

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

Fifty-ninth Legislative Day

Friday, March 7, 2003

1 Prayer by Representative Stafford.
2
3 The Speaker called the House to order at 9:00 a.m.
4
5 The rules were suspended to allow the Pledge of Allegiance to be led by
6 Petty Officer Kendrick Jahn.
7
8 The roll was called with the following result:
9
10 Present--62.
11 Vacancy--1.
12 Excused for Legislative Business--Representative Williams S.--1.
13 Excused--Representatives Paccione--1.

14
15 The Speaker declared a quorum present.
16
17

18 On motion of Representative May, the reading of the journal of March 6,
19 2003, was declared dispensed with and approved as corrected by the
20 Chief Clerk.
21
22

THIRD READING OF BILLS--FINAL PASSAGE

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

28
29 **HB03-1267** by Representative(s) McCluskey; also Senator(s) Taylor--
30 Concerning the repeal of the statutory provision that limits
31 a governmental entity from imposing a surcharge upon any
32 person using an alternative form of payment for the
33 payment of moneys to the state.
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

Vacancy	YES	59	NO	03	EXCUSED	02	ABSENT	00
Berry	Y		Garcia	Y	McCluskey	Y	Sinclair	Y
Borodkin	Y		Hall	Y	McFadyen	Y	Smith	Y
Boyd	Y		Harvey	Y	Merrifield	Y	Spence	Y

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

15 Co-sponsors added: Representatives Hall, Weddig.

16
 17 **HB03-1219** by Representative(s) Hall, Fritz, Hoppe, Larson,
 18 McCluskey, White, Williams T.; also Senator(s)
 19 Johnson S.--Concerning the regulation of collection
 20 agencies, and, in connection therewith, continuing the
 21 collection agency board.

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								
28	Vacancy 1	YES 44	NO 18	EXCUSED 02	ABSENT 00			
29	Berry	Y	Garcia	N	McCluskey	Y	Sinclair	Y
30	Borodkin	Y	Hall	Y	McFadyen	N	Smith	Y
31	Boyd	Y	Harvey	Y	Merrifield	N	Spence	Y
32	Briggs	Y	Hefley	Y	Miller	Y	Stafford	Y
33	Brophy	Y	Hodge	Y	Mitchell	Y	Stengel	Y
34	Butcher	N	Hoppe	Y	Paccione	E	Tochtrop	N
35	Cadman	Y	Jahn	N	Plant	N	Veiga	N
36	Carroll	N	Johnson	Y	Pommer	N	Vigil	N
37	Clapp	Y	Judd	N	Ragsdale	N	Weddig	N
38	Cloer	Y	King	Y	Rhodes	Y	Weissmann	N
39	Coleman	N	Larson	Y	Rippy	Y	White	Y
40	Crane	Y	Lee	Y	Romanoff	Y	Wiens	Y
41	Decker	Y	Lundberg	Y	Rose	Y	Williams S.	E
42	Fairbank	Y	Madden	N	Salazar	Y	Williams T.	Y
43	Frangas	Y	Marshall	N			Witwer	Y
44	Fritz	Y	May	Y	Schultheis	Y	Young	Y
45							Speaker	Y

46 Co-sponsors added: Representatives Frangas, Stengel.

47
 48
 49
 50 **CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS**

51
 52 **HB03-1161** by Representative(s) Rippy, Fritz, Cadman, White; also
 53 Senator(s) McElhany--Concerning limitations on claims
 54 for damages filed against construction professionals.

55
 56 (Amended as printed in Senate Journal, February 19, pages 430-433.)

1 Representative Rippy moved that the House **not concur** in Senate
2 amendments and that a Conference Committee be appointed.

3
4 A substitute motion by Representative Romanoff, that the House **concur**
5 in Senate amendments was declared **lost** by the following roll call vote:

Vacancy 1	YES	19	NO	43	EXCUSED	02	ABSENT	00
8	Berry	N	Garcia	Y	McCluskey	N	Sinclair	N
9	Borodkin	Y	Hall	N	McFadyen	Y	Smith	N
10	Boyd	Y	Harvey	N	Merrifield	Y	Spence	N
11	Briggs	N	Hefley	N	Miller	N	Stafford	N
12	Brophy	N	Hodge	Y	Mitchell	N	Stengel	N
13	Butcher	Y	Hoppe	N	Paccione	E	Tochtrop	Y
14	Cadman	N	Jahn	N	Plant	Y	Veiga	Y
15	Carroll	Y	Johnson	N	Pommer	Y	Vigil	Y
16	Clapp	N	Judd	Y	Ragsdale	N	Weddig	N
17	Cloer	N	King	N	Rhodes	N	Weissmann	Y
18	Coleman	N	Larson	N	Rippy	N	White	N
19	Crane	N	Lee	N	Romanoff	Y	Wiens	N
20	Decker	N	Lundberg	N	Rose	N	Williams S.	E
21	Fairbank	N	Madden	Y	Salazar	Y	Williams T.	N
22	Frangas	N	Marshall	Y			Witwer	N
23	Fritz	N	May	N	Schultheis	N	Young	N
24							Speaker	N

