

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

Seventy-second Legislative Day

Thursday, March 22, 2001

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 The roll was called with the following result:

6
 7 Present--63.

8 Excused--Representatives Lee, Tapia--2.

9
 10
 11 The Speaker declared a quorum present.

12
 13
 14 On motion of Representative Hodge, the reading of the journal of
 15 March 21, 2001, was declared dispensed with and approved as corrected
 16 by the Chief Clerk.

17
 18
 19
 20 **THIRD READING OF BILLS--FINAL PASSAGE**

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

25
 26 **SB01-132** by Senator(s) Arnold, Andrews, Cairns, McElhany, Teck;
 27 also Representative(s) Kester--Concerning election ballots.

28
 29 The question being "Shall the bill pass?".
 30 A roll call vote was taken. As shown by the following recorded vote, a
 31 majority of those elected to the House voted in the affirmative and the bill
 32 was declared **passed**.

33
 34 YES 63 NO 0 EXCUSED 2 ABSENT 0

| | | | | | | | | |
|----|-----------|---|----------|---|----------|---|----------|---|
| 35 | | | | | | | | |
| 36 | Alexander | Y | Groff | Y | Miller | Y | Spence | Y |
| 37 | Bacon | Y | Grossman | Y | Mitchell | Y | Spradley | Y |
| 38 | Berry | Y | Hefley | Y | Nuñez | Y | Stafford | Y |
| 39 | Borodkin | Y | Hodge | Y | Paschall | Y | Stengel | Y |
| 40 | Boyd | Y | Hoppe | Y | Plant | Y | Swenson | Y |
| 41 | Cadman | Y | Jahn | Y | Ragsdale | Y | Tapia | E |
| 42 | Chavez | Y | Jameson | Y | Rhodes | Y | Tochtrop | Y |
| 43 | Clapp | Y | Johnson | Y | Rippy | Y | Veiga | Y |
| 44 | Cloer | Y | Kester | Y | Romanoff | Y | Vigil | Y |
| 45 | Coleman | Y | King | Y | Saliman | Y | Webster | Y |

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

8
9 Co-sponsors added: Representatives Coleman, Stengel.

10
11
12
13 **REPORTS OF COMMITTEES OF REFERENCE**

14
15 **AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

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

18
19 **HB01-1339** be postponed indefinitely.

20
21
22 **SB01-054** be amended as follows, and as so amended, be referred to
23 the Committee of the Whole with favorable
24 recommendation:

25
26 Amend reengrossed bill, page 2, line 8, strike "bear and" and substitute
27 "~~bear and~~ BIG GAME;"

28
29 strike line 9 and substitute "~~mountain lion~~;"

30
31
32
33 **BUSINESS AFFAIRS & LABOR**

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

36
37 **SB01-001** be postponed indefinitely.

38
39
40
41 **EDUCATION**

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

44
45 **HB01-1213** be postponed indefinitely.

46
47
48 **SB01-080** be amended as follows, and as so amended, be referred to
49 the Committee of the Whole with favorable
50 recommendation:

51
52 Amend reengrossed bill, page 3, strike lines 21 and 22 and substitute the
53 following:

54
55 "SCHOOL BUS STOP, OR AT SCHOOL ACTIVITIES OR"

56

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

4
5 **SB01-118** 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, strike lines 20 through 23 and substitute
10 the following:

11
12 "SECTION 4. The introductory portion to 12-37-103 (5) and
13 12-37-103 (5) (d) and (5) (e), Colorado Revised Statutes, are amended,
14 and the said 12-37-103 is further amended BY THE ADDITION OF A
15 NEW SUBSECTION, to read:

16
17 **12-37-103. Requirement for registration with the division of**
18 **registrations - annual fee - grounds for revocation - repeal.** (5) To
19 qualify to register, a direct-entry midwife shall have successfully
20 completed an examination evaluated and approved by the director as an
21 appropriate test to measure competency in the practice of direct-entry
22 midwifery, which examination shall have been developed by a person or
23 entity other than the director or the division and the acquisition of which
24 shall require no expenditure of state funds. The national registry
25 examination administered by the midwives' alliance of North America,
26 incorporated, shall be among those evaluated by the director. The
27 director is authorized to approve any existing test meeting all the criteria
28 set forth in this subsection (5). In addition to successfully completing
29 such examination, a direct-entry midwife shall be deemed qualified to
30 register if such person has ALL OF THE FOLLOWING:

31
32 (d) (I) Acquired practical experience in a home setting, including,
33 at a minimum, apprenticeship providing experience with the conduct of
34 one hundred prenatal examinations on no fewer than thirty different
35 women and observation of thirty births.

