

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

One Hundred-eighteenth Legislative Day Monday, May 6, 2002

1 Prayer by the Reverend Russ Kane, New Hope Presbyterian Church,
2 Castle Rock.

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

5
6 Pledge of Allegiance led by Representative Swenson.

7
8 The roll was called with the following result:

9
10 Present--63.
11 Excused--Representative Paschall--1.
12 Absent--Representative Veiga--1.
13 Present after roll call--Representatives Paschall, Veiga.

14
15 The Speaker declared a quorum present.

16
17
18 On motion of Representative Daniel, the reading of the journal of May 3,
19 2002, was declared dispensed with and approved as corrected by the
20 Chief Clerk.

ANNOUNCEMENT

21
22
23
24
25
26 The Speaker announced the House was in the last three days of session.
27 House Rule 36(d) was suspended (conference committee reports may be
28 adopted without being referred to in the calendar).

CONSIDERATION OF RESOLUTIONS

29
30
31
32
33
34 **HJR02-1081** by Representative(s) Lawrence and Larson; also Senator(s)
35 Phillips, McElhany, and Windels-- Concerning the naming
36 of the newly constructed forty-bed treatment facility for
37 young women at Mount View Youth Services Center in
38 honor of Betty K. Marler

39
40 (Printed and placed in member's file; also printed in House Journal,
41 May 3, pages 1829-1830.)

42
43

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

3
4 Co-sponsors added: Roll call of the House.

5
6
7 House in recess. House reconvened.
8
9

10
11 **HJR02-1055** by Representative(s) Tochtrop, Lawrence; also Senator(s)
12 Hanna--Concerning honoring the registered nurses who
13 care for all Coloradans, and, in connection therewith,
14 celebrating National Nurses Week.

15
16 (Printed and placed in member's file; also printed in House Journal,
17 April 15, pages 1332-1333.)

18
19 On motion of Representative Tochtrop, the resolution was read at length
20 and **adopted** by **viva voce** vote.

21
22 Co-sponsors added: Roll call of the House.

23
24
25 **HR02-1016** by Representative(s) Boyd--Concerning excellence in
26 school nutrition programs.

27
28 (Printed and placed in member's file; also printed in House Journal,
29 April 18, page 1453.)

30
31 On motion of Representative Boyd, the resolution was **adopted** by the
32 following roll call vote:

	YES 61	NO 0	EXCUSED 4	ABSENT 0				
36	Alexander	Y	Groff	Y	Marshall	Y	Spence	E
37	Bacon	Y	Grossman	Y	Miller	Y	Spradley	Y
38	Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y
39	Borodkin	Y	Hefley	Y	Paschall	E	Stengel	Y
40	Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
41	Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia	Y
42	Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	Y
43	Clapp	Y	Jameson	Y	Rippy	Y	Veiga	Y
44	Cloer	Y	Johnson	Y	Romanoff	Y	Vigil	Y
45	Coleman	E	Kester	Y	Saliman	Y	Webster	Y
46	Crane	Y	King	Y	Sanchez	Y	Weddig	Y
47	Daniel	Y	Larson	Y	Schultheis	Y	White	Y
48	Decker	Y	Lawrence	Y	Scott	Y	Williams S.	Y
49	Fairbank	Y	Lee	Y	Sinclair	Y	Williams T.	Y
50	Fritz	Y	Mace	Y	Smith	Y	Witwer	Y
51	Garcia	Y	Madden	Y	Snook	Y	Young	E
52							Mr. Speaker	Y

53
54 Co-sponsors added: Representatives Borodkin, Chavez, Cloer, Daniel, Garcia,
55 Groff, Hodge, Larson, Mace, Madden, Marshall, Plant, Romanoff, Smith,
56 Stafford, Tochtrop, Weddig, Williams S.

1 **HJR02-1041** by Representative(s) Williams S., Alexander, Berry,
 2 Borodkin, Boyd, Clapp, Coleman, Hefley, Hodge, Hoppe,
 3 Jahn, Lawrence, Mace, Madden, Marshall, Ragsdale,
 4 Romanoff, Sanchez, Stafford, Tochtrop, Veiga, Williams
 5 T., Witwer; also Senator(s) Hanna, Fitz-Gerald, Gordon,
 6 Hagedorn, Isgar, Linkhart, Nichol, Pascoe, Perlmutter,
 7 Phillips, Takis, Tate, Tupa, Windels--Concerning the
 8 resolution of the General Assembly to support women's
 9 health care issues, and, in connection therewith,
 10 commending the Women in Government organization for
 11 its work regarding quality health care for women.
 12

13 (Printed and placed in member's file. Also printed in House Journal,
 14 April 4, pages 1152-1154.)
 15

16 Representative Williams S. moved the following amendment:
 17

18 Amendment No. 1, Health, Environment, Welfare, & Institutions Report,
 19 dated April 22, 2002, and placed in member's bill file; Report also printed
 20 in House Journal, April 23, page 1521.
 21

22 The amendment was declared **passed** by the following roll call vote:
 23

	YES 47	NO 17	EXCUSED 1	ABSENT 0			
26 Alexander	Y	Groff	N	Marshall	Y	Spence	Y
27 Bacon	Y	Grossman	N	Miller	Y	Spradley	Y
28 Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y
29 Borodkin	N	Hefley	Y	Paschall	E	Stengel	Y
30 Boyd	N	Hodge	N	Plant	N	Swenson	Y
31 Cadman	Y	Hoppe	Y	Ragsdale	N	Tapia	Y
32 Chavez	N	Jahn	Y	Rhodes	Y	Tochtrop	N
33 Clapp	Y	Jameson	Y	Rippy	Y	Veiga	N
34 Cloer	Y	Johnson	Y	Romanoff	N	Vigil	N
35 Coleman	Y	Kester	Y	Saliman	N	Webster	Y
36 Crane	Y	King	Y	Sanchez	N	Weddig	Y
37 Daniel	N	Larson	Y	Schultheis	Y	White	Y
38 Decker	Y	Lawrence	Y	Scott	Y	Williams S.	Y
39 Fairbank	Y	Lee	Y	Sinclair	Y	Williams T.	Y
40 Fritz	Y	Mace	Y	Smith	Y	Witwer	Y
41 Garcia	N	Madden	N	Snook	Y	Young	Y
42						Mr. Speaker	Y

43
 44
 45 Amendment No. 2, moved by Representative Williams S.

46 Amend the Health, Environment, Welfare, and Institutions Committee
 47 Report, dated April 22, 2002, page 1, strike lines 3 through 11 and
 48 substitute the following:
 49

50 "Page 4, line 2, strike "Expand" and substitute "Continue";
 51

52 line 4, strike "increase" and substitute "continue";
 53

54 line 14, strike "Expand" and substitute "Continue".".
 55
 56

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

1
2 Co-sponsors added: Representatives Groff, Grossman, Weddig.

3
4 **SJR02-018** by Senator(s) Isgar; also Representative(s) Stafford--
5 Concerning the twentieth anniversary of business lending
6 by the Colorado housing and finance authority.

7
8 (Printed and placed in member's file.)

9
10 On motion of Representative Stafford, the resolution was **adopted** by the
11 following roll call vote:

12								
13	<u>YES</u>	62	<u>NO</u>	1	<u>EXCUSED</u>	2	<u>ABSENT</u>	0
14								
15	Alexander	Y	Groff	Y	Marshall	Y	Spence	Y
16	Bacon	Y	Grossman	Y	Miller	Y	Spradley	Y
17	Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y
18	Borodkin	Y	Hefley	Y	Paschall	E	Stengel	Y
19	Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
20	Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia	Y
21	Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	Y
22	Clapp	Y	Jameson	Y	Rippy	Y	Veiga	Y
23	Cloer	Y	Johnson	Y	Romanoff	Y	Vigil	Y
24	Coleman	Y	Kester	Y	Saliman	Y	Webster	Y
25	Crane	Y	King	E	Sanchez	Y	Weddig	Y
26	Daniel	Y	Larson	Y	Schultheis	N	White	Y
27	Decker	Y	Lawrence	Y	Scott	Y	Williams S.	Y
28	Fairbank	Y	Lee	Y	Sinclair	Y	Williams T.	Y
29	Fritz	Y	Mace	Y	Smith	Y	Witwer	Y
30	Garcia	Y	Madden	Y	Snook	Y	Young	Y
31							Mr. Speaker	Y

32
33 Co-sponsors added: Representatives Borodkin, Boyd, Cloer, Harvey, Larson,
34 Mace, Madden, Ragsdale, Rhodes, Romanoff, Sanchez.

35
36 **SJR02-032** by Senator(s) Gordon; also Representative(s) Hefley--
37 Concerning continuation of the criminal sentencing
38 interim committee.

39
40 (Printed and placed in member's file.)

1 On motion of Representative Hefley, the resolution was **adopted** by **viva**
2 **voce** vote.

3
4 Co-sponsors added: Representatives Boyd, Cloer, Groff, Jahn, Lawrence,
5 Marshall, Rippy, Romanoff, Smith, Stafford, Stengel.

6
7
8
9 **CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS**

10
11 **HB02-1419** by Representative(s) Larson, Alexander; also Senator(s)
12 Isgar--Concerning Fort Lewis college.

13
14 (Amended as printed in Senate Journal, May 1, page 1112.)

15
16 Representative Larson moved that the House **concur** in Senate amend-
17 ments. The motion was declared **passed** by the following roll call vote:

18
19 YES 63 NO 0 EXCUSED 2 ABSENT 0

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

38
39
40 The question being, "Shall the bill, as amended, pass?"

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

44
45 YES 64 NO 0 EXCUSED 1 ABSENT 0

46								
47	Alexander	Y	Groff	Y	Marshall	Y	Spence	Y
48	Bacon	Y	Grossman	Y	Miller	Y	Spradley	Y
49	Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y
50	Borodkin	Y	Hefley	Y	Paschall	E	Stengel	Y
51	Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
52	Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia	Y
53	Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	Y
54	Clapp	Y	Jameson	Y	Rippy	Y	Veiga	Y
55	Cloer	Y	Johnson	Y	Romanoff	Y	Vigil	Y
56	Coleman	Y	Kester	Y	Saliman	Y	Webster	Y

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

8

9 Co-sponsors added: Representatives Boyd, Smith.

10

11 **HB02-1404** by Representative(s) Mitchell, Bacon, Boyd, Crane,
 12 Daniel, Dean, Decker, Groff, Lee, Madden, Rhodes,
 13 Tapia, Tochtrop; also Senator(s) Thiebaut, Andrews,
 14 McElhany, Tate, Teck--Concerning civil forfeiture.

15

16 (Amended as printed in Senate Journal, May 2, pages 1113-1118.)

17

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

20

21	YES	61	NO	1	EXCUSED	3	ABSENT	0
23	Alexander	Y	Groff	Y	Marshall	Y	Spence	Y
24	Bacon	Y	Grossman	Y	Miller	Y	Spradley	Y
25	Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y
26	Borodkin	Y	Hefley	Y	Paschall	E	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	E	Jameson	Y	Rippy	Y	Veiga	Y
31	Cloer	Y	Johnson	Y	Romanoff	Y	Vigil	Y
32	Coleman	Y	Kester	Y	Saliman	Y	Webster	Y
33	Crane	Y	King	Y	Sanchez	Y	Weddig	Y
34	Daniel	Y	Larson	Y	Schultheis	Y	White	Y
35	Decker	Y	Lawrence	Y	Scott	Y	Williams S.	Y
36	Fairbank	Y	Lee	N	Sinclair	Y	Williams T.	Y
37	Fritz	E	Mace	Y	Smith	Y	Witwer	Y
38	Garcia	Y	Madden	Y	Snook	Y	Young	Y
39							Mr. Speaker	Y

40

41

42 The question being, "Shall the bill, as amended, pass?".

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

46

47	YES	50	NO	14	EXCUSED	1	ABSENT	0
49	Alexander	Y	Groff	Y	Marshall	Y	Spence	Y
50	Bacon	Y	Grossman	N	Miller	Y	Spradley	Y
51	Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y
52	Borodkin	N	Hefley	Y	Paschall	E	Stengel	Y
53	Boyd	Y	Hodge	N	Plant	Y	Swenson	Y
54	Cadman	Y	Hoppe	Y	Ragsdale	N	Tapia	Y
55	Chavez	N	Jahn	N	Rhodes	Y	Tochtrop	Y
56	Clapp	Y	Jameson	Y	Rippy	Y	Veiga	N

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

10

11 Co-sponsors added: Representatives Jameson, Young.

12

13

14

IMMEDIATE RECONSIDERATION OF HB02-1404

15

16 Having voted on the prevailing side, Representative Mitchell moved for
 17 immediate reconsideration of **HB02-1404**. As shown by the following
 18 recorded vote less than a two-thirds majority of those elected to the
 19 House voted in the affirmative and the motion was declared **lost**:

20

21

YES	13	NO	51	EXCUSED	1	ABSENT	0
-----	----	----	----	---------	---	--------	---

22

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

40

41

42

43 **HB02-1400** by Representative(s) Dean, Scott, Cadman, Clapp, Cloer,
 44 Coleman, Crane, Daniel, Fairbank, Fritz, Groff, Harvey,
 45 Hefley, Hoppe, Jahn, Kester, King, Larson, Lee, Mace,
 46 Marshall, Miller, Mitchell, Paschall, Rhodes, Rippy,
 47 Schultheis, Sinclair, Smith, Spence, Spradley, Stafford,
 48 Stengel, Swenson, Tapia, Tochtrop, Webster, Weddig,
 49 White, Williams T., Young; also Senator(s) Perlmutter,
 50 Lamborn--Concerning violations detected using automated
 51 vehicle identification devices.

52

53 (Amended as printed in Senate Journal, April 30, page 1072-1073.)

