

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

One hundred-eighth Legislative Day Friday, April 23, 2004

1 Prayer by Jennifer Otie, Resident Coordinator, Samaritan House, Denver.

2
3 The Speaker called the House to order at 9:00 a.m.

4
5 Pledge of Allegiance led by Representative Decker.
6

7 The roll was called with the following result:

8
9 Present--62.
10 Excused--Representatives Garcia, McGihon, Williams S--3.
11 Present after roll call--Representatives Garcia, McGihon, Williams S.
12

13 The Speaker declared a quorum present.

14
15
16 On motion of Representative Briggs, the reading of the journal of April
17 22, 2004, was declared dispensed with and approved as corrected by the
18 Chief Clerk.

19
20

THIRD READING OF BILLS--FINAL PASSAGE

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 **HB04-1190** by Representative(s) Romanoff--Concerning economic
28 development incentives, and, in connection therewith,
29 allowing a certified capital company to use proceeds or
30 gains from the use of certified capital to pay taxes passed
31 through to the equity owners of the certified capital
32 company and modifying the circumstances under which a
33 certified capital company may make distributions from
34 certified capital.

35
36 Laid over until April 26, retaining place on Calendar.

37
38 **SB04-153** by Senator(s) Johnson S., Reeves; also Representative(s)
39 McCluskey, Lundberg, Paccione, Welker--Concerning
40 combining polling places, and, in connection therewith,
41 authorizing designated election officials to establish vote
42 centers where any elector registered in the political
43 subdivision may vote.

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

5

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

24 Co-sponsors added: Representatives Briggs, Sinclair, Welker.

25

26 **HB04-1131** by Representative(s) Salazar, McFadyen, Judd, Madden,
 27 Tochtrop, Vigil; also Senator(s) Entz--Concerning the
 28 regulation of seeds.

29

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

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

34

35	YES	60	NO	05	EXCUSED	00	ABSENT	00
36	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
37	Borodkin	Y	Hall	N	McFadyen	Y	Smith	Y
38	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
39	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
40	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
41	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
42	Cadman	N	Jahn	Y	Paccione	Y	Vigil	Y
43	Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
44	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
45	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
46	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
47	Coleman	Y	Lee	N	Rippy	Y	Wiens	Y
48	Crane	Y	Lundberg	N	Romanoff	Y	Williams S.	Y
49	Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
50	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
51	Frangas	Y	May	Y	Schultheis	N	Young	Y
52							Speaker	Y

53 Co-sponsors added: Representatives Coleman, Hodge, Hoppe, Merrifield,
 54 Miller, Ragsdale, Sinclair, Young.

55

1 **HB04-1193** by Representative(s) Fairbank, Jahn; also Senator(s)
 2 Hillman, Veiga--Concerning requirements for operating a
 3 motor vehicle with valid proof of complying insurance.
 4

5 As shown by the following roll call vote, a majority of all members
 6 elected to the House voted in the affirmative, and Representative
 7 Fairbank was given permission to offer a Third Reading amendment:
 8

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

27 **Third Reading amendment No. 1**, by Representative Fairbank.

29 Amend engrossed bill, page 3, after line 22, insert the following:

31 "(e) ALL ADDITIONAL REVENUES GENERATED FROM THE PASSAGE
 32 OF HOUSE BILL 04-1193 ENACTED DURING THE SECOND REGULAR SESSION
 33 OF THE SIXTY-FOURTH GENERAL ASSEMBLY SHALL BE TRANSMITTED TO
 34 THE STATE TREASURER WHO SHALL CREDIT THESE MONEYS TO THE
 35 GENERAL FUND.".

37 Page 4, strike lines 9 through 13.

39 Page 5, line 10, after "cents" insert a period;

41 line 11, strike "Such" and substitute "FIFTY CENTS OF EVERY DOLLAR
 42 COLLECTED FROM THIS";

44 strike line 16 and substitute "THE SIXTY-FOURTH GENERAL ASSEMBLY.
 45 THE REMAINING MONEYS COLLECTED FROM THE FEE SHALL BE
 46 TRANSMITTED TO THE STATE TREASURER WHO SHALL CREDIT THESE
 47 MONEYS TO THE GENERAL FUND. Moneys in the motorist".

49 Page 6, line 15, strike "DOLLARS. FIFTY CENTS OF";

51 strike lines 16 through 25 and substitute the following:

53 "be construed to prevent the court from imposing a fine greater than the
 54 minimum mandatory fine.

56

1 (b) Upon a second or subsequent conviction under this section
 2 within a period of two FIVE years following a prior conviction under this
 3 section, in addition to any imprisonment imposed".
 4

5 The amendment was declared **passed** by the following roll call vote:
 6

	YES	62	NO	03	EXCUSED	00	ABSENT	00
8	Berry	N	Garcia	Y	McCluskey	Y	Sinclair	Y
9	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
10	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
11	Briggs	Y	Hefley	N	Merrifield	Y	Stafford	Y
12	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
13	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
14	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
15	Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
16	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
17	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
18	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
19	Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y
20	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
21	Decker	N	Madden	Y	Rose	Y	Williams T.	Y
22	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
23	Frangas	Y	May	Y	Schultheis	Y	Young	Y
24							Speaker	Y

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

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

	YES	52	NO	13	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	N	Spence	Y
35	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
36	Brophy	N	Hodge	N	Miller	Y	Stengel	Y
37	Butcher	Y	Hoppe	Y	Mitchell	N	Tochtrop	Y
38	Cadman	N	Jahn	Y	Paccione	Y	Vigil	Y
39	Carroll	Y	Johnson	Y	Plant	N	Weddig	Y
40	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	N
41	Clapp	Y	King	N	Ragsdale	N	Welker	Y
42	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
43	Coleman	N	Lee	Y	Rippy	Y	Wiens	Y
44	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
45	Decker	N	Madden	N	Rose	Y	Williams T.	Y
46	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
47	Frangas	Y	May	Y	Schultheis	Y	Young	Y
48							Speaker	N

49 Co-sponsors added: Representatives Frangas, Garcia, Paccione, Weddig.
 50

51 **HB04-1199** by Representative(s) Lee, Briggs, Crane, Hefley, Jahn,
 52 King, Larson, Pommer, Rose, Schultheis, Sinclair, Spence,
 53 Stafford, Welker, Williams S.; also Senator(s) McElhany--
 54 Concerning nonfelony traffic matters involving minors
 55 under the age of eighteen years.
 56

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

5

6	YES	52	NO	13	EXCUSED	00	ABSENT	00
7	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
8	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
9	Boyd	Y	Harvey	Y	McGihon	N	Spence	Y
10	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
11	Brophy	Y	Hodge	N	Miller	Y	Stengel	Y
12	Butcher	Y	Hoppe	Y	Mitchell	Y	Toch trop	Y
13	Cadman	N	Jahn	Y	Paccione	Y	Vigil	Y
14	Carroll	N	Johnson	Y	Plant	Y	Weddig	N
15	Cerbo	N	Judd	Y	Pommer	Y	Weissmann	N
16	Clapp	Y	King	Y	Ragsdale	N	Welker	Y
17	Cloer	N	Larson	Y	Rhodes	Y	White	Y
18	Coleman	N	Lee	Y	Rippy	Y	Wiens	Y
19	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
20	Decker	N	Madden	Y	Rose	Y	Williams T.	N
21	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
22	Frangas	Y	May	Y	Schlutheis	Y	Young	Y
23							Speaker	N

24 Co-sponsor added: Representative Frangas

25

26 **HB04-1424** by Representative(s) Spradley, Young; also Senator(s)
 27 Kester, Johnson S.--Concerning the valuation of
 28 possessory interests of negligible value.

29

30 The question being "Shall the bill pass?"

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

34

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

53 Co-sponsors added: Representatives Brophy, Hoppe, McFadyen, Rose, Stengel,
 54 Vigil.

55

1 **SB04-028** by Senator(s) Hagedorn; also Representative(s) Larson--
 2 Concerning substance abuse treatment for native
 3 Americans, and making an appropriation in connection
 4 therewith.
 5

6 The question being "Shall the bill 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 bill
 9 was declared **passed**.
 10

	YES	57	NO	07	EXCUSED	01	ABSENT	00
12	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
13	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
14	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
15	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
16	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
17	Butcher	Y	Hoppe	Y	Mitchell	Y	Toch trop	Y
18	Cadman	N	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	N
22	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
23	Coleman	Y	Lee	N	Rippy	Y	Wiens	Y
24	Crane	N	Lundberg	N	Romanoff	Y	Williams S.	Y
25	Decker	N	Madden	Y	Rose	Y	Williams T.	Y
26	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
27	Frangas	Y	May	E	Schultheis	N	Young	Y
28							Speaker	Y

29 Representative May excused from voting under House Rule 21(c).
 30 Co-sponsors added: Representatives Borodkin, Boyd, Carroll, Cloer, Coleman,
 31 Frangas, Hodge, Johnson, Madden, Marshall, McGihon, Merrifield, Miller,
 32 Plant, Ragsdale, Rippy, Romanoff, Stafford, Vigil, Weissmann, Williams S.
 33

34 **SB04-032** by Senator(s) Isgar, Taylor, Entz; also Representative(s)
 35 Salazar, Hoppe, Miller, Rippy--Concerning an
 36 authorization for loans of agricultural irrigation water
 37 rights, and making an appropriation in connection
 38 therewith.
 39

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

	YES	65	NO	00	EXCUSED	00	ABSENT	00
46	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
47	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
48	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
49	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
50	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
51	Butcher	Y	Hoppe	Y	Mitchell	Y	Toch trop	Y
52	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
53	Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
54	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
55	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
56	Cloer	Y	Larson	Y	Rhodes	Y	White	Y

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

7 Co-sponsors added: Representatives Briggs, Brophy, Carroll, Coleman, Hefley,
 8 Hodge, Jahn, Johnson, Larson, Madden, Marshall, Plant, Ragsdale, Romanoff,
 9 Stafford, Vigil, Wiens, Young, Speaker.

