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

Ninety-first Legislative Day

Tuesday, April 6, 2004

1	Prayer by Pa	stor	John Sande	ers, Lov	veland Baptist	Chu	ırch, Lovelar	nd.
2 3	The Speaker	call	ed the Hous	se to or	der at 9:00 a.1	n.		
4 5	Pledge of Al	legia	nce led by	Repres	entative Speat	ker S	Spradley.	
6 7 8	The roll was	call	ed with the	follow	ing result:			
9 10 11 12 13		ntR nt af	epresentati ter roll call	Repre	esentative Har	vey.		
13 14	The Speaker	ucci	aieu a quoi	um pre	sent.			
15 16 17 18 19	On motion of April 5, 2004 the Chief Cl	l, wa	epresentati s declared o	ve Boro lispens	odkin, the rea ed with and ap	iding oprov	g of the jour ved as correc	nal of ted by
20 21 22 23	THIRD READING OF BILLSFINAL PASSAGE							
24 25 26		d. I	Reading of		d on Third Re ll at length w			
27 28 29 30 31 32 33	<u>HB04-1404</u>	Co co iss inv	ncerning innection the suance of	nvestm erewith securit	Fairbank; al ents by local and amending pr ies and incr available to	gov ovis easi	ernments, a ions governi ng the ran	nd, in ng the ge of
34 35 36 37 38 39		ote w 10se	as taken. A elected to the	As show	bass?". wn by the follo se voted in the			
40	YES	65	NO	00	EXCUSED	00	ABSENT	00
41	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
42 43	Borodkin Boyd	Y Y	Hall Harvey	Y Y	McFadyen McGihon	Y Y	Smith Spence	Y Y
.5	10,0	-	11u1 / C y	1		-	Spence	-

