

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

Eighty-third Legislative Day

Monday, April 1, 2002

1 Prayer by the Reverend Doctor Cynthia Cearley, Montview Presbyterian
 2 Church, Denver.

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

5
 6 The roll was called with the following result:

7
 8 Present--61.

9 Excused--Representatives Fritz, Hefley, Jameson, Paschall--4.

10 Present after roll call--Representatives Hefley, Paschall.

11

12 The Speaker declared a quorum present.

13

14

15 On motion of Representative Jahn, the reading of the journal of
 16 March 27, 2002, was declared dispensed with and approved as corrected
 17 by the Chief Clerk.

18

19

20

21

THIRD READING OF BILLS--FINAL PASSAGE

22

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

26

27 **HB02-1010** by Representative(s) Stafford, Clapp, Mace; also
 28 Senator(s) Hernandez, Hanna, Musgrave--Concerning the
 29 efficient delivery of quality care to seniors.

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**.

35

36 YES 62 NO 1 EXCUSED 2 ABSENT 0

37

38 Alexander	Y	Groff	Y	Marshall	Y	Spence	Y
39 Bacon	Y	Grossman	Y	Miller	Y	Spradley	Y
40 Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y
41 Borodkin	Y	Hefley	Y	Paschall	Y	Stengel	Y
42 Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
43 Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia	Y

1	Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	Y
2	Clapp	Y	Jameson	E	Rippy	Y	Veiga	Y
3	Cloer	Y	Johnson	Y	Romanoff	Y	Vigil	Y
4	Coleman	Y	Kester	Y	Saliman	Y	Webster	Y
5	Crane	Y	King	Y	Sanchez	Y	Weddig	Y
6	Daniel	Y	Larson	Y	Schultheis	Y	White	Y
7	Decker	Y	Lawrence	Y	Scott	Y	Williams S.	Y
8	Fairbank	Y	Lee	Y	Sinclair	Y	Williams T.	Y
9	Fritz	E	Mace	Y	Smith	Y	Witwer	Y
10	Garcia	N	Madden	Y	Snook	Y	Young	Y
11							Mr. Speaker	Y

12
13 Co-sponsors added: Representatives Boyd, Cloer, Fairbank, Garcia, Groff,
14 Harvey, Larson, Lawrence, Romanoff, Sanchez, Snook, Weddig, Williams S.

15
16 **SB02-136** by Senator(s) Andrews; also Representative(s) Lee--
17 Concerning the teaching of a unit on patriotism in each
18 public school in the state.

19
20 As shown by the following roll call vote, a majority of all members
21 elected to the House voted in the affirmative, and Representative Harvey
22 was given permission to offer a Third Reading amendment:

23								
24	<u>YES</u>	38	<u>NO</u>	25	<u>EXCUSED</u>	2	<u>ABSENT</u>	0
25								
26	Alexander	Y	Groff	N	Marshall	N	Spence	Y
27	Bacon	N	Grossman	N	Miller	Y	Spradley	Y
28	Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y
29	Borodkin	N	Hefley	Y	Paschall	Y	Stengel	Y
30	Boyd	N	Hodge	N	Plant	N	Swenson	Y
31	Cadman	Y	Hoppe	Y	Ragsdale	N	Tapia	N
32	Chavez	N	Jahn	N	Rhodes	Y	Tochtrop	N
33	Clapp	Y	Jameson	E	Rippy	Y	Veiga	N
34	Cloer	Y	Johnson	Y	Romanoff	N	Vigil	N
35	Coleman	N	Kester	Y	Saliman	N	Webster	Y
36	Crane	Y	King	Y	Sanchez	N	Weddig	N
37	Daniel	N	Larson	Y	Schultheis	Y	White	Y
38	Decker	Y	Lawrence	Y	Scott	Y	Williams S.	N
39	Fairbank	Y	Lee	Y	Sinclair	Y	Williams T.	Y
40	Fritz	E	Mace	N	Smith	Y	Witwer	Y
41	Garcia	N	Madden	N	Snook	Y	Young	Y
42							Mr. Speaker	Y

43
44
45 **Third Reading amendment No. 1**, by Representative Harvey.

46
47 Amend revised bill, strike everything below the enacting clause and
48 substitute the following:

49
50 "SECTION 1. 22-1-104, Colorado Revised Statutes, is amended
51 BY THE ADDITION OF A NEW SUBSECTION to read:

52
53 **22-1-104. Teaching of history, culture, and civil government.**
54 (3) (a) IN ADDITION, AN AGE-APPROPRIATE UNIT ON PATRIOTISM SHALL BE
55 TAUGHT IN EACH OF THE PUBLIC SCHOOLS OF THE STATE. THE CONTENTS
56 OF SAID UNIT SHALL BE AT THE DISCRETION OF THE LOCAL SCHOOL

1 DISTRICT; EXCEPT THAT SAID UNIT SHALL, AT A MINIMUM, INCLUDE A
 2 REQUIREMENT THAT THE TEACHER AND STUDENTS IN EACH CLASSROOM IN
 3 EACH PUBLIC ELEMENTARY, MIDDLE, JUNIOR HIGH, AND HIGH SCHOOL IN
 4 THE SCHOOL DISTRICT BEGIN EACH SCHOOL DAY BY RECITING ALOUD THE
 5 PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA.

6
 7 (b) NOTHING IN THIS SUBSECTION (3) SHALL BE CONSTRUED TO
 8 REQUIRE:

9
 10 (I) A TEACHER OR A STUDENT TO RECITE THE PLEDGE OF
 11 ALLEGIANCE DESCRIBED IN PARAGRAPH (a) OF THIS SUBSECTION (3) IF THE
 12 TEACHER OR STUDENT OBJECTS TO THE RECITATION OF THE PLEDGE ON
 13 RELIGIOUS GROUNDS; OR

14
 15 (II) FOREIGN STUDENTS ATTENDING SCHOOL IN THE STATE OF
 16 COLORADO TO RECITE THE PLEDGE OF ALLEGIANCE TO THE FLAG OF THE
 17 UNITED STATES OF AMERICA.

18
 19 **SECTION 2. Effective date.** This act shall take effect at 12:01
 20 a.m. on the day following the expiration of the ninety-day period after
 21 final adjournment of the general assembly that is allowed for submitting
 22 a referendum petition pursuant to article V, section 1 (3) of the state
 23 constitution; except that, if a referendum petition is filed against this act
 24 or an item, section, or part of this act within such period, then the act,
 25 item, section, or part, if approved by the people, shall take effect on the
 26 date of the official declaration of the vote thereon by proclamation of the
 27 governor."

28
 29
 30 Pursuant to House Rule 16, Representative White moved "Shall the main
 31 question be now put?" The motion was declared **passed** by the following
 32 roll call vote:

33

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

53
 54
 55
 56

1 A roll call vote was taken. As shown by the following recorded vote, a
 2 majority of those elected to the House voted in the affirmative, and the
 3 bill, as amended, was declared **passed**.

