

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

Sixth Legislative Day

Monday, January 15, 2001

1 Prayer by the Reverend Regina Groff, Associate Pastor of Shorter  
 2 Community African Methodist Episcopal Church, Denver.

3  
 4 The Speaker called the House to order at 10:30 a.m.

5  
 6 The roll was called with the following result:

7  
 8 Present--64.

9 Excused--Representative Schultheis--1.

10  
 11 The Speaker declared a quorum present.

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

**THIRD READING OF BILL--FINAL PASSAGE**

17  
 18  
 19  
 20  
 21  
 22 The following bill was considered on Third Reading. The title was  
 23 publicly read. Reading of the bill at length was dispensed with by  
 24 unanimous consent.

25  
 26 **HB01-1107** by Representative Snook, Cloer, Rhodes, Dean, Stengel,  
 27 Spence; also Senator Hernandez--Concerning the  
 28 provision of additional funding for the low-income energy  
 29 assistance program, and making an appropriation therefor.

30  
 31 The question being "Shall the bill pass?".

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

35  
 36 YES 58                      NO 6                      EXCUSED 1                      ABSENT 0

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	N	Stafford	Y
41	Borodkin	Y	Hodge	Y	Paschall	N	Stengel	Y
42	Boyd	Y	Hoppe	Y	Plant	Y	Swenson	N
43	Cadman	N	Jahn	Y	Ragsdale	Y	Tapia	Y
44	Chavez	Y	Jameson	Y	Rhodes	Y	Tochtrop	Y
45	Clapp	Y	Johnson	Y	Rippy	Y	Veiga	Y

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

10

11 Co-sponsors added: Representatives Alexander, Bacon, Boyd, Chavez,  
 12 Coleman, Daniel, Decker, Fairbank, Garcia, Groff, Grossman, Hoppe, Kester,  
 13 Lawrence, Mace, Madden, Marshall, Miller, Plant, Ragsdale, Romanoff,  
 14 Saliman, Sanchez, Stafford, Tapia, Tochtrop, Williams T.

15

16

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18

### CONSIDERATION OF RESOLUTION

19

20 **HR01-1006** by Representative Spradley, Dean--Concerning the repeal  
 21 of a provision in the house rules of procedure for  
 22 committees of reference that requires the committee to  
 23 specify the amount and source of an appropriation in the  
 24 bill prior to passage by the committee of reference.

25

26 (Printed and placed in member's file; also printed in House Journal,  
 27 January 12, page 78.)

28

29 On motion of Representative Spradley, the resolution was **adopted** by  
 30 **viva voce** vote.

31

32 Co-sponsors added: Representatives Coleman, Vigil, Weddig, Young.

33

34

35

36

### PRINTING REPORT

37

38 The Chief Clerk reports the following bills have been correctly printed:  
 39 **HB01-1122, 1123, 1124, 1125, 1126, 1127, 1128, 1129.**

40

41

42

43

House in recess. House reconvened.

44

45

46

47

### INTRODUCTION OF BILLS

48

#### First Reading

49

50 The following bills were read by title and referred to the committees  
 51 indicated:

52

53 **HB01-1125** by Representative(s) Miller; also Senator Teck--  
 54 Concerning measures that will prevent the misuse of  
 55 certain forms of identification.

