

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

Eightieth Legislative Day

Friday, March 26, 2004

1 Prayer by Pastor Jeffrey Anderson, Grace Bible Church, Colorado
 2 Springs.

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

5
 6 Pledge of Allegiance led by Representative Tochtrop.

7
 8 The roll was called with the following result:

9
 10 Present--.64

11 Excused--Representative Hefley--1.

12
 13 The Speaker declared a quorum present.

14
 15
 16 On motion of Representative Salazar, the reading of the journal of March
 17 25, 2004, was declared dispensed with and approved as corrected by the
 18 Chief Clerk.

THIRD READING OF BILLS--FINAL PASSAGE

19
 20
 21
 22
 23 The following bills were considered on Third Reading. The titles were
 24 publicly read. Reading of the bill at length was dispensed with by
 25 unanimous consent.

26
 27 **SB04-137** by Senator(s) Johnson S.; also Representative(s) Rhodes--
 28 Concerning the rights of persons providing care to children
 29 in out-of-home placement, and, in connection therewith,
 30 requiring the provision of notice to such persons of, and
 31 the opportunity to provide information at, a court hearing
 32 involving the child; and maintaining the confidentiality of
 33 personally identifiable information about a foster parent
 34 without the written consent of the foster parent.

35
 36 The question being "Shall the bill pass?".

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

40
 41

YES	62	NO	02	EXCUSED	01	ABSENT	00
Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y

42
 43

1	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
2	Briggs	Y	Hefley	E	Merrifield	Y	Stafford	Y
3	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
4	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
5	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
6	Carroll	Y	Johnson	N	Plant	Y	Weddig	Y
7	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
8	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
9	Cloer	N	Larson	Y	Rhodes	Y	White	Y
10	Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y
11	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
12	Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
13	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
14	Frangas	Y	May	Y	Schultheis	Y	Young	Y
15							Speaker	Y

16 Co-sponsors added: Representatives Boyd, Coleman, Frangas, Harvey,
17 McGihon, Merrifield, Tochtrop, Williams S.

18
19 **SB04-120** by Senator(s) Hillman; also Representative(s) Stafford--
20 Concerning charitable trusts, and, in connection therewith,
21 permitting a charitable trust to be eligible to provide
22 community or useful public service jobs and requiring that
23 property that is owned and used by a charitable trust be
24 treated the same as property that is owned and used by any
25 other type of nonprofit organization for the purpose of
26 claiming a religious purpose property tax exemption.

27
28 The question being "Shall the bill pass?".

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

33	YES	63	NO	01	EXCUSED	01	ABSENT	00
34	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
35	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
36	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
37	Briggs	Y	Hefley	E	Merrifield	Y	Stafford	Y
38	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
39	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
40	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
41	Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
42	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	N
43	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
44	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
45	Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y
46	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
47	Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
48	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
49	Frangas	Y	May	Y	Schultheis	Y	Young	Y
50							Speaker	Y

51 Co-sponsors added: Representatives Boyd, Carroll, Frangas, Hoppe, McFadyen.

52
53 **HB04-1014** by Representative(s) Tochtrop; also Senator(s) Isgar--
54 Concerning the regulation of medication administration by
55 certified nurse aides, and making an appropriation in
56 connection therewith.

1 The question being "Shall the bill pass?".
 2 A roll call vote was taken. As shown by the following recorded vote, a
 3 majority of those elected to the House voted in the affirmative and the bill
 4 was declared **passed**.

	YES	50	NO	14	EXCUSED	01	ABSENT	00
7	Berry	N	Garcia	Y	McCluskey	N	Sinclair	Y
8	Borodkin	N	Hall	Y	McFadyen	Y	Smith	Y
9	Boyd	Y	Harvey	Y	McGihon	N	Spence	Y
10	Briggs	Y	Hefley	E	Merrifield	Y	Stafford	Y
11	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
12	Butcher	Y	Hoppe	N	Mitchell	Y	Tochtrop	Y
13	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
14	Carroll	Y	Johnson	N	Plant	N	Weddig	Y
15	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
16	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
17	Cloer	N	Larson	Y	Rhodes	Y	White	Y
18	Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y
19	Crane	Y	Lundberg	Y	Romanoff	N	Williams S.	Y
20	Decker	N	Madden	Y	Rose	N	Williams T.	Y
21	Fairbank	N	Marshall	N	Salazar	Y	Witwer	Y
22	Frangas	N	May	Y	Schultheis	Y	Young	Y
23							Speaker	Y

24 Co-sponsors added: Representatives Coleman, Ragsdale, Stafford, Williams S.

25
 26 **HB04-1375** by Representative(s) Mitchell, Brophy, Cadman, Crane,
 27 Harvey, Hefley, King, Lee, Lundberg, May M., Miller,
 28 Rhodes, Rose, Sinclair, Welker, Wiens; also Senator(s)
 29 Arnold, Hillman, Johnson S., McElhany--Concerning
 30 limitations on education regarding manifestations of
 31 human sexuality.

32
 33 The question being "Shall the bill pass?".
 34 A roll call vote was taken. As shown by the following recorded vote, a
 35 majority of those elected to the House voted in the affirmative and the bill
 36 was declared **passed**.

	YES	37	NO	27	EXCUSED	01	ABSENT	00
39	Berry	N	Garcia	N	McCluskey	Y	Sinclair	Y
40	Borodkin	N	Hall	Y	McFadyen	N	Smith	Y
41	Boyd	N	Harvey	Y	McGihon	N	Spence	Y
42	Briggs	N	Hefley	E	Merrifield	Y	Stafford	Y
43	Brophy	Y	Hodge	N	Miller	Y	Stengel	N
44	Butcher	N	Hoppe	Y	Mitchell	Y	Tochtrop	N
45	Cadman	Y	Jahn	N	Paccione	Y	Vigil	N
46	Carroll	N	Johnson	N	Plant	N	Weddig	N
47	Cerbo	N	Judd	N	Pommer	Y	Weissmann	N
48	Clapp	Y	King	Y	Ragsdale	N	Welker	Y
49	Cloer	Y	Larson	N	Rhodes	Y	White	Y
50	Coleman	N	Lee	Y	Rippy	Y	Wiens	Y
51	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
52	Decker	Y	Madden	N	Rose	Y	Williams T.	Y
53	Fairbank	Y	Marshall	N	Salazar	Y	Witwer	Y
54	Frangas	N	May	Y	Schultheis	Y	Young	N
55							Speaker	Y

56 Co-sponsors added: Representatives Schultheis, Stafford.

1 **SB04-017** by Senator(s) Johnson S., Evans, Hagedorn, Hanna,
 2 Kester, Sandoval; also Representative(s) Stafford, Boyd,
 3 Cloer, Frangas, Johnson R., Schultheis, Tochtrop--
 4 Concerning modifications to alien eligibility requirements
 5 under the Colorado works program in order to comply
 6 with federal law.

7
 8 The question being "Shall the bill pass?".
 9 A roll call vote was taken. As shown by the following recorded vote, a
 10 majority of those elected to the House voted in the affirmative and the bill
 11 was declared **passed**.

	YES	64	NO	00	EXCUSED	01	ABSENT	00
14	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
15	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
16	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
17	Briggs	Y	Hefley	E	Merrifield	Y	Stafford	Y
18	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
19	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
20	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
21	Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
22	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
23	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
24	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
25	Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y
26	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
27	Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
28	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
29	Frangas	Y	May	Y	Schultheis	Y	Young	Y
30							Speaker	Y

31 Co-sponsor added: Representative Weddig

32
 33 **SB04-193** by Senator(s) Entz; also Representative(s) Salazar--
 34 Concerning the authority of the department of agriculture
 35 to promulgate rules to specify the class of strawberries
 36 allowed for production of nursery stock in the state.

37
 38 Laid over until March 29, retaining place on Calendar.

39
 40 **SB04-083** by Senator(s) Sandoval, Groff, Grossman, Keller, Tapia,
 41 Windels; also Representative(s) Spence, Judd, McFadyen--
 42 Concerning the creation of an additional category of
 43 alternative education campus.

44
 45 The question being "Shall the bill pass?".
 46 A roll call vote was taken. As shown by the following recorded vote, a
 47 majority of those elected to the House voted in the affirmative and the bill
 48 was declared **passed**.

	YES	64	NO	00	EXCUSED	01	ABSENT	00
51	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
52	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
53	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
54	Briggs	Y	Hefley	E	Merrifield	Y	Stafford	Y
55	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
56	Butcher	Y	Hoppe	Y	Mitchell	Y	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 Boyd, Carroll, Coleman, Frangas, Madden,
 13 Marshall, Merrifield, Paccione, Salazar, Stafford, Weddig, Weissmann,
 14 Williams S.

15
 16 **SB04-166** by Senator(s) Lamborn; also Representative(s) Stengel--
 17 Concerning a one-time adjustment for inflation to the one-
 18 million-dollar damages limitation contained in the statute
 19 governing medical negligence recovery in accordance with
 20 the consumer price index of the United States bureau of
 21 labor statistics.

22
 23 The question being "Shall the bill pass?".

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

27	YES	64	NO	00	EXCUSED	01	ABSENT	00
28								
29	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
30	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
31	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
32	Briggs	Y	Hefley	E	Merrifield	Y	Stafford	Y
33	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
34	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
35	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
36	Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
37	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
38	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
39	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
40	Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y
41	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
42	Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
43	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
44	Frangas	Y	May	Y	Schultheis	Y	Young	Y
45							Speaker	Y

46 Co-sponsors added: Representatives Hoppe, Schultheis, Sinclair, Speaker.

47
 48 **SB04-029** by Senator(s) Windels; also Representative(s) Jahn--
 49 Concerning medically fragile individuals.

50
 51 The question being "Shall the bill pass?".

