

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

Seventy-seventh Legislative Day                      Tuesday, March 26, 2002

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

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

5  
6 The roll was called with the following result:

7  
8                      Present--62.  
9                      Excused--Representative Paschall--1.  
10                     Absent--Representatives Mitchell, Williams S.--2.  
11                     Present after roll call--Representatives Mitchell, Paschall,  
12                     Williams S.

13  
14 The Speaker declared a quorum present.

15  
16  
17  
18 On motion of Representative Jameson, the reading of the journal of  
19 March 25, 2002, was declared dispensed with and approved as corrected  
20 by the Chief Clerk.

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

21  
22  
23  
24  
25  
26 The following bills were considered on Third Reading. The titles were  
27 publicly read. Reading of the bill at length was dispensed with by  
28 unanimous consent.

29  
30 **HB02-1338** by Representative(s) Webster; also Senator(s) Reeves--  
31 Concerning fees for performing emissions testing on motor  
32 vehicles.

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

38  
39 YES 63                      NO 1                      EXCUSED 1                      ABSENT 0

40								
41	Alexander	Y	Groff	Y	Marshall	Y	Spence	Y
42	Bacon	Y	Grossman	Y	Miller	Y	Spradley	Y
43	Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y

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

16 Co-sponsors added: Representatives Bacon, Fritz, Harvey, Rippy, Stafford,  
17 Williams S.

18  
19  
20 **HB02-1090** by Representative(s) Tochtrop, Clapp, Miller, Spradley,  
21 Williams T.; also Senator(s) Fitz-Gerald, Hagedorn, Isgar,  
22 Owen--Concerning the creation of an advisory committee  
23 to study the administration of medications by certified  
24 nurse aides.

25  
26 The question being "Shall the bill pass?".

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

30	YES	63	NO	1	EXCUSED	1	ABSENT	0
31								
32								
33	Alexander	Y	Groff	Y	Marshall	Y	Spence	Y
34	Bacon	Y	Grossman	Y	Miller	Y	Spradley	Y
35	Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y
36	Borodkin	Y	Hefley	Y	Paschall	E	Stengel	Y
37	Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
38	Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia	Y
39	Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	Y
40	Clapp	N	Jameson	Y	Rippy	Y	Veiga	Y
41	Cloer	Y	Johnson	Y	Romanoff	Y	Vigil	Y
42	Coleman	Y	Kester	Y	Saliman	Y	Webster	Y
43	Crane	Y	King	Y	Sanchez	Y	Weddig	Y
44	Daniel	Y	Larson	Y	Schultheis	Y	White	Y
45	Decker	Y	Lawrence	Y	Scott	Y	Williams S.	Y
46	Fairbank	Y	Lee	Y	Sinclair	Y	Williams T.	Y
47	Fritz	Y	Mace	Y	Smith	Y	Witwer	Y
48	Garcia	Y	Madden	Y	Snook	Y	Young	Y
49							Mr. Speaker	Y

50  
51 Representative Clapp requested her name be removed as sponsor.

52 Co-sponsors added: Representatives Borodkin, Boyd, Coleman, Groff,  
53 Lawrence, Mace, Sanchez, Stafford, Vigil, Williams S.

54  
55

1 **HB02-1355** by Representative(s) Cloer, Boyd, Dean, Grossman,  
 2 Harvey, Rhodes; also Senator(s) Tate, Andrews--  
 3 Concerning whether certain business practices violate the  
 4 prohibition upon charging a higher price based on the  
 5 customer's use of a credit card rather than other forms of  
 6 payment.

7  
 8 The question being "Shall the bill pass?".

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

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

32  
 33 Co-sponsors added: Representatives Groff, Mace, Stafford.

34  
 35 **SB02-006** by Senator(s) Hanna; also Representative(s) Witwer--  
 36 Concerning workers' compensation coverage for public  
 37 safety personnel exposed to hepatitis C.

38  
 39 The question being "Shall the bill pass?".

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

	YES 64	NO 0	EXCUSED 1	ABSENT 0			
45 Alexander	Y	Groff	Y	Marshall	Y	Spence	Y
46 Bacon	Y	Grossman	Y	Miller	Y	Spradley	Y
47 Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y
48 Borodkin	Y	Hefley	Y	Paschall	E	Stengel	Y
49 Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
50 Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia	Y
51 Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	Y
52 Clapp	Y	Jameson	Y	Rippy	Y	Veiga	Y
53 Cloer	Y	Johnson	Y	Romanoff	Y	Vigil	Y
54 Coleman	Y	Kester	Y	Saliman	Y	Webster	Y
55 Crane	Y	King	Y	Sanchez	Y	Weddig	Y
56 Daniel	Y	Larson	Y	Schultheis	Y	White	Y

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

6  
7 Co-sponsors added: Representatives Borodkin, Boyd, Cloer, Coleman, Daniel,  
8 Decker, Garcia, Groff, Jahn, Jameson, Kester, King, Lawrence, Lee, Mace,  
9 Madden, Miller, Mitchell, Plant, Romanoff, Sanchez, Stafford, Tapia, Tochtrop,  
10 Williams S.

