

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

Seventieth Legislative Day

Tuesday, March 16, 2004

1 Prayer by Dr. Dominic Aquila, New Geneva Theological Seminary,  
2 Colorado Springs.

3  
4 The Speaker called the House to order at 10:00 a.m.

5  
6 Pledge of Allegiance led by Representative Romanoff.

7  
8 The roll was called with the following result:

9  
10 Present--60.  
11 Excused--Representatives Coleman, Harvey, Madden,  
12 Williams S.--4.  
13 Absent--Representative Weissmann--1.  
14 Present after roll call--Representatives Coleman, Harvey,  
15 Weissmann, Williams S.

16  
17 The Speaker declared a quorum present.

18  
19  
20 On motion of Representative Rose, the reading of the journal of  
21 March 15, 2004, was declared dispensed with and approved as corrected  
22 by the Chief Clerk.

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

23  
24  
25  
26  
27  
28  
29 The following bill was read by title and referred to the committee  
30 indicated:

31  
32 **SB04-103** by Senator(s) Sandoval, Gordon, Phillips, Arnold, Entz,  
33 Fitz-Gerald, Groff, Grossman, Hagedorn, Hanna, Isgar,  
34 Johnson S., Jones, Keller, Kester, Reeves, Takis, Tapia,  
35 Tupa, Veiga, Windels; also Representative(s) Cloer, Boyd,  
36 Cadman, Cerbo, Frangas, Madden, Marshall, McFadyen,  
37 McGihon, Merrifield, Romanoff, Vigil, Williams S.--  
38 Concerning policies to increase the inclusion of nutritious  
39 choices in school vending machines.  
40 Committee on Agriculture, Livestock, & Natural Resources

41  
42  
43

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

2  
3 The following bills were considered on Third Reading. The titles were  
4 publicly read. Reading of the bill at length was dispensed with by  
5 unanimous consent.

6  
7 **HB04-1370** by Representative(s) Frangas, Williams T.; also Senator  
8 Lamborn--Concerning the authority for a county  
9 department to enter into voluntary safety plan agreements  
10 related to first-time minor incidents of child abuse.

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

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

35 Co-sponsors added: Representatives Boyd, Carroll, Cloer, Coleman, May,  
36 McGihon, Stafford, Vigil.

37  
38 **SB04-090** by Senator(s) Anderson; also Representative(s) Berry--  
39 Concerning the confidentiality of information regarding  
40 investments made by the public employees' retirement  
41 association.

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

	YES	64	NO	00	EXCUSED	01	ABSENT	00
49	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
50	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
51	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
52	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
53	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
54	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
55	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
56	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	Y	Larson	Y	Rhodes	Y	White	Y
4	Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y
5	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
6	Decker	Y	Madden	E	Rose	Y	Williams T.	Y
7	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
8	Frangas	Y	May	Y	Schultheis	Y	Young	Y
9							Speaker	Y

10 Co-sponsors added: Representatives Marshall, Speaker.

11

12 **HB04-1240** by Representative(s) Cadman, Brophy, Butcher, McGihon,  
13 Rhodes, Welker; also Senator(s) Hagedorn--Concerning  
14 continuation of the regulation of bail bonding agents by  
15 the division of insurance.

16

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

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

21

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

40 Co-sponsor added: Representative Wiens.

41

42 **HB04-1365** by Representative(s) Harvey; also Senator(s) Kester--  
43 Concerning water planning by retail water providers.

44

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

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

49

50	YES	59	NO	05	EXCUSED	01	ABSENT	00
51	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
52	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
53	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
54	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
55	Brophy	N	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	N
3	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
4	Clapp	Y	King	Y	Ragsdale	Y	Welker	N
5	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
6	Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y
7	Crane	Y	Lundberg	N	Romanoff	Y	Williams S.	Y
8	Decker	Y	Madden	E	Rose	Y	Williams T.	Y
9	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
10	Frangas	Y	May	Y	Schultheis	N	Young	Y
11							Speaker	Y

12 Co-sponsors added: Representatives Frangas, May, McFadyen, Plant, Rippy,  
13 Weissmann, Wiens.

14  
15 **SB04-098** by Senator(s) Hanna; also Representative(s) Stengel--  
16 Concerning the establishment of a "Structured Settlement  
17 Protection Act".