10
 11 **SB04-097** by Senator(s) McElhany; also Representative(s) Cadman--
 12 Concerning the acquisition of property by the division of
 13 wildlife in El Paso county, and, in connection therewith,
 14 making an appropriation.

15 The question being "Shall the bill 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 bill
 18 was declared **passed**.

YES	56	NO	09	EXCUSED	00	ABSENT	00
Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
Brophy	N	Hodge	Y	Miller	Y	Stengel	Y
Butcher	Y	Hoppe	Y	Mitchell	N	Tochtrop	Y
Cadman	Y	Jahn	Y	Paccione	N	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	N
Cloer	Y	Larson	Y	Rhodes	Y	White	Y
Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y
Crane	Y	Lundberg	N	Romanoff	Y	Williams S.	Y
Decker	N	Madden	Y	Rose	Y	Williams T.	Y
Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
Frangas	Y	May	N	Schultheis	N	Young	Y
						Speaker	N

39 Co-sponsors added: Representatives Cloer, Hefley, Stengel.

40
 41 **SB04-176** by Senator(s) Tupa, Anderson, Takis, Taylor; also
 42 Representative(s) Vigil, Coleman--Concerning the division
 43 of local government's oversight of eligible entities' use of
 44 the conservation trust fund, and making an appropriation
 45 in connection therewith.

46 The question being "Shall the bill 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 bill
 49 was declared **passed**.

YES	56	NO	09	EXCUSED	00	ABSENT	00
Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
Boyd	Y	Harvey	N	McGihon	Y	Spence	Y
Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y

1	Brophy	N	Hodge	Y	Miller	Y	Stengel	Y
2	Butcher	Y	Hoppe	Y	Mitchell	N	Tochtrop	Y
3	Cadman	N	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	N	Larson	Y	Rhodes	N	White	Y
8	Coleman	Y	Lee	N	Rippy	Y	Wiens	Y
9	Crane	N	Lundberg	Y	Romanoff	Y	Williams S.	Y
10	Decker	N	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 Frangas, McGihon, Merrifield, Weddig.

15

16 **HB04-1435** by Representative(s) Mitchell, Carroll, Clapp, Cloer,
 17 Coleman, Hall, McFadyen, Miller, Rippy, Rose,
 18 Schultheis, Spradley; also Senator(s) Johnson S.--
 19 Concerning legislative approval of air quality control
 20 commission action on march 12, 2004, regarding ozone.
 21

22 The question being "Shall the bill pass?"

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

26

27	YES	65	NO	00	EXCUSED	00	ABSENT	00
28	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
29	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
30	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
31	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
32	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
33	Butcher	Y	Hoppe	Y	Mitchell	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	Y	Wiens	Y
40	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
41	Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
42	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
43	Frangas	Y	May	Y	Schultheis	Y	Young	Y
44							Speaker	Y

45 Co-sponsors added: Representatives Borodkin, Boyd, Cadman, Frangas, Hefley,
 46 Larson, Lee, Madden, Marshall, Romanoff, Williams S.

47

48 **HB04-1086** by Representative(s) Spradley, King, Young; also
 49 Senator(s) Teck, Owen--Concerning the structure of the
 50 state system of community colleges.

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**.

56

	YES	57	NO	08	EXCUSED	00	ABSENT	00
2	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
3	Borodkin	N	Hall	Y	McFadyen	Y	Smith	Y
4	Boyd	Y	Harvey	Y	McGihon	N	Spence	Y
5	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
6	Brophy	N	Hodge	N	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	N
10	Cerbo	N	Judd	Y	Pommer	Y	Weissmann	Y
11	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
12	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
13	Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y
14	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
15	Decker	N	Madden	Y	Rose	Y	Williams T.	Y
16	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
17	Frangas	N	May	Y	Schultheis	Y	Young	Y
18							Speaker	Y

19 Co-sponsors added: Representatives Butcher, Jahn, Paccione, Spence, Vigil.

20
21 **SB04-126** by Senator(s) Entz; also Representative(s) Sinclair--
22 Concerning the Colorado division of civil air patrol in the
23 department of military and veterans affairs.

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

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

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

48 Co-sponsors added: Representatives Butcher, Cloer, Coleman, Frangas, Hoppe,
49 Larson, Lee, McFadyen, Miller, Ragsdale, Rippy, Rose, Stafford, Weddig,
50 Wiens.

51

52

53

54

1 **CONSENT GRANTED TO CONFERENCE COMMITTEES**

2

3 Representative Rhodes moved that the First Conference Committee on
 4 **HB04-1115** be granted permission to go beyond the scope of the
 5 difference between the House and the Senate. The motion was passed by
 6 the following roll call vote:

8	YES	65	NO	00	EXCUSED	00	ABSENT	00
9	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
10	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
11	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
12	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
13	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
14	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
15	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
16	Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
17	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
18	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
19	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
20	Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y
21	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
22	Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
23	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
24	Frangas	Y	May	Y	Schultheis	Y	Young	Y
25							Speaker	Y

26

27 Representative McCluskey moved that the First Conference Committee
 28 on **SB04-108** be granted permission to go beyond the scope of the
 29 difference between the House and the Senate. The motion was passed by
 30 the following roll call vote:

33	YES	64	NO	01	EXCUSED	00	ABSENT	00
34	Berry	Y	Garcia	N	McCluskey	Y	Sinclair	Y
35	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
36	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
37	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
38	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
39	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
40	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
41	Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
42	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
43	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
44	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
45	Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y
46	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
47	Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
48	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
49	Frangas	Y	May	Y	Schultheis	Y	Young	Y
50							Speaker	Y

51

52

53

54

1 **MESSAGE FROM THE SENATE**
 2

3 Madam Speaker:

4 The Senate has adopted and transmits herewith: SJR04-051.

5

6 **INTRODUCTION AND CONSIDERATION OF RESOLUTION**

7

8 SJR04-051 by Senator(s) Hanna; also Representative(s) Boyd--
 9 Concerning recognizing Angel Flight West, and, in
 10 connection therewith, celebrating its 21st anniversary.

11

12 On motion of Representative King, the rules were suspended and the
 13 resolution given immediate consideration.

14

15 On motion of Representative Boyd, the resolution was read at length and
 16 adopted by **viva voce** vote.

17

18 Co-sponsors added: Roll Call of the House.

19

20

21 **CONSIDERATION OF RESOLUTION**

22

23 HJR04-1013 by Representative(s) Lundberg, Schultheis, Brophy, Cloer,
 24 Harvey, King, Lee, May M., Rose, Smith, Welker,
 25 Cadman, Clapp, Crane, Decker, Hall, Hefley, Mitchell,
 26 Rhodes, Sinclair, Stafford, Wiens; also Senator(s) Johnson
 27 S., May R., Andrews, Arnold, Cairns, Chlouber, Dyer,
 28 Evans, Hillman, Jones, Lamborn, McElhany, Teck--
 29 Concerning support for the Federal Marriage Amendment.

30

31 (Printed and placed in member's file.)

32

33 Representative Lundberg moved that the resolution be adopted and
 34 requested that it be read at length.

35

36 Amendment No. 1, moved by Representative Lundberg.

37 Amend printed resolution, page 2, line 6, strike "the Federal" and
 38 substitute "an amendment to the United States Constitution which states:
 39 "Marriage in the United States shall consist only of the union of a man
 40 and a woman."";

41

42 strike line 7.

43

44 Less than a majority voted in the affirmative and the amendment was
 45 declared **lost** by the following roll call vote:

46

47	YES	32	NO	32	EXCUSED	00	ABSENT	01
48	Berry	N	Garcia	N	McCluskey	Y	Sinclair	Y
49	Borodkin	N	Hall	Y	McFadyen	N	Smith	Y
50	Boyd	N	Harvey	Y	McGihon	N	Spence	Y
51	Briggs	Y	Hefley	Y	Merrifield	N	Stafford	Y
52	Brophy	Y	Hodge	N	Miller	Y	Stengel	Y
53	Butcher	N	Hoppe	Y	Mitchell	Y	Toch trop	N
54	Cadman	Y	Jahn	N	Paccione	N	Vigil	N
55	Carroll	N	Johnson	N	Plant	N	Weddig	N

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

10
11 Representative Lundberg moved that the resolution be adopted. A
12 substitute motion by Representative Young that **HJR04-1013** be laid over
13 until May 6, 2004 was **adopted** by the following roll call vote:
14

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

33 The resolution was deemed **lost**.
34

35
36 On motion of Representative King, **HB04-1408, SB04-177, HB04-1442,**
37 **SB04-204, 216, 220, 207, HB04-1433, 1438, 1396** were made Special
38 Orders on Friday, April 23, 2004, at 11:22 a.m.
39

40
41 The hour of 11:22 a.m., having arrived, on motion of Representative
42 May, the House resolved itself into Committee of the Whole for
43 consideration of Special Orders and he was called to the Chair to act as
44 Chairman.
45

46
47 **SPECIAL ORDERS--SECOND READING OF BILLS**
48

49 The Committee of the Whole having risen, the Chairman reported the
50 titles of the following bills had been read (reading at length had been
51 dispensed with by unanimous consent), the bills considered and action
52 taken thereon as follows:
53

54 (Amendments to the committee amendment are to the printed committee
55 report which was printed and placed in the members' bill file.)
56

1 **HB04-1408** by Representative(s) Lee, Schultheis, Brophy, Cadman,
2 Clapp, Crane, Fairbank, Harvey, Hefley, King, Lundberg,
3 May M., Mitchell, Rhodes, Rose, Welker, White, Wiens,
4 Witwer; also Senator(s) May R., Cairns, Evans, Hillman,
5 Johnson S., McElhany--Concerning a prohibition against
6 a public employer making a deduction from an employee's
7 wages for a political purpose.
8

9 Ordered engrossed and placed on the Calendar for Third Reading and
10 Final Passage.

11
12 **SB04-177** by Senator(s) Gordon, Arnold, Cairns, Chlouber, Dyer,
13 Entz, Evans, Fitz-Gerald, Groff, Grossman, Hanna,
14 Hillman, Isgar, Johnson S., Jones, Keller, Kester, Phillips,
15 Sandoval, Takis, Tapia, Taylor, Veiga, Windels; also
16 Representative(s) Hefley, Stafford, Pommer, Borodkin,
17 Briggs, Carroll, Coleman, Decker, Frangas, Hodge, Jahn,
18 Judd, Madden, Marshall, McCluskey, McFadyen,
19 McGihon, Miller, Rippy, Romanoff, Rose, Salazar,
20 Stengel, Welker, Tochtrop, Weissmann, White, Williams
21 S.--Concerning home- and community-based services
22 under the state's medicaid program for children with
23 autism.
24

25 Amendment No. 1, Appropriations Report, dated April 16, 2004, and
26 placed in member's bill file; Report also printed in House Journal, April
27 19, pages 1415-1418.

