

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

Sixteenth Legislative Day

Thursday, January 22, 2004

1 Prayer by Reverend Doctor Cynthia Cearley, Montview Presbyterian
 2 Church, Denver.

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

5
 6 Pledge of Allegiance led by Representative Cerbo.

7
 8 The roll was called with the following result:

9
 10 Present--64.

11 Excused--Representative Mitchell--1.

12
 13 The Speaker declared a quorum present.

14
 15
 16 On motion of Representative Frangas, the reading of the journal of
 17 January 21, 2004, was declared dispensed with and approved as corrected
 18 by the Chief Clerk.

THIRD READING OF BILLS--FINAL PASSAGE

21
 22
 23
 24 The following bills were considered on Third Reading. The titles were
 25 publicly read. Reading of the bill at length was dispensed with by
 26 unanimous consent.

27
 28 **HB04-1032** by Representative(s) Rose; also Senator Jones--
 29 Concerning the repeal date of the discounted youth
 30 hunting licenses program.

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

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

	YES	64	NO	00	EXCUSED	01	ABSENT	00
37								
38	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
39	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
40	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
41	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
42	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
43	Butcher	Y	Hoppe	Y	Mitchell	E	Tochtrop	Y

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

12 Co-sponsors added: Representatives Brophy, Cloer, Coleman, Crane, Harvey,
 13 Hodge, Hoppe, Lee, Lundberg, May, McFadyen, Merrifield, Miller, Rippy,
 14 Salazar, Schultheis, Smith, Stafford, Stengel, Tochtrop, Vigil, Welker, White,
 15 Speaker.

16
 17 **HB04-1100** by Representative(s) Young; also Senator Owen--
 18 Concerning Colorado's process for planning private
 19 prisons.

20
 21 The question being "Shall the bill pass?".

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

25	YES	45	NO	19	EXCUSED	01	ABSENT	00
26								
27	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
28	Borodkin	N	Hall	Y	McFadyen	N	Smith	Y
29	Boyd	Y	Harvey	Y	McGihon	N	Spence	Y
30	Briggs	Y	Hefley	Y	Merrifield	N	Stafford	Y
31	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
32	Butcher	N	Hoppe	Y	Mitchell	E	Tochtrop	N
33	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	N
34	Carroll	N	Johnson	Y	Plant	N	Weddig	N
35	Cerbo	N	Judd	Y	Pommer	Y	Weissmann	N
36	Clapp	Y	King	Y	Ragsdale	N	Welker	Y
37	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
38	Coleman	N	Lee	Y	Rippy	Y	Wiens	Y
39	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	N
40	Decker	Y	Madden	N	Rose	Y	Williams T.	Y
41	Fairbank	Y	Marshall	N	Salazar	N	Witwer	Y
42	Frangas	N	May	Y	Schultheis	Y	Young	Y
43							Speaker	Y

44 Co-sponsors added: Representatives Cadman, Clapp, Crane, Decker, Harvey,
 45 Hefley, Lee, May, Rhodes, Stafford.

46 47 48 49 MESSAGE FROM THE SENATE

50
 51 Madam Speaker:

52
 53 The Senate has adopted and transmits herewith: SJR04-006.
 54
 55

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes: SB04-040, 018, 002, 035, 017, 067,

SB04-042, amended as printed in Senate Journal, January 20, page 85,
 SB04-013, amended as printed in Senate Journal, January 20, page 86,
 SB04-024, amended as printed in Senate Journal, January 20, page 86,
 SB04-051, amended as printed in Senate Journal, January 20, page 86,
 SB04-032, amended as printed in Senate Journal, January 20, page 87.

INTRODUCTION AND CONSIDERATION OF RESOLUTION

SJR04-006 by Senator(s) Grossman, Fitz-Gerald, Isgar, Tupa; also Representative(s) White, Rippy--Concerning Ski Safety Awareness Week.

(Printed and placed in member's file.)

On motion of Representative King, the rules were suspended and the resolution given immediate consideration.

On motion of Representative White, the resolution was read at length.

Amendment No. 1, moved by Representative Plant.

Amend engrossed joint resolution, page 2, after line 17, insert the following:

"• Avoid trees;"

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

Amendment No. 2, moved by Representative Larson.

Amend engrossed joint resolution, page 3, line 2, after "Pitkin," insert "La Plata, Gunnison, Mineral,"

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

Amendment No. 3, moved by Representatives Rose, Plant, Stafford.

