

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

Ninety-ninth Legislative Day

Wednesday, April 14, 2004

1 Prayer by the Reverend George Stahnke, Integrity Christian Fellowship,
2 Colorado Springs.

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

5
6 Pledge of Allegiance led by Representative Rose.

7
8 The roll was called with the following result:

9
10 Present--63.

11 Excused--Representatives Coleman, Mitchell--2.

12 Present after roll call--Representative Coleman.

13
14 The Speaker declared a quorum present.

15
16
17 On motion of Representative Boyd, the reading of the journal of
18 April 13, 2004, was declared dispensed with and approved as corrected
19 by the Chief Clerk.

20
21
22 House in recess. House reconvened.

23
24
25 **REPORTS OF COMMITTEES OF REFERENCE**

26
27 **FINANCE**

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

30
31 **HB04-1190** be amended as follows, and as so amended, be referred to
32 the Committee of the Whole with favorable
33 recommendation:

34
35 Amend printed bill, strike everything below the enacting clause and
36 substitute the following:

37
38 "SECTION 1. 10-3.5-108 (2), (3) (a), and (3) (b), Colorado
39 Revised Statutes, are amended to read:

40
41 **10-3.5-108. Distributions - remittance of portion of proceeds.**
42 (2) (a) SUBJECT TO PARAGRAPH (b) OF THIS SUBSECTION (2), in order to
43 make a distribution OCCURRING ON OR AFTER THE EFFECTIVE DATE OF THIS

1 SUBSECTION (2), AS AMENDED, out of PROCEEDS OR GAINS FROM
2 QUALIFIED INVESTMENTS, PROCEEDS OR GAINS FROM ANY OTHER USE OF
3 CERTIFIED CAPITAL, OR certified capital allocated to its certified investors
4 on a particular allocation date other than a qualified distribution, a
5 certified capital company shall:

6
7 (I) ~~Have made~~ MAKE qualified investments in an amount
8 cumulatively equal to one hundred percent of the certified capital
9 allocated to its certified investors on such allocation date; ~~except that~~ AND

10
11 (II) MAKE THE TRANSFERS IDENTIFIED IN SUBSECTION (3) OF THIS
12 SECTION.

13
14 (b) A certified capital company may make repayments of principal
15 and interest on its indebtedness without any restriction whatsoever,
16 including repayments of indebtedness of the certified capital company on
17 which certified investors earned premium tax credits. A CERTIFIED
18 CAPITAL COMPANY MAY UTILIZE PROCEEDS OR GAINS FROM QUALIFIED
19 INVESTMENTS OR PROCEEDS OR GAINS FROM ANY OTHER USE OF CERTIFIED
20 CAPITAL TO PAY FOR FEDERAL OR STATE TAXES, INCLUDING PENALTIES
21 AND INTEREST RELATED TO STATE AND FEDERAL INCOME TAXES, OF THE
22 EQUITY OWNERS OF A CERTIFIED CAPITAL COMPANY RESULTING FROM A
23 TAX LIABILITY OF THE CERTIFIED CAPITAL COMPANY.

24
25 (3) (a) ~~Distributions out of certified capital allocated on a~~
26 ~~particular allocation date that are not qualified distributions and that are~~
27 ~~made to equity holders after the aggregate total of distributions from such~~
28 ~~certified capital, not including qualified distributions, cumulatively~~
29 ~~exceeds the certified capital allocated to the certified investors of the~~
30 ~~certified capital company on such allocation date plus any additional~~
31 ~~capital contributions to the certified capital company shall be specifically~~
32 ~~examined as part of the annual review conducted pursuant to section~~
33 ~~10-3.5-109. On the basis of such review, the office shall determine~~
34 ~~whether the aggregate total of distributions from such certified capital,~~
35 ~~not including qualified distributions, to the certified capital company's~~
36 ~~certified investors and equity holders, when combined with all tax credits~~
37 ~~allocated on such allocation date and utilized by certified investors~~
38 ~~pursuant to this article, have resulted in an annual internal rate of return~~
39 ~~exceeding ten percent on the certified capital allocated to the certified~~
40 ~~investors of the certified capital company on such allocation date plus any~~
41 ~~additional capital contributions to the certified capital company.~~

42
43 (b) ~~If the certified capital company's annual internal rate of return,~~
44 ~~determined in accordance with paragraph (a) of this subsection (3),~~
45 ~~exceeds ten percent~~ ON OR AFTER THE EFFECTIVE DATE OF THIS
46 PARAGRAPH (b), AS AMENDED, ONCE A CERTIFIED CAPITAL COMPANY HAS
47 MADE QUALIFIED INVESTMENTS IN AN AMOUNT CUMULATIVELY EQUAL TO
48 ONE HUNDRED PERCENT OF THE CERTIFIED CAPITAL ALLOCATED TO ITS
49 CERTIFIED INVESTORS ON SUCH ALLOCATION DATE, then the certified
50 capital company shall annually report to the division of housing in the
51 department of local affairs the amount of money equal to ~~thirty~~ FIFTY
52 percent of any further distributions from such certified capital, other than
53 qualified distributions, ~~above the amount required to produce such ten~~
54 ~~percent return.~~ PROCEEDS OR GAINS FROM QUALIFIED INVESTMENTS, OR
55 PROCEEDS OR GAINS FROM ANY OTHER USE OF CERTIFIED CAPITAL.

SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety."

Page 1, line 102, strike "ELIMINATING THE INSURANCE";
strike lines 103 through 106 and substitute the following:

"ALLOWING A CERTIFIED CAPITAL COMPANY TO USE PROCEEDS OR GAINS FROM THE USE OF CERTIFIED CAPITAL TO PAY TAXES PASSED THROUGH TO THE EQUITY OWNERS OF THE CERTIFIED CAPITAL COMPANY AND MODIFYING THE CIRCUMSTANCES UNDER WHICH A CERTIFIED CAPITAL COMPANY MAY MAKE DISTRIBUTIONS FROM CERTIFIED CAPITAL."

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

Amend the Agriculture, Livestock, & Natural Resources Committee Report, dated March 25, 2004, page 3, line 18, after "EXPAND", insert "THE SALES TAX BASE OF ANY COUNTY IN THIS STATE, AS SUCH BASE IS DESCRIBED IN SECTIONS 29-2-105 (1) (d) AND 29-2-106 (4) (a), OR".

Page 6, line 25, strike "(A)";

line 28, after "service.", add "SUCH CONSENT SHALL NOT BE WITHHELD FOR PURPOSES OF EXTRACTING ANYTHING OF VALUE FROM THE OVERLAPPING SPECIAL DISTRICT AS INDUCEMENT FOR CONSENT.";

strike lines 29 through 33.

Page 7, strike lines 1 through 4.

JUDICIARY

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

SB04-154 be referred favorably to the Committee on Appropriations.

