

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

---

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

---

Prayer By the chaplain, Reverend James Peters, New Hope Baptist Church.

Call to Order By the President at 9:00 a.m.

Roll Call Present--Total, 33.  
 Absent/Excused--Evans, Hernandez--Total, 2.  
 Present later--Evans, Hernandez.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Tate, reading of the Journal of Monday, April 29, was dispensed with and the Journal was approved as corrected by the Secretary.

**INTRODUCTION OF BILLS--FIRST READING**

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

- HB02-1326** by Representative(s) Scott, Fritz, Chavez, Coleman, Crane, Dean, Fairbank, Garcia, Groff, Grossman, Hefley, Hoppe, Jahn, Johnson, Kester, Mace, Madden, Marshall, Miller, Mitchell, Plant, Rhodes, Rippy, Romanoff, Sanchez, Sinclair, Snook, Spradley, Tapia, Tochtrop, Veiga, Vigil, Weddig, White, Williams S., Williams T., Witwer; also Senator(s) Fitz-Gerald--Concerning adoption of the "Uniform Electronic Transactions Act", and, in connection therewith, making an appropriation.  
 Public Policy and Planning
- HB02-1403** by Representative(s) Schultheis; also Senator(s) Nichol--Concerning the modification of governmental appointments to accommodate the effect of redistricting Colorado congressional districts.  
 Government, Veterans and Military Relations, and Transportation
- HB02-1409** by Representative(s) Rhodes; also Senator(s) Taylor--Concerning the repeal date of a provision that authorizes the use of moneys in the petroleum storage tank fund to verify that petroleum storage systems comply with applicable standards.  
 Agriculture and Natural Resources
- HB02-1450** by Representative(s) Fairbank; also Senator(s) Tate--Concerning expenditures for political messages by candidate committees of nominees for the offices of governor and lieutenant governor.  
 Agriculture and Natural Resources

**SENATE SERVICES REPORT**

Senate Services Correctly printed: SB02-229, 230.

Correctly engrossed: SB02-180, 190, 195, 207, 210, 218, 221, 223.

Correctly reengrossed: SB02-197, 203.

Correctly revised: HB02-1009, 1054, 1070, 1084, 1113, 1114, 1173, 1226, 1229, 1241, 1247, 1262, 1265, 1292, 1295, 1301, 1304, 1307, 1310, 1323, 1324, 1359, 1417.

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

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

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  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72

**SB02-176** by Senator(s) Matsunaka, Perlmutter, Reeves--Concerning limitations on the authority of the Colorado commission on higher education.

Laid over until later in the day, April 30.

**SB02-171** by Senator(s) Thiebaut; also Representative(s) Grossman--Concerning the requirement that the state personnel director authorize payroll deductions to employee organizations representing state employees when a written request for the deduction is received.

Laid over until later in the day, April 30.

**SB02-080** by Senator(s) Pascoe, Evans, Fitz-Gerald, Linkhart, Perlmutter, Windels; also Representative(s) King, Groff--Concerning education improvement.

Laid over until later in the day, April 30.

**SB02-194** by Senator(s) Thiebaut; also Representative(s) Grossman--Concerning limitations on payments made by the state for the employment of certain legal counsel paid on an hourly basis.

Laid over until later in the day, April 30.

**HB02-1113** by Representative(s) Stengel; also Senator(s) Hagedorn--Concerning the crime of posting the personal information of a peace officer on the internet.

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

YES	25	NO	8	EXCUSED	2	ABSENT	0
Anderson	Y	Fitz-Gerald	N	May	N	Takis	Y
Andrews	Y	Gordon	Y	McElhany	Y	Tate	N
Arnold	Y	Hagedorn	Y	Musgrave	Y	Taylor	Y
Cairns	N	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	E	Owen	Y	Thiebaut	N
Dyer	N	Hillman	N	Pascoe	Y	Tupa	N
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Evans	E	Linkhart	Y	Reeves	Y		

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

**HB02-1417** by Representative(s) Mitchell; also Senator(s) Thiebaut--Concerning clarification of circumstances for awarding an owner recoverable litigation expenses in a highway condemnation action.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	Y	Takis	Y
Andrews	Y	Gordon	Y	McElhany	Y	Tate	Y
Arnold	Y	Hagedorn	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	E	Owen	Y	Thiebaut	Y
Dyer	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Evans	E	Linkhart	Y	Reeves	Y		

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

Co-sponsors added: Anderson, Arnold, Epps, Hillman, Nichol, Takis, Taylor, Teck.

**HB02-1307** by Representative(s) Fairbank; also Senator(s) Fitz-Gerald--Concerning elections, and making an appropriation in connection therewith.

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

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  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72

**HB02-1307**

YES	33	NO	0	EXCUSED	2	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	Y	Takis	Y
Andrews	Y	Gordon	Y	McElhany	Y	Tate	Y
Arnold	Y	Hagedorn	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	E	Owen	Y	Thiebaut	Y
Dyer	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Evans	E	Linkhart	Y	Reeves	Y		

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

Co-sponsor added: Nichol, Taylor.

**HB02-1226**

by Representative(s) Williams T., Coleman, Scott, Vigil; also Senator(s) Takis, Anderson, Taylor, Tupa--Concerning the authority of the state personnel director to create a state employee assistance program, and making an appropriation in connection therewith.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	Y	Takis	Y
Andrews	Y	Gordon	Y	McElhany	Y	Tate	Y
Arnold	Y	Hagedorn	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	E	Owen	Y	Thiebaut	Y
Dyer	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Evans	E	Linkhart	Y	Reeves	Y		

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

Co-sponsors added: Hagedorn, Hanna, Isgar, Tate, Teck.

**HB02-1301**

by Representative(s) Decker, Hefley, Mitchell, Ragsdale, Romanoff; also Senator(s) Hillman--Concerning clarification of the crimes of introducing contraband, and making an appropriation therefor.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	Y	Takis	Y
Andrews	Y	Gordon	Y	McElhany	Y	Tate	Y
Arnold	Y	Hagedorn	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	E	Owen	Y	Thiebaut	Y
Dyer	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Evans	E	Linkhart	Y	Reeves	Y		

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

Co-sponsors added: Arnold, Epps, Lamborn.

**HB02-1304**

by Representative(s) Williams S., Bacon, Groff, Romanoff, Williams T.; also Senator(s) Anderson, Evans--Concerning the provision of literacy services to students preparing to enter the first grade.

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

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  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72

**HB02-1304**

YES	33	NO	0	EXCUSED	2	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	Y	Takis	Y
Andrews	Y	Gordon	Y	McElhany	Y	Tate	Y
Arnold	Y	Hagedorn	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	E	Owen	Y	Thiebaut	Y
Dyer	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Evans	E	Linkhart	Y	Reeves	Y		

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

Co-sponsors added: Arnold, Entz, Fitz-Gerald, Hagedorn, Hanna, Isgar, Linkhart, Matsunaka, Tate, Teck, Tupa, Windels.

**HB02-1229**

by Representative(s) Veiga, Groff, Hefley, Lawrence, Smith; also Senator(s) Tate-- Concerning continuation of the regulation of controlled substances, and, in connection therewith, updating the statutes to reflect the regulatory functions within the department of human services, and making an appropriation therefor.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	Y	Takis	Y
Andrews	Y	Gordon	Y	McElhany	Y	Tate	Y
Arnold	Y	Hagedorn	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	E	Owen	Y	Thiebaut	Y
Dyer	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Evans	E	Linkhart	Y	Reeves	Y		

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

**HB02-1241**

by Representative(s) Weddig; also Senator(s) Teck--Concerning loans by the department of the treasury to taxpayers as part of the homestead property tax deferral program, and making an appropriation in connection therewith.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	Y	Takis	Y
Andrews	Y	Gordon	Y	McElhany	Y	Tate	Y
Arnold	Y	Hagedorn	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	E	Owen	Y	Thiebaut	Y
Dyer	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Evans	E	Linkhart	Y	Reeves	Y		

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

Co-sponsors added: Chlouber, Entz, Taylor.

**HB02-1295**

by Representative(s) Romanoff, Alexander, Decker, Hefley, Kester, Snook; also Senator(s) Owen, Andrews, Linkhart--Concerning procedures to facilitate the provision of benefits to offenders transitioning from the criminal justice system, and making an appropriation in connection therewith.

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

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  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72

**HB02-1295**

YES	32	NO	1	EXCUSED	2	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	Y	Takis	Y
Andrews	Y	Gordon	Y	McElhany	Y	Tate	Y
Arnold	Y	Hagedorn	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	E	Owen	Y	Thiebaut	Y
Dyer	Y	Hillman	N	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Evans	E	Linkhart	Y	Reeves	Y		

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

Co-sponsors added: Hanna, Isgar, Pascoe, Windels.

**HB02-1084**

by Representative(s) Stengel; also Senator(s) Hanna--Concerning composition of the wildlife commission membership.

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

YES	19	NO	14	EXCUSED	2	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	N	Takis	Y
Andrews	N	Gordon	Y	McElhany	N	Tate	Y
Arnold	N	Hagedorn	Y	Musgrave	N	Taylor	N
Cairns	N	Hanna	Y	Nichol	Y	Teck	N
Chlouber	N	Hernandez	E	Owen	Y	Thiebaut	Y
Dyer	Y	Hillman	N	Pascoe	Y	Tupa	Y
Entz	N	Isgar	N	Perlmutter	Y	Windels	Y
Epps	N	Lamborn	N	Phillips	Y	Mr. President	Y
Evans	E	Linkhart	Y	Reeves	Y		

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

Co-sponsor added: Tupa.

**HB02-1324**

by Representative(s) Lawrence, Alexander, Bacon, Boyd, Cadman, Chavez, Daniel, Dean, Decker, Fairbank, Garcia, Groff, Hodge, Hoppe, Jahn, Kester, King, Lee, Mace, Miller, Mitchell, Rippy, Sanchez, Snook, Spence, Spradley, Swenson, Tapia, Tochtrop, Webster, Weddig, White, Williams S., Williams T., Witwer, Young; also Senator(s) Thiebaut--Concerning establishment of a Colorado state university at Pueblo, and, in connection therewith, changing the name of the university of southern Colorado and modifying the university's role and mission.

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

YES	32	NO	2	EXCUSED	1	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	N	Takis	Y
Andrews	Y	Gordon	Y	McElhany	Y	Tate	Y
Arnold	Y	Hagedorn	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	E	Owen	Y	Thiebaut	Y
Dyer	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	N	Lamborn	Y	Phillips	Y	Mr. President	Y
Evans	Y	Linkhart	Y	Reeves	Y		

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

Co-sponsors added: Chlouber, Entz, Evans, Hagedorn, Hillman, Isgar, Nichol, Pascoe, Phillips, Taylor, Teck, Windels.

**HB02-1173**

by Representative(s) Lee, Fairbank, Cloer, Crane, Dean, Decker, Fritz, Groff, Hefley, Johnson, King, Miller, Mitchell, Paschall, Rhodes, Rippy, Romanoff, Scott, Sinclair, Snook, Spence, Swenson, White, Williams S.; also Senator(s) Owen, Chlouber, Andrews, Arnold, Cairns, Epps, Hillman, McElhany, Taylor, Teck--Concerning persons enrolling in state-supported institutions of higher education who are convicted of crimes related to rioting.

**HB02-1173** The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	31	NO	3	EXCUSED	1	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	Y	Takis	N
Andrews	Y	Gordon	Y	McElhany	Y	Tate	N
Arnold	Y	Hagedorn	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	E	Owen	Y	Thiebaut	Y
Dyer	Y	Hillman	Y	Pascoe	N	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Evans	Y	Linkhart	Y	Reeves	Y		

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

Co-sponsors added: Arnold, Epps, Evans.