Amend engrossed joint resolution, page 3, line 2, after "Pitkin", insert "Boulder, Clear Creek, Mesa, San Miguel, Garfield,"

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

On motion of Representative White, the resolution as amended was **adopted** by the following roll call vote:

YES	61	NO	02	EXCUSED	01	ABSENT	01
Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y

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

13 Co-sponsors added: Representatives Berry, Boyd, Carroll, Cloer, Coleman,
 14 Crane, Decker, Frangas, Harvey, Hefley, Hodge, Hoppe, Larson, Madden,
 15 McFadyen, McGihon, Merrifield, Miller, Plant, Pommer, Ragsdale, Romanoff,
 16 Rose, Salazar, Smith, Stafford, Tochtrop, Vigil, Weddig, Williams S.,
 17 Williams T., Young, Speaker.

21 MESSAGE FROM THE SENATE

23 Madam Speaker:

25 The Senate has adopted and transmits herewith: SJR04-007.

29 INTRODUCTION AND CONSIDERATION OF RESOLUTION

31 **SJR04-007** by Senator(s) Dyer; also Representative(s) Rippy--
 32 Concerning Masonic Day at the capitol.

34 On motion of Representative King, the rules were suspended and the
 35 resolution was given immediate consideration.

37 On motion of Representative Rippy, the resolution was **adopted** by **viva**
 38 **voce** vote.

40 Co-sponsors added: Representatives Berry, Borodkin, Boyd, Briggs, Butcher,
 41 Carroll, Cerbo, Clapp, Coleman, Crane, Decker, Fairbank, Frangas, Garcia, Hall,
 42 Hefley, Hodge, Hoppe, Jahn, Johnson, Judd, Larson, Lee, Madden, Marshall,
 43 May, McCluskey, McFadyen, McGihon, Merrifield, Miller, Pommer, Ragsdale,
 44 Romanoff, Rose, Salazar, Schultheis, Sinclair, Smith, Spence, Stafford, Stengel,
 45 Tochtrop, Vigil, Weddig, Weissmann, Welker, White, Wiens, Williams S.,
 46 Williams T., Witwer, Young, Speaker.

51 House in recess. House reconvened.

REPORTS OF COMMITTEES OF REFERENCE**AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

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

HB04-1015 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Amend printed bill, page 2, line 12, strike "noncontrolled" and substitute "~~noncontrolled~~";

line 15, strike "PURPOSES." and substitute "PURPOSES OR TO SEDATE OR IMMOBILIZE PET ANIMALS IMMEDIATELY PRIOR TO EUTHANASIA.".

HB04-1101 be postponed indefinitely.

HB04-1152 be referred to the Committee of the Whole with favorable recommendation.

BUSINESS AFFAIRS & LABOR

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

HB04-1069 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 2, line 4, strike "THE FOLLOWING NEW SUBSECTIONS," and substitute "A NEW SUBSECTION,";

strike lines 7 through 10.

Strike page 3.

Page 4, strike lines 1 and 2;

strike lines 9 and 10 and substitute the following:

“(a) Accepts a dated instrument from the consumer AS SOLE SECURITY FOR THE LOAN AND OTHER COLLATERAL;”.

Page 6, strike lines 12 through 18 and substitute the following:

“5-3.1-111.5. Restrictions on instruments. NO LENDER MAY NEGOTIATE OR PRESENT AN INSTRUMENT TO”.

Page 8, line 1, strike “DELIBERATE AND” substitute “REPEATED OR”;

strike lines 3 through 8;

1 line 9, strike "(d)" and substitute "(c)";

2

3 strike lines 19 through 24 and substitute the following:

4

5 “(3) A LENDER SHALL HAVE NINETY DAYS TO COMPLY WITH ANY
6 RULE, INTERPRETATION, OR OPINION OF THE ADMINISTRATOR THAT
7 REQUIRES A LENDER TO IMPLEMENT NEW POLICIES OR PROCEDURES THAT
8 INVOLVE THE REPRINTING OR THE LENDER’S FORMS TO INCLUDE NEW
9 DISCLOSURES, OR THAT REQUIRES THE LENDER TO REVISE EXISTING
10 COMPUTER PROGRAMS OR ADD NEW COMPUTER PROGRAMS TO COMPLY
11 WITH THE RULE, INTERPRETATION, OR OPINION. DURING THE NINETY-DAY
12 PERIOD, THE ADMINISTRATOR SHALL NOT DEEM THE LENDER TO BE IN
13 VIOLATION OF ARTICLES 1 TO 9 OF THIS TITLE FOR NONCOMPLIANCE WITH
14 THE NEW RULE, INTERPRETATION, OR OPINION.”;

15

16 line 26, strike “THE FOLLOWING NEW” and substitute “A NEW
17 SECTION to read:”;

18

19 strike line 27.

