

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

Forty-second Legislative Day

Tuesday, February 19, 2002

1 Prayer by Representative Mitchell.
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--60.
8 Excused--Representatives Alexander, Hefley--2.
9 Absent--Representatives Madden, Plant, Smith--3.
10 Present after roll call--Representatives Madden, Plant, Smith.
11
12 The Speaker declared a quorum present.
13
14 _____
15 On motion of Representative Schultheis, the reading of the journal of
16 February 18, 2002, was declared dispensed with and approved as
17 corrected by the Chief Clerk.
18
19 _____
20
21 **THIRD READING OF BILLS--FINAL PASSAGE**
22
23 The following bills were considered on Third Reading. The titles were
24 publicly read. Reading of the bill at length was dispensed with by
25 unanimous consent.
26
27
28 **HB02-1103** by Representative(s) Mitchell--Concerning the assertion of
29 claims for exemplary damages.
30
31 Laid over until February 20, retaining place on Calendar.
32
33
34 **HB02-1235** by Representative(s) Young; also Senator(s) Hernandez--
35 Concerning changes in the repeal dates for funding from
36 the employment support fund for certain programs
37 administered by the department of labor and employment.
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

	YES 63	NO 0	EXCUSED 2	ABSENT 0			
1							
2							
3	Alexander	E Groff	Y Marshall	Y Spence	Y		Y
4	Bacon	Y Grossman	Y Miller	Y Spradley	Y		Y
5	Berry	Y Harvey	Y Mitchell	Y Stafford	Y		Y
6	Borodkin	Y Hefley	E Paschall	Y Stengel	Y		Y
7	Boyd	Y Hodge	Y Plant	Y Swenson	Y		Y
8	Cadman	Y Hoppe	Y Ragsdale	Y Tapia	Y		Y
9	Chavez	Y Jahn	Y Rhodes	Y Tochtrop	Y		Y
10	Clapp	Y Jameson	Y Rippy	Y Veiga	Y		Y
11	Cloer	Y Johnson	Y Romanoff	Y Vigil	Y		Y
12	Coleman	Y Kester	Y Saliman	Y Webster	Y		Y
13	Crane	Y King	Y Sanchez	Y Weddig	Y		Y
14	Daniel	Y Larson	Y Schultheis	Y White	Y		Y
15	Decker	Y Lawrence	Y Scott	Y Williams S.	Y		Y
16	Fairbank	Y Lee	Y Sinclair	Y Williams T.	Y		Y
17	Fritz	Y Mace	Y Smith	Y Witwer	Y		Y
18	Garcia	Y Madden	Y Snook	Y Young	Y		Y
19				Mr. Speaker	Y		Y
20							

21 Co-sponsors added: Representatives Jameson, Mr. Speaker.

22
 23 **HB02-1280** by Representative(s) Rhodes; also Senator(s) Taylor, Fitz-
 24 Gerald--Concerning the prohibition of the regulation of
 25 banking by a political subdivision.

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

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

	YES 63	NO 0	EXCUSED 2	ABSENT 0			
31							
32							
33							
34	Alexander	E Groff	Y Marshall	Y Spence	Y		Y
35	Bacon	Y Grossman	Y Miller	Y Spradley	Y		Y
36	Berry	Y Harvey	Y Mitchell	Y Stafford	Y		Y
37	Borodkin	Y Hefley	E Paschall	Y Stengel	Y		Y
38	Boyd	Y Hodge	Y Plant	Y Swenson	Y		Y
39	Cadman	Y Hoppe	Y Ragsdale	Y Tapia	Y		Y
40	Chavez	Y Jahn	Y Rhodes	Y Tochtrop	Y		Y
41	Clapp	Y Jameson	Y Rippy	Y Veiga	Y		Y
42	Cloer	Y Johnson	Y Romanoff	Y Vigil	Y		Y
43	Coleman	Y Kester	Y Saliman	Y Webster	Y		Y
44	Crane	Y King	Y Sanchez	Y Weddig	Y		Y
45	Daniel	Y Larson	Y Schultheis	Y White	Y		Y
46	Decker	Y Lawrence	Y Scott	Y Williams S.	Y		Y
47	Fairbank	Y Lee	Y Sinclair	Y Williams T.	Y		Y
48	Fritz	Y Mace	Y Smith	Y Witwer	Y		Y
49	Garcia	Y Madden	Y Snook	Y Young	Y		Y
50				Mr. Speaker	Y		Y
51							

