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

Eighty-third Legislative Day

Monday, March 29, 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 Vigil.
6 7	The roll was called with the following result:
8 9 10 11 12	Present63. ExcusedRepresentatives Hefley, Rhodes2. Present after roll callRepresentative Rhodes.
13 14	The Speaker declared a quorum present.
15 16 17 18 19 20	On motion of Representative Welker, the reading of the journal of March 26, 2004, was declared dispensed with and approved as corrected by the Chief Clerk.
21 22 23	PRINTING REPORT
24 25 26	The Chief Clerk reports the following bills have been correctly printed: HB04-1412, 1413, 1414, 1415, 1416, 1417, 1418, 1419, 1420, 1421, 1422, 1423.
27 28	
29 30	MESSAGES FROM THE SENATE
31 32 33	Madam Speaker:
34 35 36	The Senate failed to pass HB04-1078, on Second Reading. The bill is returned herewith.
37 38 39 40 41	The President appointed Senators Kester, Chm., Chlouber, and Tupa, as members of the First Conference Committee on SB04-082.
42 43	

INTRODUCTION OF BILLS 1 2 3 **First Reading** 4 The following bills were read by title and referred to the committees 5 indicated: 6 7 <u>HB04-14</u>12 by Representative(s) Young, Plant, Witwer; also 8 Senator(s) Owen, Reeves, Teck--Concerning transfers of 9 money related to capital construction. 10 Committee on Appropriations 11 12 HB04-1413 by Representative(s) Plant, Witwer, Young; also Senator(s) Teck, Owen, Reeves--Concerning the surcharge 13 14 collected on documents received by a county clerk and 15 recorder that is used for the purpose of defraying the costs of providing electronic filing capabilities. 16 17 Committee on Appropriations 18 HB04-1414 by Representative(s) Witwer, Plant, Young; Senator(s) Reeves, Owen, Teck--Concerning 19 also Senator(s) Reeves, Owen, 20 the distribution of the excess of the amount set aside from 21 22 federal revenues earned by the state pursuant to Title IV-E 23 of the federal "Social Security Act", as amended, and 24 making an appropriation therefor. 25 Committee on Appropriations 26 by Representative(s) Young, Plant, Witwer; also 27 HB04-1415 28 Senator(s) Reeves, Owen, Teck--Concerning changes to 29 reimbursements of nursing facilities, and, in connection 30 therewith, repealing the nursing facility provider fee and 31 quality of care grant program and making an 32 appropriation. 33 Committee on Appropriations 34 by Representative(s) Witwer, Plant, Young; also Senator(s) Owen, Reeves, Teck--Concerning the 35 HB04-1416 36 37 elimination of the requirement to use general fund moneys 38 for the breast and cervical cancer prevention and treatment 39 program in state fiscal year 2004-05, and making an 40 appropriation therefor. 41 Committee on Appropriations 42 43 HB04-1417 by Representative(s) Witwer, Plant, Young; also 44 Senator(s) Reeves, Owen, Teck--Concerning the transfer of moneys in the Colorado heritage communities fund to 45 the general fund. 46 47 Committee on Appropriations 48 49 HB04-1418 by Representative(s) Plant, Witwer, Young; also 50 Senator(s) Teck, Owen, Reeves--Concerning the quarterly 51 payment of specified assistance grants to individuals for 52 certain programs administered by the executive director of 53 the department of revenue. 54 Committee on Appropriations 55

1 2 3 4 5 6 7 8 9	HB04-1419	by Representative(s) Witwer, Plant, Young; also Senator(s) Teck, Owen, ReevesConcerning a requirement that private prison contractors reimburse the state only for monitoring costs associated with monitoring out-of-state inmates with a corresponding reduction in the private prison reimbursement rate from \$50.37 per inmate per day to \$49.56 per inmate per day, and making an appropriation in connection therewith. h Appropriations
10 11	HB04-1420	by Representative(s) Young, Plant, Witwer; also
12	<u>11D04-1420</u>	Senator(s) Owen, Reeves, TeckConcerning the fiscal
13		policy of the state for the 2003-04 state fiscal year in
14 15	Committee or	relation to the statutorily required general fund reserve.
16		
17	<u>HB04-1421</u>	by Representative(s) Witwer, Plant, Young; also
18 19		Senator(s) Teck, Owen, ReevesConcerning the allocation of tobacco settlement moneys received by the state.
20	Committee of	n Appropriations
21 22	HB04-1422	by Representative(s) Young, Witwer, Plant; also
23		Senator(s) Owen, Teck, ReevesConcerning the provision
24 25		for payment of the expenses of the executive, legislative, and judicial departments of the state of Colorado, and of
$\frac{23}{26}$		its agencies and institutions, for and during the fiscal year
27	C	beginning July 1, 2004, except as otherwise noted.
28 29	Committee of	n Appropriations
30	<u>HB04-1423</u>	by Representative(s) Witwer, Plant, Young; also Senator(s) Teck, Owen, ReevesConcerning the indirect
31 32		costs of programs administered by the state of Colorado,
33		which are funded by moneys other than state general fund
34 35	Committee o	moneys appropriated by the general assembly.
35 36	Committee of	n Appropriations
37 38 39 40 41 42	<u>SB04-177</u>	by Senator(s) Gordon, Arnold, Cairns, Chlouber, Dyer, Entz, Evans, Fitz-Gerald, Groff, Grossman, Hanna, Hillman, Isgar, Johnson S., Jones, Keller, Kester, Phillips, Sandoval, Takis, Tapia, Taylor, Veiga, Windels; also Representative(s) Hefley, Stafford, Pommer, Borodkin, Priggs Carroll Colomon Docker Franges Hodge John
42 43		Briggs, Carroll, Coleman, Decker, Frangas, Hodge, Jahn, Judd, Madden, Marshall, McCluskey, McFadyen,
44		McGihon, Miller, Rippy, Romanoff, Rose, Salazar,
45 46		Stengel, Welker, Tochtrop, Weissmann, White, Williams SConcerning home- and community-based services
47		under the state's medicaid program for children with
48	Committee	autism.
49 50	Committee of Committee of	n Appropriations
51		
52 53	SB04-198	hy Senator(s) Taylor Anderson Takis Tupo, also
55 54 55 56	<u>5004-170</u>	by Senator(s) Taylor, Anderson, Takis, Tupa; also Representative(s) Coleman, Rhodes, Vigil, Williams T Concerning the transfer of the responsibility of administering the state contribution to assist in providing

