

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

Eighty-seventh Legislative Day

Friday, April 6, 2001

1 Prayer by Father John Pahls, St. Michaels Episcopal Church, Colorado
2 Springs.

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

5
6 The roll was called with the following result:

7
8 Present--48.

9 Excused for Legislative Business--Representatives Berry, Chavez,
10 Kester, Lawrence, Lee, Madden, Mitchell, Nuñez, Paschall, Plant,
11 Romanoff, Saliman, Scott, Stengel, Tapia, Vigil, Young--17.

12 Present after roll call--Representatives Berry, Chavez, Kester,
13 Lawrence, Lee, Madden, Mitchell, Nuñez, Plant, Romanoff,
14 Saliman, Scott, Stengel, Tapia, Vigil, Young.

15
16 The Speaker declared a quorum present.

17
18
19 On motion of Representative Jameson, the reading of the journal of
20 April 5, 2001, was declared dispensed with and approved as corrected by
21 the Chief Clerk.

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23
24
25 **REPORTS OF COMMITTEES OF REFERENCE**

26
27 **CRIMINAL JUSTICE**

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

30
31 **SB01-095** be referred favorably to the Committee on Appropriations.

32
33
34
35 **STATE, VETERANS, & MILITARY AFFAIRS**

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

38
39 **HB01-1216** be postponed indefinitely.

40
41 **SB01-074** be postponed indefinitely.

42
43 **SB01-092** be postponed indefinitely.

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1 **MESSAGE FROM THE SENATE**

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Mr. Speaker:

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

SB01-212, amended as printed in Senate Journal, April 4, page 752-754.

MESSAGE FROM THE REVISOR

We herewith transmit without comment, as amended, SB01-212.

INTRODUCTION OF BILL
First Reading

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

SB01-212 by Senator(s) Reeves, Tate, Owen; also Representative(s) Young, Berry, Saliman--Concerning the provision for payment of the expenses of the executive, legislative, and judicial departments of the state of Colorado, and of its agencies and institutions, for and during the fiscal year beginning July 1, 2001, except as otherwise noted.
Committee on Appropriations

CONSIDERATION OF RESOLUTION

HJR01-1023 by Representative(s) Scott, Boyd, King, Lee, Madden, Rhodes, Rippey, Sinclair; also Senator(s) Andrews--Concerning Scottish Tartan Day.

(Printed and placed in member's file, Report also printed in House Journal March 29, page 1020.)

On motion of Representative Scott, the resolution was read at length and **adopted by viva voce** vote.

Co-sponsors added: Representatives Alexander, Bacon, Borodkin, Cadman, Cloer, Crane, Daniel, Hodge, Jameson, Johnson, Kester, Larson, Mace, Miller, Ragsdale, Romanoff, Smith, Snook, Spradley, Stengel, Swenson, Tochtrop, Webster, Weddig, Williams T., Witwer, Mr. Speaker.

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

2
3 The following bills were considered on Third Reading. The titles were
4 publicly read. Reading of the bill at length was dispensed with by
5 unanimous consent.

6
7 **HCR01-1002** by Representative(s) Weddig, Alexander, Bacon,
8 Borodkin, Boyd, Chavez, Garcia, Groff, Hefley, Hodge,
9 Hoppe, Jahn, Kester, Lawrence, Lee, Mace, Madden,
10 Marshall, Plant, Ragsdale, Saliman, Sinclair, Stengel,
11 Swenson, Tapia, Veiga, Vigil, Webster, Williams S.,
12 Young; also Senator(s) Dyer (Arapahoe), Arnold, Dyer
13 (Durango), Gordon, Hanna, Linkhart, Thiebaut, Windels
14 --Concerning the submission to the registered electors of
15 the state of Colorado of an amendment to section 1 of
16 article IV, section 3 of article V, and section 11 of article
17 XVIII of the constitution of the state of Colorado,
18 changing term limits for elected officials from eight to
19 twelve years, subject to section 11 (2) of article XVIII of
20 the constitution, which allows voters to modify or remove
21 term limits for all local and certain state officials.

