

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

One Hundred-fifth Legislative Day Tuesday, April 22, 2003

1 Prayer by the Reverend Doctor Cynthia Cearley, Montview Presbyterian
2 Church, Denver.

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

5
6 Pledge of Allegiance led by Representative Williams T.

7
8 The roll was called with the following result:

9
10 Present--64.

11 Excused--Representative Williams S.--1.

12 Present after roll call--Representative Williams S.

13
14 The Speaker declared a quorum present.

15
16
17 On motion of Representative Rose, the reading of the journal of April 21,
18 2003, was declared dispensed with and approved as corrected by the
19 Chief Clerk.

CONSIDERATION OF RESOLUTIONS

20
21
22
23
24
25 **HJR03-1038** by Representative(s) Spradley; also Senator(s) Kester--
26 Concerning declaration of the week of May 5, 2003, as
27 Correctional Employees Appreciation Week.

28
29 (Printed and placed in member's file, also printed in House Journal
30 March 27, page 1291.)

31
32 On motion of Representative Spradley, the resolution was read at length
33 and **adopted** by **viva voce** vote.

34
35 Co-sponsors added: Roll call of the House.

36
37
38 House in recess. House reconvened.

39
40
41 **SJR03-029** by Senator(s) Taylor, Cairns, Entz; also Representative(s)
42 Stafford--Concerning the Aurora Veterans' Memorial at
43 Fitzsimons - "National Debt".

1 (Printed and placed in member's file.)
2

3 On motion of Representative Stafford, the resolution was read at length
4 and **adopted** by **viva voce** vote.
5

6 Co-sponsors added: Representatives Borodkin, Boyd, Briggs, Brophy, Butcher,
7 Carroll, Cerbo, Clapp, Cloer, Coleman, Crane, Decker, Fairbank, Frangas, Fritz,
8 Garcia, Hall, Harvey, Hodge, Johnson, Judd, King, Larson, Lee, Lundberg,
9 Madden, Marshall, May, McCluskey, McFadyen, Merrifield, Miller, Paccione,
10 Plant, Ragsdale, Rhodes, Rippy, Romanoff, Rose, Salazar, Sinclair, Smith,
11 Spence, Stengel, Tochtrop, Veiga, Vigil, Weddig, Weissmann, Wiens,
12 Williams T., Witwer, Young, Speaker.
13
14

15 16 **THIRD READING OF BILLS--FINAL PASSAGE**

17
18 The following bills were considered on Third Reading. The titles were
19 publicly read. Reading of the bill at length was dispensed with by
20 unanimous consent.
21

22 **HB03-1344** by Representative(s) Lee, Hefley, Mitchell, Plant; also
23 Senator(s) Gordon, Evans--Concerning the revision of
24 statutes in the Colorado Revised Statutes, as amended,
25 amending or repealing obsolete, inconsistent, and
26 conflicting provisions of law and clarifying the language
27 to reflect the legislative intent of the laws.
28

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

34	YES	65	NO	00	EXCUSED	00	ABSENT	00
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	Y	Harvey	Y	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
44	Clapp	Y	Judd	Y	Ragsdale	Y	Weissmann	Y
45	Cloer	Y	King	Y	Rhodes	Y	White	Y
46	Coleman	Y	Larson	Y	Rippy	Y	Wiens	Y
47	Crane	Y	Lee	Y	Romanoff	Y	Williams S.	Y
48	Decker	Y	Lundberg	Y	Rose	Y	Williams T.	Y
49	Fairbank	Y	Madden	Y	Salazar	Y	Witwer	Y
50	Frangas	Y	Marshall	Y	Schultheis	Y	Young	Y
51							Speaker	Y

52 Co-sponsors added: Representatives Cadman, Fritz, Spence.
53

54 **HB03-1329** by Representative(s) Rippy; also Senator(s) Johnson S.--
55 Concerning additional funding to encourage the beneficial
56 use of waste tires, and making an appropriation therefor.

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	56	NO	09	EXCUSED	00	ABSENT	00
7	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
8	Borodkin	Y	Garcia	N	McCluskey	Y	Smith	N
9	Boyd	Y	Hall	N	McFadyen	Y	Spence	Y
10	Briggs	Y	Harvey	Y	Merrifield	Y	Stafford	Y
11	Brophy	N	Hefley	Y	Miller	Y	Stengel	N
12	Butcher	Y	Hodge	Y	Mitchell	Y	Tochtrop	Y
13	Cadman	N	Hoppe	Y	Paccione	Y	Veiga	Y
14	Carroll	Y	Jahn	Y	Plant	Y	Vigil	Y
15	Cerbo	Y	Johnson	Y	Pommer	Y	Weddig	Y
16	Clapp	N	Judd	Y	Ragsdale	Y	Weissmann	Y
17	Cloer	Y	King	Y	Rhodes	Y	White	Y
18	Coleman	Y	Larson	Y	Rippy	Y	Wiens	Y
19	Crane	Y	Lee	Y	Romanoff	Y	Williams S.	Y
20	Decker	Y	Lundberg	N	Rose	Y	Williams T.	Y
21	Fairbank	Y	Madden	Y	Salazar	Y	Witwer	Y
22	Frangas	Y	Marshall	Y	Schultheis	N	Young	Y
23							Speaker	Y

24 Co-sponsors added: Representatives Frangas, Fritz, Madden, Merrifield,
 25 Stafford, Williams S., Speaker.

26
 27 **HB03-1350** by Representative(s) Rippy; also Senator(s) Dyer--
 28 Concerning the electronic publication of administrative
 29 rule-making materials by the secretary of state.

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

54 Co-sponsors added: Representatives Borodkin, Hodge, McFadyen.

55

1 **SB03-242** by Senator(s) Dyer; also Representative(s) Larson--
 2 Concerning membership of the peace officers standards
 3 and training board.
 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	65	NO	00	EXCUSED	00	ABSENT	00
11	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
12	Borodkin	Y	Garcia	Y	McCluskey	Y	Smith	Y
13	Boyd	Y	Hall	Y	McFadyen	Y	Spence	Y
14	Briggs	Y	Harvey	Y	Merrifield	Y	Stafford	Y
15	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
16	Butcher	Y	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	Y	Ragsdale	Y	Weissmann	Y
21	Cloer	Y	King	Y	Rhodes	Y	White	Y
22	Coleman	Y	Larson	Y	Rippy	Y	Wiens	Y
23	Crane	Y	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 Co-sponsors added: Representatives Berry, Carroll, Cloer, Coleman, Frangas,
 29 Fritz, Hall, Hodge, McFadyen, Merrifield, Plant, Ragsdale, Spence, Stengel,
 30 Tochtrop, Williams S.
 31

32 **HB03-1334** by Representative(s) Mitchell; also Senator(s) Hillman--
 33 Concerning the state engineer's authority to approve the
 34 temporary operation of interruptible water supply
 35 agreement, and making an appropriation in connection
 36 therewith.
 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**.
 42

	YES	64	NO	01	EXCUSED	00	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	Y	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 Co-sponsors added: Representatives Brophy, Fritz, Hodge, Hoppe, Schultheis,
6 Stafford, Weddig.

7
8 **SB03-006** by Senator(s) Windels, Anderson, Takis; also
9 Representative(s) Hoppe, Veiga--Concerning the creation
10 of a local initiative committee pilot program for
11 management of community-based programs for adults with
12 mental illness who come into contact with the criminal
13 justice system.

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

38 Co-sponsors added: Representatives Borodkin, Boyd, Frangas, Jahn, Madden,
39 Merrifield, Paccione, Rippy, Romanoff, Stafford, Tochtrop, Weddig,
40 Weissmann, Williams S.

41
42 **SB03-037** by Senator(s) Nichol; also Representative(s) Mitchell--
43 Concerning modifications to the county maintenance of
44 effort calculations for the Colorado child care assistance
45 program.

46
47 The question being "Shall the bill pass?".
48 A roll call vote was taken. As shown by the following recorded vote, a
49 majority of those elected to the House voted in the affirmative and the bill
50 was declared **passed**.

52	YES	65	NO	00	EXCUSED	00	ABSENT	00
53	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
54	Borodkin	Y	Garcia	Y	McCluskey	Y	Smith	Y
55	Boyd	Y	Hall	Y	McFadyen	Y	Spence	Y
56	Briggs	Y	Harvey	Y	Merrifield	Y	Stafford	Y

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

14 Co-sponsors added: Representatives Boyd, Jahn, Tochtrop, Vigil, Weddig,
15 Williams S.

16
17 **SB03-041** by Senator(s) Reeves; also Representative(s) Smith--
18 Concerning the central information system, and making an
19 appropriation in connection therewith.

20
21 The question being "Shall the bill pass?".

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

25	YES	65	NO	00	EXCUSED	00	ABSENT	00
26	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
27	Borodkin	Y	Garcia	Y	McCluskey	Y	Smith	Y
28	Boyd	Y	Hall	Y	McFadyen	Y	Spence	Y
29	Briggs	Y	Harvey	Y	Merrifield	Y	Stafford	Y
30	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
31	Butcher	Y	Hodge	Y	Mitchell	Y	Tochtrop	Y
32	Cadman	Y	Hoppe	Y	Paccione	Y	Veiga	Y
33	Carroll	Y	Jahn	Y	Plant	Y	Vigil	Y
34	Cerbo	Y	Johnson	Y	Pommer	Y	Weddig	Y
35	Clapp	Y	Judd	Y	Ragsdale	Y	Weissmann	Y
36	Cloer	Y	King	Y	Rhodes	Y	White	Y
37	Coleman	Y	Larson	Y	Rippy	Y	Wiens	Y
38	Crane	Y	Lee	Y	Romanoff	Y	Williams S.	Y
39	Decker	Y	Lundberg	Y	Rose	Y	Williams T.	Y
40	Fairbank	Y	Madden	Y	Salazar	Y	Witwer	Y
41	Frangas	Y	Marshall	Y	Schultheis	Y	Young	Y
42							Speaker	Y

43
44
45 **SB03-045** by Senator(s) Entz, Isgar, Phillips, Taylor; also
46 Representative(s) Miller, Hodge, Hoppe, Rippy, White--
47 Concerning the increased regulation of water wells, and,
48 in connection therewith, requiring continuing education of
49 water well construction contractors and pump installers as
50 a condition of licensure, increasing well permit fees,
51 creating a cash fund, specifying additional well
52 construction and pump installation enforcement authority,
53 creating a well inspection program, and making an
54 appropriation in connection therewith.

55
56 The question being "Shall the bill pass?".

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

	YES	55	NO	10	EXCUSED	00	ABSENT	00
6	Berry	Y	Fritz	Y	May	N	Sinclair	Y
7	Borodkin	Y	Garcia	Y	McCluskey	Y	Smith	Y
8	Boyd	Y	Hall	N	McFadyen	Y	Spence	Y
9	Briggs	Y	Harvey	Y	Merrifield	Y	Stafford	Y
10	Brophy	N	Hefley	Y	Miller	Y	Stengel	Y
11	Butcher	N	Hodge	Y	Mitchell	Y	Tochtrop	Y
12	Cadman	N	Hoppe	Y	Paccione	Y	Veiga	Y
13	Carroll	Y	Jahn	Y	Plant	Y	Vigil	Y
14	Cerbo	Y	Johnson	Y	Pommer	Y	Weddig	Y
15	Clapp	Y	Judd	Y	Ragsdale	Y	Weissmann	Y
16	Cloer	N	King	Y	Rhodes	Y	White	Y
17	Coleman	Y	Larson	N	Rippy	Y	Wiens	Y
18	Crane	Y	Lee	N	Romanoff	Y	Williams S.	Y
19	Decker	Y	Lundberg	N	Rose	Y	Williams T.	Y
20	Fairbank	Y	Madden	Y	Salazar	N	Witwer	Y
21	Frangas	Y	Marshall	Y	Schultheis	Y	Young	Y
22							Speaker	Y

23 Co-sponsors added: Representatives Jahn, Marshall, Stafford, Stengel,
24 Williams S.

25
26 **SB03-050** by Senator(s) Takis, Anderson, Taylor, Tupa; also
27 Representative(s) Williams T., Coleman, Vigil, White--
28 Concerning the implementation of a questionnaire by the
29 state board of nursing for the purposes of renewing
30 nursing Licenses, and making an appropriation therefor.