56

Committee on Information & Technology

- 1 **HB01-1126** by Representative(s) Jahn--Concerning limitations on the  
2 use of consumer credit information in connection with the  
3 issuance of insurance policies.  
4 Committee on Information & Technology  
5
- 6 **HB01-1127** by Representative(s) Plant--Concerning a home purchase  
7 assistance program for an individual employed in a public  
8 service profession who chooses to purchase housing in the  
9 community in which the individual is employed.  
10 Committee on State, Veterans, & Military Affairs  
11 Committee on Finance  
12 Committee on Appropriations  
13
- 14 **HB01-1128** by Representative(s) Fairbank--Concerning the use of  
15 means of payment other than petty cash to pay liabilities  
16 incurred on behalf of the state without previously filed  
17 commitment vouchers.  
18 Committee on Finance  
19
- 20 **HB01-1129** by Representative(s) King, Cadman, Cloer, Fritz, Larson,  
21 Rhodes, Schultheis, Spence, Williams T.; also Senator(s)  
22 Dyer (Durango)--Concerning conditions of participation  
23 in extracurricular activities sponsored by school districts.  
24 Committee on Education  
25
- 26 **HB01-1130** by Representative(s) Grossman; also Senator(s) Lamborn--  
27 Concerning DNA testing of felons sentenced to the  
28 department of corrections.  
29 Committee on Civil Justice & Judiciary  
30
- 31 **HB01-1131** by Representative(s) Spence, Alexander, Cadman, Clapp,  
32 Coleman, Dean, Decker, Fritz, Hefley, Johnson, Kester,  
33 King, Larson, Marshall, Mitchell, Nuñez, Rippey,  
34 Tochtrop, Weddig, White, Williams S., Williams T.,  
35 Witwer; also Senator(s) Anderson--Concerning changes to  
36 the terminology describing information on school  
37 performance, and, in connection therewith, changing the  
38 name of school report cards to school accountability  
39 reports, replacing letter grades with descriptive  
40 measurements, and applying the same descriptive  
41 measurements for school improvement to all schools.  
42 Committee on Education  
43
- 44 **HB01-1132** by Representative(s) Scott, Witwer, Mitchell, Boyd, Groff,  
45 Mace, Madden, Paschall, Plant, Swenson, Veiga; also  
46 Senator(s) Tupa--Concerning the annexation by a special  
47 statutory district of unincorporated territory that is entirely  
48 surrounded by the district.  
49 Committee on Local Government  
50
- 51 **HB01-1133** by Representative(s) Tapia, Borodkin, Coleman,  
52 Grossman, Sanchez, Veiga; also Senator(s) Dennis--  
53 Concerning the eligibility criteria for resident bidders  
54 given bid preference on construction contracts for public  
55 projects.  
56 Committee on State, Veterans, & Military Affairs

- 1 **HB01-1134** by Representative(s) Decker--Concerning infectious and  
2 communicable diseases.  
3 Committee on Health, Environment, Welfare, & Institutions  
4
- 5 **HB01-1135** by Representative(s) Clapp--Concerning the creation of a  
6 pilot program to promote voting through networked  
7 electronic election systems in certain special district  
8 elections.  
9 Committee on Information & Technology  
10
- 11 **HB01-1136** by Representative(s) Witwer--Concerning the creation of  
12 a statewide fire fighting resource database.  
13 Committee on Information & Technology  
14
- 15 **HB01-1137** by Representative(s) Sanchez--Concerning financial  
16 incentives to promote community support of public  
17 schools, and, in connection therewith, providing a credit  
18 against the state income tax for individuals who volunteer  
19 at Colorado public schools and for employers whose paid  
20 employees volunteer at Colorado public schools.  
21 Committee on Education  
22 Committee on Finance  
23
- 24 **HB01-1138** by Representative(s) Cadman--Concerning state  
25 information technology governance.  
26 Committee on Information & Technology  
27  
28
- 29 **HB01-1139** by Representative(s) Jameson--Concerning regional  
30 planning boards.  
31 Committee on Local Government  
32
- 33 **HB01-1140** by Representative(s) Tochtrop; also Senator(s) Tupa--  
34 Concerning the creation of a state income tax credit for  
35 nonreimbursed expenses incurred by individual taxpayers  
36 in making residences accessible to persons with  
37 disabilities.  
38 Committee on Finance  
39 Committee on Appropriations  
40
- 41 **HB01-1141** by Representative(s) Bacon--Concerning modifications of  
42 the charter school application process.  
43 Committee on Education  
44  
45
- 46 **HB01-1142** by Representative(s) Spence, Snook, Alexander, Bacon,  
47 Berry, Clapp, Crane, Daniel, Decker, Groff, Hefley,  
48 Kester, King, Larson, Lee, Mitchell, Stafford, Weddig,  
49 White, Williams S., Williams T., Witwer; also Senator(s)  
50 Tate, Andrews, Hillman, Windels--Concerning the teacher  
51 loan forgiveness program, and making an appropriation  
52 therefor.  
53 Committee on Education  
54 Committee on Appropriations  
55

1 **HB01-1143** by Representative(s) Borodkin, Coleman, Groff, Jameson,  
2 Madden, Tapia; also Senator(s) Tupa--Concerning a study  
3 of statewide transportation alternatives for low-income  
4 workers.

5 Committee on Transportation & Energy

6  
7 **HB01-1144** by Representative(s) Young, Stengel--Concerning the  
8 creation of long-term care community councils.