11  
12 **SB02-052** by Senator(s) Owen; also Representative(s) Daniel--  
13 Concerning the repeal of provisions allocating certain  
14 moneys appropriated to the department of local affairs  
15 from the waste tire recycling development cash fund for  
16 the Colorado commission on higher education.

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 64            NO 0            EXCUSED 1            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	Y	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 Bacon, Jahn, Jameson, King, Mace,  
44 Spradley, Stafford, Tapia, Williams S.

45  
46 **SB02-085** by Senator(s) Takis, Entz, Hagedorn, Hernandez, Isgar,  
47 May, Nichol, Phillips, Tate, Teck, Tupa; also  
48 Representative(s) Sinclair--Concerning increasing the  
49 public's participation in decisions made by transportation  
50 authorities by providing for the public's ability to have  
51 input into such decisions.

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

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

	YES 64	NO 0	EXCUSED 1	ABSENT 0				
1								
2								
3	Alexander	Y	Groff	Y	Marshall	Y	Spence	Y
4	Bacon	Y	Grossman	Y	Miller	Y	Spradley	Y
5	Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y
6	Borodkin	Y	Hefley	Y	Paschall	E	Stengel	Y
7	Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
8	Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia	Y
9	Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	Y
10	Clapp	Y	Jameson	Y	Rippy	Y	Veiga	Y
11	Cloer	Y	Johnson	Y	Romanoff	Y	Vigil	Y
12	Coleman	Y	Kester	Y	Saliman	Y	Webster	Y
13	Crane	Y	King	Y	Sanchez	Y	Weddig	Y
14	Daniel	Y	Larson	Y	Schultheis	Y	White	Y
15	Decker	Y	Lawrence	Y	Scott	Y	Williams S.	Y
16	Fairbank	Y	Lee	Y	Sinclair	Y	Williams T.	Y
17	Fritz	Y	Mace	Y	Smith	Y	Witwer	Y
18	Garcia	Y	Madden	Y	Snook	Y	Young	Y
19							Mr. Speaker	Y
20								

21 Co-sponsors added: Representatives Borodkin, Garcia, Jahn, Mace, Madden,  
22 Romanoff, Scott, Stafford, Tochtrop, Weddig, Williams S.

23  
24 **SB02-100** by Senator(s) Thiebaut, Entz, May, Nichol, Takis, Teck,  
25 Cairns; also Representative(s) Tapia--Concerning the  
26 interment of deceased veterans.

27  
28 The question being "Shall the bill pass?".

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

	YES 64	NO 0	EXCUSED 1	ABSENT 0				
32								
33								
34								
35	Alexander	Y	Groff	Y	Marshall	Y	Spence	Y
36	Bacon	Y	Grossman	Y	Miller	Y	Spradley	Y
37	Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y
38	Borodkin	Y	Hefley	Y	Paschall	E	Stengel	Y
39	Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
40	Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia	Y
41	Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	Y
42	Clapp	Y	Jameson	Y	Rippy	Y	Veiga	Y
43	Cloer	Y	Johnson	Y	Romanoff	Y	Vigil	Y
44	Coleman	Y	Kester	Y	Saliman	Y	Webster	Y
45	Crane	Y	King	Y	Sanchez	Y	Weddig	Y
46	Daniel	Y	Larson	Y	Schultheis	Y	White	Y
47	Decker	Y	Lawrence	Y	Scott	Y	Williams S.	Y
48	Fairbank	Y	Lee	Y	Sinclair	Y	Williams T.	Y
49	Fritz	Y	Mace	Y	Smith	Y	Witwer	Y
50	Garcia	Y	Madden	Y	Snook	Y	Young	Y
51							Mr. Speaker	Y
52								

53 Co-sponsors added: Representatives Alexander, Cadman, Cloer, Coleman,  
54 Decker, Fairbank, Garcia, Groff, Harvey, Hefley, Hoppe, Jahn, Kester,  
55 Lawrence, Lee, Mace, Marshall, Miller, Romanoff, Saliman, Sanchez,  
56 Schultheis, Stafford, Vigil, Williams S.