25
26 Representative Rippy's motion that the House **not concur** in Senate
27 amendments and that a Conference Committee be appointed was declared
28 **passed** by the following roll call vote:

Vacancy 1	YES	53	NO	09	EXCUSED	02	ABSENT	00
31	Berry	Y	Garcia	N	McCluskey	Y	Sinclair	Y
32	Borodkin	N	Hall	Y	McFadyen	Y	Smith	Y
33	Boyd	Y	Harvey	Y	Merrifield	Y	Spence	Y
34	Briggs	Y	Hefley	Y	Miller	Y	Stafford	Y
35	Brophy	Y	Hodge	Y	Mitchell	Y	Stengel	Y
36	Butcher	N	Hoppe	Y	Paccione	E	Tochtrop	Y
37	Cadman	Y	Jahn	Y	Plant	N	Veiga	N
38	Carroll	Y	Johnson	Y	Pommer	N	Vigil	N
39	Clapp	Y	Judd	N	Ragsdale	Y	Weddig	Y
40	Cloer	Y	King	Y	Rhodes	Y	Weissmann	Y
41	Coleman	Y	Larson	Y	Rippy	Y	White	Y
42	Crane	Y	Lee	Y	Romanoff	Y	Wiens	Y
43	Decker	Y	Lundberg	Y	Rose	Y	Williams S.	E
44	Fairbank	Y	Madden	Y	Salazar	Y	Williams T.	Y
45	Frangas	Y	Marshall	N			Witwer	Y
46	Fritz	Y	May	Y	Schultheis	Y	Young	Y
47							Speaker	Y

48 The Speaker appointed Representatives Rippy, Chairman, Williams T.
49 and Miller as House conferees to the bill.

50
51 **HB03-1107** by Representative(s) Johnson R.; also Senator(s) Johnson
52 S.--Concerning modifications to the consumer-directed
53 attendant support program.

54
55 (Amended as printed in Senate Journal, February 25, page 473.)

56

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

Vacancy 1	YES	57	NO	05	EXCUSED	02	ABSENT	00
5	Berry	Y	Garcia	Y	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	N	Stengel	Y
10	Butcher	Y	Hoppe	Y	Paccione	E	Tochtrop	Y
11	Cadman	N	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	N	Lee	N	Romanoff	Y	Wiens	Y
17	Decker	Y	Lundberg	Y	Rose	Y	Williams S.	E
18	Fairbank	Y	Madden	Y	Salazar	Y	Williams T.	Y
19	Frangas	Y	Marshall	Y			Witwer	Y
20	Fritz	Y	May	Y	Schultheis	N	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**.

Vacancy 1	YES	60	NO	02	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	Y	Hodge	Y	Mitchell	Y	Stengel	Y
34	Butcher	Y	Hoppe	Y	Paccione	E	Tochtrop	Y
35	Cadman	N	Jahn	Y	Plant	Y	Veiga	Y
36	Carroll	Y	Johnson	Y	Pommer	Y	Vigil	Y
37	Clapp	Y	Judd	Y	Ragsdale	Y	Weddig	Y
38	Cloer	Y	King	Y	Rhodes	Y	Weissmann	Y
39	Coleman	Y	Larson	Y	Rippy	Y	White	Y
40	Crane	Y	Lee	Y	Romanoff	Y	Wiens	Y
41	Decker	Y	Lundberg	Y	Rose	Y	Williams S.	E
42	Fairbank	Y	Madden	Y	Salazar	Y	Williams T.	Y
43	Frangas	Y	Marshall	Y			Witwer	Y
44	Fritz	Y	May	Y	Schultheis	N	Young	Y
45							Speaker	Y

46 Co-sponsors added: Representatives Boyd, Butcher, Tochtrop.

47
 48 **HB03-1098** by Representative(s) White, Marshall, Berry, Groff,
 49 Larson, Paccione, Rippy, Romanoff, Salazar, Stengel,
 50 Wiens, Williams T., Young; also Senator(s) Chlouber--
 51 Concerning the addition of wireless telephone service
 52 subscribers to the Colorado no-call list.

