

**SENATE JOURNAL**  
Sixty-third General Assembly  
**STATE OF COLORADO**  
Second Regular Session

Ninety-ninth Legislative Day

Wednesday, April 17, 2002

Prayer By the chaplain, Father Costas Pavlakos, Greek Orthodox Cathedral of the Assumption.

Call to Order By the President at 9:00 a.m.

Roll Call Present--Total, 32.  
Absent/Excused--Gordon, Linkhart, Perlmutter--Total, 3.  
Present later--Gordon, Linkhart, Perlmutter.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Tupa, reading of the Journal of Tuesday, April 16, was dispensed with and the Journal was approved as corrected by the Secretary.

**MESSAGE FROM THE REVISOR**

We herewith transmit:

Without comment, as amended, HB02-1317, 1404, and 1402.

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

On Third Reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

**HB02-1421** by Representative(s) Young, Berry, Saliman; also Senator(s) Reeves, Tate, Owen--  
Concerning a supplemental appropriation to the department of agriculture.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	Y	Takis	Y
Andrews	Y	Gordon	Y	McElhany	Y	Tate	Y
Arnold	Y	Hagedorn	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	Y	Owen	Y	Thiebaut	Y
Dyer	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Evans	Y	Linkhart	Y	Reeves	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was declared **passed**.

**HB02-1422** by Representative(s) Young, Berry, Saliman; also Senator(s) Reeves, Tate, Owen--  
Concerning a supplemental appropriation to the department of corrections.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	Y	Takis	Y
Andrews	Y	Gordon	Y	McElhany	Y	Tate	Y
Arnold	Y	Hagedorn	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	Y	Owen	Y	Thiebaut	Y
Dyer	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Evans	Y	Linkhart	Y	Reeves	Y		

**HB02-1422** A majority of all members elected to the Senate having voted in the affirmative, the bill was declared **passed**.

**HB02-1423** by Representative(s) Young, Berry, Saliman; also Senator(s) Reeves, Tate, Owen-- Concerning a supplemental appropriation to the department of education.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	Y	Takis	Y
Andrews	Y	Gordon	Y	McElhany	Y	Tate	Y
Arnold	Y	Hagedorn	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	Y	Owen	Y	Thiebaut	Y
Dyer	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Evans	Y	Linkhart	Y	Reeves	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was declared **passed**.

**HB02-1424** by Representative(s) Young, Berry, Saliman; also Senator(s) Reeves, Tate, Owen-- Concerning a supplemental appropriation to the offices of the governor, lieutenant governor, and state planning and budgeting.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	Y	Takis	Y
Andrews	Y	Gordon	Y	McElhany	Y	Tate	Y
Arnold	Y	Hagedorn	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	Y	Owen	Y	Thiebaut	Y
Dyer	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Evans	Y	Linkhart	Y	Reeves	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was declared **passed**.

**HB02-1425** by Representative(s) Young, Berry, Saliman; also Senator(s) Reeves, Tate, Owen-- Concerning a supplemental appropriation to the department of health care policy and financing.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	Y	Takis	Y
Andrews	Y	Gordon	Y	McElhany	Y	Tate	Y
Arnold	Y	Hagedorn	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	Y	Owen	Y	Thiebaut	Y
Dyer	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Evans	Y	Linkhart	Y	Reeves	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was declared **passed**.

**HB02-1426** by Representative(s) Young, Berry, Saliman; also Senator(s) Reeves, Tate, Owen-- Concerning a supplemental appropriation to the department of higher education.

The question being "Shall the bill pass?", the roll call was taken with the following result:

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**HB02-1426**

YES	35	NO	0	EXCUSED	0	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	Y	Takis	Y
Andrews	Y	Gordon	Y	McElhany	Y	Tate	Y
Arnold	Y	Hagedorn	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	Y	Owen	Y	Thiebaut	Y
Dyer	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Evans	Y	Linkhart	Y	Reeves	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was declared **passed**.

**HB02-1427**

by Representative(s) Young, Berry, Saliman; also Senator(s) Reeves, Tate, Owen--  
Concerning a supplemental appropriation to the department of human services.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	Y	Takis	Y
Andrews	Y	Gordon	Y	McElhany	Y	Tate	Y
Arnold	Y	Hagedorn	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	Y	Owen	Y	Thiebaut	Y
Dyer	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Evans	Y	Linkhart	Y	Reeves	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was declared **passed**.

**HB02-1428**

by Representative(s) Young, Berry, Saliman; also Senator(s) Reeves, Tate, Owen--  
Concerning a supplemental appropriation to the department of law.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	Y	Takis	Y
Andrews	Y	Gordon	Y	McElhany	Y	Tate	Y
Arnold	Y	Hagedorn	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	Y	Owen	Y	Thiebaut	Y
Dyer	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Evans	Y	Linkhart	Y	Reeves	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was declared **passed**.

**HB02-1429**

by Representative(s) Young, Berry, Saliman; also Senator(s) Reeves, Tate, Owen--  
Concerning a supplemental appropriation to the department of local affairs.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	Y	Takis	Y
Andrews	Y	Gordon	Y	McElhany	Y	Tate	Y
Arnold	Y	Hagedorn	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	Y	Owen	Y	Thiebaut	Y
Dyer	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Evans	Y	Linkhart	Y	Reeves	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was declared **passed**.

**HB02-1430**

by Representative(s) Young, Berry, Saliman; also Senator(s) Reeves, Tate, Owen--  
Concerning a supplemental appropriation to the department of military affairs.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	Y	Takis	Y
Andrews	Y	Gordon	Y	McElhany	Y	Tate	Y
Arnold	Y	Hagedorn	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	Y	Owen	Y	Thiebaut	Y
Dyer	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Evans	Y	Linkhart	Y	Reeves	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was declared **passed**.

**HB02-1431**

by Representative(s) Young, Berry, Saliman; also Senator(s) Reeves, Tate, Owen--  
Concerning a supplemental appropriation to the department of natural resources.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	Y	Takis	Y
Andrews	Y	Gordon	Y	McElhany	Y	Tate	Y
Arnold	Y	Hagedorn	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	Y	Owen	Y	Thiebaut	Y
Dyer	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Evans	Y	Linkhart	Y	Reeves	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was declared **passed**.

