

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

Fifty-sixth Legislative Day

Tuesday, March 2, 2004

- 1 Prayer by the Rabbi Ralph Messer, Simchat Torah, Parker.
 2
 3 The Speaker called the House to order at 9:00 a.m.
 4
 5 Pledge of Allegiance led by Speaker Spradley.
 6
 7 The roll was called with the following result:
 8
 9 Present--63.
 10 Excused--Representatives Coleman, Madden--2.
 11 Present after roll call--Representatives Coleman, Madden.
 12
 13 The Speaker declared a quorum present.
 14
 15
 16 On motion of Representative Paccione, the reading of the journal of
 17 March 1, 2004, was declared dispensed with and approved as corrected
 18 by the Chief Clerk.
 19
 20
 21
 22 **THIRD READING OF BILLS--FINAL PASSAGE**
 23
 24 The following bills were considered on Third Reading. The titles were
 25 publicly read. Reading of the bill at length was dispensed with by
 26 unanimous consent.
 27
 28 **HB04-1083** by Representative(s) Sinclair; also Senator(s) Jones--
 29 Concerning termination of child support obligations based
 30 upon DNA evidence of nonparentage.
 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	33	NO	32	EXCUSED	00	ABSENT	00
38	Berry	Y	Garcia	N	McCluskey	Y	Sinclair	Y
39	Borodkin	N	Hall	Y	McFadyen	N	Smith	N
40	Boyd	N	Harvey	Y	McGihon	N	Spence	Y
41	Briggs	Y	Hefley	Y	Merrifield	N	Stafford	Y
42	Brophy	N	Hodge	N	Miller	Y	Stengel	N
43	Butcher	N	Hoppe	Y	Mitchell	N	Tochtrop	N

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

12 Co-sponsors added: Representatives Cadman, Crane, Decker, Harvey, May,
13 Miller, Rose, Schultheis, Welker.

14
15 **SB04-127** by Senator(s) Veiga; also Representative(s) Carroll--
16 Concerning prohibited conduct of notaries public.
17

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

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

22	YES	65	NO	00	EXCUSED	00	ABSENT	00
23	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
24	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
25	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
26	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
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	Y
31	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
32	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
33	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
34	Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y
35	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
36	Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
37	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
38	Frangas	Y	May	Y	Schultheis	Y	Young	Y
39							Speaker	Y

40 Co-sponsors added: Representatives Cloer, Coleman, Ragsdale, Romanoff,
41 Spence, Stengel, Vigil.

42
43
44 **SB04-110** by Senator(s) Cairns; also Representative(s) Frangas--
45 Concerning a prohibition against transporting uncovered
46 trash upon the highway.
47

48 The question being "Shall the bill 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 bill
51 was declared **passed**.

52	YES	64	NO	01	EXCUSED	00	ABSENT	00
53	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
54	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
55	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y

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

15 Co-sponsors added: Representatives Berry, Borodkin, Boyd, Butcher, Carroll,
 16 Coleman, Garcia, Madden, Marshall, Ragsdale, Romanoff, Sinclair, Spence,
 17 Stafford, Vigil, Weddig, Williams S.

18

19 **SB04-128** by Senator(s) Nichol; also Representative(s) Sinclair--
 20 Concerning administration of the laws regulating persons
 21 who sell interests in motor vehicles.

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

28	YES	64	NO	01	EXCUSED	00	ABSENT	00
29	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
30	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
31	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
32	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
33	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
34	Butcher	Y	Hoppe	Y	Mitchell	Y	Toch trop	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	N
38	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
39	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
40	Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y
41	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
42	Decker	Y	Madden	Y	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 Co-sponsors added: Representatives Carroll, McFadyen.

47

48 **HCR04-1004** by Representative(s) Spradley, Cloer, Williams T., Berry,
 49 Boyd, Briggs, Butcher, Carroll, Coleman, Fairbank,
 50 Hodge, Jahn, King, McFadyen, Paccione, Pommer, Rippy,
 51 Rose, Salazar, Schultheis, Spence, Stengel, Weissmann,
 52 Welker, White, Wiens, Young; also Senator(s) Johnson S.,
 53 Kester, Phillips, Andrews, Arnold, Entz, Gordon, Groff,
 54 Grossman, Hagedorn, Hanna, Jones, Keller, Owen,
 55 Reeves, Sandoval, Teck, Tupa, Veiga--Submitting to the
 56 registered electors of the state of Colorado an amendment

1 to section 20 (2) (d) of article X of the constitution of the
 2 state of Colorado, concerning the inclusion within the
 3 definition of "enterprise" state institutions of higher
 4 education that are designated by the general assembly as
 5 enterprises, and, in connection therewith, specifying that
 6 the general assembly retains its authority to authorize
 7 tuition spending authority for the governing board of the
 8 state institution of higher education that is designated as
 9 an enterprise.

