

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

Seventy-third Legislative Day

Friday, March 19, 2004

1 Prayer by Jennifer Otie, Resident Coordinator, Samaritan House, Denver.
 2 Terry Knight-Frank, Shaman, Ute Mountain Ute, Towaoc.

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

5
 6 Pledge of Allegiance led by Representative Spence.

7
 8 The roll was called with the following result:

9
 10 Present--61.

11 Excused--Representatives Madden, Rippy, Smith, Stafford--4.

12
 13 The Speaker declared a quorum present.

14
 15
 16 On motion of Representative Rose, the reading of the journal of March
 17 18, 2004, was declared dispensed with and approved as corrected by the
 18 Chief Clerk.

THIRD READING OF BILLS--FINAL PASSAGE

19
 20
 21
 22
 23 The following bills were considered on Third Reading. The titles were
 24 publicly read. Reading of the bill at length was dispensed with by
 25 unanimous consent.

26
 27
 28 **HB04-1283** by Representative(s) Boyd; also Senator(s) Taylor--
 29 Concerning a study to determine the quality of education
 30 provided in Colorado's public high schools.

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**.

36
 37

YES	47	NO	14	EXCUSED	04	ABSENT	00
Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
Borodkin	Y	Hall	Y	McFadyen	Y	Smith	E
Boyd	Y	Harvey	N	McGihon	Y	Spence	Y
Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	E
Brophy	N	Hodge	Y	Miller	Y	Stengel	Y
Butcher	Y	Hoppe	Y	Mitchell	N	Tochtrop	Y

43

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

12 Co-sponsors added: Representatives Borodkin, Butcher, Carroll, Coleman,
 13 Decker, Frangas, Garcia, Hefley, Jahn, Marshall, May, McFadyen, McGihon,
 14 Merrifield, Miller, Paccione, Plant, Pommer, Ragsdale, Romanoff, Salazar,
 15 Tochtrop, Vigil, Weddig, Weissmann, Williams S.

16
 17 **HB04-1381** by Representative(s) White; also Senator(s) McElhany--
 18 Concerning standards for the distribution of limited
 19 gaming revenues from the state historical fund by the
 20 governing bodies of existing cities that provide grants of
 21 such moneys for the benefit of historic properties.

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

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

27	YES	53	NO	08	EXCUSED	04	ABSENT	00
28								
29	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
30	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	E
31	Boyd	Y	Harvey	N	McGihon	Y	Spence	Y
32	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	E
33	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
34	Butcher	Y	Hoppe	Y	Mitchell	N	Tochtrop	Y
35	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
36	Carroll	Y	Johnson	Y	Plant	N	Weddig	Y
37	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	N
38	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
39	Cloer	Y	Larson	Y	Rhodes	N	White	Y
40	Coleman	Y	Lee	N	Rippy	E	Wiens	Y
41	Crane	Y	Lundberg	N	Romanoff	Y	Williams S.	Y
42	Decker	Y	Madden	E	Rose	Y	Williams T.	Y
43	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
44	Frangas	Y	May	Y	Schultheis	N	Young	Y
45							Speaker	Y

46 Co-sponsors added: Representatives Coleman, Hefley, Miller, Williams S.

47
 48 **HB04-1165** by Representative(s) Lundberg also Senator(s) Teck--
 49 Concerning changes to the felony threshold loss amount in
 50 certain crimes.

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

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

	YES	42	NO	19	EXCUSED	04	ABSENT	00
1	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
2	Borodkin	N	Hall	Y	McFadyen	N	Smith	E
3	Boyd	Y	Harvey	Y	McGihon	N	Spence	Y
4	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	E
5	Brophy	Y	Hodge	Y	Miller	Y	Stengel	N
6	Butcher	Y	Hoppe	N	Mitchell	Y	Tochtrop	Y
7	Cadman	N	Jahn	N	Paccione	Y	Vigil	N
8	Carroll	N	Johnson	Y	Plant	Y	Weddig	Y
9	Cerbo	N	Judd	Y	Pommer	N	Weissmann	Y
10	Clapp	Y	King	Y	Ragsdale	N	Welker	Y
11	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
12	Coleman	N	Lee	Y	Rippy	E	Wiens	Y
13	Crane	Y	Lundberg	Y	Romanoff	N	Williams S.	N
14	Decker	Y	Madden	E	Rose	Y	Williams T.	N
15	Fairbank	Y	Marshall	N	Salazar	N	Witwer	Y
16	Frangas	N	May	Y	Schultheis	Y	Young	Y
17							Speaker	Y

18
19 Co-sponsor added: Representative Cadman

20
21 **HB04-1387** by Representative(s) Hefley; also Senator(s) Dyer--
22 Concerning changes to the procedural criminal laws.
23

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

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

	YES	61	NO	00	EXCUSED	04	ABSENT	00
29	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
30	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	E
31	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
32	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	E
33	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
34	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
35	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
36	Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
37	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
38	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
39	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
40	Coleman	Y	Lee	Y	Rippy	E	Wiens	Y
41	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
42	Decker	Y	Madden	E	Rose	Y	Williams T.	Y
43	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
44	Frangas	Y	May	Y	Schultheis	Y	Young	Y
45							Speaker	Y

46
47 Co-sponsors added: Representatives Boyd, Carroll, Frangas, Marshall, Paccione,
48 Romanoff.
49

50 **HB04-1388** by Representative(s) Hefley; also Senator(s) Dyer--
51 Concerning nonsubstantive changes to statutory provisions
52 identifying crimes that pose an extraordinary risk of harm
53 to society.
54

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

56 A roll call vote was taken. As shown by the following recorded vote, a

1 majority of those elected to the House voted in the affirmative and the bill
2 was declared **passed**.

	YES	61	NO	00	EXCUSED	04	ABSENT	00
5	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
6	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	E
7	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
8	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	E
9	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
10	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
11	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
12	Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
13	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
14	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
15	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
16	Coleman	Y	Lee	Y	Rippy	E	Wiens	Y
17	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
18	Decker	Y	Madden	E	Rose	Y	Williams T.	Y
19	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
20	Frangas	Y	May	Y	Schultheis	Y	Young	Y
21							Speaker	Y

22 Co-sponsors added: Representatives Carroll, Coleman, Frangas, McGihon,
23 Romanoff.

24
25 **HB04-1395** by Representative(s) Spence; also Senator(s) Kester--
26 Concerning matters related to evaluations by the state
27 board of parole of persons seeking parole.

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

	YES	59	NO	02	EXCUSED	04	ABSENT	00
35	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
36	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	E
37	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
38	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	E
39	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
40	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
41	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
42	Carroll	Y	Johnson	Y	Plant	N	Weddig	Y
43	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	N
44	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
45	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
46	Coleman	Y	Lee	Y	Rippy	E	Wiens	Y
47	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
48	Decker	Y	Madden	E	Rose	Y	Williams T.	Y
49	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
50	Frangas	Y	May	Y	Schultheis	Y	Young	Y
51							Speaker	Y

52 Co-sponsors added: Representatives Marshall, Stengel.

53
54 **HB04-1384** by Representative(s) Sinclair, Coleman, Johnson R.,
55 Larson, May M., McCluskey, Rose, Weddig; also
56 Senator(s) Lamborn--Concerning reporting requirements

reviewed by the state, veterans, and military affairs committees of the general assembly pursuant to Colorado's "Information Coordination Act".

The question being "Shall the bill pass?".

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

YES	61	NO	00	EXCUSED	04	ABSENT	00
Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
Borodkin	Y	Hall	Y	McFadyen	Y	Smith	E
Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	E
Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
Cloer	Y	Larson	Y	Rhodes	Y	White	Y
Coleman	Y	Lee	Y	Rippy	E	Wiens	Y
Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
Decker	Y	Madden	E	Rose	Y	Williams T.	Y
Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
Frangas	Y	May	Y	Schultheis	Y	Young	Y
						Speaker	Y

Co-sponsors added: Representatives Cloer, Miller.

SB04-180 by Senator(s) Hillman, Anderson, Andrews, Arnold, Chlouber, Dyer, Kester; also Representative(s) Cadman, Hefley, Miller, White, Wiens--Concerning a motion to dismiss for forum non conveniens.

The question being "Shall the bill pass?".

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

YES	41	NO	20	EXCUSED	04	ABSENT	00
Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
Borodkin	N	Hall	Y	McFadyen	N	Smith	E
Boyd	N	Harvey	Y	McGihon	Y	Spence	Y
Briggs	Y	Hefley	Y	Merrifield	N	Stafford	E
Brophy	Y	Hodge	N	Miller	Y	Stengel	N
Butcher	N	Hoppe	Y	Mitchell	Y	Tochtrop	Y
Cadman	Y	Jahn	Y	Paccione	N	Vigil	N
Carroll	Y	Johnson	Y	Plant	N	Weddig	N
Cerbo	N	Judd	N	Pommer	N	Weissmann	Y
Clapp	Y	King	Y	Ragsdale	N	Welker	Y
Cloer	Y	Larson	Y	Rhodes	Y	White	Y
Coleman	N	Lee	Y	Rippy	E	Wiens	Y
Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	N
Decker	N	Madden	E	Rose	Y	Williams T.	Y
Fairbank	Y	Marshall	N	Salazar	Y	Witwer	N

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

3 Co-sponsors added: Representatives Crane, Fairbank, Hall, Rose, Spence,
4 Welker, Williams T., Speaker.

5
6 **HB04-1358** by Representative(s) Spradley, Hoppe, Paccione, Salazar,
7 Wiens; also Senator(s) Kester--Concerning an income tax
8 checkoff for the Colorado state fair and industrial
9 exposition.

10

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

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

15

	YES	46	NO	15	EXCUSED	04	ABSENT	00
17 Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y	
18 Borodkin	Y	Hall	N	McFadyen	Y	Smith	E	
19 Boyd	N	Harvey	Y	McGihon	Y	Spence	Y	
20 Briggs	Y	Hefley	N	Merrifield	Y	Stafford	E	
21 Brophy	Y	Hodge	Y	Miller	Y	Stengel	N	
22 Butcher	Y	Hoppe	Y	Mitchell	N	Tochtrop	Y	
23 Cadman	N	Jahn	Y	Paccione	Y	Vigil	Y	
24 Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y	
25 Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y	
26 Clapp	N	King	N	Ragsdale	Y	Welker	N	
27 Cloer	Y	Larson	Y	Rhodes	Y	White	Y	
28 Coleman	Y	Lee	N	Rippy	E	Wiens	Y	
29 Crane	Y	Lundberg	N	Romanoff	Y	Williams S.	Y	
30 Decker	N	Madden	E	Rose	Y	Williams T.	Y	
31 Fairbank	N	Marshall	Y	Salazar	Y	Witwer	Y	
32 Frangas	Y	May	N	Schultheis	N	Young	Y	
33						Speaker	Y	

34 Co-sponsors added: Representatives Butcher, Frangas, Garcia, McFadyen,
35 Miller, Rose.

36

37 **SB04-042** by Senator(s) Arnold; also Representative(s) Mitchell,
38 Carroll, Rose--Concerning the student loan advisory
39 committee.

40

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

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

45

	YES	61	NO	00	EXCUSED	04	ABSENT	00
47 Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y	
48 Borodkin	Y	Hall	Y	McFadyen	Y	Smith	E	
49 Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y	
50 Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	E	
51 Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y	
52 Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y	
53 Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y	
54 Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y	
55 Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y	
56 Clapp	Y	King	Y	Ragsdale	Y	Welker	Y	

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

8
9 **SB04-068** by Senator(s) Hillman; also Representative(s) May M.--
10 Concerning the administration of a school district bond
11 redemption fund.
12

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

18	YES	61	NO	00	EXCUSED	04	ABSENT	00
19	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
20	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	E
21	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
22	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	E
23	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
24	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
25	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
26	Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
27	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
28	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
29	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
30	Coleman	Y	Lee	Y	Rippy	E	Wiens	Y
31	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
32	Decker	Y	Madden	E	Rose	Y	Williams T.	Y
33	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
34	Frangas	Y	May	Y	Schultheis	Y	Young	Y
35							Speaker	Y

36 Co-sponsor added: Representative Brophy
37

38 **SB04-191** by Senator(s) Anderson; also Representative(s) Stengel--
39 Concerning the terms of service for members of the parole
40 board.
41

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

47	YES	60	NO	01	EXCUSED	04	ABSENT	00
48	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
49	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	E
50	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
51	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	E
52	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
53	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
54	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
55	Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
56	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y

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

CONSIDERATION OF RESOLUTIONS

HJR04-1036 by Representative(s) Hoppe; also Senator(s) Entz--
Concerning the recognition of National Agriculture Day.

(Printed and placed in member's file.)

Representative Hoppe moved that the resolution be adopted and requested that it be read at length.

Amendment No. 1, moved by Representative Briggs.

Amend printed joint resolution, page 3, line 13, strike "and";

line 14, strike "Association." and substitute "Association, the Colorado Greenhouse Growers Association, and the Colorado Nursery Association."

The amendment was declared **passed by viva voce vote**.

On motion of Representative Hoppe, the resolution as amended was **adopted by viva voce vote**.

Co-sponsors added: Roll Call of the House.

CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS

HB04-1115 by Representative(s) Rhodes, Coleman, Harvey, Hodge, Hoppe, Larson, Marshall, McCluskey, Paccione, Wiens, White, Williams T.; also Senator(s) Tapia--Concerning the continuation of the state board of registration for professional engineers and professional land surveyors.

(Amended as printed in Senate Journal, March 4, page 414)

Representative Rhodes moved that the House **concur** in Senate amendments. The motion was declared **passed** by the following roll call vote:

YES	60	NO	01	EXCUSED	04	ABSENT	00
Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
Borodkin	Y	Hall	Y	McFadyen	Y	Smith	E
Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y

1	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	E
2	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
3	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
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	E	Wiens	Y
10	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
11	Decker	Y	Madden	E	Rose	Y	Williams T.	Y
12	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
13	Frangas	Y	May	Y	Schultheis	Y	Young	N
14							Speaker	Y

15
 16 The question being, "Shall the bill, as amended, pass?".
 17 A roll call vote was taken. As shown by the following recorded vote, a
 18 majority of those elected to the House voted in the affirmative, and the
 19 bill, as amended, was declared **repassed**.

21	YES	61	NO	00	EXCUSED	04	ABSENT	00
22	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
23	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	E
24	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
25	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	E
26	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
27	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
28	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
29	Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
30	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
31	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
32	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
33	Coleman	Y	Lee	Y	Rippy	E	Wiens	Y
34	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
35	Decker	Y	Madden	E	Rose	Y	Williams T.	Y
36	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
37	Frangas	Y	May	Y	Schultheis	Y	Young	Y
38							Speaker	Y

39 Co-sponsor added: Representative Williams S.

40
 41 **HB04-1117** by Representative(s) Rhodes; also Senator(s) Hillman--
 42 Concerning a grace period in which a health insurance
 43 carrier may reenter the Colorado insurance market without
 44 penalty.

45
 46 (Amended as printed in Senate Journal, March 5, page 433)

47
 48 Representative Rhodes moved that the House **not concur** in Senate
 49 amendments and that a Conference Committee be appointed. The motion
 50 was declared **passed** by the following roll call vote:

52	YES	61	NO	00	EXCUSED	04	ABSENT	00
53	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
54	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	E
55	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
56	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	E

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

14
15 The Speaker appointed Representatives Rhodes, Chairman, Harvey and
16 Marshall as House conferees to the bill.

17
18 **HB04-1009** by Representative(s) King; also Senator(s) Reeves--
19 Concerning the ability of the governing board of each
20 institution of higher education to elect to be exempt from
21 certain state administrative restrictions.

22
23 (Amended as printed in Senate Journal, March 8, page 450)

24
25 Representative King moved that the House **concur** in Senate
26 amendments. The motion was declared **passed** by the following roll call
27 vote:

29	YES	61	NO	00	EXCUSED	04	ABSENT	00
30	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
31	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	E
32	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
33	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	E
34	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
35	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
36	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
37	Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
38	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
39	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
40	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
41	Coleman	Y	Lee	Y	Rippy	E	Wiens	Y
42	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
43	Decker	Y	Madden	E	Rose	Y	Williams T.	Y
44	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
45	Frangas	Y	May	Y	Schultheis	Y	Young	Y
46							Speaker	Y

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

53	YES	57	NO	04	EXCUSED	04	ABSENT	00
54	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
55	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	E
56	Boyd	Y	Harvey	Y	McGihon	N	Spence	Y

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

15 Co-sponsor added: Representative Schultheis.

16
17 **HB04-1147** by Representative(s) Hall, Brophy, Briggs, Hoppe,
18 Johnson R., King, McCluskey, Rose; also Senator(s)
19 Hillman--Concerning the creation of an environmental
20 management system permit pilot program.

21
22 (Amended as printed in Senate Journal, March 8, page 451)

23
24 Representative Hall moved that the House **concur** in Senate amendments.
25 The motion was declared **passed** by the following roll call vote:

27	YES	60	NO	01	EXCUSED	04	ABSENT	00
28	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
29	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	E
30	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
31	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	E
32	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
33	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
34	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
35	Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
36	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
37	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
38	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
39	Coleman	Y	Lee	Y	Rippy	E	Wiens	Y
40	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
41	Decker	Y	Madden	E	Rose	Y	Williams T.	Y
42	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
43	Frangas	Y	May	Y	Schultheis	Y	Young	N
44							Speaker	Y

45
46 The question being, "Shall the bill, as amended, pass?"

