

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

Forty-ninth Legislative Day

Tuesday, February 25, 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 Larson.

7
8 The roll was called with the following result:

9
10 Present--63.

11 Excused--Representatives Marshall, McFadyen--2.

12 Present after roll call--Representative McFadyen.

13
14 The Speaker declared a quorum present.

15
16
17 On motion of Representative Lundberg, the reading of the journal of
18 February 24, 2003, was declared dispensed with and approved as
19 corrected by the Chief Clerk.

20
21
22 **CONSIDERATION OF RESOLUTIONS**

23
24 **SJR03-016** by Senator(s) Andrews; also Representative(s) Spradley--
25 Concerning honoring President Bush's leadership in his
26 effort to protect the United States against Saddam Hussein.

27
28 (Printed and placed in member's file.)

29
30 Representative Spradley moved the resolution be adopted.

31
32 Amendment No. 1, moved by Representative Merrifield.

33
34 Amend engrossed resolution, page 2, line 5, after "power", insert
35 "supports the diplomatic efforts of the United Nations, calls for a debate
36 and vote in Congress before war is declared, urges that United States
37 forces be used only as a last resort,".

38
39 Page 1, line 101, strike "**PRESIDENT BUSH'S LEADERSHIP IN HIS**" and
40 substitute "**THE MEN AND WOMEN OF OUR ARMED FORCES AS THEY FACE**
41 **POSSIBLE WAR WITH IRAQ IN THE**".

42
43 The amendment was declared **lost** by the following roll call vote:

	YES	17	NO	47	EXCUSED	01	ABSENT	00
1	Berry	N	Garcia	N	McCluskey	N	Sinclair	N
2	Borodkin	Y	Hall	N	McFadyen	Y	Smith	N
3	Boyd	N	Harvey	N	Merrifield	Y	Spence	N
4	Briggs	N	Hefley	N	Miller	N	Stafford	N
5	Brophy	N	Hodge	Y	Mitchell	N	Stengel	N
6	Butcher	N	Hoppe	N	Paccione	N	Tochtrop	N
7	Cadman	N	Jahn	Y	Plant	Y	Veiga	Y
8	Carroll	Y	Johnson	N	Pommer	Y	Vigil	Y
9	Clapp	N	Judd	Y	Ragsdale	Y	Weddig	Y
10	Cloer	N	King	N	Rhodes	N	Weissmann	Y
11	Coleman	N	Larson	N	Rippy	N	White	N
12	Crane	N	Lee	N	Romanoff	N	Wiens	N
13	Decker	N	Lundberg	N	Rose	N	Williams S.	N
14	Fairbank	N	Madden	Y	Salazar	N	Williams T.	N
15	Frangas	Y	Marshall	E	Sanchez	Y	Witwer	N
16	Fritz	N	May	N	Schultheis	N	Young	N
17							Speaker	N

18
19
20 The resolution was **adopted** by the following roll call vote:

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

38
39
40 Co-sponsors added: Representatives Briggs, Brophy, Cadman, Clapp, Cloer,
41 Coleman, Crane, Decker, Fairbank, Fritz, Hall, Harvey, Hefley, Hoppe, Johnson,
42 King, Larson, Lee, Lundberg, McCluskey, Miller, Mitchell, Paccione, Rhodes,
43 Rippy, Romanoff, Rose, Schultheis, Sinclair, Smith, Spence, Stafford, Stengel,
44 Tochtrop, White, Williams S., Williams T., Witwer, Young.

45
46 **HJR03-1018** by Representative(s) Berry; also Senator(s) Chlouber--
47 Concerning American heart month.

48
49 (Printed and placed in member's file, also printed in House Journal
50 February 19, pages 818-819.)

51
52 On motion of Representative , the resolution was **adopted** by **viva voce**
53 vote.

54
55 Co-sponsors added: Representatives Borodkin, Boyd, Butcher, Clapp, Cloer,
56 Crane, Frangas, Fritz, Hefley, Hodge, Hoppe, Jahn, Johnson, King, Larson,

1 Madden, Miller, Paccione, Rhodes, Rippy, Romanoff, Rose, Salazar, Sinclair,
2 Smith, Spence, Stafford, Stengel, Tochtrop, Veiga, Vigil, Weddig, Wiens,
3 Williams S., Young, Speaker.

4
5 **HJR03-1019** by Representative(s) Spradley; also Senator(s) Kester--
6 Concerning the General Assembly's endorsement of the
7 Colorado 64 water principles.

8
9 (Printed and placed in member's file, also printed in House Journal
10 February 20, pages 834-836.)

11
12 On motion of Representative Spradley, the resolution was **adopted** by
13 **viva voce** vote.

14
15 Co-sponsors added: Representatives Berry, Borodkin, Boyd, Briggs, Brophy,
16 Butcher, Carroll, Clapp, Cloer, Coleman, Crane, Decker, Frangas, Harvey,
17 Hefley, Jahn, Johnson, Larson, Lundberg, Madden, May, McCluskey,
18 Merrifield, Paccione, Plant, Pommer, Ragsdale, Rhodes, Rippy, Romanoff,
19 Rose, Salazar, Sanchez, Schultheis, Smith, Spence, Stafford, Stengel, Veiga,
20 Weddig, Wiens, Williams S., Williams T.

21
22 **SJR03-021** by Senator(s) May R., Cairns, Dyer, Entz, Jones, Owen,
23 Taylor; also Representative(s) King--Concerning a request
24 that congress give first priority to supporting and passing
25 the defense appropriations bill.

26
27 (Printed and placed in member's file.)