52 Co-sponsors added: Representatives Harvey, Jameson, Mace, Mitchell, Rippy,
 53 Scott, White, Williams T., Mr. Speaker.

54
 55

1 **HB02-1231** by Representative(s) Snook, Bacon, Boyd, Jahn, Madden,
 2 Mitchell; also Senator(s) Isgar--Concerning the
 3 continuation of the subpoena powers granted to the
 4 director of the Colorado civil rights division in cases
 5 relating to allegations of unfair employment practices.
 6

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

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

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

31
 32 Co-sponsors added: Representatives Cloer, Coleman, Groff, Mace, Romanoff,
 33 Scott, Stafford.

34
 35 **SB02-025** by Senator(s) Perlmutter, Epps, Evans, Gordon, Linkhart;
 36 also Representative(s) Groff, Hefley, Lee, Mitchell, Plant-
 37 -Concerning the enactment of Colorado Revised Statutes
 38 2001 as the positive and statutory law of the state of
 39 Colorado.
 40

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

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

	YES 61	NO 2	EXCUSED 2	ABSENT 0			
48 Alexander	E	Groff	Y	Marshall	Y	Spence	Y
49 Bacon	Y	Grossman	Y	Miller	Y	Spradley	Y
50 Berry	Y	Harvey	Y	Mitchell	N	Stafford	Y
51 Borodkin	Y	Hefley	E	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	N	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

10 Co-sponsors added: Representatives Cadman, Coleman, Decker, Hoppe, Mace,
11 Marshall, Ragsdale, Sanchez, Smith, Tapia.

12
13 **HB02-1223** by Representative(s) Veiga; also Senator(s) Anderson--
14 Concerning sentencing of persons convicted of offenses
15 committed on or after July 1, 2002, involving unlawful
16 sexual behavior.

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

25	Alexander	E	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	E	Paschall	Y	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 Borodkin, Boyd, Clapp, Coleman, Crane,
44 Fritz, Groff, Grossman, Lawrence, Lee, Madden, Marshall, Miller, Mitchell,
45 Plant, Romanoff, Sanchez, Scott, Spradley, Stafford, Stengel, Tapia, Vigil,
46 Williams S.

47
48 **HB02-1245** by Representative(s) Lee; also Senator(s) Evans--
49 Concerning utilization of party committees to fill
50 vacancies occurring on the state board of education.

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

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

56

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

20
21 Co-sponsors added: Representatives Fairbank, Garcia, Schultheis, Sinclair,
22 Stafford, Williams S.

23
24 **HB02-1316** by Representative(s) Harvey; also Senator(s) Tupa--
25 Concerning repayment of loans issued through the
26 interest-free loan program to alleviate cash flow
27 management problems for school districts.

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

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

	YES 31	NO 31	EXCUSED 2	ABSENT 1			
33							
34							
35							
36	Alexander	E Groff	Y Marshall	N Spence	Y		Y
37	Bacon	Y Grossman	N Miller	Y Spradley	Y		Y
38	Berry	N Harvey	Y Mitchell	Y Stafford	Y		Y
39	Borodkin	N Hefley	E Paschall	Y Stengel	Y		Y
40	Boyd	N Hodge	N Plant	N Swenson	N		N
41	Cadman	N Hoppe	N Ragsdale	Y Tapia	N		N
42	Chavez	N Jahn	N Rhodes	Y Tochtrop	N		N
43	Clapp	Y Jameson	N Rippy	Y Veiga	N		N
44	Cloer	Y Johnson	N Romanoff	Y Vigil	Y		Y
45	Coleman	Y Kester	N Saliman	Y Webster	Y		Y
46	Crane	N King	Y Sanchez	Y Weddig	Y		Y
47	Daniel	N Larson	N Schultheis	Y White	N		N
48	Decker	Y Lawrence	N Scott	N Williams S.	N		N
49	Fairbank	- Lee	N Sinclair	N Williams T.	N		N
50	Fritz	Y Mace	Y Smith	N Witwer	Y		Y
51	Garcia	Y Madden	N Snook	Y Young	Y		Y
52				Mr. Speaker	N		N