**HB02-1323** by Representative(s) Berry; also Senator(s) Windels--Concerning assisted living residences, and making an appropriation in connection therewith.

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

YES	26	NO	8	EXCUSED	1	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	N	Takis	Y
Andrews	N	Gordon	Y	McElhany	N	Tate	Y
Arnold	N	Hagedorn	Y	Musgrave	Y	Taylor	Y
Cairns	N	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	E	Owen	Y	Thiebaut	Y
Dyer	N	Hillman	N	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	N	Phillips	Y	Mr. President	Y
Evans	Y	Linkhart	Y	Reeves	Y		

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

Co-sponsors added: Epps, Fitz-Gerald, Hanna, Nichol, Pascoe.

**HB02-1359** by Representative(s) Stafford, Coleman, Harvey, Mace, Paschall, Sanchez; also Senator(s) Linkhart--Concerning child placement in dependency or neglect actions.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	Y	Takis	Y
Andrews	Y	Gordon	Y	McElhany	Y	Tate	Y
Arnold	Y	Hagedorn	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	E	Owen	Y	Thiebaut	Y
Dyer	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Evans	Y	Linkhart	Y	Reeves	Y		

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

Co-sponsors added: Evans, Hanna, Pascoe, Tate, Windels.

**HB02-1310** by Representative(s) King; also Senator(s) May--Concerning modifications to state funding available to address critical needs of the state's citizens, and, in connection therewith, increasing the allocation of sales and use tax revenue to the highway users tax fund, establishing a minimum annual allocation of funds for transportation purposes, creating a state rainy day fund for purposes of meeting a revenue shortfall, and creating a statewide toll authority for the purpose of financing and constructing additional highway capacity.

Laid over until later in the day, Tuesday, April 30.

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  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72

**SB02-190**

by Senator(s) Phillips, Anderson, Fitz-Gerald, Gordon, Hernandez, Hillman, Matsunaka, Musgrave, Nichol, Takis, Tate, Taylor, Teck, Tupa; also Representative(s) Hoppe, Boyd, Cloer, Daniel, Fairbank, Garcia, Kester, Lawrence, Miller, Rippey, Scott, Smith, Snook, Spence, Tapia, Veiga, White--Concerning expansion of the stationary source voluntary emission reduction program, and, in connection therewith, providing for additional flexibility and cost recovery incentives.

A majority of those elected to the Senate having voted in the affirmative, Senator Phillips was given permission to offer a Third Reading amendment.

Third Reading Amendment, by Senator Phillips

Amend engrossed bill, page 6, line 4, after "25-7-114.7" insert "(2) (a) (II) and";

line 5, strike "is" and substitute "are";

strike line 6, and substitute the following:

**"25-7-114.7. Emission fees - fund.** (2) (a) (II) (A) In no event shall an owner or operator of a major source pay more than a fee based upon total annual emissions of four thousand tons of each regulated pollutant per source.

(B) A COAL-FIRED POWER PLANT THAT WAS UNCONTROLLED FOR SULFUR DIOXIDE AND EMITTED SULFUR DIOXIDE AT A RATE GREATER THAN FOUR THOUSAND TONS PER YEAR PRIOR TO JULY 1, 2002, SHALL CONTINUE TO PAY AN ANNUAL EMISSIONS FEE FOR ITS SULFUR DIOXIDE EMISSIONS BASED UPON TOTAL ANNUAL EMISSIONS OF FOUR THOUSAND TONS OF SULFUR DIOXIDE IF IT REDUCES ITS ANNUAL SULFUR DIOXIDE EMISSIONS TO A LEVEL BELOW FOUR THOUSAND TONS PER YEAR AND SUCH REDUCTIONS ARE SOLELY THE RESULT OF A VOLUNTARY AGREEMENT ENTERED INTO UNDER PART 12 OF THIS ARTICLE ON OR AFTER JULY 1, 2002.

(VI) Notwithstanding".

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

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

YES	26	NO	8	EXCUSED	1	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	N	Takis	Y
Andrews	N	Gordon	Y	McElhany	Y	Tate	Y
Arnold	N	Hagedorn	Y	Musgrave	Y	Taylor	Y
Cairns	N	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	E	Owen	N	Thiebaut	Y
Dyer	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	N	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	N	Lamborn	N	Phillips	Y	Mr. President	Y
Evans	Y	Linkhart	Y	Reeves	Y		

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

Co-sponsors added: Chlouber, Hagedorn.

**HB02-1054**

by Representative(s) Grossman; also Senator(s) Gordon--Concerning a prohibition against allowing a court to grant a name change to any person convicted of a felony, and making an appropriation in connection therewith.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	Y	Takis	Y
Andrews	Y	Gordon	Y	McElhany	Y	Tate	Y
Arnold	Y	Hagedorn	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	E	Owen	Y	Thiebaut	Y
Dyer	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Evans	Y	Linkhart	Y	Reeves	Y		

**HB02-1054** A majority of all members elected to the Senate having voted in the affirmative, the bill was declared **passed**.

Co-sponsors added: Hanna.

**HB02-1247** by Representative(s) Decker, Jameson, Mace, Schultheis, Swenson, Webster; also Senator(s) Epps, Hernandez--Concerning the penalty for theft of motor fuel, and making an appropriation in connection therewith.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	Y	Takis	Y
Andrews	Y	Gordon	Y	McElhany	Y	Tate	Y
Arnold	Y	Hagedorn	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	E	Owen	Y	Thiebaut	Y
Dyer	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Evans	Y	Linkhart	Y	Reeves	Y		

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

Co-sponsors added: Cairns, Evans, Isgar, Lamborn, May, Owen, Perlmutter, Taylor.

**HB02-1114** by Representative(s) Stengel; also Senator(s) Hagedorn--Concerning sex offender registration in relation to persons associated with institutions of postsecondary education.

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

YES	33	NO	1	EXCUSED	1	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	Y	Takis	Y
Andrews	Y	Gordon	Y	McElhany	Y	Tate	Y
Arnold	Y	Hagedorn	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	E	Owen	Y	Thiebaut	N
Dyer	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Evans	Y	Linkhart	Y	Reeves	Y		

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

Co-sponsor added: Owen.

**HB02-1265** by Representative(s) White; also Senator(s) Matsunaka--Concerning clarification of the property tax status of certain residential real property.

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

YES	33	NO	1	EXCUSED	1	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	Y	Takis	Y
Andrews	Y	Gordon	Y	McElhany	Y	Tate	Y
Arnold	Y	Hagedorn	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hanna	Y	Nichol	Y	Teck	N
Chlouber	Y	Hernandez	E	Owen	Y	Thiebaut	Y
Dyer	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Evans	Y	Linkhart	Y	Reeves	Y		

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

Co-sponsors added: Evans, Fitz-Gerald, Lamborn, Pascoe, Taylor.

**HB02-1262** by Representative(s) Mace; also Senator(s) Hernandez--Concerning assistance for the benefit of grandchildren who exit foster care into the legal care of a grandparent.



**HB02-1262** Laid over until later in the day, Tuesday, April 30.

**HB02-1292** by Representative(s) Clapp; also Senator(s) Reeves--Concerning the statewide managed care system under the "Colorado Medical Assistance Act", and making an appropriation in connection therewith.

A majority of those elected to the Senate having voted in the affirmative, Senator Reeves was given permission to offer a Third Reading amendment.

Third Reading Amendment No. , by Senator Reeves

Amend revised bill, page 31, line 2, strike "other medical services," and substitute "indigent care program,".

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

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	Y	Takis	Y
Andrews	Y	Gordon	Y	McElhany	Y	Tate	Y
Arnold	Y	Hagedorn	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	E	Owen	Y	Thiebaut	Y
Dyer	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Evans	Y	Linkhart	Y	Reeves	Y		

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

Co-sponsors added: Hanna, Linkhart, Owen.

**HB02-1070** by Representative(s) Groff, Marshall, Tapia; also Senator(s) Hernandez--Concerning the use of child passenger restraints in motor vehicles.

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

YES	20	NO	15	EXCUSED	0	ABSENT	0
Anderson	N	Fitz-Gerald	Y	May	N	Takis	Y
Andrews	N	Gordon	Y	McElhany	N	Tate	Y
Arnold	Y	Hagedorn	Y	Musgrave	N	Taylor	N
Cairns	N	Hanna	Y	Nichol	Y	Teck	N
Chlouber	Y	Hernandez	Y	Owen	N	Thiebaut	Y
Dyer	N	Hillman	N	Pascoe	Y	Tupa	Y
Entz	N	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	N	Lamborn	N	Phillips	Y	Mr. President	Y
Evans	N	Linkhart	Y	Reeves	Y		

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

Co-sponsors added: Linkhart, Pascoe, Windels.

**SB02-207** by Senator(s) Hagedorn; also Representative(s) Stengel--Concerning alcohol beverage licensing, and making an appropriation in connection therewith.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	Y	Takis	Y
Andrews	Y	Gordon	Y	McElhany	Y	Tate	Y
Arnold	Y	Hagedorn	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	Y	Owen	Y	Thiebaut	Y
Dyer	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Evans	Y	Linkhart	Y	Reeves	Y		

**SB02-207**

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

**HB02-1009**

by Representative(s) Stafford; also Senator(s) Gordon--Concerning civil restraining orders, and making an appropriation in connection therewith.

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

YES	34	NO	1	EXCUSED	0	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	N	Takis	Y
Andrews	Y	Gordon	Y	McElhany	Y	Tate	Y
Arnold	Y	Hagedorn	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	Y	Owen	Y	Thiebaut	Y
Dyer	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Evans	Y	Linkhart	Y	Reeves	Y		

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

**SB02-180**

by Senator(s) Phillips; also Representative(s) Spradley--Concerning the use of renewable energy sources, and, in connection therewith, requiring providers of electric service to comply with an electric resource standard for renewable energy, authorizing the Colorado public utilities commission to impose administrative fines against noncomplying providers under certain circumstances, providing an exemption from the standard in specified circumstances, and specifying reporting requirements relating to the standard, and making an appropriation therefor.

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

YES	22	NO	13	EXCUSED	0	ABSENT	0
Anderson	N	Fitz-Gerald	Y	May	N	Takis	Y
Andrews	N	Gordon	Y	McElhany	Y	Tate	Y
Arnold	N	Hagedorn	N	Musgrave	Y	Taylor	N
Cairns	N	Hanna	Y	Nichol	N	Teck	N
Chlouber	Y	Hernandez	Y	Owen	N	Thiebaut	Y
Dyer	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	N	Lamborn	N	Phillips	Y	Mr. President	Y
Evans	N	Linkhart	Y	Reeves	Y		

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

Co-sponsors added: Dyer, Fitz-Gerald, Gordon, Hanna, Hernandez, Linkhart, Matsunaka, Pascoe, Perlmutter, Reeves, Tate, Tupa, Windels.

**SB02-218**

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

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

YES	27	NO	8	EXCUSED	0	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	N	Takis	Y
Andrews	N	Gordon	Y	McElhany	N	Tate	Y
Arnold	Y	Hagedorn	Y	Musgrave	Y	Taylor	Y
Cairns	N	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	Y	Owen	Y	Thiebaut	Y
Dyer	N	Hillman	N	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	N	Lamborn	N	Phillips	Y	Mr. President	Y
Evans	Y	Linkhart	Y	Reeves	Y		

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

Co-sponsors added: Hanna, Henandez, Tate, Tupa.

