

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

Fifty-eighth Legislative Day

Thursday, March 4, 2004

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

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

5
 6 Pledge of Allegiance led by Representative Merrifield.

7
 8 The roll was called with the following result:

9
 10 Present--59.
 11 Excused--Representatives Cadman, May, Mitchell--3.
 12 Absent--Representatives Madden, McGihon, Plant--3.
 13 Present after roll call--Representatives Cadman, Madden,
 14 McGihon, Plant.

15
 16 The Speaker declared a quorum present.

17
 18
 19 On motion of Representative Paccione, the reading of the journal of
 20 March 3, 2004, was declared dispensed with and approved as corrected
 21 by the Chief Clerk.

THIRD READING OF BILLS--FINAL PASSAGE

22
 23
 24
 25
 26 The following bills were considered on Third Reading. The titles were
 27 publicly read. Reading of the bill at length was dispensed with by
 28 unanimous consent.

29
 30 **HB04-1034** by Representative(s) Welker, Berry, Borodkin, Larson,
 31 Pommer, Sinclair, Spence, Stafford; also Senator(s) Takis,
 32 Isgar, May R.--Concerning electronic renewal of a driver's
 33 license.

34
 35 The question being "Shall the bill pass?".

36
 37 A substitute motion by Representative Young that the bill be referred
 38 to the Committee on Appropriations was declared **passed** by the
 39 following roll call vote:

40
 41

YES	44	NO	19	EXCUSED	02	ABSENT	00
Berry	Y	Garcia	N	McCluskey	Y	Sinclair	Y
Borodkin	N	Hall	Y	McFadyen	Y	Smith	Y

42
 43

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

16
 17 **SB04-003** by Senator(s) Taylor, Anderson, Takis, Tupa; also
 18 Representative(s) Williams T., Coleman, Rhodes--
 19 Concerning certain reporting requirements regarding
 20 enterprise zones.

21
 22 The question being "Shall the bill pass?".
 23 A roll call vote was taken. As shown by the following recorded vote, a
 24 majority of those elected to the House voted in the affirmative and the bill
 25 was declared passed.

27	YES	63	NO	00	EXCUSED	02	ABSENT	00
28	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
29	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
30	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
31	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
32	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
33	Butcher	Y	Hoppe	Y	Mitchell	E	Tochtrop	Y
34	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
35	Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
36	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
37	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
38	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
39	Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y
40	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
41	Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
42	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
43	Frangas	Y	May	E	Schultheis	Y	Young	Y
44							Speaker	Y

45 Co-sponsors added: Representatives Carroll, Hefley, Merrifield, Romanoff,
 46 Schultheis, Vigil, Williams S.

47
 48 **SB04-015** by Senator(s) Tupa, Anderson, Takis, Taylor; also
 49 Representative(s) Vigil, Coleman, Rhodes, Williams T.--
 50 Concerning the expansion of the offset against an inmate's
 51 state sales tax refund.

52
 53 The question being "Shall the bill pass?".
 54 A roll call vote was taken. As shown by the following recorded vote, a
 55 majority of those elected to the House voted in the affirmative and the bill
 56 was declared **passed**.

	YES	62	NO	01	EXCUSED	02	ABSENT	00
1								
2	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
3	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
4	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
5	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
6	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
7	Butcher	Y	Hoppe	Y	Mitchell	E	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	N	Madden	Y	Rose	Y	Williams T.	Y
16	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
17	Frangas	Y	May	E	Schultheis	Y	Young	Y
18							Speaker	Y

19 Co-sponsors added: Representatives Boyd, Butcher, McFadyen, Miller,
20 Williams S.

21
22 **SB04-107** by Senator(s) Hillman; also Representative(s) Hall--
23 Concerning public employee retirement plans.
24

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

26 A roll call vote was taken. As shown by the following recorded vote, a
27 majority of those elected to the House voted in the affirmative and the bill
28 was declared **passed**.
29

	YES	62	NO	01	EXCUSED	02	ABSENT	00
30								
31	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
32	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
33	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
34	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
35	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
36	Butcher	Y	Hoppe	Y	Mitchell	E	Tochtrop	Y
37	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
38	Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
39	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
40	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
41	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
42	Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y
43	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
44	Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
45	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
46	Frangas	Y	May	E	Schultheis	N	Young	Y
47							Speaker	Y

48
49 **SB04-025** by Senator(s) Tapia; also Representative(s) Butcher--
50 Concerning the ability of the Colorado mental health
51 institute at Pueblo to contract.
52

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

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

	YES	63	NO	00	EXCUSED	02	ABSENT	00
1								
2	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
3	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
4	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
5	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
6	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
7	Butcher	Y	Hoppe	Y	Mitchell	E	Tochtrop	Y
8	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
9	Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
10	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
11	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
12	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
13	Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y
14	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
15	Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
16	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
17	Frangas	Y	May	E	Schultheis	Y	Young	Y
18							Speaker	Y

19 Co-sponsors added: Representatives Borodkin, Cloer, Coleman, Frangas,
 20 Madden, McFadyen, Merrifield, Plant, Ragsdale, Romanoff, Stafford, Tochtrop,
 21 Vigil, Speaker.

22
 23 **SB04-030** by Senator(s) Arnold; also Representative(s) Mitchell--
 24 Concerning crimes that make an inmate ineligible for
 25 participation in the regimented inmate training program.

26
 27 The question being "Shall the bill pass?".
 28 A roll call vote was taken. As shown by the following recorded vote, a
 29 majority of those elected to the House voted in the affirmative and the bill
 30 was declared **passed**.

	YES	62	NO	01	EXCUSED	02	ABSENT	00
31								
32								
33	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
34	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
35	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
36	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
37	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
38	Butcher	Y	Hoppe	Y	Mitchell	E	Tochtrop	Y
39	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
40	Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
41	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
42	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
43	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
44	Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y
45	Crane	Y	Lundberg	N	Romanoff	Y	Williams S.	Y
46	Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
47	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
48	Frangas	Y	May	E	Schultheis	Y	Young	Y
49							Speaker	Y

50 Co-sponsors added: Representatives Butcher, Hall, McFadyen, Stengel, Weddig.

51
 52 **SB04-146** by Senator(s) Reeves, Owen, Teck; also Representative(s)
 53 Plant, Witwer, Young--Concerning the procurement of
 54 law enforcement equipment for counterdrug activities
 55 through the federal government.

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	61	NO	02	EXCUSED	02	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	E	Tochtrop	Y
13	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
14	Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
15	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
16	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
17	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
18	Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y
19	Crane	Y	Lundberg	N	Romanoff	Y	Williams S.	Y
20	Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
21	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
22	Frangas	Y	May	E	Schultheis	N	Young	Y
23							Speaker	Y

24 Co-sponsors added: Representatives Coleman, Frangas, Hall, Hoppe, Romanoff,
 25 Williams S.

26
 27 **HB04-1066** by Representative(s) Wiens;also Senator(s) Evans--
 28 Concerning the opportunity for voters in the town of
 29 Castle Rock in Douglas county to determine whether to be
 30 included in the boundaries of certain special districts.

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

	YES	53	NO	10	EXCUSED	02	ABSENT	00
38	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
39	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
40	Boyd	Y	Harvey	Y	McGihon	N	Spence	Y
41	Briggs	Y	Hefley	Y	Merrifield	N	Stafford	Y
42	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
43	Butcher	N	Hoppe	Y	Mitchell	E	Tochtrop	N
44	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	N
45	Carroll	N	Johnson	Y	Plant	Y	Weddig	Y
46	Cerbo	N	Judd	Y	Pommer	Y	Weissmann	N
47	Clapp	Y	King	Y	Ragsdale	N	Welker	Y
48	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
49	Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y
50	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
51	Decker	Y	Madden	N	Rose	Y	Williams T.	Y
52	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
53	Frangas	Y	May	E	Schultheis	Y	Young	Y
54							Speaker	Y

55 Co-sponsors added: Representatives Harvey, Williams T.

56

1 **HB04-1219** by Representative(s) Witwer, Plant, Young; also
 2 Senator(s) Reeves, Owen, Teck--Concerning community
 3 transition services for eligible persons under the "Home-
 4 and Community-based Services for the Elderly, Blind, and
 5 Disabled Act", and making an appropriation in connection
 6 therewith.

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

	YES	63	NO	00	EXCUSED	02	ABSENT	00
14	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
15	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
16	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
17	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
18	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
19	Butcher	Y	Hoppe	Y	Mitchell	E	Tochtrop	Y
20	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
21	Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
22	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
23	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
24	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
25	Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y
26	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
27	Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
28	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
29	Frangas	Y	May	E	Schultheis	Y	Young	Y
30							Speaker	Y

31 Co-sponsors added: Representatives Borodkin, Coleman, Frangas, Johnson,
 32 Madden, Paccione, Romanoff, Salazar, Stafford, Weddig, Williams S.,
 33 Williams T.

