

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

Sixty-second Legislative Day

Monday, March 10, 2003

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

2

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

4

5 Pledge of Allegiance led by Representative Hoppe.

6

7 The roll was called with the following result:

8

9 Present--64.

10 Vacancy--1.

11

12 The Speaker declared a quorum present.

13

14

15 On motion of Representative McCluskey, the reading of the journal of
 16 March 7, 2003, was declared dispensed with and approved as corrected
 17 by the Chief Clerk.

18

19

20

21

THIRD READING OF BILLS--FINAL PASSAGE

22

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

26

27 **SB03-117** by Senator(s) Cairns; also Representative(s) Spence--
 28 Concerning the schedule by which the department of
 29 education releases school accountability reports.

30

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

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

35

Vacancy	YES	64	NO	00	EXCUSED	00	ABSENT	00
Berry	Y		Garcia	Y	McCluskey	Y	Sinclair	Y
Borodkin	Y		Hall	Y	McFadyen	Y	Smith	Y
Boyd	Y		Harvey	Y	Merrifield	Y	Spence	Y
Briggs	Y		Hefley	Y	Miller	Y	Stafford	Y
Brophy	Y		Hodge	Y	Mitchell	Y	Stengel	Y
Butcher	Y		Hoppe	Y	Paccione	Y	Tochtrop	Y
Cadman	Y		Jahn	Y	Plant	Y	Veiga	Y

43

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

11

12

13 **HB03-1312** by Representative(s) Larson, Decker, Groff, Jahn, Judd,
 14 Lee, Marshall, Romanoff, Rose, Smith, Stengel, White,
 15 Witwer; also Senator(s) Anderson--Concerning the
 16 authority to direct the disposition of a person's last
 17 remains.

18

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

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

23

24

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

42

Co-sponsors added: Representatives Boyd, Coleman, Stafford, Tochtrop.

43

44 **HB03-1250** by Representative(s) Sinclair, King, Schultheis; also
 45 Senator(s) Cairns--Concerning the procedure for awarding
 46 science and technology education center grants by the
 47 state board of education from recommendations by the
 48 science and technology education center grants advisory
 49 board.

50

51 The question being "Shall the bill 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 bill
 54 was declared **passed**.

55

	Vacancy 1	YES	33	NO	31	EXCUSED	00	ABSENT	00
1									
2	Berry	Y		Garcia	N	McCluskey	Y	Sinclair	Y
3	Borodkin	N		Hall	Y	McFadyen	N	Smith	Y
4	Boyd	N		Harvey	Y	Merrifield	N	Spence	Y
5	Briggs	N		Hefley	Y	Miller	Y	Stafford	Y
6	Brophy	N		Hodge	N	Mitchell	N	Stengel	Y
7	Butcher	N		Hoppe	Y	Paccione	N	Tochtrop	N
8	Cadman	Y		Jahn	N	Plant	N	Veiga	N
9	Carroll	N		Johnson	Y	Pommer	N	Vigil	N
10	Clapp	Y		Judd	N	Ragsdale	N	Weddig	N
11	Cloer	Y		King	Y	Rhodes	Y	Weissmann	N
12	Coleman	N		Larson	Y	Rippy	Y	White	Y
13	Crane	Y		Lee	Y	Romanoff	N	Wiens	Y
14	Decker	Y		Lundberg	Y	Rose	Y	Williams S.	N
15	Fairbank	Y		Madden	N	Salazar	N	Williams T.	Y
16	Frangas	N		Marshall	N			Witwer	Y
17	Fritz	N		May	Y	Schultheis	Y	Young	N
18								Speaker	Y

19 Co-sponsors added: Representatives Cadman, Hefley.

22 IMMEDIATE RECONSIDERATION OF HB03-1250

24 Having voted on the prevailing side, Representative Sinclair moved for
 25 immediate reconsideration of **HB03-1250**. As shown by the following
 26 recorded vote less than a two-thirds majority of those elected to the
 27 House voted in the affirmative and the motion was declared **lost**:

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

49 **HB03-1313** by Representative(s) Wiens, May M., Harvey; also
 50 Senator(s) Evans, Lamborn--Concerning the exclusion of
 51 particular regions from the motor vehicle emissions
 52 program area by rule promulgated by the air quality
 53 control commission.