STATE, VETERANS, & MILITARY AFFAIRS

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

HB04-1430 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 5, line 2, strike "conducted" and substitute "called".

1 **HCR04-1001** be amended as follows, and as so amended, be referred to
2 the Committee on Finance with favorable
3 recommendation:
4

5 Amend printed concurrent resolution, page 5, strike lines 1 and 2 and
6 substitute the following:
7

8 "state of Colorado are amended to read:".
9

10 Page 6, strike lines 22 through 27.
11

12 Page 7, strike lines 1 through 3;
13

14 line 11, strike "DOWNTURN," and substitute "DOWNTURN AND";
15

16 strike lines 15 through 20 and substitute the following:
17

18 "DUE TO DECLINES IN REVENUES."".
19

20 Page 1, line 107, strike "**DOWNTURN**," and substitute "**DOWNTURN AND**";
21

22 line 112, strike "**REVENUES, AND ALLOWING**" and substitute
23 "**REVENUES.**";
24

25 strike line 113.
26

27 Page 2, strike lines 101 through 105.
28
29
30

31 **HCR04-1007** be postponed indefinitely.
32
33

34 **SB04-174** be postponed indefinitely.
35
36
37

38 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS** 39

40 The Speaker has signed: **HJR04-1050; HR04-1009; SB04-029, 057,**
41 **083, 088, 093, 098, 103, 120, 166.**
42
43
44

45 **MESSAGES FROM THE SENATE** 46

47 Madam Speaker:
48

49 The President appointed Senators Teck, chairman, Johnson, and
50 Sandoval, as members of the First Conference Committee on SB04-024.

51 The President appointed Senators Kester, chairman, Johnson, and Takis,
52 as members of the First Conference Committee on SB04-125.

53 The President appointed Senators McElhany, chairman, Dyer, and
54 Hagedorn, as members of the First Conference Committee on SB04-094.
55
56

1 The President appointed Senators Owen, chairman, Teck, and Reeves, as
2 members of the First Conference Committee on HB04-1422.
3
4
5 The Senate has passed on Third Reading and returns herewith
6 HB04-1381.
7 The Senate has passed on Third Reading and transmitted to the Revisor
8 of Statutes: SB04-207,
9 SCR04-005, amended as printed in Senate Journal, April 12, 2004, page
10 790,
11 SB04-037, amended as printed in Senate Journal, April 12, 2004, page
12 791,
13 SB04-138, amended as printed in Senate Journal, April 12, 2004, page
14 791,
15 SB04-183, amended as printed in Senate Journal, April 12, 2004, page
16 791,
17 SB04-071, amended as printed in Senate Journal, April 12, 2004, pages
18 791-792,
19 HB04-1095, amended as printed in Senate Journal, April 12, 2004, page
20 790.
21
22
23

24 MESSAGE FROM THE REVISOR

25
26 We herewith transmit:
27 Without comment, SB04-207.
28 Without comment, as amended, HB04-1095.
29 Without comment, as amended, SB04-037, 138, 183, 071, and
30 SCR04-005.
31
32
33

34 INTRODUCTION OF BILLS

35 First Reading

36
37 The following bills were read by title and referred to the committees
38 indicated:
39
40 **HB04-1436** by Representative(s) Stafford; also Senator(s) Johnson S.--
41 Concerning an increase in the maximum amounts related
42 to funeral expenses of a deceased public assistance
43 recipient.
44 Committee on Health, Environment, Welfare, & Institutions
45
46 **SB04-183** by Senator(s) Chlouber; also Representative(s) White--
47 Concerning the transfer of the division of racing events
48 from the department of revenue to the department of
49 agriculture, and making an appropriation therefor.
50 Committee on State, Veterans, & Military Affairs
51 Committee on Appropriations
52
53
54
55

INTRODUCTION OF RESOLUTIONS

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

HJR04-1060 by Representative(s) Stengel--Concerning the creation of Paralegal Day.

HJR04-1061 by Representative(s) Stafford; also Senator(s) Johnson S.--Concerning Mental Health Month in Colorado.

House in recess. House reconvened.

On motion of Representative King, at 2:31 p.m., **HB04-1003, 1287, 1300, 1075, 1362, 1171, 1202, 1227, 1231, 1249, 1406, 1426, 1431, 1409, 1427, 1359, 1034, 1077, 1256, 1261, 1360, 1392, 1430, 1190** were added to the Special Orders Calendar on Wednesday, April 14, 2004.

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

SPECIAL ORDERS--SECOND READING OF BILLS

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

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

HB04-1136 by Representative(s) Hall, Schultheis, Briggs, Cadman, Crane, Fairbank, Jahn, King, May M., McCluskey, Rose, Spradley, White, Williams T.; also Senator(s) Lamborn--Concerning an increase in the exemption from property taxation for personal property established in section 39-3-119.5, Colorado Revised Statutes.

Amendment No. 1, Finance Report, dated January 29, 2004, and placed in member's bill file; Report also printed in House Journal, January 30, page 243.

Amendment No. 2, Appropriations Report, dated April 6, 2004, and placed in member's bill file; Report also printed in House Journal, April 6, page 1228.

As amended, ordered engrossed and placed on the Calendar for Third Reading and Final Passage.

1 **HB04-1144** by Representative(s) Judd, Decker, Jahn, McGihon; also
2 Senator(s) Reeves--Concerning the interception of the
3 payment of specified claims to satisfy certain obligations
4 of the claimant.
5

6 Amendment No. 1, Information & Technology Report, dated February 2,
7 2004, and placed in member's bill file; Report also printed in House
8 Journal, February 3, pages 281-286.
9

10 Amendment No. 2, Finance Report, dated February 4, 2004, and placed
11 in member's bill file; Report also printed in House Journal, February 6,
12 pages 363-364.
13

14 Amendment No. 3, Appropriations Report, dated April 6, 2004, and
15 placed in member's bill file; Report also printed in House Journal, April
16 6, page 1228.
17

18 Amendment No. 4, by Representative Judd.
19

20 Amend the Information and Technology Committee Report, dated
21 February 2, 2004, page 2, after line 10, insert the following:
22

23 "SECTION 2. Part 1 of article 11 of title 16, Colorado Revised
24 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
25 read:
26

27 **16-11-101.8. State income tax refund offsets - fines, fees, costs,**
28 **and surcharges.** (1) IN ANY CASE IN WHICH A DEFENDANT HAS AN
29 UNSATISFIED FINE, FEE, COST, OR SURCHARGE OBLIGATION IMPOSED
30 PURSUANT TO LAW OR A COURT ORDER, THE JUDICIAL DEPARTMENT IS
31 AUTHORIZED TO TRANSMIT DATA CONCERNING THE OBLIGATION TO THE
32 DEPARTMENT OF REVENUE FOR THE PURPOSE OF CONDUCTING A DATA
33 MATCH AND OFFSETTING THE OBLIGATION AGAINST A STATE INCOME TAX
34 REFUND PURSUANT TO SECTION 39-21-108 (3), C.R.S. FOR ANY
35 OBLIGATION IDENTIFIED BY THE JUDICIAL DEPARTMENT FOR OFFSET, THE
36 STATE COURT ADMINISTRATOR SHALL:
37

