

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

Forty-third Legislative Day

Wednesday, February 18, 2004

1 Prayer by Dr. Gene Selander, Cherry Creek Community Church, Denver.

2

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

4

5 Pledge of Allegiance led by Representative Judd.

6

7 The roll was called with the following result:

8

9 Present--61.

10 Excused--Representative Fairbank--1.

11 Absent--Representatives Mitchell, Smith, Young--3.

12 Present after roll call--Representatives Mitchell, Smith, Young.

13

14 The Speaker declared a quorum present.

15

16

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

20

21

22 **THIRD READING OF BILLS--FINAL PASSAGE**

23

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

27

28 **SB04-106** by Senator(s) Teck; also Representative(s) Stengel--  
 29 Concerning a repeal of the second pool of premium tax  
 30 credits available under the "Certified Capital Company  
 31 Act", and, in connection therewith, creating tax credits for  
 32 contributions to a venture capital program.

33

34 Representative Spradley requested permission to offer a third reading  
 35 amendment.

36

37 Representative Plant moved that the bill be rereferred to the committee  
 38 on Finance. The motion was declared **lost** by the following roll call vote:

39

40	YES	18	NO	46	EXCUSED	01	ABSENT	00
41	Berry	N	Garcia	Y	McCluskey	N	Sinclair	N
42	Borodkin	Y	Hall	N	McFadyen	N	Smith	N
43	Boyd	Y	Harvey	N	McGihon	Y	Spence	N

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

15  
16 As shown by the following roll call vote, a majority of all members  
17 elected to the House voted in the affirmative, and Representative  
18 Spradley was given permission to offer a Third Reading amendment:  
19

20	YES	54	NO	10	EXCUSED	01	ABSENT	00
21	Berry	Y	Garcia	N	McCluskey	Y	Sinclair	Y
22	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
23	Boyd	Y	Harvey	Y	McGihon	N	Spence	Y
24	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
25	Brophy	Y	Hodge	N	Miller	Y	Stengel	Y
26	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	N
27	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	N
28	Carroll	Y	Johnson	Y	Plant	N	Weddig	Y
29	Cerbo	N	Judd	N	Pommer	Y	Weissmann	Y
30	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
31	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
32	Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y
33	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	N
34	Decker	Y	Madden	N	Rose	Y	Williams T.	Y
35	Fairbank	E	Marshall	Y	Salazar	Y	Witwer	Y
36	Frangas	Y	May	Y	Schultheis	Y	Young	Y
37							Speaker	Y

38  
39 **Third Reading amendment No. 1**, by Representative Spradley.

40  
41 Amend revised bill, page 6, line 2, after "(1)", insert "(a)";

42  
43 after line 24, insert the following:  
44

45       "(b) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH (b)  
46 AND PURSUANT TO RULES PROMULGATED BY THE OFFICE, ONE OR MORE  
47 CERTIFIED INVESTORS MAY CLAIM UP TO TEN MILLION DOLLARS OF STATE  
48 PREMIUM TAX CREDITS ANNUALLY FOR TEN YEARS BEGINNING IN TAX YEAR  
49 2005 FOR INVESTMENTS OCCURRING ON OR AFTER APRIL 1, 2004, OF  
50 CERTIFIED CAPITAL IN ONE OR MORE CERTIFIED CAPITAL COMPANIES TO BE  
51 USED FOR QUALIFIED INVESTMENTS. WITH REGARD TO SUCH  
52 INVESTMENTS:  
53

54       (A) TWENTY-FIVE PERCENT OF CERTIFIED CAPITAL FOR WHICH  
55 PREMIUM TAX CREDITS ARE ALLOWED SHALL BE ALLOCATED TO CERTIFIED  
56 INVESTORS IN CERTIFIED CAPITAL COMPANIES FOR INVESTMENTS IN

1 QUALIFIED RURAL BUSINESSES IN THE ORDER IN WHICH PREMIUM TAX  
2 CREDIT ALLOCATION CLAIMS THAT REQUEST AN ALLOCATION OF PREMIUM  
3 TAX CREDITS UNDER THIS SUB-SUBPARAGRAPH (A) ARE FILED WITH THE  
4 OFFICE BY CERTIFIED CAPITAL COMPANIES ON BEHALF OF THEIR CERTIFIED  
5 INVESTORS; AND

6  
7 (B) AFTER THE CERTIFIED CAPITAL HAS BEEN ALLOCATED  
8 PURSUANT TO SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (I),  
9 SEVENTY-FIVE PERCENT OF CERTIFIED CAPITAL FOR WHICH PREMIUM TAX  
10 CREDITS ARE ALLOWED SHALL BE ALLOCATED TO CERTIFIED INVESTORS IN  
11 CERTIFIED CAPITAL COMPANIES IN THE ORDER IN WHICH PREMIUM TAX  
12 CREDIT ALLOCATION CLAIMS THAT REQUEST AN ALLOCATION OF PREMIUM  
13 TAX CREDITS UNDER THIS SUB-SUBPARAGRAPH (B) ARE FILED WITH THE  
14 OFFICE BY CERTIFIED CAPITAL COMPANIES ON BEHALF OF THEIR CERTIFIED  
15 INVESTORS.

16  
17 (II) NOTWITHSTANDING ANY OTHER REQUIREMENT OF THIS  
18 ARTICLE, OF THE TEN MILLION DOLLARS OF TAX CREDITS THAT WOULD  
19 OTHERWISE BE CLAIMED ANNUALLY FOR TEN YEARS BEGINNING IN TAX  
20 YEAR 2005 PURSUANT TO THIS SUBSECTION (1), FIVE MILLION DOLLARS  
21 SHALL NOT BE CLAIMED PURSUANT TO THIS SUBSECTION (1) AND AN  
22 EQUIVALENT AMOUNT OF CREDITS MAY INSTEAD BE CLAIMED ANNUALLY  
23 PURSUANT TO PART 2 OF ARTICLE 46 OF TITLE 24, C.R.S.; EXCEPT THAT, IF  
24 H.B. 04-1206 IS ENACTED AT THE SECOND REGULAR SESSION OF THE  
25 SIXTY-FOURTH GENERAL ASSEMBLY, BECOMES LAW, AND IS  
26 SUBSEQUENTLY DECLARED TO BE UNCONSTITUTIONAL BY A FINAL  
27 JUDGMENT THAT INVALIDATES THE TAX CREDITS ENACTED BY SUCH BILL,  
28 THE REMAINING FIVE MILLION DOLLARS OF TAX CREDITS THAT WOULD  
29 OTHERWISE BE CLAIMED PURSUANT TO THIS SUBSECTION (1) ANNUALLY  
30 FOR EACH OF THE REMAINING CALENDAR YEARS THROUGH 2014 SHALL  
31 NOT BE CLAIMED PURSUANT TO THIS SUBSECTION (1), AND A TOTAL OF TEN  
32 MILLION DOLLARS OF TAX CREDITS MAY INSTEAD BE CLAIMED ANNUALLY  
33 FOR EACH OF THE REMAINING CALENDAR YEARS THROUGH 2014 PURSUANT  
34 TO PART 2 OF ARTICLE 46 OF TITLE 24, C.R.S."

35  
36 Page 9, strike lines 16 through 27.

37  
38 Page 10, strike lines 1 through 11.

39  
40 Renumber succeeding sections accordingly.

41  
42 Page 30, line 10, strike "ONE HUNDRED" and substitute "FIFTY";

43  
44 line 12, strike "TEN" and substitute "FIVE";

45  
46 line 13, strike "2014." and substitute "2014; EXCEPT THAT IF H.B. 04-1206  
47 IS ENACTED AT THE SECOND REGULAR SESSION OF THE SIXTY-FOURTH  
48 GENERAL ASSEMBLY, BECOMES LAW, AND IS SUBSEQUENTLY DECLARED TO  
49 BE UNCONSTITUTIONAL BY A FINAL JUDGMENT THAT INVALIDATES THE TAX  
50 CREDITS ENACTED BY SUCH BILL, THE AUTHORITY SHALL ISSUE TAX CREDIT  
51 CERTIFICATES TO QUALIFIED TAXPAYERS WITH A TOTAL VALUE OF ONE  
52 HUNDRED MILLION DOLLARS TO BE TAKEN BY ONE OR MORE QUALIFIED  
53 TAXPAYERS AT THE RATE OF UP TO TEN MILLION DOLLARS PER YEAR FOR  
54 EACH OF THE REMAINING CALENDAR YEARS THROUGH 2014."

55  
56 Page 33, line 2, strike "TEN" and substitute "FIVE";

line 3, strike "YEAR;" and substitute "YEAR, OR IF H.B. 04-1206 IS ENACTED AT THE SECOND REGULAR SESSION OF THE SIXTY-FOURTH GENERAL ASSEMBLY, BECOMES LAW, AND IS SUBSEQUENTLY DECLARED TO BE UNCONSTITUTIONAL, UNTIL THE AUTHORITY HAS ISSUED TEN MILLION DOLLARS OF TAX CREDIT CERTIFICATES PER YEAR;".

Page 34, line 27, strike "H" and substitute "WITH".

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

YES	49	NO	15	EXCUSED	01	ABSENT	00
Berry	N	Garcia	N	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	N	Hodge	N	Miller	Y	Stengel	Y
Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	N
Cadman	Y	Jahn	Y	Paccione	Y	Vigil	N
Carroll	Y	Johnson	Y	Plant	N	Weddig	Y
Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	N
Clapp	Y	King	Y	Ragsdale	N	Welker	Y
Cloer	Y	Larson	Y	Rhodes	Y	White	Y
Coleman	Y	Lee	Y	Rippy	N	Wiens	N
Crane	N	Lundberg	Y	Romanoff	N	Williams S.	Y
Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
Fairbank	E	Marshall	Y	Salazar	N	Witwer	Y
Frangas	Y	May	Y	Schultheis	N	Young	Y
						Speaker	Y

The question being, "Shall the bill, as amended, 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, as amended, was declared **passed**.

