

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

Thirty-first Legislative Day

Friday, February 9, 2001

1 Prayer by Father Ed Judy, Samaritan House, Denver.
 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--48.
 8 Excused for legislative business--Representatives Berry, Lawrence,
 9 Lee, Madden, Mitchell, Nuñez, Paschall, Plant, Saliman, Scott,
 10 Stengel, Tapia, Vigil, Young--14.
 11 Excused--Representatives S. Williams--1.
 12 Absent--Representatives Chavez, Spence--2.
 13 Present after roll call--Representatives Berry, Chavez, Lawrence,
 14 Lee, Madden, Mitchell, Nuñez, Paschall, Plant, Saliman, Scott,
 15 Spence, Stengel, Tapia, Vigil, S. Williams, Young.

16
 17 The Speaker declared a quorum present.
 18
 19

20 On motion of Representative Cloer, the reading of the journal of
 21 February 8, 2001, was dispensed with and approved as corrected by the
 22 Chief Clerk.
 23
 24
 25

THIRD READING OF BILLS--FINAL PASSAGE

26
 27
 28 The following bills were considered on Third Reading. The titles were
 29 publicly read. Reading of the bill at length was dispensed with by
 30 unanimous consent.

31
 32 **HB01-1006** by Representative(s) Ragsdale, Young; also Senator(s)
 33 Teck, Evans--Concerning state records filed with the
 34 secretary of state.
 35

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

41	YES 65	NO 0	EXCUSED 0	ABSENT 0		
42	<hr/>					
43	Alexander	Y Groff	Y Miller	Y Spence	Y	Y
44	Bacon	Y Grossman	Y Mitchell	Y Spradley	Y	Y
45	Berry	Y Hefley	Y Nuñez	Y Stafford	Y	Y

1	Borodkin	Y	Hodge	Y	Paschall	Y	Stengel	Y
2	Boyd	Y	Hoppe	Y	Plant	Y	Swenson	Y
3	Cadman	Y	Jahn	Y	Ragsdale	Y	Tapia	Y
4	Chavez	Y	Jameson	Y	Rhodes	Y	Tochtrop	Y
5	Clapp	Y	Johnson	Y	Rippy	Y	Veiga	Y
6	Cloer	Y	Kester	Y	Romanoff	Y	Vigil	Y
7	Coleman	Y	King	Y	Saliman	Y	Webster	Y
8	Crane	Y	Larson	Y	Sanchez	Y	Weddig	Y
9	Daniel	Y	Lawrence	Y	Schultheis	Y	White	Y
10	Decker	Y	Lee	Y	Scott	Y	Williams S.	Y
11	Fairbank	Y	Mace	Y	Sinclair	Y	Williams T.	Y
12	Fritz	Y	Madden	Y	Smith	Y	Witwer	Y
13	Garcia	Y	Marshall	Y	Snook	Y	Young	Y
14							Mr. Speaker	Y

15
16 Co-sponsors added: Representatives Coleman, Mace, Marshall, Tapia, Vigil.

17
18
19 **HB01-1061** by Representative(s) Young; also Senator(s) Phillips--
20 Concerning the prohibition of unauthorized charges from
21 a telecommunications provider.

22
23 The question being "Shall the bill pass?".

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

27	28	YES	65	NO	0	EXCUSED	0	ABSENT	0
29									
30	Alexander	Y	Groff	Y	Miller	Y	Spence	Y	
31	Bacon	Y	Grossman	Y	Mitchell	Y	Spradley	Y	
32	Berry	Y	Hefley	Y	Nuñez	Y	Stafford	Y	
33	Borodkin	Y	Hodge	Y	Paschall	Y	Stengel	Y	
34	Boyd	Y	Hoppe	Y	Plant	Y	Swenson	Y	
35	Cadman	Y	Jahn	Y	Ragsdale	Y	Tapia	Y	
36	Chavez	Y	Jameson	Y	Rhodes	Y	Tochtrop	Y	
37	Clapp	Y	Johnson	Y	Rippy	Y	Veiga	Y	
38	Cloer	Y	Kester	Y	Romanoff	Y	Vigil	Y	
39	Coleman	Y	King	Y	Saliman	Y	Webster	Y	
40	Crane	Y	Larson	Y	Sanchez	Y	Weddig	Y	
41	Daniel	Y	Lawrence	Y	Schultheis	Y	White	Y	
42	Decker	Y	Lee	Y	Scott	Y	Williams S.	Y	
43	Fairbank	Y	Mace	Y	Sinclair	Y	Williams T.	Y	
44	Fritz	Y	Madden	Y	Smith	Y	Witwer	Y	
45	Garcia	Y	Marshall	Y	Snook	Y	Young	Y	
46							Mr. Speaker	Y	

47
48 Co-sponsors added: Representatives Alexander, Borodkin, Boyd, Coleman,
49 Crane, Garcia, Hodge, Jahn, Larson, Lee, Mace, Marshall, Plant, Romanoff,
50 Sinclair, Stafford, Vigil, Williams S.

51
52
53 **HB01-1136** by Representative(s) Witwer; also Senator(s) Evans--
54 Concerning the creation of a statewide fire fighting
55 resource database.

56

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

	YES 65	NO 0	EXCUSED 0	ABSENT 0		
8 Alexander	Y	Groff	Y	Miller	Y	Spence Y
9 Bacon	Y	Grossman	Y	Mitchell	Y	Spradley Y
10 Berry	Y	Hefley	Y	Nuñez	Y	Stafford Y
11 Borodkin	Y	Hodge	Y	Paschall	Y	Stengel Y
12 Boyd	Y	Hoppe	Y	Plant	Y	Swenson Y
13 Cadman	Y	Jahn	Y	Ragsdale	Y	Tapia Y
14 Chavez	Y	Jameson	Y	Rhodes	Y	Tochtrop Y
15 Clapp	Y	Johnson	Y	Rippy	Y	Veiga Y
16 Cloer	Y	Kester	Y	Romanoff	Y	Vigil Y
17 Coleman	Y	King	Y	Saliman	Y	Webster Y
18 Crane	Y	Larson	Y	Sanchez	Y	Weddig Y
19 Daniel	Y	Lawrence	Y	Schultheis	Y	White Y
20 Decker	Y	Lee	Y	Scott	Y	Williams S. Y
21 Fairbank	Y	Mace	Y	Sinclair	Y	Williams T. Y
22 Fritz	Y	Madden	Y	Smith	Y	Witwer Y
23 Garcia	Y	Marshall	Y	Snook	Y	Young Y
						Mr. Speaker Y

26 Co-sponsors added: Representatives Alexander, Berry, Borodkin, Boyd,
 27 Coleman, Crane, Daniel, Garcia, Hodge, Hoppe, Jahn, Lawrence, Lee, Mace,
 28 Miller, Plant, Ragsdale, Rippy, Romanoff, Sanchez, Schultheis, Scott, Sinclair,
 29 Stafford, Vigil, Williams S.

31 **HB01-1171** by Representative(s) Romanoff, Berry, Johnson, Stafford,
 32 Tochtrop, Witwer, Young; also Senator(s) Owen,
 33 Hernandez--Concerning recoveries by the medical
 34 assistance program from third parties.