**HB02-1432**

by Representative(s) Young, Berry, Saliman; also Senator(s) Reeves, Tate, Owen--  
Concerning a supplemental appropriation to the department of personnel.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	Y	Takis	Y
Andrews	Y	Gordon	Y	McElhany	Y	Tate	Y
Arnold	Y	Hagedorn	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	Y	Owen	Y	Thiebaut	Y
Dyer	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Evans	Y	Linkhart	Y	Reeves	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was declared **passed**.

**HB02-1433**

by Representative(s) Young, Berry, Saliman; also Senator(s) Reeves, Tate, Owen--  
Concerning a supplemental appropriation to the department of public health and environment.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	Y	Takis	Y
Andrews	Y	Gordon	Y	McElhany	Y	Tate	Y
Arnold	Y	Hagedorn	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	Y	Owen	Y	Thiebaut	Y
Dyer	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Evans	Y	Linkhart	Y	Reeves	Y		

**HB02-1433** A majority of all members elected to the Senate having voted in the affirmative, the bill was declared **passed**.

**HB02-1434** by Representative(s) Young, Berry, Saliman; also Senator(s) Reeves, Tate, Owen--  
Concerning a supplemental appropriation to the department of public safety.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	Y	Takis	Y
Andrews	Y	Gordon	Y	McElhany	Y	Tate	Y
Arnold	Y	Hagedorn	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	Y	Owen	Y	Thiebaut	Y
Dyer	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Evans	Y	Linkhart	Y	Reeves	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was declared **passed**.

**HB02-1435** by Representative(s) Young, Berry, Saliman; also Senator(s) Reeves, Tate, Owen--  
Concerning a supplemental appropriation to the department of regulatory agencies.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	Y	Takis	Y
Andrews	Y	Gordon	Y	McElhany	Y	Tate	Y
Arnold	Y	Hagedorn	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	Y	Owen	Y	Thiebaut	Y
Dyer	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Evans	Y	Linkhart	Y	Reeves	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was declared **passed**.

**HB02-1436** by Representative(s) Young, Berry, Saliman; also Senator(s) Reeves, Tate, Owen--  
Concerning a supplemental appropriation to the department of revenue.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	Y	Takis	Y
Andrews	Y	Gordon	Y	McElhany	Y	Tate	Y
Arnold	Y	Hagedorn	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	Y	Owen	Y	Thiebaut	Y
Dyer	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Evans	Y	Linkhart	Y	Reeves	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was declared **passed**.

**HB02-1437** by Representative(s) Young, Berry, Saliman; also Senator(s) Reeves, Tate, Owen--  
Concerning a supplemental appropriation to the department of transportation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

**HB02-1437**

YES	35	NO	0	EXCUSED	0	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	Y	Takis	Y
Andrews	Y	Gordon	Y	McElhany	Y	Tate	Y
Arnold	Y	Hagedorn	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	Y	Owen	Y	Thiebaut	Y
Dyer	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Evans	Y	Linkhart	Y	Reeves	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was declared **passed**.

**HB02-1438**

by Representative(s) Young, Berry, Saliman; also Senator(s) Reeves, Tate, Owen-- Concerning funding for capital construction, and making supplemental appropriations in connection therewith.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	Y	Takis	Y
Andrews	Y	Gordon	Y	McElhany	Y	Tate	Y
Arnold	Y	Hagedorn	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	Y	Owen	Y	Thiebaut	Y
Dyer	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Evans	Y	Linkhart	Y	Reeves	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was declared **passed**.

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

On Third Reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

**HB02-1349**

by Representative(s) King; also Senator(s) Thiebaut--Concerning the financing of public schools, and making an appropriation therefor.

A majority of those elected to the Senate having voted in the affirmative, Senator Thiebaut was given permission to offer a Third Reading amendment.

Third Reading Amendment No. 11, by Senator Thiebaut

Amend revised bill, page 31, strike lines 2 through 14.

Page 89, line 21, strike "eight";

strike line 22 and substitute the following:

"Said sum shall".

A majority of all members elected to the Senate having voted in the affirmative, the amendment was declared **adopted**.

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	24	NO	11	EXCUSED	0	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	N	Takis	Y
Andrews	N	Gordon	Y	McElhany	N	Tate	Y
Arnold	N	Hagedorn	Y	Musgrave	N	Taylor	Y
Cairns	N	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	Y	Owen	N	Thiebaut	Y
Dyer	N	Hillman	N	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	N	Phillips	Y	Mr. President	Y
Evans	N	Linkhart	Y	Reeves	Y		

**HB02-1349** A majority of all members elected to the Senate having voted in the affirmative, the bill was declared **passed**.

Co-sponsors added: Fitz-Gerald, Hernandez, Nichol, Pascoe, Windels.

**HB02-1441** by Representative(s) Saliman, Young, Berry; also Senator(s) Owen, Reeves, Tate-- Concerning the requirement that the state controller release the portion of moneys that has been restricted by the controller based on an estimate of the amount a department may need for an overexpenditure that exceeds the actual amount of the overexpenditure.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	Y	Takis	Y
Andrews	Y	Gordon	Y	McElhany	Y	Tate	Y
Arnold	Y	Hagedorn	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	Y	Owen	Y	Thiebaut	Y
Dyer	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	N	Windels	Y
Epps	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Evans	Y	Linkhart	Y	Reeves	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was declared **passed**.

Co-sponsor added: Taylor.

**HB02-1442** by Representative(s) Saliman, Young, Berry; also Senator(s) Owen, Reeves, Tate-- Concerning the designation of state moneys to constitute the state emergency reserve for the 2001-02 state fiscal year, and, in connection therewith, specifying that the principal credited to the unclaimed property trust fund constitutes state fiscal year spending so that moneys in said trust fund may be designated as part of the state emergency reserve, and designating moneys in the subsequent injury fund, the major medical insurance fund, the wildlife cash fund, and the unclaimed property trust fund as part of the state emergency reserve.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	26	NO	9	EXCUSED	0	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	N	Takis	N
Andrews	N	Gordon	Y	McElhany	N	Tate	Y
Arnold	N	Hagedorn	Y	Musgrave	Y	Taylor	Y
Cairns	N	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	Y	Owen	Y	Thiebaut	Y
Dyer	N	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	N	Windels	Y
Epps	Y	Lamborn	N	Phillips	Y	Mr. President	Y
Evans	Y	Linkhart	Y	Reeves	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was declared **passed**.