1 **HB02-1364** by Representative(s) Swenson; also Senator(s) May--  
 2 Concerning tax reimbursement for fuel that is exempt from  
 3 taxation.  
 4

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

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

28  
 29 Co-sponsors added: Representatives Cadman, Clapp, Fritz, Hefley, Hoppe,  
 30 Miller, Stafford, Vigil.  
 31

32  
 33  
 34 **MESSAGE FROM THE SENATE**

35 Mr. Speaker:

36  
 37 The Senate has adopted and transmits herewith: SJR02-017.  
 38

39  
 40 **INTRODUCTION AND CONSIDERATION OF RESOLUTION**

41 The following resolution was read at length and given immediate  
 42 consideration:  
 43

44 **SJR02-017** by Senator(s) Phillips; also Representative(s) Swenson--  
 45 Concerning honoring the 4-H Youth Horse Judging and  
 46 Hippology teams of Boulder County.  
 47

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

51 On motion of Representative Swenson, the resolution was read at length  
 52 and **adopted** by **viva voce** vote.  
 53

54 Co-sponsors added: Roll call of the House.  
 55  
 56

1 House in recess. House reconvened.

2  
3  
4 **CONSIDERATION OF RESOLUTIONS**

5  
6 **HR02-1008** by Representative(s) Alexander, Rhodes, Chavez, Mace--  
7 Concerning appointments of employees for the House of  
8 Representatives of the Sixty-third General Assembly.

9  
10 (Printed and placed in member's file; also printed in House Journal,  
11 March 22, page 990.)

12  
13 On motion of Representative Alexander, the resolution was **adopted** by  
14 **viva voce** vote.

15  
16 Co-sponsors added: Representatives Cloer, Harvey, Hefley, Hoppe, Jahn, King,  
17 Spradley, Stafford, Stengel, Vigil, Mr. Speaker.

18  
19 **HJR02-1027** by Representative(s) Sinclair; also Senator(s) Hernandez--  
20 Concerning declaring September to be prostate cancer  
21 awareness month.

22  
23 (Printed and placed in member's file; also printed in House Journal,  
24 March 12, pages 800-801.)

25  
26 On motion of Representative Sinclair, the resolution was read at length  
27 and **adopted** by **viva voce** vote.

28  
29 Co-sponsors added: Roll call of the House.

30  
31  
32  
33 **MESSAGE FROM THE SENATE**

34 Mr. Speaker:

35  
36 The Senate has adopted and transmits herewith: SJR02-020.

37  
38  
39 **INTRODUCTION AND CONSIDERATION OF RESOLUTION**

40 The following resolution was read at length and given immediate  
41 consideration:

42  
43 **SJR02-020** by Senator(s) Linkhart, Chlouber; also Representative(s)  
44 Groff, Borodkin--Concerning the resolution of the general  
45 assembly to honor the Federal Emergency Management  
46 Agency Urban Search and Rescue Team - Colorado Task  
47 Force 1.

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

51  
52 On motion of Representative Groff, the resolution was read at length and  
53 **adopted** by **viva voce** vote.

54  
55 Co-sponsors added: Roll call of the House.

56

1 House in recess. House reconvened.  
2  
3  
4

---

5 On motion of Representative Schultheis, the House resolved itself into  
6 Committee of the Whole for consideration of General Orders, and he was  
7 called to the Chair to act as Chairman.  
8  
9

---

10 **GENERAL ORDERS--SECOND READING OF BILLS**  
11

12 The Committee of the Whole having risen, the Chairman reported the  
13 titles of the following bills had been read (reading at length had been  
14 dispensed with by unanimous consent), the bills considered and action  
15 taken thereon as follows:  
16

17 (Amendments to the committee amendment are to the printed committee  
18 report which was printed and placed in the members' bill file.)  
19

20 On motion of Representative Spradley, Consideration of **HB02-1015**,  
21 **1343, 1010, SB02-064, 104, HB02-1309, 1315** was laid over until  
22 March 27, retaining place on Calendar.  
23  
24

25 **HB02-1356** by Representative(s) Rhodes, Cadman, Clapp, Cloer,  
26 Crane, Fairbank, Fritz, Harvey, Hefley, Kester, King, Lee,  
27 Mitchell, Paschall, Schultheis, Sinclair, Spradley, Stafford;  
28 also Senator(s) Musgrave--Concerning prohibitions on the  
29 establishment of parent-child relationships in which there  
30 are multiple parents of the same sex.  
31

