

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

One Hundred-eleventh Legislative Day Monday, April 30, 2001

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

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

5
6 The roll was called with the following result:

7
8 Present--64.
9 Excused--Representative Saliman--1.

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12 The Speaker declared a quorum present.

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15 On motion of Representative Rippy, the reading of the journal of
16 April 27, 2001, was declared dispensed with and approved as corrected
17 by the Chief Clerk.

THIRD READING OF BILLS--FINAL PASSAGE

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23 The following bills were considered on Third Reading. The titles were
24 publicly read. Reading of the bill at length was dispensed with by
25 unanimous consent.

26
27 **HB01-1385** by Representative(s) Lawrence, Larson, Miller; also
28 Senator(s) Phillips, Windels--Concerning the development
29 of a master plan for state facilities located in the state
30 capitol buildings group, and making an appropriation in
31 connection therewith.

32
33 The question being "Shall the bill pass?".
34 A roll call vote was taken. As shown by the following recorded vote, a
35 majority of those elected to the House voted in the affirmative and the bill
36 was declared **passed**.

37

YES	63	NO	1	EXCUSED	1	ABSENT	0
40 Alexander	Y	Groff	Y	Miller	Y	Spence	Y
41 Bacon	Y	Grossman	Y	Mitchell	Y	Spradley	Y
42 Berry	Y	Hefley	Y	Nuñez	Y	Stafford	Y
43 Borodkin	Y	Hodge	Y	Paschall	Y	Stengel	Y
44 Boyd	Y	Hoppe	Y	Plant	Y	Swenson	Y
45 Cadman	Y	Jahn	Y	Ragsdale	Y	Tapia	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	E	Webster	Y
5	Crane	Y	Larson	Y	Sanchez	Y	Weddig	Y
6	Daniel	Y	Lawrence	Y	Schultheis	Y	White	Y
7	Decker	Y	Lee	N	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

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Co-sponsors added: Representatives Lee, Scott, Stengel.

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HB01-1400 by Representative(s) Berry, Young, Saliman; also Senator(s) Owen, Reeves, Tate--Concerning a one year waiver of the target reserve requirement for five specific cash funds for the 2000-01 fiscal year only, and, in connection therewith, authorizing a one time waiver of the target reserve requirement for the educator licensure cash fund, the supplier database cash fund, the emergency services medical services account of the highway users tax fund, the wildlife cash fund, and the historical society enterprise services fund.

The question being "Shall the bill pass?".

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

YES	64	NO	0	EXCUSED	1	ABSENT	0
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34	Alexander	Y	Groff	Y	Miller	Y	Spence	Y
35	Bacon	Y	Grossman	Y	Mitchell	Y	Spradley	Y
36	Berry	Y	Hefley	Y	Nuñez	Y	Stafford	Y
37	Borodkin	Y	Hodge	Y	Paschall	Y	Stengel	Y
38	Boyd	Y	Hoppe	Y	Plant	Y	Swenson	Y
39	Cadman	Y	Jahn	Y	Ragsdale	Y	Tapia	Y
40	Chavez	Y	Jameson	Y	Rhodes	Y	Tochtrop	Y
41	Clapp	Y	Johnson	Y	Rippy	Y	Veiga	Y
42	Cloer	Y	Kester	Y	Romanoff	Y	Vigil	Y
43	Coleman	Y	King	Y	Saliman	E	Webster	Y
44	Crane	Y	Larson	Y	Sanchez	Y	Weddig	Y
45	Daniel	Y	Lawrence	Y	Schultheis	Y	White	Y
46	Decker	Y	Lee	Y	Scott	Y	Williams S.	Y
47	Fairbank	Y	Mace	Y	Sinclair	Y	Williams T.	Y
48	Fritz	Y	Madden	Y	Smith	Y	Witwer	Y
49	Garcia	Y	Marshall	Y	Snook	Y	Young	Y
50							Mr. Speaker	Y

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Co-sponsors added: Representatives Kester, Stengel.

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REPORTS OF COMMITTEE OF REFERENCE**APPROPRIATIONS**

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

HB01-1199 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend the Health, Environment, Welfare, and Institutions Committee Report, dated April 23, 2001, page 1, strike lines 3 through 17.