53
 54 (Amended as printed in Senate Journal, February 28, page 507.)
 55

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

	Vacancy 1	YES	62	NO	00	EXCUSED	02	ABSENT	00
3									
4									
5	Berry	Y		Garcia	Y	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	E	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.	E
18	Fairbank	Y		Madden	Y	Salazar	Y	Williams T.	Y
19	Frangas	Y		Marshall	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**.

	Vacancy 1	YES	58	NO	04	EXCUSED	02	ABSENT	00
27									
28									
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	Y		Hodge	Y	Mitchell	N	Stengel	Y
34	Butcher	Y		Hoppe	Y	Paccione	E	Tochtrop	Y
35	Cadman	Y		Jahn	Y	Plant	Y	Veiga	Y
36	Carroll	Y		Johnson	Y	Pommer	Y	Vigil	Y
37	Clapp	Y		Judd	Y	Ragsdale	Y	Weddig	Y
38	Cloer	Y		King	Y	Rhodes	Y	Weissmann	Y
39	Coleman	Y		Larson	Y	Rippy	Y	White	Y
40	Crane	Y		Lee	N	Romanoff	Y	Wiens	Y
41	Decker	Y		Lundberg	N	Rose	Y	Williams S.	E
42	Fairbank	Y		Madden	Y	Salazar	Y	Williams T.	Y
43	Frangas	Y		Marshall	Y			Witwer	Y
44	Fritz	Y		May	Y	Schultheis	N	Young	Y
45								Speaker	Y

46 Co-sponsors added: Representatives Carroll, Hoppe, May, Mitchell, Spence.

47
48 **HB03-1093** by Representative(s) Berry, Rippy, Rose, Salazar, White,
49 Decker, McFadyen, Miller, Smith, Vigil; also Senator(s)
50 Teck--Concerning the governance of state colleges within
51 the Colorado higher education system.

52
53 (Amended as printed in Senate Journal, February 28, page 508.)

54
55 Representative Berry moved that the House **concur** in Senate amend-
56 ments. The motion was declared **passed** by the following roll call vote:

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

	Vacancy 1	YES	62	NO	00	EXCUSED	02	ABSENT	00
25									
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	Y		Hodge	Y	Mitchell	Y	Stengel	Y
31	Butcher	Y		Hoppe	Y	Paccione	E	Tochtrop	Y
32	Cadman	Y		Jahn	Y	Plant	Y	Veiga	Y
33	Carroll	Y		Johnson	Y	Pommer	Y	Vigil	Y
34	Clapp	Y		Judd	Y	Ragsdale	Y	Weddig	Y
35	Cloer	Y		King	Y	Rhodes	Y	Weissmann	Y
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.	E
39	Fairbank	Y		Madden	Y	Salazar	Y	Williams T.	Y
40	Frangas	Y		Marshall	Y			Witwer	Y
41	Fritz	Y		May	Y	Schultheis	Y	Young	Y
42								Speaker	Y

43 Co-sponsors added: Representatives Hefley, Spence.

45 **HB03-1037** by Representative(s) Romanoff; also Senator(s) Arnold--
 46 Concerning the reporting of child abuse or neglect.

48 (Amended as printed in Senate Journal, March 3, page 522.)

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

	Vacancy 1	YES	46	NO	16	EXCUSED	02	ABSENT	00
53									
54	Berry	Y		Garcia	Y	McCluskey	Y	Sinclair	Y
55	Borodkin	Y		Hall	Y	McFadyen	Y	Smith	Y
56	Boyd	Y		Harvey	Y	Merrifield	Y	Spence	Y

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

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

20									
21	Vacancy 1	YES	42	NO	20	EXCUSED	02	ABSENT	00
22	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	N	
23	Borodkin	Y	Hall	N	McFadyen	Y	Smith	Y	
24	Boyd	Y	Harvey	N	Merrifield	Y	Spence	N	
25	Briggs	Y	Hefley	Y	Miller	Y	Stafford	N	
26	Brophy	N	Hodge	Y	Mitchell	N	Stengel	Y	
27	Butcher	Y	Hoppe	N	Paccione	E	Tochtrop	Y	
28	Cadman	N	Jahn	Y	Plant	Y	Veiga	Y	
29	Carroll	Y	Johnson	Y	Pommer	Y	Vigil	Y	
30	Clapp	N	Judd	Y	Ragsdale	Y	Weddig	Y	
31	Cloer	N	King	N	Rhodes	Y	Weissmann	Y	
32	Coleman	Y	Larson	Y	Rippy	Y	White	Y	
33	Crane	N	Lee	N	Romanoff	Y	Wiens	Y	
34	Decker	N	Lundberg	N	Rose	N	Williams S.	E	
35	Fairbank	N	Madden	Y	Salazar	Y	Williams T.	Y	
36	Frangas	Y	Marshall	Y			Witwer	Y	
37	Fritz	N	May	Y	Schultheis	N	Young	Y	
38							Speaker	Y	