36
37 (II) THIS PARAGRAPH (d) IS REPEALED, EFFECTIVE JULY 1, 2003.

38
39 (e) (I) Following completion of the education, training, and
40 experience enumerated in paragraphs (a) to (d) of this subsection (5),
41 supervised participation as the primary birth attendant, including
42 rendering care from the prenatal period through the postpartum period, in
43 connection with no less than thirty births. ~~and~~

44
45 (II) THIS PARAGRAPH (e) IS REPEALED, EFFECTIVE JULY 1, 2003.

46
47 (6) EFFECTIVE";

48
49 line 26, before "EDUCATIONAL", insert "MIDWIFERY".
50
51
52
53
54
55

1 **INFORMATION & TECHNOLOGY**

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

4
5 **SB01-021** be amended as follows, and as so amended, be referred to
6 the Committee on Appropriations with favorable
7 recommendation:

8
9 Amend reengrossed bill, page 9, line 1, strike "TIMELY";
10
11 line 3, after "REPRESENTATIVES", insert "WITHIN 48 HOURS".
12
13
14

15 **LOCAL GOVERNMENT**

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

18
19 **SB01-086** be postponed indefinitely.
20
21
22

23 **TRANSPORTATION & ENERGY**

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

26
27 **SB01-035** be amended as follows, and as so amended, be referred to
28 the Committee on Appropriations with favorable
29 recommendation:

30
31 Amend reengrossed bill, page 2, line 2, strike "amended" and substitute
32 "amended, and the said 42-3-107 (1) (a) is further amended BY THE
33 ADDITION OF A NEW SUBPARAGRAPH,";

34
35 after line 16, insert the following:

36
37 "(IV) (A) ALL TAX ADJUSTMENTS REQUIRED BY SENATE BILL
38 01-35, ENACTED AT THE FIRST REGULAR SESSION OF THE SIXTY-THIRD
39 GENERAL ASSEMBLY, PRIOR TO THE EFFECTIVE DATE OF SAID SENATE BILL
40 01-35 SHALL BE MADE IN THE FORM OF A CREDIT TO FUTURE TAXES DUE
41 PURSUANT TO THIS PARAGRAPH (a).
42

43 (B) THIS SUBPARAGRAPH (IV) IS REPEALED, EFFECTIVE JULY 1,
44 2002.
45

46 **SECTION 2.** 42-1-211, Colorado Revised Statutes, is amended
47 BY THE ADDITION OF A NEW SUBSECTION to read:

48
49 **42-1-211. Distributive data processing system.** (8) (a) ONE
50 HUNDRED SEVEN THOUSAND TWO HUNDRED FOUR DOLLARS OF THE
51 MONEYS RECEIVED BY THE DEPARTMENT FROM THE FEES IMPOSED BY
52 SECTIONS 42-3-114 (7), 42-3-115 (4), AND 42-3-122 SHALL BE CREDITED
53 TO THE SPECIAL PURPOSE ACCOUNT IN THE HIGHWAY USERS TAX FUND
54 CREATED IN SUBSECTION (2) OF THIS SECTION. SUCH ONE HUNDRED SEVEN
55 THOUSAND TWO HUNDRED FOUR DOLLARS, OR SO MUCH AS MAY BE
56 NECESSARY, SHALL BE USED FOR THE IMPLEMENTATION OF SENATE BILL

1 As you know, HB 1073 increases pay for the members of the Board of
2 Directors of the Regional Transportation District from \$3,000 per year to
3 \$12,000 per year. I have in the past signed responsible pay raises for
4 public servants, and may do so in the future.

5
6 The pay raise in this case, however, is not responsible. This bill increases
7 the salary of the RTD Board of Directors by 400%. In comparison, the
8 members of the Colorado Transportation Commission are generally paid
9 only \$150 per month, plus expenses.

10
11 Such a large pay increase to a part-time governmental organization is not
12 appropriate. Accordingly, I have vetoed this bill.

13
14 Sincerely,
15 (signed)
16 Bill Owens

17
18
19

20 I certify I received the following on the 21st day of March, 2001, at
21 3:10 p.m. The original is on file in the records of the House of
22 Representatives of the General Assembly.

