

HOUSE JOURNAL
SIXTY-FOURTH GENERAL ASSEMBLY
STATE OF COLORADO
First Regular Session

Fifty-first Legislative Day

Thursday, February 27, 2003

1 Prayer by Pastor Rick Long, Grace Church, Arvada.
 2

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

5 Pledge of Allegiance led by Representative Lundberg.
 6

7 The roll was called with the following result:
 8

9 Present--62.

10 Excused--Representatives Butcher, Hall, Hoppe--3.
 11

12 The Speaker declared a quorum present.
 13
 14

15 On motion of Representative Lundberg, the reading of the journal of
 16 February 26, 2003, was declared dispensed with and approved as
 17 corrected by the Chief Clerk.
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 20

CONSENT GRANTED TO CONFERENCE COMMITTEE

21
 22
 23 **SB03-183** by Senator(s) Reeves, Owen, Teck; also Representative(s)
 24 Plant, Witwer, Young--Concerning the modification of
 25 certain preschool through twelfth grade public education
 26 programs, and making appropriations in connection
 27 therewith.
 28

29 Representative Plant moved that the Second Conference Committee on
 30 **SB03-183** be granted permission to go beyond the scope of the difference
 31 between the House and the Senate. The motion was passed by the
 32 following roll call vote:
 33

	YES	62	NO	00	EXCUSED	03	ABSENT	00
35	Berry	Y	Garcia	Y	McCluskey	Y	Sinclair	Y
36	Borodkin	Y	Hall	E	McFadyen	Y	Smith	Y
37	Boyd	Y	Harvey	Y	Merrifield	Y	Spence	Y
38	Briggs	Y	Hefley	Y	Miller	Y	Stafford	Y
39	Brophy	Y	Hodge	Y	Mitchell	Y	Stengel	Y
40	Butcher	E	Hoppe	E	Paccione	Y	Tochtrop	Y
41	Cadman	Y	Jahn	Y	Plant	Y	Veiga	Y
42	Carroll	Y	Johnson	Y	Pommer	Y	Vigil	Y
43	Clapp	Y	Judd	Y	Ragsdale	Y	Weddig	Y

1	Cloer	Y	King	Y	Rhodes	Y	Weissmann	Y
2	Coleman	Y	Larson	Y	Rippy	Y	White	Y
3	Crane	Y	Lee	Y	Romanoff	Y	Wiens	Y
4	Decker	Y	Lundberg	Y	Rose	Y	Williams S.	Y
5	Fairbank	Y	Madden	Y	Salazar	Y	Williams T.	Y
6	Frangas	Y	Marshall	Y	Sanchez	Y	Witwer	Y
7	Fritz	Y	May	Y	Schultheis	Y	Young	Y
8							Speaker	Y

REPORTS OF COMMITTEES OF REFERENCE

EDUCATION

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

SB03-100 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend reengrossed bill, page 4, after line 18, insert the following:

"(4) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION TO THE CONTRARY, A BOARD OF EDUCATION OF A SCHOOL DISTRICT MAY ONLY AWARD A DIPLOMA PURSUANT TO THIS SECTION AS AN HONORARY DIPLOMA AND THE DIPLOMA SHALL BE CLEARLY MARKED AS "HONORARY"."

FINANCE

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

HB03-1267 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 2, line 2, strike "**Repeal.**";

line 3, strike "repealed as follows:" and substitute "amended to read:";

line 4, strike "**surcharges**" and substitute "**convenience fees**";

line 5, strike "(1)" and substitute "(1)";

line 9, strike "(2)" and substitute "(2)";

after line 16, insert the following:

"(3) A STATE GOVERNMENTAL ENTITY MAY IMPOSE A CONVENIENCE FEE ON PERSONS WHO USE ALTERNATIVE FORMS OF PAYMENT, BUT THE AMOUNT OF ANY CONVENIENCE FEE IMPOSED ON OR AFTER THE EFFECTIVE DATE OF THIS SUBSECTION (3) SHALL NOT EXCEED

1 THE ACTUAL ADDITIONAL COST INCURRED BY THE STATE GOVERNMENTAL
2 AGENCY TO PROCESS THE TRANSACTION BY ALTERNATIVE FORM OF
3 PAYMENT. ANY CONVENIENCE FEE ON A TRANSACTION INVOLVING AN
4 ALTERNATIVE FORM OF PAYMENT SHALL BE IMPOSED IN ACCORDANCE
5 WITH THE MASTER AGREEMENT NEGOTIATED BY THE STATE TREASURER
6 AND THE RULES OF THE ALTERNATIVE PAYMENT PROVIDER.

7

8 **SECTION 2.** 29-11.5-103, Colorado Revised Statutes, is
9 amended to read:

10

11 **29-11.5-103. Limitations on convenience fees for the use of**
12 **alternative forms of payment.** (1) ~~Except as otherwise provided in~~
13 ~~subsection (2) of this section, no local governmental entity that accepts~~
14 ~~one or more alternative forms of payment shall impose a surcharge upon~~
15 ~~any person for the privilege of using such alternative forms of payment.~~

16

17 (2) ~~Notwithstanding the provisions of subsection (1) of this~~
18 ~~section, any local governmental entity that, on or before January 1, 1999,~~
19 ~~was accepting one or more alternative forms of payment for the payment~~
20 ~~of moneys payable to a local governmental entity and was imposing a~~
21 ~~surcharge for the privilege of using such alternative forms of payment~~
22 ~~may continue to impose such surcharge on persons who elect to use such~~
23 ~~alternative forms of payment on or after January 1, 1999, but shall not~~
24 ~~increase the amount of such surcharge.~~

25

26 (3) A LOCAL GOVERNMENTAL ENTITY MAY IMPOSE A CONVENIENCE
27 FEE ON PERSONS WHO USE ALTERNATIVE FORMS OF PAYMENT, BUT THE
28 AMOUNT OF ANY CONVENIENCE FEE IMPOSED ON OR AFTER THE EFFECTIVE
29 DATE OF THIS SUBSECTION (3) SHALL NOT EXCEED THE ACTUAL
30 ADDITIONAL COST INCURRED BY THE LOCAL GOVERNMENTAL AGENCY TO
31 PROCESS THE TRANSACTION BY ALTERNATIVE FORM OF PAYMENT. ANY
32 CONVENIENCE FEE ON A TRANSACTION INVOLVING A CREDIT, CHARGE, OR
33 DEBIT CARD SHALL BE IMPOSED IN ACCORDANCE WITH THE RULES OF THE
34 APPROPRIATE CARD ASSOCIATION."