	YES 47	NO 15	EXCUSED 3	ABSENT 0			
7 Alexander	Y	Groff	N	Marshall	N	Spence	Y
8 Bacon	N	Grossman	N	Miller	Y	Spradley	Y
9 Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y
10 Borodkin	N	Hefley	Y	Paschall	Y	Stengel	Y
11 Boyd	Y	Hodge	N	Plant	N	Swenson	Y
12 Cadman	Y	Hoppe	Y	Ragsdale	N	Tapia	Y
13 Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	Y
14 Clapp	Y	Jameson	E	Rippy	Y	Veiga	N
15 Cloer	Y	Johnson	Y	Romanoff	N	Vigil	N
16 Coleman	Y	Kester	Y	Saliman	N	Webster	Y
17 Crane	Y	King	Y	Sanchez	N	Weddig	N
18 Daniel	Y	Larson	Y	Schultheis	Y	White	Y
19 Decker	Y	Lawrence	Y	Scott	Y	Williams S.	Y
20 Fairbank	Y	Lee	Y	Sinclair	Y	Williams T.	Y
21 Fritz	E	Mace	Y	Smith	Y	Witwer	Y
22 Garcia	Y	Madden	N	Snook	Y	Young	Y
						Mr. Speaker	E

25 Co-sponsors added: Representatives Alexander, Cadman, Clapp, Cloer, Crane,
 26 Decker, Fairbank, Harvey, Hefley, Hoppe, Jahn, Johnson, Kester, King,
 27 Lawrence, Miller, Mitchell, Paschall, Rhodes, Rippy, Schultheis, Scott, Sinclair,
 28 Snook, Spence, Stafford, Stengel, Swenson, Webster, White, Williams T.,
 29 Witwer, Young.

32 **SB02-128** by Senator(s) Epps; also Representative(s) Hefley--Con-
 33 cerning the ability of youth in out-of-home placement to
 34 obtain authority from the department of revenue to drive.

36 Laid over until April 2, retaining place on Calendar.

39 **HB02-1315** by Representative(s) Mitchell; also Senator(s) Hagedorn--
 40 Concerning Colorado's response to terrorism, and, in
 41 connection therewith, creating the office of preparedness,
 42 security, and fire safety.

44 As shown by the following roll call vote, a majority of all members
 45 elected to the House voted in the affirmative, and Representative Mitchell
 46 was given permission to offer a Third Reading amendment:

	YES 60	NO 2	EXCUSED 3	ABSENT 0			
50 Alexander	Y	Groff	Y	Marshall	Y	Spence	Y
51 Bacon	Y	Grossman	Y	Miller	Y	Spradley	Y
52 Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y
53 Borodkin	Y	Hefley	Y	Paschall	Y	Stengel	Y
54 Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
55 Cadman	Y	Hoppe	Y	Ragsdale	N	Tapia	Y
56 Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	Y

1	Clapp	Y	Jameson	E	Rippy	Y	Veiga	Y
2	Cloer	Y	Johnson	Y	Romanoff	Y	Vigil	Y
3	Coleman	N	Kester	Y	Saliman	Y	Webster	Y
4	Crane	Y	King	Y	Sanchez	Y	Weddig	Y
5	Daniel	Y	Larson	Y	Schultheis	Y	White	Y
6	Decker	Y	Lawrence	Y	Scott	Y	Williams S.	Y
7	Fairbank	Y	Lee	Y	Sinclair	Y	Williams T.	Y
8	Fritz	E	Mace	Y	Smith	Y	Witwer	Y
9	Garcia	Y	Madden	Y	Snook	Y	Young	Y
10							Mr. Speaker	E

10

11

12

13

Third Reading amendment No. 1, by Representative Mitchell.

14

Amend engrossed bill, page 13, strike line 12 and substitute the following:

16

17

18

"24-33.5-1608 AND 24-33.5-1609.";

19

20

line 16, strike "24-33.5-1614." and substitute "24-33.5-1613."

21

22

Page 14, strike line 2 and substitute the following:

23

"SECTIONS 24-33.5-1608 AND 24-33.5-1609.";

24

25

line 12, strike "24-33.5-1609 OR 24-33.5-1610." and substitute

26

"24-33.5-1608 OR 24-33.5-1609.";

27

28

line 20, strike "24-33.5-1609" and substitute "24-33.5-1608";

29

30

strike line 21 and substitute the following:

31

"24-33.5-1609.";

32

33

line 26, strike "24-33.5-1609 AND 24-33.5-1610." and substitute

34

"24-33.5-1608 AND 24-33.5-1609."

35

36

Page 15, strike line 5 and substitute the following:

37

"SECTION 24-33.5-1608 OR 24-33.5-1609."

38

39

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

40

41

YES 61 NO 1 EXCUSED 3 ABSENT 0

42

43

Alexander	Y	Groff	Y	Marshall	Y	Spence	Y
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44

Bacon	Y	Grossman	Y	Miller	Y	Spradley	Y
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45

Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y
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46

Borodkin	Y	Hefley	Y	Paschall	Y	Stengel	Y
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47

Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
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48

Cadman	Y	Hoppe	Y	Ragsdale	N	Tapia	Y
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49

Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	Y
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50

Clapp	Y	Jameson	E	Rippy	Y	Veiga	Y
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51

Cloer	Y	Johnson	Y	Romanoff	Y	Vigil	Y
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52

Coleman	Y	Kester	Y	Saliman	Y	Webster	Y
---------	---	--------	---	---------	---	---------	---

53

Crane	Y	King	Y	Sanchez	Y	Weddig	Y
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54

Daniel	Y	Larson	Y	Schultheis	Y	White	Y
--------	---	--------	---	------------	---	-------	---

55

Decker	Y	Lawrence	Y	Scott	Y	Williams S.	Y
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56

Fairbank	Y	Lee	Y	Sinclair	Y	Williams T.	Y
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1	Fritz	E	Mace	Y	Smith	Y	Witwer	Y
2	Garcia	Y	Madden	Y	Snook	Y	Young	Y
3							Mr. Speaker	E

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 Mitchell
 8 was given permission to offer a Third Reading amendment:

10	YES	60	NO	2	EXCUSED	3	ABSENT	0
12	Alexander	Y	Groff	Y	Marshall	Y	Spence	Y
13	Bacon	Y	Grossman	Y	Miller	Y	Spradley	Y
14	Berry	Y	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	N	Tapia	Y
18	Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	Y
19	Clapp	Y	Jameson	E	Rippy	Y	Veiga	Y
20	Cloer	Y	Johnson	Y	Romanoff	Y	Vigil	Y
21	Coleman	N	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	E	Mace	Y	Smith	Y	Witwer	Y
27	Garcia	Y	Madden	Y	Snook	Y	Young	Y
28							Mr. Speaker	E

31 **Third Reading amendment No. 2**, by Representative Mitchell.

33 Amend engrossed bill, page 9, line 27, strike "PREPAREDNESS AND
 34 SECURITY" and substitute "PREPAREDNESS, SECURITY, AND FIRE SAFETY".

36 Page 18, line 19, strike "preparedness and" and substitute
 37 "preparedness,";

39 line 20, strike "security" and substitute "security, and fire safety";

41 strike line 27 and substitute the following:

43 "preparedness, security, and fire safety."

