

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

Ninetieth Legislative Day

Monday, April 7, 2003

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

2

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

4

5 Pledge of Allegiance led by Representative Brophy.

6

7 The roll was called with the following result:

8

9 Present--62.

10 Excused--Representatives Lee, Veiga--2.

11 Absent--Representative Cloer--1.

12 Present after roll call--Representative Cloer.

13

14 The Speaker declared a quorum present.

15

16

17 On motion of Representative Paccione, the reading of the journal of
 18 April 4, 2003, was declared dispensed with and approved as corrected by
 19 the Chief Clerk.

20

21

THIRD READING OF BILLS--FINAL PASSAGE

22

23
 24 The following bills were considered on Third Reading. The titles were
 25 publicly read. Reading of the bill at length was dispensed with by
 26 unanimous consent.

27

28 **HB03-1209** by Representative(s) Harvey, May M., Fairbank,
 29 Schultheis, Briggs, Clapp, Cloer, Crane, Decker, Hall,
 30 Hoppe, Larson, Lundberg, Mitchell, Rhodes, Sinclair,
 31 White, Wiens; also Senator(s) May R.--Concerning the
 32 prohibition of discrimination against employees based
 33 upon labor union participation.

34

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

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

39

40

41

42

43

YES	35	NO	28	EXCUSED	02	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

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

14 Co-sponsors added: Representatives Brophy, Hefley, King, Spence, Stafford,
15 Williams T., Young.

16
17 **HB03-1004** by Representative(s) Rhodes; also Senator(s) Reeves--
18 Concerning amendment of the crime of child abuse to
19 include actions related to the manufacture of a controlled
20 substance in the presence of a child, and making an
21 appropriation in connection therewith.

22
23 The question being "Shall the bill pass?".

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

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

46 Co-sponsors added: Representatives Berry, Borodkin, Boyd, Brophy, Carroll,
47 Cerbo, Cloer, Coleman, Crane, Decker, Fairbank, Frangas, Fritz, Garcia, Hall,
48 Hefley, Hodge, Hoppe, Jahn, King, Madden, Marshall, May, Merrifield, Miller,
49 Mitchell, Paccione, Pommer, Ragsdale, Rippy, Romanoff, Rose, Schultheis,
50 Sinclair, Spence, Stafford, Stengel, Wiens, Williams S., Young, Speaker.

51
52 **HB03-1138** by Representative(s) Hefley, Schultheis, Cloer, May M.,
53 Crane, Lee, Rhodes; also Senator(s) Hillman--Concerning
54 offenses against pregnant women that affect their unborn
55 children, and making an appropriation in connection
56 therewith.

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

	YES	57	NO	06	EXCUSED	02	ABSENT	00
7	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
8	Borodkin	N	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	E
14	Carroll	Y	Jahn	Y	Plant	N	Vigil	Y
15	Cerbo	N	Johnson	Y	Pommer	Y	Weddig	Y
16	Clapp	Y	Judd	Y	Ragsdale	N	Weissmann	N
17	Cloer	Y	King	Y	Rhodes	Y	White	Y
18	Coleman	Y	Larson	Y	Rippy	Y	Wiens	Y
19	Crane	Y	Lee	E	Romanoff	Y	Williams S.	Y
20	Decker	Y	Lundberg	Y	Rose	Y	Williams T.	Y
21	Fairbank	Y	Madden	N	Salazar	Y	Witwer	Y
22	Frangas	Y	Marshall	Y	Schultheis	Y	Young	Y
23							Speaker	Y

24 Co-sponsors added: Representatives Boyd, Brophy, Butcher, Fritz, Harvey,
 25 Hoppe, Jahn, Lundberg, Miller, Stafford, Stengel, Wiens, Speaker.

26
 27 **HB03-1163** by Representative(s) Marshall; also Senator(s) Takis--
 28 Concerning administrative changes to the operation of
 29 CoverColorado, and, in connection therewith, directing to
 30 CoverColorado a portion of the premium tax, fines, and
 31 penalties collected by the division of insurance from
 32 health insurers authorized to conduct business in
 33 Colorado.

34
 35 As shown by the following roll call vote, a majority of all members
 36 elected to the House voted in the affirmative, and Representative
 37 Marshall was given permission to offer a Third Reading amendment:

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

1 **Third Reading amendment No. 1**, by Representative Marshall.

2
3 Amend engrossed bill, page 7, strike lines 3 through 6.

4
5 The amendment was declared **passed** by the following roll call vote:

	YES	60	NO	03	EXCUSED	02	ABSENT	00
8	Berry	Y	Fritz	Y	May	N	Sinclair	Y
9	Borodkin	Y	Garcia	Y	McCluskey	Y	Smith	Y
10	Boyd	Y	Hall	Y	McFadyen	Y	Spence	Y
11	Briggs	Y	Harvey	Y	Merrifield	Y	Stafford	Y
12	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
13	Butcher	Y	Hodge	Y	Mitchell	Y	Tochtrop	Y
14	Cadman	N	Hoppe	Y	Paccione	Y	Veiga	E
15	Carroll	Y	Jahn	Y	Plant	Y	Vigil	Y
16	Cerbo	Y	Johnson	Y	Pommer	Y	Weddig	Y
17	Clapp	N	Judd	Y	Ragsdale	Y	Weissmann	Y
18	Cloer	Y	King	Y	Rhodes	Y	White	Y
19	Coleman	Y	Larson	Y	Rippy	Y	Wiens	Y
20	Crane	Y	Lee	E	Romanoff	Y	Williams S.	Y
21	Decker	Y	Lundberg	Y	Rose	Y	Williams T.	Y
22	Fairbank	Y	Madden	Y	Salazar	Y	Witwer	Y
23	Frangas	Y	Marshall	Y	Schultheis	Y	Young	Y
24							Speaker	Y

25
26 The question being, "Shall the bill, as amended, pass?".