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

51	YES	56	NO	05	EXCUSED	04	ABSENT	00
52	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
53	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	E
54	Boyd	Y	Harvey	Y	McGihon	N	Spence	Y
55	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	E
56	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y

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

HB04-1145 by Representative(s) Larson, Brophy, Hodge, Rippy, Rose, Briggs, Miller, Harvey; also Senator(s) Hillman, Teck, Chlouber, Entz, Johnson S., Kester, Owen, Takis--
Concerning a limitation of liability for persons other than consumers who work with liquefied petroleum gas.

(Amended as printed in Senate Journal, March 5, page 434, and in Senate Journal, March 8, page 451)

Representative Larson moved that the House **concur** in Senate amendments. The motion was declared **passed** by the following roll call vote:

YES	61	NO	00	EXCUSED	04	ABSENT	00
Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
Borodkin	Y	Hall	Y	McFadyen	Y	Smith	E
Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	E
Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
Cloer	Y	Larson	Y	Rhodes	Y	White	Y
Coleman	Y	Lee	Y	Rippy	E	Wiens	Y
Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
Decker	Y	Madden	E	Rose	Y	Williams T.	Y
Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
Frangas	Y	May	Y	Schultheis	Y	Young	Y
						Speaker	Y

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

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

YES	58	NO	03	EXCUSED	04	ABSENT	00
Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
Borodkin	Y	Hall	Y	McFadyen	Y	Smith	E
Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	E
Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y

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

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

(Amended as printed in Senate Journal, March 8, page 451)

Representative Spradley moved that the House **concur** in Senate amendments. The motion was declared **passed** by the following roll call vote:

YES	61	NO	00	EXCUSED	04	ABSENT	00
Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
Borodkin	Y	Hall	Y	McFadyen	Y	Smith	E
Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	E
Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
Cloer	Y	Larson	Y	Rhodes	Y	White	Y
Coleman	Y	Lee	Y	Rippy	E	Wiens	Y
Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
Decker	Y	Madden	E	Rose	Y	Williams T.	Y
Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
Frangas	Y	May	Y	Schultheis	Y	Young	Y
						Speaker	Y

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

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

YES	61	NO	00	EXCUSED	04	ABSENT	00
Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
Borodkin	Y	Hall	Y	McFadyen	Y	Smith	E
Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	E
Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y

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

12 Co-sponsors added: Representatives Coleman, Garcia.

13
14 **HB04-1285** by Representative(s) Johnson R., Marshall, Fairbank, Hall,
15 King, Lundberg, Sinclair, Stengel; also Senator(s) Kester--
16 Concerning disclosure of outstanding debt by a health care
17 provider prior to such debt going to collections.

18
19 (Amended as printed in Senate Journal, March 8, page 451)

20
21 Representative Johnson R., moved that the House **concur** in Senate
22 amendments. The motion was declared **passed** by the following roll call
23 vote:

25	YES	61	NO	00	EXCUSED	04	ABSENT	00
26	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
27	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	E
28	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
29	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	E
30	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
31	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
32	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
33	Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
34	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
35	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
36	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
37	Coleman	Y	Lee	Y	Rippy	E	Wiens	Y
38	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
39	Decker	Y	Madden	E	Rose	Y	Williams T.	Y
40	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
41	Frangas	Y	May	Y	Schultheis	Y	Young	Y
42							Speaker	Y

43
44 The question being, "Shall the bill, as amended, pass?"

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

49	YES	61	NO	00	EXCUSED	04	ABSENT	00
50	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
51	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	E
52	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
53	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	E
54	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
55	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
56	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y

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

11 Co-sponsors added: Representatives Hoppe, McFadyen, Paccione, Salazar.

12
13 **HB04-1226** by Representative(s) White; also Senator(s) Kester--
14 Concerning the authority for a bank to utilize a certificate
15 of trust to establish a deposit account.

16
17 (Amended as printed in Senate Journal, March 9, pages 464-465)

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

23	YES	61	NO	00	EXCUSED	04	ABSENT	00
24	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
25	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	E
26	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
27	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	E
28	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
29	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
30	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
31	Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
32	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
33	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
34	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
35	Coleman	Y	Lee	Y	Rippy	E	Wiens	Y
36	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
37	Decker	Y	Madden	E	Rose	Y	Williams T.	Y
38	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
39	Frangas	Y	May	Y	Schultheis	Y	Young	Y
40							Speaker	Y

41
42 The question being, "Shall the bill, as amended, pass?"

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

47	YES	61	NO	00	EXCUSED	04	ABSENT	00
48	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
49	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	E
50	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
51	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	E
52	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
53	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
54	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
55	Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
56	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y

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

9 Co-sponsors added: Representatives Schultheis, Weddig.

10
11 **HB04-1102** by Representative(s) Clapp; also Senator(s) Johnson S.--
12 Concerning the regulation of dental health care providers
13 by the state board of dental examiners.

14
15 (Amended as printed in Senate Journal, March 11, pages 487-488)

16
17 Representative Clapp moved that the House **concur** in Senate
18 amendments. A substitute motion by Representative Berry that the House
19 **not concur** in Senate amendments. The motion was declared **passed** by
20 the following roll call vote:

21								
22	YES	56	NO	05	EXCUSED	04	ABSENT	00
23	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
24	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	E
25	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
26	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	E
27	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
28	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
29	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
30	Carroll	Y	Johnson	Y	Plant	Y	Weddig	N
31	Cerbo	N	Judd	Y	Pommer	N	Weissmann	N
32	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
33	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
34	Coleman	Y	Lee	Y	Rippy	E	Wiens	Y
35	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
36	Decker	Y	Madden	E	Rose	Y	Williams T.	Y
37	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
38	Frangas	N	May	Y	Schultheis	Y	Young	Y
39							Speaker	Y

40
41 **HB04-1155** by Representative(s) Williams T.; also Senator(s) Taylor--
42 Concerning a limitation on the authority of a municipality
43 to regulate that portion of newly annexed land used as a
44 right-of-way by agricultural users.

45
46 (Amended as printed in Senate Journal, March 12, page 500)

47
48 Representative Williams T., moved that the House **concur** in Senate
49 amendments. The motion was declared **passed** by the following roll call
50 vote:

51								
52	YES	61	NO	00	EXCUSED	04	ABSENT	00
53	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
54	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	E
55	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
56	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	E

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

14
 15 The question being, "Shall the bill, as amended, pass?".
 16 A roll call vote was taken. As shown by the following recorded vote, a
 17 majority of those elected to the House voted in the affirmative, and the
 18 bill, as amended, was declared **repassed**.

19	YES	61	NO	00	EXCUSED	04	ABSENT	00
20								
21	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
22	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	E
23	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
24	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	E
25	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
26	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
27	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
28	Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
29	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
30	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
31	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
32	Coleman	Y	Lee	Y	Rippy	E	Wiens	Y
33	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
34	Decker	Y	Madden	E	Rose	Y	Williams T.	Y
35	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
36	Frangas	Y	May	Y	Schultheis	Y	Young	Y
37							Speaker	Y

38 Co-sponsor added: Representative Schultheis.

39
 40 **HB04-1057** by Representative(s) Miller; also Senator(s) Taylor--
 41 Concerning newspaper theft.

42
 43 (Amended as printed in Senate Journal, March 5, page 433 and 435 and
 44 in Senate Journal, March 12, page 501.)

45
 46 Representative Miller moved that the House **concur** in Senate
 47 amendments. The motion was declared **passed** by the following roll call
 48 vote:

49	YES	61	NO	00	EXCUSED	04	ABSENT	00
50								
51	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
52	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	E
53	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
54	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	E
55	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
56	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y

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

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

17	YES	54	NO	07	EXCUSED	04	ABSENT	00
19	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
20	Borodkin	Y	Hall	N	McFadyen	Y	Smith	E
21	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
22	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	E
23	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
24	Butcher	Y	Hoppe	N	Mitchell	Y	Tochtrop	Y
25	Cadman	N	Jahn	Y	Paccione	Y	Vigil	Y
26	Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
27	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
28	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
29	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
30	Coleman	Y	Lee	N	Rippy	E	Wiens	Y
31	Crane	Y	Lundberg	N	Romanoff	Y	Williams S.	Y
32	Decker	Y	Madden	E	Rose	N	Williams T.	Y
33	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
34	Frangas	Y	May	Y	Schultheis	N	Young	Y
35							Speaker	Y

36 Co-sponsors added: Representatives Borodkin, Frangas, Garcia.

37
38 **HB04-1354** by Representative(s) Hefley, Clapp, Stafford, Tochtrop,
39 Witwer; also Senator(s) Johnson S., Hanna--Concerning
40 enactment of the "Health Care Credentials Uniform
41 Application Act".

42
43 (Amended as printed in Senate Journal, March 12, page 501.)

44
45 Representative Hefley moved that the House **concur** in Senate
46 amendments. The motion was declared **passed** by the following roll call
47 vote:

49	YES	61	NO	00	EXCUSED	04	ABSENT	00
50	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
51	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	E
52	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
53	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	E
54	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
55	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
56	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y

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

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

16	YES	61	NO	00	EXCUSED	04	ABSENT	00
17								
18	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
19	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	E
20	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
21	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	E
22	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
23	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
24	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
25	Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
26	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
27	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
28	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
29	Coleman	Y	Lee	Y	Rippy	E	Wiens	Y
30	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
31	Decker	Y	Madden	E	Rose	Y	Williams T.	Y
32	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
33	Frangas	Y	May	Y	Schultheis	Y	Young	Y
34							Speaker	Y

35
 36 **HB04-1217** by Representative(s) Lee; also Senator(s) Arnold--
 37 Concerning changes to the school accountability report to
 38 include a page that specifies certain information a parent
 39 may request from a school.

40
 41 (Amended as printed in Senate Journal, March 11, pages 488-489 and in
 42 Senate Journal, March 12, page 502.)

43
 44 Representative Lee moved that the House **concur** in Senate amendments.
 45 The motion was declared **passed** by the following roll call vote:

46	YES	60	NO	00	EXCUSED	05	ABSENT	00
47								
48	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
49	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	E
50	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
51	Briggs	Y	Hefley	E	Merrifield	Y	Stafford	E
52	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
53	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
54	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
55	Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
56	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y

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

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

15	YES	36	NO	24	EXCUSED	05	ABSENT	00
16	Berry	Y	Garcia	N	McCluskey	Y	Sinclair	Y
17	Borodkin	N	Hall	Y	McFadyen	N	Smith	E
18	Boyd	N	Harvey	Y	McGihon	N	Spence	Y
19	Briggs	Y	Hefley	E	Merrifield	N	Stafford	E
20	Brophy	Y	Hodge	N	Miller	Y	Stengel	Y
21	Butcher	N	Hoppe	Y	Mitchell	Y	Tochtrop	Y
22	Cadman	Y	Jahn	N	Paccione	Y	Vigil	N
23	Carroll	N	Johnson	Y	Plant	N	Weddig	N
24	Cerbo	N	Judd	N	Pommer	N	Weissmann	N
25	Clapp	Y	King	Y	Ragsdale	N	Welker	Y
26	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
27	Coleman	Y	Lee	Y	Rippy	E	Wiens	Y
28	Crane	Y	Lundberg	Y	Romanoff	N	Williams S.	N
29	Decker	N	Madden	E	Rose	Y	Williams T.	Y
30	Fairbank	Y	Marshall	N	Salazar	N	Witwer	Y
31	Frangas	N	May	Y	Schultheis	Y	Young	Y
32							Speaker	Y

33 Co-sponsors added: Representatives Harvey, Welker.

34
35 **HB04-1274** by Representative(s) Marshall; also Senator(s) Veiga--
36 Concerning identity theft.

37
38 (Amended as printed in Senate Journal, March 12, page 502.)

39
40 Representative Marshall moved that the House **concur** in Senate
41 amendments. The motion was declared **passed** by the following roll call
42 vote:

44	YES	60	NO	00	EXCUSED	05	ABSENT	00
45	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
46	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	E
47	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
48	Briggs	Y	Hefley	E	Merrifield	Y	Stafford	E
49	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
50	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
51	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
52	Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
53	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
54	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
55	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
56	Coleman	Y	Lee	Y	Rippy	E	Wiens	Y

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

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

11								
12	YES	60	NO	00	EXCUSED	05	ABSENT	00
13	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
14	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	E
15	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
16	Briggs	Y	Hefley	E	Merrifield	Y	Stafford	E
17	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
18	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
19	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
20	Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
21	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
22	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
23	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
24	Coleman	Y	Lee	Y	Rippy	E	Wiens	Y
25	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
26	Decker	Y	Madden	E	Rose	Y	Williams T.	Y
27	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
28	Frangas	Y	May	Y	Schultheis	Y	Young	Y
29							Speaker	Y

30 Co-sponsors added: Representatives Cloer, Johnson, Miller, Paccione, Sinclair,
31 Stengel.

32
33 **HB04-1350** by Representative(s) Berry; also Senator(s) Anderson--
34 Concerning state programs to assist higher education
35 students in paying tuition.

36
37 (Amended as printed in Senate Journal, March 15, page 526.)

38
39 Representative Berry moved that the House **concur** in Senate
40 amendments. The motion was declared **passed** by the following roll call
41 vote:

42								
43	YES	59	NO	00	EXCUSED	06	ABSENT	00
44	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
45	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	E
46	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
47	Briggs	Y	Hefley	E	Merrifield	Y	Stafford	E
48	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
49	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
50	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
51	Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
52	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
53	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
54	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
55	Coleman	Y	Lee	Y	Rippy	E	Wiens	Y
56	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y

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

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

10								
11	YES	57	NO	02	EXCUSED	06	ABSENT	00
12	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
13	Borodkin	Y	Hall	N	McFadyen	Y	Smith	E
14	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
15	Briggs	Y	Hefley	E	Merrifield	Y	Stafford	E
16	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
17	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
18	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
19	Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
20	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
21	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
22	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
23	Coleman	Y	Lee	Y	Rippy	E	Wiens	Y
24	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
25	Decker	Y	Madden	E	Rose	Y	Williams T.	N
26	Fairbank	Y	Marshall	E	Salazar	Y	Witwer	Y
27	Frangas	Y	May	Y	Schultheis	Y	Young	Y
28							Speaker	Y

29 Co-sponsors added: Representatives Coleman, May, Paccione.

30
31
32 **HB04-1361** by Representative(s) Frangas, Jahn; also Senator(s) Owen-
33 -Concerning area vocational schools.
34

35 (Amended as printed in Senate Journal, March 15, page 526.)

36
37 Representative Frangas moved that the House **concur** in Senate
38 amendments. The motion was declared **passed** by the following roll call
39 vote:
40

41	YES	59	NO	00	EXCUSED	06	ABSENT	00
42	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
43	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	E
44	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
45	Briggs	Y	Hefley	E	Merrifield	Y	Stafford	E
46	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
47	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
48	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
49	Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
50	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
51	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
52	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
53	Coleman	Y	Lee	Y	Rippy	E	Wiens	Y
54	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
55	Decker	Y	Madden	E	Rose	Y	Williams T.	Y
56	Fairbank	Y	Marshall	E	Salazar	Y	Witwer	Y

Frangas	Y	May	Y	Schultheis	Y	Young Speaker	Y Y
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The question being, "Shall the bill, as amended, pass?".

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

YES	59	NO	00	EXCUSED	06	ABSENT	00
Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
Borodkin	Y	Hall	Y	McFadyen	Y	Smith	E
Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
Briggs	Y	Hefley	E	Merrifield	Y	Stafford	E
Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
Cloer	Y	Larson	Y	Rhodes	Y	White	Y
Coleman	Y	Lee	Y	Rippy	E	Wiens	Y
Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
Decker	Y	Madden	E	Rose	Y	Williams T.	Y
Fairbank	Y	Marshall	E	Salazar	Y	Witwer	Y
Frangas	Y	May	Y	Schultheis	Y	Young Speaker	Y Y

Co-sponsors added: Representatives Cerbo, Hoppe, May, Paccione, Weddig, Welker, Williams S.

HB04-1218 by Representative(s) Fairbank; also Senator(s) Anderson--
Concerning municipal court marshals.

(Amended as printed in Senate Journal, March 15, page 526.)

Representative Fairbank moved that the House **concur** in Senate amendments. Representative Larson moved a substitute motion that the House **not concur** in Senate amendments and that a Conference Committee be appointed.

