

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

One Hundred-seventh Legislative Day                      Thursday, April 24, 2003

1 Prayer by Lieutenant Bruce Porter, Civil Air Patrol.

2

3 The Speaker called the House to order at 9:00 a.m.

4

5 Pledge of Allegiance led by Representative Lt. Col. William Gentry,  
6 Mustang Cadet Squadron, Colorado Wing Civil Air Patrol.

7

8 The roll was called with the following result:

9

10 Present--63.

11 Excused--Representatives Madden, Plant--2.

12 Present after roll call--Representative Madden.

13

14 The Speaker declared a quorum present.

15

16

17 On motion of Representative Rose, the reading of the journal of April 23,  
18 2003, was declared dispensed with and approved as corrected by the  
19 Chief Clerk.

20

21

22

23

24

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

25

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

29

30 **SB03-121** by Senator(s) McElhany; also Representative(s)  
31 Williams T.--Concerning the preparation of a cost-benefit  
32 analysis of rules proposed for adoption by state agencies  
33 under the "State Administrative Procedure Act" to  
34 determine the impact of the proposed rules on the state's  
35 economy.

36

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

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

41

42

	YES	56	NO	08	EXCUSED	01	ABSENT	00
1								
2	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
3	Borodkin	Y	Garcia	Y	McCluskey	Y	Smith	Y
4	Boyd	Y	Hall	Y	McFadyen	Y	Spence	Y
5	Briggs	Y	Harvey	Y	Merrifield	Y	Stafford	Y
6	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
7	Butcher	N	Hodge	Y	Mitchell	Y	Tochtrop	N
8	Cadman	Y	Hoppe	Y	Paccione	Y	Veiga	N
9	Carroll	N	Jahn	Y	Plant	E	Vigil	Y
10	Cerbo	N	Johnson	Y	Pommer	Y	Weddig	Y
11	Clapp	Y	Judd	N	Ragsdale	Y	Weissmann	N
12	Cloer	Y	King	Y	Rhodes	Y	White	Y
13	Coleman	Y	Larson	Y	Rippy	Y	Wiens	Y
14	Crane	Y	Lee	Y	Romanoff	Y	Williams S.	Y
15	Decker	Y	Lundberg	Y	Rose	Y	Williams T.	Y
16	Fairbank	Y	Madden	Y	Salazar	Y	Witwer	Y
17	Frangas	N	Marshall	Y	Schultheis	Y	Young	Y
18							Speaker	Y

19 Co-sponsors added: Representatives Brophy, Crane, Lee, Mitchell.

20  
21  
22 **HB03-1363** by Representative(s) King, Lundberg, Stafford, Briggs,  
23 Brophy, Cadman, Carroll, Clapp, Cloer, Crane, Fairbank,  
24 Fritz, Hall, Harvey, Hoppe, Lee, May M., Mitchell,  
25 Paccione, Rhodes, Rose, Schultheis, Sinclair, Smith,  
26 Spence, Spradley, Wiens, Witwer; also Senator(s)  
27 Andrews, Hagedorn, Lamborn, Owen, Teck, May R.--  
28 Concerning repeal of provisions that discriminate against  
29 religious entities in the receipt of services from the  
30 Colorado educational and cultural facilities authority.

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

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

	YES	42	NO	22	EXCUSED	01	ABSENT	00
37								
38	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
39	Borodkin	N	Garcia	N	McCluskey	Y	Smith	Y
40	Boyd	Y	Hall	Y	McFadyen	N	Spence	Y
41	Briggs	Y	Harvey	Y	Merrifield	Y	Stafford	Y
42	Brophy	Y	Hefley	Y	Miller	Y	Stengel	N
43	Butcher	N	Hodge	N	Mitchell	Y	Tochtrop	N
44	Cadman	Y	Hoppe	Y	Paccione	Y	Veiga	N
45	Carroll	Y	Jahn	Y	Plant	E	Vigil	N
46	Cerbo	N	Johnson	N	Pommer	N	Weddig	N
47	Clapp	Y	Judd	N	Ragsdale	N	Weissmann	N
48	Cloer	Y	King	Y	Rhodes	Y	White	Y
49	Coleman	N	Larson	N	Rippy	Y	Wiens	Y
50	Crane	Y	Lee	Y	Romanoff	N	Williams S.	N
51	Decker	Y	Lundberg	Y	Rose	Y	Williams T.	Y
52	Fairbank	Y	Madden	N	Salazar	Y	Witwer	Y
53	Frangas	Y	Marshall	N	Schultheis	Y	Young	Y
54							Speaker	Y

55 Co-sponsor added: Representative Hefley.

1 **HB03-1359** by Representative(s) Stafford; also Senator(s) Johnson S.--  
 2 Concerning the discontinuation of in-home support  
 3 services for a medical assistance recipient when other care  
 4 has not been secured for that recipient.

5  
 6 The question being "Shall the bill pass?".  
 7 A roll call vote was taken. As shown by the following recorded vote, a  
 8 majority of those elected to the House voted in the affirmative and the bill  
 9 was declared **passed**.

	YES	64	NO	00	EXCUSED	01	ABSENT	00
12	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
13	Borodkin	Y	Garcia	Y	McCluskey	Y	Smith	Y
14	Boyd	Y	Hall	Y	McFadyen	Y	Spence	Y
15	Briggs	Y	Harvey	Y	Merrifield	Y	Stafford	Y
16	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
17	Butcher	Y	Hodge	Y	Mitchell	Y	Tochtrop	Y
18	Cadman	Y	Hoppe	Y	Paccione	Y	Veiga	Y
19	Carroll	Y	Jahn	Y	Plant	E	Vigil	Y
20	Cerbo	Y	Johnson	Y	Pommer	Y	Weddig	Y
21	Clapp	Y	Judd	Y	Ragsdale	Y	Weissmann	Y
22	Cloer	Y	King	Y	Rhodes	Y	White	Y
23	Coleman	Y	Larson	Y	Rippy	Y	Wiens	Y
24	Crane	Y	Lee	Y	Romanoff	Y	Williams S.	Y
25	Decker	Y	Lundberg	Y	Rose	Y	Williams T.	Y
26	Fairbank	Y	Madden	Y	Salazar	Y	Witwer	Y
27	Frangas	Y	Marshall	Y	Schultheis	Y	Young	Y
28							Speaker	Y

29 Co-sponsors added: Representatives Frangas, Paccione.

30  
 31 **SB03-294** by Senator(s) Teck, Owen, Reeves; also Representative(s)  
 32 Witwer, Plant, Young--Concerning pharmaceutical  
 33 benefits administered through the state's medical  
 34 assistance program, and, in connection therewith,  
 35 requiring the state to implement drug utilization  
 36 mechanisms for the medical assistance program, and  
 37 making an appropriation in connection therewith .

38  
 39 The question being "Shall the bill pass?".  
 40 A roll call vote was taken. As shown by the following recorded vote, a  
 41 majority of those elected to the House voted in the affirmative and the bill  
 42 was declared **passed**.

	YES	64	NO	00	EXCUSED	01	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	Y
52	Carroll	Y	Jahn	Y	Plant	E	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	Y	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

6 Co-sponsors added: Representatives Boyd, Butcher, Cloer, Fairbank, Hefley,  
7 Madden, McFadyen, Mitchell, Paccione, Rhodes, Romanoff, Veiga.

8  
9

## 10 11 CONSIDERATION OF RESOLUTIONS

12

13 **HJR03-1049** by Representative(s) Tochtrop, Borodkin, Boyd, Butcher,  
14 Coleman, Fritz, Madden, Marshall, McCluskey, Pommer,  
15 Romanoff, Stafford, Weddig, Weissmann, Williams S.;  
16 also Senator(s) Takis--Concerning remembrance of the  
17 Armenian Genocide from 1915 to 1923, and, in  
18 connection therewith, designating April 24, 2003, and  
19 every year hereafter as "Colorado Day of Remembrance of  
20 the Armenian Genocide".

21

22 (Printed and placed in member's file, also printed in House Journal  
23 April 9, pages 1520-1522.)

24

25 On motion of Representative Tochtrop, the resolution was read at length  
26 and **adopted** by **viva voce** vote.

27

28 Co-sponsors added: Roll call of the House.

29

30 **HJR03-1060** by Representative(s) King, Spradley; also Senator(s)  
31 Anderson, Andrews--Concerning the creation of an  
32 interim committee to study the impact of various  
33 constitutional and statutory provisions on the ability of the  
34 state to provide programs and services to its citizens.

35

36 (Printed and placed in member's file, also printed in House Journal  
37 April 18, pages 1821-1823.)

38

39 On motion of Representative King, the resolution was **adopted** by **viva**  
40 **voce** vote.

41

42 Co-sponsors added: Representatives Berry, Borodkin, Boyd, Briggs, Cadman,  
43 Carroll, Coleman, Fairbank, Fritz, Garcia, Hall, Hodge, Hoppe, Jahn, Johnson,  
44 Larson, Lee, Madden, Marshall, McCluskey, McFadyen, Merrifield, Miller,  
45 Paccione, Ragsdale, Rhodes, Romanoff, Rose, Smith, Spence, Stafford, Stengel,  
46 Veiga, Vigil, Weddig, Weissmann, White, Williams S., Williams T., Young.

47

48

49

## 50 RECONSIDERATION OF SB03-275

51

52 **SB03-275** by Senator(s) Teck, Owen, Reeves; also Representative(s)  
53 Witwer, Plant, Young--Concerning the distribution of  
54 school accountability reports, and making an appropriation  
55 in connection therewith.

56

1 Representative Witwer moved to suspend House Rule 35(a) for the  
 2 purpose of reconsideration of the last House action (adoption of  
 3 Conference Committee Report and repassage, April 22, page 1904-1905)  
 4 on **SB03-275**. The motion was adopted with unanimous consent.

5  
 6 Having voted on the prevailing side, Representative Witwer moved for  
 7 reconsideration of repassage of SB03-275. As shown by the following  
 8 recorded vote, a two-thirds majority of those elected to the House voted  
 9 in the affirmative and the motion was declared **passed**.