53
54
55

1 **HB02-1211** by Representative(s) Williams T., Coleman, Scott, Vigil;
 2 also Senator(s) Tupa, Anderson, Takis, Taylor--
 3 Concerning the timely issuance of a final determination by
 4 the executive director of the department of revenue
 5 following a hearing on a dispute between a taxpayer and
 6 the state involving a state tax deficiency.

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 63	NO 0	EXCUSED 2	ABSENT 0			
15 Alexander	E	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	E	Paschall	Y	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 Sanchez, Weddig.

34
 35 **HB02-1217** by Representative(s) Kester; also Senator(s) Takis,
 36 Hagedorn, Hillman--Concerning investment of public
 37 funds in securities issued by Colorado public entities.

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 63	NO 0	EXCUSED 2	ABSENT 0			
46 Alexander	E	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	E	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 Mitchell, Paschall, Scott, Weddig.

10 **HB02-1219** by Representative(s) Larson; also Senator(s) Hernandez--
11 Concerning frivolous state income tax returns.

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

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

17	YES	62	NO	1	EXCUSED	2	ABSENT	0	
20	Alexander		E	Groff	Y	Marshall	Y	Spence	Y
21	Bacon		Y	Grossman	Y	Miller	Y	Spradley	Y
22	Berry		Y	Harvey	Y	Mitchell	Y	Stafford	Y
23	Borodkin		Y	Hefley	E	Paschall	N	Stengel	Y
24	Boyd		Y	Hodge	Y	Plant	Y	Swenson	Y
25	Cadman		Y	Hoppe	Y	Ragsdale	Y	Tapia	Y
26	Chavez		Y	Jahn	Y	Rhodes	Y	Tochtrop	Y
27	Clapp		Y	Jameson	Y	Rippy	Y	Veiga	Y
28	Cloer		Y	Johnson	Y	Romanoff	Y	Vigil	Y
29	Coleman		Y	Kester	Y	Saliman	Y	Webster	Y
30	Crane		Y	King	Y	Sanchez	Y	Weddig	Y
31	Daniel		Y	Larson	Y	Schultheis	Y	White	Y
32	Decker		Y	Lawrence	Y	Scott	Y	Williams S.	Y
33	Fairbank		Y	Lee	Y	Sinclair	Y	Williams T.	Y
34	Fritz		Y	Mace	Y	Smith	Y	Witwer	Y
35	Garcia		Y	Madden	Y	Snook	Y	Young	Y
36								Mr. Speaker	Y

38 Co-sponsors added: Representatives Coleman, Garcia, Groff, Mace, Weddig.

40 **HB02-1279** by Representative(s) Stafford, Plant, Saliman, Spradley;
41 also Senator(s) Hernandez, Anderson, Hagedorn,
42 Matsunaka--Concerning the designation of managed
43 service organizations for the purchase of treatment
44 services related to alcohol and drug abuse.

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

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

50	YES	63	NO	0	EXCUSED	2	ABSENT	0	
53	Alexander		E	Groff	Y	Marshall	Y	Spence	Y
54	Bacon		Y	Grossman	Y	Miller	Y	Spradley	Y
55	Berry		Y	Harvey	Y	Mitchell	Y	Stafford	Y
56	Borodkin		Y	Hefley	E	Paschall	Y	Stengel	Y

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

14
15 Co-sponsors added: Representatives Boyd, Mace, Sanchez, Williams S.