54

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

	YES 48	NO 16	EXCUSED 1	ABSENT 0				
1								
2								
3	Alexander	Y	Groff	Y	Marshall	N	Spence	N
4	Bacon	Y	Grossman	N	Miller	N	Spradley	N
5	Berry	Y	Harvey	N	Mitchell	N	Stafford	Y
6	Borodkin	N	Hefley	Y	Paschall	E	Stengel	N
7	Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
8	Cadman	Y	Hoppe	Y	Ragsdale	N	Tapia	Y
9	Chavez	Y	Jahn	N	Rhodes	N	Tochtrop	Y
10	Clapp	Y	Jameson	Y	Rippy	Y	Veiga	Y
11	Cloer	Y	Johnson	Y	Romanoff	Y	Vigil	Y
12	Coleman	Y	Kester	Y	Saliman	Y	Webster	Y
13	Crane	Y	King	N	Sanchez	Y	Weddig	Y
14	Daniel	Y	Larson	Y	Schultheis	Y	White	Y
15	Decker	Y	Lawrence	Y	Scott	Y	Williams S.	Y
16	Fairbank	N	Lee	N	Sinclair	Y	Williams T.	Y
17	Fritz	Y	Mace	Y	Smith	N	Witwer	Y
18	Garcia	Y	Madden	Y	Snook	Y	Young	Y
19							Mr. Speaker	Y
20								

21
 22 The question being, "Shall the bill, as amended, 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
 25 bill, as amended, was declared **repassed**.

	YES 54	NO 10	EXCUSED 1	ABSENT 0				
26								
27								
28								
29	Alexander	Y	Groff	Y	Marshall	Y	Spence	Y
30	Bacon	N	Grossman	N	Miller	Y	Spradley	Y
31	Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y
32	Borodkin	N	Hefley	Y	Paschall	E	Stengel	Y
33	Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
34	Cadman	Y	Hoppe	Y	Ragsdale	N	Tapia	Y
35	Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	Y
36	Clapp	Y	Jameson	N	Rippy	Y	Veiga	N
37	Cloer	Y	Johnson	Y	Romanoff	N	Vigil	Y
38	Coleman	Y	Kester	Y	Saliman	N	Webster	Y
39	Crane	Y	King	Y	Sanchez	N	Weddig	Y
40	Daniel	Y	Larson	Y	Schultheis	Y	White	Y
41	Decker	Y	Lawrence	Y	Scott	Y	Williams S.	Y
42	Fairbank	Y	Lee	Y	Sinclair	Y	Williams T.	Y
43	Fritz	Y	Mace	Y	Smith	Y	Witwer	Y
44	Garcia	Y	Madden	N	Snook	Y	Young	Y
45							Mr. Speaker	Y
46								

IMMEDIATE RECONSIDERATION OF HB02-1400

51
 52 Having voted on the prevailing side, Representative Spradley moved for
 53 immediate reconsideration of **HB02-1400**. As shown by the following
 54 recorded vote less than a two-thirds majority of those elected to the
 55 House voted in the affirmative and the motion was declared **lost**.

56

	YES 12	NO 52	EXCUSED 1	ABSENT 0	
1					
2					
3	Alexander	N Groff	N Marshall	N Spence	N
4	Bacon	Y Grossman	Y Miller	N Spradley	N
5	Berry	N Harvey	N Mitchell	N Stafford	N
6	Borodkin	Y Hefley	N Paschall	E Stengel	N
7	Boyd	Y Hodge	Y Plant	Y Swenson	N
8	Cadman	N Hoppe	N Ragsdale	Y Tapia	N
9	Chavez	N Jahn	N Rhodes	N Tochtrop	N
10	Clapp	N Jameson	Y Rippy	N Veiga	Y
11	Cloer	N Johnson	N Romanoff	Y Vigil	N
12	Coleman	N Kester	N Saliman	Y Webster	N
13	Crane	N King	N Sanchez	Y Weddig	N
14	Daniel	N Larson	N Schultheis	N White	N
15	Decker	N Lawrence	N Scott	N Williams S.	N
16	Fairbank	N Lee	N Sinclair	N Williams T.	N
17	Fritz	N Mace	N Smith	N Witwer	N
18	Garcia	N Madden	N Snook	N Young	N
19				Mr. Speaker	N
20					

THIRD READING OF BILLS--FINAL PASSAGE

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.

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

Laid over until later in the day, retaining place on Calendar.

SB02-010 by Senator(s) Anderson; also Representative(s) Veiga-- Concerning sex offender registration.

As shown by the following roll call vote, a majority of all members elected to the House voted in the affirmative, and Representative Veiga was given permission to offer a Third Reading amendment:

	YES 64	NO 0	EXCUSED 1	ABSENT 0	
52					
53	Alexander	Y Groff	Y Marshall	Y Spence	Y
54	Bacon	Y Grossman	Y Miller	Y Spradley	Y
55	Berry	Y Harvey	Y Mitchell	Y Stafford	Y
56	Borodkin	Y Hefley	Y Paschall	E Stengel	Y

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

14
15
16 **Third Reading amendment No. 1**, by Representative Veiga.

17
18 Amend revised bill, page 72, line 1, strike "law." and substitute "law, and
19 section 44 shall take effect only if Senate Bill 02-228 is enacted during
20 the Second Regular Session of the Sixty-third General Assembly and
21 becomes law.".

22
23 The amendment was declared **passed** by the following roll call vote:

24	25	YES	64	NO	0	EXCUSED	1	ABSENT	0
26									
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	E	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	

44
45
46 The question being, "Shall the bill, as amended, pass?".

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

50	51	YES	64	NO	0	EXCUSED	1	ABSENT	0
52	Alexander	Y	Groff	Y	Marshall	Y	Spence	Y	
53	Bacon	Y	Grossman	Y	Miller	Y	Spradley	Y	
54	Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y	
55	Borodkin	Y	Hefley	Y	Paschall	E	Stengel	Y	
56	Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y	

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

13
14 Co-sponsors added: Representatives Alexander, Boyd, Coleman, Garcia, Groff,
15 Hefley, Jahn, Mace, Madden, Marshall, Romanoff, Sanchez, Spradley, Stafford,
16 Williams S.

17
18 **HB02-1464** by Representative(s) Lawrence, Larson, Spradley, Tapia;
19 also Senator Dyer--Concerning the master lease program.
20

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

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

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

43
44
45
46 Co-sponsors added: Representatives Rippy, Scott.

47
48 **HB02-1460** by Representative(s) Williams T.; also Senator Entz--
49 Concerning the extension of the "Colorado Auto Accident
50 Reparations Act" for nine months.
51

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

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

56

	YES 57	NO 7	EXCUSED 1	ABSENT 0				
1								
2								
3	Alexander	Y	Groff	Y	Marshall	Y	Spence	Y
4	Bacon	Y	Grossman	Y	Miller	Y	Spradley	Y
5	Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y
6	Borodkin	Y	Hefley	Y	Paschall	E	Stengel	Y
7	Boyd	Y	Hodge	N	Plant	Y	Swenson	N
8	Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia	Y
9	Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	Y
10	Clapp	Y	Jameson	N	Rippy	Y	Veiga	Y
11	Cloer	Y	Johnson	Y	Romanoff	Y	Vigil	Y
12	Coleman	N	Kester	Y	Saliman	Y	Webster	Y
13	Crane	Y	King	Y	Sanchez	N	Weddig	Y
14	Daniel	Y	Larson	Y	Schultheis	Y	White	Y
15	Decker	Y	Lawrence	Y	Scott	Y	Williams S.	N
16	Fairbank	Y	Lee	N	Sinclair	Y	Williams T.	Y
17	Fritz	Y	Mace	Y	Smith	Y	Witwer	Y
18	Garcia	Y	Madden	Y	Snook	Y	Young	Y
19							Mr. Speaker	Y

20
21 Co-sponsor added: Representative Spradley.

22
23
24 **HB02-1465** by Representative(s) Scott; also Senator Phillips--
25 Concerning the division of special districts into
26 subdistricts.

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

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

	YES 63	NO 1	EXCUSED 1	ABSENT 0				
32								
33								
34								
35	Alexander	Y	Groff	Y	Marshall	Y	Spence	Y
36	Bacon	Y	Grossman	Y	Miller	Y	Spradley	Y
37	Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y
38	Borodkin	Y	Hefley	Y	Paschall	E	Stengel	Y
39	Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
40	Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia	Y
41	Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	Y
42	Clapp	Y	Jameson	Y	Rippy	Y	Veiga	Y
43	Cloer	N	Johnson	Y	Romanoff	Y	Vigil	Y
44	Coleman	Y	Kester	Y	Saliman	Y	Webster	Y
45	Crane	Y	King	Y	Sanchez	Y	Weddig	Y
46	Daniel	Y	Larson	Y	Schultheis	Y	White	Y
47	Decker	Y	Lawrence	Y	Scott	Y	Williams S.	Y
48	Fairbank	Y	Lee	Y	Sinclair	Y	Williams T.	Y
49	Fritz	Y	Mace	Y	Smith	Y	Witwer	Y
50	Garcia	Y	Madden	Y	Snook	Y	Young	Y
51							Mr. Speaker	Y

52
53 Co-sponsors added: Representatives Decker, Plant.

54
55

1 **HB02-1463** by Representative(s) Lawrence, Spradley; also Senator
 2 Dyer--Concerning authorization for the use of lease-
 3 purchase agreements for the purpose of funding forensics
 4 medium and maximum security replacement at the
 5 Colorado mental health institute at Pueblo.
 6

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

	YES 54	NO 10	EXCUSED 1	ABSENT 0				
14	Alexander	Y	Groff	Y	Marshall	N	Spence	Y
15	Bacon	Y	Grossman	Y	Miller	Y	Spradley	Y
16	Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y
17	Borodkin	Y	Hefley	Y	Paschall	E	Stengel	Y
18	Boyd	Y	Hodge	N	Plant	N	Swenson	Y
19	Cadman	Y	Hoppe	Y	Ragsdale	N	Tapia	Y
20	Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	Y
21	Clapp	Y	Jameson	Y	Rippy	Y	Veiga	N
22	Cloer	Y	Johnson	Y	Romanoff	Y	Vigil	N
23	Coleman	Y	Kester	Y	Saliman	N	Webster	Y
24	Crane	Y	King	Y	Sanchez	Y	Weddig	N
25	Daniel	Y	Larson	Y	Schultheis	Y	White	Y
26	Decker	Y	Lawrence	Y	Scott	Y	Williams S.	Y
27	Fairbank	Y	Lee	Y	Sinclair	Y	Williams T.	Y
28	Fritz	Y	Mace	Y	Smith	Y	Witwer	Y
29	Garcia	N	Madden	N	Snook	Y	Young	Y
30							Mr. Speaker	Y

31
 32 Co-sponsors added: Representatives Romanoff, Stafford.

33
 34 **HB02-1468** by Representative(s) Berry, Young, Saliman; also
 35 Senator(s) Tate, Reeves, Owen--Concerning the state
 36 contribution for employees enrolled in group benefit plans
 37 that include enrollment in medical benefits, and making an
 38 appropriation in connection therewith.
 39

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

	YES 64	NO 0	EXCUSED 1	ABSENT 0				
47	Alexander	Y	Groff	Y	Marshall	Y	Spence	Y
48	Bacon	Y	Grossman	Y	Miller	Y	Spradley	Y
49	Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y
50	Borodkin	Y	Hefley	Y	Paschall	E	Stengel	Y
51	Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
52	Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia	Y
53	Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	Y
54	Clapp	Y	Jameson	Y	Rippy	Y	Veiga	Y
55	Cloer	Y	Johnson	Y	Romanoff	Y	Vigil	Y
56	Coleman	Y	Kester	Y	Saliman	Y	Webster	Y

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

9 Co-sponsors added: Representatives Cloer, Groff, Hoppe, Jahn, Kester,
10 Marshall, Rippy, Spradley, Tapia, Williams S.

11
12 **SB02-179** by Senator(s) Matsunaka; also Representative(s) Veiga--
13 Concerning transportation funding, and making an
14 appropriation in connection therewith.

15
16 The question being "Shall the bill 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 bill
19 was declared **passed**.

20
21 YES 56 NO 8 EXCUSED 1 ABSENT 0

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

40
41 Co-sponsors added: Representatives Harvey, Mace, Rippy, Williams S.

42
43 **SB02-012** by Senator(s) Hagedorn; also Representative(s) Spradley--
44 Concerning the definition of basic health benefit
45 coverage.

46
47 The question being "Shall the bill pass?".
48 A roll call vote was taken. As shown by the following recorded vote, a
49 majority of those elected to the House voted in the affirmative and the bill
50 was declared **passed**.

51
52 YES 46 NO 18 EXCUSED 1 ABSENT 0

53								
54	Alexander	Y	Groff	N	Marshall	Y	Spence	Y
55	Bacon	Y	Grossman	N	Miller	Y	Spradley	Y
56	Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y

8	Borodkin	N	Hefley	Y	Paschall	E	Stengel	Y
9	Boyd	N	Hodge	N	Plant	N	Swenson	Y
10	Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia	Y
11	Chavez	N	Jahn	Y	Rhodes	Y	Tochtrop	N
12	Clapp	Y	Jameson	N	Rippy	Y	Veiga	N
13	Cloer	Y	Johnson	Y	Romanoff	N	Vigil	N
14	Coleman	N	Kester	Y	Saliman	N	Webster	Y
15	Crane	Y	King	Y	Sanchez	N	Weddig	Y
16	Daniel	N	Larson	Y	Schultheis	Y	White	Y
17	Decker	Y	Lawrence	Y	Scott	Y	Williams S.	Y
18	Fairbank	Y	Lee	Y	Sinclair	Y	Williams T.	Y
19	Fritz	Y	Mace	Y	Smith	Y	Witwer	Y
20	Garcia	N	Madden	N	Snook	Y	Young	Y
21							Mr. Speaker	Y

8
9 Co-sponsors added: Representatives Cloer, Hoppe, Kester, Miller, Schultheis,
10 Stafford, Stengel, Williams S., Williams T.

11
12
13
14 **PRINTING REPORT**

15
16 The Chief Clerk reports the following bills have been correctly printed:
17 **HB02-1469, 1470.**

18
19
20
21 **INTRODUCTION OF BILLS**
22 **First Reading**

23
24 The following bills were read by title and referred to the committees
25 indicated:

26
27 **HB02-1471** by Representative(s) Young, Berry, Saliman; also
28 Senator(s) Reeves, Tate, Owen--Concerning funding for
29 capital construction, and making supplemental
30 appropriations in connection therewith.

31 Committee on Appropriations

32
33 **HB02-1472** by Representative(s) Young, Berry, Saliman; also
34 Senator(s) Reeves, Tate, Owen--Concerning a
35 supplemental appropriation to the department of
36 corrections.

