

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

Seventy-sixth Legislative Day

Monday, March 25, 2002

1 Prayer by Representative Mitchell.
2
3 The Speaker called the House to order at 10:00 a.m.
4
5 The roll was called with the following result:
6
7 Present--63.
8 Absent--Representatives Chavez, Plant--.
9 Present after roll call--Representatives Chavez, Plant.
10
11 The Speaker declared a quorum present.
12 _____
13
14
15 On motion of Representative Jameson, the reading of the journal of
16 March 22, 2002, was declared dispensed with and approved as corrected
17 by the Chief Clerk.
18 _____
19
20
21 **CONSIDERATION OF RESOLUTION**
22
23 **SJR02-016** by Senator(s) Taylor, Entz, Anderson, Andrews, Cairns,
24 Chlouber, Dyer, Evans, Hernandez, Isgar, May, Owen,
25 Perlmutter, Thiebaut; also Representative(s) Weddig,
26 Cadman, Decker, Miller, Paschall, Sinclair, Swenson,
27 Witwer--Concerning the recognition of Military
28 Appreciation Day.
29
30 (Printed and placed in member's file.)
31
32 On motion of Representative Weddig, the resolution was read at length
33 and **adopted** by **viva voce** vote.
34
35 Co-sponsors added: Roll call of the House.
36 _____
37
38
39 House in recess. House reconvened.
40
41 _____
42
43

THIRD READING OF BILLS--FINAL PASSAGE

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

HB02-1296 by Representative(s) Stafford, Alexander, Berry, Groff, Harvey, Johnson, King, Mace, Mitchell, Rhodes, Schultheis, Spradley; also Senator(s) Perlmutter-- Concerning the creation of an office of community and faith-based initiatives within the department of human services.

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

| YES | 43 | NO | 22 | EXCUSED | 0 | ABSENT | 0 |
|-----------|----|----------|----|------------|---|-------------|---|
| Alexander | Y | Groff | Y | Marshall | N | Spence | Y |
| Bacon | N | Grossman | N | Miller | Y | Spradley | Y |
| Berry | Y | Harvey | Y | Mitchell | Y | Stafford | Y |
| Borodkin | N | Hefley | Y | Paschall | Y | Stengel | N |
| Boyd | N | Hodge | N | Plant | N | Swenson | N |
| Cadman | Y | Hoppe | Y | Ragsdale | N | Tapia | Y |
| Chavez | Y | Jahn | N | Rhodes | Y | Tochtrop | N |
| Clapp | Y | Jameson | Y | Rippy | Y | Veiga | N |
| Cloer | Y | Johnson | Y | Romanoff | N | Vigil | N |
| Coleman | Y | Kester | Y | Saliman | N | Webster | N |
| Crane | N | King | Y | Sanchez | Y | Weddig | Y |
| Daniel | N | Larson | N | Schultheis | Y | White | Y |
| Decker | Y | Lawrence | Y | Scott | Y | Williams S. | Y |
| Fairbank | Y | Lee | Y | Sinclair | Y | Williams T. | Y |
| Fritz | Y | Mace | Y | Smith | Y | Witwer | Y |
| Garcia | Y | Madden | N | Snook | Y | Young | Y |
| | | | | | | Mr. Speaker | N |

Co-sponsors added: Representatives Cloer, Scott.

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

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

| YES | 64 | NO | 1 | EXCUSED | 0 | ABSENT | 0 |
|-----------|----|----------|---|----------|---|----------|---|
| Alexander | Y | Groff | Y | Marshall | Y | Spence | Y |
| Bacon | Y | Grossman | Y | Miller | Y | Spradley | Y |
| Berry | Y | Harvey | Y | Mitchell | Y | Stafford | Y |
| Borodkin | Y | Hefley | Y | Paschall | Y | Stengel | Y |
| Boyd | Y | Hodge | Y | Plant | Y | Swenson | Y |

| | | | | | | | | |
|----|----------|---|----------|---|------------|---|-------------|---|
| 1 | Cadman | Y | Hoppe | Y | Ragsdale | Y | Tapia | Y |
| 2 | Chavez | Y | 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 | N | 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 Co-sponsor added: Representative Spence.

15
16 **SB02-021** by Senator(s) Reeves; also Representative(s) Stafford--
17 Concerning child support guidelines.

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

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

23
24 YES 65 NO 0 EXCUSED 0 ABSENT 0

| | | | | | | | | |
|----|-----------|---|----------|---|------------|---|-------------|---|
| 26 | Alexander | Y | Groff | Y | Marshall | Y | Spence | Y |
| 27 | Bacon | Y | Grossman | Y | Miller | Y | Spradley | Y |
| 28 | Berry | Y | Harvey | Y | Mitchell | Y | Stafford | Y |
| 29 | Borodkin | Y | Hefley | Y | Paschall | Y | Stengel | Y |
| 30 | Boyd | Y | Hodge | Y | Plant | Y | Swenson | Y |
| 31 | Cadman | Y | Hoppe | Y | Ragsdale | Y | Tapia | Y |
| 32 | Chavez | Y | Jahn | Y | Rhodes | Y | Tochtrop | Y |
| 33 | Clapp | Y | Jameson | Y | Rippy | Y | Veiga | Y |
| 34 | Cloer | Y | Johnson | Y | Romanoff | Y | Vigil | Y |
| 35 | Coleman | Y | Kester | Y | Saliman | Y | Webster | Y |
| 36 | Crane | Y | King | Y | Sanchez | Y | Weddig | Y |
| 37 | Daniel | Y | Larson | Y | Schultheis | Y | White | Y |
| 38 | Decker | Y | Lawrence | Y | Scott | Y | Williams S. | Y |
| 39 | Fairbank | Y | Lee | Y | Sinclair | Y | Williams T. | Y |
| 40 | Fritz | Y | Mace | Y | Smith | Y | Witwer | Y |
| 41 | Garcia | Y | Madden | Y | Snook | Y | Young | Y |
| 42 | | | | | | | Mr. Speaker | Y |

43
44 Co-sponsors added: Representatives Boyd, Harvey, Mace, Marshall, Schultheis.

45
46
47 **SB02-166** by Senator(s) Teck; also Representative(s) Sinclair--
48 Concerning compensation of county coroners.

49
50 The question being "Shall the bill pass?".

