

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

Thirty-seventh Legislative Day

Thursday, February 12, 2004

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

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

5
6 Pledge of Allegiance led by Representative Hoppe.

7
8 The roll was called with the following result:

9
10 Present--61.

11 Excused--Representatives Butcher, Decker, Fairbank,
12 McCluskey--4.

13
14 The Speaker declared a quorum present.

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16
17 On motion of Representative McFadyen, the reading of the journal of
18 February 11, 2004, was declared dispensed with and approved as
19 corrected by the Chief Clerk.

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23 **REPORTS OF COMMITTEES OF REFERENCE**

24
25 **AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

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

28
29 **HB04-1211** be amended as follows, and as so amended, be referred to
30 the Committee of the Whole with favorable
31 recommendation:

32
33 Amend printed bill, page 3, line 17, strike "PRIVATE INDUSTRY;" and
34 substitute "A PRIVATE ENTITY THAT OPERATES AN INDUSTRIAL
35 WASTEWATER TREATMENT FACILITY;".

36
37 Page 4, line 26, strike "SUBSECTION (2)" and substitute "SUBSECTIONS (1)
38 AND (2)".

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40
41
42 **HB04-1213** be referred to the Committee of the Whole with favorable
43 recommendation.

1 **HB04-1214** be amended as follows, and as so amended, be referred to
2 the Committee of the Whole with favorable
3 recommendation:
4

5 Amend printed bill, page 2, line 13, strike "2015:" and substitute "2010:";
6
7 line 20, strike "2015." and substitute "2010.";
8
9 line 21, strike "2015." and substitute "2010.".
10

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12
13 **HB04-1215** be amended as follows, and as so amended, be referred to
14 the Committee of the Whole with favorable
15 recommendation:
16

17 Amend printed bill, page 7, line 14, strike "amended" and substitute
18 "amended, and the said 12-55.5-106 is further amended BY THE
19 ADDITION OF A NEW PARAGRAPH,";
20

21 after line 21, insert the following:
22

23 "(I) VIOLATES SECTION 18-4-503 OR 18-4-504, C.R.S., RESULTING
24 IN TWO OR MORE SECOND OR THIRD DEGREE CRIMINAL TRESPASS
25 CONVICTIONS WITHIN ANY THREE-TO FIVE-YEAR PERIOD WHILE ACTING AS
26 AN OUTFITTER OR GUIDE."
27

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29
30 **SJR04-003** be referred out for final action.
31

32 **SJR04-004** be referred out for final action.
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37 **BUSINESS AFFAIRS & LABOR**

38 After consideration on the merits, the Committee recommends the
39 following:
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41 **HB04-1255** be amended as follows, and as so amended, be referred to
42 the Committee of the Whole with favorable
43 recommendation:
44

45 Amend printed bill, page 2, line 3, strike "THE FOLLOWING" and
46 substitute "A";
47

48 line 4, strike "PARAGRAPHS" and substitute "PARAGRAPH";
49

50 strike lines 8 through 14.
51

52 Reletter succeeding paragraph accordingly.
53

54 Page 2, line 19, strike "A NEW PARAGRAPH" and.
55

56 substitute "THE FOLLOWING NEW PARAGRAPHS".

1 Page 3, line 1, after "C.R.S." add a semi-colon;

2

3 after line 1, insert the following:

4

5 "(i) THE UTILITY CONSUMERS' BOARD, CREATED IN ARTICLE 6.5 OF
6 TITLE 40, C.R.S.;

7

8 "(j) THE OFFICE OF CONSUMER COUNSEL, CREATED IN ARTICLE 6.5
9 OF TITLE 40, C.R.S.";

10

11 line 3, strike "A NEW PARAGRAPH" and substitute "THE
12 FOLLOWING NEW PARAGRAPHS";

13

14 line 8, after "C.R.S." add a semi-colon;

15

16 after line 8, insert the following:

17

18 "(f) THE READ-TO-ACHIEVE BOARD, CREATED PURSUANT TO
19 SECTION 22-7-506, C.R.S.;

20

21 "(g) THE DIVISION OF RACING EVENTS, INCLUDING THE COLORADO
22 RACING COMMISSION, CREATED BY ARTICLE 60 OF TITLE 12, C.R.S.";

23

24 line 9, strike "24-34-104 (39) (b) (XVII)," and substitute "24-34-104 (39)
25 (b) (VII) and (39) (b) (XVII),";

26

27 line 10, strike "is" and substitute "are";

28

29 after line 14, insert the following:

30

31 "(VII) The real estate division, including the real estate
32 commission, created in part 1 of article 61 of title 12, C.R.S., INCLUDING
33 THE SERVICE OF PROCESS REQUIREMENTS PURSUANT TO SECTION
34 12-61-303 (6), C.R.S.;"

35

36 line 17, strike "THAT ADMINISTER FIXED RATE" and substitute "RELATED
37 TO THE REGULATION OF FIXED".