**HB02-1443** by Representative(s) Young, Berry, Saliman; also Senator(s) Reeves, Tate, Owen-- Concerning reductions in the revenues available to fund capital projects for purposes of addressing the anticipated revenue shortfall for the 2001-02 and 2002-03 fiscal years.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	Y	Takis	Y
Andrews	Y	Gordon	Y	McElhany	Y	Tate	Y
Arnold	Y	Hagedorn	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	Y	Owen	Y	Thiebaut	Y
Dyer	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Evans	Y	Linkhart	Y	Reeves	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was declared **passed**.

**HB02-1444** by Representative(s) Young, Berry, Saliman; also Senator(s) Reeves, Tate, Owen-- Concerning the augmentation of the general fund through transfers of certain moneys in the 2001-02 state fiscal year.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	19	NO	16	EXCUSED	0	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	N	Takis	N
Andrews	N	Gordon	N	McElhany	N	Tate	Y
Arnold	N	Hagedorn	N	Musgrave	N	Taylor	Y
Cairns	N	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	N	Owen	Y	Thiebaut	N
Dyer	Y	Hillman	N	Pascoe	Y	Tupa	N
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	N	Phillips	N	Mr. President	Y
Evans	Y	Linkhart	N	Reeves	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was declared **passed**.

**HB02-1445** by Representative(s) Berry, Young, Saliman; also Senator(s) Tate, Reeves, Owen-- Concerning the fiscal policy of the state for the 2001-02 and 2002-03 state fiscal years in relation to the statutorily required general fund reserve in the event of a revenue shortfall.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	Y	Takis	Y
Andrews	Y	Gordon	Y	McElhany	Y	Tate	Y
Arnold	Y	Hagedorn	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	Y	Owen	Y	Thiebaut	Y
Dyer	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	N	Windels	Y
Epps	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Evans	Y	Linkhart	Y	Reeves	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was declared **passed**.

**HB02-1446** by Representative(s) Saliman, Young, Berry; also Senator(s) Owen, Reeves, Tate-- Concerning a modification to the restoration of moneys transferred from the controlled maintenance trust fund in the 2001-02 state fiscal year by restoring a portion of the moneys in the 2003-04 state fiscal year and restoring the remainder of the moneys in the 2004-05 state fiscal year.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	27	NO	8	EXCUSED	0	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	N	Takis	Y
Andrews	N	Gordon	Y	McElhany	N	Tate	Y
Arnold	N	Hagedorn	Y	Musgrave	Y	Taylor	Y
Cairns	N	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	Y	Owen	Y	Thiebaut	Y
Dyer	N	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	N	Windels	Y
Epps	Y	Lamborn	N	Phillips	Y	Mr. President	Y
Evans	Y	Linkhart	Y	Reeves	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was declared **passed**.

**CHANGES TO THE GENERAL ORDERS--SECOND READING OF BILLS  
CONSENT CALENDAR**

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

Upon request of Senator Reeves, **HB02-1338** was removed from the General Orders-- Second Reading of Bills Consent Calendar and placed at the end of the General Orders-- Second Reading of Bill Calendar of Thursday, April 18.



Committee of the Whole On motion of Senator Reeves, the Senate resolved itself into Committee of the Whole for consideration of General Orders--Second Reading of Bills Consent Calendar and Senator Reeves was called to the Chair to act as Chairman.

**GENERAL ORDERS--SECOND READING OF BILLS  
CONSENT CALENDAR**

The Committee of the Whole having risen, the Chairman reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

**HB02-1330** by Representative(s) Stengel; also Senator(s) Dyer--Concerning changes to the amount of the cash value of life insurance that is exempt from attachment by creditors.

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

**HB02-1352** by Representative(s) Hoppe; also Senator(s) Isgar--Concerning recommendations of the house committee on agriculture, livestock, and natural resources relating to the continuation of requirements for certain reports to the general assembly from executive agencies, and, in connection therewith, repealing reporting requirements to the general assembly that are obsolete.

Amendment No. 1, Public Policy and Planning Committee Amendment.

(Printed in Senate Journal, April 15, page 784-787 and placed in members' bill file.)

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

**SB02-198** by Senator(s) Reeves; also Representative(s) Mitchell--Concerning the administrative repeal of those portions of state law regarding the clean vehicle fleet program that are no longer enforceable as a part of Colorado's state implementation plan.

Ordered engrossed and placed on the Consent Calendar for Third Reading and Final Passage.

**HB02-1176** by Representative(s) Alexander, Larson; also Senator(s) Tate--Concerning the requirement that Colorado state individual income tax return forms contain a line whereby individual taxpayers may make a voluntary contribution to the Colorado court-appointed special advocates fund, and making an appropriation in connection therewith.

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

**HB02-1066** by Representative(s) Swenson; also Senator(s) May--Concerning measures that will stabilize the cash flow associated with the issuance of license plates.

Amendment No. 1, Government, Veterans and Military Relations, and Transportation Committee Amendment.

(Printed in Senate Journal, March 22, page 557 and placed in members' bill file.)

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

**HB02-1316** by Representative(s) Harvey; also Senator(s) Tupa--Concerning repayment of loans issued through the interest-free loan program to alleviate cash flow management problems for school districts.

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

**HB02-1219** by Representative(s) Larson; also Senator(s) Hernandez--Concerning frivolous state income tax returns.

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

**HB02-1284** by Representative(s) Grossman, Sinclair; also Senator(s) Isgar--Concerning the authorization of need-based grants for veterans to defray the costs of attendance at the dedication of the world war II memorial in Washington, D.C.

Amendment No. 1, Government, Veterans and Military Relations, and Transportation Committee Amendment.

(Printed in Senate Journal, March 22, page 557 and placed in members' bill file.)

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**HB02-1284** Amendment No. 2(L.010), by Senator Isgar.