39 Co-sponsors added: Representatives Butcher, Carroll, Weddig.

40
 41 **HB03-1192** by Representative(s) Rhodes; also Senator(s) Sandoval--
 42 Concerning actions taken by the Colorado state board of
 43 chiropractic examiners that affect a chiropractor's
 44 licensing status.

45
 46 (Amended as printed in Senate Journal, March 3, page 522.)

47
 48 Representative Rhodes moved that the House **concur** in Senate amend-
 49 ments. The motion was declared **passed** by the following roll call vote:

50									
51	Vacancy 1	YES	62	NO	00	EXCUSED	02	ABSENT	00
52	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y	
53	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y	
54	Boyd	Y	Harvey	Y	Merrifield	Y	Spence	Y	
55	Briggs	Y	Hefley	Y	Miller	Y	Stafford	Y	
56	Brophy	Y	Hodge	Y	Mitchell	Y	Stengel	Y	

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

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

19	Vacancy 1	YES	62	NO	00	EXCUSED	02	ABSENT	00
20	Berry	Y		Garcia	Y	McCluskey	Y	Sinclair	Y
21	Borodkin	Y		Hall	Y	McFadyen	Y	Smith	Y
22	Boyd	Y		Harvey	Y	Merrifield	Y	Spence	Y
23	Briggs	Y		Hefley	Y	Miller	Y	Stafford	Y
24	Brophy	Y		Hodge	Y	Mitchell	Y	Stengel	Y
25	Butcher	Y		Hoppe	Y	Paccione	E	Tochtrop	Y
26	Cadman	Y		Jahn	Y	Plant	Y	Veiga	Y
27	Carroll	Y		Johnson	Y	Pommer	Y	Vigil	Y
28	Clapp	Y		Judd	Y	Ragsdale	Y	Weddig	Y
29	Cloer	Y		King	Y	Rhodes	Y	Weissmann	Y
30	Coleman	Y		Larson	Y	Rippy	Y	White	Y
31	Crane	Y		Lee	Y	Romanoff	Y	Wiens	Y
32	Decker	Y		Lundberg	Y	Rose	Y	Williams S.	E
33	Fairbank	Y		Madden	Y	Salazar	Y	Williams T.	Y
34	Frangas	Y		Marshall	Y			Witwer	Y
35	Fritz	Y		May	Y	Schultheis	Y	Young	Y
36								Speaker	Y

37
 38
 39
 40 On motion of Representative King, **HB03-1250, 1313, 1251, 1236,**
 41 **SB03-147, 137, 002, 029, 089, 097** were added to the Special Orders
 42 calendar on Friday, March 7, 2003.

43
 44
 45 On motion of Representative Fritz, the House resolved itself into
 46 Committee of the Whole for consideration of Special Orders and he was
 47 called to the Chair to act as Chairman.

50 SPECIAL ORDERS--SECOND READING OF BILLS

51
 52 The Committee of the Whole having risen, the Chairman reported the
 53 titles of the following bills had been read (reading at length had been
 54 dispensed with by unanimous consent), the bills considered and action
 55 taken thereon as follows:
 56

