

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

Sixty-ninth Legislative Day

Monday, March 15, 2004

1 Prayer by the Reverend Brad Meuli, Denver Rescue Mission.

2

3 The Speaker called the House to order at 10:00 a.m.

4

5 Pledge of Allegiance led by Speaker Spradley.

6

7 The roll was called with the following result:

8

9 Present--60.

10 Excused--Representatives Coleman, McGihon--2.

11 Absent--Representatives Carroll, Madden, Mitchell--3.

12 Present after roll call--Representatives Carroll, Coleman, Madden,
13 McGihon, Mitchell.

14

15 The Speaker declared a quorum present.

16

17

18 On motion of Representative Rose, the reading of the journal of March
19 12, 2004, was declared dispensed with and approved as corrected by the
20 Chief Clerk.

21

22

23

24

25

CONSIDERATION OF RESOLUTIONS

26

27 **HJR04-1008** by Representative(s) Merrifield, Sinclair; also Senator(s)
28 Entz--Concerning the completion of the National World
29 War II Memorial.

30

31 (Printed and placed in member's file.)

32

33 On motion of Representative Merrifield, the resolution was read at length
34 and **adopted** by **viva voce** vote.

35

36 Co-sponsors added: Roll Call of the House.

37

38 **HJR04-1024** by Representative(s) Jahn; also Senator(s) Anderson--
39 Concerning support for the Stop Family Violence stamp.

40

41 (Printed and placed in member's file.)

42

43

1 On motion of Representative Jahn, the resolution was read at length and
2 **adopted by viva voce** vote.

3
4 Co-sponsors added: Roll Call of the House.

5 6 7 **THIRD READING OF BILLS--FINAL PASSAGE**

8
9 The following bills were considered on Third Reading. The titles were
10 publicly read. Reading of the bill at length was dispensed with by
11 unanimous consent.

12
13 **HB04-1104** by Representative(s) King; also Senator (s) McElhany--
14 Concerning educator licensure, and making an
15 appropriation in connection therewith..

16
17 The question being "Shall the bill pass?".
18 A roll call vote was taken. As shown by the following recorded vote, a
19 majority of those elected to the House voted in the affirmative and the bill
20 was declared **passed**.

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

39
40 Co-sponsors added: Representatives Cadman, Fairbank, Harvey, Lee,
41 Schultheis, Spence, Speaker.

42
43 **SB04-051** by Senator(s) Grossman; also Representative(s) Witwer--
44 Concerning an increase in the length of time for which a
45 temporary license may be issued to a foreign physician.

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

51	YES	58	NO	07	EXCUSED	00	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	Y	Merrifield	Y	Stafford	Y

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

14 Co-sponsors added: Representatives Carroll, Coleman, Garcia, Hodge, Hoppe,
15 Schultheis, Stafford, Young.

16
17 **HB04-1367** by Representative(s) Weissmann; also Senator(s) Phillips--
18 Concerning the exclusion of certain areas located within
19 the territorial boundaries of a municipality from the area
20 of a library district.

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

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

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

45
46 **SB04-082** by Senator(s) Kester; also Representative(s) Paccione--
47 Concerning the authorization of certain persons to taste
48 alcohol beverages in the course of post-secondary
49 educational programs involving the culinary arts.

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**.

	YES	65	NO	00	EXCUSED	00	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	Y	Merrifield	Y	Stafford	Y
6	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
7	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
8	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
9	Carroll	Y	Johnson	Y	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	Y	Romanoff	Y	Williams S.	Y
15	Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
16	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
17	Frangas	Y	May	Y	Schultheis	Y	Young	Y
18							Speaker	Y

19 Co-sponsors added: Representatives Berry, Borodkin, Carroll, Cerbo, Garcia,
20 Hoppe, Madden, Marshall, McFadyen, Plant, Weissmann, Young.