35

36 Renumber succeeding sections accordingly.

37

38 Page 2, line 21, strike "SECTION 29-11.5-103 (2)," and substitute
39 "SECTIONS 24-19.5-103 (3) AND 29-11.5-103 (3)."

40

41

42

43 **SB03-096** be referred to the Committee of the Whole with favorable
44 recommendation.

45

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48

49 **JUDICIARY**

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

52

53 **SB03-109** be referred to the Committee of the Whole with favorable
54 recommendation.

55

56

1 **TRANSPORTATION & ENERGY**
2 After consideration on the merits, the Committee recommends the
3 following:

4
5 **SB03-060** be amended as follows, and as so amended, be referred to
6 the Committee of the Whole with favorable
7 recommendation:

8
9 Amend reengrossed bill, page 3, line 19, after "OFFICE", insert "OR
10 PRINCIPAL FLEET MANAGEMENT FACILITY".

11
12 Page 4, line 2, after "OFFICE", insert "OR PRINCIPAL FLEET MANAGEMENT
13 FACILITY";

14
15 line 4, after "OFFICE", insert "OR PRINCIPAL FLEET MANAGEMENT
16 FACILITY";

17
18 after line 17, insert the following:

19
20 "(d) THE AUTHORIZED AGENT IN ANY COUNTY IN WHICH A FLEET
21 VEHICLE REGISTRATION RENEWAL IS PROCESSED PURSUANT TO THIS
22 SECTION SHALL TRANSMIT THE REGISTRATION FEES COLLECTED PURSUANT
23 TO SECTION 42-3-139 TO THE DEPARTMENT. THE DEPARTMENT SHALL
24 THEN TRANSMIT SUCH FEES TO THE AUTHORIZED AGENT IN THE COUNTY IN
25 WHICH THE FLEET VEHICLE IS LOCATED AT THE TIME OF REGISTRATION,
26 AND THE AUTHORIZED AGENT SHALL TRANSMIT SUCH FEES TO THE COUNTY
27 TREASURER PURSUANT TO SECTION 42-3-139."
28

29 Reletter succeeding paragraphs accordingly.

30
31 Page 5, after line 9, insert the following:

32
33 "(g) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO AFFECT
34 THE ALLOCATION OF HIGHWAY USERS TAX FUND MONEYS TO COUNTIES OR
35 MUNICIPALITIES PURSUANT TO SECTIONS 43-4-207 AND 43-4-208, C.R.S."
36

37
38
39 **SB03-223** be referred to the Committee of the Whole with favorable
40 recommendation.

41
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44 **PRINTING REPORT**

45
46 The Chief Clerk reports the following bill has been correctly printed:
47 **HB03-1322.**

48
49
50
51 **MESSAGES FROM THE SENATE**

52
53 Madam Speaker:

54
55 The Senate has passed on Third Reading and returns herewith HB03-1151,
56 1067, 1144,

1 The Senate has passed on Third Reading and transmitted to the Revisor of
2 Statutes:

3

4 SB03-106, amended as printed in Senate Journal, February 19, 2003, page
5 430, and in Senate Journal, February 25, pages 472-473,

6 HB03-1107, amended as printed in Senate Journal, February 25, 2003,
7 page 473

8

9

10 The Senate has postponed indefinitely HB03-1088. The bill is returned
11 herewith.

12

13

14 The Senate has adopted the First Report of the First Conference Committee on
15 SB03-175, as printed in Senate Journal, February 26, and repassed the bill as
16 amended.

17

18 The Senate has adopted the First Report of the First Conference Committee on
19 SB03-185, as printed in Senate Journal, February 26, and repassed the bill as
20 amended.

21

22 The Senate has adopted the First Report of the First Conference Committee on
23 SB03-190, as printed in Senate Journal, February 26, and repassed the bill as
24 amended.

25

26 The Senate has adopted the First Report of the First Conference Committee on
27 SB03-200, as printed in Senate Journal, February 26, and repassed the bill as
28 amended.

29

30 The Senate has adopted the First Report of the First Conference Committee on
31 SB03-203, as printed in Senate Journal, February 26, and repassed the bill as
32 amended.

33

34 The Senate has adopted the First Report of the First Conference Committee on
35 SB03-205, as printed in Senate Journal, February 26, and repassed the bill as
36 amended.

37

38

39 In response to the request of the House for a Second Conference Committee on
40 SB03-183, the Senate has discharged the First Conference Committee on SB03-
41 183 and has appointed a Second Conference Committee. The President
42 appointed Senators Reeves, Chm., Owen, and Teck as members of the Second
43 Conference Committee on the part of the Senate. The bill is transmitted
44 herewith.

45

46

47

48

MESSAGE FROM THE REVISOR

49

50 We herewith transmit:

51 Without comment, as amended, SB03-106 and HB03-1107.

52

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MESSAGE FROM THE GOVERNOR1
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I certify I received the following on the 26th day of February, 2003, at 11:05 a.m. The original is on file in the records of the House of Representatives of the General Assembly.

Judith Rodrigue,
Chief Clerk of the House

February 26, 2003

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

Ladies and Gentlemen:

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

HB03-1302 Concerning Clarification Of The Applicability Of Statutory Provisions That Enacted Certain Notification Requirements Affecting Only Those Applications For Development Filed On Or After July1, 2001.

Approved February 26, 2003 at 8:48 a.m.

Sincerely,
(signed)
Bill Owens
Governor

INTRODUCTION OF BILL
First Reading

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

HB03-1322 by Representative(s) Mitchell--Concerning changes in the procedures for workers' compensation hearings.
Committee on Business Affairs & Labor

INTRODUCTION OF RESOLUTION

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

HJR03-1025 by Representative(s) Coleman, Spradley, Cadman, Hoppe, Jahn, Stafford, Williams T.; also Senator(s) Gordon--
Concerning Single Parents' Day.

WHEREAS, Parents must invest unlimited time, energy, and

1 devotion when raising their children in order to provide them with the
2 love, support, and guidance required to become responsible, productive,
3 and successful adults; and

4
5 WHEREAS, The responsibility of raising children in today's
6 society is particularly difficult when it falls on the shoulders of a single
7 parent; and

8
9 WHEREAS, Every day, single parents bear the tremendous
10 responsibilities of financially supporting and emotionally nurturing their
11 children; and

12
13 WHEREAS, The number of single-parent families has more than
14 doubled in the past twenty-five years; and

15
16 WHEREAS, Over twenty million children in this country currently
17 live in single-parent homes; and

18
19 WHEREAS, The greatest need of every child is to be loved,
20 whether they live in a single-parent or two-parent family; and

21
22 WHEREAS, The dedication and achievements of single parents
23 are deserving of our recognition; and

24
25 WHEREAS, The United States Congress has established March
26 21 as "Single Parents' Day"; and

27
28 WHEREAS, In 1993, Colorado became the first state to sign a
29 proclamation officially recognizing March 21 as "Single Parents' Day";
30 now, therefore,

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

35
36 That we, the members of the Sixty-fourth General Assembly,
37 designate March 21, 2003, as "Single Parents' Day" in Colorado in
38 recognition of the dedication and achievements of all single parents.