28
29 On motion of Representative King, the resolution was **adopted** by the
30 following roll call vote:

31	YES	60	NO	04	EXCUSED	01	ABSENT	00
32	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
33	Borodkin	N	Hall	Y	McFadyen	Y	Smith	Y
34	Boyd	Y	Harvey	Y	Merrifield	Y	Spence	Y
35	Briggs	Y	Hefley	Y	Miller	Y	Stafford	Y
36	Brophy	Y	Hodge	Y	Mitchell	Y	Stengel	Y
37	Butcher	Y	Hoppe	Y	Paccione	Y	Tochtrop	Y
38	Cadman	Y	Jahn	Y	Plant	Y	Veiga	Y
39	Carroll	N	Johnson	Y	Pommer	N	Vigil	Y
40	Clapp	Y	Judd	Y	Ragsdale	Y	Weddig	Y
41	Cloer	Y	King	Y	Rhodes	Y	Weissmann	N
42	Coleman	Y	Larson	Y	Rippy	Y	White	Y
43	Crane	Y	Lee	Y	Romanoff	Y	Wiens	Y
44	Decker	Y	Lundberg	Y	Rose	Y	Williams S.	Y
45	Fairbank	Y	Madden	Y	Salazar	Y	Williams T.	Y
46	Frangas	Y	Marshall	E	Sanchez	Y	Witwer	Y
47	Fritz	Y	May	Y	Schultheis	Y	Young	Y
48							Speaker	Y

49 Co-sponsors added: Representatives Briggs, Brophy, Cadman, Cloer, Crane,
50 Decker, Fairbank, Fritz, Hall, Harvey, Hefley, Hoppe, Johnson, Lee, Lundberg,
51 May, Miller, Paccione, Rhodes, Romanoff, Rose, Schultheis, Sinclair, Smith,
52 Spence, Stafford, Stengel, Tochtrop, White, Wiens, Young, Speaker.

53
54 On motion of Representative King, consideration of **SJR03-017, 018, 019**
55 was laid over until February 26, retaining place on calendar.

56

1 **THIRD READING OF BILLS--FINAL PASSAGE**

2
3 The following bills were considered on Third Reading. The titles were
4 publicly read. Reading of the bill at length was dispensed with by
5 unanimous consent.

6
7 **SB03-071** by Senator(s) Sandoval; also Representative(s)
8 Williams T.--Concerning the prerequisites for the issuance
9 of liquor licenses to certain types of premises.

10
11 The question being "Shall the bill pass?".

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

	YES	63	NO	01	EXCUSED	01	ABSENT	00
17	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
18	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
19	Boyd	Y	Harvey	Y	Merrifield	Y	Spence	Y
20	Briggs	Y	Hefley	Y	Miller	Y	Stafford	Y
21	Brophy	Y	Hodge	Y	Mitchell	Y	Stengel	Y
22	Butcher	Y	Hoppe	Y	Paccione	Y	Tochtrop	Y
23	Cadman	Y	Jahn	Y	Plant	Y	Veiga	Y
24	Carroll	Y	Johnson	Y	Pommer	Y	Vigil	Y
25	Clapp	Y	Judd	Y	Ragsdale	Y	Weddig	Y
26	Cloer	Y	King	Y	Rhodes	Y	Weissmann	Y
27	Coleman	Y	Larson	Y	Rippy	Y	White	Y
28	Crane	Y	Lee	Y	Romanoff	Y	Wiens	Y
29	Decker	Y	Lundberg	Y	Rose	N	Williams S.	Y
30	Fairbank	Y	Madden	Y	Salazar	Y	Williams T.	Y
31	Frangas	Y	Marshall	E	Sanchez	Y	Witwer	Y
32	Fritz	Y	May	Y	Schultheis	Y	Young	Y
33							Speaker	Y

34 Co-sponsors added: Representatives Brophy, Frangas, Hall, Hoppe.

35
36 **SB03-059** by Senator(s) Taylor; also Representative(s) White,
37 Williams T.--Concerning the recreation of the division of
38 insurance within the department of regulatory agencies,
39 and, in connection therewith, reinstating the regulatory
40 functions of the division of insurance as they existed as of
41 July 1, 2002, staggering the time frame under which the
42 division of insurance undergoes sunset review, and making
43 conforming amendments.

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

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

	YES	62	NO	02	EXCUSED	01	ABSENT	00
51	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
52	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
53	Boyd	Y	Harvey	Y	Merrifield	Y	Spence	Y
54	Briggs	Y	Hefley	Y	Miller	Y	Stafford	Y
55	Brophy	Y	Hodge	Y	Mitchell	Y	Stengel	Y
56	Butcher	Y	Hoppe	Y	Paccione	Y	Tochtrop	Y

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

12 Co-sponsors added: Representatives Frangas, Ragsdale, Rippy, Stafford,
13 Weddig, Speaker.

14
15 **HB03-1294** by Representative(s) Stafford, Williams S.; also Senator(s)
16 McElhany--Concerning health insurance for employers
17 with fewer than fifty-one employees.

18
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**.

23	YES	52	NO	12	EXCUSED	01	ABSENT	00
24	Berry	N	Garcia	Y	McCluskey	Y	Sinclair	Y
25	Borodkin	N	Hall	Y	McFadyen	Y	Smith	Y
26	Boyd	Y	Harvey	Y	Merrifield	Y	Spence	Y
27	Briggs	Y	Hefley	N	Miller	Y	Stafford	Y
28	Brophy	Y	Hodge	Y	Mitchell	Y	Stengel	Y
29	Butcher	N	Hoppe	Y	Paccione	Y	Tochtrop	Y
30	Cadman	Y	Jahn	Y	Plant	Y	Veiga	Y
31	Carroll	Y	Johnson	Y	Pommer	Y	Vigil	N
32	Clapp	Y	Judd	N	Ragsdale	N	Weddig	Y
33	Cloer	N	King	Y	Rhodes	Y	Weissmann	N
34	Coleman	N	Larson	Y	Rippy	Y	White	Y
35	Crane	Y	Lee	Y	Romanoff	Y	Wiens	N
36	Decker	Y	Lundberg	Y	Rose	Y	Williams S.	Y
37	Fairbank	Y	Madden	Y	Salazar	Y	Williams T.	N
38	Frangas	Y	Marshall	E	Sanchez	Y	Witwer	Y
39	Fritz	Y	May	Y	Schultheis	Y	Young	Y
40							Speaker	Y

41
42 Co-sponsors added: Representatives Frangas, Mitchell, Weddig.

43
44 **HB03-1244** by Representative(s) Ragsdale; also Senator(s) Tapia--
45 Concerning penalties imposed for committing the crime of
46 defacing property.

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

52	YES	64	NO	00	EXCUSED	01	ABSENT	00
53	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
54	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
55	Boyd	Y	Harvey	Y	Merrifield	Y	Spence	Y

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

15 Co-sponsors added: Representatives Boyd, Cloer, Coleman, Garcia, Merrifield,
16 Schultheis, Vigil, Weddig, Williams S., Speaker.