45 Page 19, line 8, strike "preparedness and security" and substitute
 46 "preparedness, security, and fire safety".

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

50	YES	61	NO	1	EXCUSED	3	ABSENT	0
52	Alexander	Y	Groff	Y	Marshall	Y	Spence	Y
53	Bacon	Y	Grossman	Y	Miller	Y	Spradley	Y
54	Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y
55	Borodkin	Y	Hefley	Y	Paschall	Y	Stengel	Y
56	Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y

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

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

20	YES	61	NO	1	EXCUSED	3	ABSENT	0
22	Alexander	Y	Groff	Y	Marshall	Y	Spence	Y
23	Bacon	Y	Grossman	Y	Miller	Y	Spradley	Y
24	Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y
25	Borodkin	Y	Hefley	Y	Paschall	Y	Stengel	Y
26	Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
27	Cadman	Y	Hoppe	Y	Ragsdale	N	Tapia	Y
28	Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	Y
29	Clapp	Y	Jameson	E	Rippy	Y	Veiga	Y
30	Cloer	Y	Johnson	Y	Romanoff	Y	Vigil	Y
31	Coleman	Y	Kester	Y	Saliman	Y	Webster	Y
32	Crane	Y	King	Y	Sanchez	Y	Weddig	Y
33	Daniel	Y	Larson	Y	Schultheis	Y	White	Y
34	Decker	Y	Lawrence	Y	Scott	Y	Williams S.	Y
35	Fairbank	Y	Lee	Y	Sinclair	Y	Williams T.	Y
36	Fritz	E	Mace	Y	Smith	Y	Witwer	Y
37	Garcia	Y	Madden	Y	Snook	Y	Young	Y
38							Mr. Speaker	E

40 Co-sponsors added: Representatives Crane, Decker, Fairbank, Garcia, Groff,
 41 Lawrence, Lee, Mace, Marshall, Miller, Rhodes, Romanoff, Scott, Stafford,
 42 Weddig, Williams S., Young.

44 **SB02-079** by Senator(s) Lamborn; also Representative(s) Paschall--
 45 Concerning the enforcement of the "Fair Campaign Prac-
 46 tices Act", article 45 of title 1, Colorado Revised Statutes.

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**.

53	YES	62	NO	0	EXCUSED	3	ABSENT	0
54	Alexander	Y	Groff	Y	Marshall	Y	Spence	Y
55	Bacon	Y	Grossman	Y	Miller	Y	Spradley	Y
56	Berry	Y	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	E	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	E	Mace	Y	Smith	Y	Witwer	Y
13	Garcia	Y	Madden	Y	Snook	Y	Young	Y
14							Mr. Speaker	E

15
16 Co-sponsors added: Representatives Garcia, Hoppe, Romanoff, Weddig.

17
18 **SB02-099** by Senator(s) Nichol, Entz, Isgar, Takis, Teck, Cairns; also
19 Representative(s) Spradley--Concerning the updating of
20 statutory provisions regarding the state military forces.

21
22 The question being "Shall the bill pass?".

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

26
27 YES 62 NO 0 EXCUSED 3 ABSENT 0

28								
29	Alexander	Y	Groff	Y	Marshall	Y	Spence	Y
30	Bacon	Y	Grossman	Y	Miller	Y	Spradley	Y
31	Berry	Y	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	E	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	E	Mace	Y	Smith	Y	Witwer	Y
44	Garcia	Y	Madden	Y	Snook	Y	Young	Y
45							Mr. Speaker	E

46
47 Co-sponsors added: Representatives Coleman, Crane, Garcia, Grossman,
48 Harvey, Hefley, Jahn, King, Marshall, Miller, Romanoff, Sanchez, Sinclair,
49 Stafford, Stengel, Tochtrop, Veiga, Weddig, Young.

50
51
52
53 On motion of Representative Harvey, the House resolved itself into
54 Committee of the Whole for consideration of General Orders, and he was
55 called to the Chair to act as Chairman.

56

GENERAL ORDERS--SECOND READING OF BILLS

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

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

On motion of Representative Spradley, Consideration of **HB02-1015**, **SB02-064, 104, HB02-1309** was laid over until April 2, retaining place on Calendar.

SB02-011 by Senator(s) Teck; also Representative(s) Larson-- Concerning the regulation of motor carrier safety.

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

HB02-1408 by Representative(s) Spradley, Dean, Kester; also Senator(s) Thiebaut--Concerning additional requirements for shipments of certain types of radioactive waste for disposal inside Colorado.

Amendment No. 1, Local Government Report, dated March 25, 2002, and placed in member's bill file; Report also printed in House Journal, March 26, pages 1026-1027.

Amendment No. 2, by Representative Spradley.

Amend the Local Government Committee Report, dated March 25, 2002, page 1, strike lines 3 through 6 and substitute the following:

""(b) (I) NO SITE SHALL RECEIVE CLASSIFIED WASTE FOR DISPOSAL UNLESS SUCH DISPOSAL HAS BEEN APPROVED AS PROVIDED IN SUBSECTION (3) OF THIS SECTION.";

strike lines 11 through 15 of the committee report and substitute the following:

"strike lines 11 through 27 of the printed bill and substitute the following:

"(2) (a) Any person desiring to have a facility or site referred to in subsection (1) of this section approved shall apply to the department of public health and environment for approval of such facility or site. The application shall contain such information as the department requires and shall be accompanied by an application fee determined by the board pursuant to the provisions of part 1 of this article.

(b) IN ADDITION TO THE REQUIREMENTS OF PARAGRAPH (a) OF THIS SUBSECTION (2), IF A SITE SUBJECT TO THIS SECTION IS PROPOSING TO DISPOSE OF CLASSIFIED WASTE, THE SITE SHALL PROVIDE WRITTEN NOTICE TO THE DEPARTMENT THAT SHALL INCLUDE:

1 (I) TRANSCRIPTS OF TWO PUBLIC HEARINGS HOSTED BY AND AT THE
2 EXPENSE OF THE SITE. THE SITE SHALL PROVIDE THE PUBLIC WITH:

3
4 (A) PURSUANT TO PART 1 OF ARTICLE 70 OF TITLE 24, C.R.S., AT
5 LEAST TWO WEEKS' WRITTEN NOTICE BEFORE THE FIRST HEARING AND AN
6 ADDITIONAL TWO WEEKS' WRITTEN NOTICE BEFORE THE SECOND HEARING;

7
8 (B) AT BOTH HEARINGS, SUMMARIES OF THE SITE'S LICENSE TO
9 DISPOSE OF CLASSIFIED WASTE AND THE NATURE OF THE CLASSIFIED
10 WASTE, AND AN OPPORTUNITY TO BE HEARD; AND".

11
12 Page 4 of the printed bill, line 2, strike "ANALYSIS" and substitute
13 "ASSESSMENT";

14
15 line 10, strike "ANALYSIS" and substitute "ASSESSMENT".