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

	YES	58	NO	05	EXCUSED	02	ABSENT	00
32	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
33	Borodkin	Y	Garcia	Y	McCluskey	Y	Smith	N
34	Boyd	Y	Hall	Y	McFadyen	Y	Spence	Y
35	Briggs	Y	Harvey	Y	Merrifield	Y	Stafford	Y
36	Brophy	N	Hefley	Y	Miller	Y	Stengel	Y
37	Butcher	Y	Hodge	Y	Mitchell	Y	Tochtrop	Y
38	Cadman	N	Hoppe	Y	Paccione	Y	Veiga	E
39	Carroll	Y	Jahn	Y	Plant	Y	Vigil	Y
40	Cerbo	Y	Johnson	Y	Pommer	Y	Weddig	Y
41	Clapp	Y	Judd	Y	Ragsdale	Y	Weissmann	Y
42	Cloer	Y	King	Y	Rhodes	Y	White	Y
43	Coleman	Y	Larson	Y	Rippy	Y	Wiens	Y
44	Crane	N	Lee	E	Romanoff	Y	Williams S.	Y
45	Decker	Y	Lundberg	N	Rose	Y	Williams T.	Y
46	Fairbank	Y	Madden	Y	Salazar	Y	Witwer	Y
47	Frangas	Y	Marshall	Y	Schultheis	Y	Young	Y
48							Speaker	Y

49 Co-sponsors added: Representatives Borodkin, Cloer, Madden, Merrifield,
50 Paccione, Ragsdale, Romanoff, Williams S.

51
52
53 **HB03-1170** by Representative(s) Frangas, Butcher, Crane, Jahn, May
54 M., Spence, Vigil; also Senator(s) Anderson--Concerning
55 the penalties for a person convicted of certain crimes
56 involving motor vehicles.

1 As shown by the following roll call vote, a majority of all members
 2 elected to the House voted in the affirmative, and Representative Frangas
 3 was given permission to offer a Third Reading amendment:
 4

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

23
 24 **Third Reading amendment No. 1**, by Representative Frangas.

25
 26 Amend engrossed bill, page 3, strike lines 13 through 19 and substitute
 27 the following:
 28

29 **"18-4-503. Second degree criminal trespass.** (3) WHENEVER A
 30 PERSON IS CONVICTED OF, PLEADS GUILTY OR NOLO CONTENDERE TO,
 31 RECEIVES A DEFERRED JUDGMENT OR SENTENCE FOR, OR IS ADJUDICATED
 32 A JUVENILE DELINQUENT FOR, A VIOLATION OF PARAGRAPH (C) OF
 33 SUBSECTION (1) OF THIS SECTION, THE OFFENDER'S".
 34

35 The amendment was declared **passed** by the following roll call vote:
 36

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

55
 56 The question being, "Shall the bill, as amended, 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
 3 bill, as amended, was declared **passed**.

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

23 Co-sponsors added: Representatives Boyd, Carroll, Cloer, Garcia, Hoppe,
 24 Johnson, Larson, Romanoff, Schultheis, Williams S., Young.

25
 26 **HB03-1341** by Representative(s) Berry; also Senator(s) Teck--
 27 Concerning the authority of the executive director of the
 28 department of revenue to administratively adjust
 29 occupational license renewal dates for licenses issued by
 30 entities within the department of revenue.

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

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

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

55 Co-sponsor added: Representative Stengel.

56

1 **CONSIDERATION OF RESOLUTION**

2
3 **HJR03-1047** by Representative(s) Jahn, Clapp, Frangas; also Senator(s)
4 Anderson--Concerning National Crime Victims' Rights
5 Week.

6
7 (Printed and placed in member's file, also printed in House Journal
8 April 4, pages 1492-1493.)

9
10 On motion of Representative Jahn, the resolution was read at length and
11 **adopted by viva voce** vote.

12
13 Co-sponsors added: Roll call of the House.

14
15
16
17
18 **CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS**

19
20 **HB03-1219** by Representative(s) Hall, Fritz, Hoppe, Larson,
21 McCluskey, White, Williams T.; also Senator(s)
22 Johnson S.--Concerning the regulation of collection
23 agencies, and, in connection therewith, continuing the
24 collection agency board.

25
26 (Amended as printed in Senate Journal, March 24, pages 717-718.)

27
28 Representative Hall moved that the House **not concur** in Senate
29 amendments and that a Conference Committee be appointed with
30 permission to go beyond the scope of the differences between the House
31 and the Senate. The motion was declared **passed** by the following roll
32 call vote:

33
34

YES	63	NO	00	EXCUSED	02	ABSENT	00
Berry	Y	Fritz	Y	May	Y	Sinclair	Y
Borodkin	Y	Garcia	Y	McCluskey	Y	Smith	Y
Boyd	Y	Hall	Y	McFadyen	Y	Spence	Y
Briggs	Y	Harvey	Y	Merrifield	Y	Stafford	Y
Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
Butcher	Y	Hodge	Y	Mitchell	Y	Tochtrop	Y
Cadman	Y	Hoppe	Y	Paccione	Y	Veiga	E
Carroll	Y	Jahn	Y	Plant	Y	Vigil	Y
Cerbo	Y	Johnson	Y	Pommer	Y	Weddig	Y
Clapp	Y	Judd	Y	Ragsdale	Y	Weissmann	Y
Cloer	Y	King	Y	Rhodes	Y	White	Y
Coleman	Y	Larson	Y	Rippy	Y	Wiens	Y
Crane	Y	Lee	E	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

51
52 The Speaker appointed Representatives Hall, Chairman, Williams T. and
53 Hodge as House conferees to the bill.

