

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

Thirty-fourth Legislative Day

Monday, February 11, 2002

1 Prayer by the Reverend Doctor Cynthia Cearley, Montview Presbyterian
2 Church, Denver.

3
4 The Speaker called the House to order at 10:00 a.m.

5
6 The roll was called with the following result:

7
8 Present--64.

9 Excused--Representative Paschall--1.

10

11 The Speaker declared a quorum present.

12

13

14 On motion of Representative Snook, the reading of the journal of
15 February 8, 2002, was declared dispensed with and approved as corrected
16 by the Chief Clerk.

17

18

19

20

THIRD READING OF BILLS--FINAL PASSAGE

21

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

25

26

27 **HB02-1164** by Representative(s) Hefley, King, Schultheis, Alexander,
28 Crane, Stafford, White, Williams T.--Concerning the
29 expansion of health insurance products for employers with
30 fewer than fifty-one employees.

31

32 Laid over until February 12, retaining place on Calendar.

33

34

35 **HB02-1100** by Representative(s) Snook, Mitchell; also Senator Tate--
36 Concerning appellate review in class action lawsuits.

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**.

42

	YES 60	NO 4	EXCUSED 1	ABSENT 0				
1								
2								
3	Alexander	Y	Groff	Y	Marshall	N	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	N	Swenson	Y
8	Cadman	Y	Hoppe	Y	Ragsdale	N	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	N	Snook	Y	Young	Y
19							Mr. Speaker	Y
20								

21 Co-sponsors added: Representatives Stengel, Williams T.

22
23
24 **HB02-1106** by Representative(s) Chavez; also Senator(s) Tate--
25 Concerning the admissibility of testimony concerning
26 prior statements made by persons incapable of testifying.

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

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

	YES 30	NO 33	EXCUSED 2	ABSENT 0				
32								
33								
34								
35	Alexander	N	Groff	Y	Marshall	Y	Spence	N
36	Bacon	Y	Grossman	Y	Miller	Y	Spradley	N
37	Berry	N	Harvey	N	Mitchell	E	Stafford	N
38	Borodkin	Y	Hefley	N	Paschall	E	Stengel	N
39	Boyd	Y	Hodge	Y	Plant	Y	Swenson	N
40	Cadman	N	Hoppe	N	Ragsdale	Y	Tapia	Y
41	Chavez	Y	Jahn	Y	Rhodes	N	Tochtrop	Y
42	Clapp	N	Jameson	Y	Rippy	N	Veiga	Y
43	Cloer	N	Johnson	Y	Romanoff	Y	Vigil	Y
44	Coleman	Y	Kester	N	Saliman	Y	Webster	N
45	Crane	N	King	N	Sanchez	Y	Weddig	Y
46	Daniel	Y	Larson	N	Schultheis	N	White	N
47	Decker	N	Lawrence	N	Scott	N	Williams S.	Y
48	Fairbank	N	Lee	Y	Sinclair	N	Williams T.	N
49	Fritz	N	Mace	Y	Smith	N	Witwer	N
50	Garcia	Y	Madden	Y	Snook	Y	Young	N
51							Mr. Speaker	N
52								
53								

54
55 **HB02-1139** by Representative(s) Crane; also Senator(s) Cairns--
56 Concerning protections for persons on state military duty.

1	Fritz	Y	Mace	Y	Smith	Y	Witwer	Y
2	Garcia	Y	Madden	Y	Snook	Y	Young	Y
3							Mr. Speaker	Y

4
5 Co-sponsor added: Representative Coleman.

6
7
8 **HB02-1131** by Representative(s) Hodge; also Senator(s) Takis--
9 Concerning the qualifications required of an applicant
10 before a special license plate may be issued.

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

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

34
35
36
37 Co-sponsors added: Representatives Mace, Ragsdale.

