

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

One Hundred-twelfth Legislative Day                      Tuesday, April 30, 2002

1 Prayer by the Reverend Kraig Burleson, Loving Saints Christian  
2 Fellowship, Denver.

3  
4 The Speaker called the House to order at 9:00 a.m.

5  
6 The roll was called with the following result:

7  
8            Present--63.  
9            Excused--Representatives Alexander, Berry--2.  
10           Present after roll call--Representative Alexander.

11  
12 The Speaker declared a quorum present.

13  
14  
15 On motion of Representative Fritz, the reading of the journal of April 29,  
16 2002, was declared dispensed with and approved as corrected by the  
17 Chief Clerk.

18  
19  
20  
21                      **REPORTS OF COMMITTEES OF REFERENCE**

22  
23 **HEALTH, ENVIRONMENT, WELFARE, & INSTITUTIONS**

24 After consideration on the merits, the Committee recommends the  
25 following:

26  
27 **HB02-1453**    be postponed indefinitely.

28  
29  
30 **SB02-081**    be postponed indefinitely.

31  
32  
33 **SB02-198**    be referred to the Committee of the Whole with favorable  
34 recommendation.

35  
36  
37  
38 **LOCAL GOVERNMENT**

39 After consideration on the merits, the Committee recommends the  
40 following:

41  
42 **SB02-183**    be postponed indefinitely.

43

**INTRODUCTION OF BILLS**  
**First Reading**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56

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

**HB02-1460** by Representative(s) Williams T.--Concerning the extension of the "Colorado Auto Accident Reparations Act" for eighteen months.  
Committee on Business Affairs & Labor

**SB02-197** by Senator(s) Hanna; also Representative(s) Witwer-- Concerning home- and community-based services for persons with major mental illnesses.  
Committee on Health, Environment, Welfare, & Institutions

**SB02-203** by Senator(s) Hanna, Linkhart; also Representative(s) Tochtrop--Concerning the rule-making authority of the state board of nursing related to the nurse diversion program.  
Committee on Health, Environment, Welfare, & Institutions

**SB02-208** by Senator(s) Hernandez; also Representative(s) Rippy-- Concerning the regulation of home inspectors, and making an appropriation therefor.  
Committee on Business Affairs & Labor  
Committee on Appropriations

---

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

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

**HCR02-1011** by Representative(s) Young--Submitting to the registered electors of the state of Colorado an amendment to section 48 of article V of the constitution of the state of Colorado, concerning legislative reapportionment, and, in connection therewith, changing the number of members of the Colorado reapportionment commission from eleven to thirteen, granting authority to the legislative leadership of the general assembly to appoint twelve commission members whose appointees would then agree on a final commission member, and clarifying that the proceedings of the commission are subject to legal requirements governing public records and open meetings.

Laid over until May 1, retaining place on Calendar.

**HB02-1452** by Representative(s) Scott; also Senator(s) Phillips-- Concerning the operation of higher education student financial aid enterprises.

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 63	NO 0	EXCUSED 2	ABSENT 0			
8 Alexander	E	Groff	Y	Marshall	Y	Spence	Y
9 Bacon	Y	Grossman	Y	Miller	Y	Spradley	Y
10 Berry	E	Harvey	Y	Mitchell	Y	Stafford	Y
11 Borodkin	Y	Hefley	Y	Paschall	Y	Stengel	Y
12 Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
13 Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia	Y
14 Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	Y
15 Clapp	Y	Jameson	Y	Rippy	Y	Veiga	Y
16 Cloer	Y	Johnson	Y	Romanoff	Y	Vigil	Y
17 Coleman	Y	Kester	Y	Saliman	Y	Webster	Y
18 Crane	Y	King	Y	Sanchez	Y	Weddig	Y
19 Daniel	Y	Larson	Y	Schultheis	Y	White	Y
20 Decker	Y	Lawrence	Y	Scott	Y	Williams S.	Y
21 Fairbank	Y	Lee	Y	Sinclair	Y	Williams T.	Y
22 Fritz	Y	Mace	Y	Smith	Y	Witwer	Y
23 Garcia	Y	Madden	Y	Snook	Y	Young	Y
						Mr. Speaker	Y

26 Co-sponsors added: Representatives Fritz, Hoppe, Jameson, Mace, Spence,  
 27 Weddig, Young, Mr. Speaker.

29 **HB02-1457** by Representative(s) Young, Jahn, Hefley, Cloer,  
 30 Alexander, Boyd, Clapp, Coleman, Crane, Daniel, Dean,  
 31 Fritz, Garcia, Groff, Grossman, Harvey, Hodge, Johnson,  
 32 Kester, Lawrence, Lee, Mace, Miller, Paschall, Plant,  
 33 Ragsdale, Rhodes, Rippy, Romanoff, Sanchez, Scott,  
 34 Snook, Spence, Spradley, Stafford, Stengel, Tapia,  
 35 Tochtrop, Veiga, Vigil, White, Williams S., Williams T.,  
 36 Witwer; also Senator(s) Windels, Reeves, Anderson,  
 37 Arnold, Chlouber, Dyer, Entz, Epps, Evans, Fitz-Gerald,  
 38 Hagedorn, Hanna, Hernandez, Isgar, McElhany, Owen,  
 39 Pascoe, Phillips, Takis, Taylor, Thiebaut, Tupa--  
 40 Concerning the suspension of the eight percent limitation  
 41 on increases in health care costs for nursing facilities by  
 42 using funding related to the quality of care incentive pay-  
 43 ment program, and, in connection therewith, repealing the  
 44 quality of care incentive payment program and modifying  
 45 the resident-centered quality improvement program, and  
 46 making an appropriation in connection therewith.

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

	YES 63	NO 0	EXCUSED 2	ABSENT 0			
54 Alexander	E	Groff	Y	Marshall	Y	Spence	Y
55 Bacon	Y	Grossman	Y	Miller	Y	Spradley	Y
56 Berry	E	Harvey	Y	Mitchell	Y	Stafford	Y

1	Borodkin	Y	Hefley	Y	Paschall	Y	Stengel	Y
2	Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
3	Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia	Y
4	Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	Y
5	Clapp	Y	Jameson	Y	Rippy	Y	Veiga	Y
6	Cloer	Y	Johnson	Y	Romanoff	Y	Vigil	Y
7	Coleman	Y	Kester	Y	Saliman	Y	Webster	Y
8	Crane	Y	King	Y	Sanchez	Y	Weddig	Y
9	Daniel	Y	Larson	Y	Schultheis	Y	White	Y
10	Decker	Y	Lawrence	Y	Scott	Y	Williams S.	Y
11	Fairbank	Y	Lee	Y	Sinclair	Y	Williams T.	Y
12	Fritz	Y	Mace	Y	Smith	Y	Witwer	Y
13	Garcia	Y	Madden	Y	Snook	Y	Young	Y
14							Mr. Speaker	Y

15  
16 Co-sponsors added: Representatives Hoppe, Jameson, Madden, Marshall,  
17 Schultheis.

18  
19 **SB02-059** by Senator(s) Matsunaka; also Representative(s) Bacon--  
20 Concerning the design of assessments administered  
21 through the Colorado student assessment program.  
22

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

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

27  
28 YES 63            NO 0            EXCUSED 2            ABSENT 0

30	Alexander	E	Groff	Y	Marshall	Y	Spence	Y
31	Bacon	Y	Grossman	Y	Miller	Y	Spradley	Y
32	Berry	E	Harvey	Y	Mitchell	Y	Stafford	Y
33	Borodkin	Y	Hefley	Y	Paschall	Y	Stengel	Y
34	Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
35	Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia	Y
36	Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	Y
37	Clapp	Y	Jameson	Y	Rippy	Y	Veiga	Y
38	Cloer	Y	Johnson	Y	Romanoff	Y	Vigil	Y
39	Coleman	Y	Kester	Y	Saliman	Y	Webster	Y
40	Crane	Y	King	Y	Sanchez	Y	Weddig	Y
41	Daniel	Y	Larson	Y	Schultheis	Y	White	Y
42	Decker	Y	Lawrence	Y	Scott	Y	Williams S.	Y
43	Fairbank	Y	Lee	Y	Sinclair	Y	Williams T.	Y
44	Fritz	Y	Mace	Y	Smith	Y	Witwer	Y
45	Garcia	Y	Madden	Y	Snook	Y	Young	Y
46							Mr. Speaker	Y

47  
48 Co-sponsors added: Representatives Boyd, Coleman, Daniel, Fritz, Groff, Jahn,  
49 Jameson, Mace, Madden, Miller, Romanoff, Spence, Tapia, Veiga, Weddig,  
50 Williams S.

