

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

Ninety-second Legislative Day

Wednesday, April 10, 2002

1 Prayer by Pastor Brad Strait, South Fellowship, Littleton.

2

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

4

5 The roll was called with the following result:

6

7 Present--64.

8

9 Excused for Legislative Business--Representative Boyd--1.

10

11 The Speaker declared a quorum present.

12

13 On motion of Representative Hodge, the reading of the journal of April 9,  
14 2002, was declared dispensed with and approved as corrected by the  
15 Chief Clerk.

16

17

18

**CONSIDERATION OF RESOLUTIONS**

19

20 **HJR02-1045** by Representative Harvey; also Senator Evans--  
21 Concerning honoring the 2001 ThunderRidge High School  
22 football team for winning the State 4A Championship.

23

24 (Printed and placed in member's file; also printed in House Journal,  
25 April 9, pages 1226-1227.)

26

27 On motion of Representative Harvey, the resolution was read at length  
28 and **adopted** by **viva voce** vote.

29

30 Co-sponsors added: Roll call of the House.

31

32 **HJR02-1046** by Representative Harvey; also Senator Evans--  
33 Concerning honoring the ThunderRidge High School boys  
34 basketball team for winning the 2002 state 5A  
35 championship.

36

37 (Printed and placed in member's file; also printed in House Journal,  
38 April 9, pages 1227-1228.)

39

40 On motion of Representative Harvey, the resolution was read at length  
41 and **adopted** by **viva voce** vote.

42

43 Co-sponsors added: Roll call of the House.

1 **HJR02-1047** by Representative Harvey; also Senator Evans--  
 2 Concerning honoring the ThunderRidge High School boys  
 3 golf team for winning the 2001 state 5A championship  
 4

5 (Printed and placed in member's file; also printed in House Journal,  
 6 April 9, pages 1228-1229.)  
 7

8 On motion of Representative Harvey, the resolution was read at length  
 9 and **adopted** by **viva voce** vote.

10  
 11 Co-sponsors added: Roll call of the House.  
 12

13 \_\_\_\_\_  
 14 House in recess. House reconvened.  
 15 \_\_\_\_\_  
 16

17  
 18 **HJR02-1044** by Representative(s) Romanoff, Borodkin, Grossman,  
 19 Plant, Saliman, Alexander, Bacon, Berry, Boyd, Chavez,  
 20 Clapp, Cloer, Coleman, Crane, Daniel, Dean, Decker,  
 21 Fairbank, Fritz, Garcia, Groff, Harvey, Hefley, Hodge,  
 22 Hoppe, Jahn, Jameson, Johnson, Kester, King, Larson,  
 23 Lawrence, Lee, Mace, Madden, Marshall, Miller,  
 24 Mitchell, Paschall, Ragsdale, Rhodes, Rippy, Sanchez,  
 25 Schultheis, Sinclair, Smith, Snook, Spence, Spradley,  
 26 Stafford, Stengel, Swenson, Tapia, Tochtrop, Veiga, Vigil,  
 27 Webster, Weddig, White, Williams S., Williams T.,  
 28 Witwer; also Senator(s) Gordon--Concerning the  
 29 proclamation of "Holocaust Days of Remembrance".  
 30

31 (Printed and placed in member's file; also printed in House Journal,  
 32 April 9, pages 1225-1226.)  
 33

34 On motion of Representative Romanoff, the resolution was **adopted** by  
 35 **viva voce** vote.  
 36

37 Co-sponsors added: Representatives Cadman, Scott, Young.  
 38

39 \_\_\_\_\_  
 40 House in recess. House reconvened.  
 41 \_\_\_\_\_  
 42

## 43 **REPORTS OF COMMITTEE OF REFERENCE**

### 44 **BUSINESS AFFAIRS & LABOR**

45  
 46 After consideration on the merits, the Committee recommends the  
 47 following:  
 48

49  
 50 **HB02-1398** be amended as follows, and as so amended, be referred to  
 51 the Committee of the Whole with favorable  
 52 recommendation:  
 53

54 Amend printed bill, page 2, line 7, strike "RESIDENTIAL";  
 55  
 56 line 14, strike "an A RESIDENTIAL" and substitute "an".