20

21 Page 9, line 2, strike “SECTION” and substitute “SECTIONS 5-6-109 AND”;

22

23 line 9, after “EXECUTED”, insert “BY THE CONSUMER PAYABLE”;

24

25 strike lines 23 through 25;

26

27 line 26, strike “(c)” and substitute “(b)”.

28

29 Page 10, strike lines 12 through 27.

30

31 Strike page 11.

32

33 Page 12, strike lines 1 through 17.

34

35

36

37 **HB04-1097** be amended as follows, and as so amended, be referred to
38 the Committee on Appropriations with favorable
39 recommendation:

40

41 Amend printed bill, page 2, after line 1, insert the following:

42

43 **“SECTION 1.** 40-2-104 (1), Colorado Revised Statutes, is
44 amended to read:

45

46 **40-2-104. Assistants and employees.** (1) The director of the
47 commission may appoint such experts, engineers, statisticians,
48 accountants, investigative personnel, clerks, and other employees as are
49 necessary to carry out the provisions of this title or to perform the duties
50 and exercise the powers conferred by law upon the commission. THE
51 DIRECTOR MAY APPOINT ADVISORY STAFF FOR THE PURPOSE OF ADVISING
52 AND AIDING THE COMMISSION IN RESOLVING CONTESTED PROCEEDINGS,
53 BUT SHALL NOT DESIGNATE ANY EMPLOYEE OF THE COMMISSION AS TRIAL
54 STAFF ON EITHER A FULL-TIME OR PART-TIME BASIS.”.

55

56 Renumber succeeding sections accordingly.

1 Page 3, strike lines 12 and 13;
2
3 line 14, strike "COMMISSION OR WHOSE";
4
5 line 15, strike "ISSUES," and substitute "ISSUES OTHER THAN THOSE
6 RELATED TO TRANSPORTATION,".
7
8 Page 5, line 8, strike "~~sixteen~~ _____" and substitute "~~sixteen~~
9 TWENTY-ONE".

10

11

12

13

EDUCATION

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

17

18 **HB04-1006** be amended as follows, and as so amended, be referred to
19 the Committee on Appropriations with favorable
20 recommendation:
21

22

22 Amend printed bill, page 2, strike lines 22 through 25 and substitute the
23 following:

24

25 "ANY OF his or her ~~dependent~~ DEPENDENTS, INCLUDING BUT NOT LIMITED
26 TO A SPOUSE, upon meeting the requirements of this section.".

27

28 Page 3, strike line 1;

29

30 line 2, strike "IN-STATE TUITION.";

31

32 line 7, after the period, add "A PERSON WHO IS A DEPENDENT OF A
33 MEMBER OF THE ARMED FORCES OF THE UNITED STATES WHO WAS ON
34 ACTIVE DUTY IN COLORADO DURING THE PERSON'S LAST YEAR OF HIGH
35 SCHOOL, AND WHO ATTENDS A PUBLIC INSTITUTION OF HIGHER EDUCATION
36 IN COLORADO WITHIN TWELVE MONTHS AFTER GRADUATING FROM A HIGH
37 SCHOOL IN COLORADO, SHALL BE ELIGIBLE FOR IN-STATE TUITION; EXCEPT
38 THAT SUCH A PERSON IS NOT ELIGIBLE FOR IN-STATE TUITION UNDER THIS
39 PROVISION IF THE PERSON HAS ATTENDED AN INSTITUTION OF HIGHER
40 EDUCATION OUTSIDE OF COLORADO.".