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

55

	YES	58	NO	06	EXCUSED	01	ABSENT	00
1								
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	E	Merrifield	Y	Stafford	Y
6	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
7	Butcher	Y	Hoppe	N	Mitchell	Y	Tochtrop	N
8	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
9	Carroll	Y	Johnson	N	Plant	Y	Weddig	Y
10	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
11	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
12	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
13	Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y
14	Crane	Y	Lundberg	N	Romanoff	Y	Williams S.	Y
15	Decker	Y	Madden	Y	Rose	N	Williams T.	Y
16	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
17	Frangas	Y	May	Y	Schultheis	N	Young	Y
18							Speaker	Y

19 Co-sponsors added: Representatives Borodkin, Boyd, Butcher, Coleman,
 20 Frangas, Lee, Marshall, McFadyen, McGihon, Merrifield, Rhodes, Romanoff,
 21 Williams S.

22
 23 **HB04-1394** by Representative(s) Fairbank; also Senator(s) Kester--
 24 Concerning alternative loan charges by supervised lenders
 25 for small loans.

26
 27 The question being "Shall the bill pass?".

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

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

50 Co-sponsors added: Representatives Harvey, Speaker.

51
 52 **HB04-1400** by Representative(s) Rhodes; also Senator(s) Chlouber--
 53 Concerning the regulation of warranties on vehicle
 54 protection products.

55
 56 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	63	NO	01	EXCUSED	01	ABSENT	00
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	E	Merrifield	Y	Stafford	Y
Brophy	N	Hodge	Y	Miller	Y	Stengel	Y
Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
Cloer	Y	Larson	Y	Rhodes	Y	White	Y
Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y
Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
Frangas	Y	May	Y	Schultheis	Y	Young	Y
						Speaker	Y

Co-sponsor added: Representative Butcher

HB04-1401 by Representative(s) Crane; also Senator(s) Arnold--
Concerning the statutory designation of the boundaries of
the city and county of Broomfield, and, in connection
therewith, excluding areas of the city and county of
Broomfield from the counties of Adams, Jefferson,
Boulder, and Weld.

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	64	NO	00	EXCUSED	01	ABSENT	00
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	E	Merrifield	Y	Stafford	Y
Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
Cloer	Y	Larson	Y	Rhodes	Y	White	Y
Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y
Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
Frangas	Y	May	Y	Schultheis	Y	Young	Y
						Speaker	Y

Co-sponsors added: Representatives McFadyen, Welker.

CHANGE IN SPONSORSHIP

Speaker Spradley announced that Senator Dyer has replaced Senator Kester as Senate sponsor for **HB04-1398**.

HB04-1398 by Representative(s) Williams T.;also Senator(s) Dyer--
Concerning statutory provisions governing business
entities contained in title 7 of the Colorado Revised
Statutes.

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	64	NO	00	EXCUSED	01	ABSENT	00
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	E	Merrifield	Y	Stafford	Y
Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
Cloer	Y	Larson	Y	Rhodes	Y	White	Y
Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y
Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
Frangas	Y	May	Y	Schultheis	Y	Young	Y
						Speaker	Y

Co-sponsors added: Representatives Coleman, Frangas.

HB04-1048 by Representative(s) King; also Senator(s) McElhany--
Concerning beneficiary deeds.

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	60	NO	04	EXCUSED	01	ABSENT	00
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	E	Merrifield	Y	Stafford	Y
Brophy	Y	Hodge	Y	Miller	Y	Stengel	N
Butcher	N	Hoppe	Y	Mitchell	Y	Tochtrop	Y
Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
Cerbo	N	Judd	Y	Pommer	Y	Weissmann	N
Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
Cloer	Y	Larson	Y	Rhodes	Y	White	Y

1	Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y
2	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
3	Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
4	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
5	Frangas	Y	May	Y	Schultheis	Y	Young	Y
6							Speaker	Y

7 Co-sponsors added: Representatives Marshall, Rippy, Schultheis.

11 CONSIDERATION OF CONFERENCE COMMITTEE REPORT

13 **HB04-1112** by Representative(s) Welker, Coleman, Harvey, Hodge,
 14 Hoppe, Larson, Marshall, McCluskey, Paccione, Rhodes,
 15 White, Wiens, Williams T.; also Senator(s) Sandoval--
 16 Concerning the regulation of persons licensed to deal in
 17 certain monetary instruments, and, in connection
 18 therewith, continuing the regulatory authority of the
 19 banking board and the state bank commissioner over such
 20 activities.

22 (Conference Committee Report printed in House Journal, March 23,
 23 pages 1025-1026.)

25 Representative Welker moved the House **adopt** the Conference
 26 Committee Report. A substitute motion by Representative Weissmann
 27 the House reject the Conference Committee Report, discharge the First
 28 Conference Committee for **HB04-1112**, that a Second Conference
 29 Committee be appointed. The motion was declared **lost** by the following
 30 roll call vote:

32	YES	23	NO	41	EXCUSED	01	ABSENT	00
33	Berry	N	Garcia	Y	McCluskey	N	Sinclair	N
34	Borodkin	N	Hall	N	McFadyen	Y	Smith	N
35	Boyd	Y	Harvey	N	McGihon	Y	Spence	Y
36	Briggs	N	Hefley	E	Merrifield	Y	Stafford	N
37	Brophy	Y	Hodge	Y	Miller	N	Stengel	N
38	Butcher	N	Hoppe	N	Mitchell	N	Tochtrop	N
39	Cadman	N	Jahn	Y	Paccione	N	Vigil	Y
40	Carroll	N	Johnson	N	Plant	Y	Weddig	Y
41	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
42	Clapp	N	King	N	Ragsdale	Y	Welker	N
43	Cloer	N	Larson	Y	Rhodes	N	White	N
44	Coleman	Y	Lee	N	Rippy	N	Wiens	N
45	Crane	N	Lundberg	Y	Romanoff	Y	Williams S.	N
46	Decker	N	Madden	Y	Rose	N	Williams T.	N
47	Fairbank	N	Marshall	N	Salazar	N	Witwer	N
48	Frangas	N	May	N	Schultheis	N	Young	N
49							Speaker	Y

52 Representative Welker's motion that the House **adopt** the Conference
 53 Committee Report on **HB04-1112**. The motion was declared **passed** by
 54 the following roll call vote:

	YES	47	NO	17	EXCUSED	01	ABSENT	00
1	Berry	Y	Garcia	N	McCluskey	Y	Sinclair	Y
2	Borodkin	Y	Hall	Y	McFadyen	N	Smith	Y
3	Boyd	Y	Harvey	Y	McGihon	N	Spence	Y
4	Briggs	Y	Hefley	E	Merrifield	N	Stafford	Y
5	Brophy	N	Hodge	N	Miller	Y	Stengel	Y
6	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
7	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	N
8	Carroll	Y	Johnson	Y	Plant	N	Weddig	Y
9	Cerbo	N	Judd	N	Pommer	Y	Weissmann	N
10	Clapp	Y	King	Y	Ragsdale	N	Welker	Y
11	Cloer	Y	Larson	N	Rhodes	Y	White	Y
12	Coleman	N	Lee	Y	Rippy	Y	Wiens	Y
13	Crane	Y	Lundberg	N	Romanoff	Y	Williams S.	Y
14	Decker	Y	Madden	N	Rose	Y	Williams T.	Y
15	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
16	Frangas	Y	May	Y	Schultheis	Y	Young	Y
17							Speaker	N

18
19
20 The question being "Shall the bill, as amended, pass?".
21 A roll call vote was taken. As shown by the following recorded vote, a
22 majority of those elected to the House voted in the affirmative and the
23 bill, as amended, was declared **repassed**.
24

	YES	53	NO	11	EXCUSED	01	ABSENT	00
25	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
26	Borodkin	Y	Hall	Y	McFadyen	N	Smith	Y
27	Boyd	Y	Harvey	Y	McGihon	N	Spence	Y
28	Briggs	Y	Hefley	E	Merrifield	Y	Stafford	Y
29	Brophy	N	Hodge	N	Miller	Y	Stengel	Y
30	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
31	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	N
32	Carroll	Y	Johnson	Y	Plant	Y	Weddig	N
33	Cerbo	N	Judd	Y	Pommer	Y	Weissmann	N
34	Clapp	Y	King	Y	Ragsdale	N	Welker	Y
35	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
36	Coleman	N	Lee	Y	Rippy	Y	Wiens	Y
37	Crane	Y	Lundberg	N	Romanoff	Y	Williams S.	Y
38	Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
39	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
40	Frangas	Y	May	Y	Schultheis	Y	Young	Y
41							Speaker	Y

42
43 Co-sponsors added: Representatives Crane, Decker, Frangas.
44 Representative Coleman requested her name be removed as sponsor.
45
46
47

48 **CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS**

49
50 **HB04-1236** by Representative(s) McCluskey; also Senator(s) Cairns--
51 Concerning notice requirements to be made by an insurer to
52 to an applicant for homeowner's insurance.
53

54 (Amended as printed in Senate Journal, March 19, page 578)
55

1 Representative McCluskey moved that the House **not concur** in Senate
 2 amendments and that a Conference Committee be appointed with
 3 permission to go beyond the scope of the differences between the House
 4 and the Senate. A substitute motion by Representative Stengel that the
 5 House **concur** in Senate amendments was declared **lost** by the following
 6 roll call vote:

	YES	19	NO	45	EXCUSED	01	ABSENT	00
9	Berry	Y	Garcia	Y	McCluskey	N	Sinclair	N
10	Borodkin	N	Hall	N	McFadyen	Y	Smith	Y
11	Boyd	N	Harvey	N	McGihon	Y	Spence	N
12	Briggs	N	Hefley	E	Merrifield	N	Stafford	N
13	Brophy	N	Hodge	Y	Miller	N	Stengel	Y
14	Butcher	N	Hoppe	N	Mitchell	N	Tochtrop	N
15	Cadman	N	Jahn	Y	Paccione	N	Vigil	Y
16	Carroll	Y	Johnson	Y	Plant	N	Weddig	Y
17	Cerbo	Y	Judd	N	Pommer	Y	Weissmann	Y
18	Clapp	N	King	N	Ragsdale	N	Welker	N
19	Cloer	Y	Larson	N	Rhodes	N	White	N
20	Coleman	N	Lee	N	Rippy	N	Wiens	N
21	Crane	N	Lundberg	N	Romanoff	N	Williams S.	Y
22	Decker	N	Madden	N	Rose	N	Williams T.	N
23	Fairbank	N	Marshall	Y	Salazar	N	Witwer	N
24	Frangas	N	May	N	Schultheis	N	Young	Y
25							Speaker	N