38 (a) ON AT LEAST AN ANNUAL BASIS, CERTIFY TO THE DEPARTMENT
39 OF REVENUE THE SOCIAL SECURITY NUMBER OF THE DEFENDANT WHO IS
40 OBLIGATED TO PAY THE OBLIGATION AND THE AMOUNT OF THE
41 OUTSTANDING OBLIGATION. THE DEPARTMENT OF REVENUE MAY REQUEST
42 ADDITIONAL IDENTIFYING INFORMATION FROM THE JUDICIAL DEPARTMENT
43 THAT IS NECESSARY TO OBTAIN AN ACCURATE DATA MATCH;
44

45 (b) UPON NOTIFICATION BY THE DEPARTMENT OF REVENUE OF A
46 DATA MATCH, NOTIFY THE APPROPRIATE COURT THAT A MATCH HAS
47 OCCURRED AND THAT AN OFFSET IS PENDING AND PROVIDE TO THE COURT
48 THE IDENTIFYING INFORMATION RECEIVED FROM THE DEPARTMENT
49 CONCERNING THE DEFENDANT WHOSE STATE INCOME TAX REFUND IS
50 SUBJECT TO THE OFFSET;
51

52 (c) PROVIDE OR REQUIRE THE APPROPRIATE COURT TO PROVIDE
53 WRITTEN NOTICE TO THE DEFENDANT THAT THE STATE INTENDS TO OFFSET
54 THE DEFENDANT'S OBLIGATION AGAINST HIS OR HER STATE INCOME TAX
55 REFUND AND THAT THE DEFENDANT HAS THE RIGHT TO OBJECT TO THE
56 OFFSET AND REQUEST AN ADMINISTRATIVE REVIEW; AND

1 (d) UPON RECEIPT OF FUNDS FOR OFFSET FROM THE DEPARTMENT
2 OF REVENUE, TRANSMIT THE FUNDS TO THE APPROPRIATE COURT.

3
4 (2) THE CLERK OF COURT SHALL APPLY FUNDS RECEIVED
5 PURSUANT TO THIS SECTION TO THE DEFENDANT'S OUTSTANDING FINES,
6 FEES, COSTS, OR SURCHARGES. IF THE MONEYS RECEIVED EXCEED THE
7 DEFENDANT'S CURRENT OBLIGATION, THE EXCESS MAY BE APPLIED TO
8 OTHER FINANCIAL OBLIGATIONS THE DEFENDANT OWES THE COURT OR THE
9 JUDICIAL DEPARTMENT. IF NO OTHER FINANCIAL OBLIGATIONS ARE OWED,
10 THE CLERK OF COURT SHALL REFUND ANY EXCESS MONEYS TO THE
11 DEFENDANT.

12
13 (3) THE STATE COURT ADMINISTRATOR MAY ADOPT RULES
14 ESTABLISHING THE PROCESS BY WHICH A DEFENDANT MAY OBJECT TO AN
15 OFFSET AND REQUEST AN ADMINISTRATIVE REVIEW. THE SOLE ISSUES TO
16 BE DETERMINED AT THE ADMINISTRATIVE REVIEW SHALL BE WHETHER THE
17 PERSON IS REQUIRED TO PAY THE FINES, FEES, COSTS, OR SURCHARGES
18 PURSUANT TO LAW OR AN ORDER ENTERED BY A COURT OF THIS STATE AND
19 THE AMOUNT OF THE OUTSTANDING FINES, FEES, COSTS, OR SURCHARGES.

20
21 (4) THE DEPARTMENT OF REVENUE IS AUTHORIZED TO RECEIVE
22 DATA FROM THE JUDICIAL DEPARTMENT AND EXECUTE OFFSETS OF STATE
23 INCOME TAX REFUNDS IN ACCORDANCE WITH THIS SECTION AND SECTION
24 39-21-108 (3), C.R.S.

25
26 (5) AS USED IN THIS SECTION, "DEFENDANT" MEANS ANY PERSON
27 WHO HAS BEEN ASSESSED A FINE, FEE, COST, OR SURCHARGE AS AN ADULT
28 OR JUVENILE PURSUANT TO LAW OR A COURT ORDER."

29
30 Renumber succeeding sections accordingly.

31
32 Page 2, line 19, strike "A NEW SECTION" and substitute "THE
33 FOLLOWING NEW SECTIONS".

34
35 Page 3, after line 9, insert the following:

36
37 **"16-18.5-106.8. State income tax refund offsets - restitution.**

38 (1) IN ANY CASE IN WHICH A DEFENDANT HAS AN UNSATISFIED
39 RESTITUTION OBLIGATION ORDERED PURSUANT TO SECTION 18-1.3-603 OR
40 19-2-918, C.R.S., THE JUDICIAL DEPARTMENT IS AUTHORIZED TO TRANSMIT
41 DATA CONCERNING THE OBLIGATION TO THE DEPARTMENT OF REVENUE
42 FOR THE PURPOSE OF CONDUCTING A DATA MATCH AND OFFSETTING THE
43 RESTITUTION OBLIGATION AGAINST A STATE INCOME TAX REFUND
44 PURSUANT TO SECTION 39-21-108 (3), C.R.S. FOR ANY RESTITUTION
45 OBLIGATION IDENTIFIED BY THE JUDICIAL DEPARTMENT FOR OFFSET, THE
46 STATE COURT ADMINISTRATOR SHALL:

47
48 (a) ON AT LEAST AN ANNUAL BASIS, CERTIFY TO THE DEPARTMENT
49 OF REVENUE THE SOCIAL SECURITY NUMBER OF THE DEFENDANT WHO IS
50 OBLIGATED TO PAY THE RESTITUTION OBLIGATION AND THE AMOUNT OF
51 THE OUTSTANDING RESTITUTION OBLIGATION. THE DEPARTMENT OF
52 REVENUE MAY REQUEST ADDITIONAL IDENTIFYING INFORMATION FROM
53 THE JUDICIAL DEPARTMENT THAT IS NECESSARY TO OBTAIN AN ACCURATE
54 DATA MATCH.