28 Amendment No. 2, by Representative Hefley.

30
31 Amend the Appropriations Committee Report, dated April 16, 2004, page
32 1, strike lines 4 and 5 and substitute the following:
33 ""COMPRISED OF TOBACCO SETTLEMENT MONEYS ALLOCATED TO SUCH
34 FUND. MONEYS IN THE FUND SHALL BE";".
35

36 Page 2 of the committee report, strike lines 33 through 40.
37

38 Strike page 3 of the committee report.
39

40 Page 4 of the committee report, strike lines 1 through 21 and substitute
41 the following:

42 **"SECTION 4. 24-75-1104 (1) (d), Colorado Revised Statutes, is
43 amended to read:**

44
45 **24-75-1104. Use of settlement moneys - programs.** (1) For the
46 2000-01 fiscal year and for each fiscal year thereafter, the following
47 programs shall receive appropriations in the specified amounts from the
48 settlement moneys annually received by the state:
49

50 (d) The tobacco education, prevention, and cessation grant
51 program created in part 8 of article 3.5 of title 25, C.R.S., shall receive
52 fifteen percent of the total amount of settlement moneys annually
53 received by the state LESS ANY AMOUNT NEEDED, UP TO ONE MILLION
54 DOLLARS, TO PAY THE STATE'S SHARE OF THE ANNUAL FUNDING REQUIRED
55 BY THE "HOME- AND COMMUNITY-BASED SERVICES FOR CHILDREN WITH
56 AUTISM ACT", SUBPART 7 OF PART 6 OF ARTICLE 4 OF TITLE 26, C.R.S.,

1 WHICH SHALL BE TRANSFERRED TO THE COLORADO AUTISM TREATMENT
2 FUND BEGINNING IN STATE FISCAL YEAR 2005-06; except that the amount
3 received in any fiscal year FOR BOTH PROGRAMS shall not exceed fifteen
4 million dollars;

5
6 **SECTION 5.** 25-3.5-807 (2) (a), Colorado Revised Statutes, is
7 amended to read:

8
9 **25-3.5-807. Tobacco program fund - created.** (2) (a) Except as
10 otherwise provided in section 24-75-1104 (1) (d), (1.7) (d), or AND (1.8)
11 (a) (III), C.R.S., beginning in fiscal year 2000-01 and for fiscal years
12 thereafter so long as the state receives moneys pursuant to the master
13 settlement agreement, the general assembly shall annually appropriate to
14 the fund fifteen percent of the amount transmitted to the state treasurer
15 pursuant to the provisions of the master settlement agreement, other than
16 attorney fees and costs, during the preceding fiscal year; except that the
17 amount so appropriated to the fund in any fiscal year shall not exceed
18 fifteen million dollars. The general assembly shall appropriate the
19 amount specified in this subsection (2) from moneys credited to the
20 tobacco litigation settlement cash fund created in section 24-22-115,
21 C.R.S.".;

22
23 line 29, strike "Section 4" and substitute "Sections 4 and 5".

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

27
28 **HB04-1442** by Representative(s) Spence, Briggs, Brophy, Cadman,
29 Clapp, Crane, Fairbank, Hall, Harvey, Hefley, Hoppe,
30 King, Lee, Lundberg, May M., McCluskey, Rhodes, Rose,
31 Schultheis, Smith, Spradley, Stafford, Welker, White,
32 Wiens, Williams T., Witwer, Young; also Senator(s)
33 McElhany--Concerning the provision of financial
34 assistance for kindergarten-through-twelfth-grade
35 education to disadvantaged children.

36
37 Amendment No. 1, by Representatives Paccione, Madden.

38
39 Amend printed bill, page 16, line 16, strike "OR DISABILITY;" and
40 substitute "DISABILITY, OR SEX; EXCEPT THAT NOTHING IN THIS
41 PARAGRAPH (b) SHALL BE CONSTRUED TO PROHIBIT A PARTICIPATING
42 NONPUBLIC SCHOOL FROM OFFERING A SINGLE-SEX EDUCATIONAL
43 PROGRAM, CLASS, OR EXTRACURRICULAR ACTIVITY;".

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

47 (For change in action, see Amendments to Report, page 1510.)

48
49 **SB04-204** by Senator(s) Anderson; also Representative(s) Coleman--
50 Concerning the administration of the state-supervised
51 lottery program.

52
53 Amendment No. 1, Business Affairs & Labor Report, dated April 20,
54 2004, and placed in member's bill file; Report also printed in House
55 Journal, April 21, page 1455.

56

1 Amendment No. 1, by Representative Coleman.

2
3 Amend reengrossed bill, page 9, strike line 17 and substitute:

4
5 **"SECTION 7.** 24-35-211 (1) and (2), Colorado Revised Statutes,
6 are";
7

8 strike line 20 and substitute the following:
9

10 **"24-35-211. Audits and annual reports.** (1) The lottery fund
11 shall be audited at least annually by or under the direction of the state
12 auditor, who shall submit a report of the audit to the legislative audit
13 committee. THE ANNUAL AUDIT SHALL INCLUDE COMPLIANCE WITH
14 SECTION THREE OF ARTICLE XXVII OF THE STATE CONSTITUTION. The
15 expenses of the audit shall be paid from the lottery fund.
16

17 (2) The commission and".
18

19 As amended, ordered revised and placed on the Calendar for Third
20 Reading and Final Passage.
21

22 **SB04-220** by Senator(s) Owen; also Representative(s) Stengel--
23 Concerning leveraged leasing agreements involving
24 qualified state capital assets.
25

26 Ordered revised and placed on the Calendar for Third Reading and Final
27 Passage.
28

29 **SB04-207** by Senator(s) Taylor, Johnson S.; also Representative(s)
30 Hoppe--Concerning the welfare of pet animals, and, in
31 connection therewith, authorizing the commissioner of
32 agriculture to deny license renewal to people with unpaid
33 civil penalties pursuant to the "Pet Animal Care and
34 Facilities Act" and reestablishing the pet overpopulation
35 fund voluntary contribution program.
36

37 Ordered revised and placed on the Calendar for Third Reading and Final
38 Passage.
39

40 **HB04-1433** by Representative(s) King, Spence; also Senator(s)
41 Grossman--Concerning the longitudinal measurement of
42 student academic growth.
43

44 Amendment No. 1, Education Report, dated April 21, 2004, and placed
45 in member's bill file; Report also printed in House Journal, April 22,
46 pages 1472-1473.
47

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

51 **HB04-1438** by Representative(s) Stafford; also Senator(s) Johnson S.--
52 Concerning hospital reimbursements under the Colorado
53 indigent care program.
54

1 Amendment No. 1, Health, Environment, Welfare, & Institutions Report,
 2 dated April 21, 2004, and placed in member's bill file; Report also printed
 3 in House Journal, April 21, page 1476.

4
 5 As amended, ordered engrossed and placed on the Calendar for Third
 6 Reading and Final Passage.

7
 8 **HB04-1396** by Representative(s) Clapp, Spradley, Harvey, Mitchell,
 9 Tochtrop--Concerning a limitation on the ability of a local
 10 government to impose a disproportionate public charge
 11 against a particular type of business concern.

12
 13 Declared **lost** on Second Reading.

14
 15 On motion of Representative King, the remainder of the Special Orders
 16 Calendar (**SB04-216**) was laid over until April 26, retaining place on
 17 Calendar.

18
 19
 20
 21 **AMENDMENTS TO THE COMMITTEE OF THE WHOLE REPORT**

22
 23 Representative Clapp moved to amend the Report of the Committee of
 24 the Whole to show that the State, Veterans, and Military Affairs
 25 Committee Report to **HB04-1396**, dated April 22, 2004, did pass, and
 26 that **HB04-1396**, as amended, did pass.

27
 28 The amendment was declared **lost** by the following roll call vote:

30	YES	21	NO	44	EXCUSED	00	ABSENT	00
31	Berry	N	Garcia	N	McCluskey	N	Sinclair	N
32	Borodkin	N	Hall	N	McFadyen	N	Smith	N
33	Boyd	N	Harvey	Y	McGihon	N	Spence	Y
34	Briggs	N	Hefley	Y	Merrifield	N	Stafford	Y
35	Brophy	Y	Hodge	N	Miller	N	Stengel	N
36	Butcher	N	Hoppe	N	Mitchell	Y	Tochtrop	N
37	Cadman	Y	Jahn	N	Paccione	N	Vigil	N
38	Carroll	N	Johnson	N	Plant	N	Weddig	N
39	Cerbo	N	Judd	N	Pommer	N	Weissmann	N
40	Clapp	Y	King	Y	Ragsdale	N	Welker	Y
41	Cloer	Y	Larson	N	Rhodes	Y	White	N
42	Coleman	N	Lee	Y	Rippy	N	Wiens	Y
43	Crane	Y	Lundberg	Y	Romanoff	N	Williams S.	N
44	Decker	N	Madden	N	Rose	N	Williams T.	N
45	Fairbank	Y	Marshall	N	Salazar	N	Witwer	N
46	Frangas	N	May	Y	Schultheis	Y	Young	Y
47							Speaker	Y

48
 49
 50 Representatives Williams S., Berry, and Larson moved to amend the
 51 Report of the Committee of the Whole to show that **HB04-1442**, as
 52 amended, did not pass.

