

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

ADDENDUM

(As authorized by Section 26, Article V of
the Constitution of the State of Colorado.)

1 The following bills, resolutions, memorials did not receive final action in
2 the House:

- 3
4 Consideration of Special Orders--**SB03-323, 313, HB03-1030, SB03-346**
5 Consideration of General Orders--**HCR03-1008, 1005, SB03-256, 322**
6 Consideration of Resolutions--**SJR03-046, HJR03-1054, HR03-1019,**
7 **HJR03-1051, 1070, SJR03-038, HJR03-1053, HR03-1022, SJR03-043**
8 Consideration of Memorials--**SJM03-002, 005, 007, 008**
9

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11

REPORTS OF COMMITTEES OF REFERENCE

13

APPROPRIATIONS

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

17

18 **HB03-1017** be postponed indefinitely.

19

20

21 **HB03-1336** The Committee returns herewith HB03-1336 and reports
22 that said bill has been considered on its merits and voted
23 upon by the Committee, and that final action has not been
24 taken by this Committee. Said bill cannot be passed
25 within the time remaining in the current legislative
26 session; therefore, said bill is deemed to be postponed
27 indefinitely.

28

29

30 **HB03-1353** The Committee returns herewith HB03-1353 and reports
31 that said bill has been considered on its merits and voted
32 upon by the Committee, and that final action has not been
33 taken by this Committee. Said bill cannot be passed
34 within the time remaining in the current legislative
35 session; therefore, said bill is deemed to be postponed
36 indefinitely.

37

38

39 **HB03-1365** The Committee returns herewith HB03-1365 and reports
40 that said bill has been considered on its merits and voted
41 upon by the Committee, and that final action has not been
42 taken by this Committee. Said bill cannot be passed

1 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

2
 3 The Speaker has signed: **HB03-1004, 1007, 1021, 1024, 1025, 1040,**
 4 **1056, 1073, 1089, 1092, 1099, 1105, 1111, 1114, 1123, 1130, 1132,**
 5 **1138, 1147, 1163, 1164, 1170, 1172, 1173, 1190, 1191, 1206, 1210,**
 6 **1213, 1218, 1219, 1223, 1224, 1228, 1237, 1240, 1244, 1249, 1253,**
 7 **1263, 1274, 1289, 1290, 1292, 1294, 1301, 1305, 1315, 1316, 1317,**
 8 **1318, 1319, 1320, 1322, 1323, 1326, 1327, 1329, 1332, 1334, 1339,**
 9 **1340, 1341, 1342, 1344, 1345, 1346, 1347, 1348, 1349, 1350, 1351,**
 10 **1352, 1354, 1356, 1357, 1358, 1359, 1360, 1362, 1363, 1366, 1367,**
 11 **1368, 1369, 1370, 1371, 1372, 1373, 1376, 1377, 1378, 1381, 1382;**
 12 **HR03-1013, 1016, 1017, 1018, 1020, 1021; HJR03-1016, 1017, 1020,**
 13 **1022, 1023, 1027, 1029, 1032, 1033, 1037, 1038, 1040, 1041, 1042,**
 14 **1043, 1044, 1046, 1047, 1048, 1049, 1050, 1052, 1055, 1056, 1057,**
 15 **1058, 1059, 1060, 1061, 1062, 1064, 1065, 1066, 1067, 1068, 1069,**
 16 **1071, 1072, 1073, 1074; SB03-011, 022, 027, 030, 033, 037, 038, 049,**
 17 **065, 076, 083, 088, 098, 101, 106, 113, 131, 134, 230, 236, 239, 248,**
 18 **251, 252, 254, 255, 264, 268, 275, 282, 294, 303, 304, 307, 309, 310,**
 19 **314, 318, 320, 321, 324, 325, 326, 327, 328, 329, 331, 333, 334, 336,**
 20 **340, 342, 344, 345, 347, 348, 349, 352; SJR03-004, 014, 027, 029, 034,**
 21 **039, 041, 042, 045, 050; SJM03-001, 004, 010.**

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 25
 26 **DELIVERY OF BILLS TO GOVERNOR**

27
 28 The Chief Clerk of the House of Representatives reports the following
 29 bills have been delivered to the Office of the Governor:

30
 31
 32 **HB03-1140, 1303** at 2:47 p.m., May 7, 2003

33
 34
 35 **HB03-1004, 1007, 1024, 1025, 1164, 1191, 1210, 1213, 1317, 1318,**
 36 **1320, 1334** at 9:16 a.m., May 19, 2003.

37
 38
 39 **HB03-1021, 1040, 1056, 1073, 1089, 1092, 1105, 1111, 1123, 1130,**
 40 **1138, 1163, 1170, 1173, 1190, 1206, 1218, 1219, 1224, 1228, 1237,**
 41 **1240, 1244, 1249, 1253, 1263, 1274, 1289, 1290, 1292, 1294, 1301,**
 42 **1305, 1315, 1316, 1322, 1323, 1326, 1327, 1329, 1332, 1339, 1341,**
 43 **1345, 1346, 1347, 1348, 1349, 1350, 1351, 1354, 1356, 1357, 1359,**
 44 **1360, 1362, 1363, 1366, 1367, 1369, 1370, 1371, 1372, 1373, 1381** at
 45 10:12. a.m., May 19, 2003.

46
 47
 48 **HB03-1099, 1114, 1132, 1147, 1172, 1223, 1340, 1342, 1344, 1352,**
 49 **1358, 1368, 1378, 1382** at 3:28 p.m., May 19, 2003.

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 51
 52 **HB03-1319, 1376, 1377** at 11:20 a.m., May 20, 2003.