21
22 **SB04-041** by Senator(s) Tapia; also Representative(s) McFadyen--
23 Concerning appointment of another judge to preside over
24 a deposition taken pursuant to rule 15 (d) of the Colorado
25 rules of criminal procedure.

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

50 Co-sponsors added: Representative McGihon

51
52
53 **SB04-123** by Senator(s) Anderson; also Representative(s) Spradley--
54 Concerning the authority for the youthful offender system.

55
56

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

24 Co-sponsors added: Representatives Boyd, Cadman, Carroll, Coleman, Decker,
 25 Hefley, McFadyen, McGihon, Weddig, Williams S.

26
 27 **HB04-1380** by Representative(s) Spence; also Senator(s) Arnold--
 28 Concerning reports to the education committees of the
 29 general assembly pursuant to Colorado's "Information
 30 Coordination Act".

31
 32 The question being "Shall the bill pass?".
 33 A roll call vote was taken. As shown by the following recorded vote, a
 34 majority of those elected to the House voted in the affirmative and the bill
 35 was declared **passed**.

	YES	65	NO	00	EXCUSED	00	ABSENT	00
38	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
39	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
40	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
41	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
42	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
43	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
44	Cadman	Y	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	Y	Rhodes	Y	White	Y
49	Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y
50	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
51	Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
52	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
53	Frangas	Y	May	Y	Schultheis	Y	Young	Y
54							Speaker	Y

55 Co-sponsors added: Representatives Hefley, Lee, Williams S.

56

1 **SB04-108** by Senator(s) Hillman; also Representative(s) McCluskey-
 2 -Concerning the administration of claims under the
 3 "Unclaimed Property Act".
 4

5 The question being "Shall the bill pass?".

6 A roll call vote was taken. As shown by the following recorded vote, a
 7 majority of those elected to the House voted in the affirmative and the bill
 8 was declared **passed**.
 9

YES	65	NO	00	EXCUSED	00	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	Y	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

28
 29 **HB04-1309** by Representative(s) Brophy, Briggs, Merrifield; also
 30 Senator(s) Tupa, Chlouber--Concerning the creation of a
 31 safe routes to school program.
 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**.
 37

YES	63	NO	02	EXCUSED	00	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	Y	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	N	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	N	Young	Y
						Speaker	Y

55
 56 Co-sponsors added: Representatives Borodkin, Boyd, Carroll, Coleman,

Frangas, Garcia, Hodge, Larson, Madden, Marshall, May, McFadyen, McGihon, Paccione, Romanoff, Salazar, Stafford, Tochtrop, Vigil, Weddig, Weissmann, Williams S., Speaker.

SB04-143 by Senator(s) Tapia, Groff, Grossman, Hillman, Kester; also Representative(s) Brophy, Butcher, McFadyen, Salazar--Concerning the modification of certain requirements for contractors that are awarded construction contracts for public projects.

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	65	NO	00	EXCUSED	00	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	Y	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 Hoppe, Jahn, Vigil, Weddig.

HB04-1370 by Representative(s) Frangas, Williams T.--Concerning the authority for a county department to enter into voluntary safety plan agreements related to first-time minor incidents of child abuse.

Laid over until March 16, retaining place on Calendar.

SB04-117 by Senator(s) Sandoval, Andrews; also Representative(s) Cloer--Concerning removal of a newborn child from the custody of the child's parents.

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	56	NO	09	EXCUSED	00	ABSENT	00
Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
Borodkin	Y	Hall	Y	McFadyen	Y	Smith	N
Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y

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

15 Co-sponsors added: Representatives Frangas, Williams S.

16
17 **SB04-175** by Senator(s) Kester; also Representative(s) Marshall--
18 Concerning the authority for a bank to rely on knowledge
19 of an adjudication of incompetence in determining
20 incompetence of a bank customer.

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

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

27	YES	65	NO	00	EXCUSED	00	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	Y	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 Co-sponsors added: Representatives Carroll, McFadyen, McGihon, Ragsdale,
46 Weddig.