41

42

43

44 **HB04-1037** be referred to the Committee of the Whole with favorable
45 recommendation.
46

47

48 **HB04-1104** be amended as follows, and as so amended, be referred to
49 the Committee on Appropriations with favorable
50 recommendation:
51

52

52 Amend printed bill, page 23, line 21, strike "**Evaluation**" and substitute
53 "**Survey**";

54

55 line 26, strike "each teacher, PRINCIPAL, AND ADMINISTRATOR," and
56 substitute "~~each teacher~~ TEACHERS, PRINCIPALS, AND ADMINISTRATORS,";

1 line 27, strike "his or her" and substitute "~~his or her~~ THEIR", and strike
2 "an" and substitute "~~an~~".

3
4 Page 24, line 1, strike "institution" and substitute "~~institution~~
5 INSTITUTIONS";

6
7 line 2, strike "during his or her first and" and substitute "~~during his or her~~
8 AND ARE IN THEIR first ~~and~~ OR";

9
10 line 5, strike "A LICENSED EDUCATOR." and substitute "LICENSED
11 EDUCATORS." and strike "evaluations" and substitute "~~evaluations~~
12 SURVEY".

13
14 Page 27, line 5, strike "EVALUATION".

15
16 Page 29, line 17, after "MONTHS", insert "AND, FOR EACH SUCH PERSON
17 WHO COMPLETED AN APPROVED PROGRAM OF PREPARATION PROVIDED BY
18 A COLORADO INSTITUTION OF HIGHER EDUCATION, THE NAME OF THE
19 INSTITUTION THAT PROVIDED THE APPROVED PROGRAM OF PREPARATION,";

20
21 line 19, strike "TO THE EXTENT ALLOWED UNDER";

22
23 strike lines 20 through 25.

24
25 Page 30, after line 23, insert the following:

26
27 **"SECTION 19.** 22-32-109.1 (2) (b) (VII), Colorado Revised
28 Statutes, is amended to read:

29
30 **22-32-109.1. Board of education - specific powers and duties**
31 **- safe schools.** (2) **Safe school plan.** In order to provide a learning
32 environment that is safe, conducive to the learning process, and free from
33 unnecessary disruption, following consultation with the school district
34 accountability committee and school advisory councils, parents, teachers,
35 administrators, students, student councils where available, and, where
36 appropriate, the community at large, each school district board of
37 education shall adopt and implement a safe school plan, or review and
38 revise, if necessary, any existing plans or policies already in effect, which
39 shall include, but not be limited to, the following:

40
41 (b) **Safe school reporting requirements.** A policy whereby the
42 principal of each public school in a school district shall submit annually,
43 in a manner and by a date specified by rule of the state board, a written
44 report to the board of education of such school district concerning the
45 learning environment in the school during that school year. The board of
46 education of the school district annually shall compile the reports from
47 every school in the district and shall submit the compiled report to the
48 department of education in a format specified by rule of the state board.
49 The compiled report shall be made available to the general public. Such
50 report shall include, but need not be limited to, the following specific
51 information for the preceding school year:

52
53 (VII) The average class size for each public elementary school,
54 middle school or junior high school, and senior high school in the state
55 calculated as the total number of students enrolled in the school divided
56 by the number of full-time teachers in the school. For purposes of this

1 subparagraph (VII), "full-time teacher" means a person who is licensed
2 pursuant to article 60.5 of this title or IS authorized ~~by a letter of~~
3 ~~authorization issued~~ pursuant to section 22-60.5-111 to teach, and is
4 primarily engaged in teaching during a substantial majority of the
5 instructional minutes per school day.

6
7 **SECTION 20.** 22-32-109.6 (2) (f), Colorado Revised Statutes, is
8 amended to read:

9
10 **22-32-109.6. Board of education - specific duties - class size**
11 **reduction plans - alternative student achievement plans.** (2) As used
12 in this section, unless the context otherwise requires:

13
14 (f) "Teacher" means a person who is licensed pursuant to article
15 60.5 of this title, or IS authorized ~~by a letter of authorization issued~~
16 pursuant to section 22-60.5-111, to teach and is primarily engaged in
17 teaching kindergarten or the first, second, or third grade."

18
19 Renumber succeeding sections accordingly.

20
21 Page 31, strike lines 5 through 27.

22
23 Strike pages 32 and 33.

24
25 Page 34, strike lines 1 through 26.

26
27 Renumber succeeding sections accordingly.

