

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

Fifty-sixth Legislative Day

Tuesday, March 4, 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 Johnson.

7
 8 The roll was called with the following result:

9
 10 Present--63.
 11 Vacancy--1.
 12 Excused--Representative Spence--1.
 13 Present after roll call--Representative Spence.

14
 15 The Speaker declared a quorum present.

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 18 On motion of Representative May, the reading of the journal of March 3,
 19 2003, was declared dispensed with and approved as corrected by the
 20 Chief Clerk.

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 24 **CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

25
 26 **SB03-183** by Senator(s) Reeves, Owen, Teck; also Representative(s)
 27 Plant, Witwer, Young--Concerning the modification of
 28 certain preschool through twelfth grade public education
 29 programs, and making appropriations in connection
 30 therewith.

31
 32 (Second Conference Committee Report printed in House Journal,
 33 March 3, pages 1010-1014.)

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

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Vacancy	YES	NO	08	EXCUSED	00	ABSENT	00
Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
Borodkin	Y	Hall	Y	McFadyen	N	Smith	Y
Boyd	N	Harvey	Y	Merrifield	N	Spence	Y
Briggs	Y	Hefley	Y	Miller	Y	Stafford	Y
Brophy	Y	Hodge	Y	Mitchell	Y	Stengel	Y

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

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

18								
19	Vacancy 1	YES 59	NO	05	EXCUSED	00	ABSENT	00
20	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
21	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
22	Boyd	Y	Harvey	Y	Merrifield	Y	Spence	Y
23	Briggs	Y	Hefley	Y	Miller	Y	Stafford	Y
24	Brophy	Y	Hodge	Y	Mitchell	Y	Stengel	Y
25	Butcher	Y	Hoppe	Y	Paccione	Y	Tochtrop	N
26	Cadman	Y	Jahn	Y	Plant	Y	Veiga	Y
27	Carroll	N	Johnson	Y	Pommer	Y	Vigil	Y
28	Clapp	Y	Judd	Y	Ragsdale	Y	Weddig	Y
29	Cloer	Y	King	Y	Rhodes	Y	Weissmann	N
30	Coleman	Y	Larson	Y	Rippy	Y	White	Y
31	Crane	Y	Lee	N	Romanoff	Y	Wiens	Y
32	Decker	Y	Lundberg	Y	Rose	Y	Williams S.	Y
33	Fairbank	Y	Madden	Y	Salazar	Y	Williams T.	Y
34	Frangas	N	Marshall	Y			Witwer	Y
35	Fritz	Y	May	Y	Schultheis	Y	Young	Y
36							Speaker	Y

THIRD READING OF BILLS--FINAL PASSAGE

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

45
46 **SB03-060** by Senator(s) May R., Entz, Teck; also Representative(s)
47 Stafford--Concerning the authority of a fleet owner to
48 process the registration renewal for a fleet vehicle in the
49 county in which the fleet owner's principal office is
50 located instead of in the county in which the fleet vehicle
51 is located at the time of registration.

52
53 The question being "Shall the bill pass?".
54 A roll call vote was taken. As shown by the following recorded vote, a
55 majority of those elected to the House voted in the affirmative and the bill
56 was declared **passed**.

	Vacancy 1	YES	62	NO	02	EXCUSED	00	ABSENT	00
1	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y	
2	Borodkin	Y	Hall	Y	McFadyen	N	Smith	Y	
3	Boyd	Y	Harvey	Y	Merrifield	Y	Spence	Y	
4	Briggs	Y	Hefley	Y	Miller	Y	Stafford	Y	
5	Brophy	Y	Hodge	Y	Mitchell	Y	Stengel	Y	
6	Butcher	Y	Hoppe	Y	Paccione	Y	Tochtrop	Y	
7	Cadman	Y	Jahn	Y	Plant	Y	Veiga	Y	
8	Carroll	Y	Johnson	Y	Pommer	Y	Vigil	Y	
9	Clapp	Y	Judd	Y	Ragsdale	Y	Weddig	Y	
10	Cloer	Y	King	Y	Rhodes	Y	Weissmann	N	
11	Coleman	Y	Larson	Y	Rippy	Y	White	Y	
12	Crane	Y	Lee	Y	Romanoff	Y	Wiens	Y	
13	Decker	Y	Lundberg	Y	Rose	Y	Williams S.	Y	
14	Fairbank	Y	Madden	Y	Salazar	Y	Williams T.	Y	
15	Frangas	Y	Marshall	Y			Witwer	Y	
16	Fritz	Y	May	Y	Schultheis	Y	Young	Y	
17							Speaker	Y	

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HB03-1001 by Representative(s) Hoppe; also Senator(s) Johnson S.--
Concerning increased flexibility in the use of water
resources.

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**.