**SB02-221**

by Senator(s) Isgar, Chlouber, Taylor, Entz, Hagedorn, Hanna, Hillman, Matsunaka, Owen; also Representative(s) Hefley, Alexander, Kester, Miller, Paschall, Tapia, Tochtrop, Vigil, White, Young--Concerning the extension of the effective dates of certain horse racing statutes for five years.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	Y	Takis	Y
Andrews	Y	Gordon	Y	McElhany	Y	Tate	Y
Arnold	Y	Hagedorn	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	Y	Owen	Y	Thiebaut	Y
Dyer	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Evans	Y	Linkhart	Y	Reeves	Y		

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

Co-sponsors added: Anderson, Fitz-Gerald, Hernandez, Matsunaka.

**SB02-210**

by Senator(s) Fitz-Gerald; also Representative(s) Boyd--Concerning mandatory reporting of child abuse or neglect by clergy members.

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

YES	32	NO	3	EXCUSED	0	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	N	Takis	Y
Andrews	N	Gordon	Y	McElhany	N	Tate	Y
Arnold	Y	Hagedorn	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	Y	Owen	Y	Thiebaut	Y
Dyer	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Evans	Y	Linkhart	Y	Reeves	Y		

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

Co-sponsors added: Epps, Hanna, Hernandez, Linkhart, Nichol, Pascoe, Phillips, Thiebaut, Tupa, Windels.

**SB02-195**

by Senator(s) Fitz-Gerald; also Representative(s) Daniel--Concerning an exemption from the statutory limitation on the total sales and use tax that may be imposed for a county tax to fund the acquisition of land for open space.

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

YES	24	NO	11	EXCUSED	0	ABSENT	0
Anderson	N	Fitz-Gerald	Y	May	N	Takis	Y
Andrews	N	Gordon	Y	McElhany	N	Tate	Y
Arnold	Y	Hagedorn	Y	Musgrave	N	Taylor	Y
Cairns	N	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	Y	Owen	N	Thiebaut	Y
Dyer	Y	Hillman	N	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	N	Lamborn	N	Phillips	Y	Mr. President	Y
Evans	N	Linkhart	Y	Reeves	Y		

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

Co-sponsors added: Hanna, Hernandez, Isgar, Pascoe, Tupa, Windels.

**SB02-223**

by Senator(s) Perlmutter--Concerning the empowerment of public entities to address the impacts caused by high growth rates, and, in connection therewith, providing for legally enforceable local government master plans, authorizing impact fees to fund capital facilities of a school district, authorizing local governments to provide incentives to encourage smart growth, and requiring collaboration on a regional basis among public entities with respect to transportation planning.

Laid over until later in the day, Tuesday, April 30.

**IMMEDIATE RECONSIDERATION OF HB02-1173**

**HB02-1173**

by Representative(s) Lee, Fairbank, Cloer, Crane, Dean, Decker, Fritz, Groff, Hefley, Johnson, King, Miller, Mitchell, Paschall, Rhodes, Rippy, Romanoff, Scott, Sinclair, Snook, Spence, Swenson, White, Williams S.; also Senator(s) Owen, Chlouber, Andrews, Arnold, Cairns, Epps, Hillman, McElhany, Taylor, Teck--Concerning persons enrolling in state-supported institutions of higher education who are convicted of crimes related to rioting.

Having voted on the prevailing side, Senator Owen moved for reconsideration of the last Senate action, Third Reading--Final Passage of Bills, on **HB02-1173**.

A majority of all members elected to the Senate having voted in the affirmative, reconsideration was granted.

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

On Third Reading, the title of the following bill was publicly read, the reading at length having been dispensed with by unanimous consent:

**HB02-1173**

by Representative(s) Lee, Fairbank, Cloer, Crane, Dean, Decker, Fritz, Groff, Hefley, Johnson, King, Miller, Mitchell, Paschall, Rhodes, Rippy, Romanoff, Scott, Sinclair, Snook, Spence, Swenson, White, Williams S.; also Senator(s) Owen, Chlouber, Andrews, Arnold, Cairns, Epps, Hillman, McElhany, Taylor, Teck--Concerning persons enrolling in state-supported institutions of higher education who are convicted of crimes related to rioting.

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

YES	27	NO	8	EXCUSED	0	ABSENT	0
Anderson	N	Fitz-Gerald	Y	May	Y	Takis	N
Andrews	Y	Gordon	Y	McElhany	Y	Tate	N
Arnold	Y	Hagedorn	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hanna	N	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	Y	Owen	Y	Thiebaut	N
Dyer	Y	Hillman	N	Pascoe	N	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	N	Windels	Y
Epps	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Evans	Y	Linkhart	Y	Reeves	Y		

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

Co-sponsors added: Arnold, Epps, Evans, Lamborn.

**RECONSIDERATION OF SB02-190**

**SB02-190**

by Senator(s) Phillips, Anderson, Fitz-Gerald, Gordon, Hernandez, Hillman, Matsunaka, Musgrave, Nichol, Takis, Tate, Taylor, Teck, Tupa; also Representative(s) Hoppe, Boyd, Cloer, Daniel, Fairbank, Garcia, Kester, Lawrence, Miller, Rippy, Scott, Smith, Snook, Spence, Tapia, Veiga, White--Concerning expansion of the stationary source voluntary emission reduction program, and, in connection therewith, providing for additional flexibility and cost recovery incentives.

Having voted on the prevailing side, Senator Phillips moved for reconsideration of the last Senate action, Third Reading--Final Passage of Bills, on **SB02-190**.

Less than a majority of all members elected to the Senate having voted in the affirmative, reconsideration was not granted.

On motion of Senator Thiebaut, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of Third Reading--Final Passage of Bills: **SB02-171, SB02-194, SB02-080, HB02-1262.**

### THIRD READING--FINAL PASSAGE OF BILLS

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

#### SB02-171

by Senator(s) Thiebaut; also Representative(s) Grossman--Concerning the requirement that the state personnel director authorize payroll deductions to employee organizations representing state employees when a written request for the deduction is received.

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

YES	19	NO	16	EXCUSED	0	ABSENT	0
Anderson	N	Fitz-Gerald	Y	May	N	Takis	Y
Andrews	N	Gordon	Y	McElhany	N	Tate	Y
Arnold	N	Hagedorn	Y	Musgrave	N	Taylor	N
Cairns	N	Hanna	Y	Nichol	Y	Teck	N
Chlouber	Y	Hernandez	Y	Owen	N	Thiebaut	Y
Dyer	N	Hillman	N	Pascoe	Y	Tupa	Y
Entz	N	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	N	Lamborn	N	Phillips	Y	Mr. President	Y
Evans	N	Linkhart	Y	Reeves	Y		

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

Co-sponsors added: Chlouber, Gordon, Hagedorn, Hanna, Hernandez, Linkhart, Nichol, Pascoe, Tate, Tupa, Windels.

#### SB02-194

by Senator(s) Thiebaut; also Representative(s) Grossman--Concerning limitations on payments made by the state for the employment of certain legal counsel paid on an hourly basis.

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

YES	18	NO	17	EXCUSED	0	ABSENT	0
Anderson	N	Fitz-Gerald	Y	May	N	Takis	Y
Andrews	N	Gordon	Y	McElhany	N	Tate	Y
Arnold	N	Hagedorn	Y	Musgrave	N	Taylor	N
Cairns	N	Hanna	Y	Nichol	Y	Teck	N
Chlouber	N	Hernandez	Y	Owen	N	Thiebaut	Y
Dyer	N	Hillman	N	Pascoe	Y	Tupa	Y
Entz	N	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	N	Lamborn	N	Phillips	Y	Mr. President	Y
Evans	N	Linkhart	Y	Reeves	Y		

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

Co-sponsors added: Hernandez, Linkhart, Nichol, Pascoe, Tupa, Windels.

#### SB02-080

by Senator(s) Pascoe, Evans, Fitz-Gerald, Linkhart, Perlmutter, Windels; also Representative(s) King, Groff--Concerning education improvement.

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

YES	20	NO	15	EXCUSED	0	ABSENT	0
Anderson	N	Fitz-Gerald	Y	May	N	Takis	Y
Andrews	N	Gordon	Y	McElhany	N	Tate	Y
Arnold	N	Hagedorn	Y	Musgrave	N	Taylor	N
Cairns	N	Hanna	Y	Nichol	Y	Teck	N
Chlouber	Y	Hernandez	Y	Owen	N	Thiebaut	Y
Dyer	N	Hillman	N	Pascoe	Y	Tupa	Y
Entz	N	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	N	Lamborn	N	Phillips	Y	Mr. President	Y
Evans	Y	Linkhart	Y	Reeves	Y		

**SB02-080**

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

Co-sponsors added: Fitz-Gerald, Hanna, Thiebaut, Tupa.

**HB02-1262**

by Representative(s) Mace; also Senator(s) Hernandez--Concerning assistance for the benefit of grandchildren who exit foster care into the legal care of a grandparent.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	Y	Takis	Y
Andrews	Y	Gordon	Y	McElhany	Y	Tate	Y
Arnold	Y	Hagedorn	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	Y	Owen	Y	Thiebaut	Y
Dyer	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Evans	Y	Linkhart	Y	Reeves	Y		

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

Co-sponsors added: Epps, Hanna, Linkhart.

On motion of Senator Thiebaut, and with a majority of those elected to the Senate having voted in the affirmative, the General Orders--Second Reading of Bills Consent Calendar (**HB02-1312**, **HB02-1412**) of Tuesday, April 30, was laid over until Wednesday, May 1, retaining its place on the calendar.

**CHANGES TO THE GENERAL ORDERS--SECOND READING OF BILLS  
CONSENT CALENDAR**

**HB02-1312**

by Representative(s) Paschall, Fairbank, Alexander, Borodkin, Boyd, Clapp, Coleman, Crane, Daniel, Decker, Fritz, Garcia, Groff, Harvey, Hefley, Hoppe, King, Larson, Mace, Mitchell, Rhodes, Sanchez, Schultheis, Tochtrop, Vigil, Weddig, Williams S., Witwer; also Senator(s) Linkhart--Concerning the priority of adoption hearings on court dockets.

Upon request of Senator Thiebaut, **HB02-1312** was removed from the General Orders--Second Reading of Bills Consent Calendar of Tuesday, April 30 and placed at the end of the General Orders--Second Reading of Bills Calendar of Wednesday, May 1.

**COMMITTEE OF REFERENCE REPORTS**

Business,  
Labor, and  
Finance

After consideration on the merits, the committee recommends that **HB02-1357** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be place on the Consent Calendar.

Business,  
Labor, and  
Finance

After consideration on the merits, the committee recommends that **SB02-219** be referred favorably to the Committee of the Whole.

Business,  
Labor, and  
Finance

After consideration on the merits, the committee recommends that **SB02-215** be postponed indefinitely.

Business,  
Labor, and  
Finance

After consideration on the merits, the committee recommends that **SB02-214** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

**SB02-214**

Amend printed bill, page 8, strike line 24 and substitute the following:  
 "of the Moffat railroad ~~and water tunnels their~~ TUNNEL, ITS approaches,  
 or equipment."  
 Page 9, line 13, strike the second "for" and substitute "for";  
 line 14, strike "the transmission of water," and substitute "the  
 transmission of water,".

**MESSAGE FROM THE HOUSE**

April 30, 2002

Mr. President:

The House has postponed indefinitely SB02-081 & 183. The bills are returned herewith.

The House has passed on Third Reading and returns herewith SB02-187.