17

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

20

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

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

25

26	YES	52	NO	12	EXCUSED	01	ABSENT	00
27	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
28	Borodkin	Y	Hall	Y	McFadyen	N	Smith	Y
29	Boyd	Y	Harvey	Y	Merrifield	N	Spence	Y
30	Briggs	Y	Hefley	Y	Miller	Y	Stafford	Y
31	Brophy	Y	Hodge	Y	Mitchell	Y	Stengel	Y
32	Butcher	Y	Hoppe	Y	Paccione	Y	Tochtrop	Y
33	Cadman	Y	Jahn	Y	Plant	N	Veiga	Y
34	Carroll	Y	Johnson	Y	Pommer	Y	Vigil	N
35	Clapp	Y	Judd	N	Ragsdale	N	Weddig	Y
36	Cloer	N	King	Y	Rhodes	Y	Weissmann	N
37	Coleman	N	Larson	Y	Rippy	Y	White	Y
38	Crane	Y	Lee	Y	Romanoff	Y	Wiens	Y
39	Decker	Y	Lundberg	Y	Rose	Y	Williams S.	N
40	Fairbank	Y	Madden	Y	Salazar	N	Williams T.	Y
41	Frangas	N	Marshall	E	Sanchez	Y	Witwer	Y
42	Fritz	Y	May	Y	Schultheis	Y	Young	Y
43							Speaker	Y

44 Co-sponsors added: Representatives Fritz, Lee, May, Rippy, Stengel.

45

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

51

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

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

56

	YES	63	NO	01	EXCUSED	01	ABSENT	00
1	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
2	Borodkin	Y	Hall	Y	McFadyen	Y	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	N	Ragsdale	Y	Weddig	Y
10	Cloer	Y	King	Y	Rhodes	Y	Weissmann	Y
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	E	Sanchez	Y	Witwer	Y
16	Fritz	Y	May	Y	Schultheis	Y	Young	Y
17							Speaker	Y

18
19 Co-sponsors added: Representatives Brophy, Fritz, Mitchell, Pommer.

20
21
22
23 **MESSAGE FROM THE SENATE**

24
25 Madam Speaker:

26
27 The Senate has passed on Third Reading and transmitted to the Revisor
28 of Statutes:

29
30 SB03-025, amended as printed in Senate Journal, February 19, pages
31 434-436 and in Senate Journal, February 24.

32
33
34
35 **MESSAGE FROM THE REVISOR**

36
37 We herewith transmit:

38 Without comment, as amended, SB03-025.

39
40
41
42 **INTRODUCTION OF RESOLUTION**

43
44 The following resolution was read by title and laid over one day under the
45 rules:

46
47 **HJR03-1021** by Representative(s) Spence, Williams S.; also Senator(s)
48 Cairns, Windels--Concerning "Read Across America
49 Day".

50
51 WHEREAS, The citizens of Colorado stand firmly committed to
52 promoting reading as the catalyst for our children's academic success,
53 their preparation for America's jobs of the future, and their ability to
54 compete in a global economy; and

55
56 WHEREAS, Coloradans recognize the importance of the education

1 of our youth, grounded in the principle that educational investment is a
 2 key to Colorado's well-being and long-term quality of life; and
 3

4 WHEREAS, "Read Across America", a national celebration of Dr.
 5 Seuss' birthday, promotes reading and adult involvement in the education
 6 of children in Colorado and throughout America; now, therefore,
 7

8 *Be It Resolved by the House of Representatives of the Sixty-fourth*
 9 *General Assembly of the State of Colorado, the Senate concurring*
 10 *herein:*
 11

12 (1) That we, the members of the Sixty-fourth General Assembly,
 13 proclaim March 3, 2003, as "Read Across America Day" in Colorado,
 14 and call on the citizens of Colorado to read with a child on March 3rd and
 15 every day.
 16

17 (2) That we, the members of the Sixty-fourth General Assembly,
 18 enthusiastically endorse the goals of "Read Across America" and
 19 encourage citizens of our state to engage in programs and activities to
 20 make Colorado's children the best readers in America.
 21

22
 23
 24 House in recess. House reconvened.
 25
 26
 27

28 **CONSIDERATION OF CONFERENCE COMMITTEE REPORTS**

29
 30 **SB03-185** by Senator(s) Teck, Owen, Reeves; also Representative(s)
 31 Plant, Witwer, Young--Concerning the establishment of a
 32 tax amnesty program whereby taxpayers may pay overdue
 33 tax liabilities without penalty for a limited time, and
 34 making an appropriation in connection therewith.
 35

36 (Conference Committee Report printed in House Journal, February 17,
 37 page 769.)
 38

39 Representative Plant moved the Conference Committee report be
 40 adopted.
 41

42 A substitute motion by Representative Lee, that the House **adhere** to its
 43 position, was declared **lost** by the following roll call vote:
 44

45	YES	05	NO	59	EXCUSED	01	ABSENT	00
46	Berry	N	Garcia	N	McCluskey	N	Sinclair	N
47	Borodkin	N	Hall	N	McFadyen	N	Smith	N
48	Boyd	N	Harvey	N	Merrifield	N	Spence	N
49	Briggs	N	Hefley	Y	Miller	N	Stafford	N
50	Brophy	N	Hodge	N	Mitchell	N	Stengel	Y
51	Butcher	N	Hoppe	N	Paccione	N	Tochtrop	N
52	Cadman	N	Jahn	N	Plant	N	Veiga	N
53	Carroll	N	Johnson	N	Pommer	N	Vigil	N
54	Clapp	N	Judd	N	Ragsdale	N	Weddig	N
55	Cloer	Y	King	N	Rhodes	N	Weissmann	N
56	Coleman	N	Larson	N	Rippy	N	White	N

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

7
8 The Conference Committee Report was **adopted** by the following roll
9 call vote:

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

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

34	YES	59	NO	05	EXCUSED	01	ABSENT	00
35	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
36	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
37	Boyd	Y	Harvey	Y	Merrifield	Y	Spence	Y
38	Briggs	Y	Hefley	Y	Miller	Y	Stafford	Y
39	Brophy	N	Hodge	Y	Mitchell	Y	Stengel	Y
40	Butcher	Y	Hoppe	Y	Paccione	Y	Tochtrop	Y
41	Cadman	Y	Jahn	Y	Plant	Y	Veiga	Y
42	Carroll	Y	Johnson	Y	Pommer	Y	Vigil	Y
43	Clapp	Y	Judd	Y	Ragsdale	Y	Weddig	Y
44	Cloer	Y	King	Y	Rhodes	N	Weissmann	Y
45	Coleman	Y	Larson	Y	Rippy	Y	White	Y
46	Crane	N	Lee	Y	Romanoff	Y	Wiens	Y
47	Decker	Y	Lundberg	N	Rose	Y	Williams S.	Y
48	Fairbank	Y	Madden	Y	Salazar	Y	Williams T.	Y
49	Frangas	Y	Marshall	E	Sanchez	Y	Witwer	Y
50	Fritz	Y	May	Y	Schultheis	N	Young	Y
51							Speaker	Y

