

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

One Hundred-eighth Legislative Day

Friday, April 26, 2002

1 Prayer by Father Ed Judy, Former Director Samaritan House, Denver.

2

3 The Speaker Pro Tempore 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

9 Excused--Representatives Decker, Hefley, Kester, Mace,

10

11 Mr. Speaker--5.

12

13 Present after roll call--Representatives Decker, Hefley, Mace.

14

15 The Speaker Pro Tempore declared a quorum present.

16

17 On motion of Representative Garcia, the reading of the journal of

18

19 April 25, 2002, was declared dispensed with and approved as corrected

20

21 by the Chief Clerk.

22

23

24 **CONSIDERATION OF RESOLUTION**

25

26 **HJR02-1073** by Representative(s) Lawrence; also Senator(s) Hanna--

27

28 Concerning awareness of Autism, and, in connection

29

30 therewith, designating April 2002 as Autism Awareness

31

32 Month and April 27, 2002, as Autism Awareness Day.

33

34 (Printed and placed in member's file; also printed in House Journal,

35

36 April 18, pages 1449-1450.)

37

38 On motion of Representative Lawrence, the resolution was read at length.

39

40 Amendment No. 1, moved by Representative Lawrence.

41

42 Amend printed resolution, page 1, strike lines 10 through 13.

43

Page 2, strike lines 1 through 6 and substitute the following:

44

45 "WHEREAS, There is currently no medical test that can confirm

46

47 the diagnosis of autism; and"

1 The amendment was declared **passed** by **viva voce** vote.

2

3 On motion of Representative Lawrence, the resolution as amended was
4 **adopted** by **viva voce** vote.

5

6 Co-sponsors added: Roll call of the House.

7

8

9

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

11

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

15

16 **SB02-071** by Senator(s) Windels; also Representative(s) Jahn--
17 Concerning the implementation of consumer satisfaction
18 surveys to determine the level of satisfaction among
19 nursing facility residents, and making an appropriation in
20 connection therewith.

21

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

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

26

27 YES 58 NO 5 EXCUSED 2 ABSENT 0

28

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

46

47 Co-sponsors added: Representatives Alexander, Boyd, Chavez, Cloer, Coleman,
48 Garcia, Groff, Grossman, Marshall, Paschall, Romanoff, Sanchez, Tapia,
49 Tochtrop, Veiga, Weddig, Williams S., Young.

50

51 **SB02-156** by Senator(s) Gordon; also Representative(s) Smith--
52 Concerning the authorization of changes of absolute water
53 rights for purposes of instream use.

54

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

56 A roll call vote was taken. As shown by the following recorded vote, a

1 **SB02-057** by Senator(s) Hagedorn; also Representative(s) Smith--
 2 Concerning a nonsubstantive recodification of statutes
 3 relating to the operation of motor vehicles by persons who
 4 have consumed chemical substances including alcohol.

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	Y	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	Y	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	E	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
29						Mr. Speaker	E

30
 31 Co-sponsors added: Representatives Groff, Williams S.

32
 33 **SB02-054** by Senator(s) Phillips; also Representative(s) Spence--
 34 Concerning sources of information for the master juror
 35 list.

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

	YES 63	NO 0	EXCUSED 2	ABSENT 0			
44 Alexander	Y	Groff	Y	Marshall	Y	Spence	Y
45 Bacon	Y	Grossman	Y	Miller	Y	Spradley	Y
46 Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y
47 Borodkin	Y	Hefley	Y	Paschall	Y	Stengel	Y
48 Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
49 Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia	Y
50 Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	Y
51 Clapp	Y	Jameson	Y	Rippy	Y	Veiga	Y
52 Cloer	Y	Johnson	Y	Romanoff	Y	Vigil	Y
53 Coleman	Y	Kester	E	Saliman	Y	Webster	Y
54 Crane	Y	King	Y	Sanchez	Y	Weddig	Y
55 Daniel	Y	Larson	Y	Schultheis	Y	White	Y
56 Decker	Y	Lawrence	Y	Scott	Y	Williams S.	Y

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

5
6 Co-sponsor added: Representative Coleman.

7
8 **HB02-1397** by Representative(s) Smith; also Senator(s) Thiebaut--
9 Concerning the adoption of changes to article 9 of the
10 "Uniform Commercial Code".

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
17 YES 63 NO 0 EXCUSED 2 ABSENT 0

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

36
37 Co-sponsors added: Representatives Garcia, Jameson.

38
39 **SB02-142** by Senator(s) Lamborn; also Representative(s) Schultheis
40 --Concerning the elimination of obsolete provisions of
41 law.

42
43 The question being "Shall the bill pass?".

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

47
48 YES 62 NO 0 EXCUSED 2 ABSENT 1

49								
50	Alexander	Y	Groff	Y	Marshall	Y	Spence	Y
51	Bacon	Y	Grossman	Y	Miller	Y	Spradley	Y
52	Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y
53	Borodkin	Y	Hefley	Y	Paschall	Y	Stengel	Y
54	Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
55	Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia	Y
56	Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	Y

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

11
12 Co-sponsors added: Representatives Cloer, Crane, Fritz, Garcia, Groff, Harvey,
13 Larson, Mace, Miller, Rhodes, Romanoff, Williams S.

14
15 **SB02-188** by Senator(s) Tate; also Representative(s) Spradley--
16 Concerning a requirement that health benefit plans issue
17 prescription cards containing uniform information.

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	YES	61	NO	2	EXCUSED	2	ABSENT	0
24	Alexander	Y	Groff	Y	Marshall	Y	Spence	Y
25	Bacon	Y	Grossman	Y	Miller	Y	Spradley	Y
26	Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y
27	Borodkin	Y	Hefley	Y	Paschall	N	Stengel	Y
28	Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
29	Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia	Y
30	Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	Y
31	Clapp	Y	Jameson	Y	Rippy	Y	Veiga	Y
32	Cloer	Y	Johnson	Y	Romanoff	Y	Vigil	Y
33	Coleman	Y	Kester	E	Saliman	Y	Webster	Y
34	Crane	Y	King	Y	Sanchez	Y	Weddig	Y
35	Daniel	Y	Larson	Y	Schultheis	Y	White	Y
36	Decker	Y	Lawrence	Y	Scott	Y	Williams S.	Y
37	Fairbank	Y	Lee	N	Sinclair	Y	Williams T.	Y
38	Fritz	Y	Mace	Y	Smith	Y	Witwer	Y
39	Garcia	Y	Madden	Y	Snook	Y	Young	Y
40							Mr. Speaker	E

41
42
43
44 Co-sponsors added: Representatives Borodkin, Boyd, Clapp, Coleman, Daniel,
45 Groff, Hodge, Jahn, Marshall, Miller, Romanoff, Sanchez, Tapia, Weddig,
46 Williams S.