55

1 (b) UPON NOTIFICATION BY THE DEPARTMENT OF REVENUE OF A
2 DATA MATCH, NOTIFY THE APPROPRIATE COURT THAT A MATCH HAS
3 OCCURRED AND THAT AN OFFSET IS PENDING AND PROVIDE TO THE COURT
4 THE IDENTIFYING INFORMATION RECEIVED FROM THE DEPARTMENT
5 CONCERNING THE DEFENDANT WHOSE STATE INCOME TAX REFUND IS
6 SUBJECT TO THE OFFSET;

7
8 (c) PROVIDE OR REQUIRE THE APPROPRIATE COURT TO PROVIDE
9 WRITTEN NOTICE TO THE DEFENDANT THAT THE STATE INTENDS TO OFFSET
10 THE DEFENDANT'S RESTITUTION OBLIGATION AGAINST HIS OR HER STATE
11 INCOME TAX REFUND AND THAT THE DEFENDANT HAS THE RIGHT TO
12 OBJECT TO THE OFFSET AND REQUEST AN ADMINISTRATIVE REVIEW; AND
13

14 (d) UPON RECEIPT OF FUNDS FOR OFFSET FROM THE DEPARTMENT
15 OF REVENUE, TRANSMIT THE FUNDS TO THE APPROPRIATE COURT.
16

17 (2) THE CLERK OF COURT SHALL APPLY FUNDS RECEIVED
18 PURSUANT TO THIS SECTION TO THE DEFENDANT'S OUTSTANDING
19 RESTITUTION OBLIGATION. IF THE MONEYS RECEIVED EXCEED THE
20 DEFENDANT'S CURRENT RESTITUTION OBLIGATION, THE EXCESS MAY BE
21 APPLIED TO OTHER FINANCIAL OBLIGATIONS THE DEFENDANT OWES THE
22 COURT OR THE JUDICIAL DEPARTMENT. IF NO OTHER FINANCIAL
23 OBLIGATIONS ARE OWED, THE CLERK OF COURT SHALL REFUND ANY
24 EXCESS TO THE DEFENDANT.
25

26 (3) THE STATE COURT ADMINISTRATOR MAY ADOPT RULES
27 ESTABLISHING THE PROCESS BY WHICH A DEFENDANT MAY OBJECT TO AN
28 OFFSET AND REQUEST AN ADMINISTRATIVE REVIEW. THE SOLE ISSUES TO
29 BE DETERMINED AT THE ADMINISTRATIVE REVIEW SHALL BE WHETHER THE
30 PERSON IS REQUIRED TO PAY THE RESTITUTION AND THE AMOUNT OF THE
31 OUTSTANDING RESTITUTION.
32

33 (4) THE DEPARTMENT OF REVENUE IS AUTHORIZED TO RECEIVE
34 DATA FROM THE JUDICIAL DEPARTMENT AND EXECUTE OFFSETS OF STATE
35 INCOME TAX REFUNDS IN ACCORDANCE WITH THIS SECTION AND SECTION
36 39-21-108 (3), C.R.S.
37

38 (5) AS USED IN THIS SECTION, "DEFENDANT" MEANS ANY PERSON,
39 INCLUDING AN ADULT OR JUVENILE, WHO HAS BEEN ORDERED TO PAY
40 RESTITUTION PURSUANT TO SECTION 18-1.3-603 OR 19-2-918, C.R.S.";

41
42 after line 30, insert the following:

43 "SECTION 6. 39-21-108 (3) (a) (I) (A) and (3) (b), Colorado
44 Revised Statutes, are amended, and the said 39-21-108 (3) (a) is further
45 amended BY THE ADDITION OF A NEW SUBPARAGRAPH, to read:
46

47 **39-21-108. Refunds.** (3) (a) (I) (A) Whenever it is established
48 that any taxpayer has, for any period open under the statutes, overpaid a
49 tax covered by articles 22 and 26 to 29 of this title, article 60 of title 34,
50 C.R.S., and article 3 of title 42, or part 4 of article 37.5 of title 11, C.R.S.,
51 and that there is an unpaid balance of tax and interest accrued, according
52 to the records of the executive director, owing by such taxpayer for any
53 other period or that there is an amount required to be repaid to the
54 unemployment compensation fund pursuant to section 8-81-101 (4),
55 C.R.S., the amount of which has been determined to be owing as a result
56 of a final agency determination or judicial decision or which has been

1 reduced to judgment by the division of employment and training in the
2 department of labor and employment, or that there is any unpaid child
3 support debt as set forth in section 14-14-104, C.R.S., or child support
4 arrearages that are the subject of enforcement services provided pursuant
5 to section 26-13-106, C.R.S., as certified by the department of human
6 services, or that there are any unpaid obligations owing to the state as set
7 forth in section 26-2-133, C.R.S., for overpayment of public assistance
8 or medical assistance benefits, the amount of which has been determined
9 to be owing as a result of final agency determination or judicial decision
10 or which has been reduced to judgment, as certified by the department of
11 human services, or that there is any unpaid loan or other obligation due
12 to a state-supported institution of higher education as set forth in section
13 23-5-115, C.R.S., the amount of which has been determined to be owing
14 as a result of a final agency determination or judicial decision or which
15 has been reduced to judgment, as certified by the appropriate institution,
16 or that there is any unpaid loan due to the student loan division of the
17 department of higher education as set forth in section 23-3.1-104 (1) (p),
18 C.R.S., the amount of which has been determined to be owing as a result
19 of a final agency determination or judicial decision or which has been
20 reduced to judgment, as certified by the division, or there is any unpaid
21 loan due to the Colorado student obligation bond authority division of the
22 department of higher education as set forth in section 23-3.1-206, C.R.S.,
23 the amount of which has been determined to be owing as a result of a
24 final agency determination or judicial decision or which has been reduced
25 to judgment, OR THAT THERE IS ANY OUTSTANDING JUDICIAL FINE, FEE,
26 COST, OR SURCHARGE AS SET FORTH IN SECTION 16-11-101.8, C.R.S., OR
27 JUDICIAL RESTITUTION AS SET FORTH IN SECTION 16-18.5-106.8, C.R.S.,
28 THE AMOUNT OF WHICH HAS BEEN DETERMINED TO BE OWING AS A RESULT
29 OF A FINAL JUDICIAL DEPARTMENT DETERMINATION OR CERTIFIED BY THE
30 JUDICIAL DEPARTMENT AS A JUDGMENT OWED THE STATE OR A VICTIM, or
31 that there is any unpaid debt owing to the state or any agency thereof by
32 such taxpayer, and which is found to be owing as a result of a final
33 agency determination or the amount of which has been reduced to
34 judgment and as certified by the controller, or that the taxpayer is a
35 qualified individual identified pursuant to section 39-22-120 (10) or
36 39-22-2003 (9), so much of the overpayment of tax plus interest
37 allowable thereon as does not exceed the amount of such unpaid balance
38 or unpaid debt shall be credited first to the unpaid balance of tax and
39 interest accrued and then to the unpaid debt, and any excess of the
40 overpayment shall be refunded. If the taxpayer elects to designate his or
41 her refund as a credit against a subsequent year's tax liability, the amount
42 allowed to be so credited shall be reduced first by the unpaid balance of
43 tax and interest accrued and then by the unpaid debt. If the taxpayer filed
44 a joint return, the executive director shall notify the taxpayer's spouse that
45 the portion of the overpayment that is generated by the spouse's income
46 shall be refunded upon receipt of a request detailing said amount. As
47 used in this section, unless the context otherwise requires, "agency"
48 includes state-supported institutions of higher education.