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

	YES 65	NO 0	EXCUSED 0	ABSENT 0		
43 Alexander	Y	Groff	Y	Miller	Y	Spence Y
44 Bacon	Y	Grossman	Y	Mitchell	Y	Spradley Y
45 Berry	Y	Hefley	Y	Nuñez	Y	Stafford Y
46 Borodkin	Y	Hodge	Y	Paschall	Y	Stengel Y
47 Boyd	Y	Hoppe	Y	Plant	Y	Swenson Y
48 Cadman	Y	Jahn	Y	Ragsdale	Y	Tapia Y
49 Chavez	Y	Jameson	Y	Rhodes	Y	Tochtrop Y
50 Clapp	Y	Johnson	Y	Rippy	Y	Veiga Y
51 Cloer	Y	Kester	Y	Romanoff	Y	Vigil Y
52 Coleman	Y	King	Y	Saliman	Y	Webster Y
53 Crane	Y	Larson	Y	Sanchez	Y	Weddig Y
54 Daniel	Y	Lawrence	Y	Schultheis	Y	White Y
55 Decker	Y	Lee	Y	Scott	Y	Williams S. Y
56 Fairbank	Y	Mace	Y	Sinclair	Y	Williams T. Y

1	Berry	Y	Hefley	Y	Nuñez	Y	Stafford	Y
2	Borodkin	Y	Hodge	Y	Paschall	Y	Stengel	Y
3	Boyd	Y	Hoppe	Y	Plant	Y	Swenson	Y
4	Cadman	Y	Jahn	Y	Ragsdale	Y	Tapia	Y
5	Chavez	Y	Jameson	Y	Rhodes	Y	Tochtrop	Y
6	Clapp	Y	Johnson	Y	Rippy	Y	Veiga	Y
7	Cloer	Y	Kester	Y	Romanoff	Y	Vigil	Y
8	Coleman	Y	King	Y	Saliman	Y	Webster	Y
9	Crane	Y	Larson	Y	Sanchez	Y	Weddig	Y
10	Daniel	Y	Lawrence	Y	Schultheis	Y	White	Y
11	Decker	Y	Lee	Y	Scott	Y	Williams S.	Y
12	Fairbank	Y	Mace	Y	Sinclair	Y	Williams T.	Y
13	Fritz	Y	Madden	Y	Smith	Y	Witwer	Y
14	Garcia	Y	Marshall	Y	Snook	Y	Young	Y
15							Mr. Speaker	Y

16
 17 Co-sponsors added: Representatives Borodkin, Coleman, Daniel, Groff,
 18 Grossman, Jahn, Lawrence, Mace, Madden, Marshall, Miller, Paschall, Plant,
 19 Ragsdale, Romanoff, Sanchez, Spradley, Tapia, Tochtrop, Veiga, Vigil,
 20 Webster, Williams S., Young.

21
 22 **HB01-1133** by Representative(s) Tapia, Borodkin, Coleman,
 23 Grossman, Sanchez, Veiga; also Senator(s) Dennis--
 24 Concerning the eligibility criteria for resident bidders
 25 given bid preference on construction contracts for public
 26 projects.

27
 28 The question being "Shall the bill pass?".

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

32								
33	<u>YES</u>	65	<u>NO</u>	0	<u>EXCUSED</u>	0	<u>ABSENT</u>	0
34								
35	Alexander	Y	Groff	Y	Miller	Y	Spence	Y
36	Bacon	Y	Grossman	Y	Mitchell	Y	Spradley	Y
37	Berry	Y	Hefley	Y	Nuñez	Y	Stafford	Y
38	Borodkin	Y	Hodge	Y	Paschall	Y	Stengel	Y
39	Boyd	Y	Hoppe	Y	Plant	Y	Swenson	Y
40	Cadman	Y	Jahn	Y	Ragsdale	Y	Tapia	Y
41	Chavez	Y	Jameson	Y	Rhodes	Y	Tochtrop	Y
42	Clapp	Y	Johnson	Y	Rippy	Y	Veiga	Y
43	Cloer	Y	Kester	Y	Romanoff	Y	Vigil	Y
44	Coleman	Y	King	Y	Saliman	Y	Webster	Y
45	Crane	Y	Larson	Y	Sanchez	Y	Weddig	Y
46	Daniel	Y	Lawrence	Y	Schultheis	Y	White	Y
47	Decker	Y	Lee	Y	Scott	Y	Williams S.	Y
48	Fairbank	Y	Mace	Y	Sinclair	Y	Williams T.	Y
49	Fritz	Y	Madden	Y	Smith	Y	Witwer	Y
50	Garcia	Y	Marshall	Y	Snook	Y	Young	Y
51							Mr. Speaker	Y

52
 53 Co-sponsors added: Representatives Boyd, Garcia, Groff, Hoppe, Kester,
 54 Lawrence, Mace, Madden, Miller, Plant, Ragsdale, Sinclair, Spradley,
 55 Williams S.

56

1 **HB01-1154** by Representative(s) Spence, Crane, Sinclair, Weddig,
 2 Cadman, Daniel, Jahn; also Senator(s) Phillips, Epps--
 3 Concerning the use of electronic bingo devices.
 4

5 The question being "Shall the bill pass?".
 6 A roll call vote was taken. As shown by the following recorded vote, a
 7 majority of those elected to the House voted in the affirmative and the bill
 8 was declared **passed**.
 9

10	YES 65	NO 0	EXCUSED 0	ABSENT 0
11				
12	Alexander	Y Groff	Y Miller	Y Spence
13	Bacon	Y Grossman	Y Mitchell	Y Spradley
14	Berry	Y Hefley	Y Nuñez	Y Stafford
15	Borodkin	Y Hodge	Y Paschall	Y Stengel
16	Boyd	Y Hoppe	Y Plant	Y Swenson
17	Cadman	Y Jahn	Y Ragsdale	Y Tapia
18	Chavez	Y Jameson	Y Rhodes	Y Tochtrop
19	Clapp	Y Johnson	Y Rippy	Y Veiga
20	Cloer	Y Kester	Y Romanoff	Y Vigil
21	Coleman	Y King	Y Saliman	Y Webster
22	Crane	Y Larson	Y Sanchez	Y Weddig
23	Daniel	Y Lawrence	Y Schultheis	Y White
24	Decker	Y Lee	Y Scott	Y Williams S.
25	Fairbank	Y Mace	Y Sinclair	Y Williams T.
26	Fritz	Y Madden	Y Smith	Y Witwer
27	Garcia	Y Marshall	Y Snook	Y Young
28				Mr. Speaker
29				Y

30 Co-sponsors added: Representatives Boyd, Decker, Hodge, Hoppe, Lee, Miller,
 31 Stafford, Webster.
 32

33 **HB01-1091** by Representative(s) Paschall; also Senator(s) Hagedorn--
 34 Concerning a method for payment of the costs associated
 35 with expanding the clean screen program, and, in
 36 connection therewith, providing for the payment of clean
 37 screen inspection fees through a clean screen enterprise.
 38

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

44	YES 59	NO 6	EXCUSED 0	ABSENT 0
45				
46	Alexander	Y Groff	Y Miller	Y Spence
47	Bacon	Y Grossman	Y Mitchell	Y Spradley
48	Berry	Y Hefley	Y Nuñez	Y Stafford
49	Borodkin	Y Hodge	Y Paschall	Y Stengel
50	Boyd	Y Hoppe	Y Plant	Y Swenson
51	Cadman	N Jahn	Y Ragsdale	Y Tapia
52	Chavez	Y Jameson	Y Rhodes	Y Tochtrop
53	Clapp	Y Johnson	Y Rippy	Y Veiga
54	Cloer	N Kester	Y Romanoff	Y Vigil
55	Coleman	Y King	N Saliman	Y Webster
56	Crane	Y Larson	Y Sanchez	Y Weddig

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

8 Co-sponsors added: Representatives Boyd, Clapp, Coleman, Crane, Decker,
9 Grossman, Hefley, Jahn, Larson, Lee, Mace, Madden, Miller, Romanoff, Scott,
10 Stafford, Swenson, Tapia, Veiga, Weddig, Williams S., Mr. Speaker.