22
23 Representative Spradley moved the resolution on Third Reading and
24 Final Passage. Representative Weddig moved a substitute motion that the
25 resolution be laid over until April 30.

26
27
28 Pursuant to House Rule 16, Representative Spradley moved "Shall the
29 main question be now put?" The motion was declared **passed** by the
30 following roll call vote:

31
32 YES 36 NO 28 EXCUSED 1 ABSENT 0

34 Alexander	N	Groff	N	Miller	N	Spence	Y
35 Bacon	N	Grossman	N	Mitchell	Y	Spradley	Y
36 Berry	Y	Hefley	Y	Nuñez	Y	Stafford	Y
37 Borodkin	N	Hodge	N	Paschall	E	Stengel	Y
38 Boyd	N	Hoppe	Y	Plant	N	Swenson	Y
39 Cadman	Y	Jahn	N	Ragsdale	N	Tapia	N
40 Chavez	N	Jameson	N	Rhodes	Y	Tochtrop	N
41 Clapp	Y	Johnson	Y	Rippy	Y	Veiga	N
42 Cloer	Y	Kester	Y	Romanoff	N	Vigil	N
43 Coleman	N	King	Y	Saliman	N	Webster	Y
44 Crane	Y	Larson	Y	Sanchez	N	Weddig	N
45 Daniel	N	Lawrence	Y	Schultheis	Y	White	Y
46 Decker	Y	Lee	Y	Scott	Y	Williams S.	N
47 Fairbank	Y	Mace	N	Sinclair	Y	Williams T.	Y
48 Fritz	Y	Madden	N	Smith	Y	Witwer	Y
49 Garcia	N	Marshall	N	Snook	Y	Young	Y
50						Mr. Speaker	Y

51
52
53
54 Representative Weddig's motion that the resolution be laid over until
55 April 30 was declared **lost** by the following roll call vote:

56

	YES 32	NO 32	EXCUSED 1	ABSENT 0
1				
2				
3	Alexander	Y Groff	Y Miller	Y Spence N
4	Bacon	Y Grossman	Y Mitchell	N Spradley N
5	Berry	N Hefley	N Nuñez	N Stafford N
6	Borodkin	Y Hodge	Y Paschall	E Stengel N
7	Boyd	Y Hoppe	N Plant	Y Swenson Y
8	Cadman	N Jahn	Y Ragsdale	Y Tapia Y
9	Chavez	Y Jameson	Y Rhodes	N Tochtrop Y
10	Clapp	N Johnson	Y Rippy	N Veiga Y
11	Cloer	N Kester	N Romanoff	Y Vigil Y
12	Coleman	Y King	N Saliman	Y Webster N
13	Crane	N Larson	N Sanchez	Y Weddig Y
14	Daniel	Y Lawrence	N Schultheis	N White N
15	Decker	N Lee	N Scott	N Williams S. Y
16	Fairbank	N Mace	Y Sinclair	Y Williams T. N
17	Fritz	N Madden	Y Smith	Y Witwer N
18	Garcia	Y Marshall	Y Snook	N Young N
19				Mr. Speaker N

House in recess. House reconvened.

The question being "Shall the resolution pass?".

A roll call vote was taken. As shown by the following recorded vote, less than a constitutional two-thirds majority of those elected to the House voted in the affirmative and the resolution was declared **lost**.

	YES 34	NO 30	EXCUSED 1	ABSENT 0
33				
34				
35	Alexander	Y Groff	Y Miller	Y Spence N
36	Bacon	Y Grossman	N Mitchell	N Spradley N
37	Berry	N Hefley	Y Nuñez	N Stafford N
38	Borodkin	Y Hodge	Y Paschall	E Stengel Y
39	Boyd	Y Hoppe	Y Plant	Y Swenson Y
40	Cadman	N Jahn	Y Ragsdale	Y Tapia Y
41	Chavez	Y Jameson	N Rhodes	N Tochtrop N
42	Clapp	N Johnson	N Rippy	N Veiga Y
43	Cloer	N Kester	Y Romanoff	Y Vigil Y
44	Coleman	N King	N Saliman	Y Webster Y
45	Crane	N Larson	N Sanchez	Y Weddig Y
46	Daniel	N Lawrence	N Schultheis	N White N
47	Decker	N Lee	Y Scott	N Williams S. Y
48	Fairbank	N Mace	Y Sinclair	Y Williams T. Y
49	Fritz	N Madden	Y Smith	N Witwer N
50	Garcia	Y Marshall	Y Snook	Y Young Y
51				Mr. Speaker N