Briggs Brophy Butcher Cadman Carroll Cerbo Clapp Cloer Coleman Crane Decker Fairbank Frangas	Y Y Y Y Y Y Y Y Y Y Y Y Y	Hefley Hodge Hoppe Jahn Johnson Judd King Larson Lee Lundberg Madden Marshall May	Y Y Y Y Y Y Y Y Y Y Y	Merrifield Miller Mitchell Paccione Plant Pommer Ragsdale Rhodes Rippy Romanoff Rose	Y Y Y Y Y Y Y Y Y Y	Wiens	Y Y Y Y Y Y Y Y
Brophy Butcher Cadman Carroll Cerbo Clapp Cloer Coleman Crane Decker Fairbank	Y Y Y Y Y Y Y Y Y Y	Hodge Hoppe Jahn Johnson Judd King Larson Lee Lundberg Madden Marshall	Y Y Y Y Y Y Y Y Y	Miller Mitchell Paccione Plant Pommer Ragsdale Rhodes Rippy Romanoff	Y Y Y Y Y Y Y Y	Stengel Tochtrop Vigil Weddig Weissmann Welker White Wiens	Y Y Y Y Y Y Y
Butcher Cadman Carroll Cerbo Clapp Cloer Coleman Crane Decker Fairbank	Y Y Y Y Y Y Y Y Y	Hoppe Jahn Johnson Judd King Larson Lee Lundberg Madden Marshall	Y Y Y Y Y Y Y Y	Mitchell Paccione Plant Pommer Ragsdale Rhodes Rippy Romanoff	Y Y Y Y Y Y Y	Tochtrop Vigil Weddig Weissmann Welker White Wiens	Y Y Y Y Y Y
Cadman Carroll Cerbo Clapp Cloer Coleman Crane Decker Fairbank	Y Y Y Y Y Y Y Y	Jahn Johnson Judd King Larson Lee Lundberg Madden Marshall	Y Y Y Y Y Y Y	Paccione Plant Pommer Ragsdale Rhodes Rippy Romanoff	Y Y Y Y Y Y Y	Vigil Weddig Weissmann Welker White Wiens	Y Y Y Y Y
Carroll Cerbo Clapp Cloer Coleman Crane Decker Fairbank	Y Y Y Y Y Y Y	Johnson Judd King Larson Lee Lundberg Madden Marshall	Y Y Y Y Y Y Y	Plant Pommer Ragsdale Rhodes Rippy Romanoff	Y Y Y Y Y Y	Weddig Weissmann Welker White Wiens	Y Y Y Y
Cerbo Clapp Cloer Coleman Crane Decker Fairbank	Y Y Y Y Y Y Y	Judd King Larson Lee Lundberg Madden Marshall	Y Y Y Y Y Y	Pommer Ragsdale Rhodes Rippy Romanoff	Y Y Y Y Y	Weissmann Welker White Wiens	Y Y Y
Clapp Cloer Coleman Crane Decker Fairbank	Y Y Y Y Y Y	King Larson Lee Lundberg Madden Marshall	Y Y Y Y Y	Ragsdale Rhodes Rippy Romanoff	Y Y Y Y	Welker White Wiens	Y Y
Cloer Coleman Crane Decker Fairbank	Y Y Y Y Y	Larson Lee Lundberg Madden Marshall	Y Y Y Y	Rhodes Rippy Romanoff	Y Y Y	White Wiens	Y
Coleman Crane Decker Fairbank	Y Y Y Y	Lee Lundberg Madden Marshall	Y Y Y	Rippy Romanoff	Y Y	Wiens	
Crane Decker Fairbank	Y Y Y	Lundberg Madden Marshall	Y Y	Romanoff			
Fairbank	Y	Marshall		Rose	37	Williams S.	Y
			\mathbf{V}		Y	Williams T.	Y
Frangas	Y	May	1	Salazar	Y	Witwer	Y
			Y	Schultheis	Y	Young	Y
						Speaker	Y
	Sch also tha reg	hultheis, Staf o Senator(s) it each health garding cove	ford, John insui red b	n, Paccione, F Tochtrop, Whi son SConce rer provide inf enefits for ca efit plan desci	ite, V ernin form ancer	Viens, Willian ig the require ation to consu- screening o	ms S eme ume
	ote w 10se e	as taken. As elected to the	s shov	bass?". wn by the foll se voted in the			
was declared YES	ote w nose e l pas s 54	vas taken. As elected to the sed. NO	s shov Hou 11	wn by the foll se voted in the EXCUSED	e affin	rmative and th	ne bi 00
was declared YES Berry	ote w nose e pass 54 Y	vas taken. As elected to the sed. <u>NO</u> Garcia	s shov e Hou <u>11</u> Y	wn by the foll se voted in the <u>EXCUSED</u> McCluskey	e affin 00 Y	rmative and th ABSENT Sinclair	ne b 00 Y
was declared YES Berry Borodkin	ote w nose e pass 54 Y Y	vas taken. As elected to the sed . <u>NO</u> Garcia Hall	s shov e Hou <u>11</u> Y Y	wn by the foll se voted in the <u>EXCUSED</u> McCluskey McFadyen	e affin 00 Y Y	rmative and th <u>ABSENT</u> Sinclair Smith	ne b 00 Y Y
Was declared YES Berry Borodkin Boyd	ote w nose o pass 54 Y Y Y Y	vas taken. As elected to the sed. <u>NO</u> Garcia Hall Harvey	s shov e Hou <u>11</u> Y Y Y Y	wn by the foll se voted in the <u>EXCUSED</u> McCluskey McFadyen McGihon	e affin 00 Y Y Y Y	ABSENT Sinclair Smith Spence	ne b 00 Y Y N
was declared YES Berry Borodkin Boyd Briggs	ote w nose e pass 54 Y Y Y Y Y	vas taken. As elected to the sed. NO Garcia Hall Harvey Hefley	s shov Hou <u>11</u> Y Y Y Y Y	wn by the foll se voted in the <u>EXCUSED</u> McCluskey McFadyen McGihon Merrifield	e affin 00 Y Y Y Y Y	ABSENT Sinclair Smith Spence Stafford	ne b 00 Y Y Y N Y
was declared <u>YES</u> Berry Borodkin Boyd Briggs Brophy	ote w nose o pass 54 Y Y Y Y Y N	vas taken. As elected to the sed. <u>NO</u> Garcia Hall Harvey Hefley Hodge	s shov Hou <u>11</u> Y Y Y Y Y Y	wn by the foll se voted in the <u>EXCUSED</u> McCluskey McFadyen McGihon Merrifield Miller	e affin 00 Y Y Y Y Y Y	ABSENT Sinclair Smith Spence Stafford Stengel	ne b 00 Y Y N Y Y Y
was declared YES Berry Borodkin Boyd Briggs	ote w nose e pass 54 Y Y Y Y Y	vas taken. As elected to the sed. NO Garcia Hall Harvey Hefley	s shov Hou <u>11</u> Y Y Y Y Y	wn by the foll se voted in the <u>EXCUSED</u> McCluskey McFadyen McGihon Merrifield	e affin 00 Y Y Y Y Y	ABSENT Sinclair Smith Spence Stafford Stengel Tochtrop	ne b 00 Y Y N
was declared <u>YES</u> Berry Borodkin Boyd Briggs Brophy Butcher	ote whose of pass of the pass	vas taken. As elected to the sed. NO Garcia Hall Harvey Hefley Hodge Hoppe	s shov Hou <u>11</u> Y Y Y Y Y Y Y	wn by the foll se voted in the <u>EXCUSED</u> McCluskey McFadyen McGihon Merrifield Miller Mitchell	e affin 00 Y Y Y Y Y Y N	ABSENT Sinclair Smith Spence Stafford Stengel	ne b 00 Y Y Y Y Y Y Y Y
was declared <u>YES</u> Berry Borodkin Boyd Briggs Brophy Butcher Cadman	ote w nose of pass 54 Y Y Y Y Y N Y N	vas taken. As elected to the sed. NO Garcia Hall Harvey Hefley Hodge Hoppe Jahn Johnson Judd	s shove Hou <u>11</u> Y Y Y Y Y Y Y Y Y Y Y Y	wn by the foll se voted in the <u>EXCUSED</u> McCluskey McFadyen McGihon Merrifield Miller Mitchell Paccione	e affin 00 Y Y Y Y Y Y Y Y Y Y Y Y	ABSENT Sinclair Smith Spence Stafford Stengel Tochtrop Vigil	ne b 00 Y Y Y Y Y Y Y Y Y Y
was declared YES Berry Borodkin Boyd Briggs Brophy Butcher Cadman Carroll Cerbo Clapp	ote w nose of pass 54 Y Y Y Y Y Y N Y N Y N Y N	vas taken. As elected to the sed. NO Garcia Hall Harvey Hefley Hodge Hoppe Jahn Johnson Judd King	s shov Hou <u>11</u> Y Y Y Y Y Y Y Y Y Y Y	wn by the foll se voted in the <u>EXCUSED</u> McCluskey McFadyen McGihon Merrifield Miller Mitchell Paccione Plant Pommer Ragsdale	e affin 00 Y Y Y Y Y Y Y Y Y Y Y Y	ABSENT Sinclair Smith Spence Stafford Stengel Tochtrop Vigil Weddig Weissmann Welker	ne b 00 Y Y Y Y Y Y Y Y Y Y N
was declared YES Berry Borodkin Boyd Briggs Brophy Butcher Cadman Carroll Cerbo Clapp Cloer	ote w nose of pass 54 Y Y Y Y Y Y N Y N Y N Y N N Y N N	vas taken. As elected to the sed. NO Garcia Hall Harvey Hefley Hodge Hoppe Jahn Johnson Judd King Larson	s shove Hou <u>11</u> Y Y Y Y Y Y Y Y Y Y Y Y	wn by the foll se voted in the <u>EXCUSED</u> McCluskey McFadyen McGihon Merrifield Miller Mitchell Paccione Plant Pommer Ragsdale Rhodes	e affin 00 Y Y Y Y Y Y Y Y Y Y Y Y Y	ABSENT Sinclair Smith Spence Stafford Stengel Tochtrop Vigil Weddig Weissmann Welker White	ne b 00 Y Y Y Y Y Y Y Y Y Y Y Y Y
was declared YES Berry Borodkin Boyd Briggs Brophy Butcher Cadman Carroll Cerbo Clapp Cloer Coleman	ote w nose of pass 54 Y Y Y Y Y Y N Y N Y N Y N Y N Y	vas taken. As elected to the sed. NO Garcia Hall Harvey Hefley Hodge Hoppe Jahn Johnson Judd King Larson Lee	s shov e Hou 11 Y Y Y Y Y Y Y Y Y Y Y Y Y Y	wn by the foll se voted in the EXCUSED McCluskey McFadyen McGihon Merrifield Miller Mitchell Paccione Plant Pommer Ragsdale Rhodes Rippy	e affin 00 Y Y Y Y Y Y Y Y Y Y Y Y Y	ABSENT Sinclair Smith Spence Stafford Stengel Tochtrop Vigil Weddig Weissmann Welker White Wiens	ne b 00 Y Y Y Y Y Y Y Y Y Y Y Y Y
was declared YES Berry Borodkin Boyd Briggs Brophy Butcher Cadman Carroll Cerbo Clapp Cloer Coleman Crane	ote w nose of pass 54 Y Y Y Y Y Y N Y Y N Y Y N Y Y Y	vas taken. As elected to the sed. NO Garcia Hall Harvey Hefley Hodge Hoppe Jahn Johnson Judd King Larson Lee Lundberg	s shove Hou <u>11</u> Y Y Y Y Y Y Y Y Y Y Y Y N	wn by the foll se voted in the <u>EXCUSED</u> McCluskey McFadyen McGihon Merrifield Miller Mitchell Paccione Plant Pommer Ragsdale Rhodes Rippy Romanoff	e affin 00 Y Y Y Y Y Y Y Y Y Y Y Y Y	ABSENT Sinclair Smith Spence Stafford Stengel Tochtrop Vigil Weddig Weissmann Welker White Wiens Williams S.	ne b 000 Y Y Y Y Y Y Y Y Y Y Y Y Y
was declared YES Berry Borodkin Boyd Briggs Brophy Butcher Cadman Carroll Cerbo Clapp Cloer Coleman Crane Decker	ote w nose of pass 54 Y Y Y Y Y Y N Y Y N Y Y N Y Y Y Y Y	vas taken. As elected to the sed. NO Garcia Hall Harvey Hefley Hodge Hoppe Jahn Johnson Judd King Larson Lee Lundberg Madden	s shove Hou T Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y	wn by the foll se voted in the <u>EXCUSED</u> McCluskey McFadyen McGihon Merrifield Miller Mitchell Paccione Plant Pommer Ragsdale Rhodes Rippy Romanoff Rose	e affin 00 Y Y Y Y Y Y Y Y Y Y Y Y Y	ABSENT Sinclair Smith Spence Stafford Stengel Tochtrop Vigil Weddig Weissmann Welker White Wiens Williams S. Williams T.	ne b 000 Y Y Y Y Y Y Y Y Y Y Y Y Y
was declared <u>YES</u> Berry Borodkin Boyd Briggs Brophy Butcher Cadman Carroll Cerbo Clapp Cloer Coleman Crane	ote w nose of pass 54 Y Y Y Y Y Y N Y Y N Y Y N Y Y Y	vas taken. As elected to the sed. NO Garcia Hall Harvey Hefley Hodge Hoppe Jahn Johnson Judd King Larson Lee Lundberg	s shove Hou <u>11</u> Y Y Y Y Y Y Y Y Y Y Y Y N	wn by the foll se voted in the <u>EXCUSED</u> McCluskey McFadyen McGihon Merrifield Miller Mitchell Paccione Plant Pommer Ragsdale Rhodes Rippy Romanoff	e affin 00 Y Y Y Y Y Y Y Y Y Y Y Y Y	ABSENT Sinclair Smith Spence Stafford Stengel Tochtrop Vigil Weddig Weissmann Welker White Wiens Williams S.	ne b 000 Y Y Y Y Y Y Y Y Y Y Y Y Y