55 Laid over until March 11, retaining place on Calendar.

56

1 **HB03-1251** by Representative(s) Boyd; also Senator(s) Cairns --
 2 Concerning the creation of the auto theft prevention
 3 authority.
 4

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

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

Vacancy 1	YES	55	NO	09	EXCUSED	00	ABSENT	00
11	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
12	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
13	Boyd	Y	Harvey	Y	Merrifield	Y	Spence	Y
14	Briggs	Y	Hefley	Y	Miller	Y	Stafford	Y
15	Brophy	N	Hodge	Y	Mitchell	N	Stengel	Y
16	Butcher	Y	Hoppe	Y	Paccione	Y	Tochtrop	Y
17	Cadman	N	Jahn	Y	Plant	Y	Veiga	Y
18	Carroll	Y	Johnson	Y	Pommer	Y	Vigil	Y
19	Clapp	Y	Judd	Y	Ragsdale	Y	Weddig	Y
20	Cloer	Y	King	N	Rhodes	Y	Weissmann	Y
21	Coleman	Y	Larson	Y	Rippy	N	White	Y
22	Crane	Y	Lee	N	Romanoff	Y	Wiens	Y
23	Decker	Y	Lundberg	N	Rose	N	Williams S.	Y
24	Fairbank	Y	Madden	Y	Salazar	Y	Williams T.	Y
25	Frangas	Y	Marshall	Y			Witwer	Y
26	Fritz	Y	May	Y	Schultheis	Y	Young	N
27							Speaker	Y

28 Co-sponsors added: Representatives Borodkin, Carroll, Garcia, Hodge, Hoppe,
 29 Jahn, Larson, Madden, Marshall, Paccione, Ragsdale, Romanoff, Stafford,
 30 Tochtrop, Weissmann.
 31
 32

33 **HB03-1236** by Representative(s) Hefley; also Senator(s) Dyer--
 34 Concerning strengthening Colorado's substantive criminal
 35 law.
 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

Vacancy 1	YES	60	NO	04	EXCUSED	00	ABSENT	00
43	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
44	Borodkin	Y	Hall	Y	McFadyen	N	Smith	Y
45	Boyd	Y	Harvey	Y	Merrifield	Y	Spence	Y
46	Briggs	Y	Hefley	Y	Miller	Y	Stafford	Y
47	Brophy	Y	Hodge	N	Mitchell	Y	Stengel	Y
48	Butcher	Y	Hoppe	Y	Paccione	Y	Tochtrop	N
49	Cadman	Y	Jahn	Y	Plant	Y	Veiga	Y
50	Carroll	Y	Johnson	Y	Pommer	Y	Vigil	Y
51	Clapp	Y	Judd	Y	Ragsdale	Y	Weddig	Y
52	Cloer	Y	King	Y	Rhodes	Y	Weissmann	N
53	Coleman	Y	Larson	Y	Rippy	Y	White	Y
54	Crane	Y	Lee	Y	Romanoff	Y	Wiens	Y
55	Decker	Y	Lundberg	Y	Rose	Y	Williams S.	Y
56	Fairbank	Y	Madden	Y	Salazar	Y	Williams T.	Y

1	Frangas	Y	Marshall	Y		Witwer	Y
2	Fritz	Y	May	Y	Schultheis	Y	Young
3							Speaker

4 Co-sponsor added: Representative Romanoff.

5
6 **SB03-147** by Senator(s) Dyer; also Representative(s) Hefley--
7 Concerning strengthening Colorado's criminal procedure
8 laws.

9
10 The question being "Shall the bill pass?".

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

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

33 Co-sponsors added: Representatives Boyd, Carroll, Jahn, Marshall, Romanoff.

34
35 **SB03-137** by Senator(s) Arnold; also Representative(s) Spence--
36 Concerning modifications to deadlines involving the
37 conversion of unsatisfactory schools.

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**.