32 Ordered engrossed and placed on the Calendar for Third Reading and  
33 Final Passage.  
34

35 **SB02-136** by Senator(s) Andrews; also Representative(s) Lee--  
36 Concerning the teaching of a unit on patriotism in each  
37 public school in the state.  
38

39 Amendment No. 1, Education Report, dated March 11, 2002, and placed  
40 in member's bill file; Report also printed in House Journal, March 12,  
41 page 794.  
42

43 As amended, laid over until March 27, retaining place on Calendar.  
44

45 **HB02-1353** by Representative(s) Mitchell, Boyd, Chavez, Cloer, Jahn,  
46 Johnson, Lawrence, Miller, Ragsdale, Snook, Tochtrop;  
47 also Senator(s) Hanna, Isgar, Pascoe, Tate--Concerning  
48 requirements for the retroactive adjustment of health care  
49 claims.  
50

51 Amendment No. 1, Business Affairs & Labor Report, dated March 14,  
52 2002, and placed in member's bill file; Report also printed in House  
53 Journal, March 15, page 887.  
54

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



1 **SB02-103** by Senator(s) Evans, Hillman; also Representative(s)  
 2 Scott--Concerning improvement districts of local general  
 3 purpose governments.  
 4

5 Ordered revised and placed on the Calendar for Third Reading and Final  
 6 Passage.  
 7

8 On motion of Representative Spradley, the remainder of the General  
 9 Orders Calendar (**SB02-128, 011, 079, 151, 132**) was laid over until  
 10 March 27, retaining place on Calendar.  
 11

---

### 13 ADOPTION OF COMMITTEE OF THE WHOLE REPORT

14  
 15 Passed Second Reading: **HB02-1356, 1353 amended, SB02-103.**

16  
 17 Laid over until date indicated retaining place on Calendar: **HB02-1015,**  
 18 **1343, 1010, SB02-136 amended, 064, 104, HB02-1309, SB02-128, 011,**  
 19 **HB02-1315, SB02-079, 151, 132--**March 27, 2002.  
 20

21 The Chairman moved the adoption of the Committee of the Whole  
 22 Report. As shown by the following roll call vote, a majority of those  
 23 elected to the House voted in the affirmative, and the Report was  
 24 **adopted.**  
 25

26	YES 65	NO 0	EXCUSED 0	ABSENT 0				
28	Alexander	Y	Groff	Y	Marshall	Y	Spence	Y
29	Bacon	Y	Grossman	Y	Miller	Y	Spradley	Y
30	Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y
31	Borodkin	Y	Hefley	Y	Paschall	Y	Stengel	Y
32	Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
33	Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia	Y
34	Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	Y
35	Clapp	Y	Jameson	Y	Rippy	Y	Veiga	Y
36	Cloer	Y	Johnson	Y	Romanoff	Y	Vigil	Y
37	Coleman	Y	Kester	Y	Saliman	Y	Webster	Y
38	Crane	Y	King	Y	Sanchez	Y	Weddig	Y
39	Daniel	Y	Larson	Y	Schultheis	Y	White	Y
40	Decker	Y	Lawrence	Y	Scott	Y	Williams S.	Y
41	Fairbank	Y	Lee	Y	Sinclair	Y	Williams T.	Y
42	Fritz	Y	Mace	Y	Smith	Y	Witwer	Y
43	Garcia	Y	Madden	Y	Snook	Y	Young	Y
44							Mr. Speaker	Y

---

### 48 REPORTS OF COMMITTEES OF REFERENCE

#### 50 HEALTH, ENVIRONMENT, WELFARE, & INSTITUTIONS

51 After consideration on the merits, the Committee recommends the  
 52 following:  
 53

54 **HB02-1402** be amended as follows, and as so amended, be referred to  
 55 the Committee on Appropriations with favorable  
 56 recommendation:

1 Amend printed bill, page 3, line 6, after "RECEIVING", insert  
2 "PRESCRIPTION DRUGS OR";  
3  
4 line 9, after "PRESCRIPTION DRUGS", insert " OR SERVICES";  
5  
6 line 16, strike "SAVINGS" and substitute "FISCAL IMPLICATIONS".  
7  
8  
9  
10

11 **INFORMATION & TECHNOLOGY**

12 After consideration on the merits, the Committee recommends the  
13 following:

14  
15 **HB02-1259** be amended as follows, and as so amended, be referred to  
16 the Committee on Appropriations with favorable  
17 recommendation:  
18

19 Amend printed bill, page 2, line 8, strike "PART 1," and substitute  
20 "ARTICLE,".  
21

22 Page 4, line 14, strike "REPAYMENT OF THE LOAN HAS BEEN  
23 ACCELERATED:" and substitute "ACCELERATION OF REPAYMENT OF THE  
24 LOAN IS JUSTIFIED:";  
25