37 Committee on Appropriations

38
39 **HB02-1473** by Representative(s) Young, Berry, Saliman; also
40 Senator(s) Reeves, Tate, Owen--Concerning a
41 supplemental appropriation to the department of health
42 care policy and financing.

43 Committee on Appropriations

44
45 **HB02-1474** by Representative(s) Young, Berry, Saliman; also
46 Senator(s) Reeves, Tate, Owen--Concerning a
47 supplemental appropriation to the department of human
48 services.

49 Committee on Appropriations

- 1 **HB02-1475** by Representative(s) Young, Berry, Saliman; also
 2 Senator(s) Reeves, Tate, Owen--Concerning authorization
 3 for the controller to allow the department of corrections to
 4 make a one-time overexpenditure of line item
 5 appropriations to fund portions of the medical services
 6 subprogram for department institutions for the 2001-02
 7 fiscal year.
 8 Committee on Appropriations
 9
- 10 **SB02-200** by Senator(s) Evans; also Representative(s) Williams T.--
 11 Concerning probate matters.
 12 Committee on Civil Justice & Judiciary
 13
- 14 **SB02-213** by Senator(s) Takis, Fitz-Gerald, Hernandez, Nichol,
 15 Windels; also Representative(s) Hodge--Concerning the
 16 definition of an established business relationship with a
 17 provider of telecommunications service under the
 18 "Colorado No-Call List Act".
 19 Committee on Information & Technology
 20 Committee on Finance
 21
- 22 **SB02-214** by Senator(s) Fitz-Gerald; also Representative(s) White--
 23 Concerning the relocation of existing provisions of the
 24 Colorado Revised Statutes governing the Moffat tunnel.
 25 Committee on Local Government
 26
- 27 **SB02-219** by Senator(s) Perlmutter; also Representative(s) Smith--
 28 Concerning property exempt from levy and sale under
 29 writ.
 30 Committee on Agriculture, Livestock, & Natural Resources
 31
- 32 **SB02-220** by Senator(s) Teck; also Representative(s) Swenson--
 33 Concerning administration of the distribution of license
 34 plates.
 35 Committee on Transportation & Energy
 36
- 37 **SB02-232** by Senator(s) Perlmutter, Andrews, Hanna, Matsunaka;
 38 also Representative(s) Clapp, King--Concerning the
 39 extension of modifications to rules XIV through XVIII of
 40 the workers' compensation rules of procedure with
 41 treatment guidelines of the rules of the division of workers'
 42 compensation scheduled for expiration May 15, 2002,
 43 pursuant to the "State Administrative Procedure Act".
 44 Committee on Legal Services
 45
 46
 47
- 48 On motion of Representative Spradley, **HB02-1272, SB02-202, 207, 064,**
 49 **159, 080, 197, 157, 089, 184, 053** were added to the Special Orders
 50 Calendar on Monday, May 6, 2002.
 51
 52
- 53 On motion of Representative Smith, the House resolved itself into
 54 Committee of the Whole for consideration of Special Orders and he was
 55 called to the Chair to act as Chairman.
 56

1 **SPECIAL ORDERS--SECOND READING OF BILLS**

2
3 The Committee of the Whole having risen, the Chairman reported the
4 titles of the following bills had been read (reading at length had been
5 dispensed with by unanimous consent), the bills considered and action
6 taken thereon as follows:

7
8 (Amendments to the committee amendment are to the printed committee
9 report which was printed and placed in the members' bill file.)

10
11 **SB02-207** by Senator(s) Hagedorn; also Representative(s) Stengel--
12 Concerning alcohol beverage licensing, and making an
13 appropriation in connection therewith.

14
15 Ordered revised and placed on the Calendar for Third Reading and Final
16 Passage.

17
18 **SB02-202** by Senator(s) Takis; also Representative(s) Fritz--
19 Concerning the regulation of motor vehicle carriers exempt
20 from regulation as public utilities.

21
22 Amendment No. 1, Transportation & Energy Report, dated May 2, 2002,
23 and placed in member's bill file; Report also printed in House Journal,
24 May 3, pages 1797-1798.

25
26 Amendment No. 2, by Representative Witwer.

27
28 Amend reengrossed bill, page 2, line 8, after "for", insert
29 "PREARRANGED".

30
31 As amended, ordered revised and placed on the Calendar for Third
32 Reading and Final Passage.

33
34 **SB02-064** by Senator(s) Teck; also Representative(s) Lee--
35 Concerning notice of convictions pertaining to employees
36 in public schools.

37
38 Amendment No. 1, Criminal Justice Report, dated March 12, 2002, and
39 placed in member's bill file; Report also printed in House Journal,
40 March 14, pages 838-844.

41
42 Amendment No. 2, by Representatives Decker, Lee.

43
44 Amend the Criminal Justice Committee Report, dated March 12, 2002,
45 page 2, strike lines 4 through 11 and substitute the following:

46
47 "(b) When the holder is convicted OF, pleads nolo contendere TO,
48 or receives a deferred sentence or a deferred prosecution for a violation
49 of any law of this state or any counterpart municipal law of this state
50 involving unlawful behavior pursuant to: ~~any of the following statutory~~
51 ~~provisions: Sections 18-3-305, 18-6-302,~~

52
53 (I) WHEN THE OFFENSE IS A MISDEMEANOR, SECTION 18-3-402,
54 18-3-404, 18-3-405.5, 18-6-401, OR 18-6-403, C.R.S.; and OR

55
56 (II) SECTION 18-6-701, C.R.S.; ~~section 18-6-301, C.R.S., when~~

1 ~~the victim is a child who is ten years of age or older and under eighteen~~
2 ~~years of age, part 4 of article 3, part 4 of article 6, and part 4 of article 7~~
3 ~~of title 18, C.R.S.;"~~
4

5 strike lines 17 through 33 and substitute the following:
6

7 "(d) When the holder is found guilty of a felony, OTHER THAN A
8 FELONY SPECIFIED IN SUBSECTION (2.5) OF THIS SECTION, or upon the
9 court's acceptance of a guilty plea or a plea of nolo contendere to a
10 felony, OTHER THAN A FELONY SPECIFIED IN SUBSECTION (2.5) OF THIS
11 SECTION, in this state or, under the laws of any other state, the United
12 States, or any territory subject to the jurisdiction of the United States, of
13 a crime which, if committed within this state, would be a felony, OTHER
14 THAN A FELONY SPECIFIED IN SUBSECTION (2.5) OF THIS SECTION, when the
15 commission of said felony, in the judgment of the state board of
16 education, renders him OR HER unfit to perform the services authorized
17 by his OR HER license, certificate, endorsement, or authorization.
18

19 (2.5) ANY LICENSE, CERTIFICATE, ENDORSEMENT, OR
20 AUTHORIZATION SHALL BE DENIED, ANNULLED, SUSPENDED, OR REVOKED
21 IN THE MANNER PRESCRIBED IN SECTION 22-60.5-108, NOTWITHSTANDING
22 THE PROVISIONS OF SUBSECTION (1) OF THIS SECTION TO THE CONTRARY,
23 IN THE FOLLOWING CIRCUMSTANCES:
24

25 (a) WHEN THE HOLDER IS CONVICTED OF, PLEADS NOLO
26 CONTENDERE TO, OR RECEIVES A DEFERRED SENTENCE OR A DEFERRED
27 PROSECUTION FOR A VIOLATION OF ANY LAW OF THIS STATE INVOLVING
28 UNLAWFUL BEHAVIOR PURSUANT TO ANY OF THE FOLLOWING STATUTORY
29 PROVISIONS:
30

31 (I) FELONY CHILD ABUSE, AS SPECIFIED IN SECTION 18-6-401,
32 C.R.S.;

33
34 (II) A CRIME OF VIOLENCE, AS DEFINED IN SECTION 16-11-309,
35 C.R.S.;

36
37 (III) ANY FELONY OFFENSE INVOLVING UNLAWFUL SEXUAL
38 BEHAVIOR, AS DEFINED IN SECTION 18-3-412.5, C.R.S.;

39
40 (IV) ANY FELONY, THE UNDERLYING FACTUAL BASIS OF WHICH
41 HAS BEEN FOUND BY THE COURT ON THE RECORD TO INCLUDE AN ACT OF
42 DOMESTIC VIOLENCE, AS DEFINED IN SECTION 18-6-800.3, C.R.S.;

43
44 (V) ANY FELONY INVOLVING PHYSICAL ASSAULT, BATTERY, OR A
45 DRUG-RELATED OFFENSE WITHIN THE TEN YEARS PRECEDING THE DATE OF
46 APPLICATION FOR A LICENSE, CERTIFICATE, ENDORSEMENT, OR
47 AUTHORIZATION PURSUANT TO THIS ARTICLE;

48
49 (VI) ANY FELONY OFFENSE IN ANY OTHER STATE OR THE UNITED
50 STATES, THE ELEMENTS OF WHICH ARE SUBSTANTIALLY SIMILAR TO THE
51 ELEMENTS OF ANY ONE OF THE OFFENSES DESCRIBED IN SUBPARAGRAPHS
52 (I) TO (V) OF THIS PARAGRAPH (a);
53

54 (VII) INDECENT EXPOSURE, AS DESCRIBED IN SECTION 18-7-302 (2)
55 (b), C.R.S.;

56

1 (b) WHEN THE HOLDER IS FOUND GUILTY OF OR PLEADS GUILTY OR
 2 NOLOCONTENDERE TO A MISDEMEANOR, THE UNDERLYING FACTUAL BASIS
 3 OF WHICH INVOLVES DOMESTIC VIOLENCE, AS DEFINED IN SECTION
 4 18-6-800.3 (1), C.R.S., OR ANY CRIME UNDER THE LAWS OF ANY OTHER
 5 STATE, THE UNITED STATES, OR ANY TERRITORY SUBJECT TO THE
 6 JURISDICTION OF THE UNITED STATES THAT WOULD CONSTITUTE A
 7 MISDEMEANOR, THE UNDERLYING FACTUAL BASIS OF WHICH INVOLVES
 8 DOMESTIC VIOLENCE, UNDER THE LAWS OF THIS STATE; or
 9

10 (c) WHEN THE HOLDER HAS RECEIVED A DISPOSITION, AN
 11 ADJUDICATION, OR A DEFERRED ADJUDICATION FOR AN OFFENSE THAT
 12 WOULD CONSTITUTE FELONY UNLAWFUL SEXUAL BEHAVIOR, AS DEFINED
 13 IN SECTION 18-3-412.5 (1) (b), C.R.S., IF COMMITTED BY AN ADULT."
 14

15 Page 3 of the committee report, strike lines 1 through 22.
 16

17 Amendment No. 3, by Representatives Decker, Lee.
 18

19 Amend Amendment No. 2, by Representatives Decker, Lee, as printed in
 20 House Journal, page 1860, line 1, strike "FOUND GUILTY OF OR" and
 21 substitute "CONVICTED,";
 22

23 line 2, strike "TO" and substitute "TO, OR RECEIVES A DEFERRED SENTENCE
 24 OR A DEFERRED PROSECUTION FOR";
 25

26 line 15, strike "22." and substitute "22;"
 27

28 after line 15, insert the following:
 29

30 "line 25 of the committee report, strike "or a deferred prosecution" and
 31 substitute "or a deferred prosecution, A DISPOSITION, AN ADJUDICATION,
 32 OR A DEFERRED ADJUDICATION".
 33
 34

35 A motion by Representative Spradley that the Committee rise, report
 36 progress and beg leave to sit again at 4:00 p.m., was adopted by
 37 unanimous consent.
 38

39
 40 House reconvened.
 41

42 The Committee of the Whole reported it had risen, reported progress and
 43 would sit again at 4:00 p.m.
 44

45
 46
 47 House in recess. House reconvened.
 48
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50 51 PRINTING REPORT

52
 53 The Chief Clerk reports the following bill have been correctly printed:
 54 **HB02-1471, 1472, 1473, 1474, and 1475.**
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MESSAGES FROM THE SENATE

Mr. Speaker:

The Senate voted to concur in House amendments and repassed the bill as amended: SB02-109.

The Senate has adopted and transmits herewith: SJR02-046, 025, HJR02-1061, 1062, 1063, 1081, 1076, 1055.

INTRODUCTION OF BILLS
First Reading

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

HB02-1476 by Representative(s) Kester--Concerning the provision of state revenues to assist school districts with capital construction funding for the 2002-03 fiscal year, and making appropriations in connection therewith.

Committee on Education
Committee on Appropriations

HB02-1477 by Representative(s) Saliman, Young, Berry; also Senator(s) Owen, Reeves, Tate--Concerning clarification of the cost-neutral requirement in the performance plan for periodic salary increases for certain employees of the department of higher education who are included in the state personnel system.

Committee on Appropriations

INTRODUCTION OF RESOLUTIONS

The following resolutions were read by title and laid over one day under the rules:

SJR02-025 by Senator(s) Thiebaut; also Representative(s) Tapia--Concerning Police Week and Peace Officers' Memorial Day.

SJR02-046 by Senator(s) Hernandez; also Representative(s) Mace, Tapia--Concerning the celebration of Cinco de Mayo.

House in recess. House reconvened.

REPORTS OF COMMITTEES OF REFERENCE**APPROPRIATIONS**

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

HB02-1471 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 7, line 5, strike "amended" and substitute "amended, and Headnote (1) of said section 3 of chapter 364, Session Laws of Colorado 1999, is amended BY THE ADDITION OF A NEW PARAGRAPH,";

after line 6, insert the following:

"(1)(c.5) IN ADDITION TO ANY OTHER APPROPRIATION MADE FOR THE FISCAL YEAR BEGINNING JULY 1, 2001, THERE IS HEREBY APPROPRIATED, OUT OF ANY MONEYS IN THE GENERAL FUND NOT OTHERWISE APPROPRIATED, TO THE CAPITAL CONSTRUCTION FUND CREATED IN SECTION 24-75-302, COLORADO REVISED STATUTES, THE SUM OF ONE HUNDRED NINETY-NINE THOUSAND TWO HUNDRED FIFTY-NINE DOLLARS (\$199,259).".