1 Page 3, line 27, strike "**residential**".  
 2  
 3 Page 4, line 2, strike "residential" and substitute "**residential**";  
 4  
 5 line 3, strike "a residential" and substitute "~~a residential~~ AN";  
 6  
 7 line 12, strike "**residential**";  
 8  
 9 line 17, strike "RESIDENTIAL";  
 10  
 11 line 25, strike "RESIDENTIAL";  
 12  
 13 line 27, strike "RESIDENTIAL".  
 14  
 15 Page 5, line 3, strike "RESIDENTIAL";  
 16  
 17 line 6, strike "REASONABLE" and substitute "IF THE COURT DETERMINES  
 18 THAT THE CLAIMANT IS A PREVAILING PARTY, REASONABLE";  
 19  
 20 line 15, strike "RESIDENTIAL";  
 21  
 22 line 20, strike "RESIDENTIAL";  
 23  
 24 after line 21, insert the following:  
 25  
 26       "(2) NOTHING IN THIS SECTION SHALL PROHIBIT THE RECOVERY OF  
 27 ECONOMIC OR NONECONOMIC DAMAGES FOR BODILY INJURY OR  
 28 WRONGFUL DEATH CAUSED BY A CONSTRUCTION DEFECT."  
 29  
 30 line 27, strike "A RESIDENTIAL" and substitute "AN".  
 31  
 32 Page 6, line 14, strike "A RESIDENTIAL" and substitute "AN".  
 33  
 34  
 35

36 **HB02-1401** be referred to the Committee of the Whole with favorable  
 37 recommendation.  
 38  
 39

40 **HCR02-1003** be referred to the Committee of the Whole with favorable  
 41 recommendation.  
 42

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#### 45 PRINTING REPORT

46  
 47 The Chief Clerk reports the following bills have been correctly printed:  
 48 **HB02-1441, 1442, 1443, 1444, 1445, 1446.**  
 49

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#### 52 SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

53  
 54 The Speaker has signed: **SB02-004, 011, 013, 021, 036, 038, 146, 165,**  
 55 **166.**  
 56

---

**MESSAGE FROM THE SENATE**

1  
2 Mr. Speaker:

3  
4 The Senate has adopted and transmits herewith: SJM02-001.

5  
6 The Senate has adopted and transmits herewith: SJR02-028, 029, 018.

7  
8 The Senate has adopted and returns herewith: HJR02-1045, 1046, 1047.  
9

---

**INTRODUCTION OF RESOLUTION**

10  
11  
12  
13  
14  
15 The following resolution was read by title and referred to the committee  
16 indicated:

17  
18 **HJR02-1048** by Representative(s) Boyd, Garcia; also Senator(s)  
19 Chlouber--Concerning creation of an interim committee  
20 to study the problem of rising motor vehicle crime in  
21 Colorado.

22 Committee on Transportation & Energy  
23

24 WHEREAS, Motor vehicle thefts in Colorado increased an  
25 alarming 15.9% in 2000 and at least 12% in 2001; and  
26

27 WHEREAS, The percentage of vehicles stolen and not recovered  
28 is rapidly growing. In addition, the percentage of stolen vehicles stripped  
29 for parts is increasing. The average value of a stolen motor vehicle in the  
30 year 2000, according to the National Insurance Crime Bureau, was  
31 \$6,682. For Colorado, this loss calculates to \$113,333,402 for the year  
32 2000. For 2001 in Colorado, this loss is estimated to be \$134 million.  
33 Even stolen vehicles that are recovered generally sustain at least \$2,000  
34 in damage and property theft, which does not include lost time, wages,  
35 and peace of mind for each person victimized; and  
36

37 WHEREAS, Motor vehicle theft problems are becoming  
38 increasingly costly and commercialized. Motor vehicle theft and fraud  
39 operations are multi-million dollar criminal enterprises in Colorado.  
40 These crimes are being perpetrated by a variety of local, national, and  
41 international groups operating in Colorado with impunity. The frequency  
42 of these crimes has been growing in the past several years and these thefts  
43 and frauds cost the average family in Colorado \$1,507.46, which is about  
44 \$500 more than the national average according to the Rocky Mountain  
45 Insurance Information Association; and  
46

47 WHEREAS, Criminal behavior of all kinds is facilitated by motor  
48 vehicle thefts. Daily reports of shootings, robberies, sexual assaults,  
49 burglaries, thefts, escapes, runaways, gang violence, hit and run traffic  
50 accidents, and insurance fraud of all types frequently involve the use of  
51 stolen or reportedly stolen vehicles. Specifically, methamphetamine drug  
52 use and trafficking, a major health and safety issue in Colorado, is an  
53 inextricable part of the motor vehicle theft problem in Colorado; and  
54

55 WHEREAS, The perpetrators of these crimes do not recognize the  
56 jurisdictional boundaries of our state, cities, and counties, thereby

1 creating a need for a multi-jurisdictional approach to address the issues  
2 surrounding motor vehicle theft and fraud; and  
3

4 WHEREAS, Motor vehicle theft and fraud crimes involve issues  
5 that other legislative initiatives currently address regarding transportation  
6 and consumer protection. A coordinated approach creating interrelated  
7 strategies is necessary so that a solution to one issue does not create a  
8 problem in another sector. As an example of such an integrated  
9 approach, the development of a reliable system within the Department of  
10 Revenue, Motor Vehicle Division, regarding the marking of vehicle titles  
11 so that vehicles deemed unsalvageable are not given "clear" titles, could  
12 stop the reintroduction of salvage vehicles into the marketplace thus  
13 reducing the victimization of citizens, automobile dealers, and insurance  
14 companies; and  
15

