Monday, March 31, 2003

HOUSE JOURNAL SIXTY-FOURTH GENERAL ASSEMBLY STATE OF COLORADO

First Regular Session

Eighty-third Legislative Day

1	Prayer by Chaplain James Moore, Civil Air Patrol.
2 3 4	Colors were posted by the Colorado National Guard.
5	National Anthem sung by Jake Schroeder.
6 7	The Speaker called the House to order at 10:00 a.m.
8 9	Pledge of Allegiance led by Representative King.
10 11	The roll was called with the following result:
12 13 14	Present64. ExcusedRepresentative Weddig1.
15 16 17	The Speaker declared a quorum present.
18 19 20 21 22 23	On motion of Representative Merrifield, the reading of the journal of March 28, 2003, was declared dispensed with and approved as corrected by the Chief Clerk.
24 25	CONSIDERATION OF RESOLUTION
26 27 28	<u>HJR03-1039</u> by Representative(s) Sinclair; also Senator(s) Lamborn-Concerning the recognition of Military Appreciation Day.
29 30 31	(Printed and placed in member's file, also printed in House Journal March 27, pages 1291-1293.)
32 33 34	On motion of Representative Sinclair, the resolution was read at length and adopted by viva voce vote.
35 36 37	Co-sponsors added: Roll call of the House.
38 39 40 41	House in recess. House reconvened.

CONSIDERATION OF RESOLUTION

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HJR03-1041 by Representative(s) Fritz, Lee, Brophy, Cadman, Crane, Jahn, McFadyen, Miller, Rippy, Salazar, Sinclair, White; also Senator(s) Taylor, May R.--Concerning support of the United States Armed Forces in Operation Iraqi Freedom.

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(Printed and placed in member's file, also printed in House Journal March 28, pages 1324-1325.)

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On motion of Representative Fritz, the resolution was adopted by viva voce vote.

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Co-sponsors added: Roll call of the House.

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CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILL

23 24 25 HB03-1160

by Representative(s) Spence, Briggs, Cadman, Clapp, Crane, Fairbank, Harvey, Hefley, King, Lee, Lundberg, Rhodes, Rose, Schultheis, Spradley, Stafford, White, Williams T., Witwer; also Senator(s) Anderson-Concerning the provision of financial assistance for kindergarten through twelfth grade education disadvantaged children.

(Amended as printed in Senate Journal, March 26, pages 749-750 & on March 27.)

30 31 32

Representative Spence moved that the House concur in Senate amendments. The motion was declared **passed** by the following roll call vote:

34 35

36	YES	61	NO	03	EXCUSED	01	ABSENT	00
37	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
38	Borodkin	Y	Garcia	N	McCluskey	Y	Smith	Y
39	Boyd	Y	Hall	Y	McFadyen	Y	Spence	Y
40	Briggs	Y	Harvey	Y	Merrifield	N	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	E
46	Clapp	Y	Judd	Y	Ragsdale	N	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

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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**.

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4	YES	36	NO	28	EXCUSED	01	ABSENT	00
5	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
6	Borodkin	N	Garcia	N	McCluskey	Y	Smith	Y
7	Boyd	N	Hall	Y	McFadyen	N	Spence	Y
8	Briggs	Y	Harvey	Y	Merrifield	N	Stafford	Y
9	Brophy	Y	Hefley	Y	Miller	N	Stengel	Y
10	Butcher	N	Hodge	N	Mitchell	Y	Tochtrop	N
11	Cadman	Y	Hoppe	Y	Paccione	N	Veiga	N
12	Carroll	N	Jahn	Y	Plant	N	Vigil	N
13	Cerbo	N	Johnson	N	Pommer	N	Weddig	E
14	Clapp	Y	Judd	N	Ragsdale	N	Weissmann	N
15	Cloer	Y	King	Y	Rhodes	Y	White	Y
16	Coleman	N	Larson	N	Rippy	Y	Wiens	Y
17	Crane	Y	Lee	Y	Romanoff	N	Williams S.	N
18	Decker	Y	Lundberg	Y	Rose	Y	Williams T.	Y
19	Fairbank	Y	Madden	N	Salazar	N	Witwer	Y
20	Frangas	N	Marshall	N	Schultheis	Y	Young	Y
21							Speaker	Y

Co-sponsors added: Representatives Hall, May.

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CONSIDERATION OF RESOLUTION

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HJR03-1035 by Representative(s) Frangas, Borodkin, Boyd, Butcher, Carroll, Coleman, Garcia, Hodge, Jahn, Judd, Madden, McFadyen, Merrifield, Miller, Paccione, Plant, Pommer, Ragsdale, Romanoff, Salazar, Tochtrop, Veiga, Vigil, Weddig, Weissmann, Williams S.; also Senator(s) Sandoval, Groff, Tapia--Concerning recognition of "Cesar Chavez Day".

(Printed and placed in member's file, also printed in House Journal March 24, pages 1237-1239.)

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On motion of Representative Frangas, the resolution was read at length and **adopted** by the following roll call vote:

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42	YES	62	NO	02	EXCUSED	01	ABSENT	00
43	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
44	Borodkin	Y	Garcia	Y	McCluskey	Y	Smith	Y
45	Boyd	Y	Hall	Y	McFadyen	Y	Spence	Y
46	Briggs	Y	Harvey	Y	Merrifield	Y	Stafford	Y
47	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
48	Butcher	Y	Hodge	Y	Mitchell	Y	Tochtrop	Y
49	Cadman	Y	Hoppe	Y	Paccione	Y	Veiga	Y
50	Carroll	Y	Jahn	Y	Plant	Y	Vigil	Y
51	Cerbo	Y	Johnson	Y	Pommer	Y	Weddig	Е
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	N	Rose	Y	Williams T.	Y

	Fairbank Frangas	-	Madden Marshall	Y Y	Salazar Schultheis	Ň	Witwer Young Speaker	Y Y Y
4	Co-sponsors	added	: Represe	ntatives	Berry, Cerbo,	Cloer	, Larson,	Marshall,

May, Rippy, Smith, Spence.

House in recess. House reconvened.

House in fecess. House feconven

THIRD READING OF BILLS--FINAL PASSAGE

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

by Representative(s) Spradley, Butcher; also Senator(s) Hillman--Concerning the expansion of access to health insurance, and making an appropriation therefor.