10

11

	YES	64	NO	00	EXCUSED	01	ABSENT	00
12	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
13	Borodkin	Y	Garcia	Y	McCluskey	Y	Smith	Y
14	Boyd	Y	Hall	Y	McFadyen	Y	Spence	Y
15	Briggs	Y	Harvey	Y	Merrifield	Y	Stafford	Y
16	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
17	Butcher	Y	Hodge	Y	Mitchell	Y	Tochtrop	Y
18	Cadman	Y	Hoppe	Y	Paccione	Y	Veiga	Y
19	Carroll	Y	Jahn	Y	Plant	E	Vigil	Y
20	Cerbo	Y	Johnson	Y	Pommer	Y	Weddig	Y
21	Clapp	Y	Judd	Y	Ragsdale	Y	Weissmann	Y
22	Cloer	Y	King	Y	Rhodes	Y	White	Y
23	Coleman	Y	Larson	Y	Rippy	Y	Wiens	Y
24	Crane	Y	Lee	Y	Romanoff	Y	Williams S.	Y
25	Decker	Y	Lundberg	Y	Rose	Y	Williams T.	Y
26	Fairbank	Y	Madden	Y	Salazar	Y	Witwer	Y
27	Frangas	Y	Marshall	Y	Schultheis	Y	Young	Y
28							Speaker	Y

29

30

31

32

33

34

35

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

53

54

55

56

54 Representative Witwer moved that the House reject the First Report of  
 55 the First Conference Committee, discharge the First Conference  
 56 Committee, that a Second Conference Committee be appointed, and that

1 they be granted permission to go beyond the scope of the difference  
 2 between the House and Senate. The motion was declared **passed** by the  
 3 following roll call vote:

	YES	38	NO	26	EXCUSED	01	ABSENT	00
6	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
7	Borodkin	N	Garcia	N	McCluskey	Y	Smith	Y
8	Boyd	N	Hall	Y	McFadyen	N	Spence	Y
9	Briggs	Y	Harvey	N	Merrifield	N	Stafford	Y
10	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
11	Butcher	N	Hodge	N	Mitchell	Y	Tochtrop	N
12	Cadman	Y	Hoppe	Y	Paccione	N	Veiga	N
13	Carroll	N	Jahn	Y	Plant	E	Vigil	Y
14	Cerbo	N	Johnson	Y	Pommer	N	Weddig	N
15	Clapp	Y	Judd	N	Ragsdale	N	Weissmann	N
16	Cloer	N	King	Y	Rhodes	N	White	Y
17	Coleman	N	Larson	Y	Rippy	Y	Wiens	Y
18	Crane	Y	Lee	Y	Romanoff	N	Williams S.	Y
19	Decker	N	Lundberg	Y	Rose	Y	Williams T.	Y
20	Fairbank	Y	Madden	N	Salazar	Y	Witwer	Y
21	Frangas	Y	Marshall	N	Schultheis	N	Young	Y
22							Speaker	Y

23 The First Conference Committee was discharged and the Speaker  
 24 appointed Representatives Witwer Chairman, Young and Plant as House  
 25 conferees to the Second Conference Committee.

### 26 27 28 29 **CONSENT GRANTED TO CONFERENCE COMMITTEE**

30  
31 Representative Young moved that the First Conference Committee on  
 32 **SB03-268** be granted permission to go beyond the scope of the difference  
 33 between the House and the Senate. The motion was passed by the  
 34 following roll call vote:

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

54  
55  
56

1 On motion of Representative Lee, the House resolved itself into  
2 Committee of the Whole for consideration of Special Orders and he was  
3 called to the Chair to act as Chairman.

4

5

6

## SPECIAL ORDERS--SECOND READING OF BILLS

7

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

12

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

15

16 **HB03-1132** by Representative(s) Fairbank, Lee; also Senator(s)  
17 Hillman--Concerning modifications to the "Fair Campaign  
18 Practices Act" in furtherance of constitutional provisions  
19 addressing campaign finance enacted as article XXVIII of  
20 the state constitution by a vote of the people at the 2002  
21 general election.

22

23 Amendment No. 1, State, Veterans, & Military Affairs Report, dated  
24 January 28, 2003, and placed in member's bill file; Report also printed in  
25 House Journal, January 29, pages 228-229.

26

27 Amendment No. 2, Appropriations Report, dated March 7, 2003, and  
28 placed in member's bill file; Report also printed in House Journal,  
29 March 7, pages 1076-1077.

30

31 Amendment No. 3, by Representative Fairbank.

32

33 Amend the Appropriations Committee Report, dated March 7, 2003, page  
34 1, after line 2, insert the following:

35

36 ""(b) "CONTRIBUTION" INCLUDES, WITH REGARD TO A  
37 CONTRIBUTION FOR WHICH THE CONTRIBUTOR RECEIVES COMPENSATION  
38 OR CONSIDERATION OF LESS THAN EQUIVALENT VALUE TO SUCH  
39 CONTRIBUTION, INCLUDING, BUT NOT LIMITED TO, ITEMS OF PERISHABLE  
40 OR NONPERMANENT VALUE, GOODS, SUPPLIES, SERVICES, OR  
41 PARTICIPATION IN A CAMPAIGN-RELATED EVENT, AN AMOUNT EQUAL TO  
42 THE VALUE IN EXCESS OF SUCH COMPENSATION OR CONSIDERATION AS  
43 DETERMINED BY THE CANDIDATE COMMITTEE.";

44

45 line 3, strike ""(b)" and substitute "(c)";

46

47 after line 4, insert the following:

48

49 "Page 5, after line 22, insert the following:

50

51 "(18) "SUBSIDIARY" MEANS A CORPORATION THE VOTING STOCK OF  
52 WHICH IS WHOLLY OWNED BY ANOTHER CORPORATION."

53

54 Renumber succeeding subsection accordingly."

55

1 strike line 6 and substitute the following:

2

3 "Page 12, strike lines 1 through 22 and substitute the following:

4

5 **"1-45-103.7. Contribution limits.** NOTHING IN ARTICLE XXVIII  
6 OF THE STATE CONSTITUTION OR THIS ARTICLE SHALL BE CONSTRUED TO  
7 PROHIBIT A CORPORATION FROM MAKING A CONTRIBUTION TO A POLITICAL  
8 COMMITTEE.

9

10 **1-45-111.5. Duties of the secretary of state - enforcement.**

11 (1) THE SECRETARY OF STATE SHALL PROMULGATE SUCH RULES, IN  
12 ACCORDANCE WITH ARTICLE 4 OF TITLE 24, C.R.S., AS MAY BE NECESSARY  
13 TO ENFORCE AND ADMINISTER ANY PROVISION OF THIS ARTICLE.

14

15 (2) THE PREVAILING PARTY IN A PRIVATE ACTION BROUGHT TO  
16 ENFORCE THE PROVISIONS OF ARTICLE XXVIII OF THE STATE  
17 CONSTITUTION OR OF THIS ARTICLE SHALL BE ENTITLED TO THE RECOVERY  
18 OF SUCH PARTY'S REASONABLE ATTORNEY FEES AND COSTS."."

19

20 As amended, declared **lost** on Second Reading.

21 (For change in action, see Amendments to Report, page 1964.)

22

23 **SB03-253** by Senator(s) Chlouber; also Representative(s) White--  
24 Concerning the validation of certain parental liability  
25 waivers.

26

27 Amendment No. 1, by Representative Stengel.

28

29 Strike the House Judiciary Committee Report, dated April 22, 2003.

30

31 Amend reengrossed bill, page 3, line 27, strike "OMISSION." and substitute  
32 "OMISSION, A RECKLESS ACT OR OMISSION, OR A GROSSLY NEGLIGENT ACT  
33 OR OMISSION.".

34

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

37

38

39

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

41

42 Representatives Fairbank, May, Schultheis, Stafford moved to amend the  
43 Report of the Committee of the Whole to show that HB03-1132, as  
44 amended, did pass.

45

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

47

	YES	33	NO	31	EXCUSED	01	ABSENT	00
49	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
50	Borodkin	N	Garcia	N	McCluskey	Y	Smith	Y
51	Boyd	N	Hall	Y	McFadyen	N	Spence	Y
52	Briggs	Y	Harvey	Y	Merrifield	N	Stafford	Y
53	Brophy	Y	Hefley	Y	Miller	N	Stengel	Y
54	Butcher	N	Hodge	N	Mitchell	Y	Tochtrop	N
55	Cadman	Y	Hoppe	Y	Paccione	N	Veiga	N
56	Carroll	N	Jahn	N	Plant	E	Vigil	N



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

### ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Passed Second Reading: **HB03-1132 amended, SB03-253 amended.**

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

	YES	62	NO	02	EXCUSED	01	ABSENT	00
23	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
24	Borodkin	Y	Garcia	Y	McCluskey	Y	Smith	Y
25	Boyd	Y	Hall	Y	McFadyen	Y	Spence	Y
26	Briggs	Y	Harvey	Y	Merrifield	Y	Stafford	Y
27	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
28	Butcher	Y	Hodge	Y	Mitchell	Y	Tochtrop	Y
29	Cadman	Y	Hoppe	Y	Paccione	Y	Veiga	Y
30	Carroll	Y	Jahn	Y	Plant	E	Vigil	Y
31	Cerbo	N	Johnson	Y	Pommer	Y	Weddig	Y
32	Clapp	Y	Judd	N	Ragsdale	Y	Weissmann	Y
33	Cloer	Y	King	Y	Rhodes	Y	White	Y
34	Coleman	Y	Larson	Y	Rippy	Y	Wiens	Y
35	Crane	Y	Lee	Y	Romanoff	Y	Williams S.	Y
36	Decker	Y	Lundberg	Y	Rose	Y	Williams T.	Y
37	Fairbank	Y	Madden	Y	Salazar	Y	Witwer	Y
38	Frangas	Y	Marshall	Y	Schultheis	Y	Young	Y
39							Speaker	Y

### REPORTS OF COMMITTEES OF REFERENCE

#### EDUCATION

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

**SB03-304** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend reengrossed bill, page 6, after line 3, insert the following:

"**SECTION 4.** 23-54-102 (1) (a), (2), (3), and (4), Colorado Revised Statutes, are amended to read:

1           **23-54-102. Board of trustees - creation - members - powers -**  
2 **duties.** (1) (a) Effective July 1, 2002, there is established the board of  
3 trustees for Metropolitan state college of Denver, referred to in this article  
4 as the "board of trustees", which shall consist of ~~nine~~ ELEVEN members  
5 and shall be the governing authority for Metropolitan state college of  
6 Denver. The board of trustees created by this subsection (1) shall be, and  
7 is hereby declared to be, a body corporate and, as such and by the names  
8 designated in this section, may:  
9

10           (I) Acquire and hold property for the use of Metropolitan state  
11 college of Denver;

12  
13           (II) Be a party to all suits and contracts; and  
14

15           (III) Do all things necessary to carry out the provisions of this  
16 article in like manner as municipal corporations of this state, including  
17 but not limited to the power to demand, receive, hold, and use for the best  
18 interests of Metropolitan state college of Denver such money, lands, or  
19 other property as may be donated or devised to or for the college.  
20

21           (2) The governor shall appoint, with the consent of the senate,  
22 ~~seven~~ NINE members of the board of trustees. The members first  
23 appointed to said board shall take office on July 1, 2002. The terms of  
24 appointed members of the board of trustees shall be four years; except  
25 that, of the members first appointed, the governor shall select two  
26 members who shall serve one-year terms, two members who shall serve  
27 two-year terms, and ~~three~~ FIVE members who shall serve four-year terms.  
28 All appointed members shall serve until their successors are appointed  
29 and qualified.  
30

31           (3) A full-time junior or senior student at Metropolitan state  
32 college of Denver, elected by the student body at large, shall fill the  
33 ~~eighth~~ TENTH office as a member of the board of trustees. The term of  
34 said office shall be one year, beginning July 1, 2002, and beginning July  
35 1 each year thereafter. The elected student office shall be advisory,  
36 without the right to vote and without the right to attend executive sessions  
37 of the board of trustees, as provided by section 24-6-402, C.R.S. The  
38 elected student member of the board of trustees shall have resided in the  
39 state of Colorado not fewer than three years immediately prior to  
40 election. As used in this subsection (3), "full-time student" shall have the  
41 same definition as "full-time equivalent student" used by the joint budget  
42 committee of the general assembly.  
43

44           (4) A full-time member of the teaching faculty at large of  
45 Metropolitan state college of Denver, elected by the faculty at large, shall  
46 fill the ~~ninth~~ ELEVENTH office as a member of the board of trustees. The  
47 term of said office shall be one year, beginning July 1, 2002, and  
48 beginning July 1 each year thereafter. The elected faculty member of the  
49 board of trustees ~~shall have the right to vote but~~ shall be ADVISORY,  
50 without the right to VOTE AND WITHOUT THE RIGHT TO attend executive  
51 sessions of the board of trustees, as provided by section 24-6-402,  
52 C.R.S."  
53

54 Renumber succeeding sections accordingly.  
55  
56

1 **TRANSPORTATION & ENERGY**

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

4  
5 **HB03-1358** be amended as follows, and as so amended, be referred to  
6 the Committee of the Whole with favorable  
7 recommendation:

8  
9 Amend printed bill, page 4, line 13, strike "EXPLORATION" and substitute  
10 "EXPLORATION, PRODUCTION,";

11  
12 line 14, after "WATER", insert "OR WASTEWATER";

13  
14 line 19, strike "WASTE" and substitute "WASTE, WHICH MAY INCLUDE  
15 NATURALLY OCCURRING RADIOACTIVE MATERIAL AS DEFINED IN SECTION  
16 25-11-101 (2.7), AND TENORM AS DEFINED IN SUBSECTION (4) OF THIS  
17 SECTION,";

18  
19 line 23, strike "C.R.S. FACILITIES" and substitute "C.R.S., OR SECTION  
20 25-15-204 (6). SUCH SOLID WASTE DISPOSAL SITES OR FACILITIES" and,  
21 strike "BOTH";

22  
23 line 24, after "LICENSE", insert "OR OTHER REQUIRED DEPARTMENT  
24 APPROVAL".