	Vacancy 1	YES	63	NO	01	EXCUSED	00	ABSENT	00
31	Berry	Y	Garcia	N	McCluskey	Y	Sinclair	Y	
32	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y	
33	Boyd	Y	Harvey	Y	Merrifield	Y	Spence	Y	
34	Briggs	Y	Hefley	Y	Miller	Y	Stafford	Y	
35	Brophy	Y	Hodge	Y	Mitchell	Y	Stengel	Y	
36	Butcher	Y	Hoppe	Y	Paccione	Y	Tochtrop	Y	
37	Cadman	Y	Jahn	Y	Plant	Y	Veiga	Y	
38	Carroll	Y	Johnson	Y	Pommer	Y	Vigil	Y	
39	Clapp	Y	Judd	Y	Ragsdale	Y	Weddig	Y	
40	Cloer	Y	King	Y	Rhodes	Y	Weissmann	Y	
41	Coleman	Y	Larson	Y	Rippy	Y	White	Y	
42	Crane	Y	Lee	Y	Romanoff	Y	Wiens	Y	
43	Decker	Y	Lundberg	Y	Rose	Y	Williams S.	Y	
44	Fairbank	Y	Madden	Y	Salazar	Y	Williams T.	Y	
45	Frangas	Y	Marshall	Y			Witwer	Y	
46	Fritz	Y	May	Y	Schultheis	Y	Young	Y	
47							Speaker	Y	

Co-sponsors added: Representatives Briggs, Brophy, Carroll, Crane, Fairbank,
Frangas, Fritz, Hall, Harvey, Hefley, Hodge, Johnson, Larson, May, McFadyen,
Merrifield, Miller, Plant, Rhodes, Rippy, Salazar, Schultheis, Stafford, Stengel,
Weddig, Weissmann, Williams T., Young.

SB03-047 by Senator(s) Taylor, Entz, Isgar, Phillips; also
Representative(s) White, Hodge, Hoppe, Miller, Rippy--
Concerning the water resources review committee.

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**.

	Vacancy 1	YES 63	NO	01	EXCUSED	00	ABSENT	00
7	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
8	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	N
9	Boyd	Y	Harvey	Y	Merrifield	Y	Spence	Y
10	Briggs	Y	Hefley	Y	Miller	Y	Stafford	Y
11	Brophy	Y	Hodge	Y	Mitchell	Y	Stengel	Y
12	Butcher	Y	Hoppe	Y	Paccione	Y	Tochtrop	Y
13	Cadman	Y	Jahn	Y	Plant	Y	Veiga	Y
14	Carroll	Y	Johnson	Y	Pommer	Y	Vigil	Y
15	Clapp	Y	Judd	Y	Ragsdale	Y	Weddig	Y
16	Cloer	Y	King	Y	Rhodes	Y	Weissmann	Y
17	Coleman	Y	Larson	Y	Rippy	Y	White	Y
18	Crane	Y	Lee	Y	Romanoff	Y	Wiens	Y
19	Decker	Y	Lundberg	Y	Rose	Y	Williams S.	Y
20	Fairbank	Y	Madden	Y	Salazar	Y	Williams T.	Y
21	Frangas	Y	Marshall	Y			Witwer	Y
22	Fritz	Y	May	Y	Schultheis	Y	Young	Y
23							Speaker	Y

24 Co-sponsors added: Representatives Stafford, Weddig.

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 26
 27 **HB03-1050** by Representative(s) Coleman; also Senator(s) Kester--
 28 Concerning the creation of the business enterprise program
 29 cash fund for the state's vending facility program.

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 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**.

	Vacancy 1	YES 54	NO	10	EXCUSED	00	ABSENT	00
37	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
38	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
39	Boyd	Y	Harvey	N	Merrifield	Y	Spence	Y
40	Briggs	Y	Hefley	Y	Miller	Y	Stafford	Y
41	Brophy	N	Hodge	Y	Mitchell	N	Stengel	Y
42	Butcher	Y	Hoppe	Y	Paccione	Y	Tochtrop	Y
43	Cadman	N	Jahn	Y	Plant	Y	Veiga	Y
44	Carroll	Y	Johnson	Y	Pommer	Y	Vigil	Y
45	Clapp	Y	Judd	Y	Ragsdale	Y	Weddig	Y
46	Cloer	Y	King	Y	Rhodes	Y	Weissmann	Y
47	Coleman	Y	Larson	Y	Rippy	Y	White	Y
48	Crane	N	Lee	N	Romanoff	Y	Wiens	Y
49	Decker	Y	Lundberg	N	Rose	Y	Williams S.	Y
50	Fairbank	Y	Madden	Y	Salazar	Y	Williams T.	Y
51	Frangas	Y	Marshall	Y			Witwer	Y
52	Fritz	N	May	N	Schultheis	N	Young	Y
53							Speaker	Y

54 Co-sponsors added: Representatives Boyd, Frangas, Miller, Ragsdale, Weddig.

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1 **HB03-1053** by Representative(s) Ragsdale, Borodkin, Coleman; also
 2 Senator(s) Teck, Entz, May, Takis--Concerning emissions
 3 testing for diesel vehicles.
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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**.
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Vacancy 1	YES	64	NO	00	EXCUSED	00	ABSENT	00
Berry	Y		Garcia	Y	McCluskey	Y	Sinclair	Y
Borodkin	Y		Hall	Y	McFadyen	Y	Smith	Y
Boyd	Y		Harvey	Y	Merrifield	Y	Spence	Y
Briggs	Y		Hefley	Y	Miller	Y	Stafford	Y
Brophy	Y		Hodge	Y	Mitchell	Y	Stengel	Y
Butcher	Y		Hoppe	Y	Paccione	Y	Tochtrop	Y
Cadman	Y		Jahn	Y	Plant	Y	Veiga	Y
Carroll	Y		Johnson	Y	Pommer	Y	Vigil	Y
Clapp	Y		Judd	Y	Ragsdale	Y	Weddig	Y
Cloer	Y		King	Y	Rhodes	Y	Weissmann	Y
Coleman	Y		Larson	Y	Rippy	Y	White	Y
Crane	Y		Lee	Y	Romanoff	Y	Wiens	Y
Decker	Y		Lundberg	Y	Rose	Y	Williams S.	Y
Fairbank	Y		Madden	Y	Salazar	Y	Williams T.	Y
Frangas	Y		Marshall	Y			Witwer	Y
Fritz	Y		May	Y	Schultheis	Y	Young	Y
							Speaker	Y