9 Committee on Health, Environment, Welfare, & Institutions

10

11

12

13

14

### INTRODUCTION OF RESOLUTION

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

17

18 **HJR01-1005** by Representative(s) Dean, Coleman, King, Smith,  
19 Williams T.; also Senator(s) Anderson, Andrews, Owen,  
20 Pascoe, Tate--Concerning changes to joint rule 36 of the  
21 rules of the Senate and the House of Representatives.

22

23 *Be It Resolved by the Senate of the Sixty-third General Assembly*  
24 *of the State of Colorado, the House of Representatives concurring herein:*

25

26 That Joint Rule No. 36 (b) of the Joint Rules of the Senate and the  
27 House of Representatives is amended BY THE ADDITION OF A NEW  
28 PARAGRAPH to read:

29

30

### 36. LOBBYING PRACTICES

31

32 (b) *Prohibited practices.* No person engaging in lobbying shall:

33

34 (5.5) FILE AGAINST ANOTHER LOBBYIST A COMPLAINT  
35 SUBSEQUENTLY FOUND BY THE EXECUTIVE COMMITTEE TO  
36 BE FRIVOLOUS.

37

38 That Joint Rule No. 36 (c) of the Joint Rules of the Senate and the  
39 House of Representatives is amended BY THE ADDITION OF A NEW  
40 PARAGRAPH to read:

41

42

### 36. LOBBYING PRACTICES

43

44 (c) *Registration - filing of disclosure statements - disclosure of*  
45 *relationship with client.*

46

47 (3) IF THE SECRETARY OF STATE LEARNS OF THE EXISTENCE OF  
48 A SUBSTANTIAL VIOLATION OF PART 3 OF ARTICLE 6 OF  
49 TITLE 24, C.R.S., BY A PERSON ENGAGED IN LOBBYING, THE  
50 SECRETARY OF STATE SHALL PROMPTLY NOTIFY BOTH THE  
51 PRESIDENT OF THE SENATE WHO SHALL NOTIFY ALL  
52 MEMBERS OF THE SENATE AND THE SPEAKER OF THE HOUSE  
53 OF REPRESENTATIVES WHO SHALL NOTIFY ALL MEMBERS OF  
54 THE HOUSE OF REPRESENTATIVES. IF SUCH A NOTICE IS  
55 RECEIVED AND IF A COMPLAINT PURSUANT TO SUBSECTION  
56 (d) OF THIS RULE IS FILED, UPON THE ADOPTION OF A

1 RESOLUTION, EITHER HOUSE MAY RESTRICT THE ACCESS OF  
 2 THE PERSON IDENTIFIED IN THE NOTICE TO MEMBERS,  
 3 COMMITTEES, AND OTHER ACTIVITIES OF THAT HOUSE  
 4 PENDING THE OUTCOME OF THE COMPLAINT.  
 5

6 That Joint Rule No. 36 (d) (1), 36 (d) (2), 36 (d) (4), and 36 (d) (5)  
 7 of the Joint Rules of the Senate and the House of Representatives are  
 8 amended to read:  
 9