52
53 Co-sponsors added: Representatives Decker, Speaker.
54
55

1 **SB03-175** by Senator(s) Owen, Reeves, Teck; also Representative(s)
 2 Young, Plant, Witwer--Concerning prescribing the use of
 3 the nursing home penalty cash fund, and making an
 4 appropriation in connection therewith.
 5

6 (Conference Committee Report printed in House Journal, February 17,
 7 pages 766-767.)
 8

9 On motion of Representative Young, the Conference Committee Report
 10 was **adopted** by the following roll call vote:
 11

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

30
 31 The question being "Shall the bill, as amended, 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
 34 bill, as amended, was declared **repassed**.
 35

	YES	60	NO	04	EXCUSED	01	ABSENT	00
37	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
38	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
39	Boyd	Y	Harvey	Y	Merrifield	Y	Spence	Y
40	Briggs	Y	Hefley	Y	Miller	Y	Stafford	Y
41	Brophy	Y	Hodge	Y	Mitchell	Y	Stengel	Y
42	Butcher	Y	Hoppe	Y	Paccione	Y	Tochtrop	Y
43	Cadman	Y	Jahn	Y	Plant	Y	Veiga	Y
44	Carroll	Y	Johnson	Y	Pommer	Y	Vigil	Y
45	Clapp	Y	Judd	Y	Ragsdale	Y	Weddig	Y
46	Cloer	Y	King	Y	Rhodes	Y	Weissmann	N
47	Coleman	N	Larson	N	Rippy	Y	White	Y
48	Crane	Y	Lee	Y	Romanoff	Y	Wiens	Y
49	Decker	Y	Lundberg	Y	Rose	Y	Williams S.	Y
50	Fairbank	Y	Madden	Y	Salazar	Y	Williams T.	Y
51	Frangas	N	Marshall	E	Sanchez	Y	Witwer	Y
52	Fritz	Y	May	Y	Schultheis	Y	Young	Y
53							Speaker	Y

54
 55

1 **SB03-183** by Senator(s) Reeves, Owen, Teck; also Representative(s)
 2 Plant, Witwer, Young--Concerning the modification of
 3 certain preschool through twelfth grade public education
 4 programs, and making appropriations in connection
 5 therewith.
 6

7 (Conference Committee Report printed in House Journal, February 17,
 8 pages 767-769.)
 9

10 Representative Plant moved the Conference Committee report be
 11 adopted.
 12

13 A substitute motion by Representative King, that the House reject the
 14 Conference Committee Report, discharge the First Conference
 15 Committee, and that a Second Conference Committee be appointed was
 16 declared **passed** by the following roll call vote:
 17

	YES	34	NO	30	EXCUSED	01	ABSENT	00
19	Berry	Y	Garcia	N	McCluskey	Y	Sinclair	Y
20	Borodkin	N	Hall	Y	McFadyen	N	Smith	Y
21	Boyd	N	Harvey	Y	Merrifield	N	Spence	Y
22	Briggs	Y	Hefley	Y	Miller	N	Stafford	Y
23	Brophy	Y	Hodge	N	Mitchell	Y	Stengel	Y
24	Butcher	N	Hoppe	Y	Paccione	N	Tochtrop	N
25	Cadman	Y	Jahn	N	Plant	N	Veiga	N
26	Carroll	N	Johnson	Y	Pommer	N	Vigil	N
27	Clapp	Y	Judd	N	Ragsdale	N	Weddig	N
28	Cloer	Y	King	Y	Rhodes	Y	Weissmann	N
29	Coleman	N	Larson	Y	Rippy	Y	White	Y
30	Crane	Y	Lee	Y	Romanoff	N	Wiens	Y
31	Decker	Y	Lundberg	Y	Rose	Y	Williams S.	N
32	Fairbank	Y	Madden	N	Salazar	N	Williams T.	Y
33	Frangas	N	Marshall	E	Sanchez	N	Witwer	N
34	Fritz	Y	May	Y	Schultheis	Y	Young	N
35							Speaker	N

36
 37 The first Conference Committee was discharged and the Speaker
 38 appointed Representatives Young Chairman, Witwer and Plant as House
 39 conferees to the Second Conference Committee.
 40

41
 42 **SB03-190** by Senator(s) Owen, Reeves, Teck; also Representative(s)
 43 Witwer, Plant, Young--Concerning tobacco litigation
 44 settlement moneys received by the state, and, in
 45 connection therewith, reallocating the moneys for the
 46 2002-03 fiscal year for the purpose of augmenting the state
 47 general fund, providing authorization for the state
 48 treasurer to invest moneys transferred on July 5, 2002,
 49 from the tobacco litigation settlement trust fund to the
 50 general fund in any manner in which the trust fund
 51 moneys may be invested, and modifying appropriations for
 52 the 2002-03 fiscal year.
 53

54 (Conference Committee Report printed in House Journal, February 24,
 55 pages 900-902.)
 56

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

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

22
23 The question being "Shall the bill, as amended, 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
26 bill, as amended, was declared **repassed**.

	YES	52	NO	11	EXCUSED	02	ABSENT	00
29	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
30	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
31	Boyd	Y	Harvey	Y	Merrifield	Y	Spence	Y
32	Briggs	Y	Hefley	Y	Miller	Y	Stafford	Y
33	Brophy	E	Hodge	Y	Mitchell	N	Stengel	Y
34	Butcher	Y	Hoppe	Y	Paccione	N	Tochtrop	Y
35	Cadman	N	Jahn	Y	Plant	Y	Veiga	N
36	Carroll	N	Johnson	Y	Pommer	Y	Vigil	Y
37	Clapp	Y	Judd	Y	Ragsdale	Y	Weddig	Y
38	Cloer	Y	King	Y	Rhodes	Y	Weissmann	N
39	Coleman	Y	Larson	N	Rippy	Y	White	Y
40	Crane	Y	Lee	N	Romanoff	Y	Wiens	Y
41	Decker	Y	Lundberg	Y	Rose	Y	Williams S.	Y
42	Fairbank	Y	Madden	N	Salazar	Y	Williams T.	Y
43	Frangas	Y	Marshall	E	Sanchez	N	Witwer	Y
44	Fritz	Y	May	Y	Schultheis	N	Young	Y
45							Speaker	Y

46 Co-sponsors added: Representatives McFadyen, Salazar.

47
48 **SB03-200** by Senator(s) Owen, Teck, Reeves; also Representative(s)
49 Young, Witwer, Plant--Concerning a supplemental
50 appropriation to the department of corrections.