YES	45	NO	19	EXCUSED	01	ABSENT	00
Berry	Y	Garcia	N	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	N	Stafford	N
Brophy	Y	Hodge	N	Miller	Y	Stengel	Y
Butcher	N	Hoppe	Y	Mitchell	N	Tochtrop	N
Cadman	Y	Jahn	Y	Paccione	Y	Vigil	N
Carroll	N	Johnson	Y	Plant	N	Weddig	Y
Cerbo	Y	Judd	N	Pommer	Y	Weissmann	N
Clapp	N	King	Y	Ragsdale	N	Welker	Y
Cloer	Y	Larson	Y	Rhodes	N	White	Y
Coleman	Y	Lee	Y	Rippy	Y	Wiens	N
Crane	Y	Lundberg	N	Romanoff	Y	Williams S.	Y
Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
Fairbank	E	Marshall	Y	Salazar	N	Witwer	Y
Frangas	Y	May	Y	Schultheis	N	Young	Y
						Speaker	Y

Co-sponsors added: Representatives Frangas, Hall, Hoppe, Jahn, King, McGihon, Paccione, White, Williams S., Williams T., Speaker.

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**.

28 Co-sponsors added: Representatives Harvey, Speaker.

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

[illegible]

1 **HB04-1089** by Representative(s) McCluskey; also Senator(s) Hillman--  
 2 Concerning a preference for the purchase of Colorado  
 3 agricultural products by governmental entities.  
 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	50	NO	14	EXCUSED	01	ABSENT	00
Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
Brophy	Y	Hodge	N	Miller	Y	Stengel	Y
Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	N
Cadman	N	Jahn	Y	Paccione	Y	Vigil	Y
Carroll	Y	Johnson	Y	Plant	N	Weddig	Y
Cerbo	N	Judd	Y	Pommer	N	Weissmann	N
Clapp	Y	King	Y	Ragsdale	N	Welker	Y
Cloer	N	Larson	Y	Rhodes	Y	White	Y
Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y
Crane	N	Lundberg	N	Romanoff	Y	Williams S.	Y
Decker	Y	Madden	N	Rose	Y	Williams T.	Y
Fairbank	E	Marshall	Y	Salazar	Y	Witwer	Y
Frangas	N	May	Y	Schultheis	N	Young	Y
						Speaker	Y

28 Co-sponsors added: Representatives McFadyen, Rippy, Young.  
 29  
 30

31 **HB04-1058** by Representative(s) Rippy; also Senator(s) May R.--  
 32 Concerning eligibility determinations under the "Colorado  
 33 Medical Assistance Act".  
 34

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

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

YES	64	NO	00	EXCUSED	01	ABSENT	00
Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
Briggs	Y	Hefley	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	E	Marshall	Y	Salazar	Y	Witwer	Y

1	Frangas	Y	May	Y	Schultheis	Y	Young	Y
2							Speaker	Y

3 Co-sponsors added: Representatives Boyd, Tochtrop, Young.

4  
5 **HB04-1220** by Representative(s) Young, Plant, Witwer; also  
6 Senator(s) Owen, Reeves, Teck--Concerning  
7 transportation expenses under the "Colorado Medical  
8 Assistance Act".  
9

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

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

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

33 Co-sponsors added: Representative Coleman  
34

35 **HB04-1271** by Representative(s) Clapp; also Senator(s)Kester--  
36 Concerning the establishment of a pilot program for the  
37 placement of children in dedicated out-of-home settings.  
38

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

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

YES	60	NO	04	EXCUSED	01	ABSENT	00	
45	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
46	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
47	Boyd	N	Harvey	Y	McGihon	N	Spence	Y
48	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
49	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
50	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
51	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
52	Carroll	Y	Johnson	N	Plant	Y	Weddig	Y
53	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	N
54	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
55	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
56	Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y

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

6 Co-sponsors added: Representatives Butcher, Coleman, Frangas, Hefley, Jahn,  
7 Lundberg, Merrifield, Stafford, Tochtrop, Williams S., Young.

8  
9 **HB04-1226** by Representative(s) White also Senator(s) Kester--  
10 Concerning the authority for a bank to utilize a certificate  
11 of trust to establish a deposit account.

12  
13 The question being "Shall the bill pass?".

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

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

36 Co-sponsors added: Representatives Crane, Hoppe, Rippy, Williams T.

37  
38 **HB04-1232** by Representative(s) **Spradley**, Briggs, Decker, Fairbank,  
39 Hall, Hoppe, King, McCluskey, Paccione, Rippy, Rose,  
40 Tochtrop, White, Wiens, Williams T.; also Senator(s)  
41 Kester--Concerning guidelines for when enhanced motor  
42 vehicle insurance coverage is offered.

43  
44 The question being "Shall the bill pass?".

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

48								
49	YES	64	NO	00	EXCUSED	01	ABSENT	00
50	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
51	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
52	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
53	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
54	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
55	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
56	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y



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

11 Co-sponsors added: Representatives Brophy, Butcher, Carroll, Crane, Harvey,  
 12 Hefley, Jahn, Madden, Marshall, McFadyen, Salazar, Weddig, Welker,  
 13 Williams S.

14  
 15 **HB04-1217** by Representative(s) Lee; also Senator(s) Arnold--  
 16 Concerning changes to the school accountability report to  
 17 include a page that specifies certain information a parent  
 18 may request from a school.

19  
 20 The question being "Shall the bill pass?"

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

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

43 Co-sponsors added: Representatives Crane, Hefley, King, May, Schultheis,  
 44 Spence, Wiens.

45  
 46 **HB04-1211** by Representative(s) Hoppe, Brophy, Harvey, Hodge,  
 47 Johnson R., Madden, McCluskey, Miller, Rippy, Rose,  
 48 Salazar, Tochtrop, Wiens; also Senator(s) Chlouber--  
 49 Concerning the regulation of operators of water facilities,  
 50 and, in connection therewith, continuing the water and  
 51 wastewater facility operators certification board and  
 52 amending the size, composition, and duties of the board.

53  
 54  
 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	63	NO	01	EXCUSED	01	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	N
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	E	Marshall	Y	Salazar	Y	Witwer	Y
22	Frangas	Y	May	Y	Schultheis	Y	Young	Y
23							Speaker	Y

24 Co-sponsors added: Representative Weddig

25  
 26 **HB04-1213** by Representative(s) McCluskey, Brophy, Harvey,  
 27 Johnson R., Madden, Miller, Rippy, Rose, Salazar,  
 28 Tochtrop, Wiens; also Senator(s) Taylor--Concerning the  
 29 continuation of the Colorado natural areas council.

30  
 31 The question being "Shall the bill pass?".  
 32 A roll call vote was taken. As shown by the following recorded vote, a  
 33 majority of those elected to the House voted in the affirmative and the bill  
 34 was declared **passed**.

	YES	58	NO	06	EXCUSED	01	ABSENT	00
37	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
38	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
39	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
40	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
41	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
42	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
43	Cadman	N	Jahn	Y	Paccione	Y	Vigil	Y
44	Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
45	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
46	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
47	Cloer	N	Larson	Y	Rhodes	Y	White	Y
48	Coleman	Y	Lee	N	Rippy	Y	Wiens	Y
49	Crane	N	Lundberg	N	Romanoff	Y	Williams S.	Y
50	Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
51	Fairbank	E	Marshall	Y	Salazar	Y	Witwer	Y
52	Frangas	Y	May	Y	Schultheis	N	Young	Y
53							Speaker	Y

54 Co-sponsors added: Representatives Frangas, Hodge, Hoppe, McGihon,  
 55 Paccione.

56

1 **HB04-1255** by Representative(s) Wiens; also Senator(s) Johnson S.--  
 2 Concerning adjustments to the review schedule for certain  
 3 entities by the department of regulatory agencies.  
 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	64	NO	00	EXCUSED	01	ABSENT	00
11	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
12	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
13	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
14	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
15	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
16	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
17	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
18	Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
19	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
20	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
21	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
22	Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y
23	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
24	Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
25	Fairbank	E	Marshall	Y	Salazar	Y	Witwer	Y
26	Frangas	Y	May	Y	Schultheis	Y	Young	Y
27							Speaker	Y

28  
 29  
 30 **HB04-1228** by Representative(s) Witwer, Plant, Young; also  
 31 Senator(s) Teck, Owen, Reeves--Concerning the repeal of  
 32 statutory provisions creating a coordinator of  
 33 environmental problems within the office of the governor.  
 34

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

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

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

1 Frangas Y May Y Schultheis Y Young Y  
 2 Speaker Y

3 Co-sponsors added: Representatives Brophy, Cadman, Crane, Harvey, Hefley,  
 4 Hoppe, Lee, Schultheis, Smith, Spence.

5  
 6 **HB04-1125** by Representative(s) McFadyen; also Senator(s) Chlouber-  
 7 -Concerning a deceptive trade practice for violations of  
 8 federal law related to unsolicited facsimiles.  
 9

10 The question being "Shall the bill pass?".  
 11 A roll call vote was taken. As shown by the following recorded vote, a  
 12 majority of those elected to the House voted in the affirmative and the bill  
 13 was declared **passed**.  
 14

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

33 Co-sponsors added: Representatives Borodkin, Boyd, Butcher, Carroll, Cloer,  
 34 Coleman, Crane, Decker, Frangas, Garcia, Hefley, Hodge, Larson, Madden,  
 35 Marshall, McGihon, Miller, Paccione, Plant, Pommer, Romanoff, Salazar, Vigil,  
 36 Weissmann, Welker, Williams S.  
 37

38 **HB04-1191** by Representative(s) Stengel; also Senator Anderson--  
 39 Concerning the provision of greater public access to  
 40 information regarding persons required to register as sex  
 41 offenders.  
 42

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

	YES	61	NO	03	EXCUSED	01	ABSENT	00
49 Berry	Y		Garcia	Y	McCluskey	Y	Sinclair	Y
50 Borodkin	Y		Hall	Y	McFadyen	Y	Smith	Y
51 Boyd	Y		Harvey	Y	McGihon	Y	Spence	Y
52 Briggs	Y		Hefley	Y	Merrifield	Y	Stafford	Y
53 Brophy	Y		Hodge	Y	Miller	Y	Stengel	Y
54 Butcher	Y		Hoppe	Y	Mitchell	Y	Tochtrop	Y
55 Cadman	Y		Jahn	Y	Paccione	Y	Vigil	Y
56 Carroll	Y		Johnson	Y	Plant	Y	Weddig	N

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

10 Co-sponsors added: Representatives Boyd, Butcher, Cadman, Cloer, Coleman,  
 11 Crane, Frangas, Hall, Harvey, Jahn, Lee, Madden, Marshall, May, McGihon,  
 12 Miller, Mitchell, Paccione, Rhodes, Romanoff, Rose, Sinclair, Spence, Stafford,  
 13 Vigil, Welker, Speaker.