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

27	YES	64	NO	00	EXCUSED	01	ABSENT	00
28	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
29	Borodkin	Y	Garcia	Y	McCluskey	Y	Smith	Y
30	Boyd	Y	Hall	Y	McFadyen	Y	Spence	Y
31	Briggs	Y	Harvey	Y	Merrifield	Y	Stafford	Y
32	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
33	Butcher	Y	Hodge	Y	Mitchell	Y	Tochtrop	Y
34	Cadman	Y	Hoppe	Y	Paccione	Y	Veiga	Y
35	Carroll	Y	Jahn	Y	Plant	Y	Vigil	Y
36	Cerbo	Y	Johnson	Y	Pommer	Y	Weddig	E
37	Clapp	Y	Judd	Y	Ragsdale	Y	Weissmann	Y
38	Cloer	Y	King	Y	Rhodes	Y	White	Y
39	Coleman	Y	Larson	Y	Rippy	Y	Wiens	Y
40	Crane	Y	Lee	Y	Romanoff	Y	Williams S.	Y
41	Decker	Y	Lundberg	Y	Rose	Y	Williams T.	Y
42	Fairbank	Y	Madden	Y	Salazar	Y	Witwer	Y
43	Frangas	Y	Marshall	Y	Schultheis	Y	Young	Y
44							Speaker	Y
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Co-sponsors added: Representatives Borodkin, Boyd, Carroll, Cerbo, Clapp, Cloer, Coleman, Crane, Fairbank, Frangas, Hall, Hefley, Hoppe, Johnson, King, Lundberg, Madden, Marshall, May, McFadyen, Merrifield, Miller, Mitchell, Paccione, Plant, Pommer, Romanoff, Salazar, Schultheis, Spence, Stafford, Stengel, Tochtrop, Veiga, Vigil, White, Wiens, Williams S., Williams T., Young.

by Senator(s) Lamborn; also Representative(s) Wiens-Concerning the prohibition of certain persons controlling an industrial bank.

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

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YES	62	NO	02	EXCUSED	01	ABSENT	00
Berry	Y	Fritz	Y	May	Y	Sinclair	Y
Borodkin	Y	Garcia	Y	McCluskey	Y	Smith	N
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	Е
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	N
Frangas	Y	Marshall	Y	Schultheis	Y	Young	Y
						Speaker	Y

SB03-091

by Senator(s) Tupa, Phillips; also Representative(s) Briggs--Concerning incentives for increased use of alternative fuels, and, in connection therewith, allowing hybrid vehicles to use high occupancy vehicle lanes and requiring the use of alternative fuels for certain state vehicles.

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

36	YES	56	NO	08	EXCUSED	01	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	N	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	Е
46	Clapp	N	Judd	Y	Ragsdale	Y	Weissmann	Y
47	Cloer	N	King	Y	Rhodes	N	White	Y
48	Coleman	Y	Larson	Y	Rippy	Y	Wiens	Y
49	Crane	Y	Lee	N	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	N	Young	Y
53							Speaker	N

Co-sponsors added: Representatives Borodkin, Boyd, Brophy, Carroll,

55 Coleman, Frangas, Garcia, Harvey, Madden, McFadyen, Miller, Paccione, Plant,

Pommer, Romanoff, Rose, Salazar, Stengel, Weissmann, Williams S.

SB03-023

by Senator(s) Keller; also Representative(s) Hefley-Concerning the creation of time lines for terminating the parent-child legal relationship of certain children.

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

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YES	60	NO	04	EXCUSED	01	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	N	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	E
Clapp	Y	Judd	Y	Ragsdale	Y	Weissmann	Y
Cloer	Y	King	Y	Rhodes	Y	White	Y
Coleman	N	Larson	Y	Rippy	Y	Wiens	Y
Crane	Y	Lee	Y	Romanoff	Y	Williams S.	Y
Decker	Y	Lundberg	N	Rose	Y	Williams T.	Y
Fairbank	Y	Madden	Y	Salazar	Y	Witwer	Y
Frangas	Y	Marshall	Y	Schultheis	Y	Young	Y
Ç						Speaker	N

Co-sponsors added: Representatives Boyd, Cloer, Frangas, Harvey, Jahn, Madden, Marshall, Plant, Rhodes, Romanoff, Spence, Stengel, Williams S.

SB03-038

by Senator(s) Windels; also Representative(s) Jahn-Concerning a clarification of certain terms contained in the unlawful acts section of the "Mortuary Science Code".

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

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

Frangas	Y	Marshall	Y	Schultheis	Y	Young	Y
						Speaker	Y
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Co-sponsors added: Representatives Borodkin, Boyd, Coleman, Frangas, Fritz, Larson, Merrifield, Ragsdale, Stafford, Williams S.

by Senator(s) Linkhart, Evans, Gordon; also Representative(s) Plant, Groff, Mitchell--Concerning implementation of recommendations of the committee on legal services in connection with legislative review of rules and regulations of state agencies.

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

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YES	35	NO	29	EXCUSED	01	ABSENT	00
Berry	Y	Fritz	Y	May	Y	Sinclair	Y
Borodkin	N	Garcia	N	McCluskey	Y	Smith	Y
Boyd	N	Hall	Y	McFadyen	N	Spence	Y
Briggs	Y	Harvey	Y	Merrifield	N	Stafford	Y
Brophy	Y	Hefley	Y	Miller	N	Stengel	Y
Butcher	N	Hodge	N	Mitchell	Y	Tochtrop	N
Cadman	Y	Hoppe	Y	Paccione	N	Veiga	N
Carroll	N	Jahn	N	Plant	N	Vigil	N
Cerbo	N	Johnson	Y	Pommer	N	Weddig	Е
Clapp	Y	Judd	N	Ragsdale	N	Weissmann	N
Cloer	Y	King	Y	Rhodes	Y	White	Y
Coleman	N	Larson	N	Rippy	N	Wiens	Y
Crane	Y	Lee	Y	Romanoff	N	Williams S.	N
Decker	Y	Lundberg	Y	Rose	Y	Williams T.	Y
Fairbank	Y	Madden	N	Salazar	N	Witwer	Y
Frangas	N	Marshall	N	Schultheis	Y	Young	Y
		1 D		7 : 1		Speaker	Y

Co-sponsor added: Representative Smith.

by Senator(s) Johnson S.; also Representative(s) Clapp--Concerning the continuation of the regulatory functions of the state board of pharmacy.

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

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4	5

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

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

Co-sponsors added: Representatives Boyd, Miller, Stafford, Tochtrop, Williams S.

by Senator(s) Arnold; also Representative(s) Rippy-Concerning the management of vacant facilities owned by the state.

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

20	YES	64	NO	00	EXCUSED	01	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	E
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

Co-sponsors added: Representatives Frangas, Fritz, Larson, May, Schultheis, Weissmann.

by Senator(s) Hagedorn; also Representative(s) Fritz-Concerning restrictions on post-tenure employment of former members of the general assembly.

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

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50	YES	60	NO	04	EXCUSED	01	ABSENT	00
51	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
52	Borodkin	Y	Garcia	Y	McCluskey	Y	Smith	Y
53	Boyd	Y	Hall	Y	McFadyen	Y	Spence	Y
54	Briggs	Y	Harvey	Y	Merrifield	Y	Stafford	N
55	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
56	Butcher	Y	Hodge	Y	Mitchell	Y	Tochtrop	Y

1	Cadman	Y	Hoppe	Y	Paccione	Y	Veiga	Y
2	Carroll	Y	Jahn	Y	Plant	Y	Vigil	N
3	Cerbo	Y	Johnson	Y	Pommer	Y	Weddig	E
4	Clapp	Y	Judd	Y	Ragsdale	Y	Weissmann	Y
5	Cloer	N	King	Y	Rhodes	Y	White	Y
6	Coleman	Y	Larson	Y	Rippy	Y	Wiens	Y
7	Crane	Y	Lee	Y	Romanoff	Y	Williams S.	Y
8	Decker	N	Lundberg	Y	Rose	Y	Williams T.	Y
9	Fairbank	Y	Madden	Y	Salazar	Y	Witwer	Y
10	Frangas	Y	Marshall	Y	Schultheis	Y	Young	Y
11							Speaker	Y
12	Co-sponsors	added	l: Representa	atives B	rophy, Carro	ll, Fra	ngas, Jahn, R	hodes,

Co-sponsors added: Representatives Brophy, Carroll, Frangas, Jahn, Rhodes, Romanoff, Schultheis, Veiga, Weissmann, Williams S.