1 certain benefits for volunteer firefighters from the fire and police pension association to the department of local affairs. 2 Committee on Finance 6		Page 1108		Н	louse	Journal83rd	Day	/March 29,	2004
8 INTRODUCTION OF RESOLUTION 9 The following resolution was read by title and laid over one day under the rules: 11 rules: 12 HJR04-1045 by Representative(s) Wiens, Berry, Smith; also Senator(s) 7 TeckConcerning the designation of March 29, 2004, as 7 Salute Our Troops - Remembrance Day. 16	2 3 4 5 6	Committee or	police affairs.	pension					
 The following resolution was read by title and laid over one day under the rules: HJR04-1045 by Representative(s) Wiens, Berry, Smith; also Senator(s) TeckConcerning the designation of March 29, 2004, as Salute Our Troops - Remembrance Day. APPOINTMENTS TO CONFERENCE COMMITTEE APPOINTMENTS TO CONFERENCE COMMITTEE The Speaker appointed House conferees to the First Conference Committees as follows: SB04-082Representatives Williams T., Chairman, Larson and Paccione THIRD READING OF BILLSFINAL PASSAGE The following bills were considered on Third Reading. The titles were publicly read. Reading of the bill at length was dispensed with by unanimous consent. SB04-193 by Senator(s) Entz; also Representative(s) SalazarConcerning the authority of the department of agriculture to promulgate rules to specify the class of strawberries allowed for production of nursery stock in the state. Laid over until March 30, retaining place on Calendar. SB04-115 by Senator(s) Dyer; also Representative(s) MitchellConcerning a limitation on the recovery of noneconomic damages in breach of contract claims. The question being "Shall the bill pass?". A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative and the bill was declared passed. YES <u>36 NO 27 EXCUSED 02 ABSENT 00</u> Berry Y Garcia N McCluskey Y Sinclair Y Boyd N Harvey Y McGihon N Spence Y Briggs Y Hefley E Merrifield N Stafford Y Brophy Y Hodge N Miller Y Stengel Y 	8		INTR	ODUCT	TION	OF RESOLU	U TI	ON	
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19 APPOINTMENTS TO CONFERENCE COMMITTEE 20 The Speaker appointed House conferees to the First Conference Committees as follows: 23 SB04-082Representatives Williams T., Chairman, Larson and Paccione 24 SB04-082Representatives Williams T., Chairman, Larson and Paccione 27 THIRD READING OF BILLSFINAL PASSAGE 28 THEOR READING OF BILLSFINAL PASSAGE 29 The following bills were considered on Third Reading. The titles were publicly read. Reading of the bill at length was dispensed with by unanimous consent. 33 SB04-193 34 SB04-193 35 by Senator(s) Entz; also Representative(s) SalazarConcerning the authority of the department of agriculture to promulgate rules to specify the class of strawberries allowed for production of nursery stock in the state. 36 Laid over until March 30, retaining place on Calendar. 41 SB04-115 by Senator(s) Dyer; also Representative(s) MitchellConcerning a limitation on the recovery of noneconomic damages in breach of contract claims. 44 The question being "Shall the bill pass?". 45 The question being "Shall the bill pass?". 46 A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative and the bill was declared passed. 19 Server	13 14 15 16	<u>HJR04-1045</u>	Teck	Concerni	ing th	e designation	of N	March 29, 20	
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55 Brophy Y Hodge N Miller Y Stengel Y				•					
				•					
	55 56	Butcher			Y	Mitchell	Y	Tochtrop	N

1	Cadman	Y	Jahn	Ν	Paccione	Ν	Vigil	Ν
2	Carroll	Ň	Johnson	Y	Plant	N	Weddig	N
3	Cerbo	N	Judd	Ň	Pommer	N	Weissmann	N
4	Clapp	Ŷ	King	Ŷ	Ragsdale	N	Welker	Y
5	Cloer	Ŷ	Larson	Ý	Rhodes	Ē	White	Ŷ
6		N	Lee	Y		Y	Wiens	Y
	Coleman				Rippy			
7	Crane	Y	Lundberg	Y	Romanoff	N	Williams S.	N
8	Decker	Y	Madden	N	Rose	Y		Y
9	Fairbank	Y	Marshall	N	Salazar	N	Witwer	Y
10	Frangas	Ν	May	Y	Schultheis	Y	Young	Y
11	~				<u> </u>	~	Speaker	Y
12					Brophy, Cloe			
13		Mille	er, Rose, Schu	ltheis,	, Spence, Staffo	ord, V	Welker, Willia	ms T.,
14	Speaker.							
15								
16	<u>SB04-093</u>	by	Senator(s) C	hlout	er; also Repre	esent	ative(s) Fairb	ank
17		Ċc	oncerning ci	reatio	n of the "	'Res	ponsible Al	cohol
18			verage Vend				L	
19			U					
20	The question	bei	ng "Shall the	bill n	ass?".			
$\overline{21}$	A roll call vo	ote u	as taken As	show	wn by the follo	owir	ng recorded v	ote a
22	majority of th	nose	elected to the	Hou	se voted in the	affii	mative and the	he hill
$\frac{22}{23}$	was declared			iiou		uIIII		
$\frac{23}{24}$	was ucciarcu	pas	scu.					
25	YES	62	NO	00	EXCUSED	03	ABSENT	00
26	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
27	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
28	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
29	Briggs	Y	Hefley	E	Merrifield	Y	Stafford	Y
30	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
31	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
32	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
33	Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
34	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	E
35	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
36	Cloer	Ŷ	Larson	Ŷ	Rhodes	Ē	White	Ŷ
37	Coleman	Ŷ	Lee	Ŷ	Rippy	Ϋ́		Ŷ
38	Crane	Ŷ	Lundberg	Ŷ	Romanoff		Williams S.	Ý
39	Decker		Madden	Y			Williams T.	Y
							Witwer	
40	Fairbank		Marshall	Y				Y
41	Frangas	Y	May	Y	Schultheis	Ŷ	Young	Y
42		***	•	1.0	1		Speaker	Y
43	Representative	e we	issmann excus	sed fro	om voting unde	er Ho	use Rule 21(c).
44	Co-sponsors a	addeo	1: Representat	ives F	rangas, Hoppe	, Spe	eaker.	
45								
46								
47	<u>SB04-125</u>				r; also Repre			
48		Co	oncerning th	e pro	ompt paymer	nt o	of auto insu	rance
49		be	nefits.	_				
50								
51	The question	bei	ng "Shall the	bill p	ass?".			
52	A roll call vo	ote w	as taken. As	s show	wn by the follo	owir	ng recorded v	ote. a
53					se voted in the			
54	was declared			1100		~111		
55		- Lag						
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Page 1110