44	Vacancy 1	YES	61	NO	03	EXCUSED	00	ABSENT	00
45	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y	
46	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y	
47	Boyd	Y	Harvey	Y	Merrifield	Y	Spence	Y	
48	Briggs	Y	Hefley	Y	Miller	Y	Stafford	Y	
49	Brophy	Y	Hodge	Y	Mitchell	Y	Stengel	Y	
50	Butcher	Y	Hoppe	Y	Paccione	Y	Tochtrop	Y	
51	Cadman	Y	Jahn	Y	Plant	Y	Veiga	Y	
52	Carroll	Y	Johnson	Y	Pommer	Y	Vigil	Y	
53	Clapp	Y	Judd	Y	Ragsdale	Y	Weddig	N	
54	Cloer	Y	King	Y	Rhodes	Y	Weissmann	Y	
55	Coleman	N	Larson	Y	Rippy	Y	White	Y	
56	Crane	Y	Lee	Y	Romanoff	Y	Wiens	Y	

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

9 Co-sponsors added: Representatives Hoppe, McFadyen, Weddig.

10

11 **SB03-089** by Senator(s) Phillips; also Representative(s) Hall--
 12 Concerning modifications to the notice requirements
 13 applicable to the formation of certain political subdivisions
 14 that are authorized to levy ad valorem taxes.

15

16 The question being "Shall the bill 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 bill
 19 was declared **passed**.

20

21	Vacancy 1	YES	64	NO	00	EXCUSED	00	ABSENT	00
22	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y	
23	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y	
24	Boyd	Y	Harvey	Y	Merrifield	Y	Spence	Y	
25	Briggs	Y	Hefley	Y	Miller	Y	Stafford	Y	
26	Brophy	Y	Hodge	Y	Mitchell	Y	Stengel	Y	
27	Butcher	Y	Hoppe	Y	Paccione	Y	Tochtrop	Y	
28	Cadman	Y	Jahn	Y	Plant	Y	Veiga	Y	
29	Carroll	Y	Johnson	Y	Pommer	Y	Vigil	Y	
30	Clapp	Y	Judd	Y	Ragsdale	Y	Weddig	Y	
31	Cloer	Y	King	Y	Rhodes	Y	Weissmann	Y	
32	Coleman	Y	Larson	Y	Rippy	Y	White	Y	
33	Crane	Y	Lee	Y	Romanoff	Y	Wiens	Y	
34	Decker	Y	Lundberg	Y	Rose	Y	Williams S.	Y	
35	Fairbank	Y	Madden	Y	Salazar	Y	Williams T.	Y	
36	Frangas	Y	Marshall	Y			Witwer	Y	
37	Fritz	Y	May	Y	Schultheis	Y	Young	Y	
38							Speaker	Y	

39

40 **SB03-097** by Senator(s) Takis, Hagedorn; also Representative(s)
 41 Stafford--Concerning reconsideration of the parole
 42 application of a person convicted of certain crimes of
 43 violence.

44

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

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

49

50	Vacancy 1	YES	59	NO	05	EXCUSED	00	ABSENT	00
51	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y	
52	Borodkin	Y	Hall	Y	McFadyen	N	Smith	Y	
53	Boyd	Y	Harvey	Y	Merrifield	Y	Spence	Y	
54	Briggs	Y	Hefley	Y	Miller	Y	Stafford	Y	
55	Brophy	Y	Hodge	Y	Mitchell	Y	Stengel	Y	
56	Butcher	Y	Hoppe	Y	Paccione	Y	Tochtrop	Y	

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

12 Co-sponsor added: Representative Cadman.

13
14
15 On motion of Representative McCluskey, the House resolved itself into
16 Committee of the Whole for consideration of General Orders, and he was
17 called to the Chair to act as Chairman.

18
19
20 **GENERAL ORDERS--SECOND READING OF BILLS**

21
22 The Committee of the Whole having risen, the Chairman reported the
23 titles of the following bills had been read (reading at length had been
24 dispensed with by unanimous consent), the bills considered and action
25 taken thereon as follows:

26
27 (Amendments to the committee amendment are to the printed committee
28 report which was printed and placed in the members' bill file.)

29
30 On motion of Representative King, Consideration of **SB03-155, HB03-**
31 **1311, 1086, SB03-158, 025, 098, HB03-1252** was laid over until March
32 11, retaining place on Calendar.

33
34 **SB03-053** by Senator(s) McElhany; also Representative(s) King--
35 Concerning operations of the Colorado school for the deaf
36 and the blind, and, in connection therewith, creating an
37 independent governing board for the school.

38
39 Amendment No. 1, Education Report, dated March 3, 2003, and placed
40 in member's bill file; Report also printed in House Journal, March 4,
41 pages 1028-1030.

42
43 Amendment No. 2, by Representative King.