Amend reengrossed bill, page 4, strike line 3 and substitute the following:

"(3) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2004; EXCEPT THAT, IF HOUSE BILL 02-1413 IS ENACTED AT THE SECOND REGULAR SESSION OF THE SIXTY-THIRD GENERAL ASSEMBLY AND BECOMES LAW, THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2002.";

after line 14, insert the following:

**"SECTION 3.** Part 7 of article 5 of title 28, Colorado Revised Statutes, as enacted by House Bill 02-1413, enacted at the Second Regular Session of the Sixty-third General Assembly, is amended BY THE ADDITION OF A NEW SECTION to read:

**28-5-710. Board of veterans affairs - world war II memorial dedication - fund - grants - repeal.** (1) THERE IS HEREBY ESTABLISHED IN THE STATE TREASURY THE WORLD WAR II MEMORIAL DEDICATION FUND, REFERRED TO IN THIS SECTION AS THE "FUND". THE DEPARTMENT IS AUTHORIZED TO ACCEPT GIFTS, GRANTS, CONTRIBUTIONS, AND DONATIONS FOR THE PURPOSES OF THIS SECTION. ANY MONEYS SO RECEIVED SHALL BE TRANSFERRED TO THE STATE TREASURY FOR DEPOSIT IN THE FUND. THE FUND SHALL CONSIST OF ANY MONEYS RECEIVED FROM SUCH GIFTS, DONATIONS, CONTRIBUTIONS, OR GRANTS FROM ANY PERSON OR ENTITY AND ANY MONEYS TRANSFERRED FROM THE WORLD WAR II MEMORIAL DEDICATION FUND CREATED IN SECTION 26-10-112 AS SAID SECTION EXISTED PRIOR TO JULY 1, 2002. MONEYS IN THE FUND SHALL BE CONTINUOUSLY APPROPRIATED TO THE BOARD FOR THE PURPOSES SPECIFIED IN THIS SECTION. NO SUCH MONEYS SHALL BE UTILIZED FOR THE PAYMENT OF ADMINISTRATIVE COSTS OF THE DEPARTMENT, BOARD, DIVISION, OR COUNTY VETERANS SERVICE OFFICES. ANY INTEREST DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEYS IN THE FUND SHALL BE CREDITED TO THE FUND. AT THE END OF ANY FISCAL YEAR, ALL UNEXPENDED AND UNENCUMBERED MONEYS IN THE FUND SHALL REMAIN THEREIN AND SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANY OTHER FUND. ANY MONEYS REMAINING IN THE FUND UPON THE REPEAL OF THIS SECTION SHALL BE TRANSFERRED TO THE COLORADO STATE VETERANS TRUST FUND CREATED IN SECTION 28-5-709.

(2) (a) ON AND AFTER JULY 1, 2002, THE BOARD IS AUTHORIZED TO AWARD GRANTS TO WORLD WAR II VETERANS FOR THE PURPOSE OF ATTENDING THE DEDICATION OF THE NATIONAL WORLD WAR II MEMORIAL IN WASHINGTON, D.C. TO DEFRAY THE COSTS OF ANY OF THE FOLLOWING, OR ANY COMBINATION OF THE FOLLOWING:

- (I) TRANSPORTATION;
- (II) HOUSING; OR
- (III) MEALS.

(b) THE BOARD SHALL ENSURE THAT PRIORITY IN AWARDING THE GRANTS SHALL BE GIVEN TO THOSE WORLD WAR II VETERANS WHO WOULD NOT BE ABLE TO ATTEND THE DEDICATION WITHOUT THE ASSISTANCE OF A GRANT. THE BOARD SHALL ALSO ENSURE THAT GRANTS ARE DISTRIBUTED EQUITABLY AMONG THE VARIOUS REGIONS OF THE STATE. GRANTS AWARDED PURSUANT TO THIS SUBSECTION (2) SHALL BE PAID OUT OF MONEYS DEPOSITED IN THE WORLD WAR II MEMORIAL DEDICATION FUND CREATED IN SUBSECTION (1) OF THIS SECTION, AND NO GRANT SHALL BE MORE THAN ONE THOUSAND DOLLARS.

(c) COUNTY VETERANS SERVICE OFFICES, ESTABLISHED PURSUANT TO PART 8 OF THIS ARTICLE 5, SHALL RECEIVE APPLICATIONS AND FROM SUCH APPLICATIONS MAKE RECOMMENDATIONS TO THE BOARD FOR GRANTS AWARDED PURSUANT TO THIS SUBSECTION (2). THE BOARD SHALL ESTABLISH GUIDELINES THAT SET FORTH THE APPLICATION CONTENTS AND PROCESS AND THE RECOMMENDATION PROCESS. THE BOARD SHALL ALSO ESTABLISH GUIDELINES THAT REQUIRE COUNTY VETERANS SERVICE OFFICES TO FORWARD RECOMMENDATIONS TO THE BOARD ON A REGIONAL BASIS. THE BOARD AND THE DIVISION SHALL COORDINATE WITH COUNTY VETERAN SERVICE OFFICERS AND COOPERATE

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**HB02-1284**

WITH STATEWIDE ORGANIZATIONS OF VETERANS IN IMPLEMENTING THE PROVISIONS OF THIS SECTION. THE BOARD SHALL MAKE THE FINAL DETERMINATION OF WHO SHALL RECEIVE GRANTS PURSUANT TO THIS SECTION AND SHALL AWARD THE GRANTS THROUGH COUNTY VETERANS SERVICE OFFICES.

(3) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2004.

**SECTION 4.** 28-5-709 (1) (a), Colorado Revised Statutes, as enacted by House Bill 02-1413, enacted at the Second Regular Session of the Sixty-third General Assembly, is amended to read:

**28-5-709. Colorado state veterans trust fund - created - report.** (1) (a) There is hereby created in the state treasury the Colorado state veterans trust fund that shall consist of the moneys appropriated thereto pursuant to subsection (2) of this section. In addition, the state treasurer may credit to the trust fund any public or private gifts, grants, or donations received prior to July 1, 2002, by the department of human services or, on or after July 1, 2002, by the department of military and veterans affairs for implementation of the purposes specified in this subsection (1), AND ANY MONEYS TRANSFERRED TO THE TRUST FUND PURSUANT TO SECTION 28-5-710 (1).

**SECTION 5. Effective date.** This act shall take effect upon passage; except that Sections 3 and 4 of this act shall take effect July 1, 2002, only if House Bill 02-1413 is enacted at the Second Regular Session of the Sixty-third General Assembly and becomes law."

Renumber succeeding section accordingly.

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

**HB02-1246**

by Representative(s) King; also Senator(s) Windels--Concerning the creation of the eligible facilities education task force.

Amendment No. 1, Education Committee Amendment.