1	YES	63	NO	00	EXCUSED	02	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	McGihon	Y	Spence	Y
5	Briggs	Y	Hefley	Е	Merrifield	Y	Stafford	Y
6	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
7	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
8	Cadman	Y	Jahn		Paccione	Y	Vigil	Y
9	Carroll	Y	Johnson		Plant	Y	Weddig	Y
10	Cerbo	Y	Judd		Pommer	Y	Weissmann	Y
11	Clapp	Y	King	Y	Ragsdale	Y		Y
12	Cloer	Y	Larson	Y		Е	White	Y
13	Coleman		Lee	Y	Rippy	Y		Y
14	Crane	Y	Lundberg		Romanoff	Y		Y
15	Decker	Y	Madden		Rose	Y		Y
16	Fairbank	Y	Marshall		Salazar	Y		Y
17	Frangas	Y	May	Y	Schultheis	Y	Young	Y
18	Companya	<u></u>	Donnocontot	ives C		lama	Speaker	Y
19 20			e, Rose, Wec		arroll, Cloer, Co	lema	in, Frangas, Ma	idden,
20 21	Merrineiu, Pa		le, Rose, wet	idig, v	villanis 5.			
$\frac{21}{22}$								
$\frac{22}{23}$			RECA		DF SB04-013			
$\frac{23}{24}$			NECA		JI 5004-015			
$\frac{24}{25}$	Representat	ive H	loppe moved	1 for	recall of SBC)4-0 [°]	13 for purpo	se of
$\frac{25}{26}$					by unanimou			
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	01001001000							
28								
28 29								
29		I	 RECONSID	ERA	TION OF SB	304-()13	
		1	RECONSID	ERA	TION OF SB	604- 0)13	
29 30	SB04-013							r; also
29 30 31	<u>SB04-013</u>	by	Senator(s)	Entz	, Dyer, Isga	r, T	apia, Taylo	
29 30 31 32 33 34	<u>SB04-013</u>	by Re Co	Senator(s) presentative	Entz (s) Ho nate co	, Dyer, Isga oppe, Miller, onfirmation of	r, T Ripp f me	apia, Taylo y, Salazar, V	White
29 30 31 32 33 34 35	<u>SB04-013</u>	by Re Co	Senator(s) presentative	Entz (s) Ho nate co	, Dyer, Isga oppe, Miller,	r, T Ripp f me	apia, Taylo y, Salazar, V	White
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Cloer	Y	Larson	Y	Rhodes	E	White
Coleman	Y	Lee	Y	Rippy	Y	
Crane	Y	Lundberg	Y	Romanoff	Y	
Decker	Y	Madden	Y	Rose	Y	
Fairbank	Y	Marshall May	Y Y	Salazar Sahulthaia	Y	Witwer
Frangas	Y	May	I	Schultheis	Y	Young Speaker
lected to th	le Ho	use voted in	the af	all vote, a ma firmative, and ird Reading an	Rep	presentative
YES	63	NO	00	EXCUSED	02	ABSENT
Berry	Y	Garcia	Y	McCluskey	Y	Sinclair
Borodkin	Ý	Hall	Ý	McFadyen	Y	Smith
Boyd	Ŷ	Harvey	Ý	McGihon	Ŷ	Spence
Briggs	Ý	Hefley	Ē	Merrifield	Y	Stafford
Brophy	Y	Hodge	E Y	Miller	Y	Stanord
Butcher	Y		Y	Mitchell	Y	
	Y	Hoppe Jahn	Y	Paccione	Y	Tochtrop Vigil
Cadman	Y Y		Y Y		Y Y	Vigil Weddig
Carroll	Y Y	Johnson Judd	Y Y	Plant	Y Y	Weddig Weissmann
Cerbo			Y	Pommer		Welssmann Welker
Clapp Cloer	Y	King	Y	Ragsdale	Y	
	Y	Larson		Rhodes	E	White
Coleman	Y	Lee	Y	Rippy	Y	Wiens
Crane	Y	Lundberg	Y	Romanoff	Y	
Decker	Y	Madden	Y	Rose	Y	
						W/1137/01
	Y	Marshall	Y	Salazar	Y	Witwer
Frangas	Y	May	Y	Schultheis	Y	Young Speaker
Frangas Third Read Amend rere ne 16, stril ne 17, stril	Y ling a vised ke "Al ke "QI	May mendment 1 bill, page 2, PPOINTED," a UALIFIED, AN	Y No. 1 line 1 ind su	Schultheis , by Represen 11, strike "BY bstitute "APPC	Y tativ AND DINTI	Young Speaker e Hoppe. "; ED.";
Frangas Third Read Amend rere ne 16, stril ne 17, stril	Y ling a vised ke "Al ke "QI nent y 63	May mendment 1 bill, page 2, pPOINTED," a UALIFIED, AN was declared NO	Y No. 1 line 1 ind su ID CON D CON	Schultheis , by Represen 11, strike "BY bstitute "APPC NFIRMED.". ed by the follo EXCUSED	Y tativ AND DINTI DWIR	Young Speaker e Hoppe. "; ED."; ng roll call v ABSENT
Frangas 'hird Read amend rere ne 16, stril ne 17, stril 'he amendr <u>YES</u> Berry	Y ling a vised ke "Al ke "Ql nent y <u>63</u> Y	May mendment 1 bill, page 2, pPOINTED," a UALIFIED, AN was declared <u>NO</u> Garcia	Y No. 1 line 1 und su D COM D	Schultheis , by Represent 11, strike "BY bstitute "APPC NFIRMED.". ed by the follo <u>EXCUSED</u> McCluskey	Y tativ AND DINTI DWIR Q2 Y	Young Speaker e Hoppe. "; ED."; ag roll call v <u>ABSENT</u> Sinclair
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Frangas Third Read Third Read Thend rere ne 16, stril ne 17, stril The amendr YES Berry Borodkin Boyd	Y ling a vised ke "Al ke "Q hent v ment Y Y Y Y	May mendment 1 bill, page 2, PPOINTED," a UALIFIED, AN was declared NO Garcia Hall Harvey	Y No. 1 line 1 und su ID CON D CON I pass 00 Y Y Y Y Y	Schultheis , by Represen 11, strike "BY bstitute "APPC NFIRMED.". ed by the follo <u>EXCUSED</u> McCluskey McFadyen McGihon	$\begin{array}{c} Y \\ tativ \\ AND \\ DINTI \\ DINTI \\ \hline \\ \hline \\ DW \\ IT \\ \hline \\ $	Young Speaker e Hoppe. "; ED."; ag roll call v <u>ABSENT</u> Sinclair Smith Spence
Frangas <u>'hird Read</u> mend rere ne 16, stril ne 17, stril he amendr <u>YES</u> Berry Borodkin Boyd Briggs	Y ling a vised ke "Al ke "Ql nent y ment y Y Y Y Y Y	May mendment 1 bill, page 2, PPOINTED," a UALIFIED, AN was declared <u>NO</u> Garcia Hall Harvey Hefley	Y No. 1 line 1 und su ID CON D CON I pass 00 Y Y Y Y E	Schultheis , by Represen 11, strike "BY bstitute "APPC NFIRMED.". ed by the follo <u>EXCUSED</u> McCluskey McFadyen McGihon Merrifield	Y tativ AND DINTI DWIR DWIR V Y Y Y Y Y Y Y	Young Speaker e Hoppe. "; ED."; ag roll call v <u>ABSENT</u> Sinclair Smith Spence Stafford
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	Page 1112			House	Journal83rd	l Day	yMarch 29,	2004
1	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
2	Frangas	Ŷ	May	Ŷ	Schultheis	Ŷ	Young	Ŷ
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9	YES	63	NO	00	EXCUSED	02	ABSENT	00
10	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
11	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
12	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
13	Briggs	Y	Hefley	E	Merrifield	Y		Y
14	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
15	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
16	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
17	Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
18	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
19	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
20	Cloer	Y	Larson	Y	Rhodes	E	White	Y
21	Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y
22	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
23	Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
24	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
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$\begin{array}{c} 28\\ 29\\ 30\\ 31\\ 32\\ 33\\ 34\\ 35\\ 36\\ 37\\ 38\\ 39\\ 40\\ 41\\ 42\\ 43\\ 44\\ 45\\ 46\\ 47\\ 48\\ 49\\ 50\\ 51\\ 52\\ 53\\ 54 \end{array}$	Amend rere APPOINTME SHALL NOT E THE SENATE APPOINTMEN The amendr YES Berry Borodkin Boyd Briggs Brophy Butcher Cadman Carroll Cerbo Clapp Cloer Coleman Crane Decker	evised NT MA BEAPE IN TH NT.". nent v 63 Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y	l bill, page DE WHILE CRMANENT A E LEGISLAT was declare <u>NO</u> Garcia Hall Harvey Hefley Hodge Hoppe Jahn Johnson Judd King Larson Lee Lundberg Madden	2, lin THE SE APPOIN TVE SES d pass d pass d pass <u>00</u> Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y	e 20, after "S NATE IS NOT II TMENT UNTILS SSION IMMEDI ed by the folle <u>EXCUSED</u> McCluskey McFadyen McGihon Merrifield Miller Mitchell Paccione Plant Pommer Ragsdale Rhodes Rippy Romanoff Rose	SENA N LEO SUCH ATEL owin 02 Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y	TE.", insert GISLATIVE SE ICONFIRMATI Y FOLLOWIN ag roll call vo <u>ABSENT</u> Sinclair Smith Spence Stafford Stengel Tochtrop Vigil Weddig Weissmann Welker White Wiens Williams S. Williams T.	ssion on By g THE ote:
$\begin{array}{c} 28\\ 29\\ 30\\ 31\\ 32\\ 33\\ 34\\ 35\\ 36\\ 37\\ 38\\ 39\\ 40\\ 41\\ 42\\ 43\\ 44\\ 45\\ 46\\ 47\\ 48\\ 49\\ 50\\ 51\\ 52\\ 53\\ \end{array}$	Amend rere APPOINTME SHALL NOT E THE SENATE APPOINTMEN The amendr YES Berry Borodkin Boyd Briggs Brophy Butcher Cadman Carroll Cerbo Clapp Cloer Coleman Crane Decker Fairbank	evised NT MA BE A PE IN TH NT.". nent v 63 Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y	l bill, page DE WHILE RMANENT A E LEGISLAT was declare <u>NO</u> Garcia Hall Harvey Hefley Hodge Hoppe Jahn Johnson Judd King Larson Lee Lundberg Madden Marshall	2, lin THE SE APPOIN TVE SES d pass d pass d pass <u>00</u> Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y	e 20, after "S NATE IS NOT II TMENT UNTILS SSION IMMEDI ed by the folle <u>EXCUSED</u> McCluskey McFadyen McGihon Merrifield Miller Mitchell Paccione Plant Pommer Ragsdale Rhodes Rippy Romanoff Rose Salazar	SENA N LEO SUCH ATEL owin 02 Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y	TE.", insert GISLATIVE SE ICONFIRMATI Y FOLLOWIN ag roll call vo <u>ABSENT</u> Sinclair Smith Spence Stafford Stengel Tochtrop Vigil Weddig Weissmann Welker White Wiens Williams S. Williams T. Witwer	ssion on By g The ote: $\begin{array}{c} 00\\ Y\\ Y\\$