16
17 strike lines 25 through 27 and substitute the following:

18
19 "(II) NO DISPOSAL REFERRED TO IN PARAGRAPH (b) OF SUBSECTION
20 (1) OF THIS SECTION SHALL OCCUR UNLESS THE DEPARTMENT OF PUBLIC
21 HEALTH AND ENVIRONMENT HAS APPROVED SUCH DISPOSAL. THE
22 DEPARTMENT SHALL CONSIDER THE TRANSCRIPTS OF THE PUBLIC HEARINGS
23 HELD BY THE SITE, THE SITE'S LICENSE, AND ANY ENVIRONMENTAL
24 ASSESSMENT OR ANALYSIS PERFORMED PURSUANT TO THIS SECTION."

25
26 Page 5 of the printed bill, strike lines 5 through 21 and substitute "facility
27 or site."

28
29 Renumber succeeding section accordingly."

30
31 Strike page 2 of the committee report.

32
33 Amendment No. 3, by Representative Spradley.

34
35 Amend printed bill, page 4, after line 16, insert the following:

36
37 "(c) AS USED IN PARAGRAPH (b) OF THIS SUBSECTION (2),
38 "ENVIRONMENTAL ASSESSMENT" MEANS A REPORT AND ASSESSMENT
39 SUBMITTED TO THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT
40 BY A SITE PROPOSING TO RECEIVE CLASSIFIED WASTE THAT ADDRESSES THE
41 IMPACTS OF THE RECEIPT OF SUCH WASTE. THE ENVIRONMENTAL
42 ASSESSMENT SHALL CONTAIN ALL INFORMATION DEEMED NECESSARY BY
43 THE DEPARTMENT, AND SHALL INCLUDE AN ASSESSMENT OF THE
44 SHORT-TERM AND LONG-TERM IMPACTS OF THE DISPOSAL; THE
45 RADIOLOGICAL AND NONRADIOLOGICAL IMPACTS TO THE PUBLIC,
46 INCLUDING SOCIAL AND ECONOMIC IMPACTS; ANY IMPACT ON ANY
47 WATERWAY AND GROUND WATER; AND AN ANALYSIS OF ANY BENEFITS OF
48 THE PROPOSAL AGAINST ENVIRONMENTAL COSTS WHILE CONSIDERING
49 AVAILABLE ALTERNATIVES."

50
51 Amendment No. 4, by Representative Spradley.

52
53 Amend printed bill, page 4, line 17, after "application", insert "OR
54 NOTICE";

55
56 line 19, after "application", insert "OR NOTICE".

1 Amendment No. 5, by Representative Spradley.

2

3 Amend printed bill, page 2, after line 17, insert the following:

4

5 "(c) NOTHING IN THIS SUBSECTION (1) SHALL BE DEEMED TO APPLY
6 TO THE TREATMENT, STORAGE, MANAGEMENT, PROCESSING, OR DISPOSAL
7 OF SOLID WASTE PURSUANT TO A CERTIFICATE OF DESIGNATION ISSUED
8 UNDER ARTICLE 20 OF TITLE 30, C.R.S. FACILITIES THAT HAVE BOTH A
9 RADIOACTIVE MATERIALS LICENSE AND A CERTIFICATE OF DESIGNATION
10 SHALL COMPLY WITH THE PROVISION OF THIS ARTICLE."

11

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

14

15 **SB02-151** by Senator(s) Takis; also Representative(s) Romanoff--
16 Concerning affordable housing projects financed through
17 the division of housing.

18

19 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
20 March 19, 2002, and placed in member's bill file; Report also printed in
21 House Journal, March 22, page 981.

22

23 Amendment No. 2, by Representative Romanoff.

24

25 Amend reengrossed bill, page 2, line 8, strike "RECEIVE NOTICE" and
26 substitute "ENCOURAGE PROPERTY OWNERS TO NOTIFY THE DIVISION";

27

28 line 9, strike "CONVERTED TO MARKET-RATE UNITS";

29

30 line 10, strike "OR OTHERWISE";

31

32 line 11, strike "IT" and substitute "THE DIVISION";

33

34 line 18, strike "CONVERTED TO MARKET-RATE";

35

36 line 19, strike "UNITS OR OTHERWISE".

37

38 Page 3, strike line 9 and substitute the following:

39

40 "(2) (a) THE DIVISION SHALL PROVIDE INFORMATION ABOUT THE
41 DATABASE IT MAINTAINS PURSUANT TO SUBSECTION (3) OF THIS SECTION
42 TO OWNERS OF PUBLICLY-ASSISTED HOUSING PROJECTS AND";

43

44 line 10, after "SHALL", insert "ENCOURAGE THEM TO";

45

46 line 13, strike "THE NOTICE SHALL";

47

48 strike line 14.

49

50 Page 4, strike lines 3 through 7.

51

52 Reletter succeeding paragraph accordingly.

53

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

56

1 **SB02-132** by Senator(s) Nichol; also Representative(s) Larson--
2 Concerning the reformation of the regulation of persons
3 who tow abandoned motor vehicles, and, in connection
4 therewith, recodifying the laws regulating towing
5 abandoned vehicles.
6

7 Amendment No. 1, Transportation & Energy Report, dated March 21,
8 2002, and placed in member's bill file; Report also printed in House
9 Journal, March 22, pages 982-983.

10
11 Amendment No. 2, by Representative Larson.

12
13 Amend reengrossed bill, page 28, line 4, after the period, add "THIS
14 SUBSECTION (1) SHALL NOT APPLY TO PERSONAL PROPERTY IF SUBSECTION
15 (3) OF THIS SECTION APPLIES TO SUCH PERSONAL PROPERTY.";

16
17 after line 21, insert the following:

18
19 "(3) IF THE OPERATOR OBTAINS PERSONAL PROPERTY FROM AN
20 ABANDONED VEHICLE THAT HAS BEEN TOWED PURSUANT TO THIS PART 21
21 AND IF THE SERIAL OR IDENTIFICATION NUMBER OF SUCH PROPERTY HAS
22 BEEN VISIBLY ALTERED OR REMOVED, THE OPERATOR SHALL NOT HAVE A
23 LIEN UPON SUCH PROPERTY AND SHALL DESTROY OR DISCARD SUCH
24 PROPERTY WITHIN FIVE DAYS AFTER DISPOSING OF SUCH VEHICLE
25 PURSUANT TO SECTIONS 42-4-2104 AND 42-4-2107."
26

27 Page 29, line 6, after "**lien.**" insert "(1)";

28
29 after line 12, insert the following:

30
31 "(2) WITHIN FIVE DAYS AFTER FORECLOSURE OF THE LIEN
32 PURSUANT TO THIS SECTION, THE OPERATOR SHALL SEND A NOTICE TO THE
33 LAW ENFORCEMENT AGENCY HAVING JURISDICTION OVER THE OPERATOR.
34 SUCH NOTICE SHALL CONTAIN A LIST OF PERSONAL PROPERTY FOUND
35 WITHIN THE ABANDONED VEHICLE THAT HAS AN INTACT SERIAL OR
36 IDENTIFICATION NUMBER AND SUCH SERIAL OR IDENTIFICATION NUMBER.
37 SUCH NOTIFICATION SHALL BE MADE BY CERTIFIED MAIL, FACSIMILE
38 MACHINE, OR PERSONAL DELIVERY."
39