47
48 **SB04-157** by Senator(s) Andrews; also Representative(s) Spradley--
49 Concerning the exclusion from lobbying of persons who
50 limit their activities to providing formal testimony.

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

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

	YES	65	NO	00	EXCUSED	00	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	Y	Merrifield	Y	Stafford	Y
6	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
7	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
8	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
9	Carroll	Y	Johnson	Y	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	Y	Romanoff	Y	Williams S.	Y
15	Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
16	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
17	Frangas	Y	May	Y	Schultheis	Y	Young	Y
18							Speaker	Y

19 Co-sponsors added: Representatives Frangas, Marshall.

20
21
22 On motion of Representative King, 11:10 a.m. **HB04-1382, SB04-182,**
23 **HB04-1277, 1351, 1365, SB04-098, 109, HB04-1383, SB04-131,**
24 **HB04-1304, SB04-084** were added to the Special Orders Calendar on
25 Monday, March 15, 2004.

26
27
28 On motion of Representative Lee, the House resolved itself into
29 Committee of the Whole for consideration of Special Orders and he was
30 called to the Chair to act as Chairman.

31 32 33 34 **SPECIAL ORDERS--SECOND READING OF BILLS**

35
36 The Committee of the Whole having risen, the Chairman reported the
37 titles of the following bills had been read (reading at length had been
38 dispensed with by unanimous consent), the bills considered and action
39 taken thereon as follows:

40
41 (Amendments to the committee amendment are to the printed committee
42 report which was printed and placed in the members' bill file.)

43
44 **SB04-090** by Senator(s) Anderson; also Representative(s) Berry--
45 Concerning the confidentiality of information regarding
46 investments made by the public employees' retirement
47 association.
48

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

51
52 **HB04-1240** by Representative(s) Cadman, Brophy, Butcher, McGihon,
53 Rhodes, Welker; also Senator(s) Hagedorn--Concerning
54 continuation of the regulation of bail bonding agents by
55 the division of insurance.
56

1 Amendment No. 1, Information & Technology Report, dated March 3,
2 2004, and placed in member's bill file; Report also printed in House
3 Journal, March 4, pages 745-748.

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

7
8 **HB04-1365** by Representative(s) Harvey; also Senator(s) Kester--
9 Concerning water planning by retail water providers.

10
11 Amendment No. 1, Local Government Report, dated February 18, 2004,
12 and placed in member's bill file; Report also printed in House Journal,
13 February 19, pages 554-555.

14
15 Amendment No. 2, by Representative Harvey.

16
17 Amend printed bill, page 10, strike lines 23 and 24 and substitute the
18 following:

19 "(9) (a) ~~After five years following June 4, 1991,~~ Neither the board
20 nor the".

21
22 Page 11, line 3, strike "section." and substitute "section;";

23
24 line 4, after the period, add "EXCEPT THAT THE BOARD OR THE AUTHORITY
25 MAY RELEASE SUCH LOAN PROCEEDS IF THE BOARD OR THE AUTHORITY, AS
26 APPLICABLE, DETERMINES THAT AN UNFORSEEN EMERGENCY EXISTS IN
27 RELATION TO THE COVERED ENTITY'S LOAN APPLICATION, IN WHICH CASE
28 THE BOARD OR THE AUTHORITY, AS APPLICABLE, MAY IMPOSE A LOAN
29 SURCHARGE UPON THE COVERED ENTITY THAT MAY BE REBATED OR
30 REDUCED IF THE COVERED ENTITY SUBMITS AND ADOPTS A PLAN IN
31 COMPLIANCE WITH THIS SECTION IN A TIMELY MANNER AS DETERMINED BY
32 THE BOARD OR THE AUTHORITY, AS APPLICABLE.".

33
34 strike lines 22 through 27.

35
36 Page 12, strike lines 1 through 8.

37
38 As amended, ordered engrossed and placed on the Calendar for Third
39 Reading and Final Passage.