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

54
55

| | YES 60 | NO 5 | EXCUSED 0 | ABSENT 0 | | | | |
|----|-----------|------|-----------|----------|------------|---|-------------|---|
| 1 | | | | | | | | |
| 2 | | | | | | | | |
| 3 | Alexander | Y | Groff | Y | Marshall | Y | Spence | Y |
| 4 | Bacon | Y | Grossman | Y | Miller | Y | Spradley | N |
| 5 | Berry | Y | Harvey | Y | Mitchell | Y | Stafford | Y |
| 6 | Borodkin | Y | Hefley | N | Paschall | Y | Stengel | N |
| 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 | N | 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 | N | 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 Hodge, Kester, Miller, Stafford.

22
23 **SB02-020** by Senator(s) Gordon; also Representative(s) Mitchell--
24 Concerning a prohibition against the examination of
25 confidential communications made by a minor child to a
26 parent and, in connection therewith, creating exceptions to
27 the prohibition.

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

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

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

53
54 Co-sponsors added: Representatives Boyd, Harvey, Jahn, Lee, Madden, Scott,
55 Stengel, Williams S.

56

1 **HB02-1025** by Representative(s) Romanoff, Boyd, Stafford, Tochtrop;
 2 also Senator(s) Hagedorn, Hanna, Hernandez, Linkhart--
 3 Concerning methods to address barriers to self-sufficiency
 4 in Colorado works participants.
 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**.

| | YES 61 | NO 4 | EXCUSED 0 | ABSENT 0 | | | |
|--------------|--------|----------|-----------|------------|---|-------------|---|
| 13 Alexander | Y | Groff | Y | Marshall | Y | Spence | Y |
| 14 Bacon | Y | Grossman | Y | Miller | Y | Spradley | Y |
| 15 Berry | N | Harvey | Y | Mitchell | N | Stafford | Y |
| 16 Borodkin | Y | Hefley | Y | Paschall | Y | Stengel | Y |
| 17 Boyd | Y | Hodge | Y | Plant | Y | Swenson | Y |
| 18 Cadman | N | Hoppe | Y | Ragsdale | Y | Tapia | Y |
| 19 Chavez | Y | Jahn | Y | Rhodes | Y | Tochtrop | Y |
| 20 Clapp | Y | Jameson | Y | Rippy | Y | Veiga | Y |
| 21 Cloer | Y | Johnson | Y | Romanoff | Y | Vigil | Y |
| 22 Coleman | Y | Kester | Y | Saliman | Y | Webster | Y |
| 23 Crane | Y | King | Y | Sanchez | Y | Weddig | Y |
| 24 Daniel | Y | Larson | Y | Schultheis | Y | White | Y |
| 25 Decker | N | Lawrence | Y | Scott | Y | Williams S. | Y |
| 26 Fairbank | Y | Lee | Y | Sinclair | Y | Williams T. | Y |
| 27 Fritz | Y | Mace | Y | Smith | Y | Witwer | Y |
| 28 Garcia | Y | Madden | Y | Snook | Y | Young | Y |
| 29 | | | | | | Mr. Speaker | Y |

30
 31 Co-sponsors added: Representatives Coleman, Garcia, Groff, Jahn, Mace,
 32 Madden, Marshall, Miller, Plant, Sanchez, Vigil, Williams S.
 33

34 **HB02-1101** by Representative(s) Williams T.; also Senator(s) Gordon
 35 --Concerning family-friendly courts, and making an
 36 appropriation therefor.
 37

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

| | YES 59 | NO 6 | EXCUSED 0 | ABSENT 0 | | | |
|--------------|--------|----------|-----------|------------|---|----------|---|
| 45 Alexander | Y | Groff | Y | Marshall | Y | Spence | Y |
| 46 Bacon | Y | Grossman | Y | Miller | Y | Spradley | Y |
| 47 Berry | N | Harvey | Y | Mitchell | N | Stafford | Y |
| 48 Borodkin | Y | Hefley | Y | Paschall | N | 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 | N | Williams S. | Y |
| 2 | Fairbank | Y | Lee | Y | Sinclair | N | Williams T. | Y |
| 3 | Fritz | Y | Mace | Y | Smith | Y | Witwer | Y |
| 4 | Garcia | Y | Madden | Y | Snook | Y | Young | N |
| 5 | | | | | | | Mr. Speaker | Y |

6
 7 Co-sponsors added: Representatives Boyd, Groff, Harvey, Jahn, Lawrence,
 8 Madden, Marshall, Plant, Ragsdale, Romanoff, Vigil, Williams S.
 9

10 **HB02-1159** by Representative(s) Berry, Stafford; also Senator(s)
 11 Reeves--Concerning the creation of the office of homeless
 12 youth services, and making an appropriation in connection
 13 therewith.
 14

15 The question being "Shall the bill pass?".
 16 A roll call vote was taken. As shown by the following recorded vote, a
 17 majority of those elected to the House voted in the affirmative and the bill
 18 was declared **passed**.
 19

20 YES 63 NO 2 EXCUSED 0 ABSENT 0
 21

| | | | | | | | | |
|----|-----------|---|----------|---|------------|---|-------------|---|
| 22 | Alexander | Y | Groff | Y | Marshall | Y | Spence | Y |
| 23 | Bacon | Y | Grossman | Y | Miller | Y | Spradley | Y |
| 24 | Berry | Y | Harvey | Y | Mitchell | Y | Stafford | Y |
| 25 | Borodkin | Y | Hefley | Y | Paschall | Y | Stengel | Y |
| 26 | Boyd | Y | Hodge | Y | Plant | Y | Swenson | Y |
| 27 | Cadman | Y | Hoppe | Y | Ragsdale | Y | Tapia | Y |
| 28 | Chavez | Y | 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 | N | White | Y |
| 34 | Decker | Y | Lawrence | Y | Scott | N | 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 Co-sponsors added: Representatives Boyd, Cloer, Coleman, Groff, Hefley,
 41 Hodge, Jahn, Lawrence, Mace, Marshall, Miller, Plant, Romanoff, Sanchez,
 42 Tochtrop, Williams S.
 43

44 **HB02-1300** by Representative(s) Spence; also Senator(s) Evans--
 45 Concerning the preparation of teachers for licensure.
 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**.
 51

52 YES 65 NO 0 EXCUSED 0 ABSENT 0
 53

| | | | | | | | | |
|----|-----------|---|----------|---|----------|---|----------|---|
| 54 | Alexander | Y | Groff | Y | Marshall | Y | Spence | Y |
| 55 | Bacon | Y | Grossman | Y | Miller | Y | Spradley | Y |
| 56 | Berry | Y | Harvey | Y | Mitchell | Y | Stafford | Y |

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

15
16 Co-sponsors added: Representatives Cloer, Hefley, Jahn, Lawrence, Scott,
17 Spradley, Williams S.

