

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

Seventy-third Legislative Day

Friday, March 22, 2002

1 Prayer by Father Michael Suchnicki, Samaritan House, Denver.  
 2

3 The Speaker called the House to order at 9:00 a.m.  
 4

5 The roll was called with the following result:  
 6

7 Present--62.

8 Excused--Representative Chavez--1.

9 Absent--Representatives King, Lawrence--2.

10 Present after roll call--Representatives Chavez, King, Lawrence.  
 11

12 The Speaker declared a quorum present.  
 13  
 14

15 On motion of Representative Marshall, the reading of the journal of  
 16 March 21, 2002, was declared dispensed with and approved as corrected  
 17 by the Chief Clerk.  
 18  
 19  
 20

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

21  
 22  
 23 The following bills were considered on Third Reading. The titles were  
 24 publicly read. Reading of the bill at length was dispensed with by  
 25 unanimous consent.  
 26

27 **SB02-038** by Senator(s) Nichol; also Representative(s) Miller--  
 28 Concerning the display of United States flags by public  
 29 institutions.  
 30

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

32 A roll call vote was taken. As shown by the following recorded vote, a  
 33 majority of those elected to the House voted in the affirmative and the bill  
 34 was declared **passed**.  
 35

	YES 62	NO 1	EXCUSED 1	ABSENT 1				
37	Alexander	Y	Groff	Y	Marshall	Y	Spence	Y
38	Bacon	Y	Grossman	Y	Miller	Y	Spradley	Y
39	Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y
40	Borodkin	Y	Hefley	Y	Paschall	Y	Stengel	Y
41	Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
42	Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia	Y
43	Chavez	E	Jahn	Y	Rhodes	Y	Tochtrop	Y

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

11  
12 Co-sponsors added: Representatives Alexander, Clapp, Cloer, Coleman, Crane,  
13 Decker, Fairbank, Fritz, Hefley, Hoppe, Kester, Lawrence, Lee, Snook, Spence,  
14 Spradley, Weddig.

15  
16 **SB02-139** by Senator(s) Taylor; also Representative(s) Miller--  
17 Concerning procedures for voting by absentee ballot by  
18 members of the United States armed forces stationed  
19 outside of the United States.

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								
26	<u>YES</u>	63	<u>NO</u>	0	<u>EXCUSED</u>	1	<u>ABSENT</u>	1
27								
28	Alexander	Y	Groff	Y	Marshall	Y	Spence	Y
29	Bacon	Y	Grossman	Y	Miller	Y	Spradley	Y
30	Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y
31	Borodkin	Y	Hefley	Y	Paschall	Y	Stengel	Y
32	Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
33	Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia	Y
34	Chavez	E	Jahn	Y	Rhodes	Y	Tochtrop	Y
35	Clapp	Y	Jameson	Y	Rippy	Y	Veiga	Y
36	Cloer	Y	Johnson	Y	Romanoff	Y	Vigil	Y
37	Coleman	Y	Kester	Y	Saliman	Y	Webster	Y
38	Crane	Y	King	-	Sanchez	Y	Weddig	Y
39	Daniel	Y	Larson	Y	Schultheis	Y	White	Y
40	Decker	Y	Lawrence	Y	Scott	Y	Williams S.	Y
41	Fairbank	Y	Lee	Y	Sinclair	Y	Williams T.	Y
42	Fritz	Y	Mace	Y	Smith	Y	Witwer	Y
43	Garcia	Y	Madden	Y	Snook	Y	Young	Y
44							Mr. Speaker	Y

45  
46 Co-sponsors added: Representatives Alexander, Clapp, Cloer, Coleman, Crane,  
47 Decker, Fairbank, Fritz, Garcia, Groff, Harvey, Hefley, Hodge, Hoppe, Jahn,  
48 Kester, King, Lawrence, Lee, Mace, Plant, Romanoff, Scott, Snook, Spence,  
49 Spradley, Stengel, Tochtrop, Weddig, Williams S.

50  
51 **SB02-158** by Senator(s) Isgar, Entz, Hillman, Musgrave, Nichol,  
52 Taylor; also Representative(s) Larson, Kester, Miller,  
53 Rippy, White--Concerning limitations on the size of  
54 certain vehicles.

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

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

	YES 65	NO 0	EXCUSED 0	ABSENT 0			
6 Alexander	Y	Groff	Y	Marshall	Y	Spence	Y
7 Bacon	Y	Grossman	Y	Miller	Y	Spradley	Y
8 Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y
9 Borodkin	Y	Hefley	Y	Paschall	Y	Stengel	Y
10 Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
11 Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia	Y
12 Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	Y
13 Clapp	Y	Jameson	Y	Rippy	Y	Veiga	Y
14 Cloer	Y	Johnson	Y	Romanoff	Y	Vigil	Y
15 Coleman	Y	Kester	Y	Saliman	Y	Webster	Y
16 Crane	Y	King	Y	Sanchez	Y	Weddig	Y
17 Daniel	Y	Larson	Y	Schultheis	Y	White	Y
18 Decker	Y	Lawrence	Y	Scott	Y	Williams S.	Y
19 Fairbank	Y	Lee	Y	Sinclair	Y	Williams T.	Y
20 Fritz	Y	Mace	Y	Smith	Y	Witwer	Y
21 Garcia	Y	Madden	Y	Snook	Y	Young	Y
						Mr. Speaker	Y

22  
23  
24 Co-sponsors added: Representatives Mace, Ragsdale, Spradley, Tochtrop,  
25 Williams S.

26  
27 **HB02-1119** by Representative(s) Berry; also Senator(s) Takis--  
28 Concerning electronic documents, and making an  
29 appropriation in connection therewith.

30  
31 The question being "Shall the bill pass?".

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

	YES 65	NO 0	EXCUSED 0	ABSENT 0			
37 Alexander	Y	Groff	Y	Marshall	Y	Spence	Y
38 Bacon	Y	Grossman	Y	Miller	Y	Spradley	Y
39 Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y
40 Borodkin	Y	Hefley	Y	Paschall	Y	Stengel	Y
41 Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
42 Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia	Y
43 Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	Y
44 Clapp	Y	Jameson	Y	Rippy	Y	Veiga	Y
45 Cloer	Y	Johnson	Y	Romanoff	Y	Vigil	Y
46 Coleman	Y	Kester	Y	Saliman	Y	Webster	Y
47 Crane	Y	King	Y	Sanchez	Y	Weddig	Y
48 Daniel	Y	Larson	Y	Schultheis	Y	White	Y
49 Decker	Y	Lawrence	Y	Scott	Y	Williams S.	Y
50 Fairbank	Y	Lee	Y	Sinclair	Y	Williams T.	Y
51 Fritz	Y	Mace	Y	Smith	Y	Witwer	Y
52 Garcia	Y	Madden	Y	Snook	Y	Young	Y
						Mr. Speaker	Y

53  
54  
55 Co-sponsors added: Representatives Garcia, Groff, Harvey, Romanoff, Scott,  
56 Snook.

1 **HB02-1296** by Representative(s) Stafford, Alexander, Berry, Groff,  
 2 Harvey, Johnson, King, Mace, Mitchell, Rhodes,  
 3 Schultheis, Spradley; also Senator(s) Perlmutter--Con-  
 4 cerning the creation of an office of community and faith-  
 5 based initiatives within the department of human services.

6  
 7 Laid over until March 25, retaining place on Calendar.

8  
 9 **SB02-124** by Senator(s) Windels; also Representative(s) Hefley--  
 10 Concerning the resolution of disputes arising from a  
 11 charter school contract, and, in connection therewith,  
 12 specifying procedures for the use of forms of alternative  
 13 dispute resolution and modifying the process of appeals to  
 14 the state board of education.

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 65	NO 0	EXCUSED 0	ABSENT 0			
22							
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	Y	Stengel Y
27	Boyd	Y	Hodge	Y	Plant	Y	Swenson Y
28	Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia Y
29	Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop Y
30	Clapp	Y	Jameson	Y	Rippy	Y	Veiga Y
31	Cloer	Y	Johnson	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	Y	Sinclair	Y	Williams T. Y
37	Fritz	Y	Mace	Y	Smith	Y	Witwer Y
38	Garcia	Y	Madden	Y	Snook	Y	Young Y
39							Mr. Speaker Y

40  
 41 Co-sponsors added: Representatives Harvey, Lawrence, Lee, Mace, Romanoff,  
 42 Spence, Stafford, Williams S.

43  
 44 **HB02-1359** by Representative(s) Stafford, Coleman, Harvey, Mace,  
 45 Paschall, Sanchez; also Senator(s) Linkhart--Concerning  
 46 child placement in dependency or neglect actions.

47  
 48  
 49 Laid over until March 25, retaining place on Calendar.

50  
 51 **SB02-021** by Senator(s) Reeves; also Representative(s) Stafford--  
 52 Concerning child support guidelines.

53  
 54 Laid over until March 25, retaining place on Calendar.

1 **SB02-036** by Senator(s) Fitz-Gerald; also Representative(s) Lee--  
 2 Concerning the assessment of public service fees.  
 3

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

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

	YES 65	NO 0	EXCUSED 0	ABSENT 0			
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	Y	Stengel	Y
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	Y	Kester	Y	Saliman	Y	Webster	Y
21 Crane	Y	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
						Mr. Speaker	Y

28  
 29 Co-sponsor added: Representative Larson.

30  
 31 **SB02-112** by Senator(s) Teck; also Representative(s) Harvey--  
 32 Concerning the requirement that certain persons provide  
 33 proof of lawful presence in the United States in order to  
 34 obtain documents from the division of motor vehicles.  
 35

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

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

	YES 52	NO 13	EXCUSED 0	ABSENT 0			
43 Alexander	Y	Groff	N	Marshall	Y	Spence	Y
44 Bacon	Y	Grossman	Y	Miller	Y	Spradley	Y
45 Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y
46 Borodkin	N	Hefley	Y	Paschall	Y	Stengel	Y
47 Boyd	Y	Hodge	N	Plant	N	Swenson	Y
48 Cadman	Y	Hoppe	Y	Ragsdale	N	Tapia	N
49 Chavez	N	Jahn	N	Rhodes	Y	Tochtrop	Y
50 Clapp	Y	Jameson	Y	Rippy	Y	Veiga	N
51 Cloer	Y	Johnson	Y	Romanoff	Y	Vigil	N
52 Coleman	Y	Kester	Y	Saliman	N	Webster	Y
53 Crane	Y	King	Y	Sanchez	N	Weddig	Y
54 Daniel	Y	Larson	Y	Schultheis	Y	White	Y
55 Decker	Y	Lawrence	Y	Scott	Y	Williams S.	Y
56 Fairbank	Y	Lee	Y	Sinclair	Y	Williams T.	Y

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

4  
 5 Co-sponsors added: Representatives Clapp, Fairbank, Fritz, Hefley, Johnson,  
 6 Lawrence, Lee, Mitchell, Rhodes, Scott, Smith, Spence, Stengel, White.