10

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

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

15

	YES	58	NO	07	EXCUSED	00	ABSENT	00
17	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
18	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	N
19	Boyd	Y	Harvey	N	McGihon	Y	Spence	Y
20	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
21	Brophy	N	Hodge	Y	Miller	Y	Stengel	Y
22	Butcher	Y	Hoppe	Y	Mitchell	Y	Toch trop	Y
23	Cadman	N	Jahn	Y	Paccione	Y	Vigil	Y
24	Carroll	Y	Johnson	N	Plant	Y	Weddig	Y
25	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
26	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
27	Cloer	Y	Larson	Y	Rhodes	N	White	Y
28	Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y
29	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
30	Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
31	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
32	Frangas	Y	May	Y	Schlutheis	N	Young	Y
33							Speaker	Y

34 Co-sponsors added: Representatives Borodkin, Frangas, Garcia, Hoppe,
 35 Madden, McCluskey, Miller, Rose, Stafford, Weddig.

36 Representative Schultheis requested his name be removed as sponsor.

37

38

39 **SB04-009** by Senator(s) Taylor, Anderson, Takis, Tupa; also
 40 Representative(s) Vigil, Coleman, Rhodes, Williams T.--
 41 Concerning the repeal of the requirement that the
 42 Colorado state fair authority not accept contributions from
 43 nonstate entities in any budget year that the authority
 44 would qualify as an enterprise under section 20 of article
 45 X of the state constitution that would cause the authority
 46 to receive more than ten percent of its annual revenues
 47 from all Colorado state and local governments combined.

48

49 Representative Butcher requested permission to offer a Third Reading
 50 amendment.

51

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

55

	YES	14	NO	51	EXCUSED	00	ABSENT	00
2	Berry	N	Garcia	N	McCluskey	N	Sinclair	Y
3	Borodkin	N	Hall	N	McFadyen	N	Smith	N
4	Boyd	N	Harvey	N	McGihon	N	Spence	N
5	Briggs	N	Hefley	N	Merrifield	N	Stafford	N
6	Brophy	N	Hodge	N	Miller	N	Stengel	N
7	Butcher	Y	Hoppe	Y	Mitchell	N	Toch trop	N
8	Cadman	Y	Jahn	N	Paccione	N	Vigil	Y
9	Carroll	N	Johnson	N	Plant	N	Weddig	N
10	Cerbo	N	Judd	N	Pommer	N	Weissmann	N
11	Clapp	N	King	N	Ragsdale	N	Welker	N
12	Cloer	Y	Larson	N	Rhodes	Y	White	Y
13	Coleman	N	Lee	Y	Rippy	N	Wiens	N
14	Crane	Y	Lundberg	N	Romanoff	N	Williams S.	Y
15	Decker	N	Madden	N	Rose	N	Williams T.	N
16	Fairbank	N	Marshall	Y	Salazar	Y	Witwer	N
17	Frangas	N	May	Y	Schultheis	N	Young	N
18							Speaker	N

19 As shown by the following roll call vote, less than a majority of all
 20 members elected to the House voted in the affirmative, and
 21 Representative Butcher was denied permission to offer a Third Reading
 22 amendment:

	YES	16	NO	49	EXCUSED	00	ABSENT	00
26	Berry	N	Garcia	N	McCluskey	N	Sinclair	N
27	Borodkin	N	Hall	N	McFadyen	Y	Smith	Y
28	Boyd	N	Harvey	Y	McGihon	N	Spence	N
29	Briggs	Y	Hefley	N	Merrifield	Y	Stafford	N
30	Brophy	N	Hodge	N	Miller	N	Stengel	N
31	Butcher	Y	Hoppe	Y	Mitchell	N	Toch trop	N
32	Cadman	N	Jahn	N	Paccione	N	Vigil	N
33	Carroll	N	Johnson	N	Plant	N	Weddig	Y
34	Cerbo	N	Judd	N	Pommer	N	Weissmann	N
35	Clapp	N	King	N	Ragsdale	Y	Welker	N
36	Cloer	Y	Larson	N	Rhodes	N	White	Y
37	Coleman	N	Lee	N	Rippy	N	Wiens	N
38	Crane	Y	Lundberg	N	Romanoff	N	Williams S.	N
39	Decker	N	Madden	N	Rose	N	Williams T.	N
40	Fairbank	N	Marshall	Y	Salazar	Y	Witwer	N
41	Frangas	N	May	Y	Schultheis	N	Young	N
42							Speaker	Y

43 Representative Lundberg requested permission to offer a Third Reading
 44 amendment.

45 As shown by the following roll call vote, less than a majority of all
 46 members elected to the House voted in the affirmative, and
 47 Representative Lundberg was denied permission to offer a Third Reading
 48 amendment:

	YES	12	NO	53	EXCUSED	00	ABSENT	00
53	Berry		Garcia		McCluskey		Sinclair	
54	Borodkin		Hall		McFadyen		Smith	
55	Boyd		Harvey		McGihon		Spence	
56	Briggs		Hefley		Merrifield		Stafford	

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

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 **passed**.

19

20	YES	65	NO	00	EXCUSED	00	ABSENT	00
21	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
22	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
23	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
24	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
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	Y	Wiens	Y
33	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
34	Decker	Y	Madden	Y	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-sponsors added: Representatives Butcher, Carroll, Cerbo, Frangas, Hefley,
39 Hoppe, McFadyen, McGihon, Merrifield, Miller, Plant, Pommer, Ragsdale,
40 Salazar, Stafford, Stengel, Speaker.

41

42 **SB04-013** by Senator(s) Entz, Dyer, Isgar, Tapia, Taylor; also
43 Representative(s) Hoppe, Miller, Rippy, Salazar, White--
44 Concerning senate confirmation of membership of certain
45 boards involved with water resources.

46

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

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

51

52	YES	65	NO	00	EXCUSED	00	ABSENT	00
53	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
54	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
55	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
56	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y

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	Y	Wiens	Y
9	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
10	Decker	Y	Madden	Y	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 Co-sponsors added: Representatives Hall, Madden, Rose, Smith, Wiens.

15

16 **SB04-022** by Senator(s) Owen; also Representative(s) Williams T.--
17 Concerning enactment of the "Interstate Insurance Product
18 Regulation Compact".

19

20 The question being "Shall the bill pass?"

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

24

25	YES	63	NO	02	EXCUSED	00	ABSENT	00
26	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
27	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
28	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
29	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
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	N
35	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
36	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
37	Coleman	N	Lee	Y	Rippy	Y	Wiens	Y
38	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
39	Decker	Y	Madden	Y	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 Co-sponsors added: Representatives Hoppe, Young.

44

45 **SB04-023** by Senator(s) McElhany; also Representative(s) Harvey--
46 Concerning the exclusion of certain payments made by an
47 employer to an employee for the purpose of supplementing
48 unemployment benefits from the definition of "wages"
49 under the "Colorado Employment Security Act".

50

51 The question being "Shall the bill pass?"

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

55

1	YES	63	NO	02	EXCUSED	00	ABSENT	00
2	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
3	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
4	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
5	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
6	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
7	Butcher	N	Hoppe	Y	Mitchell	Y	Toch trop	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	N	Lee	Y	Rippy	Y	Wiens	Y
14	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
15	Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
16	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
17	Frangas	Y	May	Y	Schlutheis	Y	Young	Y
18							Speaker	Y

19 Co-sponsors added: Representatives Frangas, Ragsdale, Weddig.

20
21 **SB04-116** by Senator(s) Jones; also Representative(s) McCluskey--
22 Concerning rate-making in workers' compensation cases,
23 and, in connection therewith, setting the effective date of
24 workers' compensation insurance and medical benefit
25 rates.

26
27 The question being "Shall the bill pass?"

