

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

One hundred-thirteenth Legislative Day      Wednesday, April 28, 2004

1 Prayer by Dr. C. Gene Selander, Denver.

2

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

4

5 Pledge of Allegiance led by Representative Hall.

6

7 The roll was called with the following result:

8

9 Present--60.

10 Excused--Representatives Cloer, Coleman, McGihon, Rippy,

11 Salazar--5.

12 Present after roll call--Representatives Cloer, Coleman, McGihon.

13

14 The Speaker declared a quorum present.

15

16

17 On motion of Representative Brophy, the reading of the journal of  
18 April 27, 2004, was declared dispensed with and approved as corrected  
19 by the Chief Clerk.

20

21

**THIRD READING OF BILLS--FINAL PASSAGE**

22

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

27

28 **SB04-216** by Senator(s) Lamborn; also Representative(s) Cloer--  
29 Concerning limitations on the use of credit information for  
30 the purposes of personal lines of property and casualty  
31 insurance rating, and, in connection therewith,  
32 substantially adopting the provisions of the National  
33 Conference of Insurance Legislators model for uses of  
34 credit information for personal lines of property and  
35 casualty insurance.

36

37 Laid over until April 29, retaining place on Calendar.

38

39 **SB04-037** by Senator(s) Anderson, Windels; also Representative(s)  
40 Stafford--Concerning the continuing examination of the  
41 treatment of persons with mental illness who are involved  
42 in the justice system, and making an appropriation  
43 therefor.





1 **SB04-138** by Senator(s) Owen, Reeves, Teck; also Representative(s)  
 2 Witwer, Plant, Young--Concerning the repeal of the  
 3 authority of the department of health care policy and  
 4 financing to charge a monthly fee to families whose  
 5 children are enrolled in a children's home- and  
 6 community-based services waiver program, and making an  
 7 appropriation in connection therewith.  
 8

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

	YES	62	NO	00	EXCUSED	03	ABSENT	00
15	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
16	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
17	Boyd	Y	Harvey	Y	McGihon	Y	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	Tochtrop	Y
21	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
22	Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
23	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
24	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
25	Cloer	E	Larson	Y	Rhodes	Y	White	Y
26	Coleman	Y	Lee	Y	Rippy	E	Wiens	Y
27	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
28	Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
29	Fairbank	Y	Marshall	Y	Salazar	E	Witwer	Y
30	Frangas	Y	May	Y	Schultheis	Y	Young	Y
31							Speaker	Y

32 Co-sponsors added: Representatives Boyd, Coleman, Frangas, Jahn, Johnson,  
 33 McGihon, Stafford, Williams S.  
 34

35 **SB04-144** by Senator(s) Veiga; also Representative(s) Romanoff--  
 36 Concerning reviews of school districts, and, in connection  
 37 therewith, requiring pilot efficiency reviews of a limited  
 38 number of school districts, and making an appropriation.  
 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	51	NO	11	EXCUSED	03	ABSENT	00
46	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
47	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	N
48	Boyd	Y	Harvey	N	McGihon	Y	Spence	Y
49	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
50	Brophy	N	Hodge	Y	Miller	Y	Stengel	Y
51	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
52	Cadman	N	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	N
56	Cloer	E	Larson	Y	Rhodes	Y	White	Y

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

7 Co-sponsors added: Representatives Borodkin, Butcher, Carroll, Frangas,  
8 Garcia, Merrifield, Spence, Weddig, Williams S.

9  
10 **SB04-154** by Senator(s) Anderson; also Representative(s) Stengel--  
11 Concerning registration of persons who engage in  
12 unlawful sexual behavior.

13  
14 The question being "Shall the bill pass?".

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

19	YES	58	NO	04	EXCUSED	03	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	Y	Weddig	N
28	Cerbo	Y	Judd	N	Pommer	Y	Weissmann	N
29	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
30	Cloer	E	Larson	Y	Rhodes	Y	White	Y
31	Coleman	Y	Lee	Y	Rippy	E	Wiens	Y
32	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
33	Decker	Y	Madden	N	Rose	Y	Williams T.	Y
34	Fairbank	Y	Marshall	Y	Salazar	E	Witwer	Y
35	Frangas	Y	May	Y	Schultheis	Y	Young	Y
36							Speaker	Y

37 Co-sponsors added: Representatives Boyd, Coleman, Fairbank, Hoppe, Jahn,  
38 Marshall, Merrifield, Paccione, Romanoff, Williams S.

39  
40 **SB04-178** by Senator(s) Lamborn; also Representative(s) Mitchell--  
41 Concerning the promotion of anatomical donations, and,  
42 in connection therewith, eliminating the requirement that  
43 an individual who chooses to authorize an anatomical  
44 donation by driver's license or identification card sign the  
45 back of the license or card, requiring the department of  
46 revenue to place contact information for the organ and  
47 tissue donor registry on the back of each minor driver's  
48 license, driver's license, and state identification card,  
49 adding a line to Colorado state individual income tax  
50 return forms that allows an individual taxpayer to make a  
51 voluntary contribution to the organ and tissue donation  
52 awareness fund, and making an appropriation in  
53 connection therewith.

54  
55 The question being "Shall the bill pass?".