7  
 8 **SB02-165** by Senator(s) Andrews; also Representative(s) Snook--  
 9 Concerning an exception to the requirement that the state  
 10 treasurer sell all unclaimed property for certain military  
 11 awards that have not been claimed by the owner.

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

17  
 18 YES 65            NO 0            EXCUSED 0            ABSENT 0

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

37  
 38 Co-sponsors added: Representatives Cloer, Fairbank, Fritz, Garcia, Groff,  
 39 Harvey, Kester, Larson, Paschall, Sanchez, Scott, Smith, Spradley, Stafford,  
 40 Tochtrop.

41  
 42  
 43 **HB02-1341** by Representative(s) Swenson; also Senator(s) Nichol--  
 44 Concerning recommendations of the house committee on  
 45 transportation and energy relating to the continuation of  
 46 requirements for certain reports to the general assembly  
 47 from executive agencies, and, in connection therewith,  
 48 repealing reporting requirements to the general assembly  
 49 that are obsolete.

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

	YES 65	NO 0	EXCUSED 0	ABSENT 0				
1								
2								
3	Alexander	Y	Groff	Y	Marshall	Y	Spence	Y
4	Bacon	Y	Grossman	Y	Miller	Y	Spradley	Y
5	Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y
6	Borodkin	Y	Hefley	Y	Paschall	Y	Stengel	Y
7	Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
8	Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia	Y
9	Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	Y
10	Clapp	Y	Jameson	Y	Rippy	Y	Veiga	Y
11	Cloer	Y	Johnson	Y	Romanoff	Y	Vigil	Y
12	Coleman	Y	Kester	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

20  
21 Co-sponsors added: Representatives Coleman, Stafford.

22  
23 **SB02-069** by Senator(s) Hillman, Entz, Isgar, Chlouber, Hanna,  
24 Musgrave, Taylor, Teck; also Representative(s) Hoppe,  
25 Miller, Tochtrop--Concerning the protection of products  
26 of agriculture.

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 65	NO 0	EXCUSED 0	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	Y	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	Y	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 Fairbank, Fritz, Groff, Hodge, Johnson,  
54 Kester, King, Mace, Snook, Tapia, Webster, Williams T.

55  
56

1 On motion of Representative Crane, the House resolved itself into  
2 Committee of the Whole for consideration of General Orders, and he was  
3 called to the Chair to act as Chairman.

4

5

6

## GENERAL ORDERS--SECOND READING OF BILLS

7

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

12

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

15

16 On motion of Representative Spradley, Consideration of **HB02-1015,**  
17 **1343, 1010, SB02-136, 064, 104, HB02-1309, 1353** was laid over until  
18 March 25, retaining place on Calendar.

19

20

21 **SB02-166** by Senator(s) Teck; also Representative(s) Sinclair--  
22 Concerning compensation of county coroners.

23

24 Amendment No. 1, by Representative Sinclair.

25

26 Amend reengrossed bill, page 3, line 21, strike "A LODGING AND PER  
27 DIEM" and substitute "ACTUAL AND NECESSARY LODGING, SUBSISTENCE,  
28 AND INCIDENTAL EXPENSES AS";

29

30 line 22, strike "ALLOWANCE IN AN AMOUNT".

31

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

34

35

36 **HB02-1025** by Representative(s) Romanoff, Boyd, Stafford, Tochtrop;  
37 also Senator(s) Hagedorn, Hanna, Hernandez, Linkhart--  
38 Concerning methods to address barriers to self-sufficiency  
39 in Colorado works participants, and making an  
40 appropriation therefor.

41

42 Amendment No. 1, Local Government Report, dated January 23, 2002,  
43 and placed in member's bill file; Report also printed in House Journal,  
44 January 24, pages 163.

45

46 Amendment No. 2, by Representatives Romanoff, Lee.

47

48 Amend the Local Government Committee Report, dated January 23,  
49 2002, page 1, line 7, strike "**problems.**" and substitute "**problems -**  
50 **repeal.**".

51

52 Page 2, after line 10, insert the following:

53

54 "(3) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2005."  
55



1 Amendment No. 3, by Representatives Romanoff, Mace.

2  
3 Amend the Local Government Committee Report, dated January 23,  
4 2002, page 2, after line 10, insert the following:

5  
6 "(3) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO  
7 AUTHORIZE PERSONNEL OF COUNTY DEPARTMENTS TO MAKE MEDICAL  
8 DIAGNOSES WHICH THEY ARE NOT AUTHORIZED BY LAW TO MAKE."  
9

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

12  
13 **HB02-1101** by Representative(s) Williams T.; also Senator(s) Gordon-  
14 -Concerning family-friendly courts, and making an  
15 appropriation therefor.

16  
17 Amendment No. 1, Appropriations Report, dated March 15, 2002, and  
18 placed in member's bill file; Report also printed in House Journal,  
19 March 15, pages 880-882.

20  
21 Amendment No. 2, by Representative Williams T.

22  
23 Amend the Appropriations Committee Report, dated March 15, 2002,  
24 page 1, strike line 1 and substitute the following:

25  
26 "Strike the Civil Justice and Judiciary Committee Report, dated February  
27 5, 2002, and substitute the following:

28  
29 "Amend printed bill, page 2, line 2, strike "Part 2 of article 20.5 of  
30 title"."

31  
32 Page 2 of the Appropriations Committee Report, line 6, strike "C.R.S.";

33  
34 line 8 of the Appropriations Committee Report, strike "(6).". and  
35 substitute "(6).";";

36  
37 strike lines 9 through 11 of the Appropriations Committee Report and  
38 substitute the following:

39  
40 "strike lines 24 through 27.

41  
42 Page 10, strike lines 1 through 7";

43  
44 line 13 of the Appropriations Committee Report, line 13, strike "Page  
45 10,".

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

49  
50 **HB02-1159** by Representative(s) Berry, Stafford; also Senator(s)  
51 Reeves--Concerning the creation of the office of homeless  
52 youth services.

53  
54 Amendment No. 1, Health, Environment, Welfare, & Institutions Report,  
55 dated February 4, 2002, and placed in member's bill file; Report also  
56 printed in House Journal, February 6, page 319.

1 Amendment No. 2, Appropriations Report, dated March 15, 2002, and  
2 placed in member's bill file; Report also printed in House Journal,  
3 March 15, pages 882-883.

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

7  
8 **HB02-1300** by Representative(s) Spence; also Senator(s) Evans--  
9 Concerning the preparation of teachers for licensure.

10  
11 Amendment No. 1, Education Report, dated February 18, 2002, and  
12 placed in member's bill file; Report also printed in House Journal,  
13 February 19, pages 451-452.

14  
15 Amendment No. 2, by Representative Spence.

16  
17 Amend the Education Committee Report, dated February 18, 2002, page  
18 1, strike lines 1 and 2 and substitute the following:

19  
20 "Amend printed bill, page 2, line 3, after "(7)", insert "(a)";

21  
22 strike lines 5 through 7 and substitute the following:";

23  
24 after line 8 of the committee report, insert the following:

25  
26 "(b) REGARDING ANY TEACHER PREPARATION PROGRAM OFFERED  
27 PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (7), IT IS THE INTENT OF  
28 THE GENERAL ASSEMBLY THAT:

29  
30 (I) NO GENERAL FUND MONEYS SHALL BE USED TO IMPLEMENT SAID  
31 TEACHER PREPARATION PROGRAM;

32  
33 (II) NO INSTITUTION OF HIGHER EDUCATION OFFERING SAID  
34 TEACHER PREPARATION PROGRAM SHALL, FOR THE PURPOSES OF  
35 RECEIVING GENERAL FUND MONEYS, INCLUDE ANY PERSON EMPLOYED AS  
36 A RESIDENT TEACHER IN THE INSTITUTION'S ENROLLMENT;

37  
38 (III) SAID TEACHER PREPARATION PROGRAM SHALL BE OFFERED  
39 ONLY ON A CONTRACT BASIS BETWEEN THE INSTITUTION OF HIGHER  
40 EDUCATION AND THE SCHOOL DISTRICT OR BOARD OF COOPERATIVE  
41 SERVICES IMPLEMENTING THE TEACHER IN RESIDENCE PROGRAM.";

42  
43 line 9 of the committee report, strike ""SECTION" and substitute  
44 "SECTION".

45  
46 As amended, ordered engrossed and placed on the Calendar for Third  
47 Reading and Final Passage.

48  
49  
50 **HB02-1348** by Representative(s) Harvey; also Senator(s) Dyer--  
51 Concerning the transfer of the poison control program  
52 from the department of health care policy and financing to  
53 the department of public health and environment, and, in  
54 connection therewith, making a transfer of appropriation.  
55

1 Amendment No. 1, by Representative Harvey.

2  
3 Amend printed bill, page 3, strike lines 17 through 23 and substitute the  
4 following:

5  
6 "(b) NURSES AND PHARMACIST SPECIALISTS IN POISON  
7 INFORMATION WHO ARE TRAINED IN THE TRIAGE AND TREATMENT OF  
8 POISONING AND WHO ARE CERTIFIED BY A NATIONAL ORGANIZATION  
9 WHOSE MEMBERSHIP IS COMPRISED OF POISON CONTROL CENTERS; AND

10  
11 (c) SUPERVISION BY A PHYSICIAN WHO IS BOARD-CERTIFIED IN  
12 MEDICAL TOXICOLOGY AND WHO SHALL BE AVAILABLE TWENTY-FOUR  
13 HOURS EACH DAY FOR CONSULTATION."

