

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

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One-hundred-fourteenth Legislative Day Thursday, May 2, 2002

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Prayer 10  
 By the chaplain, Father Larry Bradford, Church of the Holy Redeemer. 11

Call to Order 12  
 By the President Pro-tem at 9:00 a.m. 13

Roll Call 14  
 Present--Total, 32. 15  
 Absent/Excused--Evans, Matsunaka, Phillips--Total, 3. 16  
 Present later--Evans, Phillips. 17

Quorum 18  
 The President Pro-tem announced a quorum present. 19

Reading of Journal 20  
 On motion of Senator Tate, reading of the Journal of Wednesday, May 1, was dispensed with and the Journal was approved as corrected by the Secretary. 21

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On motion of Senator Thiebaut, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, **HB02-1404, SB02-214, SB02-219, SB02-232, SB02-206, SB02-213, HB02-1419, HB02-1452, HB02-1147, HB02-1259** were made Special Orders at 9:30 a.m. 22

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Committee of the Whole 23  
 The hour of 9:30 a.m. having arrived, Senator Tate moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders--Second Reading of Bills and Senator Tate was called to the Chair to act as Chairman. 24

**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: 25

**SB02-214** 26  
 by Senator(s) Fitz-Gerald; also Representative(s) White--Concerning the relocation of existing provisions of the Colorado Revised Statutes governing the Moffat tunnel. 27

Amendment No. 1, Business, Labor, and Finance Committee Amendment. 28  
 (Printed in Senate Journal, April 30, page 1000 and placed in members' bill file.) 29

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

**SB02-219** 31  
 by Senator(s) Perlmutter; also Representative(s) Smith--Concerning property exempt from levy and sale under writ. 32

Amendment No. 1(L.002), by Senator Perlmutter. 33

Amend printed bill, page 2, strike lines 13 through 18 and substitute the following: 34

"(II) IF ANY DEBTOR OR THE SPOUSE OF ANY DEBTOR CLAIMS AN EXEMPTION UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH (g), THEN NEITHER SUCH DEBTOR NOR THE SPOUSE OF SUCH DEBTOR SHALL BE ENTITLED TO CLAIM AN EXEMPTION UNDER PARAGRAPH (i) OF THIS SUBSECTION (1). FOR THE PURPOSE OF CONSENSUAL LIEN AVOIDANCE AS PROVIDED FOR IN SECTION 522 (f) (1) (B) OF THE FEDERAL BANKRUPTCY CODE OF 1978, TITLE 11 OF THE UNITED STATES CODE, IF A CONSENSUAL LIEN ON PROPERTY DESCRIBED IN THIS PARAGRAPH (g) IS GRANTED BY DEBTORS WHO ARE HUSBAND AND WIFE, ONLY ONE EXEMPTION IN THE MAXIMUM AMOUNT OF TWENTY-FIVE THOUSAND DOLLARS SHALL BE ALLOWED.";