34
 35
 36 House in recess. House reconvened.

37 38 39 **REPORTS OF COMMITTEES OF REFERENCE**

40 **AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

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

43
 44
 45 **HB04-1082** be amended as follows, and as so amended, be referred to
 46 the Committee on Appropriations with favorable
 47 recommendation:

48
 49 Strike the Finance Committee Report, dated February 25, 2004, and
 50 substitute the following:

51
 52 "Amend printed bill, strike everything below the enacting clause and
 53 substitute the following:

54
 55 "SECTION 1. 39-1-102 (1.6) (b), Colorado Revised Statutes, is
 56 amended to read:

1 **39-1-102. Definitions.** As used in articles 1 to 13 of this title,
2 unless the context otherwise requires:

3
4 (1.6) (b) All other agricultural property, INCLUDING A
5 GREENHOUSE OR A NURSERY, that does not meet the definition set forth in
6 paragraph (a) of this subsection (1.6) shall be classified as all other
7 property and shall be valued using appropriate consideration of the three
8 approaches to appraisal based on its actual use on the assessment date.

9
10 **SECTION 2. Safety clause.** The general assembly hereby finds,
11 determines, and declares that this act is necessary for the immediate
12 preservation of the public peace, health, and safety."

13
14 Page 1, line 102, strike "AND LIVESTOCK".

15
16
17
18 **HB04-1358** be referred favorably to the Committee on Appropriations.

19
20
21
22 **EDUCATION**

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

25
26 **HB04-1362** be amended as follows, and as so amended, be referred to
27 the Committee on Appropriations with favorable
28 recommendation:

29
30 Amend printed bill, page 3, strike lines 10 through 15 and substitute the
31 following:

32
33 "(b) THERE IS AN UNDERSERVED POPULATION OF AT-RISK
34 STUDENTS IN THE STATE, FOR WHOM INNOVATIVE EDUCATIONAL MODELS
35 ARE NEEDED.";

36
37 after line 26, insert the following:

38
39 "(1) "AT-RISK STUDENT" MEANS A STUDENT:

40
41 (a) WHO IS ELIGIBLE TO RECEIVE FREE OR REDUCED-COST LUNCH
42 PURSUANT TO THE PROVISIONS OF THE FEDERAL "NATIONAL SCHOOL
43 LUNCH ACT", 42 U.S.C. SEC. 1751 ET SEQ.; OR

44
45 (b) WHO HAS PERFORMED AT THE PROFICIENCY LEVEL OF "LOW"
46 OR "UNSATISFACTORY" ON A STATEWIDE ASSESSMENT."

47
48 Renumber succeeding subsections accordingly.

49
50
51 Page 4, after line 14, insert the following:

52
53 "(7) "MORATORIUM" MEANS A SCHOOL DISTRICT'S OFFICIAL POLICY
54 OF REFUSING TO AUTHORIZE CHARTER SCHOOLS AND AN ONGOING PATTERN
55 OR PRACTICE OF REFUSING TO ACCEPT OR REVIEW CHARTER SCHOOL
56 APPLICATIONS."

1 Renumber succeeding subsections accordingly.

2
3 Page 8, strike line 12 and substitute the following:

4
5 "(4) (a) FOR FISCAL YEAR 2005-06, AND FOR EACH FISCAL YEAR
6 THEREAFTER, A LOCAL BOARD OF EDUCATION MAY SEEK TO RETAIN
7 EXCLUSIVE";

8
9 line 18, after "SCHOOLS.", insert "FOR FISCAL YEAR 2004-05, A LOCAL
10 BOARD OF EDUCATION MAY SEEK TO RETAIN THE EXCLUSIVE AUTHORITY
11 TO AUTHORIZE CHARTERS BY PRESENTING TO THE STATE BOARD THE
12 WRITTEN RESOLUTION ON OR BEFORE A DATE SIXTY DAYS AFTER THE
13 EFFECTIVE DATE OF THIS SECTION.".

14
15 Page 9, line 12, strike "(a)";

16
17 strike lines 16 through 18 and substitute the following:

18
19 "HEARING AND AFTER RECEIVING INPUT FROM ANY CHARTER SCHOOLS
20 AUTHORIZED BY THE LOCAL BOARD OF EDUCATION, THAT THE LOCAL
21 BOARD HAS PROVIDED FAIR AND EQUITABLE TREATMENT TO ITS CHARTER
22 SCHOOLS DURING THE FOUR YEARS PRIOR TO THE LOCAL BOARD'S
23 SUBMISSION OF THE RESOLUTION DESCRIBED IN SUBSECTION (4) OF THIS
24 SECTION, THROUGH THE LOCAL BOARD'S DEMONSTRATION OF:";

25
26 line 19, strike "(I)" and substitute "(a)";

27
28 line 22, strike "(A)" and substitute "(I)";

29
30 line 24, strike "AND";

31
32 line 25, strike "(B)" and substitute "(II)";

33
34 after line 27, insert the following:

35
36 "(III) THE ABSENCE OF A SCHOOL DISTRICT MORATORIUM
37 REGARDING CHARTER SCHOOLS OR THE ABSENCE OF ANY DISTRICT-WIDE
38 CHARTER SCHOOL ENROLLMENT LIMITS; AND

39
40 (IV) COMPLIANCE WITH VALID ORDERS OF THE STATE BOARD; AND

41
42 (b) ANY COMBINATION OF THE FOLLOWING:".

43
44 Page 10, line 1, strike "(II)" and substitute "(I)";

45
46 line 7, strike "(III)" and substitute "(II)";

47
48 line 12, strike "(IV)" and substitute "(III)";

49
50 line 19, strike "(V)" and substitute "(IV)";

51
52 strike lines 26 and 27 and substitute the following:

53
54 "(V) THE LACK OF A".

55
56 Page 11, strike lines 1 through 5 and substitute the following:

1 "POLICY OR PRACTICE OF IMPOSING INDIVIDUAL CHARTER SCHOOL
2 ENROLLMENT LIMITS, EXCEPT AS OTHERWISE PROVIDED IN ARTICLE 36 OF
3 THIS TITLE; OR";
4
5 line 6, strike "(VII)" and substitute "(VI)";
6
7 line 10, strike "DIVERSE" and substitute "AT-RISK";
8
9 line 12, strike "(b)" and substitute "(6)";
10
11 line 15, after "DISTRICT", insert "DEMONSTRATES ITS COMPLIANCE WITH
12 THE PROVISIONS OF SUBPARAGRAPHS (III) AND (IV) OF PARAGRAPH (a) OF
13 SUBSECTION (5) OF THIS SECTION AND";
14
15 line 16, strike "PARAGRAPH";
16
17 strike line 17 and substitute the following:
18
19 "SUBSECTION (5) OF THIS SECTION.";
20
21 strike lines 18 through 26 and substitute the following:
22
23 "(7) A GRANT OF EXCLUSIVE AUTHORITY BY THE STATE BOARD
24 SHALL CONTINUE SO LONG AS A SCHOOL DISTRICT CONTINUES TO
25 IMPLEMENT THE AUTHORIZING PRACTICES DESCRIBED IN SUBSECTION (5)
26 OF THIS SECTION. EACH SCHOOL DISTRICT SEEKING TO RETAIN EXCLUSIVE
27 AUTHORITY SHALL ANNUALLY SUBMIT TO THE STATE BOARD, PRIOR TO
28 MARCH 1, A WRITTEN RESOLUTION DESCRIBED IN SUBSECTION (4) OF THIS
29 SECTION THAT THE SCHOOL DISTRICT INTENDS TO IMPLEMENT THE
30 AUTHORIZING PRACTICES DESCRIBED IN SUBSECTION (5) OF THIS SECTION.
31 A PARTY MAY CHALLENGE THE GRANT OF EXCLUSIVE AUTHORITY WITHIN
32 THIRTY DAYS AFTER THE SCHOOL DISTRICT SUBMITS THE RESOLUTION,
33 PURSUANT TO THE PROVISIONS OF PARAGRAPH (b) OF SUBSECTION (4) OF
34 THIS SECTION."
35
36 Page 13, line 26, strike "UNDERSERVED" and substitute "AT-RISK".
37
38 Page 15, line 13, strike "SECTION 22-30.5-506 (2) (b)," and substitute
39 "SECTION 22-30.5-506 (2) (a)."
40
41 Page 16, line 15, strike "SECTION 22-33-105." and substitute "SECTIONS
42 22-33-106 and 22-33-203.";
43
44 strike lines 18 and 19 and substitute the following:
45
46 "AT-RISK STUDENTS."
47
48 Page 24, strike lines 1 through 7 and substitute the following:
49
50 "(j) A PLAN FOR THE INSTITUTE CHARTER SCHOOL TO CONDUCT
51 COMMUNITY OUTREACH TO RECRUIT AND RETAIN AT-RISK STUDENTS;
52 AND".
53
54 Page 30, line 5, strike "TEACHER" and substitute "EMPLOYEE";
55
56

1 line 8, strike "**funding.**" and substitute "**district charter schools -**
2 **funding.**";

3
4 strike lines 24 through 27.