53
 54 The amendment was declared **passed** by the following roll call vote:
 55

	YES	33	NO	32	EXCUSED	00	ABSENT	00
2	Berry	Y	Garcia	Y	McCluskey	N	Sinclair	N
3	Borodkin	Y	Hall	N	McFadyen	Y	Smith	N
4	Boyd	Y	Harvey	N	McGihon	Y	Spence	N
5	Briggs	N	Hefley	N	Merrifield	Y	Stafford	N
6	Brophy	N	Hodge	Y	Miller	Y	Stengel	N
7	Butcher	Y	Hoppe	N	Mitchell	N	Toch trop	Y
8	Cadman	N	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	N	King	N	Ragsdale	Y	Welker	N
12	Cloer	Y	Larson	Y	Rhodes	N	White	N
13	Coleman	Y	Lee	N	Rippy	N	Wiens	N
14	Crane	N	Lundberg	N	Romanoff	Y	Williams S.	Y
15	Decker	Y	Madden	Y	Rose	N	Williams T.	N
16	Fairbank	N	Marshall	Y	Salazar	Y	Witwer	N
17	Frangas	Y	May	N	Schlultheis	N	Young	N
18							Speaker	N

20
ADOPTION OF COMMITTEE OF THE WHOLE REPORT

23 Passed Second Reading: **HB04-1408, SB04-177 amended,**
 24 **SB04-204 amended, 220, 207, HB04-1433 amended, 1438 amended.**

26 Lost on Second Reading: **HB04-1396, 1442 amended.**

28 Laid over until date indicated retaining place on Calendar: **SB04-216--**
 29 April 26, 2004.

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

	YES	61	NO	04	EXCUSED	00	ABSENT	00
37	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
38	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
39	Boyd	Y	Harvey	N	McGihon	Y	Spence	Y
40	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	N
41	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
42	Butcher	Y	Hoppe	Y	Mitchell	Y	Toch trop	Y
43	Cadman	N	Jahn	Y	Paccione	Y	Vigil	Y
44	Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
45	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
46	Clapp	N	King	Y	Ragsdale	Y	Welker	Y
47	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
48	Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y
49	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
50	Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
51	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
52	Frangas	Y	May	Y	Schlultheis	Y	Young	Y
53							Speaker	Y

1 **CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS**
23 **HB04-1121** by Representative(s) Fairbank; also Senator(s) Lamborn--
4 Concerning the treatment under laws regulating campaign
5 finance of contributions to persons involved in the
6 political process.
78 (Amended as printed in Senate Journal, March 26, pages 647-648)
910 Representative Fairbank moved that the House **concur** in Senate
11 amendments. The motion was declared **passed** by the following roll call
12 vote:
13

14	YES	52	NO	12	EXCUSED	01	ABSENT	00
15	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
16	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	N
17	Boyd	Y	Harvey	Y	McGihon	N	Spence	Y
18	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
19	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
20	Butcher	Y	Hoppe	Y	Mitchell	Y	Toch trop	Y
21	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
22	Carroll	N	Johnson	Y	Plant	E	Weddig	N
23	Cerbo	N	Judd	Y	Pommer	N	Weissmann	N
24	Clapp	Y	King	Y	Ragsdale	N	Welker	Y
25	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
26	Coleman	N	Lee	Y	Rippy	Y	Wiens	Y
27	Crane	Y	Lundberg	Y	Romanoff	N	Williams S.	Y
28	Decker	Y	Madden	N	Rose	Y	Williams T.	Y
29	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
30	Frangas	N	May	Y	Schltheis	Y	Young	Y
31							Speaker	Y

32 The question being, "Shall the bill, as amended, 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
35 bill, as amended, was declared **repassed**.
36

37	YES	36	NO	28	EXCUSED	01	ABSENT	00
38	Berry	N	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	Y	Hodge	N	Miller	Y	Stengel	Y
43	Butcher	N	Hoppe	Y	Mitchell	Y	Toch trop	N
44	Cadman	Y	Jahn	Y	Paccione	N	Vigil	N
45	Carroll	N	Johnson	Y	Plant	E	Weddig	N
46	Cerbo	N	Judd	N	Pommer	N	Weissmann	N
47	Clapp	Y	King	Y	Ragsdale	N	Welker	Y
48	Cloer	Y	Larson	N	Rhodes	Y	White	Y
49	Coleman	N	Lee	Y	Rippy	Y	Wiens	Y
50	Crane	Y	Lundberg	Y	Romanoff	N	Williams S.	N
51	Decker	Y	Madden	N	Rose	Y	Williams T.	Y
52	Fairbank	Y	Marshall	N	Salazar	N	Witwer	Y
53	Frangas	N	May	Y	Schltheis	Y	Young	Y
54							Speaker	Y

1 **HB04-1399** by Representative(s) Williams T.; also Senator(s) Kester--
2 Concerning statutory provisions governing limited liability
3 companies contained in title 7 of the Colorado Revised
4 Statutes.
5

6 (Amended as printed in Senate Journal, April 2, pages 710-711)
7

8 Representative Williams T., moved that the House **concur** in Senate
9 amendments. The motion was declared **passed** by the following roll call
10 vote:
11

12	YES	64	NO	00	EXCUSED	01	ABSENT	00
13	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
14	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
15	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
16	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
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	E	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	Y	Wiens	Y
25	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
26	Decker	Y	Madden	Y	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 The question being, "Shall the bill, as amended, pass?".

31 A roll call vote was taken. As shown by the following recorded vote, a
32 majority of those elected to the House voted in the affirmative, and the
33 bill, as amended, was declared **repassed**.
34

36	YES	64	NO	00	EXCUSED	01	ABSENT	00
37	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
38	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
39	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
40	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
41	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
42	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
43	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
44	Carroll	Y	Johnson	Y	Plant	E	Weddig	Y
45	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
46	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
47	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
48	Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y
49	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
50	Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
51	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
52	Frangas	Y	May	Y	Schultheis	Y	Young	Y
53							Speaker	Y

54
55

1 **HB04-1398** by Representative(s) Williams T.; also Senator(s) Dyer--
 2 Concerning statutory provisions governing business
 3 entities contained in title 7 of the Colorado Revised
 4 Statutes.
 5

6 (Amended as printed in Senate Journal, April 19, page 878, and on Third
 7 Reading, as printed in Senate Journal, April 20, pages 905.)
 8

9 Representative Williams T., moved that the House **concur** in Senate
 10 amendments. The motion was declared **passed** by the following roll call
 11 vote:
 12

13	YES	64	NO	00	EXCUSED	01	ABSENT	00
14	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
15	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
16	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
17	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
18	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
19	Butcher	Y	Hoppe	Y	Mitchell	Y	Toch trop	Y
20	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
21	Carroll	Y	Johnson	Y	Plant	E	Weddig	Y
22	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
23	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
24	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
25	Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y
26	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
27	Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
28	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
29	Frangas	Y	May	Y	Schlutheis	Y	Young	Y
30							Speaker	Y

31
 32 The question being, "Shall the bill, as amended, 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
 35 bill, as amended, was declared **repassed**.
 36

37	YES	64	NO	00	EXCUSED	01	ABSENT	00
38	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
39	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
40	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
41	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
42	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
43	Butcher	Y	Hoppe	Y	Mitchell	Y	Toch trop	Y
44	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
45	Carroll	Y	Johnson	Y	Plant	E	Weddig	Y
46	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
47	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
48	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
49	Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y
50	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
51	Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
52	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
53	Frangas	Y	May	Y	Schlutheis	Y	Young	Y
54							Speaker	Y

55

1 **HB04-1420** by Representative(s) Young, Plant, Witwer; also
2 Senator(s) Owen, Reeves, Teck--Concerning the fiscal
3 policy of the state for the 2003-04 state fiscal year in
4 relation to the statutorily required general fund reserve.
5

6 (Amended as printed in Senate Journal, April 7, page 739.)
7

8 Representative Young moved that the House **concur** in Senate
9 amendments. The motion was declared **passed** by the following roll call
10 vote:
11

12	YES	64	NO	00	EXCUSED	01	ABSENT	00
13	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
14	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
15	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
16	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
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	E	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	Y	Wiens	Y
25	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
26	Decker	Y	Madden	Y	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 The question being, "Shall the bill, as amended, pass?".

31 A roll call vote was taken. As shown by the following recorded vote, a
32 majority of those elected to the House voted in the affirmative, and the
33 bill, as amended, was declared **repassed**.
34

36	YES	56	NO	08	EXCUSED	01	ABSENT	00
37	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
38	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
39	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
40	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
41	Brophy	Y	Hodge	Y	Miller	Y	Stengel	N
42	Butcher	Y	Hoppe	Y	Mitchell	N	Tochtrop	Y
43	Cadman	N	Jahn	Y	Paccione	Y	Vigil	Y
44	Carroll	Y	Johnson	Y	Plant	E	Weddig	Y
45	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
46	Clapp	Y	King	Y	Ragsdale	Y	Welker	N
47	Cloer	Y	Larson	Y	Rhodes	N	White	Y
48	Coleman	Y	Lee	N	Rippy	Y	Wiens	Y
49	Crane	Y	Lundberg	N	Romanoff	Y	Williams S.	Y
50	Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
51	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
52	Frangas	Y	May	Y	Schultheis	N	Young	Y
53							Speaker	Y

54
55
56

1 **HB04-1080** by Representative(s) Williams T.; also Senator(s)
 2 Lamborn--Concerning the "Uniform Arbitration Act".
 3

4 (Amended as printed in Senate Journal, April 15, pages 834-835.)
 5

6 Representative Williams T., moved that the House **concur** in Senate
 7 amendments. The motion was declared **passed** by the following roll call
 8 vote:
 9

	YES	63	NO	01	EXCUSED	01	ABSENT	00
11	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
12	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
13	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
14	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
15	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
16	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
17	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
18	Carroll	Y	Johnson	Y	Plant	E	Weddig	Y
19	Cerbo	N	Judd	Y	Pommer	Y	Weissmann	Y
20	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
21	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
22	Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y
23	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
24	Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
25	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
26	Frangas	Y	May	Y	Schultheis	Y	Young	Y
27							Speaker	Y