38

39 Page 4, line 15, after "C.R.S." add a semi-colon;

40

41 after line 15, insert the following:

42

43 "(m) THE LICENSING AND REGULATION OF PSYCHIATRIC
44 TECHNICIANS BY THE STATE BOARD OF NURSING PURSUANT TO ARTICLE 42
45 OF TITLE 12, C.R.S.;

46

47 "(n) THE CERTIFICATION OF NURSE AIDES BY THE STATE BOARD OF
48 NURSING IN ACCORDANCE WITH ARTICLE 38.1 OF TITLE 12, C.R.S.";

49

50 line 16, after "(a),", insert "(39) (b) (I), (39) (b) (II)";

51

52 strike line 17 and substitute the following:

53

54 "(IV), (39) (b) (V), (39) (b) (X), (41) (a), (41) (c), (41) (j), (41) (k), and
55 (41) (o), Colorado";

56

1 after line 26, insert the following:

2
3 ~~"(I) The utility consumers' board, created in article 6.5 of title 40,~~
4 ~~C.R.S.;~~

5
6 ~~"(II) The office of consumer counsel, created in article 6.5 of title~~
7 ~~40, C.R.S.;"~~

8
9 Page 5, strike lines 4 through 8 and substitute the following:

10
11 ~~"(V) The division of racing events, including the Colorado racing~~
12 ~~commission, created by article 60 of title 12, C.R.S.;"~~

13
14 after line 8, insert the following:

15
16 ~~"(X) The read-to-achieve board, created pursuant to section~~
17 ~~22-7-506, C.R.S.;"~~

18
19 after line 20, insert the following:

20
21 ~~"(c) The licensing and regulation of psychiatric technicians by the~~
22 ~~state board of nursing pursuant to article 42 of title 12, C.R.S.;"~~

23
24 after line 25, insert the following:

25
26 ~~"(o) The certification of nurse aides by the state board of nursing~~
27 ~~in accordance with article 38.1 of title 12, C.R.S."~~

28
29 Page 6, strike lines 16 through 23 and substitute the following:

30
31 **"SECTION 10.** 12-38.1-120, Colorado Revised Statutes, is
32 amended to read:

33
34 **12-38.1-120. Repeal of article.** This article is repealed, effective
35 July 1, 2010 2009. Prior to such repeal, the certification functions of the
36 state board of nursing shall be reviewed as provided for in section
37 24-34-104, C.R.S.

38
39 **SECTION 11.** 12-42-103 (2) (a), Colorado Revised Statutes, is
40 amended to read:

41
42 **12-42-103. State board of nursing - repeal of article - review**
43 **of licensing and regulation functions.** (2) (a) This article is repealed,
44 effective July 1, 2010 2009.

45
46 **SECTION 12.** 12-60-901, Colorado Revised Statutes, is amended
47 to read:

48
49 **12-60-901. Repeal of article - review of functions.** This article
50 is repealed, effective July 1, 2008 2007. Prior to such repeal, the division
51 and its functions shall be reviewed as provided for in section 24-34-104,
52 C.R.S."

53
54 Renumber succeeding sections accordingly.

55
56 Page 6, line 27, strike "2008 2005." and substitute "2008, INCLUDING THE

1 SERVICE OF PROCESS REQUIREMENTS PURSUANT TO SECTION 12-61-303 (6),
2 C.R.S."

3
4 Page 7, line 7, strike "2005." and substitute "2008.";

5
6 after line 9, insert the following:

7
8 "SECTION 15. 22-7-506 (5) (a), Colorado Revised Statutes, is
9 amended to read:

10
11 **22-7-506. Read-to-achieve grant program - board created -**
12 **fund - repeal.** (5) (a) This section is repealed, effective July 1, 2008
13 2007."

14
15 Renumber succeeding sections accordingly.

16
17 Page 9, line 1, strike "THAT ADMINISTER FIXED RATE" and substitute
18 "RELATED TO THE REGULATION OF FIXED";

19
20 after line 2, insert the following:

21
22 "SECTION 22. 40-6.5-108 (1) (b), Colorado Revised Statutes,
23 is amended to read:

24
25 **40-6.5-108. Office of consumer counsel subject to termination.**
26 (1) Unless continued by the general assembly:

27
28 (b) The office of consumer counsel and the utility consumers'
29 board shall terminate on July 1, 2008 2006."

