

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

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Forty-eighth Legislative Day

Monday, February 23, 2004

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Prayer	By the chaplain, Reverend Dr. Kathryn Towne.	10
Pledge	By Senator Groff.	11
Call to Order	By the President at 10:00 a.m.	12
Roll Call	Present--34. Absent/Excused--1; Nichol.	13
Quorum	The President announced a quorum present.	14
Reading of Journal	On motion of Senator Tapia, reading of the Journal of February 20, 2004, was dispensed with and the Journal was approved as corrected by the Secretary.	15

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**MESSAGE FROM THE REVISOR OF STATUTES**

February 20, 2004

We herewith transmit:

Without comment, HB04-1306, 1222.

Without comment, as amended, HB04-1187, 1102, 1363, 1285, 1108, 1054, 1267, 1200.

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

On Third Reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

**HB04-1098** by Representative(s) Young, Witwer, Plant; also Senator(s) Owen, Teck, Reeves--  
Concerning the disposition of moneys received by the state, and, in connection therewith,  
creating a definition of "custodial moneys".

Laid over until Monday, March 1, retaining its place on the calendar.

**SB04-077** by Senator(s) May R.; --Concerning the sale of surplus personal property of the state to  
elected state officials.

Laid over until May 6, 2004.

**SB04-125** by Senator(s) Kester; also Representative(s) Mitchell--Concerning the prompt payment of  
auto insurance benefits.

The question being "Shall the bill pass?", the roll call was taken with the following result:

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YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	Takis	Y
Arnold	Y	Grossman	Y	Lamborn	Y	Tapia	Y
Cairns	Y	Hagedorn	Y	May	Y	Taylor	Y
Chlouber	Y	Hanna	Y	McElhany	Y	Teck	Y
Dyer	Y	Hillman	Y	Nichol	E	Tupa	Y
Entz	Y	Isgar	Y	Owen	Y	Veiga	Y
Evans	Y	Johnson	Y	Phillips	Y	Windels	Y
Fitz-Gerald	Y	Jones	Y	Reeves	Y	Mr. President	Y
Gordon	Y	Keller	Y	Sandoval	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was declared **passed**.

Co-sponsors added: Cairns, Dyer, Entz, Evans, Fitz-Gerald, Gordon, Groff, Grossman, Hanna, Isgar, Johnson, Jones, Keller, Lamborn, May, Phillips, Sandoval, Tapia, Taylor, Tupa, Veiga, and Windels.

**SB04-179** by Senator(s) Dyer; also Representative(s) Lee--Concerning collection of moneys for the costs incurred by the judicial department.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	23	NO	11	EXCUSED	1	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	Takis	Y
Arnold	Y	Grossman	Y	Lamborn	N	Tapia	Y
Cairns	N	Hagedorn	Y	May	N	Taylor	Y
Chlouber	Y	Hanna	Y	McElhany	N	Teck	N
Dyer	Y	Hillman	N	Nichol	E	Tupa	Y
Entz	Y	Isgar	N	Owen	N	Veiga	N
Evans	Y	Johnson	Y	Phillips	Y	Windels	Y
Fitz-Gerald	Y	Jones	Y	Reeves	N	Mr. President	N
Gordon	Y	Keller	Y	Sandoval	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was declared **passed**.

**SB04-174** by Senator(s) Tupa, Arnold, Cairns, Dyer, Entz, Fitz-Gerald, Gordon, Groff, Grossman, Hillman, Keller, Lamborn, Phillips, Takis, Tapia, Veiga, Windels; also Representative(s) Sinclair--Concerning a limitation on benefits that may be accepted by certain public officials.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	27	NO	7	EXCUSED	1	ABSENT	0
Anderson	N	Groff	Y	Kester	Y	Takis	Y
Arnold	Y	Grossman	Y	Lamborn	Y	Tapia	Y
Cairns	Y	Hagedorn	Y	May	N	Taylor	Y
Chlouber	Y	Hanna	Y	McElhany	N	Teck	N
Dyer	N	Hillman	Y	Nichol	E	Tupa	Y
Entz	Y	Isgar	Y	Owen	N	Veiga	Y
Evans	Y	Johnson	Y	Phillips	Y	Windels	Y
Fitz-Gerald	Y	Jones	Y	Reeves	Y	Mr. President	N
Gordon	Y	Keller	Y	Sandoval	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was declared **passed**.