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

29 A roll call vote was taken. As shown by the following recorded vote, a
 30 majority of those elected to the House voted in the affirmative, and the
 31 bill, as amended, was declared **repassed**.
 32

	YES	62	NO	02	EXCUSED	01	ABSENT	00
35	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
36	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
37	Boyd	Y	Harvey	Y	McGihon	N	Spence	Y
38	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
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	E	Weddig	Y
43	Cerbo	N	Judd	Y	Pommer	Y	Weissmann	Y
44	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
45	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
46	Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y
47	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
48	Decker	Y	Madden	Y	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 **HB04-1367** by Representative(s) Weissmann; also Senator(s) Phillips--
 53 Concerning the exclusion of certain areas located within
 54 the territorial boundaries of a municipality from the area
 55 of a library district.
 56

1 (Amended as printed in Senate Journal, April 15, pages 835-836.)
 2

3 Representative Weissmann moved that the House **concur** in Senate
 4 amendments. The motion was declared **passed** by the following roll call
 5 vote:
 6

7	YES	59	NO	05	EXCUSED	01	ABSENT	00
8	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
9	Borodkin	Y	Hall	N	McFadyen	Y	Smith	Y
10	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
11	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
12	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
13	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
14	Cadman	N	Jahn	Y	Paccione	Y	Vigil	Y
15	Carroll	Y	Johnson	Y	Plant	E	Weddig	Y
16	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
17	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
18	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
19	Coleman	Y	Lee	N	Rippy	Y	Wiens	Y
20	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
21	Decker	Y	Madden	Y	Rose	N	Williams T.	Y
22	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
23	Frangas	Y	May	Y	Schultheis	Y	Young	N
24							Speaker	Y

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

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

30	YES	42	NO	22	EXCUSED	01	ABSENT	00
31	Berry	Y	Garcia	Y	McCluskey	N	Sinclair	Y
32	Borodkin	Y	Hall	N	McFadyen	Y	Smith	Y
33	Boyd	Y	Harvey	N	McGihon	Y	Spence	Y
34	Briggs	Y	Hefley	N	Merrifield	Y	Stafford	Y
35	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
36	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	N
37	Cadman	N	Jahn	Y	Paccione	Y	Vigil	Y
38	Carroll	Y	Johnson	Y	Plant	E	Weddig	Y
39	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
40	Clapp	N	King	N	Ragsdale	N	Welker	N
41	Cloer	N	Larson	Y	Rhodes	N	White	Y
42	Coleman	Y	Lee	N	Rippy	Y	Wiens	N
43	Crane	Y	Lundberg	N	Romanoff	Y	Williams S.	Y
44	Decker	Y	Madden	Y	Rose	N	Williams T.	N
45	Fairbank	N	Marshall	Y	Salazar	Y	Witwer	Y
46	Frangas	Y	May	N	Schultheis	N	Young	N
47							Speaker	N

48 Co-sponsors added: Representatives Coleman, Garcia, Marshall, Weddig.
 49

50
 51 **HB04-1404** by Representative(s) Fairbank; also Senator(s) Kester--
 52 Concerning investments by local governments, and, in
 53 connection therewith, amending provisions governing the
 54 issuance of securities and increasing the range of
 55 investment vehicles available to local governmental
 56 entities.

1 (Amended as printed in Senate Journal, April 16, page 854.)
 2

3 Representative Fairbank moved that the House **concur** in Senate
 4 amendments. The motion was declared **passed** by the following roll call
 5 vote:
 6

7	YES	64	NO	00	EXCUSED	01	ABSENT	00
8	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
9	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
10	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
11	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
12	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
13	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
14	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
15	Carroll	Y	Johnson	Y	Plant	E	Weddig	Y
16	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
17	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
18	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
19	Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y
20	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
21	Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
22	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
23	Frangas	Y	May	Y	Schultheis	Y	Young	Y
24							Speaker	Y

25
 26 The question being, "Shall the bill, as amended, pass?".
 27 A roll call vote was taken. As shown by the following recorded vote, a
 28 majority of those elected to the House voted in the affirmative, and the
 29 bill, as amended, was declared **repassed**.
 30

31	YES	64	NO	00	EXCUSED	01	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	Tochtrop	Y
38	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
39	Carroll	Y	Johnson	Y	Plant	E	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	Schultheis	Y	Young	Y
48							Speaker	Y

49
 50 **HB04-1079** by Representative(s) Cadman; also Senator(s) Veiga--
 51 Concerning standard nonforfeiture regulation for
 52 individual deferred annuities offered by insurers.
 53

54 (Amended as printed in Senate Journal, April 12, page 861.)
 55

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

4

	YES	64	NO	00	EXCUSED	01	ABSENT	00
6	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
7	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
8	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
9	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
10	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
11	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
12	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
13	Carroll	Y	Johnson	Y	Plant	E	Weddig	Y
14	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
15	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
16	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
17	Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y
18	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
19	Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
20	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
21	Frangas	Y	May	Y	Schultheis	Y	Young	Y
22							Speaker	Y

23

24 The question being, "Shall the bill, as amended, 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
 27 bill, as amended, was declared **repassed**.

28

	YES	63	NO	01	EXCUSED	01	ABSENT	00
30	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
31	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
32	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
33	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
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	E	Weddig	Y
38	Cerbo	N	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	Y	Wiens	Y
42	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
43	Decker	Y	Madden	Y	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 **HB04-1150** by Representative(s) Hefley, Mitchell, Harvey, Brophy,
 49 Decker, Fairbank, Hoppe, Jahn, King, May M., Rippy,
 50 Salazar, Schultheis, Weddig, White, Williams S.; also
 51 Senator(s) Hillman--Concerning the creation of the
 52 "Commonsense Consumption Act".

53

54 (Amended as printed in Senate Journal, March 23, page 607, and
 55 amended on Third Reading as printed in Senate Journal, March 26, pages
 56 640-641 and as printed in Senate Journal, April 19.)

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

4

5	YES	62	NO	01	EXCUSED	02	ABSENT	00
6	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
7	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
8	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
9	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
10	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
11	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrip	Y
12	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
13	Carroll	Y	Johnson	Y	Plant	E	Weddig	Y
14	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	E
15	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
16	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
17	Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y
18	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
19	Decker	Y	Madden	N	Rose	Y	Williams T.	Y
20	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
21	Frangas	Y	May	Y	Schultheis	Y	Young	Y
22							Speaker	Y

23

24 The question being, "Shall the bill, as amended, 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
 27 bill, as amended, was declared **repassed**.

28

29	YES	60	NO	03	EXCUSED	02	ABSENT	00
30	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
31	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
32	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
33	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
34	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
35	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrip	Y
36	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
37	Carroll	Y	Johnson	Y	Plant	E	Weddig	Y
38	Cerbo	N	Judd	Y	Pommer	Y	Weissmann	E
39	Clapp	N	King	Y	Ragsdale	Y	Welker	Y
40	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
41	Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y
42	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
43	Decker	Y	Madden	N	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 Representative Weissmann excused from voting under House Rule 21(c).

48 Co-sponsor added: Representative Rose.

49

50 **HB04-1189** by Representative(s) Romanoff; also Senator(s) Dyer--
 51 Concerning changes to decrease the disparity between the
 52 time sentenced and the time served by individuals who are
 53 convicted of violent crimes, and making an appropriation
 54 in connection therewith.

55

56 (Amended as printed in Senate Journal, April 20, pages 909-910.)

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

4

5	YES	56	NO	08	EXCUSED	01	ABSENT	00
6	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
7	Borodkin	Y	Hall	N	McFadyen	Y	Smith	Y
8	Boyd	Y	Harvey	N	McGihon	Y	Spence	Y
9	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
10	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
11	Butcher	Y	Hoppe	Y	Mitchell	N	Tochtrop	Y
12	Cadman	N	Jahn	Y	Paccione	Y	Vigil	Y
13	Carroll	Y	Johnson	Y	Plant	E	Weddig	Y
14	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
15	Clapp	N	King	Y	Ragsdale	Y	Welker	Y
16	Cloer	Y	Larson	Y	Rhodes	N	White	Y
17	Coleman	Y	Lee	N	Rippy	Y	Wiens	Y
18	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
19	Decker	Y	Madden	Y	Rose	N	Williams T.	Y
20	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
21	Frangas	Y	May	Y	Schultheis	Y	Young	Y
22							Speaker	Y

23

24 The question being, "Shall the bill, as amended, 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
 27 bill, as amended, was declared **repassed**.

28

29	YES	58	NO	06	EXCUSED	01	ABSENT	00
30	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
31	Borodkin	Y	Hall	N	McFadyen	N	Smith	Y
32	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
33	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
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	E	Weddig	Y
38	Cerbo	Y	Judd	N	Pommer	Y	Weissmann	N
39	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
40	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
41	Coleman	Y	Lee	Y	Rippy	N	Wiens	Y
42	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
43	Decker	Y	Madden	Y	Rose	N	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 Co-sponsors added: Representatives Clapp, Garcia, Hefley, Johnson, Smith,
 48 Weddig.

49

50 **HB04-1358** by Representative(s) Spradley, Hoppe, Paccione, Salazar,
 51 Wiens; also Senator(s) Kester--Concerning an income tax
 52 checkoff for the Colorado state fair and industrial
 53 exposition, and making an appropriation in connection
 54 therewith.

55

56 (Amended as printed in Senate Journal, April 20, page 910.)

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

4

	YES	64	NO	00	EXCUSED	01	ABSENT	00
6	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
7	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
8	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
9	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
10	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
11	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
12	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
13	Carroll	Y	Johnson	Y	Plant	E	Weddig	Y
14	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
15	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
16	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
17	Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y
18	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
19	Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
20	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
21	Frangas	Y	May	Y	Schultheis	Y	Young	Y
22							Speaker	Y

23

24 The question being, "Shall the bill, as amended, 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
 27 bill, as amended, was declared **repassed**.