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MESSAGES FROM THE GOVERNOR1
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I certify I received the following on the 14th day of May, 2003, at 1:55 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

May 14, 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:

HB03-1003 Concerning Civil Liability For Certain Agricultural Recreation Activities.

Approved May 14, 2003 at 8:23 a.m.

HB03-1106 Concerning The Authority Of A Financial Institution To Organize As A Limited Liability Company.

Approved May 14, 2003 at 8:24 a.m.

HB03-1330 Concerning Measures To Ensure Compliance With Existing Statutory Provisions That Govern Tobacco Escrow Funds.

Approved May 14, 2003 at 8:25 a.m.

Sincerely,
(signed)
Bill Owens
Governor

I certify I received the following on the 21st day of May, 2003, at 2:25 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

May 19, 2003

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

1 Ladies and Gentlemen:

2

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

5

6 **HB03-1210** Concerning A List Of Delinquent State Taxpayers That Is
7 Made Available On The Internet.

8

9 Approved May 19, 2003 at 10:15 a.m.

10

11 Sincerely,
12 (signed)
13 Bill Owens
14 Governor

15

16

17 May 20, 2003

18

19 To the Honorable
20 House of Representatives
21 Sixty-fourth General Assembly
22 First Regular Session
23 Denver, CO 80203

24

25 Ladies and Gentlemen:

26

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

29

30 **HB03-1007** Concerning The Limitation On Noneconomic Damages
31 For Certain Physical Injuries In Medical Malpractice
32 Actions.

33

34 Approved May 20, 2003 at 10:02 a.m.

35

36 **HB03-1164** Concerning The Expansion Of Access To Health
37 Insurance, And Making An Appropriation Therefor.

38

39 Approved May 20, 2003 at 10:01 a.m.

40

41 Sincerely,
42 (signed)
43 Bill Owens
44 Governor

45

46

47

48 I certify I received the following on the 22nd day of May, 2003, at
49 3:50 p.m. The original is on file in the records of the House of
50 Representatives of the General Assembly.

51

52

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55

Judith Rodrigue,
Chief Clerk of the House

1 May 21, 2003

2

3 The Honorable Colorado Senate
4 Sixty-Fourth General Assembly
5 First Regular Session
6 Denver, CO 80203

7

8 Ladies and Gentlemen:

9

10 I am filing with the Secretary of State, House Bill 03-1303, "Concerning
11 crimes involving the unauthorized use of communication devices, and, in
12 connection therewith, making an appropriation." The bill would have
13 expanded definitions and criminal penalties for certain technologies and
14 activities that enable telecommunications crimes. I vetoed this bill as of
15 10:16 A.M. today. This letter sets forth my reason for doing so.

16

17 Our nation's technological innovation is unparalleled, and Colorado's
18 high technology industry plays a significant role in its alacrity.
19 Computers built today approach obsolescence tomorrow. Rarely do our
20 laws keep pace with the technologies some may seek to regulate. In the
21 event that such regulation is necessary, it is critical that the legislation be
22 clearly defined and drafted to avoid confusion. Unfortunately, H.B. 1303
23 does not meet that standard of clarity.

24

25 H.B. 1303, like similar bills introduced in twelve other states, was drafted
26 in an effort to criminalize the use of certain new technologies to steal
27 communications and copyrighted items. Neither proponents nor
28 opponents can accurately predict the ramifications of H.B. 1303 as law,
29 and it is likely that the question would be settled through litigation.
30 Although the drafters intended that the bill would only be used to
31 prosecute the new thieves and pirates of the digital age, H.B. 1303 could
32 also stifle legal activity by entities all along the high tech spectrum, from
33 manufacturers of communication parts to sellers of communication
34 services.

35

36 I respectfully urge the legislature to revisit this issue in the next session
37 and to be more careful in drafting a bill that adds protections that are
38 rightfully needed, but does not paint a broad brush stroke where only a
39 tight line is needed.

40

41 Sincerely,
42 (signed)
43 Bill Owens

44

45

46 May 21, 2003

47

48 To the Honorable
49 House of Representatives
50 Sixty-fourth General Assembly
51 First Regular Session
52 Denver, CO 80203

53

54 Ladies and Gentlemen:

55

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

3
4 **HB03-1103** Concerning An Increase Of The Service Required To Be
5 Provided By Qualified Private Business Pursuant To
6 Competitively Negotiated Contracts To Fifty Percent Of
7 The Regional Transportation District Service That
8 Involves Transporting The General Public By Means Of
9 Any Self-Propelled Vehicle That Is Designed Primarily
10 For Travel On The Public Highways.

11
12 Approved May 21, 2003 at 10:15 A.M.

13
14 Sincerely,
15 (signed)
16 Bill Owens
17 Governor

18 _____
19
20 May 21, 2003

21
22 To the Honorable
23 House of Representatives
24 Sixty-fourth General Assembly
25 First Regular Session
26 Denver, CO 80203

27
28 Ladies and Gentlemen:

29
30 I have the honor to inform you that I have approved and filed with the
31 Secretary of State the following acts:

32
33 **HB03-1021** Concerning The Financing Of Capital Construction For
34 Qualified Charter Schools That Have Bonds Issued On
35 Their Behalf By The Colorado Educational And Cultural
36 Facilities Authority, And Making An Appropriation In
37 Connection Therewith.

38
39 Approved May 21, 2003 at 11:01 A.M.

40
41 **HB03-1025** Concerning The Option Of Addressing Any Special
42 Education History In A Juvenile Adjudication Proceeding.

43
44 Approved May 21, 2003 at 11:02 A.M.

