

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

Eighty-fourth Legislative Day

Tuesday, April 2, 2002

1 Prayer by Representative Sinclair.

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--59.

8 Excused--Representatives Chavez, Cloer, Fritz, Garcia, Paschall,

9

Mr. Speaker--6.

10 Present after roll call--Representatives Chavez, Cloer, Fritz, Garcia,

11

Mr. Speaker.

12

13 The Speaker declared a quorum present.

14

15

16 On motion of Representative Jahn, the reading of the journal of April 1,
17 2002, was declared dispensed with and approved as corrected by the
18 Chief Clerk.

19

20

21

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

23

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

27

28 **SB02-128** by Senator(s) Epps; also Representative(s) Hefley--
29 Concerning the ability of youth in out-of-home placement
30 to obtain authority from the department of revenue to
31 drive.

32

33 As shown by the following roll call vote, a majority of all members
34 elected to the House voted in the affirmative, and Representative Hefley
35 was given permission to offer a Third Reading amendment:

36

37 YES 63 NO 0 EXCUSED 2 ABSENT 0

38

39 Alexander Y Groff Y Marshall Y Spence Y

40 Bacon Y Grossman Y Miller Y Spradley Y

41 Berry Y Harvey Y Mitchell Y Stafford Y

42 Borodkin Y Hefley Y Paschall E Stengel Y

43 Boyd Y Hodge Y Plant Y Swenson Y

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

13
14
15 **Third Reading amendment No. 1**, by Representative Hefley.

16
17 Amend revised bill, page 4, line 27, strike "STUDENT;" and substitute
18 "STUDENT FOR PROPERTY DAMAGE AND PERSONAL INJURY;".

19
20 The amendment was declared **passed** by the following roll call vote:

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

39
40
41
42
43 The question being, "Shall the bill, as amended, pass?".

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

47	YES	62	NO	1	EXCUSED	2	ABSENT	0
48	Alexander	Y	Groff	Y	Marshall	Y	Spence	Y
49	Bacon	Y	Grossman	Y	Miller	Y	Spradley	Y
50	Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y
51	Borodkin	Y	Hefley	Y	Paschall	E	Stengel	Y
52	Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
53	Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia	Y
54	Chavez	E	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.	N
8	Fritz	Y	Mace	Y	Smith	Y	Witwer	Y
9	Garcia	Y	Madden	Y	Snook	Y	Young	Y
10							Mr. Speaker	Y

11
12 Co-sponsors added: Representatives Alexander, Borodkin, Boyd, Coleman,
13 Jahn, Marshall, Miller, Romanoff, Stafford, Williams S.

14
15 **SB02-011** by Senator(s) Teck; also Representative(s) Larson--
16 Concerning the regulation of motor carrier safety.

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

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

22
23 YES 63 NO 0 EXCUSED 2 ABSENT 0

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

42
43 Co-sponsors added: Representatives Borodkin, Hoppe, Mace, Miller, Romanoff,
44 Smith, Stafford, Stengel, Webster, Williams S.

45
46
47 **SB02-151** by Senator(s) Takis; also Representative(s) Romanoff--
48 Concerning affordable housing projects financed through
49 the division of housing.

50
51 The question being "Shall the bill pass?".

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

55

	YES 35	NO 29	EXCUSED 1	ABSENT 0				
1	Alexander	N	Groff	Y	Marshall	Y	Spence	N
2	Bacon	Y	Grossman	Y	Miller	Y	Spradley	N
3	Berry	Y	Harvey	Y	Mitchell	N	Stafford	N
4	Borodkin	Y	Hefley	N	Paschall	E	Stengel	N
5	Boyd	Y	Hodge	Y	Plant	Y	Swenson	N
6	Cadman	N	Hoppe	N	Ragsdale	Y	Tapia	Y
7	Chavez	Y	Jahn	Y	Rhodes	N	Tochtrop	Y
8	Clapp	N	Jameson	Y	Rippy	N	Veiga	Y
9	Cloer	Y	Johnson	N	Romanoff	Y	Vigil	Y
10	Coleman	Y	Kester	Y	Saliman	Y	Webster	N
11	Crane	N	King	N	Sanchez	Y	Weddig	Y
12	Daniel	Y	Larson	Y	Schultheis	N	White	N
13	Decker	Y	Lawrence	N	Scott	N	Williams S.	Y
14	Fairbank	Y	Lee	N	Sinclair	N	Williams T.	N
15	Fritz	N	Mace	Y	Smith	Y	Witwer	N
16	Garcia	Y	Madden	Y	Snook	N	Young	N
17							Mr. Speaker	N

18
19
20 Co-sponsors added: Representatives Bacon, Borodkin, Chavez, Coleman, Groff,
21 Grossman, Hodge, Jahn, Mace, Madden, Marshall, Plant, Ragsdale, Sanchez,
22 Tapia, Tochtrop, Veiga, Vigil, Williams S.

23
24 **SB02-132** by Senator(s) Nichol; also Representative(s) Larson--
25 Concerning the reformation of the regulation of persons
26 who tow abandoned motor vehicles, and, in connection
27 therewith, recodifying the laws regulating towing
28 abandoned vehicles.

29
30 The question being "Shall the bill pass?".

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

	YES 64	NO 0	EXCUSED 1	ABSENT 0				
34	Alexander	Y	Groff	Y	Marshall	Y	Spence	Y
35	Bacon	Y	Grossman	Y	Miller	Y	Spradley	Y
36	Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y
37	Borodkin	Y	Hefley	Y	Paschall	E	Stengel	Y
38	Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
39	Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia	Y
40	Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	Y
41	Clapp	Y	Jameson	Y	Rippy	Y	Veiga	Y
42	Cloer	Y	Johnson	Y	Romanoff	Y	Vigil	Y
43	Coleman	Y	Kester	Y	Saliman	Y	Webster	Y
44	Crane	Y	King	Y	Sanchez	Y	Weddig	Y
45	Daniel	Y	Larson	Y	Schultheis	Y	White	Y
46	Decker	Y	Lawrence	Y	Scott	Y	Williams S.	Y
47	Fairbank	Y	Lee	Y	Sinclair	Y	Williams T.	Y
48	Fritz	Y	Mace	Y	Smith	Y	Witwer	Y
49	Garcia	Y	Madden	Y	Snook	Y	Young	Y
50							Mr. Speaker	Y

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52
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54
55 Co-sponsors added: Representatives Hefley, Hodge, Mace, Rippy, Stafford,
56 Webster, Weddig, Williams S.

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

5
 6 The question being "Shall the bill pass?".
 7 A roll call vote was taken. As shown by the following recorded vote, a
 8 majority of those elected to the House voted in the affirmative and the bill
 9 was declared **passed**.