16
17
18 **SB02-014** by Senator(s) Entz, Isgar, May; also Representative(s)
19 Swenson, Larson, Mace, Ragsdale, Sinclair, Smith,
20 Stafford, Williams S.--Concerning the authority of the
21 executive director of the department of revenue to issue
22 certificates of registration for certain commercial vehicles,
23 and, in connection therewith, authorizing the issuance of
24 such certificates for vehicles that are registered as part of
25 a fleet based in Colorado, owned by a nonresident, and for
26 which the owner obtains apportioned registration.

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**.

32	33	YES	63	NO	0	EXCUSED	2	ABSENT	0
34	Alexander	E	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	E	Paschall	Y	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	

51
52
53 Co-sponsors added: Representatives Coleman, Scott.

54
55

1 **SB02-072** by Senator(s) Hernandez; also Representative(s) Larson--
 2 Concerning the authority of the department of revenue to
 3 identify fleet motor vehicles by means of special license
 4 plates.
 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	63	NO	0	EXCUSED	2	ABSENT	0
13 Alexander	E	Groff	Y	Marshall	Y	Spence	Y	
14 Bacon	Y	Grossman	Y	Miller	Y	Spradley	Y	
15 Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y	
16 Borodkin	Y	Hefley	E	Paschall	Y	Stengel	Y	
17 Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y	
18 Cadman	Y	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	Y	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	
						Mr. Speaker	Y	

30
 31 Co-sponsors added: Representatives Coleman, Hodge, Lee, Mace, Stafford,
 32 Webster.

34 IMMEDIATE RECONSIDERATION OF HB02-1316

35
 36
 37 Having voted on the prevailing side, Representative Williams T. moved
 38 for immediate reconsideration of **HB02-1316** (third reading vote,
 39 page 445). As shown by the following recorded vote a two-thirds
 40 majority of those elected to the House voted in the affirmative and the
 41 motion was declared **passed**:
 42

	YES	63	NO	0	EXCUSED	2	ABSENT	0
45 Alexander	E	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	E	Paschall	Y	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
8 Representative Spradley for the adoption of **HB02-1316** on third reading
9 and final passage.

10
11 The question being "Shall the bill pass?".
12 A roll call vote was taken. As shown by the following recorded vote, a
13 majority of those elected to the House voted in the affirmative and the bill
14 was declared **passed**.

15								
16	<u>YES</u>	63	<u>NO</u>	0	<u>EXCUSED</u>	2	<u>ABSENT</u>	0
17								
18	Alexander	E	Groff	Y	Marshall	Y	Spence	Y
19	Bacon	Y	Grossman	Y	Miller	Y	Spradley	Y
20	Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y
21	Borodkin	Y	Hefley	E	Paschall	Y	Stengel	Y
22	Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
23	Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia	Y
24	Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	Y
25	Clapp	Y	Jameson	Y	Rippy	Y	Veiga	Y
26	Cloer	Y	Johnson	Y	Romanoff	Y	Vigil	Y
27	Coleman	Y	Kester	Y	Saliman	Y	Webster	Y
28	Crane	Y	King	Y	Sanchez	Y	Weddig	Y
29	Daniel	Y	Larson	Y	Schultheis	Y	White	Y
30	Decker	Y	Lawrence	Y	Scott	Y	Williams S.	Y
31	Fairbank	Y	Lee	Y	Sinclair	Y	Williams T.	Y
32	Fritz	Y	Mace	Y	Smith	Y	Witwer	Y
33	Garcia	Y	Madden	Y	Snook	Y	Young	Y
34							Mr. Speaker	Y

35
36 Co-sponsors added: Representatives Bacon, Coleman, Decker, Fairbank, Garcia,
37 Groff, Lee, Mace, Stafford, Tapia, Tochtrop.