1	Decker	Y	Lee	Y	Scott	Y	Williams S.	Y
2	Fairbank	Y	Mace	Y	Sinclair	Y	Williams T.	Y
3	Fritz	Y	Madden	Y	Smith	Y	Witwer	Y
4	Garcia	Y	Marshall	Y	Snook	Y	Young	Y
5							Mr. Speaker	Y

6
7 Co-sponsors added: Representatives Boyd, Crane, Daniel, Decker, Grossman,
8 Jahn, Johnson, Kester, Larson, Mace, Mitchell, Ragsdale, Romanoff, Smith,
9 Stafford, Veiga, Williams S., Williams T., Young.

10
11 **HB01-1097** by Representative(s) Dean; also Senator(s) Matsunaka--
12 Concerning creation of the "Certified Capital Company
13 Act", and, in connection therewith, making an
14 appropriation.
15

16 The question being "Shall the bill pass?".

17 A roll call vote was taken. As shown by the following recorded vote, a
18 majority of those elected to the House voted in the affirmative and the bill
19 was declared **passed**.

20	21	YES	54	NO	10	EXCUSED	1	ABSENT	0
22	23	Alexander	Y	Groff	Y	Miller	Y	Spence	Y
24	24	Bacon	N	Grossman	Y	Mitchell	N	Spradley	N
25	25	Berry	Y	Hefley	Y	Nuñez	N	Stafford	Y
26	26	Borodkin	Y	Hodge	Y	Paschall	E	Stengel	N
27	27	Boyd	Y	Hoppe	Y	Plant	N	Swenson	Y
28	28	Cadman	N	Jahn	Y	Ragsdale	Y	Tapia	Y
29	29	Chavez	Y	Jameson	Y	Rhodes	Y	Tochtrop	Y
30	30	Clapp	Y	Johnson	Y	Rippy	Y	Veiga	Y
31	31	Cloer	Y	Kester	Y	Romanoff	Y	Vigil	Y
32	32	Coleman	Y	King	Y	Saliman	N	Webster	Y
33	33	Crane	Y	Larson	Y	Sanchez	Y	Weddig	Y
34	34	Daniel	Y	Lawrence	Y	Schultheis	Y	White	Y
35	35	Decker	Y	Lee	Y	Scott	N	Williams S.	Y
36	36	Fairbank	Y	Mace	Y	Sinclair	Y	Williams T.	N
37	37	Fritz	Y	Madden	Y	Smith	Y	Witwer	Y
38	38	Garcia	Y	Marshall	Y	Snook	Y	Young	Y
39	39							Mr. Speaker	Y

40
41 Co-sponsors added: Representatives Crane, Lawrence, Lee, Mace, Miller,
42 Sanchez, Vigil, Williams S., Young.
43

44 **HB01-1294** by Representative(s) King; also Senator(s) May--
45 Concerning the uninterrupted existence of statutes setting
46 forth motor vehicle registration fees for application in
47 years in which surplus state revenues under section 20 of
48 article X of the state constitution are not sufficient to
49 permit reduction of such fees as a refund mechanism, and
50 making an appropriation in connection therewith.
51

52 The question being "Shall the bill pass?".

53 A roll call vote was taken. As shown by the following recorded vote, a
54 majority of those elected to the House voted in the affirmative and the bill
55 was declared **passed**.