38
39
40
41 On motion of Representative Larson, the House resolved itself into
42 Committee of the Whole for consideration of General Orders, and he was
43 called to the Chair to act as Chairman.

44 45 46 **GENERAL ORDERS--SECOND READING OF BILLS**

47
48 The Committee of the Whole having risen, the Chairman reported the
49 titles of the following bills had been read (reading at length had been
50 dispensed with by unanimous consent), the bills considered and action
51 taken thereon as follows:

52
53 (Amendments to the committee amendment are to the printed committee
54 report which was printed and placed in the members' bill file.)
55

- 1 **HB02-1145** by Representative(s) Rippy, Groff; also Senator(s)
2 Linkhart--Concerning a prohibition against installing as a
3 component of an air bag system any object that is not
4 designed in accordance with federal safety regulations for
5 a particular vehicle.
6
- 7 Amendment No. 1, Transportation & Energy Report, dated January 31,
8 2002, and placed in member's bill file; Report also printed in House
9 Journal, February 1, page 279.
10
- 11 As amended, ordered engrossed and placed on the Calendar for Third
12 Reading and Final Passage.
13
- 14 **HB02-1111** by Representative(s) White--Concerning the terms of
15 future advances secured by mortgages.
16
- 17 Amendment No. 1, Business Affairs & Labor Report, dated February 5,
18 2002, and placed in member's bill file; Report also printed in House
19 Journal, February 6, page 312.
20
- 21 As amended, ordered engrossed and placed on the Calendar for Third
22 Reading and Final Passage.
23
- 24 **HB02-1163** by Representative(s) Stafford, Mitchell; also Senator(s)
25 Hernandez--Concerning health insurance for employers
26 with fewer than fifty-one employees.
27
- 28 Amendment No. 1, Business Affairs & Labor Report, dated February 5,
29 2002, and placed in member's bill file; Report also printed in House
30 Journal, February 6, pages 312-314.
31
- 32 As amended, ordered engrossed and placed on the Calendar for Third
33 Reading and Final Passage.
34
- 35 **HB02-1051** by Representative(s) Romanoff, Veiga--Concerning
36 measures to protect victims.
37
- 38 Laid over until February 12, retaining place on Calendar.
39
- 40 **HB02-1089** by Representative(s) Kester; also Senator(s) Entz--
41 Concerning the standards for approval of simulcast
42 facilities by the Colorado racing commission.
43
- 44 Ordered engrossed and placed on the Calendar for Third Reading and
45 Final Passage.
46
- 47 **HB02-1151** by Representative(s) Schultheis, Cadman, Clapp, Cloer,
48 Crane, King, Mitchell, Rhodes, Romanoff, Snook,
49 Weddig, Witwer--Concerning the review of pilot
50 programs, and, in connection therewith, requiring the
51 development of objective performance measures for pilot
52 programs and requiring annual reviews of pilot programs.
53
- 54 Laid over until February 12, retaining place on Calendar.
55

1 **HB02-1169** by Representative(s) Groff--Concerning the notice given
 2 by an intrastate telecommunications provider prior to
 3 making changes affecting customer costs.
 4

5 Amendment No. 1, Information & Technology Report, dated February 4,
 6 2002, and placed in member's bill file; Report also printed in House
 7 Journal, February 6, pages 323-324.
 8

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

12 **HB02-1181** by Representative(s) Romanoff, Stafford--Concerning
 13 statutory modifications related to the education of
 14 homeless children to comply with federal law.
 15

16 Amendment No. 1, Education Report, dated February 6, 2002, and
 17 placed in member's bill file; Report also printed in House Journal,
 18 February 7, page 328.
 19

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

24 On motion of Representative Spradley, the remainder of the General
 25 Orders Calendar (**HB02-1036, 1091, 1074, 1232, 1123, SB02-031,**
 26 **HB02-1210**) was laid over until February 12, retaining place on
 27 Calendar.
 28
 29
 30

