

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

Ninety-ninth Legislative Day

Wednesday, April 17, 2002

1 Prayer by Pastor Dan Elliott, South Fellowship, Littleton.

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

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5 The roll was called with the following result:

6

7 Present--62.

8

9 Excused--Representatives Chavez, Mitchell, Paschall--3.

10

11 Present after roll call--Representatives Chavez, Mitchell, Paschall.

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13 The Speaker declared a quorum present.

14

15 On motion of Representative Groff, the reading of the journal of April 16,  
16 2002, was declared dispensed with and approved as corrected by the  
17 Chief Clerk.

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**CONSIDERATION OF RESOLUTION**

21

22 **HR02-1011** by Representative(s) King, Alexander, Bacon, Cadman,  
23 Cloer, Crane, Dean, Decker, Groff, Hefley, Hodge,  
24 Johnson, Larson, Lawrence, Lee, Paschall, Plant,  
25 Ragsdale, Rhodes, Rippey, Romanoff, Schultheis, Sinclair,  
26 Smith, Snook, Spence, Spradley, Stengel, Swenson, Tapia,  
27 Webster, Weddig, White, Young--Concerning recognition  
28 of the life of Kathryn Yancey LaBorie.

29

30 (Printed and placed in member's file; also printed in House Journal,  
31 April 10, pages 1245-1246.)

32

33 On motion of Representative King, the resolution was read at length and  
34 **adopted by viva voce** vote.

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

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House in recess. House reconvened.

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

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

**HB02-1009** by Representative(s) Stafford; also Senator(s) Gordon-- Concerning civil restraining orders, and making an appropriation in connection therewith.

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

| YES       | 64 | NO       | 1 | EXCUSED    | 0 | ABSENT      | 0 |
|-----------|----|----------|---|------------|---|-------------|---|
| Alexander | Y  | Groff    | Y | Marshall   | Y | Spence      | Y |
| Bacon     | Y  | Grossman | Y | Miller     | Y | Spradley    | Y |
| Berry     | Y  | Harvey   | Y | Mitchell   | Y | Stafford    | Y |
| Borodkin  | Y  | Hefley   | Y | Paschall   | Y | Stengel     | Y |
| Boyd      | Y  | Hodge    | Y | Plant      | Y | Swenson     | Y |
| Cadman    | Y  | Hoppe    | Y | Ragsdale   | Y | Tapia       | Y |
| Chavez    | Y  | Jahn     | Y | Rhodes     | Y | Tochtrop    | Y |
| Clapp     | Y  | Jameson  | Y | Rippy      | Y | Veiga       | Y |
| Cloer     | Y  | Johnson  | Y | Romanoff   | Y | Vigil       | Y |
| Coleman   | Y  | Kester   | Y | Saliman    | Y | Webster     | Y |
| Crane     | Y  | King     | Y | Sanchez    | Y | Weddig      | Y |
| Daniel    | Y  | Larson   | Y | Schultheis | Y | White       | Y |
| Decker    | Y  | Lawrence | Y | Scott      | Y | Williams S. | Y |
| Fairbank  | Y  | Lee      | Y | Sinclair   | Y | Williams T. | Y |
| Fritz     | Y  | Mace     | Y | Smith      | N | Witwer      | Y |
| Garcia    | Y  | Madden   | Y | Snook      | Y | Young       | Y |
|           |    |          |   |            |   | Mr. Speaker | Y |

Co-sponsors added: Representatives Boyd, Lawrence, Williams S.

**HB02-1242** by Representative(s) Schultheis, Crane, Cloer, Harvey, Paschall, Rhodes, Sinclair, Snook; also Senator(s) Hillman, Cairns, Musgrave--Concerning the issuance of permits for concealed handguns, and making an appropriation in connection therewith.

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

| YES       | 38 | NO       | 27 | EXCUSED  | 0 | ABSENT   | 0 |
|-----------|----|----------|----|----------|---|----------|---|
| Alexander | Y  | Groff    | N  | Marshall | N | Spence   | N |
| Bacon     | N  | Grossman | N  | Miller   | Y | Spradley | Y |
| Berry     | Y  | Harvey   | Y  | Mitchell | Y | Stafford | Y |
| Borodkin  | N  | Hefley   | Y  | Paschall | Y | Stengel  | Y |
| Boyd      | N  | Hodge    | N  | Plant    | N | Swenson  | Y |

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

14 Co-sponsors added: Representatives Alexander, Cadman, Decker, Fritz, Hefley,  
15 Hoppe, King, Lawrence, Lee, Mitchell, Stafford, Stengel, White, Mr. Speaker.

18 **HB02-1420** by Representative(s) Young, Berry, Saliman; also  
19 Senator(s) Reeves, Tate, Owen--Concerning the provision  
20 for payment of the expenses of the executive, legislative,  
21 and judicial departments of the state of Colorado, and of  
22 its agencies and institutions, for and during the fiscal year  
23 beginning July 1, 2002, except as otherwise noted.

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

|    |            |    |           |    |                |   |               |   |
|----|------------|----|-----------|----|----------------|---|---------------|---|
| 30 | <u>YES</u> | 49 | <u>NO</u> | 16 | <u>EXCUSED</u> | 0 | <u>ABSENT</u> | 0 |
| 31 |            |    |           |    |                |   |               |   |
| 32 | Alexander  | Y  | Groff     | Y  | Marshall       | Y | Spence        | Y |
| 33 | Bacon      | Y  | Grossman  | Y  | Miller         | Y | Spradley      | Y |
| 34 | Berry      | Y  | Harvey    | N  | Mitchell       | N | Stafford      | Y |
| 35 | Borodkin   | Y  | Hefley    | N  | Paschall       | N | Stengel       | Y |
| 36 | Boyd       | Y  | Hodge     | Y  | Plant          | Y | Swenson       | Y |
| 37 | Cadman     | N  | Hoppe     | Y  | Ragsdale       | Y | Tapia         | Y |
| 38 | Chavez     | Y  | Jahn      | Y  | Rhodes         | N | Tochtrop      | Y |
| 39 | Clapp      | N  | Jameson   | Y  | Rippy          | Y | Veiga         | Y |
| 40 | Cloer      | N  | Johnson   | N  | Romanoff       | Y | Vigil         | Y |
| 41 | Coleman    | Y  | Kester    | Y  | Saliman        | Y | Webster       | Y |
| 42 | Crane      | N  | King      | Y  | Sanchez        | Y | Weddig        | Y |
| 43 | Daniel     | Y  | Larson    | Y  | Schultheis     | N | White         | Y |
| 44 | Decker     | N  | Lawrence  | Y  | Scott          | Y | Williams S.   | Y |
| 45 | Fairbank   | N  | Lee       | N  | Sinclair       | N | Williams T.   | Y |
| 46 | Fritz      | Y  | Mace      | Y  | Smith          | Y | Witwer        | N |
| 47 | Garcia     | Y  | Madden    | Y  | Snook          | Y | Young         | Y |
| 48 |            |    |           |    |                |   | Mr. Speaker   | Y |

50 Co-sponsors added: Representatives Chavez, Mace, Marshall, Plant.

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**IMMEDIATE RECONSIDERATION OF HB02-1420**

Having voted on the prevailing side, Representative Young moved for immediate reconsideration of HB02-1420. As shown by the following recorded vote less than a two-thirds majority of those elected to the House voted in the affirmative and the motion was declared **lost**:

|           | <u>YES 11</u> | <u>NO 54</u> | <u>EXCUSED 0</u> | <u>ABSENT 0</u> |   |             |   |
|-----------|---------------|--------------|------------------|-----------------|---|-------------|---|
| Alexander | N             | Groff        | N                | Marshall        | N | Spence      | N |
| Bacon     | N             | Grossman     | N                | Miller          | N | Spradley    | N |
| Berry     | N             | Harvey       | N                | Mitchell        | Y | Stafford    | N |
| Borodkin  | N             | Hefley       | N                | Paschall        | Y | Stengel     | N |
| Boyd      | N             | Hodge        | N                | Plant           | N | Swenson     | N |
| Cadman    | Y             | Hoppe        | N                | Ragsdale        | N | Tapia       | N |
| Chavez    | N             | Jahn         | N                | Rhodes          | Y | Tochtrop    | N |
| Clapp     | Y             | Jameson      | N                | Rippy           | N | Veiga       | N |
| Cloer     | Y             | Johnson      | Y                | Romanoff        | N | Vigil       | N |
| Coleman   | N             | Kester       | N                | Saliman         | N | Webster     | N |
| Crane     | Y             | King         | N                | Sanchez         | N | Weddig      | N |
| Daniel    | N             | Larson       | N                | Schultheis      | Y | White       | N |
| Decker    | N             | Lawrence     | N                | Scott           | N | Williams S. | N |
| Fairbank  | Y             | Lee          | Y                | Sinclair        | N | Williams T. | N |
| Fritz     | N             | Mace         | N                | Smith           | N | Witwer      | N |
| Garcia    | N             | Madden       | N                | Snook           | N | Young       | N |
|           |               |              |                  |                 |   | Mr. Speaker | N |

**HB02-1413** by Representative(s) Sinclair, Dean, Johnson, Kester, Miller, Tochtrop, White, Williams T., Witwer; also Senator(s) Nichol, Entz--Concerning the state administration of veterans programs, and, in connection therewith, transferring certain functions related to veterans programs to the department of military and veterans affairs, renaming a department, and making a transfer of appropriation.

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

|           | <u>YES 65</u> | <u>NO 0</u> | <u>EXCUSED 0</u> | <u>ABSENT 0</u> |   |          |   |
|-----------|---------------|-------------|------------------|-----------------|---|----------|---|
| Alexander | Y             | Groff       | Y                | Marshall        | Y | Spence   | Y |
| Bacon     | Y             | Grossman    | Y                | Miller          | Y | Spradley | Y |
| Berry     | Y             | Harvey      | Y                | Mitchell        | Y | Stafford | Y |
| Borodkin  | Y             | Hefley      | Y                | Paschall        | Y | Stengel  | Y |
| Boyd      | Y             | Hodge       | Y                | Plant           | Y | Swenson  | Y |
| Cadman    | Y             | Hoppe       | Y                | Ragsdale        | Y | Tapia    | Y |
| Chavez    | Y             | Jahn        | Y                | Rhodes          | Y | Tochtrop | Y |
| Clapp     | Y             | Jameson     | Y                | Rippy           | Y | Veiga    | Y |
| Cloer     | Y             | Johnson     | Y                | Romanoff        | Y | Vigil    | Y |
| 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       | Y |
| 7 |          |   |          |   |            |   | Mr. Speaker | Y |

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9 Co-sponsors added: Representatives Alexander, Cadman, Cloer, Coleman, Jahn,  
10 Larson, Mace, Romanoff, Sanchez, Smith, Spence, Stafford.

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12  
13 **HB02-1414** by Representative(s) Hoppe, Alexander, Kester, Borodkin,  
14 Coleman, Daniel, Fritz, Harvey, Hodge, Johnson,  
15 Mitchell, Rippy, Smith, Snook, Webster, Weddig, White,  
16 Williams T., Young; also Senator(s) Entz, Isgar, Andrews,  
17 Chlouber, Dyer, Hanna, Hernandez, Hillman, Matsunaka,  
18 Musgrave--Concerning the continued authority of the state  
19 engineer to approve limited substitute water supply plans,  
20 and making an appropriation in 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 | YES       | 65 | NO       | 0 | EXCUSED    | 0 | ABSENT      | 0 |
|----|-----------|----|----------|---|------------|---|-------------|---|
| 27 | Alexander | Y  | Groff    | Y | Marshall   | Y | Spence      | Y |
| 28 | Bacon     | Y  | Grossman | Y | Miller     | Y | Spradley    | Y |
| 29 | Berry     | Y  | Harvey   | Y | Mitchell   | Y | Stafford    | Y |
| 30 | Borodkin  | Y  | Hefley   | Y | Paschall   | Y | Stengel     | Y |
| 31 | Boyd      | Y  | Hodge    | Y | Plant      | Y | Swenson     | Y |
| 32 | Cadman    | Y  | Hoppe    | Y | Ragsdale   | Y | Tapia       | Y |
| 33 | Chavez    | Y  | Jahn     | Y | Rhodes     | Y | Tochtrop    | Y |
| 34 | Clapp     | Y  | Jameson  | Y | Rippy      | Y | Veiga       | Y |
| 35 | Cloer     | Y  | Johnson  | Y | Romanoff   | Y | Vigil       | Y |
| 36 | Coleman   | Y  | Kester   | Y | Saliman    | Y | Webster     | Y |
| 37 | Crane     | Y  | King     | Y | Sanchez    | Y | Weddig      | Y |
| 38 | Daniel    | Y  | Larson   | Y | Schultheis | Y | White       | Y |
| 39 | Decker    | Y  | Lawrence | Y | Scott      | Y | Williams S. | Y |
| 40 | Fairbank  | Y  | Lee      | Y | Sinclair   | Y | Williams T. | Y |
| 41 | Fritz     | Y  | Mace     | Y | Smith      | Y | Witwer      | Y |
| 42 | Garcia    | Y  | Madden   | Y | Snook      | Y | Young       | Y |
| 43 |           |    |          |   |            |   | Mr. Speaker | Y |

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47 Co-sponsors added: Representatives Boyd, Crane, Groff, Hefley, Jahn,  
48 Lawrence, Mace, Madden, Marshall, Sinclair, Spradley, Stafford, Vigil,  
49 Williams S.