47
48 **SB02-078** by Senator(s) Hagedorn; also Representative(s) Fritz--
49 Concerning genetic privacy.

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

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

55

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

20 Co-sponsors added: Representatives Boyd, Clapp, Coleman, Garcia, Groff,
21 Jahn, Lawrence, Mace, Miller, Plant, Romanoff, Schultheis, Stafford, Tochtrop.

22
23 **SB02-109** by Senator(s) Pascoe, Arnold, Cairns, Hernandez; also
24 Representative(s) King, Romanoff, Sanchez, Snook, Vigil
25 --Concerning the assessment of students whose dominant
26 language is not English.

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

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

	YES 63	NO 0	EXCUSED 2	ABSENT 0			
32							
33							
34							
35	Alexander	Y Groff	Y Marshall	Y Spence	Y		Y
36	Bacon	Y Grossman	Y Miller	Y Spradley	Y		Y
37	Berry	Y Harvey	Y Mitchell	Y Stafford	Y		Y
38	Borodkin	Y Hefley	Y Paschall	Y Stengel	Y		Y
39	Boyd	Y Hodge	Y Plant	Y Swenson	Y		Y
40	Cadman	Y Hoppe	Y Ragsdale	Y Tapia	Y		Y
41	Chavez	Y Jahn	Y Rhodes	Y Tochtrop	Y		Y
42	Clapp	Y Jameson	Y Rippy	Y Veiga	Y		Y
43	Cloer	Y Johnson	Y Romanoff	Y Vigil	Y		Y
44	Coleman	Y Kester	E Saliman	Y Webster	Y		Y
45	Crane	Y King	Y Sanchez	Y Weddig	Y		Y
46	Daniel	Y Larson	Y Schultheis	Y White	Y		Y
47	Decker	Y Lawrence	Y Scott	Y Williams S.	Y		Y
48	Fairbank	Y Lee	Y Sinclair	Y Williams T.	Y		Y
49	Fritz	Y Mace	Y Smith	Y Witwer	Y		Y
50	Garcia	Y Madden	Y Snook	Y Young	Y		Y
51				Mr. Speaker	E		
52							

53 Co-sponsors added: Representatives Boyd, Coleman, Crane, Daniel, Groff,
54 Harvey, Hefley, Hodge, Jahn, Lawrence, Mace, Madden, Marshall, Miller, Plant,
55 Ragsdale, Rhodes, Rippy, Schultheis, Sinclair, Spence, Williams S., Young.

56

1 **HB02-1189** by Representative(s) Spradley; also Senator(s) Fitz-
 2 Gerald--Concerning the assignment to every salvage
 3 vehicle of a substitute vehicle identification number that
 4 clearly denotes the fact that the vehicle is a salvage
 5 vehicle.
 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	Y	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	Y	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	E	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
30							Mr. Speaker	E

31
 32 Co-sponsors added: Representatives Borodkin, Boyd, Coleman, Hoppe, Mace,
 33 Marshall, Miller, Plant, Rippy, Schultheis, Stafford, Stengel, Tapia, Williams S.
 34

35
 36 On motion of Representative Spradley, **SB02-196, 097, 169, 175, 181,**
 37 **HB02-1450, 1326, SB02-019, HB02-1403, SB02-201, HB02-1409,**
 38 **HCR02-1011** were made Special Orders on Friday, April 26, 2002, at
 39 10:35 a.m.
 40

41
 42 The hour of 10:35 a.m., having arrived, on motion of Representative
 43 Hefley, the House resolved itself into Committee of the Whole for
 44 consideration of Special Orders and she was called to the Chair to act as
 45 Chairman.
 46

47
 48 **SPECIAL ORDERS--SECOND READING OF BILLS**
 49

50 The Committee of the Whole having risen, the Chairman reported the
 51 titles of the following bills had been read (reading at length had been
 52 dispensed with by unanimous consent), the bills considered and action
 53 taken thereon as follows:
 54

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

- 1 **SB02-196** by Senator(s) Perlmutter, Anderson, Hagedorn,
2 Hernandez, McElhany, Phillips, Taylor, Teck; also
3 Representative(s) Spradley, Chavez, Groff, Grossman,
4 Kester, Stafford, White--Concerning real estate brokers
5 who are engaged by members of the public.
6
- 7 Amendment No. 1, Business Affairs & Labor Report, dated April 23,
8 2002, and placed in member's bill file; Report also printed in House
9 Journal, April 24, page 1526.
10
- 11 As amended, ordered revised and placed on the Calendar for Third
12 Reading and Final Passage.
13
- 14 **SB02-097** by Senator(s) Tate, Fitz-Gerald, Takis; also
15 Representative(s) Romanoff--Concerning the provision of
16 affordable housing in the state, and making an
17 appropriation in connection therewith.
18
- 19 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
20 March 21, 2002, and placed in member's bill file; Report also printed in
21 House Journal, March 25, page 1006.
22
- 23 Amendment No. 2, Appropriations Report, dated April 12, 2002, and
24 placed in member's bill file; Report also printed in House Journal,
25 April 12, page 1268.
26
- 27 As amended, ordered revised and placed on the Calendar for Third
28 Reading and Final Passage.
29
- 30 **SB02-169** by Senator(s) Linkhart; also Representative(s) Chavez--
31 Concerning the exemption of Roth individual retirement
32 accounts from levy and sale.
33
- 34 Ordered revised and placed on the Calendar for Third Reading and Final
35 Passage.
36
- 37 **SB02-175** by Senator(s) Reeves; also Representative(s) Jameson--
38 Concerning clarification of the crime of sexual conduct in
39 penal institutions.
40
- 41 Ordered revised and placed on the Calendar for Third Reading and Final
42 Passage.
43
- 44 **SB02-181** by Senator(s) Tate; also Representative(s) Saliman--
45 Concerning immunity from suit for parole release hearing
46 officers.
47
- 48 Ordered revised and placed on the Calendar for Third Reading and Final
49 Passage.
50
- 51 **HB02-1450** by Representative(s) Fairbank--Concerning expenditures
52 for political messages by candidate committees of nomi-
53 nees for the offices of governor and lieutenant governor.
54
- 55 Ordered engrossed and placed on the Calendar for Third Reading and
56 Final Passage.