Committee of the Whole  
On motion of Senator Dyer, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills and Senator Dyer was called to the Chair to act as Chairman.

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

The Committee of the Whole having risen, the Chairman reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

- SB04-132** by Senator(s) Arnold; also Representative(s) Young, Hoppe, Weddig, Williams S., Williams T.--Concerning the modification of existing benefit plans for members of the public employees' retirement association. 1  
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Laid over until Tuesday, February 24, retaining its place on the calendar. 5  
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- SB04-115** by Senator(s) Dyer; also Representative(s) Mitchell--Concerning a limitation on the recovery of noneconomic damages in breach of contract claims. 7  
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Laid over until Tuesday, February 24, retaining its place on the calendar. 10  
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- SB04-001** by Senator(s) Cairns, Hillman, Andrews, Lamborn; also Representative(s) Spradley, Schultheis, Crane, Harvey, Lundberg, May M., Mitchell, Welker, Williams T.--Concerning the exemption of business personal property from property taxation. 12  
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Laid over until Tuesday, February 24, retaining its place on the calendar. 15  
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- SB04-070** by Senator(s) Lamborn; also Representative(s) Williams T.--Concerning the enactment of the "Colorado Uniform Trust Code". 18  
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Laid over until Tuesday, February 24, retaining its place on the calendar. 21  
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- SB04-164** by Senator(s) Owen; also Representative(s) Berry--Concerning the retention of state revenues in excess of the constitutional limitation on state fiscal year spending for the purposes of funding state infrastructure needs, and, in connection therewith, requiring excess state revenues retained to be used first to fund state and local transportation needs and next to fund other state capital construction needs. 23  
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Laid over until Tuesday, February 24, retaining its place on the calendar. 29  
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- 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. 31  
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Laid over until Tuesday, February 24, retaining its place on the calendar. 35  
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- SB04-172** by Senator(s) Entz; also Representative(s) Sinclair--Concerning authorization of persons qualified to use disabled veteran license plates to park in parking reserved for persons with disabilities. 37  
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Laid over until May 6, 2004. 41  
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- SB04-137** by Senator(s) Johnson S.; also Representative(s) Rhodes--Concerning the rights of persons providing care to children in out-of-home placement, and, in connection therewith, requiring the provision of notice to such persons of, and the opportunity to provide information at, a court hearing involving the child; establishing the ability of a foster parent to access reports submitted to a court regarding a foster child; and maintaining the confidentiality of personally identifiable information about a foster parent without the written consent of the foster parent. 43  
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Amendment No. 1, Health, Environment, Welfare & Institutions Committee Amendment. 51  
(Printed in Senate Journal, February 13, page 270 and placed in members' bill files.) 52  
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As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage. 54  
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- HB04-1055** by Representative(s) Rhodes, Coleman, Williams T.; also Senator(s) Tupa, Anderson, Takis, Taylor--Concerning the modification of the process used to make matching grants for school district capital construction from the school construction and renovation fund. 57  
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Amendment No. 1, Education Committee Amendment. 61  
(Printed in Senate Journal, February 13, pages 278-279 and placed in members' bill files.) 62  
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As amended, ordered revised and placed on the calendar for Third Reading and Final Passage. 64  
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- HB04-1088** by Representative(s) Salazar; also Senator(s) Entz--Concerning the weight of a motor vehicle that may be issued special military license plates without paying a fee. 67  
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Ordered revised and placed on the calendar for Third Reading and Final Passage. 70  
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**HB04-1019** by Representative(s) Borodkin, McFadyen, Stafford; also Senator(s) Takis, Isgar--  
Concerning an increase in the maximum dollar amount of a contract that a public airport  
authority may execute without using a competitive bidding process that awards the contract  
to the lowest responsible bidder.