51  
52 **SB02-187** by Senator(s) Hernandez, Matsunaka; also  
53 Representative(s) Mitchell, Mace, Groff--Concerning the  
54 requirement that school employees report allegations of  
55 sex crimes to law enforcement agencies.  
56

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 63	NO 0	EXCUSED 2	ABSENT 0			
8 Alexander	E	Groff	Y	Marshall	Y	Spence	Y
9 Bacon	Y	Grossman	Y	Miller	Y	Spradley	Y
10 Berry	E	Harvey	Y	Mitchell	Y	Stafford	Y
11 Borodkin	Y	Hefley	Y	Paschall	Y	Stengel	Y
12 Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
13 Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia	Y
14 Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	Y
15 Clapp	Y	Jameson	Y	Rippy	Y	Veiga	Y
16 Cloer	Y	Johnson	Y	Romanoff	Y	Vigil	Y
17 Coleman	Y	Kester	Y	Saliman	Y	Webster	Y
18 Crane	Y	King	Y	Sanchez	Y	Weddig	Y
19 Daniel	Y	Larson	Y	Schultheis	Y	White	Y
20 Decker	Y	Lawrence	Y	Scott	Y	Williams S.	Y
21 Fairbank	Y	Lee	Y	Sinclair	Y	Williams T.	Y
22 Fritz	Y	Mace	Y	Smith	Y	Witwer	Y
23 Garcia	Y	Madden	Y	Snook	Y	Young	Y
						Mr. Speaker	Y

26 Co-sponsors added: Representatives Clapp, Coleman, Fairbank, Fritz, Garcia,  
 27 Grossman, Harvey, Hefley, Hoppe, Jahn, Miller, Rhodes, Romanoff, Sanchez,  
 28 Schultheis, Stafford, Tochtrop, Williams S.

31 **SB02-049** by Senator(s) Gordon; also Representative(s) Mitchell--  
 32 Concerning limits on access to court records in domestic  
 33 relations actions filed pursuant to title 14, Colorado  
 34 Revised Statutes.

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

	YES 55	NO 8	EXCUSED 2	ABSENT 0			
43 Alexander	E	Groff	Y	Marshall	Y	Spence	Y
44 Bacon	Y	Grossman	Y	Miller	Y	Spradley	Y
45 Berry	E	Harvey	Y	Mitchell	Y	Stafford	Y
46 Borodkin	Y	Hefley	Y	Paschall	Y	Stengel	N
47 Boyd	N	Hodge	Y	Plant	Y	Swenson	Y
48 Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia	Y
49 Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	Y
50 Clapp	Y	Jameson	Y	Rippy	Y	Veiga	Y
51 Cloer	Y	Johnson	Y	Romanoff	Y	Vigil	Y
52 Coleman	N	Kester	Y	Saliman	Y	Webster	Y
53 Crane	Y	King	Y	Sanchez	Y	Weddig	Y
54 Daniel	Y	Larson	Y	Schultheis	Y	White	Y
55 Decker	Y	Lawrence	Y	Scott	Y	Williams S.	Y
56 Fairbank	Y	Lee	N	Sinclair	N	Williams T.	Y

1	Fritz	Y	Mace	N	Smith	N	Witwer	N
2	Garcia	Y	Madden	Y	Snook	Y	Young	Y
3							Mr. Speaker	Y

4  
5 Co-sponsors added: Representatives Hefley, Marshall.

6  
7  
8 **SB02-010** by Senator(s) Anderson; also Representative(s) Veiga--  
9 Concerning sex offender registration.

10  
11 Laid over until May 1, retaining place on Calendar.

12  
13  
14 **SB02-016** by Senator(s) Takis, Anderson, Windels; also  
15 Representative(s) Hoppe, Snook, Veiga--Concerning  
16 screening of certain persons for mental illness.

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

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

22  
23 YES 48            NO 15            EXCUSED 2            ABSENT 0

24	Alexander	E	Groff	Y	Marshall	Y	Spence	Y
25	Bacon	Y	Grossman	Y	Miller	Y	Spradley	Y
26	Berry	E	Harvey	N	Mitchell	N	Stafford	Y
27	Borodkin	Y	Hefley	N	Paschall	N	Stengel	N
28	Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
29	Cadman	N	Hoppe	Y	Ragsdale	Y	Tapia	Y
30	Chavez	Y	Jahn	Y	Rhodes	N	Tochtrop	Y
31	Clapp	N	Jameson	Y	Rippy	Y	Veiga	Y
32	Cloer	Y	Johnson	Y	Romanoff	Y	Vigil	Y
33	Coleman	Y	Kester	Y	Saliman	Y	Webster	Y
34	Crane	N	King	N	Sanchez	Y	Weddig	Y
35	Daniel	Y	Larson	Y	Schultheis	N	White	Y
36	Decker	N	Lawrence	Y	Scott	Y	Williams S.	Y
37	Fairbank	Y	Lee	N	Sinclair	N	Williams T.	Y
38	Fritz	N	Mace	Y	Smith	Y	Witwer	Y
39	Garcia	Y	Madden	Y	Snook	Y	Young	Y
40							Mr. Speaker	Y

41  
42  
43 Co-sponsors added: Representatives Borodkin, Boyd, Chavez, Daniel, Madden,  
44 Marshall, Plant, Romanoff, Saliman, Sanchez, Spradley, Stafford, Tochtrop,  
45 Williams S.

46  
47 **SB02-062** by Senator(s) Owen; also Representative(s) Clapp--  
48 Concerning the coverage of pregnant women under the  
49 children's basic health plan, and making an appropriation  
50 therefor.

51  
52 The question being "Shall the bill pass?".

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

56

	YES 62	NO 1	EXCUSED 2	ABSENT 0				
1								
2								
3	Alexander	E	Groff	Y	Marshall	Y	Spence	Y
4	Bacon	Y	Grossman	Y	Miller	Y	Spradley	Y
5	Berry	E	Harvey	Y	Mitchell	Y	Stafford	Y
6	Borodkin	Y	Hefley	Y	Paschall	Y	Stengel	Y
7	Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
8	Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia	Y
9	Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	Y
10	Clapp	Y	Jameson	Y	Rippy	Y	Veiga	Y
11	Cloer	Y	Johnson	Y	Romanoff	Y	Vigil	Y
12	Coleman	Y	Kester	Y	Saliman	Y	Webster	Y
13	Crane	Y	King	Y	Sanchez	Y	Weddig	Y
14	Daniel	Y	Larson	Y	Schultheis	Y	White	Y
15	Decker	Y	Lawrence	Y	Scott	Y	Williams S.	Y
16	Fairbank	Y	Lee	Y	Sinclair	Y	Williams T.	Y
17	Fritz	Y	Mace	Y	Smith	Y	Witwer	Y
18	Garcia	Y	Madden	Y	Snook	Y	Young	Y
19							Mr. Speaker	N
20								

21 Co-sponsors added: Representatives Bacon, Borodkin, Cloer, Coleman, Garcia,  
 22 Groff, Grossman, Harvey, Hodge, Jahn, King, Larson, Mace, Madden, Marshall,  
 23 Plant, Romanoff, Sanchez, Schultheis, Stafford, Tapia, Tochtrop, Veiga,  
 24 Weddig, Williams S.

25  
 26 **SB02-119** by Senator(s) Thiebaut; also Representative(s) Spence--  
 27 Concerning statutory provisions governing publicly-  
 28 supported libraries, and making an appropriation in  
 29 connection therewith.

30  
 31 The question being "Shall the bill pass?".  
 32 A roll call vote was taken. As shown by the following recorded vote, a  
 33 majority of those elected to the House voted in the affirmative and the bill  
 34 was declared **passed**.

