Hoppe	Y	Paccione	Y	Tochtrop	Y
34	Cadman	Y	Jahn	Y	Plant	Y	Veiga	Y
35	Carroll	Y	Johnson	Y	Pommer	Y	Vigil	Y
36	Clapp	Y	Judd	Y	Ragsdale	Y	Weddig	Y
37	Cloer	Y	King	Y	Rhodes	Y	Weissmann	Y
38	Coleman	Y	Larson	Y	Rippy	Y	White	Y
39	Crane	Y	Lee	Y	Romanoff	Y	Wiens	Y
40	Decker	Y	Lundberg	Y	Rose	Y	Williams S.	Y
41	Fairbank	Y	Madden	Y	Salazar	Y	Williams T.	Y
42	Frangas	Y	Marshall	E	Sanchez	Y	Witwer	Y
43	Fritz	Y	May	Y	Schultheis	Y	Young	Y
44							Speaker	Y

45
46
47
48 **FIRST REPORT OF FIRST CONFERENCE COMMITTEE**
49 **on SB03-190**

50
51 This Report Amends the Reengrossed Bill.

52
53 To the President of the Senate and the
54 Speaker of the House of Representatives:

55
56 Your first conference committee appointed on SB03-190,

1 concerning tobacco litigation settlement moneys received by the state,
2 and, in connection therewith, reallocating the moneys for the 2002-03
3 fiscal year for the purpose of augmenting the state general fund, providing
4 authorization for the state treasurer to invest moneys transferred on July
5 5, 2002, from the tobacco litigation settlement trust fund to the general
6 fund in any manner in which the trust fund moneys may be invested, and
7 modifying appropriations for the 2002-03 fiscal year, has met and reports
8 that it has agreed upon the following:

9
10 That the House recede from its amendments made to the bill, as
11 said amendments appear in the rerevised bill, and that the following
12 amendments be substituted therefor:

13
14 Amend reengrossed bill, page 3, line 1, strike "TWENTY-NINE MILLION
15 SIXTY-TWO";

16
17 line 2, strike "THOUSAND FOUR HUNDRED EIGHTY-SIX" and substitute
18 "THIRTY-THREE MILLION TWO HUNDRED TWENTY-SIX THOUSAND SEVEN
19 HUNDRED SEVENTY-EIGHT".

20
21 Page 6, line 5, strike "SEVEN MILLION THIRTEEN THOUSAND";

22
23 line 6, strike "TWO HUNDRED TWENTY-TWO" and substitute "THREE
24 MILLION";

25
26 line 9, strike "THIRTEEN MILLION ONE HUNDRED FORTY-NINE THOUSAND";

27
28 line 10, strike "SEVEN HUNDRED NINETY-THREE" and substitute "TWELVE
29 MILLION NINE HUNDRED NINETY-EIGHT THOUSAND SEVEN HUNDRED
30 TWENTY-THREE".

31
32 Page 24, line 13, in the ITEM & SUBTOTAL column, strike
33 "49,375,427" and substitute "45,362,205" and in the CASH FUNDS
34 EXEMPT column, strike "7,670,753^c" and substitute "3,657,531^c".

35
36 Page 25, line 1, in the ITEM & SUBTOTAL column, strike
37 "585,186,702" and substitute "581,173,480";

38
39 line 5, strike "\$7,013,222" and substitute "\$3,000,000";

40
41 line 12, in the TOTAL column, strike "1,407,587,871" and substitute
42 "1,403,574,649".

43
44 Page 26, line 1, in the TOTAL column, strike "\$1,624,856,167" and
45 substitute "\$1,620,842,945" and in the CASH FUNDS EXEMPT column,
46 strike "\$86,103,338^a" and substitute "\$82,090,116^a".

47
48 Page 29, line 13, in the ITEM & SUBTOTAL column, strike
49 "13,149,793" and substitute "12,998,723" and in the CASH FUNDS
50 EXEMPT column, strike "13,149,793^b" and substitute "12,998,723^b".

