

Legislative Coffee . . . . . Wednesday, May 5  
7:30 - 9:00 A.M. Capitol, Second Floor North  
ABATE

**SENATE CALENDAR**  
Sixty-fourth General Assembly  
**STATE OF COLORADO**  
Second Regular Session

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**120th Legislative Day**

**Wednesday, May 5, 2004**

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Hour of convening: 10:00 a.m.

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

- HB04-1448** by Representative(s) Spradley; also Senator(s) **May R.**--Concerning the regulation of trade names.
- HB04-1190** by Representative(s) Romanoff; also Senator(s) **Teck**--Concerning economic development incentives, and, in connection therewith, allowing a certified capital company to use proceeds or gains from the use of certified capital to pay taxes passed through to the equity owners of the certified capital company and modifying the circumstances under which a certified capital company may make distributions from certified capital.  
(Amended in General Orders as printed in Senate Journal, May 3, 2004, page 1214, and in Special Orders as printed in Senate Journal, May 4, pages 1238-1239.)
- HB04-1464** by Representative(s) Witwer, Young, Plant; also Senator(s) **Reeves, Owen, Teck**--Concerning the authorization of additional personnel to the department of education to provide assistance to public schools relating to school capital construction.
- HB04-1465** by Representative(s) Witwer, Young, Plant; also Senator(s) **Teck, Owen, Reeves**--Concerning the capital development committee, and making an appropriation in connection therewith.  
(Amended in Special Orders as printed in Senate Journal, May 4, 2004, page 1239.)
- HB04-1455** by Representative(s) Young, Spradley; also Senator(s) **Teck**--Concerning the elimination of appropriations of revenue made for the payment of the expenses of the state of Colorado, including its departments, agencies, and institutions, that are appropriated on January 1, 2005.  
(Amended in Special Orders as printed in Senate Journal, May 4, 2004, pages 1239-1240.)

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

- SB04-217** by Senator(s) **Cairns**; also Representative(s) Stengel, Crane--Concerning the protection of victims.  
(Amended in General Orders as printed in Senate Journal, April 29, 2004, pages 1082-1084.)  
(Laid over from May 4)

- SB04-232** by Senator(s) **Dyer**, Entz, Andrews, Cairns, Evans, Hagedorn, Hillman, Jones, Lamborn, McElhany, Owen; also Representative(s) King, Hefley, Cadman, Cloer, Crane, Decker, Harvey, Lee, Schultheis, Sinclair, Spence, Stafford, Stengel--Concerning creation of a front range water conservation district.  
(State Veterans & Military Affairs recommends the bill be amended as printed in Senate Journal, April 20, 2004, pages 884-885.)  
(Laid over from May 4)
- SB04-190** by Senator(s) **Johnson S.**; also Representative(s) Harvey--Concerning the creation of liens for health care providers on moneys collected by an injured person.  
(Business Affairs & Labor recommends the bill be amended as printed in Senate Journal, March 11, 2004, pages 485-486.)  
(Laid over from May 4)
- SB04-151** by Senator(s) **Evans**, Hillman, Kester, Arnold, Cairns, Johnson S., Jones, Lamborn, May R.; also Representative(s) Lee, Clapp, Decker, Hefley, King, May M., Spence, Stengel--Concerning judicial evaluations by commissions on judicial performance.  
(Amended in General Orders as printed in Senate Journal, March 26, 2004, pages 644-647.)  
(Laid over from May 4)
- SB04-250** by Senator(s) **McElhany**; --Concerning the requirement that any amounts above Pinnacol Assurance's reasonable surplus be credited to CoverColorado.  
(Business Affairs & Labor recommends the bill be amended as printed in Senate Journal, May 3, 2004, page 1195.)