26
 27 Representative McCluskey's motion that the House **not concur** in Senate
 28 amendments on **HB04-1236** and that a Conference Committee be
 29 appointed with permission to go beyond the scope of the differences
 30 between the House and the Senate. The motion was declared **passed** by
 31 the following roll call vote:

	YES	52	NO	12	EXCUSED	01	ABSENT	00
34	Berry	N	Garcia	N	McCluskey	Y	Sinclair	Y
35	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	N
36	Boyd	Y	Harvey	Y	McGihon	N	Spence	Y
37	Briggs	Y	Hefley	E	Merrifield	Y	Stafford	Y
38	Brophy	Y	Hodge	N	Miller	Y	Stengel	N
39	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
40	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	N
41	Carroll	N	Johnson	Y	Plant	Y	Weddig	N
42	Cerbo	N	Judd	Y	Pommer	Y	Weissmann	N
43	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
44	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
45	Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y
46	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
47	Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
48	Fairbank	Y	Marshall	N	Salazar	Y	Witwer	Y
49	Frangas	Y	May	Y	Schultheis	Y	Young	Y
50							Speaker	Y

51 The Speaker appointed Representatives McCluskey, Chairman, Clapp and
 52 Jahn as House conferees to the bill.

53
 54
 55
 56

CONSENT GRANTED TO CONFERENCE COMMITTEE

HB04-1072 by Representative(s) May M.; also Senator(s) Evans--
Concerning the authority of the governing body of a
municipality to submit to the registered electors of the
municipality the question of changing the regular election
date of the municipality.

(Amended as printed in Senate Journal, February 12, pages 251-252.)

Representative May moved that the First Conference Committee on
HB04-1072 be granted permission to go beyond the scope of the
difference between the House and the Senate. The motion was **passed** by
the following roll call vote:

YES	64	NO	00	EXCUSED	01	ABSENT	00
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	E	Merrifield	Y	Stafford	Y
Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
Cloer	Y	Larson	Y	Rhodes	Y	White	Y
Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y
Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
Frangas	Y	May	Y	Schultheis	Y	Young	Y
						Speaker	Y

HOUSE RECEDES ON HB04-1280

HB04-1280 by Representative(s) Stafford, Welker; also Senator(s)
Johnson S.--Concerning authorization to issue a death
certificate if death is presumed but the body is not found.

(Amended as printed in Senate Journal, March 5, page 434)

Representative Stafford moved that the House **recede** from its position
and that the Conference Committee be discharged on **HB04-1280**. The
motion was declared **passed** by the following roll call vote:

YES	64	NO	00	EXCUSED	01	ABSENT	00
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	E	Merrifield	Y	Stafford	Y
Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
Butcher	Y	Hoppe	Y	Mitchell	Y	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
13
14 Representative Stafford moved that the House **concur** in Senate
15 amendments. The motion was declared **passed** by the following roll call
16 vote:

18	YES	64	NO	00	EXCUSED	01	ABSENT	00
19	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
20	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
21	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
22	Briggs	Y	Hefley	E	Merrifield	Y	Stafford	Y
23	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
24	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
25	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
26	Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
27	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
28	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
29	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
30	Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y
31	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
32	Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
33	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
34	Frangas	Y	May	Y	Schultheis	Y	Young	Y
35							Speaker	Y

36
37 The question being, "Shall the bill, as amended, pass?"

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

42	YES	64	NO	00	EXCUSED	01	ABSENT	00
43	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
44	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
45	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
46	Briggs	Y	Hefley	E	Merrifield	Y	Stafford	Y
47	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
48	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
49	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
50	Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
51	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
52	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
53	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
54	Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y
55	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
56	Decker	Y	Madden	Y	Rose	Y	Williams T.	Y

1	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
2	Frangas	Y	May	Y	Schultheis	Y	Young	Y
3							Speaker	Y

4 Co-sponsors added: Representatives Borodkin, Carroll, Coleman, Mitchell.

8 CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS

10 **HB04-1004** by Representative(s) Stafford, Welker; also Senator(s)
 11 Lamborn--Concerning enhanced protection for child users
 12 of public library services from harmful materials on the
 13 internet.

15 (Amended as printed in Senate Journal, March 12, page 501.)

17 Representative Stafford moved that the House **concur** in Senate
 18 amendments. The motion was declared **passed** by the following roll call
 19 vote:

21	YES	64	NO	00	EXCUSED	01	ABSENT	00
22	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
23	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
24	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
25	Briggs	Y	Hefley	E	Merrifield	Y	Stafford	Y
26	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
27	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
28	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
29	Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
30	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
31	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
32	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
33	Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y
34	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
35	Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
36	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
37	Frangas	Y	May	Y	Schultheis	Y	Young	Y
38							Speaker	Y

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

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

45	YES	56	NO	08	EXCUSED	01	ABSENT	00
46	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
47	Borodkin	N	Hall	Y	McFadyen	Y	Smith	Y
48	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
49	Briggs	Y	Hefley	E	Merrifield	Y	Stafford	Y
50	Brophy	Y	Hodge	N	Miller	Y	Stengel	Y
51	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
52	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	N
53	Carroll	Y	Johnson	N	Plant	Y	Weddig	Y
54	Cerbo	N	Judd	N	Pommer	Y	Weissmann	N
55	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
56	Cloer	Y	Larson	Y	Rhodes	Y	White	Y

1	Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y
2	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
3	Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
4	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
5	Frangas	Y	May	Y	Schultheis	Y	Young	N
6							Speaker	Y

7 Co-sponsor added: Representative Williams S.

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

13 (Amended as printed in Senate Journal, March 18, page 557)

14
15 Representative Rose moved that the House **concur** in Senate
16 amendments. The motion was declared **passed** by the following roll call
17 vote:
18

19	YES	64	NO	00	EXCUSED	01	ABSENT	00
20	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
21	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
22	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
23	Briggs	Y	Hefley	E	Merrifield	Y	Stafford	Y
24	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
25	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
26	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
27	Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
28	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
29	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
30	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
31	Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y
32	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
33	Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
34	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
35	Frangas	Y	May	Y	Schultheis	Y	Young	Y
36							Speaker	Y

37
38 The question being, "Shall the bill, as amended, pass?"

39 A roll call vote was taken. As shown by the following recorded vote, a
40 majority of those elected to the House voted in the affirmative, and the
41 bill, as amended, was declared **repassed**.
42

43	YES	64	NO	00	EXCUSED	01	ABSENT	00
44	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
45	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
46	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
47	Briggs	Y	Hefley	E	Merrifield	Y	Stafford	Y
48	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
49	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
50	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
51	Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
52	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
53	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
54	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
55	Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y
56	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y

1	Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
2	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
3	Frangas	Y	May	Y	Schultheis	Y	Young	Y
4							Speaker	Y

5 Co-sponsors added: Representatives Borodkin, Frangas, Marshall, Romanoff.

6
7 **HB04-1341** by Representative(s) Rose, Hefley; also Senator(s)
8 Windels--Concerning prisoner processing fees collected
9 by a county.

10
11 (Amended as printed in Senate Journal, March 15, page 527, and March
12 18, page 557, and on Third Reading in Senate Journal March 19.)

13
14 Representative Rose moved that the House **concur** in Senate
15 amendments. The motion was declared **passed** by the following roll call
16 vote:

17	YES	58	NO	06	EXCUSED	01	ABSENT	00
18	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
19	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
20	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
21	Briggs	Y	Hefley	E	Merrifield	Y	Stafford	Y
22	Brophy	N	Hodge	Y	Miller	Y	Stengel	N
23	Butcher	Y	Hoppe	N	Mitchell	Y	Tochtrop	Y
24	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
25	Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
26	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
27	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
28	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
29	Coleman	Y	Lee	N	Rippy	N	Wiens	Y
30	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
31	Decker	N	Madden	Y	Rose	Y	Williams T.	Y
32	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
33	Frangas	Y	May	Y	Schultheis	Y	Young	Y
34							Speaker	Y

35
36
37 The question being, "Shall the bill, as amended, pass?"

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

41	YES	54	NO	10	EXCUSED	01	ABSENT	00
42	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
43	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
44	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
45	Briggs	Y	Hefley	E	Merrifield	Y	Stafford	Y
46	Brophy	N	Hodge	Y	Miller	Y	Stengel	N
47	Butcher	Y	Hoppe	N	Mitchell	Y	Tochtrop	Y
48	Cadman	N	Jahn	Y	Paccione	N	Vigil	Y
49	Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
50	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	N
51	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
52	Cloer	Y	Larson	Y	Rhodes	N	White	Y
53	Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y
54	Crane	Y	Lundberg	N	Romanoff	Y	Williams S.	Y
55	Decker	N	Madden	Y	Rose	Y	Williams T.	Y

1	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
2	Frangas	Y	May	Y	Schultheis	N	Young	Y
3							Speaker	Y

4 Co-sponsor added: Representative Frangas.

5
6 **HB04-1357** by Representative(s) Rose; also Senator(s) Isgar--
7 Concerning authorization for a winery to own a restaurant
8 licensed to sell alcohol beverages, and, in connection
9 therewith, allowing a winery to sell beverages of its own
10 manufacture in such restaurant.

11
12 Laid over until March 29, retaining place on Calendar.

13
14 **HB04-1264** by Representative(s) Young, Plant, Witwer; also
15 Senator(s) Teck, Owen, Reeves--Concerning billing cycles
16 for payments to providers under the "Colorado Medical
17 Assistance Act".