	YES 52	NO 11	EXCUSED 2	ABSENT 0				
35								
36								
37								
38	Alexander	E	Groff	N	Marshall	N	Spence	Y
39	Bacon	Y	Grossman	Y	Miller	Y	Spradley	Y
40	Berry	E	Harvey	Y	Mitchell	Y	Stafford	Y
41	Borodkin	N	Hefley	Y	Paschall	Y	Stengel	Y
42	Boyd	Y	Hodge	N	Plant	Y	Swenson	Y
43	Cadman	Y	Hoppe	Y	Ragsdale	N	Tapia	Y
44	Chavez	N	Jahn	Y	Rhodes	Y	Tochtrop	N
45	Clapp	Y	Jameson	Y	Rippy	Y	Veiga	N
46	Cloer	Y	Johnson	Y	Romanoff	Y	Vigil	Y
47	Coleman	Y	Kester	Y	Saliman	N	Webster	Y
48	Crane	Y	King	Y	Sanchez	Y	Weddig	Y
49	Daniel	Y	Larson	Y	Schultheis	Y	White	Y
50	Decker	Y	Lawrence	Y	Scott	Y	Williams S.	Y
51	Fairbank	Y	Lee	Y	Sinclair	Y	Williams T.	Y
52	Fritz	Y	Mace	Y	Smith	Y	Witwer	Y
53	Garcia	N	Madden	N	Snook	Y	Young	Y
54							Mr. Speaker	Y
55								

56 Co-sponsors added: Representatives Coleman, Fritz.

1 **SB02-027** by Senator(s) Hernandez; also Representative(s) Stafford,  
 2 Mace, Romanoff--Concerning the creation of in-home  
 3 support services, and making an appropriation in  
 4 connection therewith.  
 5

6 As shown by the following roll call vote, a majority of all members  
 7 elected to the House voted in the affirmative, and Representative Stafford  
 8 was given permission to offer a Third Reading amendment:  
 9

	YES 63	NO 0	EXCUSED 2	ABSENT 0				
12	Alexander	E	Groff	Y	Marshall	Y	Spence	Y
13	Bacon	Y	Grossman	Y	Miller	Y	Spradley	Y
14	Berry	E	Harvey	Y	Mitchell	Y	Stafford	Y
15	Borodkin	Y	Hefley	Y	Paschall	Y	Stengel	Y
16	Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
17	Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia	Y
18	Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	Y
19	Clapp	Y	Jameson	Y	Rippy	Y	Veiga	Y
20	Cloer	Y	Johnson	Y	Romanoff	Y	Vigil	Y
21	Coleman	Y	Kester	Y	Saliman	Y	Webster	Y
22	Crane	Y	King	Y	Sanchez	Y	Weddig	Y
23	Daniel	Y	Larson	Y	Schultheis	Y	White	Y
24	Decker	Y	Lawrence	Y	Scott	Y	Williams S.	Y
25	Fairbank	Y	Lee	Y	Sinclair	Y	Williams T.	Y
26	Fritz	Y	Mace	Y	Smith	Y	Witwer	Y
27	Garcia	Y	Madden	Y	Snook	Y	Young	Y
28							Mr. Speaker	Y

30  
 31 **Third Reading amendment No. 1**, by Representative Stafford.  
 32

33 Amend revised bill, page 8, after line 18, insert the following:  
 34

35 **"26-4-1307. Repeal.** THIS PART 13 IS REPEALED, EFFECTIVE JULY  
 36 1, 2008. PRIOR TO SUCH REPEAL, IN-HOME SUPPORT SERVICES  
 37 ESTABLISHED UNDER THIS PART 13 SHALL BE REVIEWED AS PROVIDED FOR  
 38 IN SECTION 24-34-104, C.R.S.  
 39

40 **SECTION 2.** 24-34-104 (39) (b), Colorado Revised Statutes, is  
 41 amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:  
 42

43 **24-34-104. General assembly review of regulatory agencies and**  
 44 **functions for termination, continuation, or reestablishment.** (b) The  
 45 following agencies, functions, or both, shall terminate on July 1, 2008:  
 46

47 (XV) IN-HOME SUPPORT SERVICES, ESTABLISHED PURSUANT TO  
 48 PART 13 OF ARTICLE 4 OF TITLE 26, C.R.S."  
 49

50 Renumber succeeding sections accordingly.  
 51

52 Page 9, line 3, strike "SECTION 4" and substitute "SECTION 3".  
 53

54 The amendment was declared **passed** by the following roll call vote:  
 55



	YES 63	NO 0	EXCUSED 2	ABSENT 0				
1								
2								
3	Alexander	E	Groff	Y	Marshall	Y	Spence	Y
4	Bacon	Y	Grossman	Y	Miller	Y	Spradley	Y
5	Berry	E	Harvey	Y	Mitchell	Y	Stafford	Y
6	Borodkin	Y	Hefley	Y	Paschall	Y	Stengel	Y
7	Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
8	Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia	Y
9	Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	Y
10	Clapp	Y	Jameson	Y	Rippy	Y	Veiga	Y
11	Cloer	Y	Johnson	Y	Romanoff	Y	Vigil	Y
12	Coleman	Y	Kester	Y	Saliman	Y	Webster	Y
13	Crane	Y	King	Y	Sanchez	Y	Weddig	Y
14	Daniel	Y	Larson	Y	Schultheis	Y	White	Y
15	Decker	Y	Lawrence	Y	Scott	Y	Williams S.	Y
16	Fairbank	Y	Lee	Y	Sinclair	Y	Williams T.	Y
17	Fritz	Y	Mace	Y	Smith	Y	Witwer	Y
18	Garcia	Y	Madden	Y	Snook	Y	Young	Y
19							Mr. Speaker	Y
20								

21

22 The question being, "Shall the bill, as amended, 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

25 bill, as amended, was declared **passed**.

	YES 63	NO 0	EXCUSED 2	ABSENT 0				
26								
27								
28								
29	Alexander	E	Groff	Y	Marshall	Y	Spence	Y
30	Bacon	Y	Grossman	Y	Miller	Y	Spradley	Y
31	Berry	E	Harvey	Y	Mitchell	Y	Stafford	Y
32	Borodkin	Y	Hefley	Y	Paschall	Y	Stengel	Y
33	Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
34	Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia	Y
35	Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	Y
36	Clapp	Y	Jameson	Y	Rippy	Y	Veiga	Y
37	Cloer	Y	Johnson	Y	Romanoff	Y	Vigil	Y
38	Coleman	Y	Kester	Y	Saliman	Y	Webster	Y
39	Crane	Y	King	Y	Sanchez	Y	Weddig	Y
40	Daniel	Y	Larson	Y	Schultheis	Y	White	Y
41	Decker	Y	Lawrence	Y	Scott	Y	Williams S.	Y
42	Fairbank	Y	Lee	Y	Sinclair	Y	Williams T.	Y
43	Fritz	Y	Mace	Y	Smith	Y	Witwer	Y
44	Garcia	Y	Madden	Y	Snook	Y	Young	Y
45							Mr. Speaker	Y
46								

47 Co-sponsors added: Representatives Boyd, Cloer, Coleman, Groff, Hoppe,

48 Johnson, Marshall, Schultheis.

49

50

51

52 On motion of Representative Spradley, **SB02-160**, **HB02-1455**,

53 **SB02-065** were added to the Special Orders Calendar on Tuesday,

54 April 30, 2002.

55

56

1 On motion of Representative Hoppe, the House resolved itself into  
2 Committee of the Whole for consideration of Special Orders and she was  
3 called to the Chair to act as Chairman.

4

5

6

### SPECIAL ORDERS--SECOND READING OF BILLS

7

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

12

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

15

16 **SB02-160** by Senator(s) Hernandez; also Representative(s) Mitchell--  
17 Concerning provisions relating to the disposition of  
18 property under the "Uniform Dissolution of Marriage  
19 Act".

20

21 Ordered revised and placed on the Calendar for Third Reading and Final  
22 Passage.

23

24

25 **HB02-1455** by Representative(s) Paschall, Lee, Crane, Daniel, Dean,  
26 Hefley, Johnson, Rhodes, Rippey, Saliman, Scott, Spence,  
27 Stafford, Stengel, Veiga, Webster, Weddig, Young; also  
28 Senator(s) Linkhart--Concerning a restriction in the class  
29 of motor vehicles for which emissions test fees are  
30 collected upon registration to only those that have been  
31 clean screened.

32

33 Amendment No. 1, Information & Technology Report, dated April 24,  
34 2002, and placed in member's bill file; Report also printed in House  
35 Journal, April 25, pages 1598-1599.

36

37 As amended, ordered engrossed and placed on the Calendar for Third  
38 Reading and Final Passage.

39

40

41 **SB02-065** by Senator(s) Pascoe; also Representative(s) Spence--  
42 Concerning the establishment of a program designed to  
43 improve the academic achievement of disadvantaged  
44 children, and making an appropriation therefor.

45

46 Amendment No. 1, Education Report, dated April 24, 2002, and placed  
47 in member's bill file; Report also printed in House Journal, April 25,  
48 pages 1558-1570.

