

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

Ninetieth Legislative Day

Monday, April 9, 2001

1 Prayer by the Reverend Doctor Cynthia Cearley, Montview Presbyterian
2 Church, Denver.

3
4 The Speaker called the House to order at 10:00 a.m.

5
6 The roll was called with the following result:

7
8 Present--62.
9 Excused--Representatives Daniel, Hefley, Lawrence--3.
10 Present after roll call--Representatives Daniel, Hefley, Lawrence.

11
12 The Speaker declared a quorum present.

13
14
15 On motion of Representative Madden, the reading of the journal of
16 April 6, 2001, was declared dispensed with and approved as corrected by
17 the Chief Clerk.

18
19
20
21 **CONSIDERATION OF MEMORIAL**

22
23 **HJM01-1001** by Representative(s) Williams T., Webster; also Senator(s)
24 Owen--Memorializing former Representative Kenneth W.
25 Monfort.

26
27 (Printed and placed in member's file; also printed in House Journal,
28 April 5, 2001, pages 1118-1119.)

29
30 The Speaker ordered the memorial read at length.

31
32 Representative Williams T. introduced members of the family that were
33 present.

34
35
36 Pursuant to House Rule 26(f) the House stood in recess to allow the
37 following former members to speak on behalf of the honorable
38 Kenneth W. Monfort: Richard Gebhardt, Dick Lamm, Hank Brown.

39
40
41
42 House reconvened.

43
44
45

1 On motion of Representative Williams T., the memorial was **adopted** by
 2 the following roll call vote:

3

4	YES 64	NO 0	EXCUSED 1	ABSENT 0
5				
6	Alexander	Y Groff	Y Miller	Y Spence
7	Bacon	Y Grossman	Y Mitchell	Y Spradley
8	Berry	Y Hefley	Y Nuñez	Y Stafford
9	Borodkin	Y Hodge	Y Paschall	Y Stengel
10	Boyd	Y Hoppe	Y Plant	Y Swenson
11	Cadman	Y Jahn	Y Ragsdale	Y Tapia
12	Chavez	Y Jameson	Y Rhodes	Y Tochtrop
13	Clapp	Y Johnson	Y Rippy	Y Veiga
14	Cloer	Y Kester	Y Romanoff	Y Vigil
15	Coleman	Y King	Y Saliman	Y Webster
16	Crane	Y Larson	Y Sanchez	Y Weddig
17	Daniel	Y Lawrence	Y Schultheis	Y White
18	Decker	Y Lee	Y Scott	Y Williams S.
19	Fairbank	Y Mace	Y Sinclair	Y Williams T.
20	Fritz	Y Madden	Y Smith	Y Witwer
21	Garcia	Y Marshall	Y Snook	Y Young
22				Mr. Speaker
23				Y

24 Co-sponsors added: Roll call of the House.

25
26
27
28 **THIRD READING OF BILL--FINAL PASSAGE**

29
30 The following bill was considered on Third Reading. The title was
 31 publicly read. Reading of the bill at length was dispensed with by
 32 unanimous consent.

33
 34 **HB01-1326** by Representative(s) Mitchell; also Senator(s) Hagedorn--
 35 Concerning regulation of air pollution emissions from
 36 stationary sources, and, in connection therewith, amending
 37 the fee structure for air pollutant emission notices,
 38 changing the applicable dates for cumulative economic
 39 analyses, and making an appropriation.

40
 41 The question being "Shall the bill pass?".
 42 A roll call vote was taken. As shown by the following recorded vote, a
 43 majority of those elected to the House voted in the affirmative and the bill
 44 was declared **passed**.

45

46	YES 64	NO 0	EXCUSED 1	ABSENT 0
47				
48	Alexander	Y Groff	Y Miller	Y Spence
49	Bacon	Y Grossman	Y Mitchell	Y Spradley
50	Berry	Y Hefley	Y Nuñez	Y Stafford
51	Borodkin	Y Hodge	Y Paschall	Y Stengel
52	Boyd	Y Hoppe	Y Plant	Y Swenson
53	Cadman	Y Jahn	Y Ragsdale	Y Tapia
54	Chavez	Y Jameson	Y Rhodes	Y Tochtrop
55	Clapp	Y Johnson	Y Rippy	Y Veiga
56	Cloer	Y Kester	Y Romanoff	Y Vigil

1	Coleman	Y	King	Y	Saliman	Y	Webster	Y
2	Crane	Y	Larson	Y	Sanchez	Y	Weddig	Y
3	Daniel	Y	Lawrence	Y	Schultheis	Y	White	Y
4	Decker	Y	Lee	Y	Scott	Y	Williams S.	Y
5	Fairbank	Y	Mace	Y	Sinclair	Y	Williams T.	Y
6	Fritz	Y	Madden	Y	Smith	Y	Witwer	Y
7	Garcia	Y	Marshall	Y	Snook	Y	Young	Y
8							Mr. Speaker	Y
9								

10 Co-sponsors added: Representatives Ragsdale, Scott, Swenson, Williams S.

14 REPORTS OF COMMITTEES OF REFERENCE

16 APPROPRIATIONS

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

20 **HB01-1029** be postponed indefinitely.

23 **HB01-1086** be amended as follows, and as so amended, be referred to
24 the Committee of the Whole with favorable
25 recommendation:

27 Amend the Agriculture, Livestock, and Natural Resources Committee
28 Report, dated January 24, 2001, page 16, after line 12, insert the
29 following:

31 "SECTION 4. **Appropriation.** In addition to any other
32 appropriation, there is hereby appropriated, out of any moneys in the
33 agricultural value-added cash fund, to the department of agriculture, for
34 the fiscal year beginning July 1, 2001, the sum of seventy-four thousand
35 eight hundred thirty-seven dollars (\$74,837), or so much thereof as may
36 be necessary, for the implementation of this act."

38 Renumber succeeding sections accordingly.

40 After line 18, insert the following:

42 "Page 1, line 102, strike "**PROGRAM.**" and substitute "**PROGRAM, AND**
43 **MAKING AN APPROPRIATION IN CONNECTION THEREWITH.**"."

47 **HB01-1098** be postponed indefinitely.

50 **HB01-1130** be amended as follows, and as so amended, be referred to
51 the Committee of the Whole with favorable
52 recommendation:

54 Amend the Civil Justice and Judiciary Committee Report, dated February
55 6, 2001, page 2, after line 25, insert the following:

56

1 **"SECTION 7. Appropriation.** (1) In addition to any other
 2 appropriation, there is hereby appropriated, out of any moneys in the
 3 general fund not otherwise appropriated, to the department of corrections,
 4 for allocation to the medical services subprogram, for the fiscal year
 5 beginning July 1, 2001, the sum of fifteen thousand nine hundred
 6 twenty-one dollars (\$15,921) and 0.3 FTE, or so much thereof as may be
 7 necessary, for the implementation of this act.

8
 9 (2) In addition to any other appropriation, there is hereby
 10 appropriated, out of any moneys in the general fund not otherwise
 11 appropriated, to the department of public safety, for allocation to the
 12 Colorado bureau of investigation, for the fiscal year beginning July 1,
 13 2001, the sum of ninety-four thousand eight dollars (\$94,008) and 1.0
 14 FTE, or so much thereof as may be necessary, for the implementation of
 15 this act. In addition to said appropriation, the general assembly
 16 anticipates that, for the fiscal year beginning July 1, 2001, the department
 17 of public safety will receive the sum of one hundred ninety-two thousand
 18 six hundred twenty-five dollars (\$192,625) in federal funds for the
 19 implementation of this act. Although the federal funds are not
 20 appropriated in this act, they are noted for the purpose of indicating the
 21 assumptions relative to these funds.