strike lines 22 through 24 and substitute the following: 35

"aggregate value of ten thousand dollars." 36

<b>SB02-219</b>	As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage.	1 2 3
<b>SB02-232</b>	by Senator(s) Perlmutter, Andrews, Hanna, Matsunaka; also Representative(s) Clapp, King--Concerning the extension of modifications to rules XIV through XVIII of the workers' compensation rules of procedure with treatment guidelines of the rules of the division of workers' compensation scheduled for expiration May 15, 2002, pursuant to the "State Administrative Procedure Act".	4 5 6 7 8 9
	Ordered engrossed and placed on the calendar for Third Reading and Final Passage.	10
<b>SB02-206</b>	by Senator(s) Hernandez; also Representative(s) Stafford--Concerning statutes relating to the powers of the department of public health and environment.	11 12 13
	Referred to the Committee on Appropriations.	14 15
<b>SB02-213</b>	by Senator(s) Takis, Fitz-Gerald, Hernandez, Nichol, Windels; also Representative(s) Hodge--Concerning the definition of an established business relationship with a provider of telecommunications service under the "Colorado No-Call List Act".	16 17 18 19
	(Amended in Special Orders as printed in Senate Journal, May 1, page 1107.)	20 21
	As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage.	22 23 24
	_____	25 26
	Committee of the Whole in Recess--Committee of the Whole Reconvened	27 28
	_____	29
<b>HB02-1452</b>	by Representative(s) Scott; also Senator(s) Phillips--Concerning the operation of higher education student financial aid enterprises.	30 31
	Ordered revised and placed on the calendar for Third Reading and Final Passage.	32 33
<b>HB02-1419</b>	by Representative(s) Larson, Alexander; also Senator(s) Isgar--Concerning Fort Lewis college.	34 35 36
	<u>Amendment No. 1, Education Committee Amendment.</u> (Printed in Senate Journal, May 1, page 1091 and placed in members' bill file.)	37 38 39
	As amended, ordered revised and placed on the calendar for Third Reading and Final Passage.	40 41 42
<b>HB02-1259</b>	by Representative(s) Marshall; also Senator(s) Tate--Concerning protection of consumers' home ownership equity.	43 44 45
	(Amended in Special Orders as printed in Senate Journal, April 30, pages 1071-1072.)	46 47
	<u>Amendment No. 5(L.039), by Senator Tate.</u>	48 49
	Amend reengrossed bill, page 15, line 23, strike "JULY" and substitute "JANUARY";	50 51 52
	line 25, strike "JULY" and substitute "JANUARY".	53 54 55
	<u>Amendment No. 6(L.046), by Senator Tate.</u>	56 57
	Amend the Business, Labor, and Finance Committee Report, page 1, line 14, after "TO", insert "KNOWINGLY".	58 59 60
	<u>Amendment No. 7(L.047), by Senator Tate.</u>	61 62
	Amend the Tate amendment, as printed in the Senate Journal, April 30, page 1072, line 17, strike "THE" and substitute "A WRITTEN".	63 64 65
	<u>Amendment No. 8(L.049), by Senator Hagedorn.</u>	66 67
	Amend reengrossed bill, page 11, strike lines 14 through 27.	68 69
	Strike page 12.	70 71
	Page 13, strike lines 1 through 26 and substitute the following:	72

**HB02-1259**

"(f) **No financing of credit insurance.** NO LENDER MAKING A COVERED LOAN MAY FINANCE, DIRECTLY OR INDIRECTLY, THE PREMIUMS FOR ANY CREDIT LIFE, CREDIT DISABILITY, CREDIT PROPERTY, OR CREDIT UNEMPLOYMENT INSURANCE; ANY OTHER LIFE OR HEALTH INSURANCE PREMIUMS; OR ANY PAYMENTS FOR ANY DEBT CANCELLATION OR SUSPENSION AGREEMENT OR CONTRACTS. INSURANCE PREMIUMS THAT ARE NOT INCLUDED IN THE COVERED LOAN PRINCIPAL AND THAT ARE CALCULATED AND PAID ON A MONTHLY BASIS SHALL NOT BE CONSIDERED TO HAVE BEEN FINANCED BY THE LENDER FOR PURPOSES OF THIS PARAGRAPH (f).".

Amendment No. 9(L.051), by Senator Tate.

Amend the Tate amendment, as printed in Senate Journal, April 30, page 1072, strike lines 28 and 29 and substitute the following:

"THREE YEARS OF THE LOAN."";

line 35, strike "FIFTH" and substitute "THIRD";

line 37, after the semicolon, add "OR";

line 39, strike "PARTIAL;" and substitute "PARTIAL."."

Amendment No. 10(L.052), by Senator Linkhart.

Amend reengrossed bill, page 2, line 20, strike "AMENDED." and substitute "AMENDED; EXCEPT THAT IF THE TOTAL POINTS AND FEES ON A LOAN PAID BY THE OBLIGOR AT OR BEFORE CLOSING EXCEED SIX PERCENT OF THE TOTAL LOAN AMOUNT, SUCH LOAN SHALL BE DEEMED TO BE A COVERED LOAN IF THE LOAN OTHERWISE MEETS THE REQUIREMENTS OF THIS SUBSECTION (2).".

Amendment No. 11(L.041), by Senator Tate.

Amend reengrossed bill, page 12, line 20, strike "THIRTY" and substitute "SIXTY";

line 27, strike "30" and substitute "60".

Page 13, line 14, strike "THIRTY" and substitute "SIXTY".

Amendment No. 12(L.042), by Senator Linkhart.

Amend reengrossed bill, page 6, lines 9, strike "sixty" and substitute "thirty-six";

line 11, strike "SIXTY" and substitute "THIRTY-SIX".