18
19 (Amended as printed in Senate Journal, March 18, page 557)

20
21 Representative Young moved that the House **concur** in Senate
22 amendments. The motion was declared **passed** by the following roll call
23 vote:

25	YES	64	NO	00	EXCUSED	01	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	Y
35	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
36	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
37	Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y
38	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
39	Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
40	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
41	Frangas	Y	May	Y	Schultheis	Y	Young	Y
42							Speaker	Y

43
44 The question being, "Shall the bill, as amended, pass?"

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

49	YES	64	NO	00	EXCUSED	01	ABSENT	00
50	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
51	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
52	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
53	Briggs	Y	Hefley	E	Merrifield	Y	Stafford	Y
54	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
55	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
56	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y

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

11 Co-sponsor added: Representative Coleman.

12
13 **HB04-1265** by Representative(s) Witwer, Plant, Young; also
14 Senator(s) Reeves, Owen, Teck--Concerning the transfer
15 of the administration of community mental health services
16 to specified medical assistance recipients from the
17 department of human services to the department of health
18 care policy and financing, and making an appropriation in
19 connection therewith.

20
21 (Amended as printed in Senate Journal, March 18, page 558)

22
23 Representative Witwer moved that the House **concur** in Senate
24 amendments. The motion was declared **passed** by the following roll call
25 vote:

27	YES	64	NO	00	EXCUSED	01	ABSENT	00
28	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
29	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
30	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
31	Briggs	Y	Hefley	E	Merrifield	Y	Stafford	Y
32	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
33	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
34	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
35	Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
36	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
37	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
38	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
39	Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y
40	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
41	Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
42	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
43	Frangas	Y	May	Y	Schultheis	Y	Young	Y
44							Speaker	Y

45
46 The question being, "Shall the bill, as amended, pass?"

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

51	YES	64	NO	00	EXCUSED	01	ABSENT	00
52	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
53	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
54	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
55	Briggs	Y	Hefley	E	Merrifield	Y	Stafford	Y
56	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y

1	Butcher	Y	Hoppe	Y	Mitchell	Y	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	Y	Rippy	Y	Wiens	Y
8	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
9	Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
10	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
11	Frangas	Y	May	Y	Schultheis	Y	Young	Y
12							Speaker	Y

13 Co-sponsors added: Representatives Boyd, Coleman, Williams S.

14
15 **HB04-1267** by Representative(s) Plant, Witwer, Young; also
16 Senator(s) Teck, Owen, Reeves--Concerning the repeal of
17 transfers to the controlled maintenance trust fund.

18
19 (Amended as printed in Senate Journal, March 18, page 559)

20
21 Representative Plant moved that the House **concur** in Senate
22 amendments. A substitute motion by Representative Weissmann that
23 the House **not concur** in Senate amendments and that a Conference
24 Committee be appointed was declared **lost** by the following roll call vote:

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

44
45 Representative Plant's motion the House **concur** in Senate amendments.
46 The motion was declared **passed** by the following roll call vote:

48	YES	49	NO	15	EXCUSED	01	ABSENT	00
49	Berry	N	Garcia	N	McCluskey	Y	Sinclair	Y
50	Borodkin	Y	Hall	Y	McFadyen	N	Smith	Y
51	Boyd	N	Harvey	N	McGihon	Y	Spence	Y
52	Briggs	Y	Hefley	E	Merrifield	Y	Stafford	Y
53	Brophy	Y	Hodge	N	Miller	Y	Stengel	Y
54	Butcher	N	Hoppe	Y	Mitchell	Y	Tochtrop	Y
55	Cadman	Y	Jahn	N	Paccione	Y	Vigil	Y
56	Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y

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

10

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

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

15

16	YES	49	NO	15	EXCUSED	01	ABSENT	00
17	Berry	N	Garcia	N	McCluskey	Y	Sinclair	Y
18	Borodkin	Y	Hall	Y	McFadyen	N	Smith	Y
19	Boyd	N	Harvey	N	McGihon	Y	Spence	Y
20	Briggs	Y	Hefley	E	Merrifield	Y	Stafford	Y
21	Brophy	Y	Hodge	N	Miller	Y	Stengel	Y
22	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
23	Cadman	Y	Jahn	N	Paccione	Y	Vigil	Y
24	Carroll	N	Johnson	Y	Plant	Y	Weddig	Y
25	Cerbo	N	Judd	Y	Pommer	N	Weissmann	N
26	Clapp	Y	King	Y	Ragsdale	N	Welker	Y
27	Cloer	Y	Larson	N	Rhodes	N	White	Y
28	Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y
29	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
30	Decker	N	Madden	Y	Rose	Y	Williams T.	Y
31	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
32	Frangas	Y	May	Y	Schultheis	Y	Young	Y
33							Speaker	Y

34

35 **HB04-1046** by Representative(s) McGihon; also Senator(s) Teck--
 36 Concerning the computation of days in determining certain
 37 time periods for forcible entry and detainer actions.

38

39 (Amended as printed in Senate Journal, March 19, page 575)

40

41 Representative McGihon moved that the House **concur** in Senate
 42 amendments. The motion was declared **passed** by the following roll call
 43 vote:

44	YES	63	NO	01	EXCUSED	01	ABSENT	00
45	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
46	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
47	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
48	Briggs	Y	Hefley	E	Merrifield	Y	Stafford	Y
49	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
50	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
51	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
52	Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
53	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
54	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
55	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
56	Coleman	Y	Lee	Y	Rippy	N	Wiens	Y

1	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
2	Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
3	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
4	Frangas	Y	May	Y	Schultheis	Y	Young	Y
5							Speaker	Y

6
7 The question being, "Shall the bill, as amended, pass?".
8 A roll call vote was taken. As shown by the following recorded vote, a
9 majority of those elected to the House voted in the affirmative, and the
10 bill, as amended, was declared **repassed**.

11								
12	YES	61	NO	03	EXCUSED	01	ABSENT	00
13	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
14	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
15	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
16	Briggs	Y	Hefley	E	Merrifield	Y	Stafford	Y
17	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
18	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
19	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
20	Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
21	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
22	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
23	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
24	Coleman	Y	Lee	Y	Rippy	N	Wiens	Y
25	Crane	Y	Lundberg	N	Romanoff	Y	Williams S.	Y
26	Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
27	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
28	Frangas	Y	May	Y	Schultheis	N	Young	Y
29							Speaker	Y

30 Co-sponsor added: Representative Garcia.

31 32 33 **CONSIDERATION OF ADHERENCE ON HB04-1182**

34
35 **HB04-1182** by Representative(s) Cloer, Boyd, Clapp, Coleman,
36 Frangas, Jahn, Stafford, Tochtrop, White, Wiens; also
37 Senator(s) Hillman, Sandoval--Concerning standards for
38 the cleanup of illegal drug laboratories.

39
40 (Amended as printed in Senate Journal, February 27, pages 384-385.)

41
42 Representative Cloer moved that the House **recede** from its position and
43 that the Conference Committee be discharged on **HB04-1182** . The
44 motion was declared **passed** by the following roll call vote:

45								
46	YES	51	NO	13	EXCUSED	01	ABSENT	00
47	Berry	N	Garcia	Y	McCluskey	Y	Sinclair	N
48	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	N
49	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
50	Briggs	N	Hefley	E	Merrifield	Y	Stafford	Y
51	Brophy	Y	Hodge	Y	Miller	Y	Stengel	N
52	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	N
53	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	N
54	Carroll	N	Johnson	Y	Plant	Y	Weddig	Y
55	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	N
56	Clapp	Y	King	Y	Ragsdale	N	Welker	Y

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

8
9 Representative Cloer moved that the House **concur** in Senate
10 amendments. The motion was declared **passed** by the following roll call
11 vote:

13	YES	56	NO	08	EXCUSED	01	ABSENT	00
14	Berry	N	Garcia	Y	McCluskey	Y	Sinclair	N
15	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	N
16	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
17	Briggs	Y	Hefley	E	Merrifield	Y	Stafford	Y
18	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
19	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
20	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	N
21	Carroll	N	Johnson	Y	Plant	Y	Weddig	Y
22	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	N
23	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
24	Cloer	Y	Larson	N	Rhodes	Y	White	Y
25	Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y
26	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
27	Decker	N	Madden	Y	Rose	Y	Williams T.	Y
28	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
29	Frangas	Y	May	Y	Schultheis	Y	Young	Y
30							Speaker	Y

31
32 The question being, "Shall the bill, as amended, 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
35 bill, as amended, was declared **repassed**.

37	YES	56	NO	08	EXCUSED	01	ABSENT	00
38	Berry	N	Garcia	Y	McCluskey	Y	Sinclair	N
39	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	N
40	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
41	Briggs	Y	Hefley	E	Merrifield	Y	Stafford	Y
42	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
43	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
44	Cadman	N	Jahn	Y	Paccione	Y	Vigil	Y
45	Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
46	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
47	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
48	Cloer	Y	Larson	N	Rhodes	Y	White	Y
49	Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y
50	Crane	Y	Lundberg	N	Romanoff	Y	Williams S.	Y
51	Decker	N	Madden	Y	Rose	Y	Williams T.	Y
52	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
53	Frangas	Y	May	Y	Schultheis	N	Young	Y
54							Speaker	Y

55 Co-sponsors added: Representatives Borodkin, Hodge, Paccione.

1 On motion of Representative Johnson R., the House resolved itself into
2 Committee of the Whole for consideration of Special Orders and she was
3 called to the Chair to act as Chairman.

4
5
6 **SPECIAL ORDERS--SECOND READING OF BILLS**

7
8 The Committee of the Whole having risen, the Chairman reported the
9 titles of the following bills had been read (reading at length had been
10 dispensed with by unanimous consent), the bills considered and action
11 taken thereon as follows:

12
13 (Amendments to the committee amendment are to the printed committee
14 report which was printed and placed in the members' bill file.)