40
41 **SB04-098** by Senator(s) Hanna; also Representative(s) Stengel--
42 Concerning the establishment of a "Structured Settlement
43 Protection Act".

44
45 Amendment No. 1, Business Affairs & Labor Report, dated March 4,
46 2004, and placed in member's bill file; Report also printed in House
47 Journal, March 8, pages 778-779.

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

51
52 **SB04-109** by Senator(s) Kester, Takis; also Representative(s)
53 Stengel--Concerning the regulation of pawnbrokers.

54
55 Ordered revised and placed on the Calendar for Third Reading and Final
56 Passage.

1 **HB04-1383** by Representative(s) Williams T.; also Senator(s)
2 McElhany--Concerning reports to the general assembly
3 concerning issues before the business affairs and labor
4 committee pursuant to Colorado's "Information
5 Coordination Act".
6

7 Ordered engrossed and placed on the Calendar for Third Reading and
8 Final Passage.
9

10 **SB04-131** by Senator(s) Jones, Groff, Johnson S.; also
11 Representative(s) Marshall--Concerning modifications to
12 the procedures for handling an employment discrimination
13 complaint filed by an employee in the state personnel
14 system.
15

16 Amendment No. 1, Business Affairs & Labor Report, dated March 9,
17 2004, and placed in member's bill file; Report also printed in House
18 Journal, March 10, page 829.
19

20 Amendment No. 2, by Representative Marshall.
21

22 Amend reengrossed bill, page 2, line 21, strike "IF";
23

24 line 22, strike "is set for hearing, it" and substitute "~~is set for hearing, it~~".
25

26 As amended, ordered revised and placed on the Calendar for Third
27 Reading and Final Passage.
28

29 **HB04-1304** by Representative(s) Jahn, Hefley, Berry, Frangas; also
30 Senator(s) Arnold--Concerning adoption of the revised
31 interstate compact on juveniles.
32

33 Amendment No. 1, Judiciary Report, dated March 9, 2004, and placed in
34 member's bill file; Report also printed in House Journal, March 10, pages
35 827-828.
36

37 As amended, ordered engrossed and placed on the Calendar for Third
38 Reading and Final Passage.
39

40 **SB04-084** by Senator(s) Windels; also Representative(s) Sinclair--
41 Concerning technical modifications to voter identification
42 requirements implementing the federal "Help America
43 Vote Act of 2002".
44

45 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
46 March 9, 2004, and placed in member's bill file; Report also printed in
47 House Journal, March 10, pages 829-830.
48

49 As amended, ordered revised and placed on the Calendar for Third
50 Reading and Final Passage.
51

52 On motion of Representative King, the remainder of the Special Orders
53 Calendar (**HB04-1257, 1345, 1315, 1355, SB04-007, 095, HB04-1382,**
54 **SB04-182, HB04-1277, 1351**) was laid over until March 16, retaining
55 place on Calendar.
56

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Passed Second Reading: **SB04-090, HB04-1240 amended, 1365 amended, SB04-098 amended, 109, HB04-1383, SB04-131 amended, HB04-1304 amended, SB04-084 amended.**

Laid over until date indicated retaining place on Calendar: **HB04-1257, 1345, 1315, 1355, SB04-007, 095, HB04-1382, SB04-182, HB04-1277, 1351--March 16, 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	64	NO	00	EXCUSED	00	ABSENT	01
Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
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.	-
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

REPORTS OF COMMITTEES OF REFERENCE

APPROPRIATIONS

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

HB04-1358 be referred to the Committee of the Whole with favorable recommendation.