The House has passed on Third Reading and transmitted to the Revisor of Statutes  
 HB02-1452, amended as printed in House Journal, April 29, page 1638.  
 HB02-1457, amended as printed in House Journal, April 29, pages 1638-1639.  
 SB02-059, amended as printed in House Journal, April 29, page 1639.  
 SB02-049, amended as printed in House Journal, April 29, page 1640.  
 SB02-016, amended as printed in House Journal, April 29, page 1641.  
 SB02-062, amended as printed in House Journal, April 29, page 1641-1642.  
 SB02-119, amended as printed in House Journal, April 29, page 1642.  
 SB02-027, amended as printed in House Journal, April 29, page 1642, and  
 amended on Third Reading, April 30.

On motion of Senator Thiebaut, and with a two-thirds majority of those elected to the  
 Senate having voted in the affirmative, **HB02-1161, HB02-1259, HB02-1263, HB02-  
 1147, HB02-1293, HB02-1344, HB02-1039, HB02-1067, HB02-1125, HB02-1138,  
 HB02-1155, HB02-1281, HB02-1027, HB02-1010, HB02-1405, SB02-205, SB02-209,  
 SB02-184, SB02-157, SB02-152, SB02-202, SB02-217, SB02-228, SCR02-004, HB02-  
 1414, HB02-1400, HB02-1402, HB02-1416** were made Special Orders at 10:30 a.m.

Committee  
 of the  
 Whole

The hour of 10:30 a.m. having arrived, Senator Perlmutter moved that the Senate resolve  
 itself into the Committee of the Whole for consideration of Special Orders--Second  
 Reading of Bills and Senator Perlmutter was called to the Chair to act as Chairman.

**SPECIAL ORDERS--SECOND READING OF BILLS**

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

**HB02-1259** by Representative(s) Marshall; also Senator(s) Tate--Concerning protection of consumers'  
 home ownership equity.

Laid over to follow **HB02-1405**.

**HB02-1263** by Representative(s) Alexander; also Senator(s) Hagedorn--Concerning substance abuse  
 treatment, and making an appropriation in connection therewith.

Amendment No. 1, Health, Environment, Children & Families Committee Amendment.  
 (Printed in Senate Journal, April 26, page 1001 and placed in members' bill file.)

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

**HB02-1147** by Representative(s) Cloer; also Senator(s) Hagedorn--Concerning public information  
 requirements, and making an appropriation in connection therewith.

Laid over to follow **HB02-1416**.

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  
 57  
 58  
 59  
 60  
 61  
 62  
 63  
 64  
 65  
 66  
 67  
 68  
 69  
 70  
 71  
 72

**HB02-1161**

by Representative(s) Young; also Senator(s) Hillman--Concerning the creation of enhanced rural enterprise zones, and, in connection therewith, establishing state income tax credits for taxpayers who establish new business facilities in enhanced rural enterprise zones.

Amendment No. 1, Business, Labor, and Finance Committee Amendment.  
(Printed in Senate Journal, April 26, page 1001 and placed in members' bill file.)

Amendment No. 2(L.011), by Senator Tupa.

Amend reengrossed bill, page 2, line 9, strike "(II)" and substitute "(II), (4) (c.5),".

Page 3, after line 18, insert the following:

"(c.5) Companies claiming enterprise zone credits shall provide information reasonably required by zone administrators and the executive director of the department of local affairs to evaluate the effectiveness of each zone in accomplishing the measurable economic development objectives to be achieved in the zone. SUCH INFORMATION SHALL BE CONSIDERED PUBLIC RECORDS AS DEFINED IN SECTION 24-72-202 (6), C.R.S., SHALL BE PRESERVED FOR AT LEAST FIVE YEARS BY THE ZONE ADMINISTRATOR WHO COLLECTED THE INFORMATION, WHO SHALL BE THE CUSTODIAN OF SUCH INFORMATION, AND SHALL BE MADE AVAILABLE BY THE ZONE ADMINISTRATOR FOR INSPECTION BY ANY PERSON AT REASONABLE TIMES. EACH ZONE ADMINISTRATOR SHALL ALSO PROVIDE OR ALLOW DUPLICATION OF ANY PUBLIC RECORD IN THE CUSTODY OF THE ZONE ADMINISTRATOR TO ANY PERSON ENTITLED TO INSPECT THE RECORD IN ACCORDANCE WITH SECTION 24-72-205, C.R.S."

Amendment No. 3(L.014), by Senator Hillman.

Amend the Business, Labor, and Finance Committee Report, dated April 26, 2002, page 1, strike line 1 and substitute the following:

"Amend reengrossed bill, page 2, strike lines 10 and 11 and substitute the following:

"Statutes, are amended to read:".

Page 3, strike lines 19 through 23."

Amendment No. 4(L.013), by Senator Linkhart.

Amend reengrossed bill, page 8, line 3, strike "~~five~~ FOUR" and substitute "five".

Page 13, line 5, strike "**date.**" and substitute "**date - applicability.** (1)";  
after line 13, add the following:

"(2) The provisions of this act shall apply to income tax years commencing on or after the applicable effective date of this act."

Amendment No. 5(L.015), by Senator Linkhart.

Amend reengrossed bill, page 2, line 9, after "**2.**", insert "The introductory portion to 39-30-103 (1) and";

line 10, strike "(4)";

line 11, strike "PARAGRAPH," and substitute "SUBSECTION,";

line 12, after "**termination.**", insert "(1) Any municipality, county, or group of contiguous municipalities or counties may propose an area of such municipality, county, or group of municipalities or counties to be designated as an enterprise zone if the area has a population of no more than eighty thousand persons, OR ONE HUNDRED THOUSAND PERSONS IF THE AREA IS A RURAL AREA, and meets at least one of the following additional criteria:

(1.5) AS USED IN THIS SECTION, "RURAL AREA" MEANS:

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  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72



**HB02-1161**

(a) A COUNTY WITH A POPULATION OF LESS THAN FIFTY THOUSAND PEOPLE, ACCORDING TO THE MOST RECENTLY AVAILABLE POPULATION STATISTICS OF THE UNITED STATES BUREAU OF THE CENSUS;

(b) A MUNICIPALITY WITH A POPULATION OF LESS THAN FIFTY THOUSAND PEOPLE, ACCORDING TO THE MOST RECENTLY AVAILABLE POPULATION STATISTICS OF THE UNITED STATES BUREAU OF THE CENSUS, THAT IS LOCATED TEN MILES OR MORE FROM A MUNICIPALITY WITH A POPULATION OF MORE THAN FIFTY THOUSAND PEOPLE; OR

(c) THE UNINCORPORATED PART OF A COUNTY LOCATED TEN MILES OR MORE FROM A MUNICIPALITY WITH A POPULATION OF MORE THAN FIFTY THOUSAND PEOPLE, ACCORDING TO THE MOST RECENTLY AVAILABLE POPULATION STATISTICS OF THE UNITED STATES BUREAU OF THE CENSUS."

Page 3, strike lines 19 through 23.

Page 7, after line 21, insert the following:

"**SECTION 4.** 39-30-103.5 (4), Colorado Revised Statutes, is amended, and the said 39-30-103.5 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

**39-30-103.5. Credit against tax - contributions to enterprise zone administrators to implement economic development plans.**  
(3.5) FOR INCOME TAX YEARS COMMENCING ON AND AFTER JANUARY 1, 2003, MONETARY OR IN-KIND CONTRIBUTIONS TO PROMOTE NONPROFIT OR GOVERNMENT-FUNDED COMMUNITY DEVELOPMENT PROJECTS IN ENTERPRISE ZONES SHALL BE DEEMED TO BE FOR THE PURPOSE OF IMPLEMENTING THE ECONOMIC DEVELOPMENT PLAN FOR THE ENTERPRISE ZONE.

(4) In no event shall credits be allowed pursuant to this section for contributions that directly benefit the contributor or that are not directly related to job creation, job preservation, or other purposes specified in subsections ~~(2) and (3)~~ (2), (3), AND (3.5) of this section."

Renumber succeeding sections accordingly.

As amended, laid over to follow, **HB02-1138**.

**HB02-1293** by Representative(s) Sanchez, Boyd, Romanoff, Tochtrop; also Senator(s) Owen-- Concerning a study of the access of children to health care, and making an appropriation in connection therewith.

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

**HB02-1344** by Representative(s) Scott; also Senator(s) Linkhart--Concerning the water quality control discharge permit program, and, in connection therewith, increasing permit fees, requiring a study to determine whether such program should be modified to reasonably accommodate the unique attributes of Colorado's water bodies, and making an appropriation.

Laid over to follow **HB02-1138** and precede **HB02-1161**.

**HB02-1039** by Representative(s) Clapp, Mace, Romanoff, Stafford; also Senator(s) Chlouber, Hernandez, Musgrave--Concerning the creation of a consumer-directed care pilot program for the elderly, and making an appropriation in connection therewith.

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

**HB02-1067** by Representative(s) Mace; also Senator(s) Hernandez--Concerning implementation of the family caregiver support program.

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

**HB02-1125** by Representative(s) Saliman; also Senator(s) Gordon--Concerning the creation of a Colorado stroke advisory board, and making an appropriation therefor.

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

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  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72

**HB02-1138** by Representative(s) Saliman; also Senator(s) Linkhart--Concerning the provision of child welfare services.

Amendment No. 1, Health, Environment, Children & Families Committee Amendment.  
(Printed in Senate Journal, April 26, page 1004-1005 and placed in members' bill file.)

Amendment No. 2(L.020), by Senator Linkhart.

Amend reengrossed bill, page 6, strike lines 6 through 8 and substitute the following:

"**SECTION 2.** 19-1-125 (1) and (2), Colorado Revised Statutes, are amended to read:

**19-1-125. Family stabilization services.** (1) It is the intent of the general assembly to assist in the provision of appropriate and necessary short-term services to help stabilize families that are at risk of having their children placed in out-of-home placement when those families voluntarily request such services. IT IS FURTHER THE INTENT OF THE GENERAL ASSEMBLY THAT COUNTY DEPARTMENTS PROVIDE FOR FAMILY STABILIZATION SERVICES THROUGH CONTRACTS WITH PRIVATE OR NONPROFIT ORGANIZATIONS OR ENTITIES WHENEVER POSSIBLE.

(2) (a) The moneys".

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

On motion of Senator Thiebaut, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar (**HB02-1344, HB02-1161** as amended, **HB02-1155, HB02-1281, HB02-1027, HB02-1010, HB02-1405, HB02-1259, SB02-205, SB02-209, SB02-184, SB02-157, SB02-152, SB02-202, SB02-217, SB02-228, SCR02-004, HB02-1414, HB02-1400, HB02-1402, HB02-1416, HB02-1147**) of Tuesday, April 30, was laid over until the next Special Orders--Second Reading of Bills Calendar later in the day.

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

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

Passed on Second Reading: **HB02-1263** as amended, **HB02-1293, HB02-1039, HB02-1067, HB02-1125, HB02-1138** as amended.

Laid over until the next Special Orders--Second Reading of Bills Calendar on Tuesday, April 30: **HB02-1344, HB02-1161** as amended, **HB02-1155, HB02-1281, HB02-1027, HB02-1010, HB02-1405, HB02-1259, SB02-205, SB02-209, SB02-184, SB02-157, SB02-152, SB02-202, SB02-217, SB02-228, SCR02-004, HB02-1414, HB02-1400, HB02-1402, HB02-1416, HB02-1147.**

**RECONSIDERATION OF HB02-1307**

**HB02-1307** by Representative(s) Fairbank; also Senator(s) Fitz-Gerald--Concerning elections, and making an appropriation in connection therewith.

Having voted on the prevailing side, Senator Fitz-Gerald moved for reconsideration of the last Senate action, Third Reading--Final Passage of Bills, on **HB02-1307**.