15
16 **HB04-1382** by Representative(s) Lee, Frangas, Coleman, Clapp,
17 Pommer, Spence; also Senator(s) Groff, Evans, Jones,
18 McElhany--Concerning an offset against the actual value
19 of qualifying taxable personal property of an employer
20 that makes a payment to an eligible child center to defray
21 the child care costs of an employee.

22
23 Amendment No. 1, Finance Report, dated March 4, 2004, and placed in
24 member's bill file; Report also printed in House Journal, March 5, pages
25 765-764.

26
27 Amendment No. 2, by Representative Lee.

28
29 Amend the Finance Committee Report, dated March 4, 2004, page 1,
30 after line 6, insert the following:

31
32 "after line 23, insert the following:

33
34 "(3) "QUALIFYING EMPLOYEE" MEANS AN EMPLOYEE WHO IS
35 ELIGIBLE TO RECEIVE CHILD CARE ASSISTANCE PURSUANT TO THE
36 "COLORADO CHILD CARE ASSISTANCE PROGRAM ACT", PART 8 OF
37 ARTICLE 2 OF TITLE 26, C.R.S., BUT DUE TO A LACK OF AVAILABLE
38 FUNDING HAS NOT YET RECEIVED SUCH ASSISTANCE.";

39
40 Renumber succeeding subsection accordingly.";

41
42 line 7, strike "strike" and substitute "Page 3, strike";

43
44 line 12, strike ""OFFSETS";" and substitute ""EMPLOYEES MAY CLAIM
45 OFFSETS" and substitute "QUALIFYING EMPLOYEES MAY CLAIM";".

46
47 Page 2, line 15, after the first "THE", insert "QUALIFYING".

48
49 Page 3, line 10, strike "AND";

50
51 after line 10, insert the following:

52
53 "(III) EVIDENCE THAT THE EMPLOYEE FOR WHOM THE TAXPAYER
54 MADE THE PAYMENT IS A QUALIFYING EMPLOYEE; AND";

55
56 line 11, strike "(III)" and substitute "(IV)".

1 Amendment No. 3, by Representative Lee.

2
3 Amend the Finance Committee Report, dated March 4, 2004, page 3, line
4 28, strike "TITLE." and substitute "TITLE."

5
6 **SECTION 2.** 39-10-114 (1) (b), Colorado Revised Statutes, is
7 amended to read:

8
9 **39-10-114. Abatement - cancellation of taxes.** (1) (b) Any taxes
10 illegally or erroneously levied and collected, and delinquent interest
11 thereon, shall be refunded pursuant to this section, together with refund
12 interest at the same rate as that provided for delinquent interest set forth
13 in section 39-10-104.5; except that refund interest shall not be paid if the
14 taxes were erroneously levied and collected as a result of an error made
15 by the taxpayer in completing personal property schedules pursuant to the
16 provisions of article 5 of this title AND REFUND INTEREST SHALL NOT BE
17 PAID ON ANY CREDIT IN THE FORM OF AN ABATEMENT OF REFUND OF TAXES
18 ALLOWED PURSUANT TO SECTION 39-3.3-103. Said refund interest shall
19 accrue only from the date payment of taxes and delinquent interest
20 thereon was received by the treasurer from the taxpayer; except that
21 refund interest shall accrue from the date a complete abatement petition
22 is filed if the taxes were erroneously levied and collected as a result of an
23 error or omission made by the taxpayer in completing the statements
24 required pursuant to the provisions of article 7 of this title and the county
25 pays the abatement or refund within the time frame set forth in
26 sub-subparagraph (B) of subparagraph (I) of paragraph (a) of this
27 subsection (I). Refund interest on abatements or refunds made pursuant
28 to sub-subparagraph (F) of subparagraph (I) of paragraph (a) of this
29 subsection (1) shall only accrue on taxes paid for the two latest years of
30 illegal or erroneous assessment."."

31
32 As amended, declared **lost** on Second Reading.

33
34 **SB04-115** by Senator(s) Dyer; also Representative(s) Mitchell--
35 Concerning a limitation on the recovery of noneconomic
36 damages in breach of contract claims.

37
38 Amendment No. 1, by Representative Stengel.

39
40 Amend reengrossed bill, page 2, strike lines 17 through 23 and substitute
41 the following:

42
43 "(2) The general assembly therefore finds and declares that in any
44 claim for breach of contract, noneconomic damages".

45
46 As amended, ordered revised and placed on the Calendar for Third
47 Reading and Final Passage.

48
49 **SB04-093** by Senator(s) Chlouber; also Representative(s) Fairbank--
50 Concerning creation of the "Responsible Alcohol
51 Beverage Vendor Act".

52
53 Ordered revised and placed on the Calendar for Third Reading and Final
54 Passage.

55

1 **SB04-125** by Senator(s) Kester; also Representative(s) Mitchell--
2 Concerning the prompt payment of auto insurance
3 benefits.
4
5 Amendment No. 1, Business Affairs & Labor Report, dated March 16,
6 2004, and placed in member's bill file; Report also printed in House
7 Journal, March 18, pages 917-921.
8
9 Amendment No. 2, by Representative Mitchell.
10
11 Amend the Business Affairs and Labor Committee Report, dated March
12 16, 2004, page 5, line 13, strike "SHALL" and substitute "MAY";
13
14 line 16, after "DAYS", insert "IN CIRCUMSTANCES WHERE THE
15 INVESTIGATION OF A CLAIM BY THE INSURER IS INCOMPLETE OR OTHERWISE
16 NEEDS TO BE CONTINUED AND";
17
18 line 19, strike "CLEAN";
19
20 line 22, strike "NEEDED;" and substitute "NEEDED. THE INSURER THAT IS
21 EXEMPT FROM THE NINETY-DAY TIME PERIOD DUE TO CIRCUMSTANCES
22 WHERE AN INVESTIGATION IS INCOMPLETE OR OTHERWISE NEEDS TO BE
23 CONTINUED SHALL PAY, DENY, OR SETTLE THE CLAIM WITHIN ONE
24 HUNDRED EIGHTY DAYS AFTER RECEIPT OF THE CLAIM. AN INSURER THAT
25 IS EXEMPT FROM THE NINETY-DAY TIME PERIOD SHALL NOT BE EXEMPT
26 FROM PAYMENT OF THE INTEREST DUE PURSUANT TO SUBSECTION (7) OF
27 THIS SECTION.";
28
29 line 32, strike "(a)".
30
31 Page 6, line 2, strike "ANNUALLY" and substitute "FOR THE FIRST ONE
32 HUNDRED EIGHTY DAYS AND AT THE RATE OF FIFTEEN PERCENT
33 THEREAFTER,";
34
35 strike lines 5 through 8 and substitute "SECTION.";
36
37 strike lines 9 through 21.
38
39 Page 7, line 8, strike "CAR" and substitute "CARE";
40
41 line 9, strike "NINETY" and substitute "THIRTY", and after "VISIT." add
42 "THIS SUBSECTION (12) SHALL NOT APPLY TO A HOSPITAL OR OTHER
43 HEALTH FACILITY OR ENTITY LICENSED OR CERTIFIED PURSUANT TO
44 SECTION 25-1.5-103(1), C.R.S.".
45
46 As amended, ordered revised and placed on the Calendar for Third
47 Reading and Final Passage.
48
49 On motion of Representative King, the remainder of the Special Orders
50 Calendar (**HB04-1355, 1397 amended**) was laid over until March 29,
51 retaining place on Calendar.
52
53
54
55

AMENDMENT TO THE COMMITTEE OF THE WHOLE REPORT

Representatives Lee, Jahn, and Coleman moved to amend the Report of the Committee of the Whole to show that **HB04-1382**, as amended, did pass.

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

YES	23	NO	39	EXCUSED	03	ABSENT	00
Berry	N	Garcia	N	McCluskey	N	Sinclair	N
Borodkin	Y	Hall	N	McFadyen	Y	Smith	N
Boyd	E	Harvey	N	McGihon	N	Spence	Y
Briggs	N	Hefley	E	Merrifield	Y	Stafford	N
Brophy	N	Hodge	N	Miller	N	Stengel	N
Butcher	Y	Hoppe	N	Mitchell	N	Tochtrop	Y
Cadman	N	Jahn	Y	Paccione	N	Vigil	N
Carroll	Y	Johnson	N	Plant	N	Weddig	N
Cerbo	N	Judd	N	Pommer	Y	Weissmann	E
Clapp	Y	King	Y	Ragsdale	N	Welker	N
Cloer	Y	Larson	N	Rhodes	N	White	Y
Coleman	Y	Lee	Y	Rippy	N	Wiens	N
Crane	Y	Lundberg	N	Romanoff	N	Williams S.	Y
Decker	N	Madden	N	Rose	N	Williams T.	N
Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	N
Frangas	Y	May	Y	Schultheis	N	Young	Y
						Speaker	N

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Passed Second Reading: **SB04-115 amended, 093, 125 amended.**

Lost on Second Reading: **HB04-1382 amended.**

Laid over until date indicated retaining place on Calendar: **HB04-1355, 1397 amended--March 29, 2004.**

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.**

YES	62	NO	00	EXCUSED	03	ABSENT	00
Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
Boyd	E	Harvey	Y	McGihon	Y	Spence	Y
Briggs	Y	Hefley	E	Merrifield	Y	Stafford	Y
Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	E
Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
Cloer	Y	Larson	Y	Rhodes	Y	White	Y
Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y

1	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
2	Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
3	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
4	Frangas	Y	May	Y	Schultheis	Y	Young	Y
5							Speaker	Y

REPORTS OF COMMITTEES OF REFERENCE

AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES

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

HB04-1374 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

Amend printed bill, strike everything below the enacting clause and substitute the following:

"**SECTION 1.** 32-1-1006 (1.5) (a) and (1.5) (b), Colorado Revised Statutes, are amended, and the said 32-1-1006 (1.5) is further amended BY THE ADDITION OF THE FOLLOWING NEW PARAGRAPHS, to read:

32-1-1006. Sanitation, water and sanitation, or water districts - additional powers - special provisions. (1.5) (a) No water and sanitation district or water district shall furnish POTABLE water service ~~or water supply to any~~ DIRECTLY TO AN INDIVIDUAL CUSTOMER FOR USE ON property located outside of the district's boundaries if such property is within the legal boundaries of another special district that has been organized with the power AND ABILITY to furnish IDENTICAL OR SUBSTANTIALLY SIMILAR water facilities or water services, unless:

(I) ~~In compliance with the provisions of this title and with the consent of the special district within whose boundaries such property is located, such property is included within the boundaries of the district seeking to provide water service or water supply; or~~

(II) ~~After April 15, 1996, in lieu of inclusion pursuant to subparagraph (I) of this paragraph (a),~~ The special district within whose boundaries such property is located gives consent to the provision of such POTABLE water service ~~or water supply~~ DIRECTLY TO AN INDIVIDUAL CUSTOMER FOR USE ON THE PROPERTY.