23
24
25

Judith Rodrigue,
Chief Clerk of the House

26 March 20, 2001

27

28 To the Honorable
29 House of Representatives
30 Sixty-third General Assembly
31 First Regular Session
32 Denver, CO 90203

33

34 Ladies and Gentlemen:

35

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

38

39 **HB01-1001** Concerning The State Sales Tax Refund Payable To
40 Qualified Individuals When State Revenues Are In Excess
41 Of The Constitutional Limitation On State Fiscal Year
42 Spending.

43

44 Approved March 20, 2001 at 3:08 p.m.

45

46 **HB01-1009** Concerning The State Auditor's Duty To Conduct Records
47 Management Audits Of State Government Agencies.

48

49 Approved March 20, 2001 at 3:08 p.m.

50

51 **HB01-1010** Concerning The Assessment Of Available Space For Public
52 Records Storage In State Archives And Public Schools.

53

54 Approved March 20, 2001 at 3:11 p.m.

55

- 1 **HB01-1021** Concerning Increased Disclosure Requirements Relating
2 To The Provision Of Automobile Personal Injury
3 Protection Insurance.
4
5 Approved March 20, 2001 at 3:12 p.m.
6
- 7 **HB01-1027** Concerning Survivor Benefits For Certain Survivors Of
8 Members Of The Statewide Death And Disability Pension
9 Plan For Police Officers And Firefighters Upon The Death
10 Of A Member In Active Service Who Is Not Eligible For
11 A Normal Retirement Pension.
12
13 Approved March 20, 2001 at 3:14 p.m.
14
- 15 **HB01-1041** Concerning The Duties Of The Colorado Department Of
16 Education In Providing Oversight Of The Colorado
17 Preschool Program.
18
19 Approved March 20, 2001 at 3:18 p.m.
20
- 21 **HB01-1069** Concerning Cruelty To Animals.
22
23 Approved March 20, 2001 at 3:20 p.m.
24
- 25 **HB01-1080** Concerning A Study By The Colorado Health Care Task
26 Force Of Innovative Housing Options For Older People
27 Who Can No Longer Live Independently In Their
28 Communities.
29
30 Approved March 20, 2001 at 3:21 p.m.
31
- 32 **HB01-1115** Concerning Requirements That Licensed Automobile
33 Dealers Disclose The Amount Of Compensation Prior To
34 Completion Of A Transaction.
35
36 Approved March 20, 2001 at 3:24 p.m.
37
- 38 **HB01-1164** Concerning The Extension Of The Time Within Which
39 The Colorado Commission On Taxation Shall Accomplish
40 Its Duties.
41
42 Approved March 20, 2001 at 3:25 p.m.
43
- 44 **HB01-1179** Concerning The Requirement To File A Colorado
45 Amended Return To Report A Change In Federal Taxable
46 Income.
47
48 Approved March 20, 2001 at 3:25 p.m.
49
- 50 **HB01-1230** Concerning Deletion Of The Requirement That Industrial
51 Banks Use Only Names That Contain The Phrase
52 "Industrial Bank."
53
54 Approved March 20, 2001 at 3:26 p.m.
55
56

1 **HB01-1246** Concerning An Authorization For Counties To Receive
2 Wastewater Construction Grants On Behalf Of Small
3 Communities In Unincorporated Areas.

4
5 Approved March 20, 2001 at 3:26 p.m.

6
7 Sincerely,
8 (signed)
9 Bill Owens
10 Governor

11 _____

12
13 March 21, 2001

14
15 To the Honorable
16 House of Representatives
17 Sixty-third General Assembly
18 First Regular Session
19 Denver, CO 80203

20
21 Ladies and Gentlemen:

22
23 I have the honor to inform you that I have approved and filed with
24 the Secretary of State the following acts:

25
26 **HB01-1048** Concerning The Treatment Of Half Siblings As Part Of An
27 Assistance Unit For Purposes Of The Colorado Works
28 Program.

29
30 Approved March 21, 2001 at 12:40 p.m.

31
32 **HB01-1053** Concerning Technical Changes To Make Residential
33 Facility Terminology Uniform.

34
35 Approved March 21, 2001 at 12:54 p.m.