31
32 The question being "Shall the bill pass?".

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

	YES	36	NO	29	EXCUSED	00	ABSENT	00
38	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
39	Borodkin	Y	Garcia	Y	McCluskey	Y	Smith	Y
40	Boyd	N	Hall	Y	McFadyen	N	Spence	Y
41	Briggs	Y	Harvey	Y	Merrifield	N	Stafford	Y
42	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
43	Butcher	N	Hodge	N	Mitchell	N	Tochtrop	N
44	Cadman	Y	Hoppe	Y	Paccione	N	Veiga	N
45	Carroll	N	Jahn	N	Plant	N	Vigil	Y
46	Cerbo	N	Johnson	N	Pommer	Y	Weddig	N
47	Clapp	Y	Judd	N	Ragsdale	N	Weissmann	Y
48	Cloer	N	King	Y	Rhodes	Y	White	Y
49	Coleman	Y	Larson	N	Rippy	Y	Wiens	Y
50	Crane	Y	Lee	N	Romanoff	Y	Williams S.	N
51	Decker	N	Lundberg	N	Rose	N	Williams T.	Y
52	Fairbank	N	Madden	N	Salazar	N	Witwer	Y
53	Frangas	N	Marshall	N	Schultheis	Y	Young	Y
54							Speaker	Y

55 Co-sponsor added: Representative Stafford.

56

1 **SB03-068** by Senator(s) Hagedorn; also Representative(s) Brophy--
 2 Concerning the creation of the commission on mandated
 3 health insurance benefits to assess the impact of mandated
 4 health insurance benefits in Colorado, and, in connection
 5 therewith, making an appropriation.
 6

7 The question being "Shall the bill 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 bill
 10 was declared **passed**.
 11

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

30 Co-sponsors added: Representatives Fairbank, Hall, Lee, Spence.
 31

32 **SB03-085** by Senator(s) Isgar, Entz; also Representative(s) Smith--
 33 Concerning the state engineer's authority to approve
 34 temporary loans of water rights, and making an
 35 appropriation in connection therewith.
 36

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

	YES	65	NO	00	EXCUSED	00	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	Y	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 Co-sponsors added: Representatives Coleman, Hodge, Jahn, Larson, Stafford,
5 Weddig.

6
7 **SB03-110** by Senator(s) Entz, Chlouber, Hillman, Isgar, Tapia,
8 Taylor, Owen; also Representative(s) Hoppe, Miller,
9 Salazar--Concerning the funding of Colorado water
10 conservation board projects, and making appropriations in
11 connection therewith.

12
13 Laid over until April 23, retaining place on Calendar.

14
15
16 **SB03-114** by Senator(s) Hanna; also Representative(s) Miller--
17 Concerning increased penalties for illegal feeding of wild
18 bears.

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

24	YES	57	NO	08	EXCUSED	00	ABSENT	00
25	Berry	Y	Fritz	Y	May	N	Sinclair	Y
26	Borodkin	Y	Garcia	Y	McCluskey	Y	Smith	Y
27	Boyd	Y	Hall	Y	McFadyen	Y	Spence	Y
28	Briggs	N	Harvey	N	Merrifield	Y	Stafford	Y
29	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
30	Butcher	Y	Hodge	Y	Mitchell	N	Tochtrop	Y
31	Cadman	N	Hoppe	Y	Paccione	Y	Veiga	Y
32	Carroll	Y	Jahn	Y	Plant	Y	Vigil	Y
33	Cerbo	Y	Johnson	Y	Pommer	Y	Weddig	Y
34	Clapp	Y	Judd	Y	Ragsdale	Y	Weissmann	Y
35	Cloer	Y	King	Y	Rhodes	Y	White	Y
36	Coleman	Y	Larson	Y	Rippy	Y	Wiens	Y
37	Crane	Y	Lee	N	Romanoff	Y	Williams S.	Y
38	Decker	Y	Lundberg	N	Rose	Y	Williams T.	Y
39	Fairbank	Y	Madden	Y	Salazar	Y	Witwer	Y
40	Frangas	Y	Marshall	Y	Schultheis	N	Young	Y
41							Speaker	Y

42
43 Co-sponsors added: Representatives Cerbo, Cloer, Frangas, Marshall,
44 McFadyen, Plant, Ragsdale, Romanoff, Weddig.

45
46 **SB03-134** by Senator(s) Keller, Hagedorn; also Representative(s)
47 Tochtrop--Concerning the continuation of the certification
48 of nurse aides by the state board of nursing, and making an
49 appropriation therefor.

50
51 Laid over until April 23, retaining place on Calendar.

52
53
54 **SB03-141** by Senator(s) Tapia, Entz, Grossman, Jones, Kester,
55 Sandoval, Taylor; also Representative(s) Salazar--
56 Concerning persons convicted of a crime, and, in

1 connection therewith, waiving certain fees, establishing
 2 reimbursement rates for medical care, and authorizing
 3 medical care at state hospitals.
 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	65	NO	00	EXCUSED	00	ABSENT	00
11	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
12	Borodkin	Y	Garcia	Y	McCluskey	Y	Smith	Y
13	Boyd	Y	Hall	Y	McFadyen	Y	Spence	Y
14	Briggs	Y	Harvey	Y	Merrifield	Y	Stafford	Y
15	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
16	Butcher	Y	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	Y	Ragsdale	Y	Weissmann	Y
21	Cloer	Y	King	Y	Rhodes	Y	White	Y
22	Coleman	Y	Larson	Y	Rippy	Y	Wiens	Y
23	Crane	Y	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 Co-sponsors added: Representatives Butcher, McFadyen, Paccione, Williams S.,
 29 Speaker.

30
 31 **SB03-222** by Senator(s) McElhany; also Representative(s) King,
 32 Young--Concerning a requirement that the general fund
 33 surplus be determined based upon the accrual system of
 34 accounting, as enunciated by the governmental accounting
 35 standards board.
 36

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

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

	YES	65	NO	00	EXCUSED	00	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	Y	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 Co-sponsors added: Representatives Berry, Brophy, Crane, Fritz, Garcia, May,
5 Rhodes, Spence.

6
7 **SB03-225** by Senator(s) McElhany; also Representative(s) Berry--
8 Concerning recommendations from the department of
9 regulatory agencies regarding the public utilities
10 commission.

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

17	YES	65	NO	00	EXCUSED	00	ABSENT	00
18	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
19	Borodkin	Y	Garcia	Y	McCluskey	Y	Smith	Y
20	Boyd	Y	Hall	Y	McFadyen	Y	Spence	Y
21	Briggs	Y	Harvey	Y	Merrifield	Y	Stafford	Y
22	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
23	Butcher	Y	Hodge	Y	Mitchell	Y	Tochtrop	Y
24	Cadman	Y	Hoppe	Y	Paccione	Y	Veiga	Y
25	Carroll	Y	Jahn	Y	Plant	Y	Vigil	Y
26	Cerbo	Y	Johnson	Y	Pommer	Y	Weddig	Y
27	Clapp	Y	Judd	Y	Ragsdale	Y	Weissmann	Y
28	Cloer	Y	King	Y	Rhodes	Y	White	Y
29	Coleman	Y	Larson	Y	Rippy	Y	Wiens	Y
30	Crane	Y	Lee	Y	Romanoff	Y	Williams S.	Y
31	Decker	Y	Lundberg	Y	Rose	Y	Williams T.	Y
32	Fairbank	Y	Madden	Y	Salazar	Y	Witwer	Y
33	Frangas	Y	Marshall	Y	Schultheis	Y	Young	Y
34							Speaker	Y

35 Co-sponsors added: Representatives Borodkin, McFadyen, Stafford, Williams S.

36
37 **SB03-238** by Senator(s) Chlouber; also Representative(s) Stengel--
38 Concerning the recovery of actual costs of utility facility
39 relocation at the request of a government entity.

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

46	YES	58	NO	07	EXCUSED	00	ABSENT	00
47	Berry	N	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	Y	Merrifield	N	Stafford	Y
51	Brophy	N	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	Y	Jahn	Y	Plant	Y	Vigil	Y
55	Cerbo	Y	Johnson	Y	Pommer	Y	Weddig	Y
56	Clapp	Y	Judd	Y	Ragsdale	N	Weissmann	N

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

8 Co-sponsors added: Representatives Larson, Miller, Rose, Williams S.

9
 10 **SB03-250** by Senator(s) Sandoval, Anderson; also Representative(s)
 11 Spence, Marshall, Williams S.--Concerning the merger of
 12 a school district retirement system with another public
 13 employee retirement system.

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

38 Co-sponsors added: Representatives Carroll, Frangas, Hefley, McFadyen,
 39 Merrifield, Miller, Paccione, Pommer, Romanoff, Stengel, Weissmann.

40
 41
 42
 43
 44 **REPORTS OF COMMITTEES OF REFERENCE**

45
 46 **EDUCATION**

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

49
 50 **HB03-1363** be referred to the Committee of the Whole with favorable
 51 recommendation.

52
 53
 54
 55

1 **HEALTH, ENVIRONMENT, WELFARE, & INSTITUTIONS**
2 After consideration on the merits, the Committee recommends the
3 following:

4
5 **HB03-1355** be postponed indefinitely.

6
7
8 **HB03-1359** 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 10, after the period, add "THE RULES
13 SHALL ESTABLISH THAT A CLIENT CAN ONLY BE INVOLUNTARILY
14 DISCONTINUED WHEN EQUIVALENT CARE IN THE COMMUNITY HAS BEEN
15 SECURED OR THAT A CLIENT CAN BE DISCONTINUED AFTER EXHIBITING
16 DOCUMENTED PROHIBITED BEHAVIOR INVOLVING ATTENDANTS, INCLUDING
17 ABUSE OF ATTENDANTS, AND THAT DISPUTE RESOLUTION HAS FAILED. THE
18 DETERMINATION OF WHETHER AN IN-HOME SUPPORT SERVICE AGENCY HAS
19 MADE ADEQUATE ATTEMPTS AT RESOLUTION SHALL BE MADE BY THE STATE
20 DEPARTMENT."

21
22
23
24 **SB03-005** be postponed indefinitely.

25
26
27 **SB03-294** be amended as follows, and as so amended, be referred to
28 the Committee of the Whole with favorable
29 recommendation:

30
31 Amend reengrossed bill, page 2, line 7, after the period, add "THE STATE
32 DEPARTMENT SHALL PROMULGATE A RULE THAT OUTLINES A PROCESS IN
33 WHICH ANY INTERESTED PARTY MAY BE NOTIFIED OF AND COMMENT ON
34 THE IMPLEMENTATION OF ANY PRIOR AUTHORIZATION FOR A CLASS OF
35 PRESCRIBED DRUGS BEFORE THE CLASS IS PRIOR AUTHORIZED."