54
55

1 **HB03-1228** by Representative(s) Cadman, Crane, Fairbank, Rhodes;
 2 also Senator(s) Dyer--Concerning a limitation on liability
 3 for the treatment costs of specified health care conditions
 4 of a person in a county jail.
 5

6 (Amended as printed in Senate Journal, March 24, pages 718-719.)
 7

8 Representative Cadman moved that the House **not concur** in Senate
 9 amendments and that a Conference Committee be appointed. The motion
 10 was declared **passed** by the following roll call vote:
 11

	YES	55	NO	08	EXCUSED	02	ABSENT	00
13	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
14	Borodkin	Y	Garcia	N	McCluskey	Y	Smith	Y
15	Boyd	Y	Hall	Y	McFadyen	Y	Spence	Y
16	Briggs	Y	Harvey	Y	Merrifield	N	Stafford	Y
17	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
18	Butcher	Y	Hodge	Y	Mitchell	Y	Tochtrop	Y
19	Cadman	Y	Hoppe	Y	Paccione	Y	Veiga	E
20	Carroll	Y	Jahn	Y	Plant	N	Vigil	Y
21	Cerbo	N	Johnson	Y	Pommer	Y	Weddig	Y
22	Clapp	Y	Judd	Y	Ragsdale	Y	Weissmann	N
23	Cloer	Y	King	Y	Rhodes	Y	White	Y
24	Coleman	Y	Larson	Y	Rippy	Y	Wiens	Y
25	Crane	Y	Lee	E	Romanoff	Y	Williams S.	Y
26	Decker	N	Lundberg	Y	Rose	Y	Williams T.	Y
27	Fairbank	Y	Madden	N	Salazar	N	Witwer	Y
28	Frangas	Y	Marshall	Y	Schultheis	Y	Young	Y
29							Speaker	Y

30 The Speaker appointed Representatives Cadman, Chairman, Hall and
 31 Miller as House conferees to the bill.
 32

33 **HB03-1313** by Representative(s) Wiens, May M., Harvey; also
 34 Senator(s) Evans, Lamborn--Concerning the exclusion of
 35 particular regions from the motor vehicle emissions
 36 program area by rule promulgated by the air quality
 37 control commission.
 38

39 (Amended as printed in Senate Journal, March 25, page 736.)
 40

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

	YES	58	NO	05	EXCUSED	02	ABSENT	00
45	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
46	Borodkin	N	Garcia	Y	McCluskey	Y	Smith	Y
47	Boyd	Y	Hall	Y	McFadyen	Y	Spence	Y
48	Briggs	Y	Harvey	Y	Merrifield	N	Stafford	Y
49	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
50	Butcher	Y	Hodge	Y	Mitchell	Y	Tochtrop	Y
51	Cadman	Y	Hoppe	Y	Paccione	Y	Veiga	E
52	Carroll	Y	Jahn	Y	Plant	Y	Vigil	Y
53	Cerbo	Y	Johnson	Y	Pommer	Y	Weddig	Y
54	Clapp	Y	Judd	Y	Ragsdale	N	Weissmann	N
55	Cloer	Y	King	Y	Rhodes	Y	White	Y
56	Coleman	Y	Larson	Y	Rippy	Y	Wiens	Y

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

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

12	YES	45	NO	18	EXCUSED	02	ABSENT	00
13	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
14	Borodkin	N	Garcia	N	McCluskey	Y	Smith	Y
15	Boyd	Y	Hall	Y	McFadyen	N	Spence	Y
16	Briggs	Y	Harvey	Y	Merrifield	N	Stafford	Y
17	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
18	Butcher	N	Hodge	N	Mitchell	Y	Tochtrop	N
19	Cadman	Y	Hoppe	Y	Paccione	N	Veiga	E
20	Carroll	Y	Jahn	N	Plant	N	Vigil	Y
21	Cerbo	N	Johnson	Y	Pommer	N	Weddig	Y
22	Clapp	Y	Judd	Y	Ragsdale	N	Weissmann	N
23	Cloer	Y	King	Y	Rhodes	Y	White	Y
24	Coleman	Y	Larson	Y	Rippy	Y	Wiens	Y
25	Crane	Y	Lee	E	Romanoff	N	Williams S.	N
26	Decker	Y	Lundberg	Y	Rose	Y	Williams T.	Y
27	Fairbank	Y	Madden	N	Salazar	Y	Witwer	Y
28	Frangas	N	Marshall	Y	Schultheis	Y	Young	Y
29							Speaker	Y

30 Co-sponsor added: Madam Speaker.

31
32 **HB03-1253** by Representative(s) Stengel, Briggs, Coleman, Larson,
33 Ragsdale, Stafford; also Senator(s) Kester--Concerning the
34 prevention of discriminatory trade practices in the
35 payment of motor vehicle insurance claims for the repair
36 of damaged motor vehicles.

37
38 (Amended as printed in Senate Journal, March 26, pages 748-749.)