49
50 (VIII) ANY MONEYS WITHHELD FOR PAYMENT OF AN OBLIGATION
51 CERTIFIED BY THE JUDICIAL DEPARTMENT PURSUANT TO SECTION
52 16-11-101.8 OR 16-18.5-106.8, C.R.S., SHALL BE TRANSFERRED TO THE
53 JUDICIAL DEPARTMENT. AT THE TIME OF THE OFFSET, THE EXECUTIVE
54 DIRECTOR SHALL NOTIFY THE TAXPAYER OF THE OFFSET AND SHALL
55 PROVIDE TO THE JUDICIAL DEPARTMENT THE NAME, ADDRESS, AND SOCIAL
56 SECURITY NUMBER OR FEDERAL EMPLOYER IDENTIFICATION NUMBER,

1 WHICHEVER IS APPLICABLE, OF THE TAXPAYER WHOSE REFUND IS BEING
2 OFFSET, THE AMOUNT OF THE OFFSET, AND ANY OTHER IDENTIFYING
3 INFORMATION AS REQUIRED BY THE JUDICIAL DEPARTMENT.
4

5 (b) In the event there are debts for overpayments of
6 unemployment insurance pursuant to section 8-81-101 (4), C.R.S., debts
7 for unpaid child support, as set forth in section 26-13-111, C.R.S., debts
8 for overpayment of public assistance or medical assistance benefits, as set
9 forth in section 26-2-133, C.R.S., debts for any unpaid loan or other
10 obligation due to a state-supported institution of higher education, as set
11 forth in section 23-5-115, C.R.S., debts for any unpaid loan due to the
12 student loan division of the department of higher education, as set forth
13 in section 23-3.1-104 (1) (p), C.R.S., ANY AMOUNTS OWED FOR JUDICIAL
14 FINES, FEES, COSTS, OR SURCHARGES, AS SET FORTH IN SECTION
15 16-11-101.8, C.R.S., ANY AMOUNTS OWED FOR JUDICIAL RESTITUTION, AS
16 SET FORTH IN SECTION 16-18.5-106.8, C.R.S., and other unpaid debts
17 owing to the state or any agency thereof, as set forth in this subsection
18 (3), then credit to the unpaid debts shall be prorated on the basis of the
19 ratio of the amount of each such unpaid debt as compared to the total
20 amount of unpaid debts."

21
22 Renumber succeeding sections accordingly.
23

24 As amended, ordered engrossed and placed on the Calendar for Third
25 Reading and Final Passage.
26

27 **HB04-1405** by Representative(s) Spradley, King, Romanoff; also
28 Senator(s) Andrews, Fitz-Gerald, Grossman, Veiga--
29 Concerning the power of the Colorado educational and
30 cultural facilities authority to enter into additional
31 financing agreements.
32

33 Ordered engrossed and placed on the Calendar for Third Reading and
34 Final Passage.
35

36 **HB04-1425** by Representative(s) King; also Senator(s) Hillman--
37 Concerning the legal publication of state ballot measures.
38

39 Ordered engrossed and placed on the Calendar for Third Reading and
40 Final Passage.
41

42 **HB04-1287** by Representative(s) Wiens, Harvey, Williams T., Larson,
43 May M., Rhodes; also Senator(s) Evans--Concerning
44 medical payments coverage for persons injured in a motor
45 vehicle accident when the services are provided by
46 emergency medical professionals.
47

48 Amendment No. 1, Appropriations Report, dated March 26, 2004, and
49 placed in member's bill file; Report also printed in House Journal, March
50 26, page 1100.
51

52 Amendment No. 2, by Representatives Madden, Wiens.
53

54 Amend printed bill, page 4, line 1, after the period, insert "THE INSURED
55 SHALL ACKNOWLEDGE, IN THE SAME MEDIUM IN WHICH THE APPLICATION
56 WAS TAKEN, THAT THE INSURED HAS ACCEPTED OR DECLINED THE

1 COVERAGES PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (2).";
2
3 line 2, strike "WAIVER." and substitute "WAIVER AND
4 ACKNOWLEDGMENT."
5
6 Amendment No. 3, by Representatives Berry, Wiens.
7
8 Amend printed bill, page 3, line 20 strike "6 IS" and substitute "6,";
9
10 line 21, strike "COMPENSATION" and, before "UP", insert "SHALL BE AT
11 LEAST TEN THOUSAND DOLLARS";
12
13 line 22, strike "THIRTY-FIVE" and substitute "FIFTY".
14
15 Amendment No. 4, by Representative Sinclair.
16
17 Amend printed bill, page 4, strike lines 22 through 27.
18
19 Renumber succeeding subsections accordingly.
20
21 Amendment No. 5, by Representatives Cadman, Paccione, White.
22
23 Amend printed bill, page 2, strike line 1.
24
25 As amended, declared **lost** on Second Reading.
26
27 **HB04-1300** by Representative(s) Garcia, Carroll; also Senator
28 Sandoval--Concerning the regulation of notaries public,
29 and, in connection therewith, modernizing the office of
30 notary public.
31
32 Amendment No. 1, Judiciary Report, dated February 19, 2004, and placed
33 in member's bill file; Report also printed in House Journal, February 20,
34 page 586.
35
36 Amendment No. 2, Finance Report, dated March 4, 2004, and placed in
37 member's bill file; Report also printed in House Journal, March 5, page
38 763.
39
40 Amendment No. 3, Appropriations Report, dated March 26, 2004, and
41 placed in member's bill file; Report also printed in House Journal, March
42 26, pages 1100-1101.
43
44 Amendment No. 4, by Representative Garcia.
45
46 Amend the Finance Committee Report, dated March 4, 2004, page 1, line
47 7, strike "AN ELECTRONIC JOURNAL" and substitute "A JOURNAL.";"
48
49 strike line 8 of the Finance Committee Report;
50
51 after line 8 of the Finance Committee Report, insert the following:
52
53 "after line 9 of the committee report, insert the following:
54
55 "Page 3, strike line 2 and substitute the following:
56 "ELECTRONICALLY.";

1 line 3, strike "DOCUMENT.";"

2
3 line 10 of the committee report, strike "Page 3,"

4
5 strike line 15 of the committee report and substitute the following:

6
7 "strike lines 24 through 27 and substitute the following:

8
9 "(4) EXCEPT AS OTHERWISE EXEMPTED BY PARAGRAPH (a) OF
10 SUBSECTION (3) OF THIS SECTION OR BY ANOTHER LAW OF THIS STATE, FOR
11 EACH ELECTRONIC RECORD OR DOCUMENT SIGNED BY THE NOTARY PUBLIC,
12 THE NOTARY PUBLIC SHALL RECORD THE DOCUMENT AUTHENTICATION
13 NUMBER ISSUED BY THE SECRETARY OF STATE FOR EACH DOCUMENT
14 AUTHENTICATED IN THE JOURNAL PURSUANT TO THIS SECTION."