Page 2, strike lines 1 through 11;

line 12, strike "**SECTION 2.**" and substitute "**SECTION 1.**";

after line 22, insert the following:

"SECTION 2. Appropriation - adjustments to the 2001 long bill. For the implementation of this act, appropriations reflected in the annual general appropriation act for the fiscal year beginning July 1, 2001, shall be adjusted as follows:

(a) The federal funds anticipated to be received by the department of health care policy and financing, medical programs administration, is increased by two hundred ninety-three thousand two hundred thirty-seven dollars (\$293,237) and 0.2 FTE. Of said sum, ten thousand four hundred thirty-six dollars (\$10,436) and 0.2 FTE shall be for personal services and two hundred eighty-two thousand eight hundred one dollars (\$282,801) shall be for medicaid management information system costs.

(b) The federal funds anticipated to be received by the department of health care policy and financing, other medical services, S.B. 97-101 public school health services, is decreased by two hundred thirty-seven dollars (\$293,237).

(c) The cash funds exempt appropriation to the department of education, assistance to public schools, grant programs and other distributions, SB 97-101 public school health services, is decreased by two hundred thirty-seven dollars (\$293,237).";

after line 25, insert the following:

"Page 1, line 101, strike "**REFORMS.**" and substitute "**REFORMS, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH.**"."

HB01-1387 be referred to the Committee of the Whole with favorable recommendation.

HB01-1394 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, page 7, after line 11, insert the following:

2

3 **"SECTION 5. Appropriation.** In addition to any other
4 appropriation, there is hereby appropriated, out of any moneys in the
5 division of insurance cash fund created in section 10-1-103, Colorado
6 Revised Statutes, not otherwise appropriated, to the department of
7 regulatory agencies, for allocation to the division of insurance, for the
8 fiscal year beginning July 1, 2001, the sum of sixty-seven thousand nine
9 hundred twelve dollars (\$67,912), or so much thereof as may be
10 necessary, for the implementation of this act."

11

12 Renumber succeeding sections accordingly.

13

14 Page 1, line 102, strike "INSURANCE." and substitute "INSURANCE, AND
15 MAKING AN APPROPRIATION THEREFOR."

16

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19 **SB01-032** be amended as follows, and as so amended, be referred to
20 the Committee of the Whole with favorable
21 recommendation:

22

23 Amend Criminal Justice Committee Report, dated April 26, 2001, page
24 2, strike lines 16 through 29 and substitute the following:

25

26 **""SECTION 10. Appropriation.** (1) In addition to any other
27 appropriation, there is hereby appropriated, for the fiscal year beginning
28 July 1, 2001, to the department of human services, division of child care,
29 for child care licensing and administration, the sum of ninety-five
30 thousand six hundred fifty-eight dollars (\$95,658) and 2.5 FTE, or so
31 much thereof is necessary for implementation of this act. Of said sum,
32 nineteen thousand one hundred thirty-two dollars (\$19,132) shall be from
33 the general fund, and seventy-six thousand five hundred twenty-six
34 dollars (\$76,526) shall be from federal child care development funds.

35

36 (2) In addition to any other appropriation, there is hereby
37 appropriated, for the fiscal year beginning July 1, 2001, to the department
38 of public safety, Colorado bureau of investigation, the sum of three
39 hundred twenty-three thousand two hundred thirty-eight dollars
40 (\$323,238) and 1.5 FTE, or so much thereof is necessary for
41 implementation of this act. Of said sum, two hundred forty-eight
42 thousand nine hundred eighty-eight dollars (\$248,988) shall be from cash
43 funds from fingerprint and name check processing fees, and seventy-four
44 thousand two hundred and fifty dollars (\$74,250) shall be from cash
45 funds exempt.

46

47 (3) It is the intent of the general assembly that the general fund
48 appropriation in subsection (1) of this section for the implementation of
49 this act shall be derived from savings generated from the implementation
50 of the provisions of S.B. 01-77, as enacted during the first regular session
51 of the sixty-third general assembly.

52

53 **SECTION 11. Effective date.** (1) This act shall take effect upon
54 the passage.