39
40 Representative Stengel moved that the House **not concur** in Senate
41 amendments and that a Conference Committee be appointed with
42 permission to go beyond the scope of the differences between the House
43 and the Senate. The motion was declared **passed** by the following roll
44 call vote:

46	YES	63	NO	00	EXCUSED	02	ABSENT	00
47	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
48	Borodkin	Y	Garcia	Y	McCluskey	Y	Smith	Y
49	Boyd	Y	Hall	Y	McFadyen	Y	Spence	Y
50	Briggs	Y	Harvey	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	E
54	Carroll	Y	Jahn	Y	Plant	Y	Vigil	Y
55	Cerbo	Y	Johnson	Y	Pommer	Y	Weddig	Y
56	Clapp	Y	Judd	Y	Ragsdale	Y	Weissmann	Y

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

8 The Speaker appointed Representatives Stengel, Chairman, Larson and
9 Frangas as House conferees to the bill.

10

11 **HB03-1142** by Representative(s) Crane, Clapp, Fairbank, Fritz,
12 Harvey, Hefley, King, Lee, May M., Mitchell, Rhodes,
13 Schultheis, Spence, Stafford, White; also Senator(s)
14 Chlouber, Lamborn--Concerning minor political parties.

15

16 (Amended as printed in Senate Journal, March 31, pages 822 and 823.)

17

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

20

21	YES	61	NO	02	EXCUSED	02	ABSENT	00
22	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
23	Borodkin	N	Garcia	Y	McCluskey	Y	Smith	Y
24	Boyd	Y	Hall	Y	McFadyen	Y	Spence	Y
25	Briggs	Y	Harvey	Y	Merrifield	Y	Stafford	Y
26	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
27	Butcher	Y	Hodge	Y	Mitchell	Y	Tochtrop	Y
28	Cadman	Y	Hoppe	Y	Paccione	Y	Veiga	E
29	Carroll	Y	Jahn	Y	Plant	Y	Vigil	Y
30	Cerbo	Y	Johnson	Y	Pommer	Y	Weddig	N
31	Clapp	Y	Judd	Y	Ragsdale	Y	Weissmann	Y
32	Cloer	Y	King	Y	Rhodes	Y	White	Y
33	Coleman	Y	Larson	Y	Rippy	Y	Wiens	Y
34	Crane	Y	Lee	E	Romanoff	Y	Williams S.	Y
35	Decker	Y	Lundberg	Y	Rose	Y	Williams T.	Y
36	Fairbank	Y	Madden	Y	Salazar	Y	Witwer	Y
37	Frangas	Y	Marshall	Y	Schultheis	Y	Young	Y
38							Speaker	Y

39

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

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

44

45	YES	36	NO	27	EXCUSED	02	ABSENT	00
46	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
47	Borodkin	N	Garcia	N	McCluskey	Y	Smith	Y
48	Boyd	N	Hall	Y	McFadyen	Y	Spence	Y
49	Briggs	Y	Harvey	Y	Merrifield	N	Stafford	Y
50	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
51	Butcher	N	Hodge	N	Mitchell	Y	Tochtrop	N
52	Cadman	N	Hoppe	Y	Paccione	N	Veiga	E
53	Carroll	N	Jahn	N	Plant	N	Vigil	N
54	Cerbo	N	Johnson	Y	Pommer	N	Weddig	N
55	Clapp	Y	Judd	N	Ragsdale	N	Weissmann	N
56	Cloer	Y	King	Y	Rhodes	Y	White	Y

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

7
8 **HB03-1197** by Representative(s) May M., Judd; also Senator(s)
9 Taylor, Anderson--Concerning the use of confidential
10 communications between certified public accountants and
11 clients in proceedings relating to the attest activities of
12 certified public accountants, and, in connection therewith,
13 creating an exception to the Colorado accountant-client
14 privilege for purposes of disciplinary functions of the state
15 board of accountancy related to attest services.

16
17 Laid over until April 8, retaining place on Calendar.
18
19
20

21 On motion of Representative King, **HB03-1276, 1292, 1178** were added
22 to the Special Orders calendar on Monday, April 7, 2003.
23
24

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

30 SPECIAL ORDERS--SECOND READING OF BILLS

31
32 The Committee of the Whole having risen, the Chairman reported the
33 titles of the following bills had been read (reading at length had been
34 dispensed with by unanimous consent), the bills considered and action
35 taken thereon as follows:
36

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

40 **HB03-1190** by Representative(s) Spence; also Senator(s) Entz--
41 Concerning the authority of the department of revenue to
42 issue a temporary special event license plate.
43

44 Amendment No. 1, by Representative Ragsdale.
45

46 Amend printed bill, page 3, line 5, strike "FEE" and substitute "FEE, NOT
47 TO EXCEED TWENTY-FIVE DOLLARS,";
48

49 strike lines 7 and 8 and substitute the following:
50

51 "SHALL BE PAYABLE TO THE DEPARTMENT, WHO SHALL CREDIT THE SAME
52 TO THE HIGHWAY USERS TAX FUND, CREATED IN SECTION 43-4-401,
53 C.R.S."
54

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

1 **HB03-1276** by Representative(s) Frangas, Sanchez; also Senator(s)
2 Kester--Concerning the pooling of all small employers
3 within certain geographic areas for the purposes of
4 purchasing health benefit coverage.
5

6 Amendment No. 1, Business Affairs & Labor Report, dated February 27,
7 2003, and placed in member's bill file; Report also printed in House
8 Journal, February 28, pages 986-987.
9

10 Amendment No. 2, Appropriations Report, dated April 3, 2003, and
11 placed in member's bill file; Report also printed in House Journal,
12 April 3, page 1440.
13

14 As amended, ordered engrossed and placed on the Calendar for Third
15 Reading and Final Passage.
16

17
18 **HB03-1292** by Representative(s) Williams S., Borodkin, Boyd, Briggs,
19 Frangas, Jahn, Plant, Romanoff, Sinclair, Stafford; also
20 Senator(s) Teck--Concerning service fees for intermediate
21 care facilities for the mentally retarded.
22

23 Amendment No. 1, Finance Report, dated February 19, 2003, and placed
24 in member's bill file; Report also printed in House Journal, February 20,
25 page 828.
26