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**CONSIDERATION OF RESOLUTION**

**HJR02-1057** by Representative(s) Fritz, Rippey, Coleman, Tochtrop, Stengel, Kester, Alexander, Cloer, Dean, Hoppe, Johnson, Lee, Miller, Snook, Spradley, Webster, White; also Senator(s) Teck, Entz, Chlouber, Taylor, Hillman, Dyer, Anderson, May, McElhany, Musgrave, Owen, Takis-- Concerning efforts to stop the spread of Chronic Wasting Disease.

(Printed and placed in member's file; also printed in House Journal, April 16, pages 1373-1375.)

On motion of Representative Fritz, the resolution was read at length and **adopted by viva voce** vote.

Co-sponsors added: Roll call of the House.

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**PRINTING REPORT**

The Chief Clerk reports the following Concurrent Resolution has been correctly printed: **HCR02-1006**.

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**INTRODUCTION OF RESOLUTIONS**

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

**HJR02-1058** by Representative(s) Cloer, Coleman, Crane, Harvey, King, Mace, Miller, Paschall, Schultheis, Sinclair, Stafford; also Senator(s) Cairns--Concerning notification to relatives of a child who has been removed from the home due to an allegation of dependency or neglect.  
Committee on Health, Environment, Welfare, & Institutions

WHEREAS, The removal of a child from the home of his or her parent or legal guardian by the county department of social services due to an allegation of dependency or neglect is a traumatic, life-altering event for the child; and

WHEREAS, It is in the best interests of such a child to provide stability as soon as possible thereafter; and

WHEREAS, Placement of such a child with an appropriate, capable, willing, and available relative is often the best possible placement option to provide stability and to reduce the trauma experienced by the child as a result of being removed from his or her home; and

WHEREAS, At the time of placing such a child in the temporary custody of the county department of social services, state law requires the court to advise the child's parent or legal guardian that the child may be

1 placed with the child's grandparent, aunt, uncle, brother, or sister and  
2 requires the court to order the parent or legal guardian to provide the  
3 names, addresses, and telephone numbers of any such relatives; and  
4

5 WHEREAS, State law does not require, but merely allows, the  
6 court to order the county department of social services to make  
7 "reasonable and timely efforts" to contact such identified relatives about  
8 placement possibilities for a such a child; and  
9

10 WHEREAS, Notifying such relatives that the child has been  
11 removed from the home of his or her parent or legal guardian and  
12 determining whether there are appropriate, capable, willing, and available  
13 relatives with whom to place the child is critical to the stability and  
14 welfare of such a child; and  
15

16 WHEREAS, Finding appropriate, capable, willing, and available  
17 relatives and placing a child who has been removed from the home of his  
18 or her parent or legal guardian with such relatives as soon as feasibly  
19 possible after removal of the child from his or her home is also critical to  
20 whether the child may be permanently placed with such relatives if,  
21 ultimately, there is a termination of the parent-child legal relationship;  
22 now, therefore,  
23

24 *Be It Resolved by the House of Representatives of the Sixty-third*  
25 *General Assembly of the State of Colorado, the Senate concurring*  
26 *herein:*  
27

28 That, because notification to relatives in order to determine if there  
29 are appropriate, capable, willing, and available relatives with whom to  
30 place a child who has been removed from the home of his or her parent  
31 or legal guardian is critical to the stability, welfare, and long-term  
32 placement of such a child, all county departments of social services are  
33 strongly encouraged to embrace the spirit of the law and the best interests  
34 of the child and to contact such identified relatives immediately after their  
35 names have been provided by the parent or legal guardian.  
36

37 *Be It Further Resolved, That a copy of this Joint Resolution be*  
38 *sent to each county department of social services in the state of Colorado*  
39 *and to the Colorado Department of Human Services, and that the copy be*  
40 *displayed in an appropriate location in each facility or office.*  
41

42  
43  
44 The following resolution was read by title and laid over one day under the  
45 rules:  
46

47 **HR02-1014** by Representative(s) Marshall, Boyd, Crane, Madden,  
48 Rhodes, Romanoff, Sanchez, Stafford, Tochtrop, Witwer--  
49 Concerning awareness and treatment of Epilepsy.  
50

51 WHEREAS, Epilepsy is a neurological condition, symptoms of  
52 which include seizures caused by disturbances in the normal electrical  
53 functions of the brain; and  
54

55 WHEREAS, Epilepsy affects people of all ages, all nations, and  
56 all races; and

1 WHEREAS, There appears to be no single, identifiable cause for  
2 the condition in 7 out of 10 people with Epilepsy; and

3  
4 WHEREAS, In 1996, nearly 1.4 million Americans were  
5 diagnosed with Epilepsy; and

6  
7 WHEREAS, The majority of Americans with Epilepsy are under  
8 45 years of age; and

9  
10 WHEREAS, Epilepsy can develop at any time in life, with 30%  
11 of the 125,000 new cases every year beginning in childhood, and another  
12 large percentage developing in people 65 years of age; and

13  
14 WHEREAS, Epilepsy is a life-altering condition that can affect an  
15 individual's employment prospects and personal freedom with loss of  
16 driving privileges; and

17  
18 WHEREAS, Treatment is primarily through the administration of  
19 anticonvulsant or antiepileptic drugs, but Epilepsy is also treated in some  
20 people by surgery and in children by severe dietary restrictions; and

21  
22 WHEREAS, Treatment for Epilepsy is provided by neurologists,  
23 pediatricians, neurosurgeons, internists, and family physicians; and

24  
25 WHEREAS, Epilepsy can be a debilitating and life-threatening  
26 condition in certain circumstances; and

27  
28 WHEREAS, Epileptic seizures can result in permanent brain  
29 damage or death if the seizure is not treated correctly; and

30  
31 WHEREAS, It is vital that those in the medical profession,  
32 specifically those who work in emergency rooms, know how to treat  
33 patients with Epilepsy; now, therefore,

34  
35 *Be It Resolved by the House of Representatives of the Sixty-third*  
36 *General Assembly of the State of Colorado:*

37  
38 That we, the members of the House of Representatives of the  
39 Sixty-third General Assembly, encourage emergency rooms throughout  
40 Colorado to make every effort to heighten the awareness of their  
41 personnel to the condition of Epilepsy and provide training to emergency  
42 room doctors and nurses on proper treatment of patients who have  
43 Epilepsy.

44  
45 *Be It Further Resolved,* That copies of this Resolution be  
46 transmitted to hospital emergency rooms throughout Colorado.

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49  
50 On motion of Representative Spradley, **HB02-1417, 1044, 1292, 1405,**  
51 **1419, 1303, 1237, 1297, 1295, 1283, 1298, 1301, 1112** were made  
52 Special Orders on Wednesday, April 17, 2002, at 9:58 a.m.

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1 The hour of 9:58 a.m., having arrived, on motion of Representative  
2 Williams T., the House resolved itself into Committee of the Whole for  
3 consideration of Special Orders and she was called to the Chair to act as  
4 Chairman.

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6  
7 **SPECIAL ORDERS--SECOND READING OF BILLS**

8  
9 The Committee of the Whole having risen, the Chairman reported the  
10 titles of the following bills had been read (reading at length had been  
11 dispensed with by unanimous consent), the bills considered and action  
12 taken thereon as follows:

13  
14 (Amendments to the committee amendment are to the printed committee  
15 report which was printed and placed in the members' bill file.)

16  
17 **HB02-1417** by Representative(s) Mitchell; also Senator(s) Thiebaut--  
18 Concerning clarification of circumstances for awarding an  
19 owner recoverable litigation expenses in a highway  
20 condemnation action.

21  
22 Ordered engrossed and placed on the Calendar for Third Reading and  
23 Final Passage.

24  
25 **HB02-1044** by Representative(s) Williams S., Stafford; also Senator(s)  
26 Tupa, Entz, Isgar--Concerning the issuance of certain  
27 special license plates.

28  
29 Amendment No. 1, Transportation & Energy Report, dated January 24,  
30 2002, and placed in member's bill file; Report also printed in House  
31 Journal, January 25, page 180.

32  
33 Amendment No. 2, Appropriations Report, dated April 3, 2002, and  
34 placed in member's bill file; Report also printed in House Journal,  
35 April 4, pages 1137-1138.

36  
37 Amendment No. 3, by Representative Williams S.

38  
39 Amend the Appropriations Committee Report, dated April 3, 2002, page  
40 1, strike lines 4 through 18.

41  
42 Page 2, strike lines 1 through 11 and substitute the following:

43  
44 **"42-3-122.7. Special plates - fees - special license plate cash**  
45 **fund - creation.** (1) THE FEES COLLECTED PURSUANT TO SECTIONS  
46 42-3-114 TO 42-3-122, 42-3-134 (7), AND 42-3-138 SHALL BE  
47 TRANSMITTED TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME TO  
48 THE SPECIAL LICENSE PLATE CASH FUND, WHICH FUND IS HEREBY CREATED.  
49 THE MONEYS IN THE LICENSE PLATE CASH FUND SHALL BE ANNUALLY  
50 APPROPRIATED BY THE GENERAL ASSEMBLY FOR THE DIRECT AND INDIRECT  
51 COSTS INCURRED BY THE DEPARTMENT OF REVENUE IN ISSUING SPECIAL  
52 LICENSE PLATES PURSUANT TO SECTIONS 42-3-112 (10) AND (11), 42-3-114  
53 TO 42-3-122, 42-3-124 (1) (b), AND 42-3-138.

54  
55 (2) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (1) OF  
56 THIS SECTION, THE DEPARTMENT SHALL, WITHIN SIXTY DAYS, TRANSFER TO

1 THE HIGHWAY USERS TAX FUND, CREATED IN SECTION 43-4-201, C.R.S.,  
 2 ANY REVENUES THAT EXCEED ONE HUNDRED SIXTEEN AND FIVE-TENTHS  
 3 PERCENT OF THE EXPECTED COSTS OF SPECIAL LICENCE PLATE ORDERING  
 4 FOR THE NEXT SIXTY DAYS. EVERY SIXTY DAYS, THE DEPARTMENT SHALL  
 5 PROJECT THE EXPECTED COST OF LICENCE PLATE ORDERING FOR THE NEXT  
 6 SIXTY DAYS.

7  
 8 **SECTION 4.** 42-3-115 (4), Colorado Revised Statutes, is  
 9 amended to read:

10  
 11 **42-3-115. Issuance of optional plates authorized.** (4) (a) The  
 12 amount of the taxes and fees for such license plates shall be the same as  
 13 the amount of the taxes and fees specified for regular motor vehicle plates  
 14 plus an additional annual fee of twenty-five dollars. Such additional fee  
 15 shall be transmitted to the state treasurer, who shall credit the same to the  
 16 highway users tax fund.

17  
 18 (b) Notwithstanding the amount specified for the additional fee in  
 19 paragraph (a) of this subsection (4), the executive director of the  
 20 department by rule or as otherwise provided by law may reduce the  
 21 amount of the additional fee if necessary pursuant to section 24-75-402  
 22 (3), C.R.S., to reduce the uncommitted reserves of the fund to which all  
 23 or any portion of the additional fee is credited. After the uncommitted  
 24 reserves of the fund are sufficiently reduced, the executive director of the  
 25 department by rule or as otherwise provided by law may increase the  
 26 amount of the additional fee as provided in section 24-75-402 (4), C.R.S.

27  
 28 **SECTION 5.** 42-3-115.5 (1) (c) (I) and (1) (c) (III), Colorado  
 29 Revised Statutes, are amended to read:

30  
 31 **42-3-115.5. Special plates - military veterans - rules.**  
 32 (1) (c) (I) The amount of taxes and fees for special license plates issued  
 33 pursuant to this section shall be the same as that specified for regular  
 34 motor vehicle registration; except that an additional one-time issuance or  
 35 replacement fee for each motor vehicle shall apply. Such additional  
 36 one-time fee shall be in the amount of ten dollars and shall be transmitted  
 37 to the state treasurer, who shall credit the same to the highway users tax  
 38 fund.