(b) In the absence of such ~~inclusion or~~ consent, no water and sanitation district or water district shall have any right or power, however derived, to provide POTABLE water service ~~or water supply to~~ DIRECTLY TO AN INDIVIDUAL CUSTOMER FOR USE ON any property outside of that district's boundaries and within the boundaries of another special district that has been organized with the power AND ABILITY to furnish IDENTICAL OR SUBSTANTIALLY SIMILAR water facilities or water services.

(b.5) NO PARCEL OF LAND LOCATED WITHIN A SPECIAL DISTRICT THAT HAS BEEN ORGANIZED WITH THE POWER TO FURNISH WATER

1 FACILITIES OR WATER SERVICES MAY RECEIVE POTABLE WATER FROM A
2 SOURCE OUTSIDE OF THE SPECIAL DISTRICT WITHOUT THE CONSENT OF THE
3 SPECIAL DISTRICT.

4
5 (d) NOTHING IN THIS SUBSECTION (1.5) OR ANY OTHER PROVISION
6 OF LAW SHALL BE CONSTRUED TO LIMIT THE AUTHORITY OF A WATER AND
7 SANITATION DISTRICT OR WATER DISTRICT TO:

8
9 (I) FURNISH RAW WATER TO ANY PROPERTY LOCATED OUTSIDE THE
10 DISTRICT'S BOUNDARIES AND WITHIN THE LEGAL BOUNDARIES OF ANOTHER
11 SPECIAL DISTRICT THAT HAS BEEN ORGANIZED WITH THE POWER TO
12 FURNISH WATER FACILITIES OR WATER SERVICE; OR

13
14 (II) FURNISH AUGMENTATION SUPPLIES FOR WATER DIVERTED ON
15 ANY PROPERTY LOCATED OUTSIDE THE DISTRICT'S BOUNDARIES FOR THE
16 BENEFIT OF THE DISTRICT OR ITS CUSTOMERS.

17
18 **SECTION 2.** Article 2 of title 29, Colorado Revised Statutes, is
19 amended BY THE ADDITION OF A NEW SECTION to read:

20
21 **29-2-103.9. County or municipal sales or use taxes - water**
22 **purposes.** (1) ON AND AFTER JULY 1, 2004, IN ADDITION TO ANY SALES
23 TAX, USE TAX, OR COMBINATION OF SUCH TAXES IMPOSED PURSUANT TO
24 THIS ARTICLE, COUNTIES AND MUNICIPALITIES ARE AUTHORIZED TO LEVY
25 A SALES TAX, USE TAX, OR ANY COMBINATION OF SUCH TAXES OF UP TO
26 ONE-HALF PERCENT FOR THE PURPOSES OF ACQUISITION OF WATER RIGHTS
27 OR WATER DIVERSION, STORAGE, DISTRIBUTION, CONVEYANCE,
28 CONSERVATION, OR REUSE.

29
30 (2) A COUNTY OR MUNICIPALITY MAY ENTER INTO AN
31 INTERGOVERNMENTAL OR OTHER AGREEMENT WITH A DISTRICT TO
32 FACILITATE THE ACHIEVEMENT OF THE PURPOSES ENUMERATED IN
33 SUBSECTION (1) OF THIS SECTION, INCLUDING AN AGREEMENT TO PROVIDE
34 REVENUES TO THE DISTRICT TO ACCOMPLISH THE PURPOSES OF SAID
35 SUBSECTION (1).

36
37 (3) NO SALES TAX, USE TAX, OR COMBINATION OF SUCH TAXES
38 SHALL BE LEVIED PURSUANT TO SUBSECTION (1) OF THIS SECTION UNTIL A
39 BALLOT PROPOSAL FOR THE LEVYING OF SUCH TAXES HAS BEEN REFERRED
40 TO AND APPROVED BY THE REGISTERED ELECTORS OF THE COUNTY OR
41 MUNICIPALITY IN ACCORDANCE WITH THIS ARTICLE.

42
43 (4) THIS SECTION SHALL NOT BE CONSTRUED TO EXPAND THE USE
44 TAX BASE OF ANY COUNTY IN THIS STATE, AS SUCH BASE IS DESCRIBED IN
45 SECTION 29-2-109 (1).

46
47 (5) AS USED IN THIS SECTION, "DISTRICT" MEANS A METROPOLITAN
48 WATER DISTRICT ORGANIZED PURSUANT TO ARTICLE 1 OF TITLE 32, C.R.S.,
49 THAT PROVIDES WATER SERVICES, A WATER DISTRICT OR WATER AND
50 SANITATION DISTRICT ORGANIZED PURSUANT TO ARTICLE 1 OF TITLE 32,
51 C.R.S., A METROPOLITAN WATER DISTRICT ORGANIZED PURSUANT TO PART
52 4 OF ARTICLE 4 OF TITLE 32, C.R.S., A WATER CONSERVANCY DISTRICT
53 ORGANIZED PURSUANT TO ARTICLE 45 OF TITLE 37, C.R.S., THE COLORADO
54 RIVER WATER CONSERVATION DISTRICT CREATED IN ARTICLE 46 OF TITLE
55 37, C.R.S., THE SOUTHWESTERN WATER CONSERVATION DISTRICT CREATED
56 IN ARTICLE 47 OF TITLE 37, C.R.S., OR THE RIO GRANDE WATER

1 CONSERVATION DISTRICT CREATED IN ARTICLE 48 OF TITLE 37, C.R.S.

2

3 **SECTION 3.** 29-2-108 (3), Colorado Revised Statutes, is
4 amended to read:

5

6 **29-2-108. Limitation on amount.** (3) Any tax imposed pursuant
7 to ~~section 24-90-110.7 (3) (f), 29-1-204.5 (3) (f.1), 29-2-103.7,~~
8 ~~30-11-107.5, or 30-11-107.7~~ SECTION 24-90-110.7 (3) (f), 29-1-204.5 (3)
9 (f.1), 29-2-103.7, 29-2-103.9, 30-11-107.5, OR 30-11-107.7, C.R.S., and
10 the additional tax authorized by section 30-20-604.5, C.R.S., if imposed,
11 shall be exempt from the six and ninety one-hundredths percent limitation
12 imposed by subsection (1) of this section.

13

14 **SECTION 4.** 32-1-1001 (1) (l), Colorado Revised Statutes, is
15 amended to read:

16

17 **32-1-1001. Common powers.** (1) For and on behalf of the
18 special district the board has the following powers:

19

20 (l) To accept, on behalf of the special district, real or personal
21 property for the use of the special district and to accept gifts and
22 conveyances made to the special district upon such terms or conditions
23 as the board may approve, INCLUDING REVENUES GENERATED FROM A
24 SALES TAX, USE TAX, OR COMBINATION OF SUCH TAXES IMPOSED BY A
25 COUNTY OR MUNICIPALITY PURSUANT TO SECTION 29-2-103.9, C.R.S., TO
26 BE USED FOR THE PURPOSES SPECIFIED IN SAID SECTION;

27

28 **SECTION 5.** 32-4-406 (1), Colorado Revised Statutes, is
29 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

30

31 **32-4-406. Powers of districts.** (1) Any district has the following
32 powers:

33

34 (r) TO ACCEPT REVENUES GENERATED FROM A SALES TAX, USE TAX,
35 OR COMBINATION OF SUCH TAXES IMPOSED BY A COUNTY OR MUNICIPALITY
36 PURSUANT TO SECTION 29-2-103.9, C.R.S., TO BE USED FOR THE PURPOSES
37 SPECIFIED IN SAID SECTION.

38

39 **SECTION 6.** 37-45-118 (1), Colorado Revised Statutes, is
40 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

41

42 **37-45-118. General powers.** (1) The board has power on behalf
43 of said district:

44

45 (q) TO ACCEPT REVENUES GENERATED FROM A SALES TAX, USE
46 TAX, OR COMBINATION OF SUCH TAXES IMPOSED BY A COUNTY OR
47 MUNICIPALITY PURSUANT TO SECTION 29-2-103.9, C.R.S., TO BE USED FOR
48 THE PURPOSES SPECIFIED IN SAID SECTION.

49

50 **SECTION 7.** 37-46-107 (1), Colorado Revised Statutes, is
51 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

52

53 **37-46-107. General powers.** (1) In its corporate capacity, the
54 district shall have the power:

55

56 (m) TO ACCEPT REVENUES GENERATED FROM A SALES TAX, USE

1 TAX, OR COMBINATION OF SUCH TAXES IMPOSED BY A COUNTY OR
2 MUNICIPALITY PURSUANT TO SECTION 29-2-103.9, C.R.S., TO BE USED FOR
3 THE PURPOSES SPECIFIED IN SAID SECTION.

4
5 **SECTION 8.** 37-47-107 (1), Colorado Revised Statutes, is
6 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

7
8 **37-47-107. Powers of district.** (1) Such district, in its corporate
9 capacity, shall have power:

10
11 (m) TO ACCEPT REVENUES GENERATED FROM A SALES TAX, USE
12 TAX, OR COMBINATION OF SUCH TAXES IMPOSED BY A COUNTY OR
13 MUNICIPALITY PURSUANT TO SECTION 29-2-103.9, C.R.S., TO BE USED FOR
14 THE PURPOSES SPECIFIED IN SAID SECTION.