40 Amendment No. 3, by Representative Larson.

41
42 Amend reengrossed bill, page 27, line 16, strike "TITLE." and substitute
43 "TITLE; EXCEPT THAT, IF SUCH VEHICLE IS LESS THAN FIVE YEARS OLD,
44 INCLUDING THE CURRENT YEAR MODELS, AND IF THE DEPARTMENT DOES
45 NOT PROVIDE THE NAME OF AN OWNER OF RECORD TO THE OPERATOR, THE
46 BUYER SHALL APPLY FOR A BONDED TITLE AND THE DEPARTMENT SHALL
47 ISSUE SUCH BONDED TITLE UPON THE APPLICANT MEETING THE
48 QUALIFICATIONS FOR SUCH TITLE PURSUANT TO RULES PROMULGATED BY
49 THE DEPARTMENT."
50

51 As amended, ordered revised and placed on the Calendar for Third
52 Reading and Final Passage.
53
54
55

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

2
3 Passed Second Reading: **SB02-011, HB02-1408 amended,**
4 **SB02-151 amended, 132 amended.**

5
6 Laid over until date indicated retaining place on Calendar: **HB02-1015,**
7 **SB02-064, 104, HB02-1309--April 2, 2002.**

8
9 The Chairman moved the adoption of the Committee of the Whole
10 Report. As shown by the following roll call vote, a majority of those
11 elected to the House voted in the affirmative, and the Report was
12 **adopted.**

13
14 YES 63 NO 0 EXCUSED 2 ABSENT 0

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

32
33
34
35
36

37 **REPORTS OF COMMITTEES OF REFERENCE**

38
39 **EDUCATION**

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

42
43 **HB02-1407** be referred to the Committee of the Whole with favorable
44 recommendation.

45
46
47
48
49 **FINANCE**

50 After consideration on the merits, the Committee recommends the
51 following:

52
53 **HCR02-1001** be postponed indefinitely.

54
55

1 **SB02-161** be amended as follows, and as so amended, be referred to
2 the Committee of the Whole with favorable
3 recommendation:
4

5 Amend reengrossed bill, page 6, strike line 9 and substitute "ECONOMIC
6 LOSS";

7
8 line 10, strike "SECTION." and substitute "SECTION, INCLUDING
9 REASONABLE ATTORNEY FEES AND COSTS."

10

11 Page 10, strike line 26 and substitute the following:

12

13 "(1.8) IN THE EVENT THAT A FORECLOSURE IS CONDUCTED BY AN
14 ALLEGED".

15

16 Page 11, line 3, strike "SOLE REMEDY" and substitute "ONLY CLAIMS";

17

18 line 4, after "BE", insert "SOLELY";

19

20 line 5, strike "SECTION." and substitute "SECTION AND NOT AGAINST THE
21 REAL PROPERTY."

22

23 Page 16, strike lines 7 and 8 and substitute the following:

24 "DEBT IN FORECLOSING THE LIEN AS OF THE DATE OF CURE AND THAT ARE";

25

26 line 9, strike "SECTION" and substitute "SECTIONS 38-38-106 AND".

27

28 Page 17, line 27, strike " PROPERTY, THE PROPERTY, AND" and substitute
29 "PROPERTY OR".

30

31 Page 18, strike lines 2 through 17 and substitute the following:

32

33 "(I) ALL EXPENSES ACTUALLY INCURRED BY THE OFFICER
34 CONDUCTING THE SALE, PUBLICATION COSTS, STATUTORY NOTICE COSTS
35 AND POSTAGE, AND APPRAISAL FEES;

36

37 "(II) ANY GENERAL OR SPECIAL TAXES OR DITCH OR WATER
38 ASSESSMENTS LEVIED OR ACCRUING AGAINST SAID PROPERTY AND ANY
39 GOVERNMENTAL OR QUASI-GOVERNMENTAL LIEN, FINE, PENALTY, OR
40 ASSESSMENT AGAINST THE PROPERTY;

41

42 "(III) THE PREMIUMS ON ANY PROPERTY, CASUALTY, GENERAL
43 LIABILITY, AND TITLE INSURANCE ACQUIRED TO PROTECT THE HOLDER'S
44 INTEREST IN THE PROPERTY OR THE IMPROVEMENTS COMPRISING A PART
45 OF SUCH PROPERTY;

46

47 "(IV) SUMS DUE ON ANY PRIOR LIEN OR ENCUMBRANCE ON SUCH
48 PROPERTY, INCLUDING THAT PORTION OF AN ASSESSMENT BY A
49 HOMEOWNERS' ASSOCIATION THAT CONSTITUTES A LIEN PRIOR TO THE LIEN
50 BEING FORECLOSED;

51

52 "(V) IF THE PROPERTY IS SUBJECT TO A LEASE, ALL SUMS DUE UNDER
53 SUCH LEASE;

54

55 "(VI) THE REASONABLE COSTS AND EXPENSES OF DEFENDING,
56 PROTECTING, SECURING, MAINTAINING, AND REPAIRING SUCH PROPERTY

1 AND THE HOLDER'S INTEREST IN SUCH PROPERTY, OR THE IMPROVEMENTS
2 ON SUCH PROPERTY, RECEIVER'S FEES AND EXPENSES, INSPECTION FEES,
3 COURT COSTS, ATTORNEY FEES, AND FEES AND COSTS OF THE ATTORNEY IN
4 THE EMPLOYMENT OF THE HOLDER OF THE CERTIFICATE OF PURCHASE;

5
6 (VII) COSTS AND EXPENSES MADE PURSUANT TO A VALID ORDER
7 FROM A COURT OF COMPETENT JURISDICTION TO BRING THE PROPERTY AND
8 THE IMPROVEMENTS THEREON IN COMPLIANCE WITH THE FEDERAL, STATE,
9 COUNTY, AND LOCAL LAWS, ORDINANCES, AND REGULATIONS AFFECTING
10 THE PROPERTY, THE IMPROVEMENTS ON THE PROPERTY, OR THE USE OF THE
11 PROPERTY; AND

12
13 (VIII) SUCH OTHER COSTS AND EXPENSES THAT MAY BE PERMITTED
14 BY THE DEED OF TRUST, MORTGAGE, OR OTHER LIEN SECURING THE DEBT
15 OR THAT MAY BE AUTHORIZED BY A COURT OF COMPETENT JURISDICTION.";

16
17 strike line 18 and substitute the following:

18
19 "(b) Bids shall be in substantially the following form:

20
21 BID

22 To: _____
23 (Public Trustee)*(Sheriff)* of the County of _____, State of Colorado.

24
25 Date: _____
26 _____, whose mailing address is _____, bids the sum of \$ _____ in
27 your Sale No. _____ to be held on the _____ day of _____, 20 ____.