Pursuant to House Rule 16, Representative White moved "Shall the main question be now put?" The motion was declared **lost** by the following roll call vote:

YES	26	NO	33	EXCUSED	06	ABSENT	00
Berry	N	Garcia	N	McCluskey	Y	Sinclair	Y
Borodkin	N	Hall	N	McFadyen	N	Smith	E
Boyd	N	Harvey	Y	McGihon	N	Spence	Y
Briggs	N	Hefley	E	Merrifield	N	Stafford	E
Brophy	N	Hodge	N	Miller	Y	Stengel	N
Butcher	N	Hoppe	N	Mitchell	Y	Tochtrop	N
Cadman	Y	Jahn	N	Paccione	N	Vigil	N
Carroll	N	Johnson	Y	Plant	N	Weddig	N
Cerbo	Y	Judd	N	Pommer	N	Weissmann	N
Clapp	Y	King	Y	Ragsdale	N	Welker	Y
Cloer	Y	Larson	N	Rhodes	Y	White	Y
Coleman	N	Lee	Y	Rippy	E	Wiens	Y

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

6
7 Representative Larson's motion that the House **not concur** in Senate
8 amendments and that a Conference Committee be appointed was declared
9 **lost** by the following roll call vote:

10								
11	YES	21	NO	38	EXCUSED	06	ABSENT	00
12	Berry	Y	Garcia	N	McCluskey	Y	Sinclair	N
13	Borodkin	N	Hall	Y	McFadyen	N	Smith	E
14	Boyd	N	Harvey	N	McGihon	Y	Spence	N
15	Briggs	N	Hefley	E	Merrifield	N	Stafford	E
16	Brophy	N	Hodge	N	Miller	N	Stengel	N
17	Butcher	N	Hoppe	N	Mitchell	N	Tochtrop	Y
18	Cadman	N	Jahn	N	Paccione	N	Vigil	Y
19	Carroll	Y	Johnson	N	Plant	Y	Weddig	Y
20	Cerbo	N	Judd	N	Pommer	Y	Weissmann	Y
21	Clapp	N	King	N	Ragsdale	Y	Welker	N
22	Cloer	N	Larson	Y	Rhodes	N	White	N
23	Coleman	Y	Lee	N	Rippy	E	Wiens	N
24	Crane	Y	Lundberg	N	Romanoff	Y	Williams S.	N
25	Decker	Y	Madden	E	Rose	Y	Williams T.	N
26	Fairbank	N	Marshall	E	Salazar	Y	Witwer	N
27	Frangas	Y	May	N	Schultheis	N	Young	Y
28							Speaker	N
29								

30 A second substitute motion by Representative Larson that the House **not**
31 **concur** in Senate amendments and that the House adhere to its position
32 on **HB04-1218** was declared **lost** by the following roll call vote:

33								
34	YES	24	NO	35	EXCUSED	06	ABSENT	00
35	Berry	Y	Garcia	N	McCluskey	Y	Sinclair	N
36	Borodkin	N	Hall	Y	McFadyen	N	Smith	E
37	Boyd	N	Harvey	N	McGihon	Y	Spence	N
38	Briggs	N	Hefley	E	Merrifield	Y	Stafford	E
39	Brophy	N	Hodge	N	Miller	N	Stengel	N
40	Butcher	Y	Hoppe	Y	Mitchell	N	Tochtrop	Y
41	Cadman	N	Jahn	N	Paccione	Y	Vigil	Y
42	Carroll	Y	Johnson	N	Plant	Y	Weddig	Y
43	Cerbo	N	Judd	N	Pommer	N	Weissmann	Y
44	Clapp	N	King	N	Ragsdale	Y	Welker	N
45	Cloer	N	Larson	Y	Rhodes	N	White	N
46	Coleman	Y	Lee	N	Rippy	E	Wiens	N
47	Crane	N	Lundberg	N	Romanoff	Y	Williams S.	Y
48	Decker	Y	Madden	E	Rose	Y	Williams T.	N
49	Fairbank	N	Marshall	E	Salazar	Y	Witwer	N
50	Frangas	Y	May	N	Schultheis	N	Young	Y
51							Speaker	N
52								

53 Representative Fairbank's motion that the House **concur** in Senate
54 amendments on **HB04-1218** was declared **passed** by the following roll
55 call vote:

56

	YES	38	NO	21	EXCUSED	06	ABSENT	00
1								
2	Berry	N	Garcia	Y	McCluskey	N	Sinclair	Y
3	Borodkin	Y	Hall	N	McFadyen	Y	Smith	E
4	Boyd	Y	Harvey	Y	McGihon	N	Spence	Y
5	Briggs	Y	Hefley	E	Merrifield	N	Stafford	E
6	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
7	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	N
8	Cadman	Y	Jahn	Y	Paccione	N	Vigil	N
9	Carroll	N	Johnson	Y	Plant	Y	Weddig	N
10	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	N
11	Clapp	Y	King	Y	Ragsdale	N	Welker	Y
12	Cloer	Y	Larson	N	Rhodes	Y	White	Y
13	Coleman	N	Lee	Y	Rippy	E	Wiens	Y
14	Crane	Y	Lundberg	Y	Romanoff	N	Williams S.	N
15	Decker	N	Madden	E	Rose	N	Williams T.	Y
16	Fairbank	Y	Marshall	E	Salazar	N	Witwer	Y
17	Frangas	N	May	Y	Schultheis	Y	Young	N
18							Speaker	Y

19
20 The question being, "Shall the bill, as amended, pass?".
21 A roll call vote was taken. As shown by the following recorded vote, a
22 majority of those elected to the House voted in the affirmative, and the
23 bill, as amended, was declared **repassed**.
24

	YES	34	NO	25	EXCUSED	06	ABSENT	00
25								
26	Berry	N	Garcia	N	McCluskey	N	Sinclair	Y
27	Borodkin	Y	Hall	N	McFadyen	Y	Smith	E
28	Boyd	Y	Harvey	Y	McGihon	N	Spence	Y
29	Briggs	Y	Hefley	E	Merrifield	N	Stafford	E
30	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
31	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	N
32	Cadman	N	Jahn	Y	Paccione	N	Vigil	N
33	Carroll	N	Johnson	Y	Plant	N	Weddig	N
34	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	N
35	Clapp	Y	King	Y	Ragsdale	N	Welker	Y
36	Cloer	Y	Larson	N	Rhodes	N	White	Y
37	Coleman	N	Lee	Y	Rippy	E	Wiens	Y
38	Crane	Y	Lundberg	Y	Romanoff	N	Williams S.	N
39	Decker	N	Madden	E	Rose	N	Williams T.	Y
40	Fairbank	Y	Marshall	E	Salazar	N	Witwer	Y
41	Frangas	N	May	Y	Schultheis	Y	Young	N
42							Speaker	Y

43 Co-sponsors added: Representatives King, Lee.
44

45 **HB04-1266** by Representative(s) Pommer; also Senator(s) Groff--
46 Concerning creation of the crime of criminal invasion of
47 privacy.
48

49 (Amended as printed in Senate Journal, March 15, pages 526-527.)
50

51 Representative Pommer moved that the House **concur** in Senate
52 amendments. The motion was declared **passed** by the following roll call
53 vote:
54
55

	YES	59	NO	00	EXCUSED	06	ABSENT	00
1								
2	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
3	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	E
4	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
5	Briggs	Y	Hefley	E	Merrifield	Y	Stafford	E
6	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
7	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
8	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
9	Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
10	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
11	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
12	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
13	Coleman	Y	Lee	Y	Rippy	E	Wiens	Y
14	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
15	Decker	Y	Madden	E	Rose	Y	Williams T.	Y
16	Fairbank	Y	Marshall	E	Salazar	Y	Witwer	Y
17	Frangas	Y	May	Y	Schultheis	Y	Young	Y
18							Speaker	Y
19								

20 The question being, "Shall the bill, as amended, pass?".

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

	YES	59	NO	00	EXCUSED	06	ABSENT	00
25								
26	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
27	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	E
28	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
29	Briggs	Y	Hefley	E	Merrifield	Y	Stafford	E
30	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
31	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
32	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
33	Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
34	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
35	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
36	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
37	Coleman	Y	Lee	Y	Rippy	E	Wiens	Y
38	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
39	Decker	Y	Madden	E	Rose	Y	Williams T.	Y
40	Fairbank	Y	Marshall	E	Salazar	Y	Witwer	Y
41	Frangas	Y	May	Y	Schultheis	Y	Young	Y
42							Speaker	Y

43 Co-sponsors added: Representatives Cadman, Johnson R.

45 On motion of Representative King, Consideration of **HB04-1054, 1004,**
 46 **1127, 1298** was laid over until March 22, retaining place on Calendar.

49 REPORTS OF COMMITTEES OF REFERENCE

51 AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES

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

55 **HB04-1402** be referred favorably to the Committee on Appropriations.

1 **BUSINESS AFFAIRS & LABOR**

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

5
6 **HB04-1394** be amended as follows, and as so amended, be referred to
7 the Committee of the Whole with favorable
8 recommendation:
9

10 Amend printed bill, page 2, line 9, strike "AMOUNTS:" and substitute
11 "FINANCE CHARGES:";

12
13 line 22, strike "SUBSTANTITALLY" and substitute "SUBSTANTIALITY".
14
15
16

17 **HB04-1400** be referred to the Committee of the Whole with favorable
18 recommendation.
19
20

21 **SB04-024** be amended as follows, and as so amended, be referred to
22 the Committee of the Whole with favorable
23 recommendation:
24

25 Amend reengrossed bill, page 6, strike line 22, and substitute the
26 following:

27
28 "WRITING, WITHIN TWENTY DAYS RECEIPT OF THE LETTER,";

29
30 line 23, strike "WAS MAILED,".
31

32 Page 7, strike lines 22 through 27.
33

34 Page 8, strike lines 1 through 3 and substitute the following:
35

36 "(4.5) UPON FAILURE OF ANY WITNESS TO COMPLY WITH SUCH
37 SUBPOENA OR PROCESS, THE DISTRICT COURT OF THE CITY AND COUNTY OF
38 DENVER, UPON APPLICATION BY THE BOARD OR DIRECTOR, MAY ISSUE TO
39 THE PERSON OR LICENSEE AN ORDER REQUIRING THAT PERSON OR LICENSEE
40 TO APPEAR BEFORE THE BOARD OR DIRECTOR; TO PRODUCE THE
41 NECESSARY PAPERS, BOOKS, RECORDS, DOCUMENTARY EVIDENCE, OR
42 MATERIALS IF SO ORDERED; OR TO GIVE EVIDENCE TOUCHING THE MATTER
43 UNDER INVESTIGATION OR IN QUESTION. FAILURE TO OBEY THE ORDER OF
44 THE COURT MAY BE PUNISHED BY THE COURT AS A CONTEMPT OF COURT.";

45
46 strike line 5 and substitute the following:
47

48 "amended, and the said 12-2-126 is further amended BY THE
49 ADDITION OF A NEW SUBSECTION, to read:";

50
51 strike lines 26 and 27.
52

53 Page 9, strike lines 1 through 7 and substitute the following:
54

55 "(II) UPON FAILURE OF ANY WITNESS TO COMPLY WITH SUCH
56 SUBPOENA OR PROCESS, THE DISTRICT COURT OF THE CITY AND COUNTY OF

DENVER, UPON APPLICATION BY THE BOARD OR DIRECTOR, MAY ISSUE TO THE PERSON OR LICENSEE AN ORDER REQUIRING THAT PERSON OR LICENSEE TO APPEAR BEFORE THE BOARD OR DIRECTOR; TO PRODUCE THE NECESSARY PAPERS, BOOKS, RECORDS, DOCUMENTARY EVIDENCE, OR MATERIALS IF SO ORDERED; OR TO GIVE EVIDENCE TOUCHING THE MATTER UNDER INVESTIGATION OR IN QUESTION. FAILURE TO OBEY THE ORDER OF THE COURT MAY BE PUNISHED BY THE COURT AS A CONTEMPT OF COURT.

(5) WHEN A COMPLAINT OR AN INVESTIGATION DISCLOSES AN INSTANCE OF MISCONDUCT THAT, IN THE OPINION OF THE BOARD, WARRANTS FORMAL ACTION, THE COMPLAINT SHALL NOT BE RESOLVED BY A DEFERRED SETTLEMENT, ACTION, JUDGMENT, OR PROSECUTION."

Page 10, strike lines 5 through 13 and substitute the following:

"(b) UPON FAILURE OF ANY WITNESS TO COMPLY WITH SUCH SUBPOENA OR PROCESS, THE DISTRICT COURT OF THE CITY AND COUNTY OF DENVER, UPON APPLICATION BY THE BOARD OR DIRECTOR, MAY ISSUE TO THE PERSON OR LICENSEE AN ORDER REQUIRING THAT PERSON OR LICENSEE TO APPEAR BEFORE THE BOARD OR DIRECTOR; TO PRODUCE THE NECESSARY PAPERS, BOOKS, RECORDS, DOCUMENTARY EVIDENCE, OR MATERIALS IF SO ORDERED; OR TO GIVE EVIDENCE TOUCHING THE MATTER UNDER INVESTIGATION OR IN QUESTION. FAILURE TO OBEY THE ORDER OF THE COURT MAY BE PUNISHED BY THE COURT AS A CONTEMPT OF COURT."

Page 12, strike line 11 and substitute the following:

"Statutes, are amended, and the said 12-4-111 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:"

line 27, strike "THIRTY" and substitute "TWENTY".

Page 13, line 1, strike " THE DATE ON WHICH THE LETTER WAS MAILED," and substitute "RECEIPT OF THE LETTER,"

after line 9, insert the following:

"(8) WHEN A COMPLAINT OR AN INVESTIGATION DISCLOSES AN INSTANCE OF MISCONDUCT THAT, IN THE OPINION OF THE BOARD, WARRANTS FORMAL ACTION, THE COMPLAINT SHALL NOT BE RESOLVED BY A DEFERRED SETTLEMENT, ACTION, JUDGMENT, OR PROSECUTION."

Page 14, after line 1, insert the following:

"SECTION 11. 12-5.5-105 (1), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

12-5.5-105. Grounds for discipline - disciplinary actions.
(1) (c) WHEN A COMPLAINT OR AN INVESTIGATION DISCLOSES AN INSTANCE OF MISCONDUCT THAT, IN THE OPINION OF THE DIRECTOR, WARRANTS FORMAL ACTION, THE COMPLAINT SHALL NOT BE RESOLVED BY A DEFERRED SETTLEMENT, ACTION, JUDGMENT, OR PROSECUTION."

Renumber succeeding sections accordingly.

Page 14, line 24, strike "THIRTY" and substitute "TWENTY";

1 line 25, strike "THE DATE ON WHICH THE LETTER WAS MAILED," and
2 substitute "RECEIPT OF THE LETTER,".
3

4 Page 15, strike lines 23 through 27.
5

6 Page 16 strike lines 1 through 4 and substitute the following:
7

8 "(b) UPON FAILURE OF ANY WITNESS TO COMPLY WITH SUCH
9 SUBPOENA OR PROCESS, THE DISTRICT COURT OF THE CITY AND COUNTY OF
10 DENVER, UPON APPLICATION BY THE DIRECTOR, MAY ISSUE TO THE PERSON
11 OR REGISTRANT AN ORDER REQUIRING THAT PERSON OR REGISTRANT TO
12 APPEAR BEFORE THE DIRECTOR; TO PRODUCE THE NECESSARY PAPERS,
13 BOOKS, RECORDS, DOCUMENTARY EVIDENCE, OR MATERIALS IF SO
14 ORDERED; OR TO GIVE EVIDENCE TOUCHING THE MATTER UNDER
15 INVESTIGATION OR IN QUESTION. FAILURE TO OBEY THE ORDER OF THE
16 COURT MAY BE PUNISHED BY THE COURT AS A CONTEMPT OF COURT.".
17

18 Page 17, after line 15, insert the following:
19

20 "SECTION 16. 12-5.5-205 (1), Colorado Revised Statutes, is
21 amended BY THE ADDITION OF A NEW PARAGRAPH to read:
22

23 **12-5.5-205. Grounds for discipline - disciplinary actions.**
24 (1) (c) WHEN A COMPLAINT OR AN INVESTIGATION DISCLOSES AN
25 INSTANCE OF MISCONDUCT THAT, IN THE OPINION OF THE DIRECTOR,
26 WARRANTS FORMAL ACTION, THE COMPLAINT SHALL NOT BE RESOLVED BY
27 A DEFERRED SETTLEMENT, ACTION, JUDGMENT, OR PROSECUTION.".
28

29 Renumber succeeding sections accordingly.
30

31 Page 18, line 11, strike "THIRTY" and substitute "TWENTY";
32

33 line 12, strike "THE DATE ON WHICH THE LETTER WAS MAILED," and
34 substitute "RECEIPT OF THE LETTER,".
35

36 Page 19, strike lines 10 through 18 and substitute the following:
37

38 "(b) UPON FAILURE OF ANY WITNESS TO COMPLY WITH SUCH
39 SUBPOENA OR PROCESS, THE DISTRICT COURT OF THE CITY AND COUNTY OF
40 DENVER, UPON APPLICATION BY THE DIRECTOR, MAY ISSUE TO THE PERSON
41 OR REGISTRANT AN ORDER REQUIRING THAT PERSON OR REGISTRANT TO
42 APPEAR BEFORE THE DIRECTOR; TO PRODUCE THE NECESSARY PAPERS,
43 BOOKS, RECORDS, DOCUMENTARY EVIDENCE, OR MATERIALS IF SO
44 ORDERED; OR TO GIVE EVIDENCE TOUCHING THE MATTER UNDER
45 INVESTIGATION OR IN QUESTION. FAILURE TO OBEY THE ORDER OF THE
46 COURT MAY BE PUNISHED BY THE COURT AS A CONTEMPT OF COURT.".
47

48 Page 21, strike lines 7 through 16 and substitute the following:
49

50 "(III) UPON FAILURE OF ANY WITNESS TO COMPLY WITH SUCH
51 SUBPOENA OR PROCESS, THE DISTRICT COURT OF THE CITY AND COUNTY OF
52 DENVER, UPON APPLICATION BY THE DIRECTOR, MAY ISSUE TO THE PERSON
53 OR LICENSEE AN ORDER REQUIRING THAT PERSON OR LICENSEE TO APPEAR
54 BEFORE THE DIRECTOR; TO PRODUCE THE NECESSARY PAPERS, BOOKS,
55 RECORDS, DOCUMENTARY EVIDENCE, OR MATERIALS IF SO ORDERED; OR
56 TO GIVE EVIDENCE TOUCHING THE MATTER UNDER INVESTIGATION OR IN

1 QUESTION. FAILURE TO OBEY THE ORDER OF THE COURT MAY BE PUNISHED
2 BY THE COURT AS A CONTEMPT OF COURT.".

3
4 Page 22, line 10, strike "THIRTY" and substitute "TWENTY";

5
6 line 11, strike "THE DATE ON WHICH THE LETTER WAS MAILED," and
7 substitute "RECEIPT OF THE LETTER,".