5
6 Reletter succeeding paragraphs accordingly.

7
8 Page 31, line 14, after "AUTHORIZED", insert "ON OR AFTER THE EFFECTIVE
9 DATE OF THIS SECTION".

10
11 Page 32, strike lines 10 through 12 and substitute the following:

12
13 "(n) "SCHOOL DISTRICT" MEANS A SCHOOL DISTRICT THAT:

14
15 (I) HAS RETAINED EXCLUSIVE AUTHORITY PURSUANT TO THE
16 PROVISIONS OF SECTION 22-30.5-504; AND

17
18 (II) HAS MORE THAN FORTY PERCENT OF ITS PUPIL ENROLLMENT
19 CONSISTING OF AT-RISK PUPILS.";

20
21 line 20, strike "NINETY-SEVEN" and substitute "NINETY-FIVE";

22
23 line 23, strike "NINETY-SEVEN" and substitute "NINETY-FIVE".

24
25 Page 33, after line 8, insert the following:

26
27 "(c) EACH INSTITUTE CHARTER SCHOOL SHALL PAY AN AMOUNT
28 EQUAL TO THE PER PUPIL COST INCURRED BY THE INSTITUTE IN PROVIDING
29 FEDERALLY REQUIRED EDUCATIONAL SERVICES, MULTIPLIED BY THE
30 NUMBER OF STUDENTS ENROLLED IN THE INSTITUTE CHARTER SCHOOL. AT
31 EITHER PARTY'S REQUEST, THE INSTITUTE CHARTER SCHOOL AND THE
32 INSTITUTE MAY NEGOTIATE AND INCLUDE IN THE CHARTER CONTRACT
33 ALTERNATE ARRANGEMENTS FOR THE PROVISION OF AND PAYMENT FOR
34 FEDERALLY REQUIRED EDUCATIONAL SERVICES, INCLUDING, BUT NOT
35 NECESSARY LIMITED TO, A REASONABLE RESERVE NOT TO EXCEED FIVE
36 PERCENT OF THE INSTITUTE'S TOTAL BUDGET FOR PROVIDING FEDERALLY
37 REQUIRED EDUCATIONAL SERVICES. THE RESERVE SHALL ONLY BE USED
38 BY THE INSTITUTE TO OFFSET EXCESS COSTS OF PROVIDING SERVICES TO
39 STUDENTS WITH DISABILITIES ENROLLED IN ANY INSTITUTE CHARTER
40 SCHOOL.";

41
42 line 9, strike "(c)" and substitute "(d) (I)";

43
44 line 18, strike "(d)" and substitute "(II)";

45
46 strike lines 26 and 27 and substitute the following:

47
48 "(3) (a) ON OR BEFORE NOVEMBER 10 OF EACH YEAR, THE
49 INSTITUTE SHALL CERTIFY TO THE STATE BOARD EACH INSTITUTE CHARTER
50 SCHOOL'S PUPIL ENROLLMENT AND ON-LINE PUPIL ENROLLMENT FOR THAT
51 YEAR. IN CERTIFYING THE PUPIL ENROLLMENT OF EACH INSTITUTE
52 CHARTER SCHOOL TO THE STATE BOARD, THE INSTITUTE".

53
54 Page 34, strike lines 1 through 3;

55
56

1 strike lines 13 through 15 and substitute the following:

2
3 "NUMBER OF AT-RISK PUPILS. THE INSTITUTE SHALL ALSO NOTIFY THE
4 DEPARTMENT AS TO WHETHER EACH INSTITUTE CHARTER SCHOOL IS A
5 QUALIFIED CHARTER SCHOOL."

6
7 Page 35, line 3, strike "WITHHELD." and substitute "WITHHELD MINUS AN
8 AMOUNT NOT TO EXCEED TWO PERCENT OF THE AMOUNT WITHHELD THAT
9 MAY BE RETAINED BY THE DEPARTMENT AS REIMBURSEMENT FOR THE
10 REASONABLE AND NECESSARY COSTS TO THE DEPARTMENT TO IMPLEMENT
11 THE PROVISIONS OF THIS PART 5.";

12
13 line 24, strike "OF RESIDENCE".

14
15 Page 37, strike lines 10 and 11 and substitute "COSTS;"

16
17 line 12, strike "SECTION;"

18
19 line 20, strike "COSTS AND DIRECT" and substitute "COSTS.";

20
21 line 21, strike "COSTS." and strike "AND";

22
23 line 22, strike "DIRECT COSTS".

24
25 Page 39, strike lines 9 through 27 and substitute the following:

26
27 "(8) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION
28 TO THE CONTRARY AND FOR THE PURPOSES OF THIS SECTION ONLY, ANY
29 SCHOOL DISTRICT THAT HAS MORE THAN FORTY PERCENT OF ITS PUPIL
30 ENROLLMENT CONSISTING OF AT-RISK PUPILS AT THE TIME THE CHARTER
31 SCHOOL IS FIRST AUTHORIZED SHALL BE DEEMED TO HAVE THE SAME
32 PERCENTAGE OF AT-RISK PUPIL ENROLLMENT FOR THE TERM OF THE
33 CHARTER CONTRACT. FOR PURPOSES OF RENEWAL OF THE CHARTER
34 CONTRACT, THE PERCENTAGE OF AT-RISK PUPILS IN THE SCHOOL DISTRICT
35 AT THE TIME THE RENEWAL APPLICATION IS SUBMITTED SHALL BE THE
36 PERCENTAGE USED FOR PURPOSES OF THIS SECTION."

37
38 Page 40, strike lines 1 through 13;

39
40 after line 13, insert the following:

41
42 "(9) (a) FOR THE 2004-05 BUDGET YEAR, AND FOR EACH BUDGET
43 YEAR THEREAFTER, THE PROPORTIONATE SHARE OF MONEYS GENERATED
44 UNDER FEDERAL OR STATE CATEGORICAL AID PROGRAMS SHALL BE
45 DIRECTED TO INSTITUTE CHARTER SCHOOLS SERVING STUDENTS ELIGIBLE
46 FOR SUCH AID.

47
48 (b) EACH INSTITUTE CHARTER SCHOOL THAT RECEIVES FEDERAL OR
49 STATE CATEGORICAL AID SHALL COMPLY WITH ALL APPLICABLE FEDERAL
50 AND STATE REPORTING REQUIREMENTS TO RECEIVE SUCH AID."

51
52 Page 42, line 10, strike "CHARTER";

53
54 line 11, strike "SCHOOL";

55
56

1 line 13, after the period, add "THE INSTITUTE SHALL PROMPTLY REMIT THE
2 APPROPRIATE AMOUNT TO EACH ELIGIBLE INSTITUTE CHARTER SCHOOL
3 AND SHALL NOT WITHHOLD ANY PORTION OF THE AMOUNT."
4

5 Page 50, line 19, strike "TRADITIONAL".
6

7 Page 55, after line 13, insert the following:
8

9 **"SECTION 22.** 22-20-103 (1) and (5.5), Colorado Revised
10 Statutes, are amended, and the said 22-20-103 is further amended BY
11 THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS, to
12 read:
13

14 **22-20-103. Definitions.** As used in this article, unless the context
15 otherwise requires:
16

17 (1) "Administrative unit" means a school district, ~~or~~ a board of
18 cooperative services, OR THE STATE CHARTER SCHOOL INSTITUTE, that is
19 providing educational services to exceptional children and that is
20 responsible for the local administration of this article.
21

22 (2.5) "DISTRICT CHARTER SCHOOL" MEANS A CHARTER SCHOOL
23 AUTHORIZED BY A SCHOOL DISTRICT PURSUANT TO PART 1 OF ARTICLE 30.5
24 OF THIS TITLE.
25

26 (5.5) "Least restrictive environment" means programs used to
27 educate a child with a disability using the delivery system most
28 appropriately meeting the needs of the child, and, to the extent possible,
29 as determined by the local board of education OR THE STATE CHARTER
30 SCHOOL INSTITUTE, subject to the appeals procedures outlined in section
31 22-20-108 (3), the term means an environment in which a child with a
32 disability is educated with children without disabilities, unless the nature
33 or severity of the disability is such that education in regular classes with
34 the use of supplementary aids and services cannot be achieved
35 satisfactorily, or, when provided with supplementary aids and services,
36 the nature or severity of the disability is so disruptive that the education
37 of other children in such classes would be significantly impaired.
38