51
52 Page 30, line 1, in the ITEM & SUBTOTAL column, strike "12,503,297"
53 and substitute "12,352,227" and in the CASH FUNDS EXEMPT column,
54 strike "12,503,297^a" and substitute "12,352,227^a";

55
56 line 7, in the ITEM & SUBTOTAL column, strike "26,967,552" and

1 substitute "26,665,412".

2

3 Page 31, line 13, in the TOTAL column, strike "48,657,672" and
4 substitute "48,355,532".

5

6 Page 32, line 4, in the TOTAL column, strike "\$277,718,254" and
7 substitute "\$277,416,114" and in the CASH FUNDS EXEMPT column,
8 strike "\$77,701,661^b" and substitute "\$77,399,521^b".

9

10 Respectfully submitted,

11 Senate Committee:

12 Dave Owen

13 Ron Teck

14 Peggy Reeves

House Committee:

John Witwer

Brad Young

Tom Plant

15

16

17

18 **FIRST REPORT OF FIRST CONFERENCE COMMITTEE**
19 **on SB03-200**

20

21 This Report Amends the Rerevised Bill.

22

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

25

26 Your first conference committee appointed on SB03-200,
27 concerning a supplemental appropriation to the department of corrections,
28 has met and reports that it has agreed upon the following:

29

30 That the Senate accede to the House amendments made to the bill,
31 as said amendments appear in the rerevised bill, with the following
32 changes:

33

34 Amend rerevised bill, page 28, line 7, in the ITEM & SUBTOTAL
35 column, strike "3,632,632" and substitute "4,137,686" and, in the
36 GENERAL FUND column, strike "2,632,632" and substitute
37 "3,137,686".

38

39 Adjust affected totals accordingly.

40

41 Respectfully submitted,

42 Senate Committee:

43 Dave Owen

44 Ron Teck

45 Peggy Reeves

House Committee:

Brad Young

John Witwer

Tom Plant

46

47

48

49 **FIRST REPORT OF FIRST CONFERENCE COMMITTEE**
50 **on SB03-203**

51

52 This Report Amends the Rerevised Bill.

53

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

56

1 Your first conference committee appointed on SB03-203,
2 concerning a supplemental appropriation to the department of health care
3 policy and financing, has met and reports that it has agreed upon the
4 following:

5
6 That the Senate accede to the House amendments made to the bill,
7 as said amendments appear in the rerevised bill, with the following
8 changes:

9
10 Amend rerevised bill, page 29, line 2, in the ITEM & SUBTOTAL
11 column, strike "4,673,651" and substitute "4,645,048", in the GENERAL
12 FUND column, strike "2,336,826(M)" and substitute "2,322,524(M)"
13 and, in the FEDERAL FUNDS column, strike "2,336,825" and substitute
14 "2,322,524".

15
16 Respectfully submitted,

17 Senate Committee:

18 Dave Owen

19 Ron Teck

20 Peggy Reeves

House Committee:

Brad Young

John Witwer

Tom Plant

21
22
23
24 **FIRST REPORT OF FIRST CONFERENCE COMMITTEE**
25 **on SB03-205**

26
27 This Report Amends the Rerevised Bill.

28
29 To the President of the Senate and the
30 Speaker of the House of Representatives:

31
32 Your first conference committee appointed on SB03-205,
33 concerning a supplemental appropriation to the department of human
34 services, has met and reports that it has agreed upon the following:

35
36 That the Senate accede to the House amendments made to the bill,
37 as said amendments appear in the rerevised bill, with the following
38 changes:

39
40 Amend rerevised bill, page 19, line 1, in the ITEM & SUBTOTAL
41 column, strike "19,775,158" and substitute "19,446,045" and, in the
42 GENERAL FUND column, strike "12,540,781" and substitute
43 "12,211,668";

44
45 line 4, in the ITEM & SUBTOTAL column, strike "520,854" and
46 substitute "344,913" and, in the GENERAL FUND column, strike
47 "520,854" and substitute "344,913".

48
49 Adjust affected totals accordingly.

50
51 Page 21, line 15, in the ITEM & SUBTOTAL column, strike
52 "71,554,381" and substitute "71,339,103".

53
54 Page 22, line 2, in the ITEM & SUBTOTAL column, strike "(1,260.5
55 FTE)" and substitute "(1,257.5 FTE)";

56

1 line 4, in the ITEM & SUBTOTAL column, strike "8,533,206" and
 2 substitute "8,502,691".