11
12
13
14 On motion of Representative Spradley, **HB01-1153, 1186, 1134, 1175,**
15 **1024, 1138, 1241, 1089** shall be made Special Orders on Friday,
16 February 9, 2001, at 9:40 a.m.

17
18
19 The hour of 9:40 a.m., having arrived, on motion of Representative
20 Hoppe, the House resolved itself into Committee of the Whole for
21 consideration of Special Orders and she was called to the Chair to act as
22 Chairman.

25 SPECIAL ORDERS--SECOND READING OF BILLS

26
27 The Committee of the Whole having risen, the Chairman reported the
28 titles of the following bills had been read (reading at length had been
29 dispensed with by unanimous consent), the bills considered and action
30 taken thereon as follows:

31
32 (Amendments to the committee amendment are to the printed committee
33 report which was printed and placed in the members' bill file.)

34
35 **HB01-1153** by Representative(s) Williams T., Kester, Larson,
36 Spradley, White, Berry, Clapp, Coleman, Fairbank, Fritz,
37 Jahn, Lee, Marshall, Miller, Paschall, Rhodes, Stengel,
38 Tochtrop; also Senator(s) Phillips, Fitz-Gerald, Takis,
39 McElhany, Taylor--Concerning the authority of interior
40 designers that meet certain qualifications to prepare
41 interior design documents for filing for purposes of
42 obtaining building permits.

43
44 Amendment No. 1, Business Affairs & Labor Report, dated February 6,
45 2001, and placed in member's bill file; Report also printed in House
46 Journal, February 7, pages 310-312.

47
48 As amended, ordered engrossed and placed on the Calendar for Third
49 Reading and Final Passage.

50
51
52 **HB01-1186** by Representative(s) Tapia; also Senator(s) Evans--
53 Concerning the maintenance of public employee
54 retirement benefits for retirees who are hired by a school
55 district during a critical shortage of employees.

56

- 1 Amendment No. 1, Education Report, dated February 5, 2001, and placed
2 in member's bill file; Report also printed in House Journal, February 6,
3 pages 288-289.
4
- 5 As amended, ordered engrossed and placed on the Calendar for Third
6 Reading and Final Passage.
7
- 8 **HB01-1175** by Representative(s) Williams T.; also Senator(s)
9 McElhany--Concerning the consolidation of administrative
10 adjudication functions, and, in connection therewith,
11 creating the division of administrative justice in the
12 department of personnel, transferring certain
13 administrative law judges from other state agencies to the
14 new division, providing funding for the new division
15 through direct appropriation, and making certain types of
16 final agency actions subject to judicial review by the court
17 of appeals.
18
- 19 Laid over until February 12, retaining place on Calendar.
20
- 21 **HB01-1024** by Representative(s) Plant; also Senator(s) Dyer
22 (Durango)--Concerning financial incentives for
23 commercial fish hatcheries that test positive for whirling
24 disease.
25
- 26 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,
27 dated January 17, 2001, and placed in member's bill file; Report also
28 printed in House Journal, January 18, pages 116-117.
29
- 30 As amended, ordered engrossed and placed on the Calendar for Third
31 Reading and Final Passage.
32
- 33 **HB01-1138** by Representative(s) Cadman--Concerning state
34 information technology governance.
35
- 36 Amendment No. 1, Information & Technology Report, dated February 5,
37 2001, and placed in member's bill file; Report also printed in House
38 Journal, February 7, pages 305-306.
39
- 40 As amended, ordered engrossed and placed on the Calendar for Third
41 Reading and Final Passage.
42
- 43 **HB01-1241** by Representative(s) Stengel--Concerning the elimination
44 of the ninety-day period for which garnishments are
45 permitted to be a continuing levy.
46
- 47 Amendment No. 1, Business Affairs & Labor Report, dated February 6,
48 2001, and placed in member's bill file; Report also printed in House
49 Journal, February 7, page 312.
50
- 51 As amended, ordered engrossed and placed on the Calendar for Third
52 Reading and Final Passage.
53
- 54 **HB01-1089** by Representative(s) Ragsdale; also Senator(s) Linkhart--
55 Concerning basic automobile insurance coverage under the
56 "Colorado Auto Accident Reparations Act" for persons

1 within one hundred eighty-five percent of the federal
2 poverty level.

3
4 Amendment No. 1, Transportation & Energy Report, dated January 24,
5 2001, and placed in member's bill file; Report also printed in House
6 Journal, January 26, pages 189-190.

7
8 As amended, declared **lost** on Second Reading.

9
10 **HB01-1134** by Representative(s) Decker; also Senator(s) Dennis--
11 Concerning infectious and communicable diseases.

12
13 Amendment No. 1, Health, Environment, Welfare, & Institutions Report,
14 dated February 5, 2001, and placed in member's bill file; Report also
15 printed in House Journal, February 6, pages 291-292.

16
17 As amended, ordered engrossed and placed on the Calendar for Third
18 Reading and Final Passage.

19
20
21 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

22
23 Passed Second Reading: **HB01-1153 amended, 1186 amended,**
24 **1024 amended, 1138 amended, 1241 amended, 1134 amended.**

25
26 Lost on Second Reading: **HB01-1089 amended.**

27
28 Laid over until date indicated retaining place on Calendar:
29 **HB01-1175--February 12, 2001.**

30
31 The Chairman moved the adoption of the Committee of the Whole
32 Report. As shown by the following roll call vote, a majority of those
33 elected to the House voted in the affirmative, and the Report was
34 **adopted.**

35
36 YES 64 NO 0 EXCUSED 0 ABSENT 1

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

55
56

1 On motion of Representative Spradley, **HB01-1012, 1106** shall be made
 2 Special Orders on Friday, February 9, 2001, at 10:44 a.m.

3
 4
 5 The hour of 10:44 a.m., having arrived, on motion of Representative
 6 Hoppe, the House resolved itself into Committee of the Whole for
 7 consideration of Special Orders and she was called to the Chair to act as
 8 Chairman.

9
 10
 11 **SPECIAL ORDERS--SECOND READING OF BILLS**

12
 13 The Committee of the Whole having risen, the Chairman reported the
 14 titles of the following bills had been read (reading at length had been
 15 dispensed with by unanimous consent), the bills considered and action
 16 taken thereon as follows:

17
 18 (Amendments to the committee amendment are to the printed committee
 19 report which was printed and placed in the members' bill file.)