45
46 **HB03-1040** Concerning Repeal Of The Authority For A Motor
47 Vehicle Owner To Continue To Use Certain Types Of
48 License Plates.

49
50 Approved May 21, 2003 at 11:03 A.M.

51
52 **HB03-1056** Concerning The Extension Of Certain Solid Waste
53 Disposal Fees, And Making An Appropriation In
54 Connection Therewith.

55
56 Approved May 21, 2003 at 11:04 A.M.

- 1 **HB03-1073** Concerning Clarification Of The Types Of Aircraft That
2 Are Exempt From The Excise Tax Imposed On Gasoline
3 In Colorado.
4
5 Approved May 21, 2003 at 11:05 A.M.
6
- 7 **HB03-1099** Concerning The Regulation Of Liquefied Petroleum Gas
8 By The Director Of The Division Of Oil And Public
9 Safety In The Department Of Labor And Employment,
10 And Making An Appropriation Therefor.
11
12 Approved May 21, 2003 at 11:06 A.M.
13
- 14 **HB03-1105** Concerning Qualifications Of County Coroners.
15
16 Approved May 21, 2003 at 11:07 A.M.
17
- 18 **HB03-1111** Concerning The Authority Of County Governments To
19 Prosecute Violations Of The County's Building Code.
20
21 Approved May 21, 2003 at 11:08 A.M.
22
- 23 **HB03-1130** Concerning The Addition Of A Line To Colorado State
24 Individual Income Tax Return Forms Whereby Individual
25 Taxpayers May Make A Voluntary Contribution To The
26 Family Resource Centers Fund, And Making An
27 Appropriation In Connection Therewith.
28
29 Approved May 21, 2003 at 11:09 A.M.
30
- 31 **HB03-1163** Concerning Administrative Changes To The Operation Of
32 Cover Colorado, And, In Connection Therewith, Directing
33 To Cover Colorado A Portion Of The Premium Tax,
34 Fines, And Penalties Collected By The Division Of
35 Insurance From Health Insurers Authorized To Conduct
36 Business In Colorado.
37
38 Approved May 21, 2003 at 11:10 A.M.
39
- 40 **HB03-1170** Concerning The Penalties For A Person Convicted Of
41 Certain Crimes Involving Motor Vehicles.
42
43 Approved May 21, 2003 at 11:11 A.M.
44
- 45 **HB03-1190** Concerning The Authority Of The Department Of
46 Revenue To Issue A Temporary Special Event License
47 Plate.
48
49 Approved May 21, 2003 at 11:12 A.M.
50
- 51 **HB03-1206** Concerning The Clarification Of Responsibilities Related
52 To Compensation For Employment.
53
54 Approved May 21, 2003 at 11:14 A.M.
55

1 **HB03-1219** Concerning The Regulation Of Collection Agencies, And,
2 In Connection Therewith, Continuing The Collection
3 Agency Board.

4
5 Approved May 21, 2003 at 11:15 A.M.

6
7 Sincerely,
8 (signed)
9 Bill Owens
10 Governor

11 _____
12
13
14 I certify I received the following on the 23rd day of May, 2003, at
15 11:45 a.m. The original is on file in the records of the House of
16 Representatives of the General Assembly.

17
18 Judith Rodrigue,
19 Chief Clerk of the House
20

21 May 22, 2003

22
23 The Honorable Colorado House of Representatives
24 Sixty-fourth General Assembly
25 First Regular Session
26 Denver, CO 80203
27

28 Ladies and Gentlemen:

29
30 I am filing with the Secretary of State House Bill 03-1315, "Concerning
31 the Master Lease Program." I vetoed this bill as of 4:07 P.M. today, and
32 this letter sets forth my reasons for doing so.

33
34 House Bill 03-1315 makes a fundamental change in the administration of
35 the State's Master Lease Program. By changing the membership of the
36 board of directors of the nonprofit corporation responsible for lease-
37 purchase agreements to a group of appointed individuals, the bill
38 unnecessarily insulates an important exercise of State financial decision-
39 making authority from accountability. To make matters worse, while the
40 bill allows State officials to appoint the new membership of the board, it
41 is highly likely that many of the individuals most qualified for such work
42 would decline to serve because of potential conflicts of interest with the
43 underlying transactions.

44
45 While I understand the reason for this legislation and appreciate the
46 opinions of its sponsors, I believe that the potential consequences of the
47 bill unnecessarily compromise the State's ability to make decisions in its
48 best interest.

49
50 Accordingly, I vetoed House Bill 03-1315.

51
52 Sincerely,
53 (signed)
54 Bill Owens
55
56 _____

1 May 22, 2003

2

3 To the Honorable
4 House of Representatives
5 Sixty-fourth General Assembly
6 First Regular Session
7 Denver, CO 80203

8

9 Ladies and Gentlemen:

10

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

13

14 **HB03-1024** Concerning Child Care, And, In Connection Therewith,
15 Making Modifications To Certain Statutes Affecting Child
16 Placement Agencies, And Making An Appropriation
17 Therefor.

18

19 Approved May 22, 2003 at 10:00 A.M.

20

21 **HB03-1147** Concerning Existing Income Tax Checkoffs.

22

23 Approved May 22, 2003 at 3:20 P.M.

24

25 **HB03-1191** Concerning The Prohibition Of Computer Dissemination
26 Of Indecent Material To Children.

27

28 Approved May 22, 2003 at 10:12 A.M.

29

30 **HB03-1213** Concerning The Removal of Commercial Purpose From
31 The Crime Of Sexual Exploitation Of A Child, And
32 Making An Appropriation Therefor.

