

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

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Fifty-eighth Legislative Day

Thursday, March 4, 2004

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Prayer	By the chaplain, Reverend Bill Calhoun, Montview Blvd. Presbyterian Church.	11
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Pledge	By Senator Chlouber.	13
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Call to Order	By the President at 9:00 a.m.	15
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Roll Call	Present--31.	18
	Absent/Excused--4; Anderson, Gordon, Phillips, Tupa.	19
	Present later--Gordon, Phillips, Tupa.	20
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Quorum	The President announced a quorum present.	22
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Reading of Journal	On motion of Senator Veiga, reading of the Journal of March 3, 2004, was dispensed with and the Journal was approved as corrected by the Secretary.	24
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**COMMITTEE OF REFERENCE REPORTS**

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Agriculture, Natural Resources, & Energy	After consideration on the merits, the Committee recommends that <b>HB04-1073</b> be referred to the Committee of the Whole with favorable recommendation.	31
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Agriculture, Natural Resources, & Energy	After consideration on the merits, the Committee recommends that <b>SB04-193</b> be referred to the Committee of the Whole with favorable recommendation.	36
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Agriculture, Natural Resources, & Energy	After consideration on the merits, the Committee recommends that <b>HB04-1213</b> be referred to the Committee of the Whole with favorable recommendation.	41
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Agriculture, Natural Resources, & Energy	After consideration on the merits, the Committee recommends that <b>HB04-1147</b> be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	46
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	Amend reengrossed bill, page 5, line 15, strike "QUALITY".	51
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Education	After consideration on the merits, the Committee recommends that <b>SB04-189</b> be amended as follows, and as so amended, be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	55
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	Amend printed bill, page 7, after line 22, insert the following:	59
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	"(8) The general assembly finds and declares that:	61
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	(a) The provision of higher education services is a business; and	63
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	(b) For the purposes of determining whether an institution or group of institutions may be designated as an enterprise, so long as the institution or group of institutions receives less than ten percent of its	65
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total annual revenues in grants from all Colorado state and local governments combined, it is sufficient that the governing board of an institution of higher education has authority to issue revenue bonds on behalf of such institution or group of institutions."

Renumber succeeding subsections accordingly.

Page 10, line 11, after "UNIVERSITY", insert "THAT IS NOT PERVASIVELY SECTARIAN AND";

strike lines 12 through 14 and substitute the following:

"PLACE OF BUSINESS IN THE STATE OF COLORADO, THAT OFFERS GENERAL BACCALAUREATE DEGREES IN ARTS AND SCIENCES, AND THAT IS INSTITUTIONALLY ACCREDITED ON THE BASIS".

Page 13, strike line 25 and substitute the following:

"ANNUAL APPROPRIATION, IN";

line 26, strike "FOR DEPOSIT IN" and substitute "TO".

Page 14, line 1, after the period, insert "MONEYS APPROPRIATED TO THE COLLEGE OPPORTUNITY FUND ARE FOR THE SOLE PURPOSE OF DISBURSEMENT ON BEHALF OF ELIGIBLE UNDERGRADUATE STUDENTS IN ACCORDANCE WITH THIS PART 2 AND ARE NOT FOR THE GENERAL OPERATION OR ANY OTHER FUNCTION OF THE COLORADO STUDENT LOAN PROGRAM."

Page 15, line 4, after the period, insert "THE VALUE OF THE PER CREDIT HOUR STIPEND SHALL BE THE SAME FOR EACH ELIGIBLE UNDERGRADUATE STUDENT, REGARDLESS OF THE STATE INSTITUTION OF HIGHER EDUCATION THAT THE STUDENT ATTENDS."

Page 16, line 14, after "BY", insert "AN INSTITUTION, UNDER THE DIRECTION AND CONTROL OF";

line 15, strike "BOARD" and substitute "BOARD,";

strike lines 19 and 20 and substitute the following:

"OF ELIGIBLE STUDENT CREDIT HOURS THAT ARE ESTIMATED TO BE ATTRIBUTABLE TO EACH INSTITUTION OF".

Page 17, line 13, after the period, insert "A PAYMENT BY THE COLORADO STUDENT LOAN PROGRAM TO AN INSTITUTION OF HIGHER EDUCATION FROM THE COLLEGE OPPORTUNITY FUND SHALL NOT BE SUBJECT TO THE ASSESSMENT OF A TRANSACTION FEE PURSUANT TO SECTION 24-36-120, C.R.S."