18
19 **HB02-1348** by Representative(s) Harvey; also Senator(s) Dyer--
20 Concerning the transfer of the poison control program
21 from the department of health care policy and financing to
22 the department of public health and environment, and, in
23 connection therewith, making a transfer of appropriation.
24

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

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

| | | | | | | | | |
|----|------------|----|-----------|---|----------------|---|---------------|---|
| 29 | | | | | | | | |
| 30 | <u>YES</u> | 65 | <u>NO</u> | 0 | <u>EXCUSED</u> | 0 | <u>ABSENT</u> | 0 |
| 31 | | | | | | | | |
| 32 | Alexander | Y | Groff | Y | Marshall | Y | Spence | Y |
| 33 | Bacon | Y | Grossman | Y | Miller | Y | Spradley | Y |
| 34 | Berry | Y | Harvey | Y | Mitchell | Y | Stafford | Y |
| 35 | Borodkin | Y | Hefley | Y | Paschall | Y | Stengel | Y |
| 36 | Boyd | Y | Hodge | Y | Plant | Y | Swenson | Y |
| 37 | Cadman | Y | Hoppe | Y | Ragsdale | Y | Tapia | Y |
| 38 | Chavez | Y | Jahn | Y | Rhodes | Y | Tochtrop | Y |
| 39 | Clapp | Y | Jameson | Y | Rippy | Y | Veiga | Y |
| 40 | Cloer | Y | Johnson | Y | Romanoff | Y | Vigil | Y |
| 41 | Coleman | Y | Kester | Y | Saliman | Y | Webster | Y |
| 42 | Crane | Y | King | Y | Sanchez | Y | Weddig | Y |
| 43 | Daniel | Y | Larson | Y | Schultheis | Y | White | Y |
| 44 | Decker | Y | Lawrence | Y | Scott | Y | Williams S. | Y |
| 45 | Fairbank | Y | Lee | Y | Sinclair | Y | Williams T. | Y |
| 46 | Fritz | Y | Mace | Y | Smith | Y | Witwer | Y |
| 47 | Garcia | Y | Madden | Y | Snook | Y | Young | Y |
| 48 | | | | | | | Mr. Speaker | Y |

49
50 Co-sponsor added: Representative Stafford.

51
52 **HB02-1339** by Representative(s) Cadman; also Senator McElhany--
53 Concerning measures that will address whether all
54 accounts for alcohol beverages sold to the applicant are
55 paid when applying for a temporary permit pending
56 transfer of certain alcohol licenses.

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

| | YES 65 | NO 0 | EXCUSED 0 | ABSENT 0 | | | | |
|----|-----------|------|-----------|----------|------------|---|-------------|---|
| 7 | Alexander | Y | Groff | Y | Marshall | Y | Spence | Y |
| 8 | Bacon | Y | Grossman | Y | Miller | Y | Spradley | Y |
| 9 | Berry | Y | Harvey | Y | Mitchell | Y | Stafford | Y |
| 10 | Borodkin | Y | Hefley | Y | Paschall | Y | Stengel | Y |
| 11 | Boyd | Y | Hodge | Y | Plant | Y | Swenson | Y |
| 12 | Cadman | Y | Hoppe | Y | Ragsdale | Y | Tapia | Y |
| 13 | Chavez | Y | Jahn | Y | Rhodes | Y | Tochtrop | Y |
| 14 | Clapp | Y | Jameson | Y | Rippy | Y | Veiga | Y |
| 15 | Cloer | Y | Johnson | Y | Romanoff | Y | Vigil | Y |
| 16 | Coleman | Y | Kester | Y | Saliman | Y | Webster | Y |
| 17 | Crane | Y | King | Y | Sanchez | Y | Weddig | Y |
| 18 | Daniel | Y | Larson | Y | Schultheis | Y | White | Y |
| 19 | Decker | Y | Lawrence | Y | Scott | Y | Williams S. | Y |
| 20 | Fairbank | Y | Lee | Y | Sinclair | Y | Williams T. | Y |
| 21 | Fritz | Y | Mace | Y | Smith | Y | Witwer | Y |
| 22 | Garcia | Y | Madden | Y | Snook | Y | Young | Y |
| 23 | | | | | | | Mr. Speaker | Y |

24
 25 Co-sponsors added: Representatives Jameson, Kester.

26
 27 **SB02-004** by Senator(s) Isgar, Entz, Matsunaka, Reeves; also
 28 Representative(s) Larson--Concerning the ability to allow
 29 the liquor industry to provide financial assistance to an
 30 institution of higher education that holds a liquor license.

31
 32 The question being "Shall the bill pass?".
 33 A roll call vote was taken. As shown by the following recorded vote, a
 34 majority of those elected to the House voted in the affirmative and the bill
 35 was declared **passed**.

| | YES 65 | NO 0 | EXCUSED 0 | ABSENT 0 | | | | |
|----|-----------|------|-----------|----------|------------|---|-------------|---|
| 38 | Alexander | Y | Groff | Y | Marshall | Y | Spence | Y |
| 39 | Bacon | Y | Grossman | Y | Miller | Y | Spradley | Y |
| 40 | Berry | Y | Harvey | Y | Mitchell | Y | Stafford | Y |
| 41 | Borodkin | Y | Hefley | Y | Paschall | Y | Stengel | Y |
| 42 | Boyd | Y | Hodge | Y | Plant | Y | Swenson | Y |
| 43 | Cadman | Y | Hoppe | Y | Ragsdale | Y | Tapia | Y |
| 44 | Chavez | Y | Jahn | Y | Rhodes | Y | Tochtrop | Y |
| 45 | Clapp | Y | Jameson | Y | Rippy | Y | Veiga | Y |
| 46 | Cloer | Y | Johnson | Y | Romanoff | Y | Vigil | Y |
| 47 | Coleman | Y | Kester | Y | Saliman | Y | Webster | Y |
| 48 | Crane | Y | King | Y | Sanchez | Y | Weddig | Y |
| 49 | Daniel | Y | Larson | Y | Schultheis | Y | White | Y |
| 50 | Decker | Y | Lawrence | Y | Scott | Y | Williams S. | Y |
| 51 | Fairbank | Y | Lee | Y | Sinclair | Y | Williams T. | Y |
| 52 | Fritz | Y | Mace | Y | Smith | Y | Witwer | Y |
| 53 | Garcia | Y | Madden | Y | Snook | Y | Young | Y |
| 54 | | | | | | | Mr. Speaker | Y |

55
 56 Co-sponsors added: Representatives Harvey, Mace, Williams S.