16 WHEREAS, Motor vehicle theft and fraud is a component and an  
17 instrumentality of most other property crimes and crimes of violence. It  
18 is a choke point, which, if sufficiently addressed, will not only reduce the  
19 number of stolen vehicles and frauds committed in Colorado, but will  
20 have the positive effect of reducing other crime as well; now, therefore,  
21

22 *Be It Resolved by the House of Representatives of the Sixty-third*  
23 *General Assembly of the State of Colorado, the Senate concurring*  
24 *herein:*  
25

26 (1) That there is hereby created a legislative committee,  
27 hereinafter referred to as the "committee", which shall meet in the interim  
28 after the 2002 regular session of the Sixty-third General Assembly to  
29 study the motor vehicle theft statutes, the motor vehicle procedures, and  
30 the viability of a multi-agency, coordinated, strategic law enforcement  
31 response to motor vehicle theft and fraud.  
32

33 (2) (a) That the committee shall consist of twelve members as  
34 follows:  
35

36 (I) The chair of the House Criminal Justice committee, or her  
37 designee, the chair of the House Civil Justice committee, or his designee,  
38 and the chair of the Senate Judiciary committee, or his designee; and  
39

40 (II) Four members of the House of Representatives appointed by  
41 the Speaker of the House of Representatives and chosen from among the  
42 members of the Criminal Justice committee and the Civil Justice and  
43 Judiciary committee; and  
44

45 (III) Five members of the Senate appointed by the President of the  
46 Senate and chosen from among the members of the Judiciary committee.  
47

48 (b) No more than four members from the House of  
49 Representatives shall be from the same political party. No more than four  
50 members from the Senate shall be from the same political party.  
51

52 (3) That the committee shall have, at a minimum, the following  
53 duties, which it shall perform with the goal of reducing the incidents of  
54 motor vehicle theft and fraud in Colorado:  
55

1 (a) To identify areas in the statutes to strengthen Colorado's motor  
2 vehicle theft and fraud laws; and

3  
4 (b) To identify new and innovative motor vehicle procedures that  
5 may reduce motor vehicle theft and fraud; and

6  
7 (c) To investigate the viability of a multi-agency, coordinated,  
8 strategic law enforcement response to motor vehicle theft and fraud; and

9  
10 (d) To make recommendations to the General Assembly regarding  
11 mechanisms, procedures, and language necessary to strengthen  
12 Colorado's motor vehicle theft and fraud laws; and

13  
14 (e) To consider and recommend, if appropriate, the creation of a  
15 multi-agency response team to investigate and reduce motor vehicle theft  
16 and fraud; and

17  
18 (f) To recommend continuation of the committee to further study  
19 these issues, if appropriate.

20  
21 (4) That the committee shall meet no more than six times  
22 beginning in June, 2002, during the 2002 interim. The committee may  
23 form subcommittees to accomplish its goals and may invite additional  
24 members of the community to participate in such subcommittees. Each  
25 meeting of the committee shall include an opportunity for public  
26 comment on items related to the committee's agenda.

27  
28 (5) That the legislative members of the committee shall be  
29 compensated as provided in section 2-2-307, Colorado Revised Statutes,  
30 for attendance at meetings of the committee.

31  
32 (6) That the Legislative Council staff and the Office of Legislative  
33 Legal Services staff shall be available to assist the committee in carrying  
34 out its duties.

35  
36 (7) That all expenditures incurred while conducting this study  
37 shall be approved by the chair of the Legislative Council and paid by  
38 vouchers and warrants drawn as provided by law from moneys allocated  
39 to the Legislative Council for legislative studies from appropriations  
40 made by the General Assembly.

41  
42 (8) That the committee shall make a report to the General  
43 Assembly in accordance with the Joint Rules of the Senate and the House  
44 of Representatives. Such report may include recommendations for  
45 legislation, including but not limited to legislation continuing the  
46 committee, and an outline of further time and process that may be  
47 necessary to achieve the committee's study goals. Legislation  
48 recommended by the committee shall be treated as legislation  
49 recommended by any other interim committee for purposes of any  
50 introduction deadlines or bill limitations imposed by the Joint Rules of  
51 the Senate and House of Representatives.

52  
53  
54  
55

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

2  
3 The following bills were considered on Third Reading. The titles were  
4 publicly read. Reading of the bill at length was dispensed with by  
5 unanimous consent.

6  
7 **HB02-1147** by Representative(s) Cloer; also Senator(s) Hagedorn--  
8 Concerning public information requirements, and making  
9 an appropriation in connection therewith.