33

34 Approved May 22, 2003 at 10:16 A.M.

35

36 **HB03-1223** Concerning The Penalties For Failure To Maintain
37 Financial Responsibility For A Motor Vehicle.

38

39 Approved May 22, 2003 at 2:01 P.M.

40

41 **HB03-1224** Concerning A Prohibition Against The Acceptance By
42 Public Entities Of Identity Documents That Are Not
43 Secure.

44

45 Approved May 22, 2003 at 2:03 P.M.

46

47

48 **HB03-1228** Concerning A Limitation On Liability For The Treatment
49 Costs of Specified Health Care Conditions Of A Person In
50 A County Jail.

51

52 Approved May 22, 2003 at 2:05 P.M.

53

54 **HB03-1237** Concerning Technical Modifications To The Statutes
55 Enforced By The Administrator Of The "Uniform
56 Consumer Credit Code", And, In Connection Therewith,

- 1 Amending Or Repealing Obsolete, Inconsistent, And
2 Conflicting Provisions of Law.
3
4 Approved May 22, 2003 at 2:07 P.M.
5
- 6 **HB03-1238** Concerning A Requirement That The General Fund
7 Surplus Be Determined Based Upon The Accrual System
8 Of Accounting, As Enunciated By The Governmental
9 Accounting Standards Board.
10
11 Approved May 22, 2003 at 2:10 P.M.
12
- 13 **HB03-1240** Concerning Changes To The Juvenile Justice System.
14
15 Approved May 22, 2003 at 2:11 P.M.
16
- 17 **HB03-1244** Concerning Penalties Imposed For Committing The Crime
18 Of Defacing Property.
19
20 Approved May 22, 2003 at 2:12 P.M.
21
- 22 **HB03-1249** Concerning The Powers Of The Adjutant General, And, In
23 Connection Therewith, Authorizing The Appointment Of
24 Assistant Adjutant Generals, The Receipt Of Gifts, Grants,
25 And Donations, And The Public Or Private Use Of
26 Distance Learning Facilities.
27
28 Approved May 22, 2003 at 2:13 P.M.
29
- 30 **HB03-1263** Concerning The Granting Of Parole To Special Needs
31 Offenders.
32
33 Approved May 22, 2003 at 2:14 P.M.
34
- 35 **HB03-1292** Concerning Service Fees For Intermediate Care Facilities
36 For The Mentally Retarded, And Making An
37 Appropriation Therefor.
38
39 Approved May 22, 2003 at 2:16 P.M.
40
- 41 **HB03-1301** Concerning The Penalties For Persons Who Issue Checks
42 To The Department Of Revenue That Are Returned As
43 Unpaid For Any Reason Caused By The Maker.
44
45 Approved May 22, 2003 at 2:18 P.M.
46
- 47 **HB03-1305** Concerning Standards Of Conduct Regarding Dead
48 Human Bodies.
49
50 Approved May 22, 2003 at 2:19 P.M.
51
- 52 **HB03-1316** Concerning Modifications To The Compensation Process
53 For State Employees, And Making An Appropriation
54 Therefor.
55
56 Approved May 22, 2003 at 2:20 P.M.

- 1 **HB03-1319** Concerning The Augmentation Of Law Enforcement Tools
2 Used To Gain Compliance With Laws Regulating The
3 Recreational Use of Colorado's Natural Resources.
4
5 Approved May 22, 2003 at 2:22 P.M.
6
- 7 **HB03-1322** Concerning Changes In The Procedures For Workers'
8 Compensation Hearings.
9
10 Approved May 22, 2003 at 2:23 P.M.
11
- 12 **HB03-1323** Concerning The Coordination Of The Permitting By All
13 Levels Of Government Of Natural Resource Development
14 Projects.
15
16 Approved May 22, 2003 at 2:23 P.M.
17
- 18 **HB03-1326** Concerning Limitations On Liability For Providers Of
19 Services For Persons With Developmental Disabilities.
20
21 Approved May 22, 2003 at 2:24 P.M.
22
- 23 **HB03-1329** Concerning Additional Funding To Encourage The
24 Beneficial Use Of Waste Tires, And Making An
25 Appropriation Therefor.
26
27 Approved May 22, 2003 at 2:27 P.M.
28
- 29 **HB03-1332** Concerning The Adjustment Of The Ratio Of Valuation
30 For Assessment For Residential Real Property.
31
32 Approved May 22, 2003 at 2:27 P.M.
33
- 34 **HB03-1339** Concerning The Funding Of Real Estate Commission
35 Programs Relating To The Conduct Of Real Estate
36 Licensees.
37
38 Approved May 22, 2003 at 2:29 P.M.
39
- 40 **HB03-1340** Concerning Revisions To The Motor Vehicle Emission
41 Budgets Contained In Certain Carbon Monoxide
42 Maintenance Plans According To The Latest Federally-
43 Approved Mobile Source Emissions Model.
44
45 Approved May 22, 2003 at 2:30 P.M.
46
- 47 **HB03-1341** Concerning The Authority Of The Executive Director Of
48 The Department Of Revenue To Administratively Adjust
49 Occupational License Renewal Dates For Licenses Issued
50 By Entities Within The Department Of Revenue.
51
52 Approved May 22, 2003 at 2:31 P.M.
53
- 54
55

