

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

Forty-first Legislative Day

Monday, February 16, 2004

1 Prayer by Reverend Kathy Mitchell, Mountain Christian Church,  
2 Lakewood.

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

5  
6 Pledge of Allegiance led by Representative Johnson.

7  
8 The roll was called with the following result:

9  
10 Present--62.

11 Excused--Representatives Fairbank, Garcia, Schultheis--3.

12 Present after roll call--Representatives Garcia, Schultheis.

13  
14 The Speaker declared a quorum present.

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

20  
21  
22 On motion of Representative King, at 10:20 a.m., **HB04-1073, 1208,**  
23 **1114, 1089, 1058, 1187, 1159, 1216, 1220, 1271, 1226, 1232, 1217,**  
24 **1211, 1213, 1255, 1308, 1228** were added to the Special Orders Calendar  
25 on Monday, February 16, 2004.

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

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

34  
35 The Committee of the Whole having risen, the Chairman reported the  
36 titles of the following bills had been read (reading at length had been  
37 dispensed with by unanimous consent), the bills considered and action  
38 taken thereon as follows:

39  
40 (Amendments to the committee amendment are to the printed committee  
41 report which was printed and placed in the members' bill file.)

42  
43

1 **HB04-1020** by Representative(s) Romanoff, Plant; also Senator(s)  
2 Teck, Reeves--Concerning state employee incentive  
3 programs for cost-savings innovations.  
4

5 Amendment No. 1, Appropriations Report, dated February 6, 2004, and  
6 placed in member's bill file; Report also printed in House Journal,  
7 February 6, page 356.  
8

9 Amendment No. 2, by Representative Schultheis.  
10

11 Amend printed bill, page 4, line 9, strike "CONSIDER" and substitute  
12 "INCLUDE";  
13

14 line 10, strike "DEVELOPING";  
15

16 line 18, after "RECOGNITION", insert "AND FINANCIAL COMPENSATION";  
17

18 line 19, strike "AND";  
19

20 line 21, strike "PROGRAM." and substitute "PROGRAM; AND";  
21

22 after line 21, insert the following:  
23

24 "(f) A MECHANISM FOR RETURNING AN AMOUNT EQUAL TO FIFTY  
25 PERCENT OF THE COST SAVINGS REALIZED BY ANY DEPARTMENT AS A  
26 RESULT OF AN EMPLOYEE'S COST-SAVINGS INNOVATION TO THE COLORADO  
27 TAXPAYERS AND FOR ALLOWING THE DEPARTMENT IN WHICH THE  
28 EMPLOYEE IS EMPLOYED TO RETAIN AN AMOUNT EQUAL TO FIFTY PERCENT  
29 OF SUCH COST SAVINGS."  
30

31 As amended, ordered engrossed and placed on the Calendar for Third  
32 Reading and Final Passage.  
33

34 **HB04-1095** by Representative(s) Witwer; also Senator(s) Gordon--  
35 Concerning the prospective applicability of certain  
36 amendments to the "Colorado Governmental Immunity  
37 Act".  
38

39 Amendment No. 1, by Representative Witwer amended in House Journal,  
40 February 10, pages 400-401.  
41

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

45 **HB04-1009** by Representative(s) King; also Senator(s) Reeves--  
46 Concerning the ability of the governing board of each  
47 institution of higher education to elect to be exempt from  
48 certain state administrative restrictions.  
49

50 Amendment No. 1, Finance Report, dated February 5, 2004, and placed  
51 in member's bill file; Report also printed in House Journal, February 6,  
52 page 357.  
53

54 Amendment No. 2, by Representative Marshall.  
55

56 Amend printed bill, page 3, after line 14, insert the following:

1       **"SECTION 3.** Part 15 of article 30 of title 24, Colorado Revised  
2 Statutes, is amended BY THE ADDITION OF A NEW SECTION to  
3 read:

4  
5       **24-30-1503.5. Risk management system - independent**  
6 **program.** (1) IF AN INSTITUTION OF HIGHER EDUCATION OR THE  
7 COLORADO COMMISSION ON HIGHER EDUCATION ELECTS TO BE EXCLUDED  
8 FROM THE MEANING OF "STATE AGENCY" AND TO OBTAIN AN INDEPENDENT  
9 RISK MANAGEMENT PROGRAM PURSUANT TO SECTION 24-30-1502 (5),  
10 SUCH INSTITUTION OR COMMISSION SHALL CONDUCT AN ANALYSIS OF THE  
11 INSTITUTION'S OR COMMISSION'S ABILITY TO PROVIDE WORKERS'  
12 COMPENSATION AND THE ESTIMATED PROPERTY AND LIABILITY LOSSES,  
13 INSURANCE COSTS, AND ADMINISTRATIVE COSTS OF RISK MANAGEMENT  
14 THAT THE INSTITUTION OR COMMISSION WILL INCUR BY IMPLEMENTING AN  
15 INDEPENDENT PROGRAM.

16  
17       (2) BEFORE ANY INSTITUTION OF HIGHER EDUCATION OR THE  
18 COLORADO COMMISSION ON HIGHER EDUCATION IMPLEMENTS AN  
19 INDEPENDENT RISK MANAGEMENT PROGRAM, THE INSTITUTION OR  
20 COMMISSION, AS APPLICABLE, SHALL SUBMIT A WRITTEN REPORT  
21 DETAILING THE FINDINGS OF THE ANALYSIS CONDUCTED PURSUANT TO  
22 SUBSECTION (1) OF THIS SECTION TO THE PRESIDENT OF THE SENATE, THE  
23 SPEAKER OF THE HOUSE OF REPRESENTATIVES, THE MAJORITY AND  
24 MINORITY LEADERS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES,  
25 THE MEMBERS OF THE JOINT BUDGET COMMITTEE, AND THE MEMBERS OF  
26 THE BUSINESS AFFAIRS AND LABOR COMMITTEE OF THE SENATE AND THE  
27 HOUSE OF REPRESENTATIVES.

28  
29       (3) IN THE EVENT THAT AN INSTITUTION OF HIGHER EDUCATION OR  
30 THE COLORADO COMMISSION ON HIGHER EDUCATION IMPLEMENTS AN  
31 INDEPENDENT RISK MANAGEMENT PROGRAM, THE INSTITUTION OR  
32 COMMISSION SHALL CONDUCT THE ANALYSIS AND SUBMIT THE REPORT  
33 REQUIRED PURSUANT TO THIS SECTION WITHIN THE EXISTING RESOURCES  
34 OF THE INSTITUTION OR COMMISSION, AS APPLICABLE."

35  
36 Renumber succeeding sections accordingly.

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

40  
41  
42 **HB04-1280** by Representative(s) Stafford, Welker; also Senator(s)  
43 Johnson S.--Concerning authorization to issue a death  
44 certificate if death is presumed but the body is not found.

45  
46 Amendment No. 1, Judiciary Report, dated February 5, 2004, and placed  
47 in member's bill file; Report also printed in House Journal, February 6,  
48 pages 369-372.

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

52  
53  
54 **HB04-1039** by Representative(s) Spence; also Senator(s) McElhany--  
55 Concerning the expansion of the teacher loan forgiveness

1 pilot program to include a teacher who is hired to teach in  
2 a qualified position after his or her first year of teaching.

3  
4 Ordered engrossed and placed on the Calendar for Third Reading and  
5 Final Passage.

6  
7 **HB04-1026** by Representative(s) Carroll; also Senator(s) Grossman--  
8 Concerning the minimum amount of medical payments  
9 coverage that may be offered by an auto insurer.

10  
11 Amendment No. 1, Business Affairs & Labor Report, dated February 3,  
12 2004, and placed in member's bill file; Report also printed in House  
13 Journal, February 4, pages 301-302.

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

17  
18 **HB04-1073** by Representative(s) Smith--Concerning surface owner  
19 notifications filed by an applicant for a water right.

20  
21 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,  
22 dated January 29, 2004, and placed in member's bill file; Report also  
23 printed in House Journal, January 30, page 241.

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

27  
28 **HB04-1208** by Representative(s) Stengel; also Senator(s) Teck--  
29 Concerning an increase in wildlife license fees other than  
30 nonresident big game license fees, and, in connection  
31 therewith, providing a revenue source for and extending  
32 the repeal date of the wildlife management public  
33 education advisory council.