8
9 Page 24, after line 6, insert the following:

10
11 "SECTION 24. 12-8-131, Colorado Revised Statutes, is amended
12 BY THE ADDITION OF A NEW SUBSECTION to read:

13
14 **12-8-131. Disciplinary proceedings - administrative law judges**
15 **- judicial review.** (8) WHEN A COMPLAINT OR AN INVESTIGATION
16 DISCLOSES AN INSTANCE OF MISCONDUCT THAT, IN THE OPINION OF THE
17 DIRECTOR, WARRANTS FORMAL ACTION, THE COMPLAINT SHALL NOT BE
18 RESOLVED BY A DEFERRED SETTLEMENT, ACTION, JUDGMENT, OR
19 PROSECUTION.";

20
21 Renumber succeeding sections accordingly.

22
23 Page 24, line 24, strike "A NEW" and substitute "THE FOLLOWING
24 NEW";

25
26 line 25, strike "SUBSECTION," and substitute "SUBSECTIONS,".

27
28 Page 25, line 15, strike "THIRTY" and substitute "TWENTY";

29
30 line 16, strike "THE DATE ON WHICH THE LETTER WAS MAILED," and
31 substitute "RECEIPT OF THE LETTER,".

32
33 Page 26, strike lines 5 through 13 and substitute the following:

34
35 "(b) UPON FAILURE OF ANY WITNESS TO COMPLY WITH SUCH
36 SUBPOENA OR PROCESS, THE DISTRICT COURT OF THE CITY AND COUNTY OF
37 DENVER, UPON APPLICATION BY THE BOARD OR DIRECTOR, MAY ISSUE TO
38 THE PERSON OR LICENSEE AN ORDER REQUIRING THAT PERSON OR LICENSEE
39 TO APPEAR BEFORE THE BOARD OR DIRECTOR; TO PRODUCE THE
40 NECESSARY PAPERS, BOOKS, RECORDS, DOCUMENTARY EVIDENCE, OR
41 MATERIALS IF SO ORDERED; OR TO GIVE EVIDENCE TOUCHING THE MATTER
42 UNDER INVESTIGATION OR IN QUESTION. FAILURE TO OBEY THE ORDER OF
43 THE COURT MAY BE PUNISHED BY THE COURT AS A CONTEMPT OF COURT.

44
45 (4) WHEN A COMPLAINT OR AN INVESTIGATION DISCLOSES AN
46 INSTANCE OF MISCONDUCT THAT, IN THE OPINION OF THE DIRECTOR,
47 WARRANTS FORMAL ACTION, THE COMPLAINT SHALL NOT BE RESOLVED BY
48 A DEFERRED SETTLEMENT, ACTION, JUDGMENT, OR PROSECUTION.".

49
50 Page 28, strike lines 10 through 18 and substitute the following:

51
52 "(III) UPON FAILURE OF ANY WITNESS TO COMPLY WITH SUCH
53 SUBPOENA OR PROCESS, THE DISTRICT COURT OF THE CITY AND COUNTY OF
54 DENVER, UPON APPLICATION BY THE BOARD OR DIRECTOR, MAY ISSUE TO
55 THE PERSON OR LICENSEE AN ORDER REQUIRING THAT PERSON OR LICENSEE
56 TO APPEAR BEFORE THE BOARD OR DIRECTOR; TO PRODUCE THE

1 NECESSARY PAPERS, BOOKS, RECORDS, DOCUMENTARY EVIDENCE, OR
2 MATERIALS IF SO ORDERED; OR TO GIVE EVIDENCE TOUCHING THE MATTER
3 UNDER INVESTIGATION OR IN QUESTION. FAILURE TO OBEY THE ORDER OF
4 THE COURT MAY BE PUNISHED BY THE COURT AS A CONTEMPT OF COURT.

5
6 **SECTION 29.** 12-22-118 (1), (2) (a), and (2) (b), Colorado
7 Revised Statutes, are amended to read:

8
9 **12-22-118. Expiration and renewal of licenses or registrations.**
10 ~~(1) A license or registration of a pharmacist, pharmacy intern, or~~
11 ~~prescription drug outlet shall expire in accordance with the provisions of~~

12
13 ~~"section 24-34-102 (8), C.R.S.~~ ALL LICENSES SHALL EXPIRE PURSUANT
14 TO A SCHEDULE ESTABLISHED BY THE DIRECTOR OF THE DIVISION OF
15 REGISTRATIONS WITHIN THE DEPARTMENT OF REGULATORY AGENCIES AND
16 SHALL BE RENEWED OR REINSTATED PURSUANT TO SECTION 24-34-102 (8),
17 C.R.S. THE DIRECTOR OF THE DIVISION OF REGISTRATIONS WITHIN THE
18 DEPARTMENT OF REGULATORY AGENCIES MAY ESTABLISH RENEWAL FEES
19 AND DELINQUENCY FEES FOR REINSTATEMENT PURSUANT TO SECTION
20 24-34-105, C.R.S. IF A PERSON FAILS TO RENEW HIS OR HER LICENSE
21 PURSUANT TO THE SCHEDULE ESTABLISHED BY THE DIRECTOR OF THE
22 DIVISION OF REGISTRATIONS, SUCH LICENSE SHALL EXPIRE. ANY PERSON
23 WHOSE LICENSE HAS EXPIRED SHALL BE SUBJECT TO THE PENALTIES
24 PROVIDED IN THIS ARTICLE OR SECTION 24-34-102 (8), C.R.S."

25
26 ~~(b) In case any licensee or registrant defaults in the payment of~~
27 ~~the renewal fee, the license or registration shall expire, and notice thereof~~
28 ~~shall be given to the licensee or registrant by first-class mail to the~~
29 ~~licensee's or registrant's last known address as shown in the records of the~~
30 ~~board. Such licensee or registrant shall not thereafter practice or carry on~~
31 ~~operations which were authorized under said license or registration.."~~

32
33 Renumber succeeding sections accordingly.

34
35 Page 28, line 19, strike "(5), Colorado Revised Statutes, is" and substitute
36 "(5) and (6) (b), Colorado Revised Statutes, are";

37
38 strike line 20 and substitute the following:

39
40 "amended, and the said 12-22-125.2 is further amended BY THE
41 ADDITION OF A NEW SUBSECTION, to read:"

42
43 Page 29, after line 1, insert the following:

44
45 "(6) (b) When a letter of admonition is sent by certified mail by
46 the board to a licensee complained against, such licensee shall be advised
47 that he or she has the right to request in writing, within ~~thirty~~ TWENTY
48 days after the date on which the letter was mailed RECEIPT OF THE LETTER,
49 that formal disciplinary proceedings be initiated to adjudicate the
50 propriety of the conduct upon which the letter of admonition is based.

51
52 (8) WHEN A COMPLAINT OR AN INVESTIGATION DISCLOSES AN
53 INSTANCE OF MISCONDUCT THAT, IN THE OPINION OF THE BOARD,
54 WARRANTS FORMAL ACTION, THE COMPLAINT SHALL NOT BE RESOLVED BY
55 A DEFERRED SETTLEMENT, ACTION, JUDGMENT, OR PROSECUTION."

1 Page 30, strike lines 9 through 17 and substitute the following:

2
3 "(II) UPON FAILURE OF ANY WITNESS TO COMPLY WITH SUCH
4 SUBPOENA OR PROCESS, THE DISTRICT COURT OF THE CITY AND COUNTY OF
5 DENVER, UPON APPLICATION BY THE COMMISSION OR DIRECTOR, MAY
6 ISSUE TO THE PERSON OR LICENSEE AN ORDER REQUIRING THAT PERSON OR
7 LICENSEE TO APPEAR BEFORE THE COMMISSION OR DIRECTOR; TO PRODUCE
8 THE NECESSARY PAPERS, BOOKS, RECORDS, DOCUMENTARY EVIDENCE, OR
9 MATERIALS IF SO ORDERED; OR TO GIVE EVIDENCE TOUCHING THE MATTER
10 UNDER INVESTIGATION OR IN QUESTION. FAILURE TO OBEY THE ORDER OF
11 THE COURT MAY BE PUNISHED BY THE COURT AS A CONTEMPT OF COURT.".

12
13 Page 31, after line 9, insert the following:

14
15 "SECTION 34. 12-23-118 (4) (b), Colorado Revised Statutes, is
16 amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

17
18 **12-23-118. Violations - citations - settlement agreements -**
19 **hearings - fines.** (4) (b) (III) WHEN A COMPLAINT OR AN INVESTIGATION
20 DISCLOSES AN INSTANCE OF MISCONDUCT THAT, IN THE OPINION OF THE
21 BOARD, WARRANTS FORMAL ACTION, THE COMPLAINT SHALL NOT BE
22 RESOLVED BY A DEFERRED SETTLEMENT, ACTION, JUDGMENT, OR
23 PROSECUTION.".

24
25 Renumber succeeding sections accordingly.

26
27 Page 32, line 5, strike "THIRTY DAYS AFTER THE DATE ON WHICH" and
28 substitute "TWENTY DAYS AFTER RECEIPT OF THE LETTER,";

29
30 line 6, strike "THE LETTER WAS MAILED,".

31
32 Page 34, line 14, strike "THIRTY DAYS AFTER THE DATE ON WHICH" and
33 substitute "TWENTY DAYS AFTER RECEIPT OF THE LETTER,";

34
35 line 15, strike "THE LETTER WAS MAILED,";

36
37 strike line 25 and substitute the following:

38
39 "amended, and the said 12-25-109 is further amended BY THE
40 ADDITION OF A NEW SUBSECTION, to read:".

41
42 Page 35, strike lines 18 through 26 and substitute the following:

43
44 "(b) UPON FAILURE OF ANY WITNESS TO COMPLY WITH SUCH
45 SUBPOENA OR PROCESS, THE DISTRICT COURT OF THE CITY AND COUNTY OF
46 DENVER, UPON APPLICATION BY THE BOARD OR DIRECTOR, MAY ISSUE TO
47 THE PERSON OR LICENSEE AN ORDER REQUIRING THAT PERSON OR LICENSEE
48 TO APPEAR BEFORE THE BOARD OR DIRECTOR; TO PRODUCE THE
49 NECESSARY PAPERS, BOOKS, RECORDS, DOCUMENTARY EVIDENCE, OR
50 MATERIALS IF SO ORDERED; OR TO GIVE EVIDENCE TOUCHING THE MATTER
51 UNDER INVESTIGATION OR IN QUESTION. FAILURE TO OBEY THE ORDER OF
52 THE COURT MAY BE PUNISHED BY THE COURT AS A CONTEMPT OF COURT.

53
54 (11) WHEN A COMPLAINT OR AN INVESTIGATION DISCLOSES AN
55 INSTANCE OF MISCONDUCT THAT, IN THE OPINION OF THE BOARD,
56 WARRANTS FORMAL ACTION, THE COMPLAINT SHALL NOT BE RESOLVED BY

1 A DEFERRED SETTLEMENT, ACTION, JUDGMENT, OR PROSECUTION.";
2
3 line 27, after "12-25-115", insert "(3) and" and, strike "is" and substitute
4 "are".

5
6 Page 36, strike line 2 and substitute the following:

7
8 **"12-25-115. Licenses - certificates.** (3) A license may be issued
9 at any time but shall expire ~~as determined by the board~~, in conformance
10 with section 24-34-102 (8), C.R.S. A license shall be renewed at the time
11 of such expiration.

12
13 (4) ~~The license of any~~".

14
15 Page 39, line 3, strike "THIRTY DAYS AFTER THE DATE ON WHICH" and
16 substitute "TWENTY DAYS AFTER RECEIPT OF THE LETTER,";

17
18 line 4, strike "THE LETTER WAS MAILED,";

19
20 strike line 14 and substitute the following:

21
22 "amended, and the said 12-25-209 is further amended BY THE
23 ADDITION OF A NEW SUBSECTION, to read:".

24
25 Page 40, strike lines 9 through 17 and substitute the following:

26
27 "(b) UPON FAILURE OF ANY WITNESS TO COMPLY WITH SUCH
28 SUBPOENA OR PROCESS, THE DISTRICT COURT OF THE CITY AND COUNTY OF
29 DENVER, UPON APPLICATION BY THE BOARD OR DIRECTOR, MAY ISSUE TO
30 THE PERSON OR LICENSEE AN ORDER REQUIRING THAT PERSON OR LICENSEE
31 TO APPEAR BEFORE THE BOARD OR DIRECTOR; TO PRODUCE THE
32 NECESSARY PAPERS, BOOKS, RECORDS, DOCUMENTARY EVIDENCE, OR
33 MATERIALS IF SO ORDERED; OR TO GIVE EVIDENCE TOUCHING THE MATTER
34 UNDER INVESTIGATION OR IN QUESTION. FAILURE TO OBEY THE ORDER OF
35 THE COURT MAY BE PUNISHED BY THE COURT AS A CONTEMPT OF COURT.

36
37 (10) WHEN A COMPLAINT OR AN INVESTIGATION DISCLOSES AN
38 INSTANCE OF MISCONDUCT THAT, IN THE OPINION OF THE BOARD,
39 WARRANTS FORMAL ACTION, THE COMPLAINT SHALL NOT BE RESOLVED BY
40 A DEFERRED SETTLEMENT, ACTION, JUDGMENT, OR PROSECUTION.";

41
42 line 18, after "12-25-215", insert "(3) and" and, strike "is" and substitute
43 "are";

44
45 strike line 20 and substitute the following:

46
47 **"12-25-215. Licenses - certificates.** (3) A license may be issued
48 at any time but shall expire ~~as determined by the board~~, in conformance
49 with section 24-34-102, C.R.S. A license shall be renewed at the time of
50 such expiration.

51
52 (4) ~~The license of any~~".

53
54 Page 42, after line 18, insert the following:

55
56 **"SECTION 47. 12-25-105 (9), Colorado Revised Statutes, as**

1 amended by House Bill 04-1115, enacted at the Second Regular Session
2 of the Sixty-fourth General Assembly, is amended to read:

3
4 **12-25-105. Unlawful practice - penalties - enforcement.**

5 (9) After finding that an individual, partnership, professional association,
6 joint stock company, limited liability company, or corporation has
7 unlawfully engaged in the practice of engineering, the board may jointly
8 and severally assess a fine against such unlawfully engaged party in an
9 amount not less than fifty dollars and not more than five thousand dollars
10 for each violation proven by the board. ANY MONEYS COLLECTED AS AN
11 ADMINISTRATIVE FINE PURSUANT TO THIS SUBSECTION (9) SHALL BE
12 TRANSMITTED TO THE STATE TREASURER, WHO SHALL CREDIT SUCH
13 MONEYS TO THE GENERAL FUND.
14

15 **SECTION 48.** 12-25-108 (2), Colorado Revised Statutes, as
16 amended by House Bill 04-1115, enacted at the Second Regular Session
17 of the Sixty-fourth General Assembly, is amended to read:

18
19 **12-25-108. Disciplinary actions - grounds for discipline.**

20 ~~(2) (a) The board may issue a letter of admonition to a professional~~
21 ~~engineer or an engineer-intern based on any of the grounds specified in~~
22 ~~subsection (1) of this section without conducting a hearing as specified~~
23 ~~in section 12-25-109 (4). Such letter shall be sent by certified mail and~~
24 ~~shall advise the professional engineer or engineer-intern of the right to,~~
25 ~~within twenty days after receipt of the letter, make a written request to the~~
26 ~~board to institute formal disciplinary proceedings as provided in section~~
27 ~~12-25-109 in order to formally adjudicate the conduct or acts on which~~
28 ~~the letter was based. WHEN A COMPLAINT OR INVESTIGATION DISCLOSES~~
29 ~~AN INSTANCE OF MISCONDUCT THAT, IN THE OPINION OF THE BOARD, DOES~~
30 ~~NOT WARRANT FORMAL ACTION BY THE BOARD BUT THAT SHOULD NOT BE~~
31 ~~DISMISSED AS BEING WITHOUT MERIT, A LETTER OF ADMONITION MAY BE~~
32 ~~ISSUED AND SENT, BY CERTIFIED MAIL, TO THE PROFESSIONAL ENGINEER OR~~
33 ~~ENGINEER-INTERN.~~
34

35 (b) WHEN A LETTER OF ADMONITION IS SENT BY THE BOARD, BY
36 CERTIFIED MAIL, TO A PROFESSIONAL ENGINEER OR ENGINEER-INTERN, THE
37 PROFESSIONAL ENGINEER OR ENGINEER-INTERN SHALL BE ADVISED THAT
38 HE OR SHE HAS THE RIGHT TO REQUEST IN WRITING, WITHIN TWENTY DAYS
39 AFTER RECEIPT OF THE LETTER, THAT FORMAL DISCIPLINARY PROCEEDINGS
40 BE INITIATED TO ADJUDICATE THE PROPRIETY OF THE CONDUCT UPON
41 WHICH THE LETTER OF ADMONITION IS BASED.
42

43 (c) IF THE REQUEST FOR ADJUDICATION IS TIMELY MADE, THE
44 LETTER OF ADMONITION SHALL BE DEEMED VACATED AND THE MATTER
45 SHALL BE PROCESSED BY MEANS OF FORMAL DISCIPLINARY PROCEEDINGS.
46

47 **SECTION 49.** 12-25-109 (7), Colorado Revised Statutes, as
48 amended by House Bill 04-1115, enacted at the Second Regular Session
49 of the Sixty-fourth General Assembly, is amended to read:

50
51 **12-25-109. Disciplinary proceedings - injunctive relief**
52 **procedure.** ~~(7) (a) The board, the program director, or the~~
53 ~~administrative law judge may issue a subpoena compelling the attendance~~
54 ~~and testimony of witnesses and the production of books, papers, and~~
55 ~~records pursuant to an investigation or a hearing by the board. Any~~
56 ~~subpoena issued shall be served in the manner provided in the Colorado~~

1 ~~rules of civil procedure. If any person refuses to obey any subpoena so~~
2 ~~issued or to testify or produce any books, papers, or documents, the board~~
3 ~~may petition the district court having jurisdiction, setting forth the facts,~~
4 ~~and thereupon such district court, in a proper case, shall issue its~~
5 ~~subpoena. Failure to obey the court's subpoena shall constitute contempt~~
6 ~~of court and shall be punished as provided for in the Colorado rules of~~
7 ~~civil procedure.~~ THE BOARD OR AN ADMINISTRATIVE LAW JUDGE SHALL
8 HAVE THE POWER TO ADMINISTER OATHS, TAKE AFFIRMATIONS OF
9 WITNESSES, AND ISSUE SUBPOENAS TO COMPEL THE ATTENDANCE OF
10 WITNESSES AND THE PRODUCTION OF ALL NECESSARY PAPERS, BOOKS,
11 RECORDS, DOCUMENTARY EVIDENCE, AND MATERIALS IN ANY HEARING,
12 INVESTIGATION, ACCUSATION, OR OTHER MATTER COMING BEFORE THE
13 BOARD PURSUANT TO THIS PART 1.