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

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

5 6 YES 63 NO 00 **EXCUSED** 02 ABSENT 00 7 Y Y Berry Y **McCluskey** Sinclair Y Garcia 8 Y Y Borodkin Y McFadyen Y Hall Smith 9 Y Y McGihon Y Boyd Harvey Y Spence 10 **Briggs** Y Hefley Ε Merrifield Stafford Y Y Brophy Y Hodge Y Miller Y Stengel Y 11 12 Butcher Y Hoppe Y Mitchell Y Tochtrop Y Vigil 13 Cadman Y Jahn Y Paccione Y Y 14 Carroll Y Johnson Y Plant Y Weddig Y 15 Y Pommer Y Weissmann Y Cerbo Judd Y Y Clapp King Y Ragsdale Y Welker Y 16 Rhodes E 17 Cloer Y Larson Y White Y 18 Coleman Y Lee Y Rippy Y Wiens Y 19 Y Lundberg Y Romanoff Y Williams S. Y Crane 20 Decker Y Rose Y Williams T. Madden Y Y Y Witwer 21 Fairbank Marshall Y Salazar Y Y 22 Frangas Y May Y Schultheis Y Young Y 23 Speaker Y 24 Co-sponsors added: Representatives Carroll, Frangas, Marshall, McFadyen, 25 Paccione, Ragsdale, Weddig. 26 27 28 29 CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILL 30 31 HB04-1369 by Representative(s) King, Spradley; also Senator(s) 32 Hillman, Andrews--Concerning payment of expenses of the legislative department, and making appropriations in 33 34 connection therewith. 35 (Amended as printed in Senate Journal, March 19, page 578) 36 37 Representative King moved that the House concur in Senate 38 39 amendments. The motion was declared **passed** by the following roll call 40 vote: 41 42 YES NO **EXCUSED** ABSENT 63 00 02 00 43 Berry Y Garcia Y **McCluskey** Y Sinclair Y 44 Borodkin Y Y McFadyen Y Y Hall Smith 45 Boyd Y Harvey Y McGihon Y Spence Y Y Stafford Y 46 Briggs Hefley Е Merrifield Y 47 Y Hodge Y Y Stengel Y Brophy Miller 48 Butcher Y Hoppe Y Mitchell Y Tochtrop Y Y Vigil 49 Cadman Jahn Y Paccione Y Y 50 Y Johnson Plant Y Weddig Y Carroll Y 51 Cerbo Y Judd Y Pommer Y Weissmann Y 52 Y King Ragsdale Welker Y Clapp Y Y 53 Y Rhodes E White Y Cloer Larson Y 54 Coleman Y Lee Y Rippy Y Wiens Y

55

56

Crane

Decker

Y

Y

Lundberg

Madden

Y

Y

Romanoff

Rose

Y

Y

Williams S.

Williams T.