15
16 Page 5, strike lines 1 through 4.";"

17
18 strike line 9 of the Finance Committee Report and substitute the
19 following:

20
21 "Strike page 2 of the committee report and substitute the following:"

22
23 Page 2 of the Finance Committee Report, line 3, strike "AN ELECTRONIC
24 JOURNAL ISSUED PURSUANT" and substitute "A JOURNAL IF MAINTAINING
25 SUCH JOURNAL IS REQUIRED";

26
27 line 4, of the Finance Committee Report, strike "TO" and substitute "BY";

28
29 strike lines 5 and 6 of the Finance Committee Report and substitute the
30 following:

31
32 "(b) THE NOTARY ATTACHES TO THE DOCUMENT A DOCUMENT
33 AUTHENTICATION NUMBER ISSUED BY THE SECRETARY OF STATE."."

34
35 Amendment No. 5, by Representative Garcia.

36
37 Amend printed bill, page 5, strike line 10 and substitute the following:

38
39 "SIGNATURE.

40
41 **SECTION 7.** 38-35-106, Colorado Revised Statutes, is amended
42 BY THE ADDITION OF A NEW SUBSECTION to read:

43
44 **38-35-106. Deeds - acknowledgment, absent or defective -**
45 **notice - deemed proper, when.** (3) A DOCUMENT REQUIRED OR
46 PERMITTED TO BE ACKNOWLEDGED AFFECTING TITLE TO REAL PROPERTY
47 THAT IS SIGNED IN A PERSON'S OFFICIAL CAPACITY BY A PUBLIC TRUSTEE,
48 COUNTY TREASURER, COUNTY SHERIFF, OR A DEPUTY OF SUCH AN OFFICIAL
49 ACTING FOR THAT OFFICIAL THAT CONTAINS THE SEAL OF SUCH AN
50 OFFICIAL SHALL BE DEEMED TO HAVE BEEN PROPERLY ACKNOWLEDGED."

51
52 Renumber succeeding section accordingly.

53
54 As amended, ordered engrossed and placed on the Calendar for Third
55 Reading and Final Passage.

56

1 **HB04-1075** by Representative(s) Romanoff; also Senator(s) Johnson--
2 Concerning continued services for women in the treatment
3 program for high-risk pregnant women.
4

5 Amendment No. 1, Health, Environment, Welfare, & Institutions Report,
6 dated February 4, 2004, and placed in member's bill file; Report also
7 printed in House Journal, February 5, page 323.
8

9 Amendment No. 2, Appropriations Report, dated April 6, 2004, and
10 placed in member's bill file; Report also printed in House Journal, April
11 6, page 1226.
12

13 As amended, ordered engrossed and placed on the Calendar for Third
14 Reading and Final Passage.
15

16 **HB04-1171** by Representative(s) Weddig, Borodkin; also Senator(s)
17 Hagedorn--Concerning authorization for the state
18 personnel director to contract with any necessary
19 organization to create a retirement health savings trust for
20 the benefit of state employees.
21

22 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
23 February 3, 2004, and placed in member's bill file; Report also printed in
24 House Journal, February 5, page 327.
25

26 Amendment No. 2, Appropriations Report, dated April 7, 2004, and
27 placed in member's bill file; Report also printed in House Journal, April
28 7, pages 1245-1246.
29

30 As amended, ordered engrossed and placed on the Calendar for Third
31 Reading and Final Passage.
32

33 **HB04-1202** by Representative(s) Pommer--Concerning the funding of
34 "Colorado History Day", and making an appropriation
35 therefor.
36

37 Amendment No. 1, Appropriations Report, dated April 7, 2004, and
38 placed in member's bill file; Report also printed in House Journal, April
39 7, page 1247.
40

41 Amendment No. 2, by Representative Pommer.
42

43 Amend the Appropriations Committee Report, dated April 7, 2004, page
44 2, line 5, strike "twenty" and substitute "ten";
45

46 line 6, strike "(20,000)," and substitute "(\$10,000),".
47

48 As amended, ordered engrossed and placed on the Calendar for Third
49 Reading and Final Passage.
50

51 **HB04-1231** by Representative(s) Larson, Welker; also Senator(s)
52 Chlouber, May R.--Concerning the conditions applicable
53 to the holders of commercial drivers' licenses.
54
55

1 Amendment No. 1, Transportation & Energy Report, dated March 4,
2 2004, and placed in member's bill file; Report also printed in House
3 Journal, March 5, pages 766-769.

4
5 As amended, ordered engrossed and placed on the Calendar for Third
6 Reading and Final Passage.

7
8 **HB04-1249** by Representative(s) Williams S., Boyd, Carroll, Hodge,
9 Jahn, Judd, Madden, McFadyen, Merrifield, Miller, Rose,
10 Tochtrop, Williams T.; also Senator(s) Kester--Concerning
11 an increase in the current exemption from property
12 taxation established in section 39-3-119.5, Colorado
13 Revised Statutes, for personal property.

14
15 Amendment No. 1, Appropriations Report, dated April 7, 2004, and
16 placed in member's bill file; Report also printed in House Journal, April
17 7, pages 1247-1248.

18
19 As amended, ordered engrossed and placed on the Calendar for Third
20 Reading and Final Passage.

21
22 **HB04-1406** by Representative(s) Clapp; also Senator(s) Johnson S.--
23 Concerning notification to the public of professional
24 malpractice judgments by the state board of medical
25 examiners.

26
27 Amendment No. 1, Health, Environment, Welfare, & Institutions Report,
28 dated April 5, 2004, and placed in member's bill file; Report also printed
29 in House Journal, April 7, page 1248.

30
31 As amended, ordered engrossed and placed on the Calendar for Third
32 Reading and Final Passage.

33
34 **HB04-1426** by Representative(s) Hoppe, Miller, Brophy, Hodge,
35 Johnson R., McCluskey, Rose, Spradley, Tochtrop, White;
36 also Senator(s) Chlouber, Entz--Concerning a requirement
37 that applicants for a mining permit issued pursuant to the
38 "Colorado Mined Land Reclamation Act" mail a copy of
39 the application to only those surface owners whose
40 interests appear of record.

41
42 Ordered engrossed and placed on the Calendar for Third Reading and
43 Final Passage.

44
45 **HB04-1431** by Representative(s) Rose; also Senator McElhany--
46 Concerning the continuation of the wildlife management
47 public education advisory council.

48
49 Ordered engrossed and placed on the Calendar for Third Reading and
50 Final Passage.

51
52 **HB04-1409** by Representative(s) Fairbank, Lee, Brophy, King,
53 Lundberg, Mitchell, Rhodes, Rose, Spence--Concerning a
54 prohibition against a school district employee serving as a
55 school director of a school district.