14
15 (b) UPON FAILURE OF ANY WITNESS TO COMPLY WITH SUCH
16 SUBPOENA OR PROCESS, THE DISTRICT COURT OF THE CITY AND COUNTY OF
17 DENVER, UPON APPLICATION BY THE BOARD OR DIRECTOR, MAY ISSUE TO
18 THE PERSON OR LICENSEE AN ORDER REQUIRING THAT PERSON OR LICENSEE
19 TO APPEAR BEFORE THE BOARD OR DIRECTOR; TO PRODUCE THE
20 NECESSARY PAPERS, BOOKS, RECORDS, DOCUMENTARY EVIDENCE, OR
21 MATERIALS IF SO ORDERED; OR TO GIVE EVIDENCE TOUCHING THE MATTER
22 UNDER INVESTIGATION OR IN QUESTION. FAILURE TO OBEY THE ORDER OF
23 THE COURT MAY BE PUNISHED BY THE COURT AS A CONTEMPT OF COURT.

24
25 **SECTION 50.** 12-25-109, Colorado Revised Statutes, is amended
26 BY THE ADDITION OF A NEW SUBSECTION to read:

27
28 **12-25-109. Disciplinary proceedings - injunctive relief**
29 **procedure.** (11) WHEN A COMPLAINT OR AN INVESTIGATION DISCLOSES
30 AN INSTANCE OF MISCONDUCT THAT, IN THE OPINION OF THE BOARD,
31 WARRANTS FORMAL ACTION, THE COMPLAINT SHALL NOT BE RESOLVED BY
32 A DEFERRED SETTLEMENT, ACTION, JUDGMENT, OR PROSECUTION.

33
34 **SECTION 51.** 12-25-205 (8), Colorado Revised Statutes, as
35 amended by House Bill 04-1115, enacted at the Second Regular Session
36 of the Sixty-fourth General Assembly, is amended to read:

37
38 **12-25-205. Unlawful practice - penalties - enforcement.**
39 (8) After finding that an individual has unlawfully engaged in the
40 practice of professional land surveying, the board may assess a fine
41 against such unlawfully engaged individual in an amount not less than
42 fifty dollars and not more than five thousand dollars for each violation
43 proven by the board. ANY MONEYS COLLECTED AS AN ADMINISTRATIVE
44 FINE PURSUANT TO THIS SUBSECTION (8) SHALL BE TRANSMITTED TO THE
45 STATE TREASURER, WHO SHALL CREDIT SUCH MONEYS TO THE GENERAL
46 FUND.

47
48 **SECTION 52.** 12-25-208 (2), Colorado Revised Statutes, as
49 amended by House Bill 04-1115, enacted at the Second Regular Session
50 of the Sixty-fourth General Assembly, is amended to read:

51
52 **12-25-208. Disciplinary actions - grounds for discipline.**
53 (2) ~~The board may issue a letter of admonition to a professional land~~
54 ~~surveyor or land surveyor-intern based on any of the grounds specified~~
55 ~~in subsection (1) of this section without conducting a hearing as specified~~
56 ~~in section 12-25-209 (4). Such letter shall be sent by certified mail and~~

1 ~~shall advise the professional land surveyor or land surveyor-intern of the~~
2 ~~right to, within twenty days after receipt of the letter, make a written~~
3 ~~request to the board to institute formal disciplinary proceedings as~~
4 ~~provided in section 12-25-209 in order to formally adjudicate the conduct~~
5 ~~or acts on which the letter was based~~ WHEN A COMPLAINT OR
6 INVESTIGATION DISCLOSES AN INSTANCE OF MISCONDUCT THAT, IN THE
7 OPINION OF THE BOARD, DOES NOT WARRANT FORMAL ACTION BY THE
8 BOARD BUT THAT SHOULD NOT BE DISMISSED AS BEING WITHOUT MERIT, A
9 LETTER OF ADMONITION MAY BE ISSUED AND SENT, BY CERTIFIED MAIL, TO
10 THE PROFESSIONAL LAND SURVEYOR OR LAND SURVEYOR-INTERN.

11
12 (b) WHEN A LETTER OF ADMONITION IS SENT BY THE BOARD, BY
13 CERTIFIED MAIL, TO A PROFESSIONAL LAND SURVEYOR OR LAND
14 SURVEYOR-INTERN, SUCH PROFESSIONAL LAND SURVEYOR OR LAND
15 SURVEYOR-INTERN SHALL BE ADVISED THAT HE OR SHE HAS THE RIGHT TO
16 REQUEST IN WRITING, WITHIN TWENTY DAYS AFTER RECEIPT OF THE
17 LETTER, THAT FORMAL DISCIPLINARY PROCEEDINGS BE INITIATED TO
18 ADJUDICATE THE PROPRIETY OF THE CONDUCT UPON WHICH THE LETTER OF
19 ADMONITION IS BASED.

20
21 (c) IF THE REQUEST FOR ADJUDICATION IS TIMELY MADE, THE
22 LETTER OF ADMONITION SHALL BE DEEMED VACATED AND THE MATTER
23 SHALL BE PROCESSED BY MEANS OF FORMAL DISCIPLINARY PROCEEDINGS.

24
25 **SECTION 53.** 12-25-209 (7), Colorado Revised Statutes, as
26 amended by House Bill 04-1115, enacted at the Second Regular Session
27 of the Sixty-fourth General Assembly, is amended to read:

28
29 **12-25-209. Disciplinary proceedings - injunctive relief**
30 **procedure.** (7) (a) ~~The board, the program director, or the~~
31 ~~administrative law judge may issue a subpoena compelling the attendance~~
32 ~~and testimony of witnesses and the production of books, papers, and~~
33 ~~records pursuant to an investigation or a hearing of the board. Any~~
34 ~~subpoena issued shall be served in the manner provided in the Colorado~~
35 ~~rules of civil procedure. The professional land surveyor or certificant in~~
36 ~~any action before the board shall have comparable rights of subpoena~~
37 ~~pursuant to section 24-4-105 (5), C.R.S. If any person refuses to obey~~
38 ~~any subpoena so issued or to testify or produce any books, papers, or~~
39 ~~documents, the board may petition the district court having jurisdiction,~~
40 ~~setting forth the facts, and thereupon such district court, in a proper case,~~
41 ~~shall issue its subpoena. Failure to obey the court's subpoena shall~~
42 ~~constitute contempt of court and shall be punished as provided for in the~~
43 ~~Colorado rules of civil procedure~~ THE BOARD OR AN ADMINISTRATIVE
44 LAW JUDGE SHALL HAVE THE POWER TO ADMINISTER OATHS, TAKE
45 AFFIRMATIONS OF WITNESSES, AND ISSUE SUBPOENAS TO COMPEL THE
46 ATTENDANCE OF WITNESSES AND THE PRODUCTION OF ALL NECESSARY
47 PAPERS, BOOKS, RECORDS, DOCUMENTARY EVIDENCE, AND MATERIALS IN
48 ANY HEARING, INVESTIGATION, ACCUSATION, OR OTHER MATTER COMING
49 BEFORE THE BOARD PURSUANT TO THIS PART 2.

50
51 (b) UPON FAILURE OF ANY WITNESS TO COMPLY WITH SUCH
52 SUBPOENA OR PROCESS, THE DISTRICT COURT OF THE CITY AND COUNTY OF
53 DENVER, UPON APPLICATION BY THE BOARD OR DIRECTOR, MAY ISSUE TO
54 THE PERSON OR LICENSEE AN ORDER REQUIRING THAT PERSON OR LICENSEE
55 TO APPEAR BEFORE THE BOARD OR DIRECTOR; TO PRODUCE THE
56 NECESSARY PAPERS, BOOKS, RECORDS, DOCUMENTARY EVIDENCE, OR

1 MATERIALS IF SO ORDERED; OR TO GIVE EVIDENCE TOUCHING THE MATTER
2 UNDER INVESTIGATION OR IN QUESTION. FAILURE TO OBEY THE ORDER OF
3 THE COURT MAY BE PUNISHED BY THE COURT AS A CONTEMPT OF COURT.
4

5 **SECTION 54.** 12-25-209, Colorado Revised Statutes, is
6 amended BY THE ADDITION OF A NEW SUBSECTION to read:
7

8 **12-25-209. Disciplinary proceedings - injunctive relief**
9 **procedure.** (10) WHEN A COMPLAINT OR AN INVESTIGATION DISCLOSES
10 AN INSTANCE OF MISCONDUCT THAT, IN THE OPINION OF THE BOARD,
11 WARRANTS FORMAL ACTION, THE COMPLAINT SHALL NOT BE RESOLVED BY
12 A DEFERRED SETTLEMENT, ACTION, JUDGMENT, OR PROSECUTION."
13

14 Renummer succeeding sections accordingly.
15

16 Page 44, strike lines 1 through 9 and substitute the following:
17

18 "(b) UPON FAILURE OF ANY WITNESS TO COMPLY WITH SUCH
19 SUBPOENA OR PROCESS, THE DISTRICT COURT OF THE CITY AND COUNTY OF
20 DENVER, UPON APPLICATION BY THE DIRECTOR, MAY ISSUE TO THE PERSON
21 OR LICENSEE AN ORDER REQUIRING THAT PERSON OR LICENSEE TO APPEAR
22 BEFORE THE DIRECTOR; TO PRODUCE THE NECESSARY PAPERS, BOOKS,
23 RECORDS, DOCUMENTARY EVIDENCE, OR MATERIALS IF SO ORDERED; OR
24 TO GIVE EVIDENCE TOUCHING THE MATTER UNDER INVESTIGATION OR IN
25 QUESTION. FAILURE TO OBEY THE ORDER OF THE COURT MAY BE PUNISHED
26 BY THE COURT AS A CONTEMPT OF COURT."
27

28 strike line 11 and substitute the following:
29

30 "is amended, and the said 12-29.5-107 is further amended BY THE
31 ADDITION OF A NEW SUBSECTION, to read:"
32

33 Page 45, line 7, strike "THIRTY" and substitute "TWENTY";
34

35 line 8, strike "THE DATE ON WHICH THE LETTER WAS MAILED," and
36 substitute "RECEIPT OF THE LETTER,";
37

38 after line 13, insert the following:
39

40 "(4) WHEN A COMPLAINT OR AN INVESTIGATION DISCLOSES AN
41 INSTANCE OF MISCONDUCT THAT, IN THE OPINION OF THE DIRECTOR,
42 WARRANTS FORMAL ACTION, THE COMPLAINT SHALL NOT BE RESOLVED BY
43 A DEFERRED SETTLEMENT, ACTION, JUDGMENT, OR PROSECUTION."
44

45 Page 47, strike lines 10 through 18 and substitute the following:
46

47 "(III) UPON FAILURE OF ANY WITNESS TO COMPLY WITH SUCH
48 SUBPOENA OR PROCESS, THE DISTRICT COURT OF THE CITY AND COUNTY OF
49 DENVER, UPON APPLICATION BY THE BOARD OR DIRECTOR, MAY ISSUE TO
50 THE PERSON OR LICENSEE AN ORDER REQUIRING THAT PERSON OR LICENSEE
51 TO APPEAR BEFORE THE BOARD OR DIRECTOR; TO PRODUCE THE
52 NECESSARY PAPERS, BOOKS, RECORDS, DOCUMENTARY EVIDENCE, OR
53 MATERIALS IF SO ORDERED; OR TO GIVE EVIDENCE TOUCHING THE MATTER
54 UNDER INVESTIGATION OR IN QUESTION. FAILURE TO OBEY THE ORDER OF
55 THE COURT MAY BE PUNISHED BY THE COURT AS A CONTEMPT OF COURT."
56

1 Page 48, strike line 27.

2
3 Page 49, strike lines 1 and 2 and substitute the following:

4
5 "SECTION 61. 12-32-108.3 (1), (2) (c) (III), (2) (c) (IV), and (7),
6 Colorado Revised Statutes, are amended to read:

7
8 **12-32-108.3. Disciplinary action by board.** (1) In the discharge
9 of its duties, the Colorado podiatry board may enlist the assistance of
10 other persons licensed to practice podiatry or medicine in this state.
11 Podiatrists have the duty to report to the board any podiatrist known, or
12 upon information and belief, to have violated any of the provisions of
13 section 12-32-107 (3). ~~Any person participating in good faith in the~~
14 ~~making of a complaint or report or participating in any investigative or~~
15 ~~administrative proceeding pursuant to this section shall be immune from~~
16 ~~any liability, civil or criminal, that otherwise might result by reason of~~
17 ~~such action.~~

18
19 (2) (c) On";

20
21 line 25, strike "THIRTY" and substitute "TWENTY";

22
23 line 26, strike "THE DATE ON WHICH THE LETTER WAS MAILED," and
24 substitute "RECEIPT OF THE LETTER,".

25
26 Page 50, after line 4, insert the following:

27
28 "(IV) (A) The investigation discloses facts ~~which~~ THAT warrant
29 further proceedings by formal complaint, as provided in subsection (3) of
30 this section, in which event the complaint shall be referred to the attorney
31 general for preparation and filing of a formal complaint;

32
33 (B) WHEN A COMPLAINT OR AN INVESTIGATION DISCLOSES AN
34 INSTANCE OF MISCONDUCT THAT, IN THE OPINION OF THE BOARD,
35 WARRANTS FORMAL ACTION, THE COMPLAINT SHALL NOT BE RESOLVED BY
36 A DEFERRED SETTLEMENT, ACTION, JUDGMENT, OR PROSECUTION.".

37
38 Page 51, strike lines 4 through 12 and substitute the following:

39
40 "(b) UPON FAILURE OF ANY WITNESS TO COMPLY WITH SUCH
41 SUBPOENA OR PROCESS, THE DISTRICT COURT OF THE CITY AND COUNTY OF
42 DENVER, UPON APPLICATION BY THE BOARD OR DIRECTOR, MAY ISSUE TO
43 THE PERSON OR LICENSEE AN ORDER REQUIRING THAT PERSON OR LICENSEE
44 TO APPEAR BEFORE THE BOARD OR DIRECTOR; TO PRODUCE THE
45 NECESSARY PAPERS, BOOKS, RECORDS, DOCUMENTARY EVIDENCE, OR
46 MATERIALS IF SO ORDERED; OR TO GIVE EVIDENCE TOUCHING THE MATTER
47 UNDER INVESTIGATION OR IN QUESTION. FAILURE TO OBEY THE ORDER OF
48 THE COURT MAY BE PUNISHED BY THE COURT AS A CONTEMPT OF COURT.".