Y

Y

	Page 1114]	House	Journal83rd	l Day	yMarch 29,	2004
$\frac{1}{2}$	Fairbank Frangas	Y Y	Marshall May	Y Y	Salazar Schultheis	Y Y	Witwer Young	Y Y
2 3	Tangas	I	Widy	1	Sendimens	1	Speaker	Y
4 5 6 7 8 9	A roll call vo	ote w hose	as taken. A elected to t	As show the Ho	as amended, j vn by the follo use voted in t assed.	owir	?". ig recorded v	ote, a nd the
10	YES	41	NO	22	EXCUSED	02	ABSENT	00
11	Berry	Y	Garcia	Ν	McCluskey	Y	Sinclair	Y
12	Borodkin	Ν	Hall	Y	McFadyen	Ν	Smith	Y
13	Boyd	Y	Harvey	Y	McGihon	Ν	Spence	Y
14	Briggs	Y	Hefley	E	Merrifield	N		Y
15	Brophy	Y	Hodge	N	Miller	Y	U	Y
16	Butcher	N	Hoppe	Y	Mitchell	Y	Tochtrop	N
17	Cadman Carroll	Y	Jahn	Y Y	Paccione	N	Vigil Weddie	N N
18 19	Carroll Cerbo	N N	Johnson Judd	Y Y	Plant Pommer	N N	Weddig Weissmann	N N
20	Clapp	Y	King	Y	Ragsdale	N		Y
20	Cloer	Y	Larson	Ŷ	Rhodes	E		Y
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$\frac{-}{23}$	Crane	Ŷ		Ŷ	Romanoff		Williams S.	Ŷ
24	Decker	Ŷ	Madden	Ň	Rose		Williams T.	Ŷ
25	Fairbank	Y	Marshall	Ν	Salazar	Ν	Witwer	Y
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36	Committee of	f the	Whole for c	conside	eration of Spec	cial (Orders and sh	e was
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49	1			1			,	
50	<u>HB04-1279</u>	by	Represent	ative(s	s) Stafford, 1	Rose	; also Sena	tor(s)
51					oncerning li	abili	ty regarding	g the
52		be	havior of do	ogs.				
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1 Amendment No. 2, Appropriations Report, dated March 5, 2004, and 2 3 placed in member's bill file; Report also printed in House Journal, March 8, pages 775-776. 4 5 <u>Amendment No. 3</u>, by Representative Stafford. 6 7 Amend the Agriculture, Livestock, & Natural Resources Committee 8 Report dated February 18, 2004, page 4, after line 3, insert the following: 9 10 "SECTION 2. 18-9-202, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read: 11 12 18-9-202. Cruelty to animals - aggravated cruelty to animals 13 - neglect of animals - offenses - repeal. (2.5) IT SHALL BE AN 14 15 AFFIRMATIVE DEFENSE TO A CHARGE BROUGHT UNDER THIS SECTION INVOLVING INJURY OR DEATH TO A DOG THAT THE DOG WAS FOUND 16 17 RUNNING, WORRYING, OR INJURING SHEEP, CATTLE, OR OTHER LIVESTOCK.". 18 19 20 Renumber succeeding sections accordingly. 21 22 Amendment No. 4, by Representative Madden, Harvey. 23 24 Amend the Agriculture, Livestock, and Natural Resources Committee 25 Report, dated February 18, 2004, page 2, line 7, strike "PROPERTY AS" 26 and substitute "PROPERTY,"; 27 28 strike line 8 and substitute the following: 29 30 "SHALL BE ENTITLED TO"; 31 32 line 9, after "RECOVER", insert "ECONOMIC". 33 34 As amended, ordered engrossed and placed on the Calendar for Third 35 Reading and Final Passage. 36 37 **SB04-105** by Senator(s) Kester; also Representative(s) Spence--38 Concerning the regulation of health insurance, and, in 39 connection therewith, adopting certain modifications to health insurance laws recommended by the 2001 sunset 40 41 report conducted by the department of regulatory agencies. 42 43 Amendment No. 1, Business Affairs & Labor Report, dated March 16, 44 2004, and placed in member's bill file; Report also printed in House 45 Journal, March 18, pages 915-917. 46 47 48 <u>Amendment No. 2</u>, by Representative Spence. 49 50 Amend reengrossed bill, page 21, after line 2, insert the following: 51 52 "SECTION 9. 10-16-201.5 (1) (f), Colorado Revised Statutes, is 53 amended to read: 54 55 10-16-201.5. **Renewability of health benefit plans** modification of health benefit plans. (1) A carrier providing coverage 56

1 under a health benefit plan shall not discontinue coverage or refuse to2 renew such plan except for the following reasons:

3 4 (f) With respect to individual health benefit plans, the 5 commissioner finds that the continuation of the coverage would not be in 6 the best interest of the policyholders or certificate holders, the plan is 7 obsolete, or would impair the carrier's ability to meet its contractual 8 obligations. Once the commissioner has made such a finding OR THE 9 CARRIER PROVIDES THE INSURED THE OPTION TO PURCHASE ANY OTHER 10 COMPARABLE HEALTH BENEFIT COVERAGE AS DETERMINED BY THE 11 COMMISSIONER, the carrier shall provide notice to each covered individual 12 provided coverage of this type of such discontinuation at least ninety days 13 prior to the date of discontinuation and shall provide each affected 14 covered individual the opportunity to purchase any other individual health 15 insurance coverage being offered by the carrier. In exercising this option, 16 a carrier shall act uniformly without regard to any health status-related 17 factor of enrolled individuals or individuals who may become eligible for 18 such coverage.".

19

20 Renumber succeeding sections accordingly.

21

As amended, ordered revised and placed on the Calendar for ThirdReading and Final Passage.

24 25

SB04-024 26 by Senator(s) Teck; also Representative(s) Romanoff--27 Concerning increased consistency in the regulation of 28 certain professions by the division of registrations in the 29 department of regulatory agencies, and, in connection 30 therewith, enacting uniform statutory provisions governing 31 the issuance of letters of admonition, immunity, renewal 32 and reinstatement of licenses, registrations, or certificates, 33 investigatory subpoenas, and disposition of fines collected. 34

Amendment No. 1, Business Affairs & Labor Report, dated March 18,
 2004, and placed in member's bill file; Report also printed in House
 Journal, March 19, pages 979-1003.

38

39 <u>Amendment No. 2</u>, by Representative Romanoff.

40
41 Amend the Business Affairs and Labor Committee Report, dated March
42 18, 2004, page 7, strike line 12, and substitute the following:

43

44 PROVIDED IN THIS ARTICLE OR SECTION 24-34-102 (8), C.R.S. 45

46 47 (2) (a) Every licensee who desires to retain a license shall pay a renewal fee on or before the expiration date of such license.".

