

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

Thirteenth Legislative Day

Monday, January 22, 2001

1 Prayer by the Reverend Dr. 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--65.

9  
10 The Speaker declared a quorum present.

11  
12  
13 On motion of Representative Boyd, the reading of the journal of  
14 January 19, 2001, was dispensed with and approved as corrected by the  
15 Chief Clerk.

16  
17  
18  
19 **REPORTS OF COMMITTEES OF REFERENCE**

20  
21 **CIVIL JUSTICE & JUDICIARY**

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

24  
25 **HB01-1117** be amended as follows, and as so amended, be referred to  
26 the Committee of the Whole with favorable  
27 recommendation:

28  
29 Amend printed bill, page 2, line 4, after “**modalities.**” insert “(1)”;

30 strike line 11 and substitute the following:

31  
32  
33 "OFFENDERS NOR IMPLEMENT ANY NEW TREATMENT MODALITY UNLESS  
34 THE FACILITY OR MODALITY";

35  
36 after line 12, insert the following:

37  
38 “(2) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2002.”.

39  
40 Page 1, strike line 101 and substitute the following:

41  
42 "CONCERNING THE PREREQUISITE THAT PUBLIC ENTITIES OBTAIN THE  
43 ADVICE OF THE SEX OFFENDER MANAGEMENT BOARD PRIOR TO TAKING  
44 CERTAIN ACTIONS RELATED TO THE PROVISIONS OF TREATMENT FOR  
45 JUVENILE SEX OFFENDERS."

1 **LOCAL GOVERNMENT**

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

4  
5 **HB01-1008** be referred to the Committee of the Whole with favorable  
6 recommendation.

7  
8  
9 **HB01-1083** be postponed indefinitely.

10 \_\_\_\_\_  
11  
12  
13 **MESSAGES FROM THE SENATE**

14 Mr. Speaker:

15  
16 The Senate has adopted and transmits herewith: SJR01-003, amended as  
17 printed in Senate Journal, January 19.

18 \_\_\_\_\_  
19  
20 The Senate voted to recall HJR01-1007 for purposes of reconsideration,  
21 and requests return of the bill.

22 \_\_\_\_\_  
23  
24 **INTRODUCTION OF RESOLUTION**

25  
26 The following resolution was read by title and laid over one day under the  
27 rules:

28  
29 **SJR01-003** by Senator(s) Thiebaut, Matsunaka; also Representative(s)  
30 Spradley, Dean--Concerning oversight responsibilities of  
31 committees of reference.

32 \_\_\_\_\_  
33  
34  
35 **THIRD READING OF BILLS--FINAL PASSAGE**

36  
37 The following bills were considered on Third Reading. The titles were  
38 publicly read. Reading of the bill at length was dispensed with by  
39 unanimous consent.

40  
41 **HB01-1004** by Representative(s) Hefley, Lawrence, Tochtrop; also  
42 Senator(s) Epps, Evans, Hagedorn, Linkhart--Concerning  
43 earned income disregards for the Colorado works program.

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

49

50	YES 65	NO 0	EXCUSED 0	ABSENT 0			
51	Alexander	Y Groff	Y Miller	Y Spence	Y		Y
52	Bacon	Y Grossman	Y Mitchell	Y Spradley	Y		Y
53	Berry	Y Hefley	Y Nuñez	Y Stafford	Y		Y
54	Borodkin	Y Hodge	Y Paschall	Y Stengel	Y		Y
55	Boyd	Y Hoppe	Y Plant	Y Swenson	Y		Y
56	Cadman	Y Jahn	Y Ragsdale	Y Tapia	Y		Y