20
 21 **HB01-1012** by Representative(s) Stengel, Plant; also Senator(s) Dyer
 22 (Durango)--Concerning changes in the fiscal policies of
 23 the division of wildlife to allow operation as an enterprise
 24 for purposes of section 20 of article X of the state
 25 constitution.

26
 27 Referred to the Committee on Appropriations.

28
 29 **HB01-1106** by Representative(s) Madden; also Senator(s) Windels--
 30 Concerning the recycling of cathode ray tube products,
 31 and, in connection therewith, creating a cathode ray tube
 32 recycling pilot program.

33
 34 Referred to the Committee on Appropriations.

35
 36
 37 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

38
 39 Referred to Committee indicated:
 40 **HB01-1012, 1106**--Committee on Appropriations.

41
 42 The Chairman moved the adoption of the Committee of the Whole
 43 Report. As shown by the following roll call vote, a majority of those
 44 elected to the House voted in the affirmative, and the Report was
 45 **adopted.**

46

YES 65	NO 0	EXCUSED 0	ABSENT 0
Alexander	Y Groff	Y Miller	Y Spence
Bacon	Y Grossman	Y Mitchell	Y Spradley
Berry	Y Hefley	Y Nuñez	Y Stafford
Borodkin	Y Hodge	Y Paschall	Y Stengel
Boyd	Y Hoppe	Y Plant	Y Swenson
Cadman	Y Jahn	Y Ragsdale	Y Tapia
Chavez	Y Jameson	Y Rhodes	Y Tochtrop
Clapp	Y Johnson	Y Rippy	Y Veiga
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
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56

House in recess. House reconvened.

REPORTS OF COMMITTEES OF REFERENCE

AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES

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

HB01-1077 be postponed indefinitely.

HB01-1227 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 4, strike lines 9 through 27 and substitute the following:

"**SECTION 3.** 19-3-313 (7) (c) and (7) (d), Colorado Revised Statutes, are amended to read:

19-3-313. Central registry - repeal. (7) (c) (I) (A) If a petition in dependency and neglect under section 19-3-505 on which the subject is a named respondent is not sustained, on receipt of such information, and after verifying the information with the judicial department, the director of the central registry may expunge the record of the report.

(B) If the director of the central registry expunges the record of the report, the director shall send written notice of such expungement to the subject. If the director of the central registry does not expunge the record of the report, the director shall send written notice to the subject as soon as possible after receiving information regarding a case not being sustained, and after verifying such information with the judicial department, stating that the subject may request a hearing at which the department will be required to show, by clear and convincing evidence, why the subject's name shall not be removed from the central registry. The subject may request such hearing at any time after receipt of the written notice from the director of the central registry. The hearing shall be held as soon as possible after the director of the central registry receives the subject's request.

(C) At the hearing, the department shall have the burden of proof.

1 The administrative law judge at the hearing authorized pursuant to this
2 paragraph (c) shall not be the same judge who presided at a hearing
3 concerning the same subject authorized pursuant to subsection (5.5) of
4 this section.

5
6 (II) The provisions of subparagraph (I) of this paragraph (c) shall
7 apply if a petition in dependency and neglect naming the subject as a
8 respondent has not been filed AFTER SIX MONTHS FROM THE DATE THAT A
9 SUBJECT HAS BEEN SENT THE WRITTEN NOTICE PURSUANT TO SUBSECTION
10 (5.5) OF THIS SECTION.

11
12 (III) The provisions of this paragraph (c) shall not apply to a
13 subject whose name is on the registry for any incident other than the
14 incident on which the criminal charge or petition in dependency and
15 neglect was based.

16
17 (d) (I) If a subject is acquitted of an offense pursuant to part 4 of
18 article 6 of title 18, C.R.S., section 18-3-405, C.R.S., or section
19 18-3-405.3, C.R.S., or if such a charge is dismissed, OR, ON AND AFTER
20 JULY 1, 2001, IF SUCH A CHARGE HAS NOT BEEN FILED AFTER SIX MONTHS
21 FROM THE DATE THAT A SUBJECT HAS BEEN SENT THE WRITTEN NOTICE
22 PURSUANT TO SUBSECTION (5.5) OF THIS SECTION, the director of the
23 central registry shall expunge the subject's name pertaining to the act or
24 acts that supported such alleged criminal offense upon the receipt by the
25 director of notice of the acquittal or dismissal.

26
27 (II) (A) Notwithstanding the provisions of subparagraph (I) of this
28 paragraph (d), the director may request a hearing to reinstate on the
29 central registry a subject's name pertaining to an act or acts that supported
30 a dismissed or acquitted criminal charge OR THAT SUPPORTED THE REPORT
31 OF THE SUBJECT'S NAME TO THE CENTRAL REGISTRY. Such hearing request
32 shall be filed with the division of administrative hearings in the
33 department of personnel within thirty days after the date the director
34 receives notice of the acquittal or dismissal. The division shall send
35 written notice of the hearing to the subject by certified mail. A hearing
36 shall not be held if the department fails to request the hearing within
37 thirty days after the date the director received notice of the acquittal or
38 dismissal. The hearing shall be held as soon as possible after the hearing
39 is requested.

40
41 (B) At a hearing requested pursuant to sub-subparagraph (A) of
42 this subparagraph (II), the department shall be required to show that there
43 is clear and convincing evidence to support a finding of child abuse or
44 neglect so that the subject's name should be reinstated on the registry as
45 a perpetrator. An administrative law judge shall preside over the hearing
46 and such judge shall not be the same judge who presided at any other
47 hearing concerning the same subject. The hearing and any judicial
48 review shall be in accordance with the "State Administrative Procedure
49 Act".

50
51 Page 5, strike lines 1 through 19.

52
53
54
55 **HB01-1254** be referred to the Committee of the Whole with favorable
56 recommendation.

1 **APPROPRIATIONS**

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

4
5 **HB01-1075** be amended as follows, and as so amended, be referred to
6 the Committee of the Whole with favorable
7 recommendation:

8
9 Amend printed bill, page 6, line 15, strike "two hundred" and substitute
10 "one hundred eighty-one thousand nine hundred ninety-four dollars
11 (\$2,181,994) and 32.5 FTE,";

12
13 strike line 16;

14
15 line 18, after "act." insert "Of this amount, one hundred twenty-five
16 thousand nine hundred eighty-five dollars (\$125,985) and 2.5 FTE shall
17 be for the state public defender."
18

19

20

21

22

23 **BUSINESS AFFAIRS & LABOR**

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

26

27 **HB01-1101** be postponed indefinitely.

28

29

30 **HB01-1105** be postponed indefinitely.

31

32

33 **HB01-1228** be amended as follows, and as so amended, be referred to
34 the Committee of the Whole with favorable
35 recommendation:

36

37 Amend printed bill, page 2, strike lines 16 through 26 and substitute the
38 following:

39

40 "MAY EXPEL ANY MEMBER FROM MEMBERSHIP IN THE CREDIT UNION IF
41 SUCH MEMBER FAILS TO COMPLY WITH THE WRITTEN RULES AND POLICIES
42 OF THE CREDIT UNION AS ADOPTED AND MADE AVAILABLE TO THE
43 MEMBERSHIP."
44

45

46

47

48 **HB01-1230** be referred to the Committee of the Whole with favorable
49 recommendation.
50

51

52

53

54

55 **CIVIL JUSTICE & JUDICIARY**

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

57

58 **HB01-1052** be postponed indefinitely.