### 10 36. LOBBYING PRACTICES

#### 11 (d) *Violations - complaint.*

- 12 (1) Any person who has knowledge of a violation of any  
 13 provisions of this Joint Rule may file a written complaint,  
 14 signed by the complainant and describing the alleged  
 15 violation, with ~~the President of the Senate and the Speaker~~  
 16 ~~of the House of Representatives~~ ANY MEMBER OF THE  
 17 EXECUTIVE COMMITTEE. The President and the Speaker  
 18 shall inform the person accused of a violation of the fact  
 19 that a complaint has been filed, ~~and of the nature of the~~  
 20 ~~complaint, However~~ AND the name or names of the person  
 21 or persons filing the complaint. ~~shall remain confidential.~~  
 22 AS SOON AS POSSIBLE AFTER THE COMPLAINT HAS BEEN  
 23 FILED AND NOTWITHSTANDING THE PROVISIONS OF PART 4  
 24 OF ARTICLE 6 OF TITLE 24, THE EXECUTIVE COMMITTEE  
 25 SHALL MEET IN EXECUTIVE SESSION TO DISCUSS THE  
 26 COMPLAINT. ~~The President and the Speaker~~ DURING THE  
 27 EXECUTIVE SESSION, THE EXECUTIVE COMMITTEE may  
 28 dismiss the complaint. IF THE COMPLAINT IS DISMISSED  
 29 PRIOR TO THE APPOINTMENT OF A COMMITTEE OF  
 30 LEGISLATORS, THE COMPLAINT SHALL REMAIN  
 31 CONFIDENTIAL. IF THE EXECUTIVE COMMITTEE FINDS THAT  
 32 A COMPLAINT FILED BY A LOBBYIST AGAINST ANOTHER  
 33 LOBBYIST WAS FRIVOLOUS, THE EXECUTIVE COMMITTEE  
 34 MAY DIRECT THAT THE PRESIDENT AND SPEAKER INFORM  
 35 THE ACCUSING LOBBYIST OF THE FINDING AND APPOINT A  
 36 COMMITTEE OF LEGISLATORS PURSUANT TO PARAGRAPH (2)  
 37 OF THIS SUBSECTION (d).  
 38  
 39  
 40  
 41 (2) If the complaint is not dismissed, THE EXECUTIVE  
 42 COMMITTEE MAY DIRECT the President and the Speaker  
 43 ~~may~~ TO appoint a committee of legislators to interview the  
 44 parties involved, as well as any other persons who may be  
 45 able to provide relevant information, and to present to the  
 46 ~~President and the Speaker~~ EXECUTIVE COMMITTEE such  
 47 facts and information obtained. Once a committee is  
 48 appointed, the President and the Speaker shall provide the  
 49 person who is the subject of the written complaint with a  
 50 copy of the written complaint. ~~including the name of the~~  
 51 ~~complainant.~~  
 52  
 53 (4) All proceedings of the committee shall be ~~secret, and the~~  
 54 ~~committee shall require an oath of secrecy from all~~  
 55 ~~witnesses appearing before them, except on the request of~~  
 56 ~~the accused for an open hearing~~ PUBLIC. The accused

1 shall be entitled to be present during the proceedings. The  
2 committee members shall ~~not release any information~~  
3 ~~about the conduct of their proceedings or the testimony~~  
4 ~~received until they~~ SUBMIT A report to the President and  
5 ~~the Speaker and then only if they recommend that~~  
6 ~~remedial measures be prescribed~~ EXECUTIVE COMMITTEE.  
7

- 8 (5) After receiving the facts and information from the  
9 committee and after such facts and information have been  
10 provided to the person who is the subject of the written  
11 complaint, and after such person has received a reasonable  
12 opportunity to be heard by the President and the Speaker,  
13 ~~the President and Speaker may dismiss the complaint or~~  
14 ~~may prescribe such remedial measures as they deem~~  
15 ~~appropriate, including, but not limited to, the issuance of~~  
16 ~~a letter of admonition or recommendation of a resolution~~  
17 ~~of censure to be acted upon by the General Assembly.~~  
18 ~~However, such measures may not include suspension of~~  
19 ~~lobbying privileges. Alternatively, the President and the~~  
20 ~~Speaker may refer a complaint, together with the facts and~~  
21 ~~information provided by the committee of legislators, to~~  
22 ~~the Executive Committee of the Legislative Council. the~~  
23 Executive Committee shall act on said complaint at its  
24 next meeting or at a special meeting called for that  
25 purpose; however, the person who is the subject of the  
26 written complaint shall receive a reasonable opportunity to  
27 be heard by the Executive Committee and has the right to  
28 be present during its deliberations. The Executive  
29 Committee may dismiss the complaint or, if it determines  
30 that said violation occurred, it may prescribe such  
31 remedial measures as it deems appropriate, including, but  
32 not limited to, suspension of lobbying privileges before the  
33 General Assembly or any of its committees, or it may  
34 issue a letter of admonition or recommend a resolution of  
35 censure to be acted upon by the General Assembly. If the  
36 Executive Committee of the Legislative Council finds that  
37 the issuance of subpoenas is necessary in any such  
38 investigation, it may request such power, in accordance  
39 with Joint Rule No. 33, from the General Assembly or  
40 when the General Assembly is not in session from the  
41 entire Legislative Council.  
42

43  
44 On motion of Representative Spradley, the House adjourned until  
45 9:00 a.m., January 16, 2001.  
46

47 Approved:

48  
49  
50  
51 DOUG DEAN,  
52 Speaker

53 Attest:

54  
55 JUDITH RODRIGUE,  
56 Chief Clerk