## CONSIDERATION OF RESOLUTIONS

- HJR04-1038** by Representative(s) Spradley; also Senator(s) **Andrews**--Concerning nonsubstantive changes to the joint rules of the senate and the house of representatives, and, in connection therewith, making the joint rules gender-neutral, aligning the joint rules with current practices, and eliminating obsolete provisions.  
(Laid over from May 4)
- HJR04-1085** by Representative(s) Spradley; also Senator(s) **Hillman**--Concerning the general assembly urging congress to improve the rules to implement privacy of health information under the federal "Health Insurance Portability and Accountability Act of 1996".  
(Laid over from May 4)
- HJR04-1090** by Representative(s) Spradley; also Senator(s) **Hagedorn**--Concerning commending the automated external defibrillator donation partnership between the American Heart Association and Kaiser Permanente.  
(Laid over from May 4)
- HJR04-1067** by Representative(s) Vigil, Butcher, Coleman, Frangas, Garcia, Salazar; also Senator(s) **Tapia**, Sandoval--Concerning the celebration of Cinco de Mayo.  
(Laid over from May 4)

- HJR04-1080** by Representative(s) Paccione, Williams T., Lundberg, McCluskey, Welker; also Senator(s) **Owen**, Johnson S., Reeves--Concerning the Rocky Mountain Senior Games.  
(Laid over from May 4)
- HJR04-1091** by Representative(s) Clapp; also Senator(s) **Johnson S.**--Concerning foster care month.  
(Laid over from May 4)
- SJR04-050** by Senator(s) **Gordon**; --Concerning an expression of support by the Colorado General Assembly for the maintenance of existing restrictions contained in rule G-37 of the Municipal Securities Rulemaking Board on contributions by persons involved in the municipal securities industry to political candidates and expressing its strong opposition to a weakening of any such restrictions.
- HJR04-1060** by Representative(s) Stengel; also Senator(s) **Grossman**--Concerning the creation of Paralegal Day.
- HJR04-1022** by Representative(s) Welker; also Senator(s) **Cairns**--Concerning the recommendation to the United States Congress to enact legislation to make English the official language of the United States.
- HJR04-1047** by Representative(s) Cloer, Merrifield, Larson, Frangas, Paccione, Garcia, Butcher, Wiens, Berry, Borodkin, Boyd, Briggs, Brophy, Cadman, Carroll, Cerbo, Clapp, Coleman, Crane, Decker, Fairbank, Hall, Harvey, Hodge, Hoppe, Jahn, Johnson R., Judd, King, Lee, Lundberg, Madden, Marshall, May M., McCluskey, McFadyen, McGihon, Miller, Mitchell, Plant, Pommer, Ragsdale, Rhodes, Rippy, Romanoff, Rose, Salazar, Schultheis, Sinclair, Smith, Spence, Spradley, Stafford, Stengel, Tochtrop, Vigil, Weddig, Weissmann, Welker, White, Williams S., Williams T., Witwer, Young; also Senator(s) **McElhany**--Concerning Military Appreciation Month.
- HJR04-1055** by Representative(s) Romanoff, Miller, Plant, Rippy, White; also Senator(s) **Chlouber**, Isgar--Concerning cleanup of inactive and abandoned mine sites.
- HJR04-1056** by Representative(s) Williams T.; also Senator(s) **Hillman**--Concerning a request that the United States Congress reform the class action lawsuit process to protect against frivolous interstate class actions in state courts.
- HJR04-1061** by Representative(s) Stafford; also Senator(s) **Johnson S.**--Concerning Mental Health Month in Colorado.
- HJR04-1063** by Representative(s) Merrifield, Cadman, Cloer, Decker, Hefley, King, Schultheis, Sinclair; also Senator(s) **Jones**--Concerning the designation of "Welcome Home Day" to welcome local area troops who have been serving overseas back to Colorado.