10	11	YES 64	NO 0	EXCUSED 1	ABSENT 0		
12	Alexander	Y	Groff	Y	Marshall	Y	Spence Y
13	Bacon	Y	Grossman	Y	Miller	Y	Spradley Y
14	Berry	Y	Harvey	Y	Mitchell	Y	Stafford Y
15	Borodkin	Y	Hefley	Y	Paschall	E	Stengel Y
16	Boyd	Y	Hodge	Y	Plant	Y	Swenson Y
17	Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia Y
18	Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop Y
19	Clapp	Y	Jameson	Y	Rippy	Y	Veiga Y
20	Cloer	Y	Johnson	Y	Romanoff	Y	Vigil Y
21	Coleman	Y	Kester	Y	Saliman	Y	Webster Y
22	Crane	Y	King	Y	Sanchez	Y	Weddig Y
23	Daniel	Y	Larson	Y	Schultheis	Y	White Y
24	Decker	Y	Lawrence	Y	Scott	Y	Williams S. Y
25	Fairbank	Y	Lee	Y	Sinclair	Y	Williams T. Y
26	Fritz	Y	Mace	Y	Smith	Y	Witwer Y
27	Garcia	Y	Madden	Y	Snook	Y	Young Y
28							Mr. Speaker Y

29
 30 Co-sponsors added: Representatives Cloer, Coleman, Fritz, Harvey, Hefley,
 31 Lawrence, Mace, Madden, Plant, Romanoff, Sanchez, Stafford.

32 33 34 35 MESSAGE FROM THE SENATE

36 Mr. Speaker:

37
 38 The Senate has adopted and transmits herewith: SJR02-021.

39 40 41 INTRODUCTION AND CONSIDERATION OF RESOLUTION

42
 43 The following resolution was read by title and given immediate
 44 consideration:

45
 46 **SJR02-021** by Senator(s) Hernandez; also Representative(s) Mace--
 47 Concerning recognition of Cesar Chavez Day.

48
 49 On motion of Representative Spradley, the rules were suspended and the
 50 resolution given immediate consideration.

51
 52 On motion of Representative Mace, the resolution was **adopted** by **viva**
 53 **voce** vote.

54
 55 Co-sponsors added: Representatives Alexander, Bacon, Borodkin, Boyd,
 56 Cadman, Chavez, Clapp, Cloer, Coleman, Daniel, Fairbank, Fritz, Garcia, Groff,

1 Grossman, Harvey, Hefley, Hodge, Hoppe, Jahn, Jameson, Kester, Larson,
2 Lawrence, Madden, Marshall, Miller, Plant, Ragsdale, Rippy, Romanoff,
3 Sanchez, Scott, Sinclair, Smith, Snook, Stafford, Stengel, Tapia, Tochtrop,
4 Veiga, Vigil, Webster, Weddig, Williams S., Williams T., Mr. Speaker.

5
6
7
8 House in recess. House reconvened.
9

10
11
12 On motion of Representative Spradley, **HB02-1122, 1273, 1349, 1407,**
13 **1329** were made Special Orders on Tuesday, April 2, 2002, at 10:29 a.m.

14
15
16 The hour of 10:29 a.m., having arrived, on motion of Representative Lee,
17 the House resolved itself into Committee of the Whole for consideration
18 of Special Orders and he was called to the Chair to act as Chairman.

19
20
21 **SPECIAL ORDERS--SECOND READING OF BILLS**

22
23 The Committee of the Whole having risen, the Chairman reported the
24 titles of the following bills had been read (reading at length had been
25 dispensed with by unanimous consent), the bills considered and action
26 taken thereon as follows:

27
28 (Amendments to the committee amendment are to the printed committee
29 report which was printed and placed in the members' bill file.)

30
31 **HB02-1122** by Representative(s) King, Groff; also Senator(s) Pascoe,
32 Evans--Concerning measurement of the academic growth
33 of public school students, and making an appropriation
34 therefor.

35
36 Amendment No. 1, Education Report, dated February 4, 2002, and placed
37 in member's bill file; Report also printed in House Journal, February 5,
38 pages 306-309.

39
40 Amendment No. 2, Appropriations Report, dated March 26, 2002, and
41 placed in member's bill file; Report also printed in House Journal,
42 March 27, page 1041.

43
44 As amended, ordered engrossed and placed on the Calendar for Third
45 Reading and Final Passage.

46
47 **HB02-1273** by Representative(s) King--Concerning the financing of
48 charter school facilities.

49
50 Amendment No. 1, Education Report, dated February 20, 2002, and
51 placed in member's bill file; Report also printed in House Journal,
52 February 21, pages 475-478.

53
54 Amendment No. 2, Appropriations Report, dated March 22, 2002, and
55 placed in member's bill file; Report also printed in House Journal,
56 March 27, page 1043.

1 Amendment No. 3, by Representative Groff.

2

3 Amend the Education Committee Report, dated February 20, 2002, page
4 4, strike lines 26 and 27.

5

6 Strike pages 5 and 6.

7

8 Amendment No. 4, by Representative Plant.

9

10 Amend printed bill, page 10, line 20, before "AGREES", insert "THE
11 CHARTER SCHOOL".

12

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

15 (For change in action, see Amendments to Report.)

16

17 **HB02-1349** by Representative(s) King; also Senator(s) Thiebaut--
18 Concerning the financing of public schools, and making an
19 appropriation therefor.

20

21 Laid over until 1:30 p.m., retaining place on Calendar.

22

23 On motion of Representative Spradley, the remainder of the Special
24 Orders Calendar (**HB02-1407, 1329**) was laid over until 1:30 p.m.,
25 retaining place on Calendar.

26

27

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

29

30 Representative King moved to amend the Report of the Committee of the
31 Whole to show that Amendment No. 3, by Representative Groff (printed
32 in House Journal, page 1089, lines 1-6), to HB02-1273, did not pass, and
33 that **HB02-1273, as amended**, did pass.

34

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

36

37 YES 34 NO 29 EXCUSED 2 ABSENT 0

38

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

56

1 Representative Plant moved to amend the Report of the Committee of the
 2 Whole to show that the following Plant amendment, to HB02-1273, did
 3 pass, and that **HB02-1273, as amended**, did pass.

4
 5 Amend printed bill, page 18, line 22, strike "THE STATE EDUCATION FUND"
 6 and substitute "MONEYS APPROPRIATED FROM THE STATE EDUCATION FUND
 7 TO THE DEPARTMENT OF EDUCATION FOR THE 2002-03 BUDGET YEAR IN
 8 ACCORDANCE WITH SECTION 22-54-124 (4)".