- 1 **HB03-1342** Concerning Fees That Support The Colorado State Titling
2 And Registration System.
3
4 Approved May 22, 2003 at 2:33 P.M.
5
- 6 **HB03-1344** Concerning The Revision Of Statutes In The Colorado
7 Revised Statutes, As Amended, Amending Or Repealing
8 Obsolete, Inconsistent, And Conflicting Provisions Of
9 Law And Clarifying The Language To Reflect The
10 Legislative Intent Of The Laws.
11
12 Approved May 22, 2003 at 2:34 P.M.
13
- 14 **HB03-1346** Concerning The Administrative Operation Of The Dental
15 Assistance Program.
16
17 Approved May 22, 2003 at 2:35 P.M.
18
- 19 **HB03-1348** Concerning The Authority Of Domestic Life Insurance
20 Companies Relating To Separate Account Contracts.
21
22 Approved May 22, 2003 at 2:37 P.M.
23
- 24 **HB03-1349** Concerning The Repeal Of The Time Line That Moneys
25 Appropriated From The Federal Unemployment Trust
26 Fund May Be Obligated For Administrative Purposes.
27
28 Approved May 22, 2003 at 2:37 P.M.
29
- 30 **HB03-1350** Concerning The Electronic Publication Of Administrative
31 Rule-Making Materials By The Secretary Of State.
32
33 Approved May 22, 2003 at 2:38 P.M.
34
- 35 **HB03-1351** Concerning An Increase In The Annual License Fee For
36 Retail Food Establishments, And Making An
37 Appropriation In Connection Therewith.
38
39 Approved May 22, 2003 at 2:39 P.M.
40
- 41 **HB03-1356** Concerning Implementation Of The Federal "Help
42 America Vote Act of 2002", And, In Connection
43 Therewith, Creating A Federal Elections Assistance Fund,
44 Creating Statewide Centralized Voter Registration System,
45 Requiring Specified Forms Of Identification From First-
46 Time Voters, Making Other Changes In Response To The
47 Federal Act, And Making An Appropriation Therefor.
48
49 Approved May 22, 2003 at 3:21 P.M.
50
- 51 **HB03-1359** Concerning The Discontinuation Of In-Home Support
52 Services For A Medical Assistance Recipient When Other
53 Care Has Not Been Secured For That Recipient.
54
55 Approved May 22, 2003 at 2:40 P.M.
56

1 **HB03-1360** Concerning The Collection Of Data From Insurers
 2 Regarding Small Group Health Insurance For The Purpose
 3 Of Analysis To Determine The Changes In The Small
 4 Group Health Insurance Marketplace.

5
 6 Approved May 22, 2003 at 2:40 P.M.

7
 8 **HB03-1363** Concerning Repeal Of Provisions That Discriminate
 9 Against Religious Entities In the Receipt Of Services From
 10 The Colorado Educational And Cultural Facilities
 11 Authority.

12
 13 Approved May 22, 2003 at 2:45 P.M.

14
 15 **HB03-1366** Concerning A Limitation On Supersedeas Bonds.

16
 17 Approved May 20, 2003 at 2:00 P.M.

18
 19 **HB03-1370** Concerning Reviews Of Designated Trauma Facilities.

20
 21 Approved May 22, 2003 at 2:49 P.M.

22
 23 Sincerely,
 24 (signed)
 25 Bill Owens

26
 27 _____

28
 29
 30 I certify I received the following on the 3rd day of June, 2003, at
 31 3:35 p.m. The original is on file in the records of the House of
 32 Representatives of the General Assembly.

33
 34 Judith Rodrigue,
 35 Chief Clerk of the House

36 June 3, 2003

37
 38 To the Honorable
 39 House of Representatives
 40 Sixty-fourth General Assembly
 41 First Regular Session
 42 Denver, CO 80203

43
 44 Ladies and Gentlemen:

45
 46 I have the honor to inform you that I have approved and filed with the
 47 Secretary of State the following acts:

48
 49 **HB03-1123** Concerning The Cash Funding Of The Regulation Of
 50 Racing Events, And, In Connection Therewith, Making An
 51 Appropriation.

52
 53 Approved June 3, 2003 at 8:02 a.m.

54
 55

- 1 **HB03-1132** Concerning Modifications To The "Fair Campaign
2 Practices Act" In Furtherance Of Constitutional Provisions
3 Addressing Campaign Finance Enacted As Article XXVIII
4 Of The State Constitution By A Vote Of The People At
5 The 2002 General Election.
6
7 Approved June 3, 2003 at 8:03 a.m.
8
- 9 **HB03-1138** Concerning Offenses Against Pregnant Women That
10 Affect Their Unborn Children, And Making An
11 Appropriation In Connection Therewith.
12
13 Approved June 3, 2003 at 8:04 a.m.
14
- 15 **HB03-1173** Concerning The Funding Of Colorado Family Literacy
16 Programs.
17
18 Approved June 3, 2003 at 8:05 a.m.
19
20
- 21 **HB03-1274** Concerning Modifications To The Program Under Which
22 The State Treasurer Makes Loans To School Districts
23 With General Fund Cash Deficits.
24
25 Approved June 3, 2003 at 8:07 a.m.
26
27
- 28 **HB03-1290** Concerning Declarations Of A State Of Emergency.
29
30 Approved June 3, 2003 at 8:09 a.m.
31
32
- 33 **HB03-1327** Concerning An Extension Of The Time In Which Retirees
34 Of The Public Employees' Retirement Association May
35 Be Employed To Work As Nonlicensed Employees For
36 Schools Without Reducing The Retirement Benefits Of
37 The Retirees.
38
39 Approved June 3, 2003 at 8:10 a.m.
40
- 41 **HB03-1347** Concerning Uses Of Moneys In The Employment Support
42 Fund For The Department Of Labor And Employment,
43 And Making An Appropriation In Connection Therewith.
44
45 Approved June 3, 2003 at 8:12 a.m.
46
47
- 48 **HB03-1352** Concerning Fingerprint-Based Criminal History Record
49 Checks For Students Entering Training Programs
50 Approved By The Peace Officers Standards And Training
51 Board, And Making An Appropriation In Connection
52 Therewith.
53
54 Approved June 3, 2003 at 8:13 a.m.
55