34  
35 Amendment No. 1, Finance Report, dated January 29, 2004, and placed  
36 in member's bill file; Report also printed in House Journal, January 30,  
37 page 244.

38  
39 Amendment No. 2, by Representative Stengel.

40  
41 Amend the Finance Committee Report, dated January 29, 2004, page 1,  
42 strike lines 1 and 2 and substitute the following:

43  
44 "Amend printed bill, page 3, line 2, strike "60.00" and substitute  
45 "50.00";".

46  
47 Amendment No. 3, by Representative Rippy.

48  
49 Amend printed bill, page 3, line 9, strike "60.00" and substitute "50.00";  
50 line 26, after "(b)", insert "(I)".

51  
52 Page 4, after line 5, insert the following:

53  
54  
55 "(II) BY DECEMBER 1, 2009, AND BY EVERY FIFTH ANNIVERSARY  
56 OF SUCH DATE, THE STATE AUDITOR SHALL SUBMIT A REPORT TO THE

1 LEGISLATIVE AUDIT COMMITTEE, THE PURPOSE OF WHICH IS TO REVIEW THE  
 2 CONSUMER PRICE INDEX ADJUSTMENTS MADE PURSUANT TO THIS  
 3 PARAGRAPH (b). THE REPORT SHALL ALSO INCLUDE A SUMMARY OF  
 4 REVENUES RECEIVED THROUGH THE APPLICATION OF THESE ADJUSTMENTS  
 5 OVER THE PREVIOUS FIVE-YEAR PERIOD."

6  
 7 Amendment No. 4, by Representative Hall.

8  
 9 Amend printed bill, page 4, line 2, strike "Denver-Boulder" and substitute  
 10 "~~Denver-Boulder~~ DENVER-BOULDER-GREELEY".

11  
 12 Amendment No. 5, by Representative Tochtrop.

13  
 14 Amend printed bill, page 2, line 2, after "33-4-102", insert "(1) (v), (1)  
 15 (w)" and, after "(b),", insert "(3),";

16  
 17 line 4, strike "(1.4) The division" and substitute "(1) Except as otherwise  
 18 provided in subsection (1.6) of this section, the division is authorized to  
 19 issue the following resident and nonresident licenses and shall collect the  
 20 following fees therefor:

	<b>Fees</b>	
	<b>Resident</b>	<b>Nonresident</b>
21 (v) Possession of raptor license	<del>\$35.00</del> 70.00	NOT AVAILABLE
22 (w) Falconry hunting license	NOT AVAILABLE	<del>\$32.50</del> 65.00
23 (1.4) The division".		

24  
 25 Page 4, after line 5, insert the following:

26  
 27 "(3) Any license issued by the division for which a fee is not  
 28 provided in subsection (1) or (2) of this section shall not exceed ~~twenty~~  
 29 FORTY dollars."

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

33  
 34 On motion of Representative King, the remainder of the Special Orders  
 35 Calendar (**HB04-1114, 1089, 1058, 1187, 1159, 1216, 1220, 1271, 1226,**  
 36 **1232, 1217, 1211, 1213, 1255, 1308, 1228**) was laid over until  
 37 February 17, retaining place on Calendar.

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

39  
 40 Representatives Lee, Carroll, Cloer, Smith, Stengel, and Weddig moved  
 41 to amend the Report of the Committee of the Whole to show that  
 42 HB 04-1095, as amended, was referred to the Judiciary Committee.

43  
 44 The amendment was declared **lost** by the following roll call vote:

YES	20	NO	43	EXCUSED	02	ABSENT	00
Berry	Y	Garcia	N	McCluskey	N	Sinclair	Y
Borodkin	N	Hall	N	McFadyen	N	Smith	Y
Boyd	E	Harvey	N	McGihon	N	Spence	N

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

15  
16 Representative Larson moved to amend the Report of the Committee of  
17 the Whole to show that HB 04-1095, as amended, did not pass.