- HJR04-1064** by Representative(s) Wiens, Spradley; also Senator(s) **Chlouber**--Concerning the encouragement of federal legislation to ensure that programs providing financial assistance for the educational needs of children of migrant workers include assistance for children of all types of migrant workers.
- HJR04-1068** by Representative(s) Johnson R., Tochtrop, Cloer, Boyd, Larson; also Senator(s) **Hanna**--Concerning honoring the registered nurses who care for all Coloradans, and, in connection therewith, celebrating National Nurses Week.
- HJR04-1071** by Representative(s) Frangas, McGihon, Spradley; also Senator(s) **Sandoval**--Concerning support for Senator Ben Nighthorse Campbell's efforts to secure funding to restore the historic Elitch Gardens Theatre.
- HJR04-1075** by Representative(s) Paccione, Sinclair; also Senator(s) **Lamborn**--Concerning the encouragement of businesses to give discounts to military personnel.
- HJR04-1078** by Representative(s) Johnson R., Jahn, Boyd, Crane, Decker, Hall, Hodge, Miller, Salazar, Sinclair, Weddig; also Senator(s) **Entz**--Concerning the Colorado State Veterans Home at Fitzsimons.
- HJR04-1079** by Representative(s) Marshall, Larson, Carroll, Frangas, Borodkin, Cloer, Coleman, Madden, McGihon, Paccione, Romanoff, Stengel, White, Williams T.; also Senator(s) **Groff**--Concerning zero tolerance of racism in Colorado.
- HJR04-1081** by Representative(s) Pommer; also Senator(s) **Fitz-Gerald**--Concerning honoring Enos Mills, and, in connection therewith, designating January 31 Enos Mills Day.
- HJR04-1088** by Representative(s) Romanoff, Borodkin, Carroll, Cerbo, Frangas, Judd, Marshall, McGihon; also Senator(s) **Groff**--Concerning saluting the Denver Classroom Teachers Association for ratification of the Professional Compensation System.
- HJR04-1092** by Representative(s) Cadman, Harvey, Hefley, Briggs, Crane, Fairbank, Hall, King, Lee, Mitchell, Rhodes, Rose, Schultheis, Sinclair, Spence, Spradley, Welker, White, Wiens, Witwer; also Senator(s) **May R.**--Concerning a request that the members of Colorado's congressional delegation support President Bush's efforts to protect the United States from terrorists and the proliferation of weapons of mass destruction.
- HJR04-1093** by Representative(s) Berry, Hoppe, Decker, Hall, Johnson R., McCluskey, McFadyen, Merrifield, Miller, Pommer, Rippy, Rose, Smith, Spence, Spradley, White, Williams S.; also Senator(s) **Teck**--Concerning the recognition of Representative Scott McInnis for his years of public service to the citizens of Colorado.
- HJR04-1010** by Representative(s) Butcher, Paccione; also Senator(s) **Tapia**--Concerning an analysis of the feasibility of a passenger rail service along the Front Range area by the Colorado Department of Transportation.

**HJR04-1054** by Representative(s) Carroll, Paccione, Cerbo, Hefley, Judd, Lee, Marshall, McGihon, Merrifield, Pommer, Romanoff, Stengel, Vigil, Weissmann, White, Williams S.; also Senator(s) **Groff**, Grossman, Tupa, Veiga--Concerning the commemoration of the 50th anniversary of the United States Supreme Court's decision in Brown v. Board of Education of Topeka, Kansas.

## NOTICE OF INTENT TO RECONSIDER RESOLUTION

**SCR04-013** by Senator(s) **Hillman**; also Representative(s) Sinclair--Submitting to the registered electors of the state of Colorado amendments to articles IX and X of the constitution of the state of Colorado, concerning the modification of constitutional restrictions on the ability of the state legislature to adjust state spending in response to changes in state revenues, and, in connection therewith, counting moneys diverted to the state education fund as state fiscal year spending in years when state revenues are less than the spending limits imposed by section 20 of article X (TABOR); suspending the provisions of section 17 of article IX (amendment 23) that require annual increases in certain funding requirements for preschool through the twelfth grade public education for state fiscal years 2005-06 and 2006-07; suspending the required increase in statewide base per pupil funding in any year when state fiscal year spending limits are not reached, but prohibiting any decrease in statewide base per pupil funding in any such year; suspending the provision of TABOR that limits the maximum annual percentage change in state fiscal year spending for state fiscal years 2005-06 and 2006-07; creating a state rainy day fund consisting of moneys appropriated by the general assembly within TABOR limits and requiring an annual appropriation of one hundred million dollars; replacing the existing state emergency reserve with the state rainy day fund; authorizing the general assembly to spend moneys in the state rainy day fund in any year when fiscal year spending is less than the TABOR limit and in declared emergencies; transferring moneys from the state rainy day fund to the general fund in specified circumstances; and counting moneys appropriated to and spent from the state rainy day fund as state fiscal year spending.  
(Amended in General Orders as printed in Senate Journal, April 23, 2004, page 971 and on Third Reading, as printed in Senate Journal, April 29, pages 1108-1114.)  
(Laid over from May 4)