28
29 Page 36, after line 2, insert the following:

30
31 **"SECTION 24.** 22-60.5-112 (1), Colorado Revised Statutes, is
32 amended to read:

33
34 **22-60.5-112. Fees - fund.** (1) The fee for the examination and
35 review of an application for any license, endorsement, or authorization,
36 or any renewal or reinstatement thereof, shall be established by the state
37 board of education and shall be nonrefundable. Upon determination of
38 eligibility, such license, endorsement, or authorization shall be issued
39 without an additional fee. The state board of education shall adjust if
40 necessary all such fees annually so that they generate an amount of
41 revenue that approximates the direct and indirect costs of the state board
42 of education and of the department of education for the administration of
43 this article; however, the state board of education shall establish and
44 adjust such fees for licenses issued pursuant to section 22-60.5-201 (1)
45 (a) so that the fees generate an amount of revenue that approximates the
46 direct and indirect costs of the state board of education and the
47 department of education for the administration of sections 22-60.5-201
48 (1) (a) and 22-60.5-205. All fees collected under this section shall be
49 transmitted to the state treasurer and credited to the educator licensure
50 cash fund, which fund is hereby created. The general assembly shall
51 make annual appropriations from the educator licensure cash fund for
52 expenditures of the state board of education and of the department of
53 education incurred in the administration of this article. IN ADDITION, THE
54 GENERAL ASSEMBLY SHALL MAKE ANNUAL APPROPRIATIONS FROM THE
55 EDUCATOR LICENSURE CASH FUND TO THE DEPARTMENT OF HIGHER
56 EDUCATION TO OFFSET THE COSTS INCURRED IN IMPLEMENTING THE

1 PROVISIONS OF SECTION 22-60.5-116 (2). At the end of any fiscal year,
2 all unexpended and unencumbered moneys in the educator licensure cash
3 fund shall remain therein and shall not be credited or transferred to the
4 general fund or any other fund.

5
6 **SECTION 25. Appropriation.** In addition to any other
7 appropriation, there is hereby appropriated, out of any moneys in the
8 educator licensure cash fund created in section 22-60.5-112, Colorado
9 Revised Statutes, not otherwise appropriated, to the department of higher
10 education, for the fiscal year beginning July 1, 2004, the sum of
11 twenty-five thousand dollars (\$25,000), or so much thereof as may be
12 necessary, for the implementation of section 22-60.5-116 (2), Colorado
13 Revised Statutes."

14
15 Renumber succeeding section accordingly.

16
17 Page 1, line 101, strike "LICENSURE." and substitute "LICENSURE, AND
18 MAKING AN APPROPRIATION IN CONNECTION THEREWITH."

19
20
21
22
23 **FINANCE**

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

26
27 **HB04-1067** be amended as follows, and as so amended, be referred to
28 the Committee on Appropriations with favorable
29 recommendation:

30
31 Amend printed bill, page 3, line 9, strike "SIX MONTHS" and substitute
32 "TWO YEARS";

33
34 line 18, strike "SIX MONTHS" and substitute "TWO YEARS".

35
36
37
38 **HB04-1071** be referred to the Committee of the Whole with favorable
39 recommendation.

40
41
42 **HB04-1119** be referred to the Committee of the Whole with favorable
43 recommendation.

44
45
46 **HB04-1169** be amended as follows, and as so amended, be referred to
47 the Committee on Appropriations with favorable
48 recommendation:

49
50 Amend printed bill, page 2, line 18, after the second "THE", insert
51 "2004-05".

52
53 Page 3, strike lines 4 and 5 and substitute the following:

54
55 "property tax ~~year~~ YEARS commencing January 1, 2002, AND JANUARY 1,

1 2004, and for property tax years commencing on or after January 1, 2006,
2 fifty";

3
4 line 8, strike "years YEAR" and substitute "years";

5
6 line 9, after "2006," insert "AND JANUARY 1, 2005,".

7
8 Page 1, line 106, strike "AND 2005" and strike "YEARS" and substitute
9 "YEAR".

10

11

12 **HB04-1192** be referred to the Committee of the Whole with favorable
13 recommendation.

14

15

16

17

18 **INFORMATION & TECHNOLOGY**

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

21

22 **HB04-1143** be postponed indefinitely.