18  
19 The amendment was declared **lost** by the following roll call vote:

21	YES	21	NO	42	EXCUSED	02	ABSENT	00
22	Berry	Y	Garcia	N	McCluskey	N	Sinclair	Y
23	Borodkin	N	Hall	Y	McFadyen	N	Smith	Y
24	Boyd	E	Harvey	N	McGihon	N	Spence	N
25	Briggs	Y	Hefley	N	Merrifield	N	Stafford	N
26	Brophy	N	Hodge	N	Miller	N	Stengel	Y
27	Butcher	N	Hoppe	N	Mitchell	N	Tochtrop	N
28	Cadman	N	Jahn	N	Paccione	N	Vigil	N
29	Carroll	Y	Johnson	Y	Plant	N	Weddig	Y
30	Cerbo	N	Judd	N	Pommer	Y	Weissmann	N
31	Clapp	N	King	Y	Ragsdale	Y	Welker	N
32	Cloer	Y	Larson	Y	Rhodes	N	White	N
33	Coleman	N	Lee	Y	Rippy	Y	Wiens	N
34	Crane	N	Lundberg	N	Romanoff	N	Williams S.	N
35	Decker	Y	Madden	N	Rose	Y	Williams T.	Y
36	Fairbank	E	Marshall	N	Salazar	N	Witwer	N
37	Frangas	N	May	N	Schultheis	N	Young	Y
38							Speaker	Y

### ADOPTION OF COMMITTEE OF THE WHOLE REPORT

44 Passed Second Reading: **HB04-1020 amended, 1095 amended, 1009**  
45 **amended, 1280 amended, 1039, 1026 amended, 1073 amended, 1208**  
46 **amended.**

47  
48 Laid over until date indicated retaining place on Calendar: **HB04-1114,**  
49 **1089, 1058, 1187, 1159, 1216, 1220, 1271, 1226, 1232, 1217, 1211,**  
50 **1213, 1255, 1308, 1228--February 17, 2004.**

51  
52 The Chairman moved the adoption of the Committee of the Whole  
53 Report. As shown by the following roll call vote, a majority of those  
54 elected to the House voted in the affirmative, and the Report was  
55 **adopted.**

56

1	YES	63	NO	00	EXCUSED	02	ABSENT	00
2	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
3	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
4	Boyd	E	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	E	Marshall	Y	Salazar	Y	Witwer	Y
17	Frangas	Y	May	Y	Schultheis	Y	Young	Y
18							Speaker	Y

House in recess. House reconvened.

## REPORTS OF COMMITTEES OF REFERENCE

### AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES

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

**HB04-1256** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Amend printed bill, page 2, strike line 5 and substitute the following:

"~~shall be operated only~~ NOT BE EXERCISED FOR MORE THAN THREE YEARS IN A TEN-YEAR PERIOD FOR WHICH ONLY A SINGLE APPROVAL IS REQUIRED. THE TEN-YEAR PERIOD SHALL BEGIN WITH THE GRANTING OF SUCH APPROVAL. A WATER RIGHT SUBJECT TO THE AGREEMENT UNDER THIS SECTION MAY NOT USE SECTION 37-92-308(5). AN INTERRUPTIBLE WATER SUPPLY AGREEMENT APPROVED PURSUANT TO THIS SUBSECTION SHALL NOT BE APPROVED FOR ANOTHER TEN-YEAR PERIOD; EXCEPT THAT, IF SUCH AGREEMENT HAS NOT BEEN EXERCISED DURING THE TERM OF THE AGREEMENT, AN APPLICANT MAY REAPPLY ONE TIME BY REPEATING THE APPLICATION PROCESS PURSUANT TO THIS SUBSECTION (3).".

### BUSINESS AFFAIRS & LABOR

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

**HB04-1204** be referred to the Committee of the Whole with favorable recommendation.

1 **HB04-1245** be amended as follows, and as so amended, be referred to  
2 the Committee on Finance with favorable  
3 recommendation:  
4

5 Amend printed bill, page 2, strike lines 8 through 14 and substitute the  
6 following:  
7

8 ~~article. For purposes of satisfying the percentage requirements of~~  
9 ~~subsection (1) of this section only, a certified capital company that has~~  
10 ~~raised certified capital pursuant to an allocation under section 10-3.5-106~~  
11 ~~(2) (a) (II) or (2) (b) (II) shall be deemed to have invested two dollars for~~  
12 ~~every dollar actually invested in a qualified rural business or qualified~~  
13 ~~business that has its principal business operations located in a distressed~~  
14 ~~urban community from certified capital raised under such section."~~  
15