9
 10 The amendment was declared **lost** by the following roll call vote:

	YES 26	NO 37	EXCUSED 2	ABSENT 0				
14	Alexander	N	Groff	Y	Marshall	Y	Spence	N
15	Bacon	Y	Grossman	Y	Miller	Y	Spradley	N
16	Berry	N	Harvey	N	Mitchell	N	Stafford	N
17	Borodkin	Y	Hefley	N	Paschall	E	Stengel	N
18	Boyd	Y	Hodge	Y	Plant	Y	Swenson	N
19	Cadman	N	Hoppe	N	Ragsdale	Y	Tapia	Y
20	Chavez	Y	Jahn	Y	Rhodes	N	Tochtrop	Y
21	Clapp	N	Jameson	Y	Rippy	N	Veiga	Y
22	Cloer	N	Johnson	N	Romanoff	Y	Vigil	Y
23	Coleman	Y	Kester	N	Saliman	Y	Webster	N
24	Crane	N	King	N	Sanchez	Y	Weddig	Y
25	Daniel	Y	Larson	N	Schultheis	N	White	N
26	Decker	N	Lawrence	N	Scott	N	Williams S.	Y
27	Fairbank	N	Lee	N	Sinclair	N	Williams T.	N
28	Fritz	N	Mace	Y	Smith	N	Witwer	N
29	Garcia	Y	Madden	E	Snook	N	Young	N
30							Mr. Speaker	N

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

37 Passed Second Reading: **HB02-1122 amended, 1273 amended.**

39 Laid over until date indicated retaining place on Calendar: **HB02-1349,**
 40 **1407, 1329--1:30 p.m., April 2, 2002.**

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

	YES 51	NO 12	EXCUSED 2	ABSENT 0				
49	Alexander	Y	Groff	N	Marshall	N	Spence	Y
50	Bacon	Y	Grossman	N	Miller	Y	Spradley	Y
51	Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y
52	Borodkin	N	Hefley	Y	Paschall	E	Stengel	Y
53	Boyd	Y	Hodge	N	Plant	Y	Swenson	Y
54	Cadman	Y	Hoppe	Y	Ragsdale	N	Tapia	Y
55	Chavez	Y	Jahn	N	Rhodes	Y	Tochtrop	Y
56	Clapp	Y	Jameson	Y	Rippy	Y	Veiga	N

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

10

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House in recess. House reconvened.

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SPECIAL ORDERS--SECOND READING OF BILLS

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On motion of Representative Lee, the House resolved itself into Committee of the Whole for consideration of Special Orders and he was called to the Chair to act as Chairman.

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

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

HB02-1349 by Representative(s) King; also Senator(s) Thiebaut-- Concerning the financing of public schools, and making an appropriation therefor.

Amendment No. 1, Education Report, dated February 25, 2002, and placed in member's bill file; Report also printed in House Journal, February 27, pages 592-621.

Amendment No. 2, Appropriations Report, dated March 26, 2002, and placed in member's bill file; Report also printed in House Journal, March 27, pages 1045-1049.

Amendment No. 3, by Representatives Berry, Lawrence, White, Spradley, Rippy, Smith, King.

Amend the House Appropriations Committee Report, dated March 26, 2002, page 2, strike lines 8 through 10 and substitute the following:

"GREATER OF:

(I) THE DISTRICT'S TOTAL PROGRAM MULTIPLIED BY AN AMOUNT EQUAL TO THE ADJUSTED TOTAL PROGRAM OF ALL DISTRICTS DIVIDED BY THE SUM OF THE TOTAL PROGRAM OF ALL DISTRICTS; OR

1 (II) AN AMOUNT EQUAL TO \$5,391 MULTIPLIED BY THE DISTRICT'S
2 FUNDED PUPIL COUNT."

3
4 Page 7 of the Committee Report, strike lines 7 and 8 and substitute the
5 following:

6
7 "total program funding, is decreased by thirteen million three hundred
8 forty-six thousand three hundred sixty dollars (\$13,346,360), or".

9
10 Amendment No. 4, by Representative King.

11
12 Amend the Appropriations Committee Report, dated March 26, 2002,
13 page 2, strike line 27 and substitute the following:

14
15 "Page 4 of the education committee report, line 6, strike "(b) (I)" and
16 substitute "(2) (b) (I)";

17
18 strike line 23 and substitute the".

19
20 Page 5 of the appropriations committee report, strike line 3 and substitute
21 the following:

22
23 ""Page 35 of the printed bill, line 1, strike "(VI)" and substitute "(IV)";";

24
25 strike line 5 of the appropriations committee report and substitute the
26 following:

27
28 "line 15, strike "(III)" and substitute "(II)".";

29
30 strike line 17 of the education committee report and substitute the
31 following: "REQUIRED TO PAY RENT DURING THE NEXT BUDGET YEAR,";

32
33 line 21 of the printed bill, strike "ENROLED" and substitute
34 "ENROLLED".".

35
36 Amendment No. 5, by Representative Young

37
38 Amend the Appropriations Committee Report, dated March 26, 2002,
39 page 5, strike line 28 and substitute the following:

40
41 "NEW SCHOOL FACILITIES TO REPLACE THE EXISTING SCHOOL FACILITIES.

42
43 **SECTION 45.** 22-43.7-105 (1) and (6), Colorado Revised
44 Statutes, are amended to read:

45
46 **22-43.7-105. Financial assistance application requirements -**
47 **evaluation criteria - oversight board - duties.** (1) Applications for
48 financial assistance for capital construction projects shall be submitted to
49 the state board no later than July 1 of each year for the following fiscal
50 year COMMENCING ON THAT JULY 1. Individual schools may apply for
51 matching grants through the school district in which the schools are
52 located and the school district may, in turn, apply to the state board for
53 such grants pursuant to this section.

54
55 (6) From the applications submitted for financial assistance for the
56 next fiscal year COMMENCING ON THE DEADLINE FOR SUBMITTING SUCH

1 APPLICATIONS, the state board shall prepare a prioritized list of eligible
2 capital construction projects. The state board shall then determine the
3 type and amount of financial assistance to be provided for each eligible
4 capital construction project based upon information provided by the
5 school district in the application. The state board shall submit a list of
6 school districts recommended to receive matching grants for capital
7 construction projects, along with the amount of each grant and the
8 amount of the school district match, to the capital development committee
9 of the general assembly no later than October 1 of ~~each calendar~~ THE
10 FISCAL year FOR WHICH FINANCIAL ASSISTANCE IS BEING SOUGHT. Said list
11 shall also be submitted to the education committees of the senate and the
12 house of representatives, the governor, the president of the senate, and the
13 speaker of the house of representatives. The capital development
14 committee shall determine the number of capital construction projects on
15 the list that may receive matching grants from moneys available in the
16 construction and renovation fund. Only capital construction projects on
17 the prioritized list may receive matching grants from the construction and
18 renovation fund, and the capital construction projects shall be funded in
19 the priority determined by the state board. The capital development
20 committee shall submit the list of projects to receive matching funds to
21 the joint budget committee NO LATER THAN JANUARY 1 OF THE FISCAL
22 YEAR FOR WHICH FINANCIAL ASSISTANCE IS BEING SOUGHT for the purpose
23 of ~~making the appropriation in~~ AMENDING the general appropriation bill
24 to the department of education from the construction and renovation fund
25 for the next MAKE APPROPRIATIONS FOR THE CAPITAL CONSTRUCTION
26 PROJECTS THAT WILL RECEIVE MATCHING GRANTS FROM THE
27 CONSTRUCTION AND RENOVATION FUND FOR THAT fiscal year. The joint
28 budget committee may increase the appropriation, and the number of
29 projects to be funded, if additional moneys are made available from
30 moneys transferred from the school capital construction expenditures
31 reserve in accordance with section 22-54-117 (6) (b). A prioritized list
32 showing school districts that will be loaned money from the permanent
33 school fund, along with the amount of each loan, shall be provided to the
34 governor, the president of the senate, the speaker of the house of
35 representatives, and the joint budget committee.".";"

36

37 Amendment No. 6, by Representatives Berry and King.

38

39 Amend the Education Committee Report, dated February 25, 2002, page
40 29, line 28, strike "SCHOOL." and substitute "SCHOOL; EXCEPT THAT THE
41 TERM DOES NOT INCLUDE A CHARTER SCHOOL THAT OPERATES, OR THAT
42 WILL OPERATE IN THE NEXT BUDGET YEAR, WITHIN A FACILITY THAT IS
43 LISTED ON THE STATE INVENTORY OF REAL PROPERTY AND IMPROVEMENTS
44 AND OTHER CAPITAL ASSETS MAINTAINED BY THE DEPARTMENT OF
45 PERSONNEL PURSUANT TO SECTION 24-30-1303.5, C.R.S."