10  
11 Representative Lee requested permission to offer a third reading  
12 amendment.

13  
14 Pursuant to House Rule 16, Representative Mitchell moved "Shall the  
15 main question be now put?" The motion was declared **passed** by the  
16 following roll call vote:

17  
18    YES 36           NO 26           EXCUSED 3           ABSENT 0

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

37  
38  
39  
40 As shown by the following roll call vote, a majority of all members  
41 elected to the House voted in the affirmative, and Representative Lee was  
42 given permission to offer a Third Reading amendment:

43  
44    YES 36           NO 26           EXCUSED 3           ABSENT 0

45								
46	Alexander	Y	Groff	N	Marshall	N	Spence	Y
47	Bacon	N	Grossman	N	Miller	Y	Spradley	Y
48	Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y
49	Borodkin	N	Hefley	Y	Paschall	Y	Stengel	Y
50	Boyd	E	Hodge	N	Plant	N	Swenson	Y
51	Cadman	Y	Hoppe	Y	Ragsdale	N	Tapia	N
52	Chavez	N	Jahn	N	Rhodes	Y	Tochtrop	N
53	Clapp	Y	Jameson	N	Rippy	Y	Veiga	N
54	Cloer	Y	Johnson	N	Romanoff	Y	Vigil	N
55	Coleman	N	Kester	Y	Saliman	N	Webster	Y
56	Crane	Y	King	Y	Sanchez	N	Weddig	N

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

7  
8  
9  
10 **Third Reading amendment No. 1**, by Representative Lee.

11  
12 Amend engrossed bill, page 2, after line 1, insert the following:

13  
14 "SECTION 1. 18-12-105.1, Colorado Revised Statutes, is  
15 amended BY THE ADDITION OF A NEW SUBSECTION to read:

16  
17 **18-12-105.1. Permits for concealed weapons - liability - release**  
18 **of information.** (3) EXCEPT AS PROVIDED IN SECTION 24-72-304 (4.5),  
19 C.R.S., INFORMATION THAT IDENTIFIES ANY PERSON WHO RECEIVES A  
20 PERMIT PURSUANT TO THIS SECTION SHALL BE KEPT CONFIDENTIAL BY ANY  
21 CUSTODIAN, AS DEFINED IN SECTION 24-72-302 (5), C.R.S., OF ANY  
22 RECORD CONTAINING SUCH INFORMATION. FOR PURPOSES OF THIS  
23 SUBSECTION (3), "INFORMATION THAT IDENTIFIES ANY PERSON" INCLUDES,  
24 BUT IS NOT LIMITED TO, ADDRESS, TELEPHONE NUMBER, DRIVER'S LICENSE  
25 NUMBER, COLORADO IDENTIFICATION NUMBER, SOCIAL SECURITY  
26 NUMBER, PHOTOGRAPHS, FINGERPRINT CARDS, OR ANY OTHER  
27 INFORMATION THAT IDENTIFIES OR THAT COULD LEAD TO THE  
28 IDENTIFICATION OF ANY PERSON WHO IS ISSUED A PERMIT TO CARRY A  
29 CONCEALED WEAPON UNDER THIS SECTION."

30  
31 Renumber succeeding section accordingly.

32  
33 Page 3, after line 14, insert the following:

34  
35 "SECTION 3. 24-72-304, Colorado Revised Statutes, is amended  
36 BY THE ADDITION OF A NEW SUBSECTION to read:

37  
38 **24-72-304. Inspection of criminal justice records.**  
39 (4.5) (a) (I) (A) EXCEPT AS PROVIDED IN PARAGRAPH (b) OF THIS  
40 SUBSECTION (4.5), A CUSTODIAN MAY EXERCISE DISCRETION IN  
41 DETERMINING WHETHER TO DELETE INFORMATION THAT IDENTIFIES A  
42 PERSON AS HOLDING A CONCEALED WEAPON PERMIT ISSUED PURSUANT TO  
43 SECTION 18-12-105.1, C.R.S., FROM ANY CRIMINAL JUSTICE RECORD PRIOR  
44 TO THE RELEASE OF SUCH RECORD TO ANY INDIVIDUAL OR AGENCY.

45  
46 (B) FOR PURPOSES OF THIS SUBSECTION (4.5), "INFORMATION THAT  
47 IDENTIFIES A PERSON" OR "IDENTIFYING INFORMATION" INCLUDES, BUT IS  
48 NOT LIMITED TO, NAME, ADDRESS, TELEPHONE NUMBER, DRIVER'S LICENSE  
49 NUMBER, COLORADO IDENTIFICATION NUMBER, SOCIAL SECURITY  
50 NUMBER, PHOTOGRAPHS, FINGERPRINT CARDS, OR ANY OTHER  
51 INFORMATION THAT IDENTIFIES OR THAT COULD LEAD TO THE  
52 IDENTIFICATION OF ANY PERSON WHO IS ISSUED A PERMIT TO CARRY A  
53 CONCEALED WEAPON UNDER SECTION 18-12-105.1, C.R.S.