16 Page 3, strike lines 1 and 2;  
17

18 line 3, strike "section.";  
19

20 line 11, strike "PARAGRAPHS (b) AND (c)" and substitute "PARAGRAPH  
21 (b)";  
22

23 line 14, strike "it:" and substitute "OF THE FOLLOWING:";  
24

25 line 15, strike "Is" and substitute "It is";  
26

27 line 16, strike "state; OR" and substitute "state. IF A BUSINESS MEETS  
28 SOME BUT NOT ALL OF THE CRITERIA SET FORTH IN THIS  
29 SUB-SUBPARAGRAPH (A), THE BUSINESS MAY NEVERTHELESS BE DEEMED  
30 TO BE A QUALIFIED BUSINESS IF THE COLORADO ECONOMIC DEVELOPMENT  
31 COMMISSION DETERMINES THAT AN INVESTMENT OF CERTIFIED CAPITAL  
32 PROPOSED BY A CERTIFIED CAPITAL COMPANY PURSUANT TO THIS ARTICLE  
33 WILL FURTHER THE ECONOMIC DEVELOPMENT OF THE STATE.";  
34

35 line 17, strike "HAS" and substitute "IT HAS";  
36

37 line 18, strike "NINE MONTHS" and substitute "NINETY DAYS".  
38

39 Page 4, strike lines 15 through 21.  
40

41 Reletter succeeding paragraph accordingly.  
42

43 Page 5, line 5, after "(14)", inert "(a)";  
44

45 after line 20, insert the following:  
46

47 "(b) A CERTIFIED CAPITAL COMPANY SHALL NOT MAKE A LOAN TO  
48 A QUALIFIED BUSINESS OR QUALIFIED RURAL BUSINESS UNLESS THE  
49 BUSINESS HAS RECEIVED TWO WRITTEN LOAN REJECTION LETTERS FROM  
50 TWO DIFFERENT COMMERCIAL BANKS HEADQUARTERED OR CHARTERED IN  
51 COLORADO THAT MAKE SMALL BUSINESS LOANS, ONE OF WHICH SHALL BE  
52 A PREFERRED LENDER DESIGNATED BY THE FEDERAL SMALL BUSINESS  
53 ADMINISTRATION. ANY SUCH LOAN BY A CERTIFIED CAPITAL COMPANY  
54 SHALL NOT BE MADE THROUGH OR IN CONNECTION WITH ANY GUARANTEED  
55 LOAN PROGRAM."  
56



1 Page 6, line 17, strike "OWN" and substitute "OWN, IN AGGREGATE TOTAL  
2 WITH A BUSINESS THAT WAS ORGANIZED BY, IS A FRANCHISEE OF, OR IS AN  
3 AFFILIATE OF, THE CERTIFIED CAPITAL COMPANY," and strike "FIFTY" and  
4 substitute "FORTY".  
5

6 Page 8, line 1, after "of", insert "PROCEEDS OR GAINS FROM QUALIFIED  
7 INVESTMENTS, PROCEEDS OR GAINS FROM ANY OTHER USE OF CERTIFIED  
8 CAPITAL, OR";  
9

10 line 12, after the period, add "A CERTIFIED CAPITAL COMPANY MAY  
11 UTILIZE PROCEEDS OR GAINS FROM QUALIFIED INVESTMENTS OR PROCEEDS  
12 OR GAINS FROM ANY OTHER USE OF CERTIFIED CAPITAL TO PAY FOR  
13 FEDERAL OR STATE TAXES, INCLUDING PENALTIES AND INTEREST RELATED  
14 TO STATE AND FEDERAL INCOME TAXES, OF THE EQUITY OWNERS OF A  
15 CERTIFIED CAPITAL COMPANY RESULTING FROM A TAX LIABILITY OF THE  
16 CERTIFIED CAPITAL COMPANY."  
17

18 Page 9, line 11, strike "~~such certified capital~~" and substitute "such  
19 certified capital,";  
20

21 line 13, strike "INVESTMENTS." and substitute "INVESTMENTS, OR  
22 PROCEEDS OR GAINS FROM ANY OTHER USE OF CERTIFIED CAPITAL."  
23  
24  
25