51
52 (Conference Committee Report printed in House Journal, February 24,
53 page 902.)

54
55 On motion of Representative Young, the Conference Committee Report
56 was **adopted** by the following roll call vote:

	YES	37	NO	26	EXCUSED	02	ABSENT	00
1	Berry	Y	Garcia	Y	McCluskey	N	Sinclair	Y
2	Borodkin	N	Hall	Y	McFadyen	Y	Smith	Y
3	Boyd	N	Harvey	Y	Merrifield	N	Spence	Y
4	Briggs	Y	Hefley	Y	Miller	Y	Stafford	Y
5	Brophy	E	Hodge	N	Mitchell	Y	Stengel	Y
6	Butcher	N	Hoppe	Y	Paccione	N	Tochtrop	N
7	Cadman	Y	Jahn	N	Plant	Y	Veiga	N
8	Carroll	N	Johnson	Y	Pommer	N	Vigil	Y
9	Clapp	Y	Judd	N	Ragsdale	N	Weddig	N
10	Cloer	Y	King	Y	Rhodes	N	Weissmann	N
11	Coleman	N	Larson	N	Rippy	Y	White	Y
12	Crane	Y	Lee	Y	Romanoff	N	Wiens	Y
13	Decker	Y	Lundberg	Y	Rose	Y	Williams S.	N
14	Fairbank	Y	Madden	N	Salazar	N	Williams T.	Y
15	Frangas	N	Marshall	E	Sanchez	N	Witwer	Y
16	Fritz	Y	May	Y	Schultheis	N	Young	Y
17							Speaker	Y

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

	YES	51	NO	12	EXCUSED	02	ABSENT	00
24	Berry	Y	Garcia	Y	McCluskey	N	Sinclair	Y
25	Borodkin	N	Hall	Y	McFadyen	Y	Smith	Y
26	Boyd	Y	Harvey	Y	Merrifield	Y	Spence	Y
27	Briggs	Y	Hefley	Y	Miller	Y	Stafford	Y
28	Brophy	E	Hodge	N	Mitchell	Y	Stengel	Y
29	Butcher	Y	Hoppe	Y	Paccione	N	Tochtrop	N
30	Cadman	Y	Jahn	Y	Plant	Y	Veiga	Y
31	Carroll	N	Johnson	Y	Pommer	Y	Vigil	Y
32	Clapp	Y	Judd	Y	Ragsdale	N	Weddig	N
33	Cloer	Y	King	Y	Rhodes	Y	Weissmann	N
34	Coleman	Y	Larson	N	Rippy	Y	White	Y
35	Crane	Y	Lee	Y	Romanoff	Y	Wiens	Y
36	Decker	Y	Lundberg	Y	Rose	Y	Williams S.	Y
37	Fairbank	Y	Madden	N	Salazar	Y	Williams T.	Y
38	Frangas	N	Marshall	E	Sanchez	Y	Witwer	Y
39	Fritz	Y	May	Y	Schultheis	Y	Young	Y
40							Speaker	Y

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44
45 **SB03-203** by Senator(s) Owen, Teck, Reeves; also Representative(s)
46 Young, Witwer, Plant--Concerning a supplemental
47 appropriation to the department of health care policy and
48 financing.

49
50 (Conference Committee Report printed in House Journal, February 24,
51 pages 902-903.)

52
53 On motion of Representative Young, the Conference Committee Report
54 was **adopted** by the following roll call vote:

55

	YES	61	NO	02	EXCUSED	02	ABSENT	00
1	Berry	Y	Garcia	N	McCluskey	Y	Sinclair	Y
2	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
3	Boyd	Y	Harvey	Y	Merrifield	Y	Spence	Y
4	Briggs	Y	Hefley	Y	Miller	Y	Stafford	Y
5	Brophy	E	Hodge	Y	Mitchell	Y	Stengel	Y
6	Butcher	Y	Hoppe	Y	Paccione	N	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	Y
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	E	Sanchez	Y	Witwer	Y
16	Fritz	Y	May	Y	Schultheis	Y	Young	Y
17							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**.

	YES	55	NO	08	EXCUSED	02	ABSENT	00
26	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
27	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
28	Boyd	Y	Harvey	Y	Merrifield	Y	Spence	Y
29	Briggs	Y	Hefley	Y	Miller	Y	Stafford	Y
30	Brophy	E	Hodge	Y	Mitchell	Y	Stengel	Y
31	Butcher	Y	Hoppe	Y	Paccione	N	Tochtrop	N
32	Cadman	Y	Jahn	N	Plant	Y	Veiga	N
33	Carroll	N	Johnson	Y	Pommer	Y	Vigil	Y
34	Clapp	Y	Judd	Y	Ragsdale	Y	Weddig	Y
35	Cloer	Y	King	Y	Rhodes	Y	Weissmann	N
36	Coleman	Y	Larson	Y	Rippy	Y	White	Y
37	Crane	Y	Lee	Y	Romanoff	Y	Wiens	Y
38	Decker	Y	Lundberg	Y	Rose	Y	Williams S.	Y
39	Fairbank	Y	Madden	N	Salazar	Y	Williams T.	Y
40	Frangas	N	Marshall	E	Sanchez	Y	Witwer	Y
41	Fritz	Y	May	Y	Schultheis	Y	Young	Y
42							Speaker	Y

Co-sponsor added: Representative Butcher.

SB03-205 by Senator(s) Owen, Teck, Reeves; also Representative(s) Young, Witwer, Plant--Concerning a supplemental appropriation to the department of human services.

(Conference Committee Report printed in House Journal, February 24, pages 903-904.)

Representative Young moved to adopt the Conference Committee report.