SB03-056

by Senator(s) Phillips, Hanna; also Representative(s) Ragsdale--Concerning membership in plans administered by the fire and police pension association.

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

24	YES	64	NO	00	EXCUSED	01	ABSENT	00
25	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
26	Borodkin	Y	Garcia	Y	McCluskey	Y	Smith	Y
27	Boyd	Y	Hall	Y	McFadyen	Y	Spence	Y
28	Briggs	Y	Harvey	Y	Merrifield	Y	Stafford	Y
29	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
30	Butcher	Y	Hodge	Y	Mitchell	Y	Tochtrop	Y
31	Cadman	Y	Hoppe	Y	Paccione	Y	Veiga	Y
32	Carroll	Y	Jahn	Y	Plant	Y	Vigil	Y
33	Cerbo	Y	Johnson	Y	Pommer	Y	Weddig	E
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	Y	Romanoff	Y	Williams S.	Y
38	Decker	Y	Lundberg	Y	Rose	Y	Williams T.	Y
39	Fairbank	Y	Madden	Y	Salazar	Y	Witwer	Y
40	Frangas	Y	Marshall	Y	Schultheis	Y	Young	Y
41	_						Speaker	Y

Co-sponsors added: Representatives Borodkin, Boyd, Cadman, Carroll, Coleman, Frangas, Hodge, Jahn, Merrifield, Miller, Paccione, Salazar, Vigil, Williams S.

SB03-102 by Senator(s) Arnold; also Representative(s) White-Concerning voter identification.

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

YES	40	NO	24	EXCUSED	01	ABSENT	00
Berry	Y	Fritz	Y	May	Y	Sinclair	Y
Borodkin	N	Garcia	Y	McCluskey	Y	Smith	Y

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

Co-sponsors added: Representatives Clapp, Decker, Fairbank, Harvey, Hefley, Lundberg, Rhodes, Sinclair, Smith, Spence, Stengel.

SB03-106

by Senator(s) Jones, May R.; also Representative(s) Larson--Concerning third-party damages subject to subrogation in claims that are paid pursuant to the "Workers' Compensation Act of Colorado".

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

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

Co-sponsors added: Representatives Hall, Hoppe, King, Lundberg, Schultheis, Stengel, Williams T.

SB03-042

by Senator(s) Takis; also Representative(s) McCluskey-Concerning the one dollar surcharge on filings received by a county clerk and recorder as an authorized agent for the executive director of the department of revenue.

55 The question being "Shall the bill 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 was declared **passed**.

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4	YES	64	NO	00	EXCUSED	01	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	Y	Hodge	Y	Mitchell	Y	Tochtrop	Y
11	Cadman	Y	Hoppe	Y	Paccione	Y	Veiga	Y
12	Carroll	Y	Jahn	Y	Plant	Y	Vigil	Y
13	Cerbo	Y	Johnson	Y	Pommer	Y	Weddig	E
14	Clapp	Y	Judd	Y	Ragsdale	Y	Weissmann	Y
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	Y	Salazar	Y	Witwer	Y
20	Frangas	Y	Marshall	Y	Schultheis	Y	Young	Y
21							Speaker	Y
22	Co-sponsor	addeo	d: Represent	tative]	Berry.			

23 24

by Senator(s) Tupa, Phillips; also Representative(s) **SB03-158** Pommer, Madden, Plant, Weissmann--Concerning the sale of property of a school district.

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The question being "Shall the bill 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 was declared passed.

31 32

33	YES	35	NO	29	EXCUSED	01	ABSENT	00
34	Berry	Y	Fritz	N	May	Y	Sinclair	N
35	Borodkin	Y	Garcia	Y	McCluskey	Y	Smith	Y
36	Boyd	Y	Hall	N	McFadyen	Y	Spence	Y
37	Briggs	N	Harvey	Y	Merrifield	Y	Stafford	N
38	Brophy	N	Hefley	N	Miller	Y	Stengel	N
39	Butcher	Y	Hodge	Y	Mitchell	Y	Tochtrop	Y
40	Cadman	N	Hoppe	N	Paccione	Y	Veiga	Y
41	Carroll	Y	Jahn	Y	Plant	Y	Vigil	Y
42	Cerbo	Y	Johnson	N	Pommer	Y	Weddig	E
43	Clapp	Y	Judd	Y	Ragsdale	Y	Weissmann	Y
44	Cloer	N	King	N	Rhodes	Y	White	N
45	Coleman	N	Larson	N	Rippy	N	Wiens	N
46	Crane	N	Lee	N	Romanoff	Y	Williams S.	Y
47	Decker	N	Lundberg	N	Rose	N	Williams T.	N
48	Fairbank	N	Madden	Y	Salazar	Y	Witwer	N
49	Frangas	Y	Marshall	Y	Schultheis	N	Young	N
50							Speaker	N

Co-sponsors added: Representatives Paccione, Romanoff.

51 52 53

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SB03-021 by Senator(s) Isgar; also Representative(s) Williams S.--Concerning modifications to the direct care provider career path pilot program.

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

5

6	YES	64	NO	00	EXCUSED	01	ABSEN'	Γ 00
7	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
8	Borodkin	Y	Garcia	Y	McCluskey	Y	Smith	Y
9	Boyd	Y	Hall	Y	McFadyen	Y	Spence	Y
10	Briggs	Y	Harvey	Y	Merrifield	Y	Stafford	Y
11	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
12	Butcher	Y	Hodge	Y	Mitchell	Y	Tochtrop	Y
13	Cadman	Y	Hoppe	Y	Paccione	Y	Veiga	Y
14	Carroll	Y	Jahn	Y	Plant	Y	Vigil	Y
15	Cerbo	Y	Johnson	Y	Pommer	Y	Weddig	Е
16	Clapp	Y	Judd	Y	Ragsdale	Y	Weissman	
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	
20	Decker	Y	Lundberg	Y	Rose	Y	Williams '	
21	Fairbank	Y	Madden	Y	Salazar	Y	Witwer	Y
22	Frangas	Y	Marshall	Y	Schultheis	Y	Young	Y
23							Speaker	Y
24	Co-sponsors	adde	d: Represe	entatives	Coleman,	Jahn,	Larson,	Marshall,

Co-sponsors added: Representatives Coleman, Jahn, Larson, Marshall, Merrifield, Tochtrop.