1 **SB02-013** by Senator(s) Isgar, Fitz-Gerald, Hagedorn, McElhany,
 2 Owen; also Representative(s) Tochtrop, Miller--
 3 Concerning prompt payment of health insurance claims.
 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

| 10 | YES 65 | NO 0 | EXCUSED 0 | 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 | Y | 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 Bacon, Borodkin, Boyd, Clapp, Cloer,
 31 Coleman, Crane, Fritz, Garcia, Groff, Hefley, Hoppe, Jahn, Johnson, Kester,
 32 King, Lawrence, Mace, Madden, Marshall, Plant, Ragsdale, Romanoff, Sanchez,
 33 Smith, Snook, Spradley, Swenson, Vigil, Weddig, Williams S.
 34

35 **SB02-146** by Senator(s) Phillips, Hernandez; also Representative(s)
 36 Spradley--Concerning refunding prepaid premiums for
 37 medicare supplement insurance policies.
 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**.
 43

| 44 | YES 65 | NO 0 | EXCUSED 0 | ABSENT 0 | | | |
|----|-----------|------|-----------|----------|----------|---|------------|
| 45 | | | | | | | |
| 46 | Alexander | Y | Groff | Y | Marshall | Y | Spence Y |
| 47 | Bacon | Y | Grossman | Y | Miller | Y | Spradley Y |
| 48 | Berry | Y | Harvey | Y | Mitchell | Y | Stafford Y |
| 49 | Borodkin | Y | Hefley | Y | Paschall | Y | Stengel Y |
| 50 | Boyd | Y | Hodge | Y | Plant | Y | Swenson Y |
| 51 | Cadman | Y | Hoppe | Y | Ragsdale | Y | Tapia Y |
| 52 | Chavez | Y | Jahn | Y | Rhodes | Y | Tochtrop Y |
| 53 | Clapp | Y | Jameson | Y | Rippy | Y | Veiga Y |
| 54 | Cloer | Y | Johnson | Y | Romanoff | Y | Vigil Y |
| 55 | Coleman | Y | Kester | Y | Saliman | Y | Webster Y |
| 56 | Crane | Y | King | Y | Sanchez | Y | Weddig Y |

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

8 Co-sponsors added: Representatives Kester, Williams T.

10 **SB02-023** by Senator(s) Taylor; also Representative(s) Sinclair--
 11 Concerning decorations awarded by the national guard of
 12 Colorado.

14 The question being "Shall the bill 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 bill
 17 was declared **passed**.

| | | | | | | | | |
|----|------------|----|-----------|---|----------------|---|---------------|---|
| 19 | <u>YES</u> | 65 | <u>NO</u> | 0 | <u>EXCUSED</u> | 0 | <u>ABSENT</u> | 0 |
| 21 | Alexander | Y | Groff | Y | Marshall | Y | Spence | Y |
| 22 | Bacon | Y | Grossman | Y | Miller | Y | Spradley | Y |
| 23 | Berry | Y | Harvey | Y | Mitchell | Y | Stafford | Y |
| 24 | Borodkin | Y | Hefley | Y | Paschall | Y | Stengel | Y |
| 25 | Boyd | Y | Hodge | Y | Plant | Y | Swenson | Y |
| 26 | Cadman | Y | Hoppe | Y | Ragsdale | Y | Tapia | Y |
| 27 | Chavez | Y | Jahn | Y | Rhodes | Y | Tochtrop | Y |
| 28 | Clapp | Y | Jameson | Y | Rippy | Y | Veiga | Y |
| 29 | Cloer | Y | Johnson | Y | Romanoff | Y | Vigil | Y |
| 30 | Coleman | Y | Kester | Y | Saliman | Y | Webster | Y |
| 31 | Crane | Y | King | Y | Sanchez | Y | Weddig | Y |
| 32 | Daniel | Y | Larson | Y | Schultheis | Y | White | Y |
| 33 | Decker | Y | Lawrence | Y | Scott | Y | Williams S. | Y |
| 34 | Fairbank | Y | Lee | Y | Sinclair | Y | Williams T. | Y |
| 35 | Fritz | Y | Mace | Y | Smith | Y | Witwer | Y |
| 36 | Garcia | Y | Madden | Y | Snook | Y | Young | Y |
| 37 | | | | | | | Mr. Speaker | Y |

39 Co-sponsors added: Representatives Alexander, Cadman, Clapp, Cloer,
 40 Fairbank, Garcia, Harvey, Hefley, Hoppe, King, Lawrence, Mace, Madden,
 41 Rhodes, Romanoff, Sanchez, Schultheis, Scott, Snook, Spradley, Stafford,
 42 Stengel, Tochtrop.

44 **SCR02-002** by Senator(s) Pascoe; also Representative(s) Witwer--
 45 Submitting to the registered electors of the state of
 46 Colorado an amendment to article XIV of the constitution
 47 of the state of Colorado, concerning the authority of the
 48 general assembly to establish qualifications for the office
 49 of county coroner.

51 The question being "Shall the resolution pass?".

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

55

| | YES 62 | NO 3 | EXCUSED 0 | ABSENT 0 | | | |
|----|-----------|------|-----------|----------|------------|---|-------------|
| 1 | | | | | | | |
| 2 | | | | | | | |
| 3 | Alexander | Y | Groff | Y | Marshall | Y | Spence |
| 4 | Bacon | Y | Grossman | Y | Miller | Y | Spradley |
| 5 | Berry | Y | Harvey | Y | Mitchell | Y | Stafford |
| 6 | Borodkin | Y | Hefley | Y | Paschall | N | Stengel |
| 7 | Boyd | Y | Hodge | Y | Plant | Y | Swenson |
| 8 | Cadman | Y | Hoppe | Y | Ragsdale | Y | Tapia |
| 9 | Chavez | Y | Jahn | Y | Rhodes | Y | Tochtrop |
| 10 | Clapp | Y | Jameson | Y | Rippy | Y | Veiga |
| 11 | Cloer | Y | Johnson | Y | Romanoff | Y | Vigil |
| 12 | Coleman | Y | Kester | N | Saliman | Y | Webster |
| 13 | Crane | Y | King | Y | Sanchez | Y | Weddig |
| 14 | Daniel | Y | Larson | Y | Schultheis | N | White |
| 15 | Decker | Y | Lawrence | Y | Scott | Y | Williams S. |
| 16 | Fairbank | Y | Lee | Y | Sinclair | Y | Williams T. |
| 17 | Fritz | Y | Mace | Y | Smith | Y | Witwer |
| 18 | Garcia | Y | Madden | Y | Snook | Y | Young |
| 19 | | | | | | | Mr. Speaker |
| 20 | | | | | | | |

21 Co-sponsors added: Representatives Chavez, Coleman, Grossman, Jahn,
22 Lawrence, Mace, Madden, Sinclair, Stafford, Webster, Williams S.