27 Amendment No. 2, Appropriations Report, dated April 3, 2003, and
28 placed in member's bill file; Report also printed in House Journal,
29 April 3, pages 1440-1441.
30

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

34
35 **HB03-1178** by Representative(s) Vigil, Coleman, Frangas, Butcher,
36 Salazar, Sanchez; also Senator(s) Tapia, Sandoval--
37 Concerning in-state tuition for a student who has attended
38 school in Colorado for a specified period of time as of the
39 date the student receives a secondary school certificate.
40

41 Amendment No. 1, Education Report, dated February 10, 2003, and
42 placed in member's bill file; Report also printed in House Journal,
43 February 11, pages 624-625.
44

45 Amendment No. 2, Appropriations Report, dated April 4, 2003, and
46 placed in member's bill file; Report also printed in House Journal,
47 April 4, page 1477.
48

49 As amended, laid over until April 8, retaining place on Calendar.
50 (For change in action, see Amendments to Report, page 1497.)
51

52
53
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55

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

2

3 Representative King moved to amend the Report of the Committee of the
4 Whole to show that HB03-1178 was laid over **unamended**, until
5 April 8, 2003.

6

7

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

9

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

28

29

30

31

31 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

32

33 Passed Second Reading: **HB03-1190 amended, 1276 amended,**
34 **1292 amended.**

35

36 Laid over until date indicated retaining place on Calendar:

37

38

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56

	YES	63	NO	00	EXCUSED	02	ABSENT	00
45	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
46	Borodkin	Y	Garcia	Y	McCluskey	Y	Smith	Y
47	Boyd	Y	Hall	Y	McFadyen	Y	Spence	Y
48	Briggs	Y	Harvey	Y	Merrifield	Y	Stafford	Y
49	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
50	Butcher	Y	Hodge	Y	Mitchell	Y	Tochtrop	Y
51	Cadman	Y	Hoppe	Y	Paccione	Y	Veiga	E
52	Carroll	Y	Jahn	Y	Plant	Y	Vigil	Y
53	Cerbo	Y	Johnson	Y	Pommer	Y	Weddig	Y
54	Clapp	Y	Judd	Y	Ragsdale	Y	Weissmann	Y
55	Cloer	Y	King	Y	Rhodes	Y	White	Y
56	Coleman	Y	Larson	Y	Rippy	Y	Wiens	Y

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

APPOINTMENTS

The Speaker announced the following temporary changes in committee assignments:

Committee on Education

Representative King temporarily to replace Representative Lee

Committee on Judiciary

Representative Hall temporarily to replace Representative Lee

REPORT OF COMMITTEE OF REFERENCE

APPROPRIATIONS

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

HB03-1105 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend the Local Government Committee Report, dated February 5, 2003, page 1, after line 9, insert the following:

"Page 4, line 25, strike "**board.**" and substitute "**board - repeal.**";";

line 10, strike "Page 4,";

after line 12, insert the following:

"Page 5, line 2, strike "TEN" and substitute "SEVEN";

line 14, strike "STATE;" and substitute "STATE AND WHO IS A MEMBER OF THE COLORADO MEDICAL SOCIETY;";

strike lines 15 through 18 and substitute the following:

"(VI) A CHIEF OF POLICE FROM A MUNICIPALITY IN THIS STATE OR A COUNTY SHERIFF; AND".

Renumber succeeding subparagraphs accordingly.

Page 5, line 20, strike "STATE; AND" and substitute "STATE.";

strike line 21;"

1 line 13 of the committee report, strike "Page 5,";

2

3 line 14, strike "FOUR" and substitute "THREE";

4

5 Page 2, line 1, strike "THREE MEMBERS" and substitute "TWO MEMBERS";

6

7 line 2, strike "THREE" and substitute "TWO";

8

9 after line 3, insert the following:

10

11 "Page 6, after line 5, insert the following:

12

13 "(4) (a) ON AND AFTER THE EFFECTIVE DATE OF THIS SECTION, THE
14 C.C.S.T. BOARD MAY ACCEPT GIFTS, GRANTS, AND DONATIONS TO COVER
15 THE COSTS INCURRED IN THE ESTABLISHMENT AND OPERATION OF THE
16 C.C.S.T. BOARD. SUCH GIFTS, GRANTS, AND DONATIONS RECEIVED SHALL
17 BE TRANSMITTED TO THE STATE TREASURER, WHO SHALL CREDIT THE
18 MONEYS TO THE CORONER TRAINING FUND CREATED IN SECTION
19 30-10-601.8 (5). THE STATE TREASURER SHALL REPORT THE TOTAL
20 AMOUNT OF GIFTS, GRANTS, AND DONATIONS TRANSMITTED PURSUANT TO
21 THIS SECTION AS OF JULY 1, 2005, TO THE REVISOR OF STATUTES. ANY
22 UNENCUMBERED MONEYS REMAINING IN THE FUND UPON THE REPEAL OF
23 THIS SECTION SHALL BE TRANSFERRED TO THE GENERAL FUND.

24

25 (b) THIS SECTION AND SECTIONS 30-10-601.7, 30-10-601.8, AND
26 30-10-601.9 ARE REPEALED, EFFECTIVE JULY 1, 2005, UNLESS THE TOTAL
27 AMOUNT OF GIFTS, GRANTS, AND DONATIONS TRANSMITTED TO THE STATE
28 TREASURER AS REPORTED TO THE REVISOR OF STATUTES PURSUANT TO
29 PARAGRAPH (a) OF THIS SUBSECTION (4) IS NOT LESS THAN TWENTY
30 THOUSAND DOLLARS AS OF JULY 1, 2005.