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

(For further action, see Amendments to the Committee of the Whole Report.)

**HB02-1147** by Representative(s) Cloer; also Senator(s) Hagedorn--Concerning public information requirements, and making an appropriation in connection therewith.

Laid over to follow **HB02-1404**.

**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.

Amendment No. 1, Public Policy and Planning Committee Amendment.  
(Printed in Senate Journal, April 26, page 1000 and placed in members' bill file.)

Amendment No. 2(L.060), by Senator Thiebaut.

Amend reengrossed bill, page 28, after line 16, insert the following:

"**SECTION 15.** 18-17-106 (2) (b), (2) (d), (5), (11), and (12),

HB02-1404

Colorado Revised Statutes, are amended to read:

**18-17-106. Civil remedies.** (2) All property, real or personal, including money, used in the course of, intended for use in the course of, derived from, or realized through conduct in violation of the provisions of section 18-17-104 is subject to civil forfeiture to the state. The state shall dispose of all forfeited property as soon as commercially feasible. If property is not exercisable or transferable for value by the state, it shall expire. All forfeitures or dispositions under this section shall be made with due provision for the rights of innocent persons. The disposition of seized property shall be as follows:

(b) Any personal property seized and forfeited under the provisions of this section shall be sold by the sheriff in the manner provided for sales on execution. ~~In lieu of ordering the sale of such property, the court may, if it finds that it can be used by a law enforcement agency, order it delivered to a law enforcement agency for such use.~~

(d) The proceeds realized from such sales shall be applied as follows PURSUANT TO SECTION 16-13-311 (3) (a), C.R.S.

~~(I) To the fees and costs of sale;~~

~~(II) All costs and expenses of investigation and prosecution, including, but not limited to, costs of resources and manpower incurred in investigation and prosecution;~~

~~(III) The balance, if any, to the general fund of the state.~~

(5) The attorney general or district attorney may institute civil proceedings under this section. ANY ACTION INSTITUTED UNDER THIS SECTION SHALL CONFORM TO THE PROCEDURES SET FORTH IN PART 3 OR PART 5 OF ARTICLE 13 OF TITLE 16, C.R.S. In any action brought under this section, the district court shall proceed as soon as practicable to the hearing and determination. Pending final determination, the district court may, at any time, enter such injunctions, prohibitions, or restraining orders or take such actions, including the acceptance of satisfactory performance bonds, as the court may deem proper.

(11) The burden of proof in an action brought pursuant to this section shall be by a ~~preponderance of the evidence~~ CLEAR AND CONVINCING EVIDENCE.

~~(12) An action may be commenced and heard pursuant to this section even if the defendant has not been charged or convicted in a criminal prosecution under this article."~~

Renumber succeeding sections accordingly.

Amendment No. 3(L.061), by Senator Thiebaut.

Amend reengrossed bill, page 28, after line 16, insert the following:

**"SECTION 15.** 18-17-106 (2) (b), (2) (d), (5), (11), and (12), Colorado Revised Statutes, are amended to read:

**18-17-106. Civil remedies.** (2) All property, real or personal, including money, used in the course of, intended for use in the course of, derived from, or realized through conduct in violation of the provisions of section 18-17-104 is subject to civil forfeiture to the state. The state shall dispose of all forfeited property as soon as commercially feasible. If property is not exercisable or transferable for value by the state, it shall expire. All forfeitures or dispositions under this section shall be made with due provision for the rights of innocent persons. The disposition of seized property shall be as follows:

(b) Any personal property seized and forfeited under the provisions of this section shall be sold by the sheriff in the manner provided for sales on execution. ~~In lieu of ordering the sale of such property, the court may, if it finds that it can be used by a law~~

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HB02-1404

~~enforcement agency, order it delivered to a law enforcement agency for such use.~~

(d) The proceeds realized from such sales shall be applied as follows PURSUANT TO SECTION 16-13-311 (3) (a), C.R.S.