28 The following is an itemization of all amounts due the owner of the
29 evidence of debt secured by the (deed of trust) (mortgage) (lien) being
30 foreclosed.

31 (Inapplicable items may be omitted):

32		
33	Principal	\$ _____
34	Interest	_____
35	Late charges	_____
36	Less impound account credit	_____
37	Plus impound account deficiency	_____
38	Title or abstracting charges	_____
39	Docket fee	_____
40	Appraisal fee	_____
41	STATUTORY NOTICE COSTS	_____
42	Postage	_____
43	Photocopies	_____
44	Attorney fees	_____
45	Telephone charges	_____
46	PREMIUM INSURANCE	_____
47	Other (describe):	_____
48	Total due holder	_____

49
50 (Public Trustee's)*(Sheriff's)* FEES AND COSTS

51 ~~Fee and costs*~~ _____
52 PUBLICATION COSTS _____

53 Total _____
54 Bid _____
55 Deficiency _____
56

1 I enclose herewith the following:

- 2 1. Order authorizing sale.
 3 2. Check to your order in the sum of \$ ____ covering the balance of
 4 your fees.
 5 3. Other: _____.

6
 7 Please send us the following:

- 8 1. Original Certificate of Purchase.*
 9 2. Promissory Note (with deficiency noted thereon).*
 10 3. Refund Check for overpayment of (Public Trustee's)*(Sheriff's)*
 11 costs if any.
 12 4. Other: .

13
 14 *Delete as case may be.

15 Name of foreclosing party, agent, or attorney

16

17 By: _____

18 Address: _____

19 Telephone: _____ "

20

21 Page 20, line 24, after "sale.", insert "A LIENOR HOLDING A CONSENSUAL
 22 LIEN PURSUANT TO SECTION 38-38-303 (2) (e) THAT IS NOT ENTITLED TO
 23 REDEEM PURSUANT TO SECTION 38-38-303 (2) (d) SHALL NOT CLAIM ANY
 24 PORTION OF THE EXCESS MONEYS."

25

26 Page 22, line 9, strike "deeds" and substitute "~~deeds~~ DEED";

27

28 strike lines 19 and 20 and substitute the following:

29

30 "(b) The premiums on any PROPERTY, CASUALTY, GENERAL
 31 LIABILITY, AND TITLE insurance ~~necessary~~ ACQUIRED to protect ~~any~~ THE
 32 HOLDER'S INTEREST IN THE PROPERTY OR THE";

33

34 line 24, strike "PRIOR LIEN;" and substitute "LIEN PRIOR TO THE LIEN BEING
 35 FORECLOSED;"

36

37 line 25, strike "a leasehold or is" and substitute "~~a leasehold or is~~".

38

39 Page 23, strike lines 1 through 8 and substitute the following:

40

41 "SECURING, and maintaining such ~~property, and~~ PROPERTY;

42

43 (f) THE REASONABLE COSTS AND EXPENSES OF SECURING AND
 44 MAINTAINING the holder's interest in such property, AND ANY
 45 IMPROVEMENTS ON SUCH PROPERTY, including repair and maintenance
 46 costs and expenses, costs and expenses of protecting and securing THE
 47 PROPERTY, THE HOLDER'S INTEREST IN the property, AND ANY
 48 IMPROVEMENTS ON THE PROPERTY;

49

50 (g) THE REASONABLE COSTS AND EXPENSES OF receiver's fees and
 51 expenses, inspection fees, INSURANCE PREMIUMS, court costs, attorney
 52 fees, and fees and costs of ~~an~~ THE attorney in the employment of the
 53 holder of the certificate of purchase; ~~and~~

54

55 Reletter succeeding paragraphs accordingly.

56

1 Page 23, line 9, strike "THE COSTS" and substitute "COSTS" and after
2 "INCURRED", insert "PURSUANT TO A VALID ORDER FROM A COURT OF
3 COMPETENT JURISDICTION";

4
5 line 22, after "(1)", insert "(a)".

6
7 Page 24, after line 18, insert the following:

8
9 "(b) THE PUBLIC TRUSTEE OR SHERIFF CONDUCTING THE SALE MAY
10 ACCEPT A WRITTEN NOTICE OF THE INTENTION TO REDEEM AND THE SUM
11 NECESSARY TO REDEEM AFTER FIFTEEN CALENDAR DAYS PRIOR TO THE END
12 OF THE REDEMPTION PERIOD, BUT PRIOR TO THE END OF THE REDEMPTION
13 PERIOD, UPON RECEIPT OF WRITTEN AUTHORIZATION FROM THE ATTORNEY
14 FOR THE HOLDER OF THE CERTIFICATE OF PURCHASE ACCORDING TO THE
15 RECORDS OF THE OFFICER CONDUCTING THE SALE, OR IF NO ATTORNEY IS
16 SHOWN, THEN THE HOLDER OF THE CERTIFICATE OF PURCHASE.".

17
18 Page 28, line 9, strike the first "OF" and substitute "FROM";

19
20 strike line 11 and substitute the following:
21 "filed as permitted by law ~~and unless~~; WITHIN THE TIME FOR FILING A
22 NOTICE OF INTENT TO REDEEM PROVIDED FOR IN SECTION 38-38-302;"

23
24 line 21, strike "redeem;" and substitute "redeem. ~~No lienor shall be~~
25 ~~entitled to redeem under this section unless his lien appears by an~~
26 ~~instrument so recorded or filed prior to the expiration of the period of~~
27 ~~redemption provided for in section 38-38-302.;~~";

28
29 strike lines 26 and 27.

30
31 Page 29, strike line 1.

32
33 Reletter succeeding paragraphs accordingly.

34
35 Page 30, line 3, strike "his OR HER agent" and substitute "~~his agent~~ SUCH
36 LIENOR'S ATTORNEY";

37
38 line 5, strike "SECTION 38-38-301 (1) (a) to (1) (f)" and substitute
39 "SUBSECTION (5) OF THIS SECTION";

40
41 line 16, after "AFFIDAVIT." add "IT SHALL NOT BE THE RESPONSIBILITY OF
42 THE PUBLIC TRUSTEE OR SHERIFF TO REQUEST A REVISED OR CORRECTED
43 AFFIDAVIT FROM THE REDEEMING LIENOR.

44
45 (5) A REDEEMING LIENOR MAY PAY THE FOLLOWING:

46
47 (a) THE PREMIUMS ON ANY PROPERTY, CASUALTY, GENERAL
48 LIABILITY, AND TITLE INSURANCE ACQUIRED TO PROTECT THE HOLDER'S
49 INTEREST IN THE PROPERTY OR THE IMPROVEMENTS COMPRISING A PART OF
50 SUCH PROPERTY; AND

51
52 (b) AT ANY TIME AFTER RECEIVING A CERTIFICATE OF REDEMPTION
53 AND DURING THE PERIOD OF REDEMPTION SPECIFIED IN SUBSECTION (1) OF
54 THIS SECTION:

55
56 (I) ANY GENERAL OR SPECIAL TAXES OR DITCH OR WATER

1 ASSESSMENTS LEVIED OR ACCRUING AGAINST SAID PROPERTY AND ANY
2 GOVERNMENTAL OR QUASI-GOVERNMENTAL LIEN, FINE, PENALTY, OR
3 ASSESSMENT AGAINST THE PROPERTY;

4
5 (II) SUMS DUE ON ANY PRIOR LIEN OR ENCUMBRANCE ON SUCH
6 PROPERTY, INCLUDING THAT PORTION OF AN ASSESSMENT BY A
7 HOMEOWNER'S ASSOCIATION THAT CONSTITUTES A LIEN PRIOR TO THE LIEN
8 BEING FORECLOSED; AND

9
10 (III) IF THE PROPERTY IS SUBJECT TO A LEASE, ALL SUMS DUE
11 UNDER SUCH LEASE."