Page 25, line 14, strike "OR" and substitute "AND".

Page 32, line 8, after "BY", insert "AN INSTITUTION, UNDER THE DIRECTION AND CONTROL OF";

line 9, strike "BOARD" and substitute "BOARD,".

Page 39, after line 27, insert the following:

"SECTION 13. 24-36-120 (4), Colorado Revised Statutes, is amended to read:

**24-36-120. Authority to assess transaction fees.** (4) The state treasurer shall not assess a fee for an eligible transaction involving any of the following funds:

(a) The state education fund created in section 17 (4) of article IX of the state constitution;

(b) The highway users tax fund created in section 43-4-201, C.R.S.;

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(c) The great outdoors Colorado trust fund created in section 2 of article XXVII of the state constitution;

(d) The public school fund described in section 3 of article IX of the state constitution;

(e) The old age pension fund created in section 1 of article XXIV of the state constitution; and

(f) Any other fund against which the assessment of a fee would be contrary to the state constitution; AND

(g) THE COLLEGE OPPORTUNITY FUND CREATED IN ARTICLE 18 OF TITLE 23, C.R.S."

Renumber succeeding sections accordingly.

Business  
Affairs &  
Labor

After consideration on the merits, the Committee recommends that **HB04-1232** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 2, line 11, strike "A REASONABLE AMOUNT OF TIME," and substitute "THREE YEARS,";

strike lines 21 and 22 and substitute the following:

"(b) FOR THE PURPOSES OF THIS SECTION, "ADEQUATE EVIDENCE" MEANS:".

Page 3, line 15, strike "upon passage" and substitute "July 1, 2004,".

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**MESSAGE FROM THE HOUSE**

March 3, 2004  
Mr. President:

The House has adopted and returns herewith SJR04-020.

The House has adopted and transmits herewith HJR04-1025.

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**INTRODUCTION OF RESOLUTION**

The following resolution was read by title:

**HJR04-1025** by Representative(s) Stafford, Crane, Sinclair; also Senator(s) Cairns, Johnson S.--  
Concerning the Pure by Choice rally.  
Laid over one day under Senate Rule 30(e).

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**INTRODUCTION OF BILLS--FIRST READING**

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

**HB04-1083** by Representative(s) Sinclair; also Senator(s) Jones--Concerning termination of child support obligations based upon DNA evidence of nonparentage.  
Judiciary

**HB04-1225** by Representative(s) Berry, Spradley, Romanoff, Boyd, Cloer, Stafford; also Senator(s) Sandoval, Jones--Concerning the "Low-income Energy Assistance Act".  
Business Affairs & Labor

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Committee of the Whole On motion of Senator Jones, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills and Senator Jones 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.

Laid over until Monday, March 8, retaining its place on the calendar.

**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.

Laid over until Monday, March 8, retaining its place on the calendar.

**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.

Laid over until Monday, March 8, retaining its place on the calendar.

**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.

Laid over until Monday, March 8, retaining its place on the calendar.

**HB04-1273** by Representative(s) Spradley, Madden, Fairbank, Larson, Berry, Briggs, Cloer, Frangas, Hefley, Johnson R., Marshall, McCluskey, Merrifield, Paccione, Pommer, Rippey, Rose, Salazar, Tochtrop, Weissmann, Wiens, Williams S., Williams T.; also Senator(s) Kester, Phillips, Gordon, Entz, Grossman, Veiga--Concerning the establishment of an electric resource standard for renewable energy for providers of electric service.

Laid over until Monday, March 8, retaining its place on the calendar.

**HB04-1115** by Representative(s) Rhodes, Coleman, Harvey, Hodge, Hoppe, Larson, Marshall, McCluskey, Paccione, Wiens, White, Williams T.; also Senator(s) Tapia--Concerning the continuation of the state board of registration for professional engineers and professional land surveyors.

Amendment No. 1, Business Affairs and Labor Committee Amendment.

(Printed in Senate Journal, February 26, pages 376-377 and placed in members' bill files.)

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

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

Laid over until Friday, March 5, retaining its place on the calendar.