- 1 **HB03-1357** Concerning An Exemption Of Certain Statutorily
2 Authorized Sales Of Abandoned Motor Vehicles From
3 The Requirement To Obtain A Certification Of Emissions
4 Control.
5
6 Approved June 3, 2003 at 8:15 a.m.
7
- 8 **HB03-1358** Concerning Additional Requirements Relating To
9 Radioactive Classified Waste Disposal.
10
11 Approved June 3, 2003 at 8:19 a.m.
12
- 13 **HB03-1367** Concerning The Issuance Of A Military Valor Special
14 License Plate To Persons Who Have Received A Military
15 Award For Valor, And Making An Appropriation In
16 Connection Therewith.
17
18 Approved June 3, 2003 at 8:21 a.m.
19
- 20 **HB03-1368** Concerning The Requirement Of A Daily Recitation Of
21 The Pledge Of Allegiance In Each Public School In The
22 State.
23
24 Approved June 3, 2003 at 2:14 p.m.
25
- 26 **HB03-1371** Concerning The Repeal Of The Authority Of The
27 Department Of Public Health And Environment To
28 Contract With An Outside Entity For Services Related To
29 Voluntary Vaccinations.
30
31 Approved June 3, 2003 at 8:24 a.m.
32
- 33 **HB03-1372** Concerning The Authority Of The Commissioner Of
34 Insurance To Regulate Certain Workers' Compensation
35 Insurers, And, In Connection Therewith, Deleting Certain
36 Exemptions For Pinnacol Assurance From Otherwise
37 Applicable Provisions Of Insurance Law And Prohibiting
38 Other State Government Instrumentalities From Writing
39 Workers' Compensation Insurance In Colorado.
40
41 Approved June 3, 2003 at 8:25 a.m.
42
- 43 **HB03-1376** Concerning Amendments To The "Colorado Parental
44 Notification Act" To Address Legal Concerns.
45
46 Approved June 3, 2003 at 2:04 p.m.
47
- 48 **HB03-1377** Concerning Statutory Provisions Governing Business
49 Entities Contained In Title 7 Of The Colorado Revised
50 Statutes.
51
52 Approved June 3, 2003 at 8:26 a.m.
53
- 54 **HB03-1381** Concerning Child Restraint Systems In Motor Vehicles.
55
56 Approved June 3, 2003 at 8:30 a.m.

1 **HB03-1382** Concerning The Interest Rate On Certain Moneys That
2 The State Owes Taxpayers For Overpayment Of Certain
3 Taxes, And Making An Appropriation In Connection
4 Therewith.

5
6 Approved June 3, 2003 at 8:35 a.m.

7
8 Sincerely,
9 (signed)
10 Bill Owens
11 Governor

12 _____
13
14 I certify I received the following on the 4th day of June, 2003, at
15 3:00 p.m. The original is on file in the records of the House of
16 Representatives of the General Assembly.

17
18 Judith Rodrigue,
19 June 4, 2003 Chief Clerk of the House

20
21 To the Honorable
22 House of Representatives
23 Sixty-fourth General Assembly
24 First Regular Session
25 Denver, CO 80203

26
27 Ladies and Gentlemen:

28
29 I have the honor to inform you that I have approved and filed with the
30 Secretary of State the following acts:

31
32 **HB03-1004** Concerning Amendment Of The Crime Of Child Abuse To
33 Include Actions Related To The Manufacture Of A
34 Controlled Substance In The Presence Of A Child, And
35 Making An Appropriation In Connection Therewith.

36
37 Approved June 4, 2003 at 11:41 A.M.

38
39 **HB03-1289** Concerning Consumer Protection For Intrastate Household
40 Moves, And, In Connection Therewith, Changing The
41 Registration Requirements For A Motor Carrier Of
42 Household Goods Within Colorado, And Making An
43 Appropriation Therefor.

44
45 Approved June 4, 2003 at 11:40 A.M.

46
47 **HB03-1317** Concerning Limitations On The Provision Of Materials
48 Used To Illegally Manufacture A Controlled Substance,
49 And Making An Appropriation In Connection Therewith.

50
51 Approved June 4, 2003 at 11:43 A.M.

52
53 Sincerely,
54 (signed)
55 Bill Owens
56 Governor

1 I certify I received the following on the 5th day of June, 2003, at
2 4:00 p.m. The original is on file in the records of the House of
3 Representatives of the General Assembly.

4

5

6 June 5, 2003

Judith Rodrigue,
Chief Clerk of the House

7

8 To the Honorable

9 House of Representatives

10 Sixty-fourth General Assembly

11 First Regular Session

12 Denver, CO 80203

13

14 Ladies and Gentlemen:

15

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

18

19 **HB03-1318** Concerning The Creation Of Water Banks To Operate In
20 Each Water Division, And, In Connection Therewith,
21 Making An Appropriation.

22

23 Approved June 5, 2003 at 9:20 A.M.

24

25 **HB03-1320** Concerning The State Engineer's Authority To Administer
26 Temporary Instream Flows Held By The Colorado Water
27 Conservation Board, And, In Connection Therewith,
28 Requiring The State Engineer To Determine Whether Such
29 Temporary Instream Flows Would Injure Existing Water
30 Rights, And Making An Appropriation.