1	Chavez	Y	Jameson	Y	Rhodes	Y	Tochtrop	Y
2	Clapp	Y	Johnson	Y	Rippy	Y	Veiga	Y
3	Cloer	Y	Kester	Y	Romanoff	Y	Vigil	Y
4	Coleman	Y	King	Y	Saliman	Y	Webster	Y
5	Crane	Y	Larson	Y	Sanchez	Y	Weddig	Y
6	Daniel	Y	Lawrence	Y	Schultheis	Y	White	Y
7	Decker	Y	Lee	Y	Scott	Y	Williams S.	Y
8	Fairbank	Y	Mace	Y	Sinclair	Y	Williams T.	Y
9	Fritz	Y	Madden	Y	Smith	Y	Witwer	Y
10	Garcia	Y	Marshall	Y	Snook	Y	Young	Y
11							Mr. Speaker	Y

12  
13 Co-sponsors added: Representatives Bacon, Boyd, Coleman, Crane, Daniel,  
14 Grossman, Ragsdale, Romanoff, Schultheis, Tapia, Vigil, Williams S.

15  
16 **HB01-1035** by Representative(s) Spence, Larson; also Senator(s)  
17 Tupa--Concerning appointments to higher education  
18 boards and commissions.

19  
20 The question being "Shall the bill pass?".

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

24								
25	<u>YES</u>	65	<u>NO</u>	0	<u>EXCUSED</u>	0	<u>ABSENT</u>	0
26								
27	Alexander	Y	Groff	Y	Miller	Y	Spence	Y
28	Bacon	Y	Grossman	Y	Mitchell	Y	Spradley	Y
29	Berry	Y	Hefley	Y	Nuñez	Y	Stafford	Y
30	Borodkin	Y	Hodge	Y	Paschall	Y	Stengel	Y
31	Boyd	Y	Hoppe	Y	Plant	Y	Swenson	Y
32	Cadman	Y	Jahn	Y	Ragsdale	Y	Tapia	Y
33	Chavez	Y	Jameson	Y	Rhodes	Y	Tochtrop	Y
34	Clapp	Y	Johnson	Y	Rippy	Y	Veiga	Y
35	Cloer	Y	Kester	Y	Romanoff	Y	Vigil	Y
36	Coleman	Y	King	Y	Saliman	Y	Webster	Y
37	Crane	Y	Larson	Y	Sanchez	Y	Weddig	Y
38	Daniel	Y	Lawrence	Y	Schultheis	Y	White	Y
39	Decker	Y	Lee	Y	Scott	Y	Williams S.	Y
40	Fairbank	Y	Mace	Y	Sinclair	Y	Williams T.	Y
41	Fritz	Y	Madden	Y	Smith	Y	Witwer	Y
42	Garcia	Y	Marshall	Y	Snook	Y	Young	Y
43							Mr. Speaker	Y

44  
45 Co-sponsors added: Representatives Cloer, Coleman, Crane, Decker, Hefley,  
46 Hoppe, Jahn, King, Mace, Madden, Nuñez, Stafford, Tapia, Williams S.

47  
48 **HB01-1037** by Representative(s) Fairbank; also Senator(s) Phillips--  
49 Concerning the creation of specific requirements for health  
50 care provider networks that conduct insurance business in  
51 the state of Colorado.

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

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

	YES 65	NO 0	EXCUSED 0	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	Y Stafford Y
6	Borodkin	Y Hodge	Y Paschall	Y 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	Y 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

20  
21

22  
23 **HB01-1041** by Representative(s) Young, Miller; also Senator(s)  
24 Anderson, Lamborn, Linkhart, Reeves, Taylor, Windels--  
25 Concerning the duties of the Colorado department of  
26 education in providing oversight of the Colorado  
27 preschool program.

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

53  
54 Co-sponsors added: Representatives Boyd, Coleman, Jahn, Mace, Romanoff,  
55 Tapia, Williams S.