56

1 Amendment No. 1, Education Report, dated April 7, 2004, and placed in
 2 member's bill file; Report also printed in House Journal, April 8, page
 3 1255.

4
 5 As amended, ordered engrossed and placed on the Calendar for Third
 6 Reading and Final Passage.

7
 8 On motion of Representative King, the remainder of the Special Orders
 9 Calendar (**HB04-1003, 1362, 1227, 1427, 1359, 1034, 1077, 1256, 1261,**
 10 **1360, 1392, 1430, 1190**) was laid over until April 15, retaining place on
 11 Calendar.

12 13 14 15 **AMENDMENTS TO THE COMMITTEE OF THE WHOLE REPORT**

16
 17 Representatives Wiens, Butcher, Frangas, Harvey, and Tochtrop moved
 18 to amend the Report of the Committee of the Whole to show that the
 19 Amendment No. 5 by Representatives Cadman, Paccione, and White ,
 20 printed in House Journal April 14, page 1312, lines 22 through 24 to
 21 **HB04-1287**, did not pass, and that **HB04-1287**, as amended, did pass.

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

24	YES	22	NO	39	EXCUSED	04	ABSENT	00
25	Berry	Y	Garcia	N	McCluskey	N	Sinclair	N
26	Borodkin	N	Hall	N	McFadyen	N	Smith	E
27	Boyd	Y	Harvey	Y	McGihon	N	Spence	Y
28	Briggs	N	Hefley	Y	Merrifield	N	Stafford	Y
29	Brophy	N	Hodge	N	Miller	N	Stengel	N
30	Butcher	Y	Hoppe	N	Mitchell	E	Tochtrop	Y
31	Cadman	N	Jahn	N	Paccione	N	Vigil	E
32	Carroll	N	Johnson	N	Plant	Y	Weddig	N
33	Cerbo	N	Judd	Y	Pommer	N	Weissmann	N
34	Clapp	Y	King	N	Ragsdale	N	Welker	N
35	Cloer	Y	Larson	Y	Rhodes	Y	White	N
36	Coleman	Y	Lee	N	Rippy	N	Wiens	Y
37	Crane	N	Lundberg	N	Romanoff	Y	Williams S.	N
38	Decker	N	Madden	Y	Rose	Y	Williams T.	Y
39	Fairbank	N	Marshall	N	Salazar	N	Witwer	N
40	Frangas	Y	May	E	Schultheis	N	Young	N
41							Speaker	Y

42
 43
 44 Representatives Merrifield and Larson moved to amend the Report of the
 45 Committee of the Whole to show that **HB04-1409**, as amended, did not
 46 pass.

47
 48 Less than a majority of those elected to the House voted in the affirmative
 49 and the amendment was declared **lost** by the following roll call vote:

50	YES	31	NO	29	EXCUSED	05	ABSENT	00
51	Berry	N	Garcia	Y	McCluskey	N	Sinclair	N
52	Borodkin	Y	Hall	N	McFadyen	Y	Smith	E
53	Boyd	Y	Harvey	N	McGihon	Y	Spence	N
54	Briggs	N	Hefley	N	Merrifield	Y	Stafford	N
55	Brophy	N	Hodge	Y	Miller	Y	Stengel	N

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

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Passed Second Reading: **HB04-1136 amended, 1144 amended, 1405, 1425, 1300 amended, 1075 amended, 1171 amended, 1202 amended, 1231 amended, 1249 amended, 1406 amended, 1426, 1431, 1409 amended.**

Lost on Second Reading: **HB04-1287 amended.**

Laid over until date indicated retaining place on Calendar: **HB04-1003, 1362, 1227, 1427, 1359, 1034, 1077, 1256, 1261, 1360, 1392, 1430, 1190-- April 15, 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	60	NO	00	EXCUSED	05	ABSENT	00
Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
Borodkin	Y	Hall	Y	McFadyen	Y	Smith	E
Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
Butcher	Y	Hoppe	Y	Mitchell	E	Tochtrop	Y
Cadman	Y	Jahn	Y	Paccione	Y	Vigil	E
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.	E
Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
Frangas	Y	May	E	Schultheis	Y	Young	Y
						Speaker	Y

REPORTS OF COMMITTEES OF REFERENCE**BUSINESS AFFAIRS & LABOR**

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

HB04-1429 be postponed indefinitely.

SB04-078 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Amend reengrossed bill, page 4, line 1, strike "part 7 of article 4 and" and substitute "~~part 7 of article 4 and~~".

Page 6, line 12, strike "part" and substitute "~~part~~";

line 13, strike "7 of article 4 and" and substitute "~~7 of article 4 and~~".

Page 7, strike lines 5 through 12 and substitute the following:

"supplementary thereto, ~~which~~ AS the commissioner deems necessary. A synopsis of such statement, together with the commissioner's certificate of authority to transact business in this state, shall be published in some newspaper of general circulation, published at the state capital, for at least four insertions. Such publication shall be made within thirty days after such certificate of authority is issued, and a copy of the paper containing such publication shall be filed in the office of the commissioner. The commissioner shall revoke and refuse to reissue the".

Page 12, line 9, after "defined", insert "AS NONADMITTED ASSETS", and strike "part 7 of article 4 and" and substitute "~~part 7 of article 4 and~~";

line 10, strike "AS NONADMITTED";

line 11, strike "ASSETS";

line 19, strike "part 7 of" and substitute "~~part 7 of~~";

line 20, strike "article 4 and" and substitute "~~article 4 and~~".

SB04-201 be postponed indefinitely.

MESSAGE FROM THE SENATE

Madam Speaker:

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

SB04-144, amended as printed in Senate Journal, April 13, 2004, page 799.

1 The Senate has adopted and transmits herewith: SJR04-041.

2
3
4 The Senate granted permission to members of the First Conference
5 Committee on HB04-1422, to consider matters not at issue between the
6 two houses.

7 The Senate has voted not to concur in House Amendments to SB04-108,
8 and requests that a Conference Committee be appointed. The Senate
9 granted permission to members of the First Conference Committee on
10 SB04-108, to consider matters not at issue between the two houses. The
11 bill is transmitted herewith.

12 The Senate voted to recall HB04-1150, for purposes of reconsideration,
13 and requests the return of the bill.

14
15
16
17 **MESSAGE FROM THE REVISOR**

18
19 We herewith transmit:
20 Without comment, as amended, SB04-144.

21
22
23
24 **MESSAGES FROM THE GOVERNOR**

25
26 I certify I received the following on the 14th day of April, 2004, at 2:55
27 p.m. The original is on file in the records of the House of
28 Representatives of the General Assembly.