31 ADOPTION OF COMMITTEE OF THE WHOLE REPORT

32
 33 Passed Second Reading: **HB02-1145 amended, 1111 amended,**
 34 **1163 amended, 1089, 1169 amended, 1181 amended.**
 35

36 Laid over until date indicated retaining place on Calendar:
 37 **HB02-1051, 1151, 1036, 1091, 1074, 1232, 1123, SB02-031, HB02-**
 38 **1210--February 12, 2002.**
 39

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

45	YES 63	NO 0	EXCUSED 2	ABSENT 0				
47	Alexander	Y	Groff	Y	Marshall	Y	Spence	Y
48	Bacon	Y	Grossman	Y	Miller	Y	Spradley	Y
49	Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y
50	Borodkin	Y	Hefley	Y	Paschall	E	Stengel	Y
51	Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
52	Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia	Y
53	Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	Y
54	Clapp	Y	Jameson	Y	Rippy	Y	Veiga	Y
55	Cloer	Y	Johnson	Y	Romanoff	Y	Vigil	Y
56	Coleman	Y	Kester	Y	Saliman	Y	Webster	Y

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

NOTICE OF INTENT TO RECONSIDER

Having voted on the prevailing side, Representative Stengel served notice of intent to reconsider the last House action (Third Reading vote) on **HB02-1106**.

REPORTS OF COMMITTEES OF REFERENCE

BUSINESS AFFAIRS & LABOR

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

HB02-1004 be postponed indefinitely.

HB02-1060 be referred favorably to the Committee on Appropriations.

HB02-1158 be referred to the Committee of the Whole with favorable recommendation.

HB02-1162 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 2, strike line 9 and substitute the following:

"PRIZE; AND EXCEPT THAT A SPONSOR MAY REQUIRE PROOF OF HEALTH INSURANCE IN ORDER TO CLAIM A PRIZE FOR TRAVEL OR RECREATIONAL ACTIVITIES. SUCH HEALTH INSURANCE MAY NOT BE ACQUIRED FROM THE SPONSOR."

HB02-1172 be postponed indefinitely.

HB02-1189 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Amend printed bill, strike everything below the enacting clause, and substitute the following:

1 **SECTION 1.** 42-5-204 (1) (a), Colorado Revised Statutes, is
2 amended to read:

3
4 **42-5-204. Inspection fees - vehicle number inspection funds.**

5 (1) (a) A fee of twenty dollars shall be charged for each inspection
6 performed pursuant to this part 2. IN ADDITION, WHEN A STATE SALVAGE
7 IDENTIFICATION NUMBER (SSIN) HAS BEEN ASSIGNED PURSUANT TO
8 SECTION 42-6-108 (3), AN ADDITIONAL FEE MAY BE CHARGED TO COVER
9 THE DIRECT COSTS OF PRODUCING AND AFFIXING THE SSIN PLATE
10 REQUIRED BY SAID SECTION. Upon payment of the fee, the owner of the
11 vehicle or commercial vehicle inspected shall be issued a receipt as
12 evidence of payment.

13
14 **SECTION 2.** 42-5-205, Colorado Revised Statutes, is amended
15 to read:

16
17 **42-5-205. Assignment of a special vehicle identification number**
18 **by the department of revenue.** The department of revenue is authorized
19 to assign a special vehicle identification number to any street rod vehicle,
20 BRANDED VEHICLE, OR REBUILT SALVAGE VEHICLE whenever required by
21 section 42-6-108 and to any vehicle or commercial vehicle whenever no
22 vehicle identification number is found on the vehicle or whenever a
23 vehicle identification number has been removed, changed, altered, or
24 obliterated. IN THE CASE OF A BRANDED VEHICLE OR REBUILT SALVAGE
25 VEHICLE, THE SPECIAL VEHICLE IDENTIFICATION NUMBER SHALL BE THE
26 STATE SALVAGE IDENTIFICATION NUMBER AS DEFINED IN SECTION 42-6-102
27 (14.5). Such special number shall be affixed to the vehicle or commercial
28 vehicle in the manner and position SPECIFIED IN SECTION 42-6-108 (3), IF
29 APPLICABLE, OR OTHERWISE AS determined by the department of revenue.
30 Such special number shall then be the vehicle identification number
31 required to be recorded by an inspector on the inspection form that is
32 transmitted to the executive director of the department of revenue, and the
33 vehicle or commercial vehicle shall then be registered and titled under the
34 special vehicle identification number.