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

YES	53	NO	09	EXCUSED	03	ABSENT	00
Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
Boyd	N	Harvey	Y	McGihon	Y	Spence	Y
Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
Brophy	Y	Hodge	Y	Miller	Y	Stengel	N
Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
Cadman	N	Jahn	N	Paccione	Y	Vigil	Y
Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
Clapp	Y	King	N	Ragsdale	Y	Welker	Y
Cloer	E	Larson	Y	Rhodes	Y	White	Y
Coleman	Y	Lee	Y	Rippy	E	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	E	Witwer	Y
Frangas	Y	May	N	Schultheis	N	Young	Y
						Speaker	Y

Co-sponsors added: Representatives Coleman, Madden, McFadyen, Romanoff, Spence, Stafford, Speaker.

**HB04-1441** by Representative(s) Rhodes; also Senator(s) McElhany--  
Concerning consumer protections regarding financial matters, and, in connection therewith, limiting the use of lender information in solicitations and expanding the definition of security accounts for the purposes of nonprobate transfers upon death.

The question being "Shall the bill pass?"

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

YES	62	NO	00	EXCUSED	03	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	Y	Weddig	Y
Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
Cloer	E	Larson	Y	Rhodes	Y	White	Y
Coleman	Y	Lee	Y	Rippy	E	Wiens	Y
Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
Fairbank	Y	Marshall	Y	Salazar	E	Witwer	Y
Frangas	Y	May	Y	Schultheis	Y	Young	Y
						Speaker	Y

Co-sponsors added: Representatives Butcher, Frangas, Hall, Marshall, McFadyen, Merrifield, Romanoff.

1 **HCR04-1016** by Representative(s) Spradley; also Senator(s) Hillman--  
 2 Submitting to the registered electors of the state of  
 3 Colorado amendments to section 17 of article IX and  
 4 section 20 of article X of the constitution of the state of  
 5 Colorado, concerning a modification of constitutional  
 6 restrictions affecting the ability of the general assembly to  
 7 make adjustments to state spending in response to  
 8 changing levels of state revenues, and, in connection  
 9 therewith, restricting the growth in the statewide base per  
 10 pupil funding for the 2005-06 and 2006-07 state fiscal  
 11 years to the rate of inflation plus one additional percentage  
 12 point; reducing by seventy-five million dollars the amount  
 13 of moneys required to be spent on public school funding  
 14 in the 2005-06 and 2006-07 state fiscal years; for the  
 15 2005-06 state fiscal year, requiring the state to retain up to  
 16 one hundred fifty million dollars of excess state revenues;  
 17 for the 2006-07 state fiscal year, requiring the state to  
 18 retain up to the sum of one hundred fifty million dollars of  
 19 excess state revenues and one hundred fifty million dollars  
 20 of such revenues as adjusted for specified factors; and, for  
 21 the 2007-08 and all succeeding state fiscal years, requiring  
 22 the state to retain up to the amount of excess state  
 23 revenues retained in the 2006-07 state fiscal year as  
 24 adjusted for specified factors.

25  
 26 Laid over until April 29, retaining place on Calendar.

27  
 28 **SB04-238** by Senator(s) Andrews, Entz; also Representative(s)  
 29 Spradley--Concerning legislative approval requirements  
 30 for additions or modifications to eligibility lists for  
 31 funding from certain state funds.

32  
 33 The question being "Shall the bill pass?".

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

	YES	62	NO	00	EXCUSED	03	ABSENT	00
39	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
40	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
41	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
42	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
43	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
44	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
45	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
46	Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
47	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
48	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
49	Cloer	E	Larson	Y	Rhodes	Y	White	Y
50	Coleman	Y	Lee	Y	Rippy	E	Wiens	Y
51	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
52	Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
53	Fairbank	Y	Marshall	Y	Salazar	E	Witwer	Y
54	Frangas	Y	May	Y	Schultheis	Y	Young	Y
55							Speaker	Y

56 Co-sponsor added: Representative Hoppe

1 **HB04-1445** by Representative(s) Spradley; also Senator(s) Andrews--  
 2 Concerning the timing of meetings of the ballot title board.  
 3

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

	YES	61	NO	01	EXCUSED	03	ABSENT	00
10	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
11	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
12	Boyd	Y	Harvey	Y	McGihon	Y	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	Y	Tochtrop	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	E	Larson	Y	Rhodes	Y	White	Y
21	Coleman	Y	Lee	Y	Rippy	E	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	E	Witwer	Y
25	Frangas	Y	May	Y	Schultheis	Y	Young	Y
26							Speaker	Y

27 Co-sponsors added: Representatives Decker, Hoppe, Weddig.  
 28

29 **HB04-1449** by Representative(s) Rhodes--Concerning the authority of  
 30 the state personnel director to establish the group benefit  
 31 plan year.  
 32

33 The question being "Shall the bill pass?".  
 34 A roll call vote was taken. As shown by the following recorded vote, a  
 35 majority of those elected to the House voted in the affirmative and the bill  
 36 was declared **passed**.  
 37

	YES	62	NO	00	EXCUSED	03	ABSENT	00
39	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
40	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
41	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
42	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
43	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
44	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
45	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
46	Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
47	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
48	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
49	Cloer	E	Larson	Y	Rhodes	Y	White	Y
50	Coleman	Y	Lee	Y	Rippy	E	Wiens	Y
51	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
52	Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
53	Fairbank	Y	Marshall	Y	Salazar	E	Witwer	Y
54	Frangas	Y	May	Y	Schultheis	Y	Young	Y
55							Speaker	Y

56



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

27 Co-sponsors added: Representatives Butcher, Coleman, Frangas, Hoppe,  
28 Madden, Marshall, Miller, Plant, Vigil.

33 Representative Rhodes moved that the First Conference Committee on  
34 **HB04-1117** be granted permission to go beyond the scope of the  
35 difference between the House and the Senate. The motion was passed by  
36 the following roll call vote:

[illegible]

House in recess. House reconvened.