48

49 As amended, ordered revised and placed on the Calendar for Third50 Reading and Final Passage.

51 52

53 <u>SB04-094</u>
 54 by Senator(s) Hagedorn; also Representative(s) Spradley,
 55 Hall--Concerning the implementation of health savings accounts, and, in connection therewith, eliminating medical savings accounts for basic health benefit plans for

1 small employers and converting the tax provisions for 2 3 medical savings accounts to apply to health savings accounts. 4 5 Amendment No. 1, Business Affairs & Labor Report, dated March 18, 6 2004, and placed in member's bill file; Report also printed in House 7 Journal, March 19, pages 1003-1004. 8 9 <u>Amendment No. 2</u>, by Representative Williams T. 10 11 Amend the Business Affairs and Labor Committee Report, dated March 12 18, 2004, page 1, strike line 12 and substitute the following: 13 "Page 7, line 6, before "This" insert "(1)"; 14 15 16 strike lines 7 and 8 and substitute the following: 17 18 "effect July 1, 2004. 19 20 (2) This act shall apply to basic health benefit plans issued or 21 renewed on and after July 1, 2004. 22 23 (3) This act shall apply to health savings accounts established on 24 or after January 1, 2004.". 25 26 <u>Amendment No. 3</u>, by Representative Williams T. 27 28 Amend the Business Affairs and Labor Committee Report, dated March 18, 2004, page 1, strike line 5 and substitute the following: 29 30 31 "Revised Statutes, are amended, and the said 10-16-105 (7.2) is further 32 amended BY THE ADDITION OF A NEW PARAGRAPH, to read:"; 33 34 after line 11, insert the following: 35 36 "Page 3 of the reengrossed bill, after line 27, insert the following: 37 38 "(c) A basic plan that is a high deductible health plan 39 QUALIFYING FOR A HEALTH SAVINGS ACCOUNT PURSUANT TO 26 U.S.C. 40 SEC. 223 MAY BE IMPLEMENTED BEGINNING JULY 1, 2004, AND SHALL BE 41 IMPLEMENTED BY ALL SMALL EMPLOYER CARRIERS NO LATER THAN JULY 42 1,2005.".". 43 44 As amended, ordered revised and placed on the Calendar for Third 45 Reading and Final Passage. 46 47 HB04-1386 by Representative(s) Stengel, Spradley; also Senator(s) 48 Kester--Concerning physical notice through a salvage 49 brand to potential purchasers that a motor vehicle has been 50 salvaged. 51 52 <u>Amendment No. 1</u>, Transportation & Energy Report, dated March 17, 2004, and placed in member's bill file; Report also printed in House 53 54 Journal, March 18, page 947. 55

1 Amendment No. 2, Finance Report, dated March 24, 2004, and placed in 2 member's bill file; Report also printed in House Journal, March 25, page 3 1047. 4 Amendment No. 3, by Representative Stengel. 5 6 Amend printed bill, page 3, line 3, after "CLASS A", insert 7 "MANUFACTURED". 8 9 As amended, ordered engrossed and placed on the Calendar for Third 10 Reading and Final Passage. 11 SB04-045 12 by Senator(s) Johnson S.; also Representative(s) Vigil--13 Concerning a prohibition against toughperson fighting. 14 Amendment No. 1, Local Government Report, dated March 24, 2004, and 15 placed in member's bill file; Report also printed in House Journal, March 16 17 25, page 1055. 18 19 As amended, ordered revised and placed on the Calendar for Third 20 Reading and Final Passage. 21 22 **SB04-188** Arnold, by Senator(s) Grossman, Owen: also 23 Representative(s) Rose--Concerning the surcharge on fines 24 for violation of certain county ordinances that is paid to 25 the Colorado traumatic brain injury trust fund, and, in 26 connection therewith, limiting the imposition of the 27 surcharge to violations of speed limits. 28 29 Amendment No. 1, Transportation & Energy Report, dated March 24, 30 2004, and placed in member's bill file; Report also printed in House 31 Journal, March 25, page 1045. 32 33 As amended, ordered revised and placed on the Calendar for Third 34 Reading and Final Passage. 35 36 On motion of Representative King, the remainder of the Special Orders 37 Calendar (HB04-1355, 1397, 1404) was laid over until March 30, 38 retaining place on Calendar. 39 40 41 42 AMENDMENTS TO THE COMMITTEE OF THE WHOLE REPORT 43 44 Representative Larson moved to amend the Report of the Committee of 45 the Whole to show that the following Larson amendment to **HB04-1279** 46 did pass, and that **HB04-1279**, as amended, did pass. 47 48 Amend the Agriculture, Livestock, & Natural Resources Committee Report, dated February 18, 2004, page 4, strike lines 4 and 5 and 49 50 substitute the following: 51 52 "SECTION 2. 18-9-204.5 (1), (3) (e.5), (3) (f), (3) (g), the introductory portion to 18-9-204.5 (3) (h) (I), and 18-9-204.5 (4) and (5), 53

54 Colorado Revised Statutes, are amended, and the said 18-9-204.5 is 55 further amended BY THE ADDITION OF A NEW SUBSECTION, to 56 read."

56 read:";

line 6, strike "Unlawful ownership of dangerous dog." and substitute
 "Criminal liability of dog owners.";

4 strike line 8 and substitute the following:

5
6 "(a) Dangerous UNMUZZLED, UNLEASHED, OR UNATTENDED dogs
7 THAT CAUSE INJURY OR DEATH TO PERSONS AND DOMESTIC ANIMALS AS A
8 RESULT OF THE CRIMINAL LIABILITY OF THEIR OWNERS are a serious and
9 widespread threat to the";

10

11 after line 12, insert the following:

12 13 "(3) (e.5) The court shall order any owner of a dangerous dog who has been convicted of a violation of this section to confine such 14 dangerous dog in a building or enclosure designed to be escape-proof 15 and, whenever such dog is outside of such building or enclosure, keep the 16 17 dog under such owner's control by use of a leash. In addition, if the conviction is for a second or subsequent offense, such dangerous dog 18 19 shall also be muzzled whenever it is outside of the building or enclosure. 20

21 (f) In addition to any other penalty set forth in this subsection (3) 22 AND IN SUBSECTION (3.5) OF THIS SECTION, upon an owner's entry of a 23 guilty plea or the return of a verdict of guilty by a judge or jury or a 24 deferred judgment or deferred prosecution for a violation that results in 25 bodily injury, serious bodily injury, or death to a person, the court, 26 pursuant to applicable provisions of title 16, C.R.S., governing restitution, 27 shall order the defendant to make restitution in accordance with said 28 provisions.