22
 23 (3) It is the intent of the general assembly that the general fund
 24 appropriation for the implementation of this act shall be derived from
 25 savings generated from the implementation of the provisions of SB
 26 01-077, as enacted during the first regular session of the sixty-third
 27 general assembly.";

28
 29 line 26, strike "**SECTION 7.**" and substitute "**SECTION 8.**";

30
 31 line 27, strike "2002." and substitute "2002; except that this act shall
 32 only take effect if senate bill 01-077 is enacted at the first regular session
 33 of the sixty-third general assembly and becomes law and the Colorado
 34 bureau of investigation in the department of public safety receives federal
 35 funds in an amount sufficient to purchase the equipment necessary to
 36 implement this act.";

37
 38 after line 28, insert the following:

39
 40 "Page 1, line 102, strike "**CORRECTIONS.**" and substitute "**CORRECTIONS,**
 41 **AND MAKING AN APPROPRIATION THEREFOR.**".

42
 43
 44
 45 **HB01-1142** be postponed indefinitely.

46
 47
 48 **HB01-1148** be postponed indefinitely.

49
 50
 51 **HB01-1155** be amended as follows, and as so amended, be referred to
 52 the Committee of the Whole with favorable
 53 recommendation:

54
 55 Amend printed bill, page 9, after line 16, insert the following:

56

1 **"SECTION 4. Appropriation.** In addition to any other
2 appropriation, there is hereby appropriated, out of any moneys in the
3 general fund not otherwise appropriated, to the department of public
4 safety, Colorado bureau of investigation, for the fiscal year beginning
5 July 1, 2001, the sum of one hundred eighty-seven thousand eight
6 hundred seventy-eight dollars (\$187,878) and 2.8 FTE, or so much
7 thereof as may be necessary, for the implementation of this act.
8

9 **SECTION 5. Effective date.** This act shall take effect upon
10 passage; except that this act shall only take effect if senate bill 01-77 is
11 enacted at the first regular session of the sixty-third general assembly and
12 becomes law." .
13

14 Renumber succeeding section accordingly.
15

16 Page 1, line 102, strike "**OFFENDERS.**" and substitute "**OFFENDERS, AND**
17 **MAKING AN APPROPRIATION IN CONNECTION THEREWITH.**".
18

19
20
21 **HB01-1162** be postponed indefinitely.
22

23
24 **HB01-1191** be amended as follows, and as so amended, be referred to
25 the Committee of the Whole with favorable
26 recommendation:
27

28 Amend printed bill, page 1, line 105, strike "**PROGRAMS, AND MAKING**
29 **AN APPROPRIATION**" and substitute "**PROGRAMS.**";
30

31 strike line 106.
32

33
34
35 **HB01-1205** be amended as follows, and as so amended, be referred to
36 the Committee of the Whole with favorable
37 recommendation:
38

39 Amend printed bill, page 2, after line 10, insert the following:
40

41 **"SECTION 3.** Part 1 of title 17, Colorado Revised Statutes, is
42 amended BY THE ADDITION OF A NEW SECTION TO READ:
43

44 **17-1-133. Appropriation to comply with section 2-2-703 - HB**
45 **01-1205.** (1) PURSUANT TO SECTION 2-2-703, C.R.S., THE FOLLOWING
46 STATUTORY APPROPRIATIONS, OR SO MUCH THEREOF AS MAY BE
47 NECESSARY, ARE MADE IN ORDER TO IMPLEMENT H.B. 01-1205, ENACTED
48 AT THE FIRST REGULAR SESSION OF THE SIXTY-THIRD GENERAL ASSEMBLY:
49

50 (a) FOR THE FISCAL YEAR BEGINNING JULY 1, 2002, IN ADDITION
51 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED FROM
52 THE CAPITAL CONSTRUCTION FUND CREATED IN SECTION 24-75-302,
53 C.R.S., TO THE CORRECTIONS EXPANSION RESERVE FUND CREATED IN
54 SECTION 17-1-116, THE SUM OF ONE MILLION SEVEN HUNDRED SIXTY-
55 EIGHT THOUSAND TWO HUNDRED TWENTY-FIVE DOLLARS (\$1,768,225).
56

1 (b) FOR THE FISCAL YEAR BEGINNING JULY 1, 2003, IN ADDITION
 2 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE
 3 DEPARTMENT OF CORRECTIONS, OUT OF ANY MONEYS IN THE GENERAL
 4 FUND NOT OTHERWISE APPROPRIATED, THE SUM OF SIX HUNDRED SEVENTY-
 5 NINE THOUSAND THREE HUNDRED FORTY-SIX DOLLARS (\$679,346).
 6

7 **SECTION 4.** 24-75-302 (2) (o) is amended to read:
 8

9 **24-75-302. Capital construction fund - capital**
 10 **assessment fees - calculation.** (2) As of July 1, 1988, and July 1 of each
 11 year thereafter through July 1, 2005, a sum as specified in this subsection
 12 (2) shall accrue to the capital construction fund. The state treasurer and
 13 the controller shall transfer such sum out of the general fund and into the
 14 capital construction fund as moneys become available in the general fund
 15 during the fiscal year beginning on said July 1. Transfers between funds
 16 pursuant to this subsection (2) shall not be deemed to be appropriations
 17 subject to the limitations of section 24-75-201.1. The amount which shall
 18 accrue pursuant to this subsection (2) shall be as follows:
 19

20 (o) On July 1, 2002, one hundred million dollars plus thirteen
 21 thousand nine hundred sixty-two dollars pursuant to S.B. 98-021, enacted
 22 at the second regular session of the sixty-first general assembly; plus
 23 eight million three hundred seven thousand five hundred nine dollars
 24 pursuant to H.B. 98-1156, enacted at the second regular session of the
 25 sixty-first general assembly; plus three hundred ninety-seven thousand
 26 nine hundred twenty-three dollars pursuant to H.B. 98-1160, enacted at
 27 the second regular session of the sixty-first general assembly; plus fifty
 28 thousand three hundred sixty-four dollars pursuant to H.B. 00-1107,
 29 enacted at the second regular session of the sixty-second general
 30 assembly; plus one hundred twenty-one thousand five hundred
 31 sixty-seven dollars pursuant to H.B. 00-1201, enacted at the second
 32 regular session of the sixty-second general assembly; plus two hundred
 33 fifty thousand eighty-one dollars pursuant to H.B. 00-1214, enacted at the
 34 second regular session of the sixty-second general assembly; plus forty
 35 thousand five hundred twenty-two dollars pursuant to H.B. 00-1247,
 36 enacted at the second regular session of the sixty-second general
 37 assembly; PLUS ONE MILLION SEVEN HUNDRED SIXTY-EIGHT THOUSAND
 38 TWO HUNDRED TWENTY-FIVE DOLLARS PURSUANT TO H.B. 01-1205,
 39 ENACTED AT THE FIRST REGULAR SESSION OF THE SIXTY-THIRD GENERAL
 40 ASSEMBLY;"

41
 42 Renumber succeeding section accordingly.
 43

44 Page 1, line 103, strike "TIME." and substitute "TIME, AND MAKING AN
 45 APPROPRIATION THEREFOR."
 46

47
 48
 49 **HB01-1242** be amended as follows, and as so amended, be referred to
 50 the Committee of the Whole with favorable
 51 recommendation:
 52