35
36 **SECTION 3.** 42-6-108, Colorado Revised Statutes, is amended
37 BY THE ADDITION OF A NEW SUBSECTION to read:

38
39 **42-6-108. Identification number - title - street rod vehicles -**
40 **salvage vehicles.** (3) WHEN APPLICATION IS MADE TO THE STATE FOR
41 A CERTIFICATE OF TITLE TO A BRANDED VEHICLE OR A REBUILT SALVAGE
42 VEHICLE, THE DEPARTMENT SHALL, WITHIN SIXTY DAYS, ASSIGN A STATE
43 SALVAGE IDENTIFICATION NUMBER (SSIN) TO SUCH VEHICLE AND SHALL
44 TAKE THE FOLLOWING ADDITIONAL STEPS:

45
46 (a) THE OWNER SHALL BE REQUIRED TO SURRENDER ALL EXISTING
47 DOCUMENTS OF TITLE. THE DEPARTMENT SHALL THEN ISSUE TO THE
48 OWNER A SUBSTITUTE CERTIFICATE OF TITLE BEARING THE SSIN IN THE
49 SAME DATA FIELD AS THE VEHICLE'S ORIGINAL VEHICLE IDENTIFICATION
50 NUMBER (VIN). THE SUBSTITUTE CERTIFICATE OF TITLE AND ANY
51 SUBSEQUENT REGISTRATION DOCUMENTS FOR SUCH VEHICLE SHALL BE
52 PRINTED ON A DIFFERENT-COLORED AND CLEARLY DISTINGUISHABLE PAPER
53 STOCK AND SHALL BEAR AN INDELIBLE WATERMARK READING
54 "SALVAGE".

55
56 (b) THE DEPARTMENT SHALL TRANSMIT THE SSIN TO THE

1 COLORADO STATE PATROL OR OTHER LAW ENFORCEMENT AGENCY
2 CONDUCTING AN INSPECTION OF THE VEHICLE UNDER PART 2 OF ARTICLE
3 5 OF THIS TITLE, AND AT ANY SUCH INSPECTION THE INSPECTOR SHALL
4 PERMANENTLY INSTALL A METAL PLATE BEARING THE SSIN ON THE
5 B-PILLAR DOOR FRAME, IMMEDIATELY ADJACENT TO, BUT NOT OBSCURING,
6 THE EXISTING VIN.
7

8 **SECTION 4.** 42-6-102, Colorado Revised Statutes, is amended
9 BY THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS to
10 read:
11

12 **42-6-102. Definitions.** As used in this part 1, unless the context
13 otherwise requires:
14

15 (1.5) "BRANDED VEHICLE" MEANS A VEHICLE THAT HAS BEEN
16 REGISTERED IN ANOTHER STATE USING THE DESIGNATION "BRANDED" OR
17 AN EQUIVALENT DESIGNATION, AS LISTED IN A NATIONALLY RECOGNIZED
18 PUBLICATION BY THE AMERICAN ASSOCIATION OF MOTOR VEHICLE
19 ADMINISTRATORS OR A SUCCESSOR ORGANIZATION.
20

21 (10.2) "REBUILT SALVAGE VEHICLE" MEANS A SALVAGE VEHICLE
22 OR BRANDED VEHICLE THAT HAS BEEN MADE ROADWORTHY, EITHER WITH
23 OR WITHOUT THE SUBSTITUTION OF PARTS FROM OTHER VEHICLES.
24