25  
26 Page 6, line 3, strike "amended" and substitute "amended, and the said  
27 25-11-203 (3) is further amended BY THE ADDITION OF THE  
28 FOLLOWING NEW PARAGRAPHS,";

29  
30 line 5, strike "within five" and substitute "~~within five~~";

31  
32 line 6, strike "miles of a city or town" and substitute "~~miles of a city or  
33 town~~";

34  
35 line 11, after "than", insert "THE SUM OF";

36  
37 line 13, after "facilities", insert "PER SOURCE";

38  
39 line 24, strike "DEEMED NECESSARY BY THE DEPARTMENT," and substitute  
40 "RELEVANT TO THE PENDING APPLICATION,";

41  
42 line 27, strike "LOCAL".

43  
44 Page 7, line 1, strike "GOVERNMENTAL ENTITY" and substitute "BOARD OF  
45 COUNTY COMMISSIONERS OF THE COUNTY";

46  
47 line 6, after the period, insert "SUCH MEETINGS SHALL NOT BE HELD UNTIL  
48 THE DEPARTMENT DETERMINES THAT THE APPLICATION IS SUBSTANTIALLY  
49 COMPLETE.".

50  
51 Page 8, line 6, after the period, add "THE BOARD'S RESPONSE MAY  
52 CONSIDER WHETHER THE RECEIPT OR DISPOSAL OF THE CLASSIFIED WASTE  
53 WILL PRESENT ANY SUBSTANTIAL ADVERSE IMPACT UPON THE SAFETY OR  
54 MAINTENANCE OF TRANSPORTATION FACILITIES WITHIN THE STATE.";

55  
56 line 10, strike "OF APPROVAL FROM" and substitute "THAT";

- 1 line 11, after "BOARD", insert "HAS BEEN NOTIFIED" and, strike "CAN BE";  
2  
3 line 12, strike "DISPOSED" and substitute "IS BEING CONSIDERED FOR  
4 DISPOSAL".  
5  
6 Page 9, line 5, after "OF", insert "ALL OF";  
7  
8 line 24, strike "~~and~~" and substitute "and";  
9  
10 line 26, strike "alternatives;" and substitute "alternatives.";  
11  
12 strike line 27.  
13  
14 Page 10, strike lines 1 through 6;  
15  
16 line 9, after "approved", insert "~~such~~";  
17  
18 line 10, strike "such" and substitute "THE";  
19  
20 line 11, strike "disposal." and substitute "disposal OF CLASSIFIED WASTES  
21 THAT ARE SUBSTANTIALLY SIMILAR IN RADIOLOGICAL AND CHEMICAL  
22 CONTENT AND CONCENTRATIONS, AND THE WASTES DO NOT EXCEED ANY  
23 RADIOLOGICAL OR CHEMICAL CONTENT OR CONCENTRATIONS OF ALREADY  
24 ACCEPTED CLASSIFIED WASTE FOR PROCESSING OR DISPOSAL.";  
25  
26 line 13, strike "and" and substitute "~~and~~";  
27  
28 line 14, strike "section." and substitute "section, AND THE BOARD OF  
29 COUNTY COMMISSIONERS' RESPONSE TO THE ENVIRONMENTAL ASSESSMENT  
30 PREPARED PURSUANT TO SUBPARAGRAPH (III) OF PARAGRAPH (b) OF  
31 SUBSECTION (2) OF THIS SECTION. THE DEPARTMENT MAY ORDER  
32 REASONABLE MITIGATION MEASURES TO ADDRESS ANY SUBSTANTIAL  
33 ADVERSE IMPACTS IDENTIFIED BY THE BOARD OF COUNTY COMMISSIONERS  
34 OR MAY REFUSE TO TAKE ACTION WITH REGARD TO SUCH RESPONSE.";  
35  
36 strike line 15 and substitute the following:  
37 "WASTE SHALL";  
38  
39 line 20, strike "THE APPLICANT MAY NOT AMEND";  
40  
41 line 21, strike "THE APPLICATION."  
42  
43 Page 11, strike lines 10 through 16.  
44  
45 Page 12, strike lines 17 through 19.  
46  
47 Renumber succeeding subparagraph accordingly.  
48  
49 Page 12, after line 23, insert the following:  
50  
51 "(d) (I) AT LEAST SIXTY DAYS BEFORE A FACILITY PROPOSES TO  
52 RECEIVE OR DISPOSE OF CLASSIFIED WASTE AS DESCRIBED IN PARAGRAPH  
53 (b) OF SUBSECTION (1) OF THIS SECTION FROM A SOURCE OR LOCATION  
54 WITH RESPECT TO WHICH THE FACILITY HAS NOT PREVIOUSLY MADE SUCH  
55 RECEIPT OR DISPOSAL, THE FACILITY SHALL PROVIDE THE DEPARTMENT  
56 AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY IN WHICH

1 THE CLASSIFIED WASTE IS PROPOSED TO BE SO RECEIVED OR DISPOSED OF  
2 WITH AN IDENTIFICATION OF THE SPECIFIC CLASSIFIED WASTE TO BE  
3 RECEIVED OR DISPOSED OF, INCLUDING:

4  
5 (A) A STATISTICALLY REPRESENTATIVE ANALYSIS OF ALL OF THE  
6 RADIOACTIVE PROPERTIES OF THE CLASSIFIED WASTE, ANY HAZARDOUS  
7 MATERIALS OR HAZARDOUS SUBSTANCES CONTAINED IN THE CLASSIFIED  
8 WASTE, AND ANY TOXIC, HAZARDOUS, CORROSIVE, OR REACTIVE  
9 CONTAMINANTS CONTAINED IN THE CLASSIFIED WASTE, AS THOSE TERMS  
10 ARE DEFINED BY STATE AND FEDERAL LAW;

11  
12 (B) THE EXISTING LOCATION OF THE CLASSIFIED WASTE;

13  
14 (C) THE HISTORY OF THE CLASSIFIED WASTE; AND

15  
16 (D) ANY PRE-EXISTING REGULATORY CLASSIFICATION OF THE  
17 CLASSIFIED WASTE IN THE STATE OF ORIGIN AND IN STATES THROUGH  
18 WHICH TRANSPORTATION OF THE CLASSIFIED WASTE WILL OCCUR.

19  
20 (II) A FACILITY MAY ALSO SUBMIT AN IDENTIFICATION  
21 REFERENCED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (d) TO THE  
22 DEPARTMENT AT ANY TIME IN ORDER TO RECEIVE A DETERMINATION  
23 PURSUANT TO PARAGRAPH (e) OF THIS SUBSECTION (3).

24  
25 (e) WITHIN THIRTY DAYS AFTER RECEIPT OF THE IDENTIFICATION  
26 REFERENCED BY PARAGRAPH (d) OF THIS SUBSECTION (3), THE  
27 DEPARTMENT SHALL CONFIRM WHETHER THE WASTE PROPOSED FOR  
28 RECEIPT OR DISPOSAL FITS WITHIN THE LICENSE AND MEETS THE  
29 STANDARDS ESTABLISHED PURSUANT TO PARAGRAPH (c) OF THIS  
30 SUBSECTION (3).

31  
32 (f) NO FACILITY MAY RECEIVE OR DISPOSE OF CLASSIFIED WASTE  
33 WHILE SUCH FACILITY HAS OUTSTANDING VIOLATIONS RELATED TO THE  
34 SAFE RECEIPT OF CLASSIFIED WASTES OR PUBLIC OR OCCUPATIONAL  
35 SAFETY."

36  
37  
38  
39 **FIRST REPORT OF FIRST CONFERENCE COMMITTEE**  
40 **on SB03-235**

41  
42 This Report Amends the Rerevised Bill.

43  
44 To the President of the Senate and the  
45 Speaker of the House of Representatives:

46  
47 Your first conference committee appointed on SB03-235,  
48 concerning the right to display the United States flag, has met and reports  
49 that it has agreed upon the following:

50  
51 1. That the Senate accede to the House amendments made to the  
52 bill, as the amendments appear in the rerevised bill.

53  
54 2. That, under the authority granted the committee to consider  
55 matters not at issue between the two houses, the following amendments  
56 be recommended:

1 Amend rerevised bill, page 2, line 7, strike "HIS OR HER" and substitute  
2 "AN INDIVIDUAL'S";  
3  
4 line 8, strike "HIS OR HER" and substitute "AN INDIVIDUAL'S";  
5  
6 line 17, after "(2)", insert "(a)";  
7  
8 line 18, strike "A PERSON'S" and substitute "AN INDIVIDUAL'S";  
9  
10 strike line 25 and substitute the following:

11  
12 "CODE, AS AMENDED.  
13

14 (b) NOTWITHSTANDING ANY PROVISION OF PARAGRAPH (a) OF THIS  
15 SUBSECTION (2) TO THE CONTRARY, AN OWNERS' ASSOCIATION, THE STATE,  
16 OR A".  
17

18 Respectfully submitted,  
19 Senate Committee:  
20 Doug Lamborn  
21 Bruce Cairns  
22 Abel Tapia  
23

House Committee:  
Shawn Mitchell  
Bill Crane  
Val Vigil  
24

---

### 25 PRINTING REPORT

26  
27  
28 The Chief Clerk reports the following bills have been correctly printed:  
29 **HB03-1375, 1376, 1377.**  
30

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### 31 SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

32  
33  
34  
35 The Speaker has signed: **HB03-1005, 1012, 1016, 1333, 1337, SB03-053,**  
36 **058, 246, SJR03-033, 035.**  
37

---

### 38 MESSAGES FROM THE SENATE

39  
40  
41  
42 Madam Speaker:

43  
44 The Senate has adopted and transmits herewith:  
45 SJR03-042, amended as printed in Senate Journal, April 24.  
46 SJR03-046, amended as printed in Senate Journal, April 24.  
47

48 The Senate has adopted and returns herewith: HJR03-1029, 1038, 1049.  
49

---

50  
51 The Senate has passed on Third Reading and transmitted to the Revisor  
52 of Statutes:  
53 HB03-1089, amended as printed in Senate Journal, April 22, 2003,  
54 page 1161, and on Third Reading, as printed in Senate  
55 Journal, April 24  
56

---

**MESSAGE FROM THE REVISOR**

We herewith transmit:  
Without comment, as amended, HB03-1089.