39 (11) "STATE CHARTER SCHOOL INSTITUTE" MEANS THE STATE
40 CHARTER SCHOOL INSTITUTE CREATED PURSUANT TO PART 5 OF ARTICLE
41 30.5 OF THIS TITLE.
42

43 **SECTION 23.** 22-20-104 (1) and (4), Colorado Revised Statutes,
44 are amended to read:
45

46 **22-20-104. Administration.** (1) This article shall be
47 administered by the department. Administration of this article shall
48 include the recommendation to the state board of reasonable criteria,
49 rules, and regulations; recommended minimum standards for facilities,
50 materials, equipment, and personnel; and recommended assessment
51 criteria for identifying exceptional children, their level of disability or
52 exception, and the special services needed. The state board shall adopt
53 appropriate recommendations following public hearings in several
54 locations throughout the state with respect to the suggested criteria, rules,
55 regulations, and standards. Recommendations adopted by the state board
56 shall be in accord with the legislative declaration set forth in section

1 22-20-102. Any school district ~~which~~ OR THE STATE CHARTER SCHOOL
2 INSTITUTE THAT provides plans, programs, or services which do not
3 reasonably satisfy the criteria, rules, regulations, and standards
4 recommended by the state board will be provided by the department of
5 education with a detailed analysis of any discrepancies noted along with
6 specific recommendations for their correction. Funding will be provided
7 or continued for a reasonable period of time, as determined by the
8 department, to allow the ~~local~~ SCHOOL district OR THE STATE CHARTER
9 SCHOOL INSTITUTE opportunity to satisfy the recommended criteria, rules,
10 regulations, and standards, or to establish a claim for variance based upon
11 conditions indigenous to a ~~local~~ SCHOOL district OR UNIQUE TO THE STATE
12 CHARTER SCHOOL INSTITUTE.
13

14 (4) To comply with this section, the department shall maintain a
15 data and information system on children, personnel, costs, and revenues,
16 and such data and information shall be used to ensure that state moneys
17 provided to districts AND THE STATE CHARTER SCHOOL INSTITUTE under
18 the provisions of section 22-20-106 (1) are being spent only on special
19 education services and programs.
20

21 **SECTION 24.** 22-20-106 (1), (2), and (3), Colorado Revised
22 Statutes, are amended to read:
23

24 **22-20-106. Special educational programs.** (1) By September
25 1, 1973, every school district in the state shall be either an administrative
26 unit in itself or in a board of cooperative services which shall be
27 designated as an administrative unit. THE STATE CHARTER SCHOOL
28 INSTITUTE SHALL BE AN ADMINISTRATIVE UNIT FOR THE PURPOSE OF
29 DELIVERING SPECIAL EDUCATION SERVICES TO ALL INSTITUTE CHARTER
30 SCHOOLS AND SHALL MEET THE CRITERIA ESTABLISHED BY THE STATE
31 BOARD GOVERNING THE DUTIES AND RESPONSIBILITIES OF THE DIRECTOR
32 OF SPECIAL EDUCATION. An administrative unit shall ALSO be a school
33 district or board of cooperative services ~~which~~ THAT meets criteria
34 established by the state board governing the duties and responsibilities of
35 the director of special education and is either a board of cooperative
36 services ~~which~~ THAT conducts special educational programs for all school
37 districts ~~which~~ THAT are members of the board of cooperative services or
38 is a school district ~~which~~ THAT meets criteria of geographic size, location,
39 and number of pupils established by the state board to achieve maximum
40 efficiency in administering programs of special education. Although the
41 state board shall define the qualifications and the general duties and
42 responsibilities of directors of special education, such directors shall be
43 regarded for all purposes as employees of their local administrative units
44 and subject to the administrative direction of such units.
45

46 (2) Each administrative unit shall submit a plan to the department
47 indicating how the school district OR THE STATE CHARTER SCHOOL
48 INSTITUTE will provide for education of all children with disabilities
49 between the ages of five and twenty-one and, on and after January 1,
50 1992, between the ages of three and twenty-one. Each unit plan shall
51 include the type and number of children with disabilities in the unit based
52 upon the department's criteria of incidence, the services to be provided,
53 and the estimated resources necessary. An addendum to the
54 administrative unit's plan to cover gifted children may be submitted by
55 January 1, 1980.
56

1 (3) Administrative units shall make available special educational
2 services for the education of any child with a disability between the ages
3 of five and twenty-one and, on and after January 1, 1992, between the
4 ages of three and twenty-one under jurisdiction of the administrative unit
5 and may serve gifted students. In providing these services, an
6 administrative unit shall pay for salaries and employee benefits of
7 certified special education teachers and special education staff;
8 equipment; in-service training of the staff of an administrative unit who
9 have pupil contact; mileage expenses incurred by staff; the costs of
10 educational services for a child in an eligible facility; or any other
11 expenses related to special education. Special education services may be
12 provided by community centered boards in cooperation with
13 administrative units, ~~and~~ school districts, AND THE STATE CHARTER
14 SCHOOL INSTITUTE. SPECIAL EDUCATION SERVICES MAY BE PROVIDED BY
15 THE STATE CHARTER SCHOOL INSTITUTE THROUGH CONTRACTS WITH
16 SCHOOL DISTRICTS OR BOARDS OF COOPERATIVE SERVICES.

17
18 **SECTION 25.** 22-20-108 (1), (3), (4), (4.5) (e), (4.5) (f), (4.7)
19 (b), (4.7) (g), (5) (d), (7) (a), (9), and (10), Colorado Revised Statutes, are
20 amended to read:

21
22 **22-20-108. Determination of disability - enrollment.** (1) The
23 determination that a child has a disability and the recommendation for
24 placement of that child in an individual educational program shall be
25 made by a committee of professionally qualified personnel designated by
26 the board of education of the school district, BY THE STATE CHARTER
27 SCHOOL INSTITUTE BOARD, or by the governing board of the board of
28 cooperative services if the administrative unit encompasses more than a
29 single school district. The composition of the committee shall be
30 prescribed by the state board and may be composed of but not limited to
31 the following: The director of special education for the administrative
32 unit, a psychologist, a social worker, a physician, a school administrator,
33 and a teacher of children with disabilities. The committee shall utilize
34 guidelines recommended by the department to determine the least
35 restrictive environment in which to educate the child. In the event that
36 placement in a community center for the retarded and for persons with
37 serious disabilities is considered appropriate for the needs of a child with
38 a disability, a joint placement committee composed of professional
39 personnel, as described in this section, representing the administrative
40 unit and the community center for the retarded and for persons with
41 serious disabilities, may recommend placement in such center. The
42 committee shall give parents of a child with an alleged disability an
43 opportunity to consult with the committee or a representative thereof
44 prior to determination that their child has a disability.

45
46 (3) (a) In the event of an appeal of the determination of the
47 disability or of the placement of a child in an individual educational
48 program pursuant to subsection (1) of this section, or an appeal of the
49 program to be offered, the ~~local~~ school district OR THE STATE CHARTER
50 SCHOOL INSTITUTE shall first appoint an administrative law judge to make
51 findings of fact and a recommendation concerning the matter at issue.
52 The findings of fact and recommendation shall be delivered to the ~~local~~
53 SCHOOL DISTRICT board of education OR THE STATE CHARTER SCHOOL
54 INSTITUTE BOARD.

55
56 (b) If EITHER the ~~local~~ SCHOOL DISTRICT board of education or

1 THE STATE CHARTER SCHOOL INSTITUTE BOARD AND the parent or guardian
2 ~~disagrees~~ DISAGREE with the findings of the administrative law judge,
3 either party may appeal to the commissioner of education for review.
4 This review shall be conducted in accordance with procedures and
5 timetables established by the state board of education, and a decision
6 concerning the review shall be returned to the school district OR THE
7 STATE CHARTER SCHOOL INSTITUTE and the parent or guardian.
8

9 (4) Each child determined to have a disability by the committee
10 pursuant to subsection (1) of this section shall be provided with an
11 individual educational program which shall be developed in accordance
12 with requirements established by the state board of education and shall
13 be reviewed annually. Such individual educational program shall specify
14 whether such student shall achieve the content standards adopted by the
15 district in which such student is enrolled OR BY THE STATE CHARTER
16 SCHOOL INSTITUTE or whether such student shall achieve individualized
17 standards which would indicate the student has met the requirements of
18 such student's individual educational program. When a child with a
19 disability is to be placed outside of the district of residence, the receiving
20 agency, institution, INSTITUTE CHARTER SCHOOL, or school district
21 providing the services shall cooperate in the development of the
22 individual educational program. The individual educational program
23 shall be coordinated with all individual plans required by other federal or
24 state programs in order to provide for maximum coordination of service
25 to the child with a disability, which may include the provision of
26 appropriate services for the child with a disability, by agreement or
27 contract with public agencies or nonprofit organizations or residential
28 child care facilities. For children placed without the prior written
29 approval of the school district of residence, the individual educational
30 program shall be the responsibility of the facility providing the individual
31 educational program.
32