36
37
38
39
40 **INFORMATION & TECHNOLOGY**

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

43
44 **HB03-1354** be amended as follows, and as so amended, be referred to
45 the Committee on Appropriations with favorable
46 recommendation:

47
48 Amend printed bill, page 2, line 2, strike "Article 48.5 of tile" and
49 substitute "Title";

50
51 line 3, strike "PART" and substitute "ARTICLE";

52
53 strike lines 4 through 6 and substitute the following:

54
55 **"Article 48.6**
56 **Microenterprise Development Act**

1 **24-48.6-101. Short title.** THIS ARTICLE SHALL BE KNOWN AND
2 MAY";
3
4 line 8, strike "**24-48.5-202.**" and substitute "**24-48.6-102.**".
5
6 Page 3, line 12, strike "PART 2" and substitute "ARTICLE";
7
8 line 16, strike "**24-48.5-203.**" and substitute "**24-48.6-103.**" and strike
9 "PART 2," and substitute "ARTICLE,";
10
11 line 19, strike "24-48.5-204." and substitute "24-48.6-104.".
12
13 Page 4, line 5, strike "**24-48.5-204.**" and substitute "**24-48.6-104.**";
14
15 line 7, strike "COUNCIL IN THE COLORADO";
16
17 line 8, strike "OFFICE OF ECONOMIC DEVELOPMENT." and substitute
18 "COUNCIL.";
19
20 line 12, after "OF", insert "THE DIRECTOR OR THE DIRECTOR'S DESIGNEE
21 AND AN ADDITIONAL";
22
23 line 20, strike "(a)";
24
25 strike line 27.
26
27 Page 5, strike lines 1 through 8 and substitute the following:
28
29 **"24-48.6-105. Private source of funding - administrative**
30 **support for council.** (1) THE COUNCIL SHALL BE AUTHORIZED TO ACCEPT
31 FINANCIAL AND ADMINISTRATIVE ASSISTANCE FROM THE COLORADO
32 ALLIANCE FOR MICROENTERPRISE INITIATIVES, A COLORADO NONPROFIT
33 ORGANIZATION, AND FROM ANY OTHER NONPROFIT ORGANIZATION FOR
34 ANY DIRECT OR INDIRECT COSTS ASSOCIATED WITH THE DUTIES OF THE
35 COUNCIL AS ESTABLISHED IN THIS ARTICLE.
36
37 (2) THE COLORADO ALLIANCE FOR MICROENTERPRISE INITIATIVES
38 MAY ACCEPT GIFTS, GRANTS, AND DONATIONS TO BE USED TO ASSIST THE
39 COUNCIL IN CARRYING OUT IT DUTIES AS ESTABLISHED IN THIS ARTICLE.";
40
41 line 9, strike "**24-48.5-205.**" and substitute "**24-48.6-106.**".
42
43
44
45 **HB03-1361** be amended as follows, and as so amended, be referred to
46 the Committee of the Whole with favorable
47 recommendation:
48
49 Amend printed bill, page 3, line 4, strike "DEPARTMENT OF";
50
51 line 5, strike "REVENUE" and substitute "OFFICE".
52
53 Page 5, strike lines 2 through 5 and substitute the following:
54
55 "~~amount that would entitle all certified investors in certified capital~~
56 ~~companies~~ INSURANCE COMPANIES QUALIFYING FOR PREMIUM TAX

1 CREDITS UNDER THIS ARTICLE to take aggregate credits of ten million
2 dollars per year for ten years beginning in tax year 2005, which certified
3 capital may be invested in certified capital companies no earlier than
4 January 31, 2004. THEREAFTER. A".

5
6 Page 6, line 11, after "GIVEN", insert "ANNUALLY";

7
8 line 12, strike "ORGANIZATION" and substitute "ORGANIZATION, FOR THE
9 SAME TAX YEAR IN WHICH SUCH CONTRIBUTIONS ARE MADE,";

10
11 line 13, strike "Twenty-five million" and substitute "~~Twenty-five million~~
12 TWO MILLION FIVE HUNDRED THOUSAND";

13
14 line 21, strike "twenty-five million" and substitute "~~twenty-five million~~
15 TWO MILLION FIVE HUNDRED THOUSAND";

16
17 line 22, strike "seventy-five million" and substitute "~~seventy-five million~~
18 SEVEN MILLION FIVE HUNDRED THOUSAND".

19
20 Page 11, strike lines 2 through 8 and substitute the following:

21
22 "(8) (a) NOTWITHSTANDING ANYTHING IN THIS SECTION TO THE
23 CONTRARY, IF ANY OF THE PREMIUM TAX CREDITS OTHERWISE AVAILABLE
24 TO INSURANCE COMPANIES REMAINS UNALLOCATED AS OF JULY 1, 2004,
25 OR AS OF JULY 1 OF ANY TAX YEAR THEREAFTER, PREMIUM TAX CREDITS
26 SHALL CEASE TO BE AVAILABLE FOR THE REMAINDER OF THAT TAX YEAR
27 AND AN EQUIVALENT AMOUNT OF CREDITS SHALL BE AVAILABLE AS
28 INCOME TAX CREDITS AND ALLOCATED AMONG ALL WILLING TAXPAYERS
29 WHO CONTRIBUTE TO COVERCOLORADO OR TO THE DESIGNATED
30 NONPROFIT ORGANIZATION, OR BOTH. SUCH CONTRIBUTIONS SHALL NOT
31 BE SUBJECT TO THE REQUIREMENT OF FURTHER SUBDIVISION ACCORDING
32 TO THE PERCENTAGES SET FORTH IN SECTION 10-3.5-107.5 (1), BUT SHALL
33 BE SUBJECT TO THE LIMITATIONS IN SECTION 39-22-529, C.R.S.

34
35 (b) FOR PURPOSES OF ADMINISTERING CONTRIBUTIONS RECEIVED
36 PURSUANT TO THIS SUBSECTION (8):

37
38 (I) EACH CONTRIBUTING TAXPAYER SHALL HAVE THE SAME RIGHTS
39 AND OBLIGATIONS AS AN INSURANCE COMPANY UNDER SECTION
40 10-3.5-105;

41
42 (II) THE TERM "PREMIUM TAXES" AS USED IN THIS ARTICLE SHALL
43 BE DEEMED TO REFER TO INCOME TAXES; AND

44
45 (III) THE OFFICE, IN CONSULTATION WITH THE DEPARTMENT OF
46 REVENUE AND SUBJECT TO ANY APPLICABLE RULES OF THE DEPARTMENT
47 OF REVENUE, MAY CONTRACT WITH THE DESIGNATED NONPROFIT
48 ORGANIZATION FOR RECORD-KEEPING AND ACCOUNTING OF INDIVIDUAL
49 CONTRIBUTIONS RECEIVED."

50
51 Page 13, line 17, strike "DEPARTMENT OF";

52
53 line 18, strike "REVENUE" and substitute "OFFICE".

54
55 Page 22, strike lines 16 through 22 and substitute the following:

56

1 **"SECTION 10.** Part 5 of article 22 of title 39, Colorado Revised
2 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
3 read:

4
5 **39-22-529. Credits for contributions to CoverColorado and**
6 **opportunity schools.** (1) (a) (I) FOR ANY INCOME TAX YEAR
7 COMMENCING ON OR AFTER JANUARY 1, 2003, BUT BEFORE JANUARY 1,
8 2013, THERE SHALL BE ALLOWED A CREDIT AGAINST THE TAX IMPOSED BY
9 THIS ARTICLE TO ANY TAXPAYER WHO MAKES A QUALIFYING
10 CONTRIBUTION, AS DEFINED IN SECTION 10-3.5-111 (2) (h), PURSUANT TO
11 SECTION 10-3.5-107.5 (8).

12
13 (II) THE CREDIT ALLOWED BY THIS PARAGRAPH (a) SHALL BE IN AN
14 AMOUNT EQUAL TO FIFTY PERCENT OF THE TOTAL AMOUNT OF THE
15 TAXPAYER'S QUALIFYING CONTRIBUTIONS MADE DURING THE INCOME TAX
16 YEAR FOR WHICH THE CREDIT IS CLAIMED.

17
18 (III) IF THE AMOUNT OF THE CREDIT ALLOWED BY THIS PARAGRAPH
19 (a) EXCEEDS THE AMOUNT OF INCOME TAXES DUE ON THE TAXPAYER'S
20 INCOME IN THE INCOME TAX YEAR FOR WHICH THE CREDIT IS BEING
21 CLAIMED, THE AMOUNT OF THE CREDIT NOT USED AS AN OFFSET AGAINST
22 INCOME TAXES IN SAID INCOME TAX YEAR MAY BE CARRIED FORWARD AND
23 USED AS A CREDIT AGAINST SUBSEQUENT TAX YEARS' INCOME TAX
24 LIABILITY FOR A PERIOD NOT TO EXCEED FIVE YEARS AND SHALL BE
25 APPLIED FIRST TO THE EARLIEST INCOME TAX YEARS POSSIBLE. ANY
26 CREDIT REMAINING AFTER SAID PERIOD SHALL NOT BE REFUNDED OR
27 CREDITED TO THE TAXPAYER.

28
29 (b) IN THE CASE OF A TAXPAYER THAT IS A PARTNERSHIP, S
30 CORPORATION, OR OTHER SIMILAR PASS-THROUGH ENTITY, THE AMOUNT
31 OF ANY CREDIT ALLOWED PURSUANT TO THIS SUBSECTION (1) SHALL BE
32 ALLOCATED TO THE ENTITY'S PARTNERS, MEMBERS, OR SHAREHOLDERS IN
33 PROPORTION TO THE PARTNERS', MEMBERS', OR SHAREHOLDERS'
34 DISTRIBUTIVE SHARES OF INCOME FROM SUCH ENTITY.

35
36 (2) AFTER CONSULTATION WITH THE OFFICE OF ECONOMIC
37 DEVELOPMENT AND THE DESIGNATED NONPROFIT ORGANIZATION, THE
38 EXECUTIVE DIRECTOR SHALL PROMULGATE RULES NECESSARY FOR THE
39 ADMINISTRATION OF THE INCOME TAX CREDIT ALLOWED BY SUBSECTION
40 (1) OF THIS SECTION IN ACCORDANCE WITH ARTICLE 4 OF TITLE 24, C.R.S."

41
42 Page 1, line 107, change the period to a comma and add "**AND, IN**
43 **CONNECTION THEREWITH, COMPENSATING FOR ANY SHORTFALL WITH**
44 **A CORRESPONDING INCREASE IN THE AVAILABILITY OF INCOME TAX**
45 **CREDITS.**".

46
47
48
49
50 **LOCAL GOVERNMENT**

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

53
54 **HB03-1352** be amended as follows, and as so amended, be referred to
55 the Committee on Appropriations with favorable
56 recommendation:

1 Amend printed bill, page 2, strike lines 5 through 8 and substitute the
2 following:

3

4 **"history record check.** (1) FOR PURPOSES OF THIS SECTION, "TRAINING
5 ACADEMY" MEANS A BASIC OR RESERVE PEACE OFFICER TRAINING
6 PROGRAM APPROVED BY THE P.O.S.T. BOARD THAT IS OFFERED BY A
7 TRAINING ACADEMY, COMMUNITY COLLEGE, COLLEGE, OR UNIVERSITY.

8

9 (2) A TRAINING ACADEMY SHALL NOT ENROLL AS A STUDENT A
10 PERSON WHO HAS BEEN CONVICTED OF AN OFFENSE THAT";

11

12 strike lines 11 through 14 and substitute the following:

13

14 "(3) A PERSON SEEKING TO ENROLL IN A TRAINING ACADEMY
15 SHALL SUBMIT A SET OF FINGERPRINTS TO THE TRAINING ACADEMY PRIOR
16 TO ENROLLING IN THE ACADEMY. THE TRAINING ACADEMY SHALL
17 FORWARD THE FINGERPRINTS TO THE COLORADO".

18

19 Page 3, strike lines 5 through 7 and substitute the following:

20 "SHALL NOTIFY THE TRAINING ACADEMY IF THE FINGERPRINT-BASED
21 CRIMINAL HISTORY RECORD CHECK";

22

23 line 9, strike "PROGRAM" and substitute "ACADEMY";

24

25 line 10, strike "PROGRAM" and substitute "ACADEMY";

26

27 line 13, strike "(3)" and substitute "(4)";

28

29 line 16, strike "PROGRAM" and substitute "ACADEMY";

30

31 line 20, strike "PROGRAM," and substitute "ACADEMY,";

32

33 line 22, strike "PROGRAM" and substitute "ACADEMY";

34

35 line 25, strike "PROGRAM." and substitute "ACADEMY.";

36

37 line 26, strike "(3)." and substitute "(4).".