(Printed in Senate Journal, March 8, page 432-433 and placed in members' bill file.)

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

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

On motion of Senator Reeves, the Report of the Committee of the Whole was adopted and, a majority of all members elected to the Senate having voted in the affirmative, the following action was taken:

Passed on Second Reading: **HB02-1330, HB02-1352** as amended, **SB02-198, HB02-1176, HB02-1066** as amended, **HB02-1316, HB02-1219, HB02-1284** as amended, **HB02-1246** as amended.

On motion of Senator Thiebaut, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, **SB02-081, SB02-119, SB02-074, SB02-115, SB02-134, SB02-162, SB02-009, SB02-094, SB02-010** were made Special Orders at 9:50 a.m

Committee of the Whole

The hour of 9:50 a.m. having arrived, Senator Reeves moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders--Second Reading of Bills and Senator Reeves was called to the Chair to act as Chairman.

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

The Committee of the Whole having risen, the Chairman reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

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**SB02-081**

by Senator(s) Hagedorn, Takis; also Representative(s) Boyd, Tochtrop--Concerning measures to enhance the availability of prescription drugs, and, in connection therewith, providing for subsidies to senior citizens for pharmaceutical services, requiring the state to enter into regional bulk purchasing agreements for prescription drugs, expanding the medicaid reimbursement rate to persons eligible for medicare, and enhancing medical assistance practices for the management of chronic illness.

Amendment No. 1, Health, Environment, Children & Families Committee Amendment.  
(Printed in Senate Journal, February 8, page 191-192 and placed in members' bill file.)

Amendment No. 2, Appropriations Committee Amendment.  
(Printed in Senate Journal, April 9, page 724-725 and placed in members' bill file.)

As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage.

**SB02-119**

by Senator(s) Thiebaut; also Representative(s) Spence--Concerning statutory provisions governing publicly-supported libraries.

Amendment No. 1, Government, Veterans and Military Relations, and Transportation Committee Amendment.  
(Printed in Senate Journal, February 14, page 253-254 and placed in members' bill file.)

Amendment No. 2, Appropriations Committee Amendment.  
(Printed in Senate Journal, April 11, page 739 and placed in members' bill file.)

Amendment No. 3(L.003), by Senator Thiebaut.

Amend the Government, Veterans and Military Relations, and Transportation Committee Report, dated February 13, 2002, page 2, after line 17, insert the following:

"Page 21, line 7, after "PUBLIC," insert "ANY COMBINATION OF";

line 9, strike "OR" and substitute "AND";

line 10, strike "IN ANY COMBINATION,"

line 13, strike "PARTIES" and substitute "MEMBER GOVERNMENTAL UNITS AND SUCH CONTRACTING MEMBER LIBRARY DISTRICTS";

line 18, strike "THE GOVERNMENTAL UNIT OR LIBRARY DISTRICT" and substitute "EACH OF THE CONTRACTING MEMBER GOVERNMENTAL UNITS AND LIBRARY DISTRICTS";

strike line 26 and substitute the following:

"EACH OF THE CONTRACTING MEMBER GOVERNMENTAL UNITS AND LIBRARY DISTRICTS THAT INTEND TO ENTER INTO A CONTRACT FOR THE PURPOSE OF FORMING".

Page 22, line 14, strike the second "THE";

line 15, strike "GOVERNMENTAL UNIT OR LIBRARY DISTRICT" and substitute "EACH OF THE CONTRACTING MEMBER GOVERNMENTAL UNITS AND LIBRARY DISTRICTS";

strike lines 25 and 26 and substitute the following:

"TERRITORIAL BOUNDARIES OF SUCH CONTRACTING MEMBER GOVERNMENTAL UNITS AND LIBRARY DISTRICTS SHALL APPROVE ANY AMOUNT OF TAX LEVY NOT PREVIOUSLY".

Page 23, strike lines 4 and 5 and substitute the following:

"BODIES OF THE CONTRACTING MEMBER GOVERNMENTAL UNITS AND THE BOARD OF TRUSTEES OF CONTRACTING MEMBER LIBRARY DISTRICTS, ".

Page 2 of the committee report, line 18, strike "Page 23";

line 20, strike "OR" and substitute "AND";

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**SB02-119**

line 21, strike "DISTRICTS," and substitute "DISTRICTS".

Page 3, after line 19, insert the following:

"Page 29, strike line 10 and substitute "MEMBER GOVERNMENTAL UNITS AND LIBRARY DISTRICTS SHALL BE A";

line 14, strike "MEMBER," and substitute "MEMBER";

line 15, strike "UNIT," and substitute "UNIT";

strike line 26 and substitute "THE CONTRACTING MEMBER GOVERNMENTAL UNITS AND LIBRARY".

Page 30, strike line 1 and substitute the following:

"(6) THE CONTRACTING MEMBER GOVERNMENTAL UNITS AND".

Page 31, strike lines 15 through 18 and substitute the following:

"ELECTION SHALL BE INCURRED BY THE CONTRACTING MEMBER GOVERNMENTAL UNITS AND LIBRARY DISTRICTS THAT HAVE FORMED THE AUTHORITY IN PROPORTION TO THE PERCENTAGE OF THE POPULATION OF THE GOVERNMENTAL UNITS AND LIBRARY DISTRICTS WITHIN THE TERRITORIAL BOUNDARIES OF THE ".

Page 32, line 6, strike "GOVERNMENTS" and substitute "GOVERNMENTAL UNITS AND LIBRARY DISTRICTS";

line 8, strike "GOVERNMENTS" and substitute "GOVERNMENTAL UNITS AND LIBRARY DISTRICTS";

strike line 25 and substitute the following:

"GOVERNMENTAL UNIT OR LIBRARY DISTRICT THAT HAS ENTERED INTO A CONTRACT FOR THE PURPOSE OF FORMING AN AUTHORITY MAY FORM SUCH AUTHORITY IN".