54  
55 (II) IF A CUSTODIAN, PURSUANT TO SUBPARAGRAPH (I) OF THIS  
56 PARAGRAPH (a), DECIDES TO DELETE THE IDENTIFYING INFORMATION, THEN



1 SUCH INFORMATION SHALL BE KEPT CONFIDENTIAL BY THE CUSTODIAN,  
2 AND SUCH INFORMATION SHALL NOT BE OPEN FOR INSPECTION UNDER THIS  
3 PART 3.

4  
5 (III) IF A CUSTODIAN, PURSUANT TO SUBPARAGRAPH (I) OF THIS  
6 PARAGRAPH (a), DECIDES NOT TO DELETE THE IDENTIFYING INFORMATION  
7 FROM A CRIMINAL JUSTICE RECORD PRIOR TO THE RELEASE OF SUCH  
8 RECORD, THE CUSTODIAN SHALL SEND WRITTEN NOTICE OF THE DECISION  
9 TO THE PERSON HOLDING THE CONCEALED WEAPON PERMIT. SUCH NOTICE  
10 SHALL BE EFFECTIVE UPON MAILING BY REGISTERED MAIL OR UPON  
11 PERSONAL SERVICE. EXCEPT IN THE CASE WHERE A CONCEALED WEAPON  
12 PERMIT HAS BEEN REVOKED, NO CUSTODIAN MAY RELEASE A CRIMINAL  
13 JUSTICE RECORD CONTAINING INFORMATION THAT IDENTIFIES A  
14 CONCEALED WEAPON PERMIT HOLDER UNTIL AFTER TEN DAYS FOLLOWING  
15 THE EFFECTIVE DATE OF THE NOTICE.

16  
17 (IV) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE  
18 CONTRARY, IN THE CASE WHERE A CONCEALED WEAPON PERMIT HAS BEEN  
19 REVOKED:

20  
21 (A) THE CUSTODIAN MAY NOT DELETE THE IDENTIFYING  
22 INFORMATION;

23  
24 (B) THE CUSTODIAN SHALL MAKE THE IDENTIFYING INFORMATION  
25 OPEN FOR INSPECTION; AND

26  
27 (C) THE CUSTODIAN SHALL NOT BE REQUIRED TO SEND NOTICE TO  
28 THE PERSON WHO PREVIOUSLY HELD THE CONCEALED WEAPON PERMIT  
29 CONCERNING THE INSPECTION OR RELEASE OF THE IDENTIFYING  
30 INFORMATION.

31  
32 (b) A CUSTODIAN MAY NOT DELETE INFORMATION THAT IDENTIFIES  
33 A PERSON AS HOLDING A CONCEALED WEAPON PERMIT ISSUED PURSUANT  
34 TO SECTION 18-12-105.1, C.R.S., FROM ANY CRIMINAL JUSTICE RECORD  
35 PRIOR TO THE RELEASE OF SUCH RECORD IF:

36  
37 (I) THE RECORD IS RELEASED TO A CRIMINAL JUSTICE AGENCY; OR

38  
39 (II) THE PERSON IDENTIFIED AS A CONCEALED WEAPON PERMIT  
40 HOLDER IN THE RECORD IS CONVICTED OF A CRIME INVOLVING THE  
41 ILLEGAL USE OF A FIREARM, AS DEFINED IN SECTION 18-1-901 (3) (h),  
42 C.R.S."

43  
44 Renumber succeeding sections accordingly.

45  
46  
47 The amendment was declared **passed** by the following roll call vote:

48  
49 YES 38            NO 24            EXCUSED 3            ABSENT 0

51 Alexander	Y	Groff	N	Marshall	N	Spence	Y
52 Bacon	N	Grossman	N	Miller	Y	Spradley	Y
53 Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y
54 Borodkin	N	Hefley	Y	Paschall	Y	Stengel	Y
55 Boyd	E	Hodge	N	Plant	N	Swenson	Y
56 Cadman	Y	Hoppe	Y	Ragsdale	N	Tapia	N

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

12  
13  
14 The question being, "Shall the bill, as amended, pass?".  
15 A roll call vote was taken. As shown by the following recorded vote, a  
16 majority of those elected to the House voted in the affirmative, and the  
17 bill, as amended, was declared **passed**.

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

38  
39 Co-sponsors added: Representatives Crane, Decker, Fairbank, Harvey, Hefley,  
40 Lee, Mitchell, Paschall, Rhodes, Spence.

41  
42  
43 **HB02-1265** by Representative(s) White; also Senator(s) Matsunaka--  
44 Concerning clarification of the property tax status of  
45 certain residential real property.