14  
 15 **HB04-1262** by Representative(s) Lundberg; also Senator Cairns--  
 16 Concerning a requirement that a jurisdiction post a notice  
 17 when using an automated vehicle identification system to  
 18 detect traffic control signal disobedience.

19  
 20 Pursuant to House Rule 16, Representative Rippy moved "Shall the main  
 21 question be now put?" The motion was declared **passed** by the following  
 22 roll call vote:

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

42  
 43 The question being "Shall the bill pass?".  
 44 A roll call vote was taken. As shown by the following recorded vote, a  
 45 majority of those elected to the House voted in the affirmative and the bill  
 46 was declared **passed**.

47								
48	<b>YES</b>	<b>50</b>	<b>NO</b>	<b>14</b>	<b>EXCUSED</b>	<b>01</b>	<b>ABSENT</b>	<b>00</b>
49	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
50	Borodkin	N	Hall	Y	McFadyen	N	Smith	Y
51	Boyd	N	Harvey	Y	McGihon	N	Spence	Y
52	Briggs	Y	Hefley	Y	Merrifield	N	Stafford	Y
53	Brophy	Y	Hodge	N	Miller	Y	Stengel	Y
54	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
55	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	N
56	Carroll	Y	Johnson	Y	Plant	N	Weddig	N

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

10 Co-sponsors added: Representatives Butcher, Hall, Spence, Welker, Speaker.

11  
12 **HB04-1214** by Representative(s) Rose, Brophy, Harvey, Johnson R.,  
13 Madden, McCluskey, Miller, Rippy, Salazar, Tochtrop,  
14 Wiens; also Senator(s) Chlouber--Concerning continuation  
15 of the licensing of river outfitters by the division of parks  
16 and outdoor recreation.

17  
18 The question being "Shall the bill pass?".

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

22								
23	<b>YES</b>	<b>53</b>	<b>NO</b>	<b>11</b>	<b>EXCUSED</b>	<b>01</b>	<b>ABSENT</b>	<b>00</b>
24	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
25	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
26	Boyd	Y	Harvey	N	McGihon	Y	Spence	Y
27	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
28	Brophy	N	Hodge	Y	Miller	Y	Stengel	Y
29	Butcher	Y	Hoppe	Y	Mitchell	N	Tochtrop	Y
30	Cadman	N	Jahn	Y	Paccione	Y	Vigil	Y
31	Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
32	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
33	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
34	Cloer	Y	Larson	Y	Rhodes	N	White	Y
35	Coleman	Y	Lee	N	Rippy	Y	Wiens	Y
36	Crane	N	Lundberg	N	Romanoff	Y	Williams S.	Y
37	Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
38	Fairbank	E	Marshall	Y	Salazar	Y	Witwer	Y
39	Frangas	Y	May	N	Schultheis	N	Young	N
40							Speaker	Y

41 Co-sponsors added: Representatives Coleman, McGihon, Merrifield, Williams S.  
42 Representatives Brophy, Harvey requested their names be removed as sponsors.

43  
44 **HB04-1215** by Representative(s) Rippy, Brophy, Harvey, Johnson R.,  
45 Madden, McCluskey, Miller, Rose, Salazar, Tochtrop,  
46 Wiens; also Senator(s) Entz--Concerning the regulation of  
47 outfitters, and, in connection therewith, continuing the  
48 regulatory functions of the director of the division of  
49 registrations.

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

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

55

	YES	54	NO	10	EXCUSED	01	ABSENT	00
1								
2	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
3	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
4	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
5	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
6	Brophy	N	Hodge	Y	Miller	Y	Stengel	Y
7	Butcher	Y	Hoppe	Y	Mitchell	N	Tochtrop	Y
8	Cadman	N	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	N
12	Cloer	Y	Larson	Y	Rhodes	N	White	Y
13	Coleman	Y	Lee	N	Rippy	Y	Wiens	Y
14	Crane	N	Lundberg	N	Romanoff	Y	Williams S.	Y
15	Decker	N	Madden	Y	Rose	Y	Williams T.	Y
16	Fairbank	E	Marshall	Y	Salazar	Y	Witwer	Y
17	Frangas	Y	May	Y	Schultheis	N	Young	Y
18							Speaker	Y

19 Co-sponsors added: Representatives Decker, McGihon, White.

20 Representative Brophy requested his name be removed as sponsor.

21

22 **HB04-1243** by Representative(s) Frangas, Madden; also Senator(s)  
 23 Sandoval--Concerning the promotion of financing for  
 24 increased reservoir storage capacity through enhancements  
 25 to existing facilities.

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**.

31

	YES	58	NO	06	EXCUSED	01	ABSENT	00
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	N	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	N
43	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
44	Coleman	Y	Lee	N	Rippy	Y	Wiens	Y
45	Crane	N	Lundberg	Y	Romanoff	Y	Williams S.	Y
46	Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
47	Fairbank	E	Marshall	Y	Salazar	Y	Witwer	Y
48	Frangas	Y	May	Y	Schultheis	N	Young	N
49							Speaker	Y

50 Co-sponsors added: Representatives Boyd, Butcher, Carroll, Cerbo, Coleman,  
 51 Jahn, McFadyen, McGihon, Merrifield, Miller, Paccione, Plant, Romanoff,  
 52 Salazar, Tochtrop, Vigil, Weddig, Weissmann, Williams S.

53

54

1 **HB04-1025** by Representative(s) Ragsdale, McFadyen, Merrifield;  
 2 also Senator(s) Takis, Isgar, May R., Nichol--Concerning  
 3 the expiration date of certificates of emissions control for  
 4 new diesel vehicles.

5  
 6 The question being "Shall the bill pass?".  
 7 A roll call vote was taken. As shown by the following recorded vote, a  
 8 majority of those elected to the House voted in the affirmative and the bill  
 9 was declared **passed**.

10

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

29 Co-sponsors added: Representatives Brophy, Butcher, Cerbo, Coleman,  
 30 McGihon, Pommer, Williams S.

31

32

33

House in recess. House reconvened.

34

35

36

37

## REPORTS OF COMMITTEES OF REFERENCE

38

39

### **BUSINESS AFFAIRS & LABOR**

40

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

42

43

**HB04-1236** be referred to the Committee of the Whole with favorable  
 44 recommendation.

45

46

47

**HB04-1287** be referred favorably to the Committee on Appropriations.

48

49

50

**HB04-1292** be amended as follows, and as so amended, be referred to  
 51 the Committee of the Whole with favorable  
 52 recommendation:

53

54

Amend printed bill, page 2, strike lines 2 through 10 and substitute the  
 55 following:

56



1       **"SECTION 1.** 10-4-110.7, Colorado Revised Statutes, is  
2 amended to read:

3  
4       **10-4-110.7. Notice of intent prior to cancellation or nonrenewal**  
5 **of policies of homeowner's insurance.** (1) No insurer shall cancel or  
6 refuse to renew a policy of homeowner's insurance unless such insurer  
7 mails by first-class mail to the named insured, at the last address shown  
8 in the insurer's records, at least thirty days in advance a notice of its  
9 intended action ~~which~~ THAT specifically states the reasons for proposing  
10 to take such action PURSUANT TO SECTION 10-4-110; but, where  
11 cancellation is for nonpayment of premium, at least ten days' notice of  
12 cancellation accompanied by the reasons therefor shall be given.  
13

14       (2) IF AN INSURER ISSUES A BINDER OR A POLICY OF INSURANCE  
15 DURING A PERIOD IN WHICH THE INSURER ASSESSES THE RISK RELATED TO  
16 AN INDIVIDUAL'S REAL AND PERSONAL PROPERTY FOR THE PURPOSES OF  
17 HOMEOWNER'S INSURANCE, THE INSURER SHALL PROVIDE NOTICE TO THE  
18 POTENTIAL INSURED THAT THE DOCUMENTS ARE CONDITIONAL AND THAT  
19 THE INSURER HAS THIRTY-TWO BUSINESS DAYS COMMENCING ON THE  
20 EFFECTIVE DATE OF THE CONDITIONAL COVERAGE TO EVALUATE THE  
21 ISSUANCE OF A POLICY FOR HOMEOWNER'S INSURANCE. IF THE INSURER  
22 REFUSES TO ISSUE A POLICY OF HOMEOWNER'S INSURANCE OR CANCELS A  
23 CONDITIONAL POLICY THAT HAS BEEN ISSUED AS OF AN EFFECTIVE DATE  
24 WITHIN THIS THIRTY-TWO-BUSINESS-DAY PERIOD, THE INSURER SHALL  
25 NOTIFY THE HOMEOWNER OF THE INSURER'S DECISION. IF THERE IS  
26 INFORMATION OBTAINED BY THE INSURER PRIOR TO THE EXPIRATION OF  
27 THE THIRTY-TWO-BUSINESS-DAY PERIOD THAT AN ARTICULATE AND  
28 REASONABLE BASIS EXISTS THAT THE INSURER MAY CANCEL COVERAGE  
29 AND THE INSURER BELIEVES THAT FURTHER INVESTIGATION FOR REPAIR OF  
30 THE PROPERTY IS NECESSARY, THE THIRTY-TWO-BUSINESS-DAY PERIOD  
31 MAY BE EXTENDED.";  
32