- 1 (Amendments to the committee amendment are to the printed committee
2 report which was printed and placed in the members' bill file.)
3
- 4 **SB03-117** by Senator(s) Cairns; also Representative(s) Spence--
5 Concerning the schedule by which the department of
6 education releases school accountability reports.
7
- 8 Amendment No. 1, Education Report, dated March 3, 2003, and placed
9 in member's bill file; Report also printed in House Journal, March 4,
10 page 103.
11
- 12 As amended, ordered revised and placed on the Calendar for Third
13 Reading and Final Passage.
14
- 15 **HB03-1312** by Representative(s) Larson, Decker, Groff, Jahn, Judd,
16 Lee, Marshall, Romanoff, Rose, Smith, Stengel, White,
17 Witwer; also Senator(s) Anderson--Concerning the
18 authority to direct the disposition of a person's last
19 remains.
20
- 21 Amendment No. 1, Judiciary Report, dated February 27, 2003, and placed
22 in member's bill file; Report also printed in House Journal, March 3,
23 pages 1008-101.
24
- 25 As amended, ordered engrossed and placed on the Calendar for Third
26 Reading and Final Passage.
27
- 28 **HB03-1250** by Representative(s) Sinclair, King, Schultheis; also
29 Senator(s) Cairns--Concerning the procedure for awarding
30 science and technology education center grants by the
31 state board of education from recommendations by the
32 science and technology education center grants advisory
33 board.
34
- 35 Amendment No. 1, Education Report, dated February 19, 2003, and
36 placed in member's bill file; Report also printed in House Journal,
37 February 20, page 827.
38
- 39 As amended, declared **lost** on Second Reading.
40 (For change in action, see Amendments to Report, page 1073.)
41
- 42 **HB03-1313** by Representative(s) Wiens, May M., Harvey; also
43 Senator(s) Evans, Lamborn--Concerning the exclusion of
44 particular regions from the motor vehicle emissions
45 program area by rule promulgated by the air quality
46 control commission.
47
- 48 Amendment No. 1, Transportation & Energy Report, dated February 27,
49 2003, and placed in member's bill file; Report also printed in House
50 Journal, February 28, page 969.
51
- 52 Amendment No. 2, by Representative Wiens.
53
- 54 Amend the Transportation and Energy Committee Report, dated February
55 27, 2003, page 1, strike line 1 and substitute the following:
56

1 "Amend printed bill, page 2, strike lines 23 and 24 and substitute
2 "PROGRAM AREA AND SHALL SUBMIT A REPORT TO THE GENERAL
3 ASSEMBLY ON OR BEFORE DECEMBER 31, 2004, CONTAINING A
4 RECOMMENDATION REGARDING ANY PROPOSED ADJUSTMENTS TO SUCH
5 BOUNDARIES TO EXCLUDE".

6
7 Page 3, strike lines 4 through 15.

8
9 Renumber succeeding section accordingly."

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

13
14 **HB03-1251** by Representative(s) Boyd; also Senator(s) Cairns--
15 Concerning the creation of the auto theft prevention
16 authority.

17
18 Amendment No. 1, Business Affairs & Labor Report, dated February 19,
19 2003, and placed in member's bill file; Report also printed in House
20 Journal, February 20, pages 825-827.

21
22 Amendment No. 2, Appropriations Report, dated February 28, 2003, and
23 placed in member's bill file; Report also printed in House Journal,
24 March 3, page 999.

25
26 As amended, ordered engrossed and placed on the Calendar for Third
27 Reading and Final Passage.

28
29 **HB03-1236** by Representative(s) Hefley; also Senator(s) Dyer--Con-
30 cerning strengthening Colorado's substantive criminal law.

31
32 Amendment No. 1, by Representative Hefley.

33
34 Strike the Judiciary Committee Report, dated February 27, 2003, and
35 substitute the following:

36
37 "Amend printed bill, page 25, strike lines 23 through 27.

38
39 Page 26, strike lines 1 through 6.

40
41 Renumber succeeding sections accordingly."

42
43 As amended, ordered engrossed and placed on the Calendar for Third
44 Reading and Final Passage.

45
46 **SB03-147** by Senator(s) Dyer; also Representative(s) Hefley--
47 Concerning strengthening Colorado's criminal procedure
48 laws.

49
50 Amendment No. 1, Judiciary Report, dated February 27, 2003, and placed
51 in member's bill file; Report also printed in House Journal, March 3,
52 page 1010.

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

56

1 **SB03-137** by Senator(s) Arnold; also Representative(s) Spence--
 2 Concerning modifications to deadlines involving the
 3 conversion of unsatisfactory schools.
 4

5 Ordered revised and placed on the Calendar for Third Reading and Final
 6 Passage.
 7

8 **SB03-002** by Senator(s) Owen; also Representative(s) Smith--
 9 Concerning a nonsubstantive recodification of statutes
 10 relating to the powers of the department of public health
 11 and environment.
 12

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

16 **SB03-029** by Senator(s) Jones; also Representative(s) Hall--
 17 Concerning a flexible pay schedule that allows certain
 18 county employees to be paid more often than one time
 19 each month.
 20

21 Ordered revised and placed on the Calendar for Third Reading and Final
 22 Passage.
 23

24 **SB03-089** by Senator(s) Phillips; also Representative(s) Hall--
 25 Concerning modifications to the notice requirements
 26 applicable to the formation of certain political subdivisions
 27 that are authorized to levy ad valorem taxes.
 28