Ordered revised and placed on the calendar for Third Reading and Final Passage.

**HB04-1126** by Representative(s) McCluskey, Coleman, Harvey, Hodge, Hoppe, Larson, Marshall,  
Paccione, Rhodes, White, Wiens, Williams T.; also Senator(s) Taylor--Concerning the  
continued regulation of institutions by the division of financial services, and, in connection  
therewith, extending the division of financial services.

Ordered revised and placed on the calendar for Third Reading and Final Passage.

**HB04-1154** by Representative(s) Jahn; also Senator(s) McElhany--Concerning the authority of the  
division of insurance to retain certain professionals for purposes of market conduct  
examinations.

Ordered revised and placed on the calendar for Third Reading and Final Passage.

**HB04-1087** by Representative(s) Rhodes; also Senator(s) Johnson S.--Concerning the establishment of  
the highest degree of care in the defense of a negligence claim under the high voltage power  
line statutes by proof of compliance with an applicable standard of the national electrical  
code.

Laid over until Tuesday, February 24, retaining its place on the calendar.

**HB04-1053** by Representative(s) Hall; also Senator(s) Groff--Concerning allowing the loss of a license  
if a person licensed to sell motor vehicles does not timely notify a consumer regarding the  
outcome of an attempt to secure financing for the purchase of a motor vehicle.

Ordered revised and placed on the calendar for Third Reading and Final Passage.

**HB04-1068** by Representative(s) Marshall; also Senator(s) Veiga--Concerning actions for damages on  
behalf of an employee for injuries that arise from the negligent conduct of a stranger.

Ordered revised and placed on the calendar for Third Reading and Final Passage.

**HB04-1195** by Representative(s) Stengel; also Senator(s) Dyer--Concerning criminal history record  
checks for use in court proceedings.

Ordered revised and placed on the calendar for Third Reading and Final Passage.

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On motion of Senator Hillman, and with a majority of those elected to the Senate having  
voted in the affirmative, the Senate proceeded out of order for consideration SB04-182.

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**SB04-182** by Senator(s) Dyer; also Representative(s) Stengel--Concerning the release of funds placed  
into escrow by a tobacco product manufacturer that is not a participating manufacturer  
under the terms of the tobacco litigation master settlement agreement.

Amendment No. 1, Judiciary Committee Amendment.

(Printed in Senate Journal, February 19, page 324 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for Third Reading and Final  
Passage.

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On motion of Senator Hillman, and with a majority of those elected to the Senate having  
voted in the affirmative, the Senate returned to General Orders--Second Reading calendar  
beginning with HB04-1148.

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**HB04-1148** by Representative(s) Rippey; also Senator(s) McElhany--Concerning the crime of defacing a  
cave.

Ordered revised and placed on the calendar for Third Reading and Final Passage.