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

17  
18 **HB02-1339** by Representative(s) Cadman--Concerning measures that  
19 will address whether all accounts for alcohol beverages  
20 sold to the applicant are paid when applying for a  
21 temporary permit pending transfer of certain alcohol  
22 licenses.

23  
24 Amendment No. 1, Business Affairs & Labor Report, dated March 14,  
25 2002, and placed in member's bill file; Report also printed in House  
26 Journal, March 15, page 884.

27  
28 As amended, ordered engrossed and placed on the Calendar for Third  
29 Reading and Final Passage.

30  
31 **SB02-004** by Senator(s) Isgar, Entz, Matsunaka, Reeves; also  
32 Representative(s) Larson--Concerning the ability to allow  
33 the liquor industry to provide financial assistance to an  
34 institution of higher education that holds a liquor license.

35  
36 Amendment No. 1, Business Affairs & Labor Report, dated March 14,  
37 2002, and placed in member's bill file; Report also printed in House  
38 Journal, March 15, page 887.

39  
40 As amended, ordered revised and placed on the Calendar for Third  
41 Reading and Final Passage.

42  
43 **SB02-013** by Senator(s) Isgar, Fitz-Gerald, Hagedorn, McElhany,  
44 Owen; also Representative(s) Tochtrop, Miller--  
45 Concerning prompt payment of health insurance claims.

46  
47 Amendment No. 1, Business Affairs & Labor Report, dated March 14,  
48 2002, and placed in member's bill file; Report also printed in House  
49 Journal, March 15, pages 888-890.

50  
51 Amendment No. 2, by Representative Tochtrop.

52  
53 Amend the Business Affairs & Labor Committee Report, dated March 14,  
54 2002, line 4, strike "IN";

55  
56 line 5, strike "1999".

1 Page 4, line 5, strike "DOLLARS, WHICHEVER IS FIRST.;" and substitute  
2 "DOLLARS."."

3  
4 As amended, ordered revised and placed on the Calendar for Third  
5 Reading and Final Passage.

6  
7 **SB02-146** by Senator(s) Phillips, Hernandez; also Representative(s)  
8 Spradley--Concerning refunding prepaid premiums for  
9 medicare supplement insurance policies.

10  
11 Amendment No. 1, Health, Environment, Welfare, & Institutions Report,  
12 dated March 13, 2002, and placed in member's bill file; Report also  
13 printed in House Journal, March 15, page 893.

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

17  
18 **SCR02-002** by Senator(s) Pascoe; also Representative(s) Witwer--  
19 Submitting to the registered electors of the state of  
20 Colorado an amendment to article XIV of the constitution  
21 of the state of Colorado, concerning the authority of the  
22 general assembly to establish qualifications for the office  
23 of county coroner.

24  
25 Ordered revised and placed on the Calendar for Third Reading and Final  
26 Passage.

27  
28 **SB02-023** by Senator(s) Taylor; also Representative(s) Sinclair--  
29 Concerning decorations awarded by the national guard of  
30 Colorado.

31  
32 Ordered revised and placed on the Calendar for Third Reading and Final  
33 Passage.

34  
35  
36 **SB02-020** by Senator(s) Gordon; also Representative(s) Mitchell--  
37 Concerning a prohibition against the examination of  
38 confidential communications made by a minor child to a  
39 parent and, in connection therewith, creating exceptions to  
40 the prohibition.

41  
42 Amendment No. 1, Civil Justice & Judiciary Report, dated March 12,  
43 2002, and placed in member's bill file; Report also printed in House  
44 Journal, March 13, page 835.

45  
46 Amendment No. 2, by Representative Mitchell.

47  
48 Amend reengrossed bill, page 2, line 16, after "SUBSECTION (1)", insert  
49 ", OR IN THE PRESENCE OF A CLERGYMAN, MINISTER, PRIEST, OR RABBI  
50 WHO HAS A CONFIDENTIAL RELATIONSHIP WITH THE MINOR CHILD  
51 PURSUANT TO PARAGRAPH (c) OF THIS SUBSECTION (1)".

52  
53 As amended, ordered revised and placed on the Calendar for Third  
54 Reading and Final Passage.

55

1 **HB02-1338** by Representative(s) Webster; also Senator(s) Reeves--  
2 Concerning fees for performing emissions testing on motor  
3 vehicles.  
4

5 Amendment No. 1, Transportation & Energy Report, dated March 14,  
6 2002, and placed in member's bill file; Report also printed in House  
7 Journal, March 15, pages 894-895.  
8

9 As amended, laid over until March 25, retaining place on Calendar.  
10

11 On motion of Representative Spradley, the remainder of the General  
12 Orders Calendar (**HB02-1090, SB02-103, HB02-1355, SB02-006, 052,**  
13 **085, 100**) was laid over until March 25, retaining place on Calendar.  
14

---

15  
16 **AMENDMENTS TO THE COMMITTEE OF THE WHOLE REPORT**  
17

18 Representatives Williams S. and Jahn moved to amend the Report of the  
19 Committee of the Whole to show that the following Jahn amendment, as  
20 amended by the following Williams S. amendment to SB02-020, did pass,  
21 and that **SB02-020, as amended**, did pass.  
22

23 Amendment by Representative Jahn:  
24 Amend reengrossed bill, page 2, line 14, after "PROFESSIONAL", insert "OR  
25 SCHOOL COUNSELOR".  
26

27 Page 4, after line 2, insert the following:  
28

29 **"SECTION 2.** 13-90-107 (1) (g), Colorado Revised Statutes, is  
30 amended to read:  
31

32 **13-90-107. Who may not testify without consent.** (1) There are  
33 particular relations in which it is the policy of the law to encourage  
34 confidence and to preserve it inviolate; therefore, a person shall not be  
35 examined as a witness in the following cases:  
36

37 (g) A licensed psychologist, professional counselor, marriage and  
38 family therapist, social worker, OR SCHOOL COUNSELOR, or unlicensed  
39 psychotherapist shall not be examined without the consent of such  
40 licensee's or unlicensed psychotherapist's client as to any communication  
41 made by the client to such licensee or unlicensed psychotherapist, or such  
42 licensee's or unlicensed psychotherapist's advice given thereon in the  
43 course of professional employment; nor shall any secretary, stenographer,  
44 or clerk employed by a licensed psychologist, professional counselor,  
45 marriage and family therapist, social worker, OR SCHOOL COUNSELOR, or  
46 unlicensed psychotherapist be examined without the consent of the  
47 employer of such secretary, stenographer, or clerk concerning any fact,  
48 the knowledge of which such employee has acquired in such capacity;  
49 nor shall any person who has participated in any psychotherapy,  
50 conducted under the supervision of a person authorized by law to conduct  
51 such therapy, including but not limited to group therapy sessions, be  
52 examined concerning any knowledge gained during the course of such  
53 therapy without the consent of the person to whom the testimony sought  
54 relates."  
55

56 Renumber succeeding section accordingly.

1 Amendment by Representative Williams S.:  
 2 Amend the Jahn amendment, printed in House Journal, page 967, line 25,  
 3 before "SCHOOL", insert "LICENSED";  
 4  
 5 line 38, before "SCHOOL", insert "LICENSED";  
 6  
 7 line 45, before "SCHOOL", insert "LICENSED".

8  
 9 The amendment was declared **lost** by the following roll call vote:

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

### ADOPTION OF COMMITTEE OF THE WHOLE REPORT

36 Passed Second Reading: **SB02-166 amended, HB02-1025 amended,**  
 37 **1101 amended, 1159 amended, 1300 amended, 1348 amended,**  
 38 **1339 amended, SB02-004 amended, 013 amended, 146 amended,**  
 39 **SCR02-002, SB02-023, SB02-020 amended.**

41 Laid over until date indicated retaining place on Calendar:  
 42 **HB02-1015, 1343, 1010, SB02-136, 064, 104, HB02-1309, 1353,**  
 43 **1338 amended, 1090, SB02-103, HB02-1355, SB02-006, 052, 085,**  
 44 **100--March 25, 2002.**

46 The Chairman moved the adoption of the Committee of the Whole  
 47 Report. As shown by the following roll call vote, a majority of those  
 48 elected to the House voted in the affirmative, and the Report was  
 49 **adopted.**

	YES 65	NO 0	EXCUSED 0	ABSENT 0				
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	Y	Stengel	Y

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

---

14  
15  
16  
17  
18 **CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS**

19  
20 **HB02-1374** by Representative(s) Young, Berry, Saliman; also Sen-  
21 ator(s) Reeves, Tate, Owen--Concerning a supplemental  
22 appropriation to the department of labor and employment.  
23

24 (Amended as printed in Senate Journal, March 19, page 513.)  
25

26 Representative Young moved that the House **concur** in Senate amend-  
27 ments. The motion was declared **passed** by the following roll call vote:  
28

29 YES 65          NO 0          EXCUSED 0          ABSENT 0  
30

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

---

48  
49  
50 The question being, "Shall the bill, as amended, pass?".

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

	YES 65	NO 0	EXCUSED 0	ABSENT 0				
1								
2								
3	Alexander	Y	Groff	Y	Marshall	Y	Spence	Y
4	Bacon	Y	Grossman	Y	Miller	Y	Spradley	Y
5	Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y
6	Borodkin	Y	Hefley	Y	Paschall	Y	Stengel	Y
7	Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
8	Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia	Y
9	Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	Y
10	Clapp	Y	Jameson	Y	Rippy	Y	Veiga	Y
11	Cloer	Y	Johnson	Y	Romanoff	Y	Vigil	Y
12	Coleman	Y	Kester	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
20								

21  
22 **HB02-1380** by Representative(s) Young, Berry, Saliman; also Sen-  
23 ator(s) Reeves, Tate, Owen--Concerning a supplemental  
24 appropriation to the department of personnel.  
25

26 (Amended as printed in Senate Journal, March 19, page 514.)  
27

28 Representative Young moved that the House **concur** in Senate amend-  
29 ments. The motion was declared **passed** by the following roll call vote:  
30

	YES 65	NO 0	EXCUSED 0	ABSENT 0				
31								
32								
33	Alexander	Y	Groff	Y	Marshall	Y	Spence	Y
34	Bacon	Y	Grossman	Y	Miller	Y	Spradley	Y
35	Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y
36	Borodkin	Y	Hefley	Y	Paschall	Y	Stengel	Y
37	Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
38	Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia	Y
39	Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	Y
40	Clapp	Y	Jameson	Y	Rippy	Y	Veiga	Y
41	Cloer	Y	Johnson	Y	Romanoff	Y	Vigil	Y
42	Coleman	Y	Kester	Y	Saliman	Y	Webster	Y
43	Crane	Y	King	Y	Sanchez	Y	Weddig	Y
44	Daniel	Y	Larson	Y	Schultheis	Y	White	Y
45	Decker	Y	Lawrence	Y	Scott	Y	Williams S.	Y
46	Fairbank	Y	Lee	Y	Sinclair	Y	Williams T.	Y
47	Fritz	Y	Mace	Y	Smith	Y	Witwer	Y
48	Garcia	Y	Madden	Y	Snook	Y	Young	Y
49							Mr. Speaker	Y
50								

51  
52 The question being, "Shall the bill, as amended, 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  
55 bill, as amended, was declared **repassed**.