49
50 Page 54, strike line 9 and substitute the following:

51
52 "SECTION 65. 12-33-119 (3.5), (7), and (9), Colorado Revised
53 Statutes, are";

54
55 strike line 11 and substitute the following:

56

1 **"12-33-119. Disciplinary proceedings. (3.5) Any person**
2 ~~participating in good faith in the making of a complaint or report or~~
3 ~~participating in any investigative or administrative proceeding pursuant~~
4 ~~to this section shall be immune from any liability, civil or criminal, that~~
5 ~~otherwise might result by reason of such action.~~

6
7 (7) (a) ~~In order to aid the".~~

8
9 Page 55, strike lines 12 through 22 and substitute the following:

10
11 ~~"(c) A subpoena issued pursuant to this subsection (7) may be~~
12 ~~enforced by a district court of competent jurisdiction. UPON FAILURE OF~~
13 ~~ANY WITNESS TO COMPLY WITH SUCH SUBPOENA OR PROCESS, THE~~
14 ~~DISTRICT COURT OF THE CITY AND COUNTY OF DENVER, UPON APPLICATION~~
15 ~~BY THE BOARD OR DIRECTOR, MAY ISSUE TO THE PERSON OR LICENSEE AN~~
16 ~~ORDER REQUIRING THAT PERSON OR LICENSEE TO APPEAR BEFORE THE~~
17 ~~BOARD OR DIRECTOR; TO PRODUCE THE NECESSARY PAPERS, BOOKS,~~
18 ~~RECORDS, DOCUMENTARY EVIDENCE, OR MATERIALS IF SO ORDERED; OR~~
19 ~~TO GIVE EVIDENCE TOUCHING THE MATTER UNDER INVESTIGATION OR IN~~
20 ~~QUESTION. FAILURE TO OBEY THE ORDER OF THE COURT MAY BE PUNISHED~~
21 ~~BY THE COURT AS A CONTEMPT OF COURT.~~

22
23 (9) (a) When a complaint or an investigation discloses an instance
24 of misconduct ~~which~~ THAT, in the opinion of the board, does not warrant
25 formal action by the board but ~~which~~ THAT should not be dismissed as
26 being without merit, a letter of admonition may be sent by certified mail
27 to the chiropractor against whom the complaint was made and a copy also
28 sent to the person making the complaint. When a letter of admonition is
29 sent by certified mail by the board to a chiropractor complained against,
30 such chiropractor shall be advised that he or she has the right to request
31 in writing, within ~~thirty~~ TWENTY days after ~~mailing~~ RECEIPT OF the letter,
32 that formal disciplinary proceedings be initiated to adjudicate the
33 propriety of the conduct upon which the letter of admonition is based. If
34 such request is timely made, the letter of admonition shall be deemed
35 vacated, and the matter shall be processed by means of formal
36 disciplinary proceedings.

37
38 (b) WHEN A COMPLAINT OR AN INVESTIGATION DISCLOSES AN
39 INSTANCE OF MISCONDUCT THAT, IN THE OPINION OF THE BOARD,
40 WARRANTS FORMAL ACTION, THE COMPLAINT SHALL NOT BE RESOLVED BY
41 A DEFERRED SETTLEMENT, ACTION, JUDGMENT, OR PROSECUTION."

42
43 Page 58, strike lines 20 through 27.

44
45 Page 59, strike lines 1 and 2 and substitute the following:

46
47 "(III) UPON FAILURE OF ANY WITNESS TO COMPLY WITH SUCH
48 SUBPOENA OR PROCESS, THE DISTRICT COURT OF THE CITY AND COUNTY OF
49 DENVER, UPON APPLICATION BY THE BOARD OR DIRECTOR, MAY ISSUE TO
50 THE PERSON OR LICENSEE AN ORDER REQUIRING THAT PERSON OR LICENSEE
51 TO APPEAR BEFORE THE BOARD OR DIRECTOR; TO PRODUCE THE
52 NECESSARY PAPERS, BOOKS, RECORDS, DOCUMENTARY EVIDENCE, OR
53 MATERIALS IF SO ORDERED; OR TO GIVE EVIDENCE TOUCHING THE MATTER
54 UNDER INVESTIGATION OR IN QUESTION. FAILURE TO OBEY THE ORDER OF
55 THE COURT MAY BE PUNISHED BY THE COURT AS A CONTEMPT OF COURT.

1 **SECTION 69.** 12-36-118 (3), (4) (c) (III), and (4) (c) (IV),
2 Colorado Revised".

3
4 Page 61, line 4, strike "THIRTY" and substitute "TWENTY";

5
6 line 5, strike "THE DATE ON WHICH THE LETTER WAS MAILED," and
7 substitute "RECEIPT OF THE LETTER,";

8
9 after line 10, insert the following:

10
11 "(IV) (A) The investigation discloses facts ~~which~~ THAT warrant
12 further proceedings by formal complaint, as provided in subsection (5) of
13 this section, in which event the complaint shall be referred to the attorney
14 general for preparation and filing of a formal complaint.

15
16 (B) WHEN A COMPLAINT OR AN INVESTIGATION DISCLOSES AN
17 INSTANCE OF MISCONDUCT THAT, IN THE OPINION OF THE BOARD,
18 WARRANTS FORMAL ACTION, THE COMPLAINT SHALL NOT BE RESOLVED BY
19 A DEFERRED SETTLEMENT, ACTION, JUDGMENT, OR PROSECUTION.

20
21 **SECTION 70.** 12-36-123 (1) (a) and (2), Colorado Revised
22 Statutes, are amended to read:

23
24 **12-36-123. Procedure - registration - fees.** (1) (a) ~~The board~~
25 ~~shall establish procedures for the maintenance of licensee lists and the~~
26 ~~establishment of renewal fees and schedules, which fees and schedules~~
27 ~~shall be established subject to section 24-34-102 (8), C.R.S. Every~~
28 ~~licensee shall pay the board a registration fee to be determined and~~
29 ~~collected pursuant to section 24-34-105, C.R.S., and shall obtain a~~
30 ~~registration certificate for the current renewal period.~~ ALL LICENSES
31 SHALL BE RENEWED OR REINSTATED PURSUANT TO A SCHEDULE
32 ESTABLISHED BY THE DIRECTOR OF THE DIVISION OF REGISTRATIONS
33 WITHIN THE DEPARTMENT OF REGULATORY AGENCIES AND SHALL BE
34 RENEWED OR REINSTATED PURSUANT TO SECTION 24-34-102 (8), C.R.S.
35 THE DIRECTOR OF THE DIVISION MAY ESTABLISH RENEWAL FEES AND
36 DELINQUENCY FEES FOR REINSTATEMENT PURSUANT TO SECTION
37 24-34-105, C.R.S. IF A PERSON FAILS TO RENEW HIS OR HER LICENSE
38 PURSUANT TO THE SCHEDULE ESTABLISHED BY THE DIRECTOR OF THE
39 DIVISION OF REGISTRATIONS, SUCH LICENSE SHALL EXPIRE. A PERSON
40 WHOSE LICENSE HAS EXPIRED SHALL BE SUBJECT TO THE PENALTIES
41 PROVIDED IN THIS ARTICLE OR SECTION 24-34-102 (8), C.R.S.

42
43 (2) (a) ~~The board shall mail notice of the provisions of this~~
44 ~~section, with the application for registration prescribed by the board, to~~
45 ~~each licensee at the last address shown on the board's records. Such~~
46 ~~mailing shall be made in accordance with the renewal schedule~~
47 ~~established pursuant to section 24-34-102 (8), C.R.S. If a licensee fails~~
48 ~~to pay the registration fee prescribed by subsection (1) of this section, the~~
49 ~~license of such licensee shall lapse and the name of the licensee shall be~~
50 ~~omitted from such list.~~

51
52 (b) ~~When a licensee's license lapses, the licensee may file a~~
53 ~~board-approved application for reinstatement with the board and the~~
54 ~~license shall be reinstated subject to payment to the board of the renewal~~
55 ~~fee and a reinstatement fee determined by the board pursuant to section~~
56 ~~24-34-105, C.R.S. If charges are made against the licensee pursuant to~~

1 ~~section 12-36-118, the board shall defer action on the pending application~~
2 ~~for reinstatement and proceed with a hearing on such charges in~~
3 ~~accordance with section 12-36-118. After such hearing, the board shall~~
4 ~~reinstate, further suspend, or revoke such license. The board shall not~~
5 ~~reinstate any license that has lapsed for more than two years unless the~~
6 ~~applicant demonstrates continued professional competence in the manner~~
7 ~~prescribed by the board."~~
8

9 Renumber succeeding sections accordingly.

10
11 Page 64, line 7, strike "A NEW SUBSECTION," and substitute "THE
12 FOLLOWING NEW SUBSECTIONS,".

13
14 Page 65, strike lines 14 through 22 and substitute the following:

15
16 "(b) UPON FAILURE OF ANY WITNESS TO COMPLY WITH SUCH
17 SUBPOENA OR PROCESS, THE DISTRICT COURT OF THE CITY AND COUNTY OF
18 DENVER, UPON APPLICATION BY THE DIRECTOR, MAY ISSUE TO THE PERSON
19 OR LICENSEE AN ORDER REQUIRING THAT PERSON OR LICENSEE TO APPEAR
20 BEFORE THE DIRECTOR; TO PRODUCE THE NECESSARY PAPERS, BOOKS,
21 RECORDS, DOCUMENTARY EVIDENCE, OR MATERIALS IF SO ORDERED; OR
22 TO GIVE EVIDENCE TOUCHING THE MATTER UNDER INVESTIGATION OR IN
23 QUESTION. FAILURE TO OBEY THE ORDER OF THE COURT MAY BE PUNISHED
24 BY THE COURT AS A CONTEMPT OF COURT.".

25
26 Page 66, line 3, strike "THIRTY" and substitute "TWENTY";

27
28 line 4, strike "THE DATE ON WHICH THE LETTER WAS MAILED," and
29 substitute "RECEIPT OF THE LETTER,";

30
31 after line 9, insert the following:

32
33 "(8) WHEN A COMPLAINT OR AN INVESTIGATION DISCLOSES AN
34 INSTANCE OF MISCONDUCT THAT, IN THE OPINION OF THE DIRECTOR,
35 WARRANTS FORMAL ACTION, THE COMPLAINT SHALL NOT BE RESOLVED BY
36 A DEFERRED SETTLEMENT, ACTION, JUDGMENT, OR PROSECUTION.".

37
38 Page 68, line 5, before "(13),", insert "(3) (c) (V),".

39
40 Page 69, line 3, strike "THIRTY" and substitute "TWENTY";

41
42 line 4, strike "THE DATE ON WHICH THE LETTER WAS MAILED," and
43 substitute "RECEIPT OF THE LETTER,";

44
45 after line 9, insert the following:

46
47 "(V) (A) Facts were disclosed that warrant further proceedings by
48 formal complaint, as provided in subsection (4) of this section, and that
49 the complaint should be referred to the attorney general for preparation
50 and filing of a formal complaint.

51
52 (B) WHEN A COMPLAINT OR AN INVESTIGATION DISCLOSES AN
53 INSTANCE OF MISCONDUCT THAT, IN THE OPINION OF THE BOARD,
54 WARRANTS FORMAL ACTION, THE COMPLAINT SHALL NOT BE RESOLVED BY
55 A DEFERRED SETTLEMENT, ACTION, JUDGMENT, OR PROSECUTION.".

56

1 Page 70, strike lines 6 through 14 and substitute the following:

2
3 "(b) UPON FAILURE OF ANY WITNESS TO COMPLY WITH SUCH
4 SUBPOENA OR PROCESS, THE DISTRICT COURT OF THE CITY AND COUNTY OF
5 DENVER, UPON APPLICATION BY THE BOARD OR DIRECTOR, MAY ISSUE TO
6 THE PERSON OR LICENSEE AN ORDER REQUIRING THAT PERSON OR LICENSEE
7 TO APPEAR BEFORE THE BOARD OR DIRECTOR; TO PRODUCE THE
8 NECESSARY PAPERS, BOOKS, RECORDS, DOCUMENTARY EVIDENCE, OR
9 MATERIALS IF SO ORDERED; OR TO GIVE EVIDENCE TOUCHING THE MATTER
10 UNDER INVESTIGATION OR IN QUESTION. FAILURE TO OBEY THE ORDER OF
11 THE COURT MAY BE PUNISHED BY THE COURT AS A CONTEMPT OF COURT.".

12
13 Page 73, after line 6, insert the following:

14
15 "**SECTION 80.** 12-38-131, Colorado Revised Statutes, as
16 repealed and reenacted by Senate Bill 04-129, enacted at the Second
17 Regular Session of the Sixty-fourth General Assembly, is amended BY
18 THE ADDITION OF A NEW SUBSECTION to read:

19
20 **12-38-131. Nursing peer health assistance diversion program**
21 **- fund - legislative declaration.** (8) ANY MEMBER OF THE BOARD OR
22 MEMBER OF THE IMPAIRED PROFESSIONAL DIVERSION PROGRAM
23 COMMITTEE, ANY MEMBER OF THE BOARD'S OR COMMITTEE'S STAFF, ANY
24 PERSON ACTING AS A WITNESS OR CONSULTANT TO THE BOARD OR
25 COMMITTEE, ANY WITNESS TESTIFYING IN A PROCEEDING AUTHORIZED
26 UNDER THIS ARTICLE, AND ANY PERSON WHO LODGES A COMPLAINT
27 PURSUANT TO THIS ARTICLE SHALL BE IMMUNE FROM LIABILITY IN ANY
28 CIVIL ACTION BROUGHT AGAINST HIM OR HER FOR ACTS OCCURRING WHILE
29 ACTING IN HIS OR HER CAPACITY AS BOARD OR COMMITTEE MEMBER,
30 STAFF, CONSULTANT, OR WITNESS, RESPECTIVELY, IF SUCH INDIVIDUAL
31 WAS ACTING IN GOOD FAITH WITHIN THE SCOPE OF HIS OR HER RESPECTIVE
32 CAPACITY, MADE A REASONABLE EFFORT TO OBTAIN THE FACTS OF THE
33 MATTER AS TO WHICH HE OR SHE ACTED, AND ACTED IN THE REASONABLE
34 BELIEF THAT THE ACTION TAKEN BY HIM OR HER WAS WARRANTED BY THE
35 FACTS. ANY PERSON PARTICIPATING IN GOOD FAITH IN LODGING A
36 COMPLAINT OR PARTICIPATING IN ANY INVESTIGATIVE OR ADMINISTRATIVE
37 PROCEEDING PURSUANT TO THIS ARTICLE SHALL BE IMMUNE FROM ANY
38 CIVIL OR CRIMINAL LIABILITY THAT MAY RESULT FROM SUCH
39 PARTICIPATION.".

40
41 Renumber succeeding sections accordingly.

42
43 Page 75, strike lines 12 through 20 and substitute the following:

44
45 "(b) UPON FAILURE OF ANY WITNESS TO COMPLY WITH SUCH
46 SUBPOENA OR PROCESS, THE DISTRICT COURT OF THE CITY AND COUNTY OF
47 DENVER, UPON APPLICATION BY THE BOARD OR DIRECTOR, MAY ISSUE TO
48 THE PERSON OR LICENSEE AN ORDER REQUIRING THAT PERSON OR LICENSEE
49 TO APPEAR BEFORE THE BOARD OR DIRECTOR; TO PRODUCE THE
50 NECESSARY PAPERS, BOOKS, RECORDS, DOCUMENTARY EVIDENCE, OR
51 MATERIALS IF SO ORDERED; OR TO GIVE EVIDENCE TOUCHING THE MATTER
52 UNDER INVESTIGATION OR IN QUESTION. FAILURE TO OBEY THE ORDER OF
53 THE COURT MAY BE PUNISHED BY THE COURT AS A CONTEMPT OF COURT.".

54
55 Page 77, strike lines 16 through 24 and substitute the following:

56

1 "(c) UPON FAILURE OF ANY WITNESS TO COMPLY WITH SUCH
2 SUBPOENA OR PROCESS, THE DISTRICT COURT OF THE CITY AND COUNTY OF
3 DENVER, UPON APPLICATION BY THE BOARD OR DIRECTOR, MAY ISSUE TO
4 THE PERSON OR LICENSEE AN ORDER REQUIRING THAT PERSON OR LICENSEE
5 TO APPEAR BEFORE THE BOARD OR DIRECTOR; TO PRODUCE THE
6 NECESSARY PAPERS, BOOKS, RECORDS, DOCUMENTARY EVIDENCE, OR
7 MATERIALS IF SO ORDERED; OR TO GIVE EVIDENCE TOUCHING THE MATTER
8 UNDER INVESTIGATION OR IN QUESTION. FAILURE TO OBEY THE ORDER OF
9 THE COURT MAY BE PUNISHED BY THE COURT AS A CONTEMPT OF COURT.".

10

11 Page 78, strike line 20 and substitute the following:

12

13 "amended, and the said 12-39-111 is further amended BY THE
14 ADDITION OF A NEW SUBSECTION, to read:".

15

16 Page 79, line 16, strike "THIRTY" and substitute "TWENTY";

17

18 line 17, strike "THE DATE ON WHICH THE LETTER WAS MAILED," and
19 substitute "RECEIPT OF THE LETTER,";

20

21 after line 22, insert the following:

22

23 "(5) WHEN A COMPLAINT OR AN INVESTIGATION DISCLOSES AN
24 INSTANCE OF MISCONDUCT THAT, IN THE OPINION OF THE BOARD,
25 WARRANTS FORMAL ACTION, THE COMPLAINT SHALL NOT BE RESOLVED BY
26 A DEFERRED SETTLEMENT, ACTION, JUDGMENT, OR PROSECUTION.".

27

28 Page 81, strike lines 20 through 27.

29

30 Page 82, strike line 1 and substitute the following:

31

32 "(III) UPON FAILURE OF ANY WITNESS TO COMPLY WITH SUCH
33 SUBPOENA OR PROCESS, THE DISTRICT COURT OF THE CITY AND COUNTY OF
34 DENVER, UPON APPLICATION BY THE BOARD OR DIRECTOR, MAY ISSUE TO
35 THE PERSON OR LICENSEE AN ORDER REQUIRING THAT PERSON OR LICENSEE
36 TO APPEAR BEFORE THE BOARD OR DIRECTOR; TO PRODUCE THE
37 NECESSARY PAPERS, BOOKS, RECORDS, DOCUMENTARY EVIDENCE, OR
38 MATERIALS IF SO ORDERED; OR TO GIVE EVIDENCE TOUCHING THE MATTER
39 UNDER INVESTIGATION OR IN QUESTION. FAILURE TO OBEY THE ORDER OF
40 THE COURT MAY BE PUNISHED BY THE COURT AS A CONTEMPT OF COURT.".