Page 33, after line 3, insert the following

"(c) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, NOTHING IN THIS SECTION SHALL BE CONSTRUED TO AUTHORIZE ANY ONE OR MORE LIBRARY DISTRICTS TO:

(I) FORM AN AUTHORITY WITHOUT ENTERING INTO A CONTRACT WITH ONE OR MORE GOVERNMENTAL UNITS TO FORM SUCH AUTHORITY IN ACCORDANCE WITH THE REQUIREMENTS OF THIS SECTION; OR

(II) EXERCISE ANY OF THE POWERS OF SAID AUTHORITY, INCLUDING, WITHOUT LIMITATION, THE POWER TO LEVY A SALES OR USE TAX, IN THE ABSENCE OF ENTERING INTO A CONTRACT WITH ONE OR MORE GOVERNMENTAL UNITS FOR THE PURPOSE OF FORMING SUCH AUTHORITY IN ACCORDANCE WITH THE REQUIREMENTS OF THIS SECTION."."

As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage.

**SB02-074**

by Senator(s) Linkhart; also Representative(s) Veiga--Concerning the expansion of employment nondiscrimination protections.

Amendment No. 1, Appropriations Committee Amendment.

(Printed in Senate Journal, April 15, page 782-783 and placed in members' bill file.)

As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage.

**SB02-115**

by Senator(s) Hernandez; also Representative(s) Groff--Concerning a demographic study of the state's prison population.

Amendment No. 1, Judiciary Committee Amendment.

(Printed in Senate Journal, February 5, page 151-152 and placed in members' bill file.)

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**SB02-115**

Amendment No. 2, Appropriations Committee Amendment.  
(Printed in Senate Journal, April 15, page 783 and placed in members' bill file.)

Amendment No. 3(L.003), by Senator Chlouber.

Amend the Judiciary Committee Report, dated February 4, 2002, page 1, strike lines 7 and 8 and substitute the following:

"strike lines 20 and 21 and substitute the following:

"(d) EXAMINE THE STATE PAROLE PROCEDURE AND PAROLE CRITERIA, WITH PARTICULAR EMPHASIS ON THE FIRST PAROLE HEARING; AND".

As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage.

**SB02-134**

by Senator(s) Hagedorn; also Representative(s) Tochtrop--Concerning measures to reduce the shortage of nurses in Colorado.

Amendment No. 1, Public Policy and Planning Committee Amendment.  
(Printed in Senate Journal, February 5, page 151-152 and placed in members' bill file.)

Amendment No. 2, Appropriations Committee Amendment.  
(Printed in Senate Journal, April 15, page 783 and placed in members' bill file.)

As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage.

**SB02-162**

by Senator(s) Tate--Concerning the provision of prescription drug coverage, and, in connection therewith, creating a prescription card program that relies on negotiated prices and creating uniform prescription information cards.

Laid over until Thursday, April 18, at the top of the General Orders--Second Reading of Bills Calendar.

**SB02-009**

by Senator(s) Tate; also Representative(s) Larson--Concerning the expansion of the crime of ethnic intimidation, and, in connection therewith, providing for training, changing the name of the crime to a bias-motivated crime, and making an appropriation.

Laid over until Thursday, April 18, to follow **SB02-162** on the General Orders--Second Reading of Bills Calendar.

**SB02-010**

by Senator(s) Anderson; also Representative(s) Veiga--Concerning sex offender registration, and making an appropriation in connection therewith.

Amendment No. 1, Judiciary Committee Amendment.  
(Printed in Senate Journal, January 30, page 108-110 and placed in members' bill file.)

Amendment No. 2, Appropriations Committee Amendment.  
(Printed in Senate Journal, April 15, page 844-846 and placed in members' bill file.)

Amendment No. 3(L.019), by Senator Anderson.

Amend printed bill, page 31, strike lines 3 and 4 and substitute the following:

"(f) INFORMATION RELEASED PURSUANT TO THIS SUBSECTION (6), AT A MINIMUM, SHALL INCLUDE THE NAME, ADDRESS OR ADDRESSES, AND ALIASES OF THE REGISTRANT; A PHOTOGRAPH; A HISTORY OF THE CONVICTIONS RESULTING IN THE REGISTRANT BEING REQUIRED TO REGISTER PURSUANT TO THIS ARTICLE; AND ANY OTHER CONVICTIONS THE REGISTRANT MAY HAVE. INFORMATION CONCERNING VICTIMS SHALL NOT BE RELEASED PURSUANT TO THIS SECTION."

As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage.

**SB02-094**

by Senator(s) Anderson; also Representative(s) Spence--Concerning accountability for alternative schools.

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**SB02-094**Amendment No. 1, Education Committee Amendment.

(Printed in Senate Journal, February 7, page 182-183 and placed in members' bill file.)

Amendment No. 2, Appropriations Committee Amendment.

(Printed in Senate Journal, April 11, page 738-739 and placed in members' bill file.)

Amendment No. 3(L.005), by Senator Anderson.

Amend the Appropriations Committee Report, dated April 10, 2002, page 2, strike lines 1 and 2 and substitute the following:

"strike line 14, and substitute the following:

"(a) HAS A SPECIALIZED MISSION AND SERVES A SPECIAL NEEDS OR AT RISK";";

line 14 of the committee report, strike "OFFER" and substitute "OFFERS".

Amendment No. 4(L.007), by Senator Windels.

Amend the Appropriations Committee Report, dated April 10, 2002, page 1, line 10, after "(1)", insert "(a)";

Page 2 of the Committee Report, strike lines 1 through 8 and substitute the following:

"line 14, strike "HAVE" and substitute "HAS", and strike the second "SPECIALIZED" and substitute "SPECIAL NEEDS OR AT-RISK POPULATION AS DEFINED BY THE STATE BOARD BY RULE";";

strike line 15;

line 16, strike "BE" and substitute "IS";

line 17, strike "ENROLL" and substitute "ENROLLS";

line 19, strike "HAVE" and substitute "HAS";

line 21, strike "HAVE" and substitute "HAS";

line 22, strike "HAVE" and substitute "HAS".