29

30 (g) In addition to the penalties set forth in paragraphs (b) to (e) of 31 this subsection (3) AND IN SUBSECTION (3.5) OF THIS SECTION, upon an 32 owner's entry of a guilty plea or the return of a verdict of guilty by a 33 judge or jury or a deferred judgment or deferred prosecution for a 34 violation that results in serious bodily injury to a person or death to a 35 person or domestic animal, or for a second or subsequent violation of said 36 paragraph (b) or (e) resulting in a conviction or a deferred judgment or a 37 deferred prosecution involving the same dog of the same owner, the court 38 may order that the dangerous dog be immediately confiscated and placed 39 in a public animal shelter and shall order that, upon exhaustion of any 40 right an owner has to appeal a conviction based on a violation of this subsection (3) OR SUBSECTION (3.5) OF THIS SECTION, the owner's 41 42 dangerous dog be destroyed by lethal injection administered by a licensed 43 veterinarian.

44

(h) (I) An affirmative defense to the violation of this subsection
(3) AND TO THE VIOLATION OF SUBSECTION (3.5) OF THIS SECTION shall be:

48 (3.5) THE OWNER OF A DOG THAT IS NOT A DANGEROUS DOG, BUT 49 THAT INFLICTS SERIOUS BODILY INJURY UPON OR CAUSES THE DEATH OF A 50 PERSON, COMMITS A CLASS 3 MISDEMEANOR. A VIOLATION OF THIS 51 SUBSECTION (3.5) IS A STRICT LIABILITY OFFENSE. THE AFFIRMATIVE 52 DEFENSES SET FORTH IN PARAGRAPH (h) OF SUBSECTION (3) OF THIS 53 SECTION SHALL APPLY TO A VIOLATION OF THIS SUBSECTION (3.5).

54

55 (4) Upon taking an owner into custody for an alleged violation of 56 this section or the issuing of a summons and complaint to the owner,

1 pursuant to the Colorado rules of criminal procedure and part 1 of article 2 4 of title 16, C.R.S., the owner's dangerous dog shall be taken into 3 custody and placed in a public animal shelter, at the owner's expense, 4 pending final disposition of the charge against the owner. In addition, in 5 the event the court, pursuant to the Colorado rules of criminal procedure and part 1 of article 4 of title 16, C.R.S., sets bail for an owner's release 6 7 from custody pending final disposition, the court shall require, as a 8 condition of bond, that the owner's dangerous dog be placed at the owner's expense in a public animal shelter, licensed boarding facility, or 9 veterinarian's clinic of the owner's choosing, pending final disposition of 10 the alleged violation of this section. The owner shall be liable for the 11 12 total cost of board and care for a dog placed pursuant to this subsection 13 (4).".

14

15 The amendment was declared **lost** by the following roll call vote:

10								
17	YES	25	NO	37	EXCUSED	03	ABSENT	00
18	Berry	Ν	Garcia	Y	McCluskey	Ν	Sinclair	Е
19	Borodkin	Y	Hall	Ν	McFadyen	Y	Smith	Y
20	Boyd	Ν	Harvey	Ν	McGihon	Y	Spence	Ν
21	Briggs	Ν	Hefley	E	Merrifield	Y	Stafford	Ν
22	Brophy	Ν	Hodge	Ν	Miller	Ν	Stengel	Ν
23	Butcher	Y	Hoppe	Ν	Mitchell	E	Tochtrop	Ν
24	Cadman	Ν	Jahn	Ν	Paccione	Ν	Vigil	Y
25	Carroll	Y	Johnson	Ν	Plant	Y	Weddig	Y
26	Cerbo	Y	Judd	Ν	Pommer	Y	Weissmann	Y
27	Clapp	Ν	King	Ν	Ragsdale	Y	Welker	Ν
28	Cloer	Ν	Larson	Y	Rhodes	Ν	White	Ν
29	Coleman	Y	Lee	Ν	Rippy	Ν	Wiens	Ν
30	Crane	Ν	Lundberg	Ν	Romanoff	Y	Williams S.	Y
31	Decker	Y	Madden	Y	Rose	Y	Williams T.	Ν
32	Fairbank	Ν	Marshall	Y	Salazar	Y	Witwer	Ν
33	Frangas	Y	May	Ν	Schultheis	Ν	Young	Ν
34	Ũ		-				Speaker	Ν

34 35

Representative Larson moved to amend the Report of the Committee of
the Whole to show that the following Larson amendment to SB04-105 did
pass, and that SB04-105, as amended, did pass.

39

40 Amend reengrossed bill, page 4, strike line 22 and substitute the 41 following:

42

43 "**SECTION 3.** 10-16-104 (5) (c) and (15), Colorado Revised 44 Statutes, are".

45

46 Page 5, after line 13, insert the following:

"(15) Notwithstanding any provision to the contrary, a small
employer may purchase health benefit coverage that does not include the
coverage for benefits pursuant to subsections (4), (5), (8), (9), (10), and
(12) of this section through a basic health benefit plan pursuant to section
10-16-105 (7.2) (b) (I).";

54 line 14, after "(7)," insert "(7.2) (b) (I),".

- 54 55
- 56 Page 7, after line 9, insert the following:

1 (7.2) The commissioner shall promulgate rules to implement a 2 basic health benefit plan and a standard health benefit plan to be offered 3 by each small employer carrier as a condition of transacting business in 4 The commissioner shall survey small group carriers to this state. determine the range of health benefit plans available annually. 5 The commissioner shall implement a basic plan that approximates the lowest 6 level of coverage offered in small group health benefit plans and shall 7 8 implement a standard plan that approximates the average level of 9 coverage offered in small group health benefit plans. In determining such 10 levels of coverage, the commissioner shall consider such factors as 11 coinsurance, copayments, deductibles, out-of-pocket maximums, and 12 covered benefits. The commissioner shall amend the rules to implement 13 the basic and standard plans no more frequently than once every two years. Such rules shall be in conformity with the provisions of article 4 14 15 of title 24, C.R.S., and shall incorporate the following: 16

17 (b) (I) The basic health benefit plan shall reflect a basic health 18 benefit plan that does not include coverage pursuant to the mandatory 19 coverage provisions of section 10-16-104 (4), (5), (8), (9), (10), and 20 (12).".

21

22 The amendment was declared **lost** by the following roll call vote:

- 23 24 YES NO 29 33 **EXCUSED** 03 ABSENT 00 25 Berry Y Garcia Y **McCluskey** Ν Sinclair Ε 26 Borodkin Y Y Ν Hall McFadyen Smith Ν 27 Boyd Y Ν McGihon Y Ν Harvey Spence 28 Y Briggs Ν Heflev E Merrifield Stafford Ν 29 Brophy Ν Hodge Y Miller Ν Stengel Ν 30 Butcher Y Hoppe Ν Mitchell Е Tochtrop Y 31 Y Vigil Cadman Ν Jahn Y Paccione Y 32 Carroll Y Johnson Ν Plant Y Weddig Y Y 33 Cerbo Judd Y Pommer Y Weissmann Y Y 34 Clapp Ν King Ν Ragsdale Welker Ν 35 Ν Larson Y Rhodes White Ν Cloer Ν 36 Coleman Y Lee Ν Rippy Y Wiens Ν 37 Ν Romanoff Y Williams S. Ν Crane Lundberg Ν 38 Decker Ν Y Rose Ν Williams T. Ν Madden 39 Ν Marshall Witwer Ν Fairbank Y Salazar Y 40 Y Young Frangas May Ν Schultheis Ν Ν 41 Speaker Ν 42
- 42 43

44 ADOPTION OF COMMITTEE OF THE WHOLE REPORT

45

Passed Second Reading: HB04-1279 amended, SB04-105 amended, 024
amended, 094 amended, HB04-1386 amended, SB04-045 amended,
188 amended.