46

47 Amendment No. 7, by Representative King.

48

49 Amend the Education Committee Report, dated February 25, 2002, page
50 6, strike line 10 and substitute the following:

51

52 "students.";

53

54 line 26 of the printed bill, strike "(3) (a)".

55

1 Page 8 of the education committee report, line 24, strike "ARTICLE 30.5
2 OF" and substitute "THIS ARTICLE".

3

4 Page 9 of the education committee report, line 1, strike "THIS TITLE,".

5

6 Amendment No. 8, by Representative King.

7

8 Amend the Education Committee Report, dated February 25, 2002, page
9 30, line 10, strike "THIS SUBSECTION (3)" and substitute "SUBPARAGRAPH
10 (I) OF THIS PARAGRAPH (a) OR THIS SUB-SUBPARAGRAPH (A), WHICHEVER
11 IS APPLICABLE,";

12

13 line 16, after "DISTRICTS", insert "PURSUANT TO THIS SUB-SUBPARAGRAPH
14 (A)".

15

16 Amendment No. 9, by Representatives White, Daniel, Stengel.

17

18 Amend the Education Committee Report, dated February 25, 2002, page
19 7, strike lines 25 through 28 and substitute the following:

20

21 "strike lines 17 through 27 and substitute the following:

22

23 **"-repeal.** (5) ANY TERM INCLUDED IN A CHARTER CONTRACT THAT
24 WOULD".

25

26 Page 8 of the committee report, strike lines 3 through 15 and substitute
27 the following:

28

29 "UNENFORCEABLE.".

30

31 Strike pages 43 and 44.

32

33 Page 45, strike lines 1 through 11 and substitute the following:".

34

35 Amendment No. 10, by Representative Plant.

36

37 Amend the Education Committee Report, dated February 25, 2002, page
38 14, line 1, before "AGREES", insert "THE CHARTER SCHOOL".

39

40 Amendment No. 11, by Representative White.

41

42 Amend printed bill, page 11, strike lines 5 through 17 and substitute the
43 following:

44

45 **"SECTION 6.** 22-54-104 (5) (c) (III), Colorado Revised Statutes,
46 is amended to read:

47

48 **22-54-104. District total program - repeal.** (5) For purposes of
49 the formulas used in this section:

50

51 (c) (III) (A) Based upon the cost of living analysis conducted
52 pursuant to the SB SENATE BILL 93-87 setting category study, the staff of
53 the legislative council shall certify the cost of living factor for each
54 district to the department no later than ten days following April 27, 1994.
55 Such cost of living factors shall be effective for the 1994-95 budget year
56 and the budget year thereafter. The cost of living factor for each district

1 shall be certified to the department by the staff of the legislative council
2 for each two-year period thereafter based upon a new cost of living
3 analysis. The certification shall be made no later than April 15 of the
4 applicable year and shall be effective for the budget year beginning on
5 July 1 of such year and the budget year thereafter.

6
7 (B) EXCEPT AS OTHERWISE PROVIDED IN THIS SUB-SUBPARAGRAPH
8 (B), IN DETERMINING THE COST OF LIVING FACTOR FOR EACH DISTRICT FOR
9 THE 2002-03 BUDGET YEAR AND BUDGET YEARS THEREAFTER, THE STAFF
10 OF THE LEGISLATIVE COUNCIL SHALL UTILIZE THE SAME METHODOLOGY IN
11 THE COST OF LIVING ANALYSIS CONDUCTED FOR THAT PURPOSE AS WAS
12 UTILIZED IN THE COST OF LIVING ANALYSIS USED TO DETERMINE THE COST
13 OF LIVING FACTOR FOR EACH DISTRICT FOR THE 2000-01 AND 2001-02
14 BUDGET YEARS. NO CHANGE IN THE METHODOLOGY UTILIZED IN THE COST
15 OF LIVING ANALYSIS SHALL BE MADE BY THE STAFF OF THE LEGISLATIVE
16 COUNCIL UNLESS SUCH CHANGE IN METHODOLOGY IS APPROVED BY A
17 MAJORITY OF THE MEMBERS OF THE LEGISLATIVE COUNCIL."

18
19 Amendment No. 12, by Representatives King, Saliman, Madden.

20
21 Amend printed bill, page 15, line 22, after "DISTRICT", insert "SEEKING
22 AID FOR INCREASED ENROLLMENT PURSUANT TO SECTION 22-54-125".

23
24 Page 16, line 9, after "DISTRICT", insert "THAT CHOOSES TO CALCULATE
25 ITS SUPPLEMENTAL PUPIL ENROLLMENT".

26
27 Amendment No. 13, by Representative White.

28
29 Amend printed bill, page 45, after line 11, insert the following:

30
31 "SECTION 34. 22-28-108 (1) (a), Colorado Revised Statutes, is
32 amended to read:

33
34 **22-28-108. Criteria for district preschool programs.**
35 (1) (a) The department shall establish basic program standards for district
36 preschool programs using nationally accepted standards for preschool
37 programs. ~~and requiring compliance with the Colorado rules and~~
38 ~~regulations for child care centers promulgated by the department of~~
39 ~~human services pursuant to section 26-6-106, C.R.S.~~ NO DISTRICT
40 PRESCHOOL PROGRAM OPERATED SOLELY BY A SCHOOL DISTRICT SHALL BE
41 REQUIRED TO OBTAIN LICENSURE AS A CHILD CARE CENTER PURSUANT TO
42 SECTION 26-6-106, C.R.S., NOR BE SUBJECT TO THE RULES PROMULGATED
43 BY THE DEPARTMENT OF HUMAN SERVICES THAT ARE APPLICABLE TO CHILD
44 CARE CENTERS."

45
46 Renumber succeeding sections accordingly.

47
48 Amendment No. 14, by Representative King.

49
50 Amend printed bill, page 19, line 6, strike "YEARS," and substitute "YEARS
51 AND BUDGET YEARS THEREAFTER,".

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

55

1 **HB02-1407** by Representative(s) Kester, Spence; also Senator(s)
 2 Chlouber--Concerning authorization of the use of state
 3 lottery moneys transferred to the state public school fund
 4 as a contingency reserve for construction of new school
 5 facilities to address safety issues in existing school
 6 facilities.

7
 8 Ordered engrossed and placed on the Calendar for Third Reading and
 9 Final Passage.

10
 11 **HB02-1329** by Representative(s) Hoppe, Alexander, Clapp, Hodge,
 12 Miller, Rippy, Snook, Webster; also Senator(s) Isgar,
 13 Entz--Concerning the authority of the commissioner of
 14 agriculture to monitor agricultural chemicals in
 15 groundwater.