~~(I) To the fees and costs of sale;~~

~~(II) All costs and expenses of investigation and prosecution, including, but not limited to, costs of resources and manpower incurred in investigation and prosecution;~~

~~(III) The balance, if any, to the general fund of the state.~~

(5) The attorney general or district attorney may institute civil proceedings under this section. ANY ACTION INSTITUTED UNDER THIS SECTION SHALL CONFORM TO THE PROCEDURES SET FORTH IN PART 3 OR PART 5 OF ARTICLE 13 OF TITLE 16, C.R.S. In any action brought under this section, the district court shall proceed as soon as practicable to the hearing and determination. Pending final determination, the district court may, at any time, enter such injunctions, prohibitions, or restraining orders or take such actions, including the acceptance of satisfactory performance bonds, as the court may deem proper.

(11) The burden of proof in an action brought pursuant to this section shall be by a preponderance of the evidence CLEAR AND CONVINCING EVIDENCE.

~~(12) An action may be commenced and heard pursuant to this section even if the defendant has not been charged or convicted in a criminal prosecution under this article."~~

Renumber succeeding sections accordingly.

Amendment No. 4(L.062), by Senator Thiebaut.

Amend reengrossed bill, page 3, line 21, strike "DIRECTLY";

line 22, strike "CRIME." and substitute "CRIME OR RELATED CRIMINAL ACTIVITY.";

line 25, strike "CRIME AND IS NOT EXCESSIVE." and substitute "CRIME OR RELATED CRIMINAL ACTIVITY." .

Page 8, strike line 13 and substitute the following:

"IS TRACEABLE PROCEEDS OF THE OFFENSE OR RELATED CRIMINAL ACTIVITY BY A NON-OWNER";

strike line 21 and substitute the following:

"IS TRACEABLE PROCEEDS OF THE OFFENSE OR RELATED CRIMINAL ACTIVITY BY A DECEASED" .

Page 18, strike line 23 and substitute the following:

"CONSTITUTES TRACEABLE PROCEEDS OF THE CRIME OR RELATED CRIMINAL ACTIVITY. PRIOR TO";

line 26, strike "AND" and substitute "OR RELATED CRIMINAL ACTIVITY.";

strike line 27.

Page 23, strike line 8 and substitute the following:

"IS TRACEABLE PROCEEDS OF THE OFFENSE OR RELATED CRIMINAL ACTIVITY BY A NON-OWNER";

strike line 16 and substitute the following:

"IS TRACEABLE PROCEEDS OF THE OFFENSE OR RELATED CRIMINAL

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**HB02-1404**

ACTIVITY BY A DECEASED".

Amendment No. 5(L.063), by Senator Thiebaut.

Amend reengrossed bill, page 4, line 17, strike "or" and substitute "or";

line 20, strike "OR";

strike line 22 and substitute the following:

"OF THIS PARAGRAPH (b), IF THE PLAINTIFF PROVES BY CLEAR AND CONVINCING EVIDENCE THE OWNER KNEW OR HAD NOTICE OF THE";

line 25, strike "PROPERTY." and substitute "PROPERTY FOR THE COURT TO FIND THE OWNER WAS NOT A PARTY TO THE CREATION OF THE PUBLIC NUISANCE.".

Page 5, line 9, strike "THE ACTS" and substitute "AN ACT OR CIRCUMSTANCE";

line 10, strike "NOTICE;" and substitute "NUISANCE, NOTICE IS SATISFIED BY, BUT NOT LIMITED TO SENDING NOTICE OF AN ACT OR CIRCUMSTANCE CREATING THE PUBLIC NUISANCE BY CERTIFIED MAIL;".

Page 19, line 18, strike "or" and substitute "or";

line 22, strike "PROPERTY." and substitute "PROPERTY;";  
after line 22, insert the following:

"(III) NOTWITHSTANDING THE PROVISIONS OF SUBPARAGRAPH (II) OF THIS PARAGRAPH (b), IF THE PLAINTIFF PROVES BY CLEAR AND CONVINCING EVIDENCE THAT THE OWNER KNEW OR HAD NOTICE OF THE UNLAWFUL USE OF THE PROPERTY, THE OWNER MUST PROVE BY A PREPONDERANCE OF THE EVIDENCE THAT THE OWNER TOOK REASONABLE STEPS TO PROHIBIT OR ABATE THE UNLAWFUL USE OF THE PROPERTY FOR THE COURT TO FIND THE OWNER WAS NOT A PARTY TO THE OFFENSE OR RELATED CRIMINAL ACTIVITY.".