---

### MESSAGE FROM THE SENATE

Madam Speaker:

The Senate has adopted the First Report of the First Conference Committee on HB04-1061, as printed in Senate Journal April 14, pages 812-813, and repassed the bill as amended. The bill is returned herewith.

The Senate has adopted the First Report of the First Conference Committee on SB04-082, as printed in Senate Journal April 19, page 867, and repassed the bill as amended.

The Senate has adopted the First Report of the First Conference Committee on HB04-1115, as printed in Senate Journal April 26, page 983, and repassed the bill as amended. The bill is returned herewith.

The Senate has adopted the First Report of the First Conference Committee on SB04-024, as printed in Senate Journal April 26, pages 984-990, and repassed the bill as amended.

The Senate has adopted the First Report of the First Conference Committee on SB04-094, as printed in Senate Journal April 26, pages 990-991, and repassed the bill as amended.

The Senate has adopted the First Report of the First Conference Committee on HB04-1387, as printed in Senate Journal April 26, pages 1008-1009, and repassed the bill as amended. The bill is returned herewith.

The Senate has adopted the First Report of the First Conference Committee on HB04-1263, as printed in Senate Journal April 27, page 1047, and repassed the bill as amended. The bill is returned herewith.

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### REPORTS OF COMMITTEES OF REFERENCE

#### APPROPRIATIONS

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

**HB04-1447** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 2, after line 17, insert the following:

**"SECTION 2.** 24-75-1104 (1) (d), Colorado Revised Statutes, is amended to read:

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

(d) The tobacco education, prevention, and cessation grant program created in part 8 of article 3.5 of title 25, C.R.S., shall receive fifteen percent of the total amount of settlement moneys annually

1 received by the state LESS TWO HUNDRED FIFTY THOUSAND DOLLARS TO  
2 PAY THE STATE'S SHARE OF THE CHILDREN BASIC HEALTH PLAN COSTS FOR  
3 CHILDREN WHO LOSE MEDICAID COVERAGE DUE TO THE IMPLEMENTATION  
4 OF SENATE BILL 03-176, WHICH SHALL BE TRANSFERRED TO THE  
5 CHILDREN'S BASIC HEALTH PLAN TRUST CREATED IN SECTION 26-19-105,  
6 C.R.S. BEGINNING IN STATE FISCAL YEAR 2004-05; except that the  
7 amount received in any fiscal year FOR BOTH PROGRAMS shall not exceed  
8 fifteen million dollars;

9  
10 **SECTION 3.** 25-3.5-807 (2) (a), Colorado Revised Statutes, is  
11 amended to read:

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

26  
27 **SECTION 4. Appropriation - adjustments to the 2004 long**  
28 **bill.** (1) For the implementation of this act, appropriations made in the  
29 annual general appropriation act for the fiscal year beginning July 1,  
30 2004, to the department of health care policy and financing, division of  
31 indigent care, shall be adjusted as follows:

32  
33 (a) The appropriation to children's basic health plan  
34 administration is increased by six thousand four hundred fifty-five dollars  
35 (\$6,455). Of said sum, two thousand two hundred sixty dollars (\$2,260)  
36 shall be cash funds exempt and four thousand one hundred ninety-five  
37 dollars (\$4,195) shall be from federal funds. The cash funds exempt  
38 amount shall be from the children's basic health plan trust created in  
39 section 26-19-105, Colorado Revised Statutes.

40  
41 (b) The appropriation to children's basic health plan premium  
42 costs is increased by three hundred nine thousand eight hundred fifty-five  
43 dollars (\$309,855). Of said sum, one hundred eight thousand four  
44 hundred forty-nine dollars (\$108,449) shall be cash funds exempt and  
45 two hundred one thousand four hundred six dollars (\$201,406) shall be  
46 from federal funds. The cash funds exempt amount shall be from the  
47 children's basic health plan trust created in section 25-19-105, Colorado  
48 Revised Statutes.

49  
50 (c) The appropriation to children's basic health plan dental benefit  
51 costs is increased by thirty-eight thousand five hundred forty-four dollars  
52 (\$38,544). Of said sum, thirteen thousand four hundred ninety-one  
53 dollars (\$13,491) shall be cash funds exempt and twenty-five thousand  
54 fifty-three dollars (\$25,053) shall be from federal funds. The cash funds  
55 exempt amount shall be from the children's basic health plan trust created  
56 in section 26-19-105, Colorado Revised Statutes.

**SECTION 5. Appropriation - adjustments to the 2004 long bill.** (1) For the implementation of this act, appropriations made in the annual general appropriation act for the fiscal year beginning July 1, 2004, to the department of health care policy and financing, division of indigent care, shall be adjusted as follows:

(a) The cash funds exempt appropriation to the H.B. 97-1304 children's basic health plan trust is increased by two hundred fifty thousand dollars (\$250,000). The cash funds exempt shall be from the allocation of the tobacco litigation settlement cash fund pursuant to section 24-75-1104 (1) (d), Colorado Revised Statutes.