1 **HB01-1191** be amended as follows, and as so amended, be referred to
2 the Committee on Appropriations with favorable
3 recommendation:
4

5 Amend printed bill, page 7, line 27, strike "2004." and substitute "2005."
6

7 Strike pages 8 and 9 and substitute the following:
8

9 **"SECTION 4. Effective date.** This act shall take effect July 1,
10 2002, unless a referendum petition is filed during the ninety-day period
11 after final adjournment of the general assembly that is allowed for
12 submitting a referendum petition pursuant to article V, section 1 (3) of the
13 state constitution. If such a referendum petition is filed against this act
14 or an item, section, or part of this act within such period, then the act,
15 item, section, or part, if approved by the people, shall take effect on the
16 date of the official declaration of the vote thereon by proclamation of the
17 governor."
18

19
20 **HB01-1206** be referred favorably to the Committee on Appropriations.
21

22
23 **HB01-1242** be referred favorably to the Committee on Criminal
24 Justice.
25

26
27
28
29 **CRIMINAL JUSTICE**

30 After consideration on the merits, the Committee recommends the
31 following:
32

33 **HB01-1229** be amended as follows, and as so amended, be referred to
34 the Committee of the Whole with favorable
35 recommendation:
36

37 Amend printed bill, page 4, line 1, strike "18-7-302" and substitute
38 "18-7-302 (4)";
39

40 strike lines 6 through 8 and substitute the following:
41

42 "(IV) ANY FELONY OFFENSE THAT INVOLVES UNLAWFUL SEXUAL
43 BEHAVIOR OR ANY FELONY OFFENSE WITH AN UNDERLYING FACTUAL
44 BASIS, AS DETERMINED BY THE COURT, RESULTING IN A CONVICTION OR
45 PLEA OF GUILTY OR NOLO CONTENDRE ON OR AFTER JULY 1, 2001;"
46

47 line 10, strike "18-3-404" and substitute "18-3-404 (2)".
48

49
50
51 **HB01-1231** be amended as follows, and as so amended, be referred to
52 the Committee on Appropriations with favorable
53 recommendation:
54

55 Amend printed bill, page 2, strike lines 24 and 25 and substitute the
56 following:

1 "(IV) THREE MEMBERS OF THE PUBLIC APPOINTED BY THE
2 GOVERNOR, AT LEAST ONE OF WHOM SHALL HAVE A BACKGROUND IN
3 INSURANCE, AND AT LEAST ONE OF WHOM SHALL BE A REPRESENTATIVE OF
4 A CONSUMER OR VICTIM ADVOCACY GROUP;"

5
6 Page 3, strike lines 1 and 2;

7
8 strike line 4 and substitute the following:

9 "DESIGNEE; AND";

10

11 line 6, strike "DESIGNEE; AND" and substitute "DESIGNEE.";

12

13 strike lines 7 and 8.

14

15 Page 5, line 18, strike "SAFETY" and substitute "SAFETY, OR THE
16 EXECUTIVE DIRECTOR'S DESIGNEE,".

17

18

19

20 **SB01-047** be referred to the Committee of the Whole with favorable
21 recommendation.

22

23

24

25

26 **FINANCE**

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

29

30 **HB01-1003** be amended as follows, and as so amended, be referred to
31 the Committee on Appropriations with favorable
32 recommendation:

33

34 Amend printed bill, page 3, after line 25, insert the following:

35

36 "**SECTION 4.** 39-22-504.6 (2.4), Colorado Revised Statutes, is
37 amended to read:

38

39 **39-22-504.6. Definitions.** As used in sections 39-22-504.5 to
40 39-22-504.7, unless the context otherwise requires:

41

42 (2.4) "Eligible medical expense" means any medical expense,
43 INCLUDING ANY ELIGIBLE PRESCRIPTION DRUG EXPENSE, that is deductible
44 for purposes of section 213 (d) of the internal revenue code."

45

46 Renumber succeeding section accordingly.

47

48

49

50 **HB01-1026** be referred favorably to the Committee on Appropriations.

51

52

53 **HB01-1058** be amended as follows, and as so amended, be referred to
54 the Committee on Appropriations with favorable
55 recommendation:

56

1 Amend printed bill, page 2, strike line 26 and substitute the following:
2 "for any income tax year commencing on or after January 1, 2000,";
3
4 line 27, strike "AND ENDING DECEMBER 31, 2000," and substitute "BUT
5 BEFORE JANUARY 1, 2004,".
6
7 Page 3, line 3, strike "~~in that income tax year~~ JUNE 30, 2000," and
8 substitute "in that income tax year";
9
10 line 17, strike "2005." and substitute "2008.";
11
12 line 19, strike "2001," and substitute "2004,".
13
14 Page 4, line 14, strike "2005." and substitute "2008.".
15
16 Page 5, line 4, strike "~~any~~ THE" and substitute "any";
17
18 line 5, strike "~~or after~~ July 1, 1999," and substitute "or after July 1, 1999,
19 BUT BEFORE JULY 1, 2003,";
20
21 strike lines 10 through 14 and substitute the following:
22
23 "in which said state fiscal year ended.
24
25 (c) (I) No later than October 1 of any given calendar year
26 commencing on or after January 1, 2000, BUT BEFORE JANUARY 1, 2004,
27 the executive director ~~of the department of revenue~~ shall annually adjust
28 the dollar";
29
30 line 16, strike "~~calendar year immediately~~";
31
32 strike line 17;
33
34 line 18, strike "CALENDAR YEAR." and substitute "calendar year
35 immediately preceding the calendar year in which such adjustment is
36 made.";
37
38 strike lines 23 and 24 and substitute the following:
39 "calendar year immediately preceding the calendar year in which the
40 adjustment is made and the most recent published";
41
42 line 27, strike "~~calendar year prior to the calendar year~~" and substitute
43 "calendar year prior to the calendar year".
44
45 Page 6, strike lines 1 and 2 and substitute the following:
46 "immediately preceding the calendar year in which the adjustment is
47 made.";
48
49 strike line 10 and substitute the following:
50 "October 1 of the calendar year."
51
52 Page 7, strike lines 5 and 6 and substitute the following:
53 "any given income tax year, the executive director shall not utilize any";
54
55 strike line 20 and substitute the following:
56 "2008.";

1 strike line 27 and substitute the following:

2 "2008."
3

4 Page 1, line 104, strike "**2001.**" and substitute "**2004.**".
5
6
7

8 **HB01-1071** be referred favorably to the Committee on Appropriations.
9

10
11 **HB01-1081** be amended as follows, and as so amended, be referred to
12 the Committee on Appropriations with favorable
13 recommendation:
14

15 Amend printed bill, page 4, line 11, strike "ORDINARY";
16

17 line 12, strike "CONTROL." and substitute "CONTROL BY ANY QUALIFIED
18 TAXPAYER ENGAGED IN, AND ONLY TO THE EXTENT RELATED TO,
19 QUALIFIED RESEARCH AS DEFINED IN 26 U.S.C. SEC. 41 (d) OR IN
20 SUBPARAGRAPH (I) OR (II) OF THIS PARAGRAPH (a).";
21