53 Amend printed bill, page 2, strike lines 9 through 17.
 54

55 Strike page 3.
 56

1 Page 4, strike lines 1 through 16.

2

3 Renumber succeeding sections accordingly.

4

5 Page 9, after line 27, insert the following:

6

7 "SECTION 10. Part 1 of article 1 of title 17, Colorado Revised
8 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
9 read:

10

11 **17-1-133. Appropriation to comply with section 2-2-703 - H.B.**

12 **01-1242.** (1) PURSUANT TO SECTION 2-2-703, C.R.S., THE FOLLOWING
13 STATUTORY APPROPRIATIONS, OR SO MUCH THEREOF AS MAY BE
14 NECESSARY, ARE MADE IN ORDER TO IMPLEMENT H.B. 01-1242, ENACTED
15 AT THE FIRST REGULAR SESSION OF THE SIXTY-THIRD GENERAL ASSEMBLY:

16

17 (a) FOR THE FISCAL YEAR BEGINNING JULY 1, 2001, IN ADDITION
18 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED FROM
19 THE CAPITAL CONSTRUCTION FUND CREATED IN SECTION 24-75-302,
20 C.R.S., TO THE CORRECTIONS EXPANSION RESERVE FUND CREATED IN
21 SECTION 17-1-116, THE SUM OF TWO HUNDRED SEVENTY-SEVEN THOUSAND
22 EIGHT HUNDRED SIXTY-EIGHT DOLLARS (\$277,868).

23

24 (b) (I) FOR THE FISCAL YEAR BEGINNING JULY 1, 2002, IN ADDITION
25 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED, FROM
26 THE CAPITAL CONSTRUCTION FUND CREATED IN SECTION 24-75-302,
27 C.R.S., TO THE CORRECTIONS EXPANSION RESERVE FUND CREATED IN
28 SECTION 17-1-116, THE SUM OF ONE HUNDRED THIRTY-EIGHT THOUSAND
29 NINE HUNDRED THIRTY-FOUR DOLLARS (\$138,934).

30

31 (II) FOR THE FISCAL YEAR BEGINNING JULY 1, 2002, IN ADDITION
32 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE
33 DEPARTMENT OF CORRECTIONS, OUT OF ANY MONEYS IN THE GENERAL
34 FUND NOT OTHERWISE APPROPRIATED, THE SUM OF ONE HUNDRED SIX
35 THOUSAND SEVEN HUNDRED FIFTY-SIX DOLLARS (\$106,756).

36

37 (c) (I) FOR THE FISCAL YEAR BEGINNING JULY 1, 2003, IN ADDITION
38 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED, FROM
39 THE CAPITAL CONSTRUCTION FUND CREATED IN SECTION 24-75-302,
40 C.R.S., TO THE CORRECTIONS EXPANSION RESERVE FUND CREATED IN
41 SECTION 17-1-116, THE SUM OF ONE HUNDRED THIRTY-EIGHT THOUSAND
42 NINE HUNDRED THIRTY-FOUR DOLLARS (\$138,934).

43

44 (II) FOR THE FISCAL YEAR BEGINNING JULY 1, 2003, IN ADDITION
45 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE
46 DEPARTMENT OF CORRECTIONS, OUT OF ANY MONEYS IN THE GENERAL
47 FUND NOT OTHERWISE APPROPRIATED, THE SUM OF ONE HUNDRED SIXTY
48 THOUSAND ONE HUNDRED THIRTY-FOUR DOLLARS (\$160,134).

49

50 (d) (I) FOR THE FISCAL YEAR BEGINNING JULY 1, 2004, IN ADDITION
51 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED, FROM
52 THE CAPITAL CONSTRUCTION FUND CREATED IN SECTION 24-75-302,
53 C.R.S., TO THE CORRECTIONS EXPANSION RESERVE FUND CREATED IN
54 SECTION 17-1-116, THE SUM OF SEVENTY-NINE THOUSAND EIGHT HUNDRED
55 EIGHT-SEVEN DOLLARS (\$79,887).

56

1 (II) FOR THE FISCAL YEAR BEGINNING JULY 1, 2004, IN ADDITION
2 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE
3 DEPARTMENT OF CORRECTIONS, OUT OF ANY MONEYS IN THE GENERAL
4 FUND NOT OTHERWISE APPROPRIATED, THE SUM OF TWO HUNDRED
5 THIRTEEN THOUSAND FIVE HUNDRED TWELVE DOLLARS (\$213,512).

6
7 (e) FOR THE FISCAL YEAR BEGINNING JULY 1, 2005, IN ADDITION
8 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE
9 DEPARTMENT OF CORRECTIONS, OUT OF ANY MONEYS IN THE GENERAL
10 FUND NOT OTHERWISE APPROPRIATED, THE SUM OF TWO HUNDRED
11 FORTY-FOUR THOUSAND TWO HUNDRED FOUR DOLLARS (\$244,204).

12
13 **SECTION 11.** 24-75-302 (2) (n), (2) (o), (2) (p), and (2) (q),
14 Colorado Revised Statutes, are amended to read:

15
16 **24-75-302. Capital construction fund - capital assessment fees**
17 **- calculation.** (2) As of July 1, 1988, and July 1 of each year thereafter
18 through July 1, 2005, a sum as specified in this subsection (2) shall
19 accrue to the capital construction fund. The state treasurer and the
20 controller shall transfer such sum out of the general fund and into the
21 capital construction fund as moneys become available in the general fund
22 during the fiscal year beginning on said July 1. Transfers between funds
23 pursuant to this subsection (2) shall not be deemed to be appropriations
24 subject to the limitations of section 24-75-201.1. The amount which shall
25 accrue pursuant to this subsection (2) shall be as follows:

26
27 (n) On July 1, 2001, one hundred million dollars, plus one
28 hundred fifty-four thousand six hundred thirty-six dollars pursuant to
29 H.B. 97-1186; plus nine hundred five thousand seven hundred
30 twenty-three dollars pursuant to H.B. 97-1077, enacted at the first regular
31 session of the sixty-first general assembly; plus nine thousand eight
32 hundred ninety dollars pursuant to S.B. 98-021, enacted at the second
33 regular session of the sixty-first general assembly; plus three hundred
34 forty-nine thousand fifty-five dollars pursuant to H.B. 98-1160, enacted
35 at the second regular session of the sixty-first general assembly; plus
36 three hundred twenty-six thousand thirty-two dollars pursuant to H.B.
37 00-1107, enacted at the second regular session of the sixty-second general
38 assembly; plus ninety-seven thousand two hundred fifty-four dollars
39 pursuant to H.B. 00-1111, enacted at the second regular session of the
40 sixty-second general assembly; plus two hundred ninety-one thousand
41 seven hundred sixty-one dollars pursuant to H.B. 00-1158, enacted at the
42 second regular session of the sixty-second general assembly; plus one
43 million one hundred sixteen thousand nine hundred seventy-one dollars
44 pursuant to H.B. 00-1201, enacted at the second regular session of the
45 sixty-second general assembly; plus four hundred sixteen thousand eight
46 hundred two dollars pursuant to H.B. 00-1214, enacted at the second
47 regular session of the sixty-second general assembly; plus sixty-nine
48 thousand four hundred sixty-seven dollars pursuant to H.B. 00-1247,
49 enacted at the second regular session of the sixty-second general
50 assembly; PLUS TWO HUNDRED SEVENTY SEVEN THOUSAND EIGHT
51 HUNDRED SIXTY-EIGHT DOLLARS PURSUANT TO H.B. 01-1242, ENACTED AT
52 THE FIRST REGULAR SESSION OF THE SIXTY-THIRD GENERAL ASSEMBLY;

