

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

Sixth Legislative Day

Monday, January 12, 2004

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 Borodkin.

6

7 The roll was called with the following result:

8

9 Present--64.

10 Excused--Representative Cloer--1.

11

12 The Speaker declared a quorum present.

13

14

15 On motion of Representative Cerbo, the reading of the journal of January  
16 9, 2004, was declared dispensed with and approved as corrected by the  
17 Chief Clerk.

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**PRINTING REPORT**

22

23 The Chief Clerk reports the following bills have been correctly printed:  
24 **HB04-1109, 1110, 1111.**

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**INTRODUCTION OF BILLS**

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**First Reading**

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32 The following bills were read by title and referred to the committees  
33 indicated:

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35 **HB04-1112** by Representative(s) Welker, Coleman, Harvey, Hodge,  
36 Hoppe, Larson, Marshall, McCluskey, Paccione, Rhodes,  
37 White, Wiens, Williams T.; also Senator(s) Sandoval--  
38 Concerning the regulation of persons licensed to deal in  
39 certain monetary instruments, and, in connection  
40 therewith, continuing the regulatory authority of the  
41 banking board and the state bank commissioner over such  
42 activities.

43 Committee on Business Affairs & Labor

- 1 **HB04-1113** by Representative(s) Rose--Concerning a requirement for  
2 issuance of a certificate of title upon transfer of ownership  
3 of specified vehicles designed for off-road use, and, in  
4 connection therewith, requiring the issuance of certificates  
5 of title for all-terrain vehicles and snowmobiles.  
6 Committee on Transportation & Energy  
7 Committee on Appropriations  
8
- 9 **HB04-1114** by Representative(s) Rose; also Senator(s) Evans--  
10 Concerning the payment of benefits under a motor vehicle  
11 policy for medical payments coverage.  
12 Committee on Business Affairs & Labor  
13
- 14 **HB04-1115** by Representative(s) Rhodes, Coleman, Harvey, Hodge,  
15 Hoppe, Larson, Marshall, May M., Paccione, Wiens,  
16 White, Williams T.; also Senator(s) Tapia--Concerning the  
17 continuation of the state board of registration for  
18 professional engineers and professional land surveyors.  
19 Committee on Business Affairs & Labor  
20
- 21 **HB04-1116** by Representative(s) Butcher, McFadyen, Coleman,  
22 Borodkin, Cerbo, Frangas, Hodge, McGihon, Merrifield,  
23 Ragsdale, Romanoff, Tochtrop, Vigil, Weddig; also  
24 Senator(s) Tapia, Gordon, Groff, Grossman, Hanna,  
25 Veiga--Concerning the regulation of insurance, and, in  
26 connection therewith, creating the Colorado consumer  
27 insurance board and requiring that the commissioner of  
28 insurance approve schedules of insurance rates prior to  
29 implementation.  
30 Committee on Business Affairs & Labor  
31 Committee on Appropriations  
32
- 33 **HB04-1117** by Representative(s) Rhodes; also Senator(s) Hillman--  
34 Concerning a grace period in which a health insurance  
35 carrier may reenter the Colorado insurance market without  
36 penalty.  
37 Committee on Business Affairs & Labor  
38
- 39 **HB04-1118** by Representative(s) Johnson R., Borodkin, Cerbo,  
40 Fairbank, Hall, Hodge, Marshall, McCluskey, McGihon,  
41 Paccione, Pommer, Rhodes, Rippy, Rose, Schultheis,  
42 Sinclair--Concerning the ramifications of making false  
43 reports concerning at-risk adults.  
44 Committee on Judiciary  
45
- 46 **HB04-1119** by Representative(s) Hefley, Witwer, Boyd, Butcher,  
47 Carroll, Cerbo, Cloer, Crane, Frangas, Johnson R., Larson,  
48 McCluskey, McFadyen, Paccione, Pommer, Rippy,  
49 Romanoff, Welker, Williams S., Williams T., Briggs, Hall,  
50 King, May M., White; also Senator(s) Taylor, Chlouber,  
51 Arnold, Groff, Hagedorn, Hanna, Isgar, Johnson S.,  
52 Keller, Lamborn, Reeves, Tapia, Veiga, Windels--  
53 Concerning the income tax credit for child care facilities,  
54 and, in connection therewith, clarifying the meaning of the

1 term "child care facility" and extending the credit for five  
2 additional years.

3 Committee on Finance

4  
5 **HB04-1120** by Representative(s) Pommer--Concerning legally  
6 enforceable local government master plans.