18  
19 The question being "Shall the bill pass?".  
20 A roll call vote was taken. As shown by the following recorded vote, a  
21 majority of those elected to the House voted in the affirmative and the bill  
22 was declared **passed**.

24	YES	63	NO	01	EXCUSED	01	ABSENT	00
25	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
26	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
27	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
28	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
29	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
30	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
31	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
32	Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
33	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
34	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
35	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
36	Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y
37	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
38	Decker	Y	Madden	E	Rose	Y	Williams T.	Y
39	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
40	Frangas	Y	May	Y	Schultheis	N	Young	Y
41							Speaker	Y

42 Co-sponsors added: Representatives Boyd, Hoppe, Larson, Weddig.

43  
44 **SB04-109** by Senator(s) Kester, Takis; also Representative(s)  
45 Stengel--Concerning the regulation of pawnbrokers.

46  
47 The question being "Shall the bill pass?".  
48 A roll call vote was taken. As shown by the following recorded vote, a  
49 majority of those elected to the House voted in the affirmative and the bill  
50 was declared **passed**.

52	YES	59	NO	05	EXCUSED	01	ABSENT	00
53	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
54	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
55	Boyd	Y	Harvey	Y	McGihon	N	Spence	Y
56	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y

1	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
2	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
3	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
4	Carroll	Y	Johnson	Y	Plant	Y	Weddig	N
5	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	N
6	Clapp	Y	King	Y	Ragsdale	N	Welker	Y
7	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
8	Coleman	N	Lee	Y	Rippy	Y	Wiens	Y
9	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
10	Decker	Y	Madden	E	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-sponsor added: Representative Vigil

15  
16 **HB04-1383** by Representative(s) Williams T.; also Senator(s)  
17 McElhany--Concerning reports to the general assembly  
18 concerning issues before the business affairs and labor  
19 committee pursuant to Colorado's "Information  
20 Coordination Act".  
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	YES	64	NO	00	EXCUSED	01	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	E	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-sponsor added: Representative Hoppe

46  
47 **SB04-131** by Senator(s) Jones, Groff, Johnson S.; also  
48 Representative(s) Marshall--Concerning modifications to  
49 the procedures for handling an employment discrimination  
50 complaint filed by an employee in the state personnel  
51 system.  
52

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

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

	YES	64	NO	00	EXCUSED	01	ABSENT	00
1								
2	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
3	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
4	Boyd	Y	Harvey	Y	McGihon	Y	Spence	Y
5	Briggs	Y	Hefley	Y	Merrifield	Y	Stafford	Y
6	Brophy	Y	Hodge	Y	Miller	Y	Stengel	Y
7	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
8	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	Y
9	Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
10	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y
11	Clapp	Y	King	Y	Ragsdale	Y	Welker	Y
12	Cloer	Y	Larson	Y	Rhodes	Y	White	Y
13	Coleman	Y	Lee	Y	Rippy	Y	Wiens	Y
14	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
15	Decker	Y	Madden	E	Rose	Y	Williams T.	Y
16	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
17	Frangas	Y	May	Y	Schultheis	Y	Young	Y
18							Speaker	Y

19 Co-sponsors added: Representatives Borodkin, Coleman, Frangas, Jahn,  
20 McGihon, Miller, Weddig.

21

22 **HB04-1304** by Representative(s) Jahn, Hefley, Berry, Frangas; also  
23 Senator(s) Arnold--Concerning adoption of the revised  
24 interstate compact on juveniles.

25

26 The question being "Shall the bill 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 bill  
29 was declared **passed**.

30

	YES	60	NO	04	EXCUSED	01	ABSENT	00
31								
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	Y	Weddig	Y
40	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	N
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	N	Romanoff	Y	Williams S.	Y
45	Decker	Y	Madden	E	Rose	Y	Williams T.	Y
46	Fairbank	Y	Marshall	Y	Salazar	Y	Witwer	Y
47	Frangas	Y	May	Y	Schultheis	N	Young	N
48							Speaker	Y

49 Co-sponsors added: Representatives Borodkin, Boyd, Carroll, Coleman, Hoppe,  
50 Lee, Marshall, McFadyen, McGihon, Merrifield, Romanoff, Stafford, Vigil,  
51 Weddig, Williams S.

52

53 **SB04-084** by Senator(s) Windels; also Representative(s) Sinclair--  
54 Concerning technical modifications to voter identification  
55 requirements implementing the federal "Help America  
56 Vote Act of 2002".