26 On motion of Representative White, the House resolved itself into
27 Committee of the Whole for consideration of General Orders, and he was
28 called to the Chair to act as Chairman.

32 GENERAL ORDERS--SECOND READING OF BILLS

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

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

43 **HB02-1338** by Representative(s) Webster; also Senator(s) Reeves--
44 Concerning fees for performing emissions testing on motor
45 vehicles.

47 (Amended on second reading, March 22, page 967.)

49 Amendment No. 2, by Representative Smith.

51 Amend printed bill, page 2, strike lines 10 through 15 and substitute the
52 following:

54 "vehicles in the basic emissions program or for the inspection of model
55 year 1981 and older vehicles at said facilities licensed or authorized
56 within IN the enhanced emissions program. except that for 1982 model

1 ~~and newer vehicles a motor vehicle dealer test facility may charge a fee~~
2 ~~not to exceed twenty-five dollars."~~

3
4 As amended, ordered engrossed and placed on the Calendar for Third
5 Reading and Final Passage.

6
7 **HB02-1090** by Representative(s) Tochtrop, Clapp, Miller, Spradley,
8 Williams T.; also Senator(s) Fitz-Gerald, Hagedorn, Isgar,
9 Owen--Concerning the creation of an advisory committee
10 to study the administration of medications by certified
11 nurse aides.

12
13 Amendment No. 1, Health, Environment, Welfare, & Institutions Report,
14 dated March 18, 2002, and placed in member's bill file; Report also
15 printed in House Journal, March 19, pages 922-924.

16
17 As amended, ordered engrossed and placed on the Calendar for Third
18 Reading and Final Passage.

19
20 **HB02-1355** by Representative(s) Cloer, Boyd, Dean, Grossman,
21 Harvey, Rhodes; also Senator(s) Tate, Andrews--
22 Concerning whether certain business practices violate the
23 prohibition upon charging a higher price based on the
24 customer's use of a credit card rather than other forms of
25 payment.

26
27 Ordered engrossed and placed on the Calendar for Third Reading and
28 Final Passage.

29
30 **SB02-006** by Senator(s) Hanna; also Representative(s) Witwer--
31 Concerning workers' compensation coverage for public
32 safety personnel exposed to hepatitis C.

33
34 Amendment No. 1, Business Affairs & Labor Report, dated March 19,
35 2002, and placed in member's bill file; Report also printed in House
36 Journal, March 20, pages 935-936.

37
38 As amended, ordered revised and placed on the Calendar for Third
39 Reading and Final Passage.

40
41 **SB02-052** by Senator(s) Owen; also Representative(s) Daniel--
42 Concerning the repeal of provisions allocating certain
43 moneys appropriated to the department of local affairs
44 from the waste tire recycling development cash fund for
45 the Colorado commission on higher education.

46
47 Ordered revised and placed on the Calendar for Third Reading and Final
48 Passage.

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

56

1 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
 2 March 19, 2002, and placed in member's bill file; Report also printed in
 3 House Journal, March 20, pages 936-938.

4

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

7

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

11

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

14

15 **HB02-1364** by Representative(s) Swenson--Concerning tax
 16 reimbursement for fuel that is exempt from taxation.

17

18 Amendment No. 1, Finance Report, dated March 20, 2002, and placed in
 19 member's bill file; Report also printed in House Journal, March 21,
 20 page 951.

21

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

24

25 On motion of Representative Spradley, the remainder of the General
 26 Orders Calendar (**HB02-1015, 1343, 1010, SB02-136, 064, 104,**
 27 **HB02-1309, 1353, SB02-103, 128**) was laid over until March 24,
 28 retaining place on Calendar.

29

30

31

32 ADOPTION OF COMMITTEE OF THE WHOLE REPORT

33

34 Passed Second Reading: **HB02-1338 amended, 1090 amended, 1355,**
 35 **SB02-006 amended, 052, 085 amended, 100, HB02-1364 amended.**

36

37 Laid over until date indicated retaining place on Calendar: **HB02-1015,**
 38 **1343, 1010, SB02-136, 064, 104, HB02-1309, 1353, SB02-103, 128--**
 39 March 26, 2002.

40

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

45

46 YES 65 NO 0 EXCUSED 0 ABSENT 0

47

| | | | | | | | |
|--------------|---|----------|---|----------|---|----------|---|
| 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 | Y | Stengel | Y |
| 52 Boyd | Y | Hodge | Y | Plant | Y | Swenson | Y |
| 53 Cadman | Y | Hoppe | Y | Ragsdale | Y | Tapia | Y |
| 54 Chavez | Y | Jahn | Y | Rhodes | Y | Tochtrop | Y |
| 55 Clapp | Y | Jameson | Y | Rippy | Y | Veiga | Y |
| 56 Cloer | Y | Johnson | Y | Romanoff | Y | Vigil | Y |

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

10

11

12

13

REPORTS OF COMMITTEE OF REFERENCE

14

STATE, VETERANS, & MILITARY AFFAIRS

15 After consideration on the merits, the Committee recommends the
16 following:
17

18

19 **SB02-097** be amended as follows, and as so amended, be referred to
20 the Committee on Appropriations with favorable
21 recommendation:
22

23

Amend reengrossed bill, page 2, strike lines 2 through 20.

24

Strike page 3.

25

Page 4, strike lines 1 through 27 and substitute the following:

26

27 "SECTION 1. 29-1-204.5, Colorado Revised Statutes, is
28 amended BY THE ADDITION OF A NEW SUBSECTION, to read:
29

30

31 **29-1-204.5. Establishment of multijurisdictional housing
32 authorities."**
33

34

Page 5, strike lines 1 through 5.

35

Renumber succeeding sections accordingly.

36

Page 6, line 21, strike "5, 6, and 7" and substitute "1, 2, and 3".