22 line 18, strike "**2000**" and substitute "**2002**".
23

24 Page 5, line 7, strike "2000, AND" and substitute "2002,";
25

26 strike line 8 and substitute the following:

27 "IF, BASED ON THE".
28

29 Page 6, line 3, strike "2002," and substitute "2003,".
30

31 Page 7, line 25, strike "2001," and substitute "2003,".
32

33 Page 8, line 11, strike "JULY 1, 2000," and substitute "OR AFTER JULY 1,
34 2002,";
35

36 line 14, strike "_____", and substitute "THREE HUNDRED
37 FIFTY-EIGHT MILLION FOUR HUNDRED THOUSAND DOLLARS, AS ADJUSTED
38 PURSUANT TO PARAGRAPH (b) OF THIS SUBSECTION (6).";
39

40 strike lines 16 through 25.
41

42 Reletter succeeding paragraph accordingly.
43

44 Page 9, line 1, strike "2002," and substitute "2003,";
45

46 line 3, strike "(b)" and substitute "(a)";
47

48 line 6, strike "MADE." and substitute "MADE; EXCEPT THAT IN CALENDAR
49 YEAR 2003, THE EXECUTIVE DIRECTOR SHALL ADJUST SAID DOLLAR
50 AMOUNT TO REFLECT THE RATE OF GROWTH OF COLORADO PERSONAL
51 INCOME FOR CALENDAR YEARS 2001 AND 2002.";
52

53 line 20, strike "(c)," and substitute "(b),".
54

55 Page 10, line 19, strike "(c)," and substitute "(b),";
56

1 line 24, strike "(c)." and substitute "(b).".

2

3 Page 11, line 3, strike "(c)" and substitute "(b)".

4

5

6

7 **HB01-1090** be amended as follows, and as so amended, be referred to
8 the Committee on Appropriations with favorable
9 recommendation:

10

11 Amend printed bill, page 2, line 2, strike "(6), (7) (a)," and substitute "and
12 (6) and the introductory portion to 39-22-522 (7),";

13

14 strike lines 3 through 5 and substitute the following:

15 "Colorado Revised Statutes, are amended, and the said 39-22-522 is
16 further amended BY THE ADDITION OF A NEW SUBSECTION, to
17 read:";

18

19 line 13, strike "2000" and substitute "2000,";

20

21 line 14, strike "2001," and substitute "AND, WITH RESPECT TO THE CREDIT
22 ALLOWED BY SUBSECTION (8) OF THIS SECTION, FOR INCOME TAX YEARS
23 COMMENCING ON OR AFTER JANUARY 1, 2003,";

24

25 line 26, strike "CLAIMED:" and substitute "CLAIMED A SUMMARY OF A
26 qualified appraisal, as defined in ~~26 C.F.R. 1.170A-13 (c) (3) (1998);~~
27 ~~with the department of revenue at the same time as the taxpayer files a~~
28 ~~return for the taxable year in which the credit is claimed.~~ 26 C.F.R.
29 1.170A-13 (c) (4) (1998); HOWEVER, IF REQUESTED BY THE DEPARTMENT,
30 THE TAXPAYER SHALL SUBMIT THE APPRAISAL ITSELF. ".

31

32 Page 3, strike lines 1 through 8;

33

34 line 10, strike "FIVE" and substitute "THREE";

35

36 line 11, strike "DONATION." and substitute "DONATION; EXCEPT THAT,
37 WITH REGARD TO THE AMOUNT OF THE CREDIT IN EXCESS OF ONE HUNDRED
38 THOUSAND DOLLARS, THE PROVISIONS OF SUBSECTION (8) OF THIS SECTION
39 SHALL APPLY.";

40

41 line 19, strike "The" and substitute "WITH REGARD TO THE FIRST ONE
42 HUNDRED THOUSAND DOLLARS OF THE CREDIT, THE";

43

44 line 22, strike "FIFTY" and substitute "WITH REGARD TO THE AMOUNT OF
45 THE CREDIT IN EXCESS OF ONE HUNDRED THOUSAND DOLLARS, FIFTY
46 PERCENT OF THE FAIR MARKET VALUE OF THE DONATED PORTION OF SUCH
47 CONSERVATION EASEMENT IN GROSS WHEN CREATED.";

48

49 strike lines 23 through 27.

50

51 Page 4, strike lines 1 through 5;

52

53 line 12, strike "FIVE" and substitute "THREE";

54

55 strike lines 26 and 27 and substitute the following:

56 "income tax year."

1 Page 5, line 1, strike "CREDITS.";
2
3 line 5, strike "Neither A taxpayer who has" and substitute "Neither a
4 taxpayer who has";
5
6 strike lines 6 through 9 and substitute the following:
7 "~~transferred a credit to a transferee pursuant to subsection (7) of this~~
8 ~~section nor the transferee to whom the credit was transferred shall claim~~
9 ~~an additional tax credit under this section for any income tax year in~~
10 ~~which the transferee uses such transferred credit.~~";
11
12 line 10, after "2000,", insert "AND AS TO TRANSFERS THAT OCCURRED
13 BEFORE THE EFFECTIVE DATE OF THIS ACT,";
14
15 strike lines 15 through 27.

16
17 Page 6, strike lines 1 through 26 and substitute the following:
18

19 "(8) (a) A CREDIT IN EXCESS OF ONE HUNDRED THOUSAND
20 DOLLARS CAN BE CLAIMED PURSUANT TO THIS SECTION ONLY IF, BASED ON
21 THE FINANCIAL REPORT PREPARED BY THE CONTROLLER IN ACCORDANCE
22 WITH SECTION 24-77-106.5, C.R.S., THE CONTROLLER CERTIFIES THAT THE
23 AMOUNT OF STATE REVENUES FOR THE STATE FISCAL YEAR ENDING IN THAT
24 INCOME TAX YEAR EXCEEDS THE LIMITATION ON STATE FISCAL YEAR
25 SPENDING IMPOSED BY SECTION 20 (7) (a) OF ARTICLE X OF THE STATE
26 CONSTITUTION AND THE VOTERS STATEWIDE EITHER HAVE NOT
27 AUTHORIZED THE STATE TO RETAIN AND SPEND ALL OF THE EXCESS STATE
28 REVENUES OR HAVE AUTHORIZED THE STATE TO RETAIN AND SPEND ONLY
29 A PORTION OF THE EXCESS STATE REVENUES FOR THAT FISCAL YEAR.
30

31 (b) IF THE CREDIT ALLOWED UNDER THIS SUBSECTION (8) EXCEEDS
32 THE INCOME TAXES DUE ON THE TAXPAYER'S INCOME, THE AMOUNT OF THE
33 CREDIT NOT USED TO OFFSET INCOME TAXES SHALL NOT BE CARRIED
34 FORWARD AS TAX CREDITS AGAINST THE TAXPAYER'S SUBSEQUENT YEARS'
35 INCOME TAX LIABILITY AND SHALL BE REFUNDED TO THE TAXPAYER.
36

37 (c) ANY TAX CREDIT ALLOWED FOR ANY GIVEN TAXABLE YEAR
38 PURSUANT TO THIS SUBSECTION (8) SHALL BE PUBLISHED IN RULES
39 PROMULGATED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF
40 REVENUE IN ACCORDANCE WITH ARTICLE 4 OF TITLE 24, C.R.S., AND
41 SHALL BE INCLUDED IN INCOME TAX FORMS FOR THAT TAXABLE YEAR.
42