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- SB04-180** by Senator(s) Hillman, Anderson, Andrews, Arnold, Chlouber, Dyer, Kester; also Representative(s) Cadman, Hefley, Miller, White, Wiens--Concerning a motion to dismiss for forum non conveniens. 1  
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Laid over until Tuesday, February 24, retaining its place on the calendar. 5  
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- SB04-185** by Senator(s) Entz; --Concerning requirements for a permit for a nonexempt ground water well located outside of the boundaries of any designated ground water basin. 7  
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Amendment No. 1, Agriculture, Natural Resources and Energy Committee Amendment. 10  
(Printed in Senate Journal, February 19, page 324 and placed in members' bill files.) 11  
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As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage. 13  
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- SB04-118** by Senator(s) Entz, Taylor, Isgar; --Concerning the exclusion of lands within a designated ground water basin from a water conservancy district. 16  
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Amendment No. 1, Agriculture, Natural Resources and Energy Committee Amendment. 19  
(Printed in Senate Journal, February 12, page 255 and placed in members' bill files.) 20  
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As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage. 22  
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- HB04-1002** by Representative(s) Crane; also Senator(s) Lamborn--Concerning conforming amendments to the pledge of allegiance statute to make the statute constitutional as required by the United States court of appeals for the seventh circuit in the 1992 decision entitled Sherman versus Community Consolidated School District 21 of Wheeling Township. 25  
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Amendment No. 1(L.006), by Senator Grossman. 30  
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Amend reengrossed bill, page 3, strike lines 6 through 11 and substitute the following: 32  
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"(3) EACH SCHOOL DISTRICT SHALL PROVIDE AN OPPORTUNITY 35  
EACH SCHOOL DAY FOR WILLING STUDENTS TO RECITE THE PLEDGE OF 36  
ALLEGIANCE IN PUBLIC ELEMENTARY AND SECONDARY EDUCATIONAL 37  
INSTITUTIONS. ANY PERSON NOT WISHING TO PARTICIPATE IN THE 38  
RECITATION OR THE PLEDGE OF ALLEGIANCE SHALL BE EXEMPT FROM 39  
RECITING THE PLEDGE OF ALLEGIANCE AND NEED NOT PARTICIPATE." 40  
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Amendment No. 2(L.005), by Senator Lamborn. 43  
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Amend reengrossed bill, page 3, strike lines 12 through 20 and substitute the following: 45  
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"**SECTION 2. Safety clause.** The general assembly hereby finds, 48  
determines, and declares that this act is necessary for the immediate 49  
preservation of the public peace, health, and safety." 50  
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As amended, ordered revised and placed on the calendar for Third Reading and Final Passage. 53  
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- HB04-1013** by Representative(s) Johnson R.; also Senator(s) Johnson S.--Concerning changing the name of the division of prevention and intervention services for children and youth to the prevention services division. 56  
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Amendment No. 1, Health, Environment, Welfare & Institutions Committee Amendment. 60  
(Printed in Senate Journal, February 19, page 325 and placed in members' bill files.) 61  
62  
As amended, ordered revised and placed on the calendar for Third Reading and Final Passage. 63  
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- HB04-1127** by Representative(s) Johnson R., Larson, Tochtrop; also Senator(s) Johnson S.--Concerning a limitation on the use of the professional title of "nurse". 66  
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Referred to Committee on State, Veterans & Military Affairs. 69  
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**HB04-1092** by Representative(s) Spence; also Senator(s) Arnold--Concerning teachers serving in administrative capacities.

Ordered revised and placed on the calendar for Third Reading and Final Passage.

**HB04-1124** by Representative(s) Spence, Coleman, Crane, Hefley, King, Rose, White, Wiens, Williams S.; also Senator(s) Arnold, Evans--Concerning changes to the state school accountability report to add information on adequate yearly progress.

Ordered revised and placed on the calendar for Third Reading and Final Passage.

**HB04-1035** by Representative(s) Hoppe, Miller, Rippy, Salazar, White; also Senator(s) Entz, Dyer, Isgar, Tapia, Taylor--Concerning a prohibition on proxy voting by members of the Colorado water conservation board.

Ordered revised and placed on the calendar for Third Reading and Final Passage.

On motion of Senator Hillman, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the General Orders -- Second Reading of Bills Calendar (SB04-166) of February 23, was laid over until Tuesday, February 24, retaining its place on the calendar.

**ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE**

On motion of Senator Dyer, the Report of the Committee of the Whole was adopted and, a majority of all members elected to the Senate having voted in the affirmative, the following action was taken:

Passed on Second Reading: SB04-137 as amended, HB04-1055, HB04-1088, HB04-1019, HB04-1126, HB04-1154, HB04-1053, HB04-1068, HB04-1195, SB04-182 as amended, HB04-1148, SB04-185 as amended, SB04-118 as amended, HB04-1002 as amended, HB04-1013 as amended, HB04-1092, HB04-1124, HB04-1035.  
Referred to Committee on State, Veterans & Military Affairs: HB04-1127.  
Laid over until Tuesday, February 24: SB04-132, SB04-115, SB04-001, SB04-070, SB04-164, SB04-151, HB04-1087, SB04-180, SB04-166.  
Laid over until May 6, 2004: SB04-172.