36
37 Sincerely,
38 (signed)
39 Bill Owens
40 Governor

41 _____

42
43 **INTRODUCTION OF BILL**
44 **First Reading**

45
46 The following bill was read by title and referred to the committee
47 indicated:

48
49 **HB01-1369** by Representative(s) Stafford, Cadman, Cloer, Coleman,
50 Crane, Dean, Fairbank, Fritz, Hoppe, Johnson, Kester,
51 King, Larson, Lee, Mace, Nuñez, Rhodes, Rippy,
52 Schultheis, Scott, Snook, Spence, Spradley, Swenson,
53 Webster, Williams S.--Concerning unsolicited proposals
54 for public-private initiatives.

55 Committee on Transportation & Energy

56 _____

1 House in recess. House reconvened.
2
3

4
5
6 **REPORTS OF COMMITTEES OF REFERENCE**
7

8 **FINANCE**

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

11
12 **HB01-1353** be amended as follows, and as so amended, be referred to
13 the Committee on Appropriations with favorable
14 recommendation:
15

16 Amend the Agriculture, Livestock, & Natural Resources Committee
17 Report, dated March 14, 2001, page 2, line 4, strike the semi-colon and
18 substitute a period; strike lines 5 through 7.
19
20

21
22 **HB01-1358** be referred to the Committee of the Whole with favorable
23 recommendation.
24
25

26 **HB01-1360** be amended as follows, and as so amended, be referred to
27 the Committee of the Whole with favorable
28 recommendation:
29

30 Amend printed bill, page 4, strike lines 16 and 17 and substitute the
31 following:
32

33 "THE LESSOR'S SOLE RECOURSE AGAINST THE STATE IS TO RECOVER OR
34 POSSESS THE PROPERTY LEASED TO THE STATE PURSUANT TO THE
35 LEASE-PURCHASE AGREEMENT AND TO RECEIVE ANY MONEYS
36 APPROPRIATED BY THE GENERAL ASSEMBLY FOR PAYMENT OF MONEYS
37 OWED UNDER THE LEASE-PURCHASE AGREEMENT BUT NOT YET PAID FOR
38 THE STATE FISCAL YEAR IN WHICH THE STATE CHOOSES NOT TO RENEW THE
39 LEASE-PURCHASE AGREEMENT;".
40
41

42
43 **HB01-1366** be referred to the Committee of the Whole with favorable
44 recommendation.
45

46
47
48 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**
49

50 The Speaker has signed: **HB01-1023, 1056, 1228, 1265, 1323.**
51
52
53

54
55

MESSAGES FROM THE SENATE

1
2 Mr. Speaker:

3
4 The Senate has postponed indefinitely HB01-1175. The bill is returned
5 herewith.

6
7 The Senate has passed on Third Reading and transmitted to the Revisor
8 of Statutes:

9
10 HB01-1113, amended as printed in Senate Journal, March 19,
11 pages 557-558.

12
13
14 The Senate has voted not to concur in House Amendments to SB01-129
15 and requests that a Conference Committee be appointed. The President
16 appointed Senators Thiebaut, Chm., and Matsunaka and Teck as members
17 of the First Conference Committee on the part of the Senate. The bill is
18 transmitted herewith.

MESSAGE FROM THE REVISOR

19
20
21 We herewith transmit without comment, as amended, HB01-1113.

APPOINTMENTS TO CONFERENCE COMMITTEE

22
23 Pursuant to a request from the Senate, the Speaker appointed
24 Representatives Dean, Chairman, Spence and Mace as House conferees
25 to the First Conference Committee on **SB01-129**.

LAY OVER OF CALENDAR ITEMS

26
27
28 On motion of Representative Spradley, the following items on the
29 Calendar were laid over until March 23, retaining place on Calendar:

30
31 Consideration of General Orders--**SB01-027, 088, 178, 135, 066, 145,**
32 **158, 034, 040, 140, 114, 144, 116, 150, 108, 131, HB01-1170, 1220,**
33 **1223, 1264, 1293, 1307, 1312, 1341, SB01-130.**

34
35 Consideration of Resolution--**SJR01-012, HJR01-1021.**

36
37 Consideration of Senate Amendments--**HB01-1011, 1030, 1124, 1064,**
38 **1281, 1288, 1226, 1325, 1224.**

39
40
41 On motion of Representative Spradley, the House adjourned until
42 9:00 a.m., March 23, 2001.

43
44 Approved:

45
46 Attest:

47
48 DOUG DEAN,
49 Speaker

50
51 JUDITH RODRIGUE,
52 Chief Clerk