JUDICIARY

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

HB04-1387 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, page 2, line 12, strike "~~that~~" and substitute "that";
2
3 strike line 13 and substitute the following:
4
5 "period, no court of this state shall any longer have jurisdiction thereof,".
6
7 Page 3, strike lines 1 through 10 and substitute the following:
8
9 "nor shall the untried indictment, information, or criminal complaint be
10 of any further force or effect, and the court shall dismiss it with
11 prejudice.".
12
13 Page 13, strike lines 3 through 27.
14
15 Page 14, strike lines 1 through 16.
16
17 Renumber succeeding sections accordingly.
18
19 Page 14, strike lines 19 and 20 and substitute the following:
20
21 "by the court on or after said date.".
22

23 PRINTING REPORT

24
25
26 The Chief Clerk reports the following bill has been correctly printed:
27 **HB04-1401.**

28 SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

29
30
31
32 The Speaker has signed: **SJR04-021.**

33 MESSAGE FROM THE SENATE

34
35
36
37 Madam Speaker:

38
39 The Senate has passed on Third Reading and returns herewith
40 HB04-1108, 1248.

41 The Senate has adopted and transmits herewith: SJR04-023.

42 The Senate has adopted and transmits herewith: SJR04-024.

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

45 HB04-1155, amended as printed in Senate Journal, March 12, 2004, page
46 500,

47 HB04-1057, amended as printed in Senate Journal, March 5, 2004, page
48 433 and 435 and in Senate Journal, March 12, page 501,

49 HB04-1354, amended as printed in Senate Journal, March 12, 2004, page
50 501,

51 HB04-1004, amended as printed in Senate Journal, March 12, 2004, page
52 501,

53 HB04-1127, amended as printed in Senate Journal, March 12, 2004, page
54 503.
55
56

MESSAGE FROM THE REVISOR

We herewith transmit:
Without comment, as amended, HB04-1155, 1057, 1354, 1004, and 1127.

**INTRODUCTION OF BILL
First Reading**

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

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.
Committee on Local Government

INTRODUCTION OF RESOLUTIONS

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

HJR04-1033 by Representative(s) Young; also Senator(s) Kester--
Concerning the potential to locate the Pierre Auger
Observatory in southeastern Colorado.

HJR04-1034 by Representative(s) Frangas, Coleman, Butcher,
Borodkin, Carroll, Cerbo, Judd, Marshall, McGihon,
Paccione, Ragsdale, Romanoff, Salazar, Tochtrop, Vigil,
Weissmann, Williams S.; also Senator(s) Sandoval, Tapia--
Concerning recognition of "Cesar Chavez Day".

HJR04-1035 by Representative(s) Cloer, Sinclair; also Senator(s)
Lamborn--Concerning the recognition of Military
Appreciation Day, and, in connection therewith,
expressing gratitude and support for Fort Carson troops.

SJR04-023 by Senator(s) McElhany, Lamborn, Jones, May R.; also
Representative(s) Cloer, Schultheis, Cadman, Hefley,
King, Sinclair--Concerning welcoming home Fort Carson
troops.

SJR04-024 by Senator(s) Entz, Johnson S.; also Representative(s)
Salazar--Concerning the designation of the Cumbres and
Toltec Scenic Railroad as part of a National Historic
Scenic Railway in order to preserve this national historic
treasure for all Americans and future generations.

LAY OVER OF CALENDAR ITEMS

On motion of Representative King, the following items on the Calendar were laid over until March 16, retaining place on Calendar:

Consideration of General Orders--**SB04-089, HB04-1221, 1279, 1283, SB04-185, 152, HB04-1381, SB04-063, 120, 147, HB04-1393.**

Consideration of Resolutions--**HJR04-1012, 1013, 1005, 1018, SJR04-015, HJR04-1010, 1027, 1030, HR04-1006, HJR04-1032.**

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

Consideration of Senate Amendments--**HB04-1115, 1117, 1009, 1147, 1145, 1232, 1285, 1226, 1054.**

Consideration of Adherence--**HB04-1182.**

On motion of Representative King, the House adjourned until 10:00 a.m., March 16, 2004.

Approved:

LOLA SPRADLEY,
Speaker

Attest:

JUDITH RODRIGUE,
Chief Clerk