(b) The appropriation to children's basic health plan administration is increased by six thousand four hundred fifty-five dollars (\$6,455). Of said sum, two thousand two hundred sixty dollars (\$2,260) shall be cash funds exempt and four thousand one hundred ninety-five dollars (\$4,195) shall be from federal funds. The cash funds exempt amount shall be from the children's basic health plan trust created in section 26-19-105, Colorado Revised Statutes.

(c) The appropriation to children's basic health plan premium costs is increased by three hundred nine thousand eight hundred fifty-five dollars (\$309,855). Of said sum, one hundred eight thousand four hundred forty-nine dollars (\$108,449) shall be cash funds exempt and two hundred one thousand four hundred six dollars (\$201,406) shall be from federal funds. The cash funds exempt amount shall be from the children's basic health plan trust created in section 25-19-105, Colorado Revised Statutes.

(d) The appropriation to children's basic health plan dental benefit costs is increased by thirty-eight thousand five hundred forty-four dollars (\$38,544). Of said sum, thirteen thousand four hundred ninety-one dollars (\$13,491) shall be cash funds exempt and twenty-five thousand fifty-three dollars (\$25,053) shall be from federal funds. The cash funds exempt amount shall be from the children's basic health plan trust created in section 26-19-105, Colorado Revised Statutes.

**SECTION 6. Effective date.** (1) Except as provided in subsections (2) and (3) of this section, this act shall take effect upon passage.

(2) Sections 2, 3 and 5 of this act shall only take effect if House Bill 04-1421 is not enacted at the Second Regular Session of the Sixty-fourth General Assembly and does not become law.

(3) Section 4 of this act shall only take effect if House Bill 04-1421 is enacted at the Second Regular Session of the Sixty-fourth General Assembly and becomes law."

Renumber succeeding section accordingly.

Page 1, line 103, strike "**03-176.**" and substitute "**03-176, AND MAKING AN APPROPRIATION THEREFOR.**".

1 **HB04-1448** be referred to the Committee of the Whole with favorable  
2 recommendation.  
3

4 **HB04-1454** be referred to the Committee of the Whole with favorable  
5 recommendation.  
6

7 **HB04-1455** be amended as follows, and as so amended, be referred to  
8 the Committee of the Whole with favorable  
9 recommendation:  
10

11 Amend printed bill, page 4, line 2, strike "House Bill 04-\_\_\_\_," and  
12 substitute "House Bill 04-1455,";  
13

14 line 17, strike "House Bill 04-\_\_\_\_" and substitute "House Bill 04-1455";  
15

16 line 21, strike "House Bill 04-\_\_\_\_," and substitute "House Bill  
17 04-1455,".  
18

19  
20 **SB04-065** be amended as follows, and as so amended, be referred to  
21 the Committee of the Whole with favorable  
22 recommendation:  
23

24 Amend reengrossed bill, page 10, line 18, after "for" insert "department  
25 of human services medicaid-funded programs,";  
26

27 line 20, strike "one hundred four thousand" and substitute "two hundred  
28 twenty-four thousand seven hundred forty-five dollars (\$224,745).";  
29

30 line 21, strike "five hundred fifty-four dollars (\$104,554).";  
31

32 line 26, strike "one hundred four thousand five hundred" and substitute  
33 "two hundred twenty-four thousand seven hundred forty-six dollars  
34 (\$224,746).";  
35

36 line 27, strike "fifty-five dollars (\$104,555)".  
37

38 Page 11, strike lines 9 through 11, and substitute the following:  
39

40 "for youth, is increased by five hundred fifty-nine thousand seven  
41 hundred thirty-nine dollars (\$559,739). Of said sum, one hundred ten  
42 thousand two hundred forty-eight dollars (\$110,248) shall be cash funds  
43 exempt from";  
44

45 line 13, strike "two hundred nine" and substitute "four hundred forty-nine  
46 thousand four hundred ninety-one dollars (\$449,491).";  
47

48 line 14, strike "thousand one hundred nine dollars (\$209,109)".  
49

50  
51 **SB04-206** be referred to the Committee of the Whole with favorable  
52 recommendation.  
53

54 **SB04-219** be referred to the Committee of the Whole with favorable  
55 recommendation.  
56

---

**FIRST REPORT OF FIRST CONFERENCE COMMITTEE  
on HB04-1061**

This Report Amends the Rerevised Bill.

To the President of the Senate and the  
Speaker of the House of Representatives:

Your first conference committee appointed on HB04-1061,  
concerning the utilization of child advocacy centers, has met and reports  
that it has agreed upon the following:

That the House accede to the Senate amendments made to the bill,  
as said amendments appear in the rerevised bill, with the following  
changes:

Amend rerevised bill, page 3, line 21, strike "SHALL" and substitute "MAY  
REQUIRE";

line 22, strike "ENSURE";

line 25, strike "THAT REQUIRE NEUTRAL," and substitute "FOR FORENSIC  
INTERVIEWS TO BE CONDUCTED IN A MANNER WHICH IS OF A NEUTRAL,  
FACT-FINDING NATURE, AND COORDINATED TO AVOID DUPLICATIVE  
INTERVIEWING.";

strike lines 26 and 27.

Respectfully submitted,

House Committee:

Gayle Berry

Joe Stengel

Betty Boyd

Senate Committee:

Norma Anderson

Stephanie Takis

Jim Dyer

**FIRST REPORT OF FIRST CONFERENCE COMMITTEE  
on HB04-1115**

This Report Amends the Rerevised Bill.