49

Laid over until date indicated retaining place on Calendar: HB04-1355,
1397, 1404--March 30, 2004.

52

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**. Page 1122

1	-	~-						0.0
1	YES	62 V	NO	00 V	EXCUSED	03 V	ABSENT	00 E
2	Berry	Y	Garcia	Y	McCluskey McEadvan	Y	Sinclair	E
3	Borodkin	Y	Hall	Y	McFadyen McCibor	Y	Smith	Y
4 5	Boyd Briggs	Y Y	Harvey	Y E	McGihon Merrifield	Y Y	Spence Stafford	Y Y
6	Briggs Brophy	Y	Hefley Hodge	Y		Y	Stengel	Y
7	Butcher	Y	Hoppe	Ý		Ē	Tochtrop	Y
8	Cadman	Ŷ	Jahn	Ŷ	Paccione	Y	Vigil	Ŷ
9	Carroll	Ŷ	Johnson	Ŷ	Plant	Ŷ	Weddig	Ŷ
10	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
11	Clapp	Y	King	Y	Ragsdale	Y		Y
12	Cloer	Y	Larson	Y	Rhodes	Y		Y
13	Coleman	Y	Lee	Y	Rippy		Wiens	Y
14	Crane	Y	Lundberg	Y	Romanoff		Williams S.	Y
15	Decker	Y	Madden	Y			Williams T.	Y
16	Fairbank	Y	Marshall	Y		Y		Y
17 18	Frangas	Y	May	Y	Schultheis	Y	Young	Y
18 19							Speaker	Y
20								
21		CC	DNSIDERA	TION	VOF RESOL	UT	[ON	
22		- 1	D	• • • •		a	.1 1 0	
23	<u>HJR04-104</u>				Wiens, Berry			
24 25					e designation			J4, as
$\frac{23}{26}$		Sa		ops -	Remembrance		у.	
20 27	Printed and	place	d in member	r's file				
28				- ~	-			
29	On motion	of I	Representativ	ve Ki	ng, the rules	s we	ere suspende	d for
30	immediate co	onsid	leration of th	ne reso	olution.			
31		CD	, ,•	n .1	.1 1			•
32		r Ref	presentative	Smith	, the resolution	n wa	is adopted by	viva
33 34	voce vote.							
35	Co-sponsors a	added	l· Roll Call of	the H	ouse			
36	co sponsors (uuuuu			.0450.			
37								
38								
39		Ι	MESSAGES	S FRO	OM THE SEN	NAT	Έ	
40	Madam C	1						
41 42	Madam Spea	iker:						
42 43	The Senate	voter	to concur	in Ho	use amendme	onte	to $SR04_008$	and
43 44	repassed the					-1113	10 500+-020	, and
45				in Ho	ouse amendme	ents	to SB04-057	, and
46	repassed the	bill a	as amended.					
47	The Senate	votec	to concur	in Ho	use amendme	ents	to SB04-088	s, and
48	repassed the				-			
49 50				in Ho	ouse amendme	ents	to SB04-103	, and
50	repassed the			in II-	una amandrea	nta	to SD01 007	and
51 52	repassed the			III H 0	use amendme	ints	10 2004-08/	, and
52 53				on to	members of	the	First Confe	rence
55 54					der matters no			
55	two houses.					~ ~		
56								

1	The Senate has passed on Third Reading and returns herewith
2 3	HB04-1304. The Senate has passed on Third Reading and transmitted to the Revisor
4	of Statutes:
5	HB04-1311, amended as printed in Senate Journal, March 26, 2004, page
6	644,
7	HB04-1121, amended as printed in Senate Journal, March 26, 2004,
8	pages 647-648,
9	HB04-1376, amended as printed in Senate Journal, March 26, 2004, page
10 11	649, and on Third Reading as printed in Senate Journal, March 29. The Senate has postponed indefinitely HB04-1060. The bill is returned
12	herewith.
13	The Senate has adopted and returns herewith: HJR04-1041.
14	The Senate has postponed indefinitely HB04-1273. The bill is returned
15	herewith.
16	
17	
18 19	MESSAGE FROM THE REVISOR
20	MIESSAGE FROM THE REVISOR
20	We herewith transmit:
22	Without comment, as amended, HB04-1311, 1121, and 1376.
23	
24	
25	
26	INTRODUCTION OF BILLS
27 28	First Reading
28 29	The following bills were read by title and referred to the committees
30	indicated:
31	
32	<u>SB04-153</u> by Senator(s) Johnson S., Reeves; also Representative(s)
33	McCluskey, Lundberg, Paccione, WelkerConcerning
34 35	combining polling places, and, in connection therewith,
33 36	authorizing designated election officials to establish vote centers where any elector registered in the political
37	subdivision may vote.
38	Committee on Local Government
39	
40	<u>SB04-196</u> by Senator(s) Hagedorn; also Representative(s) Smith
41	Concerning consequences for commission of substance-
42	related traffic offenses.
43 44	Committee on Transportation & Energy
45	
46	
47	LAY OVER OF CALENDAR ITEMS
48	
49	On motion of Representative King, the following items on the Calendar
50	were laid over until March 30, retaining place on Calendar:
51 52	Consideration of General OrdersHB04-1221, SB04-185, 020,
52 53	HB04-1390, 1203.
55 54	Consideration of ResolutionsHJR04-1012, 1013, 1018, SJR04-015,
55	HJR04-1010, 1034, SJR04-023, 024, HJR04-1037, SJR04-027,
56	HJR04-1038, 1040, HR04-1008, HJR04-1043, 1044, HR04-1009.

Consideration of Memorial--SJM04-001. 1 Consideration of Vienional--551104-001. Consideration of Senate Amendments--HB04-1054, 1127, 1298, 1241, 1357, 1084, 1271, 1177, 1062, 1109, 1061, 1153, 1066, 1263, 1292, 1251. 2 3 4 5 6 7 8 On motion of Representative King, the House adjourned until 9:00 a.m., 9 March 30, 2004. 10 Approved: 11 12 13 14 15 LOLA SPRADLEY, 16 Speaker 17 Attest: 18 19 JUDITH RODRIGUE, Chief Clerk 20