56



	YES 65	NO 0	EXCUSED 0	ABSENT 0				
1								
2								
3	Alexander	Y	Groff	Y	Marshall	Y	Spence	Y
4	Bacon	Y	Grossman	Y	Miller	Y	Spradley	Y
5	Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y
6	Borodkin	Y	Hefley	Y	Paschall	Y	Stengel	Y
7	Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
8	Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia	Y
9	Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	Y
10	Clapp	Y	Jameson	Y	Rippy	Y	Veiga	Y
11	Cloer	Y	Johnson	Y	Romanoff	Y	Vigil	Y
12	Coleman	Y	Kester	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
20								

21  
22 **HB02-1386** by Representative(s) Young, Berry, Saliman; also Sen-  
23 ator(s) Reeves, Tate, Owen--Concerning a supplemental  
24 appropriation to the department of transportation.  
25

26 (Amended as printed in Senate Journal, March 19, page 514.)  
27

28 Representative Young moved that the House **concur** in Senate amend-  
29 ments. The motion was declared **passed** by the following roll call vote:  
30

	YES 65	NO 0	EXCUSED 0	ABSENT 0				
31								
32								
33	Alexander	Y	Groff	Y	Marshall	Y	Spence	Y
34	Bacon	Y	Grossman	Y	Miller	Y	Spradley	Y
35	Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y
36	Borodkin	Y	Hefley	Y	Paschall	Y	Stengel	Y
37	Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
38	Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia	Y
39	Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	Y
40	Clapp	Y	Jameson	Y	Rippy	Y	Veiga	Y
41	Cloer	Y	Johnson	Y	Romanoff	Y	Vigil	Y
42	Coleman	Y	Kester	Y	Saliman	Y	Webster	Y
43	Crane	Y	King	Y	Sanchez	Y	Weddig	Y
44	Daniel	Y	Larson	Y	Schultheis	Y	White	Y
45	Decker	Y	Lawrence	Y	Scott	Y	Williams S.	Y
46	Fairbank	Y	Lee	Y	Sinclair	Y	Williams T.	Y
47	Fritz	Y	Mace	Y	Smith	Y	Witwer	Y
48	Garcia	Y	Madden	Y	Snook	Y	Young	Y
49							Mr. Speaker	Y
50								

51  
52 The question being, "Shall the bill, as amended, 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  
55 bill, as amended, was declared **repassed**.

56





1 **STATE, VETERANS, & MILITARY AFFAIRS**

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

4  
5 **HB02-1315** be amended as follows, and as so amended, be referred to  
6 the Committee of the Whole with favorable  
7 recommendation:

8  
9 Amend printed bill, page 2, line 13, strike "PREPAREDNESS AND  
10 SECURITY," and substitute "PREPAREDNESS, SECURITY, AND FIRE SAFETY,";  
11  
12 line 14, strike "PREPAREDNESS AND" and substitute "PREPAREDNESS,  
13 SECURITY, AND FIRE SAFETY.".

14  
15 Page 3, line 1, strike "SECURITY." and strike "PREPAREDNESS AND  
16 SECURITY" and substitute "PREPAREDNESS, SECURITY, AND FIRE SAFETY";

17  
18 line 6, strike "PREPAREDNESS AND SECURITY" and substitute  
19 "PREPAREDNESS, SECURITY, AND FIRE SAFETY";

20  
21 line 23, strike "PREPAREDNESS AND SECURITY." and substitute  
22 "PREPAREDNESS, SECURITY, AND FIRE SAFETY.".

23  
24 Page 4, line 1, strike "PREPAREDNESS AND SECURITY" and substitute  
25 "PREPAREDNESS, SECURITY, AND FIRE SAFETY";

26  
27 after line 5, insert the following:

28  
29 "SECTION 4. 24-33.5-1203 (1) (k), Colorado Revised Statutes,  
30 is amended, and the said 24-33.5-1203 (1) is further amended BY THE  
31 ADDITION OF THE FOLLOWING NEW PARAGRAPHS, to read:

32  
33 **24-33.5-1203. Duties of the division.** (1) The division shall  
34 perform the following duties:

35  
36 (k) Train and instruct firefighters and first responders in subjects  
37 relating to the fire service and to coordinate fire service-related education  
38 and training classes, programs, conferences, and seminars, and train and  
39 instruct, or coordinate the training of, hazardous materials responders,  
40 BUT ALL TRAINING RELATED TO TERRORISM SHALL BE COORDINATED WITH  
41 THE OFFICE OF PREPAREDNESS, SECURITY, AND FIRE SAFETY;

42  
43 (m) ADMINISTER A STATEWIDE PLAN FOR THE ALLOCATION AND  
44 DEPLOYMENT OF FIREFIGHTING RESOURCES DEVELOPED PURSUANT TO  
45 SECTION 24-33.5-1210;

46  
47 (n) ADMINISTER A UNIFORM STATEWIDE REPORTING SYSTEM FOR  
48 FIRES, HAZARDOUS MATERIALS INCIDENTS, EMERGENCY MEDICAL SERVICE  
49 INCIDENTS, AND OTHER INCIDENTS TO WHICH FIRE DEPARTMENTS  
50 RESPOND, SUBJECT TO THE AVAILABILITY OF FEDERAL FUNDS.

51  
52 **SECTION 5.** Part 12 of article 33.5 of title 24, Colorado Revised  
53 Statutes, is amended BY THE ADDITION OF A NEW SECTION to  
54 read:

55  
56 **24-33.5-1210. Resource mobilization plan - fire - emergency**

1 **medical services - search and rescue.** (1) SUBJECT TO THE  
2 AVAILABILITY OF FEDERAL FUNDS, THE DIVISION SHALL PREPARE A  
3 STATEWIDE MOBILIZATION PLAN TO PROVIDE FOR THE ALLOCATION AND  
4 DEPLOYMENT OF FIREFIGHTING, EMERGENCY MEDICAL, AND URBAN  
5 SEARCH AND RESCUE RESOURCES IN THE EVENT OF A DISASTER OR LOCAL  
6 INCIDENT THAT REQUIRES MORE RESOURCES THAN THOSE AVAILABLE  
7 UNDER ANY EXISTING INTERJURISDICTIONAL OR MUTUAL AID AGREEMENT.

8  
9 (2) THE MOBILIZATION PLAN CREATED PURSUANT TO THIS SECTION  
10 SHALL BE DEVELOPED IN COORDINATION WITH APPROPRIATE FEDERAL,  
11 STATE, AND LOCAL GOVERNMENT AGENCIES. THE PLAN SHALL INCLUDE  
12 MOBILIZATION PROCEDURES AND MAY INCLUDE PROVISIONS FOR  
13 REIMBURSEMENT OF COSTS AND SHALL ADDRESS LIABILITY ISSUES."

14  
15 Renumber succeeding sections accordingly.

16  
17 Page 4, line 9, strike "PREPAREDNESS AND SECURITY" and  
18 substitute "PREPAREDNESS, SECURITY, AND FIRE SAFETY";

19  
20 after line 11, insert the following:

21  
22 "(a) THE THREAT OF TERRORISM IN COLORADO IS A MATTER OF  
23 GREAT CONCERN TO THE PEOPLE OF THE STATE AND AFFECTS THE PUBLIC  
24 INTEREST. THEREFORE, THIS PART 16 IS ENACTED FOR THE PURPOSE OF  
25 PROTECTING THE HEALTH, PEACE, SAFETY, AND WELFARE OF THE PEOPLE  
26 OF THIS STATE."

27  
28 Reletter succeeding paragraphs accordingly.

29  
30 Page 4, line 16, after "THE", insert "ALFRED P." and after "CITY,", insert  
31 "AND THE ARSON ATTACKS IN VAIL, COLORADO,";

32  
33 line 21, after "MATERIALS,", insert "ARSON,";

34  
35 line 23, after "OTHER", insert "CRITICAL".

36  
37 Page 5, after line 5, insert the following:

38  
39 **"24-33.5-1602. Definitions.** AS USED IN THIS PART 16, UNLESS THE  
40 CONTEXT OTHERWISE REQUIRES:

41  
42 (1) "ACT OF TERRORISM" HAS THE SAME MEANING SET FORTH IN 18  
43 U.S.C. SEC. 3077 (1) AND 28 C.F.R. 0.85 (1).

44  
45 (2) "BIOLOGICAL AGENT" HAS THE SAME MEANING SET FORTH IN 18  
46 U.S.C. SEC. 178 (1).

47  
48 (3) "CHEMICAL WEAPON" HAS THE SAME MEANING SET FORTH IN  
49 18 U.S.C. SEC. 229F (1).

50  
51 (4) "DESTRUCTIVE DEVICE" HAS THE SAME MEANING SET FORTH IN  
52 18 U.S.C. 921 (a) (4).

53  
54 (5) "RADIOACTIVE MATERIAL" MEANS A MATERIAL THAT PRODUCES  
55 RADIATION AT A LEVEL THAT IS DANGEROUS TO HUMAN HEALTH OR LIFE.