28 Co-sponsors added: Representatives Carroll, Marshall, Stafford, Weddig.
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30 **HB03-1130** by Representative(s) Witwer, Cloer, Brophy, Hefley,
 31 Paccione, Romanoff, Rose, Salazar, Williams S.; also
 32 Senator(s) Kester, Entz, Keller, Windels--Concerning the
 33 addition of a line to Colorado state individual income tax
 34 return forms whereby individual taxpayers may make a
 35 voluntary contribution to the family resource centers fund,
 36 and making an appropriation in connection 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

Vacancy 1	YES	51	NO	13	EXCUSED	00	ABSENT	00
Berry	N		Garcia	Y	McCluskey	Y	Sinclair	Y
Borodkin	Y		Hall	Y	McFadyen	Y	Smith	Y
Boyd	Y		Harvey	N	Merrifield	Y	Spence	N
Briggs	Y		Hefley	Y	Miller	Y	Stafford	Y
Brophy	Y		Hodge	Y	Mitchell	Y	Stengel	N
Butcher	Y		Hoppe	Y	Paccione	Y	Tochtrop	Y
Cadman	N		Jahn	Y	Plant	Y	Veiga	Y
Carroll	Y		Johnson	Y	Pommer	Y	Vigil	Y
Clapp	N		Judd	Y	Ragsdale	Y	Weddig	Y
Cloer	Y		King	N	Rhodes	Y	Weissmann	Y
Coleman	Y		Larson	Y	Rippy	Y	White	Y
Crane	N		Lee	N	Romanoff	Y	Wiens	Y
Decker	Y		Lundberg	N	Rose	Y	Williams S.	Y

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

5 Co-sponsors added: Representatives Butcher, Carroll, Coleman, Frangas,
6 Garcia, Jahn, Larson, Madden, Marshall, Merrifield, Plant, Ragsdale, Rippy,
7 Stafford, Tochtrop, Vigil.

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10 **HB03-1159** by Representative(s) Paccione, Groff, Merrifield, Pommer,
11 Spence, Williams S.; also Senator(s) Johnson, S.--
12 Concerning certification of education paraprofessionals.

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

19	Vacancy 1	YES	61	NO	03	EXCUSED	00	ABSENT	00
20	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y	
21	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y	
22	Boyd	Y	Harvey	Y	Merrifield	Y	Spence	Y	
23	Briggs	Y	Hefley	Y	Miller	Y	Stafford	Y	
24	Brophy	N	Hodge	Y	Mitchell	N	Stengel	Y	
25	Butcher	Y	Hoppe	Y	Paccione	Y	Tochtrop	Y	
26	Cadman	Y	Jahn	Y	Plant	Y	Veiga	Y	
27	Carroll	Y	Johnson	Y	Pommer	Y	Vigil	Y	
28	Clapp	Y	Judd	Y	Ragsdale	Y	Weddig	Y	
29	Cloer	Y	King	Y	Rhodes	Y	Weissmann	Y	
30	Coleman	Y	Larson	Y	Rippy	Y	White	Y	
31	Crane	Y	Lee	Y	Romanoff	Y	Wiens	Y	
32	Decker	Y	Lundberg	Y	Rose	Y	Williams S.	Y	
33	Fairbank	Y	Madden	Y	Salazar	Y	Williams T.	Y	
34	Frangas	N	Marshall	Y			Witwer	Y	
35	Fritz	Y	May	Y	Schultheis	Y	Young	Y	
36							Speaker	Y	

37 Co-sponsors added: Representatives Butcher, Carroll, Coleman, Madden,
38 Marshall, Tochtrop.

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

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

49	Vacancy 1	YES	61	NO	03	EXCUSED	00	ABSENT	00
50	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y	
51	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y	
52	Boyd	Y	Harvey	Y	Merrifield	Y	Spence	Y	
53	Briggs	Y	Hefley	Y	Miller	Y	Stafford	Y	
54	Brophy	Y	Hodge	Y	Mitchell	Y	Stengel	Y	
55	Butcher	N	Hoppe	Y	Paccione	Y	Tochtrop	Y	
56	Cadman	Y	Jahn	Y	Plant	Y	Veiga	Y	

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

11 Co-sponsors added: Representatives Harvey, Hoppe, May, Ragsdale, Romanoff,
 12 Stafford, Stengel.

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 15 **HB03-1263** by Representative(s) Plant; also Senator(s) Owen, Teck--
 16 Concerning the granting of parole to special needs
 17 offenders.