Page 11, line 1, strike "Headnote (1)(c)," and substitute "Headnotes (1)(c) and (1)(d),";

line 6, strike "ONE HUNDRED EIGHTY-FIVE THOUSAND NINE HUNDRED SEVENTY-SIX DOLLARS (\$185,976)" and substitute "THREE HUNDRED EIGHTY-FIVE THOUSAND TWO HUNDRED THIRTY-FIVE DOLLARS (\$385,235)";

after line 7, insert the following:

"(d) In addition to any other appropriation made for the fiscal year beginning July 1, 2002, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the capital construction fund created in section 24-75-302, Colorado Revised Statutes, the sum of ~~eighteen million three hundred thirty-one thousand seven hundred eleven dollars (\$18,331,711)~~: EIGHTEEN MILLION ONE HUNDRED THIRTY-TWO THOUSAND FOUR HUNDRED FIFTY-TWO DOLLARS (\$18,132,452).".

HB02-1472 be referred to the Committee of the Whole with favorable recommendation.

HB02-1473 be referred to the Committee of the Whole with favorable recommendation.

HB02-1474 be referred to the Committee of the Whole with favorable recommendation.

HB02-1475 be referred to the Committee of the Whole with favorable recommendation.

1 **LOCAL GOVERNMENT**

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

4
5 **SB02-214** be referred to the Committee of the Whole with favorable
6 recommendation.

7
8
9
10 _____

11 **MESSAGE FROM THE SENATE**

12 Mr. Speaker:

13 The Senate has postponed indefinitely and returns herewith: HB02-1317.

14
15 The Senate has passed on Third Reading and returns herewith:
16 HB02-1412, 1411, 1401, 1397.

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

20
21 HB02-1357 amended as printed in Senate Journal, May 3, page 1137;
22 HB02-1189 amended as printed in Senate Journal, May 3, page 1137;
23 HB02-1310 amended as printed in Senate Journal, April 29, pages
24 1038-1039 and May 6.

25
26
27 _____

28 **MESSAGE FROM THE REVISOR**

29
30 We herewith transmit without comment, as amended, HB02-1357, 1189,
31 1310.

32
33
34 _____

35 House in recess. House reconvened.

36
37 _____

38 **REPORT OF COMMITTEE OF REFERENCE**

39 **FINANCE**

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

42
43 **SB02-221** be referred to the Committee of the Whole with favorable
44 recommendation.

45
46
47 _____

48 **FIRST REPORT OF FIRST CONFERENCE COMMITTEE**
49 **on SB02-161**

50
51 This Report Amends the Rerevised Bill.

52
53 To the President of the Senate and the
54 Speaker of the House of Representatives:

55
56 Your first conference committee appointed on SB02-161,

1 concerning the modification of procedures for the foreclosure of deeds of
2 trust, has met and reports that it has agreed upon the following:

3

4 1. That the Senate accede to the House amendments made to the
5 bill, as said amendments appear in the rerevised bill, with the following
6 changes:

7

8 Amend rerevised bill, page 18, line 27, strike "HOLDER OF THE
9 CERTIFICATE OF PURCHASE;" and substitute "OWNER OF THE EVIDENCE OF
10 DEBT;".

11

12 Page 20, line 7, strike "PREMIUM INSURANCE" and substitute "INSURANCE
13 PREMIUMS".

14

15 Page 25, strike lines 19 through 27 and substitute the following:

16

17 ~~"(e) The reasonable costs and expenses of defending, protecting,
18 and maintaining such property and the holder's interest in such property,
19 including repair and maintenance costs and expenses, costs and expenses
20 of protecting and securing the property, receiver's fees and expenses,
21 inspection fees, court costs, attorney fees, and fees and costs of an
22 attorney in the employment of the holder of the certificate of purchase;
23 and~~

24

25 ~~(f) Such other costs and expenses which may be authorized by a
26 court of competent jurisdiction.~~

27

28 (g) THE REASONABLE COSTS AND EXPENSES OF DEFENDING,
29 PROTECTING, SECURING, MAINTAINING, AND REPAIRING SUCH PROPERTY
30 AND THE HOLDER'S INTEREST IN SUCH PROPERTY, OR THE IMPROVEMENTS
31 ON SUCH PROPERTY, RECEIVER'S FEES AND EXPENSES, INSPECTION FEES,
32 COURT COSTS, ATTORNEY FEES, AND FEES AND COSTS OF THE ATTORNEY IN
33 THE EMPLOYMENT OF THE HOLDER OF THE CERTIFICATE OF PURCHASE;".

34

35 Page 26, strike lines 1 through 3;

36

37 strike lines 10 through 12 and substitute the following:

38

39 "(i) SUCH OTHER COSTS AND EXPENSES THAT MAY BE PERMITTED
40 BY THE DEED OF TRUST, MORTGAGE, OR OTHER LIEN SECURING THE DEBT
41 OR THAT MAY BE AUTHORIZED BY A COURT OF COMPETENT JURISDICTION.".

42

43 Page 30, line 12, strike "LONGER." and substitute "THE LAST TO EXPIRE.".

44

45 2. That, under the authority granted the committee to consider
46 matters not at issue between the two houses, the following amendment be
47 recommended:

48

49 Amend rerevised bill, page 5, after line 1, insert the following:

50

51 "SECTION 1. 13-80-103.5 (1) (a), Colorado Revised Statutes, is
52 amended to read:

53

54 **13-80-103.5. General limitation of actions - six years.** (1) The
55 following actions shall be commenced within six years after the cause of
56 action accrues, and not thereafter:

1 (a) All actions to recover a liquidated debt or an unliquidated,
2 determinable amount of money due to the person bringing the action, all
3 actions for the enforcement of rights set forth in any instrument securing
4 the payment of or evidencing any debt, and all actions of replevin to
5 recover the possession of personal property encumbered under any
6 instrument securing any debt; EXCEPT THAT ACTIONS TO RECOVER
7 PURSUANT TO SECTION 38-35-124.5 (3), C.R.S., SHALL BE COMMENCED
8 WITHIN ONE YEAR."
9
10 Renumber succeeding sections accordingly.

11
12 Page 6, after line 10, insert the following:

13
14 **"SECTION 3.** Part 1 of article 35 of title 38, Colorado Revised
15 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
16 read:

17
18 **38-35-124.5. Effect of written payoff statement.** (1) ANY
19 PERSON OR ENTITY PROVIDING CLOSING AND SETTLEMENT SERVICES FOR
20 A REAL ESTATE TRANSACTION AND TO WHOM A PAYOFF STATEMENT IS
21 ADDRESSED SHALL BE ENTITLED TO REASONABLY RELY ON THE AMOUNTS
22 THAT ARE SET FORTH IN SUCH PAYOFF STATEMENT FOR THE TIME FRAME
23 SET FORTH THEREIN AND SHALL NOT BE LIABLE TO THE CREDITOR OR
24 HOLDER OF THE INDEBTEDNESS OR ITS AGENT FOR ANY OMITTED AMOUNTS,
25 UNLESS A WRITTEN AMENDMENT IS RECEIVED BY SUCH PERSON OR ENTITY
26 PRIOR TO THE CLOSING OF THE TRANSACTION. UPON PAYMENT TO THE
27 CREDITOR OR HOLDER OF THE AMOUNTS STATED IN THE WRITTEN PAYOFF
28 STATEMENT, AS MAY BE AMENDED, SUCH CREDITOR OR HOLDER SHALL BE
29 REQUIRED TO COMPLY WITH THE RELEASE PROVISIONS OF SECTION
30 38-35-124.

31
32 (2) ANY CREDITOR OR HOLDER OF THE INDEBTEDNESS WHO FAILS
33 TO COMPLY WITH THE RELEASE PROVISIONS OF SECTION 38-35-124 AS
34 REQUIRED BY SUBSECTION (1) OF THIS SECTION SHALL BE LIABLE TO THOSE
35 PERSONS OR ENTITIES TO WHOM THE WRITTEN PAYOFF STATEMENT WAS
36 ADDRESSED FOR ANY ACTUAL ECONOMIC LOSS SUFFERED BY SUCH
37 PERSONS OR ENTITIES, INCLUDING REASONABLE ATTORNEY FEES AND
38 COSTS IN ENFORCING THE PROVISIONS OF THIS SECTION.

39
40 (3) NOTWITHSTANDING THE PROVISIONS OF THIS SECTION, IN THE
41 EVENT OF AN ERROR IN THE WRITTEN PAYOFF STATEMENT PROVIDED BY A
42 CREDITOR OR HOLDER OF THE INDEBTEDNESS OR ITS AGENT, THE CREDITOR
43 SHALL RETAIN ANY REMEDIES, LEGAL OR EQUITABLE, TO COLLECT
44 DIRECTLY AGAINST THE OBLIGOR ANY UNSECURED ADDITIONAL AMOUNTS
45 DETERMINED TO BE OUTSTANDING."

46
47 Renumber succeeding sections accordingly.

48
49 Respectfully submitted,
50 Senate Committee:
51 Ed Perlmutter
52 Jim Dyer
53 Penfield Tate

House Committee:
Matt Smith
William Sinclair
Cheri Jahn

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MESSAGE FROM THE GOVERNOR

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I certify I received the following on the 6th day of May, 2002, at 3:40 p.m. The original is on file in the records of the House of Representatives of the General Assembly.

Judith Rodrigue,
Chief Clerk of the House

May 6, 2002

To the Honorable
House of Representatives
Sixty-third General Assembly
Second Regular Session
Denver, CO 80203

Ladies and Gentlemen:

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

HB02-1250 Concerning The Continuation Of The Lottery Division In The Department Of Revenue.

Approved May 6, 2002 at 12:32 p.m.

HB02-1258 Concerning Increased Protections For Victims Of Identity Theft, And, In Connection Therewith, Prohibiting The Processing Of Credit Report Entries That Are Based On Identity Theft And Expediting Judicial Determinations Concerning Identity Theft.

Approved May 6, 2002 at 12:57 p.m.

HB02-1348 Concerning The Transfer Of The Poison Control Program From The Department Of Health Care Policy And Financing To The Department Of Public Health And Environment, And, In Connection Therewith, Making A Transfer Of Appropriation.

Approved May 6, 2002 at 1:00 p.m.

Sincerely,
(signed)
Bill Owens
Governor

CONSENT GRANTED TO CONFERENCE COMMITTEE

Representative Stafford moved that the First Conference Committee on **HB02-1359** be granted permission to go beyond the scope of the difference between the House and the Senate. The motion was passed by the following roll call vote:

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

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24

On motion of Representative Smith, the House resolved itself into Committee of the Whole for continuation of consideration of Special Orders, and he returned to the Chair to act as Chairman.

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SPECIAL ORDERS--SECOND READING OF BILLS
(Continued)

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SB02-064 by Senator(s) Teck; also Representative(s) Lee--
Concerning notice of convictions pertaining to employees
in public schools.

39
40

(Continued from page 1858)

41
42

Amendment No. 4, by Representatives Mace, Clapp, Stafford.

43
44

Amend reengrossed bill, page 4, after line 11, insert the following:

45
46

"SECTION 4. 22-32-109 (1), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

47
48
49
50

22-32-109. Board of education - specific duties - repeal. (1) In addition to any other duty required to be performed by law, each board of education shall have and perform the following specific duties:

51
52
53
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56

(dd) TO ADOPT A POLICY TO PROHIBIT SCHOOL PERSONNEL FROM RECOMMENDING OR REQUIRING THE USE OF A PSYCHOTROPIC DRUG FOR ANY STUDENT. SCHOOL PERSONNEL SHOULD BE ENCOURAGED TO DISCUSS CONCERNS ABOUT A CHILD'S BEHAVIOR WITH THE PARENT OR LEGAL GUARDIAN OF SUCH CHILD. SUCH DISCUSSIONS MAY INCLUDE A GUARDIAN

1 SPEAK WITH AN APPROPRIATE HEALTH CARE PROFESSIONAL."

2

3 Renumber succeeding section accordingly.

4

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

7 (For change in action, see Amendments to Report.)

8

9 **SB02-159** by Senator(s) Evans, Epps, Gordon, Linkhart, Perlmutter;
10 also Representative(s) Plant, Groff, Hefley, Lee, Mitchell-
11 -Concerning the revision of statutes in the Colorado
12 Revised Statutes, as amended, amending or repealing
13 obsolete, inconsistent, and conflicting provisions of law
14 and clarifying the language to reflect the legislative intent
15 of the laws.

16

17 Amendment No. 1, by Representative Plant.

18

19 Amend reengrossed bill, page 44, after line 10, insert the following:

20

21 "SECTION 78. 19-3-501 (2) (a), Colorado Revised Statutes, is
22 amended to read:

23

24 **19-3-501. Petition initiation - preliminary investigation -**
25 **informal adjustment.** (2) (a) Upon receipt of a report filed by a law
26 enforcement agency, or any other person required to report pursuant to
27 section 19-3-304 (2) indicating that a child has suffered abuse as defined
28 in section ~~19-3-103~~ 19-1-103 (1) and that the best interests of the child
29 require that he be protected from risk of further such abuse, the court
30 shall then authorize and may order the filing of a petition.

31

32 **SECTION 79.** 23-50-102 (1) (b) (I) and (1.5) (a), Colorado
33 Revised Statutes, are amended to read:

34

35 **23-50-102. Appointment and election of board - terms.**
36 (1) (b) (I) An advisory committee of ~~four~~ THREE members who are
37 full-time junior or senior students elected from the student bodies of each
38 of the ~~four~~ THREE schools governed by the board shall elect one of its
39 members to fill the remaining office on the board. The term of said
40 elected office shall be one year, beginning each July 1. This elected
41 office shall be advisory, without the right to vote and without the right to
42 attend executive sessions of the board as provided by section 24-6-402,
43 C.R.S. The student member of the board shall have resided in the state
44 of Colorado not less than three years prior to his election. For the
45 purposes of this section, "full-time student" means the equivalent of the
46 definition of "full-time equivalent student" used by the joint budget
47 committee of the general assembly.