33 strike lines 15 through 18 and substitute the following:

34  
35 "NOT, FOR THE PURPOSES OF UNDERWRITING OR RATING NEW OR RENEWAL  
36 POLICIES, USE CREDIT INFORMATION THAT IS ADVERSELY IMPACTED BY A  
37 DISSOLUTION OF MARRIAGE OR BY THE CREDIT INFORMATION OF A FORMER  
38 SPOUSE, NOR SHALL AN INSURER USE CREDIT INFORMATION RELATED TO A  
39 VERIFIABLE MEDICAL ACCOUNT THAT IS IN COLLECTIONS."  
40

41 Page 3, strike lines 18 through 27.

42  
43 Page 4, strike lines 1 through 8 and substitute the following:

44  
45       **"SECTION 3.** Part 1 of article 4 of title 10, Colorado Revised  
46 Statutes, is amended BY THE ADDITION OF A NEW SECTION to  
47 read:

48  
49       **10-4-110.8. Homeowner's insurance - prohibited practice.**  
50 (1) AN INSURER MAY NOT CANCEL OR FAIL TO RENEW COVERAGE OF AN  
51 INSURED SOLELY BECAUSE THE INSURED INQUIRES ABOUT COVERAGE FOR  
52 HOMEOWNER'S INSURANCE AND THE INQUIRY IS NOT RELATED TO AN  
53 ACTUAL CLAIM TO THE PROPERTY INSURED.  
54

55       (2) AN INSURER MAY ONLY PROVIDE INFORMATION REGARDING  
56 CLAIMS TO ANY ENTITY THAT COMPILES OR MONITORS PERSONAL CLAIM OR

1 LOSS EXPERIENCE SHARED BY INSURERS FOR UNDERWRITING OR RATING  
2 PURPOSES.

3

4 (3) FOR THE PURPOSES OF THIS SECTION, UNLESS THE CONTEXT  
5 OTHERWISE REQUIRES, "CLAIM" INCLUDES A DEMAND FOR PAYMENT OF A  
6 BENEFIT BY THE INSURED OR THE PAYMENT OF A COVERED BENEFIT BY AN  
7 INSURER."

8

9 Renumber succeeding section accordingly.

10

11

12

13

14 **EDUCATION**

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

17

18 **HB04-1352** be amended as follows, and as so amended, be referred to  
19 the Committee on Appropriations with favorable  
20 recommendation:

21

22 Amend printed bill, page 3, strike line 6 and substitute the following:

23

24 "DISABILITIES PILOT PROGRAM";

25

26 line 9, before "PROGRAM"., insert "PILOT";

27

28 line 11, before "PROGRAM", insert "PILOT".

29

30 Page 4, line 26, before "PROGRAM", insert "PILOT".

31

32 Page 5, line 5, strike ""PROGRAM"" and substitute ""PILOT PROGRAM"";

33

34 line 6, before "PROGRAM", insert "PILOT";

35

36 line 11, before "PROGRAM.", insert "PILOT";

37

38 line 18, strike "**PROGRAM**" and substitute "**PILOT PROGRAM**";

39

40 strike line 20 and substitute the following:

41

42 "STUDENTS WITH DISABILITIES PILOT PROGRAM. THE PILOT PROGRAM  
43 SHALL BE";

44

45 line 24, strike "2004-05" and substitute "2005-06".

46

47 Page 6, line 24, before "PROGRAM", insert "PILOT".

48

49 Page 7, after line 9, insert the following:

50

51 "(5) THE PROVISIONS OF THIS SECTION SHALL APPLY TO A SCHOOL  
52 DISTRICT WITH A FUNDED PUPIL COUNT, AS DEFINED IN SECTION 22-54-103  
53 (7), EQUAL TO OR GREATER THAN FIVE THOUSAND FIVE HUNDRED PUPILS.  
54 THE PROVISIONS OF THIS SECTION SHALL APPLY TO A SCHOOL DISTRICT  
55 WITH A FUNDED PUPIL COUNT OF LESS THAN FIVE THOUSAND FIVE  
56 HUNDRED ONLY IF THE BOARD OF EDUCATION OF THE SCHOOL DISTRICT

1 HAS ADOPTED A FAVORABLE RESOLUTION AND SUBMITTED THE  
2 RESOLUTION TO THE DEPARTMENT. THE RESOLUTION SHALL REMAIN IN  
3 EFFECT UNTIL THE BOARD OF EDUCATION ADOPTS A RESOLUTION OF  
4 RESCISSION AND SUBMITS THE SUBSEQUENT RESOLUTION TO THE  
5 DEPARTMENT.";  
6  
7 line 10, after "(1)", insert "(a)", and strike "SCHOOL DISTRICT" and  
8 substitute "ADMINISTRATIVE UNIT";  
9  
10 strike lines 11 through 17 and substitute the following:  
11  
12 "SHALL PROVIDE WRITTEN NOTICE OF THE SCHOLARSHIP OPPORTUNITY  
13 AVAILABLE PURSUANT TO THE PILOT PROGRAM TO THE PARENT OF EACH  
14 STUDENT WITH A DISABILITY WHO HAS AN INDIVIDUAL EDUCATIONAL  
15 PROGRAM PROVIDED BY THE ADMINISTRATIVE UNIT.";  
16  
17 line 18, strike "IN THE PROGRAM.";  
18  
19 after line 26, insert the following:  
20  
21       "(b) THE WRITTEN NOTICE DESCRIBED IN PARAGRAPH (a) OF THIS  
22 SUBSECTION (1) SHALL CONTAIN, AT A MINIMUM:  
23  
24       (I) A DESCRIPTION OF THE PILOT PROGRAM;  
25  
26       (II) A LIST OF PARTICIPATING PRIVATE SCHOOLS AND THEIR  
27 ADDRESSES;  
28  
29       (III) A DESCRIPTION OF THE SCHOLARSHIP AMOUNT AVAILABLE TO  
30 THE STUDENT WITH A DISABILITY;  
31  
32       (IV) A DESCRIPTION OF THE WAIVER DESCRIBED IN SECTION  
33 22-20-208 (1);  
34  
35       (V) A STATEMENT THAT THE PROVISIONS OF THIS PART 2 APPLY  
36 ONLY TO A STUDENT WITH A DISABILITY ENROLLED FULL-TIME IN A  
37 PARTICIPATING PRIVATE SCHOOL; AND  
38  
39       (VI) THE APPLICABLE DEADLINES FOR THE STUDENT WITH A  
40 DISABILITY TO PARTICIPATE IN THE PROGRAM."  
41  
42 Page 8, line 5, before "PROGRAM", insert "PILOT";  
43  
44 line 13, before "PROGRAM", insert "PILOT";  
45  
46 line 17, after "EXPENSE.", add "NOTWITHSTANDING ANY PROVISION OF  
47 SECTION 22-7-604 TO THE CONTRARY, THE DEPARTMENT SHALL NOT  
48 INCLUDE THE RESULTS FROM THE STUDENT'S ASSESSMENT IN THE  
49 CALCULATION OF THE STANDARDIZED, WEIGHTED TOTAL SCORE FOR ANY  
50 PUBLIC SCHOOL OF THE SCHOOL DISTRICT OF RESIDENCE.";  
51  
52 line 18, strike "**participate.**" and substitute "**participate - appeal.**";  
53  
54 line 19, before "PROGRAM", insert "PILOT";  
55  
56 line 23, before "PROGRAM,", insert "PILOT";

1 line 27, before "PROGRAM;", insert "PILOT".

2  
3 Page 9, line 4, after "ORIGIN,", insert "GENDER,";

4  
5 line 12, before "PROGRAM;", insert "PILOT";

6  
7 line 19, before "PROGRAM", insert "PILOT";

8  
9 line 26, after "(2)", insert "(a)".

10  
11 Page 10, strike line 3 and substitute the following:

12  
13 "GROUNDS FOR THE DENIAL IN WRITING.

14  
15 (b) A PRIVATE SCHOOL THAT IS DENIED PARTICIPATION IN THE  
16 PILOT PROGRAM BY A SCHOOL DISTRICT MAY FILE AN APPEAL WITH THE  
17 STATE BOARD WITHIN THIRTY DAYS AFTER RECEIVING NOTIFICATION OF  
18 THE DENIAL. WITHIN SIXTY DAYS AFTER RECEIVING NOTICE OF THE  
19 APPEAL, THE STATE BOARD, AFTER PROVIDING REASONABLE NOTICE AND  
20 HOLDING A HEARING ON THE MATTER, SHALL RENDER ITS DECISION ON  
21 WHETHER THE PRIVATE SCHOOL APPLICANT MAY PARTICIPATE IN THE PILOT  
22 PROGRAM. THE DECISION OF THE STATE BOARD SHALL BE FINAL AND NOT  
23 SUBJECT TO APPEAL.