31

32 Approved June 5, 2003 at 9:27 A.M.

33

34 **HB03-1334** Concerning The State Engineer's Authority To Approve
35 The Temporary Operation Of Interruptible Water Supply
36 Agreements, And Making An Appropriation In Connection
37 Therewith.

38

39 Approved June 5, 2003 at 9:28 A.M.

40

41 Sincerely,
42 (signed
43 Bill Owens
44 Governor

45

46

47

48 I certify I received the following on the 6th day of June, 2003, at
49 11:35 a.m. The original is on file in the records of the House of
50 Representatives of the General Assembly.

51

52

53 June 6, 2003

Judith Rodrigue,
Chief Clerk of the House

54

55 To the Honorable

56 House of Representatives

1 Sixty-fourth General Assembly
2 First Regular Session
3 Denver, CO 80203

4
5 Ladies and Gentlemen:

6
7 I have the honor to inform you that I have approved and filed with the
8 Secretary of State the following acts:

9
10 **HB03-1089** Concerning Reimbursement To Owners Whose Property
11 Is Acquired By A Condemning Authority In Eminent
12 Domain Proceedings.

13
14 Approved June 6, 2003 at 9:14 a.m.

15
16 **HB03-1092** Concerning Management Of Colorado's State-Owned
17 Forested Land.

18
19 Approved June 5, 2003 at 5:10 p.m.

20
21 **HB03-1114** Concerning Employees In Public Schools, And Making An
22 Appropriation In Connection Therewith.

23
24 Approved June 5, 2003 at 5:11 p.m.

25
26 **HB03-1140** Concerning The Classification Of State Noxious Weeds,
27 And, In Connection Therewith, Implementing
28 Management Programs For Such Classified Noxious
29 Weeds.

30
31 Approved June 5, 2003 at 4:15 p.m.

32
33 **HB03-1172** Concerning School Board Policies Covering When
34 Personnel May Address Health Care Treatment For
35 Student Behavior Issues.

36
37 Approved June 5, 2003 at 5:12 p.m.

38
39 **HB03-1218** Concerning A Prohibition On A Public Corporation From
40 Making Loans To Directors.

41
42 Approved June 5, 2003 at 5:13 p.m.

43
44 **HB03-1253** Concerning The Prevention Of Discriminatory Trade
45 Practices In The Payment Of Motor Vehicle Insurance
46 Claims For The Repair Of Damaged Motor Vehicles.

47
48 Approved June 5, 2003 at 5:15 p.m.

49
50 **HB03-1345** Concerning The Concurrent Legislative Jurisdiction Over
51 The Real Property Constituting The Rocky Mountain
52 Arsenal.

53
54 Approved June 5, 2003 at 5:16 p.m.
55

- 1 **HB03-1354** Concerning The Establishment Of A Microenterprise
2 Development Advisory Council.
3
4 Approved June 5, 2003 at 5:17 p.m.
5
- 6 **HB03-1362** Concerning The Collection Of Sales Tax On Telephone
7 And Telegraph Services When Taxable Services Are
8 Aggregated With Nontaxable Services.
9
10 Approved June 5, 2003 at 5:17 p.m.
11
- 12 **HB03-1369** Concerning A Modification To The Eligibility Criteria For
13 Children In One Of Grades One Through Three For
14 Purposes Of The "Colorado Opportunity Contract Pilot
15 Program" To Require A Child To Have Been
16 Continuously Attending A Public School During The
17 Previous School Year.
18
19 Approved June 5, 2003 at 4:17 p.m.
20
- 21 **HB03-1373** Concerning The Authority Of A Municipality To Propose
22 A Sales Or Use Tax When A County In Which The
23 Municipality Is Located Has A Pending Proposal For A
24 Sales Or Use Tax.
25
26 Approved June 5, 2003 at 5:18 p.m.
27
- 28 **HB03-1378** Concerning Moneys Deposited In The State Commission
29 On Judicial Performance Cash Fund, And, In Connection
30 Therewith, Increasing The Docket Fees For Criminal And
31 Traffic Actions, And Making An Appropriation.
32
33 Approved June 6, 2003 at 9:20 a.m.
34

35 Sincerely,
36 (signed)
37 Bill Owens
38 Governor
39

40 _____

41
42 June 6, 2003
43

44 The Honorable Colorado House of Representatives
45 Sixty-Fourth General Assembly
46 First Regular Session
47 Denver, CO 80203
48

49 Ladies and Gentlemen:
50

51 I am filing with the Secretary of State, House Bill 03-1294, "Concerning
52 Health Insurance for Employers with Fewer Than Fifty-One Employees."
53 I will neither sign nor veto House Bill 03-1294. Therefore, this bill
54 becomes law at 12:01 A.M. on June 7. This letter sets forth my reasons
55 for letting this bill become law without my signature.
56

1 As you know, one of the biggest challenges for Colorado's small
2 businesses is providing affordable health insurance for their employees.
3 A majority of Colorado's small businesses have been hit with premium
4 increases of at least 20 percent for four consecutive years, leading
5 thousands of employers and their workers to abandon Colorado's health
6 insurance market for small businesses (i.e., the small group market).

7
8 Under our current system, small businesses whose workers are healthy
9 have an incentive to leave the small group market for less expensive
10 coverage through other arrangements (e.g., the individual market or by
11 self-funding) that can determine rates by health status. These same
12 groups also have an incentive to return to small group market, which
13 currently does not allow rates to be based on health status, when the
14 health status of one or more of their workers deteriorates. Although
15 businesses cannot be faulted for looking out for their own best economic
16 interest, this "gaming" of the small group market has a detrimental effect
17 for those groups that remain in the small group market.