26 **HB04-1258** be postponed indefinitely.  
27  
28  
29  
30

### 31 **JUDICIARY**

32 After consideration on the merits, the Committee recommends the  
33 following:  
34

35 **HB04-1270** be amended as follows, and as so amended, be referred to  
36 the Committee of the Whole with favorable  
37 recommendation:  
38

39 Amend printed bill, page 3, strike lines 22 through 25 and substitute the  
40 following:  
41

42 "(3) NOTHING IN THIS SECTION SHALL PRECLUDE PROSECUTION IN  
43 ANOTHER COUNTRY OF A FUGITIVE FROM JUSTICE CHARGED WITH  
44 COMMITTING A CRIME IN COLORADO, IF THE OTHER COUNTRY OFFERS  
45 DOMESTIC PROSECUTION OF SUCH FUGITIVES AS AN ALTERNATIVE TO  
46 EXTRADITION. THIS INCLUDES, BUT IS NOT LIMITED TO, PROSECUTION IN  
47 MEXICO PURSUANT TO THE MEXICAN FEDERAL PENAL CODE."  
48  
49  
50

51 **HB04-1276** be postponed indefinitely.  
52  
53

54 **HB04-1304** be referred favorably to the Committee on Appropriations.  
55  
56

1 **HB04-1341** be amended as follows, and as so amended, be referred to  
2 the Committee of the Whole with favorable  
3 recommendation:  
4

5 Amend printed bill, page 2, line 8, strike "DOLLARS." and substitute  
6 "DOLLARS, WHICH FEE SHALL BE COLLECTED DIRECTLY FROM PRISONERS.";

7  
8 strike line 24 and substitute the following:  
9

10 "ESTABLISH OR ADMINISTER A COMMUNITY-BASED TREATMENT PROGRAM";

11  
12 line 25, strike "IN SECTION 24-33.5-512 (2) (a), C.R.S.,".

13  
14 Page 3, line 1, after "ILLNESS", insert "OR ADDICTION";

15  
16 strike lines 3 through 11 and substitute the following:  
17

18 "(II) FOR PURPOSES OF THIS PARAGRAPH (a), "COMMUNITY-BASED  
19 TREATMENT PROGRAM" MEANS A COMMUNITY-BASED PROGRAM THAT  
20 PROVIDES MANAGEMENT AND TREATMENT SERVICES TO PERSONS WITH  
21 MENTAL ILLNESS OR ADDICTION IN THE CRIMINAL OR JUVENILE JUSTICE  
22 SYSTEM, DESIGNED, AT A MINIMUM, TO REDUCE RECIDIVISM AND  
23 HOSPITALIZATION OF THESE PERSONS.";

24  
25 line 16, strike "AN AMOUNT EQUAL TO SIXTY" and substitute "THE  
26 BALANCE OF THE";

27  
28 line 17, strike "PERCENT OF THE";

29  
30 strike lines 20 through 27.

31  
32 Strike pages 4 through 6.

33  
34 Page 7, strike lines 1 through 3.

35  
36 Renumber succeeding sections accordingly.  
37

38  
39  
40  
41 **STATE, VETERANS, & MILITARY AFFAIRS**

42 After consideration on the merits, the Committee recommends the  
43 following:  
44

45 **HB04-1036** be amended as follows, and as so amended, be referred to  
46 the Committee of the Whole with favorable  
47 recommendation:  
48

49 Amend printed bill, page 2, line 15, strike "OR";

50  
51 strike line 17 and substitute the following:  
52

53 "EMPLOYMENT; OR  
54

55 (d) THE MINOR DRIVER'S PARENT OR LEGAL GUARDIAN PROVIDES  
56 WRITTEN AND SIGNED AUTHORIZATION TO THE MINOR DRIVER TO CARPOOL

1 FOR A PARTICULAR PURPOSE, SO LONG AS THE MINOR DRIVER POSSESSES  
2 SUCH WRITTEN AND SIGNED AUTHORIZATION AND THE MINOR DRIVER AND  
3 THE PASSENGERS COMPLY WITH SECTION 42-2-105.5 (4).";

4  
5 line 18, strike "B" and substitute "A".