49

50 Amendment No. 2, Appropriations Report, dated April 26, 2002, and  
51 placed in member's bill file; Report also printed in House Journal,  
52 April 29, page 1643.

53

54 As amended, ordered revised and placed on the Calendar for Third  
55 Reading and Final Passage.

56

1 **HB02-1448** by Representative(s) Lee, Harvey, Alexander, Cadman,  
 2 Clapp, Crane, Dean, Decker, Fairbank, Fritz, Hefley,  
 3 Hoppe, Johnson, Kester, King, Mitchell, Paschall,  
 4 Rhodes, Schultheis, Scott, Smith, Spence, Stafford,  
 5 Swenson, Webster, White, Williams T.; also Senator(s)  
 6 Arnold--Concerning provisions to enforce laws  
 7 regulating aliens.

8  
 9 Amendment No. 1, by Representatives Lee, Larson.

10 Amend printed bill, page 2, strike lines 17 through 25.

11 Page 3, strike lines 1 through 19.

12  
 13 Renumber succeeding C.R.S. section accordingly.

14  
 15 Strike line 21 and substitute the following:

16  
 17 **"leave. WHENEVER, AFTER CONTACTING A PERSON FOR PROBABLE CAUSE**  
 18 **THAT THE PERSON HAS COMMITTED ANOTHER CRIME, A LAW ENFORCEMENT**  
 19 **OFFICER LEARNS";**

20  
 21 line 22, strike "TO BELIEVE".

22  
 23 As amended, declared **lost** on Second Reading.  
 24 (For change in action, see Amendments to Report, page 1658.)

25  
 26  
 27  
 28  
 29  
 30  
 31 **AMENDMENTS TO THE COMMITTEE OF THE WHOLE REPORT**

32  
 33 Representative Lee moved to amend the Report of the Committee of the  
 34 Whole to show that the Appropriations Committee Report to SB02-065,  
 35 dated April 26, 2002, did not pass, and that **SB02-065, as amended**, did  
 36 pass.

37  
 38 The amendment was declared **lost** by the following roll call vote:

39  
 40

	YES	30	NO	34	EXCUSED	1	ABSENT	0
43 Alexander	Y	Groff	N	Marshall	N	Spence	Y	
44 Bacon	N	Grossman	N	Miller	N	Spradley	N	
45 Berry	E	Harvey	Y	Mitchell	Y	Stafford	Y	
46 Borodkin	N	Hefley	Y	Paschall	Y	Stengel	Y	
47 Boyd	N	Hodge	N	Plant	N	Swenson	Y	
48 Cadman	Y	Hoppe	N	Ragsdale	N	Tapia	N	
49 Chavez	N	Jahn	N	Rhodes	Y	Tochtrop	N	
50 Clapp	Y	Jameson	N	Rippy	N	Veiga	Y	
51 Cloer	N	Johnson	Y	Romanoff	N	Vigil	N	
52 Coleman	Y	Kester	N	Saliman	N	Webster	Y	
53 Crane	Y	King	Y	Sanchez	Y	Weddig	N	
54 Daniel	N	Larson	N	Schultheis	Y	White	Y	
55 Decker	Y	Lawrence	N	Scott	Y	Williams S.	N	
56 Fairbank	Y	Lee	Y	Sinclair	N	Williams T.	N	

1	Fritz	Y	Mace	Y	Smith	N	Witwer	Y
2	Garcia	N	Madden	N	Snook	Y	Young	N
3							Mr. Speaker	Y

7 Representative Lee moved to amend the Report of the Committee of the  
8 Whole to show that **HB02-1448, as amended**, did pass.

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

12	YES 35	NO 29	EXCUSED 1	ABSENT 0				
14	Alexander	Y	Groff	N	Marshall	N	Spence	Y
15	Bacon	N	Grossman	N	Miller	Y	Spradley	Y
16	Berry	E	Harvey	Y	Mitchell	Y	Stafford	Y
17	Borodkin	N	Hefley	Y	Paschall	Y	Stengel	Y
18	Boyd	N	Hodge	N	Plant	N	Swenson	Y
19	Cadman	Y	Hoppe	Y	Ragsdale	N	Tapia	N
20	Chavez	N	Jahn	N	Rhodes	Y	Tochtrop	N
21	Clapp	Y	Jameson	N	Rippy	N	Veiga	N
22	Cloer	N	Johnson	Y	Romanoff	N	Vigil	N
23	Coleman	N	Kester	Y	Saliman	N	Webster	Y
24	Crane	Y	King	Y	Sanchez	N	Weddig	Y
25	Daniel	N	Larson	Y	Schultheis	Y	White	Y
26	Decker	Y	Lawrence	Y	Scott	Y	Williams S.	N
27	Fairbank	Y	Lee	Y	Sinclair	Y	Williams T.	Y
28	Fritz	Y	Mace	N	Smith	Y	Witwer	Y
29	Garcia	N	Madden	N	Snook	N	Young	N
30							Mr. Speaker	Y

### 34 ADOPTION OF COMMITTEE OF THE WHOLE REPORT

36 Passed Second Reading: **SB02-160, HB02-1455 amended,**  
37 **SB02-065 amended, HB02-1448 amended.**

39 The Chairman moved the adoption of the Committee of the Whole  
40 Report. As shown by the following roll call vote, a majority of those  
41 elected to the House voted in the affirmative, and the Report was  
42 **adopted.**

44	YES 61	NO 3	EXCUSED 1	ABSENT 0				
46	Alexander	Y	Groff	Y	Marshall	Y	Spence	Y
47	Bacon	Y	Grossman	Y	Miller	Y	Spradley	Y
48	Berry	E	Harvey	Y	Mitchell	Y	Stafford	Y
49	Borodkin	N	Hefley	Y	Paschall	Y	Stengel	Y
50	Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
51	Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia	Y
52	Chavez	N	Jahn	Y	Rhodes	Y	Tochtrop	Y
53	Clapp	Y	Jameson	Y	Rippy	Y	Veiga	Y
54	Cloer	Y	Johnson	Y	Romanoff	Y	Vigil	Y
55	Coleman	Y	Kester	Y	Saliman	Y	Webster	Y
56	Crane	Y	King	Y	Sanchez	N	Weddig	Y

1	Daniel	Y	Larson	Y	Schultheis	Y	White	Y
2	Decker	Y	Lawrence	Y	Scott	Y	Williams S.	Y
3	Fairbank	Y	Lee	Y	Sinclair	Y	Williams T.	Y
4	Fritz	Y	Mace	Y	Smith	Y	Witwer	Y
5	Garcia	Y	Madden	Y	Snook	Y	Young	Y
6							Mr. Speaker	Y

7  
8  
9  
10  
11 **REPORTS OF COMMITTEES OF REFERENCE**

12  
13 **EDUCATION**

14 After consideration on the merits, the Committee recommends the  
15 following:

16  
17 **SB02-094** be amended as follows, and as so amended, be referred to  
18 the Committee of the Whole with favorable  
19 recommendation:  
20

21 Amend reengrossed bill, strike everything below the enacting clause and  
22 substitute the following:  
23

24 "SECTION 1. 22-7-602 (1), Colorado Revised Statutes, is  
25 amended, and the said 22-7-602 is further amended BY THE ADDITION  
26 OF A NEW SUBSECTION, to read:  
27

28 **22-7-602. Definitions.** As used in this part 6, unless the context  
29 otherwise requires:  
30

31 (1) "~~Baseline assessment year~~" means the 2000-01 school year for  
32 all CSAP assessments required to be administered during that school year  
33 and means the 2001-02 school year for all assessments required to be  
34 administered for the first time during the 2001-02 school year and for the  
35 curriculum-based, achievement college entrance examinations required  
36 by section 22-7-409 (1.5). "ALTERNATIVE EDUCATION CAMPUS" MEANS  
37 A PUBLIC SCHOOL, INCLUDING A CHARTER SCHOOL, THAT RECEIVES A  
38 DESIGNATION PURSUANT TO SECTION 22-7-604.5.  
39

40 (1.5) "BASELINE ASSESSMENT YEAR" MEANS THE 2000-01 SCHOOL  
41 YEAR FOR ALL CSAP ASSESSMENTS REQUIRED TO BE ADMINISTERED  
42 DURING THAT SCHOOL YEAR AND MEANS THE 2001-02 SCHOOL YEAR FOR  
43 ALL ASSESSMENTS REQUIRED TO BE ADMINISTERED FOR THE FIRST TIME  
44 DURING THE 2001-02 SCHOOL YEAR AND FOR THE CURRICULUM-BASED,  
45 ACHIEVEMENT COLLEGE ENTRANCE EXAMINATIONS REQUIRED BY SECTION  
46 22-7-409 (1.5).  
47