39  
 40 (III) Notwithstanding the amount specified for any fee in this  
 41 paragraph (c), the executive director of the department by rule or as  
 42 otherwise provided by law may reduce the amount of one or more of the  
 43 fees if necessary pursuant to section 24-75-402 (3), C.R.S., to reduce the  
 44 uncommitted reserves of the fund to which all or any portion of one or  
 45 more of the fees is credited. After the uncommitted reserves of the fund  
 46 are sufficiently reduced, the executive director of the department by rule  
 47 or as otherwise provided by law may increase the amount of one or more  
 48 of the fees as provided in section 24-75-402 (4), C.R.S.

49  
 50 **SECTION 6.** 42-3-115.7 (5) (a), Colorado Revised Statutes, is  
 51 amended to read:

52  
 53 **42-3-115.7. Special plates - alumni associations.** (5) (a) The  
 54 amount of the taxes and fees for special alumni license plates under this  
 55 section is the same as the amount of the taxes and fees specified for  
 56 regular motor vehicle license plates; except that the department shall

1 collect a one-time fee of ten dollars for each motor vehicle for issuance  
2 or replacement of such license plates. ~~The department shall transmit the~~  
3 ~~additional one-time fee to the state treasurer, who shall credit the same to~~  
4 ~~the highway users tax fund.~~

5  
6 **SECTION 7.** 42-3-115.8 (5) (a), Colorado Revised Statutes, is  
7 amended to read:

8  
9 **42-3-115.8. Special plates - United States olympic committee.**  
10 (5) (a) The amount of the taxes and fees for olympic committee special  
11 license plates under this section is the same as the amount of the taxes  
12 and fees specified for regular motor vehicle license plates; except that the  
13 department shall collect a one-time fee of ten dollars for each motor  
14 vehicle for issuance or replacement of such license plates. ~~The~~  
15 ~~department shall transmit the additional one-time fee to the state treasurer~~  
16 ~~who shall credit the same to the highway users tax fund.~~

17  
18 **SECTION 8.** 42-3-116.5 (6) (a), Colorado Revised Statutes, is  
19 amended to read:

20  
21 **42-3-116.5. Special plates - Colorado foundation for**  
22 **agriculture - definitions.** (6) (a) The amount of the taxes and fees for  
23 special license plates under this section is the same as the amount of the  
24 taxes and fees specified for regular motor vehicle license plates; except  
25 that the department shall collect a one-time fee of ten dollars for each  
26 motor vehicle for issuance or replacement of such license plates. ~~The~~  
27 ~~department shall transmit the additional one-time fee to the state~~  
28 ~~treasurer, who shall credit the same to the highway users tax fund.~~

29  
30 **SECTION 9.** 42-3-117 (5), Colorado Revised Statutes, is  
31 amended to read:

32  
33 **42-3-117. Special plates - active and retired members of the**  
34 **Colorado national guard.** (5) (a) The amount of taxes and fees for such  
35 special license plates shall be the same as the amount of taxes and fees  
36 specified for regular motor vehicle registration plus an additional  
37 one-time fee of ten dollars. ~~Such additional fee shall be transmitted to the~~  
38 ~~state treasurer, who shall credit the same to the highway users tax fund.~~

39  
40 (b) ~~Notwithstanding the amount specified for the additional fee in~~  
41 ~~paragraph (a) of this subsection (5), the executive director of the~~  
42 ~~department by rule or as otherwise provided by law may reduce the~~  
43 ~~amount of the additional fee if necessary pursuant to section 24-75-402~~  
44 ~~(3), C.R.S., to reduce the uncommitted reserves of the fund to which all~~  
45 ~~or any portion of the additional fee is credited. After the uncommitted~~  
46 ~~reserves of the fund are sufficiently reduced, the executive director of the~~  
47 ~~department by rule or as otherwise provided by law may increase the~~  
48 ~~amount of the additional fee as provided in section 24-75-402 (4), C.R.S.~~

49  
50 **SECTION 10.** 42-3-121 (2) (d), Colorado Revised Statutes, is  
51 amended to read:

52  
53 **42-3-121. Parking privileges for persons with disabilities -**  
54 **applicability.** (2) (d) The department shall establish a fee for any  
55 placard issued pursuant to paragraph (b) of this subsection (2). The fee  
56 established by the department shall not exceed the actual costs of issuing

1 the placards. and the moneys collected by the department shall be  
2 transmitted to the state treasurer, who shall credit such moneys to the  
3 highway users tax fund.".

4  
5 line 12 of the committee report, strike "**SECTION 4. Appropriation.**"  
6 and substitute "**SECTION 11. Appropriation - adjustments in 2002**  
7 **long bill.** (1)";

8  
9 strike line 19 and substitute the following:

10  
11 "may be necessary, for the implementation of this act.

12  
13 (2) In addition to any other appropriation, there is hereby  
14 appropriated, out of any moneys in the license plate distribution account  
15 created in section 42-1-303, Colorado Revised Statutes, not otherwise  
16 appropriated, to the department of revenue, for the fiscal year beginning  
17 July 1, 2002, the sum of \_\_\_ dollars (\$ ), or so much thereof as may be  
18 necessary, for the implementation of this act.

19  
20 (3) For the implementation of this act, appropriations made in the  
21 annual general appropriations act for the fiscal year beginning July 1,  
22 2002, shall be adjusted as follows: The appropriation to the department  
23 of revenue, for license plate ordering, is decreased by \_\_\_ dollars (\$ ).  
24 Of said sum, \_\_\_ (\$ ) shall be from cash funds exempt.".";

25  
26 strike line 20 and substitute the following:

27  
28 "strike lines 19 through 27 and substitute the following:

29  
30 "**SECTION 12. Repeal.** 42-3-122.5, Colorado Revised Statutes,  
31 as amended by House Bill 02-1112, as enacted at the second regular  
32 session of the sixty-third general assembly is repealed.

33  
34 **SECTION 13. Effective date.** (1) Except as otherwise provided  
35 in subsection (2) of this section, this act shall take effect July 1, 2002.

36  
37 (2) Section 12 of this act shall only take effect if House Bill  
38 02-1112 is enacted at the second regular session of the sixty-third general  
39 assembly and becomes law."."

40  
41 Amendment No. 4, by Representative Hodge.

42  
43 Amend the Transportation and Energy Committee Report, dated January  
44 24, 2002, page 2, strike lines 4 through 6.

45  
46 Amendment No. 5, by Representative Plant.

47  
48 Amend printed bill, page 6, after line 18, insert the following:

49  
50 "**SECTION 3.** 42-3-115.7 (1), Colorado Revised Statutes, is  
51 amended to read:

52  
53 **42-3-115.7. Special plates - alumni associations.** (1) The  
54 department shall issue one or more sets of special alumni license plates  
55 to applicants under the requirements of this section for passenger cars or  
56 trucks that do not exceed sixteen thousand pounds empty weight. FOR

1 THE PURPOSES OF THIS SECTION, RECREATIONAL VEHICLES THAT DO NOT  
2 EXCEED SIXTEEN THOUSAND POUNDS EMPTY WEIGHT SHALL BE CLASSIFIED  
3 AS PASSENGER CARS."

4  
5 Renumber succeeding section accordingly.

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

9  
10 **HB02-1292** by Representative(s) Clapp; also Senator(s) Reeves--  
11 Concerning the statewide managed care system under the  
12 "Colorado Medical Assistance Act".

13  
14 Amendment No. 1, Health, Environment, Welfare, & Institutions Report,  
15 dated March 13, 2002, and placed in member's bill file; Report also  
16 printed in House Journal, March 15, pages 890-893.

17  
18 Amendment No. 2, Appropriations Report, dated April 3, 2002, and  
19 placed in member's bill file; Report also printed in House Journal,  
20 April 4, pages 1141-1142.

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

24  
25 **HB02-1405** by Representative(s) Stengel; also Senator(s) Gordon--  
26 Concerning the filing of financial information with the  
27 secretary of state by charitable organizations.

28  
29 Amendment No. 1, State, Veterans, & Military Affairs Report, dated  
30 April 4, 2002, and placed in member's bill file; Report also printed in  
31 House Journal, April 5, pages 1185-1406.

32  
33 As amended, ordered engrossed and placed on the Calendar for Third  
34 Reading and Final Passage.

35  
36 **HB02-1419** by Representative(s) Larson, Alexander; also Senator(s)  
37 Isgar--Concerning Fort Lewis college.

38  
39 Amendment No. 1, Education Report, dated April 15, 2002, and placed  
40 in member's bill file; Report also printed in House Journal, April 16,  
41 pages 1342-1343.

42  
43 As amended, ordered engrossed and placed on the Calendar for Third  
44 Reading and Final Passage.

45  
46 **HB02-1303** by Representative(s) Coleman, Dean, Hefley, Kester,  
47 Mace, Sanchez; also Senator(s) Evans, Takis--Concerning  
48 the establishment of a family literacy education grant  
49 program.

50  
51 Amendment No. 1, Appropriations Report, dated April 4, 2002, and  
52 placed in member's bill file; Report also printed in House Journal,  
53 April 5, page 1182.

54  
55 As amended, ordered engrossed and placed on the Calendar for Third  
56 Reading and Final Passage.

1 **HB02-1297** by Representative(s) Hefley, Spence, Alexander, Bacon,  
2 Clapp, Daniel, Groff, Lawrence, Romanoff; also  
3 Senator(s) Linkhart--Concerning school readiness through  
4 community consolidated child care pilots, and making an  
5 appropriation in connection therewith.  
6

7 Amendment No. 1, Appropriations Report, dated April 5, 2002, and  
8 placed in member's bill file; Report also printed in House Journal,  
9 April 5, page 1180.

10

11 Amendment No. 2, by Representative Hefley.

12

13 Amend printed bill, page 6, line 19, strike "STATE BOARD OF";

14

15 strike line 20;

16

17 line 21, strike "EDUCATION AND THE";

18

19 line 22, strike "AND THE PILOT SITE AGENCIES,".

20

21 Page 9, line 3, strike "COUNTIES;" and substitute "COUNTIES; AND";

22

23 line 7, strike "SECTION; AND" and substitute "SECTION.";

24

25 strike lines 8 through 11.

26

27 Page 11, strike lines 23 through 27.

28

29 Page 12, strike lines 1 and 2.

30

31 Renumber succeeding sections accordingly.

32

33

34 Amendment No. 3, by Representative Hefley.

35

36 Amend printed bill, page 10, line 15, strike "REPORT AFTER TWENTY-FOUR  
37 MONTHS" and substitute "SUBMIT A TWENTY-FOUR MONTH REPORT ON OR  
38 BEFORE JULY 1, 2005,";

39

40 line 19, strike "PARTICIPATING" and substitute "SUCH REPORTS, AT A  
41 MINIMUM, SHALL ADDRESS:";

42

43 strike lines 20 through 22.

44

45 Page 11, after line 4, insert the following:

46

47 "(b) ON OR BEFORE OCTOBER 1, 2005, THE STATE DEPARTMENT, OR  
48 ANY PRIVATE ENTITY WITH WHICH THE STATE DEPARTMENT IS HEREBY  
49 AUTHORIZED TO CONTRACT FOR THIS PURPOSE, SHALL SUBMIT A  
50 CONSOLIDATED STATEWIDE REPORT, BASED UPON THE REPORTS PREPARED  
51 AND SUBMITTED BY THE COUNTY DEPARTMENTS AND PILOT SITE AGENCIES,  
52 ADDRESSING THE ITEMS SET FORTH IN PARAGRAPH (a) OF THIS SUBSECTION  
53 (9) TO THE STATE CHILD CARE COMMISSION AND TO THE MEMBERS OF THE  
54 EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE  
55 SENATE OF THE GENERAL ASSEMBLY. THE GENERAL ASSEMBLY SHALL  
56 REVIEW THE APPROPRIATENESS OF CONTINUING SCHOOL-READINESS

1 SUBSIDIES PURSUANT TO THIS SECTION DURING THE 2006 REGULAR  
2 SESSION.".

3

4 Reletter succeeding paragraphs accordingly.

5

6 Page 11, line 5, strike "AGENCIES" and substitute "AGENCIES, AS WELL AS  
7 THE STATE DEPARTMENT OR ANY PRIVATE ENTITY WITH WHICH IT MAY  
8 CONTRACT FOR REPORTING PURPOSES,".

9

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

12

13 **HB02-1295** by Representative(s) Romanoff, Alexander, Decker,  
14 Hefley, Kester, Snook; also Senator(s) Owen, Andrews,  
15 Linkhart--Concerning procedures to facilitate the provision  
16 of benefits to offenders transitioning from the criminal  
17 justice system.

18

19 Amendment No. 1, Criminal Justice Report, dated February 19, 2002, and  
20 placed in member's bill file; Report also printed in House Journal,  
21 February 20, pages 462-463.

22

23 Amendment No. 2, Appropriations Report, dated April 5, 2002, and  
24 placed in member's bill file; Report also printed in House Journal,  
25 April 5, pages 1178-1180.