41

42 Page 83, strike line 18 and substitute the following:

43

44 "Statutes, are amended, and the said 12-40-110 is further amended BY
45 THE ADDITION OF A NEW SUBSECTION, to read:".

46

47 Page 84, line 15, strike "THIRTY" and substitute "TWENTY";

48

49 line 16, strike "THE DATE ON WHICH THE LETTER WAS MAILED," and
50 substitute "RECEIPT OF THE LETTER,".

51

52 Page 85, after line 19, insert the following:

53

54 "(6) WHEN A COMPLAINT OR AN INVESTIGATION DISCLOSES AN
55 INSTANCE OF MISCONDUCT THAT, IN THE OPINION OF THE BOARD,
56 WARRANTS FORMAL ACTION, THE COMPLAINT SHALL NOT BE RESOLVED BY

1 A DEFERRED SETTLEMENT, ACTION, JUDGMENT, OR PROSECUTION.".

2
3 Page 87, line 13, strike "THIRTY" and substitute "TWENTY";

4
5 line 14, strike "THE DATE ON WHICH THE LETTER WAS MAILED," and
6 substitute "RECEIPT OF THE LETTER,";

7
8 strike line 21 and substitute the following:

9
10 "Statutes, are amended, and the said 12-41-117 is further amended BY
11 THE ADDITION OF A NEW SUBSECTION, to read:".

12
13 Page 88, strike lines 15 through 23 and substitute the following:

14
15 "(b) UPON FAILURE OF ANY WITNESS TO COMPLY WITH SUCH
16 SUBPOENA OR PROCESS, THE DISTRICT COURT OF THE CITY AND COUNTY OF
17 DENVER, UPON APPLICATION BY THE DIRECTOR, MAY ISSUE TO THE PERSON
18 OR LICENSEE AN ORDER REQUIRING THAT PERSON OR LICENSEE TO APPEAR
19 BEFORE THE DIRECTOR; TO PRODUCE THE NECESSARY PAPERS, BOOKS,
20 RECORDS, DOCUMENTARY EVIDENCE, OR MATERIALS IF SO ORDERED; OR
21 TO GIVE EVIDENCE TOUCHING THE MATTER UNDER INVESTIGATION OR IN
22 QUESTION. FAILURE TO OBEY THE ORDER OF THE COURT MAY BE PUNISHED
23 BY THE COURT AS A CONTEMPT OF COURT.".

24
25 Page 89, after line 13, insert the following:

26
27 "(10) WHEN A COMPLAINT OR AN INVESTIGATION DISCLOSES AN
28 INSTANCE OF MISCONDUCT THAT, IN THE OPINION OF THE DIRECTOR,
29 WARRANTS FORMAL ACTION, THE COMPLAINT SHALL NOT BE RESOLVED BY
30 A DEFERRED SETTLEMENT, ACTION, JUDGMENT, OR PROSECUTION.".

31
32 Page 91, strike lines 10 through 18 and substitute the following:

33
34 "(III) UPON FAILURE OF ANY WITNESS TO COMPLY WITH SUCH
35 SUBPOENA OR PROCESS, THE DISTRICT COURT OF THE CITY AND COUNTY OF
36 DENVER, UPON APPLICATION BY THE DIRECTOR, MAY ISSUE TO THE PERSON
37 OR LICENSEE AN ORDER REQUIRING THAT PERSON OR LICENSEE TO APPEAR
38 BEFORE THE DIRECTOR; TO PRODUCE THE NECESSARY PAPERS, BOOKS,
39 RECORDS, DOCUMENTARY EVIDENCE, OR MATERIALS IF SO ORDERED; OR
40 TO GIVE EVIDENCE TOUCHING THE MATTER UNDER INVESTIGATION OR IN
41 QUESTION. FAILURE TO OBEY THE ORDER OF THE COURT MAY BE PUNISHED
42 BY THE COURT AS A CONTEMPT OF COURT.".

43
44 Page 92, line 10, strike "A NEW SUBSECTION," and substitute "THE
45 FOLLOWING NEW SUBSECTIONS,".

46
47 Page 93, strike lines 4 through 12 and substitute the following:

48
49 "(III) UPON FAILURE OF ANY WITNESS TO COMPLY WITH SUCH
50 SUBPOENA OR PROCESS, THE DISTRICT COURT OF THE CITY AND COUNTY OF
51 DENVER, UPON APPLICATION BY THE DIRECTOR, MAY ISSUE TO THE PERSON
52 OR LICENSEE AN ORDER REQUIRING THAT PERSON OR LICENSEE TO APPEAR
53 BEFORE THE DIRECTOR; TO PRODUCE THE NECESSARY PAPERS, BOOKS,
54 RECORDS, DOCUMENTARY EVIDENCE, OR MATERIALS IF SO ORDERED; OR
55 TO GIVE EVIDENCE TOUCHING THE MATTER UNDER INVESTIGATION OR IN
56 QUESTION. FAILURE TO OBEY THE ORDER OF THE COURT MAY BE PUNISHED

1 BY THE COURT AS A CONTEMPT OF COURT."

2

3 Page 94, line 9, strike "THIRTY" and substitute "TWENTY";

4

5 line 10, strike "THE DATE ON WHICH THE LETTER WAS MAILED," and
6 substitute "RECEIPT OF THE LETTER,";

7

8 after line 15, insert the following:

9

10 "(12) WHEN A COMPLAINT OR AN INVESTIGATION DISCLOSES AN
11 INSTANCE OF MISCONDUCT THAT, IN THE OPINION OF THE DIRECTOR,
12 WARRANTS FORMAL ACTION, THE COMPLAINT SHALL NOT BE RESOLVED BY
13 A DEFERRED SETTLEMENT, ACTION, JUDGMENT, OR PROSECUTION."

14

15 Page 100, strike lines 19 through 27 and substitute the following:

16

17 "(III) UPON FAILURE OF ANY WITNESS TO COMPLY WITH SUCH
18 SUBPOENA OR PROCESS, THE DISTRICT COURT OF THE CITY AND COUNTY OF
19 DENVER, UPON APPLICATION BY THE DIRECTOR, MAY ISSUE TO THE PERSON
20 OR LICENSEE AN ORDER REQUIRING THAT PERSON OR LICENSEE TO APPEAR
21 BEFORE THE DIRECTOR; TO PRODUCE THE NECESSARY PAPERS, BOOKS,
22 RECORDS, DOCUMENTARY EVIDENCE, OR MATERIALS IF SO ORDERED; OR
23 TO GIVE EVIDENCE TOUCHING THE MATTER UNDER INVESTIGATION OR IN
24 QUESTION. FAILURE TO OBEY THE ORDER OF THE COURT MAY BE PUNISHED
25 BY THE COURT AS A CONTEMPT OF COURT."

26

27 Page 101, strike line 2 and substitute the following:

28

29 "amended, and the said 12-43-224 (3) is further amended BY THE
30 ADDITION OF A NEW PARAGRAPH, to read:";

31

32 line 22, strike "THIRTY" and substitute "TWENTY";

33

34 line 23, strike "THE DATE ON WHICH THE LETTER WAS MAILED," and
35 substitute "RECEIPT OF THE LETTER,".

36

37 Page 102, after line 1, insert the following:

38

39 "(f) **Deferred settlement or judgment.** WHEN A COMPLAINT OR
40 AN INVESTIGATION DISCLOSES AN INSTANCE OF MISCONDUCT THAT, IN THE
41 OPINION OF THE BOARD, WARRANTS FORMAL ACTION, THE COMPLAINT
42 SHALL NOT BE RESOLVED BY A DEFERRED SETTLEMENT, ACTION,
43 JUDGMENT, OR PROSECUTION.";

44

45 strike lines 2 through 27.

46

47 Page 103, strike lines 1 through 12.

48

49 Renumber succeeding sections accordingly.

50

51 Page 104, strike lines 6 through 14 and substitute the following:

52

53 "(II) UPON FAILURE OF ANY WITNESS TO COMPLY WITH SUCH
54 SUBPOENA OR PROCESS, THE DISTRICT COURT OF THE CITY AND COUNTY OF
55 DENVER, UPON APPLICATION BY THE DIRECTOR, MAY ISSUE TO THE PERSON
56 OR LICENSEE AN ORDER REQUIRING THAT PERSON OR LICENSEE TO APPEAR

1 BEFORE THE DIRECTOR; TO PRODUCE THE NECESSARY PAPERS, BOOKS,
2 RECORDS, DOCUMENTARY EVIDENCE, OR MATERIALS IF SO ORDERED; OR
3 TO GIVE EVIDENCE TOUCHING THE MATTER UNDER INVESTIGATION OR IN
4 QUESTION. FAILURE TO OBEY THE ORDER OF THE COURT MAY BE PUNISHED
5 BY THE COURT AS A CONTEMPT OF COURT."

6
7 Page 105, strike line 5 and substitute the following:

8
9 "amended, and the said 12-55.5-106 is further amended BY THE
10 ADDITION OF A NEW SUBSECTION, to read:";

11
12 line 27, strike "THIRTY" and substitute "TWENTY".

13
14 Page 106, line 1, strike "THE DATE ON WHICH THE LETTER WAS MAILED,"
15 and substitute "RECEIPT OF THE LETTER,".

16
17 after line 6, insert the following:

18
19 "(4) WHEN A COMPLAINT OR AN INVESTIGATION DISCLOSES AN
20 INSTANCE OF MISCONDUCT THAT, IN THE OPINION OF THE DIRECTOR,
21 WARRANTS FORMAL ACTION, THE COMPLAINT SHALL NOT BE RESOLVED BY
22 A DEFERRED SETTLEMENT, ACTION, JUDGMENT, OR PROSECUTION.

23
24 **SECTION 108.** 12-55.5-106 (3), Colorado Revised Statutes, as
25 enacted by House Bill 04-1215, at the Second Regular Session of the
26 Sixty-fourth General Assembly, is amended to read:

27
28 **12-55.5-106. Disciplinary actions - grounds for discipline.**
29 ~~(3) (a) When a complaint or an investigation discloses a violation of this~~
30 ~~article that, in the opinion of the director, does not warrant formal action~~
31 ~~but should not be dismissed as being without merit, a letter of admonition~~
32 ~~may be sent by certified mail to the outfitter against whom a complaint~~
33 ~~was made and a copy thereof to the person making the complaint; except~~
34 ~~that, when a letter of admonition is sent by certified mail by the director~~
35 ~~to an outfitter complained against, such outfitter shall be advised that he~~
36 ~~or she has the right to request in writing, within thirty days after the date~~
37 ~~the letter was mailed, that formal disciplinary proceedings be initiated to~~
38 ~~adjudicate the propriety of the conduct upon which the letter of~~
39 ~~admonition is based. If such request is timely made, the letter of~~
40 ~~admonition shall be deemed vacated, and the matter shall be processed by~~
41 ~~means of formal disciplinary proceedings~~ WHEN A COMPLAINT OR
42 INVESTIGATION DISCLOSES AN INSTANCE OF MISCONDUCT THAT, IN THE
43 OPINION OF THE DIRECTOR, DOES NOT WARRANT FORMAL ACTION BY THE
44 DIRECTOR BUT THAT SHOULD NOT BE DISMISSED AS BEING WITHOUT MERIT,
45 A LETTER OF ADMONITION MAY BE ISSUED AND SENT, BY CERTIFIED MAIL,
46 TO THE REGISTRANT.

47
48 (b) WHEN A LETTER OF ADMONITION IS SENT BY THE DIRECTOR, BY
49 CERTIFIED MAIL, TO A REGISTRANT, SUCH REGISTRANT SHALL BE ADVISED
50 THAT HE OR SHE HAS THE RIGHT TO REQUEST IN WRITING, WITHIN TWENTY
51 DAYS AFTER RECEIPT OF THE LETTER, THAT FORMAL DISCIPLINARY
52 PROCEEDINGS BE INITIATED TO ADJUDICATE THE PROPRIETY OF THE
53 CONDUCT UPON WHICH THE LETTER OF ADMONITION IS BASED.

54
55 (c) IF THE REQUEST FOR ADJUDICATION IS TIMELY MADE, THE
56 LETTER OF ADMONITION SHALL BE DEEMED VACATED AND THE MATTER

1 SHALL BE PROCESSED BY MEANS OF FORMAL DISCIPLINARY PROCEEDINGS.

2

3 **SECTION 109.** 12-55.5-106, Colorado Revised Statutes, is
4 amended BY THE ADDITION OF A NEW SUBSECTION to read:

5

6 **12-55.5-106. Disciplinary actions - grounds for discipline.**

7 (4) WHEN A COMPLAINT OR AN INVESTIGATION DISCLOSES AN INSTANCE
8 OF MISCONDUCT THAT, IN THE OPINION OF THE DIRECTOR, WARRANTS
9 FORMAL ACTION, THE COMPLAINT SHALL NOT BE RESOLVED BY A
10 DEFERRED SETTLEMENT, ACTION, JUDGMENT, OR PROSECUTION."

11

12 Renumber succeeding sections accordingly.

13

14 Page 107, strike lines 23 through 27.

15

16 Page 108, strike lines 1 through 4 and substitute the following:

17

18 "(II) UPON FAILURE OF ANY WITNESS TO COMPLY WITH SUCH
19 SUBPOENA OR PROCESS, THE DISTRICT COURT OF THE CITY AND COUNTY OF
20 DENVER, UPON APPLICATION BY THE DIRECTOR, MAY ISSUE TO THE PERSON
21 OR LICENSEE AN ORDER REQUIRING THAT PERSON OR LICENSEE TO APPEAR
22 BEFORE THE DIRECTOR; TO PRODUCE THE NECESSARY PAPERS, BOOKS,
23 RECORDS, DOCUMENTARY EVIDENCE, OR MATERIALS IF SO ORDERED; OR
24 TO GIVE EVIDENCE TOUCHING THE MATTER UNDER INVESTIGATION OR IN
25 QUESTION. FAILURE TO OBEY THE ORDER OF THE COURT MAY BE PUNISHED
26 BY THE COURT AS A CONTEMPT OF COURT."

27

28 strike line 25 and substitute the following:

29

30 "amended, and the said 12-58-110 is further amended BY THE
31 ADDITION OF A NEW SUBSECTION, to read:"

32

33 Page 109, line 22, strike "THIRTY" and substitute "TWENTY";

34

35 line 23, strike "THE DATE ON WHICH THE LETTER WAS MAILED," and
36 substitute "RECEIPT OF THE LETTER,"

37

38 Page 110, after line 1, insert the following:

39

40 "(4) WHEN A COMPLAINT OR AN INVESTIGATION DISCLOSES AN
41 INSTANCE OF MISCONDUCT THAT, IN THE OPINION OF THE BOARD,
42 WARRANTS FORMAL ACTION, THE COMPLAINT SHALL NOT BE RESOLVED BY
43 A DEFERRED SETTLEMENT, ACTION, JUDGMENT, OR PROSECUTION."

44

45 Page 112, strike lines 6 through 14 and substitute the following:

46

47 "(III) UPON FAILURE OF ANY WITNESS TO COMPLY WITH SUCH
48 SUBPOENA OR PROCESS, THE DISTRICT COURT OF THE CITY AND COUNTY OF
49 DENVER, UPON APPLICATION BY THE DIRECTOR, MAY ISSUE TO THE PERSON
50 OR LICENSEE AN ORDER REQUIRING THAT PERSON OR LICENSEE TO APPEAR
51 BEFORE THE DIRECTOR; TO PRODUCE THE NECESSARY PAPERS, BOOKS,
52 RECORDS, DOCUMENTARY EVIDENCE, OR MATERIALS IF SO ORDERED; OR
53 TO GIVE EVIDENCE TOUCHING THE MATTER UNDER INVESTIGATION OR IN
54 QUESTION. FAILURE TO OBEY THE ORDER OF THE COURT MAY BE PUNISHED
55 BY THE COURT AS A CONTEMPT OF COURT."