1 A substitute motion by Representative Madden, that the House reject the
 2 Conference Committee Report, discharge the First Conference
 3 Committee, and that a Second Conference Committee be appointed was
 4 declared **lost** by the following roll call vote:

	YES	27	NO	36	EXCUSED	02	ABSENT	00
7	Berry	N	Garcia	Y	McCluskey	Y	Sinclair	N
8	Borodkin	Y	Hall	N	McFadyen	Y	Smith	N
9	Boyd	Y	Harvey	N	Merrifield	Y	Spence	N
10	Briggs	N	Hefley	N	Miller	N	Stafford	N
11	Brophy	E	Hodge	Y	Mitchell	N	Stengel	N
12	Butcher	Y	Hoppe	N	Paccione	Y	Tochtrop	Y
13	Cadman	N	Jahn	Y	Plant	N	Veiga	Y
14	Carroll	Y	Johnson	N	Pommer	Y	Vigil	Y
15	Clapp	N	Judd	Y	Ragsdale	Y	Weddig	Y
16	Cloer	N	King	N	Rhodes	N	Weissmann	Y
17	Coleman	Y	Larson	Y	Rippy	N	White	N
18	Crane	N	Lee	N	Romanoff	Y	Wiens	N
19	Decker	N	Lundberg	N	Rose	N	Williams S.	Y
20	Fairbank	N	Madden	Y	Salazar	Y	Williams T.	N
21	Frangas	Y	Marshall	E	Sanchez	Y	Witwer	N
22	Fritz	N	May	N	Schultheis	N	Young	N
23							Speaker	N

25 The Conference Committee Report was **adopted** by the following roll
 26 call vote:

	YES	40	NO	23	EXCUSED	02	ABSENT	00
29	Berry	Y	Garcia	N	McCluskey	N	Sinclair	Y
30	Borodkin	N	Hall	Y	McFadyen	N	Smith	Y
31	Boyd	N	Harvey	Y	Merrifield	N	Spence	Y
32	Briggs	Y	Hefley	Y	Miller	Y	Stafford	Y
33	Brophy	E	Hodge	N	Mitchell	Y	Stengel	Y
34	Butcher	N	Hoppe	Y	Paccione	N	Tochtrop	N
35	Cadman	Y	Jahn	N	Plant	Y	Veiga	N
36	Carroll	N	Johnson	Y	Pommer	Y	Vigil	N
37	Clapp	Y	Judd	Y	Ragsdale	N	Weddig	N
38	Cloer	Y	King	Y	Rhodes	Y	Weissmann	N
39	Coleman	Y	Larson	N	Rippy	Y	White	Y
40	Crane	Y	Lee	Y	Romanoff	Y	Wiens	Y
41	Decker	Y	Lundberg	Y	Rose	Y	Williams S.	N
42	Fairbank	Y	Madden	N	Salazar	N	Williams T.	Y
43	Frangas	N	Marshall	E	Sanchez	N	Witwer	Y
44	Fritz	Y	May	Y	Schultheis	Y	Young	Y
45							Speaker	Y

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

	YES	44	NO	19	EXCUSED	02	ABSENT	00
53	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
54	Borodkin	N	Hall	Y	McFadyen	N	Smith	Y
55	Boyd	N	Harvey	Y	Merrifield	N	Spence	Y
56	Briggs	Y	Hefley	Y	Miller	Y	Stafford	Y

1	Brophy	E	Hodge	N	Mitchell	Y	Stengel	Y
2	Butcher	N	Hoppe	Y	Paccione	N	Tochtrop	N
3	Cadman	Y	Jahn	N	Plant	Y	Veiga	N
4	Carroll	N	Johnson	Y	Pommer	Y	Vigil	N
5	Clapp	Y	Judd	Y	Ragsdale	N	Weddig	Y
6	Cloer	Y	King	Y	Rhodes	Y	Weissmann	N
7	Coleman	Y	Larson	N	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	N	Salazar	N	Williams T.	Y
11	Frangas	N	Marshall	E	Sanchez	N	Witwer	Y
12	Fritz	Y	May	Y	Schultheis	Y	Young	Y
13							Speaker	Y

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15
16

17 On motion of Representative King, **HB03-1301, 1297, 1306, 1304, 1220,**
18 **1253, SB03-046, 054, 061** were added to the Special Orders calendar on
19 Tuesday, February 25, 2003.

20
21

22 On motion of Representative Smith, the House resolved itself into
23 Committee of the Whole for consideration of Special Orders and he was
24 called to the Chair to act as Chairman.

25
26

27 **SPECIAL ORDERS--SECOND READING OF BILLS**

28

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

33

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

36

37 **HB03-1216** by Representative(s) Stafford; also Senator(s) Cairns--
38 Concerning the equipment required for driving school
39 vehicles.

40

41 Ordered engrossed and placed on the Calendar for Third Reading and
42 Final Passage.

43

44 **HB03-1301** by Representative(s) Hall; also Senator(s) Teck--
45 Concerning the penalties for persons who issue checks to
46 the department of revenue that are returned as unpaid for
47 any reason caused by the maker.

48

49 Ordered engrossed and placed on the Calendar for Third Reading and
50 Final Passage.

51

52 **HB03-1297** by Representative(s) Fritz, Lee, Hefley, Spradley,
53 Fairbank, Frangas, Jahn, Mitchell, White, Williams T.;
54 also Senator(s) Dyer, Anderson--Concerning death penalty
55 aggravating factors.

56

1 Amendment No. 1, Judiciary Report, dated February 18, 2003, and placed
2 in member's bill file; Report also printed in House Journal, February 20,
3 page 832.

4
5 As amended, ordered engrossed and placed on the Calendar for Third
6 Reading and Final Passage.

7
8 **HB03-1306** by Representative(s) Hall; also Senator(s) Jones--
9 Concerning the appointment of independent referees by a
10 board of county commissioners to conduct a hearing
11 related to a petition for an abatement or refund of property
12 taxes.

13
14 Ordered engrossed and placed on the Calendar for Third Reading and
15 Final Passage.

16
17 **HB03-1304** by Representative(s) McCluskey, Hall, Berry, Briggs,
18 Fairbank, Frangas, Fritz, Hoppe, Larson, Lee, May M.,
19 Merrifield, Paccione, Rippy, Rose, Sinclair, Spence,
20 Spradley, Stafford, White, Wiens; also Senator(s) Johnson
21 S.--Concerning the penalties associated with
22 impersonating a peace officer.

23
24 Ordered engrossed and placed on the Calendar for Third Reading and
25 Final Passage.