29 Ordered revised and placed on the Calendar for Third Reading and Final
 30 Passage.
 31

32 **SB03-097** by Senator(s) Takis, Hagedorn; also Representative(s)
 33 Stafford--Concerning reconsideration of the parole
 34 application of a person convicted of certain crimes of
 35 violence.
 36

37 Amendment No. 1, Judiciary Report, dated March 4, 2003, and placed in
 38 member's bill file; Report also printed in House Journal, March 5,
 39 page 1038.
 40

41 As amended, ordered revised and placed on the Calendar for Third
 42 Reading and Final Passage.
 43

44
 45 **AMENDMENTS TO THE COMMITTEE OF THE WHOLE REPORT**
 46

47 Representative Sinclair moved to amend the Report of the Committee of
 48 the Whole to show that HB03-1250, as amended, did pass.
 49

50 The amendment was declared **passed** by the following roll call vote:
 51

Vacancy 1	YES	34	NO	27	EXCUSED	03	ABSENT	00
Berry	Y		Garcia	N	McCluskey	Y	Sinclair	Y
Borodkin	N		Hall	Y	McFadyen	N	Smith	Y
Boyd	N		Harvey	Y	Merrifield	N	Spence	Y
Briggs	Y		Hefley	Y	Miller	Y	Stafford	Y

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

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

18 Passed Second Reading: **SB03-117 amended, HB03-1312 amended,**
 19 **1250 amended, 1313 amended, 1251 amended, 1236 amended,**
 20 **SB03-147 amended, 137, 002, 029, 089, 097 amended.**

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

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

REPORTS OF COMMITTEES OF REFERENCE

APPROPRIATIONS

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

54 **HB03-1016** be referred to the Committee of the Whole with favorable
 55 recommendation.
 56

1 **HB03-1021** be amended as follows, and as so amended, be referred to
2 the Committee of the Whole with favorable
3 recommendation:
4

5 Amend the Education Committee Report, dated January 15, 2003, strike
6 line 10 and substitute the following:
7

8 "EXECUTING DUTIES REQUIRED BY THIS SECTION. THE STATE TREASURER
9 SHALL DEPOSIT ANY FEES RECEIVED INTO THE STATE CHARTER SCHOOL
10 INTEREST SAVINGS ACCOUNT OF THE STATE CHARTER SCHOOL DEBT
11 RESERVE FUND."
12

13 Page 7, after line 14, insert the following:
14

15 "(a.5) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (a) OF
16 THIS SUBSECTION (4), FEES DEPOSITED INTO THE STATE CHARTER SCHOOL
17 INTEREST SAVINGS ACCOUNT OF THE STATE CHARTER SCHOOL DEBT
18 RESERVE FUND PURSUANT TO PARAGRAPH (b) OF SUBSECTION (3) OF THIS
19 SECTION MAY BE EXPENDED BY THE STATE TREASURER FOR THE PURPOSE
20 OF DEFRAYING ANY DIRECT AND INDIRECT ADMINISTRATIVE COSTS
21 INCURRED BY THE STATE TREASURER IN EXECUTING DUTIES REQUIRED BY
22 THIS SECTION."
23

24 Page 14, after line 12, insert the following:
25

26 "**SECTION 6. Appropriation.** In addition to any other
27 appropriation, there is hereby appropriated, out of any moneys in the state
28 charter school interest savings account of the state charter school debt
29 reserve fund, created in section 22-30.5-407 (2) (b), Colorado Revised
30 Statutes, not otherwise appropriated, to the department of the treasury, for
31 the fiscal year beginning July 1, 2003, the sum of twenty thousand dollars
32 (\$20,000), or so much thereof as may be necessary, for the
33 implementation of this act."
34

35 Renumber succeeding section accordingly.
36

37 Page 1, line 104, strike "AUTHORITY." and substitute "AUTHORITY, AND
38 MAKING AN APPROPRIATION IN CONNECTION THEREWITH."
39

40
41
42 **HB03-1056** be amended as follows, and as so amended, be referred to
43 the Committee of the Whole with favorable
44 recommendation:
45

46 Amend printed bill, page 2, after line 8, insert the following:
47

48 "**SECTION 3. Appropriation.** In addition to any other
49 appropriation, there is hereby appropriated, out of any moneys in the
50 solid waste management fund, created in section 30-20-118, Colorado
51 Revised Statutes, to the department of public health and environment,
52 hazardous materials and waste management division, for the fiscal year
53 beginning July 1, 2003, the sum of one hundred twenty-five thousand
54 dollars (\$125,000), or so much thereof as may be necessary, for the
55 implementation of this act."
56

1 Renumber succeeding section accordingly.

2

3 Page 1, line 102, strike "FEES." and substitute "FEES, AND MAKING AN
4 APPROPRIATION IN CONNECTION THEREWITH."

5

6

7

8 **HB03-1132** be amended as follows, and as so amended, be referred to
9 the Committee of the Whole with favorable
10 recommendation:

11

12 Amend printed bill, page 4, line 19, after "(6)", insert "(a)";

13

14 after line 20, insert the following:

15

16 "(b) "CONTRIBUTION" DOES NOT INCLUDE A GIFT OF MONEY
17 REPORTED PURSUANT TO SECTION 24-6-203 (3) (a) (II), C.R.S."