43 (d) (I) IF, BASED ON THE FINANCIAL REPORT PREPARED BY THE
44 CONTROLLER IN ACCORDANCE WITH SECTION 24-77-106.5, C.R.S., THE
45 CONTROLLER CERTIFIES THAT THE AMOUNT OF STATE REVENUES FOR ANY
46 STATE FISCAL YEAR COMMENCING ON OR AFTER JULY 1, 2002, EXCEEDS
47 THE LIMITATION ON STATE FISCAL YEAR SPENDING IMPOSED BY SECTION 20
48 (7) (a) OF ARTICLE X OF THE STATE CONSTITUTION FOR THAT FISCAL YEAR
49 BY LESS THAN _____ MILLION DOLLARS, AS ADJUSTED PURSUANT TO
50 SUBPARAGRAPH (II) OF THIS PARAGRAPH (d), THEN THE CREDIT
51 AUTHORIZED BY THIS SUBSECTION (8) SHALL NOT BE ALLOWED FOR THE
52 INCOME TAX YEAR IN WHICH SAID STATE FISCAL YEAR ENDED.
53

54 (II) (A) NO LATER THAN OCTOBER 1 OF ANY GIVEN CALENDAR
55 YEAR COMMENCING ON OR AFTER JANUARY 1, 2003, THE EXECUTIVE
56 DIRECTOR OF THE DEPARTMENT OF REVENUE SHALL ANNUALLY ADJUST

1 THE DOLLAR AMOUNT SPECIFIED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH
2 (d) TO REFLECT THE RATE OF GROWTH OF COLORADO PERSONAL INCOME
3 FOR THE CALENDAR YEAR IMMEDIATELY PRECEDING THE CALENDAR YEAR
4 IN WHICH SUCH ADJUSTMENT IS MADE; EXCEPT THAT IN 2003 THE
5 EXECUTIVE DIRECTOR SHALL ADJUST SAID DOLLAR AMOUNT TO REFLECT
6 THE RATE OF GROWTH OF COLORADO PERSONAL INCOME FOR CALENDAR
7 YEARS 2001 AND 2002. FOR PURPOSES OF THIS SUB-SUBPARAGRAPH (A),
8 "THE RATE OF GROWTH OF COLORADO PERSONAL INCOME" MEANS THE
9 PERCENTAGE CHANGE BETWEEN THE MOST RECENT PUBLISHED ANNUAL
10 ESTIMATE OF TOTAL PERSONAL INCOME FOR COLORADO, AS DEFINED AND
11 OFFICIALLY REPORTED BY THE BUREAU OF ECONOMIC ANALYSIS IN THE
12 UNITED STATES DEPARTMENT OF COMMERCE FOR THE CALENDAR YEAR
13 IMMEDIATELY PRECEDING THE CALENDAR YEAR IN WHICH THE
14 ADJUSTMENT IS MADE AND THE MOST RECENT PUBLISHED ANNUAL
15 ESTIMATE OF TOTAL PERSONAL INCOME FOR COLORADO, AS DEFINED AND
16 OFFICIALLY REPORTED BY THE BUREAU OF ECONOMIC ANALYSIS IN THE
17 UNITED STATES DEPARTMENT OF COMMERCE FOR THE CALENDAR YEAR
18 PRIOR TO THE CALENDAR YEAR IMMEDIATELY PRECEDING THE CALENDAR
19 YEAR IN WHICH THE ADJUSTMENT IS MADE.

20
21 (B) UPON CALCULATING THE ADJUSTMENT OF SAID DOLLAR
22 AMOUNT IN ACCORDANCE WITH SUB-SUBPARAGRAPH (A) OF THIS
23 SUBPARAGRAPH (II), THE EXECUTIVE DIRECTOR SHALL NOTIFY IN WRITING
24 THE EXECUTIVE COMMITTEE OF THE LEGISLATIVE COUNCIL CREATED
25 PURSUANT TO SECTION 2-3-301 (1), C.R.S., OF THE ADJUSTED DOLLAR
26 AMOUNT AND THE BASIS FOR THE ADJUSTMENT. SUCH WRITTEN
27 NOTIFICATION SHALL BE GIVEN WITHIN FIVE WORKING DAYS AFTER SUCH
28 CALCULATION IS COMPLETED, BUT SUCH WRITTEN NOTIFICATION SHALL BE
29 GIVEN NO LATER THAN OCTOBER 1 OF THE CALENDAR YEAR.

30
31 (C) IT IS THE FUNCTION OF THE EXECUTIVE COMMITTEE TO REVIEW
32 AND APPROVE OR DISAPPROVE SUCH ADJUSTMENT OF SAID DOLLAR
33 AMOUNT WITHIN TWENTY DAYS AFTER RECEIPT OF SUCH WRITTEN
34 NOTIFICATION FROM THE EXECUTIVE DIRECTOR. ANY ADJUSTMENT THAT
35 IS NOT APPROVED OR DISAPPROVED BY THE EXECUTIVE COMMITTEE WITHIN
36 SAID TWENTY DAYS SHALL BE AUTOMATICALLY APPROVED; EXCEPT THAT,
37 IF WITHIN SAID TWENTY DAYS THE EXECUTIVE COMMITTEE SCHEDULES A
38 HEARING ON SUCH ADJUSTMENT, SUCH AUTOMATIC APPROVAL SHALL NOT
39 OCCUR UNLESS THE EXECUTIVE COMMITTEE DOES NOT APPROVE OR
40 DISAPPROVE SUCH ADJUSTMENT AFTER THE CONCLUSION OF SUCH
41 HEARING. ANY HEARING CONDUCTED BY THE EXECUTIVE COMMITTEE
42 PURSUANT TO THIS SUB-SUBPARAGRAPH (C) SHALL BE CONCLUDED NO
43 LATER THAN TWENTY-FIVE DAYS AFTER RECEIPT OF SUCH WRITTEN
44 NOTIFICATION FROM THE EXECUTIVE DIRECTOR.

45
46 (D) IF THE EXECUTIVE COMMITTEE DISAPPROVES ANY ADJUSTMENT
47 OF SAID DOLLAR AMOUNT CALCULATED BY THE EXECUTIVE DIRECTOR
48 PURSUANT TO THIS SUBPARAGRAPH (II), THE EXECUTIVE COMMITTEE SHALL
49 SPECIFY SUCH ADJUSTED DOLLAR AMOUNT TO BE UTILIZED BY THE
50 EXECUTIVE DIRECTOR. ANY ADJUSTED DOLLAR AMOUNT SPECIFIED BY THE
51 EXECUTIVE COMMITTEE PURSUANT TO THIS SUB-SUBPARAGRAPH (D) SHALL
52 BE CALCULATED IN ACCORDANCE WITH THE PROVISIONS OF THIS
53 SUBPARAGRAPH (II). FOR THE PURPOSE OF DETERMINING WHETHER THE
54 CREDIT AUTHORIZED BY THIS SUBSECTION (8) IS TO BE ALLOWED FOR ANY
55 GIVEN INCOME TAX YEAR, THE EXECUTIVE DIRECTOR SHALL NOT UTILIZE
56 ANY ADJUSTED DOLLAR AMOUNT THAT HAS NOT BEEN APPROVED

1 PURSUANT TO SUB-SUBPARAGRAPH (C) OF THIS SUBPARAGRAPH (II) OR
2 OTHERWISE SPECIFIED PURSUANT TO THIS SUB-SUBPARAGRAPH (D).