25 (14.5) "STATE SALVAGE IDENTIFICATION NUMBER" OR "SSIN"
26 MEANS A SPECIAL VEHICLE IDENTIFICATION NUMBER USED TO IDENTIFY
27 BRANDED VEHICLES AND REBUILT SALVAGE VEHICLES IN ACCORDANCE
28 WITH SECTION 42-6-108 (3). THE STATE SALVAGE IDENTIFICATION
29 NUMBER SHALL CONSIST OF SEVENTEEN LETTERS AND NUMBERS. THE
30 FIRST TWO LETTERS SHALL BE "CO". THE NEXT SEVEN LETTERS SHALL BE
31 "SALVAGE". NEXT SHALL BE A LETTER OR NUMBER TO DENOTE THE
32 YEAR OF ORIGINAL MANUFACTURE OF SUCH VEHICLE, WHICH SHALL BE
33 FOLLOWED BY SEVEN NUMERIC DIGITS INDICATING THE SEQUENTIAL
34 ASSIGNMENT NUMBER OF THE CERTIFICATE OF TITLE ISSUED FOR THE
35 VEHICLE.
36

37 **SECTION 5. Effective date - applicability.** (1) This act shall
38 take effect at 12:01 a.m. on the day following the expiration of the
39 ninety-day period after final adjournment of the general assembly that is
40 allowed for submitting a referendum petition pursuant to article V,
41 section 1 (3) of the state constitution; except that, if a referendum petition
42 is filed against this act or an item, section, or part of this act within such
43 period, then the act, item, section, or part, if approved by the people, shall
44 take effect on the date of the official declaration of the vote thereon by
45 proclamation of the governor.
46

47 (2) The provisions of this act shall apply to applications for
48 certificates of title that are made on or after the applicable effective date
49 of this act."
50

51 Page 1, line 101, after "EVERY", insert "REBUILT";
52

53 line 103, after "A", insert "REBUILT".
54
55
56

1 **FINANCE**

2 After consideration on the merits, the Committee recommends the
3 following:

4
5 **HB02-1070** be amended as follows, and as so amended, be referred to
6 the Committee of the Whole with favorable
7 recommendation:

8
9 Strike the Transportation and Energy Committee Report, dated January
10 23, 2002, and substitute the following:

11
12 "Amend printed bill, page 3, after line 12, insert the following:

13
14 "(a.7) "CHILD SAFETY BELT-POSITIONING DEVICE" MEANS A DEVICE
15 THAT POSITIONS A SAFETY BELT AROUND A CHILD IN A MANNER THAT
16 SAFELY RESTRAINS SUCH CHILD IN A SEATING POSITION THAT CONFORMS
17 TO ALL APPLICABLE FEDERAL MOTOR VEHICLE SAFETY STANDARDS.";

18
19 strike lines 22 through 27 and substitute the following:

20
21 ~~"(2) (a) Unless exempted pursuant to subsection (3) of this~~
22 ~~section, every child, who is under four years of age and weighs under~~
23 ~~forty pounds, being transported in this state in a privately owned~~
24 ~~noncommercial passenger vehicle or in a vehicle operated by a child care~~
25 ~~center, shall be provided with a child restraint system~~ EVERY CHILD, WHO
26 IS UNDER FOUR YEARS OF AGE OR WHO WEIGHS UNDER FORTY POUNDS,
27 BEING TRANSPORTED IN THIS STATE IN A PASSENGER VEHICLE SHALL BE
28 PROVIDED WITH ONE OF THE FOLLOWING CHILD RESTRAINT SYSTEMS
29 suitable for the child's size and shall be properly".