18

19 Page 11, strike lines 4 through 27.

20

21 Page 12, strike lines 1 through 22.

22

23 Page 13, strike lines 11 through 27 and substitute the following:

24

25 "SECTION 7. 24-6-203 (3) (a), Colorado Revised Statutes, is
26 amended to read:

27

28 **24-6-203. Reporting by incumbents and elected candidates -**
29 **gifts, honoraria, and other benefits - penalty.** (3) The report required
30 by subsection (2) of this section shall include the following:

31

32 (a) (I) Any money, including but not limited to a loan, pledge, or
33 advance of money or a guarantee of a loan of money, with a value of
34 twenty-five dollars or more; AND

35

36 (II) ANY MONEY GIVEN TO AN INCUMBENT IN OR CANDIDATE
37 ELECTED TO PUBLIC OFFICE FOR THE PURPOSE OF DEFRAYING REASONABLE
38 AND NECESSARY EXPENSES DIRECTLY RELATED TO SUCH INCUMBENT'S OR
39 ELECTED CANDIDATE'S OFFICIAL DUTIES AS AN ELECTED OFFICIAL OR TO
40 THE ESTABLISHMENT OR MAINTENANCE BY THE CANDIDATE OR ELECTED
41 OFFICIAL OF A GOVERNMENTAL OFFICE AND WHICH EXPENSES ARE NOT
42 RELATED TO THE PROMOTION OF THE INCUMBENT'S OR ELECTED
43 CANDIDATE'S NOMINATION, RETENTION, RECALL, OR ELECTION, AND THE
44 AMOUNT, DATE, AND PURPOSE OF EACH PAYMENT OR DISTRIBUTION FROM
45 SUCH MONEYS. SUCH EXPENSES MAY INCLUDE, WITHOUT LIMITATION,
46 LEGAL FEES INCURRED BY THE INCUMBENT OR ELECTED CANDIDATE
47 ARISING OUT OF A COMPLAINT FILED UNDER SECTION 9 OF ARTICLE XXVIII
48 OF THE STATE CONSTITUTION.

49

50 **SECTION 8.** 24-18-104 (3), Colorado Revised Statutes, is
51 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

52

53 **24-18-104. Rules of conduct for all public officers, members of**
54 **the general assembly, local government officials, and employees.**

55 (3) The following shall not be considered gifts of substantial value or
56 gifts of substantial economic benefit tantamount to gifts of substantial

1 value for purposes of this section:

2

3 (i) A GIFT OF MONEY REPORTED AS REQUIRED BY SECTION 24-6-203
4 (3) (a) (II)."

5

6 Page 14, strike lines 1 through 11.

7

8 Renumber succeeding sections accordingly.

9

10

11

12 **HB03-1137** be amended as follows, and as so amended, be referred to
13 the Committee of the Whole with favorable
14 recommendation:

15

16 Amend printed bill, page 16, after line 25, insert the following:

17

18 **"SECTION 4. Appropriation.** In addition to any other
19 appropriation, there is hereby appropriated, out of any moneys in the
20 general fund not otherwise appropriated, to the department of revenue, for
21 the fiscal year beginning July 1, 2003, the sum of seven hundred twenty-
22 three dollars (\$723), or so much thereof as may be necessary, for the
23 implementation of this act."

24

25 Renumber succeeding section accordingly.

26

27

28

29 **HB03-1147** be amended as follows, and as so amended, be referred to
30 the Committee of the Whole with favorable
31 recommendation:

32

33 Amend the Finance Committee Report, dated February 5, 2003, page 1,
34 strike line 2 and substitute the following:

35

36 "Strike pages 3 and 4.

37

38 Page 5, strike lines 1 through 26 and substitute the following:"

39

40 Page 2, line 20, strike "sections" and substitute "section";

41

42 strike lines 21 through 28.

43

44

45

46 **HB03-1238** be referred to the Committee of the Whole with favorable
47 recommendation.

48

49

50 **HB03-1249** be referred to the Committee of the Whole with favorable
51 recommendation.