46  
47 The question being "Shall the bill pass?".  
48 A roll call vote was taken. As shown by the following recorded vote, a  
49 majority of those elected to the House voted in the affirmative and the bill  
50 was declared **passed**.

52	YES	46	NO	16	EXCUSED	3	ABSENT	0
54	Alexander	Y	Groff	N	Marshall	N	Spence	Y
55	Bacon	N	Grossman	Y	Miller	Y	Spradley	Y
56	Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y

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

15  
16 Co-sponsors added: Representatives Alexander, Cadman, Crane, Fairbank,  
17 Harvey, Jahn, Jameson, Miller, Paschall, Rhodes, Rippy, Scott, Spradley,  
18 Williams T., Mr. Speaker.

19  
20  
21  
22 On motion of Representative Cadman, the House resolved itself into  
23 Committee of the Whole for consideration of General Orders, and he was  
24 called to the Chair to act as Chairman.

25  
26  
27  
28 **GENERAL ORDERS--SECOND READING OF BILLS**

29  
30 The Committee of the Whole having risen, the Chairman reported the  
31 titles of the following bills had been read (reading at length had been  
32 dispensed with by unanimous consent), the bills considered and action  
33 taken thereon as follows:

34  
35 (Amendments to the committee amendment are to the printed committee  
36 report which was printed and placed in the members' bill file.)

37  
38 **HB02-1259** by Representative(s) Marshall; also Senator Tate--Con-  
39 cerning protection of consumers' home ownership equity.

40  
41 Amendment No. 1, Information & Technology Report, dated March 25,  
42 2002, and placed in member's bill file; Report also printed in House  
43 Journal, March 26, pages 1024-1026.

44  
45 Amendment No. 2, by Representative Marshall.

46  
47 Amend the Information & Technology Committee Report, dated March  
48 25, 2002, page 3, strike lines 27 through 31 and substitute the following:

49  
50 "Page 17, line 8, strike "THE FINANCIAL OR";

51  
52 strike lines 9 through 27 and substitute the following:

53  
54 "LENDING ACTIVITIES."."

55

1 Page 4 of the committee report, strike line 1;

2

3 line 2, before "line", insert "Page 18,".

4

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

7

8

9 **HB02-1029** by Representative(s) Romanoff, Clapp, Mace, Stafford;  
10 also Senator(s) Hanna, Hernandez--Concerning expansion  
11 of the program of all-inclusive care for the elderly.

12

13 Amendment No. 1, Health, Environment, Welfare, & Institutions Report,  
14 dated January 28, 2002, and placed in member's bill file; Report also  
15 printed in House Journal, January 29, page 214.

16

17 Amendment No. 2, Appropriations Report, dated April 3, 2002, and  
18 placed in member's bill file; Report also printed in House Journal,  
19 April 4, page 1136.

20

21 Amendment No. 3, by Representatives Romanoff, Lawrence.

22

23 Amend printed bill, page 8, line 17, strike "IN";

24

25 line 18, strike "COOPERATION WITH THE CURRENT PACE PROVIDER".

26

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

29

30

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

34

35 Amendment No. 1, Appropriations Report, dated April 3, 2002, and  
36 placed in member's bill file; Report also printed in House Journal,  
37 April 4, pages 1138-1139.

38

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

41

42

43 **HB02-1241** by Representative(s) Weddig; also Senator(s) Teck--  
44 Concerning loans by the department of the treasury to  
45 taxpayers as part of the homestead property tax deferral  
46 program.

47

48 Amendment No. 1, Appropriations Report, dated April 3, 2002, and  
49 placed in member's bill file; Report also printed in House Journal,  
50 April 4, pages 1139-1140.