26 line 15, strike "DEFAULT;" and substitute "DEFAULT IN WHICH THE  
27 OBLIGOR FAILS TO MEET THE REPAYMENT TERMS OF THE AGREEMENT FOR  
28 ANY OUTSTANDING BALANCE;"  
29

30 line 18, strike "LOAN PURSUANT TO A PROVISION" and substitute the  
31 following:  
32

33 "LOAN;

34  
35 (III) THERE IS A PROVISION".  
36

37 Reletter succeeding C.R.S. subparagraph accordingly.  
38

39 Page 6, line 9, after the period, add "THE PREPAYMENT FEES OR PENALTIES  
40 PERMITTED BY THIS PARAGRAPH (g) SHALL APPLY ONLY TO COVERED  
41 LOANS THAT ARE SECURED BY A FIRST MORTGAGE, DEED OF TRUST, OR  
42 SECURITY INTEREST TO REFINANCE, BY AMENDMENT, PAYOFF, OR  
43 OTHERWISE, AN EXISTING LOAN MADE TO FINANCE THE ACQUISITION OR  
44 CONSTRUCTION OF A DWELLING, INCLUDING A REFINANCE LOAN PROVIDING  
45 ADDITIONAL SUMS OF MONEY FOR ANY PURPOSE, REGARDLESS OF  
46 WHETHER RELATED TO ACQUISITION OR CONSTRUCTION.";  
47

48 line 24, strike "WITH" and substitute "\_\_\_\_ WITH / \_\_\_\_ WITHOUT".  
49

50 Page 9, line 3, after "(III)", insert "(A)";  
51

52 line 5, strike "ALSO" and substitute "NOT" and, after "BASED", insert  
53 "SOLELY";  
54

55 line 6, strike "OBLIGOR AS WELL AS" and substitute "OBLIGOR, BUT MAY  
56 INCLUDE";

1 after line 11, insert the following:

2

3 "(B) A PERSON WHO WILLFULLY AND KNOWINGLY GIVES FALSE OR  
4 INACCURATE INFORMATION OR FAILS TO PROVIDE INFORMATION THAT THE  
5 PERSON IS REQUIRED TO DISCLOSE PURSUANT TO APPLICABLE LAW MAY  
6 HAVE VIOLATED AND MAY BE SUBJECT TO PENALTIES ESTABLISHED IN 15  
7 U.S.C. SEC. 1611.";

8

9 line 15, strike "BORROWER" and substitute "OBLIGOR";

10

11 line 16, strike "BORROWER'S" and substitute "OBLIGOR'S";

12

13 line 20, strike "BORROWER" and substitute "OBLIGOR";

14

15 line 22, strike "BORROWER'S" and substitute "OBLIGOR'S".

16

17 Page 11, strike lines 3 through 7 and substitute the following:

18

19 "(I) **Full choice.** IF A LENDER OFFERS ANY".

20

21 Page 13, line 23, strike "A PAYOFF" and substitute "AN ORAL PAYOFF";

22

23 line 25, strike "REQUEST." and substitute "REQUEST, AND SHALL PROVIDE  
24 A WRITTEN PAYOFF BALANCE WITHIN A REASONABLE TIME AFTER A  
25 REQUEST, BUT IN ANY EVENT NOT MORE THAN TEN BUSINESS DAYS AFTER  
26 THE REQUEST.".

27

28 Page 14, strike lines 11 through 27 and substitute the following:

29

30 "**5-3.5-201. Enforcement - liability.** THE ATTORNEY GENERAL  
31 AND ANY OBLIGOR OF A COVERED LOAN MAY ENFORCE THIS ARTICLE WITH  
32 RESPECT TO SUCH COVERED LOAN IN THE MANNER PROVIDED FOR  
33 VIOLATIONS OF THE FEDERAL "HOME OWNERSHIP AND EQUITY  
34 PROTECTION ACT OF 1994", 15 U.S.C. SEC. 1639, AND REGULATIONS  
35 ADOPTED PURSUANT THERETO BY THE FEDERAL RESERVE BOARD,  
36 INCLUDING, WITHOUT LIMITATION, 12 CFR 226.32, AS SET FORTH IN THE  
37 FEDERAL "TRUTH IN LENDING ACT", 15 U.S.C. SEC. 1640, AND  
38 REGULATIONS ADOPTED PURSUANT THERETO BY THE FEDERAL RESERVE  
39 BOARD, INCLUDING THE PROVISIONS ON CIVIL LIABILITY, CLASS ACTIONS,  
40 RECISSION, CORRECTION, AND BONA FIDE ERROR. PERSONS ENGAGED IN  
41 THE PURCHASE, SALE, ASSIGNMENT, SECURITIZATION, OR SERVICING OF  
42 COVERED LOANS SHALL BE LIABLE UNDER THIS ARTICLE FOR THE ACTION  
43 OR INACTION OF PERSONS ORIGINATING SUCH LOANS IN THE MANNER AND  
44 TO THE EXTENT PROVIDED FOR VIOLATION OF THE FEDERAL "HOME  
45 OWNERSHIP AND EQUITY PROTECTION ACT OF 1994" AND THE FEDERAL  
46 "TRUTH IN LENDING ACT", 15 U.S.C. SEC. 1641, AND REGULATIONS  
47 ADOPTED PURSUANT THERETO BY THE FEDERAL RESERVE BOARD.".