1 **HB02-1326** by Representative(s) Scott, Fritz, Chavez, Coleman,
 2 Crane, Dean, Fairbank, Garcia, Groff, Grossman, Hefley,
 3 Hoppe, Jahn, Johnson, Kester, Mace, Madden, Marshall,
 4 Miller, Mitchell, Plant, Rhodes, Rippy, Romanoff,
 5 Sanchez, Sinclair, Snook, Spradley, Tapia, Tochtrop,
 6 Veiga, Vigil, Weddig, White, Williams S., Williams T.,
 7 Witwer; also Senator(s) Fitz-Gerald--Concerning adoption
 8 of the "Uniform Electronic Transactions Act".
 9

10 Amendment No. 1, Information & Technology Report, dated April 15,
 11 2002, and placed in member's bill file; Report also printed in House
 12 Journal, April 17, pages 1398-1400.
 13

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

17 **SB02-019** by Senator(s) Lamborn; also Representative(s) Grossman--
 18 Concerning DNA testing of all felons.
 19

20 Amendment No. 1, by Representatives Lawrence, Grossman.
 21

22 Amend reengrossed bill, page 17, after line 12, insert the following:
 23

24 "SECTION 17. 16-11-204 (2.5), Colorado Revised Statutes, is
 25 amended BY THE ADDITION OF A NEW PARAGRAPH to read:
 26

27 **16-11-204. Conditions of probation - repeal.** (2.5) The order
 28 of priority for any payments required of a defendant pursuant to
 29 subparagraph (IV), (V), (VI), or (VI.5) of paragraph (a) of subsection (2)
 30 of this section shall be as follows:
 31

32 (g.5) PAYMENT OF COLLECTION AND CHEMICAL TESTING OF A
 33 BIOLOGICAL SUBSTANCE TO DETERMINE THE GENETIC MARKERS THEREOF,
 34 THIS PARAGRAPH(g.5) IS REPEALED, EFFECTIVE JULY 1, 2005;"
 35

36 Renumber succeeding sections accordingly.
 37

38 Amendment No. 2, by Representative Grossman.
 39

40 Amend reengrossed bill, page 11, line 9, strike "thereof and to chemical
 41 testing" and substitute "thereof. and to chemical testing";
 42

43 strike line 10 and substitute the following:
 44

45 "~~of his or her saliva to determine the secretor status thereof.~~"
 46

47 As amended, ordered revised and placed on the Calendar for Third
 48 Reading and Final Passage.
 49

50
 51 **HB02-1403** by Representative(s) Schultheis; also Senator(s) Nichol--
 52 Concerning the modification of governmental
 53 appointments to accommodate the effect of redistricting
 54 Colorado congressional districts.
 55

1 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
2 April 23, 2002, and placed in member's bill file; Report also printed in
3 House Journal, April 24, pages 1540-1545.

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

7
8 **SB02-201** by Senator(s) Teck; also Representative(s) Stengel--
9 Concerning the Colorado commission on taxation.

10
11 Ordered revised and placed on the Calendar for Third Reading and Final
12 Passage.

13
14 **HB02-1409** by Representative(s) Rhodes; also Senator(s) Taylor--
15 Concerning the repeal date of a provision that authorizes
16 the use of moneys in the petroleum storage tank fund to
17 verify that petroleum storage systems comply with
18 applicable standards.

19
20 Ordered engrossed and placed on the Calendar for Third Reading and
21 Final Passage.

22
23 **HCR02-1011** by Representative(s) Young--Submitting to the registered
24 electors of the state of Colorado an amendment to section
25 48 of article V of the constitution of the state of Colorado,
26 concerning legislative reapportionment, and, in connection
27 therewith, changing the number of members of the
28 Colorado reapportionment commission from eleven to
29 thirteen, granting authority to the legislative leadership of
30 the general assembly to appoint twelve commission
31 members whose appointees would then agree on a final
32 commission member, and clarifying that the proceedings
33 of the commission are subject to legal requirements
34 governing public records and open meetings.

35
36 Laid over until April 29, retaining place on Calendar.

37
38
39
40 **AMENDMENTS TO THE COMMITTEE OF THE WHOLE REPORT**

41
42 Representative Daniel moved to amend the Report of the Committee of
43 the Whole to show that the following Daniel amendment, to HB02-1403,
44 did pass, and that **HB02-1403, as amended**, did pass.

45
46 Amend the State, Veterans, & Military Affairs Committee Report, dated
47 April 23, 2002, page 4, line 31, strike "(1) and (2)," and substitute "(1),
48 (2), and (5),".

49
50 Page 5, strike lines 33 through 35 and substitute the following:

51
52 "MEMBER ELECTED AT LARGE, SUCH MEMBER SHALL BE PERMITTED TO
53 CONTINUE SERVING ON THE STATE BOARD UNTIL THE EXPIRATION OF HIS OR
54 HER TERM.

55
56 (5) Any vacancies that may occur by reason of death, removal, or

1 resignation from office, or removal from the district from which elected,
 2 or when a board member is elected, qualified, and takes office for another
 3 state office, shall be filled by the state board, and the person so appointed
 4 shall serve until the next regular election providing such appointee is
 5 subject to the qualifications set forth by law. Any person appointed to fill
 6 a vacancy shall be a member of the same political party as the vacating
 7 board member. If a vacancy occurs at any time within the period that
 8 begins with the general election in November and ends the second
 9 Tuesday of January following said general election, the vacancy shall be
 10 filled by the members of the state board who are elected, qualified, and
 11 sworn in or continuing in office as of said second Tuesday of January.
 12 IF THE TOTAL NUMBER OF CONGRESSIONAL DISTRICTS CHANGES TO AN ODD
 13 NUMBER DURING THE TERM OF THE MEMBER ELECTED AT LARGE, A
 14 VACANCY OF SUCH MEMBER'S SEAT SHALL NOT BE FILLED BY THE STATE
 15 BOARD."