48 **SECTION 2.** Part 6 of article 7 of title 22, Colorado Revised  
49 Statutes, is amended BY THE ADDITION OF A NEW SECTION to  
50 read:  
51

52 **22-7-604.5. Alternative education campuses - criteria -**  
53 **application - repeal.** (1) ON OR BEFORE SEPTEMBER 1, 2002, THE STATE  
54 BOARD SHALL ADOPT RULES SPECIFYING THE CRITERIA AND APPLICATION  
55 PROCESS FOR A SCHOOL TO BE DESIGNATED AN ALTERNATIVE EDUCATION  
56 CAMPUS. SUCH RULES SHALL INCLUDE BUT NEED NOT BE LIMITED TO:

- 1 (a) CRITERIA THAT A SCHOOL MUST MEET TO BE DESIGNATED AN  
2 ALTERNATIVE EDUCATION CAMPUS, INCLUDING BUT NOT LIMITED TO THE  
3 FOLLOWING:  
4
- 5 (I) HAVING A SPECIALIZED MISSION AND SERVING A SPECIAL NEEDS  
6 OR AT-RISK POPULATION;  
7
- 8 (II) BEING AN AUTONOMOUS SCHOOL;  
9
- 10 (III) HAVING AN ADMINISTRATOR WHO IS NOT UNDER THE  
11 SUPERVISION OF AN ADMINISTRATOR AT ANOTHER PUBLIC SCHOOL;  
12
- 13 (IV) HAVING A BUDGET SEPARATE FROM ANY OTHER PUBLIC  
14 SCHOOL;  
15
- 16 (V) HAVING NONTRADITIONAL METHODS OF INSTRUCTION  
17 DELIVERY; AND  
18
- 19 (VI) (A) SERVING STUDENTS WHO HAVE SEVERE LIMITATIONS THAT  
20 PRECLUDE APPROPRIATE ADMINISTRATION OF THE ASSESSMENTS  
21 ADMINISTERED PURSUANT TO SECTION 22-7-409;  
22
- 23 (B) SERVING A STUDENT POPULATION, MORE THAN NINETY-FIVE  
24 PERCENT OF WHOM HAVE AN INDIVIDUAL EDUCATION PROGRAM PURSUANT  
25 TO SECTION 22-20-108, EXCEPT THAT SUCH SCHOOL SHALL ESTABLISH A  
26 PUBLIC PROCESS THAT WILL PROVIDE FOR ACCOUNTABILITY; OR  
27
- 28 (C) SERVING STUDENTS WHO ATTEND ON A PART-TIME BASIS AND  
29 WHO COME FROM OTHER SCHOOLS WHERE SUCH PART-TIME STUDENTS ARE  
30 COUNTED IN THE ENROLLMENT OF THE OTHER SCHOOL; EXCEPT THAT THE  
31 RESULTS OF THE ASSESSMENTS ADMINISTERED PURSUANT TO SECTION  
32 22-7-409 OF ALL PART-TIME STUDENTS SHALL BE USED IN CALCULATING  
33 THE ACADEMIC PERFORMANCE AND ACADEMIC IMPROVEMENT RATINGS OF  
34 THE SCHOOL FOR WHICH THE STUDENT IS COUNTED FOR ENROLLMENT  
35 PURPOSES;  
36
- 37 (b) A PROCEDURE FOR A DISTRICT SCHOOL BOARD TO REQUEST FOR  
38 A SCHOOL WITHIN ITS DISTRICT DESIGNATION AS AN ALTERNATIVE  
39 EDUCATION CAMPUS;  
40
- 41 (c) A PROCEDURE FOR A DISTRICT SCHOOL BOARD TO REQUEST  
42 THAT A SCHOOL DESIGNATED AN ALTERNATIVE EDUCATION CAMPUS STILL  
43 RECEIVE ACADEMIC PERFORMANCE AND ACADEMIC IMPROVEMENT  
44 RATINGS;  
45
- 46 (d) A PROCEDURE FOR A DISTRICT SCHOOL BOARD TO APPEAL A  
47 DENIAL OF A REQUEST FOR DESIGNATION OR AN APPLICATION FOR RATINGS  
48 TO THE STATE BOARD.  
49
- 50 (2) (a) ON OR BEFORE OCTOBER 1, 2002, AND ON OR BEFORE  
51 OCTOBER 1 EACH YEAR THEREAFTER, THE DISTRICT SCHOOL BOARD FOR  
52 ANY PUBLIC SCHOOL THAT DESIRES TO BE CONSIDERED AN ALTERNATIVE  
53 EDUCATION CAMPUS PURSUANT TO THIS SECTION SHALL FILE WITH THE  
54 STATE BOARD A REQUEST FOR DESIGNATION AS AN ALTERNATIVE  
55 EDUCATION CAMPUS. SUCH REQUEST SHALL BE IN A FORM APPROVED BY  
56 THE STATE BOARD AND SHALL CONTAIN SUFFICIENT INFORMATION TO

1 ESTABLISH THAT THE PUBLIC SCHOOL MEETS THE REQUIREMENTS OF THE  
2 RULES ADOPTED PURSUANT TO PARAGRAPH (a) OF SUBSECTION (1) OF THIS  
3 SECTION. ON OR BEFORE NOVEMBER 15, 2002, AND ON OR BEFORE  
4 NOVEMBER 15 EACH YEAR THEREAFTER, THE STATE BOARD SHALL  
5 APPROVE THE DESIGNATION OF ALTERNATIVE EDUCATION CAMPUS FOR ANY  
6 PUBLIC SCHOOL FOR WHICH A REQUEST IS FILED PURSUANT TO THIS  
7 SUBSECTION (2) THAT IS FOUND BY THE STATE BOARD TO MEET THE  
8 REQUIREMENTS OF THE RULES ADOPTED PURSUANT TO PARAGRAPH (a) OF  
9 SUBSECTION (1) OF THIS SECTION.

10

11 (b) (I) FOR THE 2001-02 SCHOOL YEAR ONLY, THE REQUEST  
12 REQUIRED BY PARAGRAPH (a) OF THIS SUBSECTION (2) SHALL CONTAIN  
13 DOCUMENTATION EVIDENCING THE CRITERIA SPECIFIED IN PARAGRAPH (a)  
14 OF SUBSECTION (1) OF THIS SECTION AND BE FILED ON OR BEFORE THIRTY  
15 DAYS AFTER THE EFFECTIVE DATE OF THIS SECTION. THE STATE BOARD  
16 SHALL APPROVE OR DENY THE DESIGNATION, AS REQUIRED BY PARAGRAPH  
17 (a) OF THIS SUBSECTION (2), ON OR BEFORE FORTY-FIVE DAYS AFTER THE  
18 EFFECTIVE DATE OF THIS SECTION.

19

20 (II) THIS PARAGRAPH (b) IS REPEALED, EFFECTIVE JULY 1, 2003.

21

22 (3) EXCEPT AS EXCLUDED PURSUANT TO SECTION 22-7-409, THE  
23 RESULTS OF THE ASSESSMENTS ADMINISTERED PURSUANT TO SECTION  
24 22-7-409 FOR ALL PART-TIME STUDENTS ATTENDING A SCHOOL OR A  
25 PROGRAM THAT IS DESIGNATED AN ALTERNATIVE EDUCATION CAMPUS  
26 PURSUANT TO THIS SECTION SHALL BE INCLUDED IN THE ACADEMIC  
27 PERFORMANCE AND ACADEMIC IMPROVEMENT RATINGS ASSIGNED  
28 PURSUANT TO SECTION 22-7-604 FOR THE SCHOOL TO WHICH THE STUDENT  
29 IS ASSIGNED FOR ENROLLMENT PURPOSES.

30

31 **SECTION 3.** 22-7-604 (1.5) (a), Colorado Revised Statutes, is  
32 amended to read:

33

34 **22-7-604. Academic performance - academic improvement -**  
35 **rating - designation and methodology.** (1.5) (a) (I) By rule, the state  
36 board may exempt from the requirement that an academic performance  
37 rating be assigned to each public school any school in which more than  
38 ninety-five percent of students enrolled in the school have an individual  
39 educational program pursuant to section 22-20-108. Before an exemption  
40 is granted, such schools ~~must~~ SHALL establish a public process that will  
41 provide for accountability.