44
45 Amend reengrossed bill, page 4, line 1, after "(3)", insert "(a)";

46
47 after line 5, insert the following:

48
49 "(b) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (a) OF
50 THIS SUBSECTION (3) TO THE CONTRARY, THE SCHOOL SHALL NOT BE A
51 LOCAL EDUCATIONAL AGENCY FOR THE PURPOSES OF THE FEDERAL
52 "NATIONAL SCHOOL LUNCH ACT", 42 U.S.C. SEC. 1751 ET SEQ., OR THE
53 FEDERAL "CHILD NUTRITION ACT OF 1966", 42 U.S.C. SEC. 1771 ET SEQ."

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

1 **SB03-164** by Senator(s) Gordon; also Representative(s) Hefley--
2 Concerning creation of a post-conviction DNA evidence
3 procedure.
4

5 Amendment No. 1, Judiciary Report, dated March 4, 2003, and placed in
6 member's bill file; Report also printed in House Journal, March 5,
7 pages 1038-1039.
8

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

12 **HB03-1320** by Representative(s) Rippey; also Senator(s) McElhany--
13 Concerning the state engineer's authority to administer
14 temporary instream flows held by the Colorado water
15 conservation board, and, in connection therewith,
16 requiring the state engineer to determine whether such
17 temporary instream flows would injure existing water
18 rights.
19

20 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,
21 dated March 5, 2003, and placed in member's bill file; Report also printed
22 in House Journal, March 6, pages 1053-1051.
23

24 Amendment No. 2, by Representative Salazar.
25

26 Amend the Agriculture, Livestock, and Natural Resources Committee
27 Report, dated March 5, 2003, page 1, strike lines 2 and 3 and substitute
28 the following:
29

30 "line 16, strike "EMERGENCY," and substitute "EMERGENCY OR IN WHICH
31 ANY OTHER EMERGENCY IS DECLARED,";"
32

33 As amended, ordered engrossed and placed on the Calendar for Third
34 Reading and Final Passage.
35

36 **SB03-065** by Senator(s) Chlouber; also Representative(s) Miller--
37 Concerning animal protection.
38

39 Ordered revised and placed on the Calendar for Third Reading and Final
40 Passage.
41

42 **SB03-148** by Senator(s) Teck; also Representative(s) Marshall--
43 Concerning the time for electronic filing of income tax
44 returns.
45

46 Ordered revised and placed on the Calendar for Third Reading and Final
47 Passage.
48

49 **HB03-1303** by Representative(s) Crane; also Senator(s) Lamborn--
50 Concerning crimes involving the unauthorized use of
51 communication devices, and, in connection therewith,
52 making an appropriation.
53

54 Amendment No. 1, Information & Technology Report, dated March 5,
55 2003, and placed in member's bill file; Report also printed in House
56 Journal, March 6, pages 1056-1058.

1 Amendment No. 2, by Representative Weissmann.

2

3 Amend the Information and Technology Committee Report, dated March
4 5, 2003, page 1, strike lines 11 and 12 and substitute the following:

5

6 "developed;"

7

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

10

11

12 **SB03-135** by Senator(s) Lamborn; also Representative(s) Smith--
13 Concerning the elimination of outdated provisions of law
14 resulting from the law's obsolescence, infrequency of use,
15 or inapplicability to current society, and, in connection
16 therewith, repealing or amending various provisions of
17 law.

18

19 Amendment No. 1, Information & Technology Report, dated March 5,
20 2003, and placed in member's bill file; Report also printed in House
21 Journal, March 6, page 1058.

22

23 Amendment No. 2, by Representative Smith.

24

25 Amend reengrossed bill, page 13, after line 7, insert the following:

26

27 **"SECTION 19.** 24-60-2206 (2), Colorado Revised Statutes, is
28 amended to read:

29

30 **24-60-2206. Site recommendation by counties.** (2) In making
31 such recommendation, the board of county commissioners shall also
32 consider comments from the department AND the Rocky Mountain low-
33 level radioactive waste board; ~~and the advisory committee established in~~
34 ~~section 24-60-2210;~~ except that the board of county commissioners shall
35 make the final determination as to the designation of a facility site
36 pursuant to part 1 of article 20 of title 30, C.R.S.

37

38 **SECTION 20. Repeal.** 24-60-2210, Colorado Revised Statutes,
39 is repealed."