3
4 (E) IF ONE OR MORE BALLOT QUESTIONS ARE SUBMITTED TO THE
5 VOTERS AT A STATEWIDE ELECTION TO BE HELD IN NOVEMBER OF ANY
6 CALENDAR YEAR COMMENCING ON OR AFTER JANUARY 1, 2003, THAT SEEK
7 AUTHORIZATION FOR THE STATE TO RETAIN AND SPEND ALL OR ANY
8 PORTION OF THE AMOUNT OF EXCESS STATE REVENUES FOR THE STATE
9 FISCAL YEAR ENDING DURING SAID CALENDAR YEAR, THE EXECUTIVE
10 DIRECTOR SHALL NOT DETERMINE WHETHER THE CREDIT AUTHORIZED BY
11 THIS SUBSECTION (8) SHALL BE ALLOWED AND SHALL NOT PROMULGATE
12 RULES CONTAINING SAID CREDIT UNTIL THE IMPACT OF THE RESULTS OF
13 SAID ELECTION ON THE AMOUNT OF THE EXCESS STATE REVENUES TO BE
14 REFUNDED IS ASCERTAINED.

15
16 (e) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT THE
17 CONSERVATION EASEMENT TAX CREDIT PURSUANT TO THIS SUBSECTION (8)
18 IS A REASONABLE METHOD OF REFUNDING A PORTION OF THE STATE EXCESS
19 REVENUES REQUIRED TO BE REFUNDED IN ACCORDANCE WITH SECTION 20
20 (7) (d) OF ARTICLE X OF THE STATE CONSTITUTION."

21
22 Renumber succeeding section accordingly.

23
24
25
26 **HB01-1100** be amended as follows, and as so amended, be referred to
27 the Committee on Appropriations with favorable
28 recommendation:

29
30 Amend printed bill, page 2, strike lines 2 through 23.

31
32 Page 3, strike lines 1 through 26.

33
34 Renumber succeeding sections accordingly.

35
36 Page 4, line 2, strike "amended" and substitute "amended, and the said
37 42-1-211 is further amended BY THE ADDITION OF A NEW
38 SUBSECTION,".

39
40 Page 5, after line 20, insert the following:

41
42 "(8) (a) FOUR MILLION DOLLARS OF THE MONEYS RECEIVED BY THE
43 DEPARTMENT FROM THE FEES IMPOSED BY SECTIONS 42-3-114 (7) (a) AND
44 42-3-115 (4) (a) SHALL BE CREDITED TO THE SPECIAL PURPOSE ACCOUNT
45 IN THE HIGHWAY USERS TAX FUND CREATED IN SUBSECTION (2) OF THIS
46 SECTION. SUCH FOUR MILLION DOLLARS SHALL BE USED TO ADMINISTER
47 THE COLORADO STATE TITLING AND REGISTRATION SYSTEM, INCLUDING,
48 BUT NOT LIMITED TO, UPGRADING THE SYSTEM.

49
50 (b) THIS SUBSECTION (8) IS REPEALED, EFFECTIVE JUNE 30, 2004."

51
52 Page 8, strike lines 9 and 10 and substitute the following:
53 "effect July 1, 2001."

54
55 Page 1, line 103, strike "INCREASING FEES," and substitute
56 "TEMPORARILY REDISTRIBUTING FEES,".

1 **HB01-1112** be postponed indefinitely.

2

3

4 **HB01-1140** be postponed indefinitely.

5

6

7 **HB01-1170** be referred favorably to the Committee on Appropriations.

8

9

10 **HB01-1178** be postponed indefinitely.

11

12

13 **HB01-1201** be amended as follows, and as so amended, be referred to
14 the Committee of the Whole with favorable
15 recommendation:

16

17 Amend printed bill, page 2, line 7, strike "2001," and substitute "2004,";

18

19 line 13, strike "2001," and substitute "2004,";

20

21 line 17, strike "THE CONTRIBUTION," and substitute "A MONETARY
22 CONTRIBUTION OR FORTY-FIVE PERCENT OF THE TOTAL VALUE OF A
23 CONTRIBUTION OF REAL PROPERTY,".

24

25 Page 3, line 6, strike "2001," and substitute "2004,";

26

27 line 25, after "2000," insert "BUT BEFORE JANUARY 1, 2004,".

28

29 Page 4, line 5, after "administrator.", insert "FOR INCOME TAX YEARS
30 COMMENCING ON OR AFTER JANUARY 1, 2004, ANY TAXPAYER WHO MAKES
31 A MONETARY OR IN-KIND CONTRIBUTION OR A CONTRIBUTION OF REAL
32 PROPERTY TO THE ENTERPRISE ZONE ADMINISTRATOR FOR THE PURPOSE OF
33 IMPLEMENTING THE ECONOMIC DEVELOPMENT PLAN SHALL BE ALLOWED
34 A CREDIT AGAINST THE INCOME TAXES IMPOSED BY ARTICLE 22 OF THIS
35 TITLE IN AN AMOUNT EQUAL TO FORTY-FIVE PERCENT OF THE TOTAL VALUE
36 OF ANY MONETARY OR IN-KIND CONTRIBUTION OR CONTRIBUTION OF REAL
37 PROPERTY AS CERTIFIED BY THE ENTERPRISE ZONE ADMINISTRATOR.";

38

39 line 12, strike "2001," and substitute "2004,".

40

41 Page 5, line 19, strike "or in-kind contributions" and substitute "~~or in-kind~~
42 ~~contributions~~".

43

44 Page 6, line 9, strike "2001," and substitute "2004,".

45

46 Page 7, line 6, strike "2001." and substitute "2004."

47

48

49

50

51 **INFORMATION & TECHNOLOGY**

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

54

55 **HB01-1275** be referred to the Committee of the Whole with favorable
56 recommendation.

1 **STATE, VETERANS, & MILITARY AFFAIRS**
2 After consideration on the merits, the Committee recommends the
3 following:

4
5 **HB01-1147** be postponed indefinitely.
6

7
8 **HB01-1158** be postponed indefinitely.
9

10
11
12
13 **TRANSPORTATION & ENERGY**
14 After consideration on the merits, the Committee recommends the
15 following:

16
17 **HB01-1326** be referred favorably to the Committee on Appropriations.
18
19

20
21 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**
22

23 The Speaker has signed: **HB01-1020, 1203; HR01-1008; HJR01-1005,**
24 **1006, 1008, 1009.**
25

26
27
28 **LAY OVER OF CALENDAR ITEMS**
29

30 On motion of Representative Spradley, Consideration of General Orders
31 (**HB01-1150, 1189, 1160, 1152, 1161, 1135** was laid over until
32 February 12, retaining place on Calendar.
33

34
35 On motion of Representative Spradley, the House adjourned until
36 10:00 a.m., February 12, 2001.
37

38 Approved:
39

40
41
42 DOUG DEAN,
43 Speaker

44 Attest:
45
46 JUDITH RODRIGUE,
47 Chief Clerk
48