42

43 (II) ANY SCHOOL DESIGNATED AN ALTERNATIVE EDUCATION  
44 CAMPUS PURSUANT TO SECTION 22-7-604.5 SHALL BE EXEMPT FROM  
45 RECEIVING AN ACADEMIC PERFORMANCE OR IMPROVEMENT RATING  
46 PURSUANT TO THIS SECTION, UNLESS THE STATE BOARD HAS APPROVED THE  
47 ALTERNATIVE EDUCATION CAMPUS' RECEIPT OF SUCH RATINGS PURSUANT  
48 TO SECTION 22-7-604.5.

49

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

53

54

55

56

1 **STATE, VETERANS, & MILITARY AFFAIRS**

2 After consideration on the merits, the Committee recommends the  
3 following:

4  
5 **HB02-1017** be postponed indefinitely.

6  
7  
8 **HB02-1023** be postponed indefinitely.

9  
10  
11 **SB02-133** be amended as follows, and as so amended, be referred to  
12 the Committee of the Whole with favorable  
13 recommendation:

14  
15 Amend reengrossed bill, page 4, after line 8, insert the following:

16  
17 "SECTION 5. 32-16-109 (1), Colorado Revised Statutes, is  
18 amended to read:

19  
20 **32-16-109. Repeal of article.** (1) This article is repealed,  
21 effective ~~January 1, 2004~~ SEPTEMBER 1, 2002.

22  
23 **SECTION 6.** 43-2-145 (1.3) (a) (II), Colorado Revised Statutes,  
24 is amended to read:

25  
26 **43-2-145. Transportation legislation review - committee.**  
27 (1.3) (a) (II) The term "agency" includes, without limitation, the  
28 department of transportation, the regional transportation district, ~~the~~  
29 ~~Colorado intermountain fixed guideway authority,~~ and the Denver  
30 regional council of governments."

31  
32 Renumber succeeding sections accordingly.

33  
34  
35  
36 **SJM02-001** be amended as follows, and as amended, be referred out  
37 for final action:

38  
39 Amend engrossed joint memorial, page 2, line 5, strike "now, therefore,"  
40 and substitute "and";

41  
42 after line 5, insert the following:

43  
44 "WHEREAS, United States Senator Ben Nighthorse Campbell  
45 recently began a legislative effort in Congress to demand that North  
46 Korea return the USS Pueblo to the United States Navy; now, therefore,"

47  
48  
49  
50 **CONSIDERATION OF RESOLUTIONS**

51  
52 **HJR02-1037** by Representative(s) Cloer, Daniel, Groff, Harvey, Hefley,  
53 King, Snook, Spradley, Stafford, Williams S.; also  
54 Senator(s) Musgrave, Cairns--Concerning designation of  
55 October 27, 2002, as "Celebrate Children Day" in  
56 Colorado



1 (Printed and placed in member's file; also printed in House Journal,  
2 April 1, pages 1080-1081.)

3  
4 On motion of Representative Cloer, the resolution was **adopted** by **viva**  
5 **voce** vote.

6  
7 Co-sponsors added: Representatives Borodkin, Boyd, Decker, Jameson, Kester,  
8 Madden, Miller, Plant, Rhodes, Romanoff, Saliman, Sinclair, Smith, Stengel.

9  
10  
11 **HJR02-1053** by Representative(s) Cloer, Harvey, Alexander, Berry,  
12 Clapp, Crane, Dean, Decker, Fairbank, Fritz, Johnson,  
13 Kester, King, Larson, Lawrence, Mace, Miller, Mitchell,  
14 Paschall, Rhodes, Rippy, Romanoff, Schultheis, Scott,  
15 Sinclair, Smith, Snook, Spence, Spradley, Stafford,  
16 Stengel, Swenson, Tochtrop, Webster, White, Williams T.,  
17 Witwer, Young; also Senator(s) Musgrave, Epps,  
18 Hagedorn, McElhany, Nichol--Concerning recognition of  
19 the 215<sup>th</sup> anniversary of the United States Constitution.

20  
21 (Printed and placed in member's file; also printed in House Journal,  
22 April 15, pages 1330-1331.)

23  
24 On motion of Representative Cloer, the resolution was read at length.

25  
26 Amendment No. 1, moved by Representative Paschall.

27  
28 Amend printed resolution, page 1, line 15, strike "individuals;" and  
29 substitute "individuals by further restricting the powers of the federal  
30 government;"

31  
32 after line 15, insert the following:

33  
34 "WHEREAS, The 9<sup>th</sup> Amendment to the United States  
35 Constitution clarified that plenary powers rested in the state and the  
36 people; and

37  
38 WHEREAS, The 10<sup>th</sup> Amendment to the United States  
39 Constitution provided a further restriction on the purview of the federal  
40 government by prohibiting the assumption or arrogation of power that is  
41 not clearly expressed in the Constitution; and"

42  
43 The amendment was declared **passed** by the following roll call vote:

44  
45 YES 38            NO 26            EXCUSED 1            ABSENT 0

46								
47	Alexander	Y	Groff	N	Marshall	N	Spence	Y
48	Bacon	N	Grossman	N	Miller	N	Spradley	Y
49	Berry	E	Harvey	Y	Mitchell	Y	Stafford	Y
50	Borodkin	N	Hefley	Y	Paschall	Y	Stengel	Y
51	Boyd	N	Hodge	N	Plant	N	Swenson	Y
52	Cadman	Y	Hoppe	Y	Ragsdale	N	Tapia	N
53	Chavez	N	Jahn	N	Rhodes	Y	Tochtrop	Y
54	Clapp	Y	Jameson	N	Rippy	Y	Veiga	N
55	Cloer	Y	Johnson	Y	Romanoff	Y	Vigil	N
56	Coleman	N	Kester	Y	Saliman	N	Webster	N

1	Crane	Y	King	Y	Sanchez	N	Weddig	N
2	Daniel	N	Larson	Y	Schultheis	Y	White	Y
3	Decker	Y	Lawrence	Y	Scott	Y	Williams S.	N
4	Fairbank	Y	Lee	Y	Sinclair	Y	Williams T.	Y
5	Fritz	Y	Mace	N	Smith	Y	Witwer	Y
6	Garcia	N	Madden	N	Snook	Y	Young	Y
7							Mr. Speaker	Y

8  
9  
10 Amendment No. 2, moved by Representatives Grossman, Dean, Paschall.

11  
12 Amend printed resolution, page 2, strike lines 19 through 26 and  
13 substitute the following:

14  
15 *"Be It Further Resolved*, That copies of this Joint Resolution be  
16 sent to Governor Bill Owens and Colorado's Congressional Delegation to  
17 the United States Congress."  
18

19 The amendment was declared **passed** by **viva voce** vote.

20  
21  
22 On motion of Representative Cloer, the resolution as amended was  
23 **adopted** by the following roll call vote:

24  
25 YES 64            NO 0            EXCUSED 1            ABSENT 0

26								
27	Alexander	Y	Groff	Y	Marshall	Y	Spence	Y
28	Bacon	Y	Grossman	Y	Miller	Y	Spradley	Y
29	Berry	E	Harvey	Y	Mitchell	Y	Stafford	Y
30	Borodkin	Y	Hefley	Y	Paschall	Y	Stengel	Y
31	Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
32	Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia	Y
33	Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	Y
34	Clapp	Y	Jameson	Y	Rippy	Y	Veiga	Y
35	Cloer	Y	Johnson	Y	Romanoff	Y	Vigil	Y
36	Coleman	Y	Kester	Y	Saliman	Y	Webster	Y
37	Crane	Y	King	Y	Sanchez	Y	Weddig	Y
38	Daniel	Y	Larson	Y	Schultheis	Y	White	Y
39	Decker	Y	Lawrence	Y	Scott	Y	Williams S.	Y
40	Fairbank	Y	Lee	Y	Sinclair	Y	Williams T.	Y
41	Fritz	Y	Mace	Y	Smith	Y	Witwer	Y
42	Garcia	Y	Madden	Y	Snook	Y	Young	Y
43							Mr. Speaker	Y

44  
45 Co-sponsors added: Representatives Hefley, Hoppe.

46  
47  
48  
49 **APPOINTMENTS**

50  
51 Representative Grossman announced the following temporary changes in  
52 committee assignments:

53  
54 For Today only, Representative Plant to replace Representative Jameson  
55 on the Committee on Business Affairs & Labor

56

1 House in recess. House reconvened.  
2  
3  
4

5 **REPORTS OF COMMITTEE OF REFERENCE**

6  
7 **APPROPRIATIONS**

8 After consideration on the merits, the Committee recommends the  
9 following:

10  
11 **HB02-1024** be amended as follows, and as so amended, be referred to  
12 the Committee of the Whole with favorable  
13 recommendation:  
14

15 Amend the House Agriculture, Livestock, and Natural Resources  
16 Committee Report, dated February 6, 2002, page 1, strike lines 10  
17 through 14.