41 LAY OVER OF CALENDAR ITEMS

42
43
44 On motion of Representative King, the following items on the Calendar
45 were laid over until February 28, retaining place on Calendar:

46
47 Consideration of Special Orders--**HB03-1242.**
48 Consideration of General Orders--**HB03-1146, 1225, SB03-072,**
49 **HB03-1250, 1020.**
50 Consideration of Resolutions--**SJR03-017, 018, 019, HJR03-1021, 1023,**
51 **1024.**
52 Consideration of Senate Amendments--**HB03-1161, 1018.**

53
54
55 House in recess. House reconvened.
56

1 **REPORTS OF COMMITTEES OF REFERENCE**

2
3 **FINANCE**

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

6
7 **SB03-057** be referred to the Committee of the Whole with favorable
8 recommendation.

9
10
11 **SB03-062** be referred to the Committee of the Whole with favorable
12 recommendation.

13
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16
17 **INFORMATION & TECHNOLOGY**

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

20
21 **SB03-155** be amended as follows, and as so amended, be referred to
22 the Committee of the Whole with favorable
23 recommendation:

24
25 Amend reengrossed bill, strike everything below the enacting clause and
26 substitute the following:

27
28 **"SECTION 1. Repeal.** 24-34-104 (32.5) (f), Colorado Revised
29 Statutes, is repealed as follows:

30
31 **24-34-104. General assembly review of regulatory agencies and**
32 **functions for termination, continuation, or reestablishment.**
33 (32.5) The following agencies, functions, or both, shall terminate on July
34 1, 2003:

35
36 (f) ~~The collection agency board created in section 12-14-116,~~
37 ~~C.R.S.;~~

38
39 **SECTION 2.** 24-34-104 (39) (b), Colorado Revised Statutes, is
40 amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

41
42 **24-34-104. General assembly review of regulatory agencies and**
43 **functions for termination, continuation, or reestablishment.**
44 (39) (b) The following agencies, functions, or both, shall terminate on
45 July 1, 2008:

46
47 (XVI) THE REGULATION OF COLLECTION AGENCIES PURSUANT TO
48 ARTICLE 14 OF TITLE 12, C.R.S.

49
50 **SECTION 3. Repeal.** 24-1-113 (4) (a), Colorado Revised
51 Statutes, is repealed as follows:

52
53 **24-1-113. Department of law - creation.** (4) (a) ~~The collection~~
54 ~~agency board, created by article 14 of title 12, C.R.S., and its powers,~~
55 ~~duties, and functions are transferred by a type 2 transfer to the~~
56 ~~department of law as a section of the division of legal affairs and shall be~~

1 ~~under the supervision of the administrator of the "Uniform Consumer~~
2 ~~Credit Code", whose office is created by section 5-6-103, C.R.S.~~

3

4 **SECTION 4.** 24-1-122 (4), Colorado Revised Statutes, is
5 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

6

7 **24-1-122. Department of regulatory agencies - creation.**

8 (4) The following boards and agencies are transferred by a **type 2**
9 transfer to the department of regulatory agencies and allocated to the
10 division of registrations:

11

12 (f) THE COLLECTION AGENCY BOARD CREATED IN SECTION
13 12-14-116, C.R.S.

14

15 **SECTION 5.** 12-14-103 (1), Colorado Revised Statutes, is
16 amended, and the said 12-14-103 is further amended BY THE
17 ADDITION OF A NEW SUBSECTION to read:

18

19 **12-14-103. Definitions.** As used in this article, unless the context
20 otherwise requires:

21

22 (1) ~~"Administrator" means the administrator of the "Uniform~~
23 ~~Consumer Credit Code", articles 1 to 9 of title 5, C.R.S., whose office is~~
24 ~~created in the department of law in section 5-6-103, C.R.S.~~

25

26 (7.5) "DIRECTOR" MEANS THE DIRECTOR OF THE DIVISION OF
27 REGISTRATIONS IN THE DEPARTMENT OF REGULATORY AGENCIES.

28

29 **SECTION 6.** 12-14-109 (1) (f) and (1) (g), Colorado Revised
30 Statutes, are amended to read:

31

32 **12-14-109. Validation of debts.** (1) Within five days after the
33 initial communication with a consumer in connection with the collection
34 of any debt, a debt collector or collection agency shall, unless the
35 following information is contained in the initial written communication
36 or the consumer has paid the debt, send the consumer a written notice
37 with the disclosures specified in paragraphs (a) to (g) of this subsection
38 (1). If such disclosures are placed on the back of the notice, the front of
39 the notice shall contain a statement notifying consumers of that fact. Such
40 disclosures shall state:

41

42 (f) That collection agencies are licensed by the ~~collection agency~~
43 ~~board~~ DIRECTOR. The address of the ~~board~~ DIRECTOR shall also be
44 disclosed. If, however, the debt collector is a person employed by the
45 department of personnel for the purpose of collecting debts due to the
46 state on behalf of another state agency, the disclosure required under this
47 paragraph (f) shall state that the activities of such debt collector are
48 subject to sections 12-14-104 to 12-14-109, Colorado Revised Statutes,
49 as contained in the "Colorado Fair Debt Collection Practices Act", that
50 complaints may be filed with the executive director of the department of
51 personnel, and that disciplinary actions will be subject to the rules ~~and~~
52 ~~regulations~~ of the state personnel system.

53

54 (g) That consumers shall not send payments to the ~~collection~~
55 ~~agency board~~ DIRECTOR.

56

1 **SECTION 7.** 12-14-113 (5), Colorado Revised Statutes, is
2 amended to read:

3
4 **12-14-113. Civil liability.** (5) No provision of this section
5 imposing any liability shall apply to any act done or omitted in good faith
6 in conformity with any advisory opinion of the ~~board~~ DIRECTOR,
7 notwithstanding that, after such act or omission has occurred, such
8 opinion is amended, rescinded, or determined by judicial or other
9 authority to be invalid for any reason.