**HB04-1137** by Representative(s) Frangas, Cloer, Jahn, King, Paccione, Pommer, Vigil, White; also Senator(s) Groff--Concerning the creation of a public school student's right to have a guardian present when the student signs a statement that could result in expulsion.

Amendment No. 1, Education Committee Amendment.

(Printed in Senate Journal, February 27, page 385 and placed in members' bill files.)

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- HB04-1194** by Representative(s) McCluskey, Carroll, Paccione; also Senator(s) Reeves--Concerning changes to the officers of the board of governors of the Colorado state university system. 4  
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Ordered revised and placed on the calendar for Third Reading and Final Passage. 7  
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- HB04-1022** by Representative(s) Vigil, Coleman, Rhodes, Williams T.; also Senator(s) Anderson, Takis, Taylor, Tupa--Concerning the duties of the division of central services in the department of personnel. 9  
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Laid over until Monday, March 8, retaining its place on the calendar. 13  
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- HB04-1071** by Representative(s) Decker; also Senator(s) McElhany--Concerning a credit for tobacco taxes that are bad debts. 15  
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Ordered revised and placed on the calendar for Third Reading and Final Passage. 18  
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- HB04-1008** by Representative(s) Cloer; also Senator(s) Lamborn--Concerning assignment of benefits offered under a motor vehicle insurance policy. 20  
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Amendment No. 1(L.010), by Senator Lamborn. 23  
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Amend reengrossed bill, page 2, line 5, strike "A" and substitute "ON AND AFTER THIRTY DAYS AFTER THE EFFECTIVE DATE OF THIS ACT, A". 25  
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As amended, ordered revised and placed on the calendar for Third Reading and Final Passage. 29  
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- HB04-1049** by Representative(s) Williams S.; also Senator(s) Johnson S.--Concerning child care assistance for families who transition off of the Colorado works program for specified reasons. 32  
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Ordered revised and placed on the calendar for Third Reading and Final Passage. 36  
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- 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. 38  
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Amendment No. 1(L.001), by Senator Isgar. 43  
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Amend reengrossed bill, page 3, after line 11, insert the following: 45  
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"SECTION 3. Article 55.5 of title 12, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read: 47  
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12-55.5-102.5. Applicability. THIS ARTICLE SHALL NOT APPLY TO A PERSON WHO ONLY AUTHORIZES A PERSON TO HUNT, FISH, OR TAKE WILDLIFE ON PROPERTY THE PERSON OWNS, RENTS, OR LEASES, INCLUDING WITHOUT LIMITATION, PROVIDING SUCH AUTHORIZATION FOR COMPENSATION." 50  
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Renumber succeeding sections accordingly. 56  
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As amended, ordered revised and placed on the calendar for Third Reading and Final Passage. 59  
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- 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. 62  
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Ordered revised and placed on the calendar for Third Reading and Final Passage. 66  
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- 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 68  
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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.

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

**HB04-1155** by Representative(s) Williams T.; also Senator(s) Taylor--Concerning a limitation on the authority of a municipality to regulate that portion of newly annexed land used as a right-of-way by agricultural users.

Laid over until Friday, March 5, retaining its place on the calendar.

**SB04-028** by Senator(s) Hagedorn; also Representative(s) Larson--Concerning substance abuse treatment for native Americans.

Amendment No. 1, Appropriations Committee Amendment.

(Printed in Senate Journal, March 1, page 390 and placed in members' bill files.)

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

**SB04-059** by Senator(s) Isgar, Entz, Hillman; --Concerning the valuation of possessory interests in agricultural land.

Laid over until Friday, March 5, retaining its place on the calendar.

**SB04-097** by Senator(s) McElhany; also Representative(s) Cadman--Concerning the acquisition of property by the division of wildlife in El Paso county, and, in connection therewith, making an appropriation.

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

**SB04-176** by Senator(s) Tupa, Anderson, Takis, Taylor; also Representative(s) Vigil, Coleman--Concerning the division of local government's oversight of eligible entities' use of the conservation trust fund.

Amendment No. 1, Local Government Committee Amendment.

(Printed in Senate Journal, February 13, pages 271-272 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.

(Printed in Senate Journal, March 1, pages 390-391 and placed in members' bill files.)

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

**SB04-111** by Senator(s) Grossman, Groff; also Representative(s) Stengel--Concerning the authority of a governing body to use emergency telephone charges to fund the costs associated with providing emergency services.