26

27 Amendment No. 3, by Representative Romanoff.

28

29 Amend printed bill, page 7, line 26, strike "THE DEPARTMENT OF" and  
30 substitute "EACH COMMUNITY CORRECTIONS PROGRAM";

31

32 line 27, strike "CORRECTIONS".

33

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

36

37 **HB02-1237** by Representative(s) Hefley; also Senator(s) Gordon--  
38 Concerning substantive changes for the strengthening of  
39 criminal laws, and making an appropriation in connection  
40 therewith.

41

42 Amendment No. 1, Criminal Justice Report, dated February 14, 2002, and  
43 placed in member's bill file; Report also printed in House Journal,  
44 February 15, page 421.

45

46 Amendment No. 2, Appropriations Report, dated April 4, 2002, and  
47 placed in member's bill file; Report also printed in House Journal,  
48 April 5, page 1177.

49

50 Amendment No. 3, by Representative Hefley.

51

52 Amend printed bill, page 12, line 25, strike "42-2-127," and substitute  
53 "42-2-127.3,".

54

55 Page 13, line 8, strike "42-2-127," and substitute "42-2-127.3,";

56

1 line 18, strike "42-2-127," and substitute "42-2-127.3,";

2

3 strike lines 19 through 27, and substitute the following:

4

5 **"SECTION 17.** Part 1 of article 2 of title 42, Colorado Revised  
6 Statutes, is amended BY THE ADDITION OF A NEW SECTION to  
7 read:

8

9 **42-2-127.3. Authority to suspend license - controlled substance**  
10 **violations.** (1) (a) WHENEVER THE DEPARTMENT RECEIVES NOTICE THAT  
11 A".

12

13 Page 14, strike lines 1 through 4;

14

15 line 9, strike "YEAR." and substitute "YEAR, UNLESS THE PROVISIONS OF  
16 SECTION 42-2-132 (2)(b) ALLOW FOR A SHORTER PERIOD OF SUSPENSION.";

17

18 line 10, strike "(B)" and substitute "(b)";

19

20 line 16, strike "YEAR." and substitute "YEAR, UNLESS THE PROVISIONS OF  
21 SECTION 42-2-132 (2)(b) ALLOW FOR A SHORTER PERIOD OF SUSPENSION.";

22

23 line 17, strike "(C)" and substitute "(c)" and strike "SUBPARAGRAPH (II),"

24

25 and substitute "SUBSECTION (1),";

26

27 after line 20, insert the following:

28

29 "(2) (a) UPON SUSPENDING THE LICENSE OF ANY PERSON AS  
30 REQUIRED BY THIS SECTION, THE DEPARTMENT SHALL IMMEDIATELY  
31 NOTIFY THE LICENSEE AS PROVIDED IN SECTION 42-2-119 (2).

31

32 (b) UPON RECEIPT OF THE NOTICE OF SUSPENSION, THE LICENSEE  
33 OR THE LICENSEE'S ATTORNEY MAY REQUEST A HEARING IN WRITING. THE  
34 DEPARTMENT, UPON NOTICE TO THE LICENSEE AS PROVIDED IN SECTION  
35 42-2-119 (2), SHALL HOLD A HEARING NOT LESS THAN THIRTY DAYS AFTER  
36 RECEIVING SUCH REQUEST THROUGH A HEARING COMMISSIONER  
37 APPOINTED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT, WHICH  
38 HEARING SHALL BE CONDUCTED IN ACCORDANCE WITH THE PROVISIONS OF  
39 SECTION 24-4-105, C.R.S. THE HEARING SHALL BE HELD AT THE DISTRICT  
40 OFFICE OF THE DEPARTMENT CLOSEST TO THE RESIDENCE OF THE LICENSEE;  
41 EXCEPT THAT ALL OR PART OF THE HEARING MAY, AT THE DISCRETION OF  
42 THE DEPARTMENT, BE CONDUCTED IN REAL TIME, BY TELEPHONE OR OTHER  
43 ELECTRONIC MEANS IN ACCORDANCE WITH SECTION 42-1-218.5. AFTER  
44 SUCH HEARING, THE LICENSEE MAY APPEAL THE DECISION OF THE  
45 DEPARTMENT TO THE DISTRICT COURT AS PROVIDED IN SECTION 42-2-135.  
46 SHOULD A DRIVER WHO HAS HAD A LICENSE SUSPENDED UNDER THIS  
47 SECTION BE SUBSEQUENTLY ACQUITTED OF THE CONVICTION WHICH  
48 REQUIRED THE SUSPENSION BY A COURT OF RECORD, THE DEPARTMENT  
49 SHALL IMMEDIATELY, IN ANY EVENT NOT LATER THAN TEN DAYS AFTER  
50 THE RECEIPT OF SUCH NOTICE OF ACQUITTAL, REINSTATE SAID LICENSE TO  
51 THE DRIVER AFFECTED, UNLESS THE LICENSE IS UNDER OTHER RESTRAINT.

52

53 (3) (a) IF THERE IS NO OTHER STATUTORY REASON FOR DENIAL OF  
54 A PROBATIONARY LICENSE, ANY INDIVIDUAL WHO HAS HAD A LICENSE  
55 SUSPENDED BY THE DEPARTMENT BECAUSE OF, AT LEAST IN PART, A  
56 CONVICTION OF AN OFFENSE SPECIFIED IN SUBSECTION (1) OF THIS SECTION



1 MAY BE ENTITLED TO A PROBATIONARY LICENSE FOR THE PURPOSE OF  
 2 DRIVING FOR REASONS OF EMPLOYMENT, EDUCATION, HEALTH,  
 3 COMPLIANCE WITH THE REQUIREMENTS OF PROBATION OR SUSPENDED  
 4 SENTENCE, OR ALCOHOL AND DRUG EDUCATION OR TREATMENT. SUCH A  
 5 PROBATIONARY LICENSE SHALL:

6  
 7 (I) CONTAIN ANY OTHER RESTRICTIONS AS THE DEPARTMENT  
 8 DEEMS REASONABLE AND NECESSARY;

9  
 10 (II) BE SUBJECT TO CANCELLATION FOR VIOLATION OF ANY SUCH  
 11 RESTRICTIONS, INCLUDING ABSENCES FROM ALCOHOL AND DRUG  
 12 EDUCATION OR TREATMENT SESSIONS OR FAILURE TO COMPLETE ALCOHOL  
 13 AND DRUG EDUCATION OR TREATMENT PROGRAMS; AND

14  
 15 (III) BE ISSUED FOR THE ENTIRE PERIOD OF SUSPENSION.

16  
 17 (b) THE DEPARTMENT MAY REFUSE TO ISSUE A PROBATIONARY  
 18 LICENSE IF THE DEPARTMENT FINDS THAT THE DRIVING RECORD OF THE  
 19 INDIVIDUAL IS SUCH THAT THE INDIVIDUAL HAS SUFFICIENT POINTS TO  
 20 REQUIRE THE SUSPENSION OR REVOCATION OF A LICENSE TO DRIVE ON THE  
 21 HIGHWAYS OF THIS STATE PURSUANT TO SECTION 42-2-127, OR IF THE  
 22 DEPARTMENT FINDS FROM THE RECORD AFTER A HEARING CONDUCTED IN  
 23 ACCORDANCE WITH PARAGRAPH (b) OF SUBSECTION (2) OF THIS SECTION  
 24 THAT AGGRAVATING CIRCUMSTANCES EXIST TO INDICATE THE INDIVIDUAL  
 25 IS UNSAFE FOR DRIVING FOR ANY PURPOSE. IN REFUSING TO ISSUE A  
 26 PROBATIONARY LICENSE, THE DEPARTMENT SHALL MAKE SPECIFIC  
 27 FINDINGS OF FACT TO SUPPORT SUCH REFUSAL."

28  
 29 Page 16, line 5, strike "42-2-127 (9) (a) (II)," and substitute  
 30 "42-2-127.3,";

31  
 32 line 18, strike "42-2-127 (9) (a) (II)," and substitute "42-2-127.3,".

33  
 34 Page 17, line 12, strike "42-2-127 (9) (a) (II)" and substitute  
 35 "42-2-127.3";

36  
 37 line 17, strike "42-2-127 (9)" and substitute "42-2-127.3.";

38  
 39 line 18, strike "(a) (II).";

40  
 41 line 20, strike "42-2-127 (9) (a) (II)" and substitute "42-2-127.3".

42  
 43 Page 18, line 13, strike "42-2-127 (9) (a) (II)," and substitute  
 44 "42-2-127.3,".

45  
 46 Amendment No. 4, by Representative Grossman.

47  
 48 Amend printed bill, page 18, after line 18, insert the following:

49  
 50 "SECTION 23. 18-7-302 (2) (b), (3), and (4), Colorado Revised  
 51 Statutes, are amended to read:

52  
 53 **18-7-302. Indecent exposure.** (2) (b) Indecent exposure to a  
 54 child under the age of fifteen years is a ~~class 2~~ CLASS 1 misdemeanor.

55  
 56 (3) ~~A second offense of the offense described in paragraph (b) of~~

1 ~~subsection (2) of this section following the conviction for any such~~  
2 ~~offense is a class 1 misdemeanor.~~

3

4 (4) Any THIRD OR subsequent offense of the offense described in  
5 paragraph (b) of subsection (2) of this section following a ~~second~~  
6 conviction for any such offense is a class 6 felony."

7

8 Renumber succeeding sections accordingly.

9

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

12

13 **HB02-1283** by Representative(s) Fritz--Concerning prohibitions  
14 against weapons that may cause mass destruction, and  
15 making an appropriation in connection therewith.

16

17 Amendment No. 1, Criminal Justice Report, dated February 21, 2002, and  
18 placed in member's bill file; Report also printed in House Journal,  
19 February 22, pages 505-506.

20

21 Amendment No. 2, Appropriations Report, dated April 4, 2002, and  
22 placed in member's bill file; Report also printed in House Journal,  
23 April 5, pages 1177-1178.

24

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

27

28 **HB02-1298** by Representative(s) Romanoff, Coleman, Fairbank,  
29 Grossman, Lee, Miller, Plant, Rippy, Saliman, Scott,  
30 Snook, Swenson; also Senator(s) Teck, Reeves--  
31 Concerning improved efficiency in state government.

32

33 Amendment No. 1, State, Veterans, & Military Affairs Report, dated  
34 February 21, 2002, and placed in member's bill file; Report also printed  
35 in House Journal, February 25, pages 531-533.

36

37 Amendment No. 2, Appropriations Report, dated April 4, 2002, and  
38 placed in member's bill file; Report also printed in House Journal,  
39 April 5, pages 1180-1181.

40

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

43

44

45 **HB02-1301** by Representative(s) Decker, Hefley, Mitchell, Ragsdale,  
46 Romanoff; also Senator(s) Hillman--Concerning clarifica-  
47 tion of the crimes of introducing contraband, and making  
48 an appropriation therefor.

49

50 Amendment No. 1, Appropriations Report, dated April 4, 2002, and  
51 placed in member's bill file; Report also printed in House Journal,  
52 April 5, page 1181.

53

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

56

1 **HB02-1112** by Representative(s) White, Johnson; also Senator(s)  
 2 Taylor--Concerning the creation of the colors of the flag  
 3 of the United States of America special license plate.  
 4

5 Amendment No. 1, Transportation & Energy Report, dated January 31,  
 6 2002, and placed in member's bill file; Report also printed in House  
 7 Journal, February 1, page 277.  
 8

9 Amendment No. 2, Finance Report, dated February 5, 2002, and placed  
 10 in member's bill file; Report also printed in House Journal, February 6,  
 11 page 317.  
 12

13 Amendment No. 3, Appropriations Report, dated April 5, 2002, and  
 14 placed in member's bill file; Report also printed in House Journal,  
 15 April 8, pages 1208-1209.  
 16

17 As amended, ordered engrossed and placed on the Calendar for Third  
 18 Reading and Final Passage.  
 19  
 20  
 21

### ADOPTION OF COMMITTEE OF THE WHOLE REPORT

22  
 23  
 24  
 25 Passed Second Reading: **HB02-1417, 1044 amended, 1292 amended,**  
 26 **1405 amended, 1419 amended, 1303 amended, 1297 amended,**  
 27 **1295 amended, 1237 amended, 1283 amended, 1298 amended,**  
 28 **1301 amended, 1112 amended.**  
 29

30 The Chairman moved the adoption of the Committee of the Whole  
 31 Report. As shown by the following roll call vote, a majority of those  
 32 elected to the House voted in the affirmative, and the Report was  
 33 **adopted.**  
 34

|              | YES 62 | NO 0     | EXCUSED 3 | ABSENT 0   |   |             |   |
|--------------|--------|----------|-----------|------------|---|-------------|---|
| 37 Alexander | Y      | Groff    | Y         | Marshall   | Y | Spence      | Y |
| 38 Bacon     | Y      | Grossman | Y         | Miller     | Y | Spradley    | Y |
| 39 Berry     | Y      | Harvey   | Y         | Mitchell   | E | Stafford    | Y |
| 40 Borodkin  | Y      | Hefley   | E         | Paschall   | Y | Stengel     | Y |
| 41 Boyd      | Y      | Hodge    | Y         | Plant      | Y | Swenson     | Y |
| 42 Cadman    | Y      | Hoppe    | Y         | Ragsdale   | Y | Tapia       | Y |
| 43 Chavez    | Y      | Jahn     | Y         | Rhodes     | Y | Tochtrop    | Y |
| 44 Clapp     | Y      | Jameson  | Y         | Rippy      | Y | Veiga       | Y |
| 45 Cloer     | Y      | Johnson  | Y         | Romanoff   | Y | Vigil       | Y |
| 46 Coleman   | Y      | Kester   | Y         | Saliman    | Y | Webster     | Y |
| 47 Crane     | Y      | King     | Y         | Sanchez    | Y | Weddig      | Y |
| 48 Daniel    | Y      | Larson   | Y         | Schultheis | Y | White       | Y |
| 49 Decker    | Y      | Lawrence | E         | Scott      | Y | Williams S. | Y |
| 50 Fairbank  | Y      | Lee      | Y         | Sinclair   | Y | Williams T. | Y |
| 51 Fritz     | Y      | Mace     | Y         | Smith      | Y | Witwer      | Y |
| 52 Garcia    | Y      | Madden   | Y         | Snook      | Y | Young       | Y |
| 53           |        |          |           |            |   | Mr. Speaker | Y |

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**APPOINTMENTS**1  
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The Speaker announced the following temporary change in Committee assignments:

For today only, Representative Harvey to replace Representative Scott on the Committee on Finance.