16
 17 Amendment No. 1, Appropriations Report, dated March 22, 2002, and
 18 placed in member's bill file; Report also printed in House Journal,
 19 March 27, pages 1043-1044.

20
 21 As amended, ordered engrossed and placed on the Calendar for Third
 22 Reading and Final Passage.

23
 24
 25
 26 **AMENDMENTS TO THE COMMITTEE OF THE WHOLE REPORT**

27
 28 Representative Groff moved to amend the Report of the Committee of the
 29 Whole to show that Amendment No. 3, by Representatives Berry,
 30 Lawrence, White, Spradley, Rippy, Smith, King (printed in House
 31 Journal page 1091 lines 46-56 and page 1092 lines 1-8), to HB02-1349,
 32 did not pass, that the following Groff amendment, to HB02-1349 did
 33 pass, and that **HB02-1349, as amended**, did pass.

34
 35 Amend the Appropriations Committee Report, dated March 26, 2002,
 36 page 1, strike lines 4 through 14.

37
 38 Page 2, strike lines 1 through 18.

39
 40 The amendment was declared **lost** by the following roll call vote:

41
 42 YES 25 NO 36 EXCUSED 4 ABSENT 0

43

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

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

8 Representative Groff moved to amend the Report of the Committee of the
9 Whole to show that the following Groff amendment, to HB02-1349, did
10 pass, and that **HB02-1349, as amended**, did pass.

12 Amend the Appropriations Committee Report, dated March 26, 2002,
13 page 5, strike lines 6 through 8 and substitute the following:

15 "Page 28 of the education committee report, strike lines 11 through 34.

17 Renumber succeeding sections accordingly.

19 Page 30 of the education committee report, strike lines 4 and 5 and
20 substitute the following:

22 "(II) (A) THE TOTAL AMOUNT OF STATE EDUCATION";

24 strike lines 19 through 24;

26 strike line 33 and substitute the following:

28 "SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (II).".

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

32	<u>YES 28</u>	<u>NO 33</u>	<u>EXCUSED 4</u>	<u>ABSENT 0</u>
----	---------------	--------------	------------------	-----------------

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

51
52
53
54
55

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

2
3 Passed Second Reading: **HB02-1349 amended, 1407, 1329 amended.**

4
5 The Chairman moved the adoption of the Committee of the Whole
6 Report. As shown by the following roll call vote, a majority of those
7 elected to the House voted in the affirmative, and the Report was
8 **adopted.**

9
10 YES 61 NO 0 EXCUSED 4 ABSENT 0

11								
12	Alexander	Y	Groff	Y	Marshall	Y	Spence	Y
13	Bacon	Y	Grossman	Y	Miller	Y	Spradley	Y
14	Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y
15	Borodkin	Y	Hefley	Y	Paschall	E	Stengel	Y
16	Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
17	Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia	Y
18	Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	E
19	Clapp	Y	Jameson	Y	Rippy	Y	Veiga	Y
20	Cloer	Y	Johnson	Y	Romanoff	Y	Vigil	Y
21	Coleman	Y	Kester	Y	Saliman	Y	Webster	Y
22	Crane	Y	King	Y	Sanchez	Y	Weddig	Y
23	Daniel	Y	Larson	Y	Schultheis	Y	White	Y
24	Decker	Y	Lawrence	Y	Scott	Y	Williams S.	Y
25	Fairbank	Y	Lee	Y	Sinclair	Y	Williams T.	Y
26	Fritz	Y	Mace	Y	Smith	Y	Witwer	E
27	Garcia	Y	Madden	E	Snook	Y	Young	Y
28							Mr. Speaker	Y

29
30
31
32
33 **REPORTS OF COMMITTEE OF REFERENCE**

34
35 **APPROPRIATIONS**

36 After consideration on the merits, the Committee recommends the
37 following:

38
39 **HB02-1006** be postponed indefinitely.

40
41
42 **HB02-1054** be amended as follows, and as so amended, be referred to
43 the Committee of the Whole with favorable
44 recommendation:

45
46 Amend printed bill, page 3, after line 11, insert the following:

47
48 "**SECTION 2. Appropriation.** In addition to any other
49 appropriation, there is hereby appropriated to the department of public
50 safety, Colorado bureau of investigation, for the fiscal year beginning
51 July 1, 2002, the sum of one hundred twenty-six thousand six hundred
52 thirty-three dollars (\$126,633) and 0.3 FTE, or so much thereof as may
53 be necessary, for the implementation of this act. Of said sum, thirty-four
54 thousand two hundred thirty-three dollars (\$34,233) shall be from cash
55 funds, and ninety-two thousand four hundred dollars (\$92,400) shall be
56 from cash funds exempt. These amounts shall be from fingerprint and

1 name check fees collected by the department."

2

3 Renumber succeeding section accordingly.

4

5 Page 1, line 102, strike "FELONY." and substitute "FELONY, AND MAKING
6 AN APPROPRIATION IN CONNECTION THEREWITH."

7

8

9

10 **HB02-1070** be amended as follows, and as so amended, be referred to
11 the Committee of the Whole with favorable
12 recommendation:

13

14 Amend engrossed bill, page 3, strike lines 26 and 27.

15

16 Page 4, strike lines 1 through 10 and substitute the following:

17

18 "(2) (a) Unless exempted pursuant to subsection (3) of this
19 section, every child, who is under four years of age and weighs under
20 forty pounds, being transported in this state in a privately owned
21 noncommercial passenger vehicle or in a vehicle operated by a child care
22 center, shall be provided with a ONE OF THE FOLLOWING child restraint
23 system SYSTEMS suitable for the child's size and shall be properly
24 fastened into such child restraint system which is in a seating position
25 which is equipped with a safety belt or other means to secure the system
26 according to the manufacturer's instructions:"

27

28 line 11, strike "OR" and substitute "AND";

29

30 line 15, strike "OR" and substitute "AND";

31

32 strike lines 18 through 23 and substitute the following:

33

34 "(b) Unless excepted pursuant to subsection (3) of this section,
35 every child, who is at least four years of age but less than sixteen years
36 of age ~~or who is less than four years of age~~ and weighs forty pounds or
37 more, being transported in this state in a privately owned noncommercial
38 vehicle or in a vehicle operated by a child care center, shall be provided
39 with a safety belt system and shall be properly."

40

41 Page 5, line 19, after "VIOLATION" insert "OF SUBPARAGRAPH (I) OF
42 PARAGRAPH (b) OF SUBSECTION (2)";

43

44 line 25, after "VIOLATION OF" insert " SUBPARAGRAPH (I) OF PARAGRAPH
45 (b) OF SUBSECTION (2) OF".

46

47 Page 6, strike lines 2 through 14.

48

49 Renumber succeeding section accordingly.

50

51

52

53 **HB02-1082** be postponed indefinitely.