24  
25 (c) A PRIVATE SCHOOL THAT CEASES";

26  
27 line 4, before "PROGRAM", insert "PILOT";

28  
29 line 11, strike "AND THE" and substitute "FOR AS LONG AS THE CHILD IS  
30 ENROLLED IN THE PARTICIPATING PRIVATE SCHOOL PURSUANT TO THIS  
31 PART 2. THE";

32  
33 line 12, strike "IS" and substitute "SHALL BE";

34  
35 line 18, before "PROGRAM", insert "PILOT";

36  
37 line 20, after "CAUSE.", add "THE PARENT SHALL PARTICIPATE IN AT LEAST  
38 TWO PARENT-TEACHER CONFERENCES AT THE PARTICIPATING PRIVATE  
39 SCHOOL EACH YEAR.";

40  
41 line 22, before "PROGRAM", insert "PILOT";

42  
43 line 25, before "PROGRAM;", insert "PILOT".

44  
45 Page 11, strike lines 4 through 8 and substitute the following:

46  
47 **"22-20-209. Payment of scholarship.** (1) THE AMOUNT OF EACH  
48 SCHOLARSHIP GRANTED PURSUANT TO THIS PART 2 SHALL BE THE LESSER  
49 OF:

50  
51 (a) THE STATE AVERAGE PER PUPIL REVENUES FOR THE APPLICABLE  
52 BUDGET YEAR; OR

53  
54 (b) THE ACTUAL ANNUAL TUITION FOR THE PRIVATE SCHOOL.

55  
56 (2) THE SCHOLARSHIPS SHALL BE DISTRIBUTED IN ACCORDANCE

1 WITH SECTION 22-54-109.5.";  
2  
3 line 11, before "PROGRAM.", insert "PILOT";  
4  
5 after line 11, insert the following:  
6  
7 **"22-20-211. Evaluation - report.** THE DEPARTMENT SHALL  
8 CONDUCT AN EVALUATION OF THE PILOT PROGRAM TO DETERMINE THE  
9 PILOT PROGRAM'S EFFECTIVENESS IN DELIVERING EDUCATIONAL SERVICES  
10 TO STUDENTS WITH DISABILITIES AND IN IMPROVING STUDENT  
11 PERFORMANCE STANDARDS. NO LATER THAN DECEMBER 31, 2009, THE  
12 DEPARTMENT SHALL SUBMIT A REPORT TO THE EDUCATION COMMITTEES OF  
13 THE SENATE AND THE HOUSE OF REPRESENTATIVES THAT CONTAINS THE  
14 RESULTS OF THE EVALUATION. THE EVALUATION SHALL BE CONDUCTED,  
15 AND THE REPORT PREPARED, WITHIN EXISTING APPROPRIATIONS.";  
16  
17 line 12, strike "**22-20-211.**" and substitute "**22-20-212.**";  
18  
19 line 24, before "**program**", insert "**pilot**";  
20  
21 line 26, strike "EDUCATION" and substitute "EDUCATION, BEGINNING IN  
22 THE 2005-06 BUDGET YEAR, AND IN EACH BUDGET YEAR THEREAFTER,".  
23  
24 Page 12, line 15, before "PROGRAM""", insert "PILOT";  
25  
26 line 16, before ""PROGRAM",", insert "PILOT";  
27  
28 line 20, before "PROGRAM.", insert "PILOT".  
29  
30 Page 13, line 1, before "PROGRAM.", insert "PILOT";  
31  
32 line 3, before "PROGRAM", insert "PILOT";  
33  
34 line 8, before "PROGRAM", insert "PILOT";  
35  
36 line 13, before "PROGRAM", insert "PILOT";  
37  
38 line 17, strike "DISTRICT" and substitute "DISTRICT, BEGINNING IN THE  
39 2005-06 BUDGET YEAR, AND IN EACH BUDGET YEAR THEREAFTER,";  
40  
41 line 20, before "PROGRAM.", insert "PILOT";  
42  
43 line 24, before "PROGRAM.", insert "PILOT".  
44  
45 Page 14, line 3, before "PROGRAM.", insert "PILOT";  
46  
47 line 10, before "PROGRAM.", insert "PILOT";  
48  
49 line 11, strike the first "THE" and substitute "BEGINNING IN THE 2005-06  
50 BUDGET YEAR AND IN EACH BUDGET YEAR THEREAFTER, THE";  
51  
52 line 17, before "PROGRAM", insert "PILOT";  
53  
54 line 20, before "PROGRAM.", insert "PILOT".  
55  
56 Page 25, line 22, before "PROGRAM", insert "PILOT".

1 **HEALTH, ENVIRONMENT, WELFARE, & INSTITUTIONS**

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

4  
5 **HB04-1252** be postponed indefinitely.  
6

7  
8 **HB04-1264** 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, line 8, strike "BUDGETING, THE" and substitute  
13 "BUDGETING";

14  
15 line 9, strike "STATE TREASURER,".  
16

17  
18  
19 **HB04-1277** be amended as follows, and as so amended, be referred to  
20 the Committee of the Whole with favorable  
21 recommendation:

22  
23 Amend printed bill, page 5, line 18, after "CREATED", insert "IN THE STATE  
24 DEPARTMENT".

25  
26 Page 7, line 13, strike "PUBLIC" and substitute "NONPROFIT";

27  
28 line 14, after "PRIVATE", insert "FOR-PROFIT";

29  
30 line 20, strike "PUBLIC" and substitute "NONPROFIT";

31  
32 line 21, after "PRIVATE", insert "FOR-PROFIT".  
33

34 Page 8, line 4, strike "ASSOCIATION GRANTEE." and substitute "GRANTEE  
35 PROGRAM.".  
36

37 Page 9, strike lines 17 and 18 and substitute the following:

38  
39 "thereof that shall be preserved in the office of the state department."  
40

41 Page 12, line 19, strike "COMMISSION" and substitute "STATE  
42 DEPARTMENT";

43  
44 line 21, strike "COMMISSION" and substitute "STATE DEPARTMENT";

45  
46 line 23, strike "COMMISSION" and substitute "STATE DEPARTMENT".  
47

48 Page 13, line 4, strike "COMMISSION" and substitute "STATE  
49 DEPARTMENT";

50  
51 line 10, strike "2006," and substitute "2007,".  
52

53  
54  
55 **HB04-1303** be postponed indefinitely.  
56

1 **STATE, VETERANS, & MILITARY AFFAIRS**

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

4  
5 **HB04-1229** be postponed indefinitely.

6  
7  
8 **HB04-1242** 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, line 2, after "24-6-402", insert "(1) (a) and"  
13 and, strike "is" and substitute "are";

14  
15 strike line 4 and substitute the following:

16  
17 **"24-6-402. Meetings - open to public.** (1) For the purposes of  
18 this section:

19  
20 (a) (I) "Local public body" means any board, committee,  
21 commission, authority, or other advisory, policy-making, rule-making, or  
22 formally constituted body of any political subdivision of the state and any  
23 public or private entity to which a political subdivision, or an official  
24 thereof, has delegated a governmental decision-making function but does  
25 not include persons on the administrative staff of the local public body.

26  
27 (II) NOTWITHSTANDING THE PROVISIONS OF SUBPARAGRAPH (I) OF  
28 THIS PARAGRAPH (a), "LOCAL PUBLIC BODY" SHALL INCLUDE MEMBERS OF  
29 A BOARD OF EDUCATION, SCHOOL ADMINISTRATION PERSONNEL, OR A  
30 COMBINATION THEREOF WHO ARE INVOLVED IN A MEETING WITH A  
31 REPRESENTATIVE OF EMPLOYEES AT WHICH A COLLECTIVE BARGAINING  
32 AGREEMENT IS DISCUSSED.

33  
34 (4) The members of a";

35  
36 strike lines 25 through 27 and substitute the following:

37  
38 "(A) DURING WHICH NEGOTIATIONS RELATING TO COLLECTIVE  
39 BARGAINING, AS DEFINED IN SECTION 8-3-104 (3), C.R.S., ARE DISCUSSED;  
40 OR

41  
42 (B) DURING WHICH NEGOTIATIONS FOR EMPLOYMENT CONTRACTS,  
43 OTHER THAN NEGOTIATIONS FOR AN".

44  
45 Page 3, strike lines 1 through 3;

46  
47 line 9, strike "WITH A REPRESENTATIVE OF";

48  
49 line 10, strike "EMPLOYEES".

50  
51  
52  
53 **HB04-1346** be referred to the Committee of the Whole with favorable  
54 recommendation.

55  
56

**PRINTING REPORT**

The Chief Clerk reports the following bills have been correctly printed:  
**HB04-1370, 1371.**

---

**SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

The Speaker has signed: **SJR04-016.**

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**DELIVERY OF BILL TO GOVERNOR**

The Chief Clerk of the House of Representatives reports the following bill has been delivered to the Office of the Governor: **HB04-1033**, at 3:49 p.m., on February 17, 2004.

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**MESSAGES FROM THE SENATE**

Madam Speaker:

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes:  
HB04-1206 , amended on Third Reading, as printed in Senate Journal, February 18.

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The Senate has passed on Third Reading and returns herewith  
HB04-1059, 1023.

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes: SB04-130, 156, 088,  
SB04-084, amended as printed in Senate Journal, February 17, page 298,  
SB04-168, amended as printed in Senate Journal, February 17, pages 299-300,  
SB04-029, amended as printed in Senate Journal, February 17, page 300,  
SB04-145, amended as printed in Senate Journal, February 17, pages 300-301 & 302-303,  
SB04-101, amended as printed in Senate Journal, February 13, page 265,  
and in Senate Journal, February 17, pages 301-302 & 303-304,  
HB04-1152, amended as printed in Senate Journal, February 17, page 298.

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**MESSAGE FROM THE REVISOR**

We herewith transmit:  
Without comment, SB04-130, 156, and 088.  
Without comment, as amended, HB04-1206 and 1152.  
Without comment, as amended, SB04-084, 168, 029, 145, and 101.