48

49 Strike page 15.

50

51 Page 16, strike lines 1 through 15.

52

53 Page 18, after line 3, insert the following:

54

55 "(c) THIS SUBSECTION (1) SHALL NOT BE CONSTRUED TO IMPAIR  
56 THE RIGHT OR POWER OF A POLITICAL SUBDIVISION TO ENTER INTO A

1 CONTRACT WITH ANY PERSON THAT INCLUDES CONDITIONS, RESTRICTIONS,  
2 OR REQUIREMENTS PERTAINING TO THE FINANCIAL OR LENDING ACTIVITIES  
3 OF SUCH PERSON.";

4  
5 line 17, strike "REGULATIONS" and substitute "REGULATIONS,";

6  
7 strike line 18;

8  
9 line 19, strike "AGENCIES,".

10

11

12

13

14 **LOCAL GOVERNMENT**

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

17

18 **HB02-1408** be amended as follows, and as so amended, be referred to  
19 the Committee of the Whole with favorable  
20 recommendation:

21

22 Amend printed bill, page 3, strike lines 2 through 6 and substitute the  
23 following:

24

25 "(b) (I) SUBJECT TO PARAGRAPH (b) OF SUBSECTION (3) OF THIS  
26 SECTION, NO SITE SHALL RECEIVE FOR DISPOSAL CLASSIFIED WASTE UNLESS  
27 SUCH SITE HAS BEEN APPROVED AS PROVIDED IN SUBSECTION (3) OF THIS  
28 SECTION.";

29

30 line 7, after "TO", insert "RECEIPT OF";

31

32 line 8, strike "ONE TON OR A SINGLE RAILROAD CAR" and substitute "FIFTY  
33 TONS";

34

35 line 9, after "TO", insert "RECEIPT OF";

36

37 line 11, strike "facility, or site, OR SHIPMENT" and substitute "facility or  
38 site";

39

40 strike lines 13 and 14 and substitute "department of public health and  
41 environment for approval of such facility or site. The application shall  
42 contain such information as";

43

44 line 18, strike "A";

45

46 line 19, strike "SHIPMENT OF".

47

48 Page 4, strike lines 25 through 27 and substitute the following:

49

50 "(II) DISPOSAL REFERRED TO IN PARAGRAPH (b) OF SUBSECTION (1)  
51 OF THIS SECTION SHALL BE APPROVED BY THE DEPARTMENT OF PUBLIC  
52 HEALTH AND ENVIRONMENT.".

53

54 Page 5, strike line 5 and substitute "facility or site.";

55

1 strike lines 6 through 16;  
 2  
 3 line 21, strike "January 1, 2002." and substitute "the effective date of this  
 4 act."  
 5  
 6  
 7

8 **SB02-102** be postponed indefinitely.  
 9  
 10  
 11

12 **REPORT FROM THE SENATE AND HOUSE**  
 13 **COMMITTEES ON DELAYED BILLS**  
 14

15 Pursuant to Joint Rule 23 (c), the House and Senate Committees on  
 16 Delayed Bills, acting jointly, extend the following deadlines for the Long  
 17 Appropriation Bill:  
 18

19 The Monday, March 25 deadline (the 76<sup>th</sup> legislative day) for introduction  
 20 of the Long Appropriation Bill in the House is extended until Monday,  
 21 April 8, 2002 (the 90<sup>th</sup> legislative day).  
 22

23 The Friday, March 29 deadline (the 80<sup>th</sup> legislative day) for final passage  
 24 of the Long Appropriation Bill in the House is extended until Friday,  
 25 April 12, 2002 (the 94<sup>th</sup> legislative day).  
 26