48

49 (1.5) (a) A faculty trustee shall be elected from the faculties of the
50 colleges comprising the state colleges in Colorado and shall be a voting
51 member of the trustees of the state colleges in Colorado without the right
52 to attend executive sessions of the board as provided by section 24-6-402,
53 C.R.S. The faculty trustee shall be elected for a term of one year and
54 shall be: For the term ~~commencing July 1, 1983~~, COMMENCING JULY 1,
55 2003, and every ~~fourth~~ THIRD year thereafter, a faculty member of Adams
56 state college of Colorado elected by the faculty of Adams state college of

1 Colorado; for the term ~~commencing July 1, 1984~~, COMMENCING JULY 1,
2 2004, and every ~~fourth~~ THIRD year thereafter, a faculty member of Mesa
3 state college elected by the faculty of Mesa state college; ~~for the term~~
4 ~~commencing July 1, 1985, and every fourth year thereafter, a faculty~~
5 ~~member of Metropolitan state college of Denver elected by the faculty of~~
6 ~~Metropolitan state college of Denver~~; for the term commencing July 1,
7 1986, COMMENCING JULY 1, 2002, and every ~~fourth~~ THIRD year thereafter,
8 a faculty member of Western state college of Colorado elected by the
9 faculty of Western state college of Colorado.

10

11 **SECTION 80.** 29-2-103.5 (3) (a), Colorado Revised Statutes, is
12 amended to read:

13

14 **29-2-103.5. Sales tax for mass transit.** (3) (a) No sales tax, use
15 tax, or both shall be levied pursuant to the provisions of subsection (1) of
16 this section until such proposal has been referred to and approved by the
17 registered electors of the county in accordance with the provisions of this
18 article. The ballot question for any proposal for a sales or use tax
19 increase pursuant to this section shall clearly state that the approval of
20 such sales or use tax may result in a sales or use tax rate in excess of the
21 current ~~seven percent~~ limitation IMPOSED BY SECTION 29-2-108.

22

23 **SECTION 81.** 29-2-105 (1) (f), Colorado Revised Statutes, is
24 amended to read:

25

26 **29-2-105. Contents of sales tax ordinances and proposals.**
27 (1) The sales tax ordinance or proposal of any incorporated town, city,
28 or county adopted pursuant to this article shall be imposed on the sale of
29 tangible personal property at retail or the furnishing of services, as
30 provided in paragraph (d) of this subsection (1). Any countywide or
31 incorporated town or city sales tax ordinance or proposal shall include the
32 following provisions:

33

34 (f) A provision that, in the event the ~~seven percent~~ limitation
35 provided in section 29-2-108 is to be exceeded in any municipality within
36 the county by a proposed county sales or use tax, such limitation shall be
37 exceeded by a stated rate in the named municipality.

38

39 **SECTION 82.** 29-2-106 (3) (a), Colorado Revised Statutes, is
40 amended to read:

41

42 **29-2-106. Collection - administration - enforcement.**

43 (3) (a) The executive director of the department of revenue shall, at no
44 charge, except as provided in paragraph (b) of this subsection (3),
45 administer, collect, and distribute any sales tax imposed in conformity
46 with this article. The executive director shall make monthly distributions
47 of sales tax collections to the appropriate official in each county and in
48 each incorporated city or town in the amount determined under the
49 distribution formula established in accordance with this article. Except
50 as provided in ~~sections~~ SECTION 39-26-208, and ~~39-26-304~~, C.R.S., any
51 use tax imposed pursuant to section 29-2-109 shall be collected,
52 administered, and enforced by the city, town, or county as provided by
53 ordinance or resolution.

54

1 **SECTION 83.** 30-28-106 (5), Colorado Revised Statutes, is
2 amended to read:

3
4 **30-28-106. Adoption of master plan - contents.** (5) A master
5 plan adopted in accordance with the requirements of ~~this subsection (5)~~
6 SUBSECTION (4) OF THIS SECTION shall contain a recreational and tourism
7 uses element pursuant to which the county shall indicate how it intends
8 to provide for the recreational and tourism needs of residents of the
9 county and visitors to the county through delineated areas dedicated to,
10 without limitation, hiking, mountain biking, rock climbing, skiing, cross
11 country skiing, rafting, fishing, boating, hunting, shooting, or any other
12 form of sports or other recreational activity, as applicable, and
13 commercial facilities supporting such uses.

14
15 **SECTION 84.** 31-23-206 (5), Colorado Revised Statutes, is
16 amended to read:

17
18 **31-23-206. Master plan.** (5) A master plan adopted in
19 accordance with the requirements of ~~this subsection (5)~~ SUBSECTION (4)
20 OF THIS SECTION shall contain a recreational and tourism uses element
21 pursuant to which the municipality shall indicate how it intends to
22 provide for the recreational and tourism needs of residents of the
23 municipality and visitors to the municipality through delineated areas
24 dedicated to, without limitation, hiking, mountain biking, rock climbing,
25 skiing, cross country skiing, rafting, fishing, boating, hunting, and
26 shooting, or any other form of sports or other recreational activity, as
27 applicable, and commercial facilities supporting such uses.

28
29 **SECTION 85.** 38-31-102, Colorado Revised Statutes, is amended
30 to read:

31
32 **38-31-102. Joint tenant - proof of death.** A certified copy of the
33 ~~affidavit~~ CERTIFICATE of death required by the provisions of section
34 25-2-110, C.R.S., may be placed of record with the county clerk and
35 recorder of the county in which the real estate concerned is located,
36 together with a supplementary affidavit by one of legal age having
37 personal knowledge of the fact stating that the person referred to in the
38 death certificate was at the time of death the owner in joint tenancy of the
39 property described in the affidavit. Said ~~two affidavits~~ CERTIFICATE AND
40 AFFIDAVIT when recorded, or certified copies thereof, shall be accepted
41 in all courts of the state of Colorado as prima facie proof of the decease
42 of such joint tenant. Such supplementary affidavit may not be made by
43 anyone who has record interest in the real property described in such
44 affidavit.

45
46 **SECTION 86.** 38-31-103, Colorado Revised Statutes, is amended
47 to read:

48
49 **38-31-103. Joint tenant - death outside of state - proof.** In the
50 event that such joint tenant may have died outside the state of Colorado,
51 and a certified copy of said ~~affidavit~~ CERTIFICATE of death referred to in
52 section 25-2-110, C.R.S., cannot be procured, an affidavit properly sworn
53 to by two or more disinterested persons who are residents of the state of
54 Colorado and who have no record interest in the property affected by
55 such joint tenancy may be placed of record in the office of the county
56 clerk and recorder of the county in which such real estate is situated.

1 When recorded, the original or a certified copy thereof shall be accepted
2 in all courts in the state of Colorado as prima facie proof of the facts
3 therein stated. The affidavit shall state the last place of residence of such
4 decedent, the time and place of death, a description of the real estate
5 affected by the joint tenancy, and that the deceased person was in fact an
6 owner in joint tenancy of said real estate at the time of his death.

7
8 **SECTION 87. Effective date.** This act shall take effect upon
9 passage; except that section 79 of this act shall take effect July 1, 2002,
10 only if House Bill 02-1165 is enacted at the Second Regular Session of
11 the Sixty-third General Assembly and becomes law."

12
13 Renumber succeeding section accordingly.

14
15 Amendment No. 2, by Representative Plant.

16
17 Amend reengrossed bill, page 44, before line 11, insert the following:

18
19 "SECTION 78. Section 7 of House Bill 02-1078, enacted at the
20 Second Regular Session of the Sixty-third General Assembly, is amended
21 to read:

22
23 Section 7. **Transfer of appropriation.** Any appropriation made
24 in the annual general appropriation act for the fiscal year beginning ~~July~~
25 ~~1, 2001~~, JULY 1, 2002, to the department of regulatory agencies, office of
26 the executive director, office of boxing, and any corresponding FTE, are
27 hereby transferred to the department of regulatory agencies, division of
28 registrations, for the implementation of this act."

29
30 Renumber succeeding section accordingly.

31
32 As amended, ordered revised and placed on the Calendar for Third
33 Reading and Final Passage.

34
35 **SB02-197** by Senator(s) Hanna; also Representative(s) Witwer--
36 Concerning home- and community-based services for
37 persons with major mental illnesses.

38
39 Ordered revised and placed on the Calendar for Third Reading and Final
40 Passage.

41
42 **SB02-157** by Senator(s) Isgar; also Representative(s) Alexander--
43 Concerning the taxation of possessory interests in exempt
44 real property.

45
46 Ordered revised and placed on the Calendar for Third Reading and Final
47 Passage.

48
49 **SB02-089** by Senator(s) Phillips, Takis; also Representative(s) Jahn--
50 Concerning disclosure of credit scoring information to
51 consumers for consumer loans secured by a dwelling.

52
53 Amendment No. 1, by Representative Jahn, Paschall.

54
55 Amend reengrossed bill, page 3, line 1, strike "UPON REQUEST OF THE
56 CONSUMER," and substitute "UPON THE WRITTEN REQUEST OF THE

1 CONSUMER, CONTAINED EITHER IN THE APPLICATION FOR AN EXTENSION OF
2 CREDIT OR IN A SEPARATE DOCUMENT,".

3
4 Page 6, strike lines 9 and 10 and substitute the following:

5
6 "THIRTY DAYS, A COPY OF THE".

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

10

11 **SB02-184** by Senator(s) Tupa, Pascoe, Perlmutter; also
12 Representative(s) Swenson, Plant, Stafford, Williams S.--
13 Concerning the authority of counties located within the
14 boundaries of the regional transportation district to provide
15 transit services in cooperation with the district.

16

17 Ordered revised and placed on the Calendar for Third Reading and Final
18 Passage.

19

20 **SB02-053** by Senator(s) Hernandez; also Representative(s) Mace--
21 Concerning the designation of the thirty-first day of March
22 as a legal holiday for the observation of the birthday of
23 Cesar Estrada Chavez as "Cesar Chavez day".

24

25 Ordered revised and placed on the Calendar for Third Reading and Final
26 Passage.

27

28 **HB02-1466** by Representative(s) Paschall; also Senator(s) Hillman--
29 Concerning acquisition of property by the state land board,
30 and, in connection therewith, requiring exchanges to
31 comply with certain minimum standards.

32

33 Amendment No. 1, Veterans, & Military Affairs Report, dated May 2,
34 2002, and placed in member's bill file; Report also printed in House
35 Journal, May 2, pages 1796-1797.

36

37 As amended, laid over until May 9. The bill is deemed lost.

38

39

40 **HB02-1272** by Representative(s) Daniel, Groff, Hefley, Romanoff,
41 Spence, Williams S.--Concerning the participation of
42 children in on-line programs, and, in connection therewith,
43 eliminating certain restrictions related to a school district's
44 pupil enrollment count and establishing eligibility for
45 funding from the state education fund.

46

47 Amendment No. 1, Education Report, dated April 22, 2002, and placed
48 in member's bill file; Report also printed in House Journal, April 24,
49 pages 1529-1540.

50

51 Amendment No. 2, Appropriations Report, dated May 3, 2002, and
52 placed in member's bill file; Report also printed in House Journal, May 3,
53 pages 1822-1823.

54

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

1 **SB02-080** by Senator(s) Pascoe, Evans, Fitz-Gerald, Linkhart,
2 Perlmutter, Windels; also Representative(s) King, Groff--
3 Concerning education improvement, and making an
4 appropriation therefor.
5

6 Amendment No. 1, Education Report, dated May 1, 2002, and placed in
7 member's bill file; Report also printed in House Journal, May 1, pages
8 1687-1696.
9

10 Amendment No. 2, Appropriations Report, dated May 2, 2002, and
11 placed in member's bill file; Report also printed in House Journal, May 2,
12 page 1770.
13

14 Amendment No. 3, by Representative Spence.
15

16 Amend the Education Committee Report, dated May 1, 2002, page 1,
17 after line 2, insert the following:
18

19 "SECTION 1. Part 4 of article 7 of title 22, Colorado Revised
20 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
21 read:
22

23 **22-7-413. Accountability - nonprofit educational assistance**
24 **organizations - annual testing - rules.** FOR ACCOUNTABILITY IN
25 MEASURING ACADEMIC ACHIEVEMENT, THE STATE BOARD OF EDUCATION
26 SHALL PROMULGATE RULES WITHIN EXISTING RESOURCES TO ENSURE THAT
27 STUDENTS WHO RECEIVE SCHOLARSHIPS FROM CERTIFIED NONPROFIT
28 EDUCATIONAL ASSISTANCE ORGANIZATIONS, AS THOSE ORGANIZATIONS
29 ARE DEFINED IN SECTION 39-22-529 (2) (a), C.R.S., ARE TESTED ANNUALLY
30 BY A RECOGNIZED TESTING FIRM.";
31

32 line 3, strike "SECTION 1." and substitute "SECTION 2."
33

34 Renumber succeeding section accordingly.
35

36 Amendment No. 4, by Representative Spence.
37

38 Amend the Education Committee Report, dated May 1, 2002, page 3,
39 strike line 30 and substitute the following:
40

41 "NOT LESS THAN ONE HUNDRED DOLLARS AND NOT MORE THAN ONE
42 HUNDRED THOUSAND";
43

44 line 31, strike "MILLION".
45

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

49
50
51 **AMENDMENTS TO THE COMMITTEE OF THE WHOLE REPORT**
52

53 Representatives Clapp, Hefley moved to amend the Report of the
54 Committee of the Whole to show that Amendment No. 1, by
55 Representatives Decker, Lee (printed in House Journal pages 1858 lines
56 42-56, page 1859, page 1860 lines 1-15) to SB02-064, as amended by

1 Amendment No. 3, by Representatives Decker, Lee (printed in House
2 Journal page 1860, lines 17-32) did not pass, and that **SB02-064, as**
3 **amended**, did pass.