To the President of the Senate and the  
Speaker of the House of Representatives:

Your first conference committee appointed on HB04-1115,  
concerning the continuation of the state board of registration for  
professional engineers and professional land surveyors, has met and  
reports that it has agreed upon the following:

1. That the House accede to the Senate amendments made to the  
bill, as the amendments appear in the rerevised bill.

2. That, under the authority granted the committee to consider  
matters not at issue between the two houses, the following amendments  
be recommended:

1 Amend rerevised bill, page 28, strike lines 1 through 8.

2  
3 Renumber succeeding sections accordingly.

4  
5 Page 46, line 6, strike "LICENSED".

6  
7 Respectfully submitted,

8 House Committee:

9 Pam Rhodes

10 Diane Hoppe

11 Rosemary Marshall

Senate Committee:

Ken Kester

Steve Johnson

Abel Tapia

12  
13  
14 **FIRST REPORT OF FIRST CONFERENCE COMMITTEE**  
15 **on HB04-1263**

16  
17 This Report Amends the Rerevised Bill.

18  
19 To the President of the Senate and the  
20 Speaker of the House of Representatives:

21  
22 Your first conference committee appointed on HB04-1263,  
23 concerning the removal of the requirement under Colorado law for  
24 submission of a social security number on an application for a license  
25 issued by the division of wildlife, has met and reports that it has agreed  
26 upon the following:

27  
28 That the House accede to the Senate amendment made to the bill,  
29 as said amendment appears in the rerevised bill, with the following  
30 change:

31  
32 Amend rerevised bill, page 2, line 23, strike "LAW." and substitute "LAW  
33 OR MANDATED AS A CONDITION OF THE STATE RECEIVING FEDERAL FUNDS."

34  
35 Respectfully submitted,

36 House Committee:

37 Kevin Lundberg

38 Raymond Rose

39 Jerry Frangas

Senate Committee:

Bruce Cairns

Ken Chlouber

40  
41  
42 **FIRST REPORT OF FIRST CONFERENCE COMMITTEE**  
43 **on HB04-1387**

44  
45 This Report Amends the Rerevised Bill.

46  
47 To the President of the Senate and the  
48 Speaker of the House of Representatives:

49  
50 Your first conference committee appointed on HB04-1387,  
51 concerning changes to the procedural criminal laws, has met and reports  
52 that it has agreed upon the following:

53  
54 That the House accede to the Senate amendments made to the bill,  
55 as said amendments appear in the rerevised bill, with the following  
56 changes:

1 Amend rerevised bill, page 8, after line 9, insert the following:

2  
3 "SECTION 7. 18-3-413.5 (2) (a) (V), Colorado Revised Statutes,  
4 is amended to read:

5  
6 **18-3-413.5. Use of closed circuit television - child victims of**  
7 **sexual offenses.** (2) (a) Only the following persons may be in the room  
8 with the child victim when the child testifies by closed circuit television:

9  
10 (V) ~~Unless the defendant objects,~~ Any person whose presence, in  
11 the opinion of the court, contributes to the welfare and well-being of the  
12 child victim, including a person who has dealt with the child in a  
13 therapeutic setting concerning the abuse; and".

14  
15 Renumber succeeding sections accordingly.

16  
17 Respectfully submitted,

18 House Committee:  
19 Lynn Hefley  
20 Joe Stengel  
21 Terrance Carroll

Senate Committee:  
Jim Dyer  
Steve Johnson  
Jim Isgar

22  
23  
24  
25 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

26  
27 The Speaker has signed: **SB04-238.**

28  
29  
30 **MESSAGES FROM THE SENATE**

31  
32 Madam Speaker:

33  
34 The Senate has passed on Third Reading and returns herewith  
35 HB04-1269, 1157, 1075, 1254, 1077, 1411, 1202.

36 The Senate has passed on Third Reading and transmitted to the Revisor  
37 of Statutes: SB04-249, 243,

38 SB04-256, amended as printed in Senate Journal, April 27, 2004, page  
39 1039,

40 HB04-1134, amended as printed in Senate Journal, April 27, 2004, page  
41 1034,

42 HB04-1030, amended as printed in Senate Journal, April 27, 2004, page  
43 1035,

44 HB04-1261, amended as printed in Senate Journal, April 27, 2004, page  
45 1035,

46 HB04-1300, amended as printed in Senate Journal, April 27, 2004, page  
47 1036,

48 HB04-1225, amended as printed in Senate Journal, April 27, 2004, page  
49 1036.

50  
51  
52 The Senate has postponed indefinitely HB04-1131. The bill is returned  
53 herewith.



**MESSAGE FROM THE REVISOR**

We herewith transmit:

Without comment, SB04-249 and 243.

Without comment, as amended, HB04-1134, 1030, 1261, 1300, and 1225.

Without comment, as amended, SB04-256.

**INTRODUCTION OF BILLS****First Reading**

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

**HB04-1460** by Representative(s) Fairbank; also Senator(s) Anderson--  
Concerning state administrative hearings.  
Committee on Business Affairs & Labor

**HB04-1461** by Representative(s) King; also Senator(s) Andrews--  
Concerning stabilization of the fiscal condition of state government, and, in connection therewith, requiring the state to annually retain the lesser of all state revenues in excess of the constitutional limitation on state fiscal year spending or an amount of excess state revenues equal to the amount of state education fund revenues for the fiscal year; allowing the general assembly to use retained revenues for general fund appropriations, augmentation of the state education fund, a new state rainy day fund, and funding of the property tax exemption for qualifying seniors; excluding retained revenues and interest or income earned thereon from state fiscal year spending; and modifying the formula used to determine total program funding for school districts for state fiscal years 2005-06 to 2011-12.