54

55

1 **HB02-1138** be amended as follows, and as so amended, be referred to
 2 the Committee of the Whole with favorable
 3 recommendation:
 4

5 Amend the Health, Environment, Welfare, & Institutions Report, dated
 6 February 6, 2002, page 1, strike line 1 and substitute the following:
 7

8 "Amend printed bill, page 2, strike lines 4 through 10 and substitute the
 9 following:
 10

11 **"26-5-105.5. State department integrated care management**
 12 **program - county performance agreements - authorized -**
 13 **performance incentive cash fund created - repeal.** (1) (a) THERE IS
 14 HEREBY CREATED THE STATE DEPARTMENT INTEGRATED CARE
 15 MANAGEMENT PROGRAM. IN ADMINISTERING THE STATE DEPARTMENT
 16 INTEGRATED CARE MANAGEMENT PROGRAM, the state department ~~may~~
 17 ~~enter into performance agreements with not more than three~~ SHALL
 18 DEVELOP, BY RULE, A PROCESS TO ALLOW COUNTIES OR GROUPS OF
 19 COUNTIES TO PARTICIPATE IN THE PROGRAM, AS WELL AS INTEGRATED
 20 CARE MANAGEMENT PRINCIPLES. INDIVIDUAL counties or groups of
 21 counties MAY PARTICIPATE IN THE INTEGRATED CARE MANAGEMENT
 22 PROGRAM for the delivery of";
 23

24 Page 3, line 18, after "(2)", insert "THE STATE DEPARTMENT IS HEREBY
 25 AUTHORIZED TO ENTER INTO PERFORMANCE AGREEMENTS WITH
 26 INDIVIDUAL COUNTIES OR GROUPS OF COUNTIES.";
 27

28 line 24, strike "five" and substitute "five";";
 29

30 after line 6 of the committee report, insert the following:
 31

32 "line 9, strike "DEPARTMENT." and substitute "DEPARTMENT FOR STATE
 33 FISCAL YEAR 2003-04 AND EACH FISCAL YEAR THEREAFTER.";
 34

35 strike lines 11 through 13 and substitute the following:
 36

37 "PROVIDE INCENTIVES TO ANY COUNTY OR GROUP OF COUNTIES
 38 PARTICIPATING IN THE INTEGRATED CARE MANAGEMENT PROGRAM THAT
 39 HAS MET OR EXCEEDED THE PERFORMANCE MEASURES SPECIFIED BY THE
 40 STATE DEPARTMENT. THE INCENTIVE MONEYS ALLOCATED BY THE
 41 EXECUTIVE";";
 42

43 strike lines 9 through 12 of the committee report and substitute the
 44 following:
 45

46 "Page 5, strike lines 20 through 24 and substitute the following:
 47

48 "(c) THIS SUBSECTION (3.5) IS REPEALED ON THE DATE THE
 49 EXECUTIVE DIRECTOR OF THE STATE DEPARTMENT NOTIFIES THE REVISOR
 50 OF STATUTES THAT THE STATE IS NO LONGER PARTICIPATING IN THE
 51 WAIVER AUTHORIZED PURSUANT TO TITLE IV-E OF THE FEDERAL "SOCIAL
 52 SECURITY ACT", AS AMENDED.
 53

54 (3.7) THE STATE BOARD SHALL PROMULGATE RULES NECESSARY TO
 55 IMPLEMENT THE INTEGRATED CARE MANAGEMENT PROGRAM ESTABLISHED
 56 PURSUANT TO THIS SECTION.

1 (4) ~~This section is repealed effective July 1, 2002.~~"."

2
3 Page 2 of the committee report, line 3, strike "COUNTIES"." and substitute
4 "COUNTIES";"

5
6 after line 3 of the committee report, add the following:

7
8 "strike lines 18 through 27 and substitute the following:

9
10 **"SECTION 3. Safety clause.** The general assembly hereby finds,
11 determines, and declares that this act is necessary for the immediate
12 preservation of the public peace, health, and safety."

13
14 Page 7, strike lines 1 through 6.

15
16 Page 1, line 101, strike "SERVICES, AND" and substitute "SERVICES.";
17
18 strike line 102."

19
20
21
22 **HB02-1161** be amended as follows, and as so amended, be referred to
23 the Committee of the Whole with favorable
24 recommendation:

25
26 Amend printed bill, page 7, line 23, strike "five" and substitute "five
27 FOUR".

28
29 Page 8, line 22, strike "FIVE HUNDRED" and substitute "TWO THOUSAND".

30
31 Page 12, after line 20, insert the following:

32
33 "(c) FOR PURPOSES OF THIS SECTION, A PARTNERSHIP, S
34 CORPORATION, LIMITED LIABILITY COMPANY, OR OTHER ENTITY ELECTING
35 NOT TO BE TAXED AS A CORPORATION MAY PASS THROUGH THE CREDITS
36 EARNED UNDER THIS SECTION IN ANY TAX YEAR TO ITS PARTICIPATING
37 PARTNERS, SHAREHOLDERS, OR MEMBERS, HEREINAFTER REFERRED TO AS
38 THE "INVESTORS" OF THE ENTITY, IN ANY PERCENTAGE THE ENTITY
39 CHOOSES, UP TO THE AMOUNT OF THE CREDIT EARNED IN THE TAX YEAR.
40 CREDITS EARNED BUT UNCLAIMED IN A TAX YEAR FOR WHICH THE ENTITY
41 ELECTS TO BE TAXED AS A CORPORATION MAY NOT BE DISTRIBUTED TO
42 INVESTORS IN A LATER TAX YEAR FOR WHICH THE ENTITY ELECTS NOT TO
43 BE TAXED AS A CORPORATION. IN ANY TAX YEAR FOR WHICH THE ENTITY
44 ELECTS NOT TO BE TAXED AS A CORPORATION, ALL CREDITS PASSED
45 THROUGH TO INVESTORS MAY BE CARRIED FORWARD AT THE INVESTOR
46 LEVEL FOR THE CARRYOVER PERIODS SPECIFIED IN THIS SECTION. FOR
47 PURPOSES OF THIS SECTION, A TAXPAYER MAY ONLY CLAIM THE NEW
48 BUSINESS FACILITY EMPLOYEE CREDIT FOR EMPLOYEES FOR WHOM THE
49 TAXPAYER WITHHOLDS SOCIAL SECURITY, MEDICARE, AND INCOME TAXES
50 UNDER THE TAXPAYER'S OWN FEDERAL AND STATE TAXPAYER
51 IDENTIFICATION NUMBERS. WHERE AN EMPLOYEE LEASING COMPANY
52 EMPLOYS AND WITHHOLDS TAXES FOR AN INDIVIDUAL WHO QUALIFIES AS
53 A NEW BUSINESS FACILITY EMPLOYEE, ONLY THE EMPLOYEE LEASING
54 COMPANY MAY CLAIM THE NEW BUSINESS FACILITY EMPLOYEE CREDIT FOR
55 THAT EMPLOYEE."