52

53

54

55

1 **JUDICIARY**

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

4
5 **HB03-1317** be referred favorably to the Committee on Appropriations.
6

7
8 **SB03-133** be amended as follows, and as so amended, be referred to
9 the Committee of the Whole with favorable
10 recommendation:

11
12 Amend reengrossed bill, page 27, strike line 12 and substitute the
13 following:

14
15 "nuisance OR PRIOR SIMILAR CONDUCT,";

16
17 line 13, strike "CLAIM FOR FORFEITURE,".
18

19 Page 28, strike line 25 and substitute the following:

20 "criminal activity OR PRIOR SIMILAR CONDUCT,";

21
22 line 26, strike "TO A CLAIM OF FORFEITURE,".
23

24 Page 31, line 25, after "TO", insert "ALL", and after "RECORD.", insert
25 "THE PURCHASE OF THE PROPERTY BY THE SUCCESSFUL BIDDER UNDER
26 THIS SUBSECTION (3.5) SHALL BE CONDITIONED ON THE BIDDER SATISFYING
27 AND OBTAINING THE RELEASE OF THE FIRST AND SECOND PRIORITY LIENS
28 WITHIN SIXTY DAYS OF THE SALE, OR OBTAINING WRITTEN AUTHORIZATION
29 FROM THOSE LIEN HOLDERS FOR THE BIDDER TO RECEIVE THE SHERIFF'S
30 DEED WHICH SHALL BE ISSUED AFTER SUCH SATISFACTION OR
31 AUTHORIZATION."
32

33 Page 32, strike lines 12 through 20 and substitute the following:

34
35 "(2) Title to real or personal property subject to forfeiture
36 pursuant to the provisions of this section shall vest in the state and the
37 seizing agency at THE EARLIEST OF: FOR CURRENCY, THE TIME OF THE
38 COMMISSION OF THE PUBLIC NUISANCE ACT; the time of the physical
39 seizure of said property, EXCEPT FOR REAL PROPERTY; THE TIME OF FILING
40 OF A NOTICE OF SEIZURE, AS PROVIDED IN SUBSECTION (3) OF THIS
41 SECTION; THE TIME OF THE FILING OF A NOTICE OF LIS PENDENS ON REAL
42 PROPERTY; or at the time of the issuance of court process for seizure of
43 property, AS AGAINST ANYONE WITH PRIOR ACTUAL NOTICE THEREOF.
44 ~~whichever is earlier.~~";
45

46 line 24, strike "MAY" and substitute "SHALL".
47

48 Page 33, line 15, strike "NULL AND VOID" and substitute "SUBJECT TO THE
49 FORFEITURE ACTION".
50

51 Page 34, line 6, strike "16-13-701 (1)," and substitute "16-13-701 (1) and
52 (4)," and strike "is" and substitute "are".
53

54 Page 35, after line 2, insert the following:

55
56 "(4) The alcohol and drug abuse division in the department of

1 human services shall prepare an annual accounting report of moneys
2 received by the managed service organization pursuant to section
3 16-13-311 (3) (a) (VII) (B), including revenues, expenditures, beginning
4 and ending balances, and services provided. The alcohol and drug abuse
5 division shall provide this information in its annual ~~briefing to the joint~~
6 ~~budget committee~~ REPORT PURSUANT TO SECTION 25-1-210, C.R.S. ".
7
8
9

10 **PRINTING REPORT**

11
12 The Chief Clerk reports the following bill has been correctly printed:
13 **HB03-1330.**
14

15
16
17 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

18
19 The Speaker has signed: **SJR03-018, 019, 020, 024.**
20
21

22
23 **MESSAGE FROM THE SENATE**

24
25 Madam Speaker:

26
27 The Senate has postponed indefinitely and returns herewith: HB03-1174.
28
29

30
31 **LAY OVER OF CALENDAR ITEMS**

32
33 On motion of Representative King, the following items on the Calendar
34 were laid over until March 10, retaining place on Calendar:
35

36 Consideration of General Orders--**SB03-155, HB03-1311, 1086,**
37 **SB03-053, 158, 025, 164.**

38 Consideration of Resolutions--**SJR03-017, HJR03-1024, 1025, 1016,**
39 **1017, 1020, SJR03-012, 025, 022.**
40
41

42
43 On motion of Representative King, the House adjourned until 10:00 a.m.,
44 March 10, 2003.
45

46
47 Approved:

48
49
50 **LOLA SPRADLEY,**
51 **Speaker**

52 Attest:

53
54 **JUDITH RODRIGUE,**
55 **Chief Clerk**