33 (4.5) (e) Nothing in this subsection (4.5) shall require a school
34 district OR THE STATE CHARTER SCHOOL INSTITUTE to expend additional
35 resources or hire additional personnel to implement the provisions of this
36 section.
37

38 (f) On or before June 1, 1995, the department of education shall
39 develop guidelines for caseload management for instructors of blind
40 children in the school districts AND INSTITUTE CHARTER SCHOOLS of the
41 state. Such guidelines will evaluate how much instructional time should
42 be allotted for blind children, will reflect the varying levels of severity of
43 such children's needs, and will be renewed and updated on a periodic
44 basis to incorporate current research and practice.
45

46 (4.7) (b) To enable a parent to make informed decisions
47 concerning which educational options are best suited to the parent's child,
48 all of the educational options provided by the school district OR THE
49 STATE CHARTER SCHOOL INSTITUTE and available to the child at the time
50 the child's individual educational program is prepared shall be explained
51 to the parent.
52

53 (g) Nothing in this subsection (4.7) shall require a school district
54 OR THE STATE CHARTER SCHOOL INSTITUTE to expend additional resources
55 or hire additional personnel to implement the provisions of this
56 subsection (4.7).

1 (5) In formulating recommendations for placement of a child with
2 a disability, the committee shall:

3
4 (d) Consider the cost to the school district OR THE STATE CHARTER
5 SCHOOL INSTITUTE when choosing between two or more appropriate
6 placements.

7
8 (7) (a) When it is recommended by a school district OR THE STATE
9 CHARTER SCHOOL INSTITUTE that a child be placed in a residential setting
10 operated by a state agency outside of his THE CHILD'S current district of
11 residence, it is the duty of the current district of residence to notify the
12 agency to which it is recommended that the child be sent, and the school
13 district in which the agency is located, of the child's potential placement
14 in such agency in the school district. The receiving agency and the
15 receiving school district shall provide staff input into the final decision
16 regarding placement. In the event that a disagreement exists between the
17 recommending school district OR THE STATE CHARTER SCHOOL INSTITUTE
18 and the agency and school district receiving the child regarding the
19 placement, the commissioner of education and the director of the state
20 agency under which the facility or program in which the child is being
21 placed is operated shall make the final determination of the placement.

22
23 (9) If a teacher of a child with a disability determines that the
24 child's presence in a general education classroom is so disruptive that
25 other children's learning in the class is significantly impaired, the teacher
26 may utilize the district's OR THE STATE CHARTER SCHOOL INSTITUTE'S
27 regular in-school disciplinary procedure unless it would be inconsistent
28 with the child's individual educational program, or may request a review
29 of the individual educational program or behavior plan or both to consider
30 changes in services or placement. In making any such determination for
31 placement or plan of discipline for the child, the teacher, the principal,
32 and the staffing committee, if applicable, shall use the guidelines
33 recommended by the department.

34
35 (10) ~~No~~ A school, school district, ~~or~~ THE STATE CHARTER SCHOOL
36 INSTITUTE, OR AN administrative unit that receives funds under article 54
37 of this title shall NOT implement or enforce any rule or policy of the state
38 department of education that requires or permits an administrative unit to
39 appoint a person to act as an educational surrogate parent for the purpose
40 of making educational decisions regarding a child's placement in special
41 education services or for the purpose of consenting or refusing to consent
42 to assessments prior to placement when the child's parent is unknown,
43 unavailable, or fails to respond after reasonable efforts.

44
45 **SECTION 26.** 22-20-109 (5), Colorado Revised Statutes, is
46 amended to read:

47
48 **22-20-109. Tuition.** (5) When a child with a disability enrolls in
49 and attends a DISTRICT charter school pursuant to the provisions of part
50 1 of article 30.5 of this title, the district of residence shall be responsible
51 for paying to the DISTRICT charter school the tuition charge for the excess
52 costs incurred in educating the child. The amount of the tuition charge
53 shall be determined pursuant to guidelines developed by the department.
54 Under the circumstances described in this subsection (5), the provisions
55 of section 22-20-108 (8) shall not apply.

1 **SECTION 27.** 22-20-114 (1) (b.7) (II) and (2), Colorado Revised
2 Statutes, are amended to read:

3
4 **22-20-114. Funding of programs.** (1) (b.7) (II) For the 1997-98
5 budget year and budget years thereafter, any increase in the appropriation
6 made to the department over the amount distributed in accordance with
7 subparagraph (I) of this paragraph (b.7) shall be distributed to a school
8 district OR THE STATE CHARTER SCHOOL INSTITUTE in proportion to the
9 number of children with disabilities residing in ~~such~~ THE district OR THE
10 NUMBER OF CHILDREN WITH DISABILITIES ENROLLED IN INSTITUTE
11 CHARTER SCHOOLS, divided by the total number of children with
12 disabilities in the state. The increase in the appropriation to be
13 distributed to school districts AND THE STATE CHARTER SCHOOL INSTITUTE
14 pursuant to this paragraph (b.7) shall be distributed as soon as practicable
15 after the beginning of the fiscal year. For purposes of this paragraph
16 (b.7), the number of children with disabilities shall be based upon the
17 count taken in December of the immediately preceding budget year.

18
19 (2) Payments made under the provisions of this article shall in no
20 way affect the amount of other state aid for which a school district OR AN
21 INSTITUTE CHARTER SCHOOL may qualify.

22
23 **SECTION 28.** 22-20-116 (6) and (7), Colorado Revised Statutes,
24 are amended to read:

25
26 **22-20-116. Minimum standards for educational interpreters**
27 **for the deaf in the public schools - committee to recommend standards**
28 **- rules.** (6) After review and study of the recommendations of the
29 interpreter standards committee, the state board, on or before July 1,
30 1998, shall promulgate rules setting minimum standards for educational
31 interpreters for the deaf employed by or in the public schools in this state.
32 The state board may revise and amend such minimum standards as it
33 deems necessary. The state board shall promulgate rules that set forth the
34 documentation that a person seeking employment as an educational
35 interpreter for the deaf in a public school must submit to the EMPLOYING
36 school district OR TO THE STATE CHARTER SCHOOL INSTITUTE.

37
38 (7) On or after July 1, 2000, in addition to any other requirements
39 that a school district OR THE STATE CHARTER SCHOOL INSTITUTE
40 establishes, any person employed as an educational interpreter for deaf
41 students on a full-time or part-time basis by or in a school district OR AN
42 INSTITUTE CHARTER SCHOOL shall meet the minimum standards for
43 educational interpreters for the deaf as established by rules of the state
44 board."

45
46 Renumber succeeding sections accordingly.

47
48 Page 82, strike lines 22 and 23 and substitute the following:

49
50 "SECTION 22-30.5-513, MINUS THE AMOUNTS REQUIRED BY SECTION
51 22-30.5-514 (1), TO BE ALLOCATED FOR CAPITAL RESERVE PURPOSES OR
52 THE MANAGEMENT OF RISK-RELATED ACTIVITIES."

1 **HB04-1380** 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, strike lines 2 through 14.

6
7 Page 3, strike lines 1 through 20.

8
9 Renumber succeeding sections accordingly.

10
11 Page 4, strike lines 22 through 27.

12
13 Strike page 5.

14
15 Page 6, strike lines 1 through 16.

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FINANCE

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

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SB04-090 be referred to the Committee of the Whole with favorable recommendation.

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SB04-108 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend reengrossed bill, page 2, after line 1, insert the following:

"SECTION 1. 38-13-102 (7) (b), Colorado Revised Statutes, is amended, and the said 38-13-102 is further amended BY THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS, to read:

38-13-102. Definitions and use of terms. As used in this article, unless the context otherwise requires:

(5.3) "GAMING AWARD POINT" MEANS ANY MARKETING OR PROMOTIONAL COUPON, CERTIFICATE, POINT, OR OTHER REPRESENTATIVE OF VALUE THAT:

(a) A LICENSED GAMING ESTABLISHMENT, IN CONNECTION WITH ITS PROMOTIONAL ACTIVITIES, ISSUES TO A PERSON FOR VISITING THE ESTABLISHMENT, FOR USING THE SERVICES OF THE ESTABLISHMENT, OR FOR GAMBLING AT THE ESTABLISHMENT; AND

(b) MAY BE REDEEMED AT A LICENSED GAMING ESTABLISHMENT FOR CASH OR ANY OTHER REPRESENTATIVE OF VALUE, FOOD, PRODUCTS, GOODS, OR SERVICES.