53
54 (o) On July 1, 2002, one hundred million dollars plus thirteen
55 thousand nine hundred sixty-two dollars pursuant to S.B. 98-021, enacted
56 at the second regular session of the sixty-first general assembly; plus

1 eight million three hundred seven thousand five hundred nine dollars
2 pursuant to H.B. 98-1156, enacted at the second regular session of the
3 sixty-first general assembly; plus three hundred ninety-seven thousand
4 nine hundred twenty-three dollars pursuant to H.B. 98-1160, enacted at
5 the second regular session of the sixty-first general assembly; plus fifty
6 thousand three hundred sixty-four dollars pursuant to H.B. 00-1107,
7 enacted at the second regular session of the sixty-second general
8 assembly; plus one hundred twenty-one thousand five hundred
9 sixty-seven dollars pursuant to H.B. 00-1201, enacted at the second
10 regular session of the sixty-second general assembly; plus two hundred
11 fifty thousand eighty-one dollars pursuant to H.B. 00-1214, enacted at the
12 second regular session of the sixty-second general assembly; plus forty
13 thousand five hundred twenty-two dollars pursuant to H.B. 00-1247,
14 enacted at the second regular session of the sixty-second general
15 assembly; PLUS ONE HUNDRED THIRTY-EIGHT THOUSAND NINE HUNDRED
16 THIRTY-FOUR DOLLARS PURSUANT TO H.B. 01-1242, ENACTED AT THE
17 FIRST REGULAR SESSION OF THE SIXTY-THIRD GENERAL ASSEMBLY;

18
19 (p) On July 1, 2003, one hundred million dollars; PLUS ONE
20 HUNDRED THIRTY-EIGHT THOUSAND NINE HUNDRED THIRTY-FOUR
21 DOLLARS PURSUANT TO H.B. 01-1242, ENACTED AT THE FIRST REGULAR
22 SESSION OF THE SIXTY-THIRD GENERAL ASSEMBLY;

23
24 (q) On July 1, 2004, one hundred million dollars plus two hundred
25 thirty-three thousand eight hundred seventy-two dollars pursuant to H.B.
26 00-1201, enacted at the second regular session of the sixty-second general
27 assembly; PLUS SEVENTY-NINE THOUSAND EIGHT HUNDRED EIGHTY-SEVEN
28 DOLLARS PURSUANT TO H.B. 01-1242, ENACTED AT THE FIRST REGULAR
29 SESSION OF THE SIXTY-THIRD GENERAL ASSEMBLY;".

30
31 Renumber succeeding sections accordingly.

32
33
34
35 **HB01-1269** be amended as follows, and as so amended, be referred to
36 the Committee of the Whole with favorable
37 recommendation:

38
39 Amend Strike the Criminal Justice Committee Report, dated February 13,
40 2001, and substitute the following:

41
42 "Amend printed bill, page 3, line 11, strike "4" and substitute "6";

43
44 line 14, strike "3" and substitute "5";

45
46 line 16, strike "19," and substitute "18,";

47
48 line 23, strike "01-___," and substitute "01-1269,".

49
50 Page 4, line 2, strike "OF _____ DOLLARS (\$)." and substitute "OF
51 SIXTY-NINE THOUSAND FOUR HUNDRED SIXTY-SEVEN DOLLARS
52 (\$69,467).";

53
54 line 7, strike "OF _____ DOLLARS (\$)." and substitute "OF TWO
55 HUNDRED THIRTY-FIVE THOUSAND SIX HUNDRED NINE DOLLARS
56 (\$235,609).";

- 1 line 11, strike "OF _____ DOLLARS (\$)." and substitute "OF EIGHT
2 THOUSAND SEVEN HUNDRED FORTY-SIX DOLLARS (\$8,746).";
3
- 4 line 16, strike "OF _____ DOLLARS (\$)." and substitute "OF
5 NINETY-EIGHT THOUSAND NINE HUNDRED NINETY DOLLARS (\$98,990).";
6
- 7 line 20, strike "OF _____ DOLLARS (\$)." and substitute "OF ONE
8 HUNDRED FIFTEEN THOUSAND TWO HUNDRED TWENTY-NINE DOLLARS
9 (\$115,229).";
10
- 11 line 25, strike "OF _____ DOLLARS (\$)." and substitute "OF ONE
12 THOUSAND ONE HUNDRED FIFTY-EIGHT DOLLARS (\$1,158).".
13
- 14 Page 5, line 2, strike "OF _____ DOLLARS (\$)." and substitute "OF
15 ONE HUNDRED FIFTY-TWO THOUSAND SIX HUNDRED EIGHTEEN DOLLARS
16 (\$152,618).";
17
- 18 strike lines 3 through 7;
19
- 20 line 8, strike "(II)" and substitute "(e)";
21
- 22 line 11, strike "OF _____ DOLLARS (\$)." and substitute "OF ONE
23 HUNDRED FIFTY-THREE THOUSAND FIFTY-FIVE DOLLARS (\$153,055).";
24
- 25 line 12, strike "(2) (q), and (2)" and substitute "and (2) (q).";
26
- 27 line 13, strike "(r).".
28
- 29 Page 6, line 19, strike "PLUS _____" and substitute "PLUS SIXTY-NINE
30 THOUSAND FOUR HUNDRED SIXTY-SEVEN";
31
- 32 line 20, strike "01-____," and substitute "01-1269,".
33
- 34 Page 7, line 11, strike "PLUS _____" and substitute "PLUS TWO HUNDRED
35 THIRTY-FIVE THOUSAND SIX HUNDRED NINE";
36
- 37 line 12, strike "01-____," and substitute "01-1269,";
38
- 39 line 14, strike "PLUS _____" and substitute "PLUS NINETY-EIGHT
40 THOUSAND NINE HUNDRED NINETY";
41
- 42 line 15, strike "01-____," and substitute "01-1269,";
43
- 44 strike line 20 and substitute the following:
45
- 46 "assembly; PLUS ONE THOUSAND ONE HUNDRED FIFTY-EIGHT DOLLARS
47 PURSUANT TO H.B. 01-1269, ENACTED AT";
48
- 49 strike lines 22 through 24;
50
- 51 line 26, strike "July 1, 2001," and substitute "March 1, 2002,".
52
53
54
- 55 **HB01-1273** be postponed indefinitely.
56

1 **HB01-1282** be amended as follows, and as so amended, be referred to
2 the Committee of the Whole with favorable
3 recommendation:
4

5 Amend printed bill, page 2, after line 19, insert the following:
6

7 **"SECTION 2. Appropriation.** (1) In addition to any other
8 appropriation, there is hereby appropriated, out of any moneys in the
9 general fund not otherwise appropriated, to the department of health care
10 policy and financing, medical programs administration, for the fiscal year
11 beginning July 1, 2001, the sum of six thousand eight hundred forty-six
12 dollars (\$6,846), or so much thereof as may be necessary, for the
13 implementation of this act. Said sum shall be for costs associated with
14 the medicaid management information system and shall be subject to the
15 "(M)" notation as defined in the annual general appropriation act. In
16 addition to said appropriation, the general assembly anticipates that, for
17 the fiscal year beginning July 1, 2001, the department of health care
18 policy and financing will receive the sum of twenty thousand five
19 hundred thirty-seven dollars (\$20,537) in federal funds for the
20 implementation of this act. Although the federal funds are not
21 appropriated in this act, they are noted for the purpose of indicating the
22 assumptions used relative to these funds.
23