---

**INTRODUCTION OF BILL**  
**First Reading**

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

**HB03-1378** by Representative(s) Hefley, Williams T., Madden, Carroll, Coleman, Crane, Fairbank, Jahn, Judd, Lee, Lundberg, Mitchell, Romanoff, Spradley, Stengel, Veiga; also Senator(s) Anderson, Dyer, Taylor, Evans, Fitzgerald, Gordon, Groff, Grossman, Jones, Kester, Lamborn, Windels--Concerning moneys deposited in the state commission on judicial performance cash fund, and, in connection therewith, increasing the docket fees for criminal and traffic actions.

Committee on Judiciary  
Committee on Appropriations

---

**INTRODUCTION OF RESOLUTIONS**

The following resolutions were read by title and laid over one day under the rules:

**SJR03-042** by Senator(s) May R.; also Representative(s) Berry--Concerning a request that the Congress of the United States return responsibility for surface transportation policy to the states by allowing the states to retain federal fuel tax revenues.

**SJR03-046** by Senator(s) Entz, Phillips, Windels, Nichol; also Representative(s) Salazar--Concerning the military personnel from Colorado who have served in Operation Iraqi Freedom.

---

House in recess. House reconvened.

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**CONSIDERATION OF RESOLUTIONS**

**HR03-1018** by Representative(s) Wiens--Concerning regional planning for public health and safety.

(Printed and placed in member's file, also printed in House Journal April 23, pages 1942-1944.)

On request of Representative Wiens, the resolution was read at length.

1 Amendment No. 1, moved by Representative Wiens.

2  
3 Amend printed resolution, page 2, line 26, after "to", insert  
4 "immediately";

5  
6 strike line 27 and substitute the following:  
7 "planning and operations map."  
8

9 The amendment was declared **passed** by **viva voce** vote.

10  
11 On motion of Representative Wiens, the resolution as amended was  
12 **adopted** by **viva voce** vote.  
13

14 Co-sponsors added: Representatives Borodkin, Boyd, Brophy, Cadman, Carroll,  
15 Coleman, Crane, Hall, Hoppe, Johnson, King, Larson, Lee, Lundberg, Madden,  
16 May, Merrifield, Miller, Paccione, Rhodes, Romanoff, Rose, Salazar, Schultheis,  
17 Tochtrop, Veiga, Weddig, Weissmann, White, Williams T., Witwer, Speaker.  
18

19  
20  
21 **CONSIDERATION OF CONFERENCE COMMITTEE REPORTS**

22  
23 **SB03-007** by Senator(s) Chlouber; also Representative(s) Harvey--  
24 Concerning toll evasion violations committed in vehicles  
25 not owned by the operator.  
26

27 (Conference Committee Report printed in House Journal, April 22,  
28 pages 1902-1903.)  
29

30 On motion of Representative Harvey, the Conference Committee Report  
31 was **adopted** by the following roll call vote:  
32

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

51  
52 The question being "Shall the bill, as amended, 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  
55 bill, as amended, was declared **repassed**.

56



	YES	62	NO	00	EXCUSED	03	ABSENT	00
1								
2	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
3	Borodkin	Y	Garcia	Y	McCluskey	Y	Smith	E
4	Boyd	Y	Hall	Y	McFadyen	Y	Spence	Y
5	Briggs	E	Harvey	Y	Merrifield	Y	Stafford	Y
6	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
7	Butcher	Y	Hodge	Y	Mitchell	Y	Tochtrop	Y
8	Cadman	Y	Hoppe	Y	Paccione	Y	Veiga	Y
9	Carroll	Y	Jahn	Y	Plant	E	Vigil	Y
10	Cerbo	Y	Johnson	Y	Pommer	Y	Weddig	Y
11	Clapp	Y	Judd	Y	Ragsdale	Y	Weissmann	Y
12	Cloer	Y	King	Y	Rhodes	Y	White	Y
13	Coleman	Y	Larson	Y	Rippy	Y	Wiens	Y
14	Crane	Y	Lee	Y	Romanoff	Y	Williams S.	Y
15	Decker	Y	Lundberg	Y	Rose	Y	Williams T.	Y
16	Fairbank	Y	Madden	Y	Salazar	Y	Witwer	Y
17	Frangas	Y	Marshall	Y	Schultheis	Y	Young	Y
18							Speaker	Y
19								
20								

21 **SB03-106** by Senator(s) Jones, May R.; also Representative(s)  
 22 Larson --Concerning third-party damages subject to  
 23 subrogation in claims that are paid pursuant to the  
 24 "Workers' Compensation Act of Colorado".

25  
 26 (Conference Committee Report printed in House Journal, April 23,  
 27 pages 1937-1938.)

28  
 29 On motion of Representative Larson, the Conference Committee Report  
 30 was **adopted** by the following roll call vote:

	YES	62	NO	00	EXCUSED	03	ABSENT	00
33	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
34	Borodkin	Y	Garcia	Y	McCluskey	Y	Smith	E
35	Boyd	Y	Hall	Y	McFadyen	Y	Spence	Y
36	Briggs	E	Harvey	Y	Merrifield	Y	Stafford	Y
37	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
38	Butcher	Y	Hodge	Y	Mitchell	Y	Tochtrop	Y
39	Cadman	Y	Hoppe	Y	Paccione	Y	Veiga	Y
40	Carroll	Y	Jahn	Y	Plant	E	Vigil	Y
41	Cerbo	Y	Johnson	Y	Pommer	Y	Weddig	Y
42	Clapp	Y	Judd	Y	Ragsdale	Y	Weissmann	Y
43	Cloer	Y	King	Y	Rhodes	Y	White	Y
44	Coleman	Y	Larson	Y	Rippy	Y	Wiens	Y
45	Crane	Y	Lee	Y	Romanoff	Y	Williams S.	Y
46	Decker	Y	Lundberg	Y	Rose	Y	Williams T.	Y
47	Fairbank	Y	Madden	Y	Salazar	Y	Witwer	Y
48	Frangas	Y	Marshall	Y	Schultheis	Y	Young	Y
49							Speaker	Y
50								

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

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

55

	YES	47	NO	15	EXCUSED	03	ABSENT	00
1								
2	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
3	Borodkin	Y	Garcia	N	McCluskey	Y	Smith	E
4	Boyd	Y	Hall	Y	McFadyen	Y	Spence	Y
5	Briggs	E	Harvey	Y	Merrifield	Y	Stafford	Y
6	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
7	Butcher	Y	Hodge	N	Mitchell	Y	Tochtrop	N
8	Cadman	Y	Hoppe	Y	Paccione	N	Veiga	N
9	Carroll	N	Jahn	Y	Plant	E	Vigil	N
10	Cerbo	N	Johnson	Y	Pommer	Y	Weddig	N
11	Clapp	Y	Judd	N	Ragsdale	N	Weissmann	N
12	Cloer	Y	King	Y	Rhodes	Y	White	Y
13	Coleman	N	Larson	Y	Rippy	Y	Wiens	Y
14	Crane	Y	Lee	Y	Romanoff	Y	Williams S.	Y
15	Decker	Y	Lundberg	Y	Rose	Y	Williams T.	Y
16	Fairbank	Y	Madden	N	Salazar	Y	Witwer	Y
17	Frangas	N	Marshall	Y	Schultheis	Y	Young	Y
18							Speaker	Y

19  
 20 **HB03-1253** by Representative(s) Stengel, Briggs, Coleman, Larson,  
 21 Ragsdale, Stafford; also Senator(s) Kester--Concerning the  
 22 prevention of discriminatory trade practices in the  
 23 payment of motor vehicle insurance claims for the repair  
 24 of damaged motor vehicles.

25  
 26 (Conference Committee Report printed in House Journal, April 23,  
 27 page 1951.)

28  
 29 On motion of Representative Stengel, the Conference Committee Report  
 30 was **adopted** by the following roll call vote:

	YES	62	NO	00	EXCUSED	03	ABSENT	00
33	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
34	Borodkin	Y	Garcia	Y	McCluskey	Y	Smith	E
35	Boyd	Y	Hall	Y	McFadyen	Y	Spence	Y
36	Briggs	E	Harvey	Y	Merrifield	Y	Stafford	Y
37	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
38	Butcher	Y	Hodge	Y	Mitchell	Y	Tochtrop	Y
39	Cadman	Y	Hoppe	Y	Paccione	Y	Veiga	Y
40	Carroll	Y	Jahn	Y	Plant	E	Vigil	Y
41	Cerbo	Y	Johnson	Y	Pommer	Y	Weddig	Y
42	Clapp	Y	Judd	Y	Ragsdale	Y	Weissmann	Y
43	Cloer	Y	King	Y	Rhodes	Y	White	Y
44	Coleman	Y	Larson	Y	Rippy	Y	Wiens	Y
45	Crane	Y	Lee	Y	Romanoff	Y	Williams S.	Y
46	Decker	Y	Lundberg	Y	Rose	Y	Williams T.	Y
47	Fairbank	Y	Madden	Y	Salazar	Y	Witwer	Y
48	Frangas	Y	Marshall	Y	Schultheis	Y	Young	Y
49							Speaker	Y

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

55

	YES	58	NO	04	EXCUSED	03	ABSENT	00
1								
2	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
3	Borodkin	Y	Garcia	N	McCluskey	Y	Smith	E
4	Boyd	Y	Hall	Y	McFadyen	Y	Spence	Y
5	Briggs	E	Harvey	Y	Merrifield	Y	Stafford	Y
6	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
7	Butcher	Y	Hodge	Y	Mitchell	Y	Tochtrop	Y
8	Cadman	Y	Hoppe	Y	Paccione	Y	Veiga	N
9	Carroll	Y	Jahn	Y	Plant	E	Vigil	Y
10	Cerbo	Y	Johnson	Y	Pommer	Y	Weddig	N
11	Clapp	Y	Judd	N	Ragsdale	Y	Weissmann	Y
12	Cloer	Y	King	Y	Rhodes	Y	White	Y
13	Coleman	Y	Larson	Y	Rippy	Y	Wiens	Y
14	Crane	Y	Lee	Y	Romanoff	Y	Williams S.	Y
15	Decker	Y	Lundberg	Y	Rose	Y	Williams T.	Y
16	Fairbank	Y	Madden	Y	Salazar	Y	Witwer	Y
17	Frangas	Y	Marshall	Y	Schultheis	Y	Young	Y
18							Speaker	Y
19								
20								

21 **HB03-1305** by Representative(s) Stafford; also Senator(s) Johnson S.--  
 22 Concerning standards of conduct regarding dead human  
 23 bodies.

24  
 25 (Conference Committee Report printed in House Journal, April 23, pages  
 26 1951-1953.)