51

52 Amendment No. 2, by Representative Young.

53

54 Amend the Appropriations Committee Report, dated April 3, 2002, page  
55 1, strike line 1;

56

1 line 2, strike "Page" and substitute "Amend printed bill, page";  
2  
3 strike lines 3 through 9;  
4  
5 line 10, strike "**SECTION 9.**" and substitute "**SECTION 8.**";  
6  
7 strike line 17.  
8  
9 Page 2, line 1, strike "section" and substitute "sections".  
10  
11 As amended, ordered engrossed and placed on the Calendar for Third  
12 Reading and Final Passage.  
13  
14  
15 **HB02-1281** by Representative(s) Saliman--Concerning the creation of  
16 the Colorado traumatic brain injury board, and, in  
17 connection therewith, increasing certain motor vehicle  
18 fines to provide moneys for the Colorado traumatic brain  
19 injury trust fund.  
20  
21 Amendment No. 1, Health, Environment, Welfare, & Institutions Report,  
22 dated February 18, 2002, and placed in member's bill file; Report also  
23 printed in House Journal, February 20, pages 463-466.  
24  
25 Amendment No. 2, Appropriations Report, dated April 3, 2002, and  
26 placed in member's bill file; Report also printed in House Journal,  
27 April 4, page 1141.  
28  
29 Amendment No. 3, by Representative Saliman.  
30  
31 Amend the Health, Environment, Welfare, and Institutions Committee  
32 Report, dated February 18, 2002, page 3, strike lines 24 through 27.  
33  
34 Page 4, strike lines 1 through 6.  
35  
36 Renumber succeeding sections accordingly.  
37  
38 As amended, ordered engrossed and placed on the Calendar for Third  
39 Reading and Final Passage.  
40  
41  
42 **HB02-1292** by Representative(s) Clapp; also Senator(s) Reeves--  
43 Concerning the statewide managed care system under the  
44 "Colorado Medical Assistance Act".  
45  
46 Laid over until April 11, retaining place on Calendar.  
47  
48  
49 **HB02-1293** by Representative(s) Sanchez, Boyd, Romanoff, Tochtrop;  
50 also Senator(s) Owen--Concerning a study of the access of  
51 children to health care.  
52  
53 Laid over until April 11, retaining place on Calendar.  
54  
55

1 **HB02-1307** by Representative(s) Fairbank--Concerning elections.  
 2  
 3 Amendment No. 1, State, Veterans, & Military Affairs Report, dated  
 4 February 19, 2002, and placed in member's bill file; Report also printed  
 5 in House Journal, February 20, pages 467-469.  
 6  
 7 Amendment No. 2, Appropriations Report, dated April 3, 2002, and  
 8 placed in member's bill file; Report also printed in House Journal,  
 9 April 4, pages 1142-1143.

10  
 11 As amended, ordered engrossed and placed on the Calendar for Third  
 12 Reading and Final Passage.  
 13

14  
 15 **HB02-1412** by Representative(s) Swenson; also Senator(s) May--  
 16 Concerning the extension of a certificate of title application  
 17 fee related to the Colorado state titling and registration  
 18 system account.  
 19

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

23  
 24 On motion of Representative Spradley, the remainder of the General  
 25 Orders Calendar (**HB02-1415, 1009, 1046, 1067, 1113, 1125, 1237,**  
 26 **1283, 1295, 1297, 1298, 1301, 1303, 1363, 1396, 1405, SB02-168,**  
 27 **HB02-1027, 1112, 1266, 1276, 1402, 1417, 1317, 1015, SB02-064,**  
 28 **HB02-1309, 1242, 1044, 1247**) was laid over until April 11, retaining  
 29 place on Calendar.  
 30

31  
 32 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**  
 33

34 Passed Second Reading: **HB02-1259 amended, 1029 amended,**  
 35 **1114 amended, 1241 amended, 1281 amended, 1307 amended, 1412.**  
 36

37 Laid over until date indicated retaining place on Calendar: **HB02-1015,**  
 38 **SB02-064, HB02-1309, 1242, 1044, 1247, 1292, 1293, 1415, 1009,**  
 39 **1046, 1067, 1113, 1125, 1237, 1283, 1295, 1297, 1298, 1301, 1303,**  
 40 **1363, 1396, 1405, SB02-168, HB02-1027, 1112, 1266, 1276, 1402,**  
 41 **1417, 1317--April 11, 2002.**  
 42

43 The Chairman moved the adoption of the Committee of the Whole  
 44 Report. As shown by the following roll call vote, a majority of those  
 45 elected to the House voted in the affirmative, and the Report was  
 46 **adopted.**  
 47

48 YES 63            NO 0            EXCUSED 2            ABSENT 0  
 49

50 Alexander	Y	Groff	Y	Marshall	Y	Spence	Y
51 Bacon	Y	Grossman	Y	Miller	Y	Spradley	Y
52 Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y
53 Borodkin	Y	Hefley	Y	Paschall	Y	Stengel	Y
54 Boyd	E	Hodge	Y	Plant	Y	Swenson	Y
55 Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia	Y
56 Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	Y

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

---

### MESSAGE FROM THE SENATE

15 Mr. Speaker:

17 The Senate has passed on Third Reading and returns herewith:  
18 HB02-1348, 1254, 1342.

20 The Senate has passed on Third Reading and transmitted to the Revisor  
21 of Statutes:

23 SB02-189, amended as printed in Senate Journal, April 9, page 703;  
24 SB02-188, amended as printed in Senate Journal, April 9, page 703;  
25 HB02-1336, amended as printed in Senate Journal, April 9, page 699;  
26 HB02-1210, amended as printed in Senate Journal, April 9, page 702.