24 (2) In addition to any other appropriation, there is hereby
25 appropriated, out of any moneys in the general fund not otherwise
26 appropriated, to the department of health care policy and financing,
27 medical services premiums, for the fiscal year beginning July 1, 2001, the
28 sum of one hundred thirty-nine thousand two hundred seventy-one dollars
29 (\$139,271), or so much thereof as may be necessary, for the
30 implementation of this act. Said sum shall be subject to the "(M)"
31 notation as defined in the general appropriation act. In addition to said
32 appropriation, the general assembly anticipates that, for the fiscal year
33 beginning July 1, 2001, the department of health care policy and
34 financing will receive the sum of one hundred thirty-nine thousand two
35 hundred seventy-one dollars (\$139,271) in federal funds for the
36 implementation of this act. Although the federal funds are not
37 appropriated in this act, they are noted for the purpose of indicating the
38 assumptions used relative to these funds.
39

40 (3) It is the intent of the general assembly that the general fund
41 appropriation for the implementation of this act shall be derived from
42 savings generated from the implementation of the provisions of HB 01-
43 1343, as enacted during the first regular session of the sixty-third general
44 assembly.";
45

46 line 20, strike "**2.**" and substitute "**3.**" and after "**date.**" insert "(1)".
47

48 Page 3, after line 2, insert the following:
49

50 "(2) Notwithstanding the provisions of subsection (1) of this
51 section, this act shall only take effect if:
52

53 (a) The final fiscal estimate for HB 01-1343, as reflected in the
54 appropriations clause for said act, shows a net General Fund savings that
55 is equal to or greater than the final General Fund fiscal estimate for this
56 act, as reflected in section 2 of this act; and

1 (b) HB 01-1343 is enacted at the first regular session of the sixty-
2 third general assembly and becomes law."

3
4 Page 1, line 102, strike "**PROGRAM.**" and substitute "**PROGRAM, AND**
5 **MAKING AN APPROPRIATION IN CONNECTION THEREWITH.**"

6
7
8
9
10 **BUSINESS AFFAIRS & LABOR**

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

13
14 **HB01-1373** be referred to the Committee of the Whole with favorable
15 recommendation.

16
17
18 **HB01-1374** be amended as follows, and as so amended, be referred to
19 the Committee of the Whole with favorable
20 recommendation:

21
22 Amend printed bill, page 2, line 2, strike "10-16-105 (7.2) and (11),"
23 and substitute "10-16-105 (1), (7.2), and (11),";

24
25 strike line 7 and substitute the following:

26
27 "**benefit plans.** (1) (a) Notwithstanding any other provision of this
28 article, the mandatory coverage provision for mental health coverage as
29 specified in section 10-16-104 (5) shall not apply to any small employer
30 who has not provided group sickness and accident insurance to
31 employees after July 1, 1989, or to any small employer who has provided
32 group sickness and accident insurance from a person or entity licensed
33 pursuant to section 10-3-903.5 that did not include mental health
34 coverage after July 1, 1989; except that any small employer who is not
35 required to provide the mental health coverage specified in section
36 10-16-104 (5) shall be offered the opportunity to purchase such coverage.

37
38 (b) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE,
39 THE MANDATORY COVERAGE PROVISIONS IN SECTION 10-16-104 FOR
40 CONDITIONS FOR THE OPPOSITE GENDER OF THE PERSON OWNING AND
41 OPERATING A BUSINESS GROUP OF ONE SHALL NOT APPLY TO ANY BUSINESS
42 GROUP OF ONE WHO HAS NOT PROVIDED GROUP SICKNESS AND ACCIDENT
43 INSURANCE TO THE BUSINESS GROUP OF ONE AFTER JANUARY 1, 2002;
44 EXCEPT THAT ANY BUSINESS GROUP OF ONE WHO IS NOT REQUIRED TO
45 PROVIDE MANDATED BENEFITS FOR THE OPPOSITE GENDER OF THE OWNER
46 AND OPERATOR OF THE BUSINESS GROUP OF ONE SPECIFIED IN SECTION
47 10-16-104 SHALL BE OFFERED THE OPPORTUNITY TO PURCHASE SUCH
48 COVERAGE.

49
50 (7.2) The commissioner shall promulgate rules to".

51
52 Page 3, line 1, strike "(a)";

53
54 strike lines 5 and 6 and substitute the following:

55 "CARRIERS MAY ADJUST RATES FOR HEALTH STATUS. SUCH ADJUSTMENTS
56 MAY NOT RESULT IN A RATE FOR A BUSINESS GROUP OF ONE THAT DEVIATES

1 MORE THAN TWENTY PERCENT GREATER THAN OR FORTY PERCENT LESS
2 THAN THE CARRIER'S APPROVED INDEX RATE ON OR AFTER JANUARY";

3
4 strike lines 8 through 23 and substitute the following:

5
6 "(b) SEMIANNUALLY A SMALL GROUP CARRIER SHALL REPORT
7 INFORMATION, ON FORMS PRESCRIBED BY THE COMMISSIONER, ENABLING
8 THE COMMISSIONER TO MONITOR THE NUMBER OF SMALL GROUP POLICIES
9 THAT WERE ISSUED BY SUCH CARRIER THAT WERE AT THE COMMUNITY
10 INDEX RATE, THAT WERE ADJUSTED UP FROM THE INDEX RATE FOR HEALTH
11 STATUS, AND THAT WERE ADJUSTED DOWN FROM THE INDEX RATE FOR
12 HEALTH STATUS.

13
14 "(c) (I) THE COMMISSIONER SHALL EVALUATE WHETHER CERTAIN
15 FACTORS MAY BE ASCERTAINED WITH A REASONABLE DEGREE OF
16 CERTAINTY FOR THE PURPOSES OF CREATING A CREDIT AGAINST THE
17 AMOUNT OF A PREMIUM FOR A SMALL GROUP. SUCH FACTORS SHALL
18 INCLUDE, BUT ARE NOT LIMITED TO, THE NUMBER OF INDIVIDUALS WITHIN
19 THE GROUP WHO:

20
21 (A) ARE NONSMOKERS;

22
23 (B) UTILIZE WELLNESS AND PREVENTION PROGRAMS OFFERED BY
24 THE EMPLOYER; AND

25
26 (C) UTILIZE PRESCRIPTION DRUGS TO CONTROL CERTAIN MEDICAL
27 CONDITIONS.

28
29 (II) IF THE COMMISSIONER DETERMINES THAT THE FACTORS
30 OUTLINED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (c) MAY BE
31 REASONABLY QUANTIFIED, THE COMMISSIONER SHALL PROMULGATE A
32 RULE ALLOWING FOR A CREDIT AGAINST THE AMOUNT OF A PREMIUM
33 CHARGED FOR A SMALL GROUP THAT CONTAINS INDIVIDUALS WHO MEET
34 THE CRITERIA IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (c).

35
36 Page 4, strike lines 2 through 27.

37
38 Page 5, strike lines 1 through 14.

39
40 Renumber succeeding sections accordingly.

41
42 Page 6, line 18, strike "(I)";

43
44 strike lines 21 through 26 and substitute the following:
45 "such market; and".