27 The Friday, April 5 deadline (the 87<sup>th</sup> legislative day) for final passage of  
 28 the Long Appropriation Bill in the Senate is extended until Friday,  
 29 April 19, 2002 (the 101<sup>st</sup> legislative day).  
 30

31 The Friday, April 12 deadline (the 94<sup>th</sup> legislative day) for adoption of the  
 32 conference committee report on the Long Appropriation Bill is extended  
 33 until Friday, April 26, 2002 (the 108<sup>th</sup> legislative day).  
 34

35 This memorandum shall be printed in the journal of each house as is  
 36 required by said Joint Rule 23(c).  
 37

38 (signed)	(signed)
39 Doug Dean	Stan Matsunaka
40 Lola Spradley	Ed Perlmutter
41 Dan Grossman	John Andrews

42  
 43  
 44

45 **PRINTING REPORT**  
 46

47 The Chief Clerk reports the following bill has been correctly printed:  
 48 **HB02-1409.**  
 49  
 50  
 51

52 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**  
 53

54 The Speaker has signed: **SB02-051, 122, 145.**  
 55  
 56

**MESSAGES FROM THE SENATE**

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

Mr. Speaker:

The Senate has adopted and transmits herewith: SJR02-019.

---

The Senate has passed on Third Reading and returns herewith HB02-1130.

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

SB02-156, amended as printed in Senate Journal, March 22, page 556;  
SB02-068, amended as printed in Senate Journal, March 22, page 556;  
HB02-1179, amended as printed in Senate Journal, March 22, page 554;  
HB02-1042, amended as printed in Senate Journal, March 22, pages 554-555;  
HB02-1250, amended as printed in Senate Journal, March, page 555.

---

The Senate has passed on Third Reading and returns herewith HB02-1214, 1206, 1217, 1335, 1079, 1346, 1350, 1011.

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

HB02-1162, amended as printed in Senate Journal, March 25, page 569;  
HB02-1064, amended as printed in Senate Journal, March 25, page 570;  
HB02-1089, amended as printed in Senate Journal, March 25, page 570;  
HB02-1141, amended as printed in Senate Journal, March 25, page 575;  
HB02-1333, amended as printed in Senate Journal, March 25, page 575;  
HB02-1245, amended as printed in Senate Journal, March 25, page 575 and March 26.

---

**MESSAGES FROM THE REVISOR**

We herewith transmit without comment, SB02-156 , 068, HB02-1179, 1042, and 1250.

---

We herewith transmit without comment, as amended, HB02-1162, 1064, 1089, 1141, 1333, and 1245.

---

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

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

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

**HB02-1409** by Representative(s) Rhodes; also Senator(s) Taylor--  
Concerning the repeal date of a provision that authorizes  
the use of moneys in the petroleum storage tank fund to  
verify that petroleum storage systems comply with  
applicable standards.

Committee on Finance

**HB02-1410** by Representative(s) Tochtrop, White, Johnson,  
Alexander, Berry, Cloer, Dean, Kester, Lee, Miller,  
Snook, Stengel, Swenson, Tapia, Webster; also Senator(s)  
Chlouber, Matsunaka, Entz, Epps, Evans, Hagedorn, Isgar,  
McElhany, Nichol, Owen, Teck--Concerning permits that  
authorize carrying of concealed handguns in areas other  
than public kindergarten through twelfth-grade school  
environments issued to persons with handgun training who  
pass background checks that include fingerprinting to  
ensure such persons are not a danger, and, in connection  
therewith, identifying the issuance of permits that  
authorize carrying of concealed handguns as an issue of  
statewide concern and making an appropriation.

Committee on Civil Justice & Judiciary

Committee on Appropriations

**SB02-068** by Senator(s) Entz; also Representative(s) Hoppe--  
Concerning per diem compensation for the appointed  
members of the Colorado water conservation board, and  
making an appropriation in connection therewith.

Committee on Agriculture, Livestock, & Natural Resources

Committee on Appropriations

---

**INTRODUCTION OF RESOLUTIONS**

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

**HJR02-1035** by Representative(s) Stafford, Boyd, Clapp, Crane, Groff,  
Johnson, Mace, Spence, Tochtrop, Williams S., Witwer;  
also Senator(s) Dyer, Entz--Concerning persons with  
disabilities, and, in connection therewith, recognizing their  
struggles and triumphs and encouraging enhanced training  
for governmental entities that serve the disabled.