A majority of all members elected to the Senate having voted in the affirmative, reconsideration was granted.

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

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

**HB02-1307** by Representative(s) Fairbank; also Senator(s) Fitz-Gerald--Concerning elections, and making an appropriation in connection therewith.

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  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72

**HB02-1307**

A majority of those elected to the Senate having voted in the affirmative, Senator Fitz-Gerald was given permission to offer a Third Reading amendment.

Third Reading Amendment by Senator Fitz-Gerald.

Amend revised bill, page 35, line 10, strike "2001," and substitute "2002,".

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

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

YES	32	NO	3	EXCUSED	0	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	N	Takis	Y
Andrews	Y	Gordon	Y	McElhany	Y	Tate	Y
Arnold	Y	Hagedorn	Y	Musgrave	N	Taylor	Y
Cairns	N	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	Y	Owen	Y	Thiebaut	Y
Dyer	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Evans	Y	Linkhart	Y	Reeves	Y		

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

Senate in Recess--Senate Reconvened

**COMMITTEE OF REFERENCE REPORTS**

Appropriations

After consideration on the merits, the committee recommends that **SB02-229** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 7, strike lines 21 through 27 and substitute the following:

**"SECTION 2. Appropriation.** In addition to any other appropriation, there is hereby appropriated, out of any moneys in the department of state cash fund created in section 24-21-104, Colorado Revised Statutes, not otherwise appropriated, to the department of state, the sum of four hundred sixty-four thousand nine hundred nineteen dollars (\$464,919) and 3.7 FTE, or so much thereof as may be necessary, for the implementation of this act. The moneys appropriated by this section shall become available upon passage of this act shall remain available through June 30, 2003."

Page 8, strike lines 1 through 16.

Appropriations

After consideration on the merits, the committee recommends that **HB02-1029** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 9, after line 19, insert the following:

**"SECTION 2. Appropriation.** In addition to any other appropriation, there is hereby appropriated, to the department of health care policy and financing, medical programs administration, for the fiscal year beginning July 1, 2002, the sum of twenty-two thousand two hundred twenty-one dollars (\$22,221) and 0.8 FTE, or so much thereof as may be necessary, for the implementation of this act. Said sum shall be cash funds exempt from gifts, grants, and donations. In addition to said appropriation, the general assembly anticipates that, for the fiscal year beginning July 1, 2002, the department of health care policy and financing, medical programs administration, will receive the sum of twenty-two thousand two hundred twenty-one dollars (\$22,221) in federal

**HB02-1029**

funds for the implementation of this act. Although the federal funds are not appropriated in this act, they are noted for the purpose of indicating the assumptions used relative to these funds."

Renumber succeeding section accordingly.

Page 1, line 102, strike "elderly." and substitute "elderly, and making an appropriation in connection therewith."

Appropriations

After consideration on the merits, the committee recommends that **HB02-1209** be referred favorably to the Committee of the Whole.

Appropriations

After consideration on the merits, the committee recommends that **HB02-1276** be referred favorably to the Committee of the Whole.

Appropriations

After consideration on the merits, the committee recommends that **HB02-1283** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 3, strike lines 5 through 17 and substitute the following:

**"SECTION 2.** Part 1 of article 1 of title 17, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

**17-1-139. Appropriation to comply with section 2-2-703 - H.B. 02-1283.** (1) PURSUANT TO SECTION 2-2-703, C.R.S., THE FOLLOWING STATUTORY APPROPRIATIONS, OR SO MUCH THEREOF AS MAY BE NECESSARY, ARE MADE IN ORDER TO IMPLEMENT H.B. 02-1283, ENACTED AT THE SECOND REGULAR SESSION OF THE SIXTY-THIRD GENERAL ASSEMBLY:

(a) FOR THE FISCAL YEAR BEGINNING JULY 1, 2002, IN ADDITION TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED FROM THE CAPITAL CONSTRUCTION FUND CREATED IN SECTION 24-75-302, C.R.S., TO THE CORRECTIONS EXPANSION RESERVE FUND CREATED IN SECTION 17-1-116, THE SUM OF SIXTY-NINE THOUSAND FOUR HUNDRED SIXTY-SEVEN DOLLARS (\$69,467).

(b) FOR THE FISCAL YEAR BEGINNING JULY 1, 2003, IN ADDITION TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE DEPARTMENT OF CORRECTIONS, OUT OF ANY MONEYS IN THE GENERAL FUND NOT OTHERWISE APPROPRIATED, THE SUM OF TWENTY-SEVEN THOUSAND TWO HUNDRED FIFTY-ONE DOLLARS (\$27,251).

(c) FOR THE FISCAL YEAR BEGINNING JULY 1, 2004, IN ADDITION TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE DEPARTMENT OF CORRECTIONS, OUT OF ANY MONEYS IN THE GENERAL FUND NOT OTHERWISE APPROPRIATED, THE SUM OF TWENTY-SEVEN THOUSAND TWO HUNDRED FIFTY-ONE DOLLARS (\$27,251).

(d) FOR THE FISCAL YEAR BEGINNING JULY 1, 2005, IN ADDITION TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE DEPARTMENT OF CORRECTIONS, OUT OF ANY MONEYS IN THE GENERAL FUND NOT OTHERWISE APPROPRIATED, THE SUM OF TWENTY-SEVEN THOUSAND TWO HUNDRED FIFTY-ONE DOLLARS (\$27,251).

(e) FOR THE FISCAL YEAR BEGINNING JULY 1, 2006, IN ADDITION TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE DEPARTMENT OF CORRECTIONS, OUT OF ANY MONEYS IN THE GENERAL FUND NOT OTHERWISE APPROPRIATED, THE SUM OF TWENTY-SEVEN THOUSAND TWO HUNDRED FIFTY-ONE DOLLARS (\$27,251).

(2) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE GENERAL FUND APPROPRIATION IN SUBSECTION (1) OF THIS SECTION FOR

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  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72

HB02-1283

THE IMPLEMENTATION OF THIS SECTION SHALL BE DERIVED FROM SAVINGS GENERATED FROM THE IMPLEMENTATION OF THE PROVISIONS OF H.B. 02-1241, AS ENACTED DURING THE SECOND REGULAR SESSION OF THE SIXTY-THIRD GENERAL ASSEMBLY.

**SECTION 3.** 24-75-302 (2) (o), Colorado Revised Statutes, is amended to read:

**24-75-302. Capital construction fund - capital assessment fees - calculation.** (2) As of July 1, 1988, and July 1 of each year thereafter through July 1, 2005, a sum as specified in this subsection (2) shall accrue to the capital construction fund. The state treasurer and the controller shall transfer such sum out of the general fund and into the capital construction fund as moneys become available in the general fund during the fiscal year beginning on said July 1. Transfers between funds pursuant to this subsection (2) shall not be deemed to be appropriations subject to the limitations of section 24-75-201.1. The amount which shall accrue pursuant to this subsection (2) shall be as follows:

(o) On July 1, 2002, one hundred million dollars, plus thirteen thousand nine hundred sixty-two dollars pursuant to S.B. 98-021, enacted at the second regular session of the sixty-first general assembly; plus eight million three hundred seven thousand five hundred nine dollars pursuant to H.B. 98-1156, enacted at the second regular session of the sixty-first general assembly; plus three hundred ninety-seven thousand nine hundred twenty-three dollars pursuant to H.B. 98-1160, enacted at the second regular session of the sixty-first general assembly; plus fifty thousand three hundred sixty-four dollars pursuant to H.B. 00-1107, enacted at the second regular session of the sixty-second general assembly; plus one hundred twenty-one thousand five hundred sixty-seven dollars pursuant to H.B. 00-1201, enacted at the second regular session of the sixty-second general assembly; plus two hundred fifty thousand eighty-one dollars pursuant to H.B. 00-1214, enacted at the second regular session of the sixty-second general assembly; plus forty thousand five hundred twenty-two dollars pursuant to H.B. 00-1247, enacted at the second regular session of the sixty-second general assembly; plus one million seven hundred sixty-eight thousand two hundred twenty-five dollars pursuant to H.B. 01-1205, enacted at the first regular session of the sixty-third general assembly; plus one hundred thirty-eight thousand nine hundred thirty-four dollars pursuant to H.B. 01-1242, enacted at the first regular session of the sixty-third general assembly; PLUS SIXTY-NINE THOUSAND FOUR HUNDRED SIXTY-SEVEN DOLLARS PURSUANT TO H.B. 02-1283, ENACTED AT THE SECOND REGULAR SESSION OF THE SIXTY-THIRD GENERAL ASSEMBLY;

**SECTION 4. Effective date - applicability.** (1) Except as otherwise provided in subsection (2) of this section, this act shall take effect upon passage and apply to offenses committed on or after said date.

(2) Sections 2 and 3 of this act shall only take effect if:

(a) The final fiscal estimate for H.B. 02-1241, as reflected in the appropriations clause for said act, shows a net general fund savings that is equal to or greater than the final general fund fiscal estimate for this act, as reflected in sections 2 and 3 of this act; and

(b) H.B. 02-1241 is enacted at the second regular session of the sixty-third general assembly and becomes law."

Renumber succeeding section accordingly.

Appropriations

After consideration on the merits, the committee recommends that **HB02-1396** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 4, strike lines 2 through 13 and substitute the following:

**"SECTION 3.** Part 1 of article 1 of title 17, Colorado Revised

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  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72

HB02-1396

Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

**17-1-139. Appropriation to comply with section 2-2-703 - H.B. 02-1396.** (1) PURSUANT TO SECTION 2-2-703, C.R.S., THE FOLLOWING STATUTORY APPROPRIATIONS, OR SO MUCH THEREOF AS MAY BE NECESSARY, ARE MADE IN ORDER TO IMPLEMENT H.B. 02-1396, ENACTED AT THE SECOND REGULAR SESSION OF THE SIXTY-THIRD GENERAL ASSEMBLY:

(a) FOR THE FISCAL YEAR BEGINNING JULY 1, 2002, IN ADDITION TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED FROM THE CAPITAL CONSTRUCTION FUND CREATED IN SECTION 24-75-302, C.R.S., TO THE CORRECTIONS EXPANSION RESERVE FUND CREATED IN SECTION 17-1-116, THE SUM OF SIXTY-NINE THOUSAND FOUR HUNDRED SIXTY-SEVEN DOLLARS (\$69,467).

(b) FOR THE FISCAL YEAR BEGINNING JULY 1, 2003, IN ADDITION TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE DEPARTMENT OF CORRECTIONS, OUT OF ANY MONEYS IN THE GENERAL FUND NOT OTHERWISE APPROPRIATED, THE SUM OF TWENTY-SEVEN THOUSAND TWO HUNDRED FIFTY-ONE DOLLARS (\$27,251).

(c) FOR THE FISCAL YEAR BEGINNING JULY 1, 2004, IN ADDITION TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE DEPARTMENT OF CORRECTIONS, OUT OF ANY MONEYS IN THE GENERAL FUND NOT OTHERWISE APPROPRIATED, THE SUM OF TWENTY-SEVEN THOUSAND TWO HUNDRED FIFTY-ONE DOLLARS (\$27,251).

(d) FOR THE FISCAL YEAR BEGINNING JULY 1, 2005, IN ADDITION TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE DEPARTMENT OF CORRECTIONS, OUT OF ANY MONEYS IN THE GENERAL FUND NOT OTHERWISE APPROPRIATED, THE SUM OF TWENTY-SEVEN THOUSAND TWO HUNDRED FIFTY-ONE DOLLARS (\$27,251).