4
5 The amendment was declared **passed** by the following roll call vote:

	YES 39	NO 24	EXCUSED 0	ABSENT 2			
9 Alexander	Y	Groff	Y	Marshall	N	Spence	-
10 Bacon	N	Grossman	Y	Miller	Y	Spradley	Y
11 Berry	Y	Harvey	Y	Mitchell	Y	Stafford	N
12 Borodkin	N	Hefley	Y	Paschall	Y	Stengel	-
13 Boyd	Y	Hodge	N	Plant	N	Swenson	Y
14 Cadman	Y	Hoppe	Y	Ragsdale	N	Tapia	N
15 Chavez	N	Jahn	N	Rhodes	Y	Tochtrop	N
16 Clapp	Y	Jameson	Y	Rippy	Y	Veiga	N
17 Cloer	Y	Johnson	Y	Romanoff	Y	Vigil	N
18 Coleman	Y	Kester	Y	Saliman	N	Webster	Y
19 Crane	Y	King	Y	Sanchez	N	Weddig	N
20 Daniel	Y	Larson	N	Schultheis	Y	White	Y
21 Decker	N	Lawrence	N	Scott	Y	Williams S.	N
22 Fairbank	Y	Lee	N	Sinclair	N	Williams T.	Y
23 Fritz	Y	Mace	Y	Smith	Y	Witwer	N
24 Garcia	Y	Madden	N	Snook	Y	Young	Y
						Mr. Speaker	Y

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

32 Passed Second Reading: **SB02-207, 202 amended, 064 amended,**
33 **159 amended, 197, 157, 089 amended, 184, 053, HB02-1272 amended,**
34 **SB02-080 amended.**

36 Laid over until date indicated retaining place on Calendar:
37 **HB02-1466 amended--May 9, 2002.**

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

	YES 63	NO 0	EXCUSED 1	ABSENT 1			
46 Alexander	Y	Groff	Y	Marshall	Y	Spence	-
47 Bacon	Y	Grossman	Y	Miller	Y	Spradley	Y
48 Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y
49 Borodkin	Y	Hefley	Y	Paschall	Y	Stengel	E
50 Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
51 Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia	Y
52 Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	Y
53 Clapp	Y	Jameson	Y	Rippy	Y	Veiga	Y
54 Cloer	Y	Johnson	Y	Romanoff	Y	Vigil	Y
55 Coleman	Y	Kester	Y	Saliman	Y	Webster	Y
56 Crane	Y	King	Y	Sanchez	Y	Weddig	Y

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

8
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REPORTS OF COMMITTEES OF REFERENCE

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AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES

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

HB02-1234 be postponed indefinitely.

HB02-1470 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 2, line 12, after "board,", insert "as of May 1, 2002,";

line 13, strike "thirty-one" and substitute "nineteen";

line 17, after "that", insert "parts of" and strike "is" and substitute "are".

Page 3, line 1, strike "two hundred eighty-three" and substitute "four hundred twenty-four";

line 2, strike "seven thousand six hundred and sixty-four" and substitute "fifteen thousand seven hundred and sixty-seven".

Page 4, line 18, strike "OPERATIONS." and substitute "OPERATIONS OR TO COUNTY FIRE MANAGEMENT OPERATIONS.".

Page 5, line 4, after "MANAGEMENT", insert "AND THE COLORADO WATER CONSERVATION BOARD";

line 15, strike "ITS STUDY RELATED TO DROUGHT CONDITION" and substitute "TO MONITOR DROUGHT CONDITIONS AND RESPONSES TO".

SB02-219 be referred to the Committee of the Whole with favorable recommendation.

1 **CIVIL JUSTICE & JUDICIARY**

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

4
5 **SB02-200** be referred to the Committee of the Whole with favorable
6 recommendation.

7
8
9 **SB02-210** be amended as follows, and as so amended, be referred to
10 the Committee of the Whole with favorable
11 recommendation:

12
13 Amend reengrossed bill, page 2, strike line 6 and substitute the following:

14
15 "(aa) (I) CLERGY MEMBER;"

16
17 line 10, strike "PENITENTIAL COMMUNICATION" and substitute
18 "COMMUNICATION ABOUT WHICH THE PERSON MAY NOT BE EXAMINED AS
19 A WITNESS PURSUANT TO SECTION 13-90-107 (1) (c), C.R.S.,"

20
21 line 11, strike "A PENITENTIAL" and substitute "SUCH A";

22
23 strike lines 14 through 16 and substitute the following:

24
25 "OTHERWISE REQUIRES, "CLERGY MEMBER" INCLUDES BUT IS NOT LIMITED
26 TO A PRIEST, RABBI, DULY ORDAINED, COMMISSIONED, OR LICENSED
27 MINISTER OF A CHURCH, MEMBER OF A RELIGIOUS ORDER, OR RECOGNIZED
28 LEADER OF ANY RELIGIOUS BODY."

29
30 Page 3, line 25, strike "date." and substitute "**date - applicability.**";

31
32 line 26, strike "passage;" and substitute "passage and shall apply to
33 reasonable cause acquired on or after said date;"

34
35
36
37
38 **EDUCATION**

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

41
42 **HB02-1469** be referred favorably to the Committee on Appropriations.

43
44
45 **HB02-1476** be amended as follows, and as so amended, be referred to
46 the Committee on Appropriations with favorable
47 recommendation:

48
49 Amend printed bill, page 6, line 12, strike "02-____," and substitute
50 "02-1476,".

51
52 Page 8, strike lines 10 through 13.

53
54
55
56

1 **HEALTH, ENVIRONMENT, WELFARE, & INSTITUTIONS**
2 After consideration on the merits, the Committee recommends the
3 following:

4
5 **SB02-217** be amended as follows, and as so amended, be referred to
6 the Committee on Appropriations with favorable
7 recommendation:

8
9 Amend the reengrossed bill, strike everything below the enacting clause
10 and substitute the following:

11
12 "SECTION 1. Article 2 of title 2, Colorado Revised Statutes, is
13 amended BY THE ADDITION OF A NEW PART to read:

14
15 PART 10
16 LEGISLATIVE INTERIM COMMITTEE ON
17 HEALTH CARE SYSTEMS
18

19 **2-2-1001. Health care systems interim committee - creation -**
20 **duties - repeal.** (1) THERE IS HEREBY CREATED THE HEALTH CARE
21 SYSTEMS INTERIM COMMITTEE, REFERRED TO IN THIS SECTION AS THE
22 "COMMITTEE". THE COMMITTEE SHALL MEET IN THE INTERIM AFTER THE
23 CONCLUSION OF THE 2002 REGULAR SESSION OF THE SIXTY-THIRD
24 GENERAL ASSEMBLY. THE COMMITTEE SHALL CONSIST OF TEN MEMBERS
25 OF THE GENERAL ASSEMBLY. FIVE MEMBERS OF THE COMMITTEE SHALL BE
26 FROM THE SENATE, THREE OF WHOM SHALL BE APPOINTED BY THE
27 PRESIDENT OF THE SENATE AND TWO OF WHOM SHALL BE APPOINTED BY
28 THE MINORITY LEADER OF THE SENATE. FIVE MEMBERS OF THE COMMITTEE
29 SHALL BE FROM THE HOUSE OF REPRESENTATIVES AND SHALL BE
30 APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES. NO
31 MORE THAN THREE OF THE FIVE MEMBERS FROM THE HOUSE OF
32 REPRESENTATIVES SHALL BE FROM THE SAME POLITICAL PARTY. THE
33 PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF
34 REPRESENTATIVES SHALL APPOINT CO-CHAIRPERSONS OF THE COMMITTEE,
35 WHO SHALL SHARE THE RESPONSIBILITIES OF CHAIRING THE COMMITTEE.
36

37 (2) THE COMMITTEE SHALL STUDY, BUT NEED NOT LIMIT ITS
38 CONSIDERATION TO, THE FOLLOWING:

39
40 (a) WHICH, IF ANY, CURRENT STATE HEALTH PLANS OR PROGRAMS
41 SHOULD BE COMBINED TO CREATE MORE EFFICIENT ADMINISTRATION,
42 EXPANDED COVERAGE, AND COST SAVINGS TO THE STATE. THE COMMITTEE
43 SHALL CONSIDER, BUT NEED NOT LIMIT ITS CONSIDERATION TO, THE
44 "COLORADO MEDICAL ASSISTANCE ACT", ARTICLE 4 OF TITLE 26, C.R.S.,
45 THE "CHILDREN'S BASIC HEALTH PLAN ACT", ARTICLE 19 OF TITLE 26,
46 C.R.S., AND COVERCOLORADO, CREATED PURSUANT TO PART 5 OF
47 ARTICLE 8 OF TITLE 10, C.R.S.
48

49 (b) HOW PREVIOUS ATTEMPTS TO INCREASE PARTICIPATION IN THE
50 CHILDREN'S BASIC HEALTH PLAN HAVE FALLEN SHORT AND WHAT
51 ADDITIONAL MEASURES CAN BE IMPLEMENTED TO IMPROVE ENROLLMENT
52 IN THE CHILDREN'S BASIC HEALTH PLAN;
53

54 (c) AN ANALYSIS OF CURRENT HEALTH CARE STATUTES, HEALTH
55 INSURANCE STATUTES, AND ANY OTHER POSSIBLE BARRIERS TO THE
56 IMPLEMENTATION OF A STATE HEALTH PLAN;

- 1 (d) THE ISSUE OF PALLIATIVE CARE AND WHETHER SUCH CARE IS
2 SUFFICIENTLY AVAILABLE TO COLORADANS WHO NEED AND DESIRE SUCH
3 CARE AND THE PRESENCE OF ANY BARRIERS TO PALLIATIVE CARE THAT CAN
4 BE ADDRESSED BY THE GENERAL ASSEMBLY;
5
- 6 (e) THE EXTENT TO WHICH PROVIDER NETWORKS CAN BE
7 COORDINATED THROUGH HIGH-DEDUCTIBLE HEALTH BENEFITS PLANS,
8 SUPPLEMENTAL POLICIES, OR HOSPITAL CONFINEMENT INDEMNITY PLANS;
9
- 10 (f) THE EXTENT TO WHICH PROVIDERS ARE ABLE TO OFFER
11 DISCOUNTS RELATED TO FEE-FOR-SERVICE PAYMENT ARRANGEMENTS;
12
- 13 (g) THE ABILITY OF PERSONS TO PURCHASE ADDITIONAL COVERAGE
14 FOR ANY MANDATED BENEFIT, AS PRESCRIBED IN SECTION 10-16-104,
15 C.R.S., THAT MAY BE WAIVED;
16
- 17 (h) THE EXTENT TO WHICH MANAGED CARE ORGANIZATIONS
18 PARTICIPATING IN COLORADO'S MEDICAID PROGRAM ARE REQUIRED TO
19 CONTRACT WITH ANY AVAILABLE AND WILLING PROVIDER IN THE
20 MANAGED CARE ORGANIZATION'S SERVICE AREA;
21
- 22 (i) AN EXAMINATION OF THE SOCIAL, MEDICAL, AND FINANCIAL
23 IMPACTS OF MANDATORY HEALTH CARE COVERAGES, AS PRESCRIBED IN
24 SECTION 10-16-104, C.R.S., AND THE EFFECT THOSE COVERAGES HAVE ON
25 HEALTH CARE PREMIUMS, THE IMPACT OF SUCH MANDATED COVERAGES ON
26 THE TOTAL COST OF HEALTH CARE IN COLORADO, AND ANY OTHER FISCAL
27 IMPACTS THOSE MANDATED COVERAGES HAVE ON THE STATE; AND
28
- 29 (j) WHETHER COVERAGE OF SUBSTANCE ABUSE UNDER
30 COLORADO'S MEDICAID PROGRAM WOULD INCREASE OR DECREASE THE
31 COST OF THE STATE'S MEDICAID PROGRAM AND WHAT SAVINGS, IF ANY,
32 WOULD OCCUR IN OTHER PROGRAMS OR SYSTEMS IN THE STATE AS A
33 RESULT OF SUBSTANCE ABUSE COVERAGE UNDER MEDICAID.
34
- 35 (3) THE COMMITTEE SHALL MEET SIX TIMES DURING THE 2002
36 INTERIM.
37
- 38 (4) (a) EXPENDITURES INCURRED IN CONDUCTING THE STUDY
39 DESCRIBED IN THIS SECTION SHALL BE APPROVED BY THE CHAIRPERSON OF
40 THE LEGISLATIVE COUNCIL AND PAID BY VOUCHERS AND WARRANTS
41 DRAWN AS PROVIDED BY LAW FROM MONEYS ALLOCATED TO THE
42 LEGISLATIVE COUNCIL FROM APPROPRIATIONS MADE BY THE GENERAL
43 ASSEMBLY.
44
- 45 (b) THE LEGISLATIVE COUNCIL STAFF AND THE OFFICE OF
46 LEGISLATIVE LEGAL SERVICES SHALL BE AVAILABLE TO ASSIST THE
47 COMMITTEE IN CARRYING OUT ITS DUTIES.
48
- 49 (5) THE LEGISLATIVE MEMBERS OF THE COMMITTEE SHALL BE
50 COMPENSATED AS PROVIDED IN SECTION 2-2-307 FOR ATTENDANCE AT
51 MEETINGS OF THE COMMITTEE.
52
- 53 (6) THE COMMITTEE SHALL MAKE A REPORT TO THE GENERAL
54 ASSEMBLY IN ACCORDANCE WITH THE JOINT RULES OF THE SENATE AND
55 THE HOUSE OF REPRESENTATIVES. SUCH REPORT MAY INCLUDE
56 RECOMMENDATIONS FOR LEGISLATION, INCLUDING BUT NOT LIMITED TO

1 LEGISLATION CONTINUING THE COMMITTEE. LEGISLATION RECOMMENDED
2 BY THE COMMITTEE SHALL BE TREATED AS LEGISLATION RECOMMENDED
3 BY ANY OTHER INTERIM COMMITTEE FOR PURPOSES OF ANY INTRODUCTION
4 DEADLINES OR BILL LIMITATIONS IMPOSED BY THE JOINT RULES OF THE
5 SENATE AND HOUSE OF REPRESENTATIVES.

6

7 (7) THIS PART 10 IS REPEALED, EFFECTIVE JANUARY 1, 2003.

8

9 **SECTION 2.** Part 1 of article 1 of title 25.5, Colorado Revised
10 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
11 read:

12

13 **25.5-1-110. Waiver applications - authorization.** THE STATE
14 DEPARTMENT IS AUTHORIZED TO APPLY FOR HEALTH INSURANCE
15 FLEXIBILITY AND ACCOUNTABILITY WAIVERS THAT WILL ENABLE THE
16 STATE TO ADD MORE FLEXIBILITY TO COLORADO'S MEDICAID PROGRAM
17 AND THAT WILL RESULT IN A COST-EFFECTIVE METHOD OF PROVIDING
18 HEALTH CARE SERVICES TO COLORADANS.