31

32 (5) THE C.C.S.T. BOARD SHALL HIRE AN INDEPENDENT
33 CONTRACTOR TO PERFORM ADMINISTRATIVE DUTIES RELATED TO THE
34 ESTABLISHMENT AND OPERATION OF THE C.C.S.T. BOARD.";

35

36 line 18, strike "**Training.**" and substitute "**Training - fees - coroner
37 training fund.**".

38

39 line 7, strike "THE COSTS" and substitute "COSTS";

40

41 line 8, strike "BOARD." and substitute "BOARD."";

42

43 after line 8, insert the following:

44

45 "before line 20, insert the following:

46

47 "(5) THE C.C.S.T. BOARD SHALL BY RULE ESTABLISH FEES FOR
48 TRAINING PROGRAMS. ALL FEES COLLECTED SHALL BE TRANSMITTED TO
49 THE STATE TREASURER, WHO SHALL CREDIT THE SAME TO THE CORONER
50 TRAINING FUND, WHICH FUND IS HEREBY CREATED. THE MONEYS IN THE
51 FUND ARE HEREBY CONTINUOUSLY APPROPRIATED TO THE C.C.S.T. BOARD
52 FOR THE PURPOSES OF THIS PART 6. IN ACCORDANCE WITH SECTION
53 24-36-114, C.R.S., ALL INTEREST DERIVED FROM THE DEPOSIT AND
54 INVESTMENT OF MONEYS IN THE FUND SHALL BE CREDITED TO THE
55 GENERAL FUND.";

56

1 strike lines 12 through 21 and substitute the following:

2
3 "take effect at 12:01 a.m. on the day following the expiration of the
4 ninety-day period after final adjournment of the general assembly that is
5 allowed for submitting a referendum petition pursuant to article V,
6 section 1 (3) of the state constitution; except that, if a referendum petition
7 is filed against this act or an item, section, or part of this act within such
8 period, then the act, item, section, or part, if approved by the people, shall
9 take effect on the date of the official declaration of the vote thereon by
10 proclamation of the governor.";

11
12 line 22, strike "(3)" and substitute "(2)".

13 14 15 16 **MESSAGES FROM THE SENATE**

17
18 Madam Speaker:

19
20 The Senate voted to concur in House amendments to SB03-091, 023, 016, 056,
21 102, 158, 015, 231, 149, 233, 036, 237, 107, 120, and repassed the bills as
22 amended.

23
24 The Senate has voted not to concur in House Amendments to SB03-113 and
25 requests that a Conference Committee be appointed. The bill is transmitted
26 herewith.

27
28 The Senate has voted not to concur in House Amendments to SB03-126 and
29 requests that a Conference Committee be appointed. The President appointed
30 Senators Entz, Chm., Hillman, and Isgar as members of the First Conference
31 Committee on the part of the Senate. The bill is transmitted herewith.

32
33 The Senate has voted not to concur in House Amendments to SB03-007 and
34 requests that a Conference Committee be appointed. The President appointed
35 Senators Chlouber Chm., McElhany and Nichol as members of the First
36 Conference Committee on the part of the Senate. The bill is transmitted
37 herewith.

38
39
40 The Senate has passed on Third Reading and transmitted to the Revisor of
41 Statutes: SB03-305, 280, 287, 302, 286,

42
43 SB03-279, amended as printed in Senate Journal, April 3, page 893, and on
44 Third Reading in Senate Journal, April 4,

45 SB03-268, amended as printed in Senate Journal, April 3, pages 893-894, and
46 on Third Reading in Senate Journal, April 4,

47 SB03-259, amended as printed in Senate Journal, April 3, page 894, and on
48 Third Reading in Senate Journal, April 4,

49 SB03-275, amended as printed in Senate Journal, April 3, pages 894-895,

50 SB03-295, amended as printed in Senate Journal, April 3, page 895, and on
51 Third Reading in Senate Journal, April 4,

52 SB03-291, amended as printed in Senate Journal, April 3, page 895,

53 SB03-299, amended as printed in Senate Journal, April 3, page 895,

54 SB03-266, amended as printed in Senate Journal, April 3, page 895, and on
55 Third Reading in Senate Journal, April 4,

56 SB03-296, amended as printed in Senate Journal, April 3, page 896,

- 1 SB03-260, amended as printed in Senate Journal, April 3, page 896,
 2 SB03-288, amended as printed in Senate Journal, April 3, pages 896-897,
 3 SB03-284, amended as printed in Senate Journal, April 3, page 897,
 4 SB03-274, amended as printed in Senate Journal, April 3, page 897,
 5 SB03-276, amended as printed in Senate Journal, April 3, page 897,
 6 SB03-290, amended as printed in Senate Journal, April 3, page 897, and on
 7 Third Reading in Senate Journal, April 4,
 8 SB03-297, amended as printed in Senate Journal, April 3, page 898,
 9 SB03-278, amended as printed in Senate Journal, April 3, pages 898-899,
 10 SB03-292, amended as printed in Senate Journal, April 3, page 894,
 11 HB03-1001, amended as printed in Senate Journal, March 21, 2003, page 699
 12 and in Senate Journal, March 31, pages 823 & 824-825 and in
 13 Senate Journal, April 4.
 14

MESSAGE FROM THE REVISOR

- 15
 16
 17
 18
 19 We herewith transmit:
 20 Without comment, SB03-305, 280, 287, 302, and 286.
 21 Without comment, as amended, HB03-1001 and SB03-279, 268, 259,
 22 275, 295, 291, 299, 266, 296, 260, 288, 284, 274, 276, 290, 297, 278, and
 23 292.
 24