Amendment No. 1, Judiciary Committee Amendment.

(Printed in Senate Journal, February 10, page 228 and placed in members' bill files.)

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

**SB04-148** by Senator(s) Dyer; also Representative(s) Hefley--Concerning the designation of certain persons employed by the department of revenue as peace officers.

Amendment No. 1, Judiciary Committee Amendment.

(Printed in Senate Journal, February 10, page 228 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.

(Printed in Senate Journal, March 1, page 391 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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**SB04-171** by Senator(s) Teck, Owen, Reeves; also Representative(s) Plant, Witwer, Young--  
Concerning contingency-based contracts, and, in connection therewith, allowing a state  
agency to enter into a contingency-based contract only when specifically authorized to do  
so by law or when the office of state planning and budgeting approves the contract.  
Amendment No. 1, Business Affairs and Labor Committee Amendment.  
(Printed in Senate Journal, February 10, pages 229-230 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 balance of the General Orders -- Second Reading of Bills  
Calendar (HB04-1069, HB04-1117, HB04-1255, HB04-1145, SB04-195, HB04-1043,  
HB04-1057, SB04-153, HB04-1216, HB04-1149, HB04-1118, HB04-1074, HB04-1280)  
of March 4, was laid over until Friday, March 5, retaining its place on the calendar.

#### ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Jones, 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: HB04-1115 as amended, HB04-1137 as amended,  
HB04-1194, HB04-1071, HB04-1008 as amended, HB04-1049, HB04-1215 as amended,  
HB04-1214, HB04-1211, SB04-028 as amended, SB04-097, SB04-176 as amended,  
SB04-111 as amended, SB04-148 as amended, SB04-171 as amended.  
Laid over until Friday, March 5: HB04-1037, HB04-1155, SB04-059.  
Laid over until Monday, March 8: SB04-132, SB04-001, SB04-164, SB04-151,  
HB04-1273, HB04-1022.

#### COMMITTEE OF REFERENCE REPORTS

Business Affairs & Labor After consideration on the merits, the Committee recommends that **HB04-1285** be  
amended as follows, and as so amended, be referred to the Committee of the Whole with  
favorable recommendation.

Amend reengrossed bill, page 3, line 11, strike "CREDIT" and substitute  
"CONSUMER";

after line 23, insert the following:

"(c) NOTHING IN THIS SUBSECTION (2) SHALL BE CONSTRUED TO  
REQUIRE A HEALTH CARE PROVIDER TO PERFORM ADDITIONAL ATTEMPTS  
TO NOTIFY A PERSON OF THE PERSON'S PORTION OF THE DEBT OTHER THAN  
MAILING THE NOTICE REQUIRED PURSUANT TO SUBSECTION (1) OF THIS  
SECTION TO THE PERSON'S LAST-KNOWN ADDRESS AND MAINTAINING A  
RECORD OF SUCH MAILING."

Business Affairs & Labor After consideration on the merits, the Committee recommends that **HB04-1306** be referred  
to the Committee of the Whole with favorable recommendation.

Business Affairs & Labor After consideration on the merits, the Committee recommends that **HB04-1226** be referred  
to the Committee of the Whole with favorable recommendation.

Business Affairs & Labor After consideration on the merits, the Committee recommends that **HB04-1026** be referred  
to the Committee of the Whole with favorable recommendation.

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Health, Environment, Welfare, & Institutions 1  
 After consideration on the merits, the Committee recommends that **HB04-1058** be referred to the Committee of the Whole with favorable recommendation. 2  
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Health, Environment, Welfare, & Institutions 6  
 After consideration on the merits, the Committee recommends that **HB04-1220** be referred to the Committee of the Whole with favorable recommendation. 7  
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Health, Environment, Welfare, & Institutions 11  
 After consideration on the merits, the Committee recommends that **HB04-1228** be referred to the Committee of the Whole with favorable recommendation. 12  
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Health, Environment, Welfare, & Institutions 16  
 After consideration on the merits, the Committee recommends that **HB04-1177** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation. 17  
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Amend reengrossed bill, page 2, strike lines 2 through 11. 21