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

24	Vacancy 1	YES	44	NO	20	EXCUSED	00	ABSENT	00
25	Berry	Y		Garcia	Y	McCluskey	Y	Sinclair	Y
26	Borodkin	Y		Hall	Y	McFadyen	Y	Smith	N
27	Boyd	Y		Harvey	N	Merrifield	Y	Spence	N
28	Briggs	Y		Hefley	N	Miller	Y	Stafford	Y
29	Brophy	Y		Hodge	Y	Mitchell	N	Stengel	N
30	Butcher	N		Hoppe	N	Paccione	Y	Tochtrop	Y
31	Cadman	N		Jahn	Y	Plant	Y	Veiga	Y
32	Carroll	Y		Johnson	Y	Pommer	Y	Vigil	Y
33	Clapp	Y		Judd	Y	Ragsdale	Y	Weddig	Y
34	Cloer	N		King	N	Rhodes	N	Weissmann	Y
35	Coleman	N		Larson	Y	Rippy	Y	White	N
36	Crane	N		Lee	N	Romanoff	Y	Wiens	N
37	Decker	Y		Lundberg	Y	Rose	Y	Williams S.	Y
38	Fairbank	N		Madden	Y	Salazar	Y	Williams T.	Y
39	Frangas	Y		Marshall	Y			Witwer	Y
40	Fritz	Y		May	Y	Schultheis	N	Young	Y
41								Speaker	N

42 Co-sponsors added: Representatives Boyd, Carroll, Madden, Marshall,
 43 Ragsdale, Veiga, Vigil, Weddig, Weissmann.

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 46 **SB03-118** by Senator(s) Chlouber, Entz, Hillman, Kester; also
 47 Representative(s) Rippy, Jahn, Miller--Concerning the
 48 exclusion of a person who performs duties for more than
 49 one employer in the business of horse racing from the
 50 definition of "employee" for the purposes of the "Workers'
 51 Compensation Act of Colorado".

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

	Vacancy	1	YES	61	NO	03	EXCUSED	00	ABSENT	00
1	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y		Y
2	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y		Y
3	Boyd	Y	Harvey	Y	Merrifield	Y	Spence	Y		Y
4	Briggs	Y	Hefley	Y	Miller	Y	Stafford	Y		Y
5	Brophy	Y	Hodge	Y	Mitchell	Y	Stengel	Y		N
6	Butcher	Y	Hoppe	Y	Paccione	Y	Tochtrop	Y		Y
7	Cadman	Y	Jahn	Y	Plant	Y	Veiga	Y		Y
8	Carroll	Y	Johnson	Y	Pommer	Y	Vigil	Y		Y
9	Clapp	Y	Judd	N	Ragsdale	Y	Weddig	Y		Y
10	Cloer	Y	King	Y	Rhodes	Y	Weissmann	Y		Y
11	Coleman	Y	Larson	Y	Rippy	Y	White	Y		Y
12	Crane	Y	Lee	Y	Romanoff	Y	Wiens	Y		Y
13	Decker	Y	Lundberg	Y	Rose	Y	Williams S.	Y		Y
14	Fairbank	Y	Madden	Y	Salazar	Y	Williams T.	Y		Y
15	Frangas	N	Marshall	Y			Witwer			Y
16	Fritz	Y	May	Y	Schultheis	Y	Young	Y		Y
17							Speaker			Y

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SB03-052 by Senator(s) Anderson, Takis, Taylor, Tupa; also Representative(s) Vigil, Coleman, White, Williams T.--Concerning the elimination of the report to the state auditor related to the public safety communications trust fund.

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**.

	Vacancy	1	YES	64	NO	00	EXCUSED	00	ABSENT	00
32	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y		Y
33	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y		Y
34	Boyd	Y	Harvey	Y	Merrifield	Y	Spence	Y		Y
35	Briggs	Y	Hefley	Y	Miller	Y	Stafford	Y		Y
36	Brophy	Y	Hodge	Y	Mitchell	Y	Stengel	Y		Y
37	Butcher	Y	Hoppe	Y	Paccione	Y	Tochtrop	Y		Y
38	Cadman	Y	Jahn	Y	Plant	Y	Veiga	Y		Y
39	Carroll	Y	Johnson	Y	Pommer	Y	Vigil	Y		Y
40	Clapp	Y	Judd	Y	Ragsdale	Y	Weddig	Y		Y
41	Cloer	Y	King	Y	Rhodes	Y	Weissmann	Y		Y
42	Coleman	Y	Larson	Y	Rippy	Y	White	Y		Y
43	Crane	Y	Lee	Y	Romanoff	Y	Wiens	Y		Y
44	Decker	Y	Lundberg	Y	Rose	Y	Williams S.	Y		Y
45	Fairbank	Y	Madden	Y	Salazar	Y	Williams T.	Y		Y
46	Frangas	Y	Marshall	Y			Witwer			Y
47	Fritz	Y	May	Y	Schultheis	Y	Young	Y		Y
48							Speaker			Y

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SB03-066 by Senator(s) Takis; also Representative(s) McCluskey--Concerning the repeal of the motor vehicle air conditioning fee, and, in connection therewith, repealing the ozone protection fund.

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**.