	CONSIDERATION OF RESOLUTIONS
<u>HJR04-1018</u>	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 SConcerning recognition of the month of April as Child Abuse Prevention Month.
(Printed and p	laced in member's file.)
On motion of adopted by vi	Representative Rose, the resolution was read at length and va voce vote.
Co-sponsors ad	lded: Roll Call of the House.
HJR04-1037	by Representative(s) Decker, Spradley; also Senator(s) McElhanyConcerning support for the quest to obtain a Nextel Cup race at Pikes Peak International Raceway.
(Printed and p	laced in member's file.)
	Representative Decker, the resolution was read at length by viva voce vote.
Co-sponsors ad	Ided: Roll Call of the House.
REP	ORTS OF COMMITTEES OF REFERENCE
EDUCATIO After consider following:	\underline{N} pration on the merits, the Committee recommends the
<u>HB04-1405</u>	be referred to the Committee of the Whole with favorable recommendation.
LOCAL GO After conside following:	VERNMENT eration on the merits, the Committee recommends the
<u>HB04-1410</u>	be postponed indefinitely.
	G OF BILLS - RESOLUTIONS - MEMORIALS nas signed: HB04-1074, 1226, 1232, 1285, 1354, 1379.
	HJR04-1018 (Printed and p On motion of adopted by vi Co-sponsors ad HJR04-1037 (Printed and p On motion of and adopted b Co-sponsors ad REP EDUCATION After conside following: HB04-1405 LOCAL GOY After conside following:

House Journal--91st Day--April 6, 2004 Page 1216 **INTRODUCTION OF RESOLUTION** 1 2 3 4 The following resolution was read by title and laid over one day under the rules: 5 6 HJR04-1050 by Representative(s) Tochtrop, Borodkin, Williams S.; 7 also Senator(s) Takis--Concerning the designation of each 8 April 24 as "Colorado Day of Remembrance of the 9 Armenian Genocide". 10 11 12 House in recess. House reconvened. 13 14 On motion of Representative King, at 1:40 p.m., HB04-1030, 1269, 15 1284, 1344, 1347, 1015, 1016, 1021, 1134, 1189, 1254, 1260, 1293, 16 17 1414, 1423 were added to the Special Orders Calendar on Tuesday, 18 April 6, 2004. 19 20 21 On motion of Representative Brophy, the House resolved itself into 22 Committee of the Whole for consideration of Special Orders and he was 23 called to the Chair to act as Chairman. 24 25 26 27 SPECIAL ORDERS--SECOND READING OF BILLS 28 29 The Committee of the Whole having risen, the Chairman reported the 30 titles of the following bills had been read (reading at length had been 31 dispensed with by unanimous consent), the bills considered and action 32 taken thereon as follows: 33 34 (Amendments to the committee amendment are to the printed committee 35 report which was printed and placed in the members' bill file.) 36 37 HB04-1355 by Representative(s) White, Hoppe, King, McCluskey, 38 Williams T.; also Senator(s) McElhany, Andrews, Johnson 39 S., Jones, Kester--Concerning exclusions from uninsured 40 motor vehicle coverage that limit recovery. 41 42 Amendment No. 1, by Representative White. 43 Amend printed bill, strike everything below the enacting clause and 44 45 substitute the following: 46 47 "SECTION 1. 10-4-609, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read: 48 49 50 **10-4-609.** Insurance protection against uninsured motorists -51 applicability. (6) AN INSURER MAY EXCLUDE A NAMED INSURED, HIS OR 52 HER SPOUSE, OR A RESIDENT RELATIVE, FROM THE CLASS OF PERSONS COVERED UNDER UNINSURED AND UNDERINSURED MOTOR VEHICLE 53 54 COVERAGE FOR BODILY INJURY OR DEATH THAT ARISES OUT OF THE 55 OPERATION, MAINTENANCE, OR USE OF A MOTOR VEHICLE WHEN INJURY OR 56 DEATH OCCURS IN A MOTOR VEHICLE THAT IS OWNED BY THE NAMED

1 INSURED, HIS OR HER SPOUSE, OR A RESIDENT RELATIVE AND NOT INSURED 2 UNDER A MOTOR VEHICLE LIABILITY INSURANCE POLICY. 3 4 **SECTION 2. Effective date - applicability.** This act shall take effect July 1, 2004, and shall apply to motor vehicle insurance policies 5 6 issued or renewed on or after said date. 7 8 **SECTION 3. Safety clause.** The general assembly hereby finds, 9 determines, and declares that this act is necessary for the immediate 10 preservation of the public peace, health, and safety.". 11 12 As amended, ordered engrossed and placed on the Calendar for Third 13 Reading and Final Passage. 14 HB04-1028 15 by Representative(s) Coleman, Rhodes, Williams T.; also Senator(s) Anderson, Takis, Taylor, Tupa--Concerning the 16 17 fee paid in connection with representation of indigent 18 persons. 19 20 Ordered engrossed and placed on the Calendar for Third Reading and 21 Final Passage. 22 23 HB04-1135 by Representative(s) Weissmann, Madden; also Senator(s) 24 Tupa--Concerning the regulation of wildlife, and, in 25 connection therewith, authorizing wildlife sanctuaries. 26 27 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report, dated January 29, 2004, and placed in member's bill file; Report also 28 29 printed in House Journal, January 30, page 242. 30 Amendment No. 2, Appropriations Report, dated March 26, 2004, and 31 32 placed in member's bill file; Report also printed in House Journal, March 33 26, page 1099. 34 35 As amended, ordered engrossed and placed on the Calendar for Third 36 Reading and Final Passage. 37 38 39 HB04-1157 by Representative(s) Larson; also Senator(s) Isgar--40 Concerning the procedures for purging title to a 41 manufactured home. 42 43 Amendment No. 1, Local Government Report, dated February 23, 2004, 44 and placed in member's bill file; Report also printed in House Journal, 45 February 23, pages 606-608. 46 47 Amendment No. 2, by Representative Larson. 48 Amend the Local Government Committee Report, dated February 23, 49 2004, page 1, line 3, strike "(1.5) and (2)," and substitute "(1.5),"; 50 51 52 line 4, strike "are" and substitute "is"; 53 54 line 11, strike "PERSON" and substitute "TITLE INSURANCE AGENT, TITLE 55 INSURANCE COMPANY, OR FINANCIAL INSTITUTION"; 56