On motion of Senator Hillman, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of Governor's Appointments.

**CONSIDERATION OF GOVERNOR'S APPOINTMENTS**

On motion of Senator May, the following Governor's appointments were confirmed by a roll call vote:

**MEMBERS OF THE TRANSPORTATION COMMISSION**

for terms expiring July 1, 2007:

Joseph A. Jehn of Arvada, Colorado, to serve as a commissioner from the Second Transportation District, reappointed;

William G. Swenson of Longmont, Colorado, to serve as a commissioner from the Fourth Transportation District, appointed;

William G. Kaufman of Loveland, Colorado, to serve as a commissioner from the Fifth Transportation District, appointed;

Thomas M. Walsh of Craig, Colorado, to serve as a commissioner from the Sixth Transportation District, appointed;

Terry E. Schooler of Colorado Springs, Colorado, to serve as a commissioner from the Ninth Transportation District, appointed;

Robert D. Hawthorne of Limon, Colorado, to serve as a commissioner from the Eleventh Transportation District, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	Takis	Y
Arnold	Y	Grossman	Y	Lamborn	Y	Tapia	Y
Cairns	Y	Hagedorn	Y	May	Y	Taylor	Y
Chlouber	Y	Hanna	Y	McElhany	Y	Teck	Y
Dyer	Y	Hillman	Y	Nichol	E	Tupa	Y
Entz	Y	Isgar	Y	Owen	Y	Veiga	Y
Evans	Y	Johnson	Y	Phillips	Y	Windels	Y
Fitz-Gerald	Y	Jones	Y	Reeves	Y	Mr. President	Y
Gordon	Y	Keller	Y	Sandoval	Y		

On motion of Senator Entz, the following Governor's appointments were confirmed by a roll call vote:

**MEMBERS OF THE  
COLORADO STATE FAIR AUTHORITY  
BOARD OF COMMISSIONERS**

for terms expiring November 1, 2007:

Russell N. Johnson of Sterling, Colorado, to serve as a member with experience in agriculture and 4H Clubs and as a Certified Public Accountant, and to serve as a Republican from the Fourth Congressional District, reappointed;

John L. Crum of Denver, Colorado, to serve as a Democrat from the First Congressional District, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	Groff	Y	Kester	Y	Takis	Y
Arnold	Y	Grossman	Y	Lamborn	Y	Tapia	Y
Cairns	Y	Hagedorn	Y	May	Y	Taylor	Y
Chlouber	Y	Hanna	Y	McElhany	Y	Teck	Y
Dyer	Y	Hillman	Y	Nichol	E	Tupa	Y
Entz	Y	Isgar	Y	Owen	Y	Veiga	Y
Evans	Y	Johnson	Y	Phillips	Y	Windels	Y
Fitz-Gerald	Y	Jones	Y	Reeves	Y	Mr. President	Y
Gordon	Y	Keller	Y	Sandoval	Y		

**MESSAGE FROM THE HOUSE**

February 23, 2004  
Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB04-1266, amended as printed in House Journal, February 20, page 574.  
HB04-1236, amended as printed in House Journal, February 20, page 574.  
HB04-1292, amended as printed in House Journal, February 20, pages 574-575.  
HB04-1242, amended as printed in House Journal, February 20, page 576.

**MESSAGE FROM THE REVISOR OF STATUTES**

February 23, 2004

We herewith transmit:

Without comment, as amended, HB04-1266, 1236, 1292, 1242.

INTRODUCTION OF RESOLUTION

The following resolution was read by title:

- SJR04-019 by Senator(s) Owen, May R., Entz; also Representative(s) Witwer--Concerning Huey-091 Day in Colorado. Laid over one day under Senate Rule 30(b).