56

1           (6) "TOXIN" HAS THE SAME MEANING SET FORTH IN 18 U.S.C. SEC.  
2 178 (2).".  
3  
4 Renumber succeeding C.R.S. sections accordingly.  
5  
6 Page 5, line 6, strike "**preparedness and security**" and substitute  
7 "**preparedness, security, and fire safety**";  
8  
9 line 8, strike "PREPAREDNESS AND SECURITY," and substitute  
10 "PREPAREDNESS, SECURITY, AND FIRE SAFETY,";  
11  
12 line 9, strike "PREPAREDNESS AND SECURITY," and substitute  
13 "PREPAREDNESS, SECURITY, AND FIRE SAFETY,";  
14  
15 line 10, strike "PREPAREDNESS AND" and substitute "PREPAREDNESS,  
16 SECURITY, AND FIRE SAFETY,";  
17  
18 line 11, strike "SECURITY,";  
19  
20 line 14, strike "PREPAREDNESS AND SECURITY" and substitute  
21 "PREPAREDNESS, SECURITY, AND FIRE SAFETY";  
22  
23 line 21, strike "24-33.5-1605;" and substitute "24-33.5-1606;";  
24  
25 line 23, strike "24-33.5-1606." and substitute "24-33.5-1607.";  
26  
27 line 25, strike "PREPAREDNESS AND SECURITY" and substitute  
28 "PREPAREDNESS, SECURITY, AND FIRE SAFETY".  
29  
30 Page 6, line 15, strike "PREPAREDNESS AND SECURITY" and substitute  
31 "PREPAREDNESS, SECURITY, AND FIRE SAFETY";  
32  
33 after line 17, insert the following:  
34  
35           "(I) STATE PROTOCOLS AND PROCEDURES CONCERNING THE  
36 PREVENTION OF, PREPARATION FOR, RESPONSE TO, AND RECOVERY FROM  
37 ANY TERRORIST THREAT, TERRORIST ACT, OR OTHER TERRORIST-RELATED  
38 ACTIVITY. SUCH PROTOCOLS AND PROCEDURES SHALL INCLUDE THE  
39 CONTENT NECESSARY TO SUPPORT THE NEEDS OF BOTH CRISIS AND  
40 CONSEQUENCE MANAGEMENT AGENCIES."  
41  
42 Renumber succeeding subparagraphs accordingly.  
43  
44 Page 6, line 19, after "ENFORCEMENT", insert "AND EMERGENCY  
45 RESPONSE";  
46  
47 line 22, strike "AGENCIES," and substitute "AGENCIES";  
48  
49 strike line 23;  
50  
51 line 24, strike "AND ENVIRONMENT AND THE COLORADO STATE PATROL,";  
52  
53 line 25, strike "HANDLING AND STORAGE OF HAZARDOUS" and substitute  
54 "HANDLING, STORAGE, AND DISPOSAL OF BIOLOGICAL AGENTS, CHEMICAL  
55 WEAPONS, DESTRUCTIVE DEVICES, RADIOACTIVE MATERIALS, AND TOXINS  
56 WHEN ANY SUCH";

1 strike line 26;

2

3 line 27, strike "CONNECTION WITH" and substitute "MATERIALS ARE  
4 OBTAINED AS EVIDENCE OF", and strike "ACTIVITY," and substitute  
5 "ACTIVITY AS DESCRIBED IN SECTION 18-9-120, C.R.S.,".

6

7 Page 7, strike line 1 and substitute "ACT OF TERRORISM, SUSPECTED ACT  
8 OF TERRORISM, THREAT TO COMMIT AN ACT OF TERRORISM, OR  
9 CONSPIRACY TO COMMIT AN ACT OF TERRORISM;"

10

11 strike lines 2 through 11.

12

13 Renumber succeeding subparagraph accordingly.

14

15 Page 7, line 15, after "WITH", insert "ANY", and strike "ACTIVITIES" and  
16 substitute "ACTIVITY,";

17

18 strike line 16 and substitute "ACT OF TERRORISM, SUSPECTED ACT OF  
19 TERRORISM, THREAT TO COMMIT AN ACT OF TERRORISM, OR CONSPIRACY  
20 TO COMMIT AN ACT OF TERRORISM.";

21

22 line 18, strike "PREPAREDNESS AND SECURITY" and substitute  
23 "PREPAREDNESS, SECURITY, AND FIRE SAFETY";

24

25 after line 25, insert the following:

26

27       "(3) (a) THE OFFICE OF PREPAREDNESS, SECURITY, AND FIRE  
28 SAFETY SHALL PROVIDE ADVICE, ASSISTANCE, AND TRAINING TO STATE  
29 AND LOCAL GOVERNMENT AGENCIES IN THE DEVELOPMENT AND  
30 IMPLEMENTATION OF TERRORISM PREPAREDNESS PLANS AND IN  
31 CONDUCTING PERIODIC EXERCISES RELATED TO SUCH PLANS.

32

33       (b) THE OFFICE OF PREPAREDNESS, SECURITY, AND FIRE SAFETY  
34 SHALL PROVIDE TECHNICAL OVERSIGHT OF TERRORISM PREPAREDNESS  
35 PLANS DEVELOPED AND IMPLEMENTED BY STATE AND LOCAL GOVERNMENT  
36 AGENCIES. SUCH TECHNICAL OVERSIGHT SHALL NOT USURP THE  
37 AUTHORITY OF STATE AND LOCAL GOVERNMENT AGENCIES, BUT SHALL  
38 ONLY PROVIDE PEER REVIEW AND COMMENT TO PROMOTE STANDARDIZED  
39 METHODS OF OPERATION AND TO FACILITATE INTEGRATION WITH PLANS  
40 ADOPTED BY OTHER STATE AND LOCAL GOVERNMENT AGENCIES  
41 THROUGHOUT THE STATE.

42

43       (c) STATE AND LOCAL GOVERNMENT AGENCIES THAT DEVELOP  
44 TERRORISM PREPAREDNESS PLANS ARE ENCOURAGED TO SUBMIT COPIES OF  
45 CURRENT, NEW, OR AMENDED PLANS TO THE OFFICE OF PREPAREDNESS,  
46 SECURITY, AND FIRE SAFETY. COPIES OF SUCH PLANS SHALL BE  
47 MAINTAINED BY THE OFFICE OF PREPAREDNESS, SECURITY, AND FIRE  
48 SAFETY AND SHALL CONSTITUTE SPECIALIZED DETAILS OF SECURITY  
49 ARRANGEMENTS FOR PURPOSES OF SECTION 24-72-204 (3) (a) (XV).";

50

51 line 27, strike "PREPAREDNESS AND SECURITY" and substitute  
52 "PREPAREDNESS, SECURITY, AND FIRE SAFETY".

53

54 Page 8, line 2, strike "PREPAREDNESS AND SECURITY" and substitute  
55 "PREPAREDNESS, SECURITY, AND FIRE SAFETY";

56

1 line 5, strike "24-33.5-1603;" and substitute "24-33.5-1604;";  
 2  
 3 line 9, strike "PREPAREDNESS AND SECURITY" and substitute  
 4 "PREPAREDNESS, SECURITY, AND FIRE SAFETY";  
 5  
 6 line 12, strike "PREPAREDNESS AND SECURITY" and substitute  
 7 "PREPAREDNESS, SECURITY, AND FIRE SAFETY";  
 8  
 9 line 19, strike "PREPAREDNESS AND SECURITY" and substitute  
 10 "PREPAREDNESS, SECURITY, AND FIRE SAFETY";  
 11  
 12 line 26, strike "PREPAREDNESS AND SECURITY" and substitute  
 13 "PREPAREDNESS, SECURITY, AND FIRE SAFETY";  
 14  
 15 line 27, strike "SECURITY, THE HEAD OF WHICH SHALL BE THE" and  
 16 substitute "SECURITY.".

17  
 18 Page 9, strike lines 1 through 3;  
 19  
 20 after line 13, insert the following:

21  
 22 **"24-33.5-1609. Building security and occupant**  
 23 **protection.** (1) WITHIN TWELVE MONTHS AFTER THE EFFECTIVE DATE OF  
 24 THIS PART 16, THE DIRECTOR SHALL ADOPT RULES CONCERNING SAFETY  
 25 AND SECURITY TO PROTECT STATE PERSONNEL AND PROPERTY OWNED OR  
 26 LEASED BY THE STATE, INCLUDING, BUT NOT LIMITED TO, FACILITIES,  
 27 BUILDINGS, AND GROUNDS.

28  
 29 (2) IN ADOPTING SUCH RULES, THE DIRECTOR SHALL USE AS  
 30 GENERAL GUIDELINES THE BUILDING SECURITY AND OCCUPANT  
 31 PROTECTION STANDARDS IN FEDERAL STATUTES, PRESIDENTIAL  
 32 DIRECTIVES, AND THE RULES PROMULGATED THEREUNDER, AS AMENDED  
 33 FROM TIME TO TIME.

34  
 35 **24-33.5-1610. Continuity of state government operations.**  
 36 (1) WITHIN TWELVE MONTHS AFTER THE EFFECTIVE DATE OF THIS PART 16,  
 37 THE DIRECTOR SHALL ADOPT RULES CONCERNING THE CONTINUITY OF  
 38 STATE GOVERNMENT OPERATIONS TO PROVIDE GUIDANCE TO STATE  
 39 DEPARTMENTS AND AGENCIES IN DEVELOPING VIABLE AND EXECUTABLE  
 40 CONTINGENCY PLANS FOR CONTINUITY OF OPERATIONS.

41  
 42 (2) IN ADOPTING SUCH RULES, THE DIRECTOR SHALL USE AS  
 43 GENERAL GUIDELINES THE PLANS PUBLISHED BY THE FEDERAL EMERGENCY  
 44 MANAGEMENT AGENCY IN FEDERAL PREPAREDNESS CIRCULARS 65, 66, AND  
 45 67, AND IN THE RULES PROMULGATED THEREUNDER, AS AMENDED FROM  
 46 TIME TO TIME.

47  
 48 (3) THE RULES ADOPTED PURSUANT TO THIS SECTION SHALL BE  
 49 INCORPORATED AS PART OF THE STATE EMERGENCY OPERATIONS PLAN.

50  
 51 **24-33.5-1611. Compliance with standards.** (1) THE EXECUTIVE  
 52 DIRECTOR OF EACH STATE DEPARTMENT AND AGENCY SHALL ENSURE  
 53 COMPLIANCE WITH THE RULES ADOPTED PURSUANT TO SECTIONS  
 54 24-33.5-1609 AND 24-33.5-1610.