(e) FOR THE FISCAL YEAR BEGINNING JULY 1, 2006, IN ADDITION TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE DEPARTMENT OF CORRECTIONS, OUT OF ANY MONEYS IN THE GENERAL FUND NOT OTHERWISE APPROPRIATED, THE SUM OF TWENTY-SEVEN THOUSAND TWO HUNDRED FIFTY-ONE DOLLARS (\$27,251).

(2) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE GENERAL FUND APPROPRIATION IN SUBSECTION (1) OF THIS SECTION FOR THE IMPLEMENTATION OF THIS SECTION SHALL BE DERIVED FROM SAVINGS GENERATED FROM THE IMPLEMENTATION OF THE PROVISIONS OF H.B. 02-1292, AS ENACTED DURING THE SECOND REGULAR SESSION OF THE SIXTY-THIRD GENERAL ASSEMBLY.

**SECTION 4.** 24-75-302 (2) (o), Colorado Revised Statutes, is amended to read:

**24-75-302. Capital construction fund - capital assessment fees - calculation.** (2) As of July 1, 1988, and July 1 of each year thereafter through July 1, 2005, a sum as specified in this subsection (2) shall accrue to the capital construction fund. The state treasurer and the controller shall transfer such sum out of the general fund and into the capital construction fund as moneys become available in the general fund during the fiscal year beginning on said July 1. Transfers between funds pursuant to this subsection (2) shall not be deemed to be appropriations subject to the limitations of section 24-75-201.1. The amount which shall accrue pursuant to this subsection (2) shall be as follows:

(o) On July 1, 2002, one hundred million dollars, plus thirteen thousand nine hundred sixty-two dollars pursuant to S.B. 98-021, enacted at the second regular session of the sixty-first general assembly; plus eight million three hundred seven thousand five hundred nine dollars pursuant to H.B. 98-1156, enacted at the second regular session of the sixty-first general assembly; plus three hundred ninety-seven thousand nine hundred twenty-three dollars pursuant to H.B. 98-1160, enacted at the second regular session of the sixty-first general assembly; plus fifty thousand three hundred sixty-four dollars pursuant to H.B. 00-1107,

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  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72

**HB02-1396**

enacted at the second regular session of the sixty-second general assembly; plus one hundred twenty-one thousand five hundred sixty-seven dollars pursuant to H.B. 00-1201, enacted at the second regular session of the sixty-second general assembly; plus two hundred fifty thousand eighty-one dollars pursuant to H.B. 00-1214, enacted at the second regular session of the sixty-second general assembly; plus forty thousand five hundred twenty-two dollars pursuant to H.B. 00-1247, enacted at the second regular session of the sixty-second general assembly; plus one million seven hundred sixty-eight thousand two hundred twenty-five dollars pursuant to H.B. 01-1205, enacted at the first regular session of the sixty-third general assembly; plus one hundred thirty-eight thousand nine hundred thirty-four dollars pursuant to H.B. 01-1242, enacted at the first regular session of the sixty-third general assembly; PLUS SIXTY-NINE THOUSAND FOUR HUNDRED SIXTY-SEVEN DOLLARS PURSUANT TO H.B. 02-1396, ENACTED AT THE SECOND REGULAR SESSION OF THE SIXTY-THIRD GENERAL ASSEMBLY.

**SECTION 5. Effective date.** (1) Except as otherwise provided in subsection (2) of this section, this act shall take effect upon passage, and shall apply to offenses committed on or after said date.

(2) This act shall only take effect if:

(a) The final fiscal estimate for H.B. 02-1292, as reflected in the appropriations clause for said act, shows a net general fund savings that is equal to or greater than the final general fund fiscal estimate for this act, as reflected in section 3 of this act; and

(b) House Bill 02-1292 is enacted at the Second Regular Session of the Sixty-third General Assembly and becomes law."

Renumber succeeding section accordingly.

Page 1, line 103, strike "**CHILDREN.**" and substitute "**CHILDREN, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH.**"

Business,  
Labor, and  
Finance

After consideration on the merits, the committee recommends that **SB02-227** be referred favorably to the Committee of the Whole.

Business,  
Labor, and  
Finance

After consideration on the merits, the committee recommends that **SB02-216** be referred favorably to the Committee on Appropriations.

Business,  
Labor, and  
Finance

After consideration on the merits, the committee recommends that **SCR02-003** be postponed indefinitely.

Business,  
Labor, and  
Finance

After consideration on the merits, the committee recommends that **SB02-226** be amended as follows and, as so amended be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 10, after line 14, insert the following:

"(9) (a) NOTWITHSTANDING ANY OTHER PROVISION OF THIS PART 9 TO THE CONTRARY, AN APPLICANT WHO IS PREPARING FOR A MORTGAGE ORIGINATOR EXAMINATION AND IS UNDER THE DIRECT SUPERVISION OF A LICENSED MORTGAGE ORIGINATOR MAY BE GRANTED A TEMPORARY LICENSE, UPON APPLICATION TO THE BOARD IN THE MANNER DETERMINED BY THE BOARD, IF THE APPLICANT SUBMITS HIS OR HER FINGERPRINTS TO THE BOARD. THE BOARD SHALL FORWARD SUCH FINGERPRINTS TO THE COLORADO BUREAU OF INVESTIGATION FOR THE PURPOSE OF CONDUCTING A STATE AND NATIONAL FINGERPRINT-BASED CRIMINAL HISTORY RECORD

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  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72

**SB02-226**

CHECK UTILIZING RECORDS OF THE COLORADO BUREAU OF INVESTIGATION AND THE FEDERAL BUREAU OF INVESTIGATION TO ASCERTAIN WHETHER THE APPLICANT HAS BEEN CONVICTED ANYWHERE IN THE COUNTRY OF, FOUND GUILTY OF, PLEAD GUILTY OR NOLO CONTENDERE TO, BEEN ADJUDICATED A VIOLATOR OF, OR BEEN INCARCERATED FOR ANY FELONY INVOLVING FRAUD, THEFT, LARCENY, EMBEZZLEMENT, OR FRAUDULENT CONVERSION OF MONEY. THE EXPENSE FOR SUCH CRIMINAL HISTORY CHECKS SHALL BE BORN BY THE APPLICANT.

(b) SUCH TEMPORARY LICENSE SHALL REMAIN IN FORCE FOR SIXTY DAYS AFTER THE DATE OF ISSUANCE AND MAY NOT BE RENEWED. THE BOARD MAY WITHDRAW LICENSURE GRANTED BY THESE PROVISIONS PRIOR TO THE EXPIRATION OF SUCH LICENSE FOR UNPROFESSIONAL CONDUCT AS DEFINED IN SECTION 12-61-910. THE BOARD MAY ESTABLISH AND CHARGE A FEE FOR SUCH TEMPORARY LICENSE PURSUANT TO SECTION 24-34-105, C.R.S., NOT TO EXCEED THE AMOUNT OF THE FEE FOR A MORTGAGE ORIGINATOR LICENSE."

On motion of Senator Thiebaut, and with a two-thirds majority of those elected to the Senate having voted in the affirmative **HB02-1155, HB02-1281, HB02-1027, HB02-1010, HB02-1405, HB02-1161, HB02-1147, HB02-1344, HB02-1259, SB02-229, SB02-205, SB02-209, SB02-184, SB02-157, SB02-152, SB02-202, SB02-217, SB02-228, SCR02-004, HB02-1414, HB02-1400, HB02-1402, HB02-1416** were made Special Orders at 5:10 p.m.

Committee of the Whole

The hour of 5:10 p.m. having arrived, Senator Perlmutter moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders--Second Reading of Bills and Senator Perlmutter was called to the Chair to act as Chairman.

**SPECIAL ORDERS--SECOND READING OF BILLS**

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

**HB02-1155**

by Representative(s) Clapp, Fairbank, Fritz, Hefley, Hoppe, Kester, Lawrence, Mace, Mitchell, Scott, Snook, Spence, Stafford, Swenson, Webster, White, Witwer; also Senator(s) Owen--Concerning the coverage of pregnant women under the children's basic health plan, and making an appropriation therefor.

Amendment No. 1, Appropriations Committee Amendment.  
(Printed in Senate Journal, April 29, page 1026 and placed in members' bill file.)

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

**HB02-1281**

by Representative(s) Saliman; also Senator(s) Owen--Concerning the creation of the Colorado traumatic brain injury board, and, in connection therewith, increasing certain motor vehicle fines to provide moneys for the Colorado traumatic brain injury trust fund, and making an appropriation therefor.

Amendment No. 1, Health, Environment, Children & Families Committee Amendment.  
(Printed in Senate Journal, April 26, page 1004 and placed in members' bill file.)

Amendment No. 2, Appropriations Committee Amendment.  
(Printed in Senate Journal, April 29, pages 1026-1027 and placed in members' bill file.)

Amendment No. 3(L.009), by Senator Owen.

Amend reengrossed bill, page 11, after line 6, insert the following:

"**SECTION 4.** 42-4-1301 (7) (d), Colorado Revised Statutes, as enacted by Senate Bill 02-057, enacted at the Second Regular Session of the Sixty-third General Assembly, is amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

**42-4-1301. Driving under the influence - driving while impaired - driving with excessive alcoholic content - penalties.**  
(7) **Penalties.** (d) In addition to the penalties prescribed in this



**HB02-1281**

subsection (7):

(IV) PERSONS CONVICTED OF DUI, DUI PER SE, DWAI, HABITUAL USER, AND UDD ARE SUBJECT TO A SURCHARGE OF FIFTEEN DOLLARS TO BE TRANSMITTED TO THE STATE TREASURER WHO SHALL DEPOSIT SAID SURCHARGES IN THE COLORADO TRAUMATIC BRAIN INJURY TRUST FUND CREATED PURSUANT TO SECTION 26-1-210, C.R.S."

Amend the Health, Environment, Children and Families Committee Report, dated April 25, 2002, page 1, strike line 13, and substitute the following:

"2004; except that:

(I) Section 4 of this act shall only take effect if Senate Bill 02-057 is enacted at the second regular session of the sixty-third general assembly and becomes law; and

(II) Section 3 of this act shall only take effect if Senate Bill 02-057 is not enacted at the second regular session of the sixty-third general assembly and does not become law."

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

**HB02-1405**

by Representative(s) Stengel; also Senator(s) Gordon--Concerning the filing of financial information with the secretary of state by charitable organizations.

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

**HB02-1161**

by Representative(s) Young; also Senator(s) Hillman--Concerning the creation of enhanced rural enterprise zones, and, in connection therewith, establishing state income tax credits for taxpayers who establish new business facilities in enhanced rural enterprise zones.

Laid over to follow **HB02-1259**.

**HB02-1147**

by Representative(s) Cloer; also Senator(s) Hagedorn--Concerning public information requirements, and making an appropriation in connection therewith.

Laid over until Wednesday, May 1, retaining its place on the General Orders--Second Reading of Bills Calendar.

**HB02-1344**

by Representative(s) Scott; also Senator(s) Linkhart--Concerning the water quality control discharge permit program, and, in connection therewith, increasing permit fees, requiring a study to determine whether such program should be modified to reasonably accommodate the unique attributes of Colorado's water bodies, and making an appropriation.

Laid over until Wednesday, May 1, retaining its place on the General Orders--Second Reading of Bills Calendar.

**HB02-1161**

by Representative(s) Young; also Senator(s) Hillman--Concerning the creation of enhanced rural enterprise zones, and, in connection therewith, establishing state income tax credits for taxpayers who establish new business facilities in enhanced rural enterprise zones.

(Amended in Special Orders as printed in Senate Journal, April 30, pages 1060-1061.)