16
 17 The amendment was declared **lost** by the following roll call vote:

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

37
 38
 39
 40
 41
 42 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

43
 44 Passed Second Reading: **SB02-196 amended, 097 amended, 169, 175,**
 45 **181, HB02-1450, 1326 amended, SB02-019 amended, 1403 amended,**
 46 **SB02-201, HB02-1409.**

47
 48 Laid over until date indicated retaining place on Calendar:
 49 **HCR02-1011--April 29, 2002.**

50
 51 The Chairman moved the adoption of the Committee of the Whole
 52 Report. As shown by the following roll call vote, a majority of those
 53 elected to the House voted in the affirmative, and the Report was
 54 **adopted.**

55

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

REPORTS OF COMMITTEES OF REFERENCE

AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES

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

HJR02-1051 be referred out for final action.

SB02-148 be postponed indefinitely.

APPROPRIATIONS

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

HB02-1452 be referred to the Committee of the Whole with favorable recommendation.

HB02-1457 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 10, after line 24, insert the following:

"SECTION 4. Appropriation - adjustments to the 2002 long bill. For the implementation of this act, appropriations made in the annual general appropriation act for the fiscal year beginning July 1, 2002, shall be adjusted as follows: The appropriation to the department of health care policy and financing, medical services premiums, is

1 decreased by one hundred seventy-seven thousand six hundred ninety-one
2 dollars (\$177,691). Of said sum, eighty-eight thousand eight hundred
3 forty-six dollars (\$88,846) shall be from the general fund, and eighty-
4 eight thousand eight hundred forty-five dollars (\$88,845) shall be from
5 federal funds."

6
7 Renumber succeeding section accordingly.

8
9 Page 1, line 107, strike "**PROGRAM.**" and substitute "**PROGRAM, AND**
10 **MAKING AN APPROPRIATION IN CONNECTION THEREWITH.**"

11

12

13

14 **SB02-010** be referred to the Committee of the Whole with favorable
15 recommendation.

16

17

18 **SB02-016** be amended as follows, and as so amended, be referred to
19 the Committee of the Whole with favorable
20 recommendation:

21

22 Amend the Health, Environment, Welfare, and Institutions Committee
23 Report, dated April 22, 2002, page 1, line 5, after "(c)", insert "(I)";

24

25 line 17 of the committee report, strike "(1).". and substitute "(1).";

26

27 after line 17 of the committee report, insert the following:

28

29 "(II) PRIOR TO IMPLEMENTATION OF A MENTAL ILLNESS SCREENING
30 PROGRAM PURSUANT TO THIS PARAGRAPH (c), IF IMPLEMENTATION OF THE
31 PROGRAM WOULD REQUIRE AN INCREASE IN APPROPRIATIONS, THE STATE
32 COURT ADMINISTRATOR SHALL SUBMIT TO THE JOINT BUDGET COMMITTEE
33 A REQUEST FOR FUNDING IN THE AMOUNT NECESSARY TO IMPLEMENT THE
34 MENTAL ILLNESS SCREENING PROGRAM. IF IMPLEMENTATION OF THE
35 PROGRAM WOULD REQUIRE AN INCREASE IN APPROPRIATIONS,
36 IMPLEMENTATION OF THE MENTAL ILLNESS SCREENING PROGRAM SHALL BE
37 CONDITIONAL UPON APPROVAL OF THE FUNDING REQUEST."

38

39 Page 4, line 14, after "(4)", insert "(a)";

40

41 after line 22, insert the following:

42

43 "(b) PRIOR TO IMPLEMENTATION OF A MENTAL ILLNESS SCREENING
44 PROGRAM PURSUANT TO THIS SUBSECTION (4), IF IMPLEMENTATION OF THE
45 PROGRAM WOULD REQUIRE AN INCREASE IN APPROPRIATIONS, THE
46 SUPERINTENDENT SHALL SUBMIT TO THE JOINT BUDGET COMMITTEE A
47 REQUEST FOR FUNDING IN THE AMOUNT NECESSARY TO IMPLEMENT THE
48 MENTAL ILLNESS SCREENING PROGRAM. IF IMPLEMENTATION OF THE
49 MENTAL ILLNESS SCREENING PROGRAM WOULD REQUIRE AN INCREASE IN
50 APPROPRIATIONS, IMPLEMENTATION OF THE PROGRAM SHALL BE
51 CONDITIONAL UPON APPROVAL OF THE FUNDING REQUEST."";

52

53 line 18 of the committee report, strike "Page 4,".

54

55 Page 2 of the committee report, after line 5, insert the following:

56

1 "line 12, after "(8)", insert "(a)";

2

3 after line 19, insert the following:

4

5 "(b) PRIOR TO IMPLEMENTATION OF A MENTAL ILLNESS SCREENING
6 PROGRAM PURSUANT TO THIS SUBSECTION (8), IF IMPLEMENTATION OF THE
7 PROGRAM WOULD REQUIRE AN INCREASE IN APPROPRIATIONS, THE
8 DIRECTOR SHALL SUBMIT TO THE JOINT BUDGET COMMITTEE A REQUEST
9 FOR FUNDING IN THE AMOUNT NECESSARY TO IMPLEMENT THE MENTAL
10 ILLNESS SCREENING PROGRAM. IF IMPLEMENTATION OF THE MENTAL
11 ILLNESS SCREENING PROGRAM WOULD REQUIRE AN INCREASE IN
12 APPROPRIATIONS, IMPLEMENTATION OF THE PROGRAM SHALL BE
13 CONDITIONAL UPON APPROVAL OF THE FUNDING REQUEST.";

14

15 line 24, after "**screening.**", insert "(1)";

16

17 after line 7 of the committee report, insert the following:

18

19 "Page 8, after line 5, insert the following:

20

21 "(2) PRIOR TO IMPLEMENTATION OF A MENTAL ILLNESS SCREENING
22 PROGRAM PURSUANT TO THIS SECTION, IF IMPLEMENTATION OF THE
23 PROGRAM WOULD REQUIRE AN INCREASE IN APPROPRIATIONS, THE
24 EXECUTIVE DIRECTOR SHALL SUBMIT TO THE JOINT BUDGET COMMITTEE A
25 REQUEST FOR FUNDING IN THE AMOUNT NECESSARY TO IMPLEMENT THE
26 MENTAL ILLNESS SCREENING PROGRAM. IF IMPLEMENTATION OF THE
27 MENTAL ILLNESS SCREENING PROGRAM WOULD REQUIRE AN INCREASE IN
28 APPROPRIATIONS, IMPLEMENTATION OF THE PROGRAM SHALL BE
29 CONDITIONAL UPON APPROVAL OF THE FUNDING REQUEST.";