INTRODUCTION OF BILLS First Reading

- 25
 26
 27
 28
 29 The following bills were read by title and referred to the committees
 30 indicated:
 31
 32 **SB03-259** by Senator(s) Teck, Owen, Reeves; also Representative(s)
 33 Witwer, Plant, Young--Concerning the authority of the
 34 department of health care policy and financing to charge a
 35 monthly fee to specified families whose children are enrolled
 36 in a children's home- and community-based services waiver
 37 program.
 38 Committee on Finance
 39
 40 **SB03-260** by Senator(s) Teck, Owen, Reeves; also Representative(s)
 41 Plant, Witwer, Young--Concerning the registration of
 42 wholesale food manufacturers, and, in connection therewith,
 43 assessing a wholesale food manufacturing and storage fee
 44 and making an appropriation.
 45 Committee on Finance
 46
 47 **SB03-266** by Senator(s) Reeves, Owen, Teck; also Representative(s)
 48 Young, Plant, Witwer--Concerning the authority of the
 49 department of health care policy and financing to charge a
 50 nursing facility provider fee to certain medicaid providers in
 51 order to establish nursing facility-related programs, and, in
 52 connection therewith, establishing the nursing facility quality
 53 of care grant program and the state nursing facility service
 54 program for specified legal immigrants, and making
 55 appropriations in connection therewith.
 56 Committee on Health, Environment, Welfare, & Institutions

- 1 **SB03-268** by Senator(s) Reeves, Owen, Teck; also Representative(s)
2 Plant, Witwer, Young--Concerning tobacco litigation
3 settlement moneys, and, in connection therewith, creating a
4 tobacco litigation settlement financing corporation for the
5 purpose of securitizing a portion of the tobacco settlement
6 revenues scheduled to be received by the state, requiring the
7 net proceeds of any securitization to be used to fund the
8 three percent reserve required by the state constitution and a
9 cash flow reserve, and modifying the level of future
10 appropriations for programs funded with tobacco litigation
11 settlement moneys.
12 Committee on Appropriations
13
- 14 **SB03-274** by Senator(s) Owen, Reeves, Teck; also Representative(s)
15 Young, Plant, Witwer--Concerning the suspension of certain
16 transfers of state limited gaming revenues to funds other than
17 the state general fund, and making an appropriation in
18 connection therewith.
19 Committee on Business Affairs & Labor
20
- 21 **SB03-275** by Senator(s) Teck, Owen, Reeves; also Representative(s)
22 Witwer, Plant, Young--Concerning the distribution of school
23 accountability reports, and making an appropriation in
24 connection therewith.
25 Committee on Education
26
- 27 **SB03-276** by Senator(s) Reeves, Owen, Teck; also Representative(s)
28 Plant, Witwer, Young--Concerning cash funding of water
29 quality programs, and, in connection therewith, making
30 appropriations.
31 Committee on Agriculture, Livestock, & Natural Resources
32
- 33 **SB03-278** by Senator(s) Reeves, Owen, Teck; also Representative(s)
34 Young, Plant, Witwer--Concerning the collection of a water
35 administration fee from users of adjudicated water rights for
36 allocation to the division of water resources, and, in
37 connection therewith, making an appropriation.
38 Committee on Agriculture, Livestock, & Natural Resources
39
- 40 **SB03-279** by Senator(s) Owen, Reeves, Teck; also Representative(s)
41 Young, Plant, Witwer--Concerning limitations on the
42 provision of services in the medical assistance program.
43 Committee on Appropriations
44
- 45 **SB03-280** by Senator(s) Teck, Owen, Reeves; also Representative(s)
46 Witwer, Plant, Young--Concerning the hazardous substance
47 response fund, and, in connection therewith, making an
48 appropriation.
49 Committee on Finance
50
- 51 **SB03-284** by Senator(s) Teck, Owen, Reeves; also Representative(s)
52 Young, Plant, Witwer--Concerning the reduction of the
53 period of mandatory juvenile parole, and making an
54 appropriation in connection therewith.
55 Committee on Judiciary
56

- 1 **SB03-286** by Senator(s) Reeves, Owen, Teck; also Representative(s)
2 Plant, Witwer, Young--Concerning a limitation on the
3 number of juvenile detention beds in the state of Colorado,
4 and, in connection therewith, creating a working group to
5 manage the use of juvenile detention beds within the
6 limitation and making an appropriation.
7 Committee on Judiciary
8
- 9 **SB03-287** by Senator(s) Teck, Owen, Reeves; also Representative(s)
10 Witwer, Plant, Young--Concerning an increase in the annual
11 license fees paid by health facilities, and making an
12 appropriation therefor.
13 Committee on Health, Environment, Welfare, & Institutions
14
- 15 **SB03-288** by Senator(s) Owen, Reeves, Teck; also Representative(s)
16 Witwer, Plant, Young--Concerning limitations on the
17 provision of private duty nursing services under medical
18 assistance, and making an appropriation in connection
19 therewith.
20 Committee on Health, Environment, Welfare, & Institutions
21
- 22 **SB03-290** by Senator(s) Owen, Reeves, Teck; also Representative(s)
23 Young, Plant, Witwer--Concerning the authority of the board
24 of parks and outdoor recreation regarding its budget, and, in
25 connection therewith, allowing the board to establish fees by
26 rule and creating a stores revolving fund.
27 Committee on Finance
28
- 29 **SB03-291** by Senator(s) Owen, Reeves, Teck; also Representative(s)
30 Young, Plant, Witwer--Concerning changes to the children's
31 basic health plan, and making an appropriation in connection
32 therewith.
33 Committee on Health, Environment, Welfare, & Institutions
34
- 35 **SB03-292** by Senator(s) Reeves, Owen, Teck; also Representative(s)
36 Young, Plant, Witwer--Concerning a suspension of the
37 administration of certain statewide assessments, and making
38 an appropriation in connection therewith.
39 Committee on Appropriations
40
- 41 **SB03-295** by Senator(s) Owen, Reeves, Teck; also Representative(s)
42 Young, Plant, Witwer--Concerning a reduction in the
43 allocation of revenue to the older Coloradans fund, and
44 making an appropriation in connection therewith.
45 Committee on Health, Environment, Welfare, & Institutions
46
- 47 **SB03-296** by Senator(s) Reeves, Owen, Teck; also Representative(s)
48 Young, Plant, Witwer--Concerning the diversion of the
49 unemployment tax surcharge from the unemployment
50 compensation fund to the general fund.
51 Committee on Business Affairs & Labor
52
- 53 **SB03-297** by Senator(s) Owen, Reeves, Teck; also Representative(s)
54 Plant, Witwer, Young--Concerning a reduction in the level
55 of funding provided from the state general fund for certain
56 activities of the department of agriculture, and, in connection