Renumber succeeding sections accordingly. 22  
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Page 3, line 1, strike "(III) and (3) (c)," and substitute "(III), (3) (a), and (3) (c),"; 24  
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line 15, strike "MEWA;" and substitute "MEWA."; 27  
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strike lines 16 through 21 and substitute the following: 29  
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"NOTWITHSTANDING ANY PROVISION OF THIS SUBPARAGRAPH (III) TO THE CONTRARY, A SELF-FUNDED MEWA MAY OBTAIN STOP-LOSS INSURANCE FROM AN INSURER AUTHORIZED TO CONDUCT BUSINESS IN THIS STATE AND SUCH INSURANCE, AT A MINIMUM, SHALL REFLECT ONE MILLION DOLLARS PER LIFE INSURED BY THE SELF-FUNDED MEWA WITH THE TOTAL MINIMUM AMOUNT OF STOP-LOSS COVERAGE FOR THE SELF-FUNDED MEWA TO BE DETERMINED BY THE COMMISSIONER. THE AGGREGATE ATTACHMENT POINT AND TOTAL AGGREGATE BENEFIT FOR SUCH STOP-LOSS INSURANCE SHALL BE DETERMINED BY THE COMMISSIONER. IF THE SELF-FUNDED MEWA OBTAINS SUCH STOP-LOSS COVERAGE, THE COMMISSIONER MAY WAIVE A PORTION OF THE RESERVES REQUIRED TO BE MAINTAINED. THE SELF-FUNDED MEWA SHALL ANNUALLY DEMONSTRATE TO THE COMMISSIONER THE SPECIFIC AMOUNTS OF STOP-LOSS INSURANCE IN ORDER TO MAINTAIN THE WAIVER."; 32  
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after line 21, insert the following: 47  
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~~"(3) (a) Notwithstanding any provision of law to the contrary, any MEWA established pursuant to this part 9 shall be exempt from the small employer premium rating provisions in section 10-16-105 (8)~~ ANY MEWA MAY USE THE FOLLOWING FACTORS CONSISTENT WITH RATING PROVISIONS FOR THE SMALL EMPLOYER CARRIERS FOR THE ESTABLISHMENT OF RATES: AGE, FAMILY COMPOSITION, GEOGRAPHIC LOCATION, HEALTH STATUS, CLAIMS EXPERIENCE, AND STANDARD INDUSTRIAL CODE."; 49  
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line 22, strike "(3)". 58  
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Page 4, line 2, strike "SEPTEMBER 1," and substitute "THE EFFECTIVE DATE OF THIS ACT"; 60  
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line 3, strike "2003, FOR HEALTH STATUS AND AGE," and substitute "FOR HEALTHSTATUS, CLAIMSEXPERIENCE, AND STANDARD INDUSTRIAL CODE,"; 62  
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line 8, strike "SEPTEMBER 1, 2003," and substitute "THE EFFECTIVE DATE OF THIS ACT". 65  
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Page 6, line 7, strike "(b)" and substitute "(d)"; 68  
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line 20, after "PLAN", insert "PURSUANT TO PARAGRAPH (b) OF THIS SUBSECTION (1)";

line 25, strike "**PRESENTATION OF**" and substitute "**FIRST PRESENTING**".

Page 7, line 25, strike "(1)";

strike lines 26 and 27 and substitute the following:

"take effect upon passage and shall apply to health benefit coverage issued to a multiple employer welfare arrangement and health discount services sold on or after the applicable effective date of this act.".

Strike page 8 and substitute the following:

**"SECTION 5. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.".

Page 1, strike lines 102 and 103;

line 104, strike "**THE BASIS THAT THE INDIVIDUAL DONATED A KIDNEY,**";

line 107, strike "**DISCLOSURES,**" and substitute "**DISCLOSURES**".

Judiciary After consideration on the merits, the Committee recommends that **HB04-1050** be referred to the Committee of the Whole with favorable recommendation.

Judiciary After consideration on the merits, the Committee recommends that **SB04-191** be referred to the Committee of the Whole with favorable recommendation.

Judiciary After consideration on the merits, the Committee recommends that **SB04-187** be referred to the Committee of the Whole with favorable recommendation.

Judiciary After consideration on the merits, the Committee recommends that **SB04-188** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 3, line 2, strike "TWELVE" and substitute "TEN";

line 6, strike "TWO";

strike lines 7 through 9.