Vacancy 1	YES	63	NO	01	EXCUSED	00	ABSENT	00
6	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
7	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
8	Boyd	Y	Harvey	Y	Merrifield	Y	Spence	Y
9	Briggs	Y	Hefley	Y	Miller	Y	Stafford	Y
10	Brophy	Y	Hodge	Y	Mitchell	Y	Stengel	Y
11	Butcher	Y	Hoppe	Y	Paccione	Y	Tochtrop	Y
12	Cadman	Y	Jahn	Y	Plant	Y	Veiga	Y
13	Carroll	Y	Johnson	Y	Pommer	Y	Vigil	Y
14	Clapp	Y	Judd	Y	Ragsdale	Y	Weddig	Y
15	Cloer	Y	King	Y	Rhodes	Y	Weissmann	Y
16	Coleman	Y	Larson	Y	Rippy	N	White	Y
17	Crane	Y	Lee	Y	Romanoff	Y	Wiens	Y
18	Decker	Y	Lundberg	Y	Rose	Y	Williams S.	Y
19	Fairbank	Y	Madden	Y	Salazar	Y	Williams T.	Y
20	Frangas	Y	Marshall	Y			Witwer	Y
21	Fritz	Y	May	Y	Schultheis	Y	Young	Y
22							Speaker	Y

23 Co-sponsor added: Representative Stafford.

24
 25
 26
 27 On motion of Representative King, **HB03-1146, 1010** were added to the
 28 Special Orders calendar on Tuesday, March 4, 2003.

29
 30
 31 On motion of Representative Witwer, the House resolved itself into
 32 Committee of the Whole for consideration of Special Orders and he was
 33 called to the Chair to act as Chairman.

34 35 36 **SPECIAL ORDERS--SECOND READING OF BILLS**

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

42
 43 (Amendments to the committee amendment are to the printed committee
 44 report which was printed and placed in the members' bill file.)

45
 46 **SB03-057** by Senator(s) Anderson, Hanna, Phillips; also
 47 Representative(s) Cadman--Concerning benefit plan
 48 alternatives within the fire and police pension association
 49 for members of money purchase plans.

50
 51 (Amended previously on Special Orders, as printed in House Journal,
 52 February 28, page 979.)

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

56

1 **HB03-1146** by Representative(s) Spradley, Salazar; also Senator(s)
2 Kester--Concerning an expansion of water judges'
3 jurisdiction to address the effects of a change of a water
4 right on water quality.

5
6 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,
7 dated February 12, 2003, and placed in member's bill file; Report also
8 printed in House Journal, February 13, page 650.

9
10 Amendment No. 2, by Representative Spradley.

11
12 Amend the Agriculture, Livestock, and Natural Resources Committee
13 Report, dated February 12, 2003, page 1, strike line 3 and substitute the
14 following:

15
16 ""(e) FOR ALL CHANGES OF WATER RIGHTS FROM USE IN ONE
17 WATER DIVISION TO ANOTHER WATER DIVISION, LIMITATIONS THAT THE
18 WATER JUDGE MAY IMPOSE AS NECESSARY TO";

19
20 line 14, strike "INJURED." and substitute "INJURED."";

21
22 strike lines 15 through 20.

23
24 Amendment No. 3, by Representative Young.

25
26 Amend printed bill, page 2, after line 9, insert the following:

27
28 "SECTION 2. 37-92-305, Colorado Revised Statutes, is amended
29 BY THE ADDITION OF A NEW SUBSECTION to read:

30
31 **37-92-305. Standards with respect to rulings of the referee and**
32 **decisions of the water judge.** (4.7) THE COURT MAY CONSIDER
33 WHETHER A CHANGE OF USE MAY LIKELY RESULT IN AN OVERALL
34 IMPROVEMENT OF WATER QUALITY IN THE BASIN."

35
36 Renumber succeeding sections accordingly.

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

40
41
42 **HB03-1010** by Representative(s) Salazar; also Senator(s) Entz--
43 Concerning the frequency of applications necessary to
44 qualify for disabled veteran license plates.

45
46 Ordered engrossed and placed on the Calendar for Third Reading and
47 Final Passage.

48
49
50 **HB03-1089** by Representative(s) Mitchell--Concerning reimbursement
51 to owners whose property is acquired by a condemning
52 authority in eminent domain proceedings.

53
54 Amendment No. 1, Information & Technology Report, dated February 3,
55 2003, and placed in member's bill file; Report also printed in House
56 Journal, February 4, pages 283-28.

1 Amendment No. 2, Appropriations Report, dated February 28, 2003, and
 2 placed in member's bill file; Report also printed in House Journal,
 3 February 28, pages 984-98.

4
 5 Amendment No. 3, by Representative Mitchell.

6
 7 Amend the Appropriations Committee Report, dated February 28, 2003,
 8 page 2, strike lines 1 and 2 and substitute the following:

9
 10 "Page 2 of the printed bill, strike lines 12 through 14 and substitute the
 11 following:

12
 13 "EXCEEDS ONE HUNDRED THIRTY PERCENT OF THE CONDEMNING
 14 AUTHORITY'S FINAL WRITTEN OFFER OF SETTLEMENT FURNISHED TO THE
 15 OWNER AS REQUIRED IN SECTION 38-1-121 (6). AN OWNER MAY NOT BE
 16 REIMBURSED";

17
 18 strike lines 6 through 9 of the Appropriations committee report and
 19 substitute the following:

20
 21 "strike lines 4 through 18 of the Information & Technology committee
 22 report and substitute the following:

23
 24 **"SECTION 3.** 38-1-121 (6), Colorado Revised Statutes, is
 25 amended to read:

26
 27 **38-1-121. Appraisals - negotiations.** (6) If the parties involved
 28 in the negotiations fail to reach agreement on the fair market value of the
 29 property being acquired, the condemning authority, prior to proceeding
 30 to trial on the issue of valuation AND, IF AN APPRAISAL IS SUBMITTED TO
 31 THE CONDEMNING AUTHORITY PURSUANT TO SUBSECTION (1) OF THIS
 32 SECTION, WITHIN THIRTY DAYS AFTER RECEIPT OF THE APPRAISAL, shall
 33 furnish all owners of record a written final offer."