WHEREAS, Colorado residents with disabilities have made great  
contributions to this state and the nation; and

WHEREAS, Oftentimes, individuals with disabilities are  
misunderstood or marginalized by others, due to others' lack of awareness  
and education; and

1 WHEREAS, Some of the state's home- and community-based  
 2 services programs provide personal care and homemaker services to  
 3 individuals with disabilities; however, personal care providers are  
 4 required to receive only twenty hours of training and homemakers are  
 5 required to receive only eight hours of training; and  
 6

7 WHEREAS, Enhanced education and training opportunities for  
 8 home- and community-based services program workers and for families  
 9 with disabled family members, as well as enhanced training for social  
 10 services employees in resource management and family preservation, can  
 11 help the state to better serve the needs of its disabled population as well  
 12 as reduce the long-term financial burden on the state's taxpayers; and  
 13

14 WHEREAS, Allowing for more flexibility in home- and  
 15 community-based services programs can facilitate more efficient care for  
 16 individuals with disabilities; and  
 17

18 WHEREAS, Organizations such as the Colorado Developmental  
 19 Disabilities Council are available to provide educational and training  
 20 resources to governmental entities serving the disabled community and  
 21 to families with a disabled family member; now, therefore,  
 22

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

27 That we, the members of the Sixty-third General Assembly,  
 28 encourage governmental entities that provide services to individuals with  
 29 disabilities to utilize the educational and training resources of  
 30 organizations such as the Colorado Developmental Disabilities Council  
 31 as a means to enhance the training and education of those serving the  
 32 disabled community and to further awareness of the needs and abilities  
 33 of individuals with disabilities.  
 34

35 That we also encourage the state, counties, and Colorado  
 36 businesses to incorporate education on the challenges and assets of the  
 37 disabled community through employee in-service training.  
 38

39 *Be it Further Resolved,* That a copy of this Resolution be sent to  
 40 the Colorado Developmental Disabilities Council, the Colorado Cross  
 41 Disability Coalition, the PEAK Parent Center, the JFK Partners program  
 42 in the University of Colorado Health Sciences Center, Executive Director  
 43 of the Department of Human Services Marva Hammond, and the board  
 44 of county commissioners of each county or city and county in Colorado.  
 45

46  
 47  
 48 **SJR02-019** by Senator(s) Entz, Phillips, Thiebaut, Chlouber,  
 49 Anderson, Andrews, Arnold, Cairns, Dyer, Epps, Evans,  
 50 Fitz-Gerald, Gordon, Hagedorn, Hanna, Hernandez,  
 51 Hillman, Isgar, Lamborn, Linkhart, Matsunaka, May,  
 52 McElhany, Musgrave, Nichol, Owen, Pascoe, Perlmutter,  
 53 Reeves, Tate, Taylor, Teck, Tupa, Windels; also  
 54 Representative(s) Miller, Snook, Alexander, Bacon,  
 55 Borodkin, Boyd, Cadman, Chavez, Clapp, Cloer,  
 56 Coleman, Crane, Daniel, Dean, Decker, Fairbank, Fritz,



1 Garcia, Groff, Grossman, Harvey, Hefley, Hodge, Hoppe,  
2 Jahn, Jameson, Johnson, Kester, King, Larson, Lawrence,  
3 Lee, Mace, Madden, Marshall, Mitchell, Paschall, Plant,  
4 Ragsdale, Rhodes, Rippy, Romanoff, Saliman, Sanchez,  
5 Schultheis, Scott, Sinclair, Smith, Spence, Spradley,  
6 Stafford, Stengel, Swenson, Tapia, Tochtrop, Veiga, Vigil,  
7 Webster, Weddig, White, Williams S., Williams T.,  
8 Witwer, Young--Concerning the naming of a portion of  
9 US Highway 285 and State Highway 17 as the "Korean  
10 War Veterans Memorial Highway".

---

11  
12  
13  
14 **LAY OVER OF CALENDAR ITEMS**

15  
16 On motion of Representative Spradley, the following items on the  
17 Calendar were laid over until March 27, retaining place on Calendar:

18  
19 Consideration of Resolutions--**SJR02-008, HJR02-1033, 1034.**  
20 Consideration of Senate Amendments--**HB02-1041, 1153, 1061, 1050,**  
21 **1168, 1053, 1111, 1071, 1305, 1057, 1131, 1144, 1258, 1078.**

---

22  
23  
24 On motion of Representative Spradley, the House adjourned until  
25 9:00 a.m., March 27, 2002.

26  
27 Approved:

28  
29  
30  
31 DOUG DEAN,  
32 Speaker

33 Attest:

34  
35 JUDITH RODRIGUE,  
36 Chief Clerk