56

1 **HB02-1229** be amended as follows, and as so amended, be referred to
2 the Committee of the Whole with favorable
3 recommendation:
4

5 Amend printed bill, page 8, line 6, after "services," insert the following:
6 "for allocation to the alcohol and drug abuse division, administration
7 section,";

8
9 line 7, strike " ____ dollars (\$)," and substitute "five hundred dollars
10 (\$500),".
11
12
13

14 **HB02-1242** be amended as follows, and as so amended, be referred to
15 the Committee of the Whole with favorable
16 recommendation:
17

18 Amend printed bill, page 4, line 23, after "SHERIFF", insert "AND THE
19 COLORADO BUREAU OF INVESTIGATION";
20

21 line 25, after the period, add "THE SHERIFF SHALL TRANSMIT TO THE
22 COLORADO BUREAU OF INVESTIGATION SIX DOLLARS FROM THE
23 APPLICANT FEE FOR EACH PERSON WHO APPLIES FOR A PERMIT PURSUANT
24 TO THIS SECTION TO OFFSET THE COSTS INCURRED BY THE BUREAU IN
25 DETERMINING WHETHER THE APPLICANT IS ELIGIBLE TO POSSESS A
26 HANDGUN PURSUANT TO STATE AND FEDERAL LAWS."
27

28 Page 7, after line 12, insert the following:
29

30 **"SECTION 7. Appropriation.** In addition to any other
31 appropriation, there is hereby appropriated, from fees collected pursuant
32 to section 18-12-105.1(2)(b) Colorado Revised Statutes, to the
33 department of public safety, for allocation to the Colorado bureau of
34 investigation, for the fiscal year beginning July 1, 2002, the sum of one
35 hundred seventeen thousand two hundred nineteen dollars (\$117,219) and
36 3.0 FTE, or so much thereof as may be necessary, for the implementation
37 of this act."
38

39 Renumber succeeding sections accordingly.
40

41 Page 1, line 101, strike "HANDGUNS." and substitute "HANDGUNS, AND
42 MAKING AN APPROPRIATION IN CONNECTION THEREWITH."
43
44
45

46 **HB02-1259** be referred to the Committee of the Whole with favorable
47 recommendation.
48
49

50 **HB02-1262** be referred to the Committee of the Whole with favorable
51 recommendation.
52
53

54 **HB02-1265** be referred to the Committee of the Whole with favorable
55 recommendation.
56

1 **HB02-1272** be rereferred favorably to the Committee on Education.
2
3
4 **HB02-1288** be referred to the Committee of the Whole with favorable
5 recommendation.
6
7
8 **HB02-1304** be amended as follows, and as so amended, be referred to
9 the Committee of the Whole with favorable
10 recommendation:
11
12 Amend the Education Committee Report, dated February 20, 2002, page
13 1, after line 4, insert the following:
14
15 "line 23, strike "DURING";
16
17 line 24, strike "THE SUMMER PRIOR TO BEGINNING FIRST GRADE,";
18
19 line 26, after the period, add "IN ADDITION, ON OR AFTER JANUARY 1,
20 2003, SUBJECT TO THE RECEIPT OF MONEYS CREDITED TO THE SUMMER
21 SCHOOL GRANT PROGRAM PURSUANT TO SECTION 22-7-804 (2), THE
22 SUMMER SCHOOL GRANT PROGRAM SHALL PROVIDE FUNDING TO SCHOOL
23 DISTRICTS FOR PROGRAMS THAT PROVIDE INTENSIVE LITERACY AND
24 READING COMPREHENSION EDUCATION SERVICES TO ELIGIBLE STUDENTS
25 DURING THE SUMMER PRIOR TO BEGINNING FIRST GRADE."";
26
27 after line 11 of the committee report, insert the following:
28
29 "(6) THE DEPARTMENT IS AUTHORIZED TO PRIORITIZE THE FUNDING
30 OF PROGRAMS FOR ELIGIBLE STUDENTS DURING THE SUMMER PRIOR TO
31 BEGINNING FIRST GRADE BASED ON THE TIMING OF SUBMISSION OF
32 APPLICATIONS PURSUANT TO SECTION 22-7-803 (2) AND SUBJECT TO
33 FUNDING RECEIVED PURSUANT TO SECTION 22-7-804 (2).";
34
35 strike lines 12 and 13 of the committee report and substitute the
36 following:
37
38 "(7) THE DEPARTMENT";
39
40 line 14 of the committee report, strike "TO THIS SECTION";
41
42 after line 17 of the committee report, insert the following:
43
44 "Page 4, after line 17, insert the following:
45
46 **SECTION 5. No appropriation.** The general assembly has
47 determined that no separate appropriation of state moneys is necessary to
48 carry out the purposes of this act.
49
50 **SECTION 6. Effective date.** This act shall take effect January
51 1, 2003.
52
53 Renumber succeeding section accordingly."".
54
55
56

1 **HB02-1322** be amended as follows, and as so amended, be referred to
 2 the Committee of the Whole with favorable
 3 recommendation:
 4

5 Amend printed bill, page 2, strike lines 3 through 9 and substitute the
 6 following:
 7

8 "of the state of Colorado, the sum of thirty million ninety-one thousand
 9 eight hundred eighty dollars (\$30,091,880), or so much thereof as may be
 10 necessary, of which amount twenty-eight million four hundred two
 11 thousand eight hundred ninety-six dollars (\$28,402,896) shall be out of
 12 any moneys in the general fund not otherwise appropriated, ninety
 13 thousand dollars (\$90,000) shall be from cash funds, and one million five
 14 hundred ninety-eight thousand nine hundred eighty-four dollars
 15 (\$1,598,984)";

16
 17 line 13, strike "\$ 11,979,507^{1/}" and substitute "\$ 11,734,183^{1/}";

18
 19 line 15, strike "8,131,296^{2/}" and substitute "8,068,246^{2/}";

20
 21 line 17, strike "1,312,630" and substitute "1,293,896";

22
 23 line 19, strike "4,679,212" and substitute "4,466,694";

24
 25 line 20, strike "(55.75 FTE)" and substitute "(54.60 FTE)";

26
 27 line 21, strike "4,738,804^{3/}" and substitute "4,528,861^{3/}";

28
 29 line 22, strike "(58.0 FTE)" and substitute "(56.0 FTE)";

30
 31 line 23, strike "\$30,841,449" and substitute "\$30,091,880";

32
 33 line 25, strike "\$11,889,507" and substitute "\$11,644,183".

34
 35 Page 3, strike line 1 and substitute the following:

36
 37 "^{2/} Of this amount, \$6,469,262 is appropriated out of the general
 38 fund,";

39
 40 line 2, strike "and";

41
 42 line 4, strike "Statutes." and substitute "Statutes, and \$98,984 is
 43 appropriated out of cash funds exempt received from the agencies audited
 44 under the provisions of tobacco settlement programs pursuant to section
 45 2-3-113, Colorado Revised Statutes.".

46

47

48

49 **HB02-1351** be postponed indefinitely.

50

51

52 **SB02-182** be referred to the Committee of the Whole with favorable
 53 recommendation.

54

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PRINTING REPORT

The Chief Clerk reports the following bills have been correctly printed:
HB02-1416 and 1417.

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

The Speaker has signed: **SB02-052, 069, 100, 112, 139; SCR02-001, 002.**

MESSAGES FROM THE SENATE

Mr. Speaker:

The Senate has postponed indefinitely and returned herewith:
HB02-1332.