25 26 27

SB03-079 by Senator(s) Reeves; also Representative(s) Smith--Concerning support obligations.

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The question being "Shall the bill 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 was declared passed.

33 34

35	YES	63	NO	01	EXCUSED	01	ABSENT	00
36	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
37	Borodkin	Ÿ	Garcia	Ÿ	McCluskey	Ÿ	Smith	Ÿ
38	Boyd	Y	Hall	Y	McFadyen	Y	Spence	Y
39	Briggs	N	Harvey	Y	Merrifield	Y	Stafford	Y
40	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
41	Butcher	Y	Hodge	Y	Mitchell	Y	Tochtrop	Y
42	Cadman	Y	Hoppe	Y	Paccione	Y	Veiga	Y
43	Carroll	Y	Jahn	Y	Plant	Y	Vigil	Y
44	Cerbo	Y	Johnson	Y	Pommer	Y	Weddig	E
45	Clapp	Y	Judd	Y	Ragsdale	Y	Weissmann	Y
46	Cloer	Y	King	Y	Rhodes	Y	White	Y
47	Coleman	Y	Larson	Y	Rippy	Y	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	Co-sponsors	added	l: Representa	atives B	oyd, Carroll, N	<i>l</i> erri	field, Romano	ff.

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1 2 3 4	On motion of to the Special	Representative King, SB03-231 , HB03-1335 were added Orders calendaron Monday, March 31, 2003.						
5 6 7 8	Committee of	On motion of Representative Brophy, the House resolved itself into Committee of the Whole for consideration of Special Orders and he was called to the Chair to act as Chairman.						
9 10	SPEC	IAL ORDERSSECOND READING OF BILLS						
11 12 13 14 15 16 17 18 19 20 21 22 23 24	titles of the f dispensed wit	The Committee of the Whole having risen, the Chairman reported the 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:						
	(Amendments to the committee amendment are to the printed committee report which was printed and placed in the members' bill file.)							
	SB03-015	by Senator(s) Owen, Hanna; also Representative(s) Jahn, TochtropConcerning disclosure by a health care provider to the named insured of the estimated charges for nonemergency procedures prior to the scheduling of such procedures.						
25 26	Amendment No. 1, by Representative Jahn.							
27 28 29	Amend reengrossed bill, page 2, strike lines 12 through 15 and substitute the following:							
30 31 32 33	" SECTION 2. Title 6, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW ARTICLE to read:							
34 35 36	Н	ARTICLE 20 OSPITAL DISCLOSURES TO CONSUMERS						
37	6-20-101. Provider disclosure of average charge.".							
38 39 40 41		ordered revised and placed on the Calendar for Third Final Passage.						
42 43 44	SB03-113	by Senator(s) McElhany; also Representative(s) Wiens-Concerning the continuation of the division of gaming within the department of revenue.						
45 46	Amendment 1	No. 1, by Representatives Spradley, Wiens.						
47 48	Amend reeng	rossed bill, page 3, after line 4, insert the following:						
49 50 51	"SEC" amended BY	" SECTION 4. 12-47.1-103 (26), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:						
52 53 54		1-103. Definitions. As used in this article, unless the wise requires:						
55 56	(26) (a	a.5) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT						

1		IOLOGICAL ADVANCES MADE SINCE THE IMPLEMENTATION OF				
2 3 4 5	IMPLEMENTA:	ED GAMING ACT OF 1991" AND THE SUBSEQUENT FION AND USE OF VIDEO LOTTERY TERMINALS, THE F "SLOT MACHINE" ALSO INCLUDES ANY VIDEO LOTTERY				
6 7	Renumber su	cceeding sections accordingly.				
8 9 10 11		ordered revised and placed on the Calendar for Third Final Passage.				
12 13 14	SB03-149	by Senator(s) Arnold; also Representative(s) Spence-Concerning practices relating to school districts' budgets.				
15 16	(Amended as	printed in House Journal, March 8, page 1316.)				
17 18 19 20 21	Reading and	ordered revised and placed on the Calendar for Third Final Passage. n action, see Amendments to Report, page 1345.)				
22 23 24 25	SB03-233	by Senator(s) Hillman; also Representative(s) Fairbank-Concerning the inclusion of employees of a district attorney in specified retirement plans.				
26 27 28 29		No. 1, Finance Report, dated March 21, 2003, and placed in file; Report also printed in House Journal, March 24, 236.				
30 31 32 33		ordered revised and placed on the Calendar for Third Final Passage.				
34 35 36 37 38	SB03-036	by Senator(s) Andrews; also Representative(s) Lee-Concerning the requirement of completion of a course on civil government for high school graduation.				
39 40 41 42	Amendment No. 1, State, Veterans, & Military Affairs Report, dated March 25, 2003, and placed in member's bill file; Report also printed in House Journal, March 26, page 1271.					
43 44 45		ordered revised and placed on the Calendar for Third Final Passage.				
46 47 48	SB03-235	by Senator(s) Lamborn; also Representative(s) Mitchell-Concerning the right to display national symbols.				
49 50 51 52	March 25, 20	No. 1, State, Veterans, & Military Affairs Report, dated 03, and placed in member's bill file; Report also printed in l, March 26, pages 1271-1272.				
53 54	Amendment 1	No. 2, by Representative Weissmann.				

56 Amend reengrossed bill, page 2, line 8, after "PROPERTY;" insert "AND";

1 2	strike line 10.						
3 4	Reletter succeeding paragraph accordingly.						
5 6 7	As amended, ordered revised and placed on the Calendar for Third Reading and Final Passage.						
8 9 10 11 12	by Senator(s) Chlouber; also Representative(s) Hefley-Concerning the number of days simulcast facilities may broadcast out-of-state greyhound races.						
12 13 14 15 16	Amendment No. 1, Agriculture, Livestock, & Natural Resources Report dated March 19, 2003, and placed in member's bill file; Report also printed in House Journal, March 21, pages 1208.						
17	Amendment No. 2, by Representative Hefley.						
18 19 20 21 22	Amend the Agriculture, Livestock, and Natural Resources Committee Report, dated March 19, 2003, page 1, line 5, strike "LIFE" and substitute "LIVE".						
23 24 25	As amended, ordered revised and placed on the Calendar for Third Reading and Final Passage.						
26 27 28 29 30	by Senator(s) Anderson; also Representative(s) Pommer-Concerning moneys for the repayment of school district obligations.						
31	Amendment No. 1, by Representative Pommer.						
32 33 34 35	Amend reengrossed bill, page 2, line 10, strike "A" and substitute "AT LEAST ONE".						
36 37	Page 3, line 6, strike "A" and substitute "AT LEAST ONE";						
38 39 40 41 42	line 10, after the period, insert "A SCHOOL DISTRICT MAY SELECT MULTIPLE THIRD-PARTY CUSTODIANS TO ADMINISTER THE DISTRICT'S BOND REDEMPTION FUND, SO LONG AS EACH CUSTODIAN SELECTED MEETS THE REQUIREMENTS FOR A CUSTODIAN SPECIFIED IN THIS SUBPARAGRAPH (V) ."						
43	Amendment No. 2, by Representative Pommer.						
44 45 46 47	Amend reengrossed bill, page 3, line 20, strike "SECTION 22-40-104" and substitute "SECTION 22-40-104.";						
48 49	strike lines 21 through 24 and substitute the following:						
50 51 52 53 54 55 56	"A SCHOOL DISTRICT IS NOT REQUIRED TO DESIGNATE A THIRD-PARTY CUSTODIAN TO ADMINISTER ANY PORTION OF THE SCHOOL DISTRICT'S BOND REDEMPTION FUND THAT CONSISTS OF REVENUES RECEIVED FROM BONDS OR OTHER OBLIGATIONS FOR WHICH THE SCHOOL DISTRICT HAS GIVEN NOTICE TO THE STATE TREASURER THAT IT WILL NOT ACCEPT PAYMENT BY THE STATE TREASURER ON BEHALF OF THE SCHOOL DISTRICT AS PROVIDED IN SECTION $22-41-110$ (1) (a)."						
20	IN SECTION $22-41-110(1)(3)$.						