7 Committee on Local Government

8 Committee on State, Veterans, & Military Affairs

9

10 **HB04-1121** by Representative(s) Fairbank--Concerning the treatment  
11 under laws regulating campaign finance of contributions  
12 to persons involved in the political process.

13 Committee on State, Veterans, & Military Affairs

14

15 **HB04-1122** by Representative(s) Crane, Hefley, Brophy, Smith, Cloer,  
16 Stengel, Boyd, Briggs, Carroll, Clapp, Decker, Harvey,  
17 Jahn, Judd, King, Lundberg, Marshall, May M.,  
18 McFadyen, McGihon, Mitchell, Rhodes, Romanoff, Rose,  
19 Schultheis, Spence, Welker, Witwer; also Senator(s)  
20 Cairns--Concerning identity theft, and making an  
21 appropriation therefor.

22 Committee on Information & Technology

23 Committee on Appropriations

24

25 **HB04-1123** by Representative(s) Coleman, Decker, Carroll, Frangas,  
26 Paccione, Ragsdale, Witwer, Young; also Senator(s)  
27 Owen--Concerning the operation of the Colorado mental  
28 health institute at Fort Logan.

29 Committee on Health, Environment, Welfare, & Institutions

30

31 **HB04-1124** by Representative(s) Spence, Coleman, Crane, Hefley,  
32 King, Rose, White, Wiens, Williams S.; also Senator(s)  
33 Arnold, Evans--Concerning changes to the state school  
34 accountability report to add information on adequate  
35 yearly progress.

36 Committee on Education

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## INTRODUCTION OF RESOLUTION

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43 The following resolution has read by title and referred to the committee  
44 indicated:

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46 **HJR04-1003** by Representative(s) Schultheis, Brophy, Cadman, Crane,  
47 Harvey, Lundberg, Rose, Welker, Rhodes, Sinclair,  
48 Stafford, Wiens; also Senator(s) Lamborn, Johnson S.--  
49 Concerning First Amendment protections on the campuses  
50 of Colorado's publicly funded colleges and universities.

51 Committee on Education

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House in recess. House reconvened.

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**REPORTS OF COMMITTEES OF REFERENCE****FINANCE**

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

**HB04-1098** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 4, line 13, strike "24-76-101;" and substitute "24-76-101, TO THE EXTENT SUCH MONEYS ARE SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY;"

line 22, strike "(P.L. NO. 108-27);" and substitute "(P.L. NO. 108-27), RECEIVED BY THE STATE ON OR AFTER JANUARY 1, 2004;"

Page 5, after line 1, insert the following:

"(c) Nothing in this subsection (3) shall cause federal relief payments under the federal "Jobs and Growth Tax Relief Reconciliation Act of 2003", as amended, (P.L. No. 108-27), received by the state prior to the effective date of this subsection (3) to be credited or transferred to the general fund or any other fund of the state or to be subject to annual appropriation by the general assembly.

(d) ALL FEDERAL MONEYS DESCRIBED IN SUBPARAGRAPH (III) OF PARAGRAPH (b) OF THIS SUBSECTION (3) SHALL BE CREDITED AND PAID TO THE GENERAL FUND UNLESS OTHERWISE PROVIDED BY LAW AND SHALL BE SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY."

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**MESSAGE FROM THE SENATE**

Madam Speaker:

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes: SB04-011.

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**MESSAGE FROM THE REVISOR**

We herewith transmit:  
Without comment, SB04-011.

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**INTRODUCTION OF BILL  
First Reading**

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

**SB04-011** by Senator(s) Anderson, Taylor, Tupa; also  
Representative(s) Coleman, Rhodes, Williams T.--

1                   Concerning limitations on allowable qualified distributions  
2                   pursuant to the "Certified Capital Company Act".  
3 Committee on Business Affairs & Labor

4                   \_\_\_\_\_  
5  
6                   House in recess. House reconvened.  
7  
8                   \_\_\_\_\_  
9

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11                   **LAY OVER OF CALENDAR ITEMS**  
12

13 On motion of Representative Mitchell, the following item on the Calendar  
14 was laid over until January 13, retaining place on Calendar:  
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16 Consideration of Resolution--**HJR04-1002**.  
17  
18                   \_\_\_\_\_  
19

20 On motion of Representative Mitchell, the House adjourned until  
21 9:00 a.m., January 13, 2004.  
22

23                   Approved:  
24  
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26  
27                   LOLA SPRADLEY,  
28                   Speaker

29 Attest:

30  
31                   JUDITH RODRIGUE,  
32                   Chief Clerk