INTRODUCTION OF BILLS--FIRST READING

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

- SB04-190 by Senator(s) Johnson S.; --Concerning the creation of liens for health care providers on moneys collected by an injured person. Business Affairs & Labor
SB04-191 by Senator(s) Anderson; also Representative(s) Stengel--Concerning the terms of service for members of the parole board. Judiciary
HB04-1102 by Representative(s) Clapp; also Senator(s) Johnson S.--Concerning the regulation of dental health care providers by the state board of dental examiners. Health, Environment, Welfare & Institutions
HB04-1108 by Representative(s) McFadyen; also Senator(s) Arnold--Concerning the inadmissability of certain confidential communications by juveniles. Judiciary
HB04-1200 by Representative(s) Clapp, Stafford, Berry, Boyd, Cloer, Frangas, Harvey, Hefley, Jahn, Johnson R., Lundberg, Madden, Plant, Pommer, Schultheis, Young; also Senator(s) Anderson, Reeves, Teck--Concerning the collaborative management of multi-agency services provided to children. Health, Environment, Welfare & Institutions
HB04-1267 by Representative(s) Plant, Witwer, Young; also Senator(s) Teck, Owen, Reeves--Concerning the repeal of transfers to the controlled maintenance trust fund. Appropriations
HB04-1285 by Representative(s) Johnson R., Marshall, Fairbank, Hall, King, Lundberg, Sinclair, Stengel; also Senator(s) Kester--Concerning disclosure of outstanding debt by a health care provider prior to such debt going to collections. Business Affairs & Labor
HB04-1306 by Representative(s) Jahn; also Senator(s) Kester--Concerning the issuance of licenses to persons who are in the business of selling motor vehicles. Business Affairs & Labor
HB04-1363 by Representative(s) King, Spradley; also Senator(s) Kester--Concerning participation in activities not offered within a student's school district. Local Government

SIGNING OF BILLS--RESOLUTIONS--MEMORIALS

The President has signed: SB04-061.
The President has signed: SJR04-016.

SENATE SERVICES REPORT

Correctly Engrossed: SB04-125, 174, and 179; SJR04-015 and SJR018.
Correctly Enrolled: SB04-004.

Senate in recess.

Senate reconvened.

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**INTRODUCTION OF BILLS--FIRST READING**