 Amend reengrossed bill, page 9, after line 8, insert the following:

Amendment No. 3, by Representative Pommer.

"**SECTION 7.** 22-42-117 (2), Colorado Revised Statutes, is amended to read:

(2) The board of education has authority to include in each amount certified for said bond redemption fund an amount to create a reserve for the redemption of bonds in future years prior to their maturities, FOR THE PAYMENT OF BONDS IN FUTURE YEARS EITHER PRIOR TO OR AT THEIR MATURITIES, or for purchasing at a discount and cancellation any bond on which the interest is being paid for the current district debt service mill levy; but said reserve shall be restricted to the subsidiary account in the bond redemption fund for which said tax levy was made."

1718 Renumber succeeding section accordingly.

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

(For change in action, see Amendments to Report, pages 1346-1347.)

SB03-243 by Senator(s) Anderson; also Representative(s) White-Concerning the statewide travel management program.

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

by Senator(s) Entz; also Representative(s) McCluskey-Concerning procedures for the development of water projects by the Colorado water resources and power development authority.

Amendment No. 1, by Representative McCluskey.

Amend reengrossed bill, page 6, line 8, after "STUDIES,", insert "AND AUTHORIZES THE AUTHORITY TO PROCEED WITH THE CONSIDERATION OF".

Amendment No. 2, by Representative Smith.

Amend reengrossed bill, page 6, after line 20, insert the following:

- "(3.5) (a) The authority shall only proceed with the projects in subsection (3) of this section if:
- (I) SUCH PROJECTS HAVE RECONNAISSANCE OR FEASIBILITY STUDIES;
- (II) SUCH PROJECTS HAVE ALL NECESSARY FEDERAL, STATE, AND LOCAL PERMITS OR LICENSES; AND
- (III) IN THE CASE OF A PROJECT THAT ENABLES THE USE OF WATER ARISING IN ONE WATER DIVISION IN A DIFFERENT WATER DIVISION, THE AUTHORITY HAS HELD AT LEAST ONE PUBLIC HEARING IN BOTH WATER

DIVISIONS, WHICH MAY INCLUDE A HEARING FOR ANY NECESSARY PERMIT 2 OR IN CONNECTION WITH THE STATEWIDE WATER SUPPLY INITIATIVE. 3 4 (b) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (a) OF THIS SUBSECTION (3.5), THE AUTHORITY MAY ADVANCE UP TO 5 6 TWENTY-FIVE PERCENT OF THE COST OF ANY PROJECT IN SUBSECTION (3) 7 OF THIS SECTION, NOT TO EXCEED ONE MILLION DOLLARS, FOR A 8 RECONNAISSANCE OR FEASIBILITY STUDY. ". 9 10 As amended, ordered revised and placed on the Calendar for Third 11 Reading and Final Passage. 12 13 14 SB03-007 by Senator(s) Chlouber; also Representative(s) Harvey--15 Concerning toll evasion violations committed in vehicles 16 not owned by the operator. 17 18 Amendment No. 1, Transportation & Energy Report, dated March 26, 19 2003, and placed in member's bill file; Report also printed in House 20 Journal, March 27, pages 1287-1288... 21 22 Amendment No. 2, by Representative Pommer. 23 Amend reengrossed bill, page 2, line 4, after "(a.5)", insert "(I)"; 24 25 26 strike line 8, and substitute the following: 27 28 "VIOLATION CIVIL PENALTY. 29 30 (II) IF THE OWNER OF A MOTOR VEHICLE WHO IS ENGAGED IN THE BUSINESS OF LEASING OR RENTING MOTOR VEHICLES MAY RECEIVE 32 PAYMENT FOR A TOLL EVASION VIOLATION CIVIL PENALTY FROM THE PERSON OR COMPANY WHO LEASED OR RENTED THE VEHICLE AT THE TIME OF THE TOLL EVASION THROUGH A CREDIT OR DEBIT CARD PAYMENT, THE 35 OWNER SHALL DO SO AND SHALL FORWARD THE PAYMENT ON TO THE 36 PUBLIC HIGHWAY AUTHORITY. 37 38 EXCEPT AS REQUIRED BY SUBPARAGRAPH (II) OF THIS 39 PARAGRAPH (a.5), THE OWNER OF A MOTOR VEHICLE WHO IS ENGAGED IN 40 THE BUSINESS OF LEASING OR RENTING MOTOR VEHICLES IS NOT LIABLE 41 FOR PAYMENT OF A TOLL EVASION VIOLATION CIVIL PENALTY IF THE 42 OWNER OF THE LEASED OR RENTED". 43 Page 3, line 4, after "(a.5)", insert "(I)"; 44 45 46 strike line 8, and substitute the following: 47 48 "VIOLATION CIVIL PENALTY. 49 50 (II) IF THE OWNER OF A MOTOR VEHICLE WHO IS ENGAGED IN THE 51 BUSINESS OF LEASING OR RENTING MOTOR VEHICLES MAY RECEIVE 52 PAYMENT FOR A TOLL EVASION VIOLATION CIVIL PENALTY FROM THE PERSON OR COMPANY WHO LEASED OR RENTED THE VEHICLE AT THE TIME OF THE TOLL EVASION THROUGH A CREDIT OR DEBIT CARD PAYMENT, THE OWNER SHALL DO SO AND SHALL FORWARD THE PAYMENT ON TO THE

56 PUBLIC HIGHWAY AUTHORITY.

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SB03-058

by Senator(s) May R.; also Representative(s) Cadman-Concerning state government efficiencies, and, in connection therewith, clarifying the meaning of grants under the "Procurement Code", authorizing the creation of

alternative procurement methods, allowing an exception to the selection and contract formation requirements of the "Procurement Code", and allowing an exception to the emissions testing requirements for motor vehicles under certain circumstances.

Amendment No. 1, by Representative Coleman.