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**.

	YES	64	NO	00	EXCUSED	01	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	Y	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	Y
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	E	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 Cloer, Coleman, Fairbank, Merrifield,  
 25 Weddig, Williams S.

## 26 27 28 29 **CONSIDERATION OF RESOLUTION**

30  
 31 **HJR04-1030** by Representative(s) Wiens, Spradley, Plant; also  
 32 Senator(s) Fitz-Gerald, McElhany--Concerning a request  
 33 that Indian gaming in Central City, Black Hawk, and  
 34 Cripple Creek abide by the same rules and regulations as  
 35 existing casinos.

36  
 37 (Printed and placed in member's file.)

38  
 39 Representative Wiens moved that the resolution be adopted and requested  
 40 that it be read at length.

41  
 42 Amendment No. 1, moved by Representative Berry.

43  
 44 Amend printed joint resolution, page 2, strike lines 7 through 13.

45  
 46 The amendment was declared **lost** by the following roll call vote:

	YES	26	NO	38	EXCUSED	01	ABSENT	00
49	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	N
50	Borodkin	Y	Hall	N	McFadyen	Y	Smith	N
51	Boyd	Y	Harvey	N	McGihon	Y	Spence	N
52	Briggs	Y	Hefley	N	Merrifield	Y	Stafford	N
53	Brophy	N	Hodge	Y	Miller	N	Stengel	N
54	Butcher	N	Hoppe	N	Mitchell	N	Tochtrop	Y
55	Cadman	N	Jahn	N	Paccione	Y	Vigil	Y
56	Carroll	Y	Johnson	N	Plant	N	Weddig	Y

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

10  
11

12 Amendment No. 2, moved by Representative Weissmann.

13

14 Amend printed joint resolution, page 2, line 36, strike the second "and";

15

16 line 37, strike "delegation." and substitute "delegation, and the Council  
17 of the Cheyenne and Arapaho Indian Tribes of Oklahoma.".

18

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

20

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

39

40

41 Amendment No. 3, moved by Representative Judd.

42

43 Amend printed joint resolution, page 2, strike lines 18 through 20.

44

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

46

47	YES	40	NO	24	EXCUSED	01	ABSENT	00
48	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	N
49	Borodkin	Y	Hall	Y	McFadyen	Y	Smith	Y
50	Boyd	Y	Harvey	N	McGihon	Y	Spence	Y
51	Briggs	Y	Hefley	N	Merrifield	Y	Stafford	Y
52	Brophy	N	Hodge	Y	Miller	N	Stengel	N
53	Butcher	Y	Hoppe	N	Mitchell	N	Tochtrop	Y
54	Cadman	N	Jahn	Y	Paccione	Y	Vigil	Y
55	Carroll	Y	Johnson	Y	Plant	Y	Weddig	Y
56	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	Y



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

9

10  
11 Amendment No. 4, moved by Representative Vigil.

12

13 Amend printed joint resolution, page 2, line 29, strike "or within the";

14

15 line 30, strike "same market".

16

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

18

19	YES	61	NO	03	EXCUSED	01	ABSENT	00
20	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	N
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	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	N	Wiens	Y
32	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	Y
33	Decker	N	Madden	E	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

39 On motion of Representative Wiens, the resolution as amended was  
40 **adopted** by the following roll call vote:

41

42	YES	38	NO	26	EXCUSED	01	ABSENT	00
43	Berry	N	Garcia	N	McCluskey	N	Sinclair	Y
44	Borodkin	N	Hall	Y	McFadyen	Y	Smith	N
45	Boyd	N	Harvey	Y	McGihon	N	Spence	Y
46	Briggs	N	Hefley	Y	Merrifield	N	Stafford	N
47	Brophy	Y	Hodge	N	Miller	Y	Stengel	Y
48	Butcher	Y	Hoppe	Y	Mitchell	Y	Tochtrop	Y
49	Cadman	Y	Jahn	Y	Paccione	Y	Vigil	N
50	Carroll	N	Johnson	N	Plant	Y	Weddig	N
51	Cerbo	Y	Judd	Y	Pommer	Y	Weissmann	N
52	Clapp	Y	King	Y	Ragsdale	N	Welker	Y
53	Cloer	N	Larson	N	Rhodes	Y	White	Y
54	Coleman	N	Lee	N	Rippy	N	Wiens	Y
55	Crane	Y	Lundberg	Y	Romanoff	Y	Williams S.	N
56	Decker	Y	Madden	E	Rose	Y	Williams T.	Y