(5.5) "GAMING CHIP OR TOKEN" MEANS A GAMING CHIP OR TOKEN THAT IS ISSUED AND SOLD BY A LICENSED GAMING ESTABLISHMENT FOR USE IN GAMING AND IS:

1 (a) A NONMETAL OR PARTLY METAL REPRESENTATIVE OF VALUE
2 THAT IS REDEEMABLE FOR CASH; OR
3

4 (b) AN ENCODED CREDIT CERTIFICATE THAT, WHEN INSERTED INTO
5 A SLOT MACHINE, AS DEFINED IN SECTION 12-47.1-103 (26), C.R.S., IS
6 VALIDATED BY A COMPUTERIZED SYSTEM THAT CAUSES REDEEMABLE
7 CREDITS IN THE FACE AMOUNT TO BE PLACED ON THE MACHINE.
8

9 (7) (b) "Intangible property" does not include unclaimed capital
10 credit payments held by cooperative electric associations and telephone
11 cooperatives, GAMING CHIPS OR TOKENS, OR GAMING AWARD POINTS.
12

13 (8.3) "LICENSED GAMING ESTABLISHMENT" SHALL HAVE THE SAME
14 MEANING AS SET FORTH IN SECTION 12-47.1-103 (15), C.R.S.
15

16 **SECTION 2.** Article 13 of title 38, Colorado Revised Statutes,
17 is amended BY THE ADDITION OF A NEW SECTION to read:
18

19 **38-13-108.7 Gaming chips or tokens - gaming award points -**
20 **inapplicability.** THIS ARTICLE SHALL NOT APPLY TO GAMING AWARD
21 POINTS AND GAMING CHIPS OR TOKENS ISSUED OR SOLD BY A LICENSED
22 GAMING ESTABLISHMENT BEFORE, ON, OR AFTER THE EFFECTIVE DATE OF
23 THIS SECTION."
24

25 Renumber succeeding sections accordingly.
26

27
28 **SB04-143** be referred to the Committee of the Whole with favorable
29 recommendation.
30

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32
33 **HEALTH, ENVIRONMENT, WELFARE, & INSTITUTIONS**

34 After consideration on the merits, the Committee recommends the
35 following:
36

37 **HB04-1370** be amended as follows, and as so amended, be referred to
38 the Committee of the Whole with favorable
39 recommendation:
40

41 Amend printed bill, page 3, line 16, strike "SUCCESSFULLY MEETS THE
42 REQUIREMENTS OF" and substitute "COMPLETES THE MUTUALLY AGREED
43 UPON";
44

45 line 17, strike "A";
46

47 line 18, after "SECTION," insert "THEN";
48

49 line 23, strike "SUCCESSFULLY MEET THE" and substitute "COMPLETE THE
50 MUTUALLY AGREED UPON";
51

52 line 24, strike "REQUIREMENTS OF A";
53

54 line 26, after "DEPARTMENT," insert "THEN";
55

56 after line 27, insert the following:

1 "(c) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO
2 ELIMINATE A COUNTY DEPARTMENT'S OBLIGATION TO REPORT TO THE
3 STATE DEPARTMENT THAT THERE WAS AN INVESTIGATION OF A REPORT OF
4 ABUSE OR NEGLECT OF A CHILD AND TO FURTHER REPORT THE COUNTY
5 DEPARTMENT'S ASSESSMENT OF RISK, THE COUNTY DEPARTMENT'S
6 DECISION REGARDING A REFERRAL OF THE MATTER TO CHILD WELFARE
7 SERVICES, AND ANY COUNTY DEPARTMENT DECISION TO DEFER THE FILING
8 OF A CONFIRMED REPORT OF CHILD ABUSE OR NEGLECT PURSUANT TO THIS
9 SECTION."

10

11 Page 4, line 3, strike "STRICTLY VOLUNTARY." and substitute "AT THE
12 DISCRETION OF THE PERSON BELIEVED TO BE RESPONSIBLE FOR THE CHILD
13 ABUSE OR NEGLECT.";

14

15 line 19, strike "MAY" and substitute "WILL";

16

17 line 20, after "ALL", insert "OBVIOUS";

18

19 after line 23, insert the following:

20

21 "(7) AN AGREEMENT TO ENTER INTO A SAFETY PLAN AGREEMENT
22 PURSUANT TO THIS SECTION SHALL NOT NEGATE A PERSON'S RIGHT TO
23 APPEAL A LATER FINDING OF CHILD ABUSE OR NEGLECT."

24

25

26

27 **SB04-095** be referred to the Committee of the Whole with favorable
28 recommendation.

29

30

31 **SB04-117** be amended as follows, and as so amended, be referred to
32 the Committee of the Whole with favorable
33 recommendation:

34

35 Amend reengrossed bill, page 4, line 7, after the period, add "A NEWBORN
36 CHILD MAY BE HELD IN A HOSPITAL BY A COUNTY DEPARTMENT OF SOCIAL
37 SERVICES, A LAW ENFORCEMENT OFFICER, OR AN ADMINISTRATOR OF A
38 HOSPITAL UPON THE RECOMMENDATION OF A PHYSICIAN, REGISTERED
39 NURSE, LICENSED PRACTICAL NURSE OR PHYSICIAN'S ASSISTANT, WHILE AN
40 ORDER OF THE COURT PURSUANT TO SECTION 19-3-405 (1) IS BEING
41 PURSUED, BUT THE NEWBORN CHILD MUST BE RELEASED IF A COURT ORDER
42 PURSUANT TO SECTION 19-3-405 (1) IS DENIED.";

43

44 line 12, strike "OTHER HOSPITAL" and substitute "PHYSICIAN'S ASSISTANT";

45

46 line 13, strike "PERSONNEL";

47

48 line 18, strike "APPEARS" and substitute "HAS BEEN DETERMINED BY A
49 PHYSICIAN, REGISTERED NURSE, OR QUALIFIED MENTAL HEALTH
50 PROFESSIONAL TO MEET THE CRITERIA SPECIFIED IN SECTION 27-10-105,
51 C.R.S.";

52

53 line 23, strike "APPEAR" and substitute "HAVE BEEN DETERMINED BY A
54 PHYSICIAN, REGISTERED NURSE, OR QUALIFIED MENTAL HEALTH
55 PROFESSIONAL TO MEET THE CRITERIA SPECIFIED IN SECTION 27-10-105,
56 C.R.S.".

1 **INFORMATION & TECHNOLOGY**

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

4
5 **HB04-1240** be amended as follows, and as so amended, be referred to
6 the Committee of the Whole with favorable
7 recommendation:
8

9 Amend printed bill, page 3, line 4, strike "BECOMES" and substitute
10 "BECOMES, PURSUANT TO A CONTRACT IN WRITING,".
11

12 Page 4, strike lines 6 through 21.
13

14 Page 5, line 1, strike "12-7-106" and substitute "10-1-128, 10-2-801,
15 12-7-106,";
16

17 line 12, strike "STATEMENTS." and substitute "STATEMENTS; EXCEPT THAT
18 SUCH INFORMATION MAY BE USED BY THE DIVISION TO PURSUE
19 ADMINISTRATIVE OR CRIMINAL PROSECUTIONS.";
20

21 line 18, strike "REFUSAL." and substitute "REFUSAL IF, AFTER NOTICE TO
22 THE INSURER AND AFTER A HEARING IN ACCORDANCE WITH SECTION
23 24-4-105, C.R.S., THE COMMISSIONER FINDS THAT THE INSURER HAS
24 VIOLATED THIS SECTION.".
25

26 Page 6, line 13, strike "OF FIVE PERSONS";
27

28 line 17, strike the third "ONE";
29

30 strike lines 18 through 20 and substitute the following:
31

32 "ONE REPRESENTATIVE OF CASH BAIL BOND AGENTS OR ONE
33 REPRESENTATIVE OF PROFESSIONAL CASH BOND AGENTS, THREE
34 REPRESENTATIVES OF SURETY BOND AGENTS LICENSED IN THIS STATE, AND
35 ONE REPRESENTATIVE OF SURETY COMPANIES. THE COMMITTEE MEMBERS
36 SHALL SERVE".
37

38 Page 7, line 18, strike "state;" and substitute "state WHERE THE LICENSEE
39 KNEW OR REASONABLY SHOULD HAVE KNOWN OF THE PROVISIONS, ORDER,
40 OR RULE;".
41

42 Page 8, line 6, strike "PRIMARY" and substitute "INDEMNITY";
43

44 strike line 9 and substitute the following:
45

46 ~~"a copy of the translation shall be attached~~ SHALL AFFIX AN AFFIDAVIT
47 ATTESTING THAT THE DOCUMENT WAS TRANSLATED to the INDEMNITY
48 agreement.";
49