30
31 Renumber succeeding sections accordingly.

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36 **EDUCATION**

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

39
40 **HB04-1283** be amended as follows, and as so amended, be referred to
41 the Committee on Appropriations with favorable
42 recommendation:

43
44 Amend printed bill, page 4, strike lines 1 through 4 and substitute the
45 following:

46
47 "FOR POSTSECONDARY EDUCATION AND EMPLOYMENT AND STRATEGIES
48 THAT MAY ASSIST SCHOOL DISTRICTS IN IMPROVING STUDENTS'
49 POSTSECONDARY EDUCATION AND EMPLOYMENT READINESS;"

50
51 line 13, strike "RATES;" and substitute "RATES, INCLUDING, BUT NOT
52 NECESSARILY LIMITED TO, THE IMPLEMENTATION OF PUBLIC SCHOOLS OF
53 CHOICE AND THE UTILIZATION OF CHARTER SCHOOLS AND EDUCATIONAL
54 VOUCHER PROGRAMS;"

55
56 line 17, strike "SCHOOLS." and substitute "SCHOOLS, AND INTEGRATING

1 STUDENT LONGITUDINAL GROWTH MEASUREMENTS."

2
3 Page 5, strike lines 5 through 7 and substitute the following:

4
5 "(I) ONE MEMBER WHO IS AN ELECTED MEMBER OF A SCHOOL
6 DISTRICT BOARD OF EDUCATION IN THE STATE;"

7
8 Page 7, line 14, after "(7)", insert "(a)";

9
10 strike lines 23 through 26 and substitute the following:

11
12 "WITH THE IMPLEMENTATION OF THIS SECTION. ALL".

13
14 Page 8, line 1, strike "JULY 1, 2005," and substitute "JANUARY 1, 2005,";

15
16 after line 1, insert the following:

17
18 "(b) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT NO
19 GENERAL FUND MONEYS BE APPROPRIATED FOR THE PURPOSES OF
20 IMPLEMENTING THIS SECTION.";

21
22 line 2, strike "JANUARY 15, 2005," and substitute "DECEMBER 31, 2004,";

23
24 line 6, strike "JULY 1, 2005." and substitute "JANUARY 1, 2005.".

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HB04-1347 be referred to the Committee of the Whole with favorable recommendation.

FINANCE

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

HB04-1178 be postponed indefinitely.

HB04-1222 be referred to the Committee of the Whole with favorable recommendation.

HB04-1237 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Amend printed bill, page 4, line 23, after "(4)", insert "(a)".

Page 5, after line 2, insert the following:

"(b) ALL MONEYS FROM THE FEE IMPOSED PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (4) SHALL BE CREDITED TO THE ELECTRONIC DATABASE CERTIFICATION FUND, WHICH FUND IS HEREBY CREATED IN THE STATE TREASURY. ALL INCOME DERIVED FROM THE

1 DEPOSIT AND INVESTMENT OF MONEYS IN THE FUND SHALL BE CREDITED
2 TO THE FUND. THE MONEYS IN THE FUND SHALL BE SUBJECT TO ANNUAL
3 APPROPRIATION BY THE GENERAL ASSEMBLY TO THE DEPARTMENT OF
4 REVENUE TO BE USED TO COVER THE COSTS INCURRED IN CERTIFYING
5 ELECTRONIC DATABASES PURSUANT TO THIS SECTION.

6
7 (5) THE DEPARTMENT OF REVENUE SHALL HAVE THE AUTHORITY
8 TO WAIVE THE CERTIFICATION PROCESS SPECIFIED IN SUBSECTION (4) OF
9 THIS SECTION AND CERTIFY AN ELECTRONIC DATABASE AS SUITABLE FOR
10 USE BY VENDORS IF THE DATABASE HAS BEEN PREVIOUSLY CERTIFIED BY
11 A PUBLIC OR PRIVATE ENTITY AND THE CERTIFICATION CRITERIA OF THE
12 CERTIFYING ENTITY ARE THE SAME OR MORE STRINGENT THAN THE
13 CRITERIA SPECIFIED IN SUBSECTION (3) OF THIS SECTION. THE
14 DEPARTMENT SHALL HAVE THE DISCRETION TO ACCEPT OR REJECT A
15 PREVIOUSLY CERTIFIED DATABASE, AND UNDER NO CIRCUMSTANCE SHALL
16 THE DEPARTMENT BE REQUIRED TO WAIVE THE CERTIFICATION PROCESS
17 PURSUANT TO THIS SUBSECTION (5).