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

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| <b>SB04-192</b>  | by Senator(s) Lamborn, Tupa; --Concerning precinct caucus day.<br>State Veterans & Military Affairs  | 6<br>7<br>8<br>9                 |
| <b>SB04-193</b>  | by Senator(s) Entz; --Concerning the authority of the department of agriculture to promulgate rules to specify the class of strawberries allowed for production of nursery stock in the state.<br>Agriculture, Natural Resources & Energy  | 10<br>11<br>12<br>13<br>14       |
| <b>HB04-1017</b> | by Representative(s) Berry, Borodkin, Larson, McFadyen, Pommer, Spence, Stafford, Welker, Williams S.; also Senator(s) May R., Isgar--Concerning the age at which a person may lawfully drive a motor vehicle, and making an appropriation in connection therewith.<br>Transportation<br>Appropriations                              | 15<br>16<br>17<br>18<br>19<br>20 |
| <b>HB04-1025</b> | by Representative(s) Ragsdale, McFadyen, Merrifield; also Senator(s) Takis, Isgar, May R., Nichol--Concerning the expiration date of certificates of emissions control for new diesel vehicles.<br>Transportation  | 21<br>22<br>23<br>24<br>25       |
| <b>HB04-1058</b> | by Representative(s) Rippey; also Senator(s) May R.--Concerning eligibility determinations under the "Colorado Medical Assistance Act".<br>Health, Environment, Welfare & Institutions   | 26<br>27<br>28<br>29             |
| <b>HB04-1073</b> | by Representative(s) Smith; also Senator(s) Entz--Concerning surface owner notifications filed by an applicant for a water right.<br>Agriculture, Natural Resources & Energy   | 30<br>31<br>32<br>33             |
| <b>HB04-1089</b> | by Representative(s) McCluskey; also Senator(s) Hillman--Concerning a preference for the purchase of Colorado agricultural products by governmental entities.<br>Agriculture, Natural Resources & Energy   | 34<br>35<br>36<br>37             |
| <b>HB04-1095</b> | by Representative(s) Witwer; also Senator(s) Gordon--Concerning the prospective applicability of certain amendments to the "Colorado Governmental Immunity Act".<br>State Veterans & Military Affairs  | 38<br>39<br>40<br>41             |
| <b>HB04-1107</b> | by Representative(s) Berry; also Senator(s) Reeves--Concerning the transfer of the office of homeless youth services from the department of public health and environment to the department of human services, and making an appropriation in connection therewith.<br>Health, Environment, Welfare & Institutions<br>Appropriations | 42<br>43<br>44<br>45<br>46<br>47 |
| <b>HB04-1114</b> | by Representative(s) Rose; also Senator(s) Evans--Concerning the payment of benefits under a motor vehicle policy for medical payments coverage.<br>Business Affairs & Labor   | 48<br>49<br>50<br>51             |
| <b>HB04-1125</b> | by Representative(s) McFadyen; also Senator(s) Chlouber--Concerning a deceptive trade practice for violations of federal law related to unsolicited facsimiles.<br>Business Affairs & Labor  | 52<br>53<br>54<br>55             |
| <b>HB04-1147</b> | by Representative(s) Hall, Brophy, Briggs, Hoppe, Johnson R., King, McCluskey, Rose; also Senator(s) Hillman--Concerning the creation of an environmental management system permit pilot program.<br>Agriculture, Natural Resources & Energy   | 56<br>57<br>58<br>59<br>60       |
| <b>HB04-1159</b> | by Representative(s) Decker, White, Briggs, Brophy, Hefley; also Senator(s) Evans--Concerning the modification of the "Colorado Uniform Jury Selection and Service Act".<br>Judiciary  | 61<br>62<br>63<br>64             |
| <b>HB04-1187</b> | by Representative(s) Harvey, May M.; also Senator(s) Andrews--Concerning an alien's ability to establish Colorado domicile for in-state tuition purposes.<br>State Veterans & Military Affairs   | 65<br>66<br>67<br>68             |
| <b>HB04-1191</b> | by Representative(s) Stengel; also Senator(s) Anderson--Concerning the provision of greater public access to information regarding persons required to register as sex offenders.<br>Judiciary   | 69<br>70<br>71<br>72             |