34
 35 Page 2 of the Information & Technology committee report, strike lines 1
 36 through 12."

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

40
 41
 42 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

43
 44 Passed Second Reading: **SB03-057 amended, HB03-1146 amended,**
 45 **1010, 1089 amended.**

46
 47 The Chairman moved the adoption of the Committee of the Whole
 48 Report. As shown by the following roll call vote, a majority of those
 49 elected to the House voted in the affirmative, and the Report was
 50 **adopted.**

51
 52

Vacancy	YES	NO	EXCUSED	ABSENT			
Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
Boyd	Y	Harvey	N	Merrifield	Y	Spence	-
Briggs	Y	Hefley	Y	Miller	Y	Stafford	Y

53
 54
 55
 56

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

REPORTS OF COMMITTEES OF REFERENCE

EDUCATION

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

SB03-053 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend reengrossed bill, page 2, line 12, strike "DIRECTORS" and substitute "TRUSTEES".

Page 4, line 7, strike "DIRECTORS," and substitute "TRUSTEES,";

line 15, strike "DIRECTORS" and substitute "TRUSTEES";

line 17, strike "DIRECTORS" and substitute "TRUSTEES";

line 21, strike "DIRECTORS" and substitute "TRUSTEES".

Page 5, line 6, strike "**directors**" and substitute "**trustees**";

line 8, strike "DIRECTORS" and substitute "TRUSTEES";

line 10, strike "DIRECTORS" and substitute "TRUSTEES";

line 20, strike "DIRECTORS." and substitute "TRUSTEES.";

line 21, strike "DIRECTORS" and substitute "TRUSTEES".

Page 6, line 2, strike "DIRECTORS" and substitute "TRUSTEES";

line 6, strike "DIRECTORS" and substitute "TRUSTEES";

line 13, strike "DIRECTORS." and substitute "TRUSTEES.";

line 14, strike "DIRECTORS" and substitute "TRUSTEES";

line 18, strike "DIRECTORS," and substitute "TRUSTEES,".

1 Page 7, line 8, strike "DIRECTORS" and substitute "TRUSTEES";
2
3 line 26, strike "DIRECTORS" and substitute "TRUSTEES".
4
5 Page 8, line 5, strike "DIRECTORS" and substitute "TRUSTEES";
6
7 line 10, strike "DIRECTORS" and substitute "TRUSTEES";
8
9 line 13, strike "DIRECTORS" and substitute "TRUSTEES";
10
11 line 26, strike "DIRECTORS" and substitute "TRUSTEES";
12
13 line 27, strike "DIRECTORS" and substitute "TRUSTEES".
14
15 Page 9, line 3, strike "DIRECTORS" and substitute "TRUSTEES";
16
17 line 4, strike "DIRECTORS." and substitute "TRUSTEES.";
18
19 line 6, strike "DIRECTORS" and substitute "TRUSTEES";
20
21 line 8, strike "DIRECTORS" and substitute "TRUSTEES";
22
23 line 9, strike "2004," and substitute "2005,";
24
25 strike lines 12 and 13 and substitute the following:
26
27 "(a) ALL SCHOOL ACCOUNTABILITY REPORT DATA FOR THE
28 SCHOOL, AS SPECIFIED BY THE DEPARTMENT OF EDUCATION;";
29
30 line 24, strike "DIRECTORS" and substitute "TRUSTEES".
31
32 Page 10, line 17, strike "DIRECTORS" and substitute "TRUSTEES".
33
34 Page 11, line 5, strike "DIRECTORS" and substitute "TRUSTEES";
35
36 line 13, strike "DIRECTORS" and substitute "TRUSTEES";
37
38 line 14, strike "DIRECTORS" and substitute "TRUSTEES";
39
40 line 16, strike "DIRECTORS," and substitute "TRUSTEES,";
41
42 line 25, strike "DIRECTORS" and substitute "TRUSTEES".
43
44 Page 13, line 15, strike "DIRECTORS" and substitute "TRUSTEES".
45
46 Page 14, line 5, strike "DIRECTORS." and substitute "TRUSTEES.";
47
48 line 11, strike "DIRECTORS." and substitute "TRUSTEES.";
49
50 line 22, strike "DIRECTORS" and substitute "TRUSTEES".
51
52 Page 15, line 4, strike "DIRECTORS" and substitute "TRUSTEES";
53
54 line 25, strike "DIRECTORS" and substitute "TRUSTEES";
55
56 line 27, strike "DIRECTORS," and substitute "TRUSTEES,".

1 Page 16, line 8, strike "DIRECTORS." and substitute "TRUSTEES.";
 2
 3 line 21, strike "DIRECTORS," and substitute "TRUSTEES,";
 4
 5 line 26, strike "DIRECTORS" and substitute "TRUSTEES".