10
11 **SECTION 8.** 12-14-114, Colorado Revised Statutes, is amended
12 to read:

13
14 **12-14-114. Administrative enforcement.** Compliance with this
15 article shall be enforced by the ~~board~~ DIRECTOR. The ~~board has power to~~
16 DIRECTOR MAY make reasonable rules ~~and regulations~~ for the
17 administration and enforcement of this article, including standards of
18 conduct for licensees and registrants and collection notices and forms.

19
20 **SECTION 9.** 12-14-116 (1), Colorado Revised Statutes, is
21 amended to read:

22
23 **12-14-116. Collection agency board - created.** (1) For the
24 purpose of ~~carrying out the provisions of this article~~ ADVISING THE
25 DIRECTOR, the governor shall appoint five members to the collection
26 agency board, which board is hereby created. The members of the board
27 ~~-serving on July 1, 1985, shall continue to serve their appointed terms, and~~
28 ~~their successors~~ shall be appointed for three-year terms. Upon the death,
29 resignation, or removal of any member of the board, the governor shall
30 appoint a member to fill the unexpired term. Any member of the board
31 may be removed by the governor for misconduct, neglect of duty, or
32 incompetence. No member may serve more than two consecutive terms.

33
34 **SECTION 10.** 12-14-117, Colorado Revised Statutes, is amended
35 to read:

36
37 **12-14-117. Powers and duties of the director.** (1) ~~Any~~
38 ~~provision of this article to the contrary notwithstanding, the board,~~
39 ~~created by section 12-14-116, is under the supervision and control of the~~
40 ~~administrator, who may exercise any of the powers granted to the board.~~

41
42 (2) The ~~administrator~~ DIRECTOR is authorized to develop any
43 examination required for the administration of this article and to
44 determine the amount of any examination fee. The ~~administrator~~
45 DIRECTOR shall offer each such examination at least twice a year, or more
46 frequently if demand warrants, and shall establish a passing score for
47 each examination that reflects a minimum level of competency.

48
49 (3) The ~~administrator~~ DIRECTOR is authorized to approve or deny
50 any application submitted pursuant to this article and to issue any license
51 authorized by this article.

52
53 (4) Any complaint received by the ~~administrator~~ DIRECTOR
54 regarding violations of this article by an attorney shall be forwarded to
55 the supreme court's disciplinary counsel.

1 **SECTION 11.** Article 14 of title 12, Colorado Revised Statutes,
2 is amended BY THE ADDITION OF A NEW SECTION to read:

3
4 **12-14-117.5. Transfer of jurisdiction - reassignment of
5 personnel.** (1) ALL INVESTIGATIONS COMPLETED OR IN PROGRESS
6 PURSUANT TO SECTION 12-14-130 AND INJUNCTIONS ISSUED PURSUANT TO
7 SECTION 12-14-135 AS THESE SECTIONS EXISTED ON DECEMBER 31, 2003,
8 INCLUDING CASES REFERRED TO HEARING OR BEFORE AN ADMINISTRATIVE
9 LAW JUDGE, SHALL BE REFERRED TO THE DIRECTOR FOR FINAL
10 ADJUDICATION.

11
12 (2) ALL ACTIONS TAKEN AND DECISIONS RENDERED BY THE
13 ADMINISTRATOR BEFORE JANUARY 1, 2004, PURSUANT TO THIS ARTICLE AS
14 IT EXISTED ON DECEMBER 31, 2003, ARE HEREBY RATIFIED AND SHALL
15 HAVE THE SAME FORCE AND EFFECT AS ACTIONS TAKEN AND DECISIONS
16 RENDERED BY THE DIRECTOR.

17
18 (3) ALL VALID AND ENFORCEABLE RULES OF THE COLLECTION
19 AGENCY BOARD AS THEY EXISTED ON DECEMBER 31, 2003, ARE HEREBY
20 DECLARED VALID AND ENFORCEABLE RULES OF THE DIRECTOR.
21 REFERENCES TO THE ADMINISTRATOR IN SUCH RULES SHALL BE DEEMED TO
22 REFER TO THE DIRECTOR.

23
24 (4) ON JANUARY 1, 2004, ALL NONATTORNEY PERSONNEL OF THE
25 DEPARTMENT OF LAW AND ALL ITEMS OF PROPERTY, INCLUDING
26 DOCUMENTS AND RECORDS, NECESSARY FOR THE ADMINISTRATION AND
27 ENFORCEMENT OF THIS ARTICLE SHALL BE TRANSFERRED TO THE DIVISION
28 OF REGISTRATIONS. SUCH PERSONNEL SHALL RETAIN THEIR ACCRUED
29 BENEFITS, INCLUDING LEAVE AND RETIREMENT, AND THEIR SERVICE SHALL
30 BE DEEMED TO HAVE BEEN CONTINUOUS.

31
32 **SECTION 12.** 12-14-118, Colorado Revised Statutes, is amended
33 to read:

34
35 **12-14-118. Collection agency license - required.** ~~Any~~ A person
36 acting as a collection agency ~~must~~ SHALL possess a valid license issued
37 by the ~~administrator~~ DIRECTOR in accordance with this article. ~~and any~~
38 ~~rules and regulations adopted pursuant thereto.~~

39
40 **SECTION 13.** 12-14-119 (1) (a) (II), (1) (b) (I) (A), the
41 introductory portion to 12-14-119 (2), and 12-14-119 (2) (d) (IV), (3),
42 (4), (5), (6), and (7), Colorado Revised Statutes, are amended to read:

43
44 **12-14-119. Collection agency license - requirements -
45 application - fee - expiration.** (I) As requisites for licensure, the
46 applicant for a collection agency license shall:

47
48 (a) (II) Notwithstanding the requirements of subparagraph (I) of
49 this paragraph (a), the ~~board~~ DIRECTOR may substitute other business
50 experience for such requirements where such business experience has
51 provided comparable experience in collections.

52
53 (b) (I) Employ a collections manager who shall:

54
55 (A) ~~If hired on or after July 1, 1990,~~ Pass a written examination
56 administered by the ~~administrator~~ DIRECTOR, unless such person was

1 approved by the collection agency board as collections manager before
2 July 1, 1990, and has since been continuously employed by a licensed
3 collection agency in this state OR HAS PASSED A WRITTEN EXAMINATION
4 ADMINISTERED PRIOR TO JANUARY 1, 2004.

5
6 (2) Each applicant for a collection agency license shall submit an
7 application providing all information in the form and manner the
8 ~~administrator~~ DIRECTOR shall designate, including, but not limited to:

9
10 (d) For the principals and the collections manager of the
11 applicant:

12
13 (IV) The suspension or termination of approval of any collections
14 manager under this article, or any other disciplinary or adverse action
15 taken against the applicant, principal, or collections manager by the ~~board~~
16 DIRECTOR or any other jurisdiction.

