

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

Twentieth Legislative Day

Monday, January 26, 2004

1 Prayer by Representative Carroll.

2

3 Due to inclement weather, the Speaker called the House to order at  
4 11:00 a.m.

5

6 Pledge of Allegiance led by Speaker Spradley.

7

8 The roll was called with the following result:

9

10 Present--61.

11 Excused--Representatives Cloer, Schultheis--2.

12 Absent--Representatives Larson, Plant--2.

13 Present after roll call--Representatives Cloer, Larson, Plant,  
14 Schultheis.

15

16 The Speaker declared a quorum present.

17

18

19 On motion of Representative Hodge, the reading of the journal of  
20 January 23, 2004, was declared dispensed with and approved as corrected  
21 by the Chief Clerk.

22

23

24 On motion of Representative Rippy, the House resolved itself into  
25 Committee of the Whole for consideration of General Orders, and he was  
26 called to the Chair to act as Chairman.

27

28 **GENERAL ORDERS--SECOND READING OF BILLS**

29

30 The Committee of the Whole having risen, the Chairman reported the  
31 titles of the following bills had been read (reading at length had been  
32 dispensed with by unanimous consent), the bills considered and action  
33 taken thereon as follows:

34

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

37

38 **HB04-1061** by Representative(s) Berry, Hefley, Jahn, Madden,  
39 McFadyen, Williams S.; also Senator(s) Takis--  
40 Concerning the utilization of child advocacy centers.

41

42 Ordered engrossed and placed on the Calendar for Third Reading and  
43 Final Passage.

1 **HB04-1127** by Representative(s) Johnson R., Larson, Tochtrop; also  
2 Senator(s) Johnson S.--Concerning a limitation on the use  
3 of the professional title of "nurse".  
4

5 Amendment No. 1, by Representatives Johnson R., Stafford.  
6

7 Amend printed bill, page 2, strike lines 4 and 5 and substitute the  
8 following:  
9

10 " (b) (I) ~~To use in connection with his name any designations~~  
11 ~~tending to imply that he~~ TO REPRESENT HIMSELF OR HERSELF TO AN  
12 INDIVIDUAL OR TO THE GENERAL PUBLIC BY USE OF ANY WORD OR  
13 ABBREVIATION TO INDICATE OR INDUCE OTHERS TO BELIEVE THAT HE OR  
14 SHE is a licensed practical or".  
15

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

20 **HB04-1050** by Representative(s) Butcher; also Senator(s) Tapia--  
21 Concerning a prohibition against changing an inscription  
22 on a burial memorial without required permission.  
23

24 Amendment No. 1, Judiciary Report, dated January 20, 2004, and placed  
25 in member's bill file; Report also printed in House Journal, January 21,  
26 pages 114-116.  
27

28 As amended, ordered engrossed and placed on the Calendar for Third  
29 Reading and Final Passage.  
30  
31

32 **HB04-1074** by Representative(s) Lee; also Senator(s) Gordon--  
33 Concerning a department of corrections reentry program.  
34

35 Ordered engrossed and placed on the Calendar for Third Reading and  
36 Final Passage.  
37  
38

39 **HB04-1118** by Representative(s) Johnson R., Borodkin, Cerbo,  
40 Fairbank, Hall, Hodge, Marshall, McCluskey, McGihon,  
41 Paccione, Pommer, Rhodes, Rippy, Rose, Schultheis,  
42 Sinclair; also Senator(s) Lamborn--Concerning the  
43 ramifications of making false reports concerning at-risk  
44 adults.  
45

46 Ordered engrossed and placed on the Calendar for Third Reading and  
47 Final Passage.  
48  
49

50 **HB04-1152** by Representative(s) Hoppe, Rose, Salazar, White--  
51 Concerning membership requirements for the water  
52 resources review committee.  
53

54 Ordered engrossed and placed on the Calendar for Third Reading and  
55 Final Passage.  
56

1 **HB04-1069** by Representative(s) White; also Senator(s) Lamborn--  
 2 Concerning deferred deposit loans.  
 3