6  
7  
8  
9 **HB04-1296** be amended as follows, and as so amended, be referred to  
10 the Committee on Local Government with favorable  
11 recommendation:

12  
13 Amend printed bill, page 2, line 6, strike "PAPER BALLOT, A";

14  
15 strike lines 7 through 9 and substitute the following:

16  
17 "BALLOT THAT HAS BEEN VOTED AND VERIFIED BY THE ELECTOR, HAS THE  
18 SAME APPEARANCE AS AN ABSENTEE BALLOT, AND IS COUNTED USING THE  
19 SAME PROCESSES AND EQUIPMENT USED TO COUNT ABSENTEE BALLOTS IN  
20 AN ELECTION.";

21  
22 after line 18, insert the following:

23  
24 "(3) IF THE DESIGNATED ELECTION OFFICIAL DETERMINES THAT  
25 ANY ELECTRONIC VOTING EQUIPMENT HAS MALFUNCTIONED IN AN  
26 ELECTION, THE PERMANENT PAPER RECORDS PRODUCED BY SUCH  
27 EQUIPMENT SHALL BE THE OFFICIAL BALLOTS FOR ALL PURPOSES.".

28  
29 Renumber succeeding subsection accordingly.

30  
31 Page 2, strike line 22 and substitute the following:

32 "ELECTION.

33  
34 (5) ANY ELECTRONIC VOTING EQUIPMENT ACQUIRED BY A  
35 GOVERNING BODY ON OR AFTER THE EFFECTIVE DATE OF THIS SECTION  
36 SHALL COMPLY WITH THE REQUIREMENTS OF THIS SECTION.".

37  
38 Page 3, line 22, strike "the effective date of this act." and substitute  
39 "November 1, 2006.".

40  
41  
42  
43 **PRINTING REPORT**

44  
45 The Chief Clerk reports the following bills been correctly printed:  
46 **HB04-1363, HCR04-1004.**

47  
48  
49  
50 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

51  
52 The Speaker has signed: **HB04-1033.**

## INTRODUCTION OF BILLS

### First Reading

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

**HB04-1364** by Representative(s) Cloer, Frangas--Concerning the regulation of unsolicited facsimile transmissions.  
Committee on Information & Technology

**HB04-1365** by Representative(s) Harvey; also Senator(s) Kester--  
Concerning water planning by retail water providers.  
Committee on Local Government  
Committee on Appropriations

**HB04-1366** by Representative(s) Cadman, Carroll, Hefley, King, Lee--  
Concerning reserve officers performing law enforcement functions.  
Committee on Judiciary

**HB04-1367** by Representative(s) Weissmann--Concerning the exclusion of certain areas located within the territorial boundaries of a municipality from the area of a library district.  
Committee on Information & Technology

**HB04-1368** by Representative(s) Briggs--Concerning the repeal of the requirement that a person file a report with the department of revenue after a motor vehicle accident if such person failed to demonstrate financial responsibility for the motor vehicle.  
Committee on Business Affairs & Labor

**HB04-1369** by Representative(s) King, Spradley; also Senator(s) Hillman, Andrews--Concerning payment of expenses of the legislative department, and making appropriations in connection therewith.  
Committee on Appropriations

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## INTRODUCTION OF RESOLUTION

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

**HJR04-1016** by Representative(s) Spradley; also Senator(s) Hillman--  
Concerning Developmental Disabilities Community Centered Day.

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**LAY OVER OF CALENDAR ITEMS**

On motion of Representative Marshall, the following items on the Calendar were laid over until February 17, retaining place on Calendar:

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

Consideration of General Orders--**HB04-1054, 1175, 1108, SB04-096, 067, HB04-1210, 1125, 1191, 1196, SB04-004, HB04-1040, 1093, 1017, 1121, 1094, 1257, 1218, 1173, 1225, 1306, 1209, 1262, 1214, 1215, 1347, 1222, 1274, SB04-018, 035, 012, 026 .**

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

Consideration of Senate Amendments--**HB04-1112, 1038, 1331.**

On motion of Representative Marshall, the House adjourned until 9:00 a.m., February 17, 2004.

Approved:

LOLA SPRADLEY,  
Speaker

Attest:

JUDITH RODRIGUE,  
Chief Clerk