37

Page 1, strike line 101 and substitute the following:

38

39 **"CONCERNING THE MODIFICATION OF STATE HOUSING AUTHORITY LAW
40 TO MAKE THE STATUTORY PROVISIONS GOVERNING ALL HOUSING
41 AUTHORITIES CONSISTENT WITH THE PROVISIONS GOVERNING CITY
42 HOUSING AUTHORITIES,"**
43

44

45

46

47 **SB02-099** be amended as follows, and as so amended, be referred to
48 the Committee of the Whole with favorable
49 recommendation:
50

51

Amend reengrossed bill, page 2, line 3, strike "THE FOLLOWING NEW
52 SUBSECTIONS" and substitute "A NEW SUBSECTION".
53

54

55

56

1 Page 3, strike line 1;
2
3 strike lines 7 through 27.

4
5 Page 4, strike lines 1 through 14 and substitute the following:

6
7 **"SECTION 2. Repeal of provisions being relocated in this act.**
8 28-3-102, Colorado Revised Statutes, is repealed.";

9
10 line 15, strike "(1) and (2)," and substitute "(1) and (7),";

11
12 line 23, strike "TERRORISTS,".

13
14 Page 5, strike lines 9 through 18;

15
16 after line 18, insert the following:

17
18 "(7) The organized militia shall consist of the following:

19
20 (a) The federally recognized national guard; AND

21
22 (b) The state defense force. ~~which shall comprise all organized~~
23 ~~components of the militia, except the federally recognized national~~
24 ~~guard."~~

25
26 Page 11, strike lines 1 through 7 and substitute the following:

27
28 "(2) Any person violating any of the provisions of SUBSECTION (1)
29 OF this section is guilty of a misdemeanor and, upon conviction thereof,
30 shall be punished by a fine of not more than five ~~hundred~~ THOUSAND
31 dollars. IN ADDITION, THE AGGRIEVED PERSON MAY BRING AN ACTION AT
32 LAW FOR DAMAGES FOR SUCH NONCOMPLIANCE OR APPLY TO THE DISTRICT
33 COURT FOR SUCH EQUITABLE RELIEF AS IS JUST AND PROPER UNDER THE
34 CIRCUMSTANCES.";

35
36 strike line 27.

37
38 Page 12, strike lines 1 through 5 and substitute the following:

39
40 **"28-3-611. Employer's noncompliance - actions.** ANY
41 EMPLOYER VIOLATING ANY OF THE PROVISIONS OF THIS PART 6 IS GUILTY
42 OF A MISDEMEANOR AND, UPON CONVICTION THEREOF, SHALL BE PUNISHED
43 BY A FINE OF NOT MORE THAN FIVE THOUSAND DOLLARS. ~~If any employer~~
44 ~~fails to comply with the foregoing,~~ IN ADDITION, the employee may ~~at his~~
45 ~~election,~~ bring an action at law for damages AND REASONABLE ATTORNEY
46 FEES for such noncompliance or apply to the district court for such
47 equitable relief AND REASONABLE ATTORNEY FEES as ~~is~~ ARE just and
48 proper under the circumstances.";

49
50 strike lines 23 through 25 and substitute the following:

51
52 **"SECTION 18.** 28-4-102 (1) and (2), Colorado Revised Statutes,
53 are amended, and the said 28-4-102 is further amended BY THE
54 ADDITION OF THE FOLLOWING NEW SUBSECTIONS, to read:";

55
56 after line 27, insert the following:

1 ~~"(1) "Active duty" means that duty which might require duty or~~
2 ~~service at any time in any twenty-four-hour day, such service to be~~
3 ~~continuous and exclusive for the state defense force, when required or~~
4 ~~necessary."~~

5
6 Page 13, strike line 1;

7
8 after line 1 insert the following:

9
10 ~~"(2) "National guard" includes the Colorado national guard and~~
11 ~~the national guard of the United States for Colorado.";~~

12
13 strike lines 7 through 14 and substitute the following:

14
15 "(4) "STATE DEFENSE FORCE" MEANS THE ORGANIZED MILITARY
16 FORCE OF THE STATE OF COLORADO OTHER THAN THE ARMY NATIONAL
17 GUARD OR AIR NATIONAL GUARD AND EXISTING AS A DIVISION OF THE
18 DEPARTMENT OF MILITARY AFFAIRS PURSUANT TO SECTION 24-1-127 (3)
19 (d), C.R.S.

20
21 (5) "STATE DEFENSE FORCE ACTIVE DUTY" MEANS THAT DUTY
22 PERFORMED BY INDIVIDUALS PURSUANT TO THIS ARTICLE.";

23
24 after line 14, insert the following:

25
26 "**SECTION 19.** Article 4 of title 28, Colorado Revised Statutes,
27 is amended BY THE ADDITION OF A NEW SECTION CONTAINING
28 RELOCATED PROVISIONS, WITH AMENDMENTS, to read:

29
30 **28-4-103.5. [Formerly 28-3-102] Persons subject to military**
31 **duty - state defense force.** (1) Every able-bodied male citizen of
32 Colorado and those who have declared their intention to become citizens
33 of the United States residing therein between the ages of eighteen and
34 ~~forty-five~~ SIXTY-FOUR years, except persons exempt by law, are subject
35 to military duty IN THE STATE DEFENSE FORCE. ~~The governor may, when~~
36 ~~he deems it necessary for the defense of the state, extend the maximum~~
37 ~~age for military service to not more than sixty-four years.~~ However, the
38 following persons or classes of persons are exempted from military
39 service:

40
41 (a) Persons exempt by any statute of this state;

42
43 (b) The members of any regularly organized fire or police
44 department of any city, COUNTY, city and county, or town if such
45 members are on full-time duty with the fire or police departments or if
46 such members are found by the governor to be necessary for the health,
47 welfare, or protection of the community;

48
49 (c) Those permanently disqualified for military service because
50 of physical disability and having in their possession a certificate of some
51 ~~reputable~~ LICENSED physician or surgeon which describes the nature
52 thereof;

53
54 (d) Justices, JUDGES, and clerks of courts of record, CLERKS OF
55 MUNICIPAL COURTS, county clerks and recorders, sheriffs, AND ministers
56 of the gospel;

1 (e) Practicing physicians, officers and assistants of hospitals,
2 prisons, and jails whose services are declared by the governor to be
3 necessary for the general health, welfare, or protection of the community;
4

5 (f) Persons determined to be mentally incompetent ~~and felons~~
6 ~~convicted of infamous crimes~~ BY A COURT OF COMPETENT JURISDICTION
7 AND PERSONS CONVICTED OF A FELONY and not pardoned;
8

9 (g) All persons who because of religious beliefs claim exemption
10 from military service, if the conscientious holding of such belief by such
11 persons is established under such regulations as the governor prescribes.
12 Such persons shall be exempted from military service in a combat
13 capacity, but no person so exempted shall be exempt from military
14 service in any capacity which the governor declares to be noncombatant.
15