56

1 **HB01-1053** by Representative(s) Fritz; also Senator(s) Hanna--  
 2 Concerning technical changes to make residential facility  
 3 terminology uniform.  
 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 Y
13	Bacon	Y	Grossman	Y	Mitchell	Y Spradley Y
14	Berry	Y	Hefley	Y	Nuñez	Y Stafford Y
15	Borodkin	Y	Hodge	Y	Paschall	Y Stengel Y
16	Boyd	Y	Hoppe	Y	Plant	Y Swenson Y
17	Cadman	Y	Jahn	Y	Ragsdale	Y Tapia Y
18	Chavez	Y	Jameson	Y	Rhodes	Y Tochtrop Y
19	Clapp	Y	Johnson	Y	Rippy	Y Veiga Y
20	Cloer	Y	Kester	Y	Romanoff	Y Vigil Y
21	Coleman	Y	King	Y	Saliman	Y Webster Y
22	Crane	Y	Larson	Y	Sanchez	Y Weddig Y
23	Daniel	Y	Lawrence	Y	Schultheis	Y White Y
24	Decker	Y	Lee	Y	Scott	Y Williams S. Y
25	Fairbank	Y	Mace	Y	Sinclair	Y Williams T. Y
26	Fritz	Y	Madden	Y	Smith	Y Witwer Y
27	Garcia	Y	Marshall	Y	Snook	Y Young Y
28						Mr. Speaker Y
29						

30 Co-sponsors added: Representatives Boyd, Coleman, Jahn, Lee, Mace, Sinclair,  
 31 Stafford, Tochtrop.  
 32

33 **HB01-1080** by Representative(s) Borodkin, Daniel, Hodge; also  
 34 Senator(s) Hagedorn--Concerning a study by the Colorado  
 35 health care task force of innovative housing options for  
 36 older people who can no longer live independently in their  
 37 communities.  
 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 42	NO 23	EXCUSED 0	ABSENT 0		
45						
46	Alexander	Y	Groff	Y	Miller	Y Spence N
47	Bacon	Y	Grossman	Y	Mitchell	N Spradley Y
48	Berry	N	Hefley	N	Nuñez	N Stafford N
49	Borodkin	Y	Hodge	Y	Paschall	N Stengel N
50	Boyd	Y	Hoppe	N	Plant	Y Swenson N
51	Cadman	N	Jahn	Y	Ragsdale	Y Tapia Y
52	Chavez	Y	Jameson	Y	Rhodes	N Tochtrop Y
53	Clapp	N	Johnson	Y	Rippy	Y Veiga Y
54	Cloer	Y	Kester	Y	Romanoff	Y Vigil Y
55	Coleman	Y	King	N	Saliman	Y Webster Y
56	Crane	N	Larson	Y	Sanchez	Y Weddig Y

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

8 Co-sponsors added: Representatives Boyd, Chavez, Coleman, Garcia, Groff,  
 9 Grossman, Jahn, Johnson, Kester, Mace, Madden, Marshall, Miller, Plant,  
 10 Ragsdale, Romanoff, Sanchez, Tapia, Tochtrop, Veiga, Vigil, Williams S.

14 On motion of Representative Swenson, the House resolved itself into  
 15 Committee of the Whole for consideration of General Orders, and he was  
 16 called to the Chair to act as Chairman.

### 19 GENERAL ORDERS--SECOND READING OF BILLS

21 The Committee of the Whole having risen, the Chairman reported the  
 22 titles of the following bills had been read (reading at length had been  
 23 dispensed with by unanimous consent), the bills considered and action  
 24 taken thereon as follows:

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

29 **HB01-1015** by Representative(s) Miller--Concerning the submission  
 30 of information to a local liquor licensing authority by an  
 31 applicant seeking the transfer of a liquor license.

33 Ordered engrossed and placed on the Calendar for Third Reading and  
 34 Final Passage.

36 **HB01-1016** by Representative(s) Larson--Concerning the investment  
 37 adviser registration depository under the "Colorado  
 38 Securities Act".

40 Ordered engrossed and placed on the Calendar for Third Reading and  
 41 Final Passage.

43 **HB01-1039** by Representative(s) Cloer--Concerning the repeal of  
 44 obsolete provisions regarding temporary help contracting  
 45 firms.