19

20 **SECTION 3.** Part 6 of article 50 of title 24, Colorado Revised
21 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
22 read:

23

24 **24-50-617. Group benefit plans statewide pilot program -**
25 **director's duties - audit - repeal.** (1) FOR PURPOSES OF FACILITATING
26 A REDESIGN OF MEDICAL BENEFITS OFFERED TO EMPLOYEES AS PART OF
27 THE STATE EMPLOYEES GROUP BENEFIT PLANS ADMINISTERED PURSUANT
28 TO THIS PART 6, THE DIRECTOR MAY CONDUCT A GROUP BENEFIT PLANS
29 STATEWIDE PILOT PROGRAM FOR ALL EMPLOYEES. THE PURPOSE OF THE
30 STATEWIDE PILOT PROGRAM SHALL BE TO OFFER AT LEAST ONE LOW COST
31 CATASTROPHIC MEDICAL BENEFIT PLAN TO ALL EMPLOYEES AND OTHER
32 MEDICAL BENEFIT PLANS WITH DIFFERING COSTS THAT ALLOW EMPLOYEES
33 TO MAKE CHOICES TO MEET THEIR INDIVIDUAL NEEDS.

34

35 (2) THE DIRECTOR SHALL HAVE ALL OF THE POWERS AND DUTIES
36 SPECIFIED IN SECTION 24-50-604 FOR PURPOSES OF DEVELOPING AND
37 IMPLEMENTING THE STATEWIDE PILOT PROGRAM AND SHALL HAVE THE
38 FOLLOWING ADDITIONAL POWERS AND DUTIES WITH REGARD TO THE
39 PROGRAM:

40

41 (a) THE AUTHORITY TO DEVELOP A REQUEST FOR PROPOSALS AND
42 PREPARE CONTRACT SPECIFICATIONS IN ORDER TO CONTRACT WITH ANY
43 APPROPRIATE ENTITY TO PROVIDE OR ADMINISTER MEDICAL BENEFITS TO
44 ALL EMPLOYEES PURSUANT TO THIS SECTION;

45

46 (b) THE AUTHORITY TO ALLOW AN EXCEPTION TO SECTION
47 24-50-606 (1) AND (2) AND SECTION 24-50-605 (1) (f) UPON A
48 DETERMINATION BY THE DIRECTOR THAT THE REQUIREMENTS OF THOSE
49 SECTIONS WOULD INHIBIT THE STATE'S ABILITY TO EFFECTIVELY SECURE
50 THE BEST POSSIBLE COMBINATION OF APPROPRIATE BENEFITS AND
51 REASONABLE PRICING FOR THE MEDICAL BENEFITS OFFERED PURSUANT TO
52 THIS SECTION;

53

54 (c) THE AUTHORITY TO ALLOCATE THE STATE CONTRIBUTION FOR
55 GROUP BENEFITS, INCLUDING MEDICAL, LIFE, AND DENTAL BENEFITS, THAT
56 ARE COMPONENTS OF THE STATEWIDE PILOT PROGRAM IN A MANNER

1 DIFFERENT FROM THE MANNER IN WHICH THE STATE CONTRIBUTION IS
2 ALLOCATED FOR GROUP BENEFITS, INCLUDING MEDICAL, LIFE, AND DENTAL
3 BENEFITS, THAT ARE NOT OFFERED TO EMPLOYEES PURSUANT TO THE
4 STATEWIDE PILOT PROGRAM AS LONG AS:

5
6 (I) THE THREE-TIERED CONTRIBUTION STRUCTURE AND THE TOTAL
7 STATE CONTRIBUTION SPECIFIED IN SECTION 24-50-609 ARE NOT ALTERED;
8 AND
9

10 (II) THE TOTAL APPROPRIATION FOR THE GROUP BENEFIT PLANS
11 OFFERED TO EMPLOYEES PURSUANT TO THE PROGRAM DOES NOT EXCEED
12 THE TOTAL APPROPRIATIONS THAT WOULD OTHERWISE BE PROVIDED FOR
13 GROUP BENEFIT PLANS OFFERED PURSUANT TO THIS PART 6.
14

15 (d) THE AUTHORITY TO ALLOW AN EXCEPTION TO SECTION
16 24-50-104 IN ORDER TO OFFER ALTERNATIVE MEDICAL BENEFIT PLANS
17 THAT ARE NOT DIRECTLY COMPARABLE TO PREVAILING PRACTICES IN
18 APPROPRIATE MARKETS OF PUBLIC AND PRIVATE EMPLOYMENT; AND
19

20 (e) THE AUTHORITY TO TERMINATE THE GROUP BENEFIT PLANS
21 STATEWIDE PILOT PROGRAM AT ANY TIME PRIOR TO THE DATE SPECIFIED IN
22 SUBSECTION (4) OF THIS SECTION.
23

24 (3) THE STATE AUDITOR SHALL CONDUCT A PERFORMANCE REVIEW
25 OF THE PILOT PROGRAM DEVELOPED PURSUANT TO THIS SECTION ON OR
26 AFTER JULY 1, 2006, BUT BEFORE JANUARY 1, 2007, AND PRESENT SUCH
27 REVIEW TO THE LEGISLATIVE AUDIT COMMITTEE ON OR BEFORE FEBRUARY
28 1, 2007.
29

30 (4) THE GROUP BENEFIT PLANS STATEWIDE PILOT PROGRAM
31 AUTHORIZED PURSUANT TO THIS SECTION SHALL TERMINATE ON DECEMBER
32 31, 2007, UNLESS TERMINATED ON AN EARLIER DATE BY THE DIRECTOR.
33

34 (5) THIS SECTION IS REPEALED, EFFECTIVE JANUARY 1, 2008.
35

36 **SECTION 4.** Part 4 of article 4 of title 26, Colorado Revised
37 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
38 read:
39

40 **26-4-408.5. Legislative declaration - state department - disease**
41 **management programs authorization - report - repeal.** (1) THE
42 GENERAL ASSEMBLY FINDS THAT BECAUSE COLORADO IS FACED WITH
43 RISING HEALTH CARE COSTS AND LIMITED RESOURCES IT IS NECESSARY TO
44 SEEK NEW WAYS TO ENSURE HIGH-QUALITY, COST-EFFICIENT CARE FOR
45 MEDICAID RECIPIENTS. THE GENERAL ASSEMBLY FURTHER FINDS THAT
46 DISEASE MANAGEMENT IS A PATIENT-FOCUSED, INTEGRATED APPROACH TO
47 PROVIDING ALL COMPONENTS OF CARE WITH ATTENTION TO BOTH QUALITY
48 OF CARE AND TOTAL COST. IN ADDITION, THE GENERAL ASSEMBLY FINDS
49 THAT THIS APPROACH MAY INCLUDE COORDINATION OF PHYSICIAN CARE
50 WITH PHARMACEUTICAL AND INSTITUTIONAL CARE. THE GENERAL
51 ASSEMBLY FURTHER FINDS THAT DISEASE MANAGEMENT ALSO ADDRESSES
52 THE VARIOUS ASPECTS OF A DISEASE STATE, INCLUDING PEOPLE WHO HAVE
53 MULTIPLE CHRONIC ILLNESSES. THE GENERAL ASSEMBLY DECLARES THAT
54 THE IMPROVED COORDINATION IN DISEASE MANAGEMENT HELPS TO
55 PROVIDE CHRONICALLY ILL PATIENTS WITH ACCESS TO THE LATEST
56 ADVANCES IN TREATMENT AND TEACHES THEM HOW TO BE ACTIVE

1 PARTICIPANTS IN THEIR HEALTH CARE THROUGH HEALTH EDUCATION, THUS
2 REDUCING TOTAL HEALTH CARE COSTS.

3
4 (2) THE STATE DEPARTMENT IS AUTHORIZED TO DEVELOP AND
5 IMPLEMENT DISEASE MANAGEMENT PROGRAMS, FOR FEE-FOR-SERVICE AND
6 PRIMARY CARE PHYSICIAN PROGRAM RECIPIENTS, THAT ARE DESIGNED TO
7 ADDRESS OVER- OR UNDER-UTILIZATION OR THE INAPPROPRIATE USE OF
8 SERVICES OR PRESCRIPTION DRUGS AND THAT MAY AFFECT THE TOTAL
9 COST OF HEALTH CARE UTILIZATION BY A PARTICULAR MEDICAID RECIPIENT
10 WITH A PARTICULAR DISEASE. THE DISEASE MANAGEMENT PROGRAMS
11 SHALL TARGET MEDICAID RECIPIENTS WHO ARE RECEIVING PRESCRIPTION
12 DRUGS OR SERVICES IN AN AMOUNT THAT EXCEEDS GUIDELINES OUTLINED
13 BY THE STATE DEPARTMENT. THE STATE DEPARTMENT SHALL NOT
14 RESTRICT A MEDICAID RECIPIENT'S ACCESS TO MEDICALLY APPROPRIATE
15 PRESCRIPTION DRUGS OR SERVICES. THE STATE DEPARTMENT MAY
16 CONTRACT ON A CONTINGENCY BASIS FOR THE DEVELOPMENT OR
17 IMPLEMENTATION OF THE DISEASE MANAGEMENT PROGRAMS AUTHORIZED
18 IN THIS SUBSECTION (2).

19
20 (3) IF THE STATE DEPARTMENT IMPLEMENTS ANY DISEASE
21 MANAGEMENT PROGRAMS AUTHORIZED IN SUBSECTION (2) OF THIS
22 SECTION, THE STATE DEPARTMENT SHALL REPORT TO THE JOINT BUDGET
23 COMMITTEE OF THE GENERAL ASSEMBLY AN ESTIMATE OF THE FISCAL
24 IMPLICATIONS GENERATED BY THE IMPLEMENTATION OF THE DISEASE
25 MANAGEMENT PROGRAMS. SUCH REPORT SHALL OCCUR ON OR BEFORE
26 FEBRUARY 1 OF THE YEAR FOLLOWING THE IMPLEMENTATION OF THE
27 PROGRAM AND ON OR BEFORE EACH FEBRUARY 1 THEREAFTER IN WHICH
28 A DISEASE MANAGEMENT PROGRAM IS IN PLACE.

29
30 (4) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2007. PRIOR TO
31 SUCH REPEAL, THE DISEASE MANAGEMENT PROGRAMS DEVELOPED BY THE
32 STATE DEPARTMENT PURSUANT TO THIS SECTION SHALL BE REVIEWED AS
33 PROVIDED FOR IN SECTION 24-34-104, C.R.S.

34
35 **SECTION 5.** 24-34-104 (38), Colorado Revised Statutes, is
36 amended to read:

37
38 **24-34-104. General assembly review of regulatory agencies and**
39 **functions for termination, continuation, or reestablishment.** (38) The
40 following agencies, functions, or both, shall terminate on July 1, 2007:

41
42 (d) THE DISEASE MANAGEMENT PROGRAMS IMPLEMENTED BY THE
43 DEPARTMENT OF HEALTH CARE POLICY AND FINANCING PURSUANT TO
44 SECTION 26-4-408.5, C.R.S.

45
46 **SECTION 6. No appropriation.** The general assembly has
47 determined that section 3 of this act can be implemented within existing
48 appropriations, and therefore no separate appropriation of state moneys
49 is necessary to carry out the purposes of section 3 of this act.

50
51 **SECTION 7. Safety clause.** The general assembly hereby finds,
52 determines, and declares that this act is necessary for the immediate
53 preservation of the public peace, health, and safety."

54
55
56

1 **TRANSPORTATION & ENERGY**

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

4
5 **SB02-220** be amended as follows, and as so amended, be referred to
6 the Committee of the Whole with favorable
7 recommendation:

8
9
10 Amend reengrossed bill, page 2, line 7, strike "TWO" and substitute
11 "THREE".

12
13 Page 3, line 1, strike "REVENUE;" and substitute "REVENUE. ONE OF THE
14 THREE MEMBERS SHALL BE FROM THE DIVISION OF INFORMATION
15 TECHNOLOGY IN THE DEPARTMENT OF REVENUE;"

16
17
18
19 **APPOINTMENTS**

20
21 The Speaker announced the following temporary change in conference
22 committee appointment:

23 For today only, Representative Plant to replace Representative Saliman
24 as conferee on the Conference Committee on HB02-1420.

25
26
27 Representative Grossman announced the following temporary change in
28 committee assignments:

29 For today only, Representative Jameson to replace Representative
30 Saliman on the Committee on Appropriations.

31
32
33 House in recess. House reconvened.
34
35

36 **REPORTS OF COMMITTEE OF REFERENCE**

37
38 **EDUCATION**

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

41
42 **HJR02-1060** be postponed indefinitely.

43
44
45 **SB02-152** be amended as follows, and as so amended, be referred to
46 the Committee of the Whole with favorable
47 recommendation:

48
49 Amend reengrossed bill, page 4, strike lines 21 through 25 and substitute
50 the following:

51
52 "EDUCATION. THE COMMISSION, IN COLLABORATION WITH THE STATE
53 BOARD OF EDUCATION AND INSTITUTIONS OF HIGHER EDUCATION THAT
54 OFFER PRINCIPAL PREPARATION PROGRAMS, SHALL ENSURE THAT THE
55 PERFORMANCE-BASED STANDARDS FOR LICENSURE BECOME THE BASE FOR
56 PRINCIPAL PREPARATION PROGRAMS OFFERED BY INSTITUTIONS OF HIGHER

1 EDUCATION. THE COMMISSION SHALL MAKE THE FINAL DETERMINATION
 2 REGARDING THE CONTENTS OF THE PERFORMANCE-BASED STANDARDS FOR
 3 LICENSURE AND THE PROPER IMPLEMENTATION OF THOSE STANDARDS.

4
 5 (4) THE COMMISSION SHALL ENSURE THAT DEMONSTRATED
 6 COMPETENCY IN THE".

7
 8 Page 5, strike lines 4 through 18 and substitute the following:

9 "(a) A MINIMUM NUMBER OF HOURS OF SUPERVISED";

10
 11 line 20, strike "(e)" and substitute "(b)";

12
 13 line 25, strike "(f)" and substitute "(c)".