55

56 (2) Notwithstanding the provisions of subsection (1) of this

1 section, this act shall only take effect if:

2

3 (a) The final fiscal estimate for S.B. 01-77, as reflected in the
4 appropriations clause for said act, shows a net general fund savings that
5 is equal to or greater than the final general fund fiscal estimate for this
6 act, as reflected in section 10 of this act; and

7

8 (b) S.B. 01-77 is enacted at the first regular session of the sixty-
9 third general assembly and becomes law."."

10

11 Page 3, strike lines 1 through 3.

12

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14

15 **SB01-078** be amended as follows, and as so amended, be referred to
16 the Committee of the Whole with favorable
17 recommendation:

18

19 Amend the Health, Environment, Welfare, and Institutions Committee
20 Report, dated April 25, 2001, page 1, strike lines 5 through 8 and
21 substitute the following:

22

23 ""EXCEPT THAT THE DEPARTMENT MAY REQUIRE THAT A NEW CUSTOMER
24 SATISFACTION SURVEY BE PERFORMED MORE OFTEN IF CONDITIONS
25 WARRANT. A PARTICIPATING LICENSED NURSING FACILITY MAY REQUEST
26 A NEW CUSTOMER SATISFACTION SURVEY IN ACCORDANCE WITH CRITERIA
27 ESTABLISHED BY THE DEPARTMENT THAT MAY INCLUDE AN ASSESSMENT
28 OF A FEE TO THE FACILITY FOR THE ADMINISTRATION OF THE NEW
29 CUSTOMER SATISFACTION SURVEY.".";

30

31 strike lines 10 through 15 and substitute the following:

32

33 ""(b) (I) THE STATE AND LOCAL NURSING FACILITY OMBUDSMAN,
34 ESTABLISHED PURSUANT TO ARTICLE 11.5 OF TITLE 26, C.R.S., IN
35 COMPLIANCE WITH THE FEDERAL "OLDER AMERICANS ACT OF 1965",
36 SHALL REFER TO THE STATE DEPARTMENT FOR INVESTIGATION AND
37 RESOLUTION TO ALL COMPLAINTS RECEIVED BY THE OMBUDSMAN
38 INVOLVING POSSIBLE LICENSURE VIOLATIONS IN NURSING FACILITIES THAT
39 ARE NOT CERTIFIED UNDER TITLE XVIII OR TITLE XIX OF THE FEDERAL
40 "SOCIAL SECURITY ACT", AS AMENDED.

41

42 (II) INFORMATION ABOUT THE OMBUDSMAN, INCLUDING THE
43 OMBUDSMEN'S ROLE IN DEALING WITH RESIDENT COMPLAINTS AND ALL
44 CONTACT INFORMATION AND TELEPHONE NUMBERS FOR THE OMBUDSMEN,
45 SHALL BE INCLUDED IN THE INFORMATION PROVIDED TO A RESIDENT UPON
46 ADMISSION TO A NURSING FACILITY THAT ACCEPTS FEDERAL OR STATE
47 FUNDS UNDER TITLE XVIII OR TITLE XIX OF THE FEDERAL "SOCIAL
48 SECURITY ACT", AS AMENDED."."

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52 **SB01-089** be amended as follows, and as so amended, be referred to
53 the Committee of the Whole with favorable
54 recommendation:

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- 1 Amend reengrossed bill, page 1, line 102, strike "SCHOOLS, AND MAKING
2 AN APPROPRIATION" and substitute "SCHOOLS."
3
4 strike line 103.
5
6
7
- 8 **SB01-091** be amended as follows, and as so amended, be referred to
9 the Committee of the Whole with favorable
10 recommendation:
11
- 12 Strike the Education Committee Report, dated April 23, 2001, and
13 substitute the following:
14
- 15 "Amend reengrossed bill, page 5, after line 22, insert the following:
16
- 17 "(d) THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT,
18 FOR PURPOSES OF SECTION 17 OF ARTICLE IX OF THE STATE CONSTITUTION,
19 THE IMPLEMENTATION OF NEW FULL-DAY KINDERGARTEN EDUCATIONAL
20 PROGRAMS AS PART OF A STATEWIDE PILOT PROGRAM IS AN IMPORTANT
21 ELEMENT OF EXPANDING THE AVAILABILITY OF PRESCHOOL AND
22 KINDERGARTEN PROGRAMS AND MAY THEREFORE RECEIVE FUNDING FROM
23 THE STATE EDUCATION FUND CREATED IN SECTION 17 (4) OF ARTICLE IX OF
24 THE STATE CONSTITUTION."
25
- 26 line 23, strike "(d)" and substitute "(e)".
27
- 28 Page 6, strike lines 20 through 27.
29
- 30 Page 7, strike lines 1 and 2.
31
- 32 Renumber succeeding sections accordingly.
33
- 34 Page 7, line 8, strike "thirty-nine thousand four hundred sixty-four dollars
35 (\$2,839,464)," and substitute "fifty-three thousand seventy-five dollars
36 (\$2,853,075),"."
37
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39
- 40 **SB01-164** be amended as follows, and as so amended, be referred to
41 the Committee of the Whole with favorable
42 recommendation:
43
- 44 Amend the Education Committee Report, dated April 25, 2001, page 1,
45 strike line 3;
46
- 47 after line 5, insert the following:
48
- 49 "Page 10, line 16, strike "Appropriation." and substitute "Appropriation
50 - Adjustments to the 2001 Long Bill."
51
- 52 line 22, strike "and 0.4 FTE, and" and substitute "and".
53
- 54 Page 11, line 8, after "appropriated," insert "out of any moneys in the
55 general fund not otherwise appropriated," and after "financing," insert
56 "medical programs administration, for medicaid management information

1 system costs,";

2

3 strike lines 9 through 23, and substitute the following:

4

5 "fiscal year beginning July 1, 2001, the sum of four hundred thirty-six
6 dollars (\$436), or so much thereof as may be necessary, for the
7 implementation of this act. Said sum shall be subject to the "(M)"
8 notation as defined in the annual general appropriation act. In addition
9 to said sum, the general assembly anticipates that, for the fiscal year
10 beginning July 1, 2001, the department of health care policy and
11 financing will receive the sum of one thousand three hundred eight
12 dollars (\$1,308) in federal funds for the implementation of this act.
13 Although the federal funds are not appropriated in this act, they are noted
14 for the purpose of indicating the assumptions used relative to these funds.
15

16 (4) In addition to any other appropriation, there is hereby
17 appropriated, out of any moneys in the general fund not otherwise
18 appropriated, to the department of health care policy and financing,
19 medical services premiums, for the fiscal year beginning July 1, 2001, the
20 sum of ninety-six thousand one hundred fifteen dollars (\$96,115), or so
21 much thereof as may be necessary, for the implementation of this act.
22 Said sum shall be subject to the "(M)" notation as defined in the annual
23 general appropriation act. In addition to said sum, the general assembly
24 anticipates that, for the fiscal year beginning July 1, 2001, the department
25 of health care policy and financing will receive the sum of ninety-six
26 thousand one hundred fourteen dollars (\$96,114) in federal funds for the
27 implementation of this act. Although the federal funds are not
28 appropriated in this act, they are noted for the purpose of indicating the
29 assumptions used relative to these funds.
30

31 (5) In addition to any other appropriation, there is hereby
32 appropriated, out of any moneys in the children's basic health plan trust
33 created in section 26-19-105, C.R.S., not otherwise appropriated, to the
34 department of health care policy and financing, indigent care program,
35 children's basic health plan dental benefit costs, for the fiscal year
36 beginning July 1, 2001, the sum of ninety-six thousand eight hundred
37 ninety-three dollars (\$96,893), or so much thereof as may be necessary,
38 for the implementation of this act. Said sum shall be subject to the "(M)"
39 notation as defined in the annual general appropriation act. In addition
40 to said sum, the general assembly anticipates that, for the fiscal year
41 beginning July 1, 2001, the department of health care policy and
42 financing will receive the sum of one hundred seventy-nine thousand nine
43 hundred forty-five dollars (\$179,945) in federal funds for the
44 implementation of this act. Although the federal funds are not
45 appropriated in this act, they are noted for the purpose of indicating the
46 assumptions used relative to these funds.
47

48 (6) For the implementation of this act, appropriations made in the
49 annual general appropriation act for the fiscal year beginning July 1,
50 2001, shall be adjusted as follows: The appropriation to the department
51 of health care policy and financing, indigent care program, H.B. 97-1304
52 children's basic health plan trust, created in section 26-19-105, C.R.S., is
53 decreased by two hundred thousand dollars (\$200,000). Said sum shall
54 be from the tobacco litigation settlement cash fund created in section 24-
55 22-115, C.R.S."
56

1 line 24, strike "(4) and substitute "(7)";

2

3 line 25, strike "subsection (3)" and substitute "subsections (3) and (4)".