47 Ordered engrossed and placed on the Calendar for Third Reading and  
 48 Final Passage.

50 **HB01-1055** by Representative(s) Snook; also Senator(s) Taylor--  
 51 Concerning a requirement that title insurance companies  
 52 file fees with the commissioner of insurance.

54 Ordered engrossed and placed on the Calendar for Third Reading and  
 55 Final Passage.

56

1 **HB01-1005** by Representative(s) Berry--Concerning relief from state  
2 income tax liability for an individual who unknowingly  
3 makes a joint income tax return upon which such  
4 individual's spouse has understated income tax liability.  
5

6 Ordered engrossed and placed on the Calendar for Third Reading and  
7 Final Passage.  
8

9 **HB01-1011** by Representative(s) Mace, Alexander, Miller, Plant,  
10 Ragsdale, Scott, Smith; also Senator(s) Andrews--  
11 Concerning revisions to the laws governing new hire fire  
12 and police pension plans.  
13

14 Amendment No. 1, Local Government, dated January 17, 2001, and  
15 placed in member's bill file; Report also printed in House Journal,  
16 January 18, page 118.  
17

18 As amended, ordered engrossed and placed on the Calendar for Third  
19 Reading and Final Passage.  
20

21 **HB01-1020** by Representative(s) Hoppe--Concerning changes to the  
22 "Colorado Agricultural Marketing Act of 1939" to permit  
23 assessments on certain crops produced outside of  
24 Colorado for sale in Colorado, and, in connection  
25 therewith, clarifying who is required to collect  
26 assessments and defining "handler" to include producers  
27 who ship agricultural commodities, purchasers of  
28 agricultural commodities, and governmental entities that  
29 acquire interests in agricultural commodities under  
30 governmental agricultural commodity programs.  
31

32 Ordered engrossed and placed on the Calendar for Third Reading and  
33 Final Passage.  
34

35 **HB01-1023** by Representative(s) Tochtrop, Coleman; also Senator(s)  
36 Anderson--Concerning the establishment of a reduced-rate  
37 nursing license for retired volunteer nurses.  
38

39 Amendment No. 1, Finance, dated January 17, 2001, and placed in  
40 member's bill file; Report also printed in House Journal, January 18,  
41 page 117.  
42

43 As amended, ordered engrossed and placed on the Calendar for Third  
44 Reading and Final Passage.  
45

46 **HB01-1027** by Representative(s) Plant, Alexander, Mace, Miller,  
47 Ragsdale, Scott, Smith; also Senator(s) Andrews--  
48 Concerning survivor benefits for certain survivors of  
49 members of the statewide death and disability pension  
50 plan for police officers and firefighters upon the death of  
51 a member in active service who is not eligible for a normal  
52 retirement pension.  
53

54 Ordered engrossed and placed on the Calendar for Third Reading and  
55 Final Passage.  
56

1 **HB01-1056** by Representative(s) Tapia--Concerning construction  
2 contracts for public projects.  
3

4 Amendment No. 1, Finance, dated January 17, 2001, and placed in  
5 member's bill file; Report also printed in House Journal, January 18,  
6 page 118.  
7

8 As amended, ordered engrossed and placed on the Calendar for Third  
9 Reading and Final Passage.  
10

11 **HB01-1069** by Representative(s) Lawrence; also Senator(s) Gordon--  
12 Concerning cruelty to animals.  
13

14 Ordered engrossed and placed on the Calendar for Third Reading and  
15 Final Passage.  
16

17 **HB01-1203** by Representative(s) Dean; also Senator(s) Dyer  
18 (Durango)--Concerning weight limits for veteran license  
19 plates.  
20

21 Ordered engrossed and placed on the Calendar for Third Reading and  
22 Final Passage.  
23

---

24  
25  
26 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**  
27

28 Passed Second Reading: **HB01-1015, 1016, 1039, 1055, 1005, 1011**  
29 **amended, 1020, 1023 amended, 1027, 1056 amended, 1069, 1203.**  
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 65	NO 0	EXCUSED 0	ABSENT 0		
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 Y
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

---