line12, strike "MORTGAGE." and substitute "MORTGAGE WITHIN FOURTEEN 1 2 DAYS OF THE REQUEST.". 3 4 Page 2, strike lines 16 through 18 and substitute the following: 5 6 "TITLE, WITHIN FORTY-FIVE DAYS, SHALL DELIVER TO THE TITLE 7 INSURANCE AGENT WHO IS THE SETTLEMENT AGENT RELATED TO THE SALE 8 OF THE MANUFACTURED HOME THE CERTIFICATE OF TITLE OR EVIDENCE 9 THAT THE HOLDER HAS LOST THE CERTIFICATE OF TITLE AND REQUESTED 10 A DUPLICATE FROM THE DEPARTMENT. THE HOLDER SHALL MAIL OR 11 OTHERWISE DELIVER THE DUPLICATE CERTIFICATE OF TITLE TO THE TITLE 12 INSURANCE AGENT WITHIN FIVE BUSINESS DAYS OF RECEIPT FROM THE 13 DEPARTMENT. UPON RECEIPT FROM THE HOLDER, THE TITLE"; 14 line 20, strike "REGISTERED" and substitute "ISSUED"; 15 16 17 strike lines 23 through 25 and substitute the following: 18 19 "SECTION.". 20 21 Page 3, strike lines 3 through 8 and substitute the following: 22 23 "(3) ANY PERSON WHO VIOLATES THE PROVISIONS OF SUBSECTION 24 (1.3) OR (1.7) OF THIS SECTION SHALL BE LIABLE TO AN INJURED PERSON 25 FOR ANY ACTUAL ECONOMIC DAMAGES CAUSED BY THE VIOLATION, TO BE 26 RECOVERED IN A CIVIL ACTION IN A COURT OF COMPETENT JURISDICTION."; 27 28 line 18, strike "mobile" and substitute "mobile MANUFACTURED". 29 30 As amended, ordered engrossed and placed on the Calendar for Third 31 Reading and Final Passage. 32 33 HB04-1237 by Representative(s) May M.; also Senator(s) Lamborn--34 Concerning the authorization for retailers to be held 35 harmless for collecting the incorrect amount of state 36 collected sales and use tax due on a purchase when relying 37 on a certified electronic database of addresses to determine 38 the jurisdictions to which tax is owed. 39 40 Amendment No. 1, Finance Report, dated February 11, 2004, and placed 41 in member's bill file; Report also printed in House Journal, February 12, 42 pages 426-427. 43 Amendment No. 2, Appropriations Report, dated March 26, 2004, and 44 45 placed in member's bill file; Report also printed in House Journal, March 46 26, page 1099. 47 <u>Amendment No. 3</u>, by Representative May. 48 49 50 Amend printed bill, page 4, line 8, after "SECTION.", insert "SUCH 51 CERTIFICATION SHALL BE VALID FOR THREE YEARS."; 52 line 18, after "CONDITION.", add "IN ORDER TO KEEP THE DATABASE 53 54 ACCURATE, THE DATABASE PROVIDER SHALL PROVIDE A CONVENIENT 55 METHOD FOR TAXING JURISDICTIONS THAT MAY BE AFFECTED BY THE USE 56 OF THE DATABASE TO INFORM THE PROVIDER OF APPARENT ERRORS IN THE

1 DATABASE. THE PROVIDER SHALL HAVE A PROCESS IN PLACE TO PROMPTLY 2 CORRECT ANY ERRORS BROUGHT TO THE PROVIDER'S ATTENTION."; 3 4 after line 22, insert the following: 5 6 "(d) THE DATABASE SHALL SATISFY ANY ADDITIONAL CRITERIA 7 THAT THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REVENUE 8 ESTABLISHES PURSUANT TO SUBSECTION (5) OF THIS SECTION.". 9 10 As amended, ordered engrossed and placed on the Calendar for Third Reading and Final Passage. 11 12 13 HB04-1030 by Representative(s) Frangas, Boyd, Johnson R., Stafford, Tochtrop; also Senator(s) Hanna, Hagedorn, Kester, 14 Sandoval--Concerning the evaluation of the Colorado 15 works program, and making an appropriation in 16 17 connection therewith. 18 19 Amendment No. 1, Health, Environment, Welfare, & Institutions Report, 20 dated January 26, 2004, and placed in member's bill file; Report also 21 printed in House Journal, January 28, pages 175-176. 22 23 Amendment No. 2, Appropriations Report, dated March 26, 2004, and placed in member's bill file; Report also printed in House Journal, March 24 25 26, page 1098. 26 27 As amended, ordered engrossed and placed on the Calendar for Third 28 Reading and Final Passage. 29 30 HB04-1269 by Representative(s) Brophy; also Senator(s) Veiga--31 Concerning creation of the crime of criminal operation of 32 a device in a motion picture theater. 33 34 Amendment No. 1, Judiciary Report, dated February 10, 2004, and placed 35 in member's bill file; Report also printed in House Journal, February 11, 36 page 417. 37 38 <u>Amendment No. 2</u>, by Representative Brophy. 39 40 Amend the Judiciary Committee Report, dated February 10, 2004, page 41 1, strike lines 1 through 3 and substitute the following: 42 "Amend printed bill, page 2, line 6, strike "FACILITY IN WHICH A" and 43 44 substitute "MOTION PICTURE THEATER,"; 45 46 line 7, strike "MOTION PICTURE IS BEING EXHIBITED,"; 47 line 8, strike "DEVICE," and substitute "DEVICE FOR THE PURPOSE OF 48 RECORDING A MOTION PICTURE, WHILE A MOTION PICTURE IS BEING 49 EXHIBITED,"; 50 51 52 line 9, strike "FACILITY AND WITHOUT THE CONSENT OF" and substitute 53 "MOTION PICTURE THEATER,"; 54 55

strike line 10 and substitute the following: 3 "COMMITS THE";"; line 9 of the committee report, strike "OR"; strike line 10 of the committee report and substitute the following: "A MOTION PICTURE IN A MOTION PICTURE THEATER,"; line 11 of the committee report, strike "BEING OPERATED,"; line 13 of the committee report, strike "OR THE LICENSOR OF THE MOTION"; strike line 14 of the committee report and substitute the following: "OR ANY"; line 15 of the committee report, after "PEACE", insert "OR POLICE". Page 2 of the committee report, line 2, strike the last "A"; strike line 3 and substitute the following: "OWNER OR LESSEE OF A MOTION PICTURE THEATER,"; line 4 of the committee report, strike "EXHIBITED," and strike the last "OF" and substitute "OR"; strike line 5 of the committee report and substitute the following: "LESSEE,"; line 6 of the committee report, strike "HIS OR HER AGENT OR EMPLOYEE,"; line 7 of the committee report, strike "FACILITY IN WHICH A MOTION" and substitute "MOTION PICTURE THEATER,"; line 8 of the committee report, strike "PICTURE IS BEING EXHIBITED,"; line 9 of the committee report, strike "OR THE LICENSOR OF THE MOTION PICTURE"; strike line 10 of the committee report and substitute the following: "OR PEACE OR POLICE OFFICER"; line 12 of the committee report, strike "DETENTION."." and substitute "DETENTION.";"; after line 12 of the committee report, add the following: "strike line 11 and substitute the following: "A DEVICE IN A MOTION PICTURE THEATER.";