12
13 Renumber succeeding subsections accordingly.

14
15
16
17
18 **PRINTING REPORT**

19
20 The Chief Clerk reports the following bills have been correctly printed:
21 **HB02-1411, 1412, 1413, 1414, and 1415; HCR02-1002, 1003.**

22
23
24
25 **MESSAGE FROM THE SENATE**

26 Mr. Speaker:

27
28 The Senate has passed on Third Reading and returns herewith
29 HB02-1215, 1099, 1331, 1224, 1164, 1051, 1334.

30
31 The Senate has passed on Third Reading and transmitted to the Revisor
32 of Statutes: SB02-185;

33
34 SB02-073, amended as printed in Senate Journal, March 25, page 571;
35 SB02-101, amended as printed in Senate Journal, March 26, pages
36 592-593;

37 HB02-1191, amended as printed in Senate Journal, March 21, page 540,
38 and March 26, page 591;

39 HB02-1225, amended as printed in Senate Journal, March 26, page 592;
40 HB02-1146, amended as printed in Senate Journal, March 26, page 592.

41
42 The Senate failed to pass HB02-1091 on Third Reading. The bill is
43 returned herewith.

44
45
46
47 **MESSAGE FROM THE REVISOR**

48
49 We herewith transmit without comment, SB02-185; and
50 without comment, as amended, SB02-073, 101, HB02-1191, 1225, 1146.

MESSAGE FROM THE GOVERNOR

I certify I received the following on the 27th day of March, 2002, at 3:35 p.m. The original is on file in the records of the House of Representatives of the General Assembly.

Judith Rodrigue,
Chief Clerk of the House

March 27, 2002

To the Honorable
House of Representatives
Sixty-third General Assembly
Second Regular Session
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following acts:

HB02-1008 Concerning An Extension Of The Uranium Mill Tailings Remedial Action Program Fund Oversight Committee.

Approved March 27, 2002 at 2:53 p.m.

HB02-1026 Concerning Segregated Funding Under The Colorado Works Program.

Approved March 27, 2002 at 2:54 p.m.

HB02-1132 Concerning Limitations On The Housing Used By Persons Convicted Of Sex Offenses.

Approved March 27, 2002 at 2:55 p.m.

HB02-1340 Concerning Changes To The Dates Of Certain Events In The Political Party Nomination Process For The Calendar Year 2002 Necessitated By The Redrawing Of The General Election Precinct Boundaries In Accordance With The Court-Approved Reapportionment Plan For Senatorial And Representative Districts Of Members Of The General Assembly.

Approved March 27, 2002 at 2:08 p.m.

HB02-1366 Concerning A Supplemental Appropriation To The Department Of Agriculture.

Approved March 27, 2002 at 2:55 p.m.

HB02-1367 Concerning A Supplemental Appropriation To The Department Of Corrections.

Approved March 27, 2002 at 2:56 p.m.

- 1 **HB02-1368** Concerning A Supplemental Appropriation To The
2 Department Of Education.
3
4 Approved March 27, 2002 at 2:57 p.m.
5
- 6 **HB02-1369** Concerning A Supplemental Appropriation To The Offices
7 Of The Governor, Lieutenant Governor, And State
8 Planning And Budgeting.
9
10 Approved March 27, 2002 at 3:04 p.m.
11
- 12 **HB02-1370** Concerning A Supplemental Appropriation To The
13 Department Of Health Care Policy and Financing.
14
15 Approved March 27, 2002 at 3:06 p.m.
16
- 17 **HB02-1371** Concerning A Supplemental Appropriation To The
18 Department Of Higher Educations.
19
20 Approved March 27, 2002 at 3:05 p.m.
21
- 22 **HB02-1372** Concerning A Supplemental Appropriation To The
23 Department Of Human Services.
24
25 Approved March 27, 2002 at 3:08 p.m.
26
- 27 **HB02-1373** Concerning A Supplemental Appropriation To The
28 Judicial Department.
29
30 Approved March 27, 2002 at 3:07 p.m.
31
32
- 33 **HB02-1374** Concerning A Supplemental Appropriation To The
34 Department Of Labor and Employment.
35
36 Approved March 27, 2002 at 2:50 p.m.
37
- 38 **HB02-1375** Concerning A Supplemental Appropriation To The
39 Department Of Law.
40
41 Approved March 27, 2002 at 2:30 p.m.
42
- 43 **HB02-1376** Concerning A Supplemental Appropriation To The
44 Legislative Department.
45
46 Approved March 27, 2002 at 2:31 p.m.
47
- 48 **HB02-1377** Concerning A Supplemental Appropriation To The
49 Department Of Local Affairs.
50
51 Approved March 27, 2002 at 2:32 p.m.
52
- 53 **HB02-1378** Concerning A Supplemental Appropriation To The
54 Department Of Military Affairs.
55
56 Approved March 27, 2002 at 2:33 p.m.

- 1 **HB02-1379** Concerning A Supplemental Appropriation To The
2 Department Of Natural Resources.
3
4 Approved March 27, 2002 at 2:34 p.m.
5
- 6 **HB02-1380** Concerning A Supplemental Appropriation To The
7 Department Of Personnel.
8
9 Approved March 27, 2002 at 2:35 p.m.
10
- 11 **HB02-1381** Concerning A Supplemental Appropriation To The
12 Department Of Public Health And Environment.
13
14 Approved March 27, 2002 at 2:36 p.m.
15
- 16 **HB02-1382** Concerning A Supplemental Appropriation To The
17 Department Of Public Safety.
18
19 Approved March 27, 2002 at 2:37 p.m.
20
- 21 **HB02-1383** Concerning A Supplemental Appropriation To The
22 Department Of Regulatory Agencies.
23
24 Approved March 27, 2002 at 2:40 p.m.
25
- 26 **HB02-1384** Concerning A Supplemental Appropriation To The
27 Department Of Revenue.
28
29 Approved March 27, 2002 at 2:41 p.m.
30
- 31 **HB02-1385** Concerning A Supplemental Appropriation To The
32 Department Of State.
33
34 Approved March 27, 2002 at 2:42 p.m.
35
- 36 **HB02-1386** Concerning A Supplemental Appropriation To The
37 Department Of Transportation.
38
39 Approved March 27, 2002 at 3:01 p.m.
40
- 41 **HB02-1387** Concerning A Supplemental Appropriation To The
42 Department Of The Treasury.
43
44 Approved March 27, 2002 at 3:02 p.m.
45
- 46 **HB02-1388** Concerning Funding For The Capital Construction, And
47 Making Supplemental Appropriation In Connection
48 Therewith.
49
50 Approved March 27, 2002 at 3:03 p.m.
51
- 52
53 **HB02-1389** Concerning Modifications To The Sources Of Funding Of
54 State Capital Construction Projects For The 2001-02 State
55 Fiscal Year In Order To Increase The Amount Of General
56 Fund Appropriations Made During Said Fiscal Year Used

1 To Calculate The Statutory Limitation On General Fund
2 Appropriations For The 2002-03 State Fiscal Year, And
3 Making Appropriations In Connection Therewith.