Amend reengrossed bill, page 4, line 19, after the period, add "FOR THE 2004-05 FISCAL YEAR AND EVERY OTHER FISCAL YEAR THEREAFTER, THE STATE AUDITOR SHALL REVIEW THE COMPETITIVE PROCUREMENT METHODS ESTABLISHED PURSUANT TO THIS SECTION.".

Amendment No. 2, by Representative Cadman.

Amend reengrossed bill, page 7, strike lines 21 through 26.

Page 8, strike lines 1 through 3 and substitute the following:

"SECTION 8. Effective date. This act shall take effect upon passage; except that section 7 of this act shall only take effect if House Bill 03-1016 is not enacted at the First Regular Session of the Sixty-fourth General Assembly and does not become law.

SECTION 9. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.".

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

AMENDMENTS TO THE COMMITTEE OF THE WHOLE REPORT

Representatives King and Spence moved to amend the Report of the Committee of the Whole to show that Amendment No. 3, by Representative Vigil to SB03-149 (as printed in House Journal, March 28, 2003, page 1316, lines 25-38), did not pass, and that SB03-149, as amended, did pass.

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

YES	33	NO	31	EXCUSED	01	ABSENT	00
Berry	N	Fritz	Y	May	Y	Sinclair	Y
Borodkin	N	Garcia	N	McCluskey	N	Smith	Y
Boyd	N	Hall	Y	McFadyen	N	Spence	Y
Briggs	Y	Harvey	Y	Merrifield	N	Stafford	Y
Brophy	Y	Hefley	Y	Miller	N	Stengel	Y
Butcher	N	Hodge	N	Mitchell	Y	Tochtrop	N
Cadman	Y	Hoppe	N	Paccione	N	Veiga	N
Carroll	N	Jahn	N	Plant	N	Vigil	N
Cerbo	N	Johnson	Y	Pommer	N	Weddig	E
Clapp	Y	Judd	N	Ragsdale	N	Weissmann	N
Cloer	Y	King	Y	Rhodes	Y	White	Y
Coleman	N	Larson	N	Rippy	Y	Wiens	Y
	Berry Borodkin Boyd Briggs Brophy Butcher Cadman Carroll Cerbo Clapp Cloer	Berry N Borodkin N Boyd N Briggs Y Brophy Y Butcher N Cadman Y Carroll N Cerbo N Clapp Y Cloer Y	Berry N Fritz Borodkin N Garcia Boyd N Hall Briggs Y Harvey Brophy Y Hefley Butcher N Hodge Cadman Y Hoppe Carroll N Jahn Cerbo N Johnson Clapp Y Judd Cloer Y King	Berry N Fritz Y Borodkin N Garcia N Boyd N Hall Y Briggs Y Harvey Y Brophy Y Hefley Y Butcher N Hodge N Cadman Y Hoppe N Carroll N Jahn N Cerbo N Johnson Y Clapp Y Judd N Cloer Y King	Berry N Fritz Y May Borodkin N Garcia N McCluskey Boyd N Hall Y McFadyen Briggs Y Harvey Y Merrifield Brophy Y Hefley Y Miller Butcher N Hodge N Mitchell Cadman Y Hoppe N Paccione Carroll N Jahn N Plant Cerbo N Johnson Y Pommer Clapp Y Judd N Ragsdale Cloer Y King Y Rhodes	Berry N Fritz Y May Y Borodkin N Garcia N McCluskey N Boyd N Hall Y McFadyen N Briggs Y Harvey Y Merrifield N Brophy Y Hefley Y Miller N Butcher N Hodge N Mitchell Y Cadman Y Hoppe N Paccione N Carroll N Jahn N Plant N Cerbo N Johnson Y Pommer N Clapp Y Judd N Ragsdale N Cloer Y King Y Rhodes	Berry N Fritz Y May Y Sinclair Borodkin N Garcia N McCluskey N Smith Boyd N Hall Y McFadyen N Spence Briggs Y Harvey Y Merrifield N Stafford Brophy Y Hefley Y Miller N Stengel Butcher N Hodge N Mitchell Y Tochtrop Cadman Y Hoppe N Paccione N Veiga Carroll N Jahn N Plant N Vigil Cerbo N Johnson Y Pommer N Weddig Clapp Y Judd N Ragsdale N Weissmann Cloer Y King Y Rhodes Y White

Crane	Y	Lee	Y	Romanoff	N	Williams S.	N	١
Decker	Y	Lundberg	Y	Rose	Y	Williams T.	Y	
Fairbank	Y	Madden	N	Salazar	N	Witwer	Y	
Frangas	N	Marshall	N	Schultheis	Y	Young	Y	
						Speaker	Y	l

Rpresentatives Vigil, Hefley, Weissmann, and Decker moved to amend the Report of the Committee of the Whole to show that Amendment No. 1, by Representatives Wiens and Spradley to SB03-113 (as printed in House Journal page 1339, lines 46-56 and on page 1340, lines 1-7), did not pass, and that SB03-113, as amended, did pass.

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

YES	18	NO	46	EXCUSED	01	ABSENT	00
Berry	N	Fritz	N	May	N	Sinclair	N
Borodkin	Y	Garcia	N	McCluskey	N	Smith	Y
Boyd	N	Hall	N	McFadyen	Y	Spence	Y
Briggs	N	Harvey	N	Merrifield	N	Stafford	N
Brophy	N	Hefley	Y	Miller	N	Stengel	N
Butcher	Y	Hodge	Y	Mitchell	N	Tochtrop	Y
Cadman	N	Hoppe	N	Paccione	N	Veiga	Y
Carroll	N	Jahn	Y	Plant	N	Vigil	Y
Cerbo	Y	Johnson	N	Pommer	Y	Weddig	E
Clapp	N	Judd	N	Ragsdale	N	Weissmann	Y
Cloer	N	King	N	Rhodes	N	White	N
Coleman	N	Larson	N	Rippy	Y	Wiens	N
Crane	N	Lee	N	Romanoff	N	Williams S.	N
Decker	Y	Lundberg	N	Rose	N	Williams T.	N
Fairbank	N	Madden	N	Salazar	Y	Witwer	N
Frangas	N	Marshall	N	Schultheis	N	Young	Y
						Speaker	N

Representative Pommer moved to amend the Report of the Committee of the Whole to show that the following Pommer amendment, to SB03-237, did pass, and that SB03-237, as amended, did pass.

Amend reengrossed bill, page 5, line 11, after "(3),", insert "(5),".

Page 7, line 8, before "STATE'S", insert "SCHOOL DISTRICT'S PAYMENTS OF THE";

line 9, after "PROGRAM", insert "RECEIVED";

line 12, strike "DISTRICT." and substitute "DISTRICT; EXCEPT THAT THE STATE TREASURER MAY NOT RECOVER AMOUNTS FROM PROPERTY TAX REVENUES THAT ARE PLEDGED TO PAY NOTES OR BONDS ISSUED BY THE SCHOOL DISTRICT.".