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**REPORTS OF COMMITTEE OF REFERENCE****INFORMATION & TECHNOLOGY**

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

**HB02-1326** be amended as follows, and as so amended, be rereferred to the Committee on Appropriations with favorable recommendation:

Amend printed bill, page 18, strike lines 15 through 22 and substitute the following:

**"24-71.3-117. Creation and retention of electronic records by political subdivisions. A".**

Page 19, line 3, strike "**agencies.**" and substitute "**agencies - repeal.**";  
line 5, strike "INFORMATION" and substitute "INNOVATION AND", and after "TECHNOLOGY", insert "AND THE STATE ARCHIVIST";

line 7, strike "INFORMATION" and substitute "INNOVATION AND";

strike line 22 and substitute the following:

"(2) EXCEPT IN RELATION TO ELECTRONIC PAYMENTS, WHICH SHALL BE GOVERNED BY THE STATE TREASURER, TO THE EXTENT THAT A DEPARTMENT, BOARD, COMMISSION, AUTHORITY, INSTITUTION, OR INSTRUMENTALITY OF THIS STATE USES";

line 25, strike "INFORMATION" and substitute "INNOVATION AND", and after "TECHNOLOGY", insert "AND THE STATE ARCHIVIST";

line 27, strike "INFORMATION" and substitute "INNOVATION AND".

Page 20, after line 21, insert the following:

"(4) THIS SECTION IS REPEALED, EFFECTIVE DECEMBER 31, 2002, UNLESS THE SECRETARY OF STATE CERTIFIES THAT THE SECRETARY OF STATE HAS RECEIVED GIFTS, GRANTS, OR DONATIONS EQUALING AT LEAST TWO HUNDRED THOUSAND DOLLARS TO PAY FOR THE DEVELOPMENTAL COSTS ASSOCIATED WITH THE IMPLEMENTATION OF HB 02-1326 BY DECEMBER 1, 2002.";

line 23, strike "INFORMATION" and substitute "INNOVATION AND", and after "TECHNOLOGY", insert "AND THE STATE ARCHIVIST";

1 line 25, strike "INFORMATION" and substitute "INNOVATION AND".

2

3 Page 21, line 14, after "71", insert "OR 71.1";

4

5 line 17, strike "24-71-101," and substitute "24-71-101 (1),", and strike  
6 "amended" and substitute "amended, and the said 24-71-101 is further  
7 amended";

8

9 line 18, strike "SUBSECTION" and substitute "SUBSECTION,";

10

11 line 20, strike "(4)" and substitute the following:

12

13 "(1) As used in this article, "electronic signature" means ~~any identifier~~  
14 ~~or authentication technique attached to or logically associated with an~~  
15 ~~electronic record that is intended by the person using it to have the same~~  
16 ~~force and effect as the use of a manual signature.~~ "Electronic signature"  
17 includes digital signatures. AN ELECTRONIC SOUND, SYMBOL, OR PROCESS  
18 ATTACHED TO OR LOGICALLY ASSOCIATED WITH A RECORD AND EXECUTED  
19 OR ADOPTED BY A PERSON WITH THE INTENT TO SIGN THE RECORD.

20

21 (4)";

22

23 strike lines 23 through 27 and substitute the following:

24

25 "SECTION 3. 24-71.1-103 (4), Colorado Revised Statutes, is  
26 amended to read:

27

28 **24-71.1-103. Definitions.** As used in this article, unless the  
29 context otherwise requires:

30

31 (4) "Electronic signature" means ~~any identifier or authentication~~  
32 ~~technique attached to or logically associated with an electronic record~~  
33 ~~that is intended by the person using it to have the same force and effect~~  
34 ~~as a manual signature.~~ "Electronic signature" includes digital signatures.  
35 AN ELECTRONIC SOUND, SYMBOL, OR PROCESS ATTACHED TO OR  
36 LOGICALLY ASSOCIATED WITH A RECORD AND EXECUTED OR ADOPTED BY  
37 A PERSON WITH THE INTENT TO SIGN THE RECORD.

38

39 **SECTION 4.** 24-21-104 (3) (b), Colorado Revised Statutes, is  
40 amended to read:

41

42 **24-21-104. Fees of secretary of state.** (3) (b) The department  
43 of state shall adjust its fees so that the revenue generated from the fees  
44 approximates its direct and indirect costs, INCLUDING THE COST OF  
45 IMPLEMENTING SECTION 24-71.3-118 AND MAINTENANCE AND  
46 IMPROVEMENTS NECESSARY FOR THE DISTRIBUTION OF ELECTRONIC  
47 RECORDS; except that the department may reduce its fees to generate  
48 revenue in an amount less than costs if necessary pursuant to section  
49 24-75-402 (3). Such costs shall not include the costs paid by the amounts  
50 appropriated by the general assembly from the general fund to the  
51 department of state for elections pursuant to section 24-21-104.5. Such  
52 fees shall remain in effect for the fiscal year following the adjustment.  
53 All fees collected by said department shall be transmitted to the state  
54 treasurer, except moneys collected pursuant to subparagraph (II) of  
55 paragraph (f) of this subsection (3) and article 55 of title 12, C.R.S., who  
56 shall credit the same to the department of state cash fund, which fund is

1 hereby created. All moneys credited to the department of state cash fund  
2 shall be used as provided in this section and shall not be deposited in or  
3 transferred to the general fund of this state or any other fund. The  
4 moneys credited to the department of state cash fund shall be available  
5 for appropriation by the general assembly to the department of state in the  
6 general appropriation bill or pursuant to section 24-9-105 (2).

7  
8 **SECTION 5. Appropriation.** (1) The secretary of state is  
9 hereby authorized until December 1, 2002, to accept gifts, grants, and  
10 donations from state, federal, regional, county, municipal, special district,  
11 or other governmental units or subdivisions, private business and  
12 industry, nonprofit organizations, and other sources of up to two hundred  
13 thousand dollars (\$200,000) for the developmental costs associated with  
14 the implementation of this act. The secretary of state shall transmit all  
15 such donations to the state treasurer, who shall deposit them in the  
16 department of state cash fund created in section 24-21-104, Colorado  
17 Revised Statutes. If the secretary of state has not received at least two  
18 hundred thousand dollars (\$200,000) of such gifts, grants, or donations  
19 by December 1, 2002, the secretary of state shall refund all such gifts,  
20 grants, and donations to the original donors. If the secretary of state  
21 receives any amount over two hundred thousand dollars (\$200,000) of  
22 such gifts, grants, and donations, such amounts shall remain in the fund.

23  
24 (2) If the secretary of state has received at least two hundred  
25 thousand dollars (\$200,000) pursuant to subsection (1) of this section by  
26 December 1, 2002, in addition to any other appropriation, there is hereby  
27 appropriated, out of any moneys in the department of state cash fund that  
28 were deposited pursuant to subsection (1) of this section, not otherwise  
29 appropriated, to the department of state, for the fiscal year beginning July  
30 1, 2002, the sum of two hundred thousand dollars (\$200,000), or so much  
31 thereof as may be necessary, for the developmental costs associated with  
32 the implementation of this act.

33  
34 (3) If the secretary of state has received at least two hundred  
35 thousand dollars (\$200,000) pursuant to subsection (1) of this section by  
36 December 1, 2002, in addition to any other appropriation, there is hereby  
37 appropriated, out of any moneys in the department of state cash fund, not  
38 otherwise appropriated, to the department of state, for the fiscal year  
39 beginning July 1, 2002, the sum of one hundred ninety-eight thousand  
40 five hundred ninety-eight dollars (\$198,598) and 3.0 FTE, or so much  
41 thereof as may be necessary, for the on-going costs associated with the  
42 implementation of this act.

43  
44 **SECTION 6. Safety clause.** The general assembly hereby finds,  
45 determines, and declares that this act is necessary for the immediate  
46 preservation of the public peace, health, and safety."

47  
48 Strike page 22.

49  
50 Page 1, line 102, strike "ACT" and substitute "ACT", AND, IN  
51 CONNECTION THEREWITH, MAKING AN APPROPRIATION."

52  
53  
54  
55 **HB02-1360** be postponed indefinitely.

56

1 **HB02-1397** 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, page 2, strike lines 14 and 15 and substitute the  
6 following:  
7

8 "transaction subject to this article is subject to ANY APPLICABLE RULE OF  
9 LAW THAT ESTABLISHES A DIFFERENT RULE FOR CONSUMERS AND any other  
10 statute or regulation of this state that regulates the rates, charges,"  
11

12 Page 4, strike lines 11 through 25 and substitute the following:  
13

14 **"SECTION 7. Repeal.** 4-9-530, Colorado Revised Statutes, is  
15 repealed as follows:  
16

17 **4-9-530. Proper office to file certain amendments.** (a) ~~A~~  
18 ~~financing statement filed before January 1, 2000, may be continued,~~  
19 ~~amended, assigned, or terminated of record between January 1, 2000, and~~  
20 ~~June 30, 2001, only by filing a continuation statement, amendment, or~~  
21 ~~termination statement, as applicable, in the filing office in which such~~  
22 ~~financing statement would be required to be filed on or after January 1,~~  
23 ~~2000, and prior to July 1, 2001, pursuant to section 4-9-401 (b) to perfect~~  
24 ~~a security interest in the collateral described in such financing statement.~~  
25

26 (b) ~~Collateral may be released of record between January 1, 2000,~~  
27 ~~and June 30, 2001, only by filing a statement of release in the filing office~~  
28 ~~in which the financing statement that is the subject of the statement of~~  
29 ~~release would be required to be filed on or after January 1, 2000, and~~  
30 ~~prior to July 1, 2001, pursuant to section 4-9-401 (b) to perfect a security~~  
31 ~~interest in the collateral described in such financing statement.~~  
32

33 (c) ~~A financing statement filed before January 1, 2000, may be~~  
34 ~~continued, amended, assigned or terminated of record on or after July 1,~~  
35 ~~2001, only by filing a continuation statement, amendment, or termination~~  
36 ~~statement, as applicable, in the filing office in which such financing~~  
37 ~~statement would be required to be filed on or after July 1, 2001, pursuant~~  
38 ~~to sections 4-9-501 (a) and (b) to perfect a security interest in the~~  
39 ~~collateral described in such financing statement.~~  
40

41 (d) ~~Collateral may be released of record on and after July 1, 2001,~~  
42 ~~only by filing a statement of release in the filing office in which the~~  
43 ~~financing statement that is the subject of the statement of release would~~  
44 ~~be required to be filed on or after July 1, 2001, pursuant to sections~~  
45 ~~4-9-501 (a) and (b) to perfect a security interest in the collateral described~~  
46 ~~in such financing statement."~~  
47

48 Page 5, after line 22, insert the following:  
49

50 **"SECTION 10.** 4-9-629, Colorado Revised Statutes, is amended  
51 BY THE ADDITION OF A NEW SUBSECTION to read:  
52

53 **4-9-629. Secured party's liability when taking possession after**  
54 **default - legislative declaration - fund.** (g) NOTWITHSTANDING ANY  
55 PROVISION BY CONTRACT OR COMMON LAW, IN EXERCISING ITS RIGHTS  
56 AFTER DEFAULT, A SECURED PARTY OR LESSOR TAKING POSSESSION OF A

1 MOTOR VEHICLE MAY NOT DISABLE OR RENDER UNUSABLE ANY COMPUTER  
 2 PROGRAM OR OTHER SIMILAR DEVICE EMBEDDED IN THE MOTOR VEHICLE  
 3 IF IMMEDIATE INJURY TO ANY PERSON OR PROPERTY IS A REASONABLY  
 4 FORESEEABLE CONSEQUENCE OF SUCH ACTION. ANY SECURED PARTY OR  
 5 LESSOR WHO DISABLES OR RENDERS UNUSABLE SUCH A COMPUTER  
 6 PROGRAM OR OTHER SIMILAR DEVICE IN SUCH CIRCUMSTANCES SHALL BE  
 7 LIABLE IN ACCORDANCE WITH APPLICABLE RULES OF LAW TO ANY PERSON  
 8 WHO SUSTAINS AN INJURY TO PERSON OR PROPERTY AS A REASONABLY  
 9 FORESEEABLE RESULT OF THE SECURED PARTY'S OR LESSOR'S ACTION.