1 strike lines 12 through 15. 2 3 Renumber succeeding subsections accordingly. 4 5 Page 3, strike line 23 and substitute the following: 6 7 "(b) "MOTION PICTURE THEATER" MEANS A MOVIE THEATER, 8 SCREENING ROOM, OR OTHER VENUE WHEN USED PRIMARILY FOR THE 9 EXHIBITION OF MOTION PICTURES.".". 10 As amended, ordered engrossed and placed on the Calendar for Third 11 12 Reading and Final Passage. 13 HB04-1344 by Representative(s) May M.; also Senator Evans--14 Concerning the ability of landowners to petition to be 15 16 included in the Denver metropolitan scientific and cultural 17 facilities district. 18 19 Amendment No. 1, Local Government Report, dated February 23, 2004, and placed in member's bill file; Report also printed in House Journal, 20 21 February 23, pages 608-609. 22 23 As amended, ordered engrossed and placed on the Calendar for Third 24 Reading and Final Passage. 25 26 HB04-1347 by Representative(s) Witwer; also Senator(s) Jones--27 Concerning tuition assistance to members of the Colorado 28 national guard. 29 30 Amendment No. 1, Appropriations Report, dated March 26, 2004, and placed in member's bill file; Report also printed in House Journal, March 31 32 26, pages 1101-1102. 33 34 Amendment No. 2, by Representative Witwer. 35 36 Amend the Appropriations Committee Report, dated March 26, 2004, 37 page l, line 10, strike "THE GENERAL ASSEMBLY SHALL NOT" and substitute 38 "NEITHER THE GENERAL ASSEMBLY NOR THE COMMISSION SHALL". 39 40 Amendment No. 3, by Representative Witwer. 41 42 Amend the Appropriations Committee Report, dated March 26, 2004, 43 page 1, line 8, strike "23-5-111.4." and substitute "23-5-111.4.";"; 44 45 strike lines 9 through 12. 46 47 Amendment No. 4, by Representative Witwer. 48 49 Amend printed bill, page 2, after line 23, insert the following: 50 "SECTION 3. 23-5-111.4 (2), Colorado Revised Statutes, is 51 52 amended BY THE ADDITION OF A NEW PARAGRAPH to read: 53 54 23-5-111.4. Tuition for members of the national guard. 55 A MEMBER SHALL BE ELIGIBLE FOR TUITION ASSISTANCE (2) (a.5)56 PURSUANT TO THIS SECTION TO THE EXTENT THAT TUITION ASSISTANCE

1 FROM OTHER SOURCES, INCLUDING THE FEDERAL GOVERNMENT, FIRST BE 2 APPLIED TO THE MEMBER'S TUITION PRIOR TO ANY TUITION ASSISTANCE 3 RECEIVED PURSUANT TO THIS SECTION.". 4 5 Renumber succeeding sections accordingly. 6 7 As amended, ordered engrossed and placed on the Calendar for Third 8 Reading and Final Passage. 9 10 HB04-1015 by Representative(s) Pommer; also Senator Johnson S.--11 Concerning the authorization of specified persons to 12 obtain drugs commonly used in connection with animal 13 control activities. 14 <u>Amendment No. 1</u>, Agriculture, Livestock, & Natural Resources Report, 15 dated January 21, 2004, and placed in member's bill file; Report also 16 17 printed in House Journal, January 22, page 123. 18 19 Amendment No. 2, Appropriations Report, dated April 2, 2004, and placed in member's bill file; Report also printed in House Journal, 20 21 April 2, page 1195. 22 23 As amended, ordered engrossed and placed on the Calendar for Third 24 Reading and Final Passage. 25 26 HB04-1016 by Representative(s) Johnson R.; also Senator(s) Dyer--27 Concerning the addition of certain obscenity offenses to 28 the "Colorado Sex Offender Registration Act" that 29 requires registration upon conviction of the offense. 30 Amendment No. 1, Appropriations Report, dated April 2, 2004, and 31 placed in member's bill file; Report also printed in House Journal, 32 33 April 2, pages 1195-1196. 34 As amended, ordered engrossed and placed on the Calendar for Third 35 36 Reading and Final Passage. 37 HB04-1021 38 by Representative(s) Briggs, Merrifield; also Senator(s) 39 McElhany--Concerning the consumption of alcohol. 40 Amendment No. 1, Transportation & Energy Report, dated January 21, 41 42 2004, and placed in member's bill file; Report also printed in House 43 Journal, January 23, pages147-151. 44 Amendment No. 2, Appropriations Report, dated April 2, 2004, and placed in member's bill file; Report also printed in House Journal, April 45 46 47 2, pages 1196-1199. 48 49 <u>Amendment No. 3</u>, by Representative Fairbank. 50 51 Amend Transportation & Energy Committee Report, dated January 21, 52 2004, page 5, after line 13, insert the following: 53 54 "**SECTION 10.** 12-47-411 (6) (b) (I), Colorado Revised Statutes, 55 is amended to read: 56

1 **12-47-411.** Hotel and restaurant license. (6) (b) (I) Any person 2 selling malt, vinous, and spirituous liquors as provided in this section may 3 purchase not more than five hundred ONE THOUSAND dollars' worth of 4 such malt, vinous, and spirituous liquors during a calendar year from a 5 retail liquor store."; 6 7 line 14, strike "SECTION 10." and substitute "SECTION 11.". 8 9 <u>Amendment No. 4</u>, by Representative May. 10 11 Amend printed bill, page 8, after line 26, insert the following: 12 "SECTION 6. 12-47-411, Colorado Revised Statutes, is amended 13 BY THE ADDITION OF A NEW SUBSECTION to read: 14 15 12-47-411. Hotel 16 and restaurant license. 17 (3.5) NOTWITHSTANDING ANY PROVISION OF THIS ARTICLE TO THE 18 CONTRARY, A HOTEL OR RESTAURANT LICENSED PURSUANT TO THIS 19 SECTION MAY PERMIT A CUSTOMER OF THE HOTEL OR RESTAURANT TO 20 RESEAL AND REMOVE FROM THE LICENSED PREMISES ONE OPENED 21 CONTAINER OF PARTIALLY CONSUMED VINOUS LIQUOR PURCHASED ON THE 22 PREMISES SO LONG AS THE ORIGINAL CONTAINER DID NOT CONTAIN MORE 23 THAN 750 MILLILITERS OF VINOUS LIQUOR.". 24 25 Renumber succeeding sections accordingly. 26 27 As amended, ordered engrossed and placed on the Calendar for Third 28 Reading and Final Passage. 29 30 HB04-1134 by Representative(s) Miller; also Senator(s) Arnold--31 Concerning a prohibition against using identity 32 information for an unlawful purpose, and, in connection 33 therewith, making an appropriation. 34 35 <u>Amendment No. 1</u>, Information & Technology Report, dated February 2, 36 2004, and placed in member's bill file; Report also printed in House 37 Journal, February 3, page 280. 38 39 Amendment No. 2, by Representatives Larson, Spradley, Stengel. 40 41 Amend the Information and Technology Committee Report, dated February 2, 2004, page 1, line 12, after the period, add "NO MORE THAN 42 43 TWO REVENUE MOTOR VEHICLE INVESTIGATORS PER MOTOR VEHICLE 44 INVESTIGATIONS UNIT SHALL BE PEACE OFFICERS PURSUANT TO SECTION 16-2.5-145."; 45 46 47 line 15, strike "A" and substitute "Two"; 48 line 16, strike "INVESTIGATOR IS A PEACE OFFICER" and substitute 49 50 "INVESTIGATORS PER MOTOR VEHICLE INVESTIGATIONS UNIT ARE PEACE 51 OFFICERS"; 52 53 line 17, strike "HIS OR HER" and substitute "THEIR". 54 55