- 1 therewith, creating an inspection and consumer services cash
2 fund and granting authority to the agricultural commission to
3 set fees for the support of such activities and making an
4 appropriation.
5 Committee on Agriculture, Livestock, & Natural Resources
6
7 **SB03-299** by Senator(s) Owen, Reeves, Teck; also Representative(s)
8 Young, Plant, Witwer--Concerning a reduction in the
9 transfer of specified tax revenue to the supplemental old age
10 pension health and medical care fund, and making an
11 appropriation in connection therewith.
12 Committee on Health, Environment, Welfare, & Institutions
13
14 **SB03-302** by Senator(s) Reeves, Owen, Teck; also Representative(s)
15 Plant, Witwer, Young--Concerning the repeal of annual
16 gathering of statistical information by the division of
17 insurance regarding the workers' compensation system of
18 Colorado, and making an appropriation therefor.
19 Committee on Business Affairs & Labor
20
21 **SB03-305** by Senator(s) Anderson, Andrews, Fitz-Gerald; also
22 Representative(s) King, Spradley, Veiga--Concerning
23 payment of expenses of the legislative department, and
24 making an appropriation in connection therewith.
25 Committee on Appropriations

INTRODUCTION OF RESOLUTION

26
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28
29
30
31 The following resolution was read by title and referred to the committee
32 indicated:

- 33
34 **HR03-1015** by Representative(s) Veiga, Paccione--Concerning support
35 for Title IX athletics funding.
36 Committee on State, Veterans, & Military Affairs
37

38 WHEREAS, Title IX was adopted as landmark legislation in 1972
39 by the United States Congress to ban sexual discrimination in schools;
40 and
41

42 WHEREAS, Title IX states that no person in the United States
43 shall, on the basis of sex, be excluded from participation in, be denied the
44 benefits of, or be subjected to discrimination under, any program or
45 activity receiving federal financial assistance; and
46

47 WHEREAS, Title IX governs the overall equity of treatment in
48 athletics and academics; and
49

50 WHEREAS, 57 percent of college graduates in 2000 were women,
51 compared to only 42 percent prior to 1972; and
52

53 WHEREAS, Since the passage of Title IX, 55 percent of
54 participants in high school sports are women, compared to only 36
55 percent before the adoption of Title IX; and
56

1 WHEREAS, The number of medical, law, and doctoral degrees
2 awarded to women has risen from 9 percent to 43 percent since the
3 implementation of Title IX; and

4
5 WHEREAS, Today, more than 100,000 women participate in
6 intercollegiate athletics--a fourfold increase since 1971; and

7
8 WHEREAS, Women in the United States are far surpassing their
9 international counterparts in high school completion and in attaining
10 higher education degrees; and

11
12 WHEREAS, Approximately 16,000 school districts, 3,200 colleges
13 and universities, and 5,000 for-profit schools, as well as libraries and
14 museums, receive Title IX funds; and

15
16 WHEREAS, Title IX advances gender equity and improves the
17 productivity, industry, and overall quality of life in the United States; and

18
19 WHEREAS, A recent report authored by the Commission on
20 Opportunity in Athletics recommends negative changes to Title IX,
21 including loosening enforcement policies and weakening the existing law;
22 and

23
24 WHEREAS, The Commission's report proposes drastically
25 reversing gender equity in athletics by removing funding from women's
26 sports programs; now, therefore,

27
28 *Be It Resolved by the House of Representatives of the Sixty-fourth*
29 *General Assembly of the State of Colorado:*

30
31 (1) That we, the members of the House of Representatives of the
32 Colorado General Assembly, affirm the value of Title IX in securing
33 gender equity and that we oppose any efforts to weaken, dissemble, or
34 overturn the act.

35
36 (2) That we urge the United States Department of Education and
37 the Colorado Department of Education not to rollback the gains that
38 women have made in the past 30 years with the enforcement of Title IX.

39
40 *Be It Further Resolved,* That copies of this Resolution be sent to
41 the United States Department of Education and the Colorado Department
42 of Education.

43
44
45
46 **LAY OVER OF CALENDAR ITEMS**

47
48 On motion of Representative King, the following items on the Calendar
49 were laid over until April 8, retaining place on Calendar:

50
51 Consideration of General Orders--**HB03-1311, 1132, 1247, 1344, 1123,**
52 **1317.**

53 Consideration of Resolutions--**HJR03-1029, 1037, 1038, 1040, 1042,**
54 **1043, SJR03-030.**

55
56

1 On motion of Representative Young, the House adjourned until 9:00 a.m.,
2 April 8, 2003.

3

4

Approved:

5

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LOLA SPRADLEY,
Speaker

9

10 Attest:

11

12 JUDITH RODRIGUE,
13 Chief Clerk