Page 20, line 7, strike "THE ACTS" and substitute "AN ACT OR CIRCUMSTANCE";

line 8, strike "ACTIVITY;" and substitute "ACTIVITY, NOTICE IS SATISFIED BY, BUT NOT LIMITED TO SENDING NOTICE OF AN ACT OR CIRCUMSTANCE FACILITATING THE CRIMINAL ACTIVITY BY CERTIFIED MAIL;".

Amendment No. 6(L.065), by Senator Thiebaut.

Amend reengrossed bill, page 12, strike lines 13 through 17 and substitute the following:

"(B) THE REMAINING AMOUNT TO THE MANAGED SERVICE ORGANIZATION CONTRACTING WITH THE DEPARTMENT OF HUMAN SERVICES, ALCOHOL AND DRUG ABUSE DIVISION SERVING THE JUDICIAL DISTRICT WHERE THE FORFEITURE PROCEEDING WAS PROSECUTED TO FUND DETOXIFICATION AND SUBSTANCE ABUSE TREATMENT. MONEYS APPROPRIATED TO THE MANAGED SERVICE ORGANIZATION SHALL BE IN ADDITION TO, AND SHALL NOT BE USED TO SUPPLANT, OTHER FUNDING APPROPRIATED TO THE DEPARTMENT OF HUMAN SERVICES, ALCOHOL AND DRUG ABUSE DIVISION.".

Page 15, strike lines 24 through 27.

Page 16, strike lines 1 through 24.

Renumber succeeding sections accordingly.

Page 28, after line 16, insert the following:

"(4) THE ALCOHOL AND DRUG ABUSE DIVISION IN THE DEPARTMENT OF HUMAN SERVICES SHALL PREPARE AN ANNUAL ACCOUNTING REPORT OF MONEYS RECEIVED BY THE MANAGED SERVICE ORGANIZATION PURSUANT

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**HB02-1404**

TO SECTION 16-13-311 (3) (a) (VII) (B), INCLUDING REVENUES, EXPENDITURES, BEGINNING AND ENDING BALANCES, AND SERVICES PROVIDED. THE ALCOHOL AND DRUG ABUSE DIVISION SHALL PROVIDE THIS INFORMATION IN ITS ANNUAL BRIEFING TO THE JOINT BUDGET COMMITTEE."

Amendment No. 7(L.066), by Senator Thiebaut.

Amend reengrossed bill, page 9, line 6, strike "REQUIRED" and substitute "DIRECTED".

Page 23, line 25, strike "REQUIRED" and substitute "DIRECTED".

Amendment No. 8(L.067), by Senator Thiebaut.

Amend reengrossed bill, page 12, line 9, after "AGENCY", insert "FOR PUBLIC SAFETY PURPOSES".

Amendment No. 9(L.068), by Senator Thiebaut.

Amend reengrossed bill, page 28, strike lines 17 through 20 and substitute the following:

**"SECTION 15. Effective date - applicability.** This act shall take effect July 1, 2002, and shall apply to all forfeiture actions filed on or after said date."

Amendment No. 10(L.069), by Senator Thiebaut.

Amend reengrossed bill, page 11, line 7, strike "INJURY OR PROPERTY DAMAGE" and substitute "INJURY, PROPERTY DAMAGE, OR PROPERTY LOSS".

Amendment No. 11(L.070), by Senator Thiebaut.

Amend reengrossed bill, page 2, line 2, after "16-13-301", insert "(2.3) and", and strike "is" and substitute "are";

line 4, strike "A NEW SUBSECTION," and substitute "THE FOLLOWING NEW SUBSECTIONS,".

Page 3, after line 1, insert the following:

"(2.3) "INSTRUMENTAL" MEANS A SUBSTANTIAL CONNECTION EXISTS BETWEEN THE PROPERTY AND THE PUBLIC NUISANCE ACT.

~~(2.3)~~ (2.4) "Public nuisance act" means any of the crimes, offenses, or violations set forth in section 16-13-303 (1) (a) to (1) (n), regardless of the location where the act occurred."

Page 16, line 27, strike "A NEW SUBSECTION," and substitute "THE FOLLOWING NEW SUBSECTIONS,".

Page 17, after line 12, insert the following:

"(1.7) "INSTRUMENTAL" MEANS A SUBSTANTIAL CONNECTION EXISTS BETWEEN THE PROPERTY AND THE UNLAWFUL USE OF THE PROPERTY."