38

39 Page 4, after line 7, insert the following:

40

41 **"SECTION 2.** 24-31-303 (1) (f), Colorado Revised Statutes, is
42 amended to read:

43

44 **24-31-303. Duties - powers of the P.O.S.T. board - repeal.**

45 (1) The P.O.S.T. board has the following duties:

46

47 (f) To require a background investigation of each applicant by
48 means of fingerprint checks ~~by~~ THROUGH the Colorado bureau of
49 investigation AND THE FEDERAL BUREAU OF INVESTIGATION or such other
50 means as the P.O.S.T. board deems necessary for such investigation;".

51

52 Renumber succeeding sections accordingly.

53

54

55 **HJR03-1059** be referred out for final action.

56

1 **FIRST REPORT OF FIRST CONFERENCE COMMITTEE**
2 **on SB03-007**

3
4 This Report Amends the Rerevised Bill.

5
6 To the President of the Senate and the
7 Speaker of the House of Representatives:
8
9 Your first conference committee appointed on SB03-007,
10 concerning toll evasion violations committed in vehicles not owned by
11 the operator, has met and reports that it has agreed upon the following:

12
13 That the Senate accede to the House amendments made to the bill
14 as said amendments appear in the rerevised bill, with the following
15 changes:

16
17 Amend rerevised bill, page 2, line 4, strike "(I)";
18
19 line 8, strike "PENALTY." and substitute "PENALTY; EXCEPT THAT, AT THE
20 DISCRETION OF SUCH OWNER:";

21
22 strike lines 9 and 10, and substitute the following:

23
24 "(I) THE OWNER MAY OBTAIN";

25
26 line 13, strike "PAYMENT, THE" and substitute "PAYMENT";

27
28 line 14, strike "OWNER MAY DO SO AND SHALL" and substitute "AND";

29
30 line 15, strike "AUTHORITY." and substitute "AUTHORITY; OR";

31
32 strike lines 16 through 18, and substitute the following:

33
34 "(II) THE OWNER MAY SEEK TO AVOID LIABILITY FOR";

35
36 line 19, strike "NOT LIABLE FOR PAYMENT OF".

37
38 Page 3, line 16, strike "(I)";

39
40 line 20, strike "PENALTY." and substitute "PENALTY; EXCEPT THAT, AT THE
41 DISCRETION OF SUCH OWNER:";

42
43 strike lines 21 and 22, and substitute the following:

44
45 "(I) THE OWNER MAY OBTAIN";

46
47 line 25, strike "PAYMENT, THE" and substitute "PAYMENT";

48
49 line 26, strike "OWNER MAY DO SO AND SHALL" and substitute "AND".

50
51 line 27, strike "AUTHORITY." and substitute "AUTHORITY; OR".

52
53 Page 4, strike lines 1 through 3, and substitute the following:

54
55 "(II) THE OWNER MAY SEEK TO AVOID LIABILITY FOR";

56

1 line 4, strike "NOT LIABLE FOR PAYMENT OF".

2

3 Respectfully submitted,

4 Senate Committee:

5 Ken Chlouber

6 Andy McElhany

7 Alice Nichol

House Committee:

Ted Harvey

Gayle Berry

Jack Pommer

8

9

10

11

PRINTING REPORT

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CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

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SB03-009 by Senator(s) Tupa, Anderson, Takis; also Representative(s) Coleman, Vigil, White, Williams T.--Concerning fingerprint-based criminal history record checks for emergency medical technician certificate applicants.

(Conference Committee Report printed in House Journal, April 18, pages 1812-1813.)

On motion of Representative Coleman, the Conference Committee Report was **adopted** by the following roll call vote:

YES	65	NO	00	EXCUSED	00	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	Y	King	Y	Rhodes	Y	White	Y
Coleman	Y	Larson	Y	Rippy	Y	Wiens	Y
Crane	Y	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

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

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

	YES	65	NO	00	EXCUSED	00	ABSENT	00
1								
2	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
3	Borodkin	Y	Garcia	Y	McCluskey	Y	Smith	Y
4	Boyd	Y	Hall	Y	McFadyen	Y	Spence	Y
5	Briggs	Y	Harvey	Y	Merrifield	Y	Stafford	Y
6	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
7	Butcher	Y	Hodge	Y	Mitchell	Y	Tochtrop	Y
8	Cadman	Y	Hoppe	Y	Paccione	Y	Veiga	Y
9	Carroll	Y	Jahn	Y	Plant	Y	Vigil	Y
10	Cerbo	Y	Johnson	Y	Pommer	Y	Weddig	Y
11	Clapp	Y	Judd	Y	Ragsdale	Y	Weissmann	Y
12	Cloer	Y	King	Y	Rhodes	Y	White	Y
13	Coleman	Y	Larson	Y	Rippy	Y	Wiens	Y
14	Crane	Y	Lee	Y	Romanoff	Y	Williams S.	Y
15	Decker	Y	Lundberg	Y	Rose	Y	Williams T.	Y
16	Fairbank	Y	Madden	Y	Salazar	Y	Witwer	Y
17	Frangas	Y	Marshall	Y	Schultheis	Y	Young	Y
18							Speaker	Y

19 Co-sponsors added: Representatives Carroll, Spence, Williams S.

20
 21 **SB03-275** by Senator(s) Teck, Owen, Reeves; also Representative(s)
 22 Witwer, Plant, Young--Concerning the distribution of
 23 school accountability reports, and making an appropriation
 24 in connection therewith.

25
 26 (Conference Committee Report printed in House Journal, April 21,
 27 page 1858.)

28
 29 On motion of Representative Witwer, the Conference Committee Report
 30 was **adopted** by the following roll call vote:

	YES	59	NO	06	EXCUSED	00	ABSENT	00
31								
32								
33	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
34	Borodkin	Y	Garcia	Y	McCluskey	Y	Smith	Y
35	Boyd	Y	Hall	Y	McFadyen	Y	Spence	N
36	Briggs	Y	Harvey	Y	Merrifield	Y	Stafford	Y
37	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
38	Butcher	Y	Hodge	Y	Mitchell	N	Tochtrop	Y
39	Cadman	Y	Hoppe	Y	Paccione	Y	Veiga	Y
40	Carroll	Y	Jahn	Y	Plant	Y	Vigil	Y
41	Cerbo	Y	Johnson	Y	Pommer	Y	Weddig	Y
42	Clapp	Y	Judd	Y	Ragsdale	Y	Weissmann	Y
43	Cloer	Y	King	N	Rhodes	Y	White	Y
44	Coleman	Y	Larson	Y	Rippy	Y	Wiens	Y
45	Crane	N	Lee	N	Romanoff	Y	Williams S.	Y
46	Decker	Y	Lundberg	Y	Rose	Y	Williams T.	Y
47	Fairbank	N	Madden	Y	Salazar	Y	Witwer	Y
48	Frangas	Y	Marshall	Y	Schultheis	Y	Young	Y
49							Speaker	Y

50
 51 The question being "Shall the bill, as amended, pass?"

52 A roll call vote was taken. As shown by the following recorded vote, a
 53 majority of those elected to the House voted in the affirmative and the
 54 bill, as amended, was declared **repassed**.

55

	YES	57	NO	08	EXCUSED	00	ABSENT	00
1								
2	Berry	Y	Fritz	N	May	Y	Sinclair	Y
3	Borodkin	Y	Garcia	Y	McCluskey	Y	Smith	Y
4	Boyd	Y	Hall	Y	McFadyen	Y	Spence	N
5	Briggs	Y	Harvey	Y	Merrifield	Y	Stafford	Y
6	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
7	Butcher	Y	Hodge	Y	Mitchell	N	Tochtrop	Y
8	Cadman	N	Hoppe	Y	Paccione	Y	Veiga	Y
9	Carroll	Y	Jahn	Y	Plant	Y	Vigil	Y
10	Cerbo	Y	Johnson	Y	Pommer	Y	Weddig	Y
11	Clapp	Y	Judd	Y	Ragsdale	Y	Weissmann	Y
12	Cloer	Y	King	N	Rhodes	Y	White	Y
13	Coleman	Y	Larson	Y	Rippy	Y	Wiens	Y
14	Crane	N	Lee	N	Romanoff	Y	Williams S.	Y
15	Decker	Y	Lundberg	Y	Rose	Y	Williams T.	Y
16	Fairbank	N	Madden	Y	Salazar	Y	Witwer	Y
17	Frangas	Y	Marshall	Y	Schultheis	Y	Young	Y
18							Speaker	Y

19 Co-sponsors added: Representatives Decker, Merrifield, Paccione, Williams S.

20
 21 **SB03-297** by Senator(s) Owen, Reeves, Teck; also Representative(s)
 22 Plant, Witwer, Young--Concerning a reduction in the level
 23 of funding provided from the state general fund for certain
 24 activities of the department of agriculture, and, in
 25 connection therewith, creating an inspection and consumer
 26 services cash fund and granting authority to the
 27 agricultural commission to set fees for the support of such
 28 activities and making an appropriation.
 29

30 (Conference Committee Report printed in House Journal, April 21, pages
 31 1840-1841.)
 32

33 On motion of Representative Plant, the Conference Committee Report
 34 was **adopted** by the following roll call vote:
 35

	YES	61	NO	04	EXCUSED	00	ABSENT	00
37	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
38	Borodkin	Y	Garcia	Y	McCluskey	Y	Smith	N
39	Boyd	Y	Hall	Y	McFadyen	Y	Spence	Y
40	Briggs	Y	Harvey	Y	Merrifield	Y	Stafford	Y
41	Brophy	N	Hefley	Y	Miller	Y	Stengel	Y
42	Butcher	Y	Hodge	Y	Mitchell	Y	Tochtrop	Y
43	Cadman	Y	Hoppe	Y	Paccione	Y	Veiga	Y
44	Carroll	Y	Jahn	Y	Plant	Y	Vigil	Y
45	Cerbo	Y	Johnson	Y	Pommer	Y	Weddig	Y
46	Clapp	Y	Judd	Y	Ragsdale	Y	Weissmann	Y
47	Cloer	N	King	Y	Rhodes	Y	White	Y
48	Coleman	Y	Larson	Y	Rippy	Y	Wiens	Y
49	Crane	Y	Lee	Y	Romanoff	Y	Williams S.	Y
50	Decker	Y	Lundberg	N	Rose	Y	Williams T.	Y
51	Fairbank	Y	Madden	Y	Salazar	Y	Witwer	Y
52	Frangas	Y	Marshall	Y	Schultheis	Y	Young	Y
53							Speaker	Y

54
 55 The question being "Shall the bill, as amended, pass?"

56 A roll call vote was taken. As shown by the following recorded vote, a

1 majority of those elected to the House voted in the affirmative and the
2 bill, as amended, was declared **repassed**.

	YES	47	NO	18	EXCUSED	00	ABSENT	00
5	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
6	Borodkin	Y	Garcia	Y	McCluskey	Y	Smith	N
7	Boyd	Y	Hall	Y	McFadyen	N	Spence	Y
8	Briggs	Y	Harvey	N	Merrifield	Y	Stafford	Y
9	Brophy	N	Hefley	Y	Miller	Y	Stengel	Y
10	Butcher	Y	Hodge	Y	Mitchell	N	Tochtrop	Y
11	Cadman	N	Hoppe	Y	Paccione	Y	Veiga	Y
12	Carroll	Y	Jahn	Y	Plant	Y	Vigil	Y
13	Cerbo	N	Johnson	Y	Pommer	Y	Weddig	N
14	Clapp	N	Judd	Y	Ragsdale	N	Weissmann	Y
15	Cloer	N	King	Y	Rhodes	N	White	Y
16	Coleman	Y	Larson	Y	Rippy	Y	Wiens	Y
17	Crane	N	Lee	N	Romanoff	Y	Williams S.	Y
18	Decker	Y	Lundberg	N	Rose	Y	Williams T.	Y
19	Fairbank	N	Madden	Y	Salazar	N	Witwer	Y
20	Frangas	Y	Marshall	Y	Schultheis	N	Young	Y
21							Speaker	Y

25 CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS

27 **HB03-1106** by Representative(s) Harvey; also Senator(s) Lamborn--
28 Concerning the authority of a financial institution to
29 organize as a limited liability company.