6
 7
 8
 9 **SB03-117** be amended as follows, and as so amended, be referred to
 10 the Committee of the Whole with favorable
 11 recommendation:
 12

13 Amend reengrossed bill, page 2, strike lines 4 through 8 and substitute the
 14 following:
 15

16 **"22-7-606. School accountability reports - delivery website -**
 17 **repeal.** (1) (a) The department shall deliver each public school's
 18 annual".
 19
 20
 21

22 **SB03-137** be referred to the Committee of the Whole with favorable
 23 recommendation.
 24
 25

26 **SB03-158** be amended as follows, and as so amended, be referred to
 27 the Committee of the Whole with favorable
 28 recommendation:
 29

30 Amend reengrossed bill, page 2, line 25, strike "THREE YEARS;" and
 31 substitute "ONE YEAR;".
 32
 33
 34
 35

36 **HEALTH, ENVIRONMENT, WELFARE, & INSTITUTIONS**

37 After consideration on the merits, the Committee recommends the
 38 following:
 39

40 **SB03-002** be referred to the Committee of the Whole with favorable
 41 recommendation.
 42
 43

44 **SB03-004** be postponed indefinitely.
 45
 46

47 **SB03-120** be amended as follows, and as so amended, be referred to
 48 the Committee on Appropriations with favorable
 49 recommendation:
 50

51 Amend reengrossed bill, page 10, line 11, strike "or of violating this" and
 52 substitute "~~or of violating this~~";
 53

54 strike line 12 and substitute the following:
 55 "~~article or any law governing the practice of dentistry shall not be~~";
 56

- 1 strike lines 17 through 20 and substitute the following:
2 "meeting, those present may adjourn until a quorum is present. ANY
3 ACTION TAKEN BY A QUORUM OF THE ASSIGNED PANEL SHALL CONSTITUTE
4 ACTION BY THE BOARD; except that, for disciplinary matters concerning
5 a dentist, a majority of dentist members is required for a quorum."
6
7 Page 13, line 19, strike the second "OR" and substitute "WHO HAS A
8 LICENSE FROM SUCH STATE IN GOOD STANDING";
9
10 line 20, strike "COUNTRY".
11
12 Page 22, line 2, after "LICENSED", insert "OR OTHERWISE AUTHORIZED".
13
14 Page 26, line 25, strike "PROVIDING CARE TO PATIENTS" and substitute
15 "PERSONALLY PROVIDING CARE TO PATIENTS FOR NOT LESS THAN THREE
16 HUNDRED HOURS ANNUALLY".
17
18 Page 28, line 10, strike "BOARD-APPROVED";
19
20 line 11, strike "THE BOARD SHALL DETERMINE THE AMOUNT OF";
21
22 strike line 12;
23
24 line 13, strike "EDUCATION." and substitute "A DENTIST SHALL COMPLETE
25 AT LEAST THIRTY HOURS OF CONTINUING EDUCATION EVERY TWO YEARS.
26 A DENTAL HYGIENIST SHALL COMPLETE AT LEAST TWENTY-FOUR HOURS
27 EVERY TWO YEARS.";
28
29 line 16, after the period, add "THE AREAS OF STUDY FOR CONTINUING
30 EDUCATION FOR DENTISTS AND DENTAL HYGIENISTS SHALL INCLUDE, BUT
31 ARE NOT LIMITED TO, THE FOLLOWING:
32
33 (I) RECENT DEVELOPMENTS IN APPLIED SCIENCE, TECHNOLOGY,
34 AND DELIVERY OF ORAL HEALTH CARE, THAT MAY INCLUDE, BUT ARE NOT
35 LIMITED TO:
36
37 (A) MATERIALS AND PROCEDURES; AND
38
39 (B) TREATMENT MODALITIES OF HUMAN DISEASE;
40
41 (II) CHANGES IN STATE AND FEDERAL LAW RELATED TO HEALTH
42 CARE;
43
44 (III) PRACTICE MANAGEMENT ISSUES, THAT MAY INCLUDE, BUT ARE
45 NOT LIMITED TO, RISK MANAGEMENT TRAINING; AND
46
47 (IV) ANY OTHER TOPIC AS APPROVED BY THE BOARD.";
48
49 line 25, after "REQUIREMENTS", insert "AND APPROVING CONTINUING
50 EDUCATION PROGRAMS".
51
52 Page 29, line 9, strike "(IV)" and substitute "(d)";
53
54 line 11, strike "CONTINUING EDUCATION COURSES." and substitute
55 "SERVICES PROVIDED PURSUANT TO THIS SUBSECTION (5)".
56

1 **LOCAL GOVERNMENT**

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

4
5 **HB03-1282** be postponed indefinitely.

6
7
8 **SB03-029** be referred to the Committee of the Whole with favorable
9 recommendation.

10
11
12 **SB03-089** be referred to the Committee of the Whole with favorable
13 recommendation.

14
15
16
17 **PRINTING REPORT**

18
19 The Chief Clerk reports the following bill has been correctly printed:
20 **HB03-1327.**

21
22
23
24 **MESSAGES FROM THE SENATE**

25
26 Madam Speaker:

27 The Senate has adopted and returns herewith: HJR03-1021.

28
29
30 The Senate voted to concur in House amendments to SB03-046, and
31 repassed the bill as amended.