27  
 28 On motion of Representative Stafford, the Conference Committee Report  
 29 was **adopted** by the following roll call vote:

	YES	61	NO	00	EXCUSED	04	ABSENT	00
31								
32	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
33	Borodkin	Y	Garcia	Y	McCluskey	Y	Smith	E
34	Boyd	Y	Hall	Y	McFadyen	Y	Spence	Y
35	Briggs	E	Harvey	Y	Merrifield	Y	Stafford	Y
36	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
37	Butcher	E	Hodge	Y	Mitchell	Y	Tochtrop	Y
38	Cadman	Y	Hoppe	Y	Paccione	Y	Veiga	Y
39	Carroll	Y	Jahn	Y	Plant	E	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	Y	Lee	Y	Romanoff	Y	Williams S.	Y
45	Decker	Y	Lundberg	Y	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								

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

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

54  
 55

	YES	61	NO	00	EXCUSED	04	ABSENT	00
1								
2	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
3	Borodkin	Y	Garcia	Y	McCluskey	Y	Smith	E
4	Boyd	Y	Hall	Y	McFadyen	Y	Spence	Y
5	Briggs	E	Harvey	Y	Merrifield	Y	Stafford	Y
6	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
7	Butcher	E	Hodge	Y	Mitchell	Y	Tochtrop	Y
8	Cadman	Y	Hoppe	Y	Paccione	Y	Veiga	Y
9	Carroll	Y	Jahn	Y	Plant	E	Vigil	Y
10	Cerbo	Y	Johnson	Y	Pommer	Y	Weddig	Y
11	Clapp	Y	Judd	Y	Ragsdale	Y	Weissmann	Y
12	Cloer	Y	King	Y	Rhodes	Y	White	Y
13	Coleman	Y	Larson	Y	Rippy	Y	Wiens	Y
14	Crane	Y	Lee	Y	Romanoff	Y	Williams S.	Y
15	Decker	Y	Lundberg	Y	Rose	Y	Williams T.	Y
16	Fairbank	Y	Madden	Y	Salazar	Y	Witwer	Y
17	Frangas	Y	Marshall	Y	Schultheis	Y	Young	Y
18							Speaker	Y

19 Co-sponsor added: Representative Stengel.

20  
21  
22 **HB03-1025** by Representative(s) Frangas; also Senator(s) Keller--  
23 Concerning the option of addressing any special education  
24 history in a juvenile adjudication proceeding.

25  
26 (Conference Committee Report printed in House Journal, April 23,  
27 pages 1949-1950.)

28  
29 On motion of Representative Frangas, the Conference Committee Report  
30 was **adopted** by the following roll call vote:

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

50  
51 The question being "Shall the bill, as amended, pass?".

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

55

	YES	61	NO	00	EXCUSED	04	ABSENT	00
1								
2	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
3	Borodkin	Y	Garcia	Y	McCluskey	Y	Smith	E
4	Boyd	Y	Hall	Y	McFadyen	Y	Spence	Y
5	Briggs	E	Harvey	Y	Merrifield	Y	Stafford	Y
6	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
7	Butcher	E	Hodge	Y	Mitchell	Y	Tochtrop	Y
8	Cadman	Y	Hoppe	Y	Paccione	Y	Veiga	Y
9	Carroll	Y	Jahn	Y	Plant	E	Vigil	Y
10	Cerbo	Y	Johnson	Y	Pommer	Y	Weddig	Y
11	Clapp	Y	Judd	Y	Ragsdale	Y	Weissmann	Y
12	Cloer	Y	King	Y	Rhodes	Y	White	Y
13	Coleman	Y	Larson	Y	Rippy	Y	Wiens	Y
14	Crane	Y	Lee	Y	Romanoff	Y	Williams S.	Y
15	Decker	Y	Lundberg	Y	Rose	Y	Williams T.	Y
16	Fairbank	Y	Madden	Y	Salazar	Y	Witwer	Y
17	Frangas	Y	Marshall	Y	Schultheis	Y	Young	Y
18							Speaker	Y
19								
20								

21 **HB03-1092** by Representative(s) White, Hoppe, Rippy, Wiens; also  
 22 Senator(s) Anderson--Concerning management of  
 23 Colorado's state-owned forested land.

24  
 25 (Conference Committee Report printed in House Journal, April 23,  
 26 pages 1950-1951.)

27  
 28 On motion of Representative White, the Conference Committee Report  
 29 was **adopted** by the following roll call vote:

	YES	59	NO	02	EXCUSED	04	ABSENT	00
31								
32	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
33	Borodkin	Y	Garcia	Y	McCluskey	Y	Smith	E
34	Boyd	Y	Hall	Y	McFadyen	Y	Spence	Y
35	Briggs	E	Harvey	Y	Merrifield	Y	Stafford	Y
36	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
37	Butcher	E	Hodge	Y	Mitchell	Y	Tochtrop	Y
38	Cadman	Y	Hoppe	Y	Paccione	Y	Veiga	Y
39	Carroll	Y	Jahn	Y	Plant	E	Vigil	Y
40	Cerbo	Y	Johnson	Y	Pommer	N	Weddig	Y
41	Clapp	Y	Judd	Y	Ragsdale	Y	Weissmann	N
42	Cloer	Y	King	Y	Rhodes	Y	White	Y
43	Coleman	Y	Larson	Y	Rippy	Y	Wiens	Y
44	Crane	Y	Lee	Y	Romanoff	Y	Williams S.	Y
45	Decker	Y	Lundberg	Y	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								

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

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

54  
 55

	YES	47	NO	14	EXCUSED	04	ABSENT	00
1								
2	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
3	Borodkin	N	Garcia	N	McCluskey	Y	Smith	E
4	Boyd	Y	Hall	Y	McFadyen	N	Spence	Y
5	Briggs	E	Harvey	Y	Merrifield	N	Stafford	Y
6	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
7	Butcher	E	Hodge	Y	Mitchell	Y	Tochtrop	N
8	Cadman	Y	Hoppe	Y	Paccione	Y	Veiga	N
9	Carroll	Y	Jahn	Y	Plant	E	Vigil	N
10	Cerbo	N	Johnson	Y	Pommer	N	Weddig	Y
11	Clapp	Y	Judd	Y	Ragsdale	N	Weissmann	N
12	Cloer	Y	King	Y	Rhodes	Y	White	Y
13	Coleman	Y	Larson	Y	Rippy	Y	Wiens	Y
14	Crane	Y	Lee	Y	Romanoff	Y	Williams S.	Y
15	Decker	Y	Lundberg	Y	Rose	Y	Williams T.	Y
16	Fairbank	Y	Madden	N	Salazar	Y	Witwer	Y
17	Frangas	N	Marshall	N	Schultheis	Y	Young	Y
18							Speaker	Y

19 Co-sponsor added: Representative Williams S.

20  
21  
22  
23 **CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS**

24  
25 **HB03-1163** by Representative(s) Marshall; also Senator(s) Takis--  
26 Concerning administrative changes to the operation of  
27 CoverColorado, and, in connection therewith, directing to  
28 CoverColorado a portion of the premium tax, fines, and  
29 penalties collected by the division of insurance from  
30 health insurers authorized to conduct business in  
31 Colorado.

32  
33 (Amended as printed in Senate Journal, April 18, page 1099.)

34  
35 Representative Marshall moved that the House **concur** in Senate amend-  
36 ments. The motion was declared **passed** by the following roll call vote:

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

56

1 The question being, "Shall the bill, as amended, 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  
 4 bill, as amended, was declared **repassed**.

	YES	61	NO	00	EXCUSED	04	ABSENT	00
7	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
8	Borodkin	Y	Garcia	Y	McCluskey	Y	Smith	E
9	Boyd	Y	Hall	Y	McFadyen	Y	Spence	Y
10	Briggs	E	Harvey	Y	Merrifield	Y	Stafford	Y
11	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
12	Butcher	E	Hodge	Y	Mitchell	Y	Tochtrop	Y
13	Cadman	Y	Hoppe	Y	Paccione	Y	Veiga	Y
14	Carroll	Y	Jahn	Y	Plant	E	Vigil	Y
15	Cerbo	Y	Johnson	Y	Pommer	Y	Weddig	Y
16	Clapp	Y	Judd	Y	Ragsdale	Y	Weissmann	Y
17	Cloer	Y	King	Y	Rhodes	Y	White	Y
18	Coleman	Y	Larson	Y	Rippy	Y	Wiens	Y
19	Crane	Y	Lee	Y	Romanoff	Y	Williams S.	Y
20	Decker	Y	Lundberg	Y	Rose	Y	Williams T.	Y
21	Fairbank	Y	Madden	Y	Salazar	Y	Witwer	Y
22	Frangas	Y	Marshall	Y	Schultheis	Y	Young	Y
23							Speaker	Y

24 Co-sponsors added: Representatives Carroll, Coleman, Frangas, Harvey,  
 25 Pommer, Stafford, Stengel, Williams T., Speaker.

26  
 27 **HB03-1263** by Representative(s) Plant; also Senator(s) Owen, Teck--  
 28 Concerning the granting of parole to special needs  
 29 offenders.

30  
 31 Laid over until April 25, retaining place on Calendar.

32  
 33 **HB03-1292** by Representative(s) Williams S., Borodkin, Boyd, Briggs,  
 34 Frangas, Jahn, Plant, Romanoff, Sinclair, Stafford; also  
 35 Senator(s) Teck--Concerning service fees for intermediate  
 36 care facilities for the mentally retarded, and making an  
 37 appropriation therefor.

38  
 39 (Amended as printed in Senate Journal, April 21, page 1140.)

40  
 41 Representative Williams S. moved that the House **concur** in Senate  
 42 amendments. The motion was declared **passed** by the following roll call  
 43 vote:

	YES	59	NO	02	EXCUSED	04	ABSENT	00
46	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
47	Borodkin	Y	Garcia	Y	McCluskey	Y	Smith	E
48	Boyd	Y	Hall	Y	McFadyen	Y	Spence	Y
49	Briggs	E	Harvey	Y	Merrifield	Y	Stafford	Y
50	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
51	Butcher	E	Hodge	Y	Mitchell	Y	Tochtrop	Y
52	Cadman	Y	Hoppe	Y	Paccione	Y	Veiga	Y
53	Carroll	Y	Jahn	Y	Plant	E	Vigil	Y
54	Cerbo	Y	Johnson	Y	Pommer	Y	Weddig	Y
55	Clapp	Y	Judd	Y	Ragsdale	Y	Weissmann	N
56	Cloer	N	King	Y	Rhodes	Y	White	Y

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

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

13	YES	55	NO	06	EXCUSED	04	ABSENT	00
14	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
15	Borodkin	Y	Garcia	Y	McCluskey	Y	Smith	E
16	Boyd	Y	Hall	Y	McFadyen	Y	Spence	Y
17	Briggs	E	Harvey	Y	Merrifield	Y	Stafford	Y
18	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
19	Butcher	E	Hodge	Y	Mitchell	Y	Tochtrop	Y
20	Cadman	N	Hoppe	Y	Paccione	Y	Veiga	Y
21	Carroll	Y	Jahn	Y	Plant	E	Vigil	Y
22	Cerbo	Y	Johnson	Y	Pommer	Y	Weddig	Y
23	Clapp	Y	Judd	Y	Ragsdale	Y	Weissmann	Y
24	Cloer	N	King	N	Rhodes	Y	White	Y
25	Coleman	Y	Larson	Y	Rippy	Y	Wiens	Y
26	Crane	Y	Lee	N	Romanoff	Y	Williams S.	Y
27	Decker	Y	Lundberg	N	Rose	Y	Williams T.	Y
28	Fairbank	Y	Madden	Y	Salazar	Y	Witwer	Y
29	Frangas	Y	Marshall	Y	Schultheis	N	Young	Y
30							Speaker	Y

31 Co-sponsors added: Representatives Carroll, Merrifield.

32  
33 **HB03-1040** by Representative(s) McCluskey; also Senator(s) Johnson  
34 S.--Concerning repeal of the authority for a motor vehicle  
35 owner to continue to use certain types of license plates.