41 **REPORTS OF COMMITTEES OF REFERENCE**

43 **EDUCATION**

44 After consideration on the merits, the Committee recommends the
45 following:

46
47 **HB02-1272** be amended as follows, and as so amended, be referred to
48 the Committee on Appropriations with favorable
49 recommendation:

50
51 Amend printed bill, page 2, strike lines 2 and 3 and substitute the
52 following:

53
54 **"SECTION 1.** 22-33-104.6 (1) and (4) (a), Colorado Revised
55 Statutes, are amended, and the said 22-33-104.6 is further amended BY
56 THE ADDITION OF A NEW SUBSECTION, to read:";

1 line 5, strike "**definitions.**" and substitute "**definitions - rules.**".

2

3 Page 3, strike line 2 and substitute the following:

4

5 "(4) **Pupil enrollment.** (a) EXCEPT AS OTHERWISE PROVIDED
6 IN SUBSECTION (5) OF THIS SECTION, AND ON OR AFTER THE EFFECTIVE
7 DATE OF THIS ACT, if a child is participating in an on-line";

8

9 after line 12, insert the following:

10

11 "(5) (a) A SCHOOL DISTRICT MAY RECEIVE REIMBURSEMENT FROM
12 THE DEPARTMENT OF EDUCATION FROM MONEYS IN THE STATE EDUCATION
13 FUND CREATED IN SECTION 17 (4) OF ARTICLE IX OF THE STATE
14 CONSTITUTION FOR THE COSTS OF A CHILD PARTICIPATING IN AN ON-LINE
15 PROGRAM ONLY FOR THE CHILD'S FIRST ACADEMIC YEAR IN THE PROGRAM
16 AND ONLY IF THE CHILD'S FIRST ACADEMIC YEAR IN THE PROGRAM BEGINS
17 ON OR AFTER THE EFFECTIVE DATE OF THIS ACT; EXCEPT THAT THE
18 DEPARTMENT OF EDUCATION SHALL ONLY PROVIDE REIMBURSEMENT FOR
19 UP TO ONE THOUSAND SUCH CHILDREN PER YEAR. A SCHOOL DISTRICT
20 SHALL NOT RECEIVE REIMBURSEMENT FOR A CHILD PURSUANT TO THIS
21 SUBSECTION (5) AND ALSO COUNT THE CHILD FOR PURPOSES OF
22 DETERMINING PUPIL ENROLLMENT, PURSUANT TO PARAGRAPH (a) OF
23 SUBSECTION (4) OF THIS SECTION.

24

25 (b) THE STATE BOARD SHALL PROMULGATE ALL RULES NECESSARY
26 FOR THE IMPLEMENTATION AND ADMINISTRATION OF THE PROVISIONS OF
27 SUBSECTION (4) OF THIS SECTION AND THIS SUBSECTION (5).";

28

29 after line 26, insert the following:

30

31 "**SECTION 3. Appropriation.** In addition to any other
32 appropriation, there is hereby appropriated, to the department of
33 education, for the fiscal year beginning July 1, 2002, the sum of five
34 million seven hundred forty-two thousand one hundred fifty dollars
35 (\$5,742,150), or so much thereof as may be necessary, for the
36 implementation of this act. Said sum shall be from the state education
37 fund created in section 17 (4) of article IX of the state constitution."

38

39 Renumber succeeding section accordingly.

40

41 Page 1, line 104, strike "COUNT AND" and substitute "COUNT,";

42

43 line 105, strike "FUND." and substituted "FUND, AND MAKING AN
44 APPROPRIATION."

45

46

47

48 **HB02-1300** be amended as follows, and as so amended, be referred to
49 the Committee of the Whole with favorable
50 recommendation:

51

52 Amend printed bill, page 2, strike lines 5 through 7 and substitute the
53 following:

54

55 "MAY OFFER A TEACHER PREPARATION PROGRAM THAT IS DESIGNED TO BE
56 OFFERED ONLY THROUGH A TEACHER IN RESIDENCE PROGRAM

1 IMPLEMENTED PURSUANT TO SECTION 22-32-110.3, C.R.S., AND TO BE
 2 OFFERED ONLY TO STUDENTS ALREADY HOLDING AT LEAST A
 3 BACCALAUREATE DEGREE. ANY TEACHER PREPARATION";