31 (Amended as printed in Senate Journal, April 14, page 1020.)

33 Representative Harvey moved that the House **concur** in Senate amend-
34 ments. The motion was declared **passed** by the following roll call vote:

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

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

56 A roll call vote was taken. As shown by the following recorded vote, a

1 majority of those elected to the House voted in the affirmative, and the
2 bill, as amended, was declared **repassed**.

	YES	59	NO	06	EXCUSED	00	ABSENT	00
5	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
6	Borodkin	Y	Garcia	Y	McCluskey	Y	Smith	Y
7	Boyd	Y	Hall	Y	McFadyen	Y	Spence	Y
8	Briggs	Y	Harvey	Y	Merrifield	Y	Stafford	Y
9	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
10	Butcher	N	Hodge	Y	Mitchell	Y	Tochtrop	Y
11	Cadman	Y	Hoppe	Y	Paccione	Y	Veiga	Y
12	Carroll	Y	Jahn	Y	Plant	N	Vigil	Y
13	Cerbo	Y	Johnson	Y	Pommer	Y	Weddig	N
14	Clapp	Y	Judd	Y	Ragsdale	Y	Weissmann	N
15	Cloer	Y	King	Y	Rhodes	Y	White	Y
16	Coleman	Y	Larson	Y	Rippy	Y	Wiens	Y
17	Crane	Y	Lee	Y	Romanoff	Y	Williams S.	Y
18	Decker	Y	Lundberg	Y	Rose	Y	Williams T.	Y
19	Fairbank	Y	Madden	N	Salazar	Y	Witwer	N
20	Frangas	Y	Marshall	Y	Schultheis	Y	Young	Y
21							Speaker	Y

22
23 **HB03-1326** by Representative(s) Fritz, Mitchell, Rhodes, Spradley,
24 Fairbank, Jahn, Lee, Spence; also Senator(s) Dyer--
25 Concerning limitations on liability for providers of
26 services for persons with developmental disabilities.

27
28 (Amended as printed in Senate Journal, April 11, pages 1008-1009, and
29 on Third Reading in Senate Journal, April 15.)

30
31 Representative Fritz moved that the House **not concur** in Senate
32 amendments and that a Conference Committee be appointed. The motion
33 was declared **passed** by the following roll call vote:

	YES	62	NO	03	EXCUSED	00	ABSENT	00
36	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
37	Borodkin	Y	Garcia	Y	McCluskey	Y	Smith	Y
38	Boyd	Y	Hall	Y	McFadyen	Y	Spence	Y
39	Briggs	Y	Harvey	Y	Merrifield	N	Stafford	Y
40	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
41	Butcher	Y	Hodge	Y	Mitchell	Y	Tochtrop	Y
42	Cadman	N	Hoppe	Y	Paccione	Y	Veiga	Y
43	Carroll	Y	Jahn	Y	Plant	Y	Vigil	Y
44	Cerbo	Y	Johnson	Y	Pommer	Y	Weddig	Y
45	Clapp	Y	Judd	Y	Ragsdale	Y	Weissmann	Y
46	Cloer	Y	King	Y	Rhodes	Y	White	Y
47	Coleman	Y	Larson	Y	Rippy	N	Wiens	Y
48	Crane	Y	Lee	Y	Romanoff	Y	Williams S.	Y
49	Decker	Y	Lundberg	Y	Rose	Y	Williams T.	Y
50	Fairbank	Y	Madden	Y	Salazar	Y	Witwer	Y
51	Frangas	Y	Marshall	Y	Schultheis	Y	Young	Y
52							Speaker	Y

53 The Speaker appointed Representatives Fritz, Chairman, Spence and Jahn
54 as House conferees to the bill.

55

1 **HB03-1322** by Representative(s) Mitchell; also Senator(s) Kester--
 2 Concerning changes in the procedures for workers'
 3 compensation hearings.
 4

5 (Amended as printed in Senate Journal, April 17, page 1086.)
 6

7 Representative Mitchell moved that the House **concur** in Senate amend-
 8 ments. The motion was declared **passed** by the following roll call vote:
 9

	YES	63	NO	02	EXCUSED	00	ABSENT	00
11	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
12	Borodkin	Y	Garcia	Y	McCluskey	Y	Smith	Y
13	Boyd	Y	Hall	Y	McFadyen	Y	Spence	Y
14	Briggs	Y	Harvey	Y	Merrifield	Y	Stafford	Y
15	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
16	Butcher	Y	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	N	Johnson	Y	Pommer	Y	Weddig	Y
20	Clapp	Y	Judd	Y	Ragsdale	Y	Weissmann	Y
21	Cloer	Y	King	Y	Rhodes	Y	White	Y
22	Coleman	Y	Larson	Y	Rippy	Y	Wiens	Y
23	Crane	Y	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	N	Marshall	Y	Schultheis	Y	Young	Y
27							Speaker	Y

28
 29 The question being, "Shall the bill, as amended, pass?".
 30 A roll call vote was taken. As shown by the following recorded vote, a
 31 majority of those elected to the House voted in the affirmative, and the
 32 bill, as amended, was declared **repassed**.
 33

	YES	61	NO	04	EXCUSED	00	ABSENT	00
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	Y	Harvey	Y	Merrifield	Y	Stafford	Y
39	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
40	Butcher	Y	Hodge	Y	Mitchell	Y	Tochtrop	N
41	Cadman	Y	Hoppe	Y	Paccione	Y	Veiga	Y
42	Carroll	Y	Jahn	Y	Plant	Y	Vigil	Y
43	Cerbo	N	Johnson	Y	Pommer	Y	Weddig	Y
44	Clapp	Y	Judd	Y	Ragsdale	N	Weissmann	Y
45	Cloer	Y	King	Y	Rhodes	Y	White	Y
46	Coleman	Y	Larson	Y	Rippy	Y	Wiens	Y
47	Crane	Y	Lee	Y	Romanoff	Y	Williams S.	Y
48	Decker	Y	Lundberg	Y	Rose	Y	Williams T.	Y
49	Fairbank	Y	Madden	Y	Salazar	Y	Witwer	Y
50	Frangas	N	Marshall	Y	Schultheis	Y	Young	Y
51							Speaker	Y

52
 53
 54
 55

1 **RECALL FROM THE GOVERNOR OF HB03-1294**

2
3 Representative Stafford moved for recall from the Governor of
4 **HB03-1294** for purpose of reconsideration. The motion passed by the
5 following roll call vote:
6

7	YES	65	NO	00	EXCUSED	00	ABSENT	00
8	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
9	Borodkin	Y	Garcia	Y	McCluskey	Y	Smith	Y
10	Boyd	Y	Hall	Y	McFadyen	Y	Spence	Y
11	Briggs	Y	Harvey	Y	Merrifield	Y	Stafford	Y
12	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
13	Butcher	Y	Hodge	Y	Mitchell	Y	Tochtrop	Y
14	Cadman	Y	Hoppe	Y	Paccione	Y	Veiga	Y
15	Carroll	Y	Jahn	Y	Plant	Y	Vigil	Y
16	Cerbo	Y	Johnson	Y	Pommer	Y	Weddig	Y
17	Clapp	Y	Judd	Y	Ragsdale	Y	Weissmann	Y
18	Cloer	Y	King	Y	Rhodes	Y	White	Y
19	Coleman	Y	Larson	Y	Rippy	Y	Wiens	Y
20	Crane	Y	Lee	Y	Romanoff	Y	Williams S.	Y
21	Decker	Y	Lundberg	Y	Rose	Y	Williams T.	Y
22	Fairbank	Y	Madden	Y	Salazar	Y	Witwer	Y
23	Frangas	Y	Marshall	Y	Schultheis	Y	Young	Y
24							Speaker	Y

25 The bill was ordered recalled.
26
27

28 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

29
30 The Speaker has signed: **HB03-1121, 1211, 1256.**
31
32

33 **MESSAGES FROM THE SENATE**

34
35 Madam Speaker:

36
37
38 The Senate has passed on Third Reading and returns herewith HB03-1191,
39 1249, 1170.

40
41 The Senate has passed on Third Reading and transmitted to the Revisor of
42 Statutes: SB03-312,

43
44 SB03-310, amended as printed in Senate Journal, April 21, 2003,
45 pages 1117-1118.

46 SB03-255, amended as printed in Senate Journal, April 21, 2003, page 1140.

47 SB03-324, amended as printed in Senate Journal, April 21, 2003,
48 pages 1141-1142.

49 SB03-309, amended as printed in Senate Journal, April 21, 2003, page 1143.

50 HB03-1292, amended as printed in Senate Journal, April 21, 2003, page 1140.

51 HB03-1040, amended as printed in Senate Journal, April 21, 2003,
52 pages 1140-1141.

53 HB03-1244, amended as printed in Senate Journal, April 21, 2003, page 1142.

54 HB03-1130, amended as printed in Senate Journal, April 21, 2003, page 1142.

55 HB03-1021, amended as printed in Senate Journal, April 21, 2003, page 1142.
56

1 The Senate has adopted and returns herewith: HJR03-1040.

2

3 The President appointed Senators Andrews, Chm., Lamborn, and Nichol as
4 members of the Second Conference Committee on HB03-1224.

5

6

7 MESSAGE FROM THE REVISOR

8

9 We herewith transmit:

10 Without comment, SB03-312.

11 Without comment, as amended, SB03-310, 255, 324, 309, HB03-1292,
12 1040, 1244, 1130, and 1021.

13

14

15

16

17 INTRODUCTION OF BILLS

18

19 First Reading

20

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

23

24 **HB03-1370** by Representative(s) Rhodes; also Senator(s) Anderson--
25 Concerning reviews of designated trauma facilities.

26 Committee on Health, Environment, Welfare, & Institutions

27

28 **SB03-307** by Senator(s) Cairns; also Representative(s) Mitchell--
29 Concerning the continuation of the requirement that the
30 state individual income tax return form include a line
31 whereby an individual taxpayer may make a contribution
32 to the Colorado special olympics fund.

33 Committee on Finance

34

35 **SB03-308** by Senator(s) May R., Anderson; also Representative(s)
36 Witwer--Concerning the use of advanced technology fund
37 moneys.

38 Committee on Finance

39

40

41

42 On motion of Representative King, **HB03-1132, SB03-070, 249,**
43 **HB03-1346, 1340, 1315, 1348, 1349, SB03-240, 317** were added to the
44 Special Orders Calendar on Tuesday, April 22, 2003.

45

46

47

48 On motion of Representative Schultheis, the House resolved itself into
49 Committee of the Whole for consideration of Special Orders and he was
50 called to the Chair to act as Chairman.