## CONFERENCE COMMITTEES TO REPORT

**HB04-1199** by Representative(s) Lee, Briggs, Crane, Hefley, Jahn, King, Larson, Pommer, Rose, Schultheis, Sinclair, Spence, Stafford, Welker, Williams S.; also Senator(s) **McElhany**--Concerning nonfelony traffic matters involving minors under the age of eighteen years.  
(Amended as printed in Senate Journal, April 29, pages 1102-1105.)  
House Conferees: Representatives Lee, chairman, Witwer, and Frangas  
Senate Conferees: Senators McElhany, chairman, May, and Nichol

**HB04-1021** by Representative(s) Briggs, Merrifield; also Senator(s) **McElhany**--Concerning the consumption of alcohol, and making an appropriation therefor.  
(Amended as printed in Senate Journal, May 3, pages 1192-1193, and May 4)  
House Conferees: Representatives Briggs, chairman, Rose, and Coleman  
Senate Conferees: Senators McElhany, chairman, Jones, and Veiga

**SB04-216** by Senator(s) **Lamborn**; also Representative(s) Cloer--Concerning limitations on the use of credit information for the purposes of personal lines of property and casualty insurance rating, and, in connection therewith, substantially adopting the provisions of the National Conference of Insurance Legislators model for uses of credit information for personal lines of property and casualty insurance.  
(Amended as printed in House Journal, April 27, page 1606, and April 29, pages 1650-1651.)  
Senate Conferees: Senators Lamborn, chairman, Evans, and Tapia  
House Conferees: Representatives Cloer, chairman, Stengel, and Judd

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**SENATE COMMITTEE MEETINGS**

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**Wednesday, May 5, 2004**

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**HB04-1021** **CONFERENCE COMMITTEE ON HB04-1021 8:30 A.M. HCR0111**  
by Representative Briggs; also Senator **McElhany**--Alcohol Consumption  
House Conferees: Representatives Briggs, chairman, Rose, and Coleman  
Senate Conferees: Senators McElhany, chairman, Jones, and Veiga  
(First Meeting of First Conference Committee)

**SB04-216** **CONFERENCE COMMITTEE ON SB04-216 8:45 A.M. 352**  
by Senator **Lamborn**; also Representative Cloer--Personal Property & Casualty  
Senate Conferees: Senators Lamborn, chairman, Evans, and Tapia  
House Conferees: Representatives Cloer, chairman, Stengel, and Judd  
(First Meeting of First Conference Committee)

**JOINT BUDGET COMMITTEE**  
**AS TIME PERMITS JBC Hearing Room Legis. Serv. Bldg. 3rd Floor**  
(Senators Owen-VC, Teck, & Reeves)  
General Business

**JOINT COMPUTER MANAGEMENT COMMITTEE 12:00 P.M. - 1:00 P.M. 352**

Individuals with disabilities needing auxiliary aids may request assistance by contacting Ms. Delphine Whatley at Legislative Council, Room 029 Capitol. Call 303-866-3521. The TDD number is 303-866-3472.

I certify that the above calendar was posted on  
Tuesday, May 4, 2004 at 4:00 p.m.

Renee White  
Senate Calendar Clerk