28

	YES	55	NO	09	EXCUSED	01	ABSENT	00
30	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
31	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
32	Boyd	N	Harvey	Y	McGihon	Y	Spence	Y
33	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
34	Brophy	Y	Hodge	Y	Miller	Y	Stengel	N
35	Butcher	Y	Hoppe	Y	Mitchell	N	Tochtrop	Y
36	Cadman	N	Jahn	Y	Paccione	Y	Vigil	Y
37	Carroll	Y	Johnson	Y	Plant	E	Weddig	Y
38	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
39	Clapp	Y	King	Y	Ragsdale	Y	Welker	N
40	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
41	Coleman	Y	Lee	N	Rippy	Y	Wiens	Y
42	Crane	Y	Lundberg	N	Romanoff	Y	Williams S.	Y
43	Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
44	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
45	Frangas	Y	May	N	Schultheis	N	Young	Y
46							Speaker	Y

47 Co-sponsors added: Representatives Coleman, Johnson, Merrifield, Smith.

48

49 **HB04-1017** by Representative(s) Berry, Borodkin, Larson, McFadyen,
 50 Pommer, Spence, Stafford, Welker, Williams S.; also
 51 Senator(s) May R., Isgar--Concerning the age at which a
 52 person may lawfully drive a motor vehicle, and making an
 53 appropriation in connection therewith.

54

55 (Amended as printed in Senate Journal, April 20, page 910.)

56

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

4

5	YES	64	NO	00	EXCUSED	01	ABSENT	00
6	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
7	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
8	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
9	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
10	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
11	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
12	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
13	Carroll	Y	Johnson	Y	Plant	E	Weddig	Y
14	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
15	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
16	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
17	Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y
18	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
19	Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
20	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
21	Frangas	Y	May	Y	Schultheis	Y	Young	Y
22							Speaker	Y

23

24 The question being, "Shall the bill, as amended, 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
 27 bill, as amended, was declared **repassed**.

28

29	YES	64	NO	00	EXCUSED	01	ABSENT	00
30	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
31	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
32	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
33	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
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	E	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	Y	Wiens	Y
42	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
43	Decker	Y	Madden	Y	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 Co-sponsors added: Representatives Hefley, Johnson, Stengel, Wiens.

48

49 **HB04-1089** by Representative(s) McCluskey; also Senator(s) Hillman-
 50 -Concerning a preference for the purchase of Colorado
 51 agricultural products by governmental entities.

52

53 (Amended as printed in Senate Journal, April 20, page 910.)

54

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

4

5	YES	64	NO	00	EXCUSED	01	ABSENT	00
6	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
7	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
8	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
9	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
10	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
11	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
12	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
13	Carroll	Y	Johnson	Y	Plant	E	Weddig	Y
14	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
15	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
16	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
17	Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y
18	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
19	Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
20	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
21	Frangas	Y	May	Y	Schultheis	Y	Young	Y
22							Speaker	Y

23

24 The question being, "Shall the bill, as amended, 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
 27 bill, as amended, was declared **repassed**.

28

29	YES	52	NO	12	EXCUSED	01	ABSENT	00
30	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
31	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
32	Boyd	Y	Harvey	Y	McGihon	N	Spence	Y
33	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
34	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
35	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	N
36	Cadman	N	Jahn	Y	Paccione	Y	Vigil	N
37	Carroll	Y	Johnson	Y	Plant	E	Weddig	Y
38	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	N
39	Clapp	Y	King	Y	Ragsdale	Y	Welker	N
40	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
41	Coleman	Y	Lee	N	Rippy	Y	Wiens	Y
42	Crane	Y	Lundberg	N	Romanoff	Y	Williams S.	Y
43	Decker	Y	Madden	N	Rose	Y	Williams T.	Y
44	Fairbank	Y	Marshall	Y	Salazar	N	Witwer	Y
45	Frangas	Y	May	N	Schultheis	N	Young	Y
46							Speaker	Y

47 Co-sponsors added: Representatives Coleman, Frangas, Johnson, Miller, Rose,
 48 Wiens.

49

50 **HB04-1107** by Representative(s) Berry; also Senator(s) Reeves--
 51 Concerning the transfer of the office of homeless youth
 52 services from the department of public health and
 53 environment to the department of human services, and
 54 making an appropriation in connection therewith.

55

56 (Amended as printed in Senate Journal, April 20, pages 910-911.)

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

4

5	YES	64	NO	00	EXCUSED	01	ABSENT	00
6	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
7	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
8	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
9	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
10	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
11	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
12	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
13	Carroll	Y	Johnson	Y	Plant	E	Weddig	Y
14	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
15	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
16	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
17	Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y
18	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
19	Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
20	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
21	Frangas	Y	May	Y	Schultheis	Y	Young	Y
22							Speaker	Y

23

24 The question being, "Shall the bill, as amended, 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
 27 bill, as amended, was declared **repassed**.

28

29	YES	64	NO	00	EXCUSED	01	ABSENT	00
30	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
31	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
32	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
33	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
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	E	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	Y	Wiens	Y
42	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
43	Decker	Y	Madden	Y	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 Co-sponsors added: Representatives Marshall, Romanoff.

48

49 **HB04-1283** by Representative(s) Boyd; also Senator(s) Taylor--
 50 Concerning a study to determine the quality of education
 51 provided in Colorado's public high schools.

52

53 (Amended as printed in Senate Journal, April 20, page 911-912, and on
 54 Third Reading, as printed in Senate Journal, April 21.)

55

56

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

4

5	YES	64	NO	00	EXCUSED	01	ABSENT	00
6	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
7	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
8	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
9	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
10	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
11	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
12	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
13	Carroll	Y	Johnson	Y	Plant	E	Weddig	Y
14	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
15	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
16	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
17	Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y
18	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
19	Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
20	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
21	Frangas	Y	May	Y	Schultheis	Y	Young	Y
22							Speaker	Y

23

24 The question being, "Shall the bill, as amended, 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
 27 bill, as amended, was declared **repassed**.

28

29	YES	49	NO	15	EXCUSED	01	ABSENT	00
30	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
31	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
32	Boyd	Y	Harvey	N	McGihon	Y	Spence	Y
33	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
34	Brophy	N	Hodge	Y	Miller	Y	Stengel	Y
35	Butcher	N	Hoppe	Y	Mitchell	N	Tochtrop	Y
36	Cadman	N	Jahn	Y	Paccione	Y	Vigil	Y
37	Carroll	Y	Johnson	Y	Plant	E	Weddig	Y
38	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
39	Clapp	N	King	Y	Ragsdale	Y	Welker	N
40	Cloer	Y	Larson	Y	Rhodes	N	White	N
41	Coleman	Y	Lee	N	Rippy	Y	Wiens	Y
42	Crane	Y	Lundberg	N	Romanoff	Y	Williams S.	Y
43	Decker	Y	Madden	Y	Rose	N	Williams T.	Y
44	Fairbank	N	Marshall	Y	Salazar	Y	Witwer	Y
45	Frangas	Y	May	Y	Schultheis	N	Young	N
46							Speaker	Y

47 Co-sponsors added: Representatives Jahn, Madden.

48

49

50 On motion of Representative King, **HB04-1292, 1187, 1421, 1095**, were
 51 laid over until April 26, retaining place on Calendar.

52

53

54

55

1 **1 CONSIDERATION OF CONFERENCE COMMITTEE REPORTS**

2
 3 **SB04-024** by Senator(s) Teck; also Representative(s) Romanoff--
 4 Concerning increased consistency in the regulation of
 5 certain professions by the division of registrations in the
 6 department of regulatory agencies, and, in connection
 7 therewith, enacting uniform statutory provisions governing
 8 the issuance of letters of admonition, immunity, renewal
 9 and reinstatement of licenses, registrations, or certificates,
 10 investigatory subpoenas, and disposition of fines collected.
 11

12 (Conference Committee Report printed in House Journal, April 21, pages
 13 1457-1465.)

14
 15 On motion of Representative Romanoff, the Conference Committee
 16 Report was **adopted** by the following roll call vote:
 17

18 YES	64	NO	00	EXCUSED	01	ABSENT	00
Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
Butcher	Y	Hoppe	Y	Mitchell	Y	Toch trop	Y
Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
Carroll	Y	Johnson	Y	Plant	E	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	Y	Wiens	Y
Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
Frangas	Y	May	Y	Schultheis	Y	Young	Y
						Speaker	Y

36
 37 The question being "Shall the bill, as amended, pass?".

38 A roll call vote was taken. As shown by the following recorded vote, a
 39 majority of those elected to the House voted in the affirmative and the
 40 bill, as amended, was declared **repassed**.
 41

42 YES	63	NO	01	EXCUSED	01	ABSENT	00
Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
Borodkin	Y	Hall	Y	McFadyen	N	Smith	Y
Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
Butcher	Y	Hoppe	Y	Mitchell	Y	Toch trop	Y
Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
Carroll	Y	Johnson	Y	Plant	E	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	Y	Wiens	Y
Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
Decker	Y	Madden	Y	Rose	Y	Williams T.	Y

1	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
2	Frangas	Y	May	Y	Schultheis	Y	Young	Y
3							Speaker	Y

4
5 **SB04-094** by Senator(s) Hagedorn; also Representative(s) Spradley,
6 Hall--Concerning the implementation of health savings
7 accounts, and, in connection therewith, eliminating
8 medical savings accounts for basic health benefit plans for
9 small employers and converting the tax provisions for
10 medical savings accounts to apply to health savings
11 accounts.
12

13 (Conference Committee Report printed in House Journal, April 22, pages
14 1488-1489.)

15
16 On motion of Representative Spradley, the Conference Committee Report
17 was **adopted** by the following roll call vote:
18

19	YES	64	NO	00	EXCUSED	01	ABSENT	00
20	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
21	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
22	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
23	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
24	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
25	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
26	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
27	Carroll	Y	Johnson	Y	Plant	E	Weddig	Y
28	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
29	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
30	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
31	Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y
32	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
33	Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
34	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
35	Frangas	Y	May	Y	Schultheis	Y	Young	Y
36							Speaker	Y

37
38 The question being "Shall the bill, as amended, pass?".