Amendment No. 12(L.071), by Senator Thiebaut.

Amend reengrossed bill, page 23, line 7, strike "16-13-303 (1)" and substitute "16-13-503 (1)";

line 11, strike "16-13-303 (5.2) (a)" and substitute "16-13-504 (2.2)";

line 15, strike "16-13-303 (1)" and substitute "16-13-503 (1)";

line 19, strike "16-13-303 (5.2) (a)" and substitute "16-13-504 (2.2)".

Page 26, line 9, strike "THE";

**HB02-1404**

strike lines 10 and 11;  
line 12, strike "28 U.S.C. 524."

Page 28, after line 16, insert the following:

"(4) ANY REPORT SUBMITTED PURSUANT TO THIS SECTION SHALL BE SUBJECT TO AUDIT IN ACCORDANCE WITH PART 6 OF ARTICLE 1 OF TITLE 29, C.R.S."

Senator Dyer requested a new fiscal note under Senate rule 25(e).

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

On motion of Senator Thiebaut, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the Special Orders--Second Reading of Bills Calendar (**HB02-1147**) of Thursday, May 2, was laid over until Friday, May 3, retaining its place on the calendar.

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**AMENDMENTS TO THE COMMITTEE OF THE WHOLE REPORT**

**HB02-1259**

by Representative(s) Marshall; also Senator(s) Tate--Concerning protection of consumers' home ownership equity.

Senator Tate moved to amend the Report of the Committee of the Whole to show that **HB02-1259**, as amended, was laid over to Friday May 3, 2002, retaining its place on the general orders calendar.

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

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

On motion of Senator Tate, 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: **SB02-214** as amended, **SB02-219** as amended, **SB02-232**, **SB02-213** as amended, **HB02-1452**, **HB02-1419** as amended, **HB02-1404** as amended. Referred to the Committee on Appropriations: **SB02-206**. Laid over until Friday, May 3: **HB02-1147**, **HB02-1259** as amended.

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**CONFERENCE COMMITTEE GRANTED FURTHER POWERS**

**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 Conferees on the First Conference Committee on **SB02-032** be given the powers to go beyond the scope of the differences between the two Houses.

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

**HB02-1246**

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

Senator Windels moved that the Senate Conferees on the First Conference Committee on **HB02-1246** be given the powers to go beyond the scope of the differences between the two Houses.

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

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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 Thursday, May 2, was laid over until Friday, May 3, retaining its place on the calendar.

Third Reading--Final Passage of Bills: **HB02-1419, SB02-209, HB02-1338, HB02-1029, HB02-1312, HB02-1283, HB02-1396, HB02-1209, HB02-1276, HB02-1339, SB02-200, SB02-220.**

General Orders--Second Reading of Bills: **SB02-225, HB02-1344, SB02-229, SCR02-004, SB02-228, SB02-042, HB02-1407, HB02-1290, HB02-1237, HB02-1046, SB02-227.**

General Orders--Second Reading of Bills Consent Calendar: **HB02-1412, HB02-1357, HB02-1411.**

Consideration of Resolutions: **HJR02-1003, SJR02-004, SJR02-006, HJR02-1015, HJR02-1021, SJR02-013, HJR02-1027, SR02-009, HJR02-1035, SJR02-023, SJR02-025, SJR02-026, SR02-010, SJR02-035, SR02-014, SJR02-040, HJR02-1038, HJR02-1037, HJR02-1053, SJR02-046, HJR02-1065.**

Consideration of Memorials: **SJM02-002.**

Consideration of House Amendments to Senate Bills: **SB02-141, SB02-136, SB02-018, SB02-087, SB02-086, SB02-071, SB02-057, SB02-078, SB02-109, SB02-196, SB02-097, SB02-019, SB02-027, SB02-065.**

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

Consideration of Governor's Appointments:

Examining Board of Plumbers

State Housing Board

Consideration of Conference Committee Reports: **HB02-1131, HB02-1061, SB02-124.**

On motion of Senator Thiebaut, the Senate adjourned until 8:00 a.m., Friday, May 3, 2002.

Approved:

Ed Perlmutter  
President Pro-tem of the Senate

Attest:

Karen Goldman  
Secretary of the Senate