Committee on Finance

**SB04-118** by Senator(s) Entz, Taylor, Isgar; also Representative(s) Rose--Concerning the exclusion of lands within a designated ground water basin from a water conservancy district.

Committee on Agriculture, Livestock, & Natural Resources

**SB04-243** by Senator(s) Andrews; also Representative(s) Stengel--  
Concerning the creation of an incentive for a state agency to achieve cost savings by allowing the agency to keep a portion of the cost savings for the purpose of paying performance-based bonuses to the employees of the agency.

Committee on Finance

**SB04-249** by Senator(s) Hillman; also Representative(s) King--  
Concerning the definition of an employer for purposes of the "Colorado Workers' Compensation Act" in situations in which a general contractor engages others to perform work on the general contractor's behalf.

Committee on Business Affairs & Labor

1 **SB04-256** by Senator(s) Taylor; also Representative(s) White--  
2 Concerning the sale of securities in the custody of the state  
3 treasurer as the administrator of unclaimed property to  
4 provide a source of revenue from the investment of the  
5 sale proceeds for the promotion of tourism in the state.

6 Committee on Finance

7  
8  
9 On motion of Representative King, **HB04-1448, 1447, 1454** were made  
10 Special Orders on Wednesday, April 28, 2004, at 2:17 p.m..

11  
12  
13 The hour of 2:17 p.m., having arrived, on motion of Representative  
14 Williams S., the House resolved itself into Committee of the Whole for  
15 consideration of Special Orders and she was called to the Chair to act as  
16 Chairman.

17  
18  
19  
20 **SPECIAL ORDERS--SECOND READING OF BILLS**

21  
22 The Committee of the Whole having risen, the Chairman reported the  
23 titles of the following bills had been read (reading at length had been  
24 dispensed with by unanimous consent), the bills considered and action  
25 taken thereon as follows:

26  
27 (Amendments to the committee amendment are to the printed committee  
28 report which was printed and placed in the members' bill file.)

29  
30 **HB04-1448** by Representative(s) Spradley; also Senator(s) May R.--  
31 Concerning the regulation of trade names.

32  
33 Amended previously (printed in House Journal, April 27, page 1619,  
34 lines 37-45).

35  
36 As amended, ordered engrossed and placed on the Calendar for Third  
37 Reading and Final Passage.

38  
39 **HB04-1447** by Representative(s) Romanoff, Larson, Berry, Briggs,  
40 Cloer, Coleman, Frangas, Hefley, Plant, Salazar, Stafford,  
41 Vigil--Concerning the enrollment in the children's basic  
42 health plan of a child who is no longer eligible for  
43 medicaid due to the implementation of Senate Bill 03-176.

44  
45 Amendment No. 1, Appropriations Report, dated April 28, 2004, and  
46 placed in member's bill file; Report also printed in House Journal, April  
47 28, pages 1632-1634.

48  
49 Amendment No. 2, by Representative Romanoff.

50  
51 Amend printed bill, page 2, line 12, after the comma, insert "AFFIRMS  
52 INCOME ELIGIBILITY, AND AGREES TO ANY APPLICABLE COST-SHARING,".

53  
54 As amended, ordered engrossed and placed on the Calendar for Third  
55 Reading and Final Passage.

56

1 **HB04-1454** by Representative(s) Young, Witwer, Plant; also  
 2 Senator(s) Owen, Teck, Reeves--Concerning a  
 3 supplemental appropriation to the department of higher  
 4 education.

5  
 6 Ordered engrossed and placed on the Calendar for Third Reading and  
 7 Final Passage.

### ADOPTION OF COMMITTEE OF THE WHOLE REPORT

13 Passed Second Reading: **HB04-1448 amended, 1447 amended, 1454.**

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

YES	62	NO	00	EXCUSED	03	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	Y	Weddig	Y
Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
Cloer	E	Larson	Y	Rhodes	Y	White	Y
Coleman	Y	Lee	Y	Rippy	E	Wiens	Y
Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
Decker	Y	Madden	Y	Rose	Y	Williams T.	Y
Fairbank	Y	Marshall	Y	Salazar	E	Witwer	Y
Frangas	Y	May	Y	Schultheis	Y	Young	Y
						Speaker	Y

### CONSENT GRANTED TO CONFERENCE COMMITTEE

43 Representative Romanoff moved that the First Conference Committee on  
 44 **HB04-1189** be granted permission to go beyond the scope of the  
 45 difference between the House and the Senate. The motion was passed by  
 46 the following roll call vote:

YES	62	NO	00	EXCUSED	03	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	Y	Weddig	Y

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

House in recess. House reconvened.

## REPORTS OF COMMITTEES OF REFERENCE

### AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES

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

**HB04-1185** be postponed indefinitely.

**HB04-1443** be postponed indefinitely.

**SB04-222** be referred favorably to the Committee on Appropriations.

**SB04-225** be referred favorably to the Committee on Appropriations.

**SB04-235** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Amend reengrossed bill, page 4, strike lines 25 through 27 and substitute the following:

"DIRECTOR MAY SERVE ONE OR MORE TERMS. THE BOARDS OF COUNTY COMMISSIONERS OF THE COUNTIES OF YUMA, PHILLIPS, KIT CARSON, WASHINGTON, SEDGWICK, LINCOLN, AND LOGAN SHALL EACH APPOINT ONE DIRECTOR. ONE".