Page 8, after line 10, insert the following:

"(5) Any school district to which this section applies shall file with the state treasurer a copy of the resolution which authorizes the issuance of bonds or other obligations, a copy of the official statement or other offering document for such bonds or other obligations, the agreement, if any, with the paying agent for such bonds or other obligations, and the name, address, and telephone number of such paying agent. The failure of any school district to file such information shall not affect the obligation of the state treasurer to withhold the state's share of the district's total program AND THE DISTRICT'S TAX REVENUES under this section.";

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line 14, after "program", insert "AND FROM THE DISTRICT'S UNPLEDGED TAX REVENUES".

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

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14	YES	56	NO	08	EXCUSED	01	ABSENT	00
15	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
16	Borodkin	Y	Garcia	Y	McCluskey	Y	Smith	Y
17	Boyd	Y	Hall	Y	McFadyen	Y	Spence	Y
18	Briggs	N	Harvey	Y	Merrifield	Y	Stafford	N
19	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
20	Butcher	Y	Hodge	Y	Mitchell	Y	Tochtrop	Y
21	Cadman	Y	Hoppe	N	Paccione	Y	Veiga	Y
22	Carroll	Y	Jahn	Y	Plant	Y	Vigil	Y
23	Cerbo	Y	Johnson	Y	Pommer	Y	Weddig	E
24	Clapp	N	Judd	Y	Ragsdale	Y	Weissmann	Y
25	Cloer	N	King	Y	Rhodes	Y	White	Y
26	Coleman	Y	Larson	Y	Rippy	Y	Wiens	Y
27	Crane	N	Lee	Y	Romanoff	Y	Williams S.	Y
28	Decker	Y	Lundberg	Y	Rose	Y	Williams T.	Y
29	Fairbank	Y	Madden	Y	Salazar	Y	Witwer	Y
30	Frangas	Y	Marshall	Y	Schultheis	Y	Young	N
31							Speaker	N

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Representatives Miller, Berry, and Salazar moved to amend the Report of the Committee of the Whole to show that the following Miller amendment, to SB03-126, did pass, and that SB03-126, as amended, did pass.

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Amend reengrossed bill, page 3, line 19, after (1), insert "BEFORE ANY PROPOSED PROJECT CAN RECEIVE CONSIDERATION FOR CONSTRUCTION FUNDING BY THE AUTHORITY, THE GENERAL ASSEMBLY MUST AUTHORIZE THE AUTHORITY TO PROCEED TO CONSIDER THE CONSTRUCTION OF SUCH PROPOSED PROJECT.".

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

YES	29	NO	35	EXCUSED	01	ABSENT	00
Berry	Y	Fritz	N	May	N	Sinclair	N
Borodkin	Y	Garcia	N	McCluskey	N	Smith	Y
Boyd	Y	Hall	N	McFadyen	Y	Spence	N
Briggs	N	Harvey	N	Merrifield	Y	Stafford	N
Brophy	N	Hefley	N	Miller	Y	Stengel	N
Butcher	Y	Hodge	Y	Mitchell	N	Tochtrop	Y
Cadman	N	Hoppe	N	Paccione	Y	Veiga	Y
Carroll	Y	Jahn	N	Plant	Y	Vigil	N
Cerbo	Y	Johnson	N	Pommer	Y	Weddig	E
	Berry Borodkin Boyd Briggs Brophy Butcher Cadman Carroll	Berry Y Borodkin Y Boyd Y Briggs N Brophy N Butcher Y Cadman N Carroll Y	Berry Y Fritz Borodkin Y Garcia Boyd Y Hall Briggs N Harvey Brophy N Hefley Butcher Y Hodge Cadman N Hoppe Carroll Y Jahn	Berry Y Fritz N Borodkin Y Garcia N Boyd Y Hall N Briggs N Harvey N Brophy N Hefley N Butcher Y Hodge Y Cadman N Hoppe N Carroll Y Jahn N	Berry Y Fritz N May Borodkin Y Garcia N McCluskey Boyd Y Hall N McFadyen Briggs N Harvey N Merrifield Brophy N Hefley N Miller Butcher Y Hodge Y Mitchell Cadman N Hoppe N Paccione Carroll Y Jahn N Plant	Berry Y Fritz N May N Borodkin Y Garcia N McCluskey N Boyd Y Hall N McFadyen Y Briggs N Harvey N Merrifield Y Brophy N Hefley N Miller Y Butcher Y Hodge Y Mitchell N Cadman N Hoppe N Paccione Y Carroll Y Jahn N Plant Y	Berry Y Fritz N May N Sinclair Borodkin Y Garcia N McCluskey N Smith Boyd Y Hall N McFadyen Y Spence Briggs N Harvey N Merrifield Y Stafford Brophy N Hefley N Miller Y Stengel Butcher Y Hodge Y Mitchell N Tochtrop Cadman N Hoppe N Paccione Y Veiga Carroll Y Jahn N Plant Y Vigil

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

14 Passed Second Reading: **SB03-015 amended**, **113 amended**, 15 **149 amended**, 233 **amended**, 036 **amended**, 235 **amended**, 16 **107 amended**, 237 **amended**, 243, 126 **amended**, 007 **amended**, 17 **231 amended**, HB03-1335, SB03-058 **amended**.

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

YES	64	NO	00	EXCUSED	01	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	E
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

REPORTS OF COMMITTEES OF REFERENCE

APPROPRIATIONS

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

<u>HB03-1073</u> be referred to the Committee of the Whole with favorable recommendation.

<u>HB03-1115</u> be postponed indefinitely.

be referred to the Committee of the Whole with favorable HB03-1190 2 recommendation. 4 5 6 HB03-1191 be amended as follows, and as so amended, be referred to Committee of the Whole with favorable 7 recommendation: 8 9 Amend printed bill, page 1, line 102, strike "CHILDREN, AND MAKING 10 AN" and substitute "CHILDREN."; 11 12 strike line 103. 13 14 15 16 HB03-1201 be postponed indefinitely. 17 18 19 HB03-1223 be amended as follows, and as so amended, be referred to 20 Committee of the Whole with favorable 21 recommendation: Amend printed bill, page 3, after line 14, insert the following: 23 24 25 "SECTION 5. Appropriation. There is hereby appropriated, 26 from the motorist insurance identification account within the highway 27 users tax fund created in section 42-3-134(26)(d)(I), Colorado revised statutes, to the department of revenue, for the fiscal year beginning July 1, 2003, the sum of twenty-five thousand five hundred eighty-four dollars 30 (\$25,584), for the implementation of this act. The general assembly has 31 determined that this act can be implemented with contract services, and 32 therefore no separate appropriation of FTE authority is necessary to carry 33 out the purposes of this act.". 34 35 Renumber succeeding section accordingly. 36 37 Page 1, line 102, strike "VEHICLE." and substitute "VEHICLE, AND 38 MAKING AN APPROPRIATION IN CONNECTION THEREWITH.". 39 40 41 42 HB03-1247 be amended as follows, and as so amended, be referred to 43 the Committee of the Whole with favorable 44 recommendation: 45 Amend printed bill, page 7, after line 17, insert the following: 46 47 "**SECTION 6.** Appropriation. (1) In addition to any other 48 49 appropriation, there is hereby appropriated, out of any moneys in the 50 educator licensure cash fund, created in section 22-60.5-112, Colorado 51

"SECTION 6. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the educator licensure cash fund, created in section 22-60.5-112, Colorado Revised Statutes, not otherwise appropriated, to the department of education, for allocation to the office of professional services, for the fiscal year beginning July 1, 2003, the sum of two hundred seventy-seven thousand six hundred dollars (\$277,600), or so much thereof as may be necessary, for the implementation of this act. The general assembly has determined that this act can be implemented with contract services, and

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The Chief Clerk of the House of Representatives reports the following bills have been delivered to the Office of the Governor: **HB03-1015**, **1027**, **1035**, **1045**, **1047**, **1077**, **1169** at 4:38 p.m., March 31, 2003.