26
27 **HB03-1220** by Representative(s) Rhodes; also Senator(s) Johnson S.--
28 Concerning the safety of persons who act in proximity to
29 high voltage lines.

30
31 Amendment No. 1, Transportation & Energy Report, dated February 19,
32 2003, and placed in member's bill file; Report also printed in House
33 Journal, February 20, page 832.

34
35 Amendment No. 2, by Representative Rhodes.

36
37 Amend printed bill, page 5, line 1, after "(2)", insert "(a)";

38
39 after line 5, insert the following:

40
41 "(b) THIS SUBSECTION (2) SHALL NOT APPLY TO HIGHWAY
42 VEHICLES OPERATED BY THE COLORADO DEPARTMENT OF
43 TRANSPORTATION RESPONDING TO EMERGENCY SITUATIONS."

44
45 As amended, ordered engrossed and placed on the Calendar for Third
46 Reading and Final Passage.

47
48 **HB03-1253** by Representative(s) Stengel, Briggs, Coleman, Larson,
49 Ragsdale, Stafford; also Senator(s) Kester--Concerning the
50 prevention of discriminatory trade practices in the
51 payment of motor vehicle insurance claims for the repair
52 of damaged motor vehicles.

53
54 Amendment No. 1, Transportation & Energy Report, dated February 19,
55 2003, and placed in member's bill file; Report also printed in House
56 Journal, February 20, page 833.

1 Amendment No. 2, by Representative Plant.

2

3 Amend printed bill, page 8, strike line 2 and substitute the following:

4

5 "INSURANCE. HIS CELL PHONE NUMBER IS 720-242-8474.""

6

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

9 (For change in action, see Amendments to Report, page 924.)

10

11

12 **SB03-046** by Senator(s) Entz, May, Takis, Teck; also
13 Representative(s) Borodkin, Coleman, Ragsdale, Williams
14 S.--Concerning the speed limit for single axle vehicles that
15 are in the business of transporting trash.

16

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

20

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

23

24 **SB03-054** by Senator(s) May R., Entz, Teck; also Representative(s)
25 Larson--Concerning commercial vehicle permits, and, in
26 connection therewith, eliminating requirements that certain
27 permits be carried in the vehicles for which they are issued
28 if peace officers or other enforcement officials may
29 determine that the permits can be electronically verified at
30 the time of contact and allowing the department of
31 transportation to issue annual fleet permits for excess size
32 and weight vehicles.

33

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

36

37 **SB03-061** by Senator(s) Sandoval; also Representative(s) Frangas--
38 Concerning responsibilities for local administration of
39 motor vehicle registration laws for the city and county of
40 Denver.

41

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

44

45

46

47 **AMENDMENT TO THE COMMITTEE OF THE WHOLE REPORT**

48

49 Representative Stengel moved to amend the Report of the Committee of
50 the Whole to show that Amendment No. 2, by Representative Plant (as
51 printed in House Journal, page 924, lines 1-5) to HB 03-1253, did not
52 pass, and that HB 03-1253, as amended, did pass.

53

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

55

	YES	44	NO	17	EXCUSED	03	ABSENT	01
1								
2	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	-
3	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
4	Boyd	N	Harvey	Y	Merrifield	N	Spence	Y
5	Briggs	N	Hefley	Y	Miller	Y	Stafford	Y
6	Brophy	E	Hodge	Y	Mitchell	Y	Stengel	Y
7	Butcher	N	Hoppe	Y	Paccione	Y	Tochtrop	N
8	Cadman	Y	Jahn	Y	Plant	N	Veiga	Y
9	Carroll	Y	Johnson	Y	Pommer	Y	Vigil	N
10	Clapp	Y	Judd	N	Ragsdale	Y	Weddig	N
11	Cloer	N	King	Y	Rhodes	Y	Weissmann	N
12	Coleman	Y	Larson	N	Rippy	Y	White	Y
13	Crane	Y	Lee	N	Romanoff	Y	Wiens	Y
14	Decker	Y	Lundberg	Y	Rose	Y	Williams S.	N
15	Fairbank	Y	Madden	N	Salazar	Y	Williams T.	N
16	Frangas	Y	Marshall	E	Sanchez	Y	Witwer	Y
17	Fritz	E	May	Y	Schultheis	Y	Young	N
18							Speaker	Y

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

25 Passed Second Reading: **HB03-1216, 1301, 1297 amended, 1306, 1304,**
 26 **1220 amended, 1253 amended, SB03-046 amended, 054, 061.**

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

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

1 **REPORT OF COMMITTEE OF REFERENCE**

2
3 **INFORMATION & TECHNOLOGY**

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

6
7 **HB03-1020** be amended as follows, and as so amended, be referred to
8 the Committee of the Whole with favorable
9 recommendation:

10
11 Strike the Judiciary Committee Report, dated January 21, 2003, and
12 substitute the following:

13
14 "Amend printed bill, page 2, strike lines 1 through 9.

15
16 Renumber succeeding sections accordingly.

17
18 Page 1, line 101, strike "ECONOMIC CRIME." and substitute
19 "FORGERY."."

20
21
22
23 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

24
25 The Speaker has signed: **HB03-1302; HR03-1010; SJR03-010, 011, 013,**
26 **015.**

27
28
29
30 **DELIVERY OF BILL TO GOVERNOR**

31
32 The Chief Clerk of the House of Representatives reports the following
33 bill has been delivered to the Office of the Governor: **HB03-1302** at
34 10:42 a.m., February 25, 2003.

35
36
37
38 **MESSAGE FROM THE SENATE**

39
40 Madam Speaker:

41
42 The Senate has passed on Third Reading and transmitted to the Revisor of
43 Statutes:

44
45 SB03-099, amended as printed in Senate Journal, February 19, 2003, pages
46 427-428, 436-438, and in Senate Journal, February 24,
47 page 458,

48 SB03-039, amended as printed in Senate Journal, February 24, 2003,
49 page 461-462,

50 SB03-037, amended as printed in Senate Journal, February 24, 2003,
51 page 462,

52 SB03-024, amended as printed in Senate Journal, February 24, 2003,
53 pages 462-463,

54 SB03-006, amended as printed in Senate Journal, February 24, 2003,
55 page 463.

56

MESSAGE FROM THE REVISOR

We herewith transmit:
Without comment, as amended, SB03-099, 039, 037, 024, and 006.