55  
 56 (2) (a) STATE DEPARTMENTS AND AGENCIES SHALL BE REQUIRED



1 TO COMPLY WITH ANY SUCH RULE THAT REQUIRES FUNDING ONLY IF FUNDS  
2 ARE AVAILABLE IN THE STATE FACILITY SECURITY FUND CREATED  
3 PURSUANT TO SECTION 24-33.5-1614.

4  
5 (b) IF ADEQUATE FUNDING IS NOT AVAILABLE TO FUND  
6 COMPLIANCE WITH ANY SUCH RULE BY A STATE DEPARTMENT OR AGENCY,  
7 THE DEPARTMENT OR AGENCY SHALL TAKE APPROPRIATE MEASURES TO  
8 PROVIDE ALTERNATE INTERIM SOLUTIONS TO PROTECT THE SAFETY AND  
9 SECURITY OF PERSONS AND PROPERTY AND TO ENSURE THE CONTINUITY OF  
10 THE DEPARTMENT OR AGENCY'S CRITICAL FUNCTIONS DURING A STATE OF  
11 EMERGENCY. ANY ALTERNATE INTERIM SOLUTION SHALL BE APPROVED BY  
12 THE OFFICE OF PREPAREDNESS AND SECURITY.

13  
14 **24-33.5-1612. Assistance and assessment.** (1) UPON REQUEST,  
15 THE OFFICE OF PREPAREDNESS, SECURITY, AND FIRE SAFETY SHALL  
16 PROVIDE ADVICE AND ASSISTANCE TO ANY STATE DEPARTMENT OR AGENCY  
17 RELATED TO ITS COMPLIANCE WITH RULES ADOPTED PURSUANT TO  
18 SECTIONS 24-33.5-1609 AND 24-33.5-1610.

19  
20 (2) THE OFFICE OF PREPAREDNESS, SECURITY, AND FIRE SAFETY  
21 SHALL CONDUCT SECURITY ASSESSMENTS AS NEEDED TO EVALUATE  
22 THREATS, RISKS, AND COMPLIANCE WITH SECURITY RULES AT STATE  
23 FACILITIES.

24  
25 **24-33.5-1613. Cooperation with other state agencies.** UPON  
26 REQUEST, OTHER AGENCIES OF STATE GOVERNMENT, INCLUDING, BUT NOT  
27 LIMITED TO, THE DEPARTMENT OF PERSONNEL AND THE DEPARTMENT OF  
28 LOCAL AFFAIRS, SHALL PROVIDE ADVICE AND ASSISTANCE TO THE OFFICE  
29 OF PREPAREDNESS, SECURITY, AND FIRE SAFETY RELATED TO RULES  
30 ADOPTED PURSUANT TO SECTION 24-33.5-1609 OR 24-33.5-1610.

31  
32 **24-33.5-1614. State facility security fund.** (1) THERE IS HEREBY  
33 CREATED IN THE STATE TREASURY THE STATE FACILITY SECURITY FUND,  
34 WHICH SHALL CONTAIN:

35  
36 (a) MONEYS APPROPRIATED THERETO BY THE GENERAL ASSEMBLY  
37 FROM TIME TO TIME; AND

38  
39 (b) GIFTS OR DONATIONS MADE TO THE STATE OR ANY AGENCY OR  
40 DEPARTMENT OF STATE GOVERNMENT SPECIFICALLY FOR THE PURPOSE OF  
41 IMPLEMENTING RULES ADOPTED PURSUANT TO SECTION 24-33.5-1609 OR  
42 24-33.5-1610.

43  
44 (2) THE MONEYS IN THE STATE FACILITY SECURITY FUND SHALL BE  
45 CONTINUOUSLY AVAILABLE TO THE DEPARTMENT OF PERSONNEL FOR  
46 DISBURSEMENT TO EXECUTIVE BRANCH DEPARTMENTS AND AGENCIES FOR  
47 THE IMPLEMENTATION OF RULES ADOPTED PURSUANT TO SECTIONS  
48 24-33.5-1609 AND 24-33.5-1610. ALL MONEYS IN THE FUND AT THE END  
49 OF ANY FISCAL YEAR SHALL NOT BE TRANSFERRED OR REVERT TO THE  
50 GENERAL FUND AT THE END OF ANY FISCAL YEAR.

51  
52 (3) A STATE DEPARTMENT OR AGENCY MAY APPLY TO THE  
53 DIRECTOR OF THE DEPARTMENT OF PERSONNEL FOR THE ALLOCATION OF  
54 MONEYS NECESSARY TO IMPLEMENT RULES ADOPTED PURSUANT TO  
55 SECTION 24-33.5-1609 OR 24-33.5-1610.

56

1 (4) THE DEPARTMENT OF PERSONNEL SHALL ALLOCATE AVAILABLE  
2 MONEYS BASED ON CRITICAL NEED, AS DETERMINED BASED ON AN  
3 EVALUATION OF THE MISSION AND ESSENTIAL FUNCTIONS OF A  
4 DEPARTMENT OR AGENCY. AVAILABLE MONEYS SHALL BE ALLOCATED  
5 FIRST TO THOSE DEPARTMENTS AND AGENCIES WHERE EVEN A MINIMAL  
6 DISRUPTION OF SERVICE WOULD SERIOUSLY AFFECT THE STATE'S ECONOMY  
7 OR THE ABILITY OF THE STATE GOVERNMENT TO PROTECT THE SAFETY,  
8 SECURITY, AND WELFARE OF THE PEOPLE OF THE STATE.";

9  
10 line 23, strike "PREPAREDNESS AND SECURITY" and substitute  
11 "PREPAREDNESS, SECURITY, AND FIRE SAFETY".

12  
13 Page 10, line 11, strike "PREPAREDNESS AND SECURITY;" and substitute  
14 "PREPAREDNESS, SECURITY, AND FIRE SAFETY;".

15  
16 Page 11, line 7, strike "PREPAREDNESS AND SECURITY" and substitute  
17 "PREPAREDNESS, SECURITY, AND FIRE SAFETY".

18  
19 Page 12, line 3, strike "INVESTIGATIONS." and substitute  
20 "INVESTIGATIONS; EXCEPT THAT NOTHING IN THIS SUBPARAGRAPH (XV)  
21 SHALL PROHIBIT THE CUSTODIAN FROM TRANSFERRING SUCH RECORDS TO  
22 THE OFFICE OF PREPAREDNESS, SECURITY, AND FIRE SAFETY IN THE  
23 DEPARTMENT OF PUBLIC SAFETY, THE GOVERNING BODY OF ANY CITY,  
24 COUNTY, OR CITY AND COUNTY, OR ANY FEDERAL, STATE, OR LOCAL LAW  
25 ENFORCEMENT AGENCY.".

26  
27 Page 12, after line 3, insert the following:

28  
29 **"SECTION 9. Appropriation – adjustments in long bill.** (1)  
30 For the implementation of this act, the general assembly anticipates that,  
31 for the fiscal year beginning July 1, 2002, the office of preparedness and  
32 security will receive the sum of three hundred twenty-five thousand three  
33 hundred twenty-five dollars (\$325,325) and 3.0 FTE in federal funds.

34  
35 (2) For the implementation of this act, the general assembly  
36 anticipates the following:

37  
38 (a) The department of public health and environment will reassign  
39 1.0 FTE and all associated duties, funded with sixty-three thousand five  
40 hundred twelve dollars (\$63,512) from federal funds, to the office of  
41 preparedness and security.

42  
43 (b) The annual general appropriation act for the fiscal year  
44 beginning July 1, 2002, will be adjusted as follows:

45  
46 (I) The appropriation to the department of local affairs, for  
47 allocation to the office of emergency management, will be decreased by  
48 three hundred twenty-nine thousand six hundred four dollars (\$329,604)  
49 and 2.0 FTE from federal funds.

50  
51 (II) The appropriation to the department of public safety, for  
52 allocation to the office of preparedness and security will be increased by  
53 three hundred twenty-nine thousand six hundred four dollars (\$329,604)  
54 and 2.0 FTE from federal funds.

55  
56 (3) Although federal funds are not appropriated in this act, they

1 are noted in subsections (1) and (2) for the purpose of indicating the  
2 assumptions used relative to these funds in developing the state  
3 appropriation amounts."

4  
5 Renumber succeeding section accordingly.

6  
7 Page 1, line 103, strike "**PREPAREDNESS AND SECURITY.**" and substitute  
8 "**PREPAREDNESS, SECURITY, AND FIRE SAFETY.**"

9  
10  
11  
12 **HB02-1356** be referred to the Committee of the Whole with favorable  
13 recommendation.

14  
15  
16 **SB02-079** be referred to the Committee of the Whole with favorable  
17 recommendation.

18  
19  
20 **SB02-151** be amended as follows, and as so amended, be referred to  
21 the Committee of the Whole with favorable  
22 recommendation:

23  
24 Amend reengrossed bill, page 3, line 3, strike "OR THE COLORADO  
25 HOUSING AND FINANCE AUTHORITY";

26  
27 line 12, strike "WHETHER" and substitute "IF";

28  
29 line 13, strike "OR HAVE EXPIRED." and substitute "AT THE TIME THE  
30 NOTICE IS REQUIRED.";

31  
32 strike line 18;

33  
34 line 19, strike "(II)" and substitute "(I)" and strike "MARKET-RATE  
35 HOUSING OR";

36  
37 line 20, strike "USE;" and substitute "USE OR INCREASING RESIDENTIAL  
38 RENT TO AN AMOUNT EXCEEDING THE AMOUNT PERMITTED UNDER THE  
39 AFFORDABILITY RESTRICTIONS IN EFFECT AT THE TIME OF THE NOTICE;"

40  
41 line 21, strike "(III)" and substitute "(II)";

42  
43 line 25, strike "THE OWNER SHALL NOT TAKE ANY";

44  
45 strike line 26 and substitute "THE".

46  
47 Page 4, strike lines 8 through 16;

48  
49 line 19, strike "THE INFORMATION";

50  
51 strike line 20.