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### MESSAGE FROM THE REVISOR

31 We herewith transmit without comment, as amended, HB02-1336 and  
32 1210 and SB02-189 and 188.

---

### INTRODUCTION OF RESOLUTIONS

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

41 **HR02-1011** by Representative(s) King, Alexander, Bacon, Cadman,  
42 Cloer, Crane, Dean, Decker, Groff, Hefley, Hodge,  
43 Johnson, Larson, Lawrence, Lee, Paschall, Plant, Ragsdale,  
44 Rhodes, Rippy, Romanoff, Schultheis, Sinclair, Smith,  
45 Snook, Spence, Spradley, Stengel, Swenson, Tapia,  
46 Webster, Weddig, White, Young--Concerning recognition  
47 of the life of Kathryn Yancey LaBorie.

49 WHEREAS, Kathryn Yancey LaBorie was born in Albuquerque,  
50 New Mexico on March 14, 1957, to Gene and Flo Yancey; and

52 WHEREAS, Ms. LaBorie had two brothers, Mark and Kevin, both  
53 of Colorado Springs; and

55 WHEREAS, Ms. LaBorie graduated from Mitchell High School  
56 in 1975, and attended the University of Colorado, Colorado Springs, for

1 two years, before graduating from the University of Denver with a degree  
2 in Marketing and Business; and  
3

4 WHEREAS, After receiving her degree, Ms. LaBorie became Vice  
5 Director of Aviation at the Front Range Airport in Denver; later she  
6 moved to Tampa, Florida where she served as Director of Marketing for  
7 a cruise line; and  
8

9 WHEREAS, Wanting to fly, Ms. LaBorie attended flight attendant  
10 training for United Airlines in Chicago; and  
11

12 WHEREAS, Ms. LaBorie became a flight attendant and was  
13 assigned to and based at Logan International Airport in Boston,  
14 Massachusetts where she flew routes to Los Angeles and San Francisco;  
15 and  
16

17 WHEREAS, Ms. LaBorie married Eric LaBorie on October 21,  
18 1999; and  
19

20 WHEREAS, On September 11, 2001, Ms. LaBorie was a flight  
21 attendant on United Airlines flight 175, a Boeing 767 carrying 56  
22 passengers, two pilots, and six other flight attendants, bound for Los  
23 Angeles from Boston; and  
24

25 WHEREAS, On that fateful day, flight 175 was hijacked by  
26 terrorists and crashed into the south tower of the World Trade Center; and  
27

28 WHEREAS, Ms. LaBorie has been described as a joyful, giving,  
29 and beautiful person with a bright smile and loving presence; now,  
30 therefore,  
31

32 *Be It Resolved by the House of Representatives of the Sixty-third*  
33 *General Assembly of the State of Colorado:*  
34

35 That we, the members of the House of Representatives of the  
36 Sixty-third General Assembly, recognize the life of Kathryn Yancey  
37 LaBorie as a model to all Americans, especially here in Colorado.  
38

39 *Be It Further Resolved,* That copies of this resolution be sent to  
40 Ms. LaBorie's husband, Eric LaBorie; her parents, Gene and Flo Yancey;  
41 and her brothers, Mark Yancey and Kevin Yancey.  
42

43  
44 **SJR02-018** by Senator(s) Isgar; also Representative(s) Stafford--  
45 Concerning the twentieth anniversary of business lending  
46 by the Colorado housing and finance authority.  
47

48 **SJR02-028** by Senator(s) Entz; also Representative(s) Snook--  
49 Concerning commemoration of the one hundred fiftieth  
50 anniversary of the San Luis People's Ditch, Colorado's  
51 oldest water right.  
52

53 **SJR02-029** by Senator(s) Evans; also Representative(s) Harvey--  
54 Concerning honoring 2001-2002 champion high school  
55 sports teams of Douglas County.  
56



1 **APPOINTMENTS**

2  
3 Representative Grossman announced the following temporary changes in  
4 committee assignments:

5  
6 For April 11, Representative Veiga to replace Representative Boyd on the  
7 Committee on Civil Justice & Judiciary.

8 \_\_\_\_\_  
9  
10 **LAY OVER OF CALENDAR ITEMS**

11  
12  
13 On motion of Representative Spradley, the following items on the  
14 Calendar were laid over until April 11, retaining place on Calendar:

15  
16 Consideration of Resolutions--**SJR02-008, HJR02-1037, 1038, 1032,**  
17 **1042, 1043, HR02-1010.**

18 Consideration of Senate Amendments--**HB02-1064, 1089, 1141, 1333,**  
19 **1245, 1191, 1225, 1146, 1013, 1287, 1218, 1269, 1221, 1135, 1139.**

20 \_\_\_\_\_  
21  
22 On motion of Representative Spradley, the House adjourned until  
23 9:00 a.m., April 11, 2002.

24  
25 Approved:

26  
27  
28  
29 DOUG DEAN,  
30 Speaker

31 Attest:

32  
33 JUDITH RODRIGUE,  
34 Chief Clerk