Page 3, line 2, strike "HAVE" and substitute "HAS";";

strike line 11 of the Committee Report and substitute the following:

"line 5, strike "HAVE" and substitute "HAS";";

line 12 of the Committee Report, strike "27," and substitute "11,";

line 13 of the Committee Report, strike ""(i)" and substitute ""(IX)";

line 18 of the Committee Report, strike "(j)" and substitute "(X)";

line 19 of the Committee Report, strike "RULE." and substitute "RULE.";";

after line 19 of the Committee Report, insert the following:

"line 12, strike "(2) (a)" and substitute "(b)";

line 13, strike "OR,";

strike line 14 and substitute the following:

"FOR ANY PUBLIC";

line 15, strike "(b)" and substitute "(a)";

line 16, before "SUBSECTION", insert "THIS";

strike line 22 and substitute the following:

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**SB02-094**

"PARAGRAPH (a) OF THIS SUBSECTION (1). ON OR BEFORE";  
 line 26, strike "SUBSECTION (2)" and substitute "PARAGRAPH (b)".  
 Page 4, strike line 1 and substitute the following:  
 "(a) OF THIS SUBSECTION (1).";  
 line 3, strike "(a)" and substitute "(b)";  
 line 7, strike "(a)" and substitute "(b)";  
 after line 10, insert the following:"";  
 after line 26 of the Committee Report, insert the following:  
 "strike lines 11 through 27.  
 Strike pages 5 through 9."  
 Page 3 of the Committee Report, strike line 1.

As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage.

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

On motion of Senator Reeves, the Report of the Committee of the Whole was adopted and, a majority of all members elected to the Senate having voted in the affirmative, the following action was taken:

Passed on Second Reading: **SB02-081** as amended, **SB02-119** as amended, **SB02-074** as amended, **SB02-115** as amended, **SB02-134** as amended, **SB02-010** as amended, **SB02-094** as amended.

Laid over until Thursday, April 18: **SB02-162, SB02-009.**

**MESSAGE FROM THE HOUSE**

April 17, 2002

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes  
 HB02-1009, amended as printed in House Journal, April 12, pages 1295-1296.  
 HB02-1242, amended as printed in House Journal, April 15, page 1319.  
 HB02-1420, amended as printed in House Journal, April 16, pages 1339-1341.  
 HB02-1413, amended as printed in House Journal, April 16, pages 1355-1356.  
 HB02-1414, amended as printed in House Journal, April 16, page 1356.

The House has adopted and transmits herewith HJR02-1057, as printed in House Journal, April 16, pages 1373-1375.

**MESSAGE FROM THE REVISOR**

We herewith transmit:

Without comment, as amended, HB02-1009, 1242, 1420, 1413, and 1414.

**INTRODUCTION OF BILLS--FIRST READING**

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

**HB02-1317**

by Representative(s) Harvey, Mitchell, Cadman, Clapp, Cloer, Crane, Dean, Fairbank,  
 Johnson, King, Lee, Paschall, Rhodes, Schultheis, Scott, Sinclair, Snook, Stafford,  
 Stengel, Witwer; also Senator(s) Lamborn, Musgrave, Cairns, Dyer, Hillman--Concerning  
 statutory definitions related to human beings to include every infant human being who is  
 born alive at any stage of development.

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Health, Environment, Children & Families  
Judiciary

**HB02-1402** by Representative(s) Crane, Rhodes, Schultheis, Clapp, Cloer, Hefley, Spradley, Stafford;  
also Senator(s) Owen--Concerning authorization for disease management programs under  
the "Colorado Medical Assistance Act".  
Health, Environment, Children & Families

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

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

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

**FIRST REPORT OF FIRST CONFERENCE COMMITTEE  
ON HB02-1019**

\*\*\*\*\*  
**THIS REPORT AMENDS THE REREVISED BILL**  
\*\*\*\*\*

To the President of the Senate and the  
Speaker of the House of Representatives:

Your first conference committee appointed on HB02-1019,  
concerning registration with local law enforcement agencies as a  
condition of release for certain persons found not guilty by reason of  
insanity, has met and reports that it has agreed upon the following:

That the House accede to the Senate amendments made to the  
bill, as said amendments appear in the rerevised bill, with the following  
changes:

Amend rerevised bill, page 7, strike lines 6 through 15 and substitute the  
following:

"(i) (I) ANY DEFENDANT REQUIRED TO REGISTER AS A  
CONDITION OF RELEASE PURSUANT TO THIS SUBSECTION (4), UPON  
COMPLETION OF A PERIOD OF NOT LESS THAN TWENTY YEARS FROM THE  
DATE THE DEFENDANT IS PLACED ON CONDITIONAL RELEASE, MAY PETITION  
THE DISTRICT COURT FOR AN ORDER THAT DISCONTINUES THE  
REQUIREMENT FOR SUCH REGISTRATION AND REMOVES THE DEFENDANT'S  
NAME FROM THE CENTRAL REGISTRY ESTABLISHED PURSUANT TO SECTION  
18-3-412.5, C.R.S. THE COURT MAY ISSUE SUCH ORDER ONLY IF THE  
COURT MAKES WRITTEN FINDINGS OF FACT THAT THE DEFENDANT HAS  
NEITHER BEEN CONVICTED NOR FOUND NOT GUILTY BY REASON OF  
INSANITY OF AN OFFENSE INVOLVING UNLAWFUL SEXUAL BEHAVIOR  
SUBSEQUENT TO HIS OR HER CONDITIONAL RELEASE AND THAT THE  
DEFENDANT WOULD NOT POSE AN UNDUE THREAT TO THE COMMUNITY IF  
ALLOWED TO LIVE IN THE COMMUNITY WITHOUT REGISTRATION.

(II) UPON THE FILING OF A PETITION PURSUANT TO THIS  
PARAGRAPH (i), THE COURT SHALL SET A DATE FOR A HEARING ON THE  
PETITION. THE DEFENDANT SHALL NOTIFY THE LOCAL LAW ENFORCEMENT  
AGENCY WITH WHICH THE DEFENDANT IS REQUIRED TO REGISTER AND THE  
PROSECUTING ATTORNEY FOR THE JURISDICTION IN WHICH THE LOCAL LAW  
ENFORCEMENT AGENCY IS LOCATED OF THE FILING OF THE PETITION AND  
THE HEARING DATE. UPON THE VICTIM'S REQUEST, THE COURT SHALL  
NOTIFY THE VICTIM OF THE FILING OF THE PETITION AND THE HEARING

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**HB02-1019**

DATE. AT THE HEARING, THE COURT SHALL GIVE OPPORTUNITY TO THE VICTIM TO PROVIDE WRITTEN OR ORAL TESTIMONY. IF THE COURT ENTERS AN ORDER DISCONTINUING THE DEFENDANT'S DUTY TO REGISTER, THE DEFENDANT SHALL SEND A COPY OF THE ORDER TO THE LOCAL LAW ENFORCEMENT AGENCY AND THE COLORADO BUREAU OF INVESTIGATION."