50 line 13, after "THIRD-PARTY AGENT", insert "OR HIS OR HER OWN OFFICE";
51

52 line 15, strike "AGENT" and substitute "BAIL BOND AGENT OR AGENT OF
53 SERVICE OF PROCESS";
54
55
56

1 line 19, strike "REGISTER, WHICH SHALL" and substitute "REGISTER IN A
2 FORM WITH SUCH CONTENT AS PRESCRIBED BY THE COMMISSIONER THAT
3 SHALL IDENTIFY ALL BONDS OR UNDERTAKINGS EXECUTED BY THE
4 LICENSEE.";
5
6 strike lines 20 through 27.
7
8 Page 9, strikes lines 1 through 12;
9
10 line 17, strike "PRINCIPAL," and substitute "DEFENDANT,";
11
12 line 19, strike the second "THE" and substitute "ANY APPLICABLE";
13
14 line 25, after "OF", insert "HIS OR HER";
15
16 line 26, strike "OF THE" and substitute "OR, IF USING AN";
17
18 line 27, strike "SECTION" and substitute "SECTION, SHALL MAKE
19 AVAILABLE AT THE BUSINESS OF THE AGENT FOR SERVICE OF PROCESS".
20
21 Page 10, line 6, strike "APPLICABLE." and substitute "APPLICABLE, OR
22 PROOF OF NOTICE TO THE DEFENDANT OR THIRD-PARTY INDEMNITOR THAT
23 THE TERMS OF ANY PROMISSORY NOTE HAVE BEEN SATISFIED.";
24
25 strike line 12 and substitute the following:
26
27 "SIGNED BY A LICENSED BAIL BONDING AGENT";
28
29 strike line 14 and substitute the following:
30
31 "A LICENSED BAIL BONDING AGENT, SETTING FORTH THE";
32
33 strike line 21 and substitute the following:
34
35 "(d) EVIDENCE THAT THE INDEMNITOR HAS RECEIVED COPIES OF
36 SIGNED AND DATED DISCLOSURE FORMS AS".
37
38 Page 11, line 7, strike "twenty" and substitute "~~twenty~~ FIFTY";
39
40 line 11, strike "THIRD PARTY," and substitute "THIRD-PARTY
41 INDEMNITOR,";
42
43 line 12, strike "AGENT;" and substitute "AGENT, AND A COPY PROVIDED TO
44 THE DEFENDANT OR THIRD-PARTY INDEMNITOR;";
45
46 line 20, before "INDEMNITOR.", insert "DEFENDANT OR THIRD-PARTY".
47
48 Page 12, line 15, strike "12-7-108 (4)." and substitute "12-7-108 (10).";
49
50 line 18, strike "written." and substitute "written; EXCEPT THAT, IF THREE
51 YEARS HAVE ELAPSED FROM THE DATE OF THE POSTING OF THE BOND,
52 UNLESS A JUDGMENT HAS BEEN ENTERED AGAINST THE SURETY OR THE
53 PRINCIPAL FOR THE FORFEITURE OF THE BOND, OR UNLESS THE COURT
54 GRANTS AN EXTENSION OF THE THREE-YEAR TIME PERIOD FOR GOOD CAUSE
55 SHOWN, THE BAIL BONDING AGENT, AS PRINCIPAL OR AS SURETY, SHALL BE
56 EXONERATED AND, AT THE REQUEST OF THE PERSON WHO TENDERED THE

1 COLLATERAL OR SECURITY, RETURN THE COLLATERAL OR SECURITY TO THE
2 PERSON WHO POSTED THE COLLATERAL OR SECURITY WITHIN TEN BUSINESS
3 DAYS AFTER THE THREE-YEAR TIME PERIOD. THE COMMISSIONER MAY
4 RELEASE A LIEN AFTER THE THREE-YEAR TIME PERIOD HAS EXPIRED IF THE
5 LIENHOLDER CANNOT BE CONTACTED AFTER AN ATTEMPT HAS BEEN MADE
6 BY CERTIFIED MAIL AND THE ATTEMPT HAS FAILED."

7
8 Page 13, line 10, strike "CASH AND PROFESSIONAL" and substitute "ALL
9 LICENSED";

10

11 after line 12, insert the following:

12

13 "SECTION 11. 16-4-112 (5) (b) (V), Colorado Revised Statutes,
14 is amended to read:

15

16 **16-4-112. Enforcement procedures for compensated sureties.**

17 (5) Liability of bond obligors on bonds issued by compensated sureties
18 may be enforced, without the necessity of an independent action, as
19 follows:

20

21 (b) (V) (A) If at any time prior to the entry of judgment, the
22 defendant appears in court, either voluntarily or in custody after surrender
23 or arrest, the court shall on its own motion direct that the bail forfeiture
24 be set aside and the bond exonerated at the time the defendant first
25 appears in court; except that, if the state extradites such defendant, all
26 necessary and actual costs associated with such extradition shall be borne
27 by the surety up to the amount of the bond.

28

29 (B) IF, AT A TIME PRIOR TO THE ENTRY OF JUDGMENT, THE SURETY
30 PROVIDES PROOF TO THE COURT THAT THE DEFENDANT IS IN CUSTODY IN
31 ANY OTHER JURISDICTION WITHIN THE STATE, THE COURT SHALL ON ITS
32 OWN MOTION DIRECT THAT THE BAIL FORFEITURE BE SET ASIDE AND THE
33 BOND EXONERATED; EXCEPT THAT, IF THE COURT EXTRADITES THE
34 DEFENDANT, ALL NECESSARY AND ACTUAL COSTS ASSOCIATED WITH THE
35 EXTRADITION SHALL BE BORNE BY THE SURETY UP TO THE AMOUNT OF THE
36 BOND. IF THE COURT ELECTS TO EXTRADITE THE DEFENDANT, ANY
37 FORFEITURE WILL BE STAYED UNTIL SUCH TIME THE DEFENDANT APPEARS
38 IN THE COURT WHERE THE BOND RETURNS.

39

40 (C) A COMPENSATED SURETY SHALL BE EXONERATED FROM
41 LIABILITY UPON THE BOND BY SATISFACTION OF THE BAIL FORFEITURE
42 JUDGMENT, SURRENDER OF THE DEFENDANT, OR ORDER OF THE COURT. IF
43 THE SURETY PROVIDES PROOF TO THE COURT THAT THE DEFENDANT IS IN
44 CUSTODY IN ANY OTHER JURISDICTION WITHIN THE STATE, WITHIN NINETY
45 DAYS AFTER THE ENTRY OF JUDGMENT, THE COURT SHALL ON ITS OWN
46 MOTION DIRECT THAT THE BAIL FORFEITURE JUDGMENT BE VACATED AND
47 THE BOND EXONERATED; EXCEPT THAT, IF THE COURT EXTRADITES THE
48 DEFENDANT, ALL NECESSARY AND ACTUAL COSTS ASSOCIATED WITH THE
49 EXTRADITION SHALL BE BORNE BY THE SURETY UP TO THE AMOUNT OF THE
50 BOND. IF THE COURT ELECTS TO EXTRADITE THE DEFENDANT, ANY
51 JUDGMENT WILL BE STAYED UNTIL THE TIME THE DEFENDANT APPEARS IN
52 THE COURT WHERE THE BOND RETURNS."

53

54 Renumber succeeding sections accordingly.

55

56 Page 14, after line 9, insert the following:

1 **"SECTION 15.** 16-4-108 (1) (b.5) and (1) (c), Colorado Revised
2 Statutes, are amended to read:

3
4 **16-4-108. Exoneration from bond liability.** (1) Any person
5 executing a bail bond as principal or as surety shall be exonerated as
6 follows:

7
8 (b.5) (I) When the surety appears and provides satisfactory
9 evidence to the court that the defendant is unable to appear before the
10 court due to such defendant's death or the detention or incarceration of
11 such defendant in a foreign jurisdiction if the defendant is incarcerated
12 for a period in excess of ninety days and the state of Colorado has refused
13 to extradite such defendant; except that, if the state extradites such
14 defendant, all costs associated with such extradition shall be borne by the
15 surety up to the amount of the bond. ~~or~~

16
17 (II) FOR THE PURPOSES OF THIS PARAGRAPH (b.5), "COSTS
18 ASSOCIATED WITH EXTRADITION" SHALL BE CALCULATED AS AND LIMITED
19 TO THE ROUND-TRIP MILEAGE BETWEEN THE COLORADO COURT OF
20 JURISDICTION AND THE LOCATION OF THE DEFENDANT'S INCARCERATION
21 AT THE RATE ALLOWED FOR REIMBURSEMENT PURSUANT TO SECTION
22 24-9-104, C.R.S., UP TO THE AMOUNT OF THE BOND.