46
47 Page 7, line 3, after the period, add "IN ADDITION TO SUCH NOTICE, THE
48 CARRIER SHALL PROVIDE TO THE COMMISSIONER THE FOLLOWING
49 CERTIFICATIONS:

50
51 (I) THAT THE PREMIUMS OFFERED FOR OTHER HEALTH INSURANCE
52 COVERAGE BY THE CARRIER PURSUANT TO PARAGRAPH (b) OF THIS
53 SUBSECTION (6) ARE NOT EXCESSIVE, INADEQUATE, OR UNFAIRLY
54 DISCRIMINATORY RELATIVE TO THE PLAN THAT WAS DISCONTINUED; AND

55
56 (II) THAT THE BENEFIT LEVELS OFFERED IN OTHER HEALTH

1 INSURANCE COVERAGE BY THE CARRIER ARE IN COMPLIANCE WITH THE
2 REQUIREMENTS PROVIDED BY LAW FOR SMALL GROUP HEALTH
3 INSURANCE.";

4
5 strike lines 4 through 22 and substitute the following:

6
7 "SECTION 4. 10-16-704 (1), (2), and (6), Colorado Revised
8 Statutes, are amended, and the said 10-16-704 is further amended BY
9 THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS, to
10 read:

11
12 **10-16-704. Network adequacy.** (1) A carrier ~~providing~~
13 OFFERING a managed care plan shall".

14
15 Page 8, strike lines 14 through 27.

16
17 Strike page 9.

18
19 Page 10, strike lines 1 through 18 and substitute the following:

20
21 "(2) (a) In any case where ~~the~~ A carrier has no participating
22 providers to provide a covered benefit, the carrier OFFERING A MANAGED
23 CARE PLAN shall arrange for a referral to a provider with the necessary
24 expertise and ensure that the covered person obtains the covered benefit
25 at no greater cost to the covered person than if the benefit were obtained
26 from participating providers; EXCEPT THAT:

27
28 (I) FOR COVERED PERSONS ENROLLED OUTSIDE OF THE
29 ESTABLISHED METROPOLITAN STATISTICAL AREAS AS DEFINED BY THE
30 COMMISSIONER, IF A CARRIER OFFERING A MANAGED CARE PLAN WITH AN
31 OUT-OF-NETWORK BENEFIT LEVEL HAS NO PARTICIPATING PROVIDERS TO
32 PROVIDE A COVERED BENEFIT IN THOSE AREAS, THE CARRIER SHALL
33 ARRANGE FOR PAYMENT FOR SERVICES FROM A PROVIDER WITH THE
34 NECESSARY EXPERTISE AND ENSURE THAT THE COVERED PERSON OBTAINS
35 THE COVERED BENEFIT AT THE IN-NETWORK LEVEL TO THE MEMBER. THE
36 CARRIER MAY DETERMINE THE REIMBURSEMENT RATE TO THE PROVIDER
37 BY APPLYING THE LESSER OF:

38
39 (A) THE PROVIDER'S BILLED CHARGES;

40
41 (B) THE NEGOTIATED RATE; OR

42
43 (C) THE CARRIER'S LOWEST IN-NETWORK RATE OR THE USUAL AND
44 CUSTOMARY REIMBURSEMENT RATE FOR THE GEOGRAPHIC AREA AS
45 ESTABLISHED BY THE COMMISSIONER PURSUANT SECTION 10-16-105 (8)
46 (f), WHICHEVER IS GREATER.

47
48 (II) NOTHING IN THIS PARAGRAPH (a) SHALL PRECLUDE BALANCE
49 BILLING BY A NON-PARTICIPATING PROVIDER.

50
51 (III) FOR A HEALTH MAINTENANCE ORGANIZATION WITH A POINT
52 OF SERVICE OPTION, THE PROVISIONS OF SUBPARAGRAPH (I) OF THIS
53 PARAGRAPH (a) SHALL NOT APPLY.

54
55 (b) THE CARRIER SHALL PROVIDE AN UNDERSTANDABLE
56 DISCLOSURE TO COVERED PERSONS IN ALL POLICY CONTRACT MATERIALS,

1 CERTIFICATES OF COVERAGE, AND MARKETING MATERIALS ABOUT THE
2 POSSIBLE BALANCE BILLING BY NON-PARTICIPATING PROVIDERS AND THE
3 MECHANISMS AVAILABLE TO OBTAIN THE CARRIER'S REIMBURSEMENT
4 RATES FOR SPECIFIC COVERED HEALTH CARE SERVICES.
5

6 (c) IN THE EVENT THE CARRIER'S NETWORK CHANGES PURSUANT TO
7 THE PROVISIONS OF THIS SECTION, THE CARRIER SHALL PROVIDE NOTICE OF
8 THE CHANGE TO THE COMMISSIONER FIFTEEN DAYS PRIOR TO THE CHANGE.
9 "THE CARRIER SHALL PROVIDE AN UNDERSTANDABLE DISCLOSURE TO ITS
10 COVERED PERSONS ABOUT CHANGES IN THE NETWORK AND ABOUT
11 POSSIBLE BALANCE BILLING BY OUT-OF-NETWORK PROVIDERS, THE
12 MECHANISMS AVAILABLE TO OBTAIN THE CARRIER'S REIMBURSEMENT
13 RATES FOR SPECIFIC COVERED HEALTH CARE SERVICES, AND CONTRACT
14 INFORMATION FOR THE CARRIER AT LEAST SIXTY DAYS PRIOR TO THE
15 CHANGE.
16

17 (d) NOTHING IN THIS SUBSECTION (2) SHALL DELAY ACCESS TO
18 HEALTH CARE SERVICES.
19

20 (2.5) A CARRIER SHALL MAKE AVAILABLE UPON REQUEST THE
21 CARRIER'S USUAL AND CUSTOMARY REIMBURSEMENT RATE FOR
22 ANTICIPATED HEALTH CARE SERVICES FROM NON-PARTICIPATING
23 PROVIDERS. THE CARRIER'S METHODOLOGY FOR DETERMINING THE USUAL
24 AND CUSTOMARY REIMBURSEMENT RATE SHALL BE APPLIED IN A UNIFORM
25 MANNER STATEWIDE; EXCEPT THAT GEOGRAPHIC ADJUSTMENTS MAY BE
26 MADE APART FROM THE STANDARD METHODOLOGY.";
27

28 strike lines 26 and 27 and substitute the following:
29

30 "(10) (a) IN DETERMINING THE REASONABLENESS OF TRAVEL TIME
31 AND DISTANCE, CONSIDERATION SHALL BE GIVEN TO THE RELATIVE
32 AVAILABILITY OF HEALTH CARE PROVIDERS, THE LOCATIONS WHERE THE
33 MAJORITY OF PEOPLE IN THE AREA ACCESS NONEMERGENCY SERVICES, AND
34 THE MANAGED CARE PLAN'S EFFORTS TO CONTRACT WITH LOCAL
35 PROVIDERS AT REASONABLE RATES. THE COMMISSIONER MAY DEEM A
36 MANAGED CARE PLAN'S CURRENT ACCREDITATION WITH A NATIONALLY
37 RECOGNIZED ACCREDITING ENTITY AS SUFFICIENT TO MEET NETWORK
38 ADEQUACY REQUIREMENTS TO THE EXTENT THAT THE NATIONALLY
39 RECOGNIZED ACCREDITING ENTITY EVALUATES THE CHARACTERISTICS IN
40 THIS SECTION.
41