- HB04-1211** by Representative(s) Hoppe, Brophy, Harvey, Hodge, Johnson R., Madden, McCluskey, Miller, Rippey, Rose, Salazar, Tochtrop, Wiens; also Senator(s) Chlouber--Concerning the regulation of operators of water facilities, and, in connection therewith, continuing the water and wastewater facility operators certification board and amending the size, composition, and duties of the board.  
Agriculture, Natural Resources & Energy
- HB04-1213** by Representative(s) McCluskey, Brophy, Harvey, Johnson R., Madden, Miller, Rippey, Rose, Salazar, Tochtrop, Wiens; also Senator(s) Taylor--Concerning the continuation of the Colorado natural areas council.  
Agriculture, Natural Resources & Energy
- HB04-1214** by Representative(s) Rose, Johnson R., Madden, McCluskey, Miller, Rippey, Salazar, Tochtrop, Wiens; also Senator(s) Chlouber--Concerning continuation of the licensing of river outfitters by the division of parks and outdoor recreation.  
Agriculture, Natural Resources & Energy
- HB04-1215** by Representative(s) Rippey, Harvey, Johnson R., Madden, McCluskey, Miller, Rose, Salazar, Tochtrop, Wiens; also Senator(s) Entz--Concerning the regulation of outfitters, and, in connection therewith, continuing the regulatory functions of the director of the division of registrations.  
Agriculture, Natural Resources & Energy
- HB04-1217** by Representative(s) Lee; also Senator(s) Arnold--Concerning changes to the school accountability report to include a page that specifies certain information a parent may request from a school.  
Education
- HB04-1220** by Representative(s) Young, Plant, Witwer; also Senator(s) Owen, Reeves, Teck--Concerning transportation expenses under the "Colorado Medical Assistance Act".  
Health, Environment, Welfare & Institutions
- HB04-1026** by Representative(s) Carroll; also Senator(s) Grossman--Concerning the minimum amount of medical payments coverage that may be offered by an auto insurer.  
Business Affairs & Labor
- HB04-1226** by Representative(s) White; also Senator(s) Kester--Concerning the authority for a bank to utilize a certificate of trust to establish a deposit account.  
Business Affairs & Labor
- HB04-1228** by Representative(s) Witwer, Plant, Young; also Senator(s) Teck, Owen, Reeves--Concerning the repeal of statutory provisions creating a coordinator of environmental problems within the office of the governor.  
Health, Environment, Welfare & Institutions
- HB04-1242** by Representative(s) Sinclair, Cadman, Schultheis, Berry, Crane, Fairbank, Harvey, Hefley, Johnson R., King, Lee, May M., McCluskey, Rhodes, Spence, Young; also Senator(s) McElhany--Concerning a meeting of a school district board of education at which employment contracts are negotiated.  
State Veterans & Military Affairs
- HB04-1243** by Representative(s) Frangas, Madden; also Senator(s) Sandoval--Concerning the promotion of financing for increased reservoir storage capacity through enhancements to existing facilities.  
Agriculture, Natural Resources & Energy
- HB04-1255** by Representative(s) Wiens; also Senator(s) Johnson S.--Concerning adjustments to the review schedule for certain entities by the department of regulatory agencies.  
Business Affairs & Labor
- HB04-1262** by Representative(s) Lundberg; also Senator(s) Cairns--Concerning a requirement that a jurisdiction post a notice when using an automated vehicle identification system to detect traffic control signal disobedience.  
State Veterans & Military Affairs
- HB04-1263** by Representative(s) Lundberg, Schultheis, May M., Brophy, Cloer, Frangas, Hall, Harvey, Lee, Miller, Rippey, Rose, Spradley, Tochtrop, Welker; also Senator(s) Cairns--Concerning the removal of the requirement under Colorado law for submission of a social security number on an application for a license issued by the division of wildlife.  
Agriculture, Natural Resources & Energy

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- HB04-1265** by Representative(s) Witwer, Plant, Young; also Senator(s) Reeves, Owen, Teck--  
Concerning the transfer of the administration of community mental health services to  
specified medical assistance recipients from the department of human services to the  
department of health care policy and financing.  
Health, Environment, Welfare & Institutions
- HB04-1266** by Representative(s) Pommer; also Senator(s) Groff--Concerning creation of the crime of  
criminal invasion of privacy.  
Judiciary
- HB04-1271** by Representative(s) Clapp; also Senator(s) Kester--Concerning the establishment of a pilot  
program for the placement of children in dedicated out-of-home settings.  
Health, Environment, Welfare & Institutions
- HB04-1308** by Representative(s) Cloer, Jahn, King, Paccione, Spradley, White, Lundberg, Boyd,  
Butcher, Fairbank, Miller, Mitchell; also Senator(s) Lamborn--Concerning the requirement  
of pedigree papers for the distribution of prescription drugs.  
Business Affairs & Labor

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**SIGNING OF BILLS--RESOLUTIONS--MEMORIALS**

The President has signed: SB04-005.  
The President has signed: HB04-1316, 1317, 1318, 1319, 1320, 1321, 1322, 1323, 1324,  
1325, 1326, 1327, 1328, 1329, 1330, 1331, 1332, 1333, 1334, 1335, 1336, 1337, 1338.

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On motion of Senator Hillman, and with a majority of those elected to the Senate having  
voted in the affirmative, the balance of the calendar of February 23, 2004, was laid over  
until Tuesday, February 24, 2004, retaining its place on the calendar.

Consideration of Resolutions: SJR04-011, SJR04-013, SJR04-014, SJR04-017.  
Consideration of Memorial: SJM04-001.

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On motion of Senator Hillman, the Senate adjourned until 9:00 a.m., Tuesday, February  
24, 2004.

Approved:

John Andrews  
President of the Senate

Attest:

Mona Heustis  
Secretary of the Senate

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