Amendment No. 6 (L.016), by Senator Hillman.

Amend the Hillman floor amendment (L.014), page 1, strike lines 3 through 5;

line 6, strike "Page" and substitute ""Amend reengrossed bill, page".

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

**SB02-229**

by Senator(s) Matsunaka; also Representative(s) Rippy--Concerning publication procedures related to rule-making by state agencies, and making an appropriation in connection therewith.

- SB02-229** Laid over until Wednesday, May 1, retaining its place on the General Orders--Second Reading of Bills Calendar. 1  
2  
3
- SB02-205** by Senator(s) Dyer, Matsunaka, Anderson, Andrews, Arnold, Chlouber, Entz, Epps, Evans, Gordon, Hanna, Hernandez, Isgar, Lamborn, May, Musgrave, Nichol, Owen, Pascoe, Perlmutter, Phillips, Reeves, Takis, Tate, Teck, Tupa, Windels; also Representative(s) Groff, Williams S.--Concerning changes to the crime of child abuse. 4  
5  
6  
7  
8  
Amendment No. 1, Judiciary Committee Amendment. 9  
(Printed in Senate Journal, April 24, page 964 and placed in members' bill file.) 10  
11  
As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage. 12  
13  
14
- HB02-1027** by Representative(s) Romanoff, Mace; also Senator(s) Hernandez, Hanna--Concerning case-mix reimbursement methodology for the reimbursement of services under the "Colorado Medical Assistance Act", and making an appropriation in connection therewith. 15  
16  
17  
18  
Ordered revised and placed on the calendar for Third Reading and Final Passage. 19  
20
- HB02-1010** by Representative(s) Stafford, Clapp, Mace; also Senator(s) Hernandez, Hanna, Musgrave--Concerning the efficient delivery of quality care to seniors. 21  
22  
23  
Amendment No. 1, Appropriations Committee Amendment. 24  
(Printed in Senate Journal, April 29, page 1027 and placed in members' bill file.) 25  
26  
As amended, ordered revised and placed on the calendar for Third Reading and Final Passage. 27  
28  
29
- SB02-209** by Senator(s) Phillips, Matsunaka, Gordon, Perlmutter, Tupa; also Representative(s) Scott--Concerning the establishment by local governments of programs for the transfer of development rights. 30  
31  
32  
33  
Amendment No. 1(L.001), by Senator Philips. 34  
35  
Amend printed bill, page 8, line 5, strike "2001," and substitute "2002,". 36  
37  
As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage. 38  
39  
40
- SB02-184** by Senator(s) Tupa, Pascoe, Perlmutter; also Representative(s) Swenson, Plant, Stafford, Williams S.--Concerning the authority of counties located within the boundaries of the regional transportation district to provide transit services in cooperation with the district. 41  
42  
43  
44  
Ordered engrossed and placed on the calendar for Third Reading and Final Passage. 45  
46
- SB02-157** by Senator(s) Isgar; also Representative(s) Alexander--Concerning the taxation of possessory interests in exempt real property. 47  
48  
49  
Amendment No. 1, Business, Labor, and Finance Committee Amendment. 50  
(Printed in Senate Journal, February 15, page 263-264 and placed in members' bill file.) 51  
52  
Amendment No. 2(L.016), by Senator Isgar. 53  
54  
Amend printed bill, page 2, line 2, strike "(a) and" and substitute "(a),"; 55  
56  
strike line 3 and substitute "Colorado Revised Statutes, is amended to"; 57  
58  
strike lines 17 through 27. 59  
60  
Page 3, strike lines 1 through 13. 61  
62  
As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage. 63  
64  
65
- SB02-152** by Senator(s) Evans; also Representative(s) Spence--Concerning programs to prepare persons for licensure as school principals. 66  
67  
68  
Amendment No. 1, Education Committee Amendment. 69  
(Printed in Senate Journal, March 27, pages 606-608 and placed in members' bill file.) 70  
71  
72

- SB02-152** Amendment No. 2, Appropriations Committee Amendment.  
(Printed in Senate Journal, April 25, pages 986-988 and placed in members' bill file.)
- As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage.
- SB02-202** by Senator(s) Takis; also Representative(s) Fritz--Concerning the regulation of motor vehicle carriers exempt from regulation as public utilities.
- Amendment No. 1, Government, Veterans and Military Relations, and Transportation Committee Amendment.  
(Printed in Senate Journal, April 26, page 1020 and placed in members' bill file.)
- Amendment No. 2(L.003), by Senator Taylor.
- Amend printed bill, page 3, strike line 13;
- line 14, strike "UTILITY VEHICLE, offers" and substitute "(III) Offers".
- Page 4, line 1, strike "van. with a rear" and substitute "van with a rear";
- line 5, after the period, add "PASSENGER CAPACITY OF BETWEEN EIGHT AND FIFTEEN THAT IS EQUIPPED WITH CAPTAIN'S CHAIRS, TELEVISION, AND BAR WITH A RETAIL PRICE OF AT LEAST FIFTY THOUSAND DOLLARS.";
- strike lines 6 through 14 and substitute the following:
- "(D) Luxury vehicle, which is a luxury motor vehicle with a seating capacity of no more than five, not including the driver, that either has a National Automobile Dealers' Association (NADA) "blue book" retail value exceeding fifty thousand dollars at the time of registration or has a manufacturer's suggested retail price exceeding fifty thousand dollars and was purchased new during the current model year by a luxury limousine registrant.";
- line 18 strike "VEHICLE." and substitute "VEHICLE WITH A RETAIL PRICE OF AT LEAST FORTY-FIVE THOUSAND DOLLARS THAT IS LESS THAN TWO YEARS OLD.".
- As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage.
- SB02-217** by Senator(s) Hagedorn, Owen; also Representative(s) Spradley, Veiga--Concerning modifications to health care systems in Colorado to improve the delivery of health care services to Coloradans.
- Amendment No. 1, Health, Environment, Children & Families Committee Amendment.  
(Printed in Senate Journal, April 24, page 970 and placed in members' bill file.)
- Amendment No. 2, Appropriations Committee Amendment.  
(Printed in Senate Journal, April 29, page 1028 and placed in members' bill file.)
- As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage.
- SB02-228** by Senator(s) Tupa--Concerning fingerprint-based criminal history record checks for licensed educators.
- Ordered engrossed and placed on the calendar for Third Reading and Final Passage.
- (For further action, see Amendments to the Committee of the Whole Report.)
- HB02-1259** by Representative(s) Marshall; also Senator(s) Tate--Concerning protection of consumers' home ownership equity.
- Amendment No. 1, Business, Labor, and Finance Committee Amendment.  
(Printed in Senate Journal, April 25, page 982-983 and placed in members' bill file.)
- Amendment No. 2(L.025), by Senator Tate.
- Amend the Business, Labor, and Finance Committee Report, dated April 24, 2002, page 2, after line 33, insert the following:

**HB02-1259**

"(4) THE PROVISIONS OF THIS SECTION ARE IN ADDITION TO AND ARE NOT INTENDED TO SUPERSEDE THE DECEPTIVE TRADE PRACTICES ACTIONABLE AT COMMON LAW OR UNDER OTHER STATUTES OF THIS STATE."

Page 3, line 16, strike "MAY" and substitute "MAY, IN ADDITION TO ANY OTHER REMEDIES,".

Amendment No. 3(L.028), by Senator Tate.

Amend reengrossed bill, page 14, line 8, strike "AN ORAL" and substitute "A";

strike lines 10 through 12 and substitute the following:

"FIVE BUSINESS DAYS AFTER THE REQUEST.

Amendment No. 3(L.029), by Senator Tate.

(Floor Amendment was severed: Part 1: page 1; lines 1-13 to the ; was declared adopted.)

Amend reengrossed bill, page 6, line 10, after "ONLY", insert "ON A REFINANCE TO A DIFFERENT LENDER OTHER THAN PURSUANT TO A SALE AND ONLY";

line 12, after the period, insert "PREPAYMENT FEES AND PENALTIES SHALL NOT EXCEED SIX MONTHS' INTEREST FOR PREPAYMENT WITHIN THE FIRST THREE YEARS OF THE LOAN OR THREE MONTHS' INTEREST FOR PREPAYMENT DURING THE FOURTH AND FIFTH YEARS OF THE LOAN.";

line 19, after the period, add "NO PREPAYMENT FEES OR PENALTIES SHALL BE INCLUDED IN THE LOAN DOCUMENTS OR CHARGED TO THE OBLIGOR FOR PREPAYMENT:

- (A) AFTER THE FIFTH YEAR OF THE LOAN;
- (B) PURSUANT TO A REFINANCE WITH THE SAME LENDER;
- (C) THAT IS PARTIAL;

As amended, laid over until Wednesday, May 1, retaining its place on the General Orders--Second Reading of Bills Calendar.

**HB02-1414**

by Representative(s) Hoppe, Alexander, Kester, Borodkin, Coleman, Daniel, Fritz, Harvey, Hodge, Johnson, Mitchell, Rippey, Smith, Snook, Webster, Weddig, White, Williams T., Young; also Senator(s) Entz, Isgar, Andrews, Chlouber, Dyer, Hanna, Hernandez, Hillman, Matsunaka, Musgrave--Concerning the continued authority of the state engineer to approve limited substitute water supply plans, and making an appropriation in connection therewith.

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

**HB02-1400**

by Representative(s) Dean, Scott, Cadman, Clapp, Cloer, Coleman, Crane, Daniel, Fairbank, Fritz, Groff, Harvey, Hefley, Hoppe, Jahn, Kester, King, Larson, Lee, Mace, Marshall, Miller, Mitchell, Paschall, Rhodes, Rippey, Schultheis, Sinclair, Smith, Spence, Spradley, Stafford, Stengel, Swenson, Tapia, Tochtrop, Webster, Weddig, White, Williams T., Young; also Senator(s) Perlmutter, Lamborn--Concerning violations detected using automated vehicle identification devices.

Amendment No. 1, Public Policy and Planning Committee Amendment.  
(Printed in Senate Journal, April 25, page 995 and placed in members' bill file.)

Amendment No. 2(L.019), by Senator Perlmutter.

Amend Public Policy and Planning Committee Report, dated April 25, 2002, page 1, strike line 1 and substitute the following:

"Amend reengrossed bill, page 4, line 26, strike "DEVICE." and substitute "SIGNAL.".

Page 5, strike lines 8 through 11 and substitute the following:

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  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72

**HB02-1400**

"ON WHICH A MAJORITY OF THE IMPROVEMENTS ALONG BOTH SIDES OF THE STREET ARE RESIDENTIAL DWELLINGS AND THE SPEED LIMIT IS THIRTY-FIVE MILES PER HOUR OR LESS.";

line14, strike "DEVICE." and substitute "SIGNAL.".

Amendment No. 3(L.020), by Senator Perlmutter.

Amend reengrossed bill, page 7, after line 4, insert the following:

"**SECTION 4.** 43-4-506.5, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**43-4-506.5. Traffic laws - toll collection.** (7) NO AUTHORITY NOR ANY COURT SHALL REPORT TO THE DEPARTMENT OF REVENUE ANY CONVICTION OR ENTRY OF JUDGMENT NOR ANY OUTSTANDING JUDGMENT OR WARRANT FOR PURPOSES OF SECTION 42-2-107 (5), C.R.S., FOR ANY TOLL EVASION. THE DEPARTMENT OF REVENUE HAS NO AUTHORITY TO ASSESS ANY POINTS AGAINST A LICENSE UNDER SECTION 42-2-127, C.R.S., UPON ENTRY OF A CONVICTION OR JUDGMENT FOR ANY TOLL EVASION. THE DEPARTMENT OF REVENUE MAY NOT KEEP ANY RECORD OF SUCH VIOLATION IN THE OFFICIAL RECORDS MAINTAINED BY THE DEPARTMENT OF REVENUE UNDER SECTION 42-2-121, C.R.S."