40

41 Renumber succeeding sections accordingly.

42

43 Amendment No. 3, by Representative Weissmann.

44

45 Amend printed bill, page 12, after line 3, insert the following:

46

47 **"SECTION 17.** 12-47-901 (5) (b) (II), Colorado Revised Statutes,
48 is amended to read:

49

50 **12-47-901. Unlawful acts - exceptions.** (5) It is unlawful for any
51 person licensed to sell at retail pursuant to this article:

52

53 (b) To sell, serve, or distribute any malt, vinous, or spirituous
54 liquors at any time other than the following:

55

56 (II) In sealed containers ~~on Monday through Saturday~~, beginning

1 at 8 a.m. until 12 midnight each day. ~~except that, for a limited winery~~
2 ~~licensee, sales of vinous liquors in sealed containers or by the glass shall~~
3 ~~be permitted on Sunday beginning at 8 a.m. until 12 midnight.~~ No malt,
4 vinous, or spirituous liquors shall be sold, served, or distributed in a
5 sealed container on Christmas day."

6

7 Renumber succeeding sections accordingly.

8

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

11 (For change in action, see Amendments to Report, page 1092.)

12

13

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

17

18 Amendment No. 1, Health, Environment, Welfare, & Institutions Report,
19 dated March 5, 2003, and placed in member's bill file; Report also printed
20 in House Journal, March 6, pages 1055-1056.

21

22 Amendment No. 2, by Representative Stafford.

23

24 Amend printed bill, page 9, line 17, after the period, add "IF A FUNERAL
25 DIRECTOR, MORTICIAN, OR EMBALMER ADVERTISES AS HOLDING A
26 CREDENTIAL GRANTED BY A GOVERNMENTAL ENTITY, SUCH PERSON SHALL
27 IDENTIFY THE JURISDICTION THAT GRANTED SUCH CREDENTIAL IN SUCH
28 ADVERTISEMENT."

29

30 Amendment No. 3, by Representative Stafford.

31

32 Amend printed bill, page 14, after line 17, insert the following:

33

34 **"12-54-109. Effect of criminal charges.** A PERSON WHO HAS BEEN
35 CHARGED WITH A CRIME PURSUANT TO PART 1 OF ARTICLE 3 OF TITLE 18,
36 C.R.S., THAT IS THE PROXIMATE CAUSE OF THE DECEASED PERSON'S DEATH
37 SHALL NOT DIRECT THE FINAL DISPOSITION OF THE DECEASED OR ARRANGE
38 THE CEREMONIES FOR THE DECEASED. IF THE CHARGES ARE DISMISSED OR
39 THE PERSON IS ACQUITTED OF THE ALLEGED CRIME BEFORE FINAL
40 DISPOSITION OF THE BODY, THIS SECTION SHALL NOT APPLY."

41

42 Amendment No. 4, by Representative Romanoff.

43

44 Amend printed bill, page 14, line 14, strike "WITHIN" and substitute
45 "AFTER".

46

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

49

50 **SB03-035** by Senator(s) Entz; also Representative(s) Salazar--
51 Concerning the categorization of Alamosa county for
52 purposes of establishing salaries of county officers.

53

54 Ordered revised and placed on the Calendar for Third Reading and Final
55 Passage.

56

1 **SB03-139** by Senator(s) Andrews; also Representative(s) Lundberg--
 2 Concerning the procedure for contesting the result of an
 3 election approving the creation of a financial obligation
 4 when certain information is withheld from the voters.
 5

6 Ordered revised and placed on the Calendar for Third Reading and Final
 7 Passage.
 8

10
 11 **AMENDMENTS TO THE COMMITTEE OF THE WHOLE REPORT**

12
 13 Representatives Smith, Cadman, Clapp, Decker, Hoppe, King, Spradley,
 14 Stafford, and Stengel moved to amend the Report of the Committee of
 15 the Whole to show that Amendment No. 3, by Representative Weissmann
 16 (printed in House Journal, page 1090 lines 43-56, and page 1091 lines 1-
 17 7), to SB 03-135, did not pass, and that SB 03-135, as amended, did pass.
 18