39 A roll call vote was taken. As shown by the following recorded vote, a
40 majority of those elected to the House voted in the affirmative and the
41 bill, as amended, was declared **repassed**.
42

43	YES	64	NO	00	EXCUSED	01	ABSENT	00
44	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
45	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
46	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
47	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
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	E	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	Y	Wiens	Y
56	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y

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

5 Co-sponsors added: Representatives Butcher, Harvey, Johnson, McCluskey,
6 Merrifield, Miller, Romanoff, Schultheis, Sinclair, Stafford, Wiens.
7

8

9 REPORTS OF COMMITTEES OF REFERENCE

10

11 APPROPRIATIONS

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

14 **HB04-1207** be referred to the Committee of the Whole with favorable
15 recommendation.
16

17

18

19

20

21 **HEALTH, ENVIRONMENT, WELFARE, & INSTITUTIONS**

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

24 **HB04-1451** be referred to the Committee of the Whole with favorable
25 recommendation.
26

27

28

29 MESSAGE FROM THE SENATE

30

31 Madam Speaker:

32

33 The Senate has adopted and transmits herewith: SJR04-052.
34

35

36 INTRODUCTION AND CONSIDERATION OF RESOLUTION

37

38 **SJR04-052** by Senator(s) Hanna, Andrews, Arnold, Cairns, Chlouber,
39 Entz, Evans, Fitz-Gerald, Gordon, Groff, Grossman,
40 Hagedorn, Hillman, Isgar, Johnson S., Jones, Keller,
41 Kester, Lamborn, Nichol, Owen, Phillips, Reeves,
42 Sandoval, Takis, Tapia, Taylor, Teck, Tupa, Veiga,
43 Windels; also Representative(s) Tochtrop--Concerning
44 recognition of the Colorado Nurse Alert System.
45

46 On motion of Representative King, the rules were suspended and the
47 resolution given immediate consideration.
48

49 On motion of Representative Tochtrop, the resolution was **adopted** by
50 **viva voce** vote.
51

52 Co-sponsors added: Roll Call of the House.
53

54

55

56

1 On motion of Representative King, **HB04-1451, 1207** were made Special
2 Orders on Friday, April 23, 2004, at 2:46 p.m.
3

4

5 The hour of 2:46 p.m., having arrived, on motion of Representative May,
6 the House resolved itself into Committee of the Whole for consideration
7 of Special Orders and he was called to the Chair to act as Chairman.
8

9

10 SPECIAL ORDERS--SECOND READING OF BILLS 11

12 The Committee of the Whole having risen, the Chairman reported the
13 titles of the following bills had been read (reading at length had been
14 dispensed with by unanimous consent), the bills considered and action
15 taken thereon as follows:
16

17 (Amendments to the committee amendment are to the printed committee
18 report which was printed and placed in the members' bill file.)
19

20 **HB04-1451** by Representative(s) Clapp; also Senator(s) Reeves--
21 Concerning the collaborative management of multi-agency
22 services provided to children.
23

24 Amendment No. 1, by Representative Clapp.
25

26 Amend printed bill, page 16, strike lines 10 through 19 and substitute the
27 following:
28

29 "SECTION 2. 26-5-105.5 (3.2), Colorado Revised Statutes, is
30 amended BY THE ADDITION OF A NEW PARAGRAPH to read:
31

32 **26-5-105.5. State department integrated care management
33 program - county performance agreements - authorized -
34 performance incentive cash fund created - repeal.** (3.2) (c) THIS
35 SUBSECTION (3.2) IS REPEALED, EFFECTIVE JULY 1, 2005, AND ON JULY 1,
36 2005, THE STATE TREASURER SHALL TRANSFER THE MONEYS IN THE
37 PERFORMANCE INCENTIVE CASH FUND TO THE PERFORMANCE-BASED
38 COLLABORATIVE MANAGEMENT INCENTIVE CASH FUND CREATED
39 PURSUANT TO SECTION 24-1.9-104, C.R.S.".
40

41 Page 18, strike lines 4 through 12.
42

43 Renumber succeeding sections accordingly.
44

45 As amended, ordered engrossed and placed on the Calendar for Third
46 Reading and Final Passage.
47

48 **HB04-1207** by Representative(s) Spence, Lee, Rose--Concerning
49 higher education fixed-rate contracts.
50

51 Amendment No. 1, Education Committee Report, dated April 21, 2004,
52 and placed in member's bill file; Report also printed in House Journal,
53 April 22, page 1471.
54

1 Amendment No. 2, Finance Committee Report, dated April 22, 2004, and
 2 placed in member's bill file; Report also printed in House Journal, April
 3 22, page 1486.

4
 5 Amendment No. 3, by Representative Spence.

6
 7 Amend the Education Committee Report, dated April 21, 2004, page 1,
 8 line 13, strike "through 10." and substitute "and 2;"

9
 10 strike line 14 and substitute the following:

11
 12 "line 3, strike "(b)" and substitute "(4);"

13
 14 line 5, after "EDUCATION", insert "THAT IS PARTICIPATING IN THE
 15 PROGRAM";";

16
 17 line 15 of the committee report, strike "Page 4,"

18
 19 As amended, ordered engrossed and placed on the Calendar for Third
 20 Reading and Final Passage.

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

21
 22
 23
 24 Passed Second Reading: **HB04-1451 amended, 1207 amended.**

25
 26 The Chairman moved the adoption of the Committee of the Whole
 27 Report. As shown by the following roll call vote, a majority of those
 28 elected to the House voted in the affirmative, and the Report was
 29 adopted.

YES	64	NO	00	EXCUSED	01	ABSENT	00
Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
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	E	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	Y	Wiens	Y
Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
Frangas	Y	May	Y	Schultheis	Y	Young	Y
						Speaker	Y

51
 52
 53
 54
 55

1 **REPORTS OF COMMITTEES OF REFERENCE**

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

6
7 **HB04-1181** be postponed indefinitely.
8
9

10 **HJR04-1017** be postponed indefinitely.
11
12

13 **SB04-037** be amended as follows, and as so amended, be referred to
14 the Committee of the Whole with favorable
15 recommendation:
16

17 Amend reengrossed bill, page 17, line 18, strike "criminal" and substitute
18 "examination of the treatment of persons with mental illness in the
19 criminal".
20
21

22
23 **SB04-071** be referred to the Committee of the Whole with favorable
24 recommendation.
25
26

27 **SB04-078** be amended as follows, and as so amended, be referred to
28 the Committee of the Whole with favorable
29 recommendation:
30

31 Amend reengrossed bill, page 13, strike lines 21 through 27.
32

33 Page 14, strike line 1.
34

35 Renumber succeeding sections accordingly.
36

37 Page 1, line 103, strike "**COMPANIES, AND MAKING AN APPROPRIATION**
38 **IN**" and substitute "**COMPANIES.**";
39

40 strike line 104.
41
42

43
44 **SB04-134** be referred to the Committee of the Whole with favorable
45 recommendation.
46
47

48 **SB04-138** be referred to the Committee of the Whole with favorable
49 recommendation.
50

51
52 **SB04-142** be postponed indefinitely.
53
54

1 **SB04-144** be amended as follows, and as so amended, be referred to
2 the Committee of the Whole with favorable
3 recommendation:
4

5 Amend reengrossed bill, page 4, line 8, strike "SEPTEMBER 1," and
6 substitute "THE DATE OF REPEAL OF THIS SECTION";
7

8 line 9, strike "2005,";
9

10 after line 13, insert the following:
11

12 "(d) IF THE FUND DOES NOT CONTAIN ANY MONEYS AS OF JANUARY
13 1, 2005, THE STATE AUDITOR SHALL NOTIFY IN WRITING THE STATE
14 TREASURER AND THE REVISOR OF STATUTES AND THIS SECTION SHALL BE
15 REPEALED, EFFECTIVE JANUARY 1, 2005. IN SUCH EVENT, THE STATE
16 TREASURER SHALL RETURN FROM THE FUND TO THE GRANTORS OR DONORS
17 THE AMOUNT OF ALL GIFTS, GRANTS, OR DONATIONS. IF THE GIFTS,
18 GRANTS, OR DONATIONS ARE RETURNED PURSUANT TO THIS PARAGRAPH(d)
19 ON JANUARY 1, 2005, THE STATE TREASURER SHALL TRANSFER TO THE
20 GENERAL FUND ANY INTEREST OR INCOME EARNED ON MONEYS IN THE
21 FUND.".
22
23
24

25 **SB04-154** be referred to the Committee of the Whole with favorable
26 recommendation.
27

28 **SB04-178** be referred to the Committee of the Whole with favorable
29 recommendation.
30
31
32

33 **SB04-189** be amended as follows, and as so amended, be referred to
34 the Committee of the Whole with favorable
35 recommendation:
36

37 Amend reengrossed bill, page 9, line 9, strike "MEANS:" and substitute
38 "MEANS";
39

40 line 10, strike "(I) A" and substitute "A";
41

42 line 12, strike "PURPOSES; OR" and substitute "PURPOSES.";
43

44 strike lines 13 through 22.
45

46 Page 10, line 2, strike "A PARTICIPATING";
47

48 line 3, strike "PRIVATE INSTITUTION OF HIGHER EDUCATION OR";
49

50 strike lines 5 through 17.
51

52 Renumber succeeding subsections accordingly.
53

54 Page 12, line 8, strike "OR";
55

56 line 9, strike "PARTICIPATING PRIVATE";

1 line 12, strike "OR";
2
3 line 13, strike "PARTICIPATING PRIVATE";
4
5 strike lines 15 through 27.
6
7 Page 13, strike lines 1 through 2.
8
9 Renumber succeeding subsections accordingly.
10
11 Page 13, line 10, strike "AND PARTICIPATING PRIVATE".
12
13 Page 14, line 9, strike "AND PARTICIPATING";
14
15 line 10, strike "PRIVATE INSTITUTION OF HIGHER EDUCATION";
16
17 line 17, strike "BOARDS AND PARTICIPATING" and substitute "BOARDS,";
18
19 line 18, strike "PRIVATE INSTITUTIONS,";
20
21 strike line 21.
22
23 Page 15, strike line 22 and substitute the following:
24
25 "BOARDS,";
26
27 line 23, strike "EDUCATION,";
28
29 line 26, strike "BOARDS AND PARTICIPATING" and substitute "BOARDS,";
30
31 line 27, strike "PRIVATE INSTITUTIONS,".
32
33 Page 16, strike lines 7 through 13.
34
35 Page 17, line 18, strike "OR PARTICIPATING PRIVATE".
36
37 Page 20, line 6, strike "OR PARTICIPATING PRIVATE";
38
39 line 26, strike "AND PARTICIPATING";
40
41 line 27, strike "PRIVATE".
42
43 Page 21, line 8, strike "AND PARTICIPATING PRIVATE".
44
45 Page 23, strike lines 1 and 2.
46
47 Reletter succeeding paragraphs accordingly.
48
49 Page 23, line 4, strike "(12)" and substitute "(8)";
50
51 strike lines 19 through 26.
52
53 Reletter succeeding paragraphs accordingly.
54
55 Page 25, strike lines 4 and 5 and substitute the following:
56 "(B) CAPITAL CONSTRUCTION;".