4
 5 after line 9, insert the following:

6
 7 "SECTION 2. 22-32-110.3 (3) and (4) (a), Colorado Revised
 8 Statutes, are amended to read:

9
 10 **22-32-110.3. Board of education - specific powers - teacher in**
 11 **residence program.** (3) Any school district or board of cooperative
 12 services that chooses to implement a teacher in residence program shall
 13 collaborate with an A TWO-YEAR OR FOUR-YEAR institution of higher
 14 education that provides an approved teacher preparation program, to
 15 assist in implementing the teacher in residence program. Any contract
 16 entered into pursuant to this subsection (3) shall include but need not be
 17 limited to the provision of such teacher preparation courses and subject
 18 matter courses as are necessary to comply with the teacher preparation
 19 program requirements established by the Colorado commission on higher
 20 education pursuant to section 23-1-121, C.R.S.

21
 22 (4) (a) A school district may hire a person to teach as a resident
 23 teacher even though the person is not licensed pursuant to article 60.5 of
 24 this title and does not hold any type of authorization pursuant to section
 25 22-60.5-111. The resident teacher may teach under the supervision of an
 26 administrator with an assigned, licensed teacher serving as a mentor and
 27 shall enroll in such teacher preparation courses as the school district
 28 deems necessary for the resident teacher and for which the school district
 29 has contracted with an A TWO-YEAR OR FOUR-YEAR institution of higher
 30 education. Supervision for a resident teacher shall include an annual
 31 minimum of one hundred hours of observation and supervision in the
 32 classroom."

33
 34 Renumber succeeding sections accordingly.

35 36 37 38 INFORMATION & TECHNOLOGY

39 After consideration on the merits, the Committee recommends the
 40 following:

41
 42
 43 **HB02-1238** be postponed indefinitely.

44 45 46 47 HEALTH, ENVIRONMENT, WELFARE, & INSTITUTIONS

48 After consideration on the merits, the Committee recommends the
 49 following:

50
 51
 52 **HB02-1276** be amended as follows, and as so amended, be referred to
 53 the Committee on Appropriations with favorable
 54 recommendation:

55
 56 Amend printed bill, page 4, line 15, strike "PROGRAM." and substitute

1 "PROGRAM, WHICH SHALL BE BASED UPON AND SHALL PROVIDE THE SAME
2 TYPES OF SERVICES THAT ARE PROVIDED PURSUANT TO THE RULES FOR
3 ADMINISTRATION OF THE HEALTH AND MEDICAL CARE PROGRAM
4 DESCRIBED IN SUBSECTION (2) OF THIS SECTION."
5

6 Page 5, line 13, after the period, add "THE SUPPLEMENTAL HEALTH AND
7 MEDICAL CARE PROGRAM AND THE SUPPLEMENTAL FUND SHALL BE
8 EFFECTIVE IN FISCAL YEAR 2001-02."
9

10 Page 6, line 12, strike "2002," and substitute "2001,";

11
12 line 18, strike "02-____," and substitute "02-1276,";

13
14 strike line 23 and substitute the following:
15

16 **"SECTION 3. Legislative declaration - appropriations.**

17 (1) (a) It is the intent of the general assembly that of the general fund
18 appropriation made in paragraph (b) of this subsection (1), an amount
19 equal to seven hundred fifty thousand dollars (\$750,000), which is the
20 amount of the cash fund balance that the secretary of state's office has
21 collected for old age pension purposes since fiscal year 1991-92 and
22 which has not been transferred as required under law to the old age
23 pension fund and which pursuant to the constitution would be transferred
24 into the general fund after being used for old age pension purposes,
25 would be appropriated to the supplemental old age pension health and
26 medical fund, created in section 26-2-117 (3), Colorado Revised Statutes.
27