30

31 line 11 of the committee report, after line "(3)", insert "(a)";

32

33 line 21 of the committee report, strike "SECTION." and substitute
34 "SECTION.";

35

36 after line 21 of the committee report, insert the following:

37

38 "(b) PRIOR TO IMPLEMENTATION OF A MENTAL ILLNESS SCREENING
39 PROGRAM PURSUANT TO THIS SUBSECTION (3), IF IMPLEMENTATION OF THE
40 PROGRAM WOULD REQUIRE AN INCREASE IN APPROPRIATIONS, THE STATE
41 COURT ADMINISTRATOR SHALL SUBMIT TO THE JOINT BUDGET COMMITTEE
42 A REQUEST FOR FUNDING IN THE AMOUNT NECESSARY TO IMPLEMENT THE
43 MENTAL ILLNESS SCREENING PROGRAM. IF IMPLEMENTATION OF THE
44 MENTAL ILLNESS SCREENING PROGRAM WOULD REQUIRE AN INCREASE IN
45 APPROPRIATIONS, IMPLEMENTATION OF THE PROGRAM SHALL BE
46 CONDITIONAL UPON APPROVAL OF THE FUNDING REQUEST.".

47

48

49

50 **SB02-027** be amended as follows, and as so amended, be referred to
51 the Committee of the Whole with favorable
52 recommendation:

53

54 Amend reengrossed bill, page 10, after line 4, insert the following:

55

56 "**SECTION 5. Conditional repeal.** (1) PART 13 OF ARTICLE 4 OF

1 TITLE 26 SHALL BE REPEALED IF SUFFICIENT FEDERAL FUNDS REFLECTED
2 IN SECTION 4 ARE NOT RECEIVED BY THE STATE DEPARTMENT. IF
3 SUFFICIENT FEDERAL FUNDS ARE NOT RECEIVED BY THE STATE
4 DEPARTMENT, SAID DEPARTMENT SHALL IMMEDIATELY NOTIFY THE
5 REVISOR OF STATUTES.

6
7 (2) PART 13 OF ARTICLE 4 OF TITLE 26 SHALL BE REPEALED UPON
8 RECEIPT BY THE REVISOR OF STATUTES OF THE NOTIFICATION DESCRIBED
9 IN SUBSECTION (1) OF THIS SECTION .".

10

11

12

13 **SB02-062** be amended as follows, and as so amended, be referred to
14 the Committee of the Whole with favorable
15 recommendation:

16

17 Amend reengrossed bill, page 10, line 23, strike "H.B. 97-1304";

18

19 line 27, strike "indigent care program," and substitute "department of
20 human services medicaid - funded programs, office of information
21 technology services - medicaid funding,".

22

23

24

25 **SB02-119** be referred to the Committee of the Whole with favorable
26 recommendation.

27

28

29

30 **BUSINESS AFFAIRS & LABOR**

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

33

34 **SB02-043** be postponed indefinitely.

35

36 **SB02-178** be postponed indefinitely.

37

38

39

40

41 **CIVIL JUSTICE & JUDICIARY**

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

44

45 **HB02-1449** be postponed indefinitely.

46

47

48 **SB02-049** be amended as follows, and as so amended, be referred to
49 the Committee of the Whole with favorable
50 recommendation:

51

52 Amend reengrossed bill, strike everything below the enacting clause and
53 substitute the following:

54

55 "SECTION 1. Article 10 of title 14, Colorado Revised Statutes,
56 is amended BY THE ADDITION OF A NEW SECTION to read:

1 **14-10-105.5. Records and information - confidential -**
2 **exceptions - open summary.** (1) THE FOLLOWING DOCUMENTS
3 SUBMITTED TO THE COURT IN A PROCEEDING FILED ON OR AFTER JULY 1,
4 2002, CONCERNING DISSOLUTION OF MARRIAGE, LEGAL SEPARATION,
5 DECLARATION OF INVALIDITY OF MARRIAGE, CHILD CUSTODY, OR
6 ALLOCATION OF PARENTAL RESPONSIBILITIES, SHALL BE CONFIDENTIAL,
7 AND NOT OPEN TO INSPECTION:

8
9 (a) THE FINANCIAL AFFIDAVITS OF EACH PARTY;

10
11 (b) THE PARENTING PLAN OF THE PARTIES SUBMITTED AS A
12 SEPARATE DOCUMENT FROM THE SEPARATION AGREEMENT, IF SUCH
13 PARENTING PLAN EXISTS;

14
15 (c) ANY RECORD OF AN INTERVIEW WITH A CHILD BY A JUDGE
16 PURSUANT TO SECTION 14-10-126;

17
18 (d) ANY REPORT OF A SPECIAL ADVOCATE FILED PURSUANT TO
19 SECTION 14-10-116 (2) (b), C.R.S.;

20
21 (e) A MARITAL AGREEMENT AS DESCRIBED IN PART 3 OF ARTICLE
22 2 OF THIS TITLE; EXCEPT THAT, IF THE VALIDITY OR ENFORCEABILITY OF
23 SUCH AN AGREEMENT IS CONTESTED, IT SHALL BECOME A PUBLIC RECORD
24 AND OPEN TO INSPECTION;

25
26 (f) ANY SCHEDULE SETTING FORTH AN ITEMIZATION OF PROPERTY,
27 LIABILITIES, OR DETAILS OF OBLIGATIONS UNDERTAKEN BY THE PARTIES IN
28 A STIPULATION OR OTHER TEMPORARY ORDERS AGREEMENT OF THE
29 PARTIES, AND ANY ATTACHMENT TO A STIPULATION OR OTHER TEMPORARY
30 ORDERS AGREEMENT OF THE PARTIES CONCERNING TEMPORARY PARENTAL
31 RESPONSIBILITIES;