56

	YES 62	NO 2	EXCUSED 1	ABSENT 0
1				
2				
3	Alexander	Y Groff	Y Miller	Y Spence Y
4	Bacon	Y Grossman	Y Mitchell	Y Spradley Y
5	Berry	Y Hefley	Y Nuñez	N Stafford Y
6	Borodkin	Y Hodge	Y Paschall	E Stengel Y
7	Boyd	Y Hoppe	Y Plant	Y Swenson Y
8	Cadman	Y Jahn	Y Ragsdale	Y Tapia Y
9	Chavez	Y Jameson	Y Rhodes	Y Tochtrop Y
10	Clapp	Y Johnson	Y Rippy	Y Veiga Y
11	Cloer	Y Kester	Y Romanoff	Y Vigil Y
12	Coleman	Y King	Y Saliman	Y Webster Y
13	Crane	Y Larson	Y Sanchez	Y Weddig Y
14	Daniel	Y Lawrence	Y Schultheis	N White Y
15	Decker	Y Lee	Y Scott	Y Williams S. Y
16	Fairbank	Y Mace	Y Sinclair	Y Williams T. Y
17	Fritz	Y Madden	Y Smith	Y Witwer Y
18	Garcia	Y Marshall	Y Snook	Y Young Y
19				Mr. Speaker Y

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23 **HB01-1326** by Representative(s) Mitchell--Concerning regulation of
 24 air pollution emissions from stationary sources, and, in
 25 connection therewith, amending the fee structure for air
 26 pollutant emission notices, changing the applicable dates
 27 for cumulative economic analyses, and making an
 28 appropriation.

29

30 Laid over until April 9, retaining place on Calendar.

31

32

33 **HB01-1343** by Representative(s) Clapp, Stafford; also Senator(s)
 34 Hernandez--Concerning the enrollment of medicaid
 35 recipients in managed care, and making an appropriation
 36 in connection therewith.

37

38 The question being "Shall the bill pass?".

39 A roll call vote was taken. As shown by the following recorded vote, a
 40 majority of those elected to the House voted in the affirmative and the bill
 41 was declared **passed**.

42

	YES 63	NO 1	EXCUSED 1	ABSENT 0
43				
44				
45	Alexander	Y Groff	Y Miller	Y Spence Y
46	Bacon	Y Grossman	Y Mitchell	Y Spradley Y
47	Berry	Y Hefley	Y Nuñez	Y Stafford Y
48	Borodkin	Y Hodge	Y Paschall	E Stengel Y
49	Boyd	Y Hoppe	Y Plant	Y Swenson Y
50	Cadman	Y Jahn	Y Ragsdale	N Tapia Y
51	Chavez	Y Jameson	Y Rhodes	Y Tochtrop Y
52	Clapp	Y Johnson	Y Rippy	Y Veiga Y
53	Cloer	Y Kester	Y Romanoff	Y Vigil Y
54	Coleman	Y King	Y Saliman	Y Webster Y
55	Crane	Y Larson	Y Sanchez	Y Weddig Y
56	Daniel	Y Lawrence	Y Schultheis	Y White Y

1	Decker	Y	Lee	Y	Scott	Y	Williams S.	Y
2	Fairbank	Y	Mace	Y	Sinclair	Y	Williams T.	Y
3	Fritz	Y	Madden	Y	Smith	Y	Witwer	Y
4	Garcia	Y	Marshall	Y	Snook	Y	Young	Y
5							Mr. Speaker	Y

6
7 Co-sponsors added: Representatives Fritz, Mace, Rhodes, Sanchez, Tapia,
8 Williams S., Young.

9
10
11 **HB01-1359** by Representative(s) Mitchell, Grossman; also Senator(s)
12 Matsunaka, Andrews--Concerning public access to infer-
13 nation, and, in connection therewith, providing for public
14 access to information discussed in certain meetings of
15 public bodies and providing remedies and penalties for
16 violations of the open meetings law and the open records
17 act.

18
19 The question being "Shall the bill pass?".
20 A roll call vote was taken. As shown by the following recorded vote, a
21 majority of those elected to the House voted in the affirmative and the bill
22 was declared **passed**.