15
16 **SECTION 9.** 37-48-105 (1), Colorado Revised Statutes, is
17 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

18
19 **37-48-105. Powers of district.** (1) The district, in its corporate
20 capacity, shall have power to:

21
22 (m) ACCEPT REVENUES GENERATED FROM A SALES TAX, USE TAX,
23 OR COMBINATION OF SUCH TAXES IMPOSED BY A COUNTY OR MUNICIPALITY
24 PURSUANT TO SECTION 29-2-103.9, C.R.S., TO BE USED FOR THE PURPOSES
25 SPECIFIED IN SAID SECTION.

26
27 **SECTION 10.** 32-1-107 (2) and (3) (b) (IV), Colorado Revised
28 Statutes, are amended to read:

29
30 **32-1-107. Service area of special districts.** (2) (a) Except as
31 provided in subsection (3) of this section, no special district may be
32 organized wholly or partly within an existing special district providing
33 the same service. Nothing in this subsection (2) shall prevent a special
34 district providing different services from organizing wholly or partly
35 within an existing special district. Except as provided in subsection (3)
36 of this section, a metropolitan district may be organized wholly or partly
37 within an existing special district, but a metropolitan district shall not
38 provide the same service as the existing special district.

39
40 (b) FOR PURPOSES OF THIS SECTION, "SAME SERVICE" MEANS THE
41 FINANCING, ACQUISITION, OR CONSTRUCTION OF FACILITIES AND
42 IMPROVEMENTS AND THE ONGOING OBLIGATION TO MAINTAIN OR OPERATE
43 SUCH FACILITIES AND IMPROVEMENTS AND PROVIDE SERVICES RELATED
44 THERETO. A NEW SPECIAL OR METROPOLITAN DISTRICT PROPOSING ONLY
45 TO FINANCE, ACQUIRE, OR CONSTRUCT FACILITIES AND IMPROVEMENTS
46 SHALL NOT BE DEEMED TO BE PROVIDING THE SAME SERVICE AS AN
47 EXISTING SPECIAL OR METROPOLITAN DISTRICT THAT PROVIDES ONGOING
48 OPERATION AND MAINTENANCE OF THE SAME TYPE OF FACILITIES AND
49 IMPROVEMENTS AND PROVIDE SERVICES RELATED THERETO.

50
51 (3) (b) An overlapping special district may be authorized to
52 provide the same service as the existing special or metropolitan district
53 that the overlapping special district overlaps or will overlap if:

54
55 (IV) (A) The board of directors of any special district or
56 metropolitan district authorized to provide a service within the boundaries

1 of the overlapping area consents to the overlapping special district
2 providing the same service.

3
4 (B) NOTWITHSTANDING THE PROVISIONS OF SUB-SUBPARAGRAPH
5 (A) OF THIS SUBPARAGRAPH (IV), A NEW OVERLAPPING METROPOLITAN
6 DISTRICT SHALL NOT BE REQUIRED TO OBTAIN THE CONSENT OF AN
7 EXISTING OVERLAPPING PARK AND RECREATION DISTRICT IF THE PROPOSED
8 INDEBTEDNESS FOR PARKS AND RECREATION FACILITIES AND
9 IMPROVEMENTS OF THE NEW OVERLAPPING METROPOLITAN DISTRICT DOES
10 NOT EXCEED TWENTY PERCENT OF THE TOTAL AMOUNT OF AUTHORIZED
11 EXPENDITURES SPECIFIED IN THE NEW OVERLAPPING METROPOLITAN
12 DISTRICT'S SERVICE PLAN.

13
14 **SECTION 11. Safety clause.** The general assembly hereby
15 finds, determines, and declares that this act is necessary for the immediate
16 preservation of the public peace, health, and safety."

17
18 Page 1, strike line 105 and substitute the following:

19
20 "ACCEPT TAX REVENUES FROM LOCAL GOVERNMENTS TO";

21
22 line 106, strike "MODIFYING THE METHOD USED FOR";

23
24 strike line 107;

25
26 line 108, strike "CONSERVANCY DISTRICT,".

27
28
29
30
31 **APPROPRIATIONS**

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

34
35 **HB04-1003** be amended as follows, and as so amended, be referred to
36 the Committee of the Whole with favorable
37 recommendation:

38
39 Amend printed bill, page 4, after line 26, insert the following:

40
41 "SECTION 6. 24-75-102, Colorado Revised Statutes, is amended
42 BY THE ADDITION OF A NEW SUBSECTION to read:

43
44 **24-75-102. Appropriations expended, when - balance - repeal.**

45 (4) (a) ANY MONEYS APPROPRIATED TO ALL DEPARTMENTS OF STATE
46 GOVERNMENT FOR THE 2003-04 FISCAL YEAR THAT WOULD OTHERWISE
47 REVERT TO THE GENERAL FUND PURSUANT TO SUBSECTION (1) OF THIS
48 SECTION SHALL BE TRANSFERRED BY THE STATE TREASURER TO THE
49 CAPITAL CONSTRUCTION FUND CREATED IN SECTION 24-75-302; EXCEPT
50 THAT THIS AMOUNT SHALL NOT EXCEED ONE HUNDRED FIFTY-TWO
51 THOUSAND EIGHT HUNDRED DOLLARS (\$152,800). THIS TRANSFER SHALL
52 TAKE PLACE PRIOR TO A TRANSFER MADE PURSUANT TO SECTION
53 24-75-218.

54
55 (b) THIS SUBSECTION (4) IS REPEALED, EFFECTIVE SEPTEMBER 1,
56 2004."

1 Renumber succeeding sections accordingly.
2
3 Page 5, line 6, strike "H.B. 04-____," and substitute "H.B. 04-1003,";
4
5 line 12, strike "OF _____ DOLLARS (\$)." and substitute "OF ONE HUNDRED
6 FIFTY-TWO THOUSAND EIGHT HUNDRED DOLLARS (\$152,800).";
7
8 strike lines 13 through 17;
9
10 line 18, strike "(II)" and substitute "(b)";
11
12 line 21, strike "OF _____ DOLLARS (\$)." and substitute "OF SIXTY-ONE
13 THOUSAND TWO HUNDRED DOLLARS (\$61,200).";
14
15 strike lines 22 through 26;
16
17 line 27, strike "(II)" and substitute "(c)".
18
19 Page 6, line 3, strike "OF _____ DOLLARS (\$)." and substitute "OF SIXTY-
20 ONE THOUSAND TWO HUNDRED DOLLARS (\$61,200).";
21
22 strike lines 4 through 8;
23
24 line 9, strike "(II)" and substitute "(d)";
25
26 line 12, strike "OF _____ DOLLARS (\$)." and substitute "OF SIXTY-ONE
27 THOUSAND TWO HUNDRED DOLLARS (\$61,200).";
28
29 strike lines 13 through 17;
30
31 line 18, strike "(II)" and substitute "(e)";
32
33 line 21, strike "OF _____ DOLLARS (\$)." and substitute "OF SIXTY-ONE
34 THOUSAND TWO HUNDRED DOLLARS (\$61,200).";
35
36 strike lines 22 through 27.
37
38 Strike pages 7 and 8.
39
40 Page 9, strike lines 1 through 6.
41
42 Renumber succeeding sections accordingly.
43
44
45 **HB04-1028** be referred to the Committee of the Whole with favorable
46 recommendation.
47
48
49 **HB04-1030** be amended as follows, and as so amended, be referred to
50 the Committee of the Whole with favorable
51 recommendation:
52
53 Amend printed bill, page 6, line 9, strike "____ dollars" and substitute
54 "five hundred thousand dollars (\$500,000).";
55
56 line 10, strike "(\$____),".

1 **HB04-1082** be postponed indefinitely.

2

3

4 **HB04-1135** be amended as follows, and as so amended, be referred to
5 the Committee of the Whole with favorable
6 recommendation:

7

8 Amend printed bill, page 6, before line 2, insert the following:

9

10 "SECTION 6. Appropriation. In addition to any other
11 appropriation, there is hereby appropriated, to the department of natural
12 resources, division of wildlife, for the fiscal year beginning July 1, 2004,
13 the sum of six thousand nine hundred ninety-seven dollars (\$6,997) or so
14 much thereof as may be necessary, for the implementation of this act.
15 Said sum shall be from the wildlife cash fund created in section 33-1-112
16 (1), Colorado Revised Statutes."

17

18 Renumber succeeding section accordingly.

19

20 Page 1, line 102, strike "SANCTUARIES." and substitute "SANCTUARIES,
21 AND MAKING AN APPROPRIATION."

22

23

24

25 **HB04-1138** be referred to the Committee of the Whole with favorable
26 recommendation.

27

28

29 **HB04-1157** be referred to the Committee of the Whole with favorable
30 recommendation.

31

32

33 **HB04-1199** be rereferred favorably to the Committee on
34 Transportation & Energy.

35

36

37 **HB04-1237** be amended as follows, and as so amended, be referred to
38 the Committee of the Whole with favorable
39 recommendation:

40

41 Amend the Finance Committee Report, dated February 11, 2004, page
42 1, strike lines 1 through 11 and substitute the following:

43

44 "Amend printed bill, page 4, line 24, strike "CONTRACT WITH ANY" and
45 substitute "DESIGNATE AN";

46

47 line 26, strike "DEPARTMENT" and substitute "ENTITY".

48

49 Page 5, line 2, strike "CERTIFYING" and substitute "EXAMINING";

50

51 after line 2, insert the following:";

52

53 line 12, strike "(5)" and substitute ""(5)".