INTRODUCTION OF BILLS
First Reading

The following bills were read by title and referred to the committee indicated:

HB03-1318 by Representative(s) Hoppe, Brophy, Hall, Harvey, Hefley, Lee, Plant, Rhodes, Schultheis, Tochtrop, Veiga, Weddig, Wiens, Williams T., Witwer, Young; also Senator(s) Grossman--Concerning the creation of water banks to operate in each water division, and, in connection therewith, making an appropriation.

Committee on Agriculture, Livestock, & Natural Resources
Committee on Appropriations

HB03-1319 by Representative(s) Fritz, Briggs, Brophy, Cadman, Hall, Harvey, McFadyen, Plant, Rippy, Salazar, Stengel, Tochtrop, White; also Senator(s) Dyer, Hagedorn, Teck--Concerning the augmentation of law enforcement tools used to gain compliance with laws regulating the recreational use of Colorado's natural resources.

Committee on Agriculture, Livestock, & Natural Resources
Committee on Judiciary

HB03-1320 by Representative(s) Rippy; also Senator(s) McElhany--Concerning the state engineer's authority to administer temporary instream flows held by the Colorado water conservation board, and, in connection therewith, requiring the state engineer to determine whether such temporary instream flows would injure existing water rights.

Committee on Agriculture, Livestock, & Natural Resources

HB03-1321 by Representative(s) Wiens, Stafford, Lee, Brophy, Clapp, Coleman, Crane, Lundberg, May M., McCluskey, Rose; also Senator(s) Johnson S., Evans, Arnold, Dyer, Entz, Jones, Kester--Concerning motor vehicle insurance.

Committee on Business Affairs & Labor

SB03-024 by Senator(s) Chlouber; also Representative(s) White, Rose--Concerning permits that authorize persons who demonstrate competence with handguns to carry concealed handguns in all statutorily authorized areas of the state, and, in connection therewith, identifying the carrying of concealed handguns as an issue of statewide concern, creating statewide standards for issuance of permits to carry concealed handguns, and making an appropriation.

Committee on Local Government

1 **SB03-025** by Senator(s) Dyer; also Representative(s) Hefley--
2 Concerning limitation of the ability of a local government to
3 regulate firearms, and, in connection therewith, identifying
4 firearms regulation as a matter of statewide concern.
5 Committee on Judiciary
6

7 **SB03-102** by Senator(s) Arnold; also Representative(s) White--
8 Concerning voter identification.
9 Committee on State, Veterans, & Military Affairs
10

13 INTRODUCTION OF CONCURRENT RESOLUTION

14
15 The following concurrent resolution was read by title and referred to the
16 committees indicated:
17

18 **HCR03-1002** by Representative(s) Crane, Briggs, Lee; also Senator(s)
19 Johnson S.--Submitting to the registered electors of the
20 state of Colorado an amendment to section 2 of article
21 XVIII of the constitution of the state of Colorado,
22 concerning persons permitted to conduct games of chance.
23 Committee on Local Government
24 Committee on State, Veterans, & Military Affairs
25

28 INTRODUCTION OF RESOLUTION

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

33 **HJR03-1022** by Representative(s) Pommer, Butcher, Frangas,
34 McCluskey, Merrifield; also Senator(s) Groff--Concerning
35 spay and neuter your pet day.
36 Committee on Agriculture, Livestock, & Natural Resources
37

38 WHEREAS, Cats and dogs provide companionship to and share
39 the homes of over sixty-three million individuals in the United States; and
40

41 WHEREAS, Two unaltered cats and their offspring can
42 theoretically produce four hundred twenty thousand more cats in seven
43 years, and two unaltered dogs and their offspring can theoretically
44 produce sixty-seven thousand more dogs in six years; and
45

46 WHEREAS, Humane societies and shelters have to euthanize
47 approximately five million cats and dogs each year, although many of
48 them are healthy and adoptable, simply because there are not enough
49 good homes and the shelters have insufficient space and resources to
50 house and care for all of the animals they receive; and
51

52 WHEREAS, The problem of companion animal overpopulation
53 costs the taxpayers of this country over one billion dollars annually
54 through animal control programs aimed at coping with the millions of
55 homeless cats and dogs; and
56

1 WHEREAS, Spaying and neutering cats and dogs has been shown
2 to drastically reduce cat and dog overpopulation; and

3
4 WHEREAS, Spaying and neutering helps cats and dogs live
5 longer, healthier lives; and

6
7 WHEREAS, Spaying and neutering makes pets better, more
8 affectionate companions; now, therefore,

9
10 *Be It Resolved by the House of Representatives of the Sixty-fourth*
11 *General Assembly of the State of Colorado, the Senate concurring*
12 *herein:*

13
14 That we, the members of the Sixty-fourth General Assembly, do
15 hereby declare February 25 as Spay and Neuter Your Pet Day in
16 Colorado. We encourage the citizens of Colorado to observe the day by
17 having their own cats or dogs spayed or neutered or by sponsoring the
18 spaying or neutering of another person's cat or dog.

19
20 *Be It Further Resolved,* That copies of this Joint Resolution be
21 sent to Mary Warren, Colorado Humane Society; Ralph Johnson,
22 Colorado Veterinary Medical Association; Nanci Suro, Founder,
23 Maxfund; Wendy Bergen, Maxfund Board of Directors; Dr. Ed Umlauf,
24 Maxfund Board of Directors; Judith Higson, Maxfund Board of
25 Directors; Amy Haimerl, Maxfund Board of Directors; Joe Presti,
26 Maxfund Animal Wellness Center; Dr. Allen Hayes, Boulder Veterinary
27 Hospital; Dr. Alan Myers, Arapahoe Animal Hospital; and Dr. Harvey
28 Shaffer, Longmont Small Animals Hospital.

29
30
31
32 **LAY OVER OF CALENDAR ITEMS**

33
34 On motion of Representative King, the following items on the Calendar
35 were laid over until February 26, retaining place on Calendar:

36
37 Consideration of Special Orders--**HB03-1242.**
38 Consideration of General Orders--**HB03-1146, 1225, SB03-072,**
39 **HB03-1250.**
40 Consideration of Senate Amendments--**HB03-1161.**

41
42
43 On motion of Representative King, the House adjourned until 9:00 a.m.,
44 February 26, 2003.

45
46 Approved:

47
48
49
50 LOLA SPRADLEY,
51 Speaker

52 Attest:

53
54 JUDITH RODRIGUE,
55 Chief Clerk