10  
 11 **SECTION 11.** The introductory portion to 4-9-702 (b), Colorado  
 12 Revised Statutes, is amended to read:

13  
 14 **4-9-702. Savings clause.** (b) Except as otherwise provided in  
 15 subsection (c) of this section and sections 4-9-703 to ~~4-9-709~~ 4-9-710:

16  
 17 **SECTION 12.** 4-9-706 (a) (2), Colorado Revised Statutes, is  
 18 amended to read:

19  
 20 **4-9-706. When initial financing statement suffices to continue**  
 21 **effectiveness of financing statement.** (a) The filing of an initial  
 22 financing statement in the office specified in section 4-9-501 continues  
 23 the effectiveness of a financing statement filed before this act takes effect  
 24 if:

25  
 26 (2) The pre-effective-date financing statement was filed in an  
 27 office in another state, ~~or~~ another office in this state, OR IN THE OFFICE OF  
 28 ANY CLERK AND RECORDER IN THIS STATE; and

29  
 30 **SECTION 13.** Part 7 of article 9 of title 4, Colorado Revised  
 31 Statutes, is amended BY THE ADDITION OF A NEW SECTION to  
 32 read:

33  
 34 **4-9-710. Effectiveness of filing in clerk and recorders' offices.**  
 35 EXCEPT AS PROVIDED IN THIS SECTION, A PRE-EFFECTIVE-DATE FINANCING  
 36 STATEMENT FILED WITH RESPECT TO A SECURITY INTEREST IN THE OFFICE  
 37 OF ANY CLERK AND RECORDER IN THIS STATE SHALL BE TREATED AS IF IT  
 38 HAD BEEN FILED IN THE OFFICE OF THE SECRETARY OF STATE. THE  
 39 PRECEDING SENTENCE DOES NOT APPLY TO A FINANCING STATEMENT TO  
 40 THE EXTENT THAT THE FINANCING STATEMENT:

41  
 42 (1) COVERS TIMBER TO BE CUT, OR AS-EXTRACTED COLLATERAL;  
 43 OR

44  
 45 (2) WAS FILED AS A FIXTURE FILING."

46  
 47 Renumber succeeding section accordingly.

48  
 49  
 50  
 51 **SB02-073** be postponed indefinitely.

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

2  
3 The Speaker has signed: **HB02-1078, 1111, 1144, 1162, 1305.**

4  
5  
6  
7           **DELIVERY OF BILLS TO GOVERNOR**

8  
9 The Chief Clerk of the House of Representatives reports the following  
10 bills have been delivered to the Office of the Governor: **HB02-1042,**  
11 **1071, 1153, 1322** at 10:25 a.m. on April 17, 2002.

12  
13  
14  
15           **INTRODUCTION OF BILLS**  
16           **First Reading**

17  
18 The following bills were read by title and referred to the committees  
19 indicated:

20  
21 **HB02-1451** by Representative(s) Stafford; also Senator(s) Hagedorn--  
22 Concerning handling the remains of a dead human.  
23 Committee on State, Veterans, & Military Affairs

24  
25 **SB02-062** by Senator(s) Owen; also Representative(s) Clapp--  
26 Concerning the coverage of pregnant women under the  
27 children's basic health plan, and making an appropriation  
28 therefor.  
29 Committee on Health, Environment, Welfare, & Institutions  
30 Committee on Appropriations

31  
32 **SB02-196** by Senator(s) Perlmutter, Anderson, Hagedorn,  
33 Hernandez, McElhany, Phillips, Taylor, Teck; also  
34 Representative(s) Spradley, Chavez, Groff, Grossman,  
35 Kester, Stafford, White--Concerning real estate brokers  
36 who are engaged by members of the public.  
37 Committee on Business Affairs & Labor

38  
39  
40  
41           **INTRODUCTION OF RESOLUTIONS**

42  
43 The following resolution was read by title and laid over one day under the  
44 rules:

45  
46 **HJR02-1059** by Representative Clapp--Concerning honoring former  
47 governor of Colorado Ralph L. Carr.

48  
49           WHEREAS, Ralph L. Carr was born in Rosita, Colorado, near  
50 present-day Pueblo on December 11, 1887, the son of Scotch-Irish miner  
51 William Frank Carr and Mattie Kimberlin Carr; and

52  
53           WHEREAS, In 1894, Carr moved to Cripple Creek, then a mining  
54 town, and graduated from Cripple Creek High School in 1905; and

55  
56           WHEREAS, To finance his education, both in high school and

1 college, Carr undertook numerous jobs typical of the small town frontier  
2 life of which he was a part, working as a grocery clerk, telegraph  
3 messenger, and laundry wagon driver, breaking up and carrying ore  
4 samples for assay, and serving as a correspondent for several newspapers  
5 and press associations; and  
6

7 WHEREAS, Carr graduated from the University of Colorado,  
8 earning a bachelor of arts degree in 1910 and a bachelor of law degree in  
9 1912; and  
10

11 WHEREAS, After his marriage to Gretchen R. Fowler and a brief  
12 residence in Victor and Trinidad, Carr moved in 1917 to the town of  
13 Antonito where he served as the Conejos county attorney for five years;  
14 and  
15

16 WHEREAS, In 1927, Carr was appointed the Assistant Attorney  
17 General and, in 1929, the United States District Attorney for Colorado;  
18 and  
19

20 WHEREAS, Early in his career, Carr specialized in water law,  
21 becoming one of the foremost authorities on the subject in the western  
22 states and a strong advocate of the right of the states to administer and  
23 distribute the flow of western rivers; and  
24

25 WHEREAS, Carr played a key role in many of the interstate water  
26 compacts that were established in the 1920s and 1930s and acted as the  
27 legal advisor to the Colorado Interstate River Commissioner on the Rio  
28 Grande Compact; and  
29

30 WHEREAS, At the urging of his friends, Carr entered the  
31 gubernatorial race on the eve of the Republican State Convention in 1938  
32 and, after a vigorous campaign arguing the need for a new state fiscal  
33 program, he won the election and became the first Republican governor  
34 in twelve years; and  
35

36 WHEREAS, In 1940, Carr was reelected as governor of Colorado  
37 by an overwhelming margin; and  
38

39 WHEREAS, In the aftermath of the Japanese attack on Pearl  
40 Harbor on December 7, 1941, and the widescale fear and resentment of  
41 people of Japanese descent and demands for their evacuation, Carr  
42 supported their voluntary relocation in Colorado; and  
43

44 WHEREAS, After President Franklin D. Roosevelt established  
45 certain military zones within the country and ordered the evacuation of  
46 people of Japanese descent from those zones, Carr supported the  
47 President's action as a precaution against fifth column activities on the  
48 west coast, but steadfastly refused to intern the Japanese in concentration  
49 camps, a measure which had the support of many leading businessmen  
50 and civic leaders in Colorado, including a federal district court judge; and  
51

52 WHEREAS, Alone among the western governors, Carr supported  
53 the policy of accepting people of Japanese descent for relocation in  
54 Colorado without demanding that they be placed under military guard and  
55 without other infringements of their political rights; and  
56

1 WHEREAS, After approximately 3,000 people of Japanese  
2 descent had been relocated to Camp Amache in the Arkansas valley and  
3 a mob from a nearby town threatened the settlement, Carr took a plane to  
4 the site and succeeded in averting the violence by telling the assembled  
5 people: "If you harm them, you must harm me. I was brought up in a  
6 small town where I knew the shame and dishonor of race hatred. I grew  
7 to despise it because it threatened the happiness of you and you and you";  
8 and  
9

10 WHEREAS, Although Carr's stand on the issue of relocation had  
11 prompted cries for his impeachment, in 1942 he chose to run for a seat in  
12 the United States Senate against the incumbent in the office, Edwin C.  
13 Johnson; and  
14

15 WHEREAS, After a tumultuous campaign, Carr lost by less than  
16 4,000 votes, one of the closest races in Colorado's history; and  
17

18 WHEREAS, Carr then returned to the practice of law and served  
19 as a regent of the University of Colorado and, in 1948, married Eleanor  
20 Fairall How; and  
21

22 WHEREAS, In 1951, despite an infection in his foot which  
23 eventually cost him his life, Carr again acceded to the wishes of his party  
24 and announced his intention to run for governor; and  
25

26 WHEREAS, Two days after defeating Ray H. Brannaman in the  
27 primary election, Carr suddenly died, after penning a humorous letter to  
28 his supporters telling them "not to look for a substitute for me while I'm  
29 above the sod"; now, therefore,  
30

31 *Be It Resolved by the House of Representatives of the Sixty-third*  
32 *General Assembly of the State of Colorado, the Senate concurring*  
33 *herein:*  
34

35 That Ralph L. Carr, a man who did not readily seek to advance his  
36 own political ambitions, but once committed to an office or political  
37 contest did not spare himself from any of the rigors that it demanded, who  
38 demonstrated faithfulness to constitutional principals and an unwavering  
39 compassion for others at great political cost to himself, and who devoted  
40 much of his life to the public interest and in services to Colorado, is  
41 hereby honored by the General Assembly of the state of Colorado.  
42

43 *Be It Further Resolved,* That copies of this Joint Resolution be  
44 transmitted to the Carr Family.  
45

46  
47  
48 The following resolution was read by title and referred to the committee  
49 indicated:  
50

51 **HJR02-1060** by Representative(s) Stafford; also Senator(s) Cairns--  
52 Concerning encouraging schools to offer bowling as a  
53 competitive activity.  
54 Committee on Education  
55

1 WHEREAS, Bowling is a highly technical sport that requires skill  
2 and practice; and

3  
4 WHEREAS, Bowling is one of the most popular sports in the  
5 nation; and

6  
7 WHEREAS, Bowling can be enjoyed by people of all ages and  
8 abilities; and

9  
10 WHEREAS, Bowling is an activity that high school students may  
11 enjoy for the rest of their lives; and

12  
13 WHEREAS, Students who participate in high school activities  
14 enjoy the opportunity to build self-esteem and to enjoy the comradery of  
15 being part of a team; and

16  
17 WHEREAS, Offering bowling as a competitive high school  
18 activity will allow students to participate in high school activities and to  
19 become involved in their schools; and

20  
21 WHEREAS, Bowling is a competitive collegiate sport and high  
22 school students who bowl competitively may have the opportunity to earn  
23 college scholarships; and

24  
25 WHEREAS, Bowling is a sport with collegiate, amateur, and  
26 professional championships and there is currently a movement to make  
27 bowling an Olympic sport; and

28  
29 WHEREAS, Students of all ages and abilities should be afforded  
30 the opportunity to participate in high school athletics, to experience the  
31 benefits of participating in youth activities, and to compete for college  
32 scholarships; now, therefore,

33  
34 *Be It Resolved by the House of Representatives of the Sixty-third*  
35 *General Assembly of the State of Colorado, the Senate concurring*  
36 *herein:*

37  
38 That we, the members of the Sixty-third General Assembly,  
39 encourage the high schools of Colorado to adopt bowling as a competitive  
40 athletic activity and to allow high school students the opportunity to gain  
41 the benefits of participating in high school activities.

42  
43 *Be It Further Resolved,* That a copy of this resolution be sent to  
44 Gene Jackson, the Colorado coordinator of High School Bowling, and to  
45 the Colorado High School Activities Association.

46  
47  
48  
49 The following resolutions were read by title and laid over one day under  
50 the rules:

51  
52 **HJR02-1061** by Representative(s) Cloer, Bacon, Decker, Groff,  
53 Grossman, Johnson, King, Miller, Romanoff, Smith,  
54 Snook, Stafford, White, Williams S.; also Senator(s)  
55 Pascoe--Concerning honoring Colorado's educational  
56 support personnel.