18
19 (6) THE DEPARTMENT OF REVENUE SHALL HAVE THE RIGHT TO
20 DENY OR REVOKE THE CERTIFICATION OF ANY ELECTRONIC DATABASE FOR
21 JUST CAUSE."

22
23 Renumber succeeding subsection accordingly.

24
25
26
27 **HB04-1244** be referred favorably to the Committee on Appropriations.

28
29
30 **HB04-1299** be postponed indefinitely.

31
32 **HB04-1339** be postponed indefinitely.

33
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37 **HEALTH, ENVIRONMENT, WELFARE, & INSTITUTIONS**

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

40
41 **HB04-1238** be postponed indefinitely.

42
43 **HB04-1268** be postponed indefinitely.

44
45
46 **HB04-1308** 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, strike everything below the enacting clause and
51 substitute the following:

52
53 "SECTION 1. Legislative declaration - short title. (1) The
54 general assembly hereby finds, determines, and declares that counterfeit
55 substances labeled as genuine pharmaceuticals may be distributed,
56 thereby causing an extreme danger to persons eventually receiving the

1 drugs by prescription because the drugs are ineffective, in doses that are
2 not therapeutic, or even contain dangerous or unwholesome substances.
3 Relabeled, falsely represented, and counterfeit drugs put the safety of the
4 public at risk. Existing laws do not contain explicit tracking requirements
5 to identify the source of these products. Therefore, based upon the
6 widespread, known cases of counterfeit drugs in other states that have
7 resulted in injury and death, it is necessary to create the provisions of this
8 act.

9
10 (2) The provisions of this act shall be known and may be cited as
11 the "Prescription Drug Protection Act".

12
13 **SECTION 2.** Part 1 of article 22 of title 12, Colorado Revised
14 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
15 read:

16
17 **12-22-131. Records.** (1) (a) ALL RECORDS OF RECEIPT,
18 DISTRIBUTION, OR OTHER DISPOSAL OF PRESCRIPTION DRUGS OR
19 CONTROLLED SUBSTANCES SHALL BE AVAILABLE TO THE BOARD UPON
20 REQUEST FOR INSPECTION, COPYING, VERIFICATION, OR ANY OTHER
21 PURPOSE. SUCH RECORDS SHALL BE RETAINED FOR TWO YEARS.

22
23 (b) THE BOARD MAY PERMIT A WHOLESALER TO MAINTAIN A
24 PORTION OF ITS RECORDS AT A CENTRAL LOCATION THAT IS DIFFERENT
25 FROM THE STORAGE FACILITY OF THE WHOLESALER. IF SUCH PERMISSION
26 HAS BEEN GRANTED, THE WHOLESALER SHALL MAKE AVAILABLE ALL
27 RELEVANT RECORDS WITHIN FORTY-EIGHT HOURS AFTER A REQUEST FOR
28 INSPECTION, COPYING, VERIFICATION, OR ANY OTHER PURPOSE BY THE
29 BOARD. ALL OTHER RECORDS THAT ARE AVAILABLE FOR IMMEDIATE
30 ACCESS SHALL BE READILY AVAILABLE TO THE BOARD.

31
32 (2) A WHOLESALE DISTRIBUTOR SHALL ESTABLISH AND MAINTAIN
33 INVENTORIES AND RECORDS OF ALL TRANSACTIONS REGARDING THE
34 RECEIPT AND DISTRIBUTION OF PRESCRIPTION DRUGS. AVAILABILITY OF
35 RECORDS MAINTAINED BY A WHOLESALE DISTRIBUTOR SHALL BE IN
36 ACCORDANCE WITH THE PROVISIONS OF SUBSECTION (1) OF THIS SECTION.
37 SUCH RECORDS SHALL INCLUDE THE FOLLOWING INFORMATION:

38
39 (a) THE SOURCE OF THE PRESCRIPTION DRUGS, INCLUDING THE
40 NAME AND PRINCIPAL ADDRESS OF THE SELLER OR TRANSFEROR OF THE
41 PRESCRIPTION DRUGS AND THE ADDRESS OF THE LOCATION FROM WHICH
42 THE PRESCRIPTION DRUGS WERE SHIPPED;

43
44 (b) THE IDENTITY AND QUANTITY OF THE DRUGS RECEIVED,
45 DISTRIBUTED, OR DISPOSED OF BY THE WHOLESALE DISTRIBUTOR; AND

46
47 (c) THE DATES OF RECEIPT, DISTRIBUTION, OR OTHER DISPOSITION
48 OF THE PRESCRIPTION DRUGS.