32
33 (g) ANY SCHEDULE SETTING FORTH AN ITEMIZATION OF PROPERTY,
34 LIABILITIES, OR DETAILS OF OBLIGATIONS UNDERTAKEN BY THE PARTIES IN
35 A STIPULATION OR OTHER AGREEMENT OF THE PARTIES REGARDING A
36 DECLARATION OF INVALIDITY, AND ANY ATTACHMENT TO A STIPULATION
37 OR OTHER AGREEMENT OF THE PARTIES REGARDING A DECLARATION OF
38 INVALIDITY CONCERNING PARENTAL RESPONSIBILITIES, INCLUDING
39 DECISION-MAKING RESPONSIBILITIES AND PARENTING TIME; AND

40
41 (h) ANY SCHEDULE SETTING FORTH AN ITEMIZATION OF PROPERTY,
42 LIABILITIES, OR DETAILS OF OBLIGATIONS UNDERTAKEN BY THE PARTIES IN
43 A SEPARATION AGREEMENT OF THE PARTIES, AND ANY ATTACHMENT TO A
44 SEPARATION AGREEMENT OF THE PARTIES CONCERNING PARENTAL
45 RESPONSIBILITIES, INCLUDING DECISION-MAKING RESPONSIBILITIES AND
46 PARENTING TIME.

47
48 (2) (a) IN ORDER TO EFFECTUATE THE PROVISIONS OF SUBSECTION
49 (1) OF THIS SECTION, THE BURDEN SHALL BE ON THE PARTIES TO THE
50 ACTION, OR THEIR COUNSEL, TO FILE THE INFORMATION SPECIFIED IN
51 SUBSECTION (1) OF THIS SECTION IN AN ENVELOPE MARKED
52 "CONFIDENTIAL AND SEALED PURSUANT TO SECTION 14-10-105.5,
53 COLORADO REVISED STATUTES", WITH A DESCRIPTION OF THE CONTENTS
54 OF THE ENVELOPE ON THE BACK OF THE ENVELOPE.

55
56 (b) IN ORDER TO EFFECTUATE THE PROVISIONS OF SUBSECTION (1)

1 OF THIS SECTION FOR ANY PARTY FILING DOCUMENTS WITH THE COURT
2 ELECTRONICALLY, THE BURDEN SHALL BE ON THE PARTIES TO THE ACTION,
3 OR THEIR COUNSEL, TO ELECTRONICALLY FILE THE INFORMATION
4 SPECIFIED IN SUBSECTION (1) OF THIS SECTION WITH A NOTATION ON THE
5 FIRST PAGE OF EACH DOCUMENT FILED STATING, "CONFIDENTIAL AND
6 SEALED PURSUANT TO SECTION 14-10-105.5, COLORADO REVISED
7 STATUTES", AND A DESCRIPTION OF THE CONFIDENTIAL ELECTRONICALLY
8 FILED DOCUMENTS IN A SEPARATE NOTICE FILED SIMULTANEOUSLY WITH
9 THE CONFIDENTIAL DOCUMENTS.

10

11 (3) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (1) OF
12 THIS SECTION, THE PARTIES TO THE ACTION, OR THEIR COUNSEL, SHALL
13 AGREE UPON AND FILE A SUMMARY OF ANY CONFIDENTIAL PARENTING
14 PLAN AND ALLOCATION OF PARENTAL RESPONSIBILITIES SUBMITTED TO THE
15 COURT. THE SUMMARY OF THE PARENTING PLAN SHALL BE AN OPEN
16 RECORD AND SHALL CONTAIN THE FOLLOWING:

17

18 (a) THE SPECIFIC ALLOCATION OF DECISION-MAKING
19 RESPONSIBILITIES, DESIGNATED BY SELECTING ONE OF THE FOLLOWING:

20

21 (I) MUTUAL DECISION-MAKING RESPONSIBILITY; OR

22

23 (II) DECISION-MAKING RESPONSIBILITY TO MOTHER; OR

24

25 (III) DECISION-MAKING RESPONSIBILITY TO FATHER; OR

26

27 (IV) A COMBINATION OF DECISION-MAKING RESPONSIBILITIES; AND

28

29 (b) A DESIGNATION OF PARENTING TIME WHICH INDICATES THE
30 APPROXIMATE PERCENTAGE OF TIME ALLOCATED TO EACH PARTY.

31

32 (4) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (1) OF
33 THIS SECTION, THE FOLLOWING PERSONS OR AGENCIES SHALL BE GIVEN
34 ACCESS TO THE CONFIDENTIAL RECORDS OR INFORMATION DESCRIBED IN
35 SUBSECTION (1) OF THIS SECTION:

36

37 (a) THE PARTIES TO THE ACTION;

38

39 (b) COUNSEL OF RECORD INCLUDING ANY REPRESENTATIVE OF THE
40 CHILD OR SPECIAL ADVOCATE APPOINTED PURSUANT TO SECTION
41 14-10-116 (2) AND ANY GUARDIAN AD LITEM APPOINTED TO REPRESENT
42 THE CHILD PURSUANT TO TITLE 19, C.R.S.;

43

44 (c) THE COURT PROBATION DEPARTMENT, ANY COUNTY OR
45 DISTRICT SOCIAL SERVICES DEPARTMENT, AND A LICENSED MENTAL
46 HEALTH PROFESSIONAL ORDERED TO PERFORM AN EVALUATION PURSUANT
47 TO SECTION 14-10-127 AND TO FILE A WRITTEN REPORT CONCERNING
48 DISPUTED ISSUES RELATING TO THE ALLOCATION OF PARENTAL
49 RESPONSIBILITIES, INCLUDING THE ALLOCATION OF DECISION-MAKING
50 RESPONSIBILITY, PARENTING TIME ARRANGEMENTS, OR BOTH, WITH
51 RESPECT TO THE CHILD OF THE PARTIES TO THE ACTION;

52

53 (d) THE STATE CHILD SUPPORT ENFORCEMENT AGENCY AND ANY
54 DELEGATE CHILD SUPPORT ENFORCEMENT UNIT, FOR THE PURPOSE OF
55 PROVIDING CHILD SUPPORT ENFORCEMENT SERVICES INCLUDING, BUT NOT
56 LIMITED TO, IMPLEMENTING ARTICLES 13 AND 13.5 OF TITLE 26, C.R.S.,

1 ARTICLES 5, 10, AND 14 OF TITLE 14, AND ARTICLES 4 AND 6 OF TITLE 19,
2 C.R.S.;

3
4 (e) THE DISTRICT ATTORNEY;