1 Amendment No. 3, by Representative Larson, Stengel. 2 3 Amend the Information and Technology and Committee Report, dated February 2, 2004, page 2, line 1, strike "C.R.S." and substitute "C.R.S., 4 5 AND WHO SHALL BE CERTIFIED BY THE P.O.S.T. BOARD.". 6 7 As amended, ordered engrossed and placed on the Calendar for Third 8 Reading and Final Passage. 9 10 HB04-1189 by Representative(s) Romanoff; also Senator Dyer--11 Concerning changes to decrease the disparity between the 12 time sentenced and the time served by individuals who are 13 convicted of violent crimes. 14 Amendment No. 1, Judiciary Report, dated February 5, 2004, and placed 15 in member's bill file; Report also printed in House Journal, February 6, 16 17 page 369. 18 19 Amendment No. 2, Appropriations Report, dated April 2, 2004, and placed in member's bill file; Report also printed in House Journal, April 20 21 2, pages 1199-1200. 22 23 Amendment No. 3, by Representative Romanoff. 24 25 Amend the Judiciary Committee Report, dated February 5, 2004, page 2, 26 line 1, strike ""SHALL" and substitute ""MAY". 27 28 As amended, ordered engrossed and placed on the Calendar for Third 29 Reading and Final Passage. 30 31 On motion of Representative King, the remainder of the Special Orders 32 Calendar (HB04-1138, 1284, 1254, 1260, 1293, 1414, 1423) was laid 33 over until April 7, retaining place on Calendar. 34 35 36 37 AMENDMENTS TO THE COMMITTEE OF THE WHOLE REPORT 38 39 Representative Weissmann moved to amend the Report of the Committee of the Whole to show that Amendment No. 3 by Representative Witwer 40 41 (printed in House Journal April 6, page 1221, lines 40-45) to **HB04-1347**, 42 did not pass, and that **HB04-1347**, as amended, did pass. 43 44 The amendment was declared **lost** by the following roll call vote: 45 46 YES NO 46 **EXCUSED** 04 ABSENT 00 15 Berry 47 Y Garcia Е **McCluskey** Ν Sinclair Ν 48 Borodkin McFadyen Ν Ν Hall Ν Ν Smith 49 Boyd Y Harvey Ν McGihon Y Spence Ν Stafford 50 Briggs Ν Hefley Merrifield Ν Ν Ν Stengel 51 Brophy Ν Hodge Y Miller Ν Ν 52 Butcher Y Hoppe Ν Mitchell Ν Tochtrop Ε 53 Cadman Ν Jahn Ν Paccione Ν Vigil Y 54 Y Plant Y Weddig Y Carroll Johnson Y Y 55 Ν Y Pommer Ν Weissmann Cerbo Judd

Ν

Ragsdale

Y

Welker

Ν

Ν

King

56

Clapp

House Journal--91st Day--April 6, 2004

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

9 Representatives Larson, Weissmann, and Rose moved to amend the
10 Report of the Committee of the Whole to show that Amendment No. 4 by
11 Representative May M.(printed in House Journal April 6, page 1223,
12 lines 9-25) to HB04-1021, did not pass, and that HB04-1021, as
13 amended, did pass.

14

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

10								
17	YES	27	NO	35	EXCUSED	03	ABSENT	00
18	Berry	Ν	Garcia	E	McCluskey	Y	Sinclair	Ν
19	Borodkin	Y	Hall	Y	McFadyen	Ν	Smith	Y
20	Boyd	Y	Harvey	Ν	McGihon	Y	Spence	Ν
21	Briggs	Ν	Hefley	Ν	Merrifield	Y	Stafford	Ν
22	Brophy	Ν	Hodge	Y	Miller	Y	Stengel	Y
23	Butcher	Y	Hoppe	Ν	Mitchell	Ν	Tochtrop	E
24	Cadman	Ν	Jahn	Y	Paccione	Y	Vigil	Y
25	Carroll	Y	Johnson	Ν	Plant	Y	Weddig	Y
26	Cerbo	Ν	Judd	Y	Pommer	Ν	Weissmann	Y
27	Clapp	Ν	King	Ν	Ragsdale	Y	Welker	Ν
28	Cloer	Ν	Larson	Y	Rhodes	Ν	White	Ν
29	Coleman	Y	Lee	Ν	Rippy	Y	Wiens	Ν
30	Crane	Ν	Lundberg	Ν	Romanoff	Y	Williams S.	E
31	Decker	Ν	Madden	Y	Rose	Y	Williams T.	Ν
32	Fairbank	Ν	Marshall	Ν	Salazar	Y	Witwer	Ν
33	Frangas	Ν	May	Ν	Schultheis	Ν	Young	Ν
34			-				Speaker	Ν

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

40 Passed Second Reading: HB04-1355 amended, 1028, 1135 amended,
41 1157 amended, 1237 amended, 1030 amended, 1269 amended, 1344
42 amended, 1347 amended, 1015 amended, 1016 amended, 1021
43 amended, 1134 amended, 1189 amended.

44

35 36 37

39

45 Laid over until date indicated retaining place on Calendar: HB04-1138,
46 1284, 1254, 1260, 1293, 1414, 1423--April 7, 2004.

47

48 The Chairman moved the adoption of the Committee of the Whole 49 Report. As shown by the following roll call vote, a majority of those 50 elected to the House voted in the affirmative, and the Report was 51 **adopted**.

52

53	YES	62	NO	00	EXCUSED	03	ABSENT	00
54	Berry	Y	Garcia	Е	McCluskey	Y	Sinclair	Y
55	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
56	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y

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

REPORTS OF COMMITTEES OF REFERENCE

1819 APPROPRIATIONS

20 After consideration on the merits, the Committee recommends the 21 following:

HB04-1075
be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

27 Amend printed bill, page 2, after line 25, insert the following:

28
29 "SECTION 3. Appropriation - adjustments to 2004 long bill.
30 (1) For the implementation of this act, appropriations made in the annual
31 general appropriation act for the fiscal year beginning July 1, 2004, shall
32 be adjusted as follows:

33

16

17

34 (a) The appropriation to the department of health care policy and financing, division of department of human services medicaid-funded 35 programs, for mental health and alcohol and drug abuse services -36 medicaid funding, alcohol and drug abuse division, high risk pregnant 37 women program, is increased by ninety-five thousand eight hundred five 38 39 dollars (\$95,805). Of said sum, forty-seven thousand nine hundred two 40 dollars (\$47,902) shall be a cash fund exempt transfer from the department of human services substance abuse block grant program and 41 forty-seven thousand nine hundred three dollars (\$47,903) shall be from 42 federal funds. 43

44

(b) The appropriation to the department of human services, division of mental health and alcohol and drug abuse services, for alcohol and drug abuse division, community programs, treatment services, high risk pregnant women program, is increased by ninety-five thousand eight hundred five dollars (\$95,805) cash fund exempt. The cash fund exempt shall be a transfer from the department of health care policy and financing.".