49
50 **SECTION 3. Effective date - applicability.** This act shall take
51 effect July 1, 2004, and shall apply to the distribution of any prescription
52 drug on or after said date.

53
54 **SECTION 4. Safety clause.** The general assembly hereby finds,
55 determines, and declares that this act is necessary for the immediate
56 preservation of the public peace, health, and safety."

1 **INFORMATION & TECHNOLOGY**

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

4
5 **HB04-1246** be postponed indefinitely.

6
7
8 **HB04-1274** 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 2, strike lines 6 through 26 and substitute the
13 following:

14
15 **"5-3.7-101. Consumer credit solicitation protection.** (1) A
16 SOLICITOR THAT MAKES A FIRM OFFER OF CREDIT FOR A LENDER CREDIT
17 CARD OR A SELLER CREDIT CARD TO A CONSUMER BY MAIL SOLICITATION
18 AND RECEIVES AN ACCEPTANCE OF THAT OFFER THAT LISTS THE ADDRESS
19 OF THE CONSUMER ACCEPTING THE OFFER AS DIFFERENT FROM THE
20 ADDRESS TO WHICH THE OFFER WAS SENT SHALL, PRIOR TO ISSUING OR
21 DIRECTING ISSUANCES OF THE LENDER CREDIT CARD OR SELLER CREDIT
22 CARD, VERIFY THAT THE CONSUMER ACCEPTING THE OFFER IS THE SAME
23 CONSUMER TO WHOM THE OFFER WAS SENT.

24
25 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
26 REQUIRES:

27
28 (a) "FIRM OFFER OF CREDIT" SHALL HAVE THE SAME MEANING AS
29 SET FORTH IN 15 U.S.C. SEC. 1681a (l).

30
31 (b) "SOLICITOR" MEANS THE PERSON MAKING THE OFFER BY MAIL
32 SOLICITATION AND DOES NOT INCLUDE A CARD ISSUER OR OTHER CREDITOR
33 WHEN THAT CREDITOR OR CARD ISSUER RELIES ON AN INDEPENDENT THIRD
34 PARTY TO PROVIDE THE SERVICES.

35
36 (c) "VERIFY" MEANS THE USE OF COMMERCIALY REASONABLE
37 EFFORTS TO ASCERTAIN THAT THE CONSUMER RESPONDING TO A MAIL
38 SOLICITATION IS THE SAME CONSUMER TO WHOM THE SOLICITATION WAS
39 DIRECTED. FOR THE PURPOSES OF THIS ARTICLE, A SOLICITOR SHALL BE
40 DEEMED TO VERIFY THAT THE CONSUMER ACCEPTING A MAIL SOLICITATION
41 IS THE SAME CONSUMER TO WHOM THE SOLICITATION WAS DIRECTED IF:

42
43 (I) A CONSUMER RESPONDING AT A TELEPHONE NUMBER
44 APPEARING IN A PUBLICLY AVAILABLE DIRECTORY OR DATABASE AS THE
45 TELEPHONE NUMBER OF THE CONSUMER TO WHOM THE SOLICITATION WAS
46 MAILED IDENTIFIES HIMSELF OR HERSELF AS THE CONSUMER TO WHOM THE
47 SOLICITATION WAS MAILED AND ACKNOWLEDGES THE CONSUMER'S
48 ACCEPTANCE OF THE SOLICITATION; OR

49
50 (II) A CONSUMER PRESENTS THE SOLICITOR, INCLUDING
51 PRESENTATION BY FACSIMILE TRANSMISSION OR MAIL, THE ORIGINAL OR
52 A COPY OF ONE MORE DOCUMENTS, INCLUDING A DRIVER'S LICENSE,
53 SOCIAL SECURITY CARD, PASSPORT, OR ANY OTHER IDENTIFICATION
54 DOCUMENT ISSUED BY A STATE OR FEDERAL GOVERNMENTAL AGENCY,
55 THAT, ON THE FACE OF THE DOCUMENT OR DOCUMENTS, APPEARS TO
56 CONFIRM SUCH CONSUMER'S IDENTITY AS THE CONSUMER TO WHOM A