23

24

25

26

27 **LOCAL GOVERNMENT**

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

30

31 **HB04-1062** be amended as follows, and as so amended, be referred to
32 the Committee on Appropriations with favorable
33 recommendation:

34

35 Amend printed bill, page 6, line 19, strike "COMPLETION OF THE";

36

37 line 20, strike "APPRAISAL OF THE MOTOR VEHICLE," and substitute
38 "NOTIFICATION TO THE REPAIR SHOP OF THE STATUS OF THE VEHICLE FROM
39 THE LAW ENFORCEMENT AGENCY THAT DETERMINED THAT THE VEHICLE
40 HAS NOT BEEN REPORTED STOLEN,".

41

42 Page 8, strike lines 14 through 17 and substitute the following:

43

44 "STORAGE CHARGES. THE REPAIR SHOP MAY SELL THE MOTOR".

45

46 Page 10, after line 8, insert the following:

47

48 "SECTION 3. 42-4-1805 (1), Colorado Revised Statutes, is
49 amended to read:

50

51 **42-4-1805. Appraisal of abandoned motor vehicles - sale.**

52 (1) Abandoned motor vehicles or motor vehicles abandoned in an
53 impound lot subsequent to a tow from public property shall be appraised
54 and sold by the responsible law enforcement agency at a public or private
55 sale held not less than thirty days nor more than sixty days after the date
56 the notice required by section 42-4-1804 (4) was mailed. ~~except that, if~~

~~such motor vehicle meets the definition of a collector's item as defined in section 42-12-101 (2), the law enforcement agency shall not sell such motor vehicle for at least ninety days after such date.~~

SECTION 4. 42-4-2104 (1) (a), Colorado Revised Statutes, is amended to read:

42-4-2104. Appraisal of abandoned motor vehicles - sale.
(1) (a) Motor vehicles that are abandoned on private property shall be appraised and sold by the operator in a commercially reasonable manner at a public or private sale held not less than thirty days nor more than sixty days after the postmarked date the notice was mailed pursuant to section 42-4-2103 (4) or the date the operator receives notice that no record exists for such vehicle. ~~except that, if such motor vehicle meets the definition of a collector's item as defined in section 42-12-101 (2), an operator or its agent shall not sell such motor vehicle for at least ninety days after such date.~~ Such sale shall be made through a motor vehicle dealer or wholesaler, or wholesale motor vehicle auction dealer licensed in accordance with section 12-6-108, C.R.S., or through a classified newspaper advertisement published in Colorado. For purposes of this section, a sale shall not be considered commercially reasonable if the vehicle's appraisal value is more than two hundred dollars and such vehicle is sold to an officer or partner of the operator that has possession of the vehicle or to any other person with a proprietary interest in such operator."

Renumber succeeding sections accordingly.

Page 10, line 20, strike the second "title" and substitute "title, INCLUDING A NEW CERTIFICATE OF SALVAGE TITLE IF REQUIRED BY SECTION 42-4-2104.5 (4) (e) (III),".

HB04-1099 be referred to the Committee of the Whole with favorable recommendation.

PRINTING REPORT

The Chief Clerk reports the following bills been correctly printed:
HB04-1213, 1214.

MESSAGE FROM THE REVISOR

We herewith transmit:

Without comment, SB04-002, 017, 018, 035, 040, and 067.

Without comment, as amended, SB04-013, 024, 032, 042, and 051.

INTRODUCTION OF BILLS
First Reading

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

HB04-1213 by Representative(s) McCluskey, Brophy, Harvey, Johnson R., Madden, Miller, Rippy, Rose, Salazar, Tochtrop, Wiens; also Senator(s) Taylor--Concerning the continuation of the Colorado natural areas council.

Committee on Agriculture, Livestock, & Natural Resources

HB04-1214 by Representative(s) Rose, Brophy, Harvey, Johnson R., Madden, McCluskey, Miller, Rippy, Salazar, Tochtrop, Wiens; also Senator(s) Chlouber--Concerning continuation of the licensing of river outfitters by the division of parks and outdoor recreation.

Committee on Agriculture, Livestock, & Natural Resources

HB04-1215 by Representative(s) Rippy, Brophy, Harvey, Johnson R., Madden, McCluskey, Miller, Rose, Salazar, Tochtrop, Wiens; also Senator(s) Entz--Concerning the regulation of outfitters, and, in connection therewith, continuing the regulatory functions of the director of the division of registrations.

Committee on Agriculture, Livestock, & Natural Resources

HB04-1216 by Representative(s) Rhodes, Hefley; also Senator(s) Dyer--Concerning the repeal of authority to provide pre-birth notice to the parent of a child whose other parent is relinquishing the parent-child legal relationship by means of the expedited relinquishment process.