4 Laid over until January 27, retaining place on Calendar.  
 5

6 **HB04-1037** by Representative(s) Hodge; also Senator(s) Keller--  
 7 Concerning the treatment of American sign language as a  
 8 foreign language in education.  
 9

10 Ordered engrossed and placed on the Calendar for Third Reading and  
 11 Final Passage.  
 12

13 **HB04-1119** by Representative(s) Hefley, Witwer, Boyd, Butcher,  
 14 Carroll, Cerbo, Cloer, Crane, Frangas, Johnson R., Larson,  
 15 McCluskey, McFadyen, Paccione, Pommer, Rippy,  
 16 Romanoff, Welker, Williams S., Williams T., Briggs, Hall,  
 17 King, May M., White; also Senator(s) Taylor, Chlouber,  
 18 Arnold, Groff, Hagedorn, Hanna, Isgar, Johnson S.,  
 19 Keller, Lamborn, Reeves, Tapia, Veiga, Windels--  
 20 Concerning the income tax credit for child care facilities,  
 21 and, in connection therewith, clarifying the meaning of the  
 22 term "child care facility" and extending the credit for five  
 23 additional years.  
 24

25 Amendment No. 1, by Representative Hefley.  
 26

27 Amend printed bill, page 2, line 9, after "or", insert "CHILD CARE".  
 28

29 As amended, ordered engrossed and placed on the Calendar for Third  
 30 Reading and Final Passage.  
 31

32 On motion of Representative King, the remainder of the General Orders  
 33 Calendar (**HB04-1012, 1084, 1150, 1071, 1192, 1099**) was laid over until  
 34 January 27, retaining place on Calendar.  
 35

### 36 37 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

38  
39 Passed Second Reading: **HB04-1061, 1127 amended, 1050 amended,**  
 40 **1074, 1118, 1152, 1037, 1119 amended.**  
 41

42 Laid over until date indicated retaining place on Calendar: **HB04-1012,**  
 43 **1084, 1150, 1071, 1192, 1099, 1069**--January 27, 2004.  
 44

45 The Chairman moved the adoption of the Committee of the Whole  
 46 Report. As shown by the following roll call vote, a majority of those  
 47 elected to the House voted in the affirmative, and the Report was  
 48 **adopted.**  
 49

50	YES	63	NO	00	EXCUSED	01	ABSENT	01
51	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
52	Borodkin	Y	Hall	Y	McFadyen	-	Smith	Y
53	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
54	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
55	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
56	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y

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

House in recess. House reconvened.

### MESSAGES FROM THE SENATE

Madam Speaker:

The Senate has adopted and transmits herewith: SJR04-003, 004.

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes: SB04-082, 068, 096, 090, 107.

### MESSAGE FROM THE REVISOR

We herewith transmit:

Without comment, SB04-068, 082, 090, 096, and 107 .

### SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

The Speaker has signed: **HJR04-1002.**

### INTRODUCTION OF BILLS First Reading

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

**HB04-1219** by Representative(s) Witwer, Plant, Young; also Senator(s) Reeves, Owen, Teck--Concerning community transition services for eligible persons under the "Home-and Community-based Services for the Elderly, Blind, and Disabled Act".

Committee on Health, Environment, Welfare, & Institutions

**HB04-1220** by Representative(s) Young, Plant, Witwer; also Senator(s) Owen, Reeves, Teck--Concerning transportation expenses under the "Colorado Medical Assistance Act".