42 (b) THE COMMISSIONER SHALL PROMULGATE A RULE CONCERNING
43 A PROCEDURE TO ADDRESS CASES IN WHICH A COVERED PERSON IS SO
44 SEVERELY IMPAIRED THAT SUCH PERSON IS UNABLE TO MOVE FROM PLACE
45 TO PLACE WITHOUT THE AID OF A MECHANICAL DEVICE OR WHO HAS A
46 PHYSICAL OR MENTAL CONDITION VERIFIED BY A PHYSICIAN LICENSED TO
47 PRACTICE MEDICINE IN THIS STATE OR PRACTICING MEDICINE PURSUANT TO
48 SECTION 12-36-106 (3) (i), C.R.S., THAT SUCH IMPAIRMENT LIMITS
49 SUBSTANTIALLY THE PERSON'S ABILITY TO MOVE FROM PLACE TO PLACE.
50

51 (c) THE COMMISSIONER MAY UTILIZE THE REMEDIES OUTLINED IN
52 SECTION 10-3-1108 IF THE CARRIER FAILS TO PROVIDE PROPER
53 DISCLOSURES TO COVERED PERSONS PURSUANT TO SUBSECTION (2) OF THIS
54 SECTION."
55

56 Strike pages 11 and 12.

1 Page 13, strike lines 1 through 6 and substitute the following:

2

3 "SECTION 5. The introductory portion to 10-16-704 (9) and
4 10-16-704 (9) (a), Colorado Revised Statutes, are amended, and the said
5 10-16-704 (9) is further amended BY THE ADDITION OF THE
6 FOLLOWING NEW PARAGRAPHS, to read:

7

8 **10-16-704. Network adequacy.** (9) Beginning January 1, 1998,
9 a carrier shall maintain and make available upon request of the
10 commissioner, the executive director of the department of public health
11 and environment, or the executive director of the department of health
12 care policy and financing, in a manner and form that reflects the
13 requirements specified in paragraphs (a) to (k) of this subsection (9), an
14 access plan for each managed care network that the carrier offers in this
15 state. The carrier shall make the access plans, absent confidential
16 information as specified in section 24-72-204 (3), C.R.S., available on its
17 business premises and shall provide them to any interested party upon
18 request. In addition, all health benefit plans and marketing materials shall
19 clearly disclose the existence and availability of the access plan. All
20 rights and responsibilities of the covered person under the health benefit
21 plan, however, shall be included in the contract provisions, regardless of
22 whether or not such provisions are also specified in the access plan. The
23 carrier shall prepare an access plan prior to offering a new managed care
24 network and shall update an existing access plan whenever the carrier
25 makes any material change to an existing managed care network, but not
26 less than annually. ~~The A CARRIER'S access plan shall describe or contain~~
27 ~~at least~~ DEMONSTRATE the following:

28

29 (a) ~~The carrier's network, which shall demonstrate the following:~~

30

31 (I) An adequate number of accessible acute care hospital services,
32 within a reasonable distance or travel time, or both;

33

34 ~~(II) An adequate number of accessible primary care providers,~~
35 ~~within a reasonable distance or travel time, or both; and~~

36

37 ~~(III) An adequate number of accessible specialists and~~
38 ~~sub-specialists, within a reasonable distance or travel time, or both;~~

39

40 (a.3) AN ADEQUATE NUMBER OF ACCESSIBLE PRIMARY CARE
41 PROVIDERS, WITHIN A REASONABLE DISTANCE OR TRAVEL TIME, OR BOTH;

42

43 (a.5) AN ADEQUATE NUMBER OF ACCESSIBLE SPECIALISTS AND
44 SUB-SPECIALISTS, WITHIN A REASONABLE DISTANCE OR TRAVEL TIME, OR
45 BOTH;

46

47 (a.7) GEOGRAPHIC ACCESSIBILITY, WHICH IN SOME
48 CIRCUMSTANCES COULD REQUIRE THE CROSSING OF COUNTY OR STATE
49 LINES; AND

50

51 (a.9) AN ADEQUATE NUMBER OF PHARMACY PROVIDERS WITHIN A
52 REASONABLE DISTANCE, TRAVEL TIME, DELIVERY TIME, OR ALL THREE.
53 NOTHING IN THIS PARAGRAPH (a.9) SHALL PRECLUDE THE USE OF A RETAIL
54 OR MAIL-ORDER PHARMACY PROVIDER."

55

56 Renumber succeeding section accordingly.

1 **HJR01-1012** be referred out for final action.

2
3

4
5 **FIRST REPORT OF FIRST CONFERENCE COMMITTEE**
6 **on SB01-123**

7
8
9

This Report Amends the Reengrossed Bill.

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

12

13 Your first conference committee appointed on SB01-123,
14 concerning the required expenditure of a portion of a school district's per
15 pupil operating revenue for the school district's preschool program, has
16 met and reports that it has agreed upon the following:

17

18 That the House recede from its amendments made to the bill, as
19 said amendments appear in the rerevised bill, and that the following
20 amendment be substituted therefor:

21

22 Amend reengrossed bill, page 2, line 23, after "DISTRICT.", insert "IN
23 ADDITION, ANY OTHER MONEYS OF THE DISTRICT THAT MAY BE USED TO
24 PAY THE COSTS OF PROVIDING PRESCHOOL SERVICES DIRECTLY TO
25 CHILDREN ENROLLED IN THE DISTRICT'S PRESCHOOL PROGRAM PURSUANT
26 TO ARTICLE 28 OF THIS TITLE MAY BE DEPOSITED IN THE PRESCHOOL
27 PROGRAM FUND OF THE DISTRICT.".

28

29 Respectfully submitted,

30

Senate Committee:

31

Norma Anderson

32

Ron Tupa

33

Sue Windels

34

House Committee:

35

Brad Young

36

Tambor Williams

37

Carl Miller

38

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

39 The Speaker has signed: **SB01-156.**

40

41

42

DELIVERY OF BILLS TO GOVERNOR

43

44
45 The Chief Clerk of the House of Representatives reports the following
46 bills have been delivered to the Office of the Governor: **HB01-1040,**
47 **1167, 1232, 1286, 1351** at 3:00 p.m. on April 6, 2001.

48

49

50

MESSAGES FROM THE SENATE

51

52

Mr. Speaker:

53

54 The Senate has passed on Third Reading and transmitted to the Revisor
55 of Statutes: SB01-142;

56

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

3

4 SB01-208, amended as printed in Senate Journal, April 5, page 761;
5 SB01-037, amended as printed in Senate Journal, April 5, page 762;
6 SB01-200, amended as printed in Senate Journal, April 5, page 762;
7 HB01-1132, amended as printed in Senate Journal, April 5, page 760;
8 HB01-1174, amended as printed in Senate Journal, April 5, page 760;
9 HB01-1252, amended as printed in Senate Journal, April 5, page 761;

10

11

12 The Senate has adopted and returns herewith: HJR01-1023 and 1024.

13

14 The Senate has adopted and transmits herewith: SJR01-013.

15

16 The Senate voted to adhere to its position on SB01-178, 165.

17

18 The Senate voted to concur in House amendments to SB01-022, 169, 107,
19 135, 145, 116, 029, 158, 150, 104, and 054 and repassed the bills as
20 amended.