1 WHEREAS, Educational support personnel such as custodial and  
2 maintenance staff, food service workers, school bus drivers, school  
3 nurses, school security personnel, and secretarial support staff are an  
4 essential part of the success of Colorado's schools; and  
5

6 WHEREAS, Educational support personnel serve on the front lines  
7 in Colorado schools, often being the first people students and parents see  
8 upon entering a school; and  
9

10 WHEREAS, Educational support personnel are professional  
11 partners in the education of Colorado's children and deserve the respect  
12 and recognition afforded to other professionals; and  
13

14 WHEREAS, Colorado's educational support personnel serve  
15 students, parents, staff, and communities with dedication and  
16 commitment; and  
17

18 WHEREAS, Colorado's educational support personnel work  
19 hand-in-hand with teachers and administrators to provide Colorado's  
20 school children access to a safe, nurturing, and productive learning  
21 environment and to increase the level of academic achievement among  
22 such children; and  
23

24 WHEREAS, Colorado's educational support personnel work  
25 tirelessly to ensure the health and safety of every student; and  
26

27 WHEREAS, Colorado's educational support personnel often  
28 respond to students' needs above and beyond their job responsibilities;  
29 now, therefore,  
30

31 *Be It Resolved by the House of Representatives of the Sixty-third*  
32 *General Assembly of the State of Colorado, the Senate concurring*  
33 *herein:*  
34

35 (1) That we, the members of the Colorado General Assembly,  
36 recognize the hard work and dedication of Colorado's educational support  
37 personnel.  
38

39 (2) That we congratulate Colorado's educational support personnel  
40 on their tireless commitment to continuous improvement of Colorado's  
41 schools and the health, safety, and academic success of all Colorado  
42 schoolchildren.  
43

44 (3) That we recognize November 20, 2002, as National Education  
45 Support Personnel Day and encourage each citizen of Colorado to thank  
46 an educational support person for his or her positive impact on our  
47 children and the state of Colorado.  
48

49 *Be It Further Resolved*, That a copy of this Joint Resolution be  
50 sent to the Colorado Department of Education; the Colorado Education  
51 Association; and Fountain, Harrison, and Widefield School Districts.  
52  
53  
54  
55

---

1 **HJR02-1062** by Representative(s) Cloer, Bacon, Decker, Groff,  
2 Grossman, Johnson, King, Miller, Romanoff, Smith,  
3 Snook, White, Williams S.; also Senator(s) Pascoe--  
4 Concerning honoring Colorado's schools.  
5

6 WHEREAS, It is in the best interest of the citizens of the state of  
7 Colorado that the state provide an educational system that is of the  
8 highest quality; and  
9

10 WHEREAS, The state of Colorado has raised the expectations of  
11 parents by demanding increased accountability; and  
12

13 WHEREAS, Colorado's schools have positively responded to these  
14 raised expectations and continually work to ensure that all Colorado  
15 students receive a quality education; and  
16

17 WHEREAS, Colorado students' performance has improved in  
18 many different academic disciplines; and  
19

20 WHEREAS, Colorado ranks second in the nation for having the  
21 greatest proportion of high school graduates with scores in the top twenty  
22 percent nationally on either the SAT or ACT college entrance exam; and  
23

24 WHEREAS, Approximately seventy-five percent of Colorado's  
25 high school graduates continue their education by enrolling in a  
26 postsecondary institution after high school; and  
27

28 WHEREAS, Colorado is among the top ten states in the country  
29 in fourth grade reading scores on the National Assessment of Education  
30 Progress; and  
31

32 WHEREAS, Colorado is one of three states to make significant  
33 gains since 1992 in the percentage of fourth graders who read at or above  
34 the proficient level; and  
35

36 WHEREAS, Colorado is one of only six states to receive two gold  
37 stars from the National Assessment of Education Progress for academic  
38 achievement over time in mathematics; and  
39

40 WHEREAS, Colorado student scores on the National Assessment  
41 of Education Progress in fourth grade math and eighth grade writing,  
42 math, and science rank above the national average; and  
43

44 WHEREAS, Colorado received high marks in *Education Week's*  
45 "Quality Counts 2001" report for the state's efforts to improve teacher  
46 quality; now, therefore,  
47

48 *Be It Resolved by the House of Representatives of the Sixty-third*  
49 *General Assembly of the State of Colorado, the Senate concurring*  
50 *herein:*  
51

52 (1) That we congratulate Colorado teachers, support staff,  
53 administrators, parents, and students for Colorado's continuing academic  
54 progress.  
55

1 (2) That we recognize and commend the continually improving  
2 quality of education in Colorado's schools.  
3

4 *Be It Further Resolved*, That copies of this Joint Resolution be  
5 sent to the Colorado Department of Education, the Colorado Education  
6 Association, the Colorado Association of School Boards, and the  
7 Widefield, Harrison, and Fountain-Fort Carson school districts.  
8

9  
10 **HJR02-1063** by Representative(s) Cloer, Bacon, Decker, Groff,  
11 Grossman, Johnson, King, Larson, Miller, Romanoff,  
12 Smith, Snook, White, Williams S.; also Senator(s) Pascoe-  
13 -Concerning honoring Colorado's teachers.  
14

15 WHEREAS, A strong and effective system of education is an  
16 indispensable part of a free and educated society; and  
17

18 WHEREAS, Teachers are the cornerstones of our schools and are  
19 entrusted with the educational development of our citizens; and  
20

21 WHEREAS, A great teacher will have a lasting impact in the  
22 hearts and minds of his or her students; and  
23

24 WHEREAS, Teachers should be accorded high public esteem,  
25 reflecting the value the community places on education; and  
26

27 WHEREAS, Colorado has many qualified and enthusiastic  
28 teachers who work to ensure that the children of this state meet their full  
29 educational potential; and  
30

31 WHEREAS, Colorado's teachers continually strive to improve the  
32 academic climate of the state, and this effort has been recognized in the  
33 improvement of Colorado students' performance in many different  
34 academic areas; and  
35

36 WHEREAS, Colorado ranks second in the nation for having the  
37 greatest proportion of high school graduates with scores in the top twenty  
38 percent nationally on either the SAT or ACT college entrance exam; and  
39

40 WHEREAS, Colorado is among the top ten states in the country  
41 in fourth grade reading scores on the National Assessment of Education  
42 Progress; and  
43

44 WHEREAS, Approximately seventy-five percent of Colorado's  
45 high school graduates continue their education after high school; and  
46

47 WHEREAS, These achievements and others demonstrate that the  
48 state of Colorado has outstanding and qualified teachers who continually  
49 devote themselves to the academic growth of the students of the state of  
50 Colorado; now, therefore,  
51

52 *Be It Resolved by the House of Representatives of the Sixty-third*  
53 *General Assembly of the State of Colorado, the Senate concurring*  
54 *herein:*  
55

1 (1) That we recognize and commend the commitment and  
2 dedication of Colorado's teachers.

3  
4 (2) That we congratulate the teachers of Colorado on their tireless  
5 commitment to the continuous improvement of our schools and the  
6 academic success of all Colorado children.

7  
8 (3) That we recognize May 7, 2002, as National Teacher Day in  
9 Colorado and encourage our citizens to thank a teacher for his or her  
10 contribution to our children and to the future of the state of Colorado.

11  
12 *Be It Further Resolved*, That copies of this Joint Resolution be  
13 sent to the Colorado Department of Education, the Colorado Education  
14 Association, the Colorado Association of School Boards, and the  
15 Widefield, Harrison, and Fountain-Fort Carson school districts.

16  
17  
18 **HJR02-1064** by Representative(s) Spence; also Senator(s) Anderson--  
19 Concerning honoring University of Colorado Regent  
20 Norwood Robb.

21  
22 WHEREAS, Mr. Norwood L. Robb has served 3 consecutive  
23 6-year terms on the University of Colorado Board of Regents; and

24  
25 WHEREAS, Regent Robb has served on and chaired multiple  
26 Board of Regents committees; and

27  
28 WHEREAS, Regent Robb served as vice chair of the Board of  
29 Regents in 1992-93 and 1994-95 and as chair of the Board of Regents in  
30 1988-89 and 1998-99; and

31  
32 WHEREAS, During his time on the Board of Regents, Regent  
33 Robb has been a tireless leader in strategic planning and technology  
34 innovation, co-chairing the Colorado Institute of Technology planning  
35 effort and serving on the Fitzsimons Redevelopment Authority; and

36  
37 WHEREAS, Regent Robb has been a strong advocate of financial  
38 accountability, integrated resource management, and hardware and  
39 software standardization for cost effectiveness and a staunch proponent  
40 of performance planning and post-tenure review; and

41  
42 WHEREAS, Mr. Robb has been very active in his community by  
43 serving as vice chairman of the Arapahoe County Community Corrections  
44 Board, as chairman of the State Board for Community Colleges and  
45 Occupational Education Proprietary Schools Task Force, as a founding  
46 member of the Colorado Biotechnology Association, and as a member of  
47 the Advisory Board of the Latin American Education Foundation, the  
48 Colorado Hispanic Institute, the Denver Hispanic Chamber of Commerce,  
49 and the Governor's Biotechnology Council, including service on the  
50 Council's executive committee; and

51  
52 WHEREAS, Mr. Robb has contributed to Annunciation Grade  
53 School by providing financial support and assisting in the development  
54 of a computer center with internet access; and



1 WHEREAS, Upon completing his current term as Regent in  
2 January 2003, Mr. Robb will be retiring from the University of Colorado  
3 Board of Regents; now, therefore,  
4

5 *Be It Resolved by the House of Representatives of the Sixty-third*  
6 *General Assembly of the State of Colorado, the Senate concurring*  
7 *herein:*  
8

9 That we, the members of the Sixty-third General Assembly, honor  
10 Norwood L. Robb for his dedication and leadership during his eighteen  
11 years on the University of Colorado Board of Regents, as well as for his  
12 service to the state of Colorado.  
13

14 *Be It Further Resolved*, That a copy of this Resolution be sent to  
15 Regent Norwood L. Robb.  
16

17 \_\_\_\_\_  
18  
19 On motion of Representative Spradley, **HB02-1027, 1276, 1312, 1038,**  
20 **1263** were made Special Orders on Wednesday, April 17, 2002, at  
21 11:38 a.m.  
22

23 \_\_\_\_\_  
24 The hour of 11:38 a.m., having arrived, on motion of Representative  
25 Williams T., the House resolved itself into Committee of the Whole for  
26 consideration of Special Orders and she was called to the Chair to act as  
27 Chairman.  
28

29 \_\_\_\_\_  
30 **SPECIAL ORDERS--SECOND READING OF BILLS**  
31

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

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

40 **HB02-1276** by Representative(s) Mace; also Senator(s) Epps--  
41 Concerning the provision of additional funding for the  
42 health care needs of old age pension recipients, and  
43 making an appropriation therefor.  
44

45 Amendment No. 1, Health, Environment, Welfare, & Institutions Report,  
46 dated February 18, 2002, and placed in member's bill file; Report also  
47 printed in House Journal, February 19, pages 452-453.  
48

49 Amendment No. 2, Appropriations Report, dated April 5, 2002, and  
50 placed in member's bill file; Report also printed in House Journal,  
51 April 8, page 1209.  
52

53 As amended, declared **lost** on Second Reading.  
54 (For change in action, see Amendments to Report.)  
55  
56

- 1 **HB02-1312** by Representative(s) Paschall, Fairbank, Alexander,  
2 Borodkin, Boyd, Clapp, Coleman, Crane, Daniel, Decker,  
3 Fritz, Garcia, Groff, Harvey, Hefley, Hoppe, King,  
4 Larson, Mace, Mitchell, Rhodes, Sanchez, Schultheis,  
5 Tochtrop, Vigil, Weddig, Williams S., Witwer; also  
6 Senator(s) Linkhart--Concerning the priority of adoption  
7 hearings on court dockets.  
8
- 9 Amendment No. 1, Health, Environment, Welfare, & Institutions Report,  
10 dated February 20, 2002, and placed in member's bill file; Report also  
11 printed in House Journal, February 21, page 482.  
12
- 13 Amendment No. 2, Appropriations Report, dated April 12, 2002, and  
14 placed in member's bill file; Report also printed in House Journal,  
15 April 12, pages 1265-1266.  
16
- 17 As amended, ordered engrossed and placed on the Calendar for Third  
18 Reading and Final Passage.  
19
- 20 **HB02-1038** by Representative(s) Tapia; also Senator(s) Arnold--  
21 Concerning the unlawful possession of certain items with  
22 intent to manufacture a controlled substance, and making  
23 an appropriation in connection therewith.  
24
- 25 Amendment No. 1, Appropriations Report, dated April 12, 2002, and  
26 placed in member's bill file; Report also printed in House Journal,  
27 April 15, pages 1321-1323.  
28
- 29 As amended, ordered engrossed and placed on the Calendar for Third  
30 Reading and Final Passage.  
31
- 32 **HB02-1263** by Representative(s) Alexander; also Senator(s) Hagedorn--  
33 -Concerning substance abuse treatment.  
34
- 35 Amendment No. 1, Health, Environment, Welfare, & Institutions Report,  
36 dated February 20, 2002, and placed in member's bill file; Report also  
37 printed in House Journal, February 21, page 481.  
38
- 39 Amendment No. 2, Appropriations Report, dated April 12, 2002, and  
40 placed in member's bill file; Report also printed in House Journal,  
41 April 15, pages 1323-1324.  
42
- 43 Amendment No. 3, by Representative Alexander.  
44
- 45 Amend printed bill, page 2, line 19, after "ARE" insert, "DEEMED  
46 MEDICALLY NECESSARY AND ARE".  
47
- 48 As amended, ordered engrossed and placed on the Calendar for Third  
49 Reading and Final Passage.  
50
- 51 **HB02-1027** by Representative(s) Romanoff, Mace; also Senator(s)  
52 Hernandez, Hanna--Concerning case-mix reimbursement  
53 methodology for the reimbursement of services under the  
54 "Colorado Medical Assistance Act".  
55

1 Amendment No. 1, Health, Environment, Welfare, & Institutions Report,  
2 dated January 21, 2002, and placed in member's bill file; Report also  
3 printed in House Journal, January 22, pages 133-136.