36  
37 (Amended as printed in Senate Journal, April 21, pages 1140-1141.)

38  
39 Representative McCluskey moved that the House **concur** in Senate  
40 amendments. The motion was declared **passed** by the following roll call  
41 vote:

43	YES	61	NO	00	EXCUSED	04	ABSENT	00
44	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
45	Borodkin	Y	Garcia	Y	McCluskey	Y	Smith	E
46	Boyd	Y	Hall	Y	McFadyen	Y	Spence	Y
47	Briggs	E	Harvey	Y	Merrifield	Y	Stafford	Y
48	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
49	Butcher	E	Hodge	Y	Mitchell	Y	Tochtrop	Y
50	Cadman	Y	Hoppe	Y	Paccione	Y	Veiga	Y
51	Carroll	Y	Jahn	Y	Plant	E	Vigil	Y
52	Cerbo	Y	Johnson	Y	Pommer	Y	Weddig	Y
53	Clapp	Y	Judd	Y	Ragsdale	Y	Weissmann	Y
54	Cloer	Y	King	Y	Rhodes	Y	White	Y
55	Coleman	Y	Larson	Y	Rippy	Y	Wiens	Y
56	Crane	Y	Lee	Y	Romanoff	Y	Williams S.	Y



1	Decker	Y	Lundberg	Y	Rose	Y	Williams T.	Y
2	Fairbank	Y	Madden	Y	Salazar	Y	Witwer	Y
3	Frangas	Y	Marshall	Y	Schultheis	Y	Young	Y
4							Speaker	Y

5  
6 The question being, "Shall the bill, as amended, pass?".  
7 A roll call vote was taken. As shown by the following recorded vote, a  
8 majority of those elected to the House voted in the affirmative, and the  
9 bill, as amended, was declared **repassed**.

10	YES	61	NO	00	EXCUSED	04	ABSENT	00
11	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
12	Borodkin	Y	Garcia	Y	McCluskey	Y	Smith	E
13	Boyd	Y	Hall	Y	McFadyen	Y	Spence	Y
14	Briggs	E	Harvey	Y	Merrifield	Y	Stafford	Y
15	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
16	Butcher	E	Hodge	Y	Mitchell	Y	Tochtrop	Y
17	Cadman	Y	Hoppe	Y	Paccione	Y	Veiga	Y
18	Carroll	Y	Jahn	Y	Plant	E	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	Y	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 Co-sponsors added: Representatives Spence, Stafford.

30  
31 **HB03-1244** by Representative(s) Ragsdale; also Senator(s) Tapi--  
32 Concerning penalties imposed for committing the crime of  
33 defacing property.  
34

35 (Amended as printed in Senate Journal, April 21, page 1142.)

36  
37 Representative Ragsdale moved that the House **concur** in Senate  
38 amendments.  
39

40 A substitute motion by Representative Lee that the House **not concur** in  
41 Senate amendments and that a Conference Committee be appointed was  
42 declared **passed** by the following roll call vote:  
43

44	YES	61	NO	00	EXCUSED	04	ABSENT	00
45	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
46	Borodkin	Y	Garcia	Y	McCluskey	Y	Smith	E
47	Boyd	Y	Hall	Y	McFadyen	Y	Spence	Y
48	Briggs	E	Harvey	Y	Merrifield	Y	Stafford	Y
49	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
50	Butcher	E	Hodge	Y	Mitchell	Y	Tochtrop	Y
51	Cadman	Y	Hoppe	Y	Paccione	Y	Veiga	Y
52	Carroll	Y	Jahn	Y	Plant	E	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	Y	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

8 **HB03-1130** by Representative(s) Witwer, Cloer, Brophy, Hefley,  
 9 Paccione, Romanoff, Rose, Salazar, Williams S.; also  
 10 Senator(s) Kester, Entz, Keller, Windels--Concerning the  
 11 addition of a line to Colorado state individual income tax  
 12 return forms whereby individual taxpayers may make a  
 13 voluntary contribution to the family resource centers fund,  
 14 and making an appropriation in connection therewith.

16 (Amended as printed in Senate Journal, April 21, page 1142.)

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

21	YES	60	NO	01	EXCUSED	04	ABSENT	00
22	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
23	Borodkin	Y	Garcia	Y	McCluskey	Y	Smith	E
24	Boyd	Y	Hall	Y	McFadyen	Y	Spence	Y
25	Briggs	E	Harvey	Y	Merrifield	Y	Stafford	Y
26	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
27	Butcher	E	Hodge	Y	Mitchell	Y	Tochtrop	Y
28	Cadman	Y	Hoppe	Y	Paccione	Y	Veiga	Y
29	Carroll	Y	Jahn	Y	Plant	E	Vigil	Y
30	Cerbo	Y	Johnson	Y	Pommer	Y	Weddig	Y
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	Y	Romanoff	Y	Williams S.	Y
35	Decker	Y	Lundberg	N	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

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**.

45	YES	48	NO	13	EXCUSED	04	ABSENT	00
46	Berry	N	Fritz	N	May	Y	Sinclair	Y
47	Borodkin	Y	Garcia	Y	McCluskey	Y	Smith	E
48	Boyd	Y	Hall	Y	McFadyen	Y	Spence	Y
49	Briggs	E	Harvey	N	Merrifield	Y	Stafford	Y
50	Brophy	Y	Hefley	Y	Miller	Y	Stengel	N
51	Butcher	E	Hodge	Y	Mitchell	N	Tochtrop	Y
52	Cadman	N	Hoppe	Y	Paccione	Y	Veiga	Y
53	Carroll	Y	Jahn	Y	Plant	E	Vigil	Y
54	Cerbo	Y	Johnson	Y	Pommer	Y	Weddig	Y
55	Clapp	N	Judd	Y	Ragsdale	Y	Weissmann	Y
56	Cloer	Y	King	N	Rhodes	Y	White	Y

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

7 Co-sponsors added: Representatives Borodkin, Weddig.

8  
 9 **HB03-1021** by Representative(s) King; also Senator(s) Arnold--  
 10 Concerning the financing of capital construction for  
 11 qualified charter schools that have bonds issued on their  
 12 behalf by the Colorado educational and cultural facilities  
 13 authority, and making an appropriation in connection  
 14 therewith.

15  
 16 (Amended as printed in Senate Journal, April 21, page 1142.)

17  
 18 Representative King moved that the House **concur** in Senate amend-  
 19 ments. The motion was declared **passed** by the following roll call vote:

21	YES	59	NO	02	EXCUSED	04	ABSENT	00
22	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
23	Borodkin	Y	Garcia	Y	McCluskey	Y	Smith	E
24	Boyd	Y	Hall	Y	McFadyen	Y	Spence	Y
25	Briggs	E	Harvey	Y	Merrifield	Y	Stafford	Y
26	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
27	Butcher	E	Hodge	Y	Mitchell	Y	Tochtrop	Y
28	Cadman	Y	Hoppe	Y	Paccione	Y	Veiga	Y
29	Carroll	Y	Jahn	Y	Plant	E	Vigil	Y
30	Cerbo	Y	Johnson	Y	Pommer	Y	Weddig	Y
31	Clapp	Y	Judd	Y	Ragsdale	Y	Weissmann	Y
32	Cloer	Y	King	Y	Rhodes	Y	White	Y
33	Coleman	Y	Larson	N	Rippy	N	Wiens	Y
34	Crane	Y	Lee	Y	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**.

45	YES	48	NO	13	EXCUSED	04	ABSENT	00
46	Berry	N	Fritz	Y	May	Y	Sinclair	Y
47	Borodkin	N	Garcia	Y	McCluskey	Y	Smith	E
48	Boyd	Y	Hall	Y	McFadyen	N	Spence	Y
49	Briggs	E	Harvey	Y	Merrifield	N	Stafford	Y
50	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
51	Butcher	E	Hodge	N	Mitchell	Y	Tochtrop	Y
52	Cadman	Y	Hoppe	Y	Paccione	Y	Veiga	Y
53	Carroll	Y	Jahn	Y	Plant	E	Vigil	N
54	Cerbo	Y	Johnson	Y	Pommer	Y	Weddig	N
55	Clapp	Y	Judd	Y	Ragsdale	N	Weissmann	N
56	Cloer	Y	King	Y	Rhodes	Y	White	Y

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

7 Co-sponsors added: Representatives Carroll, Marshall, May, Paccione, Spence,  
8 Wiens.

9  
10

11

12 On motion of Representative King, **SB03-073, HB03-1347, 1351,**  
13 **SB03-019, 103, 167, HB03-1362, 1366, SB03-308, HB03-1357** were  
14 made Special Orders on Thursday, April 24, 2003, at 5:26 p.m.

15

16

17 The hour of 5:26 p.m., having arrived, on motion of Representative Lee,  
18 the House resolved itself into Committee of the Whole for consideration  
19 of Special Orders and he was called to the Chair to act as Chairman.

20

21

22

### 23 SPECIAL ORDERS--SECOND READING OF BILLS

24

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

29

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

32

33 **SB03-073** by Senator(s) Owen; also Representative(s) Hoppe--  
34 Concerning an increase in the state engineer's authority to  
35 approve the use of water.

36

37 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,  
38 dated April 23, 2003, and placed in member's bill file; Report also printed  
39 in House Journal, April 23, page 1936.

40

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

43

44

45 **HB03-1347** by Representative(s) Young; also Senator(s) Owen--  
46 Concerning uses of moneys in the employment support  
47 fund for the department of labor and employment.

48

49 Amendment No. 1, Business Affairs & Labor Report, dated April 17,  
50 2003, and placed in member's bill file; Report also printed in House  
51 Journal, April 18, pages 1374-1375.