Page 16, strike lines 7 through 19.

Reletter succeeding paragraphs accordingly.

1 **EDUCATION**

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

4  
5 **HB04-1458** be amended as follows, and as so amended, be referred to  
6 the Committee on Appropriations with favorable  
7 recommendation:  
8

9 Amend printed bill, page 21, after line 23, insert the following:

10  
11 "(3) FOR A RECIPIENT WHO HAS AN INDIVIDUAL EDUCATIONAL  
12 PROGRAM DEVELOPED PURSUANT TO SECTION 22-20-108 AND WHO IS  
13 ENROLLED IN A PARTICIPATING NON-PUBLIC SCHOOL PURSUANT TO THIS  
14 ARTICLE, THE ADMINISTRATIVE UNIT IN WHICH THE RECIPIENT RESIDES  
15 SHALL DEVELOP AND IMPLEMENT A SERVICES PLAN IN ACCORDANCE WITH  
16 THE PROVISIONS OF 34 C.F.R. SECS. 300.454 AND 300.455, AS AMENDED."  
17

18 Page 27, line 23, after "SUBSECTION (1)", insert "OR SUBSECTION (4)".  
19

20 Page 28, after line 22, insert the following:  
21

22 "(4) (a) NOTWITHSTANDING ANY OTHER PROVISION OF THIS  
23 SECTION TO THE CONTRARY, FOR THE BUDGET YEAR 2005-06 AND FOR  
24 EACH BUDGET YEAR THEREAFTER, THE DEPARTMENT OF EDUCATION SHALL  
25 ANNUALLY WITHHOLD FROM THE STATE EQUALIZATION PAYMENTS OF A  
26 SCHOOL DISTRICT THAT IS PARTICIPATING IN THE COLORADO OPPORTUNITY  
27 CONTRACT PILOT PROGRAM PURSUANT TO THE PROVISIONS OF ARTICLE  
28 56.1 OF THIS TITLE AN AMOUNT EQUAL TO THE LESSER OF THE FOLLOWING:  
29

30 (I) THE PARTICIPATING NONPUBLIC SCHOOL'S ACTUAL  
31 EDUCATIONAL COST PER PUPIL AS EVIDENCED BY AN ANNUAL COST-REPORT  
32 AUDIT; OR  
33

34 (II) (A) SEVENTY-FIVE PERCENT OF THE SCHOOL DISTRICT'S PER  
35 PUPIL OPERATING REVENUES, AS DEFINED IN SECTION 22-54-103 (9), IF THE  
36 ELIGIBLE CHILD IS ENROLLED IN ONE OF GRADES ONE THROUGH EIGHT;  
37

38 (B) EIGHTY-FIVE PERCENT OF THE SCHOOL DISTRICT'S PER PUPIL  
39 OPERATING REVENUES, AS DEFINED IN SECTION 22-54-103 (9), IF THE  
40 ELIGIBLE CHILD IS ENROLLED IN ONE OF GRADES NINE THROUGH TWELVE;  
41 OR  
42

43 (C) THIRTY-SEVEN AND ONE-HALF PERCENT OF THE SCHOOL  
44 DISTRICT'S PER PUPIL OPERATING REVENUES, AS DEFINED IN SECTION  
45 22-54-103 (9), IF THE ELIGIBLE CHILD IS ENROLLED IN KINDERGARTEN.  
46

47 (b) THE AMOUNT CALCULATED PURSUANT TO PARAGRAPH (a) OF  
48 THIS SUBSECTION (4) SHALL CONSTITUTE THE PER PUPIL OPPORTUNITY  
49 ASSISTANCE AMOUNT FOR THE APPLICABLE BUDGET YEAR.  
50

51 (c) THIS SUBSECTION (4) SHALL ONLY TAKE EFFECT IF THE  
52 COLORADO SUPREME COURT BOTH RULES THAT THE FUNDING MECHANISM  
53 SET FORTH IN ARTICLE 56 OF THIS TITLE, AS IT EXISTED PRIOR TO THE  
54 EFFECTIVE DATE OF THIS SECTION, DOES NOT VIOLATE SECTION 15,  
55 ARTICLE IX OF THE STATE CONSTITUTION AND VACATES THE INJUNCTION  
56 BARRING THE ENFORCEMENT OF ARTICLE 56 OF THIS TITLE."

1 Page 29, after line 4, insert the following:

2 "SECTION 7. Effective date. This act shall take effect upon  
3 passage; except that section 1 of this act shall only take effect if the  
4 Colorado supreme court both rules that the funding mechanism set forth  
5 in article 56 of title 22, Colorado Revised Statutes, as it existed prior to  
6 the effective date of this act, does not violate section 15, article IX of the  
7 state constitution and vacates the injunction barring the enforcement of  
8 article 56 of title 22, Colorado Revised Statutes."  
9

10 Renumber succeeding section accordingly.  
11  
12  
13

14 **HJR04-1069** be postponed indefinitely.  
15

16  
17 **HJR04-1088** be referred out for final action.  
18

19  
20 **SB04-145** be postponed indefinitely.  
21

22  
23  
24 **FINANCE**

25 After consideration on the merits, the Committee recommends the  
26 following:  
27

28 **HCR04-1017** be referred favorably to the Committee on Appropriations.  
29  
30  
31