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

- HB02-1013, amended as printed in Senate Journal, April 1;
 - HB01-1287, amended as printed in Senate Journal, March 27, pages 602-604;
 - HB02-1218, amended as printed in Senate Journal, March 27, page 604;
 - HB02-1269, amended as printed in Senate Journal, March 27, page 602;
 - HB02-1221, amended as printed in Senate Journal, March 27, pages 604-605;
 - HB02-1135, amended as printed in Senate Journal, March 27, page 605.
-

MESSAGE FROM THE REVISOR

We herewith transmit without comment, as amended, HB02-1013, 1287, 1218, 1269, 1221, and 1135.

MESSAGE FROM THE GOVERNOR

I certify I received the following on the 1st day of April, 2002, at 3:25 p.m. The original is on file in the records of the House of Representatives of the General Assembly.

Judith Rodrigue,
Chief Clerk of the House

April 1, 2002

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

1 Ladies and Gentlemen:
2

3 I have the honor to inform you that I have approved and filed with
4 the Secretary of State the following acts:
5

6 **HB02-1083** Concerning The Creation Of The Amber Alert Program.

7
8 Approved April 1, 2002 at 2:20 p.m.
9

10 **HB02-1311** Concerning Documents Relating To Abandoned Children.

11
12 Approved April 1, 2002 at 12:42 p.m.
13

14 Sincerely,
15 (signed)
16 Bill Owens
17 Governor
18

19
20
21 **INTRODUCTION OF BILL**
22 **First Reading**
23

24 The following bill was read by title and referred to the committee
25 indicated:
26

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

31 Committee on Civil Justice & Judiciary
32

33
34
35 **INTRODUCTION OF RESOLUTION**
36

37 The following resolution was read by title and referred to the committee
38 indicated:
39

40 **HJR02-1038** by Representative(s) Hoppe; also Senator(s) Isgar, Entz,
41 Taylor--Concerning the species conservation eligibility
42 list.

43 Committee on Agriculture, Livestock, & Natural Resources
44

45 WHEREAS, Pursuant to section 24-33-111 (2), Colorado Revised
46 Statutes, the Species Conservation Trust Fund has been created in the
47 state treasury to fund programs designed to conserve native species that
48 have been listed as threatened or endangered under state or federal law,
49 or are candidate species or are likely to become candidate species as
50 determined by the United States Fish and Wildlife Service; and

51
52 WHEREAS, Pursuant to section 24-33-111 (3), Colorado Revised
53 Statutes, the Executive Director of the Department of Natural Resources,
54 after consulting with the Colorado Water Conservation Board and its
55 Director, the Wildlife Commission, and the Director of the Division of
56 Wildlife, has prepared and delivered to the General Assembly a species

1 conservation eligibility list describing programs and associated costs that
 2 are eligible to receive funding from the Species Conservation Trust Fund;
 3 and
 4

5 WHEREAS, Pursuant to section 24-33-111 (3), Colorado Revised
 6 Statutes, prior to obligating funds from the Species Conservation Trust
 7 Fund, the Species Conservation Eligibility List is subject to modification
 8 and adoption through the passage of a joint resolution approved by a
 9 majority vote of both houses of the General Assembly; and
 10

11 WHEREAS, House Bill 98-1006, enacted at the Second regular
 12 Session of the Sixty-first General Assembly, appropriated \$10 million to
 13 be placed in the Species Conservation Trust Fund for expenditures related
 14 to native species; and
 15

16 WHEREAS, House Bill 00-1429, enacted at the Second regular
 17 Session of the Sixty-second General Assembly, appropriated \$5 million
 18 to be placed in the Species Conservation Trust Fund for expenditures
 19 related to native species; and
 20

21 WHEREAS, The General Assembly deems the recommended
 22 expenditures described in the species conservation eligibility list to be in
 23 the interest of the people of the state; now, therefore,
 24

25 *Be It Resolved by the House of Representatives of the Sixty-third*
 26 *General Assembly of the State of Colorado, the Senate concurring*
 27 *herein:*
 28

29 (1) That the executive director of Department of Natural
 30 Resources is authorized to obligate and expend \$1,730,000 from the
 31 capital account of the Species Conservation Trust Fund for the following
 32 activities, programs, and species:
 33

34	PROGRAM/ SPECIES	AMOUNT
35		
36	(a) San Juan/Upper Colorado	\$ 1,560,000
37	River Endangered Fish	
38	Recovery Program	
39		
40	(b) Platte River Basin	\$ <u>170,000</u>
41		
42	Total	\$ 1,730,000
43		

44 (2) That the executive director of the Department of Natural
 45 Resources is authorized to obligate and expend \$1,205,000 from the
 46 operational account of the Species Conservation Trust Fund for the
 47 following activities, programs, and species in the following amounts:
 48

49	PROGRAM/ SPECIES	AMOUNT
50		
51	(a) Prairie Grassland Species	\$ 55,000
52		
53	(b) Platte River Basin	\$ 80,000
54		
55	(c) Grouse Conservation	\$ 360,000
56		

1	(d) Colorado River Cutthroat	\$ 210,000
2	Trout Conservation	
3		
4	(e) Greenback Cutthroat Trout	\$ 145,000
5	Conservation	
6		
7	(f) Boreal Toad Conservation	\$ 150,000
8		
9	(g) Prairie Dog Study --	\$ 125,000
10	Western Slope	
11		
12	(h) Preble's Meadow Jumping	<u>\$ 80,000</u>
13	Mouse	
14		
15	Total	\$1,205,000

17 (3) That House Joint Resolution 00-1031 be amended to reflect
 18 that two hundred fifty thousand dollars be moved from the Capital
 19 Account to the Operating Account for the Preble's Meadow Jumping
 20 Mouse Conservation Plan;

21
 22 (4) That House Joint Resolution 01-1022 be amended to reflect
 23 that \$250,000 be moved from the Capital Account to the Operating
 24 Account for the Preble's Meadow Jumping Mouse Conservation Plan.

25
 26 *Be It Further Resolved*, That this joint resolution be presented to
 27 the Governor for signature pursuant to section 39 of article V of the state
 28 constitution.

31 APPOINTMENTS

32
 33
 34 The Speaker announced the following temporary change in Committee
 35 assignment:

36
 37 For April 5, 2002 - Representative Cadman to replace Representative
 38 Lawrence on the Committee on Appropriations.

42 LAY OVER OF CALENDAR ITEMS

43
 44 On motion of Representative Spradley, the following items on the
 45 Calendar were laid over until April 3, retaining place on Calendar:

46
 47 Consideration of General Orders--**HB02-1015, SB02-064, 104,**
 48 **HB02-1309, 1147, 1222, 1226, 1344.**

49 Consideration of Resolutions--**SJR02-008, HJR02-1033, 1034,**
 50 **SJR02-019, HJR02-1036, 1037.**

51 Consideration of Senate Amendments--**HB02-1041, 1153, 1061, 1050,**
 52 **1168, 1053, 1111, 1071, 1305, 1057, 1131, 1144, 1258, 1078, 1179,**
 53 **1042, 1162, 1064, 1089, 1141, 1333, 1245, 1191, 1225, 1146.**

54
 55
 56

1 On motion of Representative Spradley, the House adjourned until
2 9:00 a.m., April 3, 2002.

3

4

Approved:

5

6

7

8

DOUG DEAN,
Speaker

9

10 Attest:

11

12 JUDITH RODRIGUE,
13 Chief Clerk