17
18 (3) At the time the application is submitted, the applicant shall
19 pay a nonrefundable investigation fee in an amount to be determined by
20 the ~~board~~ DIRECTOR.

21
22 (4) When the ~~administrator~~ DIRECTOR approves the application,
23 the applicant shall pay a nonrefundable license fee in an amount to be
24 determined by the ~~board~~ DIRECTOR.

25
26 ~~(5) Each license issued pursuant to this section shall expire on~~
27 ~~July 1 of each year, except that~~ THE DIRECTOR SHALL ESTABLISH
28 PROCEDURES FOR THE MAINTENANCE OF LICENCE LISTS AND
29 ESTABLISHMENT OF LICENSEE SCHEDULES, SUBJECT TO SECTION 24-34-102
30 (8), C.R.S. A licensee, at any time, may voluntarily surrender the license
31 to the ~~administrator~~ DIRECTOR to be cancelled, but such surrender shall
32 not affect the licensee's liability for violations of this article that occurred
33 prior to the date of surrender.

34
35 ~~(6) If an application is approved between January 1 and June 30~~
36 ~~in any year, the license fee for the remainder of that licensing year shall~~
37 ~~be one-half the license fee determined by the board.~~

38
39 (7) A collection agency ~~must~~ SHALL obtain a license for its
40 principal place of business, but its branch offices, if any, need not obtain
41 separate licenses. A collection agency with branch offices ~~must~~ SHALL
42 notify the ~~administrator~~ DIRECTOR in writing of the location of each
43 branch office within thirty days after the branch office commences
44 business.

45
46 **SECTION 14.** 12-14-120 (1), (2), (6), and (7), Colorado Revised
47 Statutes, are amended to read:

48
49 **12-14-120. License - issuance - grounds for denial - appeal -**
50 **contents.** (1) Upon the approval of the license application by the
51 ~~administrator~~ DIRECTOR and the satisfaction of all application
52 requirements, the ~~administrator~~ DIRECTOR shall issue the applicant a
53 license to operate as a collection agency.

54
55 (2) The ~~administrator~~ DIRECTOR may deny any application for a
56 license or its renewal if any grounds exist that would justify disciplinary

1 action under section 12-14-130, for failure to meet the requirements of
2 section 12-14-119, or if the applicant, the applicant's ~~principles~~
3 PRINCIPALS, or the applicant's collections manager have fraudulently
4 obtained or attempted to obtain a license.

5
6 (6) The ~~administrator~~ DIRECTOR may deny any application for a
7 license or its renewal if the collection agency has failed to perform the
8 duties enumerated in section 12-14-123.

9
10 (7) The ~~administrator~~ DIRECTOR may deny any application for a
11 license or its renewal if the collection agency does not have a positive net
12 worth.

13
14 **SECTION 15.** 12-14-121, Colorado Revised Statutes, is amended
15 to read:

16
17 **12-14-121. Collection agency license - renewals.** (1) Each
18 licensee shall make an application to renew its license ~~on or before June~~
19 ~~15 of each year.~~ Said application shall be in the form and manner
20 prescribed by the ~~administrator~~ DIRECTOR and shall be accompanied by
21 PAY a nonrefundable renewal fee in an amount determined by the ~~board~~
22 DIRECTOR.

23
24 (2) ~~If the application is not postmarked on or before June 15, a~~
25 ~~penalty fee of twenty-five dollars per day shall be assessed and added to~~
26 ~~the license fee. No license shall be renewed until the total fee is paid.~~

27
28 (3) ~~If a licensee fails to submit an application or any part of the~~
29 ~~total fee on or before July 15 of each year, the license shall automatically~~
30 ~~expire and an application for a new license must be submitted.~~

31
32 (4) ~~If a licensee submits an application and the total fee on or~~
33 ~~before July 15 of the renewal year, the licensee may continue to operate~~
34 ~~as a collection agency until the renewal application is approved or denied.~~

35
36 **SECTION 16.** The introductory portion to 12-14-122 (1) (a),
37 12-14-122 (2) (a), the introductory portion to 12-14-122 (2) (c), and
38 12-14-122 (2) (c) (III), (3), (4), and (5), Colorado Revised Statutes, are
39 amended to read:

40
41 **12-14-122. Collection agency license - notification of change**
42 **and reapplication requirements.** (1) (a) Upon any of the following
43 changes, the licensee shall notify the ~~administrator~~ DIRECTOR in writing
44 of such change within thirty days after its occurrence:

45
46 (2) (a) Upon any of the changes specified in paragraph (c) of this
47 subsection (2), the licensee shall apply for a new license within thirty
48 days ~~of~~ AFTER said change. The ~~administrator~~ DIRECTOR shall have
49 twenty-five days to review the application and issue or deny the new
50 license. If the ~~administrator~~ DIRECTOR denies the license, the
51 ~~administrator~~ DIRECTOR shall provide to the licensee a written statement
52 stating why the application for the license was denied, and the licensee
53 shall have fifteen days to cure any defects in said application. The
54 ~~administrator~~ DIRECTOR shall approve or deny the resubmitted application
55 within fifteen days.