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### APPOINTMENT BY THE PRESIDENT

March 3, 2004

Mr. Kirk Mlinek  
Executive Director  
Legislative Council  
State Capitol Building  
Denver, Colorado 80203

Dear Mr. Mlinek:

In accordance with HB99-1187 and CRS 12-9-201, I am pleased to appoint Mr. John Amen as the bingo supplier to the Bingo Raffle Advisory Board. Mr. Amen will complete the term of Ms. Connie Cayne, who resigned.

Sincerely,  
(signed)  
John Andrews

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SIGNING OF BILLS--RESOLUTIONS--MEMORIALS

The President has signed: SB04-004 and 018.
The President has signed: SJR04-003 and SJR04-004.
The President has signed: HB04-1038, 1052, 1076, 1087.

SENATE SERVICES REPORT

Correctly Engrossed: SJR04-020.
Correctly Enrolled: SB04-096.

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 Requests of Conference Committees.

APPOINTMENTS TO CONFERENCE COMMITTEE

HB04-1112 by Representative(s) Welker, Coleman, Harvey, Hodge, Hoppe, Larson, Marshall, McCluskey, Paccione, Rhodes, White, Wiens, Williams T.; also Senator(s) Sandoval-- Concerning the regulation of persons licensed to deal in certain monetary instruments, and, in connection therewith, continuing the regulatory authority of the banking board and the state bank commissioner over such activities.

Senator Sandoval moved that the Senate appoint a Conference Committee to HB04-1112.

A majority of all members elected to the Senate having voted in the affirmative, the motion was declared adopted.

The President appointed Senators Kester, Chairman, McElhany, and Sandoval as Senate Conferees on the First Conference Committee on HB04-1112.

CONFERENCE COMMITTEE GRANTED FURTHER POWERS

HB04-1112 by Representative(s) Welker, Coleman, Harvey, Hodge, Hoppe, Larson, Marshall, McCluskey, Paccione, Rhodes, White, Wiens, Williams T.; also Senator(s) Sandoval-- Concerning the regulation of persons licensed to deal in certain monetary instruments, and, in connection therewith, continuing the regulatory authority of the banking board and the state bank commissioner over such activities.

Senator Sandoval moved that the Senate Conferees on the First Conference Committee on HB04-1112 be given the powers to go beyond the scope of the differences between the two Houses.

A majority of all members elected to the Senate having voted in the affirmative, the motion was declared adopted.

APPOINTMENTS TO CONFERENCE COMMITTEE

HB04-1072 by Representative(s) May M.; also Senator(s) Evans--Concerning the authority of the governing body of a municipality to submit to the registered electors of the municipality the question of changing the regular election date of the municipality.

Senator Evans moved that the Senate appoint a Conference Committee to HB04-1112.

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

The President appointed Senators Evans, Chairman, Jones, and Fitz-Gerald as Senate Conferees on the First Conference Committee on **HB04-1072**.

**COMMITTEE OF REFERENCE REPORTS**

Education

The Committee on Education has had under consideration and has had a hearing on the following appointments and recommends that the appointments be favorably referred to the Committee on Finance:

MEMBERS OF THE  
COLORADO STUDENT OBLIGATION BOND  
AUTHORITY BOARD OF DIRECTORS

for a term expiring July 31, 2006:

Stanley M. Felix of Denver, Colorado, to fill the vacancy occasioned by the resignation of Andrea L. Aragon, appointed;

for terms expiring July 31, 2007:

Steven J. Schwartz of Durango, Colorado, reappointed;

Brett A. Siegel of Englewood, Colorado, reappointed;

David B. Walker of Denver, Colorado, appointed.

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 March 4, 2004, was laid over until Friday, March 5, 2004, retaining its place on the calendar.

Consideration of Resolutions: SJR04-011, SJR04-013, SJR04-014, SJR04-021, HJR04-1021, SJR04-022.

Consideration of Memorial: SJM04-001.

Consideration of House Amendments to Senate Bills: SB04-035, SB04-062, SB04-110, SB04-116.

Consideration of House Amendments to Senate Joint Resolution: SJR04-009.

Consideration of Governor's Appointments:

Members of the Air Quality Control Commission.

On motion of Senator Hillman, the Senate adjourned until 9:00 a.m., Friday, March 5, 2004.

Approved:

John Andrews  
President of the Senate

Attest:

Mona Heustis  
Secretary of the Senate

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