21

22 The Senate has voted not to concur in House Amendments to SB01-034
23 and requests that a Conference Committee be appointed. The President
24 appointed Senators Owen, Chm., and Thiebaut and Nichol as members
25 of the First Conference Committee on the part of the Senate. The bill is
26 transmitted herewith. The Senate granted permission to members of the
27 First Conference Committee on SB01-034 to consider matters not at issue
28 between the two houses.

29

30 The Senate has voted not to concur in House Amendments to SB01-144
31 and requests that a Conference Committee be appointed. The bill is
32 transmitted herewith.

33

34 The Senate has voted not to concur in House Amendments to SB01-118
35 and requests that a Conference Committee be appointed. The President
36 appointed Senators Hernandez, Chm., Hagedorn and Epps as members of
37 the First Conference Committee on the part of the Senate. The bill is
38 transmitted herewith.

39

40 The Senate has voted not to concur in House Amendments to SB01-131
41 and requests that a Conference Committee be appointed. The President
42 appointed Senators Hanna, Chm., Takis and Chlouber as members of the
43 First Conference Committee on the part of the Senate. The bill is
44 transmitted herewith. The Senate granted permission to members of the
45 First Conference Committee on SB01-131 to consider matters not at issue
46 between the two houses.

47

48 The Senate has voted not to concur in House Amendments to SB01-140
49 and requests that a Conference Committee be appointed. The President
50 appointed Senators Matsunaka, Chm., Gordon and Dyer (Arapahoe) as
51 members of the First Conference Committee on the part of the Senate.
52 The bill is transmitted herewith. The Senate granted permission to
53 members of the First Conference Committee on SB01-140 to consider
54 matters not at issue between the two houses.

55

56

1 **MESSAGE FROM THE REVISOR**

2
3 We herewith transmit without comment, SB01-142;
4 without comment, as amended, SB01-037, 200, HB01-1132, 1174, 1252;
5 with comment, as amended, SB01-208.
6

7
8
9 **INTRODUCTION OF BILLS**
10 **First Reading**

11
12 The following bills were read by title and referred to the committees
13 indicated:
14

15 **HB01-1379** by Representative(s) Nuñez, Cadman, Crane, Grossman,
16 Schultheis, Sinclair, Weddig, Alexander, Clapp, Cloer,
17 Daniel, Decker, Fairbank, Fritz, Garcia, Hefley, Jahn,
18 Kester, King, Larson, Lee, Miller, Mitchell, Paschall,
19 Rhodes, Rippy, Scott, Smith, Snook, Stafford, Stengel,
20 Swenson, Tochtrop, Webster, White, Witwer--Concerning
21 incentives to strengthen membership in certain Colorado
22 based units of the armed forces, and making an
23 appropriation in connection therewith.

24 Committee on State, Veterans, & Military Affairs

25 Committee on Appropriations
26

27 **HB01-1380** by Representative(s) Stengel--Concerning the exclusion of
28 specific ownership tax revenues from the calculation used
29 to determine the amount of local property tax revenues
30 that a school district may generate in excess of the
31 district's total program as authorized by in the "Public
32 School Finance Act of 1994".

33 Committee on Education
34

35 **HB01-1381** by Representative(s) Grossman, Miller, Scott, Smith,
36 Veiga--Concerning utility cost-savings measures that may
37 be financed by governmental agencies.

38 Committee on Transportation & Energy
39

40 **SB01-037** by Senator(s) Hillman; also Representative(s) Stengel--
41 Concerning the conversion of certain amounts of money
42 owed by the department of revenue to a taxpayer that is
43 represented by a warrant that has been cancelled into
44 unclaimed property for which a claim may be filed under
45 the "Unclaimed Property Act".

46 Committee on Finance

47 Committee on Appropriations
48

49 **SB01-142** by Senator(s) McElhany; also Representative(s)
50 Romanoff--Concerning the standard of evidence necessary
51 for certain applicants to establish their social security
52 numbers with the department of revenue.

53 Committee on Information & Technology

54 Committee on Appropriations
55

1 **SB01-200** by Senator(s) Perlmutter, Dennis, Hanna, Hernandez,
 2 Phillips, Epps, Dyer (Arapahoe), Dyer (Durango); also
 3 Representative(s) Sinclair--Concerning funding for
 4 veterans programs.
 5 Committee on State, Veterans, & Military Affairs
 6 Committee on Appropriations

8
 9 **INTRODUCTION OF RESOLUTION**

10
 11 The following resolution was read by title and laid over one day under the
 12 rules:

13
 14 **SJR01-013** by Senator(s) Thiebaut; also Representative(s) Spradley--
 15 Concerning setting the convening date for the next regular
 16 session of the General Assembly.

18
 19
 20 **APPOINTMENTS TO CONFERENCE COMMITTEES**

21 Pursuant to a request from the Senate, the Speaker appointed House
 22 conferees to the First Conference Committees as follows:

23 **SB01-034**--Representatives Williams T., Chairman, Smith, Marshall.

24 **SB01-118**--Representatives Clapp, Chairman, Stafford, Mace.

25 **SB01-140**--Representatives Johnson, Chairman, Smith, Madden.

26 **SB01-144**--Representatives Spradley, Chairman, Williams T., Tapia.

28
 29
 30
 31 **CONSENT GRANTED TO CONFERENCE COMMITTEE**

32 Representative Williams T. moved that the First Conference Committee
 33 on **SB01-034** be granted permission to go beyond the scope of the
 34 difference between the House and the Senate. The motion was passed by
 35 the following roll call vote:

36
 37

YES	60	NO	0	EXCUSED	5	ABSENT	0	
Alexander		E	Groff	Y	Miller	Y	Spence	Y
Bacon		Y	Grossman	Y	Mitchell	Y	Spradley	Y
Berry		Y	Hefley	Y	Nuñez	Y	Stafford	Y
Borodkin		Y	Hodge	Y	Paschall	Y	Stengel	Y
Boyd		Y	Hoppe	E	Plant	Y	Swenson	Y
Cadman		Y	Jahn	Y	Ragsdale	Y	Tapia	Y
Chavez		Y	Jameson	Y	Rhodes	Y	Tochtrop	Y
Clapp		Y	Johnson	Y	Rippy	Y	Veiga	E
Cloer		Y	Kester	E	Romanoff	Y	Vigil	Y
Coleman		Y	King	Y	Saliman	Y	Webster	Y
Crane		Y	Larson	Y	Sanchez	Y	Weddig	Y
Daniel		Y	Lawrence	Y	Schultheis	Y	White	Y
Decker		Y	Lee	Y	Scott	Y	Williams S.	Y
Fairbank		Y	Mace	Y	Sinclair	Y	Williams T.	Y
Fritz		Y	Madden	Y	Smith	Y	Witwer	Y
Garcia		Y	Marshall	Y	Snook	Y	Young	E
							Mr. Speaker	Y

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LAY OVER OF CALENDAR ITEMS

On motion of Representative Spradley, the following items on the Calendar were laid over until April 10, retaining place on Calendar:

- Consideration of General Orders--**HB01-1081, 1100, 1106, 1172, 1193, 1219, 1234, 1271, 1303, 1334, SB01-202, 203.**
- Consideration of Resolutions--**HJR01-1021, 1025, 1026.**
- Consideration of Senate Amendments--**HB01-1113, 1163, 1236, 1210, 1160, 1239, 1348, 1096, 1025, 1238, 1169, 1114, 1319.**

On motion of Representative Spradley, the House adjourned until 9:00 a.m., April 10, 2001.

Approved:

DOUG DEAN,
Speaker

Attest:

JUDITH RODRIGUE,
Chief Clerk