51

52

53 SPECIAL ORDERS--SECOND READING OF BILLS

54

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

1 (Amendments to the committee amendment are to the printed committee
2 report which was printed and placed in the members' bill file.)
3

4 **HB03-1105** by Representative(s) Witwer; also Senator(s) Evans--
5 Concerning qualifications of county coroners.
6

7 Amendment No. 1, Local Government Report, dated February 5, 2003,
8 and placed in member's bill file; Report also printed in House Journal,
9 February 7, pages 602-603.
10

11 Amendment No. 2, Appropriations Report, dated April 4, 2003, and
12 placed in member's bill file; Report also printed in House Journal,
13 April 7, pages 1498-1500.
14

15 Amendment No. 3, by Representative Witwer.
16

17 Amend the Appropriations Committee Report, dated April 4, 2003, page
18 2, line 10, strike "C.C.S.T. BOARD" and substitute "EXECUTIVE DIRECTOR
19 OF THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT";
20

21 line 26, after "THE", insert "DEPARTMENT OF PUBLIC HEALTH AND
22 ENVIRONMENT IN COORDINATION WITH THE".
23

24 Amendment No. 4, by Representative Witwer.
25

26 Amend the Local Government Committee Report, dated February 5,
27 2003, page 1, strike lines 2 through 8 and substitute the following:
28

29 ""**SECTION 2.** 25-1.5-101 (1), Colorado Revised Statutes, as
30 enacted by Senate Bill 03-002, enacted at the First Regular Session of the
31 Sixty-fourth General Assembly, is amended BY THE ADDITION OF A
32 NEW PARAGRAPH to read:
33

34 **25-1.5-101. Powers and duties of the department.** (1) The
35 department has, in addition to all other powers and duties imposed upon
36 it by law, the powers and duties provided in this section as follows:
37

38 (y) TO PERFORM THE DUTIES SPECIFIED IN PART 6 OF ARTICLE 10 OF
39 TITLE 30, C.R.S., RELATING TO THE COLORADO CORONERS STANDARDS
40 AND TRAINING BOARD."."
41

42 Amendment No. 5, by Representative Witwer.
43

44 Amend printed bill, page 5, after line 1, insert the following:
45

46 "(2) THE C.C.S.T. BOARD SHALL EXERCISE ITS POWERS AND
47 PERFORM ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF PUBLIC
48 HEALTH AND ENVIRONMENT AS IF TRANSFERRED TO THE DEPARTMENT BY
49 A **TYPE 2** TRANSFER, AS SUCH TRANSFER IS DEFINED IN THE
50 "ADMINISTRATIVE ORGANIZATION ACT OF 1968", ARTICLE 1 OF TITLE 24,
51 C.R.S."
52

53 Renumber succeeding subsections accordingly.
54

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

1 **HB03-1178** by Representative(s) Vigil, Coleman, Frangas, Butcher,
2 Salazar, Sanchez; also Senator(s) Tapia, Sandoval--
3 Concerning in-state tuition for a student who has attended
4 school in Colorado for a specified period of time as of the
5 date the student receives a secondary school certificate.
6

7 Amendment No. 1, Appropriations Report, dated April 4, 2003, and
8 placed in member's bill file; Report also printed in House Journal,
9 April 4, page 1477.
10

11 Amendment No. 2, by Representatives May, Brophy, Cadman, Clapp,
12 Crane, Decker, Fairbank, Fritz, Hall, Harvey, Hefley, King, Lee,
13 Lundberg, Mitchell, Rhodes, Rose, Schultheis, Sinclair, Spence, Wiens.
14

15 Strike the Education Committee Report, dated February 10, 2003, and
16 substitute the following:

17 "Amend printed bill, page 2, line 6, strike "STUDENT, REGARDLESS OF"
18 and substitute "STUDENT";
19

20 line 7, strike "IMMIGRATION STATUS,";
21

22 line 8, strike "UNTIL THE STUDENT ESTABLISHES";
23

24 line 9, strike "A DOMICILE OUTSIDE OF COLORADO,";
25

26 strike lines 17 through 20 and substitute the following:

27 "(c) THE STUDENT PROVIDES TO THE INSTITUTION DOCUMENTATION
28 SHOWING THAT THE STUDENT IS A UNITED STATES CITIZEN OR IS IN FULL
29 COMPLIANCE WITH ALL UNITED STATES IMMIGRATION LAWS."."
30

31 Amendment No. 3, by Representative Sinclair.
32

33 Amend printed bill, page 2, strike lines 21 and 22.
34

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

37 (For change in action, see Amendments to Report, page 1916.)
38

39 **SB03-051** by Senator(s) Hagedorn, Chlouber, Evans, Hanna,
40 Windels; also Representative(s) Clapp, Madden,
41 Romanoff, Stafford--Concerning changes to state laws in
42 relation to the federal "Health Insurance Portability and
43 Accountability Act of 1996", as amended.
44

45 Laid over until May 8. The bill is deemed lost.
46

47 **HB03-1342** by Representative(s) Coleman; also Senator(s) Johnson S.-
48 -Concerning fees that support the Colorado state titling
49 and registration system.
50

51 Amendment No. 1, Appropriations Report, dated April 11, 2003, and
52 placed in member's bill file; Report also printed in House Journal,
53 April 11, pages 1595-1596.
54

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

1 **SB03-070** by Senator(s) Lamborn; also Representative(s)
2 McCluskey--Concerning payment procedures for a public
3 works construction project, and, in connection therewith,
4 creating requirements for contractors' bonds that are
5 consistent with existing mechanics' liens requirements
6 applicable to private projects.
7

8 Amendment No. 1, Appropriations Report, dated April 17, 2003, and
9 placed in member's bill file; Report also printed in House Journal,
10 April 17, page 1751.

11
12 Amendment No. 2, by Representative McCluskey.

13
14 Strike the Business Affairs & Labor Committee Report, dated March 11,
15 2003, and substitute the following:

16
17 "Amend reengrossed bill, page 3, after line 1, insert the following:

18
19 **"SECTION 1.** 38-26-107 (1), Colorado Revised Statutes, is
20 amended to read:

21
22 **38-26-107. Supplier may file statement - notice - withholding**
23 **fun**~~ds~~. (1) Any person, copartnership, association of persons, company,
24 or corporation that has furnished labor, materials, ~~team hire~~, sustenance,
25 ~~provisions, provender~~, or other supplies used or consumed by such
26 contractor or his or her subcontractor in or about the performance of the
27 work contracted to be done or that supplies laborers, rental machinery,
28 tools, or equipment to the extent used in the prosecution of the work
29 whose claim therefor has not been paid by the contractor or the
30 subcontractor, at any time up to and including the time of final settlement
31 for the work contracted to be done, which final settlement shall be duly
32 advertised at least ten days prior thereto by publication of notice thereof
33 at least twice in a public newspaper of general circulation published in
34 the counties wherein the work was contracted for and wherein such work
35 was performed, may file with the board, officer, person, or other
36 contracting body by whom the contract was awarded a verified statement
37 of the amount due and unpaid on account of such claim."
38

39 Renumber succeeding sections accordingly.

40
41 Page 3, strike line 10 and substitute "MATERIALS, SUSTENANCE, OR
42 OTHER";

43
44 strike lines 23 and 24 and substitute the following:

45 "FOR ANY PERSON THAT HAS FURNISHED LABOR, MATERIALS, SUSTENANCE,
46 OR OTHER SUPPLIES USED OR".
47

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

50
51 **SB03-249** by Senator(s) Owen, Anderson; also Representative(s)
52 Stengel--Concerning authority for the state to enter into
53 leveraged leasing agreements, and, in connection
54 therewith, specifying that property that is the subject of a
55 leveraged leasing agreement is exempt from property
56 taxation.

1 Amendment No. 1, Finance Report, dated April 16, 2003, and placed in
2 member's bill file; Report also printed in House Journal, April 17,
3 page 1740.

4

5 Amendment No. 2, by Representative Stengel.

6

7 Amend reengrossed bill, page 8, line 17, after "STATE.", add "PROPERTY
8 THAT IS THE SUBJECT OF A LEVERAGED LEASING AGREEMENT EXECUTED BY
9 THE STATE OR BY A POLITICAL SUBDIVISION OF THE STATE SHALL BE
10 TREATED AS TAX-EXEMPT PROPERTY OWNED BY THE STATE FOR PURPOSES
11 OF ANY STATE OR LOCAL TAX.

12

13 (3) THE LEASE OF PROPERTY BY A POLITICAL SUBDIVISION OF THE
14 STATE TO A PRIVATE PERSON AND THE SUBLEASE OF THE PROPERTY BACK
15 TO THE POLITICAL SUBDIVISION OF THE STATE PURSUANT TO A LEVERAGED
16 LEASING AGREEMENT SHALL NOT CAUSE THE PRIVATE PERSON TO WHOM
17 THE PROPERTY HAS BEEN LEASED TO INCUR ANY LIABILITY IN TORT BY
18 VIRTUE OF THE PRIVATE PERSON'S STATUS AS A LESSOR UNDER THE
19 LEVERAGED LEASING AGREEMENT."

20

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

23

24 **HB03-1346** by Representative(s) Clapp; also Senator(s) Owen--
25 Concerning the administrative operation of the dental
26 assistance program.

27

28 Amendment No. 1, Health, Environment, Welfare, & Institutions Report,
29 dated April 16, 2003, and placed in member's bill file; Report also printed
30 in House Journal, April 17, page 1741.

31

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

34

35 **HB03-1340** by Representative(s) Briggs; also Senator(s) Johnson S.--
36 Concerning revisions to the motor vehicle emission
37 budgets contained in certain carbon monoxide
38 maintenance plans according to the latest federally-
39 approved mobile source emissions model.

40

41 Amendment No. 1, Local Government Report, dated April 16, 2003, and
42 placed in member's bill file; Report also printed in House Journal,
43 April 17, page 1742.

44

45 Amendment No. 2, by Representative Berry.

46

47 Amend printed bill, page 3, strike lines 3 and 4 and substitute the
48 following:

49

50 "EXPEDITIOUSLY AS PRACTICAL."

51

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

54

55

1 **HB03-1315** by Representative(s) Rippy; also Senator(s) Anderson--
2 Concerning the master lease program.
3

4 Amendment No. 1, Finance Report, dated April 17, 2003, and placed in
5 member's bill file; Report also printed in House Journal, April 18,
6 page 1807-1808.
7

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

11 **HB03-1348** by Representative(s) Rhodes--Concerning the authority of
12 domestic life insurance companies relating to separate
13 account contracts.
14

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

18 **HB03-1349** by Representative(s) Larson, Berry, May M., Marshall;
19 also Senator(s) Taylor--Concerning the repeal of the time
20 line that moneys appropriated from the federal
21 unemployment trust fund may be obligated for
22 administrative purposes.
23

24 Ordered engrossed and placed on the Calendar for Third Reading and
25 Final Passage.
26

27 **SB03-240** by Senator(s) McElhany; also Representative(s)
28 McCluskey--Concerning the selection process for an
29 independent medical examiner in workers' compensation
30 cases.
31

32 Amendment No. 1, Business Affairs & Labor Report, dated April 17,
33 2003, and placed in member's bill file; Report also printed in House
34 Journal, April 18, pages 1806-1807.
35

36 As amended, ordered revised and placed on the Calendar for Third
37 Reading and Final Passage.
38

39 _____
40 Committee in recess. Committee reconvened.
41 _____
42

43 **SB03-317** by Senator(s) Chlouber; also Representative(s) Young--
44 Concerning the reduction of the amount that vendors are
45 allowed to retain as payment for the collection of taxes
46 imposed by the state, and making an appropriation in
47 connection therewith.
48

49 Amendment No. 1, Finance Report, dated April 18, 2003, and placed in
50 member's bill file; Report also printed in House Journal, April 18,
51 page 1808.
52

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

1 **HB03-1132** by Representative(s) Fairbank, Lee; also Senator(s)
 2 Hillman--Concerning modifications to the "Fair Campaign
 3 Practices Act" in furtherance of constitutional provisions
 4 addressing campaign finance enacted as article XXVIII of
 5 the state constitution by a vote of the people at the 2002
 6 general election.