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

4 Co-sponsors added: Representatives Crane, Schultheis, Sinclair, Stengel.

## 8 REPORTS OF COMMITTEES OF REFERENCE

### 10 EDUCATION

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

14 **HB04-1375** be amended as follows, and as so amended, be referred to  
15 the Committee of the Whole with favorable  
16 recommendation:

18 Amend printed bill, strike everything below the enacting clause and  
19 substitute the following:

21 "SECTION 1. Article 1 of title 22, Colorado Revised Statutes, is  
22 amended BY THE ADDITION OF A NEW SECTION to read:

24 **22-1-110.5. Human sexuality - prior written approval of  
25 parent.** PUBLIC SCHOOL OFFICIALS SHALL OBTAIN PRIOR WRITTEN  
26 APPROVAL FROM A PARENT OR GUARDIAN BEFORE HIS OR HER CHILD MAY  
27 PARTICIPATE IN ANY PLANNED CURRICULUM THAT INCLUDES THE  
28 DISCUSSION OF OR INSTRUCTION CONCERNING HUMAN SEXUALITY,  
29 INCLUDING ALTERNATIVE SEXUAL LIFESTYLES. THE SCHOOL DISTRICT  
30 SHALL PROVIDE TO THE PARENT OR GUARDIAN, WITH THE WRITTEN  
31 PERMISSION SLIP, AN OVERVIEW OF THE TOPICS AND MATERIALS TO BE  
32 PRESENTED IN THE CURRICULUM.

34 **SECTION 2.** 22-25-104 (6), Colorado Revised Statutes, is  
35 amended to read:

37 **22-25-104. Colorado comprehensive health education program  
38 - role of department of education - recommended curriculum  
39 guidelines - allocation of funds - rules and regulations.** (6) Any  
40 curriculum and materials developed and used in teaching sexuality and  
41 human reproduction shall include values and responsibility and shall give  
42 primary emphasis to abstinence by school aged children. School officials  
43 shall ~~receive~~ OBTAIN prior written approval from a parent or guardian  
44 before his or her child may participate in any program discussing or  
45 teaching sexuality and human reproduction, INCLUDING ALTERNATIVE  
46 SEXUAL LIFESTYLES. ~~Parents must receive~~ THE SCHOOL DISTRICT SHALL  
47 PROVIDE TO THE PARENT OR GUARDIAN, with the written permission slip,  
48 an overview of the topics and materials to be presented in the curriculum.

50 **SECTION 3. Effective date.** This act shall take effect July 1,  
51 2004.

53 **SECTION 4. Safety clause.** The general assembly hereby finds,  
54 determines, and declares that this act is necessary for the immediate  
55 preservation of the public peace, health, and safety."

1 **SB04-042** be referred to the Committee of the Whole with favorable  
2 recommendation.  
3

4  
5 **SB04-068** be referred to the Committee of the Whole with favorable  
6 recommendation.  
7

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11 **HEALTH, ENVIRONMENT, WELFARE, & INSTITUTIONS**

12 After consideration on the merits, the Committee recommends the  
13 following:  
14

15 **SB04-017** be amended as follows, and as so amended, be referred to  
16 the Committee of the Whole with favorable  
17 recommendation:  
18

19 Amend reengrossed bill, page 3, strike lines 14 through 16 and substitute  
20 the following:  
21

22 "~~category pursuant to the federal "Personal Responsibility and Work~~  
23 ~~Opportunity Reconciliation Act of 1996", Public Law 104-193, as~~  
24 ~~amended 8 U.S.C. SEC. 1613 (b), AS AMENDED;~~";  
25

26  
27  
28 **SB04-028** be referred favorably to the Committee on Appropriations.  
29

30  
31 **SB04-057** be amended as follows, and as so amended, be referred to  
32 the Committee of the Whole with favorable  
33 recommendation:  
34

35 Amend reengrossed bill, page 2, line 8, strike ""STUDENT"" and substitute  
36 ""NEW STUDENT"" and, after "EACH", insert "INCOMING FRESHMAN";  
37