1 SOLICITATION WAS MAILED AND THE CONSUMER ACKNOWLEDGES
2 ACCEPTANCE OF THE SOLICITATION; OR

3
4 (III) THE SOLICITOR VERIFIED, BY ANY MEANS ADOPTED IN
5 FEDERAL REGULATIONS, THAT THE CONSUMER ACCEPTING THE
6 SOLICITATION IS THE CONSUMER TO WHOM THE SOLICITATION WAS
7 DIRECTED; OR

8
9 (IV) THE SOLICITOR VERIFIED BY ANY OTHER MEANS, THAT UNDER
10 THE STANDARDS AND PRACTICES OF THE INDUSTRY IN WHICH THE
11 SOLICITOR IS ENGAGED WOULD BE DEEMED SUFFICIENT, THAT THE
12 CONSUMER ACCEPTING THE SOLICITATION AS THE SAME CONSUMER TO
13 WHOM THE SOLICITATION WAS SENT."

14
15 Page 3, strike lines 1 through 6;

16
17 line 17, after "DAMAGES,", insert "INCLUDING, BUT NOT LIMITED TO";

18
19 line 18, strike "PUNITIVE DAMAGES FOR" and, after "RATING,", insert
20 "PUNITIVE DAMAGES,".

21
22
23 **HB04-1311** be amended as follows, and as so amended, be referred to
24 the Committee on Appropriations with favorable
25 recommendation:

26
27 Amend printed bill, page 2, line 9, strike "- exceptions." and substitute "-
28 **requiring social security number over the phone, internet, or mail -**
29 **exceptions.** (1)";

30
31 line 13, strike "CERTIFICATE." and substitute "CERTIFICATE OR INCLUSION
32 IS REQUIRED BY FEDERAL OR STATE LAW.";

33
34 after line 13, insert the following:

35
36 "(2) A PUBLIC ENTITY SHALL NOT REQUEST A PERSON'S SOCIAL
37 SECURITY NUMBER OVER THE PHONE, INTERNET, OR VIA MAIL UNLESS THE
38 PUBLIC ENTITY DETERMINES RECEIVING THE SOCIAL SECURITY NUMBER IS
39 REQUIRED BY FEDERAL LAW OR IS ESSENTIAL TO THE PROVISION OF
40 SERVICES BY THE PUBLIC ENTITY."

41
42
43 **HB04-1313** be postponed indefinitely.

44
45
46
47 **LOCAL GOVERNMENT**

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

50
51 **SB04-018** be referred to the Committee of the Whole with favorable
52 recommendation.

53
54
55 **SB04-035** be referred to the Committee of the Whole with favorable
56 recommendation.

TRANSPORTATION & ENERGY

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

HB04-1096 be postponed indefinitely.

HB04-1228 be referred to the Committee of the Whole with favorable recommendation.

SB04-012 be referred to the Committee of the Whole with favorable recommendation.

SB04-026 be referred to the Committee of the Whole with favorable recommendation.

PRINTING REPORT

The Chief Clerk reports the following bills has been correctly printed:
HB04-1360, 1361.

**INTRODUCTION OF BILL
First Reading**

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

HB04-1362 by Representative(s) Carroll, Jahn, Hefley, King, Lee, Rose, Spence, Williams T.; also Senator(s) Groff, Grossman, Hagedorn, Jones--Concerning the authorization of institute charter schools by the state charter school institute.
Committee on Education

REPORTS TO THE COLORADO GENERAL ASSEMBLY

The following Reports have been received by the Chief Clerk of the House of Representatives. The reports are on file in the Library of Legislative Council.

Colorado Educational and Cultural Facilities Authority

Audited financial statements, years ended September 30, 2003 and 2002
(pursuant to 23-15-102, CRS)

Colorado State Historical Fund

2002-2003 Annual Report(pursuant to 12-47.1-1201 CRS)

Colorado Water Resources and Power Development Authority

Fund request for 2004 (pursuant to 37-95-116, CRS)

Department of Agriculture

Colorado State Fair Business Plan (pursuant to SB03-258)

1 Department of Corrections

2 Annual Report concerning the status of private contract prisons (pursuant
3 to 17-1-201, CRS)
4 Youthful Offender System (pursuant to 18-1.3-407, CRS)
5 Response to Footnote 7, SB03-258: Effectiveness of funding structure
6

7 Department of Education

8 2003 capital construction grant programs (pursuant to 22-43.7-105(6), CRS)
9 Eligible Facilities Education Task Force (pursuant to 22-2-123, CRS)
10 Colorado Preschool Program(2004 Legislative report)
11