29
30 Judith Rodrigue,
31 Chief Clerk of the House

32 April 13, 2004

33
34 To the Honorable
35 House of Representatives
36 Sixty-fourth General Assembly
37 Second Regular Session
38 Denver, CO 80203

39
40 Ladies and Gentlemen:

41
42 I have the honor to inform you that I have approved and filed with the
43 Secretary of State the following acts:

44
45 **HB04-1039** Concerning The Expansion Of The Teacher Loan
46 Forgiveness Pilot Program To Include A Teacher Who Is
47 Hired To Teach In A Qualified Position After His Or Her
48 First Year Of Teaching.

49
50 Approved April 13, 2004 at 4:41 P.M.

51
52 **HB04-1057** Concerning Newspaper Theft.

53
54 Approved April 13, 2004 at 4:45 P.M.

55
56

1 **HB04-1074** Concerning A Department Of Corrections Reentry
2 Program.
3

4 Approved April 13, 2004 at 4:46 P.M.
5

6 **HB04-1217** Concerning Changes To The School Accountability
7 Report To Include A Page That Specifies Certain
8 Information A Parent May Request From A School.
9

10 Approved April 13, 2004 at 4:50 P.M.
11

12 **HB04-1226** Concerning The Authority For A Bank To Utilize A
13 Certificate Of Trust To Establish A Deposit Account.
14

15 Approved April 13, 2004 at 4:51 P.M.
16

17 **HB04-1232** Concerning Guidelines For When Enhanced Motor
18 Vehicle Insurance Coverage Is Offered.
19

20 Approved April 13, 2004 at 4:52 P.M.
21

22 **HB04-1264** Concerning Billing Cycles For Payments To Providers
23 Under The "Colorado Medical Assistance Act".
24

25 Approved April 13, 2004 at 4:55 P.M.
26

27 **HB04-1285** Concerning Disclosure Of Outstanding Debt By A Health
28 Care Provider Prior To Such Debt Going To Collections.
29

30 Approved April 13, 2004 at 4:56 P.M.
31

32 **HB04-1308** Concerning The Requirement Of Pedigree Papers For The
33 Distribution Of Prescription Drugs.
34

35 Approved April 13, 2004 at 5:00 P.M.
36

37 **HB04-1368** Concerning The Repeal Of The Requirement That A
38 Person File A Report With The Department Of Revenue
39 After A Motor Vehicle Accident If Such A Person Failed
40 To Demonstrate Financial Responsibility For The Motor
41 Vehicle.
42

43 Approved April 13, 2004 at 5:02 P.M.
44

45 **HB04-1379** Concerning Reports Received By The General Assembly
46 That Concern Matters To Be Heard By The Health,
47 Environment, Welfare, And Institutions Committees
48 Pursuant To Colorado's "Information Coordination Act".
49

50 Approved April 14, 2004 at 9:45 A.M.
51

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

1 April 14, 2004

2

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

8

9 Ladies and Gentlemen:

10

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

13

14 **HB04-1354** Concerning Enactment Of The "Health Care Credentials
15 Uniform Application Act".

16

17 Approved April 14, 2004 at 9:40 A.M.

18

19 Sincerely,
20 (signed)
21 Bill Owens
22 Governor

23

24

25

26

27

INTRODUCTION OF RESOLUTIONS

28

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

31

32 **HJR04-1062** by Representative(s) Weissmann, Mitchell; also Senator(s)
33 Tupa--Concerning the general assembly urging the
34 National Aeronautics and Space Administration to
35 reconsider its decision to not extend the life of the Hubble
36 Space Telescope.

37

38 **HJR04-1063** by Representative(s) Merrifield, Cadman, Cloer, Decker,
39 Hefley, King, Schultheis, Sinclair; also Senator(s) Jones--
40 Concerning the designation of "Welcome Home Day" to
41 welcome local area troops who have been serving overseas
42 back to Colorado.

43

44

45 The following resolution was read by title and referred to the committee
46 indicated:

47

48 **HJR04-1064** by Representative(s) Wiens; also Senator(s) Chlouber--
49 Concerning the encouragement of federal legislation to
50 ensure that programs providing financial assistance for the
51 educational needs of children of migrant workers include
52 assistance for children of all types of migrant workers.

53 Committee on Local Government

54

55

56

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

3
4 **HJR04-1065** by Representative(s) Clapp; also Senator(s) Dyer--
5 Concerning a declaration that Xcel Energy should adopt
6 certain measures to ensure uninterrupted electric service in
7 Colorado.
8
9

10 The following resolution was read by title and referred to the committee
11 indicated:

12
13 **HR04-1011** by Representative(s) Weissmann--Concerning changes to
14 the rules of the house of representatives regarding appeals
15 from decisions of the chair.
16 Committee on State, Veterans, & Military Affairs
17
18

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

21
22 **HR04-1012** by Representative(s) Cloer, Garcia, Jahn, Johnson R.--
23 Concerning the retirement of "JR" Judith Rodrigue as the
24 Chief Clerk of the House of Representatives after 24 years
25 of service.
26

27 **HR04-1013** by Representative(s) Rose--Concerning recognition of all
28 state employees for their hard work and dedication to the
29 state of Colorado.
30

31 **HR04-1014** by Representative(s) Williams S., Cadman, Harvey, Jahn,
32 Larson, Madden, Marshall, May M., McGihon, Rhodes,
33 Romanoff, Vigil--Concerning raising awareness and
34 encouraging education about safety on the Internet and
35 supporting the goals and ideals of National Internet Safety
36 Month.
37

38 **SJR04-041** by Senator(s) Kester; also Representative(s) Spradley--
39 Concerning declaration of the week of May 3, 2004, as
40 correctional employees appreciation week.
41
42

43 LAY OVER OF CALENDAR ITEMS

44
45
46 On motion of Representative King, the following items on the Calendar
47 were laid over until April 15, retaining place on Calendar:

48
49 Consideration of General Orders--**SB04-185, HB04-1411, SB04-205,**
50 **132, 198, 168, 059, 111, 171, 186, HCR04-1009, 1010.**

51 Consideration of Conference Committee Reports--**SB04-082,**
52 **HB04-1102, 1072.**

53 Consideration of Resolutions--**HJR04-1012, 1013, SJR04-015,**
54 **HJR04-1010, SJR04-023, 024, 027, HJR04-1040, HR04-1008,**
55 **HJR04-1047, SJR04-025, 030, HJR04-1051, 1052, 1042, HR04-1010,**
56 **HJR04-1053, SJR04-033, HJR04-1055, 1056, 1057, 1058, 1059.**

1 Consideration of Memorial--**SJM04-001**
2 Consideration of Senate Amendments--**HB04-1127, 1357, 1263, 1292,**
3 **1251, 1234, 1187, 1348, 1311, 1121, 1376, 1393, 1387, 1399, 1420,**
4 **1421.**

5

6

7 On motion of Representative King, the House adjourned until 9:00 a.m.,
8 April 15, 2004.

9

Approved:

10

11 Attest:

LOLA SPRADLEY,
Speaker

12

13

14

15 JUDITH RODRIGUE,

16 Chief Clerk