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**INTRODUCTION OF BILLS**  
**First Reading**

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

**HB04-1372** by Representative(s) Clapp; also Senator(s) Dyer, Gordon, Jones--Concerning focused performance assessments of investor-owned electric utilities.

Committee on Transportation & Energy

Committee on State, Veterans, & Military Affairs

**HB04-1373** by Representative(s) Marshall, Jahn, Miller; also Senator(s) Anderson--Concerning modifications to the "State Personnel System Act".

Committee on Business Affairs & Labor

**SB04-010** by Senator(s) Takis, Anderson, Taylor; also Representative(s) Rhodes, Coleman, Vigil, Williams T.--Concerning leave benefits for employees in the state personnel system.

Committee on Transportation & Energy

Committee on State, Veterans, & Military Affairs

**SB04-019** by Senator(s) Johnson S., Evans, Hagedorn, Hanna, Kester, Sandoval; also Representative(s) Cloer, Boyd, Cerbo, Clapp, Frangas, Johnson R., Schultheis, Stafford, Tochtrop--Concerning changes to the Colorado works program to conform with the reauthorization by the United States congress of temporary assistance for needy families.

Committee on Health, Environment, Welfare, & Institutions

**SB04-046** by Senator(s) Groff; also Representative(s) Stengel--Concerning the protection of the identity of a victim of unlawful sexual behavior.

Committee on Judiciary

**SB04-064** by Senator(s) Reeves; also Representative(s) Hefley--Concerning support obligations.

Committee on Judiciary

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

Committee on Education

**SB04-089** by Senator(s) Reeves; also Representative(s) Paccione--Concerning affordable housing, and, in connection therewith, allowing the certification of nonprofit local housing agencies as local public procurement units for purposes of cooperative purchasing agreements.

Committee on Local Government

- 1 **SB04-098** by Senator(s) Hanna; also Representative(s) Stengel--  
2 Concerning the establishment of a "Structured Settlement  
3 Protection Act".  
4 Committee on Business Affairs & Labor  
5
- 6 **SB04-105** by Senator(s) Kester; also Representative(s) Spence--  
7 Concerning the regulation of health insurance, and, in  
8 connection therewith, adopting certain modifications to  
9 health insurance laws recommended by the 2001 sunset  
10 report conducted by the department of regulatory agencies.  
11 Committee on Business Affairs & Labor  
12
- 13 **SB04-122** by Senator(s) Reeves; also Representative(s) Hefley--  
14 Concerning the repeal of family law magistrates.  
15 Committee on Judiciary  
16
- 17 **SB04-129** by Senator(s) Johnson S.; also Representative(s) Fairbank--  
18 Concerning the selection of designated providers for the  
19 professional diversion program for nurses.  
20 Committee on Health, Environment, Welfare, & Institutions  
21
- 22 **SB04-131** by Senator(s) Jones, Groff, Johnson S.; also  
23 Representative(s) Marshall--Concerning modifications to  
24 the procedures for handling an employment discrimination  
25 complaint filed by an employee in the state personnel  
26 system.  
27 Committee on Business Affairs & Labor  
28
- 29 **SB04-135** by Senator(s) Owen, Reeves, Teck; also Representative(s)  
30 Plant, Witwer, Young--Concerning the determination of  
31 the community spouse resource allowance under the  
32 "Colorado Medical Assistance Act".  
33 Committee on Health, Environment, Welfare, & Institutions  
34
- 35 **SB04-139** by Senator(s) Windels, Andrews; also Representative(s)  
36 Johnson R.--Concerning notification to persons of  
37 immunizations for their children under specified  
38 circumstances.  
39 Committee on Information & Technology  
40
- 41 **SB04-143** by Senator(s) Tapia, Groff, Grossman, Hillman, Kester;  
42 also Representative(s) Brophy, Butcher, McFadyen,  
43 Salazar--Concerning the modification of certain  
44 requirements for contractors that are awarded construction  
45 contracts for public projects.  
46 Committee on Finance  
47
- 48 **SB04-146** by Senator(s) Reeves, Owen, Teck; also Representative(s)  
49 Plant, Witwer, Young--Concerning the procurement of  
50 law enforcement equipment for counterdrug activities  
51 through the federal government.  
52 Committee on Judiciary  
53  
54

- 1 **SB04-147** by Senator(s) Sandoval; also Representative(s) Cloer--  
2 Concerning the administration of certain financial  
3 assistance programs in the department of revenue.  
4 Committee on Finance  
5
- 6 **SB04-152** by Senator(s) Evans; also Representative(s) Lee--  
7 Concerning a prohibition on the payment of a teacher  
8 following the initiation of a prosecution for an offense that  
9 would result in the loss of licensure.  
10 Committee on Education  
11
- 12 **SB04-157** by Senator(s) Andrews; also Representative(s) Spradley--  
13 Concerning the exclusion from lobbying of persons who  
14 limit their activities to providing formal testimony.  
15 Committee on State, Veterans, & Military Affairs  
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 Committee on Information & Technology  
22
- 

## INTRODUCTION OF CONCURRENT RESOLUTION

26  
27 The following resolution was read by title and referred to the committee  
28 indicated:  
29

- 30 **HCR04-1005** by Representative(s) Marshall, Jahn, Coleman, Carroll,  
31 Crane, Hefley, King, Lee, Miller, Mitchell, Paccione,  
32 Romanoff, Rose, Schultheis, Spence, Stengel, Weddig,  
33 Welker, White, Williams S.; also Senator(s) Anderson,  
34 Andrews, Groff, Grossman, Hillman, Sandoval, Takis--  
35 Submitting to the registered electors of the state of  
36 Colorado an amendment to sections 13, 14, and 15 of  
37 article XII, section 22 of article IV, and section 49 (3) of  
38 article V of the constitution of the state of Colorado,  
39 concerning reform of the state civil service system, and, in  
40 connection therewith, modifying the merit principle,  
41 exempting certain positions from the system, modifying  
42 the number of eligible applicants from which an  
43 appointment is to be made, modifying the residency  
44 requirement, expanding the duration of temporary  
45 employment, specifying the rule-making authority of the  
46 state personnel board and the state personnel director,  
47 authorizing a modification to the veterans' preference  
48 calculation, repealing the requirement that the state  
49 auditor's staff be included in the state personnel system,  
50 and making conforming amendments.  
51 Committee on Business Affairs & Labor  
52
- 

53  
54 House in recess. House reconvened.  
55  
56

---

1 **CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILL**

2  
3 **HB04-1119** by Representative(s) **Hefley**, Witwer, Boyd, Butcher,  
4 Carroll, Cerbo, Cloer, Crane, Frangas, Johnson R., Larson,  
5 McCluskey, McFadyen, Paccione, Pommer, Rippy,  
6 Romanoff, Welker, Williams S., Williams T., Briggs, Hall,  
7 King, May M., White; also Senator(s) Taylor, Chlouber,  
8 Arnold, Groff, Hagedorn, Hanna, Isgar, Johnson S.,  
9 Keller, Lamborn, Reeves, Tapia, Veiga, Windels--  
10 Concerning the income tax credit for child care facilities,  
11 and, in connection therewith, clarifying the meaning of the  
12 terms "child care" and "child care facility" and extending  
13 the credit for five additional years.  
14

15 (Amended as printed in Senate Journal, February 13, page 266.)  
16

17 Representative Hefley moved that the House **concur** in Senate  
18 amendments. The motion was declared **passed** by the following roll call  
19 vote:  
20

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

39  
40 The question being, "Shall the bill, as amended, pass?"

41 A roll call vote was taken. As shown by the following recorded vote, a  
42 majority of those elected to the House voted in the affirmative, and the  
43 bill, as amended, was declared **repassed**.  
44

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

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

7 Co-sponsor added: Representative Stafford.

8  
9  
10 On motion of Representative King, at 4:25 p.m., **HB04-067, 004,**  
11 **HB04-1017, 1225, 1363, 1306, 1222, SB04-018, HB04-1285, SB04-035,**  
12 **012, 026, HB04-1204** were added to the Special Orders Calendar on  
13 Wednesday, February 18, 2004.

14  
15  
16 On motion of Representative Decker, the House resolved itself into  
17 Committee of the Whole for consideration of Special Orders and he was  
18 called to the Chair to act as Chairman.

## 19 20 21 22 SPECIAL ORDERS--SECOND READING OF BILLS

23  
24 The Committee of the Whole having risen, the Chairman reported the  
25 titles of the following bills had been read (reading at length had been  
26 dispensed with by unanimous consent), the bills considered and action  
27 taken thereon as follows:

28  
29 (Amendments to the committee amendment are to the printed committee  
30 report which was printed and placed in the members' bill file.)

31  
32 **HB04-1159** by Representative(s) Decker, White, Briggs, Brophy,  
33 Hefley--Concerning the modification of the "Colorado  
34 Uniform Jury Selection and Service Act".

35  
36 Amendment No. 1, Judiciary Report, dated February 3, 2004, and placed  
37 in member's bill file; Report also printed in House Journal, February 6,  
38 pages 365-369.

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

42  
43 **HB04-1216** by Representative(s) Rhodes, Hefley; also Senator(s)  
44 Dyer--Concerning the repeal of authority to provide pre-  
45 birth notice to the parent of a child whose other parent is  
46 relinquishing the parent-child legal relationship by means  
47 of the expedited relinquishment process.

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

51  
52 **HB04-1308** by Representative(s) Cloer, Jahn, King, Paccione,  
53 Spradley, White, Lundberg, Schultheis, Boyd, Butcher,  
54 Fairbank, Miller, Mitchell--Concerning the requirement of  
55 pedigree papers for the distribution of prescription drugs.  
56

1 Amendment No. 1, Health, Environment, Welfare, & Institutions Report,  
2 dated February 11, 2004, and placed in member's bill file; Report also  
3 printed in House Journal, February 12, page 427-428.