18
19 The intent of House Bill 1294 is to stabilize the small group market by
20 allowing insurance carriers to subject small businesses that move in-and-
21 out of the small group market to potential premium rate increases of 35
22 percent based on the health status of their workers. I support this goal,
23 however I do have concerns about the bill's method.

24
25 For some small businesses, the 35 percent rate increase will be in addition
26 to a 10 percent increase that was made allowable under House Bill 03-
27 1164, which I recently signed into law. Thus, some employers with
28 unhealthy workers could be subject to a 45 percent premium increase.
29 Fortunately, this would be limited to one year.

30
31 Moreover, another important provision of House Bill 1164 authorizes
32 small businesses to band together and leverage their purchasing power
33 through a bona fide association. The bill creates a pilot project to
34 demonstrate whether these arrangements (i.e., "MEWAs") will be
35 successful. I believe MEWAs could provide an excellent opportunity for
36 certain small employers to purchase more affordable health insurance.
37 I am concerned there will be less incentive for groups to participate in the
38 pilot project if they know they could eventually be subject to a 45 percent
39 rate increase if, for whatever reason, they decide to leave the MEWA to
40 return to the small group market.

41
42 Despite my concerns, I believe the purpose of the bill is important, and
43 House Bill 1294 should be given an opportunity to work. I encourage the
44 legislature to join me in monitoring the effect of this legislation, and
45 making future changes to it if necessary in order to make health insurance
46 more affordable for Colorado's small businesses.

47
48 Accordingly, I am allowing House Bill 03-1294 to become law without
49 my signature.

50
51 Sincerely,
52 (signed)
53 Bill Owens

54
55
56

1 **REPORTS TO THE COLORADO GENERAL ASSEMBLY**

2
3 The following Reports have been received by the Chief Clerk of the House of
4 Representatives. The reports are on file in the Library of Legislative Council.

5
6 **Colorado Educational and Cultural Facilities Authority**

7 Audited Financial Statements for years ended September 30, 2002 and 2001
8 (pursuant to 22-30.5-409, CRS)

9
10 **Colorado Health Facilities Authority**

11 Financial Statements and Independent Auditor's Report - September 30, 2002
12 and 2001 (pursuant to 25-25-127, CRS)

13
14 **Colorado Water Resources & Power Development Authority**

15 Annual Report, Fiscal Year 2002 (pursuant to 37-95-116, CRS)

16
17 **Department of Education**

18 State of Charter Schools in Colorado, 2001-2002

19
20 **Department of Health Care Policy & Financing**

21 Status report for Colorado's Expansion of the Program of All-Inclusive Care
22 for the Elderly (pursuant to 26-4-124, CRS)

23
24 **Department of Higher Education**

25 Institutions of Higher Education Enterprise activity reports (pursuant to
26 24-77-103(7), CRS)

27 Metropolitan State College of Denver
28 third quarter of Fiscal Year 2003

29 University of Northern Colorado

30 January 1, 2003 through March 31, 2003

31
32 **Department of Human Services**

33 Child Care Commission: Second annual report (pursuant to 26-6-306, CRS)

34
35 **Department of Natural Resources**

36 Office of the State Engineer: Eighteenth annual report on dam safety for FY
37 2001-02 (pursuant to 37-87-114.4, CRS)

38 Native Species Conservation Trust Fund Annual Report, 2002 (pursuant to
39 24-33-111, CRS)

40
41 **Department of Public Health and Environment**

42 Nursing Home Consumer Satisfaction Survey (pursuant to 25-3-102.5, CRS)

43
44 **Department of Public Safety**

45 Division of Criminal Justice: 2003-2003 State VALE Grant Award List

46
47 **Department of Revenue**

48 Colorado Lottery annual report 2002 (pursuant to 24-35-211(2), CRS)
49 (the following reports issued pursuant to 24-35-204, CRS):

50 Statement of Lottery Revenues, Prize Disbursements and other expenses
51 (unaudited):

52 for four (4) months ended October 31, 2002

53 for five (5) months ended November 31, 2002

54 Division of Gaming:

55 Colorado Limited Gaming Control Commission annual report, 2002
56 (pursuant to 12-47.1-302, CRS)

1 Statement of Gaming Revenues, Gaming Taxes, and Expenditures
2 (Unaudited) (pursuant to 12-47.1-203(i), CRS):
3 for the seven (7) months ended January 31, 2003
4 for the eight (8) months ended February 28, 2003
5 for the nine (9) months ended March 31, 2003
6 Motor Vehicle Business Group: Korean War Veteran and American Indian
7 Plates (pursuant to 42-3-122.5, CRS)
8

9 **Department of Transportation**

10 Annual Report, 2002 (pursuant to 24-1-128.7, CRS)
11 Law enforcement assistance fund annual report, 2002 (pursuant to 43-4-404,
12 CRS)
13

14 **Department of Treasury**

15 Statement of Financial Condition
16 as of March 31, 2002
17 as of December 31, 2002
18

19 **Economic Development Commission**

20 Activity Report, 2002 (pursuant to 24-46-102, CRS)
21

22 **Great Outdoors Colorado**

23 Annual Report 2001-2002
24

25 **University of Colorado**

26 Consolidated Endowment Fund and the Foundation Long Term
27 Investment Pool for the fiscal year ending June 30, 2002 (pursuant to
28 23-20-119, CRS)
29

30 _____

Approved:

31
32
33
34
35
36

LOLA SPRADLEY,
Speaker

37 Attest:

38
39
40

JUDITH RODRIGUE,
Chief Clerk