5
6 (f) A COURT OF THIS STATE, UPON ITS FINDING THAT ACCESS TO
7 SUCH RECORDS MAY BE NECESSARY FOR DETERMINATION OF AN ISSUE
8 BEFORE SUCH COURT;

9
10 (g) A COURT OR LAW ENFORCEMENT OFFICIAL OF ANOTHER STATE,
11 UPON APPROPRIATE REQUEST TO THE COURT OF THIS STATE;

12
13 (h) A LAW ENFORCEMENT OFFICIAL OF THIS STATE CERTIFIED
14 PURSUANT TO SECTION 24-31-305, C.R.S.;

15
16 (i) AN ARBITRATOR APPOINTED BY THE COURT TO RESOLVE
17 DISPUTES BETWEEN THE PARTIES;

18
19 (j) A MEDIATOR ORDERED BY THE COURT TO MEDIATE THE
20 DISPUTES BETWEEN THE PARTIES;

21
22 (k) A SPECIAL MASTER APPOINTED BY THE COURT;

23
24 (l) THE OFFICE OF THE REGULATION COUNSEL INVESTIGATING AN
25 ALLEGATION OF ATTORNEY MISCONDUCT AND THE COMMISSION ON
26 JUDICIAL DISCIPLINE INVESTIGATING AN ALLEGATION OF JUDICIAL
27 MISCONDUCT;

28
29 (m) AN EMPLOYEE OF A STATE DEPARTMENT, DIVISION, OR AGENCY
30 RESEARCHING OR COLLECTING AGGREGATE DATA;

31
32 (n) A DEBT COLLECTOR EMPLOYED BY A LICENSED COLLECTION
33 AGENCY;

34
35 (o) A PRIVATE INVESTIGATOR;

36
37 (p) AN EMANCIPATED OR ADULT CHILD OF EITHER PARTY; AND

38
39 (q) ANY OTHER PERSON, UPON ORDER OF THE COURT FOR GOOD
40 CAUSE SHOWN AFTER THE PARTIES TO THE ACTION HAVE RECEIVED NOTICE
41 AND AN OPPORTUNITY TO BE HEARD. THE BURDEN SHALL BE UPON THE
42 PARTY TO THE ACTION TO SHOW THAT HARM TO THE PRIVACY OF THE
43 PARTY TO THE ACTION OUTWEIGHS THE PUBLIC INTEREST.

44
45 **SECTION 2. Effective date - applicability.** This act shall take
46 effect July 1, 2002, and shall apply to causes of action filed on or after
47 said date.

48
49 **SECTION 3. Safety clause.** The general assembly hereby finds,
50 determines, and declares that this act is necessary for the immediate
51 preservation of the public peace, health, and safety."

52
53
54
55 **SB02-160** be referred to the Committee of the Whole with favorable
56 recommendation.

1 **CRIMINAL JUSTICE**

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

4
5 **SB02-115** be postponed indefinitely.

6
7 **SB02-187** be referred to the Committee of the Whole with favorable
8 recommendation.

9
10
11
12 **STATE, VETERANS, & MILITARY AFFAIRS**

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

15
16 **HB02-1448** be referred to the Committee of the Whole with favorable
17 recommendation.

18
19 **SB02-009** be postponed indefinitely.

20
21
22
23 **PRINTING REPORT**

24
25 The Chief Clerk reports the following bill has been correctly printed:
26 **HB02-1459.**

27
28
29 **DELIVERY OF BILLS TO GOVERNOR**

30
31 The Chief Clerk of the House of Representatives reports the following
32 bills have been delivered to the Office of the Governor: **HB02-1250,**
33 **1258, 1348** at 10:06 a.m., on April 26, 2002.

34
35
36
37 **MESSAGES FROM THE SENATE**

38 Mr. Speaker:

39
40 The Senate has adopted and transmits herewith: SJR02-045.

41
42
43 The Senate has postponed indefinitely and returns herewith: HB02-1222,
44 1104, 1326.

45
46
47
48 **MESSAGE FROM THE GOVERNOR**

49
50 I certify I received the following on the 25th day of April, 2002, at
51 4:20 p.m. The original is on file in the records of the House of
52 Representatives of the General Assembly.

53
54 Judith Rodrigue,
55 Chief Clerk of the House

1 April 25, 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 **HB02-1042** Concerning Extensions Under The Colorado Works
15 Program For Persons Who Have Reached The Sixty-
16 Month Lifetime Limit For Receipt Of Tanf Assistance.

17

18 Approved April 25, 2002 at 10:40 a.m.

19

20 **HB02-1071** Concerning The Standard A Government Agency Must
21 Meet In Order To Use Driver's License Image Technology.

22

23 Approved April 25, 2002 at 10:35 a.m.

24

25 **HB02-1078** Concerning The Regulation Of Boxing In Colorado.

26

27 Approved April 25, 2002 at 10:37 a.m.

28

29 **HB02-1111** Concerning The Terms Of Future Advances Secured By
30 Mortgages.

31

32 Approved April 25, 2002 at 10:44 a.m.

33

34 **HB02-1144** Concerning Restrictions On Credit Card Receipts.

35

36 Approved April 25, 2002 at 10:50 a.m.

37

38 **HB02-1153** Concerning Information Contained In A Consumer's
39 Credit Report, And, In Connection Therewith, Requiring
40 Consumer Reporting Agencies And Persons Who Provide
41 Credit Information To Use The Consumer's Social
42 Security Number To Verify Information Prior To
43 Including The Information In The Consumer's Credit
44 Report And Prohibiting A Consumer Reporting Agency
45 From Furnishing To Any Person Records Of Requests For
46 Credit Or Insurance That Are Not Initiated By The
47 Consumer.

48

49 Approved April 25, 2002 at 10:50 a.m.

50

51 **HB02-1162** Concerning The Prohibition Against Imposing Additional
52 Charges On Winners Of Sweepstakes Who Must Respond
53 To The Sponsor Of The Sweepstake To Claim The Prize.

54

55 Approved April 25, 2002 at 10:52 a.m.

56

1 **HB02-1305** Concerning Expansion Of The Definition Of The Crime
 2 Of Abuse Of Health Care Insurance, And, In Connection
 3 Therewith, Adding The Elimination Of The Need For
 4 Payment By A Patient Of Any Required Financial Penalty
 5 Applicable In The Patient's Health Benefit Plan To The
 6 List Of Ways That A Person Who Provides Health Care
 7 May Commit Abuse Of Health Insurance.