14
 15 Page 6, line 2, strike "(g)" and substitute "(d)";

16
 17 line 6, strike "(4)" and substitute "(5)";

18
 19 line 11, strike "(5)" and substitute "(6)";

20
 21 line 25, after "EDUCATION.", insert "THE STATE BOARD OF EDUCATION
 22 SHALL DEVELOP SAID STANDARDS IN COLLABORATION WITH INSTITUTIONS
 23 OF HIGHER EDUCATION THAT OFFER PRINCIPAL PREPARATION PROGRAMS,
 24 SUPERINTENDENTS AND LOCAL BOARDS OF EDUCATION, AND THE
 25 COMMISSION ON HIGHER EDUCATION. THE STATE BOARD OF EDUCATION
 26 SHALL ENSURE THAT SAID STANDARDS ARE CONSISTENT WITH NATIONAL
 27 STANDARDS FOR PRINCIPAL PREPARATION.".

28
 29 Page 7, line 2, strike "SKILLS;" and substitute "SKILLS; AND";

30
 31 strike lines 3 through 10;

32
 33 line 11, strike "(III)" and substitute "(II)".

34
 35

36

37 **SB02-176** The Committee returns herewith because consideration of
 38 the measure was postponed for more than 30 days or until
 39 a date beyond the date for adjournment sine die of the
 40 legislative session. Therefore, under House Rule 25(j)(3),
 41 said bill is deemed to be postponed indefinitely.

42
 43

44

INTRODUCTION OF BILL First Reading

45
 46

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

49

50 **HB02-1478** by Representative(s) Young, Berry, Saliman; also
 51 Senator(s) Reeves, Tate, Owen--Concerning the fiscal
 52 policy of the state for the 2001-02 and 2002-03 state fiscal
 53 years in relation to the statutorily required general fund
 54 reserve in the event of a revenue shortfall.

55 Committee on Appropriations
 56

1 House in recess. House reconvened.
2
3
4

5 On motion of Representative Spradley, **HB02-1361, 1470, 1471, 1472,**
6 **1473, 1474, 1475** were made Special Orders on Monday, May 6, 2002,
7 at 7:13 p.m.
8
9

10 The hour of 7:13 p.m., having arrived, on motion of Representative
11 Smith, the House resolved itself into Committee of the Whole for
12 consideration of Special Orders and he was called to the Chair to act as
13 Chairman.
14
15

16 **SPECIAL ORDERS--SECOND READING OF BILLS**
17

18 The Committee of the Whole having risen, the Chairman reported the
19 titles of the following bills had been read (reading at length had been
20 dispensed with by unanimous consent), the bills considered and action
21 taken thereon as follows:
22

23 (Amendments to the committee amendment are to the printed committee
24 report which was printed and placed in the members' bill file.)
25

26 **HB02-1361** by Representative(s) Alexander; also Senator(s) Windels--
27 Concerning facilities that provide twenty-four-hour child
28 care to children.
29

30 Laid over until May 9. The bill is deemed lost.
31

32 **HB02-1470** by Representative(s) Rippy; also Senator(s) Taylor--
33 Concerning recommendations of the water availability task
34 force relating to measures to address drought conditions.
35

36 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,
37 dated May 6, 2002, and placed in member's bill file; Report also printed
38 in House Journal, May 6, page 1875.
39

40 Amendment No. 2, by Representative Rippy.
41

42 Amend printed bill, page 6, line 4, after "C.R.S.", add "IN ISSUING
43 WRITTEN AUTHORITY FOR PRESCRIBED OR CONTROLLED FIRES, THE STATE
44 FORESTER SHALL BE IN CONFORMITY WITH AND SHALL NOT SUPERSEDE
45 ANY LOCAL BANS ON FIRES."
46

47 As amended, ordered engrossed and placed on the Calendar for Third
48 Reading and Final Passage.
49
50

51 **HB02-1471** by Representative(s) Young, Berry, Saliman; also
52 Senator(s) Reeves, Tate, Owen--Concerning funding for
53 capital construction, and making supplemental
54 appropriations in connection therewith.
55

1 Amendment No. 1, Appropriations Report, dated May 6, 2002, and
2 placed in member's bill file; Report also printed in House Journal, May 6,
3 page 1862.

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

7
8 **HB02-1472** by Representative(s) Young, Berry, Saliman; also
9 Senator(s) Reeves, Tate, Owen--Concerning a
10 supplemental appropriation to the department of
11 corrections. .

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

15
16 **HB02-1473** by Representative(s) Young, Berry, Saliman; also
17 Senator(s) Reeves, Tate, Owen--Concerning a
18 supplemental appropriation to the department of health
19 care policy and financing.

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

23
24 **HB02-1474** by Representative(s) Young, Berry, Saliman; also
25 Senator(s) Reeves, Tate, Owen--Concerning a
26 supplemental appropriation to the department of human
27 services.

28
29 Ordered engrossed and placed on the Calendar for Third Reading and
30 Final Passage.

31
32 **HB02-1475** by Representative(s) Young, Berry, Saliman; also
33 Senator(s) Reeves, Tate, Owen--Concerning authorization
34 for the controller to allow the department of corrections to
35 make a one-time overexpenditure of line item
36 appropriations to fund portions of the medical services
37 subprogram for department institutions for the 2001-02
38 fiscal year.

39
40 Ordered engrossed and placed on the Calendar for Third Reading and
41 Final Passage.

42 43 44 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

45
46 Passed Second Reading: **HB02-1470 amended, 1471 amended, 1472,**
47 **1473, 1474, 1475.**

48
49 Laid over until date indicated retaining place on Calendar:
50 **HB02-1361--May 9, 2002..**

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

56

	YES 57	NO 0	EXCUSED 4	ABSENT 4			
1							
2							
3	Alexander	Y	Groff	Y	Marshall	-	Spence
4	Bacon	Y	Grossman	Y	Miller	Y	Spradley
5	Berry	Y	Harvey	Y	Mitchell	E	Stafford
6	Borodkin	Y	Hefley	Y	Paschall	-	Stengel
7	Boyd	Y	Hodge	Y	Plant	Y	Swenson
8	Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia
9	Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop
10	Clapp	Y	Jameson	Y	Rippy	Y	Veiga
11	Cloer	Y	Johnson	Y	Romanoff	Y	Vigil
12	Coleman	E	Kester	Y	Saliman	E	Webster
13	Crane	-	King	Y	Sanchez	Y	Weddig
14	Daniel	Y	Larson	Y	Schultheis	Y	White
15	Decker	Y	Lawrence	Y	Scott	Y	Williams S.
16	Fairbank	Y	Lee	-	Sinclair	Y	Williams T.
17	Fritz	Y	Mace	Y	Smith	Y	Witwer
18	Garcia	Y	Madden	Y	Snook	Y	Young
19							Mr. Speaker
20							

REPORTS OF COMMITTEE OF REFERENCE

APPROPRIATIONS

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

HB02-1476 be referred to the Committee of the Whole with favorable recommendation.

HB02-1477 be referred to the Committee of the Whole with favorable recommendation.

HB02-1478 be referred to the Committee of the Whole with favorable recommendation.

SB02-180 be referred to the Committee of the Whole with favorable recommendation.

SB02-217 be referred to the Committee of the Whole with favorable recommendation.

PRINTING REPORT

The Chief Clerk reports the following bills have been correctly printed:
HB02-1476, 1477, 1478.

1 On motion of Representative Spradley, **HB02-1476, 1477, 1478** were
2 made Special Orders on Monday, May 6, 2002, at 7:29 p.m.
3

4
5 The hour of 7:29 p.m., having arrived, on motion of Representative
6 Smith, the House resolved itself into Committee of the Whole for
7 consideration of Special Orders and he was called to the Chair to act as
8 Chairman.
9

10
11 **SPECIAL ORDERS--SECOND READING OF BILLS**
12

13 The Committee of the Whole having risen, the Chairman reported the
14 titles of the following bills had been read (reading at length had been
15 dispensed with by unanimous consent), the bills considered and action
16 taken thereon as follows:
17

18 (Amendments to the committee amendment are to the printed committee
19 report which was printed and placed in the members' bill file.)
20

21 **HB02-1476** by Representative(s) Kester--Concerning the provision of
22 state revenues to assist school districts with capital
23 construction funding for the 2002-03 fiscal year, and
24 making appropriations in connection therewith.
25

26 Amendment No. 1, Education Report, dated May 6, 2002, and placed in
27 member's bill file; Report also printed in House Journal, May 6,
28 page 1876.
29

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

33 **HB02-1477** by Representative(s) Saliman, Young, Berry; also
34 Senator(s) Owen, Reeves, Tate--Concerning clarification
35 of the cost-neutral requirement in the performance plan for
36 periodic salary increases for certain employees of the
37 department of higher education who are included in the
38 state personnel system.
39

40 Ordered engrossed and placed on the Calendar for Third Reading and
41 Final Passage.
42

43 **HB02-1478** by Representative(s) Young, Berry, Saliman; also
44 Senator(s) Reeves, Tate, Owen--Concerning the fiscal
45 policy of the state for the 2001-02 and 2002-03 state fiscal
46 years in relation to the statutorily required general fund
47 reserve in the event of a revenue shortfall.
48

49 Amendment No. 1, by Representative Young.
50

51 Amend printed bill, page 4, line 11, strike "BY" and substitute "to read:";
52 strike line 12.
53

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

1 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

2
3 Passed Second Reading: **HB02-1476 amended, 1477, 1478 amended.**

4
5 The Chairman moved the adoption of the Committee of the Whole
6 Report. As shown by the following roll call vote, a majority of those
7 elected to the House voted in the affirmative, and the Report was
8 **adopted.**

9
10

	YES 60	NO 0	EXCUSED 3	ABSENT 2			
11 Alexander	Y	Groff	Y	Marshall	Y	Spence	Y
12 Bacon	Y	Grossman	Y	Miller	Y	Spradley	Y
13 Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y
14 Borodkin	Y	Hefley	Y	Paschall	-	Stengel	E
15 Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
16 Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia	Y
17 Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	Y
18 Clapp	Y	Jameson	Y	Rippy	Y	Veiga	Y
19 Cloer	Y	Johnson	Y	Romanoff	Y	Vigil	Y
20 Coleman	E	Kester	Y	Saliman	E	Webster	Y
21 Crane	-	King	Y	Sanchez	Y	Weddig	Y
22 Daniel	Y	Larson	Y	Schultheis	Y	White	Y
23 Decker	Y	Lawrence	Y	Scott	Y	Williams S.	Y
24 Fairbank	Y	Lee	Y	Sinclair	Y	Williams T.	Y
25 Fritz	Y	Mace	Y	Smith	Y	Witwer	Y
26 Garcia	Y	Madden	Y	Snook	Y	Young	Y
27						Mr. Speaker	Y

28
29
30
31
32 **REPORT OF COMMITTEE OF REFERENCE**

33
34 **APPROPRIATIONS**

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

37
38 **HB02-1469** be amended as follows, and as so amended, be referred to
39 the Committee of the Whole with favorable
40 recommendation:

41
42 Amend printed bill, page 3, after line 8, insert the following:

43
44 **"SECTION 2. Appropriations in long bill to be adjusted.** For
45 the implementation of this act, appropriations made in the annual general
46 appropriation act to the department of regulatory agencies, division of
47 insurance, for the fiscal year beginning July 1, 2002, shall be decreased
48 by seventy-eight thousand one hundred ninety-five dollars (\$78,195) from
49 the division of insurance cash fund created in section 10-1-103, Colorado
50 Revised Statutes."

51
52 Renumber succeeding sections accordingly.

53
54 Page 1, line 102, strike "**DAMAGE.**" and substitute: "**DAMAGE, AND**
55 **MAKING AN APPROPRIATION THEREFOR.**"

56

1 On motion of Representative Spradley, **HB02-1469** was made Special
2 Orders on Monday, May 6, 2002, at 7:47 p.m.

3
4
5 The hour of 7:47 p.m., having arrived, on motion of Representative
6 Smith, the House resolved itself into Committee of the Whole for
7 consideration of Special Orders and he was called to the Chair to act as
8 Chairman.

9
10
11 **SPECIAL ORDERS--SECOND READING OF BILL**

12
13 The Committee of the Whole having risen, the Chairman reported the title
14 of the following bill had been read (reading at length had been dispensed
15 with by unanimous consent), the bill considered and action taken thereon
16 as follows:

17
18 (Amendments to the committee amendment are to the printed committee
19 report which was printed and placed in the members' bill file.)

20
21 **HB02-1469** by Representative(s) Williams T.; also Senator(s) Entz--
22 Concerning a requirement for legal liability motor vehicle
23 insurance for personal liability and property damage.

24
25 Amendment No. 1, Appropriations Report, dated May 6, 2002, and
26 placed in member's bill file; Report also printed in House Journal, May 6,
27 page 1888.

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

31
32
33 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

34
35 Passed Second Reading: **HB02-1469 amended.**

36
37 The Chairman moved the adoption of the Committee of the Whole
38 Report. As shown by the following roll call vote, a majority of those
39 elected to the House voted in the affirmative, and the Report was
40 **adopted.**

41
42 YES 60 NO 0 EXCUSED 3 ABSENT 2

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

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

5
6
7
8
9

APPOINTMENTS

10
11 Representative Grossman announced the following temporary change in
12 committee assignments:
13 For today only, Representative Grossman to replace Representative
14 Coleman on the Committee on Information & Technology.

15
16
17
18

LAY OVER OF CALENDAR ITEMS

19
20 On motion of Representative Spradley, the following items on the
21 Calendar were laid over until May 7, retaining place on Calendar:
22
23 Consideration of Third Reading--**HCR02-1011.**
24 Consideration of General Orders--**SB02-218, 203, 205.**
25 Consideration of Conference Committee Reports--**HB02-1246, 1135,**
26 **SB02-032.**
27 Consideration of Resolutions--**HJR02-1059, 1051, 1077, 1078,**
28 **HR02-1013, HJR02-1074, 1075, SJR02-038.**
29 Consideration of Memorial--**SJM02-001**
30 Consideration of Senate Amendments--**HB02-1281, 1283, 1396, 1209,**
31 **1312, 1029, 1338.**

32
33
34 On motion of Representative Spradley, the House adjourned until
35 9:00 a.m., May 7, 2002.

36
37 Approved:

38
39
40
41 DOUG DEAN,
42 Speaker

43 Attest:

44
45 JUDITH RODRIGUE,
46 Chief Clerk
47
48