52

53 Renumber succeeding section accordingly.

54

55 Page 1, line 102, strike "WOMEN." and substitute "WOMEN, AND MAKING

56 AN APPROPRIATION THEREFOR.".

1 **HB04-1122** be postponed indefinitely. 2 3 4 5 6 HB04-1123 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation: 7 8 Amend printed bill, page 2, line 7, strike "UNDERTAKE AN IN-DEPTH" and 9 substitute "CONDUCT A"; 10 11 line 10, after "THE", insert "EXECUTIVE DIRECTOR OF THE STATE DEPARTMENT SHALL APPOINT A STEERING COMMITTEE TO ASSIST AND 12 13 PROVIDE INPUT TO THE STATE DEPARTMENT IN CONDUCTING THE REVIEW. 14 THE STEERING COMMITTEE SHALL BE MADE UP OF NO MORE THAN TWELVE 15 MEMBERS, THE MAJORITY OF WHOM HAVE PROFESSIONAL EXPERTISE IN 16 ADMINISTRATION OR THE PROVISION OF SERVICES IN THE MENTAL HEALTH 17 SYSTEM. THE STEERING COMMITTEE SHALL INCLUDE THREE MEMBERS 18 WHO REPRESENT MENTAL HEALTH ADVOCATES, FAMILY MEMBERS OF 19 PERSONS WITH MENTALLY ILLNESS, AND MENTAL HEALTH CONSUMERS. 20 THE STATE DEPARTMENT MAY APPOINT ADVISORY MEMBERS WHO ARE 21 REPRESENTATIVES OF POTENTIAL MERGER PARTNERS TO THE STEERING 22 COMMITTEE. MEMBERS OF THE STEERING COMMITTEE AND ITS ADVISORY MEMBERS SHALL SERVE WITHOUT COMPENSATION. 23 THE STATE 24 DEPARTMENT AND THE STEERING COMMITTEE IN THEIR". 25 26 Page 3, line 6, strike "FOR" and substitute "TO"; 27 28 strike lines 7 through 11 and substitute the following: 29 30 "STATE.". 31 32 Renumber succeeding subsections accordingly. 33 Page 3, line 13, after "DEPARTMENT", insert "AND THE STEERING 34 35 COMMITTEE"; 36 37 line 22, strike "DEPARTMENT" and substitute "DEPARTMENT, IN 38 CONSULTATION WITH THE STEERING COMMITTEE APPOINTED PURSUANT TO 39 SUBSECTION (1) OF THIS SECTION,"; 40 41 line 24, strike "NOVEMBER 1, 2004," and substitute "SIX MONTHS FROM 42 THE EFFECTIVE DATE OF THIS SECTION,". 43 44 Page 4, after line 1, insert the following: 45 "SECTION 2. Effective date. This act shall take effect only if 46 47 the Department of Human Services provides written notification to the 48 revisor of statutes that potential partners for a merger with the Colorado mental health institute at Fort Logan have been identified by the 49 50 contractor hired by the executive branch to identify such partners.". 51 52 Renumber succeeding section accordingly. 53 54 55

1 **HB04-1136** be amended as follows, and as so amended, be referred to 2 the Committee of the Whole with favorable recommendation:

Amend the House Finance Committee Report, dated January 29, 2004,
page 1, strike line 13 and substitute the following:

8 "SUCCESSOR INDEX.

9

10 SECTION 2. Appropriation - adjustments to the 2004 long 11 bill. (1) In addition to any other appropriation, there is hereby 12 appropriated, to the department of education, assistance to public schools, public school finance, for the state share of districts' total program 13 funding, for the fiscal year beginning July 1, 2004, the sum of one 14 hundred twenty-five thousand dollars (\$125,000), or so much thereof as 15 16 may be necessary, for the implementation of this act. Said sum shall be 17 from the general fund.

18

(2) For the implementation of this act, appropriations made in the
annual general appropriation act for the fiscal year beginning July 1,
2004, shall be adjusted as follows:

(a) The appropriation to the department of education, assistance
to public schools, public school finance, for additional state aid related
to locally negotiated business incentive agreements, is decreased by one
hundred twenty-five thousand dollars (\$125,000). Said sum shall be from
the general fund.".

Page 1, line 103, strike "STATUTES." and substitute "STATUTES, AND
MAKING AN APPROPRIATION IN CONNECTION THEREWITH.".".

- 32 Renumber succeeding section accordingly.
- 33 34

HB04-1144 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

38 39

Amend the Information and Technology Committee Report, dated February 2, 2004, page 8, after line 34, insert the following:

40 41

42 "SECTION 9. Appropriation. In addition to any other 43 appropriation, there is hereby appropriated, out of any moneys in the 44 unclaimed property trust fund created in section 38-13-116.5 (1) (a), 45 Colorado Revised Statutes, not otherwise appropriated, to the department 46 of treasury, for allocation to the unclaimed property program, for the 47 fiscal year beginning July 1, 2004, the sum of fourteen thousand nine 48 hundred seventy-nine dollars (\$14,979) or so much thereof as may be 49 necessary, for the implementation of this act.".

50

51 Renumber succeeding section accordingly.

- 52
- 53 Page 9, after line 9: insert the following:
- 54

55 "Page 1, line 102, strike "CLAIMANT." substitute "CLAIMANT, AND 56 MAKING AN APPROPRIATION THEREFOR.".".

1 HB04-1362 be amended as follows, and as so amended, be referred to 2 3 the Committee of the Whole with favorable recommendation: 4 5 6 Amend printed bill, page 91, after line 2, insert the following: 7 **"SECTION 53.** Appropriation. (1) In addition to any other 8 appropriation, there is hereby appropriated, out of any moneys in the state 9 charter school institute fund created pursuant to section 22-30.5-506 (1), 10 Colorado Revised Statutes, not otherwise appropriated, to the department 11 of education, for allocation to the state charter school institute, for the 12 fiscal year beginning July 1, 2004, the sum of one hundred fifty thousand 13 dollars (\$150,000), or so much thereof as may be necessary, for the 14 implementation of this act. 15 16 In addition to any other appropriation, there is hereby (2) 17 appropriated to the department of law, for the fiscal year beginning July 18 1, 2004, the sum of five thousand dollars (\$5,000), or so much thereof as 19 may be necessary, for the provision of legal services to the state board of education related to the implementation of this act. Said sum shall be 20 21 from cash funds exempt received from the department of education out 22 of general fund moneys withheld by the department of education pursuant 23 to section 22-30.5-513 (4) (a), Colorado Revised Statutes.". 24 Renumber succeeding sections accordingly. 25 26 27 Page 1, line 102, strike "INSTITUTE." and substitute "INSTITUTE, AND 28 MAKING AN APPROPRIATION THEREFOR.". 29 30 31 32 **STATE, VETERANS, & MILITARY AFFAIRS** 33 34 After consideration on the merits, the Committee recommends the 35 following: 36 37 HB04-1297 be referred favorably to the Committee on Appropriations. 38 39 40 <u>HB04-1425</u> be referred to the Committee of the Whole with favorable 41 recommendation. 42 43 44 45 **DELIVERY OF BILLS TO GOVERNOR** 46 47 The Chief Clerk of the House of Representatives reports the following 48 49 bills have been delivered to the Office of the Governor: HB04-1074, 1226, 1232, 1285, 1354, 1379 at 2:43 pm on April 6, 2004. 50 51 52 53 54 55

MESSAGE FROM THE SENATE 1 2 3 Madam Speaker: 4 5 The President appointed Senators Anderson, chairman, Dyer, and Takis, 6 as members of the First Conference Committee on HB04-1061. 7 8 9 10 **MESSAGES FROM THE GOVERNOR** 11 12 I certify I received the following on the 6th day of April, 2004, at 2:30 p.m. The original is on file in the records of the House of 13 Representatives of the General Assembly. 14 15 16 Judith Rodrigue, 17 Chief Clerk of the House April 6, 2004 18 19 20 To the Honorable 21 House of Representatives 22 Sixty-fourth General Assembly Second Regular Session 23 Denver, CO 80203 24 25 26 Ladies and Gentlemen: 27 28 I have the honor to inform you that I have approved and filed with the 29 Secretary of State the following acts: 30 31 HB04-1008 Concerning Assignment Of Benefits Offered Under A 32 Motor Vehicle Insurance Policy. 33 34 Approved April 5, 2004 at 3:35 P.M. 35 36 HB04-1025 Concerning The Expiration Date Of Certificates Of 37 Emissions Control For New Diesel Vehicles. 38 39 Approved April 5, 2004 at 3:36 P.M. 40 41 HB04-1037 Concerning The Treatment Of American Sign Language 42 As A Foreign Language In Education. 43 Approved April 5, 2004 at 3:38 P.M. 44 45 HB04-1049 46 Concerning Child Care Assistance For Families Who 47 Transition Off Of The Colorado Works Program For 48 Specified Reasons. 49 Approved April 5, 2004 at 3:39 P.M. 50 51 52 HB04-1050 Concerning A Prohibition Against Changing An Inscription On A Burial Memorial Without Required 53 54 Permission. 55 56 Approved April 5, 2004 at 3:40 P.M.