56

- 1 (c) The changes ~~which~~ THAT require a new license application are:
2
- 3 (III) Any change of ownership structure, including but not limited
4 to a change to or from a sole proprietorship, partnership, or corporation.
5 No investigation fee shall be required in the event of such a change and
6 the application required may be more abbreviated than that required for
7 an initial license, as determined by the ~~administrator~~ DIRECTOR.
8
- 9 (3) (a) Upon a change of collections manager, the licensee shall
10 notify the ~~administrator~~ DIRECTOR in the form and manner designated by
11 the ~~administrator~~ DIRECTOR. The licensee shall appoint a new collections
12 manager within thirty days ~~of~~ AFTER such change.
13
- 14 (b) The ~~administrator~~ DIRECTOR, within fifteen days, shall
15 approve or disapprove the qualifications of the new collections manager,
16 or shall direct the new collections manager to take the examination
17 authorized pursuant to section 12-14-119 (1) (b).
18
- 19 (c) The licensee may continue to operate as a collection agency
20 unless and until the ~~administrator~~ DIRECTOR disapproves the
21 qualifications of the new collections manager.
22
- 23 (4) Any licensee ~~which~~ THAT has submitted an application for a
24 new license may continue to operate as a collection agency until the final
25 decision of the ~~administrator~~ DIRECTOR.
26
- 27 (5) The licensee may appeal the final decision of the ~~administrator~~
28 DIRECTOR pursuant to section 24-4-104, C.R.S.
29
- 30 **SECTION 17.** 12-14-123 (1) (e), Colorado Revised Statutes, is
31 amended to read:
32
- 33 **12-14-123. Duties of collection agencies.** (1) A licensee shall:
34
- 35 (e) Upon written demand of the ~~board~~ DIRECTOR, within five days
36 ~~of~~ AFTER receipt of such demand, produce a complete set of all form
37 notices or form letters used by the licensee in the collection of accounts;
38
- 39 **SECTION 18.** 12-14-124 (1), (2), (3), (4), (5), (7), (8), and (10),
40 Colorado Revised Statutes, are amended to read:
41
- 42 **12-14-124. Bond.** (1) Each licensee shall maintain at all times
43 and each applicant shall file, prior to the issuance of any license to such
44 applicant, a bond in the sum of twelve thousand dollars plus an additional
45 two thousand dollars for each ten thousand dollars or part thereof by
46 which the average monthly sums remitted or owed to all of its clients
47 during the previous year exceed fifteen thousand dollars; or, in the
48 alternative, an applicant or licensee shall present evidence of a savings
49 account, deposit, or certificate of deposit of the same sum and meeting
50 the requirements of section 11-35-101, C.R.S. The total amount of the
51 bond shall not exceed twenty thousand dollars and shall be in favor of the
52 attorney general of the state of Colorado for use of the people of the state
53 of Colorado and the ~~collection agency board~~ DIRECTOR. Such bond shall
54 be executed by the applicant or licensee as principal and by a corporation
55 ~~which~~ THAT is licensed by the commissioner of insurance to transact the
56 business of fidelity and surety insurance as surety. If any such surety,

1 during the life of the bond, cancels the bond or reduces the penal sum of
2 the bond, it immediately shall notify the ~~board~~ DIRECTOR in writing. The
3 board shall give notice to the licensee that the bond has been cancelled or
4 reduced and that the licensee's license shall automatically expire unless
5 a new or increased bond with proper sureties is filed within thirty days
6 after the date the ~~board~~ DIRECTOR received the notice, or on such later
7 date as is stated in the surety's notice.

8
9 (2) The bond shall include a condition that the licensee shall,
10 upon demand in writing made by the ~~board~~ DIRECTOR, pay over to ~~said~~
11 ~~board~~ THE DIRECTOR, for the use of any client from whom any debt is
12 taken or received for collection by ~~said~~ THE licensee, the proceeds of such
13 collection, less the charges for collection in accordance with the terms of
14 the agreement made between ~~said~~ THE licensee and the client.

15
16 (3) A client may file with the ~~board~~ DIRECTOR a duly verified
17 claim as to money due such client for money collected by a licensee. If
18 the ~~board~~ DIRECTOR makes a preliminary determination that a claim meets
19 the requirements of this section, ~~it~~ THE DIRECTOR shall make a demand for
20 the amount claimed. Such demand may be made on the licensee, the
21 surety, or both.

22
23 (4) If a receiver has been appointed by any court of competent
24 jurisdiction in the state of Colorado to take charge of the assets of any
25 licensee, such receiver, upon the written consent of the ~~board first had~~
26 ~~and obtained~~, DIRECTOR, may make demand for and receive payment on
27 said bond from the surety on such bond of said licensee and, upon order
28 of court, ~~first had and obtained~~, may bring suit upon said bond in the
29 name of such receiver, without joining the ~~board~~ DIRECTOR as a party to
30 said action.

31
32 (5) If a client has filed a duly verified claim with the ~~board, which~~
33 DIRECTOR, WHO has refused to make demand upon the licensee or surety,
34 the client may bring suit against the licensee or surety on the bond for the
35 recovery of money due from such licensee without assignment of such
36 bond to the client. Nothing in this section shall preclude a client from
37 making a demand on both the licensee and the surety.

38
39 (7) Such bond shall cover all matters placed with ~~said~~ THE
40 licensee during the term of the license granted and any renewal, except
41 as provided in this section. Such bond may be enforced in the manner
42 described in this section, by a receiver appointed to take charge of the
43 assets of any licensee, or by any client if the ~~board~~ DIRECTOR refuses to
44 act. The aggregate liability of the surety, for any and all claims ~~which~~
45 THAT may arise under such bond, shall not exceed the penalty of such
46 bond.

47
48 (8) Any licensee, at any time, may file a new bond with the board.
49 Any surety may file with the board notice of withdrawal as surety on the
50 bond of any licensee. Upon filing of such new bond or on expiration of
51 thirty days after the filing of notice of withdrawal as surety by the surety,
52 the liability of the former surety for all future acts of the licensee shall
53 terminate, except as provided in subsection (9) of this section. The ~~board~~
54 DIRECTOR shall cancel the bond given by any surety company upon being
55 advised its license to transact the business of fidelity and surety insurance
56 has been revoked by the commissioner of insurance and shall notify the

1 licensee.

2

3 (10) In lieu of an individual surety bond, the ~~administrator~~
4 DIRECTOR may authorize a blanket bond covering qualifying licensees in
5 the sum of two million dollars in favor of the attorney general of the state
6 of Colorado for use of the people of the state of Colorado and the
7 ~~collection agency board~~ DIRECTOR. Each new and renewal applicant shall
8 pay a fee in an amount determined by the ~~administrator~~ DIRECTOR to
9 offset the applicant's share of the blanket bond. Conditions and
10 procedures regarding the bond shall be as set forth in this section for
11 individual bonds.

12

13 **SECTION 19.** 12-14-128 (4) (a), Colorado Revised Statutes, is
14 amended to read:

15

16 **12-14-128. Unlawful acts.** (4) It is unlawful and a violation of
17 this article for any licensee, collections manager, debt collector, or
18 solicitor:

19

20 (a) To refuse or fail to comply with any rule ~~and regulation~~
21 adopted pursuant to this article or any lawful order of the ~~board or~~
22 ~~administrator~~ DIRECTOR; or

23

24 **SECTION 20.** 12-14-130 (1), (2), (4), (5), (6), (7), (8), (9), (10)
25 (a), (10) (b), and (11), Colorado Revised Statutes, are amended to read:

26

27 **12-14-130. Complaint - investigations - powers of the board -**
28 **sanctions.** (1) Upon the filing with the board by any interested person
29 of a written complaint charging any person with a violation of this article,
30 any rule adopted pursuant to this article, or any lawful order of the ~~board~~
31 DIRECTOR, the ~~board~~ DIRECTOR shall conduct an investigation thereof.

32

33 (2) The ~~board~~ DIRECTOR may, on ~~its~~ HIS OR HER own motion,
34 conduct an investigation of the conduct of any person concerning
35 compliance with this article.