Committee on Health, Environment, Welfare, & Institutions

- 1 **HB04-1221** by Representative(s) Hoppe, Brophy, Harvey, Hefley,  
2 Hodge, McCluskey, Miller, Paccione, Salazar, Tochtrop,  
3 White, Wiens; also Senator(s) Entz--Concerning the  
4 funding of Colorado water conservation board projects,  
5 and making appropriations in connection therewith.  
6 Committee on Agriculture, Livestock, & Natural Resources  
7 Committee on Appropriations  
8
- 9 **HB04-1222** by Representative(s) Young, Plant, Witwer; also  
10 Senator(s) Owen, Reeves, Teck--Concerning the  
11 elimination of the designated cash flow reserve within the  
12 controlled maintenance trust fund, and, in connection  
13 therewith, transferring the balance of the reserve to the  
14 state general fund.  
15 Committee on Finance  
16
- 17 **HB04-1223** by Representative(s) Ragsdale--Concerning the fines  
18 imposed on persons who violate motor vehicle seat belt  
19 laws.  
20 Committee on State, Veterans, & Military Affairs  
21 Committee on Information & Technology  
22
- 23 **HB04-1224** by Representative(s) Paccione; also Senator(s) McElhany,  
24 Lamborn--Concerning allowing minors to serve as  
25 directors of nonprofit corporations.  
26 Committee on Information & Technology  
27
- 28 **HB04-1225** by Representative(s) Berry, Spradley, Romanoff, Boyd,  
29 Cloer, Stafford; also Senator(s) Sandoval, Jones--  
30 Concerning the "Low-income Energy Assistance Act".  
31 Committee on Transportation & Energy  
32
- 33 **HB04-1226** by Representative(s) White--Concerning the authority for  
34 a bank to utilize a certificate of trust to establish a deposit  
35 account.  
36 Committee on Business Affairs & Labor  
37
- 38 **HB04-1227** by Representative(s) Sinclair--Concerning voting systems,  
39 and making an appropriation in connection therewith.  
40 Committee on State, Veterans, & Military Affairs  
41 Committee on Appropriations  
42
- 43 **SB04-082** by Senator(s) Kester; also Representative(s) Paccione--  
44 Concerning the authorization of certain persons to taste  
45 alcohol beverages in the course of post-secondary  
46 educational programs involving the culinary arts.  
47 Committee on Business Affairs & Labor  
48
- 49 **SB04-096** by Senator(s) Veiga; also Representative(s) Fairbank--  
50 Concerning the transfer of interests in telecommunication  
51 utility assets that are not used in the provision of regulated  
52 services without authorization by the public utilities  
53 commission.  
54 Committee on Business Affairs & Labor  
55  
56
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**INTRODUCTION OF RESOLUTIONS**

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

**HJR04-1005** by Representative(s) Spence, Hefley, Clapp, Fairbank, Garcia, Hoppe, King, Lee, Paccione, Stafford, Stengel, Weddig, White, Williams S., Witwer; also Senator(s) Arnold--Concerning consolidation of the University of Colorado Health Sciences Center and the University of Colorado at Denver.

Committee on Education

**SJR04-003** by Senator(s) Entz; also Representative(s) Hoppe--Concerning additions and modifications to the water pollution control revolving fund eligibility list.

Committee on Agriculture, Livestock, & Natural Resources

**SJR04-004** by Senator(s) Entz; also Representative(s) Hoppe--Concerning additions and modifications to the drinking water revolving fund project eligibility list.

Committee on Agriculture, Livestock, & Natural Resources

**SJR04-005** by Senator(s) Taylor, Owen, Teck, Reeves; also Representative(s) Stengel, Young, Witwer, Plant--Concerning the certification by the general assembly of its estimate of state general fund revenues and allowable state general fund appropriations for the 2004-05 budget year.

Committee on Finance

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**LAY OVER OF CALENDAR ITEMS**

On motion of Representative Marshall, the following items on the Calendar were laid over until January 27, 2004 retaining place on Calendar:

Consideration of Third Reading--**HB04-1053, 1078, 1057, 1043, 1027, 1047.**

Consideration of Resolution--**HJR04-1004.**

On motion of Representative Marshall, the House adjourned until 9:00 a.m., January 27, 2004.

Approved:

LOLA SPRADLEY,  
Speaker

Attest:

JUDITH RODRIGUE,  
Chief Clerk