52  
53  
54  
55

1 **SB02-182** be amended as follows, and as so amended, be referred to  
 2 the Committee on Appropriations with favorable  
 3 recommendation:  
 4

5 Amend reengrossed bill, page 3, strike lines 6 through 14, and substitute  
 6 the following:  
 7

8 "THE SECRETARY OF STATE, EVIDENCING SUCH DIVISION. IF THE  
 9 SECRETARY OF STATE BELIEVES THAT THE BORDER SHOULD BE MOVED, THE  
 10 SECRETARY OF STATE SHALL PROPOSE MOVING THE BORDER BETWEEN THE  
 11 TWO DISTRICTS TO A VISIBLE FEATURE NORMALLY RELIED UPON BY THE  
 12 UNITED STATES CENSUS BUREAU SUCH THAT THE BORDER:  
 13

14 (I) DOES NOT SPLIT A RESIDENTIAL PARCEL;  
 15

16 (II) MOVES THE REMAINING PORTION OF THE RESIDENTIAL PARCEL  
 17 INTO THE LEAST POPULATED OF THE TWO DISTRICTS; EXCEPT THAT, IF THE  
 18 BORDER IS A BORDER BETWEEN BOTH SENATORIAL AND A REPRESENTATIVE  
 19 DISTRICTS, THE REMAINING PORTION OF THE RESIDENTIAL PARCEL SHALL  
 20 BE MOVED INTO THE LEAST POPULATED OF THE TWO REPRESENTATIVE  
 21 DISTRICTS;  
 22

23 (III) WOULD NOT RESULT IN A VIOLATION OF SECTION 46 OR 47 OF  
 24 ARTICLE V OF THE STATE CONSTITUTION BASED UPON THE LATEST  
 25 NATIONAL CENSUS;  
 26

27 (IV) MINIMIZES THE IMPACT ON THE AFFECTED COMMUNITY FOR  
 28 PURPOSES OF ESTABLISHING POLLING PLACES; AND  
 29

30 (V) MINIMIZES CHANGES IN DISTANCES FROM THE  
 31 REAPPORTIONMENT PLAN APPROVED BY THE COLORADO SUPREME  
 32 COURT.";  
 33

34 strike lines 21 and 22 and substitute the following:

35 "STATE SATISFY THE CRITERIA ESTABLISHED IN PARAGRAPH (a) OF THIS  
 36 SUBSECTION (2.5), THE SUPREME COURT MAY";  
 37

38 strike lines 24 and 25 and substitute the following:

39 "THE ASSIGNMENT DOES NOT SATISFY THE CRITERIA ESTABLISHED IN  
 40 PARAGRAPH (a) OF THIS SUBSECTION (2.5),";  
 41

42 line 26, strike "CONSTITUTION,".  
 43  
 44  
 45  
 46

#### 47 **TRANSPORTATION & ENERGY**

48 After consideration on the merits, the Committee recommends the  
 49 following:  
 50

51 **SB02-132** be amended as follows, and as so amended, be referred to  
 52 the Committee of the Whole with favorable  
 53 recommendation:  
 54

55 Amend reengrossed bill, page 7, line 15, after the period, add "NOTHING  
 56 IN THIS SECTION SHALL BE CONSTRUED TO AUTHORIZE FEES FOR SERVICES

- 1 THAT WERE NOT PROVIDED OR THAT WERE PROVIDED BY ANOTHER PERSON  
2 OR ENTITY.".
- 3
- 4 Page 9, line 18, strike "SENT." and substitute "SENT, AS DETERMINED BY  
5 THE POSTMARK.".
- 6
- 7 Page 15, line 18, after "towing", insert "AND STORING".
- 8
- 9 Page 21, line 1, strike "MINUTES IF THE" and substitute "MINUTES,";  
10  
11 strike lines 2 and 3;  
12  
13 line 4, strike "ON DUTY,";  
14  
15 line 25, after the period, add "NOTHING IN THIS SECTION SHALL BE  
16 CONSTRUED TO AUTHORIZE FEES FOR SERVICES THAT WERE NOT PROVIDED  
17 OR THAT WERE PROVIDED BY ANOTHER PERSON OR ENTITY.";
- 18  
19 line 27, strike "towed," and substitute "towed OR ABANDONED,".
- 20
- 21 Page 22, line 9, strike "CASE" and substitute "TOW REPORT";  
22  
23 line 22, strike "towed," and substitute "towed OR ABANDONED,".
- 24
- 25 Page 24, line 16, strike "~~as determined from the postmark on the~~" and  
26 substitute "as determined from the postmark on the";  
27  
28 line 17, strike "notice," and substitute "notice,".
- 29
- 30 Page 25, line 14, before "vehicle" insert "VEHICLE'S APPRAISAL VALUE IS  
31 MORE THAN TWO HUNDRED DOLLARS AND SUCH".
- 32
- 33 Page 27, line 27, strike "ACCESSORIES OR EQUIPMENT" and substitute  
34 "ACCESSORIES, EQUIPMENT, AND PERSONAL PROPERTY".
- 35
- 36 Page 28, line 24, strike "ACCESSORIES OR" and substitute "ACCESSORIES,";  
37  
38 line 25, strike "EQUIPMENT" and substitute "EQUIPMENT, OR PERSONAL  
39 PROPERTY".
- 40
- 41 Page 30, line 6, after "TOWING", insert "AND STORING".
- 42
- 43
- 44

---

## 45 SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

46  
47 The Speaker has signed: **SB02-041**.

48

49

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## 50 DELIVERY OF BILLS TO GOVERNOR

51  
52 The Chief Clerk of the House of Representatives reports the following  
53 bills have been delivered to the Office of the Governor: **HB02-1008,**  
54 **1020, 1026, 1048, 1076, 1120, 1132, 1311** at 1:40 p.m. on March 21,  
55 2002.

56

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1                                   **MESSAGES FROM THE SENATE**

2 Mr. Speaker:

3

4 The Senate has postponed indefinitely and returns herewith:  
5 HB02-1320, 1354

6

7

8 The Senate voted to concur in House amendments to SB02-051, 145, 041  
9 and SCR02-001, and repassed the bills as amended.

10

11 The Senate has adopted and transmits herewith: SJR02-016.

12

13 The Senate has adopted and returns herewith: HJR02-1029, 1031.

14

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

17

18 SB02-016, amended as printed in Senate Journal, March 20, page 527;  
19 SB02-083, amended as printed in Senate Journal, March 20, page 527;  
20 HB02-1131, amended as printed in Senate Journal, March 20, page 528;  
21 HB02-1144, amended as printed in Senate Journal, March 20, page 528;  
22 HB02-1258, amended as printed in Senate Journal, March 20, page 528.

23

24

25

26                                   **MESSAGE FROM THE REVISOR**

27

28 We herewith transmit without comment, SB02-016, 083, HB02-1131,  
29 1144, and 1258.

30

31

32

33                                   **MESSAGE FROM THE GOVERNOR**

34

35 I certify I received the following on the 22<sup>nd</sup> day of March, 2002, at  
36 4:00 p.m. The original is on file in the records of the House of  
37 Representatives of the General Assembly.

38

39

40

Judith Rodrigue,  
Chief Clerk of the House

41

42 March 21, 2002

43

44 To the Honorable  
45 House of Representatives  
46 Sixty-third General Assembly  
47 Second Regular Session  
48 Denver, CO 80203

49

50 Ladies and Gentlemen:

51

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

54

55

- 1 **HB02-1021** Concerning The Waiver Of Parole Considerations By  
2 Inmates.  
3  
4 Approved March 21, 2002 at 12:15 p.m.  
5
- 6 **HB02-1032** Concerning The Authorization For Members Of The  
7 Statewide Defined Benefit Plan To Acquire Service Credit  
8 For Prior Employment Not Covered By The Plan.  
9  
10 Approved March 21, 2002 at 12:51 p.m.  
11
- 12 **HB02-1056** Concerning An Exemption From The Real Property  
13 Acquisition Policies Of The Colorado Relocation  
14 Assistance And Land Acquisition Policies Act.  
15  
16 Approved March 21, 2002 at 12:59 p.m.  
17
- 18 **HB02-1063** Concerning The "Colorado Children's Trust Fund Act."  
19  
20 Approved March 21, 2002 at 12:17 p.m.  
21
- 22 **HB02-1085** Concerning Changes In The Deadlines For Taxpayers To  
23 Give Notice Of Objection To Valuation Of Real Property  
24 By Assessors.  
25  
26 Approved March 21, 2002 at 12:19 p.m.  
27
- 28 **HB02-1088** Concerning The Limitations On The Duties Of Notaries  
29 Public Who Are Not Licensed To Practice Law.  
30  
31 Approved March 21, 2002 at 12:21 p.m.  
32
- 33 **HB02-1110** Concerning Bonded Indebtedness Of Metropolitan Sewage  
34 Disposal Districts.  
35  
36 Approved March 21, 2002 at 12:23 p.m.  
37
- 38 **HB02-1171** Concerning The Designation Of Enterprise Status For The  
39 Canteen Fund For The Inmates Of State Correction  
40 Facilities.  
41  
42 Approved March 21, 2002 at 1:02 p.m.  
43
- 44 **HB02-1230** Concerning Continuation Of The State Board Of  
45 Optometric Examiners.  
46  
47 Approved March 21, 2002 at 1:04 p.m.  
48

49 Sincerely,  
50 (signed)  
51 Bill Owens  
52 Governor

53  
54  
55

**INTRODUCTION OF BILLS**  
**First Reading**

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

**HB02-1408** by Representative(s) Spradley, Dean, Kester; also Senator(s) Thiebaut--Concerning additional requirements for shipments of certain types of radioactive waste for disposal inside Colorado.

Committee on Local Government

**SB02-016** by Senator(s) Takis, Anderson, Windels; also Representative(s) Hoppe, Snook, Veiga--Concerning screening of certain persons for mental illness.

Committee on Health, Environment, Welfare, & Institutions

**SB02-083** by Senator(s) Takis, Phillips; also Representative(s) Hodge, Coleman--Concerning required continuing education for electricians as a prerequisite for the renewal of a license.

Committee on Business Affairs & Labor

Committee on Appropriations

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**INTRODUCTION OF RESOLUTIONS**

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

**HJR02-1032** by Representative(s) Tapia, Spradley; also Senator(s) Thiebaut--Concerning the designation of the Transportation Technology Center, Inc., Emergency Response Training Center, located in Pueblo County, Colorado, as the Colorado state training center for domestic preparedness.