23	24	YES	55	NO	9	EXCUSED	1	ABSENT	0
25	26	Alexander	Y	Groff	Y	Miller	Y	Spence	N
	27	Bacon	N	Grossman	Y	Mitchell	Y	Spradley	Y
	28	Berry	Y	Hefley	N	Nuñez	Y	Stafford	Y
	29	Borodkin	Y	Hodge	Y	Paschall	E	Stengel	N
	30	Boyd	Y	Hoppe	Y	Plant	Y	Swenson	Y
	31	Cadman	Y	Jahn	Y	Ragsdale	Y	Tapia	Y
	32	Chavez	Y	Jameson	Y	Rhodes	Y	Tochtrop	Y
	33	Clapp	Y	Johnson	Y	Rippy	Y	Veiga	Y
	34	Cloer	Y	Kester	Y	Romanoff	Y	Vigil	Y
	35	Coleman	N	King	Y	Saliman	Y	Webster	Y
	36	Crane	Y	Larson	Y	Sanchez	Y	Weddig	Y
	37	Daniel	Y	Lawrence	Y	Schultheis	Y	White	N
	38	Decker	N	Lee	Y	Scott	Y	Williams S.	Y
	39	Fairbank	Y	Mace	N	Sinclair	N	Williams T.	Y
	40	Fritz	Y	Madden	Y	Smith	Y	Witwer	Y
	41	Garcia	Y	Marshall	Y	Snook	Y	Young	Y
	42							Mr. Speaker	Y

43
44 Co-sponsors added: Representatives Lawrence, Plant, Romanoff.

45
46
47 **HB01-1125** by Representative(s) Miller; also Senator(s) Teck--
48 Concerning measures that will prevent the misuse of
49 certain forms of identification, and making an
50 appropriation in connection therewith.

51
52 The question being "Shall the bill pass?".
53 A roll call vote was taken. As shown by the following recorded vote, a
54 majority of those elected to the House voted in the affirmative and the bill
55 was declared **passed**.

56

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

20 Co-sponsors added: Representatives Clapp, Coleman, Garcia, Grossman,
21 Lawrence, Lee, Mace, Ragsdale, Rippy, Romanoff, Sanchez, Snook, Spradley,
22 Stengel, Swenson, Tapia, Tochtrop, Veiga, Webster.

23
24 **HB01-1337** by Representative(s) Kester; also Senator(s) Hanna--Con-
25 cerning the welfare of pets, and, in connection therewith,
26 creating a pet animal welfare authority funded in part by
27 voluntary contributions through the income tax form.

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**.

	YES 42	NO 22	EXCUSED 1	ABSENT 0
34				
35				
36	Alexander	Y Groff	Y Miller	Y Spence
37	Bacon	Y Grossman	Y Mitchell	Y Spradley
38	Berry	N Hefley	N Nuñez	N Stafford
39	Borodkin	Y Hodge	Y Paschall	E Stengel
40	Boyd	N Hoppe	Y Plant	Y Swenson
41	Cadman	N Jahn	Y Ragsdale	Y Tapia
42	Chavez	Y Jameson	Y Rhodes	N Tochtrop
43	Clapp	N Johnson	Y Rippy	Y Veiga
44	Cloer	Y Kester	Y Romanoff	Y Vigil
45	Coleman	Y King	Y Saliman	Y Webster
46	Crane	N Larson	Y Sanchez	Y Weddig
47	Daniel	N Lawrence	Y Schultheis	N White
48	Decker	N Lee	N Scott	Y Williams S.
49	Fairbank	N Mace	Y Sinclair	N Williams T.
50	Fritz	N Madden	Y Smith	Y Witwer
51	Garcia	N Marshall	Y Snook	Y Young
52				Mr. Speaker
53				

54 Co-sponsors added: Representatives Cloer, Coleman, Grossman, Hoppe,
55 Johnson, Madden, Plant, Scott, Stengel, Veiga, Webster, Weddig.

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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 9, retaining place on Calendar:

- Consideration of General Orders--**HB01-1081, 1100, 1106, 1172, 1193, 1219, 1234, 1271, 1303, 1334, SB01-202.**
- Consideration of Resolutions--**HJR01-1021, 1025, 1026.**
- Consideration of Memorial--**HJM01-1001.**
- 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 10:00 a.m., April 9, 2001.

Approved:

DOUG DEAN,
Speaker

Attest:
JUDITH RODRIGUE,
Chief Clerk