12 Department of Health Care Policy & Financing

13 Child's Basic Health Plan Fiscal year 2003 (pursuant to 25.5-1-303(7), CRS)
14 Impact of Medicaid eligibility technicians at the Children's Basic Health Plan
15 (pursuant to 26-4-106(1)(b)(II), CRS)
16 Pharmacy Utilization Plan FY 03-04 (pursuant to 26-4-408(3)(b), CRS)
17 Regarding the state-only nursing facility program for legal immigrants
18 (pursuant to 26-15-203(2), CRS)
19 Responses to Footnotes, SB03-258:
20 32: Fiscal Year 02-03 Final Expenditures
21 40: School Health Services Program Fiscal Year 2002-2003
22 Study on the movement of children between Medicaid and Children's Basic
23 Health Plan (pursuant to 25.5-1-110, CRS)
24

25 Department of Higher Education

26 Community College System: Colorado Vocational Act Annual Report 2003
27 Institutions of Higher Education Enterprise activity reports (pursuant to
28 24-77-103(7), CRS)
29 Metropolitan State College of Denver
30 for the third quarter of Fiscal Year 2003
31 for the second quarter of Fiscal Year 2004
32 University of Northern Colorado
33 April 1, 2003 through June 30, 2003
34 July 1, 2003 through September 30, 2003
35 Quality Indicator System Report FY 2002-2003 (pursuant to 23-13-105(5)(a)
36 CRS)
37

38 Department of Human Services

39 Use of Older Coloradans Program Funds (pursuant to 26-11-205.5, CRS)
40 9th annual report, implementation of HB94-1178, Expedited permanency
41 planning, December 15, 2003 (pursuant to 19-1-102, CRS)
42 Title XX Block Grant Post-Expenditure Report for the period July 1, 2002
43 to June 20, 2003
44

45 Department of Law

46 Division of Criminal Justice: Community Based Management Pilot Programs
47 for Youth with Mental Illness involved in the Criminal Justice System
48 (pursuant to 16-8-205, CRS)
49 Response to Footnote 134, SB03-258: Prosecutorial Costs in Capital Cases
50 for FY 2002-2003
51

52 Department of Local Affairs

53 Twenty-seventh Annual Report 2003, Local Government Energy and Mineral
54 Impact Assistance Program(pursuant to 39-29-110(3) CRS)
55
56

1 Department of Personnel and Administration

2 Federal Assistance reported by state agencies for Fiscal Year ending June 30,
3 2003 (pursuant to 24-75-212, CRS)
4 Source of increase in non-exempt TABOR revenues (pursuant to
5 24-77-106.5(b), CRS)
6 Comprehensive Annual Financial Report June 30, 2003 (pursuant to
7 24-30-204 CRS)
8

9 Department of Public Health and Environment

10 Air Quality Control Commission's long term calendar of state implementation
11 plan revisions, November 2003 - November 2004 (pursuant to
12 25-7-133(4)(b), CRS)
13 Air Quality State Implementation Plan Revisions Report, January 15, 2004
14 (Submitted pursuant to the provisions of 25-7-133 CRS)
15 Final quarterly report for FY 2002-03 regarding Footnote 200, HB02-1420
16 regarding revenues and expenditures relating to the regulation of hog farms
17 Lifetime supervision of sex offenders (pursuant to 18-1.3-1011, CRS)
18 Plan for allocation of moneys deposited in the sex offender surcharge fund
19 (pursuant to 16-11.7-103(4)(c), CRS)
20 Responses to Footnotes, SB03-258:
21 8: Plan for public access to criminal data
22 159: Revenues and expenditures relating to the regulation of hog farms
23 160: Colorado CERCLA Program
24 161: AIDS Drug Assistance Program
25 162: Tuberculosis Treatment and Control Program
26 163: Expenditures for Abstinence Education
27 164: Match for Chronic Disease and Cancer Prevention Grants
28 166: Expenditures for the Family Planning Program
29

30 Department of Public Safety

31 Annual Report (pursuant to 24-33-225, CRS)
32 Division of Criminal Justice: Process Evaluation of the Colorado Sex
33 Offender Management Board Standard and Guidelines (pursuant to
34 16-11.7-103(4)(d)(I), CRS)
35 Responses to Footnote 213, HB02-1420:
36 Colorado State Patrol FTE by function as of March, 2003
37 Colorado State Patrol FTE by function as of June 2003
38 Responses to Footnotes, SB03-258:
39 8: Public access to criminal history information
40 168: Disposition match rates
41 169: Colorado State Patrol FTE by function as of July 2003
42 Current Status fiscal year 2002-2003 performance of state-funded
43 alternatives to placement "wrap around" services program (pursuant to
44 19-1-116(7), CRS)
45 Transfer of FY 2002-03 Community Corrections Funds (pursuant to
46 17-27-108(5), CRS)
47