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

7  
8 **HB04-1263** by Representative(s) Lundberg, Schultheis, May M.,  
9 Brophy, Cloer, Frangas, Hall, Harvey, Lee, Miller, Rippy,  
10 Rose, Spradley, Tochtrop, Welker--Concerning the  
11 removal of the requirement under Colorado law for  
12 submission of a social security number on an application  
13 for a license issued by the division of wildlife.

14  
15 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,  
16 dated February 12, 2004, and placed in member's bill file; Report also  
17 printed in House Journal, February 13, pages 438-439.

18  
19 Amendment No. 2, by Representative Lundberg.

20  
21 Amend the Agriculture, Livestock, and Natural Resources Committee  
22 Report, dated February 12, 2004, page 1, strike lines 14 through 16 and  
23 substitute the following:

24  
25 "SECURITY NUMBERS OR IF FEDERAL LAW DOES NOT REQUIRE THE  
26 COLLECTION OF SOCIAL SECURITY NUMBERS, THE DIVISION OF WILDLIFE  
27 SHALL HAVE THE DISCRETION TO NOT COLLECT".

28  
29 As amended, ordered engrossed and placed on the Calendar for Third  
30 Reading and Final Passage.

31  
32  
33 **HB04-1107** by Representative(s) Berry; also Senator(s) Reeves--  
34 Concerning the transfer of the office of homeless youth  
35 services from the department of public health and  
36 environment to the department of human services, and  
37 making an appropriation in connection therewith.

38  
39 Amendment No. 1, Appropriations Report, dated February 13, 2004, and  
40 placed in member's bill file; Report also printed in House Journal,  
41 February 13, page 440.

42  
43 As amended, ordered engrossed and placed on the Calendar for Third  
44 Reading and Final Passage.

45  
46  
47 **HB04-1147** by Representative(s) Hall, Brophy, Briggs, Hoppe,  
48 Johnson R., King, McCluskey, Rose; also Senator(s)  
49 Hillman--Concerning the creation of an environmental  
50 management system permit pilot program.

51  
52 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,  
53 dated January 28, 2004, and placed in member's bill file; Report also  
54 printed in House Journal, January 29, page 194.

55  
56

1 Amendment No. 2, Appropriations Report, dated February 13, 2004, and  
2 placed in member's bill file; Report also printed in House Journal,  
3 February 13, page 440.

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

7  
8 **HB04-1265** by Representative(s) Witwer, Plant, Young; also  
9 Senator(s) Reeves, Owen, Teck--Concerning the transfer  
10 of the administration of community mental health services  
11 to specified medical assistance recipients from the  
12 department of human services to the department of health  
13 care policy and financing.

14  
15 Amendment No. 1, Health, Environment, Welfare, & Institutions Report,  
16 dated February 9, 2004, and placed in member's bill file; Report also  
17 printed in House Journal, February 11, pages 415-416.

18  
19 Amendment No. 2, Appropriations Report, dated February 13, 2004, and  
20 placed in member's bill file; Report also printed in House Journal,  
21 February 13, pages 440-441.

22  
23 Amendment No. 3, by Representative Witwer.

24  
25 Amend the Appropriations Committee Report, dated February 13, 2004,  
26 page 1, line 2, strike "lines 17 through 19," and substitute "lines 18  
27 through 20,".

28  
29 As amended, ordered engrossed and placed on the Calendar for Third  
30 Reading and Final Passage.

31  
32 **SB04-004** by Senator(s) May R.; also Representative(s) Spence--  
33 Concerning the statewide tolling enterprise, and, in  
34 connection therewith, clarifying the division of  
35 responsibilities between the board of the enterprise and the  
36 transportation commission with respect to the operation of  
37 the enterprise.

38  
39 Ordered revised and placed on the Calendar for Third Reading and Final  
40 Passage.

41  
42 **HB04-1017** by Representative(s) Berry, Borodkin, Larson, McFadyen,  
43 Pommer, Spence, Stafford, Welker, Williams S.; also  
44 Senator(s) May R., Isgar--Concerning the age at which a  
45 person may lawfully drive a motor vehicle.

46  
47 Amendment No. 1, Transportation & Energy Report, dated January 22,  
48 2004, and placed in member's bill file; Report also printed in House  
49 Journal, January 23, pages 145-147.

50  
51 Amendment No. 2, Appropriations Report, dated February 6, 2004, and  
52 placed in member's bill file; Report also printed in House Journal,  
53 February 6, pages 355-356.

54  
55

1 Amendment No. 3, by Representative Berry.

2  
3 Amend the Transportation and Energy Committee Report, dated January  
4 22, 2004, page 3, strike lines 17 through 19 and substitute the following:

5  
6 "HAS COMPLETED A FOUR-HOUR PREQUALIFICATION DRIVER AWARENESS  
7 PROGRAM APPROVED BY THE DEPARTMENT";

8  
9 line 20, strike "IS EQUIVALENT OR SUPERIOR,".

10

11 Amendment No. 4, by Representative Weissmann.

12

13 Amend the Transportation and Energy Committee Report, dated January  
14 22, 2004, page 2, line 8, strike "A NEW PARAGRAPH," and substitute  
15 "THE FOLLOWING NEW PARAGRAPHS,";

16

17 line 9, strike "**licenses.**" and substitute "**licenses - repeal.**".

18

19 Page 3, strike line 31 and substitute the following:

20

21 "THREE YEARS AFTER ISSUANCE.

22

23 (e) (I) ON OR BEFORE JUNE 30, 2006, THE COMMISSIONER OF  
24 INSURANCE SHALL REPORT TO THE GENERAL ASSEMBLY THE EFFECT OF  
25 THIS SUBSECTION (1) ON INSURANCE PREMIUMS FOR MINOR DRIVERS.

26

27 (II) THIS PARAGRAPH (e) IS REPEALED, EFFECTIVE JULY 1, 2006.".

28

29 Amendment No. 5, by Representative Spence.

30

31 Amend the Transportation and Energy Committee Report, dated January  
32 22, 2004, page 2, line 32, strike "parent" and substitute "parent,  
33 STEPPARENT,".

34

35 Page 3, line 3, strike "parent" and substitute "parent, STEPPARENT,";

36

37 line 4, strike "parent" and substitute "parent, STEPPARENT,";

38

39 line 22, strike "PARENT" and substitute "PARENT, STEPPARENT,";

40

41 line 28, strike "PARENT" and substitute "PARENT, STEPPARENT,";

42

43 line 29, strike "PARENT" and substitute "PARENT, STEPPARENT,";

44

45 after line 31, insert the following:

46

47 "**SECTION 3.** 42-2-108 (1) (a) and the introductory portion to  
48 42-2-108 (1) (b), Colorado Revised Statutes, are amended to read:

49

50 **42-2-108. Application of minors - repeal.** (1) (a) The  
51 application of any person under the age of eighteen years for an  
52 instruction permit or minor driver's license shall be accompanied by an  
53 affidavit of liability signed and verified by the father, ~~or the mother,~~ OR  
54 STEPPARENT of the applicant, or, in the event neither parent is living, by  
55 the person or guardian having proof of legal custody of such minor, BY  
56 A STEPPARENT, or by the spouse of the applicant ~~providing~~ IF the spouse



1 is eighteen years of age or older, or, in the event there is no such person,  
2 guardian, or spouse, by any other responsible adult who is willing to  
3 assume the obligation imposed under this article upon an adult signing the  
4 affidavit of liability for a minor. When any such applicant has been made  
5 a ward of any court in the state for any reason and has been placed in a  
6 foster home, the foster parents or parent may sign the affidavit of liability  
7 for such minor. If the parent or the foster parent, if the minor is in the  
8 care of a foster parent, is unwilling or unable to sign the affidavit of  
9 liability, a guardian ad litem, a designated official of the county  
10 department of social services having custody of such applicant, or a  
11 designated official of the division of youth corrections in the department  
12 of human services having custody of such applicant may sign the  
13 application for an instruction permit without signing the affidavit of  
14 liability for such minor if the requirements of paragraph (b) of this  
15 subsection (1) are met; except that prior to signing the application for an  
16 instruction permit, the guardian ad litem or other designated official shall  
17 notify the court of his or her intent to sign the application and except that  
18 the guardian ad litem or designated official shall not sign the application  
19 for an instruction permit for a minor who is placed in a foster care home  
20 and who is under seventeen and one-half years of age without first  
21 obtaining the consent of the foster parent. If the minor is seventeen and  
22 one-half years of age or older and is in the care of a foster parent, in order  
23 to prepare the minor for emancipation from foster care and to assist the  
24 minor in obtaining important life skills, the guardian ad litem or  
25 designated official shall consult with the foster parent of such minor  
26 about the opportunity for such minor to learn driving skills under the  
27 restrictions provided in paragraph (b) of this subsection (1) prior to  
28 signing an application for an instruction permit. The guardian ad litem  
29 or designated official shall solicit the opinion of the minor's foster parent,  
30 if the minor is in foster care, concerning the minor's ability to exercise  
31 good judgment and make decisions as well as the minor's overall capacity  
32 to drive. When any minor to whom an instruction permit or minor  
33 driver's license has been issued is required to appear before the  
34 department for a hearing pursuant to any provision of this article, such  
35 minor shall be accompanied by the person who signed the affidavit of  
36 liability for such minor or by the guardian ad litem or designated official  
37 who signed the application for an instruction permit for such minor. If  
38 such person is unable to attend the hearing, such person shall submit to  
39 the department a verified signed statement certifying under oath that such  
40 person is aware of the purpose of the hearing but cannot attend.

41  
42 (b) The department shall issue an instruction permit to an  
43 applicant under the age of eighteen years who is otherwise eligible to  
44 obtain an instruction permit and who has been made a ward of the court  
45 and who is in out-of-home placement without the requirement of a parent,  
46 guardian, STEPPARENT, or foster parent signing an affidavit of liability if  
47 the following requirements are met:".