36

37 (4) In any proceeding held under this section, the ~~board~~ DIRECTOR
38 may accept as prima facie evidence of grounds for disciplinary or adverse
39 action any disciplinary or adverse action taken against a licensee, the
40 licensee's principles, debt collector, solicitor, or collections manager by
41 another jurisdiction that issues professional, occupational, or business
42 licenses, if the conduct ~~which~~ THAT prompted the disciplinary or adverse
43 action by that jurisdiction would be grounds for disciplinary action under
44 this section.

45

46 (5) The ~~board~~ DIRECTOR, or someone designated by ~~it~~ THE
47 DIRECTOR for such purpose, has the right, during normal business hours
48 without resort to subpoena, to examine the books, records, and files of
49 any licensee. If the books, records, and files are located outside
50 Colorado, the licensee shall bear all expenses in making them available
51 to the ~~board~~ DIRECTOR or IT'S THE DIRECTOR'S designee.

52

53 (6) (a) The ~~board~~ DIRECTOR may require the making and filing, by
54 any licensee, at any time, of a written, verified statement of the licensee's
55 assets and liabilities, including, if requested, a detailed statement of
56 amounts due claimants. The ~~board~~ DIRECTOR may also require an audited

1 statement when cause has been shown that an audited statement is
2 needed.

3

4 (b) Any financial statement of any applicant or licensee required
5 to be filed with the ~~board~~ DIRECTOR shall not be a public record but may
6 be introduced in evidence in any court action or in any administrative
7 action involving the applicant or licensee.

8

9 (7) For the purpose of any proceeding under this article, the ~~board~~
10 DIRECTOR may subpoena witnesses and compel them to give testimony
11 under oath. If any witness subpoenaed by the board or an administrative
12 law judge fails or refuses to appear or testify, the subpoenaing authority
13 may petition the district court, and, upon proper showing, the court may
14 order such witness to appear and testify. Disobedience of the order of
15 court may be punished as a contempt of court.

16

17 (8) The ~~board~~ DIRECTOR may appoint an administrative law judge
18 pursuant to part 10 of article 30 of title 24, C.R.S., to conduct any
19 proceedings authorized under this article.

20

21 (9) If the ~~board~~ DIRECTOR finds cause to believe a licensee or
22 collections manager has violated this article, any rules adopted pursuant
23 to this article, or any lawful order of the ~~board~~ DIRECTOR, the ~~board~~
24 DIRECTOR shall so notify the licensee or collections manager and hold a
25 hearing. Any proceedings conducted pursuant to this section shall be in
26 accordance with article 4 of title 24, C.R.S.

27

28 (10) (a) If the ~~board~~ DIRECTOR or the administrative law judge
29 finds that the licensee or collections manager has violated this article, the
30 rules adopted pursuant to this article, or any lawful order of the ~~board~~
31 DIRECTOR, or if the licensee fraudulently obtained a license, the ~~board~~
32 DIRECTOR may issue letters of admonition, deny, revoke, or suspend the
33 license of such licensee or approval of the collections manager, place
34 such licensee or collections manager on probation, or impose
35 administrative fines in an amount up to one thousand dollars per violation
36 on the licensee or collections manager.

37

38 (b) The ~~board or administrator~~ DIRECTOR may issue letters of
39 admonition pursuant to paragraph (a) of this subsection (10) without a
40 hearing; except that the licensee or collections manager receiving the
41 letter of admonition may request a hearing before the ~~board~~ DIRECTOR to
42 appeal the issuance of the letter.

43

44 (11) The court of appeals shall have jurisdiction to review all final
45 actions and orders that are subject to judicial review of the ~~collection~~
46 ~~agency board~~ DIRECTOR. Such proceedings shall be conducted in
47 accordance with section 24-4-106 (11), C.R.S.

48

49 **SECTION 21.** 12-14-131, Colorado Revised Statutes, is amended
50 to read:

51

52 **12-14-131. Records.** The ~~administrator~~ DIRECTOR shall keep a
53 suitable record of all license applications and bonds required to be filed.
54 Such record shall state whether a license has been issued under such
55 application and bond and, if revoked, the date of the filing of the order of
56 revocation. The ~~administrator~~ DIRECTOR shall keep a list of each person

1 who has had a license revoked or has been terminated as a collections
2 manager for a violation of this article. In such record, all licenses issued
3 shall be indicated by their serial numbers and the names and addresses of
4 the licensees. This section shall apply to renewal applications and
5 renewal licenses. Such record shall be open for inspection as a public
6 record in the office of the ~~administrator~~ DIRECTOR.

7
8 **SECTION 22.** 12-14-135, Colorado Revised Statutes, is amended
9 to read:

10
11 **12-14-135. Injunction - receiver.** The district court in and for
12 the city and county of Denver, upon application of the ~~board~~ DIRECTOR,
13 may issue an injunction or other appropriate order restraining any person
14 from any violation of this article and may appoint a receiver or award any
15 other relief to effectuate the provisions of this article. This provision
16 shall be in addition to any other remedy and shall not prohibit the
17 enforcement of any other law. The ~~board~~ DIRECTOR shall not be required
18 to show irreparable injury or to post a bond.

19
20 **SECTION 23.** 12-14-136 (1) (a) and (2), Colorado Revised
21 Statutes, are amended to read:

22
23 **12-14-136. Disposition of fees and fines.** (1) (a) All revenue,
24 except fines, collected pursuant to this article shall be collected by the
25 ~~administrator~~ DIRECTOR and transmitted to the state treasurer, who shall
26 credit the same to the collection agency cash fund, which fund is hereby
27 created. The general assembly shall make annual appropriations from
28 such fund for the uses and purposes of this article. All revenue credited
29 to such fund, including earned interest, shall be used for the
30 administration and enforcement of this article.

31
32 (2) All fines collected pursuant to this article, including but not
33 limited to fines collected pursuant to section 12-14-130, shall be collected
34 by the ~~administrator~~ DIRECTOR and transmitted to the state treasurer, who
35 shall credit the same to the ~~collection agency cash~~ GENERAL fund. ~~created~~
36 ~~in subsection (1) of this section.~~

37
38 **SECTION 24.** 12-14-137, Colorado Revised Statutes, is amended
39 to read:

40
41 **12-14-137. Termination of board.** The collection agency board
42 shall be terminated July 1, ~~2003~~ 2008. Prior to such termination, the
43 board shall be reviewed as provided in section 24-34-104, C.R.S.