18  
19 Strike page 2.  
20  
21  
22

23 **HB02-1418** be amended as follows, and as so amended, be referred to  
24 the Committee of the Whole with favorable  
25 recommendation:  
26

27 Amend printed bill, page 3, after line 5, insert the following:

28  
29 "(e) INFORMATION CONCERNING THE ATTACK AND LAW  
30 ENFORCEMENT RESPONSE WILL ALSO BE HELPFUL FOR PREPARING FOR AND  
31 RESPONDING TO OTHER TERRORIST ATTACKS ON SCHOOLS OR OTHER  
32 PUBLIC BUILDINGS;"

33  
34 Reletter succeeding paragraphs accordingly.  
35

36 Page 3, line 16, strike "QUESTIONS" and substitute "QUESTION";

37  
38 line 17, strike "QUESTIONS" and substitute "QUESTION";

39  
40 line 21, strike "INVESTIGATION." and substitute "INVESTIGATION TO  
41 IMPROVE SAFETY AT SCHOOLS AND OTHER PUBLIC BUILDINGS OR IMPROVE  
42 LAW ENFORCEMENT RESPONSE TO TERRORIST-TYPE ATTACKS ON SCHOOLS  
43 AND OTHER PUBLIC BUILDINGS."  
44

45 Page 4, strike lines 9 through 19 and substitute the following:

46  
47 "INFORMATION REGARDING THE QUESTION OF WHAT CAN BE LEARNED  
48 FROM THE LAW ENFORCEMENT RESPONSE ON APRIL 20, 1999, IN  
49 PREPARATION FOR A SIMILAR TERRORIST-TYPE ATTACK ON SCHOOLS OR  
50 OTHER PUBLIC BUILDINGS?";

51  
52 line 22, strike "QUESTIONS" and substitute "QUESTION";

53  
54 line 25, strike "QUESTIONS" and substitute "QUESTION".  
55

1 Page 5, line 5, after "LEGISLATION," insert "INCLUDING LEGISLATION TO  
2 ESTABLISH POLICIES ON PREPARING FOR AND DEALING WITH FUTURE A  
3 TERRORIST-TYPE ATTACK ON SCHOOLS OR OTHER PUBLIC BUILDINGS,";

4  
5 line 8, after "COUNSEL.", insert "NO MORE THAN TWENTY-FIVE  
6 DEPOSITIONS MAY BE TAKEN.";

7  
8 line 23, strike "(6)" and substitute "(7)".  
9

10 Page 8, after line 24, insert the following:  
11

12 "(16) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT, EXCEPT  
13 FOR THE COMPENSATION AND EXPENSES OF THE MEMBERS OF THE  
14 COMMITTEE THAT ARE PAYABLE FROM THE MONEYS CURRENTLY  
15 ALLOCATED TO THE LEGISLATIVE COUNCIL FOR LEGISLATIVE STUDIES AND  
16 ANY EXPENSES OF COMMITTEE COUNSEL PAYABLE FROM MONEYS  
17 CURRENTLY ALLOCATED TO THE COMMITTEE ON LEGAL SERVICES  
18 PURSUANT TO HOUSE BILL 02-1322, NO NEW GENERAL FUND MONEYS  
19 SHALL BE USED FOR THE INVESTIGATION TO BE CONDUCTED PURSUANT OF  
20 THIS SECTION. FURTHER, IT IS THE INTENT OF THE GENERAL ASSEMBLY  
21 THAT THE COMPENSATION AND EXPENSES OF THE MEMBERS OF THE  
22 COMMITTEE AND ANY EXPENSES OF COMMITTEE COUNSEL SHALL NOT  
23 EXCEED TWENTY-THREE THOUSAND FIVE HUNDRED FIFTEEN DOLLARS  
24 (\$23,515) AND 0.4 FTE."  
25

26 Renumber succeeding subsection accordingly.  
27  
28  
29

30 **HB02-1439** be amended as follows, and as so amended, be referred to  
31 the Committee of the Whole with favorable  
32 recommendation:  
33

34 Amend printed bill, page 2, line 12, strike "a general fund shortfall for  
35 the 2002-03 fiscal year" and substitute "general fund shortfalls in future  
36 fiscal years.";

37  
38 line 14, strike "2002-03" and substitute "2003-04";  
39

40 line 16, strike "2001-02 state fiscal year" and substitute "2002-03 state  
41 fiscal year plus four percent";  
42

43 line 20, strike "2002-03" and substitute "2003-04";  
44

45 line 22, strike "2002-03" and substitute "2003-04".  
46

47 Page 3, line 1, strike "2002-03" and substitute "2003-04";  
48

49 line 17, strike "2002-03," and substitute "2003-04,";  
50

51 line 21, after "PLUS", insert "FOUR PERCENT OVER";  
52

53 line 22, strike "2001-02; EXCEPT THAT THE" and substitute "2002-03. ANY  
54 GENERAL FUND APPROPRIATIONS MADE PURSUANT TO EITHER SECTION  
55 22-55-106, C.R.S., FOR INCREASES IN STATEWIDE BASE PER PUPIL FUNDING  
56 OR SECTION 22-55-107, C.R.S., FOR CATEGORICAL PROGRAMS SHALL BE

1 MADE SUBJECT TO THE LIMITATION SET FORTH IN THIS SUBPARAGRAPH  
2 (II.5).";

3  
4 strike lines 23 through 27

5  
6 Page 4, strike lines 1 through 5.

7  
8  
9  
10 **HB02-1440** be amended as follows, and as so amended, be referred to  
11 the Committee of the Whole with favorable  
12 recommendation:

13  
14 Amend printed bill, page 2, line 11, strike "board," and substitute "board  
15 TO REFLECT THE DIRECT AND INDIRECT COSTS INCURRED BY THE  
16 DEPARTMENT IN IMPLEMENTING SUCH LICENSURE,".

17  
18 Page 18, after line 12, insert the following:

19  
20 **"SECTION 5. Appropriation.** In addition to any other  
21 appropriation, there is hereby appropriated, out of any moneys in the  
22 fixed-wing and rotor-wing ambulances cash fund not otherwise  
23 appropriated, created in section 25-3.5-307 (2) (a) Colorado Revised  
24 Statutes, to the department of public health and environment, for  
25 allocation to health promotion and disease prevention, for the fiscal year  
26 beginning July 1, 2002, the sum of eleven thousand dollars (\$11,000) and  
27 0.2 FTE, or so much thereof as may be necessary, for the implementation  
28 of this act."

29  
30 Renumber succeeding section accordingly.

31  
32 Page 1, line 101, strike "SERVICES." and substitute "SERVICES, AND  
33 MAKING AN APPROPRIATION IN CONNECTION THEREWITH."

34  
35  
36  
37 **HB02-1454** be amended as follows, and as so amended, be referred to  
38 the Committee of the Whole with favorable  
39 recommendation:

40  
41 Amend printed bill, page 5, after line 24, insert the following:

42  
43 **"SECTION 2. Appropriation.** In addition to any other  
44 appropriation, there is hereby appropriated, out of any moneys in the  
45 ocean journey fund created in section 39-22-2302 (1), Colorado Revised  
46 Statutes, not otherwise appropriated, to the department of revenue, cash  
47 and document processing division, for data entry costs, for the fiscal year  
48 beginning July 1, 2002, the sum of eight hundred twelve dollars (\$812),  
49 or so much thereof as may be necessary, for the implementation of this  
50 act."

51  
52 Renumber succeeding section accordingly.

53  
54 Page 1, line 105, strike "JOURNEY." and substitute "JOURNEY, AND  
55 MAKING AN APPROPRIATION IN CONNECTION THEREWITH."

56

1 **HCR02-1002** be postponed indefinitely.

2

3

4 **HJR02-1002** be postponed indefinitely.

5

6

7 **SB02-177** be referred to the Committee of the Whole with favorable  
8 recommendation.

9

10

11

12

**INTRODUCTION OF BILLS**  
**First Reading**

13

14

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

17

18 **HB02-1461** by Representative(s) King; also Senator(s) Gordon--  
19 Concerning the types of policies that must be offered by a  
20 motor vehicle insurer in Colorado.