52

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

55

- 1 **SB03-019** by Senator(s) Anderson; also Representative(s) Rhodes--  
2 Concerning program reviews of tobacco settlement  
3 programs, and making an appropriation therefor.  
4
- 5 Ordered revised and placed on the Calendar for Third Reading and Final  
6 Passage.  
7
- 8 **SB03-103** by Senator(s) Reeves, Teck; also Representative(s) Berry,  
9 Larson--Concerning training programs for Colorado peace  
10 officers overseen by the peace officer standards and  
11 training board, and, in connection therewith, providing  
12 funding for such peace officer training programs, and  
13 making an appropriation therefor.  
14
- 15 Amendment No. 1, Appropriations Report, dated April 23, 2003, and  
16 placed in member's bill file; Report also printed in House Journal,  
17 April 23, pages 1947-1948.  
18
- 19 As amended, ordered revised and placed on the Calendar for Third  
20 Reading and Final Passage.  
21
- 22 **SB03-167** by Senator(s) Isgar; also Representative(s) Brophy--  
23 Concerning the valuation of possessory interests in land  
24 leased by the state board of land commissioners for  
25 purposes of property taxation.  
26
- 27 Ordered revised and placed on the Calendar for Third Reading and Final  
28 Passage.  
29
- 30 **HB03-1362** by Representative(s) Stengel; also Senator(s) Taylor--  
31 Concerning the collection of sales tax on telephone and  
32 telegraph services when taxable services are aggregated  
33 with nontaxable services.  
34
- 35 Ordered engrossed and placed on the Calendar for Third Reading and  
36 Final Passage.  
37
- 38 **HB03-1351** by Representative(s) Hall; also Senator(s) Kester--  
39 Concerning an increase in the annual license fee for retail  
40 food establishments.  
41
- 42 Amendment No. 1, Appropriations Report, dated April 23, 2003, and  
43 placed in member's bill file; Report also printed in House Journal,  
44 April 23, pages 1946-1947.  
45
- 46 As amended, ordered engrossed and placed on the Calendar for Third  
47 Reading and Final Passage.  
48
- 49 **HB03-1366** by Representative(s) White; also Senator(s) Anderson--  
50 Concerning a limitation on supersedeas bonds.  
51
- 52 Ordered engrossed and placed on the Calendar for Third Reading and  
53 Final Passage.  
54  
55

1 **SB03-308** by Senator(s) May R., Anderson; also Representative(s)  
 2 Witwer--Concerning the use of advanced technology fund  
 3 moneys.  
 4

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

8 **HB03-1357** by Representative(s) Cloer, Larson; also Senator(s) Jones--  
 9 Concerning an exemption of certain statutorily authorized  
 10 sales of abandoned motor vehicles from the requirement to  
 11 obtain a certification of emissions control.  
 12

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

---

### 18 ADOPTION OF COMMITTEE OF THE WHOLE REPORT

19  
 20 Passed Second Reading: **SB03-073 amended, HB03-1347 amended,**  
 21 **SB03-019, 103 amended, 167, HB03-1362, 1351 amended, 1366,**  
 22 **SB03-308, HB03-1357.**  
 23

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

29	YES	60	NO	00	EXCUSED	05	ABSENT	00
30	Berry	Y	Fritz	Y	May	Y	Sinclair	Y
31	Borodkin	Y	Garcia	Y	McCluskey	Y	Smith	E
32	Boyd	Y	Hall	Y	McFadyen	Y	Spence	Y
33	Briggs	E	Harvey	Y	Merrifield	Y	Stafford	Y
34	Brophy	Y	Hefley	Y	Miller	Y	Stengel	Y
35	Butcher	E	Hodge	E	Mitchell	Y	Tochtrop	Y
36	Cadman	Y	Hoppe	Y	Paccione	Y	Veiga	Y
37	Carroll	Y	Jahn	Y	Plant	E	Vigil	Y
38	Cerbo	Y	Johnson	Y	Pommer	Y	Weddig	Y
39	Clapp	Y	Judd	Y	Ragsdale	Y	Weissmann	Y
40	Cloer	Y	King	Y	Rhodes	Y	White	Y
41	Coleman	Y	Larson	Y	Rippy	Y	Wiens	Y
42	Crane	Y	Lee	Y	Romanoff	Y	Williams S.	Y
43	Decker	Y	Lundberg	Y	Rose	Y	Williams T.	Y
44	Fairbank	Y	Madden	Y	Salazar	Y	Witwer	Y
45	Frangas	Y	Marshall	Y	Schultheis	Y	Young	Y
46							Speaker	Y

---

### 50 APPOINTMENTS TO CONFERENCE COMMITTEE

51  
 52 The Speaker appointed Representatives Stengel, Chairman, Smith and  
 53 Ragsdale as House conferees to the First Conference Committee on  
 54 **HB03-1244.**  
 55  
 56

1  
2                   **REPORTS OF COMMITTEES OF REFERENCE**  
3

4           **BUSINESS AFFAIRS & LABOR**

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

7  
8           **HB03-1360** 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 2, line 18, strike "**insurance.**" and substitute  
13 "**insurance - repeal.**".

14  
15 Page 3, line 1, strike "COLLECT" and substitute "REQUIRE THE SUBMISSION  
16 OF";

17  
18 line 2, strike "INSURANCE CORPORATIONS," and substitute "INSURERS,";

19  
20 line 5, strike "DATA TO BE" and substitute "SUBMITTED DATA";

21  
22 strike line 6 and substitute "SHALL INCLUDE INFORMATION";

23  
24 strike line 11 and substitute the following:

25  
26 "SUBMITTED FOR THE PRIOR CALENDAR YEAR. NO INFORMATION RECEIVED  
27 BY THE DIVISION SHALL BE RELEASED IN A FORM THAT COULD IDENTIFY  
28 THE ENTITY FROM WHICH THE DATA WAS COLLECTED.";

29  
30 line 13, strike "ANALYSIS, SUCH" and substitute "COLLECTION AND  
31 ANALYSIS, NONCARRIER SPECIFIC";

32  
33 line 14, strike "FOUNDATION" and substitute "FOUNDATION, TO BE  
34 DETERMINED BY THE DIVISION,";

35  
36 after line 18, insert the following:

37  
38           (c) THE DIVISION HAS THE AUTHORITY TO ACCEPT AND EXPEND  
39 GIFTS, GRANTS, AND DONATIONS FOR THE PURPOSE OF ADMINISTERING THIS  
40 SUBSECTION (2).

41  
42           (d) THIS SUBSECTION (2) IS REPEALED, EFFECTIVE JULY 1, 2010."  
43  
44  
45

46           **HJR03-1054** be referred out for final action.  
47

48  
49           **SB03-312** be referred to the Committee of the Whole with favorable  
50 recommendation.  
51  
52  
53  
54  
55

1 **FINANCE**

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

4  
5 **HB03-1060** be postponed indefinitely.

6  
7  
8 **SB03-030** be amended as follows, and as so amended, be referred to  
9 the Committee on Appropriations with favorable  
10 recommendation:

11  
12 Amend reengrossed bill, page 2, strike lines 9 and 10 and substitute the  
13 following:

14  
15 "LOCAL TAXES PAID BY INDIVIDUAL TAXPAYERS BASED ON TAXPAYERS'  
16 AVERAGE INCOME AS PRESENTED IN THE MOST RECENT PUBLICATION OF  
17 THE DATA IN THE DEPARTMENT'S COLORADO TAX PROFILE STUDY, OR ITS  
18 SUCCESSOR.";

19  
20 strike line 14 and substitute the following:

21 "FEDERAL TAXES PAID BY INDIVIDUAL TAXPAYERS, THE DEPARTMENT".

22  
23 Page 3, line 1, strike "EMPLOYEE." and substitute "EMPLOYEE FOR THE  
24 TAX YEAR CORRESPONDING TO THE MOST RECENT PUBLICATION OF THE  
25 DEPARTMENT'S COLORADO TAX PROFILE STUDY, OR ITS SUCCESSOR.";

26  
27 strike line 3 and substitute the following:

28 "TAXES PAID BY INDIVIDUAL TAXPAYERS, THE DEPARTMENT OF";

29  
30 line 5, strike "HIGHWAY USERS TAX; GAS, MBTE," and substitute "GAS";  
31 strike line 9 and substitute the following:

32 "TAXES PAID BY INDIVIDUAL TAXPAYERS, THE DEPARTMENT OF";

33  
34 strike lines 15 through 27.

35  
36 Page 4, strike lines 1 and 2 and substitute the following:

37 "AMOUNT OF TAXES PAID BY INCOME CLASSES AS PRESENTED IN THE MOST  
38 RECENT PUBLICATION OF SUCH DATA IN THE DEPARTMENT'S COLORADO  
39 TAX PROFILE STUDY, OR ITS SUCCESSOR. SUCH INCOME CLASSES SHALL BE  
40 STRATIFIED FROM THE LOWEST TO THE HIGHEST INCOME TAX RANGES.";

41  
42 line 4, after "TAXPAYERS", insert "AS PRINTED";

43  
44 strike line 5 and substitute the following:

45 "MOST RECENT PUBLICATION OF THE DEPARTMENT'S COLORADO TAX  
46 PROFILE STUDY, OR ITS SUCCESSOR. EACH TAX".

47  
48  
49  
50 **JUDICIARY**

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

53  
54 **HB03-1376** be amended as follows, and as so amended, be referred to  
55 the Committee of the Whole with favorable  
56 recommendation:



1 Amend printed bill, page 4, strike line 1 and substitute "**12-37.5-107.**  
2 **Judicial bypass.** (1) ~~If section~~";

3  
4 strike lines 2 through 9 and substitute the following:

5  
6 "~~12-37.5-104 of this article is ever temporarily, preliminarily, or~~  
7 ~~permanently restrained or enjoined due to the absence of a judicial bypass~~  
8 ~~provision, the said section shall be enforced as though the following~~  
9 ~~provisions were incorporated as subsection (2) of section 104, provided~~  
10 ~~however that, if any such restraining order or injunction is stayed,~~  
11 ~~dissolved, or otherwise ceases to have effect, section 104 shall have full~~  
12 ~~force and effect without the addition of the following subsection (2)."~~

13  
14 Page 5, line 5, after "HEARD", insert "AND DECIDED".

15

16

17

18

19 **STATE, VETERANS, & MILITARY AFFAIRS**

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

22

23 **HR03-1015** be postponed indefinitely.

24

25

26 **HJR03-1030** be postponed indefinitely.

27

28

29 **SB03-033** be referred favorably to the Committee on Appropriations.

30

31

32 **SB03-230** be referred favorably to the Committee on Appropriations.

33

34

35

36

37 **TRANSPORTATION & ENERGY**

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

40

41 **HB03-1365** be amended as follows, and as so amended, be referred to  
42 the Committee on Appropriations with favorable  
43 recommendation:

44

45 Amend printed bill, page 4, line 21, strike "SHALL" and substitute "MAY";

46

47 line 26, strike "SHALL" and substitute "MAY".

48

49 Page 5, line 5, strike "SHALL BE SUBJECT TO REVIEW" and substitute "THIS  
50 AMOUNT MAY BE SUBJECT TO REVIEW AS ESTABLISHED";

51

52 line 6, strike "COMMISSION." and substitute "COMMISSION BY RULE."

53

54 Page 8, after line 13, insert the following:

55

56 "(3) THE FOUNDATION SHALL PAY THE PUBLIC UTILITIES

1 COMMISSION FROM THE MONEYS TRANSFERRED TO THE COMMISSION  
 2 PURSUANT TO SUBSECTION (1) OF THIS SECTION FOR ANY ADMINISTRATIVE  
 3 COSTS INCURRED PURSUANT TO THIS ARTICLE."

4

5 Page 11, strike lines 3 through 11 and substitute the following:

6

7 **"SECTION 2. Effective date.** (1) This act shall take effect  
 8 January 1, 2004.

9

10 (2) However, if a referendum petition is filed against this act or  
 11 an item, section, or part of this act during the 90-day period after final  
 12 adjournment of the general assembly that is allowed for submitting a  
 13 referendum petition pursuant to article V, section 1 (3) of the state  
 14 constitution, then the act, item, section, or part, shall not take effect  
 15 unless approved by the people at a biennial regular general election and  
 16 shall take effect on the date specified in subsection (1) or on the date of  
 17 the official declaration of the vote thereon by proclamation of the  
 18 governor, whichever is later."

19

20

21

22 **HB03-1367** be referred to the Committee of the Whole with favorable  
 23 recommendation.

24

25

26 **SB03-239** be amended as follows, and as so amended, be referred to  
 27 the Committee on Appropriations with favorable  
 28 recommendation:

29

30 Amend reengrossed bill, page 3, line 17, after "INSURER", insert "THAT  
 31 HAS TEN THOUSAND OR MORE CURRENT POLICIES IN PLACE FOR THE  
 32 PRECEDING SIX MONTHS".