44
45 **SECTION 25. Effective date.** Sections 1, 2, 24, 25, and 26 of
46 this act shall take effect July 1, 2003. The remainder of this act shall take
47 effect January 1, 2004.

48
49 **SECTION 26. Safety clause.** The general assembly hereby finds,
50 determines, and declares that this act is necessary for the immediate
51 preservation of the public peace, health, and safety."
52
53
54
55

1 **MESSAGE FROM THE SENATE**

2
3 Madam Speaker:

4
5 The Senate has adopted and returns herewith: HJR03-1018,

6
7 The Senate has adopted and transmits herewith: SJR03-024.

8
9
10
11 **INTRODUCTION OF BILLS**
12 **First Reading**

13
14 The following bills were read by title and referred to the committees
15 indicated:

16
17 **HB03-1323** by Representative(s) Mitchell--Concerning the coordina-
18 tion of the permitting by all levels of government of
19 natural resource development projects.

20 Committee on Agriculture, Livestock, & Natural Resources
21 Committee on Appropriations

22
23 **HB03-1324** by Representative(s) Harvey--Concerning measures to
24 promote the conservation of water.

25 Committee on Agriculture, Livestock, & Natural Resources
26 Committee on Local Government

27
28 **HB03-1325** by Representative(s) Vigil; also Senator(s) Tapia--
29 Concerning the types of matches that make a participant a
30 professional boxer.

31 Committee on State, Veterans, & Military Affairs

32
33 **SB03-106** by Senator(s) Jones, May R.; also Representative(s)
34 Larson--Concerning third-party damages subject to
35 subrogation in claims that are paid pursuant to the
36 "Workers' Compensation Act of Colorado".

37 Committee on Business Affairs & Labor

38
39
40
41 **INTRODUCTION OF RESOLUTIONS**

42
43 The following resolutions were read by title and referred to the
44 committees indicated:

45
46 **HJR03-1026** by Representative(s) Weddig, Hodge, Paccione,
47 Weissmann, Williams S., Borodkin, Carroll, Coleman,
48 Frangas, Garcia, Jahn, Judd, Madden, McFadyen,
49 Merrifield, Miller, Plant, Pommer, Ragsdale, Rippy,
50 Romanoff, Salazar, Sanchez, Veiga, Vigil; also Senator(s)
51 Tupa, Hagedorn, Hanna, Nichol, Reeves, Takis, Tapia--
52 Concerning Anti-Violence Week.

53 Committee on State, Veterans, & Military Affairs

54
55 WHEREAS, There are many kinds of violence that affect
56 Colorado residents including domestic violence, sexual violence, school

1 violence, and hate crimes; and

2

3 WHEREAS, Nationally, as reported by the United States
4 Department of Justice, approximately twenty-four percent of all victims
5 of crime are victims of violent crime; and

6

7 WHEREAS, Crimes of violence are often under-reported due to
8 the fear of retribution or fear of the stigma associated with victim status;
9 and

10

11 WHEREAS, Violence creates a vicious cycle in which those who
12 experience violence often perpetrate it; and

13

14 WHEREAS, Too many people, particularly women and children,
15 are victims of violence; and

16

17 WHEREAS, A study on youth and violence by the Families and
18 Work Institute in which school children across the nation were
19 interviewed about violence found that emotional violence, such as
20 teasing, cruel put-downs, and gossip, triggers more extreme violence,
21 such as school shootings; and

22

23 WHEREAS, The study also suggests that youth violence can result
24 from the societal pressures that celebrate sameness over diversity; and

25

26 WHEREAS, Youth violence is increasingly turning inward,
27 resulting in suicide; and

28

29 WHEREAS, A recent report from the National Conference of State
30 Legislatures notes that "More teenagers and young adults die from suicide
31 each year than from cancer, heart disease, AIDS, birth defects, stroke,
32 pneumonia, influenza, and chronic lung disease combined"; and

33

34 WHEREAS, Warning signs for youth suicide include being a
35 victim of sexual abuse, witnessing domestic violence or being a victim of
36 it, and being exposed to violence or trauma; and

37

38 WHEREAS, Fifty percent of the men who frequently assault their
39 wives also frequently abuse their children; and

40

41 WHEREAS, In 2002, sixty-two people died in
42 domestic-violence-related incidents in Colorado; and

43

44 WHEREAS, The prevalence of domestic violence is consistent
45 across racial, ethnic, religious, and socioeconomic groups; and

46

47 WHEREAS, According to the National Violence Against Women
48 Survey, "violence against women is predominantly intimate partner
49 violence"; and

50

51 WHEREAS, One in four Colorado women and one in seventeen
52 Colorado men have experienced a completed or attempted sexual assault
53 in their lifetime; and

54

55 WHEREAS, A study by the National Center for Victims of Crime
56 reports that the United States has "the world's highest rape rate of the

1 countries that publish such statistics"; and

2

3 WHEREAS, International Women's Day, globally celebrated on
4 March 8, is an internationally recognized day that originally championed
5 equal rights for women; and

6

7 WHEREAS, International Women's Day has evolved to honor all
8 women's struggles to improve their lives which include the struggles for
9 a greater quality of life, education, liberty, and anti-violence and safety;
10 now, therefore,

11

12 *Be It Resolved by the House of Representatives of the Sixty-fourth*
13 *General Assembly of the State of Colorado, the Senate concurring*
14 *herein:*

15

16 (1) That we, the members of the Sixty-fourth General Assembly,
17 designate March 3rd through 9th, 2003, as Anti-Violence Week in order
18 to join the general public and anti-violence coalition groups in providing
19 a united front to reduce violence in Colorado.

20

21 (2) That we urge Coloradans to become involved in broader
22 anti-violence coalitions in their local communities that press for
23 anti-violence awareness, education, and prevention at all levels.

24

25 *Be It Further Resolved*, That copies of this joint resolution be sent
26 to Jennifer Corrigan of the Colorado Coalition Against Domestic
27 Violence; Rita Smith of the National Coalition Against Domestic
28 Violence; and Jill McFadden of the Colorado Coalition Against Sexual
29 Assault.

30

31

32

33 **SJR03-024** by Senator(s) Owen, Teck, Reeves; also Representative(s)
34 Young, Witwer, Plant--Concerning the certification by the
35 general assembly of the amount of state education fund
36 revenues that should be considered available for
37 appropriation for the 2003-04 state fiscal year.

38 Committee on Education

39

40

41

42 On motion of Representative Berry, the House adjourned until 9:00 a.m.,
43 February 28, 2003.

44

45

Approved:

46

47

48

49

LOLA SPRADLEY,
Speaker

50

51 Attest:

52

53 JUDITH RODRIGUE,
54 Chief Clerk