56

1 Page 113, after line 11, insert the following:

2
3 "SECTION 118. 12-64-110 (1), (2), and (4) (a), Colorado
4 Revised Statutes, are amended to read:

5
6 **12-64-110. License renewal.** (1) ~~All licenses shall expire in~~
7 ~~accordance with the provisions of section 24-34-102 (8), C.R.S., but may~~
8 ~~be renewed by registration with the board and payment of the registration~~
9 ~~renewal fee established, pursuant to section 24-34-105, C.R.S., by the~~
10 ~~board. The department of regulatory agencies shall mail a notice to each~~
11 ~~licensed veterinarian that his license will expire and provide him with a~~
12 ~~form for renewal of registration.~~

13
14 (2) (a) ~~Any person who practices veterinary medicine after the~~
15 ~~expiration of his license and willfully or by neglect fails to renew such~~
16 ~~license shall be practicing in violation of this article, but any person may~~
17 ~~renew an expired license within three years after the date of its expiration~~
18 ~~by making written application for renewal, providing satisfactory proof~~
19 ~~of the completion of all delinquent continuing education requirements,~~
20 ~~and paying the current renewal fee, all delinquent renewal fees, plus a~~
21 ~~delinquency fee as established by the board. The board may refuse to~~
22 ~~reinstate any license which has expired for conduct which constitutes a~~
23 ~~violation of the provisions of section 12-64-111.~~

24
25 (b) ~~If a licensee has allowed his or her license to expire for a~~
26 ~~period longer than three years, such licensee may be reinstated to an~~
27 ~~active status by making written application for reinstatement, retaking the~~
28 ~~national exam, and paying the current renewal fee, all delinquent renewal~~
29 ~~fees, plus a delinquency fee as established by the board. ALL LICENSES~~
30 ~~SHALL BE RENEWED OR REINSTATED PURSUANT TO A SCHEDULE~~
31 ~~ESTABLISHED BY THE DIRECTOR OF THE DIVISION OF REGISTRATIONS~~
32 ~~WITHIN THE DEPARTMENT OF REGULATORY AGENCIES AND SHALL BE~~
33 ~~RENEWED OR REINSTATED PURSUANT TO SECTION 24-34-102 (8), C.R.S.~~
34 ~~THE DIRECTOR OF THE DIVISION OF REGISTRATIONS WITHIN THE~~
35 ~~DEPARTMENT OF REGULATORY AGENCIES MAY ESTABLISH RENEWAL FEES~~
36 ~~AND DELINQUENCY FEES FOR REINSTATEMENT PURSUANT TO SECTION~~
37 ~~24-34-105, C.R.S. IF A PERSON FAILS TO RENEW HIS OR HER LICENSE~~
38 ~~PURSUANT TO THE SCHEDULE ESTABLISHED BY THE DIRECTOR OF THE~~
39 ~~DIVISION OF REGISTRATIONS, SUCH LICENSE SHALL EXPIRE. ANY PERSON~~
40 ~~WHOSE LICENSE HAS EXPIRED SHALL BE SUBJECT TO THE PENALTIES~~
41 ~~PROVIDED IN THIS ARTICLE OR SECTION 24-34-102 (8), C.R.S.~~

42
43 (4) (a) In order to obtain license renewal, each licensee, except as
44 otherwise provided, shall be required to complete a board-approved
45 veterinary continuing educational program of at least thirty-two hours
46 biennially, which courses may be taken at any time during the period of
47 licensure, AND SHALL PROVIDE SATISFACTORY PROOF OF THE COMPLETION
48 OF ALL DELINQUENT CONTINUING EDUCATION REQUIREMENTS. The board
49 may, for good cause shown, prescribe the type and character of
50 continuing education courses to be taken by any doctor of veterinary
51 medicine in order to comply with the requirements of this article."

52
53 Renumber succeeding sections accordingly.

54
55 Page 113, strike line 13 and substitute the following:

56

1 "Statutes, are amended, and the said 12-64-111 is further amended BY
2 THE ADDITION OF A NEW SUBSECTION, to read:".

3
4 Page 114, line 6, strike "THIRTY" and substitute "TWENTY";

5
6 line 7, strike "THE DATE ON WHICH THE LETTER WAS MAILED," and
7 substitute "RECEIPT OF THE LETTER,";

8
9 after line 19, insert the following:

10
11 "(5) WHEN A COMPLAINT OR AN INVESTIGATION DISCLOSES AN
12 INSTANCE OF MISCONDUCT THAT, IN THE OPINION OF THE BOARD,
13 WARRANTS FORMAL ACTION, THE COMPLAINT SHALL NOT BE RESOLVED BY
14 A DEFERRED SETTLEMENT, ACTION, JUDGMENT, OR PROSECUTION.".

15
16 Page 116, line 14, after "DISCRETION", insert "AND PURSUANT TO THE
17 AUTHORITY";

18
19 strike line 24 and substitute the following:

20
21 "PURSUANT TO THE AUTHORITY OF THE DIRECTOR, THE LICENSING BOARD
22 OR COMMISSION MAY IMPOSE".

23
24 Page 117, line 5, strike "THE" and substitute "PURSUANT TO THE
25 AUTHORITY OF THE";

26
27 line 6, strike "LICENSING BOARD," and substitute "THE LICENSING BOARD";

28
29 line 21, strike the second "OR";

30
31 strike line 25 and substitute the following:

32
33 "THE AUTHORITY TO ACQUIRE; OR

34
35 (F) OTHER PROFESSIONAL STANDARDS OR MEASURES OF
36 CONTINUED COMPETENCY AS DETERMINED BY THE DIRECTOR, LICENSING
37 BOARD, OR COMMISSION.".

38
39 Page 118, before line 7, insert the following:

40
41 "SECTION 121. 24-34-101, Colorado Revised Statutes, is
42 amended BY THE ADDITION OF THE FOLLOWING NEW
43 SUBSECTIONS to read:

44
45 **24-34-101. Department created - executive director.** (5) THE
46 EXECUTIVE DIRECTOR SHALL HAVE THE AUTHORITY TO ACCEPT AND
47 EXPEND GIFTS, GRANTS, AND DONATIONS FOR THE PURPOSES OF
48 IMPLEMENTING AND ADMINISTERING THE PROVISIONS IN SECTION 24-4-103
49 (2.5).

50
51 (6) THE EXECUTIVE DIRECTOR MAY CONTRACT PURSUANT TO PART
52 5 OF ARTICLE 50 OF TITLE 24, C.R.S., WITH A PERSON, CORPORATION, OR
53 ENTITY HAVING TECHNICAL OR SUBJECT MATTER EXPERTISE OR SKILL AND
54 EXPERIENCE TO DEVELOP, IMPLEMENT, AND ADMINISTER THE LICENSING
55 AND EXAMINATION FUNCTIONS OF THE DIVISION OF REGISTRATIONS WHEN
56 THE EXECUTIVE DIRECTOR DETERMINES THAT THE DIVISION OF

1 REGISTRATIONS IS WITHOUT SUFFICIENT TECHNICAL EXPERTISE TO
2 PERFORM SUCH LICENSING AND EXAMINATION FUNCTIONS.

3
4 **SECTION 122.** 25-5-706 (2) (b), Colorado Revised Statutes, is
5 amended to read:

6
7 **25-5-706. Disciplinary action - administrative sanctions -**
8 **grounds.** (2) Disciplinary action of the board may be imposed as an
9 alternative to or in conjunction with the issuance of orders or the pursuit
10 of other remedies provided by section 25-5-707 or 25-5-716, and may
11 consist of any of the following:

12
13 ~~(b) (I) Issuance of a letter of admonition to an area operator,~~
14 ~~which may be issued based on any of the disciplinary grounds specified~~
15 ~~in this part 7 without the necessity of a hearing as might otherwise be~~
16 ~~required under section 25-5-708. The letter of admonition shall be sent~~
17 ~~to the area operator by certified mail and shall advise the area operator~~
18 ~~that the area operator may, within twenty days after receipt of the letter,~~
19 ~~make a written request to the board to institute formal disciplinary~~
20 ~~proceedings in accordance with section 25-5-708 to formally adjudicate~~
21 ~~the conduct upon which the letter was based. WHEN A COMPLAINT OR~~
22 ~~INVESTIGATION DISCLOSES AN INSTANCE OF MISCONDUCT THAT, IN THE~~
23 ~~OPINION OF THE BOARD, DOES NOT WARRANT FORMAL ACTION BY THE~~
24 ~~BOARD BUT THAT SHOULD NOT BE DISMISSED AS BEING WITHOUT MERIT,~~
25 ~~ISSUANCE AND SENDING OF A LETTER OF ADMONITION, BY CERTIFIED MAIL,~~
26 ~~TO THE AREA OPERATOR.~~

27
28 (II) WHEN A LETTER OF ADMONITION IS SENT BY THE BOARD, BY
29 CERTIFIED MAIL, TO AN AREA OPERATOR, SUCH AREA OPERATOR SHALL BE
30 ADVISED THAT HE OR SHE HAS THE RIGHT TO REQUEST IN WRITING, WITHIN
31 TWENTY DAYS AFTER RECEIPT OF THE LETTER, THAT FORMAL DISCIPLINARY
32 PROCEEDINGS BE INITIATED TO ADJUDICATE THE PROPRIETY OF THE
33 CONDUCT UPON WHICH THE LETTER OF ADMONITION IS BASED.

34
35 (III) IF THE REQUEST FOR ADJUDICATION IS TIMELY MADE, THE
36 LETTER OF ADMONITION SHALL BE DEEMED VACATED AND THE MATTER
37 SHALL BE PROCESSED BY MEANS OF FORMAL DISCIPLINARY PROCEEDINGS.

38
39 **SECTION 123.** The introductory portion to 12-35-129 (1),
40 Colorado Revised Statutes, as amended by House Bill 04-1102, enacted
41 at the Second Regular Session of the Sixty-fourth General Assembly, is
42 amended, and the said 12-35-129 is further amended BY THE
43 ADDITION OF A NEW SUBSECTION, to read:

44
45 **12-35-129. Causes for denial of issuance or renewal -**
46 **suspension or revocation of licenses - other disciplinary action -**
47 **unprofessional conduct defined - disciplinary panels.** (1) The board
48 may deny the issuance or renewal of, suspend for a specified time period,
49 or revoke any license provided for by this article or may reprimand,
50 censure, or place on probation any licensed dentist or dental hygienist
51 after notice and hearing, which may be conducted by an administrative
52 law judge, pursuant to the provisions of article 4 of title 24, C.R.S., or it
53 may issue a letter of admonition without a hearing by certified mail
54 (except that any licensed dentist or dental hygienist to whom such a letter
55 of admonition is sent may, within ~~thirty~~ TWENTY days after the date of the
56 ~~mailing of such~~ RECEIPT OF THE letter, by the board, request in writing to

1 the board a formal hearing thereon, and the letter of admonition shall be
2 deemed vacated, and the board shall, upon such request, hold such a
3 hearing) for any of the following causes:

4
5 (13) WHEN A COMPLAINT OR AN INVESTIGATION DISCLOSES AN
6 INSTANCE OF MISCONDUCT THAT, IN THE OPINION OF THE BOARD,
7 WARRANTS FORMAL ACTION, THE COMPLAINT SHALL NOT BE RESOLVED BY
8 A DEFERRED SETTLEMENT, ACTION, JUDGMENT, OR PROSECUTION.";

9
10 Renumber succeeding section accordingly.

11
12 Page 118, after line 21, insert the following:

13
14 "(3) (a) (I) Sections 47, 48, 49, 50, 51, 52, 53, and 54 shall only
15 take effect if House Bill 04-1115 is enacted and becomes law.

16
17 (II) Sections 37, 38, 39, 42, 43, and 44, shall not take effect if
18 House Bill 04-1115 is enacted and becomes law.

19
20 (b) (I) Sections 108 and 109 shall only take effect if House Bill
21 04-1215 is enacted and becomes law.

22
23 (II) Section 107 shall not take effect if House Bill 04-1215 is
24 enacted and becomes law.

25
26 (c) (I) Section 80 shall only take effect January 1, 2005, if House
27 Bill 04-129 is enacted and becomes law.

28
29 (II) Section 79 shall not take effect January 1, 2005, if House Bill
30 04-129 is enacted and becomes law.

31
32 (d) Section 123 shall only take effect if House Bill 04-1102 is
33 enacted and becomes law."

34
35
36 **SB04-094** be amended as follows, and as so amended, be referred to
37 the Committee of the Whole with favorable
38 recommendation:

39
40 Amend reengrossed bill, page 2, strike lines 2 and 3 and substitute the
41 following:

42
43 "SECTION 1. The introductory portion to 10-16-105 (7.2),
44 10-16-105 (7.2) (b) (II), (7.3) (c) (II), and (7.3) (c) (III), Colorado
45 Revised Statutes, are amended to read:";

46
47 line 11, strike "approximates the lowest" and substitute "approximates the
48 lowest";

49
50 strike line 12 and substitute the following:

51 "~~level of coverage offered in small group health benefit plans~~ QUALIFIES
52 AS A HIGH DEDUCTIBLE PLAN AND IS ELIGIBLE FOR A HEALTH SAVINGS
53 ACCOUNT PURSUANT TO 26 U.S.C. SEC. 223 and shall";

54
55 Page 7, line 7, strike "July 1, 2004," and substitute "January 1, 2004,".
56

1 **FINANCE**

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

4
5 **SB04-059** be referred favorably to the Committee on Appropriations.
6
7
8
9

10 **STATE, VETERANS, & MILITARY AFFAIRS**

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

13
14 **HB04-1371** be postponed indefinitely.
15
16
17

18
19 **REPORT FROM THE SENATE AND HOUSE**
20 **COMMITTEES ON DELAYED BILLS**
21

22 Pursuant to Joint Rule 23 (c), the House and Senate Committees on
23 Delayed Bills, acting jointly, extend the following deadlines for the Long
24 Appropriation Bill:
25

26 The Monday, March 22 deadline (the 76th legislative day) for introduction
27 of the Long Appropriation Bill in the House is extended until Monday,
28 *March 29, 2004 (the 83rd legislative day).
29

30 The Friday, March 26 deadline (the 80th legislative day) for final passage
31 of the Long Appropriation Bill in the House is extended until Friday,
32 April 2, 2004 (the 87th legislative day).
33

34 The Friday, April 2 deadline (the 87th legislative day) for final passage of
35 the Long Appropriation Bill in the Senate is extended until Monday,
36 April 12, 2004 (the 97th legislative day).
37

38 The Friday, April 9 deadline (the 94th legislative day) for adoption of the
39 conference committee report on the Long Appropriation Bill is extended
40 until Friday, April 16, 2004 (the 101st legislative day).
41

42 This memorandum shall be printed in the journal of each house as is
43 required by said Joint Rule 23(c).
44

45 (signed)	(signed)
46 Lola Spradley	John Andrews
47 Keith King	Mark Hillman
48 Andrew Romanoff	Joan Fitz-Gerald

49
50
51
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53

PRINTING REPORT

The Chief Clerk reports the following bills have been correctly printed:
HB04-1405; HCR04-1009.

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

The Speaker has signed: **HJR04-1030.**

MESSAGES FROM THE SENATE

Madam Speaker:

The Senate has adopted and returns herewith: HJR04-1030.

The Senate has postponed indefinitely HB04-1243. The bill is returned herewith.

The Senate has postponed indefinitely HB04-1175. The bill is returned herewith.

The Senate has passed on Third Reading and returns herewith HB04-1343, 1151, 1039, 1305.

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

SB04-114, amended as printed in Senate Journal, March 18, 2004, page 559,

HB04-1114, amended as printed in Senate Journal, March 18, 2004, page 557,

HB04-1341, amended as printed in Senate Journal, March 15, 2004, page 527, in Senate Journal, March 18, page 557, and on Third Reading, in Senate Journal, March 19,

HB04-1264, amended as printed in Senate Journal, March 18, 2004, page 557,

HB04-1241, amended as printed in Senate Journal, March 18, 2004, page 558

HB04-1357, amended as printed in Senate Journal, March 18, 2004, page 558,

HB04-1265, amended as printed in Senate Journal, March 18, 2004, page 558,

HB04-1267, amended as printed in Senate Journal, March 18, 2004, page 559.

MESSAGE FROM THE REVISOR

We herewith transmit:

Without comment, as amended, HB04-1341, 1114, 1264, 1241, 1357, 1265, and 1267.

Without comment, as amended, SB04-114.

INTRODUCTION OF BILLS

First Reading

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

HB04-1405 by Representative(s) Spradley, King, Romanoff; also Senator(s) Andrews, Fitz-Gerald, Grossman, Veiga-- Concerning the power of the Colorado educational and cultural facilities authority to enter into additional financing agreements.

Committee on Education

HB04-1406 by Representative(s) Clapp; also Senator(s) Johnson S.-- Concerning notification to the public of professional malpractice judgments by the state board of medical examiners.

Committee on Health, Environment, Welfare, & Institutions

INTRODUCTION OF RESOLUTION

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

HCR04-1009 by Representative(s) King, Spradley; also Senator(s) Hillman, Andrews--Submitting to the registered electors of the state of Colorado amendments to articles IX and X of the constitution of the state of Colorado, concerning modification of constitutional restrictions that limit the ability of the state legislature to balance competing spending priorities in response to changing levels of state revenues, and, in connection therewith, reducing constitutional public education funding growth requirements by fifty percent for state fiscal years 2005-06 and 2006-07 and, in response to revenue shortfalls only, by fifty percent for subsequent state fiscal years; eliminating the requirement that the state reserve three percent of its fiscal year spending for emergency use only; modifying the manner in which the constitutional limitation on state fiscal year spending is calculated for years in which there are revenue shortfalls; requiring the state to retain up to three hundred fifty million dollars, adjusted annually for inflation and state population changes, of revenues in excess of the constitutional limitation on state fiscal year spending; allowing excess state revenues retained to be used only to augment the state general fund and the state education fund, to fund a newly created state rainy day fund, and to fund the property tax exemption for qualifying seniors; and allowing the general assembly, by a two-thirds vote of the members of each house, to expend moneys from the state rainy day fund in the fiscal year following a revenue shortfall.

Committee on Finance

LAY OVER OF CALENDAR ITEMS

On motion of Representative King, the following items on the Calendar were laid over until March 22, retaining place on Calendar:

Consideration of Special Orders--**HB04-1257, 1315, 1355, SB04-095, HB04-1382.**

Consideration of General Orders--**HB03-1221, 1279, SB04-185, 120, HB04-1014, SB04-040, HB04-1375, SB04-017, 057, 088, 137, 115, 020, 187, 195.**

Consideration of Resolutions--**HJR04-1012, 1013, 1018, SJR04-015, HJR04-1010, 1034, 1035, SJR04-023, 024.**

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

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

On motion of Representative King, the House adjourned until 10:00 a.m., March 22, 2004.

Approved:

LOLA SPRADLEY,
Speaker

Attest:

JUDITH RODRIGUE,
Chief Clerk