32
33 The Senate granted permission to members of the Second Conference
34 Committee on SB03-183 to consider matters not at issue between the
35 two houses.

36
37
38 The Senate has adopted and transmits herewith: SJR03-022,

39
40 The Senate concurs with House amendments to SJR03-018, and has
41 readopted SJR03-018 as amended,

42
43 The Senate concurs with House amendments to SJR03-019, and has
44 readopted SJR03-019 as amended,

45
46 The Senate has adopted the First Report of the Second Conference
47 Committee on SB03-183, as printed in Senate Journal March 4, and
48 repassed the bill as amended.

49
50
51 The Senate has passed on Third Reading and returns herewith
52 HB03-1066, 1009, 1124, 1185, 1071, 1084, 1157, 1204, 1193,

53
54 The Senate has passed on Third Reading and transmitted to the Revisor
55 of Statutes: SB03-041, 234,

56

- 1 SB03-110, amended as printed in Senate Journal, March 3, 2003,
- 2 page 521
- 3 HB03-1037, amended as printed in Senate Journal, March 3, 2003,
- 4 page 522
- 5 HB03-1192, amended as printed in Senate Journal, March 3, 2003,
- 6 page 522

7

8

9

10 **MESSAGES FROM THE REVISOR**

11

12 We herewith transmit:

13 Without comment, SB03-032.

14 Without comment, as amended, SB03-021, 141, HB03-1098 and 1093.

15

16

17 We herewith transmit:

18 Without comment, SB03-041 and 234.

19 Without comment, as amended, SB03-110, HB03-1037 and 1192.

20

21

22

23 **INTRODUCTION OF BILL**

24 **First Reading**

25

26 The following bill was read by title and referred to the committee

27 indicated:

28

29 **HB03-1327** by Representative(s) Butcher, McFadyen, Tochtrop; also

30 Senator(s) Tapia--Concerning an extension of the time in

31 which retirees of the public employees' retirement

32 association may be employed to work as nonlicensed

33 employees for schools without reducing the retirement

34 benefits of the retirees.

35 Committee on Education

36

37

38 **INTRODUCTION OF RESOLUTION**

39

40 The following resolution was read by title and referred to the committee

41 indicated:

42

43 **HJR03-1027** by Representative(s) Spence, Berry, Briggs, Brophy,

44 Clapp, Crane, Fairbank, Frangas, Hall, Harvey, Hefley,

45 Hoppe, Jahn, Johnson R., King, Lee, Miller, Rose,

46 Schultheis, Vigil, White, Williams T., Witwer; also

47 Senator(s) Andrews, Cairns, Entz, Lamborn, May R.,

48 Owen--Concerning the importance of history and civic

49 education at the college level.

50 Committee on Education

51

52 WHEREAS, The United States Congress unanimously adopted a

53 concurrent resolution in June 2000, that states in part that "basic

54 knowledge of United States history is essential to full and informed

55 participation in civic life and to the larger vibrancy of the American

56 experiment in self-government"; and

1 WHEREAS, The concurrent resolution states that "basic
2 knowledge of the past serves as a civic glue, binding together a diverse
3 people into a single Nation with a common purpose"; and
4

5 WHEREAS, The concurrent resolution further states that "citizens
6 who lack knowledge of United States history will also lack an
7 understanding and appreciation of the democratic principles that define
8 and sustain the Nation as a free people, such as liberty, justice, tolerance,
9 government by the consent of the governed, and equality under the law";
10 and
11

12 WHEREAS, The concurrent resolution cites a Roper survey for
13 the American Council of Trustees and Alumni finding that 80% of our
14 nation's brightest college seniors would score a D or F on basic civics
15 knowledge, so that "the next generation of American leaders and citizens
16 is in danger of losing America's civic memory"; now, therefore,
17

18 *Be It Resolved by the House of Representatives of the Sixty-fourth*
19 *General Assembly of the State of Colorado, the Senate concurring*
20 *herein:*
21

22 That we, the members of the Sixty-fourth General Assembly,
23 concur with the Congress of the United States that basic knowledge of
24 United States history is essential to full and informed participation in
25 civic life.
26

27 *Be It Further Resolved,* That it is the sense of the General
28 Assembly that students at Colorado's public colleges and universities
29 should not graduate without a thorough understanding of the democratic
30 principles that define and sustain the Nation as a free people, such as
31 liberty, justice, tolerance, government by consent of the governed, and
32 equality under the law, and it is appropriate that the members of the
33 General Assembly consider these values as they develop higher education
34 policy for the state of Colorado.
35

36 LAY OVER OF CALENDAR ITEMS

37
38
39 On motion of Representative King, the following items on the Calendar
40 were laid over until March 5, retaining place on Calendar:
41

42 Consideration of General Orders--**HB03-1225, 1250, 1267, SB03-155,**
43 **HB03-1219, 1311, 1313.**

44 Consideration of Resolutions--**SJR03-017, HJR03-1024, 1025, 1016,**
45 **1017, 1020, SJR03-012, 025.**

46 Consideration of Senate Amendments--**HB03-1161, 1107.**
47

48
49 On motion of Representative King, the House adjourned until 9:00 a.m.,
50 March 5, 2003.
51

Approved:

52
53 Attest:

54
55 JUDITH RODRIGUE,
56 Chief Clerk

LOLA SPRADLEY,
Speaker