7
 8 Laid over until April 23, retaining place on Calendar.
 9

10

11 **AMENDMENTS TO THE COMMITTEE OF THE WHOLE REPORT**

12

13 Representative Vigil moved to amend the Report of the Committee of the
 14 Whole to show that Amendment No. 2, by Representatives May M.,
 15 Brophy, Cadman, Clapp, Crane, Decker, Fairbank, Fritz, Hall, Harvey,
 16 Hefley, King, Lee, Lundberg, Mitchell, Rhodes, Rose, Schultheis,
 17 Sinclair, Spence, Wiens (as printed in House Journal, page 1912, lines
 18 11-29) to HB03-1178, did not pass, that the Education Committee Report
 19 to HB03-1178, dated February 10, 2003, and printed in the House
 20 Journal, April 4, page 1477, did pass, and that HB03-1178, as amended,
 21 did pass.

22

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

24

25

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

43

44

45 Representative Briggs moved to amend the Report of the Committee of
 46 the Whole to show that Amendment No. 2, by Representative Berry (as
 47 printed in House Journal, page 1914, lines 45-50) to HB03-1340, did not
 48 pass, that the following Briggs amendment to HB03-1340 did pass, and
 49 that HB03-1340, as amended, did pass.

50

51 Amend printed bill, page 2, line 12, strike "THE COMMISSION" and
 52 substitute "THE GENERAL ASSEMBLY RECOGNIZES THAT, DUE TO THE MORE
 53 STRINGENT STANDARDS AND DEADLINES THAT APPLY TO FEDERAL
 54 APPROVAL OF MAINTENANCE PLANS AS COMPARED TO NONATTAINMENT
 55 PLANS, TO ASSURE TIMELY PREPARATION OF REQUIRED UPDATED
 56 TRANSPORTATION PLAN, THE TRANSPORTATION PLANNING PROCESS

1 CANNOT BE COMPLETED WITHIN THE LEGISLATIVE REVIEW PROCESS
2 OTHERWISE REQUIRED BY THIS SECTION; CONSEQUENTLY, THE
3 COMMISSION".

4
5 Page 3, line 4, after the period, add "THE COMMISSION SHALL SUBMIT
6 SUCH PLANS AND BUDGETS TO THE GENERAL ASSEMBLY'S JOINT BUDGET
7 COMMITTEE, THE LEGISLATIVE COUNCIL, AND THE HOUSE AND SENATE
8 LOCAL GOVERNMENT AND TRANSPORTATION COMMITTEES."

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

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

30
31
32 Representative Weissmann moved to amend the Report of the Committee
33 of the Whole to show that the following Weissmann amendment, to
34 SB03-317, as amended by the following second Weissmann amendment,
35 did pass, and that SB03-317, as amended, did pass.

36
37 Strike the Finance Committee Report, dated April 18, 2003, and
38 substitute the following:

39
40 "Amend reengrossed bill, page 2, line 4, after "(a)", insert "(I)";

41
42 line 16, strike "TWO";

43
44 line 17, strike "PERCENT OF THE SUM SO REMITTED" and substitute "THE
45 APPLICABLE PERCENTAGE OF THE SUM SO REMITTED SPECIFIED IN
46 SUBPARAGRAPH (II) OF THIS PARAGRAPH (a)".

47
48 Page 3, after line 5, insert the following:

49 "(II) FOR SALES OCCURRING ON OR AFTER JULY 1, 2003, BUT PRIOR
50 TO JULY 1, 2006, THE PERCENTAGE OF SALES TAX COLLECTED BY A
51 VENDOR THAT THE VENDOR MAY RETAIN TO COVER THE VENDOR'S EXPENSE
52 IN THE COLLECTION AND REMITTANCE OF THE TAX IS:

53
54 (A) THREE AND ONE-THIRD PERCENT IF THE AMOUNT OF THE
55 VENDOR'S GROSS TAXABLE SALES FOR THE PRIOR FISCAL YEAR WAS TWO
56 HUNDRED FIFTY THOUSAND DOLLARS OR LESS;

1 (B) THREE PERCENT IF THE AMOUNT OF THE VENDOR'S GROSS
2 TAXABLE SALES FOR THE PRIOR FISCAL YEAR WAS MORE THAN TWO
3 HUNDRED FIFTY THOUSAND DOLLARS, BUT NOT MORE THAN ONE MILLION
4 DOLLARS;

5
6 (C) TWO AND TWO-THIRDS PERCENT IF THE AMOUNT OF THE
7 VENDOR'S GROSS TAXABLE SALES FOR THE PRIOR FISCAL YEAR WAS MORE
8 THAN ONE MILLION DOLLARS, BUT NOT MORE THAN TEN MILLION DOLLARS;
9 AND

10
11 (D) TWO AND ONE-THIRD PERCENT IF THE AMOUNT OF THE
12 VENDOR'S GROSS TAXABLE SALES FOR THE PRIOR FISCAL YEAR WAS MORE
13 THAN TEN MILLION DOLLARS.";

14
15 line 12, strike "TWO PERCENT" and substitute "THE APPLICABLE
16 PERCENTAGE SPECIFIED IN SUBPARAGRAPH (II) OF PARAGRAPH (a) OF THIS
17 SUBSECTION (1)".

18
19 Page 4, line 1, strike "TWO PERCENT" and substitute "APPLICABLE";

20
21 line 13, strike "TWO PERCENT" and substitute "THE APPLICABLE
22 PERCENTAGE".

23
24 Page 5, line 15, after "(2)", insert "(a)";

25
26 line 20, strike "TWO PERCENT" and substitute "THE APPLICABLE
27 PERCENTAGE SPECIFIED IN PARAGRAPH (b) OF THIS SUBSECTION (2)".

28
29 Page 6, after line 1, insert the following:

30 "(b) WITH RESPECT TO TAX COLLECTED ON OR AFTER JULY 1, 2003,
31 BUT PRIOR TO JULY 1, 2006, THE PERCENTAGE OF TAX COLLECTED THAT A
32 DISTRIBUTOR MAY RETAIN TO COVER THE DISTRIBUTOR'S EXPENSE IN THE
33 COLLECTION AND REMITTANCE OF THE TAX IS:

34
35 (I) THREE AND ONE-THIRD PERCENT IF THE AMOUNT OF THE
36 DISTRIBUTOR'S GROSS TAXABLE SALES OF TOBACCO PRODUCTS FOR THE
37 PRIOR FISCAL YEAR WAS TWO HUNDRED FIFTY THOUSAND DOLLARS OR
38 LESS;

39
40 (II) THREE PERCENT IF THE AMOUNT OF THE DISTRIBUTOR'S GROSS
41 TAXABLE SALES OF TOBACCO PRODUCTS FOR THE PRIOR FISCAL YEAR WAS
42 MORE THAN TWO HUNDRED FIFTY THOUSAND DOLLARS, BUT NOT MORE
43 THAN ONE MILLION DOLLARS;

44
45 (III) TWO AND TWO-THIRDS PERCENT IF THE AMOUNT OF THE
46 DISTRIBUTOR'S GROSS TAXABLE SALES OF TOBACCO PRODUCTS FOR THE
47 PRIOR FISCAL YEAR WAS MORE THAN ONE MILLION DOLLARS, BUT NOT
48 MORE THAN TEN MILLION DOLLARS; AND

49
50 (IV) TWO AND ONE-THIRD PERCENT IF THE AMOUNT OF THE
51 DISTRIBUTOR'S GROSS TAXABLE SALES OF TOBACCO PRODUCTS FOR THE
52 PRIOR FISCAL YEAR WAS MORE THAN TEN MILLION DOLLARS."."

53
54 **Second Weissmann amendment**

55 Amend the above amendment, as printed in the House Journal page 1918,
56 line 11, strike "ONE-THIRD" and substitute "ONE-TENTH";

1 line 50, strike "ONE-THIRD" and substitute "ONE-TENTH".

2

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

4

	YES	29	NO	36	EXCUSED	00	ABSENT	00
6	Berry	N	Fritz	N	May	N	Sinclair	N
7	Borodkin	Y	Garcia	Y	McCluskey	N	Smith	N
8	Boyd	N	Hall	N	McFadyen	Y	Spence	N
9	Briggs	N	Harvey	N	Merrifield	Y	Stafford	N
10	Brophy	N	Hefley	N	Miller	Y	Stengel	N
11	Butcher	Y	Hodge	Y	Mitchell	N	Tochtrop	Y
12	Cadman	N	Hoppe	N	Paccione	Y	Veiga	Y
13	Carroll	Y	Jahn	Y	Plant	Y	Vigil	Y
14	Cerbo	Y	Johnson	N	Pommer	Y	Weddig	Y
15	Clapp	N	Judd	Y	Ragsdale	Y	Weissmann	Y
16	Cloer	N	King	N	Rhodes	N	White	N
17	Coleman	Y	Larson	N	Rippy	N	Wiens	N
18	Crane	N	Lee	N	Romanoff	Y	Williams S.	Y
19	Decker	Y	Lundberg	N	Rose	N	Williams T.	Y
20	Fairbank	N	Madden	Y	Salazar	Y	Witwer	N
21	Frangas	Y	Marshall	Y	Schultheis	N	Young	N
22							Speaker	N

23

24

25

26 ADOPTION OF COMMITTEE OF THE WHOLE REPORT

27

28 Passed Second Reading: **HB03-1105 amended, 1178 amended, 1342**
 29 **amended, SB03-070 amended, 249 amended, HB03-1346 amended,**
 30 **1340 amended, 1315 amended, 1348, 1349, SB03-240 amended,**
 31 **317 amended.**

32

33 Laid over until date indicated retaining place on Calendar:

34 **HB03-1132--April 23, 2003.**

35 **SB03-051--May 8, 2003.**

36

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

41

	YES	65	NO	00	EXCUSED	00	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	Y	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

REQUEST FOR SECOND CONFERENCE COMMITTEE

9 **HB03-1224** by Representative(s) Lee, Schultheis, Harvey, Briggs,
 10 Brophy, Cadman, Clapp, Crane, Decker, Fairbank, Fritz,
 11 Hall, Hefley, King, Larson, Lundberg, May M.,
 12 McCluskey, Mitchell, Rhodes, Rose, Sinclair, Spence,
 13 Spradley, Stafford, Stengel, White, Wiens; also Senator(s)
 14 Andrews, May R., Chlouber, Arnold, Cairns, Dyer, Entz,
 15 Hillman, Johnson S., Jones, Kester, McElhany, Owen,
 16 Taylor, Teck--Concerning a prohibition against the
 17 acceptance by public entities of identity documents that
 18 are not secure.

20 Pursuant to a request from the Senate, Representative Lee moved that a
 21 Second Conference Committee be appointed. The motion was declared
 22 **passed** by the following roll call vote:

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

42 The Speaker appointed Representatives Lee, Chairman, Brophy and
 43 Miller as House conferees to the Second Conference Committee.

REPORTS OF COMMITTEES OF REFERENCE

BUSINESS AFFAIRS & LABOR

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

53 **SB03-121** be referred to the Committee of the Whole with favorable
 54 recommendation.

1 **JUDICIARY**

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

4
5 **SB03-253** be amended as follows, and as so amended, be referred to
6 the Committee of the Whole with favorable
7 recommendation:

8
9 Amend reengrossed bill, page 3, line 23, strike "NEGLIGENCE." and
10 substitute "NEGLIGENCE WHERE CERTAIN RISKS ARE KNOWN TO EXIST."