30
31 Page 4, line 6, strike "INFANT CAR SEAT." and substitute "CHILD
32 RESTRAINT SYSTEM.";

33
34 line 10, strike "CAR SEAT." and substitute "RESTRAINT SYSTEM.";

35
36 line 11, strike "Unless excepted pursuant to subsection (3) of this
37 section," and substitute "~~Unless excepted pursuant to subsection (3) of~~
38 ~~this section,"~~";

39
40 line 12, strike "every" and substitute "Every";

41
42 strike lines 14 and 15 and substitute the following:

43
44 "~~more, being transported in this state in a privately owned noncommercial~~
45 ~~vehicle or in a vehicle operated by a child care center, PASSENGER~~
46 ~~VEHICLE shall be provided~~";

47
48 line 23, strike "OR WEIGHS AT LEAST FORTY POUNDS";

49
50 line 24, strike "FIFTY-SIX" and substitute "FIFTY-SEVEN";

51
52 line 25, strike "SEAT." and substitute "SEAT OR WITH A CHILD SAFETY
53 BELT-POSITIONING DEVICE.";

54
55 line 27, strike "FIFTY-SIX" and substitute "FIFTY-SEVEN".

56

1 Page 5, strike lines 7 through 27 and substitute the following:

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"SECTION 3. Repeal. 42-4-236 (3), Colorado Revised Statutes, is repealed as follows:

42-4-236. Child restraint systems required - definitions - exemptions. (3) ~~Except as provided in section 42-2-105.5 (4), the requirements of subsection (2) of this section shall not apply to a child who:~~

(a) ~~Repealed.~~

(b) ~~Is being transported in a motor vehicle as a result of a medical emergency;~~

(c) ~~Is being transported in a commercial motor vehicle, as defined in section 42-2-402 (4) (a), that is operated by a child care center; or~~

(d) ~~Is the driver of a motor vehicle and is subject to the safety belt requirements provided in section 42-4-237."~~

Strike page 6 and substitute the following:

"SECTION 4. Effective date - applicability. (1) This act shall take effect January 1, 2003, unless a referendum petition is filed during the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution. If such a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part shall take effect on the specified date only if approved by the people.

(2) The provisions of this shall apply to equipment violations committed on or after the applicable effective date of this act."

TRANSPORTATION & ENERGY

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

HB02-1028 be postponed indefinitely.

HB02-1202 be postponed indefinitely.

HB02-1204 be postponed indefinitely.

PRINTING REPORT

The Chief Clerk reports the following bills have been correctly printed:
HB02-1325, 1326.

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes: SB02-036, 076;

SB02-051, amended as printed in Senate Journal, February 8, page 193; SB02-026, amended as printed in Senate Journal, February 8, page 193.

MESSAGE FROM THE REVISOR

We herewith transmit without comment, SB02-036 and 076; and Without comment, as amended, SB02-051 and 026.

**INTRODUCTION OF BILLS
First Reading**

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

HB02-1327 by Representative(s) Young, Berry, Saliman; also Senator(s) Reeves, Tate, Owen--Concerning modifications to the sources of funding of state capital construction projects for the 2001-02 state fiscal year in order to increase the amount of general fund appropriations made during said fiscal year used to calculate the statutory limitation on general fund appropriations for the 2002-03 state fiscal year, and making appropriations in connection therewith.

Committee on Finance
Committee on Appropriations

HB02-1328 by Representative(s) Young, Berry, Saliman; also Senator(s) Reeves, Tate, Owen--Concerning modifications to the source of funding for the older Coloradans program for the 2001-02 state fiscal year in order to increase the amount of general fund appropriations made during said fiscal year used to calculate the statutory limitation on general fund appropriations for the 2002-03 state fiscal year, and making an appropriation in connection therewith.

Committee on Finance
Committee on Appropriations

On motion of Representative Spradley, the House adjourned until 9:00 a.m., February 12, 2002.

Approved:

Attest:

JUDITH RODRIGUE,
Chief Clerk

DOUG DEAN,
Speaker