48 Department of Natural Resources

49 Annual report of the Colorado Avalanche Information Center (pursuant to
50 34-1-101, CRS)
51 Colorado State Parks - Responses to Footnotes, SB03-258:
52 146: State Parks revenues, visitation and self-sufficiency
53 180: Status of New State Parks, acquisition and construction
54 Division of Water Resources:
55 2002 Annual report
56 Cumulative yearly statistics for 2002

1 **Department of Regulatory Agencies**

2 Division of Banking: 2002 Annual report (pursuant to 11-2-110, CRS)
3 Public Utilities Commission: 2003 Annual report of the Colorado High Cost
4 Support Mechanism (pursuant to 40-15-208, CRS)
5

6 **Department of Revenue**

7 2003 Annual Report, period July 1, 2002 through June 30, 2003
8 Colorado Lottery
9 (the following reports issued pursuant to 24-35-204, CRS):
10 Financial Statements (unaudited)
11 for the second quarter ended December 31, 2002
12 for the third quarter ended March 31, 2003
13 for the fiscal year ended June 30, 2003
14 First Quarter ended September 30, 2003
15 Statement of Lottery Revenues, Prize Disbursements and other expenses
16 (unaudited):
17 for seven (7) months ended January 31, 2003
18 for eight (8) months ended February 28, 2003
19 for ten (10) months ended February 28, 2003
20 for eleven (11) months ended May 31, 2003
21 for the one (1) month ended July 31, 2003
22 for the two (2) months ended August 31, 2003
23 for the four (4) months ended October 31, 2003

24 Division of Gaming:

25 Statement of Gaming Revenues, Gaming Taxes, and Expenditures
26 (Unaudited) (pursuant to 12-47.1-203(i), CRS):
27 for the ten (10) months ended April 30, 2003
28 for the eleven (11) months ended May 31, 2003
29 for the twelve (12) months ended June 30, 2003
30 for the first (1) month ended July 31, 2003
31 for the two (2) months ended August 31, 2003
32 for the three (3) months ended September 30, 2003
33 for the four (4) months ended October 31, 2003
34 for the five (5) months ended November 30, 2003
35 Liquor Enforcement Division: Enforcement Summary January 1, 2003-
36 December 31, 2003 (pursuant to CRS 12-47-601(8))
37

38 **Department of State**

39 Annual report: Operation of the filing office (pursuant to 4-9-527, CRS)
40 Responses to Footnotes, SB03-258:
41 184: Plan to comply with the provisions of the Help America Vote
42 Act of 2002
43 185: Analysis of information systems programs
44

45 **Department of Transportation**

46 2003 Annual Report
47

48 **Department of the Treasury**

49 Statements of financial condition:
50 as of June 30, 2003
51 as of September 30, 2003
52
53

Office of the Child's Representative

Annual Report, 2003 (pursuant to 13-91-105, CRS)

Office of Innovation and Technology

Responses to Footnotes SB03-258:

23: Prioritized list of Information technology projects for Executive
Branch departments

26: Information and Technology expenditures by agency, FY 2002-03

Rocky Mountain Low-Level Radioactive Waste Board

2003 annual report (pursuant to 24-60-2202, CRS)

Supreme Court of Colorado

Certification of annual salaries of judges (pursuant to 13-30-103, CRS)

LAY OVER OF CALENDAR ITEMS

On motion of Representative King, the following items on the Calendar
were laid over until February 13, retaining place on Calendar:

Consideration of Special Orders--**HB04-1020, 1095 amended, 1009,
1280, 1039, 1026.**

Consideration of Third Reading--**HB04-1090, SB04-106.**

Consideration of General Orders--**HB04-1054, 1175, 1108, 1073, 1208,
SB04-096, 067, HB04-1114, 1210, 1125, 1191, 1196, SB04-004,
HB04-1040, 1089, 1093, 1017, 1058, 1121, 1094, 1187, 1257, 1159,
1218, 1173, 1225, 1216, 1220, 1271.**

Consideration of Resolutions--**HJR04-1007, 1008, 1009, 1012,
SJR04-009, HJR04-1013, 1005, 1014.**

Consideration of Senate Amendments--**HB04-1112, 1038.**

On motion of Representative King, the House adjourned until 9:00 a.m.,
February 13, 2004.

Approved:

LOLA SPRADLEY,
Speaker

Attest:

JUDITH RODRIGUE,
Chief Clerk