11
12
13
14
15 **STATE, VETERANS, & MILITARY AFFAIRS**

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

18
19 **HB03-1356** be amended as follows, and as so amended, be referred to
20 the Committee on Appropriations with favorable
21 recommendation:

22
23 Amend printed bill, page 7, after line 1, insert the following:

24
25 **"SECTION 1.** 1-1-104 (19.5) (a) (II), (19.5) (a) (V), and (19.5)
26 (a) (VI), Colorado Revised Statutes, as enacted by Senate Bill 03-102,
27 enacted at the First Regular Session of the Sixty-fourth General
28 Assembly, are amended, and the said 1-1-104 (19.5) (a) is further
29 amended BY THE ADDITION OF A NEW SUBPARAGRAPH, to read:

30
31 **1-1-104. Definitions.** As used in this code, unless the context
32 otherwise requires:

33
34 (19.5) (a) "Identification" means:

35
36 (II) A valid ~~state-issued~~ identification card ISSUED BY THE
37 DEPARTMENT OF REVENUE IN ACCORDANCE WITH THE REQUIREMENTS OF
38 PART 3 OF ARTICLE 2 OF TITLE 42, C.R.S.;

39
40 (V) A valid pilot's license with a photograph of the eligible elector
41 issued by the federal aviation administration or other authorized agency
42 of the United States; ~~or~~

43
44 (VI) A valid United States military identification card with a
45 photograph of the eligible elector; or

46
47 (VII) A COPY OF A CURRENT UTILITY BILL, BANK STATEMENT,
48 GOVERNMENT CHECK, PAYCHECK, OR OTHER GOVERNMENT DOCUMENT
49 THAT SHOWS THE NAME AND ADDRESS OF THE ELECTOR."

50
51 Renumber succeeding sections accordingly.

52
53 Page 8, strike line 9 and substitute the following:

54
55 "by this code, the secretary of state ~~may provide the~~ SHALL APPROVE ALL
56 forms required by this";

1 after line 18, insert the following:

2

3 **"SECTION 6.** 1-1-113, Colorado Revised Statutes, is amended
4 **BY THE ADDITION OF A NEW SUBSECTION** to read:

5

6 **1-1-113. Neglect of duty and wrongful acts.**

7 (5) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE PROCEDURES
8 SPECIFIED IN SECTION 1-1.5-105 SHALL CONSTITUTE THE EXCLUSIVE
9 ADMINISTRATIVE REMEDY FOR A COMPLAINT ARISING UNDER TITLE III OF
10 THE FEDERAL "HELP AMERICA VOTE ACT OF 2002", P.L. NO. 107-252."

11

12 Renumber succeeding sections accordingly.

13

14 Page 10, line 5, after "LAWS", insert "AND".

15

16 Page 11, line 22, after "CONFLICT", insert "AND SUGGESTING LANGUAGE
17 TO CHANGE THIS ARTICLE IN THE NEXT LEGISLATIVE SESSION".

18

19 Page 12, line 20, strike "PERFORMING" and substitute "PERFORM".

20

21 Page 13, line 3, strike "HAVA," and substitute "HAVA OR OF THIS
22 CODE,";

23

24 line 17, strike "HAVA." and substitute "HAVA OR OF THIS CODE.";

25

26 line 22, strike "ANY" and substitute "WITH THE EXCEPTION OF A
27 COMPLAINT BROUGHT UNDER SECTION 1-1.5-105 TO REMEDY AN ALLEGED
28 VIOLATION OF HAVA, ANY";

29

30 line 24, strike "HAVA" and substitute "THIS CODE".

31

32 Page 14, line 13, strike "MAY" and substitute "IS ABOUT TO";

33

34 after line 17, insert the following:

35

36 "(d) A REQUIREMENT THAT THE COMPLAINT BE FILED NO LATER
37 THAN ONE YEAR FROM THE DATE OF EITHER THE OCCURRENCE OF THE
38 ALLEGED VIOLATION OR OF THE ELECTION GIVING RISE TO THE COMPLAINT,
39 WHICHEVER IS LATER;"

40

41 Reletter succeeding paragraphs accordingly.

42

43 Page 15, line 11, strike "(h)" and substitute "(i)";

44

45 line 23, strike "(h)" and substitute "(i)".

46

47 Page 16, after line 7, insert the following:

48

49 "(4) ANY PERSON AGGRIEVED BY A FINAL DETERMINATION BY THE
50 SECRETARY ACTING PURSUANT TO PARAGRAPH (i) OF SUBSECTION (2) OF
51 THIS SECTION MAY APPEAL THE SECRETARY'S DETERMINATION TO THE
52 DISTRICT COURT IN AND FOR THE CITY AND COUNTY OF DENVER WITHIN
53 THIRTY DAYS OF THE DATE OF THE DETERMINATION."

54

55 Page 17, line 5, strike "SHALL BE" and substitute "ARE".

56

- 1 Page 18, line 18, strike the second "THE";
2
3 strike line 19 and substitute "ACTIVITIES ARISING UNDER TITLE III OF
4 HAVA THAT IT EXPENDED ON SUCH ACTIVITIES";
5
6 line 22, strike "EQUIPMENT." and substitute "EQUIPMENT OR ANY OTHER
7 ONE-TIME CAPITAL EXPENDITURE AS DETERMINED BY THE SECRETARY."
8
9 Page 20, line 11, strike "THE STATE" and substitute "THE DEPARTMENT OF
10 REVENUE IN ACCORDANCE WITH THE REQUIREMENTS OF PART 3 OF ARTICLE
11 2 OF TITLE 42, C.R.S.,";
12
13 line 13, strike "HIS OR HER STATE" and substitute "SUCH";
14
15 line 17, strike "DRIVER'S LICENSE" and substitute "COLORADO DRIVER'S
16 LICENSE, A CURRENT AND VALID IDENTIFICATION CARD ISSUED BY THE
17 DEPARTMENT OF REVENUE IN ACCORDANCE WITH THE REQUIREMENTS OF
18 PART 3 OF ARTICLE 2 OF TITLE 42, C.R.S.,".
19
20 Page 26, line 23, after "release", insert "A SOCIAL SECURITY NUMBER,";
21
22 line 24, strike "NUMBER" and substitute "NUMBER,".
23
24 Page 27, line 27, strike "TIME," and substitute "TIME IN THE STATE OF
25 COLORADO,".
26
27 Page 28, line 17, strike "IN" and substitute "SUBJECT TO THE
28 REQUIREMENTS OF PARAGRAPH (b) OF THIS SUBSECTION (2), IN";
29
30 strike lines 21 through line 27 and substitute the following:
31
32 "REQUIREMENTS OF THIS PART 5 SHALL SUBMIT WITH SUCH REGISTRATION:
33
34 (I) A COPY OF IDENTIFICATION WITHIN THE MEANING OF SECTION
35 1-1-104 (19.5); OR".
36
37 Page 29, strike lines 1 through 3 and substitute the following:
38 "(II) AT LEAST THE LAST FOUR DIGITS OF THE PERSON'S SOCIAL";
39
40 strike line 6 and substitute the following:
41 "COLORADO DRIVER'S LICENSE NUMBER, THE NUMBER OF AN
42 IDENTIFICATION CARD ISSUED BY THE DEPARTMENT OF REVENUE IN
43 ACCORDANCE WITH THE REQUIREMENTS OF PART 3 OF ARTICLE 2 OF TITLE
44 42, C.R.S.,";
45
46 strike line 10 and substitute "THE NUMBER OF THE DRIVER'S LICENSE OR
47 IDENTIFICATION CARD OR THE PERSON'S SOCIAL SECURITY NUMBER
48 SUBMITTED UNDER".
49
50 Page 30, strike lines 12 through 16 and substitute the following:
51 "PLACE IDENTIFICATION WITHIN THE MEANING OF SECTION 1-1-104
52 (19.5).".
53
54 Page 31, strike lines 13 through 17 and substitute the following:
55 "BALLOT A COPY OF IDENTIFICATION WITHIN THE MEANING OF SECTION
56 1-1-104 (19.5).".

- 1 Page 32, line 1, strike "COUNTED" and substitute "TREATED".
2
3 Page 33, strike lines 9 through 13 and substitute the following:
4
5 "SUBMIT WITH HIS OR HER ABSENTEE BALLOT A COPY OF IDENTIFICATION
6 WITHIN THE MEANING OF SECTION 1-1-104 (19.5).";
7
8 line 23, strike "COUNTED" and substitute "TREATED".
9
10 Page 34, line 22, strike "revenue and" and substitute "revenue, ~~and~~";
11
12 line 23, strike "state" and substitute "state, AND, NO LATER THAN JANUARY
13 1, 2006, THE COMPUTERIZED STATEWIDE VOTER REGISTRATION LIST
14 CREATED IN SECTION 1-2-301 (1), C.R.S."
15
16 Page 35, strike lines 8 and 9 and substitute the following:
17
18 "Colorado Revised Statutes, not otherwise appropriated, to the federal
19 elections assistance fund created in section 1-1.5-106 (1), Colorado
20 Revised Statutes, the sum of ___ dollars (\$), or so much".
21
22
23
24 **HCR03-1006** be postponed indefinitely.

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

30 The Speaker has signed: **SB03-258, 259, 260, 261, 262, 263, 265, 266,**
31 **267, 271, 272, 273, 274, 276, 277, 278, 279, 280, 284, 285, 286, 287,**
32 **288, 290, 291, 292, 295, 296, 299, 300, 302.**

DELIVERY OF BILLS TO GOVERNOR

37 The Chief Clerk of the House of Representatives reports the following
38 bill has been delivered to the Office of the Governor:

40 **HB03-1121** at 3:09 p.m., April 22, 2003.

42 **HB03-1044, 1197, 1211, 1220, 1221, 1256** at 3:30 p.m., April 22, 2003.

INTRODUCTION OF BILLS First Reading

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

52 **HB03-1371** by Representative(s) Clapp; also Senator(s) Lamborn--
53 Concerning the repeal of the authority of the department
54 of public health and environment to contract with an out-
55 side entity for services related to voluntary vaccinations.
56 Committee on Health, Environment, Welfare, & Institutions

- 1 **SB03-255** by Senator(s) Chlouber; also Representative(s) Cadman--
 2 Concerning provisions relating to selective service
 3 registration as a prerequisite for enrolling at a state-
 4 supported institution of higher education.
 5 Committee on Education
 6 Committee on Appropriations
 7
- 8 **SB03-309** by Senator(s) Anderson; also Representative(s) Young--
 9 Concerning a suspension of the administration of
 10 statewide assessments in writing, and making an
 11 appropriation therefor.
 12 Committee on Appropriations
 13
- 14 **SB03-310** by Senator(s) Evans; also Representative(s) Smith--
 15 Concerning estate planning.
 16 Committee on Judiciary
 17
- 18 **SB03-312** by Senator(s) McElhany; also Representative(s) Fairbank--
 19 Concerning clarification that offering a fee-for-service
 20 dental plan for which premiums are not charged shall not
 21 be considered transacting the business of insurance.
 22 Committee on Business Affairs & Labor
 23
- 24 **SB03-324** by Senator(s) Taylor; also Representative(s) Berry--
 25 Concerning the expenditure of moneys in the petroleum
 26 storage tank fund to implement the regulation of fuel
 27 products by the division of oil and public safety.
 28 Committee on Transportation & Energy
 29 Committee on Appropriations
 30

LAY OVER OF CALENDAR ITEMS

31
 32
 33
 34 On motion of Representative King, the following items on the Calendar
 35 were laid over until April 23, retaining place on Calendar:
 36

37 Consideration of General Orders--**HB03-1311, 1247, SB03-155.**
 38 Consideration of Resolutions--**HJR03-1042, SJR03-030, HJR03-1049,**
 39 **SJR03-034, HJR03-1052, 1055, 1057, 1058, 1046, 1048, 1060, 1062,**
 40 **1065, 1066, SJR03-032, 041, HJR03-1067.**
 41 Consideration of Memorials--**SJM03-001, 002, 004, HM03-1001, 1002.**
 42 Consideration of Senate Amendments--**HJR03-1016.**
 43 Consideration of Adherence--**SB03-126.**
 44

45
 46 On motion of Representative King, the House adjourned until 9:00 a.m.,
 47 April 23, 2003.

48 Approved:

49
 50
 51 LOLA SPRADLEY,
 52 Speaker

53 Attest:

54
 55 JUDITH RODRIGUE,
 56 Chief Clerk