Renumber succeeding section accordingly.

Amendment No. 4(L.021), by Senator Tate.

Amend reengrossed bill, page 4, strike lines 21 and 22 and substitute the following:

"TO HAVE OCCURRED, AN OFFICER OR EMPLOYEE OF THE STATE, THE COUNTY, THE CITY AND COUNTY, OR THE MUNICIPALITY IS PRESENT".

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

**HB02-1402**

by Representative(s) Crane, Rhodes, Schultheis, Clapp, Cloer, Hefley, Spradley, Stafford; also Senator(s) Owen--Concerning authorization for disease management programs under the "Colorado Medical Assistance Act".

Amendment No. 1(L.013), by Senator Owen.

Amend reengrossed bill, page 3, line 10, after "TO" insert "THE MOST COST EFFECTIVE AND".

As amended, declared **lost** on Second Reading.

(For further action, see Roll Call on **HB02-1402**.)

**HB02-1416**

by Representative(s) Johnson; also Senator(s) Matsunaka--Concerning procedures to be followed by county governments in connection with the merging of parcels of land.

Amendment No. 1, Government, Veterans and Military Relations, and Transportation Committee Amendment.

(Printed in Senate Journal, April 26, page 1420 and placed in members' bill file.)

Amendment No. 2(L.009), by Senator Taylor.

Amend reengrossed bill, page 5, after line 13, insert the following:

"(6) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, IN CONNECTION WITH ANY LAND EXCHANGE CONTRACT ENTERED INTO ON OR BEFORE DECEMBER 26, 1996, BY THE STATE BOARD OF LAND COMMISSIONERS CREATED IN SECTION 36-1-101.5 (1), C.R.S.:

(a) THE PERIOD FOR BRINGING A CAUSE OF ACTION ARISING OUT OF ANY SUCH CONTRACT SHALL NOT EXPIRE PRIOR TO DECEMBER 31, 2002; AND

(b) NO CAUSE OF ACTION SHALL BE MAINTAINED AGAINST AN

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  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72

**HB02-1416**

INDIVIDUAL MEMBER OF ANY SCHOOL BOARD ARISING OUT OF A SCHOOL BOARD'S CHALLENGE TO THE VALIDITY OF ANY SUCH CONTRACTS."

Amendment No. 3(L.008), by Senators Teck and Entz.

Amend the Government, Veterans and Military Relations, and Transportation Committee Report, dated April 25, 2002, page 1, line 3, strike "TWENTY";" and substitute "TWENTY".";

strike lines 4 and 5.

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

On motion of Senator Theibaut, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the Special Orders--Second Reading of Bills Calendar (**SCR02-004**) of Tuesday, April 30, was laid over until the General Orders--Second Reading of Bills Calendar of Wednesday, May 1, retaining its place on the calendar.

**AMENDMENTS TO THE COMMITTEE OF THE WHOLE REPORT**

**SB02-228**

by Senator(s) Tupa--Concerning fingerprint-based criminal history record checks for licensed educators.

Senator Tupa moved to amend the Report of the Committee of the Whole to show that **SB02-228**, was laid over to Wednesday, May 1, 2002, retaining its place on the general orders calendar.

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

**ROLL CALL ON HB02-1402**

**HB02-1402**

by Representative(s) Crane, Rhodes, Schultheis, Clapp, Cloer, Hefley, Spradley, Stafford; also Senator(s) Owen--Concerning authorization for disease management programs under the "Colorado Medical Assistance Act".

Upon request of Senator Owen, a roll call vote was taken with the following result:

YES	17	NO	18	EXCUSED	0	ABSENT	0
Anderson	Y	Fitz-Gerald	N	May	Y	Takis	N
Andrews	Y	Gordon	N	McElhany	Y	Tate	N
Arnold	Y	Hagedorn	N	Musgrave	Y	Taylor	Y
Cairns	Y	Hanna	N	Nichol	N	Teck	Y
Chlouber	Y	Hernandez	N	Owen	Y	Thiebaut	N
Dyer	Y	Hillman	Y	Pascoe	N	Tupa	N
Entz	Y	Isgar	N	Perlmutter	N	Windels	N
Epps	Y	Lamborn	Y	Phillips	N	Mr. President	N
Evans	Y	Linkhart	N	Reeves	N		

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

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

Passed on Second Reading: **HB02-1155** as amended, **HB02-1281** as amended, **HB02-1405**, **HB02-1161** as amended, **SB02-205** as amended, **HB02-1027**, **HB02-1010** as amended, **SB02-209** as amended, **SB02-184**, **SB02-157** as amended, **SB02-152** as amended, **SB02-202** as amended, **SB02-217** as amended, **HB02-1414**, **HB02-1400** as amended, **HB02-1416** as amended,

Lost on Second Reading: **HB02-1402** as amended.

Laid over until Wednesday, May 1: **HB02-1147**, **HB02-1344**, **SB02-229**, **HB02-1259** as amended, **SCR02-004**, **SB02-228**.

On motion of Senator Thiebaut, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of House Amendments to Senate Bills: **SB02-156**.

**CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS**

**SB02-156**

by Senator(s) Gordon; also Representative(s) Smith--Concerning the authorization of changes of absolute water rights for purposes of instream use.

Senator Gordon moved that the Senate concur in House amendments to **SB02-156**, as printed in House Journal, April 25, page 1588. The motion was **passed** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	Y	Takis	Y
Andrews	Y	Gordon	Y	McElhany	Y	Tate	Y
Arnold	Y	Hagedorn	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	Y	Owen	Y	Thiebaut	Y
Dyer	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Evans	Y	Linkhart	Y	Reeves	Y		

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

YES	25	NO	10	EXCUSED	0	ABSENT	0
Anderson	N	Fitz-Gerald	Y	May	N	Takis	Y
Andrews	N	Gordon	Y	McElhany	Y	Tate	Y
Arnold	N	Hagedorn	Y	Musgrave	N	Taylor	N
Cairns	Y	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	Y	Owen	N	Thiebaut	Y
Dyer	N	Hillman	N	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	N	Phillips	Y	Mr. President	Y
Evans	Y	Linkhart	Y	Reeves	Y		

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

Co-sponsors added: Entz, Hagedorn, Perlmutter, Tate, Windels.

On motion of Senator Thiebaut, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of Third Reading--Final Passage of Bills: **SB02-233**.

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

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

**SB02-223**

by Senator(s) Perlmutter; also Representative Grossman--Concerning the empowerment of public entities to address the impacts caused by high growth rates, and, in connection therewith, providing for legally enforceable local government master plans, authorizing impact fees to fund capital facilities of a school district, authorizing local governments to provide incentives to encourage smart growth, and requiring collaboration on a regional basis among public entities with respect to transportation planning.

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

**SB02-223**

YES	19	NO	16	EXCUSED	0	ABSENT	0
Anderson	N	Fitz-Gerald	Y	May	N	Takis	Y
Andrews	N	Gordon	Y	McElhany	N	Tate	Y
Arnold	N	Hagedorn	Y	Musgrave	N	Taylor	N
Cairns	N	Hanna	Y	Nichol	Y	Teck	N
Chlouber	N	Hernandez	Y	Owen	N	Thiebaut	Y
Dyer	N	Hillman	N	Pascoe	Y	Tupa	Y
Entz	N	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	N	Phillips	Y	Mr. President	Y
Evans	N	Linkhart	Y	Reeves	Y		

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

Co-sponsors added: Fitz-Gerald, Hanna, Hernandez, Linkhart, Matsunaka, Nichol, Pascoe, Phillips, Tate, Thiebaut, Tupa, Windels.

**COMMITTEE OF REFERENCE REPORTS**

Agriculture and Natural Resources

After consideration on the merits, the committee recommends that **HB02-1411** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Agriculture and Natural Resources

After consideration on the merits, the committee recommends that **HB02-1410** be referred favorably to the Committee on Appropriations.

**MESSAGE FROM THE HOUSE**

April, 30 2002  
Mr. President:

The House has adopted and transmits herewith HJR02-1037, as printed in House Journal, April 1, pages 1080-1081.

The House has adopted and transmits herewith HJR02-1053, as printed in House Journal, April 15, pages 1330-1331, and amended as printed in House Journal, April 30.

**MESSAGE FROM THE REVISOR**

We herewith transmit:

Without comment, as amended, HB02-1452 and 1457 and SB02-059, 049, 016, 062, 119, and 027.

**INTRODUCTION OF BILLS--FIRST READING**

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

**HB02-1452**

by Representative(s) Scott; also Senator(s) Phillips--Concerning the operation of higher education student financial aid enterprises.  
Business, Labor, and Finance

**HB02-1457**

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

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  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72



**SB02-231** by Senator(s) Owen; also Representative(s) Stengel, King--Concerning the administration of retirement plans by the state deferred compensation committee.  
Public Policy and Planning

**SB02-232** by Senator(s) Perlmutter, Andrews, Hanna, Matsunaka; also Representative(s) Clapp, King--Concerning the extension of modifications to rules XIV through XVIII of the workers' compensation rules of procedure with treatment guidelines of the rules of the division of workers' compensation scheduled for expiration May 15, 2002, pursuant to the "State Administrative Procedure Act".  
Public Policy and Planning

---

### INTRODUCTION OF RESOLUTIONS

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

**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.

Laid over one day under Senate Rule 30(e).

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

Laid over one day under Senate Rule 30(e).

---

On motion of Senator Thiebaut, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Tuesday, April 30, was laid over until Wednesday, May 1, retaining its place on the calendar.

Third Reading--Final Passage of Bills: **SB02-176**.

General Orders--Second Reading of Bills: **HB02-1338, SB02-042, HB02-1339, SB02-200, HB02-1407, SB02-213, HB02-1404**.

Consideration of Resolutions: **HJR02-1003, SJR02-004, SJR02-006, HJR02-1015, HJR02-1021, SJR02-013, HJR02-1027, SR02-009, HJR02-1035, SJR02-023, SJR02-025, SJR02-026, SR02-010, SJR02-035, SR02-014, SJR02-036, SJR02-037, SJR02-040, HJR02-1038, HJR02-1049, HJR02-1054**.

Consideration of Memorials: **SJM02-002**.

Consideration of House Amendments to Senate Bills: **SB02-141, SB02-136, SB02-161, SB02-018, SB02-087, SB02-086, SB02-071, SB02-057, SB02-078, SB02-109, SB02-196, SB02-097, SB02-019**.

Consideration of Governor's Veto: **SB02-108**.

Consideration of Governor's Appointments:

Examining Board of Plumbers

State Housing Board

Advisory Committee on Governmental Accounting

Medical Services Board

State Board of Nursing

Consideration of Conference Committee Reports: **HB02-1131, HB02-1061, SB02-124, SB02-099**.

---

Journal Correction:

Insert the following: Page 973, Line 53.

### INTRODUCTION OF BILLS--FIRST READING

The following bill was read by title and referred to the committee indicated:

**SB02-225** by Senator(s) Thiebaut--Concerning a prohibition on the acceptance of certain items by public officials in elective office in connection with their public service.  
Public Policy and Planning

On motion of Senator Thiebaut, the Senate adjourned until 9:00 a.m., Wednesday, May 1, 2002.

Approved:

Stan Matsunaka  
President of the Senate

Attest:

Karen Goldman  
Secretary of the Senate

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15