8
 9 Approved April 25, 2002 at 10:56 a.m.

10
 11 **HB02-1322** Concerning Payment Of Expenses Of The Legislative
 12 Department, And Making An Appropriation In Connection
 13 Therewith.

14
 15 Approved April 25, 2002 at 10:59 a.m.

16
 17 Sincerely,
 18 (signed)
 19 Bill Owens
 20 Governor

21 _____
 22
 23
 24 **CONSIDERATION OF CONFERENCE COMMITTEE REPORTS**

25
 26 **HB02-1019** by Representative(s) Tapia; also Senator(s) Gordon--
 27 Concerning registration with local law enforcement
 28 agencies as a condition of release for certain persons
 29 found not guilty by reason of insanity.

30
 31 (Conference Committee Report printed in House Journal, April 22,
 32 pages 1498-1499.)

33
 34 On motion of Representative Tapia, the Conference Committee Report
 35 was **adopted** by the following roll call vote:

36
 37 YES 60 NO 0 EXCUSED 3 ABSENT 2

38								
39	Alexander	Y	Groff	Y	Marshall	-	Spence	Y
40	Bacon	Y	Grossman	Y	Miller	Y	Spradley	Y
41	Berry	Y	Harvey	Y	Mitchell	Y	Stafford	-
42	Borodkin	Y	Hefley	Y	Paschall	Y	Stengel	Y
43	Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
44	Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia	Y
45	Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	Y
46	Clapp	Y	Jameson	Y	Rippy	Y	Veiga	Y
47	Cloer	Y	Johnson	Y	Romanoff	Y	Vigil	Y
48	Coleman	Y	Kester	E	Saliman	Y	Webster	Y
49	Crane	Y	King	Y	Sanchez	Y	Weddig	Y
50	Daniel	Y	Larson	E	Schultheis	Y	White	Y
51	Decker	Y	Lawrence	Y	Scott	Y	Williams S.	Y
52	Fairbank	Y	Lee	Y	Sinclair	Y	Williams T.	Y
53	Fritz	Y	Mace	Y	Smith	Y	Witwer	Y
54	Garcia	Y	Madden	Y	Snook	Y	Young	Y
55							Mr. Speaker	E
56								

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

6 The question being "Shall the bill, as amended, 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
 9 bill, as amended, was declared **repassed**.

10	YES	60	NO	0	EXCUSED	3	ABSENT	2
13	Alexander	Y	Groff	Y	Marshall	-	Spence	Y
14	Bacon	Y	Grossman	Y	Miller	Y	Spradley	Y
15	Berry	Y	Harvey	Y	Mitchell	Y	Stafford	-
16	Borodkin	Y	Hefley	Y	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	E	Saliman	Y	Webster	Y
23	Crane	Y	King	Y	Sanchez	Y	Weddig	Y
24	Daniel	Y	Larson	E	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
29							Mr. Speaker	E

31 Co-sponsors added: Representatives Boyd, Daniel, King.

33 **SB02-099** by Senator(s) Nichol, Entz, Isgar, Takis, Teck, Cairns; also
 34 Representative(s) Spradley--Concerning the updating of
 35 statutory provisions regarding the state military forces.

37 (Conference Committee Report printed in House Journal, April 25,
 38 pages 1595-1596.)

40 On motion of Representative Spradley, the Conference Committee Report
 41 was **adopted** by the following roll call vote:

43	YES	61	NO	0	EXCUSED	3	ABSENT	1
44	Alexander	Y	Groff	Y	Marshall	-	Spence	Y
45	Bacon	Y	Grossman	Y	Miller	Y	Spradley	Y
46	Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y
47	Borodkin	Y	Hefley	Y	Paschall	Y	Stengel	Y
48	Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
49	Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia	Y
50	Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	Y
51	Clapp	Y	Jameson	Y	Rippy	Y	Veiga	Y
52	Cloer	Y	Johnson	Y	Romanoff	Y	Vigil	Y
53	Coleman	Y	Kester	E	Saliman	Y	Webster	Y
54	Crane	Y	King	Y	Sanchez	Y	Weddig	Y
55	Daniel	Y	Larson	E	Schultheis	Y	White	Y
1	Decker	Y	Lawrence	Y	Scott	Y	Williams S.	Y

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

5
6
7 The question being "Shall the bill, as amended, 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
10 bill, as amended, was declared **repassed**.

11								
12	YES	62	NO	0	EXCUSED	3	ABSENT	0
13								
14	Alexander	Y	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	Y	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	E	Saliman	Y	Webster	Y
24	Crane	Y	King	Y	Sanchez	Y	Weddig	Y
25	Daniel	Y	Larson	E	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
30							Mr. Speaker	E

31
32 Co-sponsor added: Representative Mace.

36 LAY OVER OF CALENDAR ITEMS

37
38 On motion of Representative Spradley, the following items on the
39 Calendar were laid over until April 29, retaining place on Calendar:

40
41 Consideration of General Orders--**SB02-064, HB02-1361, SB02-059,**
42 **012.**

43 Consideration of Resolutions--**SJR02-008, HJR02-1037, 1032,**
44 **HR02-1010, SJR02-018, 028, 029, HJR02-1049, 1053, 1054, 1055,**
45 **HR02-1013, 1014, HJR02-1059, 1061, 1062, 1063, 1064, 1065, 1066,**
46 **1070, 1071, 1072, HR02-1016, HJR02-1074, 1075, SJR02-027,**
47 **HJR02-1041, 1058, SJR02-041.**

48 Consideration of Memorial--**HM02-1001.**

49 Consideration of Senate Amendments--**HB02-1064, 1141, 1333, 1245,**
50 **1191, 1225, 1146, 1013, 1287, 1218, 1221, 1139, 1336, 1210, 1220,**
51 **1034, 1014, 1341, 1425, 1427, 1437, 1442, 1443, 1444, 1066, 1284,**
52 **1352, 1152, 1306, 1036, 1090, 1119, 1353, 1321, 1186, 1300, 1101,**
53 **1180, 1313.**

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Correction

H.J. page 1587, strike line 19 and line 22.

On motion of Representative Spradley, the House adjourned until 10:00 a.m., April 29, 2002.

Approved:

DOUG DEAN,
Speaker

Attest:

JUDITH RODRIGUE,
Chief Clerk