	House Journal91st DayApril 6, 2004 Page 1231							
1 2 3	HB04-1071	Concerning A Credit For Tobacco Taxes Debts.	That Are Bad					
3 4 5 6 7 8		Approved April 5, 2004 at 5:10 P.M.						
	HB04-1073	Concerning Surface Owner Notifications Applicant For A Water Right.	Filed By An					
9		Approved April 5, 2004 at 5:16 P.M.						
10 11 12 13	HB04-1093	Concerning A Preference For The Purchas Agricultural Products By Governmental E						
14 15 16 17 18 19 20 21 22		Approved April 5, 2004 at 5:20 P.M.						
	HB04-1108	Concerning The Inadmissability Of Certain Confidentia Communications By Juveniles.						
		Approved April 5, 2004 at 5:23 P.M.						
	HB04-1118	Concerning The Ramifications Of Making False Reports Concerning At-Risk Adults.						
23 24 25		Approved April 5, 2004 at 5:25 P.M.						
25 26 27 28	HB04-1137	Concerning The Creation Of A Public Sc Right To Have A Guardian Present Whe Signs A Statement That Could Result In E	n The Student					
29 30		Approved April 5, 2004 at 5:20 P.M.						
31 32 33	HB04-1159	Concerning The Modification Of The "Col Jury Selection And Service Act".	orado Uniform					
34 35		Approved April 6, 2004 at 8:40 A.M.						
36 37 38 39 40 41 42	HB04-1211	Concerning The Regulation Of Operator Facilities, And, In Connection Therewith, O Water And Wastewater Facility Operator Board And Amending The Size, Composition Of The Board.	Continuing The s Certification					
43		Approved April 6, 2004 at 8:41 A.M.						
44 45 46 47 48 49 50 51 52 53	HB04-1212	Concerning The Scientific And Cultural Fac And, In Connection Therewith, Amendi Question Concerning The Extension Of Th Will Be Submitted To The Voters A Statutory Provisions Concerning The Adm The District. Approved April 6, 2004 at 8:43 A.M.	ng The Ballot ne District That nd Modifying					
54 55								

	Page 1232	House Journal91st DayApril 6, 2004					
1 2 3	HB04-1214	Concerning Continuation Of The Licensing Of River Outfitters By The Division Of Parks And Outdoor Recreation.					
4 5 6 7		Approved April 6, 2004 at 8:44 A.M.					
8 9 10 11 12	HB04-1216	Concerning The Repeal Of Authority To Provide Pre-Birth Notice To The Parent Of A Child Whose Other Parent Is Relinquishing The Parent-Child Legal Relationship By Means Of The Expedited Relinquishment Process.					
13 14		Approved April 5, 2004 at 5:02 P.M.					
15 16 17 18	HB04-1220	Concerning Transportation Expenses Under The "Colorado Medical Assistance Act".					
18 19 20		Approved April 5, 2004 at 5:03 P.M.					
21 22 23 24 25	HB04-1222	Concerning The Elimination Of The Designated Cash Flow Reserve Within The Controlled Maintenance Trust Fund, And, In Connection Therewith, Transferring The Balance Of The Reserve To The State General Fund.					
26 27 28		Approved April 5, 2004 at 5:00 P.M.					
29 30	HB04-1248	Concerning The Distribution Of Tobacco Products.					
31 32		Approved April 5, 2004 at 3:30 P.M.					
 33 34 35 36 37 38 39 40 	Sincerely, (signed) Bill Owens Governor						
41	April 6, 2004						
42 43 44 45 46 47 48	House of Rep Sixty-fourth C Second Regul	To the Honorable House of Representatives Sixty-fourth General Assembly Second Regular Session Denver, CO 80203					
48 49 50	Ladies and G	entlemen:					
51 52	I have the hor Secretary of S	nor to inform you that I have approved and filed with the State the following acts:					
53 54 55 56	HB04-1265	Concerning The Transfer Of The Administration Of Community Mental Health Services To Specified Medical Assistance Recipients From The Department Of Human					

1 2 3 4 5 6		Services To The Department Of Health Care Policy And Financing, And Making An Appropriation In Connection Therewith.
4 5		Approved April 6, 2004 at 12:30 P.M.
6 7 8 9 10 11 12 13	Sincerely, (signed) Bill Owens Governor	
13 14 15	INTRO	DUCTION OF CONCURRENT RESOLUTION
16 17	The following indicated:	resolution was read by title and referred to the committee
18 19 20	HCR04-1010	by Representative(s) Young, Plant, Witwer; also
$\begin{array}{c} 20\\ 21\\ 22\\ 23\\ 24\\ 25\\ 26\\ 27\\ 28\\ 29\\ 30\\ 31\\ 32\\ 33\\ 34\\ 35\\ 36\\ 37\\ 38\\ 39\\ 40\\ 41\\ 42\\ 43 \end{array}$	Committee on	Senator(s) Reeves, Owen, TeckSubmitting to the registered electors of the state of Colorado amendments to articles IX and X of the constitution of the state of Colorado, concerning constitutional formulas that affect the ability of the state to make adjustments to state spending, and, in connection therewith, suspending the provisions of section 17 of article IX that require an increase in certain funding requirements for public schools for state fiscal years 2005-06 and 2006-07 and in state fiscal years following a decline in state fiscal year spending; requiring public school funding to increase by inflation plus one percentage point until such funding equals or exceeds levels that would have been reached in the absence of a suspension; repealing the requirement that beginning in state fiscal year spending limit in section 20 of article X as six percent of the Colorado economy as measured by the statewide aggregate personal income; eliminating the state emergency reserve; establishing a state rainy day fund and the permitted uses of the moneys in such fund; and making all of the foregoing changes without increasing any tax rates.
44 45		
46 47 48		LAY OVER OF CALENDAR ITEMS
49	On motion of	
50 51 52	were laid over	Representative King, the following items on the Calendar until April 7, retaining place on Calendar:
52 53 54	Consideration 1411 .	of General OrdersSB04-185, HB04-1003, 1287, 1300,
54 55 56	Consideration	of ResolutionsHJR04-1012, 1013, SJR04-015, SJR04-023, 024, 027, HJR04-1038, 1040, HR04-1008,

HJR04-1044, HR04-1009, HJR04-1047, SJR04-025, HJR04-1048, 1 2 3 SJR04-030, HJR04-1049. Consideration of Memorial--SJM04-001 Consideration of Senate Amendments--HB04-1127, 1357, 1263, 1292, 4 5 6 1251, 1150, 1234, 1187, 1348, 1311, 1121, 1376, 1393; HJR04-1027. 7 8 9 On motion of Representative King, the House adjourned until 9:00 a.m., 10 April 7, 2004. 11 Approved: 12 13 14 15 16 LOLA SPRADLEY, 17 Speaker 18 19 Attest: JUDITH RODRIGUE, Chief Clerk 20 21