1 line 22, strike "OR PRIVATE".

2

3 Page 26, line 22, strike "OR";

4

5 line 23, strike "PRIVATE".

6

7 Page 29, line 10, strike "(10)" and substitute "(8)".

8

9 Page 33, after line 14, insert the following:

10

11 **"SECTION 8.** Part 1 of article 3.3 of title 23, Colorado Revised
12 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
13 read:

14

15 **23-3.3-104. Annual appropriation - financial aid - private**
16 **institutions of higher education.** (1) FOR PURPOSES OF THIS SECTION,
17 UNLESS THE CONTEXT OTHERWISE REQUIRES, "PRIVATE INSTITUTION OF
18 HIGHER EDUCATION" MEANS A NOT-FOR-PROFIT COLLEGE OR UNIVERSITY
19 THAT IS NOT PERVERSIVELY SECTARIAN AND THAT MAINTAINS ITS PRIMARY
20 PLACE OF BUSINESS IN THE STATE OF COLORADO, THAT OFFERS GENERAL
21 BACCALAUREATE DEGREES IN ARTS AND SCIENCES, AND THAT IS
22 INSTITUTIONALLY ACCREDITED ON THE BASIS OF AN ON-SITE REVIEW IN
23 COLORADO BY ONE OF THE SIX NATIONALLY RECOGNIZED REGIONAL
24 ACCREDITING ASSOCIATIONS OR BY AN ACCREDITING AGENCY DETERMINED
25 BY THE COMMISSION TO BE APPROPRIATE TO ITS EDUCATIONAL PURPOSES
26 AND PROGRAMS.

27

28 (2) IN ADDITION TO ANY AMOUNT APPROPRIATED PURSUANT TO
29 THIS ARTICLE, THE GENERAL ASSEMBLY SHALL ANNUALLY APPROPRIATE
30 UP TO ONE PERCENT OF THE AMOUNT APPROPRIATED TO THE COLLEGE
31 OPPORTUNITY FUND PURSUANT TO ARTICLE 18 OF THIS TITLE TO THE
32 COMMISSION TO PROVIDE FINANCIAL ASSISTANCE TO STUDENTS WHO ARE
33 ELIGIBLE FOR THE FEDERAL PELL GRANT AND WHO ATTEND PRIVATE
34 INSTITUTIONS OF HIGHER EDUCATION.".

35

36 Rerumber succeeding sections accordingly.

37

38 Page 42, line 6, strike "14" and substitute "15";

39

40 line 7, strike "15" and substitute "16".

41

42

43

44 **SB04-196** be referred to the Committee of the Whole with favorable
45 recommendation.

46

47

48 **SB04-228** be amended as follows, and as so amended, be referred to
49 the Committee of the Whole with favorable
50 recommendation:

51

52 Amend reengrossed bill, page 2, line 19, strike "FOR";

53

54 strike lines 20 through 24.

55

56

1 **BUSINESS AFFAIRS & LABOR**

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

4

5 **HB04-1434** be postponed indefinitely.

6

7

8 **HB04-1439** be amended as follows, and as so amended, be referred to
9 the Committee of the Whole with favorable
10 recommendation:

11

12 Amend printed bill, page 4, line 2, strike "PENALTIES" and substitute
13 "**PENALTIES, INCLUDING A THREE-YEAR LOCKOUT AND PREMIUM RATE
14 UP,**";

15

16 strike line 9, and substitute the following:
17 **"REQUIRED IN THE INDIVIDUAL MARKET."**".

18

19 Page 5, strike lines 2 through 6 and substitute the following:

20 "(D) If the carrier rejects an application for a business group of
21 one self-employed person and the carrier does business in both the
22 individual and small group markets, the carrier shall notify the applicant
23 of the availability of coverage through the small group market and of the
24 availability of small group coverage through the carrier.".

25

26 Page 8, line 11, strike "PENALTIES" and substitute "**PENALTIES,
27 INCLUDING A THREE-YEAR LOCKOUT AND PREMIUM RATE UP,**";

28

29 strike line 18, and substitute the following:
30 **"REQUIRED IN THE INDIVIDUAL MARKET."**";

31

32 strike line 27.

33

34 Page 9, strike lines 1 through 4 and substitute the following:

35 "(C) If the carrier rejects an application for a business group of
36 one self-employed person and the carrier does business in both the
37 individual and small group markets, the carrier shall notify the applicant
38 of the availability of coverage through the small group market and of the
39 availability of small group coverage through the carrier. AS PART OF ITS".

40

41 Page 11, line 10, after the period, add "A POLICY ISSUED OR DELIVERED
42 TO A MULTI-STATE ASSOCIATION SHALL NOT BE DESIGNED, ADMINISTERED,
43 OR MARKETED THROUGH THE WORKPLACE OR AS A PLAN FOR EMPLOYERS
44 TO PROVIDE COVERAGE TO ONE OR MORE EMPLOYEES, EXCEPT TO BUSINESS
45 GROUPS OF ONE, PROVIDED THAT THE POLICY MEETS THE REQUIREMENTS
46 IN SECTION 10-8-601.5(1)(c). SUCH POLICY SHALL NOT BE ISSUED UNDER
47 A BONA FIDE ASSOCIATION PLAN.";

48

49 line 26, strike "issued or" and substitute "or certificates issued";

50

51 line 27, strike "renewed".

52

53

54 **HB04-1441** be referred to the Committee of the Whole with favorable
55 recommendation.

56

REPORT FROM THE SENATE AND HOUSE COMMITTEES ON DELAYED BILLS

4 Pursuant to Joint Rule 23 (c), the House and Senate Committees on
5 Delayed Bills, acting jointly, extend the following deadline for House
6 Bill No. 04-1397, Concerning the Financing of Public Schools:

8 The Friday, March 12 deadline (the 66th legislative day) for final
9 passage, including any conference committee report, for any bill
10 prescribing all or a substantial portion of the total funding for public
11 schools pursuant to the "Public School Finance Act of 1994", article 54
12 of title 22, Colorado Revised Statutes, as extended until Friday March 26,
13 2004 (the 80th legislative day), Friday, April 16, 2004 (the 101st
14 legislative day), and subsequently until Friday, April 23, 2004 (the 108th
15 legislative day), is further extended until Wednesday, May 5, 2004 (the
16 120th legislative day).

17
18 This memorandum shall be printed in the journal of each house as is
19 required by said Joint Rule 23(c).

21 (signed) (signed)
22 Lola Spradley John Andrews
23 Keith King Mark Hillman
24 Andrew Romanoff

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

31 The Speaker has signed: **HB04-1381, 1412, 1413, 1416, 1417, 1418,**
32 **1419.**

MESSAGE FROM THE SENATE

38 Madam Speaker:

40 The Senate has postponed indefinitely HB04-1014, 1144. The bills are
41 returned herewith.

41 returned herewith.
42 The Senate granted permission to members of the First Conference
43 Committee on HB04-1115 to consider matters not at issue between the
44 two houses.

45 The Senate granted permission to members of the First Conference
46 Committee on HB04-1263 to consider matters not at issue between the
47 two houses.

48 The Senate granted permission to members of the First Conference
49 Committee on HB04-1311 to consider matters not at issue between the
50 two houses.

51 _____
52
53

1 **INTRODUCTION OF RESOLUTION**

2
3 The following resolution was read by title and laid over one day under the
4 rules:

5
6 **HR04-1018** by Representative(s) King--Concerning a limitation on the
7 number of resolutions that may be introduced in the house
8 of representatives.

9
10 **LAY OVER OF CALENDAR ITEMS**

11
12 On motion of Representative King, the following items on the Calendar
13 were laid over until April 26, retaining place on Calendar:

14
15 Consideration of General Orders--**SCR04-005, HB04-1407**.
16 Consideration of Resolutions--**SJR04-015, HJR04-1010, SJR04-023,**
17 **024, 027, HJR04-1040, HR04-1008, HJR04-1047, SJR04-025, 030,**
18 **HJR04-1051, 1042, HR04-1010, SJR04-033, HJR04-1055, 1056, 1060,**
19 **1061, 1062, 1063, 1065, HR04-1012, 1013, 1015, HJR04-1066, 1067,**
20 **1068, 1071, 1072, 1073, 1074, 1075, 1078, 1079, 1080, 1081,**
21 **SJR04-011, 028, HJR04-1084, 1064.**
22
23 Consideration of Memorial--**SJM04-001**

24
25
26 On motion of Representative King, the House adjourned until 9:00 a.m.,
27 April 26, 2004.

28 Approved:

29
30
31
32
33 LOLA SPRADLEY,
34 Speaker

35 Attest:

36
37 JUDITH RODRIGUE,
38 Chief Clerk