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

31	YES	65	NO	00	EXCUSED	00	ABSENT	00
32	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
33	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
34	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
35	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
36	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
37	Butcher	Y	Hoppe	Y	Mitchell	Y	Toch trop	Y
38	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
39	Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
40	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
41	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
42	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
43	Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y
44	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
45	Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
46	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
47	Frangas	Y	May	Y	Schlutheis	Y	Young	Y
48							Speaker	Y

50 Co-sponsors added: Representative Hall

51
52
53
54
55
56

REPORTS OF COMMITTEES OF REFERENCE**EDUCATION**

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

HB04-1260 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Amend printed bill, page 2, line 4, strike "(a)";

line 8, after the period, add "OF THE PUPILS ENROLLED IN A FULL-DAY KINDERGARTEN COMPONENT OF A DISTRICT PRESCHOOL PROGRAM PURSUANT TO SECTION 22-28-104 (1) (a) AND (2) (d) (I) (E), THE DISTRICT SHALL COUNT AND RECEIVE FUNDING ONLY FOR THOSE PUPILS WHO ARE FIVE YEARS OF AGE AS OF SEPTEMBER 1 OF THE APPLICABLE BUDGET YEAR.";

strike lines 9 through 14;

line 19, strike "JULY 1" and substitute "SEPTEMBER 1";

after line 19, insert the following:

"SECTION 2. 22-30.5-104 (6), Colorado Revised Statutes, is amended to read:

22-30.5-104. Charter school - requirements - authority.
(6) Pursuant to contract, a charter school may operate free from specified school district policies and state regulations; except that a charter school shall not, by contract or otherwise, operate free of the AGE-OF-ENTRY REQUIREMENTS SPECIFIED IN SECTION 22-54-103 (9.5) OR (10) (b) (I), OR THE requirements contained in the "Children's Internet Protection Act", article 87 of this title. Pursuant to contract, a local board of education may waive locally imposed school district requirements, without seeking approval of the state board. The state board may waive state statutory requirements or rules promulgated by the state board; except that the state board may not waive any statute or rule relating to the assessments required to be administered pursuant to section 22-7-409, any statute or rule necessary to prepare the school accountability reports pursuant to part 6 of article 7 of this title, ANY STATUTE OR RULE RELATING TO AGE-OF-ENTRY REQUIREMENTS SPECIFIED IN SECTION 22-54-103 (9.5) OR (10) (b) (I), or any statute or rule relating to the "Children's Internet Protection Act", article 87 of this title. Upon request of the charter applicant, the state board and the local board of education shall provide summaries of such regulations and policies to use in preparing a charter school application. The department of education shall prepare the summary of state regulations within existing appropriations. Any waiver of state or local school district regulations made pursuant to this subsection (6) shall be for the term of the charter for which the waiver is made; except that a waiver of state statutes or regulations by the state board shall be subject to review every two years and may be revoked if the waiver is deemed no longer necessary by the state board.

SECTION 3. Effective date - applicability. This act shall take

1 effect July 1, 2005, and shall apply to budget years commencing on or
2 after said date.".

3
4 Rerumber succeeding section accordingly.
5
6
7

8 **HJR04-1019** be postponed indefinitely.
9
10
11
12
13

14 **HEALTH, ENVIRONMENT, WELFARE, & INSTITUTIONS**

15 After consideration on the merits, the Committee recommends the
16 following:
17

18 **HB04-1379** be amended as follows, and as so amended, be referred to
19 the Committee of the Whole with favorable
20 recommendation:
21

22 Amend printed bill, page 2, strike lines 7 through 15.
23

24 Rerumber succeeding sections accordingly.
25
26
27

28 **SB04-014** be referred to the Committee of the Whole with favorable
29 recommendation.
30
31

32 **SB04-051** be referred to the Committee of the Whole with favorable
33 recommendation.
34
35
36

37 **INFORMATION & TECHNOLOGY**

38 After consideration on the merits, the Committee recommends the
39 following:
40

41 **HB04-1142** be postponed indefinitely.
42
43

44 **HB04-1278** be postponed indefinitely.
45
46

47 **HB04-1364** be postponed indefinitely.
48
49

50 **HB04-1367** be referred to the Committee of the Whole with favorable
51 recommendation.
52
53
54
55
56

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

4

5

6

7 On motion of Representative King, the House adjourned until 9:00 a.m.,
8 March 3, 2004.

9

10

11

Approved:

12

13

14

15

LOLA SPRADLEY,

16

Speaker

17

Attest:

18

19 JUDITH RODRIGUE,

20 Chief Clerk