28 (b) In addition to any other appropriation, there is hereby
29 appropriated, the sum of one million five hundred thousand dollars
30 (\$1,500,000), to the supplemental old age pension health and medical
31 care fund created in section 26-2-117 (3), Colorado Revised Statutes, for
32 the fiscal year commencing July 1, 2001, to provide health and medical
33 care to persons who qualify to receive old age pensions.
34

35 (2) In addition to any other".
36

37 Page 7, line 1, strike "2002," and substitute "2001,".
38
39
40

41 **HB02-1296** be amended as follows, and as so amended, be referred to
42 the Committee on Appropriations with favorable
43 recommendation:
44

45 Amend printed bill, page 3, after line 2, insert the following:
46

47 "(3) THE OFFICE OF COMMUNITY AND FAITH-BASED INITIATIVES
48 SHALL ENSURE THAT COMMUNITY AND FAITH-BASED ORGANIZATIONS
49 CONTRACTING WITH THE STATE DEPARTMENT OR COUNTY DEPARTMENTS
50 FOR THE PROVISION OF PUBLIC ASSISTANCE MEET THE SAME STANDARDS AS
51 ANY OTHER STATE CONTRACTOR IN RELATION TO THE PROVISION OF
52 SERVICES TO PUBLIC ASSISTANCE RECIPIENTS."
53

54 Renumber succeeding subsections accordingly.
55
56

1 **HB02-1305** 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, strike everything below the enacting clause and
6 substitute the following:
7

8 "SECTION 1. 18-13-119, Colorado Revised Statutes, is amended
9 BY THE ADDITION OF A NEW SUBSECTION to read:
10

11 **18-13-119. Health care providers - abuse of health insurance.**
12 (7) THIS SECTION SHALL APPLY TO AUTOMOBILE PERSONAL INJURY
13 PROTECTION CLAIMS UNDER SECTION 10-4-706, C.R.S.
14

15 **SECTION 2. Safety clause.** The general assembly hereby finds,
16 determines, and declares that this act is necessary for the immediate
17 preservation of the public peace, health, and safety."
18
19
20

21 **HB02-1311** be referred to the Committee of the Whole with favorable
22 recommendation.
23
24

25 **HB02-1314** be postponed indefinitely.
26
27
28
29

30 **LOCAL GOVERNMENT**

31 After consideration on the merits, the Committee recommends the
32 following:
33

34 **HB02-1214** be referred to the Committee of the Whole with favorable
35 recommendation.
36
37

38 **HB02-1319** be amended as follows, and as so amended, be referred to
39 the Committee on Appropriations with favorable
40 recommendation:
41

42 Amend printed bill, page 7, line 24, after the period, add "THE
43 SECRETARY OF STATE SHALL BE AUTHORIZED TO CHARGE A FEE, AS
44 SPECIFIED IN SECTION 24-21-104, C.R.S., FOR ANY SERVICE PROVIDED
45 UNDER THIS SUBSECTION."
46
47

48 **PRINTING REPORT**

49
50
51 The Chief Clerk reports the following bills have been correctly printed:
52 **HB02-1337, 1338, 1339, 1340, 1341, 1342, 1343.**
53
54
55

INTRODUCTION OF BILL
First Reading

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

HB02-1343 by Representative(s) Cadman, Lee--Concerning the limitation of a school district's responsibility to bear the costs of constructing capital facilities.

Committee on Education

LAY OVER OF CALENDAR ITEMS

On motion of Representative Spradley, the following items on the Calendar were laid over until February 20, retaining place on Calendar:

Consideration of General Orders--**HB02-1192, 1261, 1250, 1291, 1325, 1051, 1151, 1091, 1074, 1070, 1221, SB02-045, HB02-1079, 1084, 1167, 1327, 1328, 1225, 1199, 1218, 1286.**
Consideration of Resolution--**HJR02-1015.**

On motion of Representative Spradley, the House adjourned until 9:00 a.m., February 20, 2002.

Approved:

DOUG DEAN,
Speaker

Attest:

JUDITH RODRIGUE,
Chief Clerk