23
24 (c) Upon surrender of the defendant into custody at any time
25 before a judgment has been entered against the sureties for forfeiture of
26 the bond, upon payment of all costs occasioned thereby. A surety may
27 seize and surrender the defendant to the sheriff of the county wherein the
28 bond is taken, and it is the duty of the sheriff, on such surrender and
29 delivery to him of a certified copy of the bond by which the surety is
30 bound, to take the person into custody and, by writing, acknowledge the
31 surrender. If a compensated surety is exonerated by surrendering a
32 defendant prior to the INITIAL appearance date fixed in the bond, the
33 court, after a hearing, may require the surety to refund part or all of the
34 bond premium paid by the defendant if necessary to prevent unjust
35 enrichment."

36
37 Renumber succeeding sections accordingly.

38
39
40
41 **SB04-175** be referred to the Committee of the Whole with favorable
42 recommendation.

43
44
45
46
47 **TRANSPORTATION & ENERGY**

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

50
51 **HB04-1372** be postponed indefinitely.

52
53
54
55
56

PRINTING REPORT

The Chief Clerk reports the following bills have been correctly printed:
HB04-1387, 1388, 1389, 1390.

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

The Speaker has signed: **HB04-1076, 1087; SB04-004, 018; SJR04-003, 004.**

MESSAGE FROM THE SENATE

Madam Speaker:

In response to the request of the House for a Conference Committee on HB04-1112, the President appointed Senators Kester, Chm., McElhany, and Sandoval, as members of the First Conference Committee on the part of the Senate. The Senate granted permission to members of the First Conference Committee on HB04-1112, to consider matters not at issue between the two houses.

In response to the request of the House for a Conference Committee on HB04-1072, the President appointed Senators Evans, Chm., Jones, and Fitz-Gerald, as members of the First Conference Committee on the part of the Senate.

MESSAGE FROM THE GOVERNOR

I certify I received the following on the 4th day of March, 2004, at 9:20 a.m. The original is on file in the records of the House of Representatives of the General Assembly.

Judith Rodrigue,
Chief Clerk of the House

March 3, 2004

To the Honorable
House of Representatives
Sixty-fourth General Assembly
Second Regular Session
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following acts:

HB04-1316 Concerning A Supplemental Appropriation To The Department Of Agriculture.

Approved March 3, 2004 at 9:30 A.M..

- 1 **HB04-1317** Concerning A Supplemental Appropriation To The
2 Department Of Corrections.
3
4 Approved March 3, 2004 at 9:31 A.M.
5
- 6 **HB04-1318** Concerning A Supplemental Appropriation To The
7 Department Of Education.
8
9 Approved March 3, 2004 at 9:31 A.M.
10
- 11 **HB04-1319** Concerning A Supplemental Appropriation To The Offices
12 Of The Governor, Lieutenant Governor, And State
13 Planning And Budgeting.
14
15 Approved March 3, 2004 at 9:31 A.M.
- 16 **HB04-1320** Concerning A Supplemental Appropriation To The
17 Department Of Health Care Policy And Financing.
18
19 Approved March 3, 2004 at 9:32 A.M.
20
- 21 **HB04-1321** Concerning A Supplemental Appropriation To The
22 Department Of Higher Education.
23
24 Approved March 3, 2004 at 9:32 A.M.
25
- 26 **HB04-1322** Concerning A Supplemental Appropriation To The
27 Department Of Human Services.
28
29 Approved March 3, 2004 at 9:33 A.M.
30
- 31 **HB04-1323** Concerning A Supplemental Appropriation To The Judicial
32 Department.
33
34 Approved March 3, 2004 at 9:34 A.M.
35
- 36 **HB04-1324** Concerning A Supplemental Appropriation To The
37 Department Of Labor And Employment.
38
39 Approved March 3, 2004 at 9:35 A.M.
40
- 41 **HB04-1325** Concerning A Supplemental Appropriation To The
42 Department Of Law.
43
44 Approved March 3, 2004 at 10:10 A.M.
45
- 46 **HB04-1326** Concerning A Supplemental Appropriation To The
47 Department Of Legislature.
48
49 Approved March 3, 2004 at 11:00 A.M.
50
- 51 **HB04-1327** Concerning A Supplemental Appropriation To The
52 Department Of Local Affairs.
53
54 Approved March 3, 2004 at 1:32 P.M.
55
56

- 1 **HB04-1328** Concerning A Supplemental Appropriation To The
2 Department Of Military And Veterans Affairs.
3
4 Approved March 3, 2004 at 1:33 P.M.
5
- 6 **HB04-1329** Concerning A Supplemental Appropriation To The
7 Department Of Natural Resources.
8
9 Approved March 3, 2004 at 1:35 P.M.
10
- 11
12 **HB04-1330** Concerning A Supplemental Appropriation To The
13 Department Of Personnel And Administration.
14
15 Approved March 3, 2004 at 1:40 P.M.
16
- 17 **HB04-1331** Concerning A Supplemental Appropriation To The
18 Department Of Public Health And Environment.
19
20 Approved March 3, 2004 at 1:40 P.M.
21
- 22
23 **HB04-1332** Concerning A Supplemental Appropriation To The
24 Department Of Public Safety.
25
26 Approved March 3, 2004 at 1:50 P.M.
27
- 28 **HB04-1333** Concerning A Supplemental Appropriation To The
29 Department Of Regulatory Agencies.
30
31 Approved March 3, 2004 at 1:45 P.M.
32
- 33
34 **HB04-1334** Concerning A Supplemental Appropriation To The
35 Department Of Revenue.
36
37 Approved March 3, 2004 at 1:50 P.M.
38
- 39 **HB04-1335** Concerning A Supplemental Appropriation To The
40 Department Of State.
41
42 Approved March 3, 2004 at 1:50 P.M.
43
- 44
45 **HB04-1336** Concerning A Supplemental Appropriation To The
46 Department Of Transportation.
47
48 Approved March 3, 2004 at 1:52 P.M.
49
- 50 **HB04-1337** Concerning A Supplemental Appropriation To The
51 Department Of The Treasury.
52
53 Approved March 3, 2004 at 1:52 P.M.
54
55
56

1 **HB04-1338** Concerning Funding For Capital Construction, And
2 Making Supplemental Appropriations In Connection
3 Therewith.
4

5 Approved March 3, 2004 at 1:54 P.M.
6

7 Sincerely,
8 Bill Owens
9 (signed)
10 Governor
11

12
13 **INTRODUCTION OF BILLS**
14 **First Reading**
15

16 The following bills were read by title and referred to the committees
17 indicated:
18

19 **HB04-1391** by Representative(s) Harvey, Brophy, Mitchell, Rhodes--
20 Concerning the admissibility of scientific evidence in civil
21 actions.
22 Committee on Business Affairs & Labor
23

24 **HB04-1392** by Representative(s) Briggs--Concerning regional
25 transportation, and, in connection therewith, allowing local
26 governments throughout the state to form regional
27 transportation authorities.
28 Committee on Transportation & Energy
29

30
31 **INTRODUCTION OF RESOLUTION**
32

33 The following resolution was read by title and referred to the committee
34 indicated:
35

36 **HJR04-1026** by Representative(s) Butcher, Pommer, Coleman,
37 Boyd, Carroll, Cerbo, Frangas, Hodge, Jahn, Judd,
38 Madden, Marshall, McFadyen, McGihon, Rippy,
39 Romanoff, Salazar, Tochtrop, Vigil, Weissmann,
40 Williams S.--Concerning a feasibility study of
41 Pueblo as a location for a renewable energy power
42 plant.
43 Committee on Transportation & Energy
44

45
46
47 **LAY OVER OF CALENDAR ITEMS**
48

49 On motion of Representative King, the following items on the Calendar
50 were laid over until March 5, retaining place on Calendar:
51

52 Consideration of Special Orders--**HB04-1257, 1345, 1244, 1251.**
53 Consideration of General Orders--**HB04-1203, 1315, 1062, 1104, 1141,**
54 **1309, 1311, 1234, 1368, SB04-008, 021, 044, HB04-1366, 1376,**
55 **SB04-156, 036, 159, HB04-1379, SB04-014, 051, HB04-1367,**
56 **SB04-002, 047.**

1 Consideration of Resolutions--**HJR04-1008, 1012, 1013, 1005, 1018,**
2 **1020, SJR04-015, HJR04-1024, 1010.**
3 Consideration of Senate Amendments--**HB04-1197.**
4 _____
5
6

7 On motion of Representative King, the House adjourned until 9:00 a.m.,
8 March 5, 2004.
9

10 Approved:
11
12

13
14 LOLA SPRADLEY,
15 Speaker
16

16 Attest:
17

18 JUDITH RODRIGUE,
19 Chief Clerk