38 line 9, strike "INSTITUTION." and substitute "INSTITUTION, OR WHO THE  
39 INSTITUTION REQUIRES TO COMPLETE AND RETURN A STANDARD  
40 CERTIFICATE INDICATING IMMUNIZATIONS RECEIVED BY THE STUDENT AS  
41 A REQUIREMENT FOR RESIDING IN STUDENT HOUSING.";  
42

43 line 11, after "EACH", insert "NEW" and, after "A", insert "NEW";  
44

45 line 15, after "(I)", insert "(A)";  
46

47 line 17, strike "(II)" and substitute "(B)";  
48

49 line 20, strike "(III)" and substitute "(C)";  
50

51 line 21, strike "MODERATELY" and substitute "MODESTLY";  
52

53 line 23, strike "(IV)" and substitute "(D)";  
54

55 after line 24, insert the following:  
56

1           "(II) WEB SITE ADDRESSES, TELEPHONE NUMBERS, OR OTHER  
 2 SIMILAR INFORMATION TO ASSIST A NEW STUDENT OR THE STUDENT'S  
 3 PARENT OR LEGAL GUARDIAN IN IDENTIFYING A LOCATION OR LOCATIONS  
 4 WHERE THE NEW STUDENT MAY RECEIVE AN IMMUNIZATION AGAINST  
 5 MENINGOCOCCAL DISEASE.";

6  
 7 line 25, after "BY", insert "SUBPARAGRAPH (I) OF".

8  
 9 Page 3, line 5, strike the first "STUDENT," and substitute "NEW STUDENT  
 10 WHO HAS NOT RECEIVED A VACCINATION AGAINST MENINGOCOCCAL  
 11 DISEASE," and, after the first "THE", insert "NEW";

12  
 13 line 6, strike "EXECUTE" and substitute "CHECK A BOX ON";

14  
 15 line 9, strike "WHETHER THE" and substitute "THAT THE NEW" and, after  
 16 "WILL", insert "NOT".

17  
 18  
 19  
 20 **SB04-137**     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 3, strike lines 12 through 17;

25  
 26 strike lines 23 through 26 and substitute the following:

27  
 28 "PARENT, EMPLOYEES OF THE DEPARTMENT OF HUMAN SERVICES AND OF  
 29 COUNTY DEPARTMENTS, OR OTHER INDIVIDUALS WITH A NEED TO KNOW,".

30  
 31  
 32  
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34 **INFORMATION & TECHNOLOGY**

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

37  
 38 **SB04-115**     be referred to the Committee of the Whole with favorable  
 39 recommendation.

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44 **LOCAL GOVERNMENT**

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

47  
 48 **SB04-088**     be referred to the Committee of the Whole with favorable  
 49 recommendation.

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 51  
 52 **SB04-176**     be referred favorably to the Committee on Appropriations.

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**SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

The Speaker has signed: **HJR04-1008, 1024, 1025, 1028; SJR04-009.**

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**MESSAGE FROM THE SENATE**

Madam Speaker:

The Senate has adopted and returns herewith: HJR04-1008.  
The Senate has adopted and returns herewith: HJR04-1024.  
The Senate voted to concur in House amendments to SJR04-009, and readopted the resolution as amended.

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**LAY OVER OF CALENDAR ITEMS**

On motion of Representative King, the following items on the Calendar were laid over until March 17, retaining place on Calendar:

Consideration of Special Orders--**HB04-1257, 1345, 1315, 1355, SB04-007, 095, HB04-1382, SB04-182, HB04-1277, 1351.**  
Consideration of General Orders--**SB04-089, HB04-1221, 1279, 1283, SB04-185, 152, HB04-1381, SB04-063, 120, 147, HB04-1393, 1014, 1165, SB04-040, HB04-1388, 1395, 1384, SB04-180.**  
Consideration of Resolutions--**HJR04-1012, 1013, 1005, 1018, SJR04-015, HJR04-1010, 1027, HR04-1006, HJR04-1032, 1033, 1034, 1035, SJR04-023, 024.**  
Consideration of Memorial--**SJM04-001.**  
Consideration of Senate Amendments--**HB04-1115, 1117, 1009, 1147, 1145, 1232, 1285, 1226, 1054, 1102.**  
Consideration of Adherence--**HB04-1182.**

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On motion of Representative King, the House adjourned until 9:00 a.m., March 17, 2004.

Approved:  
  
LOLA SPRADLEY,  
Speaker

Attest:  
  
JUDITH RODRIGUE,  
Chief Clerk