54

55

56

1 **HB04-1269** be referred to the Committee of the Whole with favorable
2 recommendation.
3

4
5 **HB04-1272** be postponed indefinitely.
6

7
8 **HB04-1284** be amended as follows, and as so amended, be referred to
9 the Committee of the Whole with favorable
10 recommendation:
11

12 Amend printed bill, page 7, after line 19, insert the following:
13

14 "SECTION 3. No appropriation. The general assembly has
15 determined that this act can be implemented within existing
16 appropriations and therefore, no separate appropriation of state moneys
17 is necessary to carry out the provisions of this act."
18

19 Renumber succeeding sections accordingly.
20

21
22
23 **HB04-1287** be amended as follows, and as so amended, be referred to
24 the Committee of the Whole with favorable
25 recommendation:
26

27 Amend printed bill, page 5, after line 7, insert the following:
28

29 "SECTION 3. Appropriation. In addition to any other
30 appropriation, there is hereby appropriated, out of any moneys in the
31 division of insurance cash fund created pursuant to section 10-1-103 (3),
32 Colorado Revised Statutes, not otherwise appropriated, to the department
33 of regulatory agencies, for the division of insurance, for the fiscal year
34 beginning July 1, 2004, the sum of six thousand twenty dollars (\$6,020),
35 or so much thereof as may be necessary, for the implementation of this
36 act."
37

38 Renumber succeeding sections accordingly.
39

40 Page 1, line 102, strike "PROFESSIONALS." and substitute
41 "PROFESSIONALS, AND MAKING AN APPROPRIATION IN CONNECTION
42 THEREWITH."
43

44
45
46 **HB04-1300** be amended as follows, and as so amended, be referred to
47 the Committee of the Whole with favorable
48 recommendation:
49

50 Amend printed bill, page 5, after line 10, insert the following:
51

52 "SECTION 8. Appropriation. In addition to any other
53 appropriation, there is hereby appropriated, out of any moneys in the
54 notary administration cash fund created pursuant to section 12-55-102.5
55 (1), Colorado Revised Statutes, not otherwise appropriated, to the
56 department of state for the fiscal year beginning July 1, 2004, the sum of

1 forty-seven thousand seven hundred forty-six dollars (\$47,746) and 0.3
2 FTE, or so much thereof as may be necessary, for the implementation of
3 this act."

4
5 Renumber succeeding section accordingly.

6
7 Page 1, line 103, strike "**PUBLIC.**" and substitute "**PUBLIC, AND MAKING**
8 **AN APPROPRIATION.**".

9
10
11
12 **HB04-1344** be referred to the Committee of the Whole with favorable
13 recommendation.

14
15
16 **HB04-1347** be amended as follows, and as so amended, be referred to
17 the Committee of the Whole with favorable
18 recommendation:

19
20 Amend printed bill, page 2, line 4, after "**funding.**", insert "(1)";

21
22 line 7, strike "23-5-111.4." and substitute "23-5-111.4, CONSISTENT WITH
23 THE PROVISIONS OF SUBSECTION (2) OF THIS SECTION.";

24
25 after line 7, insert the following:

26
27 "(2) THE COMMISSION SHALL NOT ALLOCATE MORE THAN SIX
28 HUNDRED FIFTY THOUSAND DOLLARS UNDER SUBSECTION (1) OF THIS
29 SECTION FOR PURPOSES OF PROVIDING TUITION ASSISTANCE TO MEMBERS
30 OF THE NATIONAL GUARD PURSUANT TO SECTION 23-5-111.4.

31
32 (3) NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE
33 CONTRARY, THE GENERAL ASSEMBLY SHALL NOT DECREASE FUNDING FOR
34 NEED-BASED FINANCIAL ASSISTANCE IN ORDER TO FUND THE PROVISIONS
35 OF SECTION 23-5-111.4.";

36
37 after line 23, insert the following:

38
39 **"SECTION 3. Appropriations - adjustment to the 2004 long**
40 **bill.** (1) For the implementation of this act, general fund appropriations
41 made in the annual general appropriation act, for the fiscal year beginning
42 July 1, 2004, to the department of higher education, Colorado
43 commission on higher education financial aid, are decreased by four
44 hundred ten thousand two hundred seven dollars (\$410,207).

45
46 (2) In addition to any other appropriation, there is hereby
47 appropriated, out of any moneys in the general fund not otherwise
48 appropriated, for the fiscal year beginning July 1, 2004, to the department
49 of higher education, Colorado commission on higher education financial
50 aid, for payments to the Colorado national guard tuition fund, the sum of
51 four hundred ten thousand two hundred seven dollars (\$410,207), or so
52 much thereof as may be necessary, for the implementation of this act.

53
54 (3) In addition to any other appropriation, there is hereby
55 appropriated, for the fiscal year beginning July 1, 2004, to the department
56 of military affairs, executive director and army national guard, Colorado

1 national guard tuition fund, the sum of four hundred ten thousand two
2 hundred seven dollars (\$410,207), or so much thereof as may be
3 necessary. Said sum shall be from cash funds exempt received from the
4 department of higher education out of the appropriation made in
5 subsection (2) of this section."

6
7 Renumber succeeding sections accordingly.

8
9 Page 1, line 102, strike "GUARD." and substitute "GUARD, AND MAKING
10 AN APPROPRIATION IN CONNECTION THEREWITH."

11
12
13
14 **HB04-1359** be rereferred favorably to the Committee on Agriculture,
15 Livestock & Natural Resources.
16
17

18
19 **MESSAGE FROM THE SENATE**
20

21 Madam Speaker:

22
23 The Senate has passed on Third Reading and transmitted to the Revisor
24 of Statutes:

25 SB04-153, amended as printed in Senate Journal, March 25, 2004, page
26 633,

27 HB04-1150, amended as printed in Senate Journal, March 23, 2004, page
28 607, and on Third Reading, as printed in Senate Journal, March 26,

29 HB04-1234, amended as printed in Senate Journal, March 24, 2004, page
30 627, and on Third Reading, as printed in Senate Journal, March 26,

31 HB04-1187, amended as printed in Senate Journal, March 11, 2004, page
32 489,

33 HB04-1348, amended as printed in Senate Journal, March 25, 2004, page
34 634.
35
36

37
38 **MESSAGE FROM THE REVISOR**
39

40 We herewith transmit:

41 Without comment, as amended, HB04-1150, 1234, 1187, and 1348.

42 Without comment, as amended, SB04-153.
43
44

45
46 **INTRODUCTION OF RESOLUTIONS**
47

48 The following resolutions were read by title and laid over one day under
49 the rules:

50
51 **HJR04-1043** by Representative(s) Romanoff, Carroll, Larson, Berry,
52 Borodkin, Boyd, Briggs, Brophy, Butcher, Cadman,
53 Cerbo, Clapp, Cloer, Coleman, Crane, Decker, Fairbank,
54 Frangas, Garcia, Hall, Harvey, Hefley, Hodge, Hoppe,
55 Jahn, Johnson R., Judd, King, Lee, Lundberg, Madden,
56 Marshall, May M., McCluskey, McFadyen, McGihon,

Merrifield, Miller, Mitchell, Paccione, Plant, Pommer, Ragsdale, Rippy, Rhodes, Rose, Salazar, Schultheis, Sinclair, Smith, Spence, Spradley, Stafford, Stengel, Tochtrop, Vigil, Weddig, Weissmann, Welker, White, Wiens, Williams S., Williams T., Witwer, Young; also Senator(s) Sandoval--Concerning support for all Spaniards following the March 11, 2004, terrorist attacks in Madrid, Spain.

HJR04-1044 by Representative(s) McFadyen, Spradley, Butcher, Salazar, Berry, Borodkin, Boyd, Briggs, Brophy, Carroll, Cerbo, Cloer, Coleman, Crane, Decker, Fairbank, Frangas, Garcia, Hall, Harvey, Hodge, Hoppe, Jahn, Johnson R., Judd, King, Larson, Lundberg, Madden, Marshall, McCluskey, McGihon, Merrifield, Miller, Mitchell, Paccione, Plant, Pommer, Ragsdale, Rippy, Romanoff, Rose, Schultheis, Sinclair, Smith, Spence, Stafford, Stengel, Tochtrop, Vigil, Weddig, Weissmann, Welker, White, Wiens, Williams S., Williams T., Witwer, Young; also Senator(s) Tapia, Andrews, Entz, Chlouber, Phillips, Anderson, Arnold, Cairns, Dyer, Fitz-Gerald, Gordon, Groff, Grossman, Hagedorn, Hanna, Hillman, Isgar, Johnson S., Jones, Keller, Kester, Lamborn, McElhany, Nichol, Owen, Reeves, Sandoval, Takis, Taylor, Teck, Tupa, Veiga, Windels--Concerning a request for the return of the USS Pueblo.

HR04-1008 by Representative(s) Cloer, Johnson R., Garcia, Jahn--Concerning appointments of employees for the House of Representatives of the Sixty-fourth General Assembly.

HR04-1009 by Representative(s) Spradley--Concerning nonsubstantive changes to the rules of the house of representatives, and, in connection therewith, making the house rules gender-neutral and clarifying the rules that pertain to appeals of a ruling of the speaker.

LAY OVER OF CALENDAR ITEMS

On motion of Representative King, the following items on the Calendar were laid over until March 29, retaining place on Calendar:

Consideration of General Orders--**HB04-1221, 1279, SB04-185, 020, 105, 024, 094.**

Consideration of Resolutions--**HJR04-1012, 1013, 1018, SJR04-015, HJR04-1010, 1034, SJR04-023, 024, HJR04-1037, SJR04-027, HJR04-1038, 1040.**

Consideration of Memorial--**SJM04-001.**

Consideration of Senate Amendments--**HB04-1054, 1127, 1298, 1241, 1084, 1271, 1177, 1369, 1062, 1109.**

1 On motion of Representative King, the House adjourned until 10:00 a.m.,
2 March 29, 2004.

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4 Approved:

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7
8 LOLA SPRADLEY,
9 Speaker

10 Attest:

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12 JUDITH RODRIGUE,
13 Chief Clerk
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