Committee on State, Veterans, & Military Affairs

WHEREAS, Weapons of mass destruction and related materials and technologies are becoming available from an increasing number of sources worldwide, and hostile nations and extremist and terrorist groups are attempting to acquire and use those materials and technologies to develop and deploy nuclear, radiological, biological, and chemical weapons; and

WHEREAS, Terrorist groups have already conducted chemical and biological attacks against civilian targets in the United States and other parts of the world as well as the terrible terrorist attacks of September 11, 2001, in the United States, and have demonstrated to the government of the United States the need to provide adequate planning, training, and countermeasures to address these threats against America and Americans in the future; and

WHEREAS, As part of its response, the United States government has begun to provide for and fund, through the United States Departments



1 of Defense, Justice, Energy, and other agencies, training and exercises in  
2 order to improve the preparedness of state and local emergency response  
3 personnel to allow such response personnel to be able to properly respond  
4 to radiological, biological, and chemical materials; and  
5

6 WHEREAS, The Transportation Technology Center, Inc. (TTCI),  
7 a subsidiary of the Association of American Railroads, established in  
8 1985, currently operates the Emergency Response Training Center  
9 (ERTC) at the Transportation Technology Center located in Pueblo  
10 County, Colorado, to train chemical industry, government, and public  
11 sector emergency response agencies, emergency response contractors,  
12 and transportation service industry emergency response personnel to  
13 safely handle chemical, biological, and explosive hazardous materials  
14 accidents and spills, and has trained over 20,000 students from all over  
15 the world; and  
16

17 WHEREAS, As part of its curriculum, the ERTC has developed,  
18 offers, and currently trains students in courses in Terrorism Response for  
19 the First Responder and Terrorism in Transportation; and  
20

21 WHEREAS, TTCI is now attempting to apply for funding  
22 agreements and assistance from the United States Departments of  
23 Defense, Justice, Energy, and other agencies in order to expand its  
24 training offerings for responders to incidents involving the use of  
25 weapons of mass destruction and related materials; and  
26

27 WHEREAS, It is in the best interest of the citizens and residents  
28 of Pueblo County and the State of Colorado to assist TTCI in that effort  
29 to obtain those funding agreements and assistance in order to allow for  
30 greater utilization of the ERTC, allow the ERTC to train a greater number  
31 of emergency responders to weapons of mass destruction and related  
32 materials incidents, and to assist in the provision of greater security and  
33 protection for our citizens and residents, as well as all of the citizens and  
34 residents of the United States; and  
35

36 WHEREAS, In order to best assist TTCI in this effort, it is also in  
37 the best interest of the citizens and residents of the State of Colorado to  
38 designate TTCI's ERTC as Colorado's State Training Center for Domestic  
39 Preparedness; and  
40

41 WHEREAS, It is also in the best interest of the citizens and  
42 residents of the State of Colorado to assist TTCI in its efforts to obtain a  
43 similar designation from the United States government; now, therefore,  
44

45 *Be It Resolved by the House of Representatives of the Sixty-third*  
46 *General Assembly of the State of Colorado, the Senate concurring*  
47 *herein:*  
48

49 That the Transportation Technology Center, Inc., Emergency  
50 Response Training Center is hereby designated as the State of Colorado's  
51 State Training Center for Domestic Preparedness.  
52

53 *Be It Further Resolved*, That the emergency responders employed  
54 by the various agencies of the State of Colorado, as well as those  
55 emergency responders employed by the several local government and  
56 political subdivisions of the State of Colorado, are encouraged to utilize

1 TTCI's Emergency Response Training Center for all of their emergency  
2 response training needs regarding transportation-related incidents  
3 involving weapons of mass destruction and related materials.  
4

5 *Be It Further Resolved*, That we, the Colorado General Assembly,  
6 fully support the efforts of TTCI to obtain a similar designation from the  
7 United States government and its various appropriate departments and  
8 agencies, and also support its efforts to obtain funding agreements and  
9 assistance to allow the ERTC to train a greater number of emergency  
10 responders to weapons of mass destruction and related materials incidents  
11 and, thus, to assist the ERTC in providing greater security and protection  
12 for our citizens and residents, as well as all of the citizens and residents  
13 of the United States.  
14

15 *Be It Further Resolved*, That copies of this resolution be sent to  
16 the Transportation Technology Center, Inc., located in Pueblo county,  
17 Colorado, to each member of the Colorado delegation to the United States  
18 Congress, to the directors of the United States Departments of Defense,  
19 Justice, and Energy, the Pueblo City Council, and to the Pueblo County  
20 Attorney.  
21

22  
23  
24 The following resolutions were read by title and laid over one day under  
25 the rules:  
26

27 **HJR02-1033** by Representative(s) Snook; also Senator(s) Entz--  
28 Concerning congratulating the 2001 Alamosa High School  
29 football team on winning the State 3A Championship.  
30

31 WHEREAS, After a 5-5 season and missing the state playoffs in  
32 2000, the Alamosa High School Mean Moose football team entered the  
33 2001 season projected to finish seventh in the Southern Conference; and  
34

35 WHEREAS, In 2001, the Mean Moose football team capped the  
36 first undefeated season in Alamosa High School history by winning the  
37 State 3A Championship; and  
38

39 WHEREAS, This state championship was the second in Alamosa  
40 High School history, the first since 1949; and  
41

42 WHEREAS, The Mean Moose football team defeated the  
43 defending state champion as well as the defending state runner-up in  
44 conference play; and  
45

46 WHEREAS, The Mean Moose football team scored decisive  
47 victories over then-undefeated and number one ranked Liberty for the  
48 conference championship and then-undefeated and number one ranked  
49 Fort Morgan for the state championship; and  
50

51 WHEREAS, The Mean Moose football team extended their state  
52 record consecutive games scoring streak to 196 games dating back to  
53 1985; and  
54

55 WHEREAS, The Mean Moose football team scored on all 7  
56 offensive possessions and added one defensive touchdown marking the

1 only time this feat has been accomplished in state championship game  
2 history; and

3

4 WHEREAS, The Mean Moose football team defeated Fort Morgan  
5 55-23 for the fourth highest score in big school state championship game  
6 history; now, therefore,

7

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

11

12 That the General Assembly honors the hard work and dedication  
13 shown by the players, coaches, and staff of the 2001 Alamosa High  
14 School football team and congratulates them for winning the 2001 State  
15 3A Championship.

16

17 *Be It Further Resolved*, That copies of this Joint Resolution be  
18 sent to Alamosa High School.

19

20

21

22 **HJR02-1034** by Representative(s) Alexander, Hefley, Clapp, Bacon,  
23 Berry, Coleman, Crane, Hodge, Hoppe, Jahn, Jameson,  
24 Johnson, Kester, Larson, Lawrence, Miller, Ragsdale,  
25 Romanoff, Smith, Snook, Spence, Stafford, Tochtrop,  
26 Williams S.; also Senator(s) Windels--Concerning  
27 recognition of the month of April as Child Abuse  
28 Prevention Month.

29

30 WHEREAS, Children are the key to this state's future success and  
31 prosperity; and

32

33 WHEREAS, All children have a right to a happy and healthy  
34 childhood, to have the opportunity to grow up in a loving, nurturing  
35 environment, and to be safe and secure in their homes, schools, and  
36 communities; and

37

38 WHEREAS, Child abuse is a serious problem that has far-reaching  
39 effects on individual children and on society as a whole, robbing children  
40 of the chance for a normal, happy childhood and undermining the  
41 foundation of communities by destroying family relationships; and

42

43 WHEREAS, Each one of the young, innocent victims of child  
44 abuse will carry the scars of such trauma for life; and

45

46 WHEREAS, Child abuse is a serious community issue and  
47 preventing child abuse depends upon the involvement and cooperation of  
48 all people and organizations within the state of Colorado; and

49

50 WHEREAS, Effective child abuse prevention programs succeed  
51 when partnerships are created between and among government and social  
52 service agencies, schools, religious and civic organizations, law  
53 enforcement agencies, health care providers, the media, the business  
54 community, and especially parents themselves; and

55

56 WHEREAS, All citizens must work to prevent child abuse within

1 their community by becoming aware of the problem of child abuse and  
 2 its negative impacts, by working to protect children, and by giving parents  
 3 the support they need to raise their children in a safe, nurturing  
 4 environment; now, therefore,

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

9  
 10 (1) That the month of April, 2002, be proclaimed Child Abuse  
 11 Prevention Month in the state of Colorado.

12  
 13 (2) That each individual has a responsibility to perform some  
 14 positive act each day on behalf of children.

15  
 16 (3) That the General Assembly calls upon all citizens, community  
 17 and religious organizations, businesses, and government agencies to  
 18 create alliances and increase their efforts to prevent child abuse, thereby  
 19 strengthening the communities of this state.

20  
 21  
 22 **HR02-1008** by Representative(s) Alexander, Rhodes, Chavez, Mace--  
 23 Concerning appointments of employees for the House of  
 24 Representatives of the Sixty-third General Assembly.

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

28  
 29 That the following named persons be appointed as an employees  
 30 of the House of Representatives of the Sixty-third General Assembly,  
 31 convened in the Second Regular Session to the position set opposite their  
 32 respective names:

33  
 34 John Lubischer Assistant Sergeant at Arms  
 35 Sean Shields Majority Communications

36  
 37  
 38 **SJR02-016** by Senator(s) Taylor, Entz, Anderson, Andrews, Cairns,  
 39 Chlouber, Dyer, Evans, Hernandez, Isgar, May, Owen,  
 40 Perlmutter, Thiebaut; also Representative(s) Weddig,  
 41 Cadman, Decker, Miller, Paschall, Sinclair, Swenson,  
 42 Witwer--Concerning the recognition of Military  
 43 Appreciation Day.

44  
 45  
 46  
 47 **LAY OVER OF CALENDAR ITEMS**

48  
 49 On motion of Representative Spradley, the following items on the  
 50 Calendar were laid over until March 25, retaining place on Calendar:

51  
 52 Consideration of Resolutions--**HJR02-1027, SJR02-008.**  
 53 Consideration of Senate Amendments--**HB02-1041, 1153, 1061, 1050,**  
 54 **1168, 1053, 1111, 1071, 1305, 1057.**

1 On motion of Representative Spradley, the House adjourned until  
2 10:00 a.m., March 25, 2002.  
3  
4 Approved:  
5  
6  
7  
8 DOUG DEAN,  
9 Speaker  
10 Attest:  
11  
12 JUDITH RODRIGUE,  
13 Chief Clerk