4  
5 Amendment No. 2, Appropriations Report, dated April 5, 2002, and  
6 placed in member's bill file; Report also printed in House Journal,  
7 April 8, pages 1207-1208.

8  
9 Amendment No. 3, by Representative Romanoff.

10  
11 Amend the Appropriations Committee Report, dated April 5, 2002, page  
12 1, line 13, strike "EMPLOYEE" and substitute "INDEPENDENT  
13 CONTRACTOR";

14  
15 line 14, strike "EMPLOYEE" and substitute "INDEPENDENT CONTRACTOR";

16  
17 strike lines 16 through 18, and substitute the following:  
18 "ARE COMPLETED; AND".

19  
20 Page 2 of the committee report, line 6, strike "(\$330,772) and 1.0 FTE,"  
21 and substitute "(\$330,772),";

22  
23 line 16, strike "funds.;" and substituted "funds.";

24  
25 strike lines 17 and 18 and substitute the following:

26  
27 "Renumber succeeding section accordingly."

28  
29 As amended, ordered engrossed and placed on the Calendar for Third  
30 Reading and Final Passage.

31  
32  
33  
34 **AMENDMENTS TO THE COMMITTEE OF THE WHOLE REPORT**

35  
36 Representative Mace moved to amend the Report of the Committee of the  
37 Whole to show that **HB02-1276, as amended**, did pass.

38  
39 The amendment was declared **passed** by the following roll call vote:

40  
41 YES 53            NO 9            EXCUSED 3            ABSENT 0

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

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

4  
5  
6  
7  
8 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

9  
10 Passed Second Reading: **HB02-1276 amended, 1312 amended, 1038**  
11 **amended, 1263 amended, 1027 amended.**

12  
13 The Chairman moved the adoption of the Committee of the Whole  
14 Report. As shown by the following roll call vote, a majority of those  
15 elected to the House voted in the affirmative, and the Report was  
16 **adopted.**

|    |            |    |           |   |                |   |               |   |
|----|------------|----|-----------|---|----------------|---|---------------|---|
| 17 |            |    |           |   |                |   |               |   |
| 18 | <u>YES</u> | 60 | <u>NO</u> | 0 | <u>EXCUSED</u> | 4 | <u>ABSENT</u> | 1 |
| 19 |            |    |           |   |                |   |               |   |
| 20 | Alexander  | Y  | Groff     | Y | Marshall       | Y | Spence        | Y |
| 21 | Bacon      | Y  | Grossman  | Y | Miller         | E | Spradley      | Y |
| 22 | Berry      | Y  | Harvey    | Y | Mitchell       | E | Stafford      | Y |
| 23 | Borodkin   | Y  | Hefley    | Y | Paschall       | Y | 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        | E | Webster       | Y |
| 30 | Crane      | Y  | King      | Y | Sanchez        | Y | Weddig        | Y |
| 31 | Daniel     | Y  | Larson    | Y | Schultheis     | - | White         | Y |
| 32 | Decker     | Y  | Lawrence  | E | 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 |

37  
38  
39  
40  
41 **CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS**

42  
43  
44 **HB02-1089** by Representative(s) Kester; also Senator(s) Entz--  
45 Concerning the standards for approval of simulcast  
46 facilities by the Colorado racing commission.

47  
48 (Amended as printed in Senate Journal, March 25, page 570.)

49  
50 Representative Kester moved that the House **concur** in Senate amend-  
51 ments. The motion was declared **passed** by the following roll call vote:

|    |            |    |           |   |                |   |               |   |
|----|------------|----|-----------|---|----------------|---|---------------|---|
| 52 |            |    |           |   |                |   |               |   |
| 53 | <u>YES</u> | 60 | <u>NO</u> | 0 | <u>EXCUSED</u> | 4 | <u>ABSENT</u> | 1 |
| 54 | Alexander  | Y  | Groff     | Y | Marshall       | Y | Spence        | Y |
| 55 | Bacon      | Y  | Grossman  | Y | Miller         | E | Spradley      | Y |
| 56 | Berry      | Y  | Harvey    | Y | Mitchell       | E | Stafford      | Y |

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

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

| 21 | YES       | 53 | NO       | 8 | EXCUSED    | 4 | ABSENT      | 0 |
|----|-----------|----|----------|---|------------|---|-------------|---|
| 24 | Alexander | N  | Groff    | Y | Marshall   | Y | Spence      | Y |
| 25 | Bacon     | Y  | Grossman | Y | Miller     | E | Spradley    | Y |
| 26 | Berry     | Y  | Harvey   | Y | Mitchell   | E | Stafford    | Y |
| 27 | Borodkin  | Y  | Hefley   | N | Paschall   | Y | Stengel     | Y |
| 28 | Boyd      | Y  | Hodge    | Y | Plant      | Y | Swenson     | Y |
| 29 | Cadman    | N  | 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   | Y | Saliman    | E | Webster     | Y |
| 34 | Crane     | N  | King     | Y | Sanchez    | Y | Weddig      | Y |
| 35 | Daniel    | Y  | Larson   | Y | Schultheis | N | White       | Y |
| 36 | Decker    | N  | Lawrence | E | Scott      | Y | Williams S. | Y |
| 37 | Fairbank  | Y  | Lee      | Y | Sinclair   | N | Williams T. | Y |
| 38 | Fritz     | Y  | Mace     | Y | Smith      | N | Witwer      | Y |
| 39 | Garcia    | Y  | Madden   | Y | Snook      | Y | Young       | Y |
| 40 |           |    |          |   |            |   | Mr. Speaker | Y |

43 **HB02-1269** by Representative(s) Borodkin, Swenson; also Senator(s)  
 44 May--Concerning the regulation of roadside advertising.

46 (Amended as printed in Senate Journal, March 27, page 602.)

48 Representative Borodkin moved that the House **concur** in Senate amend-  
 49 ments. The motion was declared **passed** by the following roll call vote:

| 51 | YES       | 61 | NO       | 0 | EXCUSED  | 4 | ABSENT   | 0 |
|----|-----------|----|----------|---|----------|---|----------|---|
| 53 | Alexander | Y  | Groff    | Y | Marshall | Y | Spence   | Y |
| 54 | Bacon     | Y  | Grossman | Y | Miller   | E | Spradley | Y |
| 55 | Berry     | Y  | Harvey   | Y | Mitchell | E | Stafford | Y |
| 56 | Borodkin  | Y  | Hefley   | Y | 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    | E | Webster     | Y |
| 7  | Crane    | Y | King     | Y | Sanchez    | Y | Weddig      | Y |
| 8  | Daniel   | Y | Larson   | Y | Schultheis | Y | White       | Y |
| 9  | Decker   | Y | Lawrence | E | 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

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

20

21 YES 55          NO 6          EXCUSED 4          ABSENT 0

22

|    |           |   |          |   |            |   |             |   |
|----|-----------|---|----------|---|------------|---|-------------|---|
| 23 | Alexander | N | Groff    | Y | Marshall   | Y | Spence      | Y |
| 24 | Bacon     | Y | Grossman | Y | Miller     | E | Spradley    | Y |
| 25 | Berry     | Y | Harvey   | Y | Mitchell   | E | Stafford    | Y |
| 26 | Borodkin  | Y | Hefley   | Y | Paschall   | Y | Stengel     | Y |
| 27 | Boyd      | Y | Hodge    | Y | Plant      | Y | Swenson     | Y |
| 28 | Cadman    | Y | Hoppe    | Y | Ragsdale   | Y | Tapia       | Y |
| 29 | Chavez    | Y | Jahn     | Y | Rhodes     | Y | Tochtrop    | Y |
| 30 | Clapp     | Y | Jameson  | Y | Rippy      | Y | Veiga       | Y |
| 31 | Cloer     | Y | Johnson  | N | Romanoff   | Y | Vigil       | Y |
| 32 | Coleman   | Y | Kester   | Y | Saliman    | E | Webster     | Y |
| 33 | Crane     | Y | King     | Y | Sanchez    | Y | Weddig      | Y |
| 34 | Daniel    | Y | Larson   | N | Schultheis | N | White       | N |
| 35 | Decker    | N | Lawrence | E | Scott      | Y | Williams S. | Y |
| 36 | Fairbank  | Y | Lee      | Y | Sinclair   | Y | Williams T. | Y |
| 37 | Fritz     | Y | Mace     | Y | Smith      | Y | Witwer      | Y |
| 38 | Garcia    | Y | Madden   | Y | Snook      | Y | Young       | Y |
| 39 |           |   |          |   |            |   | Mr. Speaker | Y |

40

41 Co-sponsors added: Representatives Coleman, Marshall.

42

43

44

45

#### APPOINTMENTS

46

47 Representative Grossman announced the following temporary change in  
48 Committee assignments:

49

50 For today only, Representative Boyd to replace Representative  
51 Williams S. on the Committee on Transportation & Energy.

52

53

54

House in recess. House reconvened.

55

56

**MESSAGES FROM THE SENATE**

1  
2 Mr. Speaker:

3  
4 The Senate has voted not to concur in House Amendments to SB02-032  
5 and requests that a Conference Committee be appointed. The President  
6 appointed Senators Takis, Chm., Nichol and Teck as members of the First  
7 Conference Committee on the part of the Senate. The bill is transmitted  
8 herewith.

9  
10  
11  
12 The Senate has passed on Third Reading and returns herewith HB02-  
13 1421, 1422, 1423, 1424, 1426, 1428, 1429, 1430, 1431, 1432, 1433,  
14 1434, 1435, 1436, 1438, 1441, 1445, 1446.

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

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19 HB02-1425, amended as printed in Senate Journal, April 16, page 878;  
20 HB02-1427, amended as printed in Senate Journal, April 16, page 879;  
21 HB02-1437, amended as printed in Senate Journal, April 16, page 879;  
22 HB02-1349, amended as printed in Senate Journal, April 16, pages  
23 872-875 and April 17;  
24 HB02-1442, amended as printed in Senate Journal, April 16, page 875;  
25 HB02-1443, amended as printed in Senate Journal, April 16, pages  
26 875-876;  
27 HB02-1444, amended as printed in Senate Journal, April 16, page 876.

**MESSAGE FROM THE REVISOR**

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34 We herewith transmit without comment, as amended, HB02-1425, 1427,  
35 1437, 1442, 1443, and 1444; and  
36 With comment, as amended, HB02-1349.

**INTRODUCTION OF BILL  
First Reading**

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

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47 **HB02-1452** by Representative(s) Scott; also Senator(s) Phillips--  
48 Concerning the operation of higher education student  
49 financial aid enterprises.  
50 Committee on Finance

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**LAY OVER OF CALENDAR ITEMS**

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On motion of Representative Spradley, the following items on the Calendar were laid over until April 18, retaining place on Calendar:

Consideration of General Orders--**HB02-1015, SB02-064, HB02-1309, 1046, 1125, 1363, 1396, SB02-168, HB02-1266, 1361, SB02-185, HB02-1398, 1401, HCR02-1003, HB02-1362, SB02-018, 068, 086, 087, 097.**

Consideration of Resolutions--**SJR02-008, HJR02-1037, 1038, 1032, HR02-1010, SJR02-018, 028, 029, HJR02-1049, 1052, 1053, 1054, 1055, 1056, HR02-1013.**

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

Consideration of Senate Amendments--**HB02-1064, 1141, 1333, 1245, 1191, 1225, 1146, 1013, 1287, 1218, 1221, 1135, 1139, 1336, 1210, 1220, 1034, 1014, 1341.**



On motion of Representative Spradley, the House adjourned until 9:00 a.m., April 18, 2002.

Approved:

DOUG DEAN,  
Speaker

Attest:  
JUDITH RODRIGUE,  
Chief Clerk