16 **SECTION 20.** 28-4-104, Colorado revised Statutes, is amended
17 to read:
18

19 **28-4-104. State defense force - composition.** The governor is
20 authorized to organize and maintain within this state ~~under such~~
21 ~~regulations as the secretary of defense of the United States may prescribe~~
22 ~~for discipline in training;~~ such military forces as the governor deems
23 necessary to defend this state. Such forces shall be KNOWN AS THE STATE
24 DEFENSE FORCE AND SHALL BE composed of such citizens of the state as
25 shall volunteer OR BE ORDERED BY THE GOVERNOR and qualify for service
26 therein. Such forces shall be additional to and distinct from the national
27 guard. ~~and shall be known as the Colorado state defense force. In time~~
28 ~~of peace;~~ The Colorado state defense force shall be maintained in
29 numbers to be determined by the governor. ~~In time of national~~
30 ~~emergency, the Colorado state defense force shall be recognized as and~~
31 ~~shall constitute the organized militia of and for the state of Colorado~~
32 ~~while any part of the national guard of this state is in active federal~~
33 ~~service. Members of the Colorado state defense force shall be allowed~~
34 ~~and given credit for time served in a military organization of the state to~~
35 ~~the same extent and on the identical basis as such credit for military~~
36 ~~service was allowed and given the members of the Colorado national~~
37 ~~guard prior to the time of induction into federal military service. No~~
38 ~~officer or enlisted man~~ PERSON of this force shall be a member of the
39 federalized national guard or other armed force of the United States.
40 Such part of this force as ordered by the governor shall be uniformed.
41 Any part or all of this force may be called to STATE DEFENSE FORCE active
42 duty at the pleasure of the governor. ALL COSTS AND EXPENSES OF THE
43 STATE DEFENSE FORCE SHALL BE PAID FROM THE GENERAL FUND BY
44 SEPARATE APPROPRIATION TO THE DEPARTMENT OF MILITARY AFFAIRS.
45

46 **SECTION 21.** 28-4-105, Colorado Revised Statutes, is amended
47 to read:
48

49 **28-4-105. Organization - rules and regulations.** The governor
50 is authorized to prescribe the strength, branch of service, and rules and
51 regulations not inconsistent with the provisions of this article governing
52 the enlistment age of members of the force and governing the
53 organization, physical requirements, administration, equipment,
54 maintenance, training, and discipline of such force. Such rules and
55 regulations, insofar as he OR SHE deems practicable and desirable, shall
56 conform to the existing law governing and pertaining to the national

1 guard and the rules and regulations promulgated thereunder and shall
 2 prohibit the acceptance of gifts, donations, gratuities, or anything of value
 3 by any member of such force from any individual, firm, association, or
 4 corporation by reason of his OR HER membership; except that it is
 5 permissible for common carriers, such as AIRLINES, railroads and bus
 6 lines, to carry members of such force without charge or at a reduced rate.
 7 The Colorado state defense force shall be commanded by the senior
 8 officer holding a state commission in the Colorado state defense force.
 9 He OR SHE shall be designated by the ~~governor~~ ADJUTANT GENERAL as the
 10 commanding officer of the Colorado state defense force. All the rights,
 11 powers, privileges, benefits, and emoluments created or existing by virtue
 12 of state laws, customs, or regulations heretofore had or enjoyed by the
 13 members of the Colorado national guard shall be conferred upon and
 14 vested in the members of the Colorado state defense force. All the duties
 15 and responsibilities imposed upon and demanded of the members of the
 16 Colorado national guard by the state laws, customs, or regulations are
 17 imposed upon and may be demanded of the members of the Colorado
 18 state defense force.

19
 20 **SECTION 22.** 28-4-106, Colorado Revised Statutes, is amended
 21 to read:

22
 23 **28-4-106. Pay - members - employees of state.** All officers and
 24 enlisted ~~men~~ PERSONS of the Colorado state defense force when on STATE
 25 DEFENSE FORCE active duty by order of the governor shall receive the
 26 same pay and allowances as are paid to officers and enlisted ~~men~~
 27 PERSONS of like rank or grade in the army of the United States. OFFICERS
 28 AND ENLISTED PERSONS MAY ALSO VOLUNTARILY PERFORM STATE
 29 DEFENSE FORCE ACTIVE DUTY IN AN UNPAID VOLUNTEER STATUS.
 30 REGARDLESS OF PAY STATUS, the officers and enlisted ~~men~~ PERSONS of
 31 the Colorado state defense force shall be construed to be employees of
 32 the state of Colorado, and, in the event that any such officer or enlisted
 33 ~~man~~ PERSON incurs injuries or becomes sick, diseased, or deceased while
 34 on active duty under orders of the governor of the state of Colorado, he
 35 OR SHE shall be entitled to all of the benefits of the "Workers'
 36 Compensation Act of Colorado", articles 40 to 47 of title 8, C.R.S.,
 37 accruing to employees of the state of Colorado."

38
 39 Renumber succeeding sections according page 13, line 26, strike
 40 "TERRORISTS,".

41
 42 Page 14, strike lines 12 through 27.

43
 44 Page 15, strike lines 1 through 18 and substitute the following:

45
 46 **"SECTION 24.** 28-4-114, Colorado Revised statutes, is amended
 47 to read:

48
 49 **28-4-114. Enlistment period - oath.** ~~No person shall be enlisted~~
 50 ~~for more than one year, but such enlistment may be renewed.~~ THE
 51 PERIOD OF ENLISTMENT SHALL BE AS SPECIFIED IN DEPARTMENT OF
 52 MILITARY AFFAIRS POLICIES AND PROCEDURES. The oath to be taken upon
 53 enlistment in such forces shall be substantially in the form prescribed for
 54 enlisted men AND WOMEN of the national guard, substituting the words
 55 "Colorado state defense force" where necessary.