33

34 Page 4, line 1, strike "JULY 1, 2003," and substitute "JANUARY 1, 2004,";

35

36 line 2, strike "COMPLETE";

37

38 after line 3, insert "THE DESIGNATED AGENT AND THE WORKING GROUP  
 39 CREATED IN SECTION 42-7-604 (4) (b), C.R.S., SHALL DETERMINE IF ANY  
 40 NEW MEANS OF TRANSMITTAL OF SUCH INFORMATION MAY BE UTILIZED.";

41

42 line 8, strike "~~not more than two hundred fifty~~ FIVE HUNDRED" and  
 43 substitute "not more than two hundred fifty";

44

45 line 18, strike "2008." and substitute "2006, UNLESS THE MOTORIST  
 46 INSURANCE IDENTIFICATION DATABASE PROGRAM CREATED IN SECTION  
 47 42-7-604, C.R.S., IS EXTENDED BY THE GENERAL ASSEMBLY BEYOND SUCH  
 48 DATE."

49

50 Page 5, line 11, strike "2008." and substitute "2006. PRIOR TO SUCH  
 51 REPEAL, THE DEPARTMENT OF REGULATORY AGENCIES SHALL REVIEW THE  
 52 MOTORIST INSURANCE IDENTIFICATION DATABASE PROGRAM, CREATED IN  
 53 SECTION 42-7-604, PURSUANT TO 24-34-104, C.R.S. IN ITS REVIEW, THE  
 54 DEPARTMENT SHALL CONSIDER WHETHER, SINCE THE INCEPTION OF THE  
 55 PROGRAM, THE RATE OF UNINSURED DRIVERS HAS DECREASED; THE  
 56 NUMBER OF LETTERS SENT PURSUANT TO SECTION 42-7-604 (5) (c) (III),

1 AND THEIR EFFECT ON THE RATE OF UNINSURED DRIVERS; THE DEGREE TO  
2 WHICH LAW ENFORCEMENT USES THE MOTORIST INSURANCE  
3 IDENTIFICATION DATABASE; AND THE USE AND EFFECTIVENESS OF THE  
4 INTERNET OPTION REQUIRED PURSUANT TO SECTION 42-7-604 (5) (c) (I).  
5 IN CONDUCTING ITS REVIEW PURSUANT TO SECTION 24-34-104, C.R.S., THE  
6 DEPARTMENT SHALL ONLY CONSIDER SUBPARAGRAPHS (I), (III), (IV), AND  
7 (IX) OF PARAGRAPH (b) OF SUBSECTION (9) OF SUCH SECTION.";

8  
9 after line 19, insert the following:

10  
11 "SECTION 5. 24-34-104 (37), Colorado Revised Statutes, is  
12 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

13  
14 **24-34-104. General assembly review of regulatory agencies and**  
15 **functions for termination, continuation, or reestablishment.** (37) The  
16 following agencies, functions, or both, shall terminate on July 1, 2006:

17  
18 (e) THE MOTORIST INSURANCE IDENTIFICATION DATABASE  
19 PROGRAM CREATED IN SECTION 42-7-604, C.R.S."

20  
21 Renumber succeeding sections accordingly.

22  
23 Page 6, line 9, strike "2008," and substitute "2006,";

24  
25 strike line 13 and substitute the following:

26  
27 "SECTION 7. 42-4-1409 (1), (2), (3), (4), (5), (6), and (8),  
28 Colorado Revised Statutes, are";

29  
30 strike lines 15 through 22 and substitute the following:

31  
32 "**42-4-1409. Compulsory insurance - penalty.** (1) No owner of  
33 a motor vehicle required to be registered in this state shall operate the  
34 vehicle or permit it to be operated on the public highways of this state  
35 when the owner has failed to have a complying policy or certificate of  
36 self-insurance in full force and effect as required by ~~sections 10-4-705~~  
37 ~~and 10-4-716, C.R.S.~~ LAW.

38  
39 (2) No person shall operate a motor vehicle on the public  
40 highways of this state without a complying policy or certificate of  
41 self-insurance in full force and effect as required by ~~sections 10-4-705~~  
42 ~~and 10-4-716, C.R.S.~~ LAW.

43  
44 (3) When an accident occurs, or when requested to do so  
45 following any lawful traffic contact or during any traffic investigation by  
46 a peace officer, no owner or operator of a motor vehicle shall fail to  
47 present to the requesting officer immediate evidence of a complying  
48 policy or certificate of self-insurance in full force and effect as required  
49 by ~~sections 10-4-705 and 10-4-716, C.R.S.~~ LAW.

50  
51 (4) (a) Any person who violates the provisions of subsection (1),  
52 (2), or (3) of this section commits a class 1 misdemeanor traffic offense.  
53 The minimum fine imposed by section 42-4-1701 (3) (a) (II) (A) shall be  
54 mandatory, and the court shall not suspend such minimum fine, in whole  
55 or in part, unless it is established that appropriate insurance as required  
56 under ~~sections 10-4-705 and 10-4-716, C.R.S.~~, BY LAW has been

1 obtained. Nothing in this paragraph (a) shall be construed to prevent the  
2 court from imposing a fine greater than the minimum mandatory fine.

3  
4 (b) Upon a second or subsequent conviction under this section  
5 within a period of two years following a prior conviction under this  
6 section, in addition to any imprisonment imposed pursuant to section  
7 42-4-1701 (3) (a) (II) (A), the defendant shall be punished by a minimum  
8 mandatory fine of not less than two hundred dollars, and the court shall  
9 not suspend such minimum fine, in whole or in part, unless it is  
10 established that appropriate insurance as required ~~under sections~~  
11 ~~10-4-705 and 10-4-716, C.R.S.~~, BY LAW has been obtained. Nothing in  
12 this paragraph (b) shall be construed to prevent the court from imposing  
13 a fine greater than the minimum mandatory fine.

14  
15 (c) In addition to the penalties prescribed in paragraphs (a) and (b)  
16 of this subsection (4), any person convicted pursuant to this section may,  
17 at the discretion of the court, be sentenced to perform not less than forty  
18 hours of community service, subject to the provisions of section  
19 18-1.3-507, C.R.S.

20  
21 (5) Testimony of the failure of any owner or operator of a motor  
22 vehicle to present immediate evidence of a complying policy or certificate  
23 of self-insurance in full force and effect as required by ~~sections 10-4-705~~  
24 ~~and 10-4-716, C.R.S.~~ LAW, when requested to do so by a peace officer,  
25 shall constitute prima facie evidence, at a trial concerning a violation  
26 charged under subsection (1) or (2) of this section, that such owner or  
27 operator of a motor vehicle violated subsection (1) or (2) of this section.

28  
29 (6) No person charged with violating subsection (1), (2), or (3) of  
30 this section shall be convicted if the person produces in court a bona fide  
31 complying policy or certificate of self-insurance ~~which~~ THAT was in full  
32 force and effect as required by ~~sections 10-4-705 and 10-4-716, C.R.S.~~  
33 LAW at the time of the alleged violation.

34  
35 ~~(8) This section is repealed, effective July 1, 2003, unless the~~  
36 ~~review conducted by the department of regulatory agencies pursuant to~~  
37 ~~section 42-7-608 and reported to the general assembly indicates that the~~  
38 ~~proportion of uninsured motorists declined between July 1, 2000, and the~~  
39 ~~date of the department's review.";~~

40  
41 line 27, strike "2008," and substitute "2006,".

42  
43 Page 7, line 15, strike "2008," and substitute "2006,".

44  
45  
46  
47 **PRINTING REPORT**

48  
49 The Chief Clerk reports the following bill has been correctly printed:  
50 **HB03-1374.**

51  
52  
53 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

54  
55 The Speaker has signed: **SB03-226.**

56

**DELIVERY OF BILLS TO GOVERNOR**

The Chief Clerk of the House of Representatives reports the following bills have been delivered to the Office of the Governor: **HB03-1005, 1012, 1016, 1333, 1337** at 2:10 p.m., April 24, 2003.

**MESSAGES FROM THE SENATE**

Madam Speaker:

The Senate voted to concur in House amendments to SB03-242, 006, 045, 085, 141, 238, 110, 070, 249, 240, 317, and repassed the bills as amended.

On reconsideration, the Senate passed on Third Reading and transmitted to the Revisor of Statutes HB03-1294, amended on Third Reading, as printed in Senate Journal, April 24.

The Senate granted permission to members of the First Conference Committee on HB03-1219 to consider matters not at issue between the two houses.

The Senate granted permission to members of the First Conference Committee on SB03-275 to consider matters not at issue between the two houses.

The Senate has postponed indefinitely HB03-1085. The bill is returned herewith.

**MESSAGE FROM THE REVISOR**

We herewith transmit:  
Without comment, as amended, HB03-1294.

**INTRODUCTION OF BILL  
First Reading**

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

**HB03-1379** by Representative(s) Wiens, Spradley; also Senator(s) Chlouber, Evans--Concerning the recovery of amounts for bills overpaid by the state that are due to the state to fund the local government limited gaming impact fund by depositing all proceeds received from cost recovery services before December 31, 2004, in the local government limited gaming impact fund up to the amount transferred from the local government limited gaming impact fund to the general fund leaving any additional proceeds to be deposited in the general fund.

Committee on State, Veterans, & Military Affairs

## Correction

1  
2  
3 H.J. page 1947, strike lines 45 through 54 and page 1948 strike lines 1  
4 through 4, and substitute the following:  
5  
6 Amend reengrossed bill, page 3, line 22, strike "FUNDS" and substitute  
7 "MONEYS";  
8  
9 line 27, strike "FUNDS" and substitute "MONEYS".  
10  
11 Page 4, line 2, strike "FUNDS" and substitute "MONEYS";  
12  
13 line 4, strike "BOARD AND";  
14  
15 strike lines 5 and 6 and substitute the following:  
16  
17 "BOARD. THE MONEYS IN THE FUND SHALL BE USED TO PAY THE SALARY  
18 AND BENEFITS OF ANY EMPLOYEE HIRED BY THE DEPARTMENT OF LAW IN  
19 ORDER TO ADMINISTER THE PEACE OFFICER TRAINING PROGRAMS AND TO  
20 COVER ANY OTHER COSTS INCURRED BY THE P.O.S.T. BOARD IN  
21 CONNECTION WITH SUCH PROGRAMS. UNDER NO CIRCUMSTANCE SHALL  
22 GENERAL FUND MONEYS BE USED TO COVER SUCH COSTS INCURRED BY THE  
23 DEPARTMENT OF LAW OR THE P.O.S.T. BOARD."  
24

---

**LAY OVER OF CALENDAR ITEMS**

25  
26  
27  
28  
29 On motion of Representative King, the following items on the Calendar  
30 were laid over until April 25, retaining place on Calendar:  
31  
32 Consideration of General Orders--**HB03-1311, 1247, SB03-155.**  
33 Consideration of Resolutions--**HJR03-1042, SJR03-030, 034,**  
34 **HJR03-1052, 1055, 1057, 1058, 1046, 1048, 1060, 1062, 1065, 1066,**  
35 **SJR03-032, 041, HJR03-1067, 1059, HJR03-1061.**  
36 Consideration of Memorials--**SJM03-001, 002, 004, HM03-1001, 1002.**  
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40 On motion of Representative King, the House adjourned until 9:00 a.m.,  
41 April 25, 2003.  
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43 Approved:

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47 LOLA SPRADLEY,  
48 Speaker

49 Attest:

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51 JUDITH RODRIGUE,  
52 Chief Clerk