48  
49 Renumber succeeding sections accordingly

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

53  
54 **HB04-1225** by Representative(s) Berry, Spradley, Romanoff, Boyd,  
55 Cloer, Stafford; also Senator(s) Sandoval, Jones--  
56 Concerning the "Low-income Energy Assistance Act".

1 Amendment No. 1, Transportation & Energy Report, dated February 5,  
2 2004, and placed in member's bill file; Report also printed in House  
3 Journal, February 6, pages 373-374.

4  
5 Amendment No. 2, by Representative Berry.

6  
7 Amend the Transportation and Energy Committee Report, dated February  
8 5, 2004, page 1, line 9, strike "FUNDS" and substitute "MONEYS".

9  
10 Page 2, after line 8, insert the following:

11  
12 "Page 6, line 3, strike "FUNDS" and substitute "MONEYS".

13  
14 Page 7, line 13, strike "FUNDS" and substitute "MONEYS".";

15  
16 line 22 of the committee report, strike ""IS A" and substitute ""ARE";

17  
18 line 23, strike "RECIPIENT" and substitute "RECIPIENTS";

19  
20 line 24, strike ""IS A RECIPIENT" and substitute ""ARE RECIPIENTS";

21  
22 line 25, strike ""IS A RECIPIENT" and substitute ""ARE RECIPIENTS".

23  
24 Page 3, line 1, strike ""IS A RECIPIENT" and substitute ""ARE RECIPIENTS";

25  
26 line 3, strike ""SEPTEMBER";" and substitute ""JULY";".

27  
28 Amendment No. 3, by Representative Berry.

29  
30 Amend the Transportation and Energy Committee Report, dated February  
31 5, 2004, page 2, strike line 9, and substitute "Page 9, line 6, strike "PRIOR  
32 TO JANUARY" and substitute "AT LEAST FOUR TIMES PRIOR TO  
33 SEPTEMBER";".

34  
35 Amendment No. 4, by Representative Spence.

36  
37 Amend printed bill, page 4, line 20, strike "OPT OUT OF" and substitute  
38 "CHOOSE NOT TO PARTICIPATE IN".

39  
40 Page 5, line 12, strike "OPT-OUT" and substitute "OPT-IN".

41  
42 Page 7, line 18, strike "OPT-OUT" and substitute "OPT-IN";

43  
44 line 19, strike "NOT";

45  
46 line 20, strike "NOT";

47  
48 line 22, strike "OPT-OUT" and substitute "OPT-IN".

49  
50 Page 8, line 22, strike "**opt-out**" and substitute "**opt-in**";

51  
52 line 24, strike "OPT-OUT" and substitute "OPT-IN";

53  
54 line 25, strike "NOT";

55  
56 line 26, strike "NOT".

1 Page 9, line 6, strike "OPT-OUT" and substitute "OPT-IN";  
 2  
 3 line 12, strike "OPT-OUT" and substitute "OPT-IN";  
 4  
 5 line 13, strike "OUT" and substitute "IN";  
 6  
 7 line 14, strike "NO LONGER";  
 8  
 9 line 15, strike "PROGRAM" and substitute "PROGRAM.";   
 10  
 11 strike line 16.  
 12  
 13 Page 10, line 17, strike "PARTICIPATING AND, IF" and substitute  
 14 "PARTICIPATING.";   
 15  
 16 strike lines 18 through 20.  
 17  
 18 Amendment No. 5, by Representative Plant.  
 19  
 20 Amend printed bill, page 11, line 14, strike "SOLE" and strike  
 21 "ASSISTANCE." and substitute "ASSISTANCE AND IMPROVING ENERGY  
 22 EFFICIENCY.".  
 23  
 24 As amended, ordered engrossed and placed on the Calendar for Third  
 25 Reading and Final Passage.  
 26  
 27 On motion of Representative King, the remainder of the Special Orders  
 28 Calendar (**HB04-1187, 1173, 1347, 1102, SB04-067, HB04-1363, 1306,**  
 29 **1222, SB04-018, HB04-1285, SB04-035, 012, 026, HB04-1204**) was laid  
 30 over until February 19, retaining place on Calendar.  
 31  
 32  
 33

#### AMENDMENTS TO THE COMMITTEE OF THE WHOLE REPORT

34 Representative Plant moved to amend the Report of the Committee of the  
 35 Whole to show that the following Plant amendment, (L.005) to  
 36 HB 04-1147, did pass, and that HB 04-1147, as amended, did pass.  
 37  
 38

39 Amend printed bill, page 6, line 26, strike "AN IDENTIFIED";  
 40  
 41 line 27, strike "NUMBER OF YEARS WITHOUT ANY" and substitute "NO  
 42 HISTORY OF".  
 43  
 44

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

	YES	24	NO	38	EXCUSED	03	ABSENT	00
48	Berry	N	Garcia	Y	McCluskey	N	Sinclair	N
49	Borodkin	Y	Hall	N	McFadyen	N	Smith	N
50	Boyd	Y	Harvey	N	McGihon	Y	Spence	N
51	Briggs	N	Hefley	N	Merrifield	Y	Stafford	E
52	Brophy	N	Hodge	N	Miller	N	Stengel	N
53	Butcher	Y	Hoppe	N	Mitchell	N	Tochtrop	Y
54	Cadman	N	Jahn	N	Paccione	Y	Vigil	Y
55	Carroll	Y	Johnson	N	Plant	Y	Weddig	Y
56	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y

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

9  
10 Representative Berry moved to amend the Report of the Committee of the  
11 Whole to show that the following Spence amendment, (L.008) to  
12 HB 04-1225, did not pass, and that HB 04-1225, as amended, did pass.

13  
14 Amend printed bill, page 4, line 20, strike "OPT OUT OF" and substitute  
15 "CHOOSE NOT TO PARTICIPATE IN".

16  
17 Page 5, line 12, strike "OPT-OUT" and substitute "OPT-IN".

18  
19 Page 7, line 18, strike "OPT-OUT" and substitute "OPT-IN";

20  
21 line 19, strike "NOT";

22  
23 line 20, strike "NOT";

24  
25 line 22, strike "OPT-OUT" and substitute "OPT-IN".

26  
27 Page 8, line 22, strike "**opt-out**" and substitute "**opt-in**";

28  
29 line 24, strike "OPT-OUT" and substitute "OPT-IN";

30  
31 line 25, strike "NOT";

32  
33 line 26, strike "NOT".

34  
35 Page 9, line 6, strike "OPT-OUT" and substitute "OPT-IN";

36  
37 line 12, strike "OPT-OUT" and substitute "OPT-IN";

38  
39 line 13, strike "OUT" and substitute "IN";

40  
41 line 14, strike "NO LONGER";

42  
43 line 15, strike "PROGRAM" and substitute "PROGRAM.";

44  
45 strike line 16.

46  
47 Page 10, line 17, strike "PARTICIPATING AND, IF" and substitute  
48 "PARTICIPATING.";

49  
50 strike lines 18 through 20.

51  
52 The amendment was declared **lost** by the following roll call vote:

53								
54	YES	31	NO	31	EXCUSED	03	ABSENT	00
55	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	N
56	Borodkin	Y	Hall	N	McFadyen	Y	Smith	N

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

### ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Passed Second Reading: **HB04-1159 amended, 1216, 1308 amended, 1263 amended, 1107 amended, 1147 amended, 1265 amended, SB04-004, HB04-1017 amended, 1225 amended.**

Laid over until date indicated retaining place on Calendar: **HB04-1187, 1173, 1347, 1102, SB04-067, HB04-1363, 1306, 1222, SB04-018, HB04-1285, SB04-035, 012, 026, HB04-1204--February 19, 2004.**

The Chairman moved the adoption of the Committee of the Whole Report. As shown by the following roll call vote, a majority of those elected to the House voted in the affirmative, and the Report was **adopted.**

YES	62	NO	00	EXCUSED	03	ABSENT	00
Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	E
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	E	Marshall	Y	Salazar	Y	Witwer	Y
Frangas	Y	May	E	Schultheis	Y	Young	Y
						Speaker	Y

**REPORT OF COMMITTEE OF REFERENCE****AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

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

**HB04-1261** be referred favorably to the Committee on Finance.

**INTRODUCTION OF RESOLUTION**

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

**HJR04-1018** by Representative(s) Rose, Stafford, Berry, Boyd, Cerbo, Clapp, Cloer, Garcia, Hall, Harvey, Hefley, Hodge, Hoppe, Jahn, Johnson R., King, Larson, Madden, McCluskey, McFadyen, Paccione, Pommer, Ragsdale, Rhodes, Sinclair, Spradley, White, Wiens, Williams S.; also Senator(s) Johnson S.--Concerning recognition of the month of April as Child Abuse Prevention Month.

**LAY OVER OF CALENDAR ITEMS**

On motion of Representative King, the following items on the Calendar were laid over until February 19, retaining place on Calendar:

Consideration of General Orders--**HB04-1054, 1175, 1108, SB04-096, HB04-1210, 1196, 1040, 1093, 1121, 1094, 1257, 1218, 1209, 1274, 1067, 1153, 1267, 1270, 1341, 1036.**

Consideration of Resolutions--**HJR04-1008, 1009, 1012, SJR04-009, HJR04-1013, 1005, 1014, SJR04-003, 004, HJR04-1015, 1016.**

Consideration of Senate Amendments--**HB04-1112, 1038, 1072, 1052, 1100.**

On motion of Representative King, the House adjourned until 9:00 a.m., February 19, 2004.

Approved:

LOLA SPRADLEY,  
Speaker

Attest:

JUDITH RODRIGUE,  
Chief Clerk