56

1 **SECTION 25.** 28-4-115, Colorado Revised Statutes, is amended
2 to read:

3
4 **28-4-115. Articles of war.** (1) ~~When such force or any part~~
5 ~~thereof is ordered out for active duty or service, the articles of war of the~~
6 ~~United States applicable to members of the national guard of this state in~~
7 ~~relation to courts-martial, their jurisdiction and the limits of punishment,~~
8 ~~and the rules and regulations prescribed thereunder shall be in full force~~
9 ~~and effect with respect to the Colorado state defense force.~~

10
11 (2) No officer or enlisted ~~man~~ PERSON of such force shall be
12 arrested on any warrant ~~except for treason or felony~~, while going to,
13 remaining at, or returning from a place where he OR SHE is ordered to
14 attend military duty; EXCEPT THAT NOTHING IN THIS ARTICLE SHALL BE
15 CONSTRUED TO PREVENT THAT PERSON'S ARREST BY ORDER OF A MILITARY
16 OFFICER OR FOR A CRIME COMMITTED WHILE NOT IN ACTUAL
17 PERFORMANCE OF THAT PERSON'S STATE DEFENSE FORCE ACTIVE DUTY.
18 Every officer and enlisted ~~man~~ PERSON of such force, during his OR HER
19 service therein, shall be exempt from service upon any posse comitatus
20 and from jury duty.

21
22 (3) WHEN ANY MEMBER OF THE STATE DEFENSE FORCE IS ON STATE
23 DEFENSE FORCE ACTIVE DUTY, WHETHER IN PAID OR VOLUNTEER STATUS,
24 THE INDIVIDUAL IS SUBJECT TO THE PROVISIONS OF THE "COLORADO CODE
25 OF MILITARY JUSTICE", AS SET FORTH IN ARTICLE 3.1 OF THIS TITLE."
26

27 Page 66, strike lines 19 through 27.

28
29 Strike pages 67 and 68.

30
31 Page 69, strike lines 1 and 2.

32
33 Renumber succeeding sections accordingly.

34
35 _____

36
37 **PRINTING REPORT**

38
39 The Chief Clerk reports the following bill has been correctly printed:
40 **HB02-1408.**

41
42 _____

43
44 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

45
46 The Speaker has signed: **HB02-1022, 1059, 1087, 1127, 1145, 1169,**
47 **1181, 1235, 1279, 1280, 1282, 1286; SB02-007, 026, 106; SJR02-012.**

48
49 _____

50
51 **MESSAGE FROM THE SENATE**

52 Mr. Speaker:

53
54 The Senate has passed on Third Reading and returns herewith
55 HB02-1208, 1211

56

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

3
4 SB02-071, amended as printed in Senate Journal, March 21, page 540;
5 SB02-167, amended as printed in Senate Journal, March 21, page 540
6 and March 22;

7 SB02-087, amended as printed in Senate Journal, March 21, page 541;
8 HB02-1078, amended as printed in Senate Journal, March 21, page 540.

9
10 The Senate has postponed indefinitely and returns herewith: HB02-1143,
11 1261, 1123.

12
13
14
15 **MESSAGE FROM THE REVISOR**

16
17 We herewith transmit without comment, SB02-071, 167, 087, and
18 HB02-1078.

19
20
21
22 **MESSAGES FROM THE GOVERNOR**

23
24 I certify I received the following on the 22nd day of March, 2002, at
25 3:10 p.m. The original is on file in the records of the House of
26 Representatives of the General Assembly.

27
28 Judith Rodrigue,
29 Chief Clerk of the House

30 March 22, 2002

31
32 To the Honorable
33 House of Representatives
34 Sixty-third General Assembly
35 Second Regular Session
36 Denver, CO 80203

37
38 Ladies and Gentlemen:

39
40 I have the honor to inform you that I have approved and returned
41 to the House of Representatives the following resolution:

42
43 **HJR02-1005** Concerning Additions And Modifications To The Water
44 Pollution Control Revolving Fund Eligibility.

45
46 Approved March 22, 2002 at 10:03 a.m.

47
48 Sincerely,
49 (signed)
50 Bill Owens
51 Governor

1 March 22, 2002

2

3 To the Honorable

4 House of Representatives

5 Sixty-third General Assembly

6 Second Regular Session

7 Denver, CO 80203

8

9 Ladies and Gentlemen:

10

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

13

14 **HB02-1086** Concerning The Use Of Moneys Collected As A Result Of
15 Emergency 9-1-1 Charges To Fund The Provision Of
16 Emergency Notification Service.

17

18 Approved March 22, 2002 at 1:05 p.m.

19

20 **HB02-1118** Concerning The Discretion Of The Colorado Water
21 Resources And Power Development Authority In
22 Financing Projects.

23

24 Approved March 22, 2002 at 1:02 p.m.

25

26 Sincerely,

27 (signed)

28 Bill Owens

29 Governor

30

31

32

33 INTRODUCTION OF BILLS

34

34 First Reading

35

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

38

39 **SB02-071** by Senator(s) Windels; also Representative(s) Jahn--
40 Concerning the implementation of consumer satisfaction
41 surveys to determine the level of satisfaction among
42 nursing facility residents, and making an appropriation in
43 connection therewith.

44 Committee on Health, Environment, Welfare, & Institutions

45 Committee on Appropriations

46

47 **SB02-087** by Senator(s) Evans, Entz, Pascoe, Taylor; also
48 Representative(s) Miller--Concerning the requirement that
49 Colorado state individual income tax return forms contain
50 a line whereby individual taxpayers may make a voluntary
51 contribution to the Colorado watershed protection fund,
52 and making an appropriation in connection therewith.

53 Committee on Finance

54

55

1 **SB02-167** by Senator(s) Windels, Pascoe; also Representative(s)
 2 Swenson--Concerning the authority of the board of
 3 directors of the regional transportation district upon
 4 approval of the eligible electors of the district to increase
 5 the rate of sales tax levied by the district to a rate not to
 6 exceed one percent in order to raise revenue for a mass
 7 transportation system that is designed to be compatible
 8 with established transportation plans.
 9 Committee on Local Government
 10 Committee on State, Veterans, & Military Affairs

11
 12
 13 Correction

14
 15 H.J. page 844, line 51, after "1086," insert "1088,".
 16

17
 18 **LAY OVER OF CALENDAR ITEMS**

19
 20 On motion of Representative Spradley, the following items on the
 21 Calendar were laid over until March 26, retaining place on Calendar:
 22

23 Consideration of Resolutions--**HJR02-1027, SJR02-008, HJR02-1033,**
 24 **HR02-1008, HJR02-1034.**
 25 Consideration of Senate Amendments--**HB02-1041, 1153, 1061, 1050,**
 26 **1168, 1053, 1111, 1071, 1305, 1057, 1131, 1144, 1258.**
 27

28
 29 On motion of Representative Spradley, the House adjourned until
 30 10:00 a.m., March 26, 2002.
 31

32 Approved:

33
 34
 35
 36 DOUG DEAN,
 37 Speaker

38 Attest:

39
 40 JUDITH RODRIGUE,
 41 Chief Clerk