19 The amendment was declared **passed** by the following roll call vote:
 20

Vacancy 1	YES	37	NO	26	EXCUSED	01	ABSENT	00
Berry	N		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
Brophy	N		Hodge	N	Mitchell	Y	Stengel	Y
Butcher	Y		Hoppe	Y	Paccione	N	Tochtrop	N
Cadman	Y		Jahn	N	Plant	N	Veiga	N
Carroll	N		Johnson	Y	Pommer	N	Vigil	N
Clapp	Y		Judd	N	Ragsdale	N	Weddig	N
Cloer	Y		King	Y	Rhodes	Y	Weissmann	N
Coleman	N		Larson	Y	Rippy	Y	White	Y
Crane	Y		Lee	Y	Romanoff	Y	Wiens	Y
Decker	N		Lundberg	Y	Rose	Y	Williams S.	N
Fairbank	E		Madden	N	Salazar	Y	Williams T.	Y
Frangas	N		Marshall	N			Witwer	Y
Fritz	Y		May	Y	Schultheis	Y	Young	Y
							Speaker	Y

39 Representative Fairbank excused from voting under House Rule 21(c).
 40
 41

42
 43 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

44
 45 Passed Second Reading: **SB03-053 amended, 164 amended, HB03-**
 46 **1320 amended, SB03-065, 148, HB03-1303 amended, SB03-**
 47 **135 amended, HB03-1305 amended, SB03-035, 139.**
 48

49 Laid over until date indicated retaining place on Calendar: **SB03-155,**
 50 **HB03-1311, 1086, SB03-158, 025, 098, HB03-1252--March 11, 2003.**
 51

52 The Chairman moved the adoption of the Committee of the Whole
 53 Report. As shown by the following roll call vote, a majority of those
 54 elected to the House voted in the affirmative, and the Report was
 55 **adopted.**
 56

1	Vacancy 1	YES 64	NO	00	EXCUSED	00	ABSENT	00
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	Y	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.	Y
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

REPORT OF COMMITTEE OF REFERENCE

APPROPRIATIONS

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

HB03-1062 be postponed indefinitely.

MESSAGE FROM THE SENATE

Madam Speaker:

The Senate voted to concur in House amendments to SB03-057 and repassed the bill as amended.

MESSAGE FROM THE GOVERNOR

I certify I received the following on the 7th day of March, 2003, at 3:05 p.m. The original is on file in the records of the House of Representatives of the General Assembly.

Judith Rodrigue,
Chief Clerk of the House

March 7, 2003

To the Honorable
House of Representatives
Sixty-fourth General Assembly
First Regular Session
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following acts:

1 HB03-1048 Concerning Authorization To Move Moneys From The
2 Colorado Student Obligation Bond Authority Fund To
3 Funds Established For The Future Payment Of Higher
4 Education Expenses.

5
6 Approved March 7, 2003 at 9:50 a.m.

7
8 HB03-1067 Concerning Certain Circumstances Under Which The
9 Purchaser Of A Motor Vehicle That Was Abandoned On
10 Public Property Is Required To Obtain A Bonded Title For
11 The Vehicle.

12
13 Approved March 7, 2003 at 9:51 a.m.

14
15 HB03-1069 Concerning The Modification Of Certain Procedures
16 Related To The Issuance Of A Duplicate Warrant To Pay
17 Money.

18
19 Approved March 7, 2003 at 9:52 a.m.

20
21 HB03-1144 Concerning The Exemption Of Two-Point-Lap-Belt-Only
22 Systems From Certain Child Restraint System
23 Requirements.

24
25 Approved March 7, 2003 at 11:22 a.m.

26
27 HB03-1151 Concerning Out-Of-Home Placement Provider Consortia.

28
29 Approved March 7, 2003 at 9:55 a.m.

30
31 Sincerely,
32 (signed)
33 Bill Owens
34 Governor

35
36
37 **LAY OVER OF CALENDAR ITEMS**

38
39 On motion of Representative King, the following items on the Calendar
40 were laid over until March 11, retaining place on Calendar:

41
42 Consideration of Resolutions--**SJR03-017, HJR03-1024, 1025, 1016,**
43 **1017, 1020, SJR03-012, 025, 022.**

44
45
46 On motion of Representative King, the House adjourned until 9:00 a.m.,
47 March 11, 2003.

48
49 Approved:

50
51
52 LOLA SPRADLEY,
53 Speaker

54 Attest:

55 JUDITH RODRIGUE,
56 Chief Clerk