Page 9, strike lines 8 through 16 and substitute the following:

"(d) (I) ANY DEFENDANT REQUIRED TO REGISTER PURSUANT TO THIS SUBSECTION (2), UPON COMPLETION OF A PERIOD OF NOT LESS THAN TWENTY YEARS FROM THE DATE THE DEFENDANT BEGINS RECEIVING TREATMENT AND REHABILITATION ACTIVITIES INVOLVING TEMPORARY PHYSICAL REMOVAL OF THE DEFENDANT FROM THE INSTITUTION, MAY PETITION THE DISTRICT COURT FOR AN ORDER THAT DISCONTINUES THE REQUIREMENT FOR SUCH REGISTRATION AND REMOVES THE DEFENDANT'S NAME FROM THE CENTRAL REGISTRY ESTABLISHED PURSUANT TO SECTION 18-3-412.5, C.R.S. THE COURT MAY ISSUE SUCH ORDER ONLY IF THE COURT MAKES WRITTEN FINDINGS OF FACT THAT THE DEFENDANT HAS NEITHER BEEN CONVICTED NOR FOUND NOT GUILTY BY REASON OF INSANITY OF AN OFFENSE INVOLVING UNLAWFUL SEXUAL BEHAVIOR SUBSEQUENT TO SUCH TEMPORARY REMOVAL AND THAT THE DEFENDANT WOULD NOT POSE AN UNDUE THREAT TO THE COMMUNITY IF ALLOWED TO LIVE IN THE COMMUNITY WITHOUT REGISTRATION.

(II) UPON THE FILING OF A PETITION PURSUANT TO THIS PARAGRAPH (d), THE COURT SHALL SET A DATE FOR A HEARING ON THE PETITION. THE DEFENDANT SHALL NOTIFY THE LOCAL LAW ENFORCEMENT AGENCY WITH WHICH THE DEFENDANT IS REQUIRED TO REGISTER AND THE PROSECUTING ATTORNEY FOR THE JURISDICTION IN WHICH THE LOCAL LAW ENFORCEMENT AGENCY IS LOCATED OF THE FILING OF THE PETITION AND THE HEARING DATE. UPON THE VICTIM'S REQUEST, THE COURT SHALL NOTIFY THE VICTIM OF THE FILING OF THE PETITION AND THE HEARING DATE. AT THE HEARING, THE COURT SHALL GIVE OPPORTUNITY TO THE VICTIM TO PROVIDE WRITTEN OR ORAL TESTIMONY. IF THE COURT ENTERS AN ORDER DISCONTINUING THE DEFENDANT'S DUTY TO REGISTER, THE DEFENDANT SHALL SEND A COPY OF THE ORDER TO THE LOCAL LAW ENFORCEMENT AGENCY AND THE COLORADO BUREAU OF INVESTIGATION."

Respectfully submitted,

House Committee:	Senate Committee:
(Signed) Representative Spence, Chairman	(Signed) Senator Gordon, Chairman
(Signed) Representative Hefley	(Signed) Senator Windels
(Signed) Representative Tapia	(Signed) Senator Dyer

**SENATE SERVICES REPORT**

Senate Services

- Correctly printed: SB02-213, 214, 215; SJR02-035.
- Correctly engrossed: SR02-012.
- Correctly reengrossed: SB02-062, 173, 196.
- Correctly revised: HB02-1349, 1421, 1422, 1423, 1424, 1425, 1426, 1427, 1428, 1429, 1430, 1431, 1432, 1433, 1434, 1435, 1436, 1437, 1438, 1441, 1442, 1443, 1444, 1445, 1446.
- Correctly rerevised: HB02-1014, 1025, 1034, 1220, 1244, 1278, 1329, 1355, 1341, 1364.
- Correctly enrolled: SR02-012.

**SIGNING OF BILLS--RESOLUTIONS--MEMORIALS**

The President has signed: **HB02-1042, 1071, 1153, 1322.**

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On motion of Senator Thiebaut, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of House Amendments to Senate Bills; **SB02-032.**

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**CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS**

**SB02-032** by Senator(s) Teck; also Representative(s) Berry--Concerning the extension of the period that a portion of municipal taxes may be allocated to a special fund to pay indebtedness related to a downtown development authority.

Senator Teck moved that the Senate not concur in House amendments to **SB02-032**, as printed in House Journal, March 18, page 902, and that a Conference Committee be appointed.

A majority of all members elected to the Senate having voted in the affirmative, the motion was **adopted.**

(For further action, see Appointments to Conference Committees.)

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**APPOINTMENTS TO CONFERENCE COMMITTEES**

The President appointed Senators Takis, Chairman, Nichol, and Teck as Senate Conferees on the First Conference Committee on **SB02-032.**

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On motion of Senator Thiebaut, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Wednesday, April 17, was laid over until Thursday, April 18, retaining its place on the calendar.

General Orders--Second Reading of Bills: **HB02-1300, HB02-1313, HB02-1324, SB02-042, SB0-2-089, SB02-157, SB02-184, SB02-080, SB02-177, HB02-1339, HB02-1180, HB02-1232, HB02-1173, HB02-1098, HB02-1129, SB02-204, HB02-1186, HB02-1084, HB02-1165, HB02-1152, HB02-1306, HB02-1353.**

Consideration of Resolutions: **HJR02-1003, SJR02-004, SJR02-006, HJR02-1015, HJR02-1021, SJR02-013, SR02-008, HJR02-1027, SR02-009, HJR02-1035, SJR02-023, SJR02-025, SJR02-026, SR02-010, SJR02-027, SR02-011, SJR02-035.**

Consideration of House Amendments to Senate Bills: **SB02-141, SB02-136, SB02-161.**

Consideration of Governor's Veto: **SB02-108.**

Consideration of Governor's Appointments:

State Board of Parole  
 Transportation Commission  
 Examining Board of Plumbers  
 Colorado Aeronautical Board  
 Medical Services Board

Consideration of Conference Committee Reports: **HB02-1131, HB02-1061.**

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On motion of Senator Thiebaut, the Senate adjourned until 9:00 a.m., Thursday, April 18, 2002.

Approved:

Stan Matsunaka  
 President of the Senate

Attest:

Karen Goldman  
 Secretary of the Senate

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