4
5 Approved March 27, 2002 at 3:09 p.m.

6
7 **HB02-1390** Concerning Modifications To The Source Of Funding For
8 The Older Coloradans Program For The 2001-02 State
9 Fiscal Year In Order To Increase The Amount Of General
10 Fund Appropriations Made During Said Fiscal Year Used
11 To Calculate The Statutory Limitation On General Fund
12 Appropriations For The 2002-03 State Fiscal Year, And
13 Making An Appropriation In Connection Therewith.

14
15 Approved March 27, 2002 at 3:10 p.m.

16
17 **HB02-1391** Concerning The Augmentation Of The General Fund
18 Through Transfers Of Certain Moneys In The 2001-02
19 State Fiscal Year, And, In Connection Therewith,
20 Providing For The Subsequent Restoration Of Certain
21 Moneys Transferred For Such Augmentation Of The
22 General Fund.

23
24 Approved March 27, 2002 at 3:11 p.m.

25
26 **HB02-1392** Concerning The Use Of Moneys In The Unclaimed
27 Property Trust Fund, And Making An Appropriation In
28 Connection Therewith.

29
30 Approved March 27, 2002 at 3:12 p.m.

31
32 **HB02-1393** Concerning A Reduction In The Amount Of The General
33 Fund Appropriation For The 2001-02 State Fiscal Year
34 Required To Be Made To Be In Compliance With The
35 Maintenance Of Effort Requirement In Section 17 Of
36 Article IX Of The Colorado Constitution, And, In
37 Connection Therewith, Specifying The Amount Of The
38 General Fund Appropriation For The 2002-03 State Fiscal
39 Year Required To Be Made To Be In Compliance With
40 The Maintenance Of Effort Requirement In Section 17 Of
41 Article IX Of The Colorado Constitution And To Offset
42 The Impact Of Said Reduced General Fund Appropriation
43 On The Long-term Solvency Of The State Education
44 Fund.

45
46 Approved March 27, 2002 at 3:13 p.m.

47
48 **HB02-1394** Concerning Modifications To The Designation Of State
49 Moneys To Constitute The State Emergency Reserve For
50 The 2001-02 State Fiscal Year.

51
52 Approved March 27, 2002 at 3:14 p.m.

53 Sincerely,
54 (signed)
55 Bill Owens
56 Governor

INTRODUCTION OF BILLS
First Reading

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

HB02-1416 by Representative(s) Johnson, Plant--Concerning procedures to be followed by county governments in connection with the merging of parcels of land.

Committee on Local Government

SB02-073 by Senator(s) Linkhart, Hagedorn; also Representative(s) Coleman--Concerning protection of Colorado homeowners against abusive home loan practices.

Committee on Information & Technology

SB02-101 by Senator(s) Tupa; also Representative(s) Jameson--Concerning economic development incentives, and, in connection therewith, requiring increased review and public disclosure of financial incentives, including, but not limited to, grants, loans, and enterprise zone credits.

Committee on Finance

SB02-185 by Senator(s) Reeves; also Representative(s) Stafford, Tochtrop--Concerning measures to oppose certain forms of tuberculosis.

Committee on Health, Environment, Welfare, & Institutions

INTRODUCTION OF RESOLUTION

The following resolution was read by title and laid over one day under the rules:

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

WHEREAS, The children of Colorado reflect the innocence and essence of childhood and remind us daily of the freedom and wonder of childhood discoveries; and

WHEREAS, Colorado's children teach us by example how to touch, investigate, and learn about the world around us; and

WHEREAS, Children ask questions and make observations that teach us to live every day to the fullest; and

WHEREAS, All adults who work with children can strengthen each child's thinking and learning ability by conversing and discussing the world with them; and

1 WHEREAS, Every Colorado community celebrates, honors, and
2 has responsibility for the success of its children; and
3

4 WHEREAS, As parents, teachers, mentors, and leaders, we all
5 share the responsibility for the success of all of Colorado's children; and
6

7 WHEREAS, It is appropriate that we reserve a specific day to
8 celebrate and honor our children and their significant accomplishments
9 in schools, churches, and daycare centers and in their communities; and
10

11 WHEREAS, Reserving October 27, 2002, to reflect on Colorado's
12 children will help to ensure that we remember our collective and
13 individual obligations to Colorado's children and that we acknowledge the
14 importance of Colorado's children to our future, celebrating their
15 triumphs and accomplishments; now, therefore,
16

17 *Be It Resolved by the House of Representatives of the Sixty-third*
18 *General Assembly of the State of Colorado, the Senate concurring*
19 *herein:*
20

21 That Sunday, October 27, 2002, be proclaimed "Celebrate
22 Children Day" in Colorado.
23

24 *Be It Further Resolved,* That on October 27, 2002, each adult
25 citizen of Colorado is encouraged to set aside a special time to support,
26 embrace, and listen to a child of Colorado.
27

30 APPOINTMENTS

31
32 The Speaker announced the following temporary changes in Committee
33 assignments:

34 For April 2, 2002 through April 4, 2002 - Representative Cadman to
35 replace Representative Paschall on the Committee on Appropriations.
36

37 Representative Grossman announced the following temporary changes in
38 Committee assignments:

39 For April 2, 2002 - Representative Marshall to replace Representative
40 Madden on the Committee on Appropriations.

41 For April 2, 2002 - Representative Plant to replace Representative
42 Madden on the Committee on Civil Justice & Judiciary.
43

46 LAY OVER OF CALENDAR ITEMS

47
48 On motion of Representative Spradley, the following items on the
49 Calendar were laid over until April 2, retaining place on Calendar:
50

51 Consideration of Resolutions--**SJR02-008, HJR02-1033, 1034,**
52 **SJR02-019; HJR02-1036.**

53 Consideration of Senate Amendments--**HB02-1041, 1153, 1061, 1050,**
54 **1168, 1053, 1111, 1071, 1305, 1057, 1131, 1144, 1258, 1078, 1179,**
55 **1042, 1162, 1064, 1089, 1141, 1333, 1245.**
56

1 On motion of Representative Spradley, the House adjourned until
2 9:00 a.m., April 2, 2002.

3

4

Approved:

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DOUG DEAN,
Speaker

9

10 Attest:

11

12 JUDITH RODRIGUE,
13 Chief Clerk