3
 4 Page 23, line 3, in the ITEM & SUBTOTAL column, strike "83,876,632"
 5 and substitute "83,630,839", in the GENERAL FUND column, strike
 6 "58,269,487^a" and substitute "58,085,737^a", in the CASH FUNDS
 7 column, strike "3,179,299^b" and substitute "3,170,229^b", and, in the
 8 CASH FUNDS EXEMPT column, strike "22,427,846^c" and substitute
 9 "22,374,873^c";

10

11 line 7, strike "\$2,695,731" and substitute "\$2,686,661";

12

13 line 8, strike "\$19,919,776" and substitute "\$19,866,803";

14

15 line 10, strike "\$7,452,807" and substitute "\$7,428,437";

16

17 line 12, strike "\$3,984,829(T)" and substitute "\$3,956,226(T)".

18

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

20

21 Respectfully submitted,

22

Senate Committee:

House Committee:

23

Dave Owen

Brad Young

24

Ron Teck

John Witwer

25

Peggy Reeves

Tom Plant

26

27

28

29

PRINTING REPORT

30

31 The Chief Clerk reports the following bills have been correctly printed:
 32 **HB03-1314, 1315, 1316, 1317; also HCR03-1001.**

33

34

35

36

MESSAGE FROM THE SENATE

37

38 Madam Speaker:

39

40 The Senate has passed on Third Reading and returns herewith:
 41 HB03-1069, 1302, 1048,

42

43 SB03-102, amended as printed in Senate Journal, February 18, 2003,
 44 page 414,

45 HB03-1018, amended as printed in Senate Journal, February 21, 2003,
 46 page 451.

47

48

49

50

MESSAGE FROM THE REVISOR

51

52 We herewith transmit:

53 Without comment, as amended, SB03-102 and HB03-1018.

54

55

56

INTRODUCTION OF RESOLUTIONS

The following resolutions were read by title and laid over one day under the rules:

SJR03-019 by Senator(s) Hillman; also Representative(s) Williams T.
--Concerning a request that the Colorado congressional delegation support President Bush's call for legal reform.

SJR03-021 by Senator(s) May R., Cairns, Dyer, Entz, Jones, Owen, Taylor; also Representative(s) King--Concerning a request that congress give first priority to supporting and passing the defense appropriations bill.

LAY OVER OF CALENDAR ITEMS

On motion of Representative King, the following items on the Calendar were laid over until February 25, retaining place on Calendar:

Consideration of Special Orders--**HB03-1242, 1216.**

Consideration of General Orders--**HB03-1297, 1304, 1220, 1253, SB03-046, 054, 061**

Consideration of Conference Committee Reports--**SB03-185, 175, 183.**

Consideration of Resolutions--**SJR03-016, HJR03-1018, 1019, SJR03-017, 018.**

Consideration of Senate Amendments--**HB03-1161.**

On motion of Representative King, the House adjourned until 9:00 a.m., February 25, 2003.

JOINT SESSION

Pursuant to SJR03-020, the Joint Session was called to order by the Speaker of the House, Lola Spradley.

The Speaker ordered SJR03-020 to be read at length.

As is customary, the Speaker presented the gavel to the President of the Senate to preside over the joint session.

The Secretary of the Senate called the roll of the Senate.

Present--34.

Absent--Senator Nichol--1.

Present after roll call--Senator Nichol.

1 The Chief Clerk of the House called the roll of the House.

2

3 Present--62.

4 Excused--Representatives Hall, Marshall, Veiga--3.

5

6

7 The President declared a quorum present.

8

9

10 Speaker Spradley addressed the joint session.

11

12

13

14 Joint Session in recess for a presentation by John Ziegler, Director of the
15 Joint Budget Committee, and Tom Dunn, Chief Economist, Legislative
16 Council.

17

18

19 On motion of Senator Anderson, the Joint Session was dissolved.

20

21

22

23

24

Approved:

25

26

27

28

LOLA SPRADLEY,
Speaker

29

30 Attest:

31

32 JUDITH RODRIGUE,
33 Chief Clerk