MESSAGES FROM THE SENATE 1 2 Madam Speaker: 4 5 The Senate has adopted and returns herewith: HJR03-1039. 6 7 8 The Senate has adopted and returns herewith: HJR03-1012, 1025, 1031. 9 10 The Senate has voted not to concur in House Amendments to SB03-098 11 and requests that a Conference Committee be appointed. The bill is 12 transmitted herewith. 13 14 The Senate has voted not to concur in House Amendments to SB03-009 15 and requests that a Conference Committee be appointed. The Senate granted permission to members of the First Conference Committee on 16 ŠB03-009 to consider matters not at issue between the two houses. The 17 bill is transmitted herewith. 18 19 20 The Senate has voted not to concur in House Amendments to SB03-226 21 and requests that a Conference Committee be appointed. The bill is 22 transmitted herewith. 23 The Senate voted to concur in House amendments and repassed the bills 24 as amended: SB03-112, SB03-133. 25 26 27 28 The Senate has passed on Third Reading and returns herewith HB03-1263, 1020, 1159. 29 30 31 The Senate has passed on Third Reading and transmitted to the Revisor 32 of Statutes: 33 SB03-242, 34 amended as printed in Senate Journal, March 27, 2003, 35 page 784 & 786, 36 SB03-245, amended as printed in Senate Journal, March 27, 2003, 37 pages 785, 38 SB03-248, amended as printed in Senate Journal, March 27, 2003, 39 pages 789-790, 40 HB03-1012, amended as printed in Senate Journal, March 27, 2003, 41 pages 783-784, 42 HB03-1251, amended as printed in Senate Journal, March 27, 2003, 43 pages 784, 44 HB03-1305, amended as printed in Senate Journal, March 27, 2003, 45 pages 784, HB03-1092, amended as printed in Senate Journal, March 27, 2003, 46 page 785 & 786, 47 48 HB03-1236, amended as printed in Senate Journal, March 27, 2003, 49 pages 786. 50 51 52 The Senate has passed on Third Reading and transmitted to the Revisor of 53 Statutes: 54 HB03-1237, amended as printed in Senate Journal, March 27, 2003, 55 pages 782-783.

The President appointed Senators Johnson, Chm., Kester, and Tupa as members of the First Conference Committee on SB03-009.

The Senate has adopted and returns herewith: HJR03-1035.

The President appointed Senators Arnold, Chm., Anderson, and Phillips as members of the First Conference Committee on SB03-098.

The President appointed Senators Kester, Chm., Johnson, and Isgar as members of the First Conference Committee on SB03-226.

MESSAGES FROM THE REVISOR

We herewith transmit without comment, as amended, SB03-242, 245, 248, HB03-1012, 1251, 1305, 1092, and 1236.

We herewith transmit without comment, as amended, HB03-1237.

INTRODUCTION OF RESOLUTION

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

HJR03-1042 by Representative(s) Mitchell; also Senator(s) Arnold-Concerning honoring the housekeeping and maintenance staffs of the Colorado state capitol complex.

WHEREAS, The Colorado state capitol building is a public treasure and state symbol that serves not only as a place where important business is conducted, but as a popular tourist attraction as well; and

 WHEREAS, Ensuring that the Colorado state capitol complex offers a safe, clean, and pleasant environment for employees and visitors is an arduous and valuable task that requires long hours and attention to detail; and

WHEREAS, The housekeeping and maintenance crews, within the Division of Central Services under the Department of Personnel and Employment, that routinely complete this task are comprised of a small but dedicated group of professionals whose efforts too often go unnoticed by legislators, other Capitol complex employees, and visitors; and

WHEREAS, The Colorado state capitol complex housekeeping and maintenance crews not only handle the cleaning and upkeep of the many complex offices but also make repairs both large and small, ensure the proper functioning of the capitol's lights and heating and air conditioning systems, and perform countless other duties in a professional and expeditious manner; and

WHEREAS, Demands on the capitol complex housekeeping and maintenance staffs are especially high during the legislative session, when

traffic is at a peak; and

WHEREAS, The capitol complex housekeeping and maintenance crews are staffed as follows: For night housekeeping, Ben Martinez, Juan Salazar, Isadore Roybal, Brad Skeers, Ronald Enriquez, Frank Sellitto, Karen Enriquez, George Lanford, John Luoma, Donna Uliberri, and James Washington; for day housekeeping, Frank Wanczyk, Alice Quintana, Joseph Jiron, Jose Rios, and Arthur Sena; and for maintenance, Jim Davis, Robert Abeyta, John Applegate, David Belmear, Jeremy Duncan, Mike Garretson, Raymond Groves, Joe Jiron, Ray Martinez, Stan Miller, Michael Moore, Greg Phillips, Paul Sandoval, John Wirta, Anthony Mora, and Art Obregan; now, therefore,

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

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1. That the members of the Colorado General Assembly hereby applaud the Colorado capitol complex housekeeping and maintenance staffs in their successful efforts to create a safe, clean, and pleasant environment for complex employees and visitors.

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2. That the members of the Colorado General Assembly request that the Colorado capitol complex housekeeping and maintenance staffs continue to operate at a high level as they complete their tasks, the completion of which is essential to the General Assembly completing its mission.

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Be It Further Resolved, That copies of this Joint Resolution be sent to each member of the Colorado capitol complex housekeeping and maintenance staffs.

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LAY OVER OF CALENDAR ITEMS

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On motion of Representative King, the following items on the Calendar were laid over until April 1, retaining place on Calendar:

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Consideration of General Orders--HB03-1311, 1252, 1132, 1085, 1173, SB03-120, HB03-1330, 1327, 1319, 1333, 1209, 1337, 1332 Consideration of Resolutions--HJR03-1020, 1029, 1022, 1033, 1036,

41 42 1037, 1038, 1040. 43

Consideration of Senate Amendments--HB03-1304, 1240, 1221, 1255, 1061, 1172, 1108, 1218, 1211, 1297, 1186, 1219, 1228, 1298, 1290, 1232, 1241, 1313, 1267, 1007, 1207, 1253, 1033.

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On motion of Representative King, the House adjourned until 9:00 a.m., April 1, 2003.

Approved:

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53 Attest:

LOLA SPRADLEY, Speaker

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JUDITH RODRIGUE,

56 Chief Clerk