21

22

23

24

25

26

27

28

29

30

31

32

33

34

House in recess. House reconvened.

35

36

37

38

39

40

41

42

43

44

45

46

47

48

49

50

51

52

53

54

55

56

**MESSAGE FROM THE SENATE**

Mr. Speaker:

The Senate has passed on Third Reading and returns herewith  
HB02-1226, 1301, 1229, 1241, 1054, 1262, 1070

The Senate has passed on Third Reading and transmitted to the Revisor  
of Statutes: SB02-218, 221, 195.

SB02-190, amended as printed in Senate Journal, April 29, page 1039  
and April 30;

SB02-207, amended as printed in Senate Journal, April 29, page 1040;

SB02-180, amended as printed in Senate Journal, April 29,  
pages 1040-1041;

SB02-210, amended as printed in Senate Journal, April 29, page 1041;

SB02-171, amended as printed in Senate Journal, April 26, page 1009;

SB02-194, amended as printed in Senate Journal, April 26, page 1019;

SB02-080, amended as printed in Senate Journal, April 26,  
pages 1009-1019 and April 30;

HB02-1113, amended as printed in Senate Journal, April 29, page 1033;

HB02-1417, amended as printed in Senate Journal, April 29, page 1033;

HB02-1307, amended as printed in Senate Journal, April 29,  
pages 1033-1034 and April 30;

- 1 HB02-1304, amended as printed in Senate Journal, April 29, page 1034;  
 2 HB02-1295, amended as printed in Senate Journal, April 29, page 1035;  
 3 HB02-1084, amended as printed in Senate Journal, April 29, page 1035;  
 4 HB02-1324, amended as printed in Senate Journal, April 29, page 1035;  
 5 HB02-1173, amended as printed in Senate Journal, April 28,  
 6 pages 1035-1036;  
 7 HB02-1323, amended as printed in Senate Journal, April 29,  
 8 pages 1036-1037;  
 9 HB02-1359, amended as printed in Senate Journal, April 29, page 1038;  
 10 HB02-1114, amended as printed in Senate Journal, April 29,  
 11 pages 1039-1040;  
 12 HB02-1265, amended as printed in Senate Journal, April 29, page 1040;  
 13 HB02-1292, amended as printed in Senate Journal, April 29, page 1040  
 14 and April 30;  
 15 HB02-1009, amended as printed in Senate Journal, April 29, page 1040;  
 16 HB02-1247, amended as printed in Senate Journal, April 29, page 1039.

---

### MESSAGE FROM THE REVISOR

22 We herewith transmit without comment, SB02-218, 221, and 195; and,  
 23 Without comment, as amended, SB02-190, 207, 180, 210, 171, 194, 080,  
 24 HB02-1113, 1417, 1307, 1304, 1295, 1084, 1324, 1173, 1323, 1359,  
 25 1114, 1265, 1292, 1009, and 1247.

---

### INTRODUCTION OF BILLS First Reading

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

35 **HB02-1462** by Representative(s) Harvey--Concerning a prohibition of  
 36 certain requirements placed on a retailer by companies that  
 37 provide products to the retailer.

38 Committee on Business Affairs & Labor

40 **HB02-1463** by Representative(s) Lawrence, Spradley--Concerning  
 41 authorization for the use of lease-purchase agreements for  
 42 the purpose of funding forensics medium and maximum  
 43 security replacement at the Colorado mental health  
 44 institute at Pueblo.

45 Committee on Finance

47 **HB02-1464** by Representative(s) Lawrence, Larson, Spradley, Tapia--  
 48 Concerning the master lease program.

49 Committee on Finance

51 **SB02-080** by Senator(s) Pascoe, Evans, Fitz-Gerald, Linkhart,  
 52 Perlmutter, Windels; also Representative(s) King, Groff--  
 53 Concerning education improvement, and making an  
 54 appropriation therefor.

55 Committee on Education

56 Committee on Appropriations

- 1 **SB02-171** by Senator(s) Thiebaut; also Representative(s) Grossman--  
2 Concerning the requirement that the state personnel  
3 director authorize payroll deductions to employee  
4 organizations representing state employees when a written  
5 request for the deduction is received.  
6 Committee on Business Affairs & Labor  
7  
8
- 9 **SB02-180** by Senator(s) Phillips; also Representative(s) Spradley--  
10 Concerning the use of renewable energy sources, and, in  
11 connection therewith, requiring providers of electric  
12 service to comply with an electric resource standard for  
13 renewable energy, authorizing the Colorado public utilities  
14 commission to impose administrative fines against  
15 noncomplying providers under certain circumstances,  
16 providing an exemption from the standard in specified cir-  
17 cumstances, and specifying reporting requirements relating  
18 to the standard, and making an appropriation therefor.  
19 Committee on Agriculture, Livestock, & Natural Resources  
20 Committee on Appropriations  
21  
22
- 23 **SB02-190** by Senator(s) Phillips, Anderson, Fitz-Gerald, Gordon,  
24 Hernandez, Hillman, Matsunaka, Musgrave, Nichol,  
25 Takis, Tate, Taylor, Teck, Tupa; also Representative(s)  
26 Hoppe, Boyd, Cloer, Daniel, Fairbank, Garcia, Kester,  
27 Lawrence, Miller, Rippy, Scott, Smith, Snook, Spence,  
28 Tapia, Veiga, White--Concerning expansion of the  
29 stationary source voluntary emission reduction program,  
30 and, in connection therewith, providing for additional  
31 flexibility and cost recovery incentives.  
32 Committee on Agriculture, Livestock, & Natural Resources  
33 Committee on Appropriations  
34  
35
- 36 **SB02-194** by Senator(s) Thiebaut; also Representative(s) Grossman--  
37 Concerning limitations on payments made by the state for  
38 the employment of certain legal counsel paid on an hourly  
39 basis.  
40 Committee on State, Veterans, & Military Affairs  
41  
42
- 43 **SB02-195** by Senator(s) Fitz-Gerald; also Representative(s) Daniel--  
44 Concerning an exemption from the statutory limitation on  
45 the total sales and use tax that may be imposed for a  
46 county tax to fund the acquisition of land for open space.  
47 Committee on Local Government  
48 Committee on Finance  
49  
50
- 51 **SB02-207** by Senator(s) Hagedorn; also Representative(s) Stengel--  
52 Concerning alcohol beverage licensing, and making an  
53 appropriation in connection therewith.  
54 Committee on Business Affairs and Labor  
55 Committee on Appropriations  
56



1 **SB02-218** by Senator(s) Reeves; also Representative(s) Stengel--  
2 Concerning the repeal of the requirement that the state  
3 sales tax refund mechanism used to refund excess state  
4 revenues as required by section 20 of article X of the state  
5 constitution be calculated to refund the amount of excess  
6 state revenues not refunded by other mechanisms by one  
7 hundred five percent.

8 Committee on Finance  
9

---

10  
11 **LAY OVER OF CALENDAR ITEMS**  
12

13  
14 On motion of Representative Spradley, the following items on the  
15 Calendar were laid over until May 1, retaining place on Calendar:  
16

17 Consideration of General Orders--**SB02-064, HB02-1361, SB02-012.**  
18 Consideration of Conference Committee Report--**SB02-113.**  
19 Consideration of Resolutions--**SJR02-008, HR02-1010, SJR02-018, 028,**  
20 **029, HJR02-1055, HR02-1013, 1014, HJR02-1059, 1061, 1062, 1063,**  
21 **1064, 1065, 1066, 1070, 1071, 1072, HR02-1016, HJR02-1074, 1075,**  
22 **SJR02-027, HJR02-1041, 1058, SJR02-041, HJR02-1051, SJR02-045.**  
23 Consideration of Senate Amendments--**HB02-1064, 1141, 1333, 1245,**  
24 **1191, 1225, 1146, 1013, 1287, 1218, 1221, 1139, 1336, 1210, 1220,**  
25 **1034, 1014, 1341, 1425, 1427, 1437, 1442, 1443, 1444, 1066, 1284,**  
26 **1352, 1152, 1306, 1036, 1090, 1119, 1353, 1321, 1186, 1300, 1101,**  
27 **1180, 1313.**  
28

---

29  
30 On motion of Representative Spradley, the House adjourned until  
31 9:00 a.m., May 1, 2002.  
32

33 Approved:  
34

35  
36  
37 DOUG DEAN,  
38 Speaker

39 Attest:  
40

41 JUDITH RODRIGUE,  
42 Chief Clerk