32 **TRANSPORTATION & ENERGY**

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

36 **HB04-1456** be amended as follows, and as so amended, be referred to  
37 the Committee on Appropriations with favorable  
38 recommendation:  
39

40 Amend printed bill, page 2, line 22, strike "AND THE EXECUTIVE DIRECTOR  
41 OF THE DEPARTMENT" and substitute "OR THE TRANSPORTATION  
42 COMMISSION";  
43

44 line 23, strike "OF TRANSPORTATION".  
45

46 Page 3, line 6, strike "EXECUTIVE DIRECTOR OF THE" and substitute  
47 "TRANSPORTATION COMMISSION";  
48

49 line 7, strike "DEPARTMENT OF TRANSPORTATION".  
50  
51

52 **SB04-114** be referred favorably to the Committee on Appropriations.  
53

54 **SB04-230** be referred favorably to the Committee on Appropriations.  
55  
56

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10 Madam Speaker:

14 HB04-1373, amended as printed in Senate Journal, April 20, 2004, pages  
15 894-898, and on Third Reading as printed in Senate Journal, April 28,  
16 HB04-1309, amended as printed in Senate Journal, April 27, 2004, page  
17 1027, and on Third Reading as printed in Senate Journal, April 28,  
18 HB04-1003, amended as printed in Senate Journal, April 27, 2004, page  
19 1035, and on Third Reading, as printed in Senate Journal, April 28,  
20 HB04-1104, amended as printed in Senate Journal, April 27, 2004, page  
21 1045, and on Third Reading, as printed in Senate Journal, April 28,  
22 SCR04-023, amended on Third Reading as printed in Senate Journal,  
23 April 28,  
24 HCR04-1005, amended as printed in Senate Journal, April 20, 2004,  
25 pages 888-894, and on Third Reading, as printed in Senate Journal, April  
26 28.

37

45 We herewith transmit:

51 Without comment, as amended, HB04-1003 and 1373.

**MESSAGE FROM THE GOVERNOR**

I certify I received the following on the 28th day of April, 2004, at 3:10 p.m. The original is on file in the records of the House of Representatives of the General Assembly.

Judith Rodrigue,  
Chief Clerk of the House

April 28, 2004

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

Ladies and Gentlemen:

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

**HB04-1412** Concerning Transfers Of Money Related To Capital Construction.

Approved April 28, 2004 at 1:00 P.M.

**HB04-1418** Concerning The Quarterly Payment Of Specified Assistance Grants To Individuals For Certain Programs Administered By The Executive Director Of The Department Of Revenue, And Making An Appropriation Therefor.

Approved April 28, 2004 at 1:01 P.M.

Sincerely,  
(signed)  
Bill Owens  
Governor

---

**INTRODUCTION OF BILL**  
**First Reading**

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

**HB04-1462** by Representative(s) Lee--Concerning the allocation of parental responsibilities to a person other than a parent.  
Committee on Judiciary

---



**INTRODUCTION OF CONCURRENT RESOLUTION**

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

**HCR04-1018** by Representative(s) Cadman, Rhodes--Submitting to the registered electors of the state of Colorado an amendment to section 20 of article X of the constitution of the state of Colorado, concerning the methods used to refund state revenues in excess of the state fiscal year spending limitation, and, in connection therewith, requiring the state to have voter approval in advance for a new refund method or certain changes to existing refund methods and requiring a state sales tax refund method to refund any excess state revenues not refunded by any other method.

Committee on Business Affairs & Labor

Committee on Appropriations

**SCR04-023** by Senator(s) Andrews; also Representative(s) Fairbank--Submitting to the registered electors of the state of Colorado an amendment to section 2 of article XXI of the constitution of the state of Colorado, concerning elections to recall state elected officials, and, in connection therewith, providing for the deadlines regarding recall petitions and hearings to be set in statute rather than in the constitution and stating that a recall election shall be held as part of a general election if a general election will be held between fifty and ninety days after the time for filing a protest has passed and all protests have been finally decided.

Committee on State, Veterans, & Military Affairs

---

**LAY OVER OF CALENDAR ITEMS**

On motion of Representative Smith, the following items on the Calendar were laid over until April 29, retaining place on Calendar:

Consideration of Special Orders--**SB04-196, HB04-1439.**

Consideration of General Orders--**SCR04-005.**

Consideration of Conference Committee Reports--**SB04-108, 125.**

Consideration of Resolutions--**SJR04-015, HJR04-1010, SJR04-023, 024, 027, HJR04-1040, HR04-1008, HJR04-1047, SJR04-025, 030, HJR04-1042, HR1010, SJR04-033, HJR04-1055, 1056, 1060, 1061, 1062, 1063, 1065, HR04-1012, 1013, 1015, HJR04-1066, 1067, 1068, 1071, 1072, 1073, 1074, 1075, 1078, 1079, 1080, 1081, SJR04-011, 028, HJR04-1084, 1064, HR04-1018, HJR04-1070, 1022, 1083, 1091, 1092.**

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

Consideration of Senate Amendments--**HB04-1292, 1187, 1421, 1095, 1141.**

Consideration of Governor's Partial Veto--**HB04-1422.**

---

1 On motion of Representative Smith, the House adjourned until 9:00 a.m.,  
2 April 29, 2004.

3

4

Approved:

5

6

7

8

LOLA SPRADLEY,  
Speaker

9

10 Attest:

11

12 JUDITH RODRIGUE,  
13 Chief Clerk