Committee on Health, Environment, Welfare, & Institutions

HB04-1217 by Representative(s) Lee; also Senator(s) Arnold--Concerning changes to the school accountability report to include a page that specifies certain information a parent may request from a school.

Committee on Education

HB04-1218 by Representative(s) Fairbank--Concerning municipal court marshals.

Committee on Judiciary

SB04-013 by Senator(s) Entz, Dyer, Isgar, Tapia, Taylor; also Representative(s) Hoppe, Miller, Rippy, Salazar, White--Concerning senate confirmation of membership of certain boards involved with water resources.

Committee on Agriculture, Livestock, & Natural Resources

SB04-017 by Senator(s) Johnson S., Evans, Hagedorn, Hanna, Kester, Sandoval; also Representative(s) Stafford, Boyd, Cloer, Frangas, Johnson R., Schultheis, Tochtrop--Concerning modifications to alien eligibility requirements

- 1 under the Colorado works program in order to comply
2 with federal law.
3 Committee on Health, Environment, Welfare, & Institutions
4
- 5 **SB04-018** by Senator(s) Hillman; also Representative(s) Brophy--
6 Concerning an increase in the contribution limit for local
7 government retirement plans.
8 Committee on Local Government
9
- 10 **SB04-024** by Senator(s) Teck; also Representative(s) Romanoff--
11 Concerning increased consistency in the regulation of
12 certain professions by the division of registrations in the
13 department of regulatory agencies, and, in connection
14 therewith, enacting uniform statutory provisions
15 governing the issuance of letters of admonition, immunity,
16 renewal and reinstatement of licenses, registrations, or
17 certificates, investigatory subpoenas, and disposition of
18 fines collected.
19 Committee on Business Affairs & Labor
20
- 21 **SB04-032** by Senator(s) Isgar, Taylor, Entz; also Representative(s)
22 Salazar, Hoppe, Miller, Rippy--Concerning an
23 authorization for loans of agricultural irrigation water
24 rights, and making an appropriation in connection
25 therewith.
26 Committee on Agriculture, Livestock, & Natural Resources
27
- 28 **SB04-035** by Senator(s) Kester; also Representative(s) Briggs--
29 Concerning meetings of county boards of social services
30 to address public assistance responsibilities of county
31 departments.
32 Committee on Local Government
33
- 34 **SB04-040** by Senator(s) Entz; also Representative(s) Larson--
35 Concerning the acquisition of property by the division of
36 wildlife, and, in connection therewith, authorizing the
37 purchase of property in Rio Grande county for public
38 purposes.
39 Committee on Agriculture, Livestock, & Natural Resources
40
- 41 **SB04-051** by Senator(s) Grossman; also Representative(s) Witwer--
42 Concerning an increase in the length of time for which a
43 temporary license may be issued to a foreign physician.
44 Committee on Health, Environment, Welfare, & Institutions
45
- 46 **SB04-067** by Senator(s) Owen; also Representative(s) Smith--
47 Concerning the elimination of obsolete provisions of law.
48 Committee on Judiciary
49
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1 **INTRODUCTION OF RESOLUTION**

2
3 The following resolution was read by title and laid over one day under
4 the rules:

5
6 **HJR04-1004** by Representative(s) Hoppe; also Senator(s) Taylor--
7 Concerning the designation of Colorado 4-H Day.
8
9

10
11
12 **LAY OVER OF CALENDAR ITEMS**

13
14 On motion of Representative King, the following items on the Calendar
15 were laid over until January 23, retaining place on Calendar:

16
17 Consideration of General Orders--**HB04-1053, 1078, 1057, 1012, 1043,**
18 **1027, 1047, 1060, 1061, 1127.**
19

20
21 Correction

22
23 H.J. page 42, line 38, strike "May" and insert "McCluskey",
24 line, 49, strike "May" and insert "McCluskey".
25 Page 46, line 15, strike "May" and insert "McCluskey".
26
27

28
29 On motion of Representative King, the House adjourned until 9:00 a.m.,
30 January 23, 2004.
31

32 Approved:

33
34
35
36 LOLA SPRADLEY,
37 Speaker

38 Attest:

39
40 JUDITH RODRIGUE,
41 Chief Clerk
42