4

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6

7 **SB01-168** be amended as follows, and as so amended, be referred to
8 the Committee of the Whole with favorable
9 recommendation:

10

11 Amend reengrossed bill, page 16, after line 5, insert the following:

12

13 **"SECTION 10. Appropriation.** In addition to any other
14 appropriation, there is hereby appropriated, out of any money in the
15 persistent drunk driver cash fund created in section 42-3-130.5, Colorado
16 Revised Statutes, to the department of revenue, for the fiscal year
17 beginning July 1, 2001, the sum of twenty-nine thousand two hundred
18 sixty-seven dollars (\$29,267) and 0.4 FTE, or so much thereof as may be
19 necessary, for the implementation of this act."

20

21 Renumber succeeding sections accordingly.

22

23 Line 7, strike "section 10" and substitute "section 11";

24

25 line 11, strike "date." and substitute "date, and section 10 shall take effect
26 July 1, 2001."

27

28 Page 1, line 102, strike "**DRIVERS.**" and substitute "**DRIVERS, AND
29 MAKING AN APPROPRIATION THEREFOR.**"

30

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32

33 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

34

35 The Speaker has signed: **SB01-077.**

36

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40 **DELIVERY OF BILLS TO GOVERNOR**

41

42 The Chief Clerk of the House of Representatives reports the following
43 bills have been delivered to the Office of the Governor:

44

45 **HB01-1074, 1268, 1371** at 11:00 a.m. on April 27, 2001.

46

47 **HB01-1308** at 9:54 a.m. on April 30, 2001.

48

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51 **MESSAGE FROM THE SENATE**

52

53

54 Mr. Speaker:
55 The Senate has passed on Third Reading and returns herewith:
56 HB01-1133, 1284, 1031, 1060, 1079, 1341, 1343, 1220.

57

1 The Senate has passed on Third Reading and transmitted to the Revisor
2 of Statutes: SB01-228, 222;

3
4 SB01-222 amended as printed in Senate Journal, April 26, page 1004;
5 HB01-1366 amended as printed in Senate Journal, April 26, page 1004;
6 HB01-1018 amended as printed in Senate Journal, April 26, page 1013;
7 HB01-1293 amended as printed in Senate Journal, April 26, page 1013;

8
9 The Senate has postponed indefinitely and returns herewith: HB01-1324,
10 HCR01-1001.

11
12
13 **MESSAGE FROM THE REVISOR**

14
15 We herewith transmit without comment, SB01-228 and 222; and
16 without comment, as amended, SB01-226, HB01-1366, 1018, and 1293.

17
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19
20 **INTRODUCTION OF BILLS**
21 **First Reading**

22
23 The following bills were read by title and referred to the committees
24 indicated:

25
26 **SB01-222** by Senator(s) Thiebaut; also Representative(s) King--
27 Concerning the suspension for the fiscal year 2001-02 of
28 the prohibition against the appropriation of general fund
29 revenues for public school capital construction projects if
30 general fund revenues do not exceed general fund
31 obligations and required allocations to the highway users
32 tax fund by a specified amount.

33 Committee on Education
34 Committee on Appropriations

35
36 **SB01-226** by Senator(s) Thiebaut; also Representative(s) Spradley--
37 Concerning the creation of a temporary executive
38 committee of the legislative council to serve during each
39 period commencing after a general election and ending
40 following the convening of the next general assembly when
41 a new executive committee is formed.

42 Committee on Civil Justice & Judiciary

43
44 **SB01-228** by Senator(s) Windels, Perlmutter; also Representative(s)
45 Scott--Concerning the exclusive authority of the oil and gas
46 conservation commission to regulate the closure of
47 underground natural gas storage caverns.

48 Committee on Agriculture, Livestock, & Natural Resources

49
50
51
52 On motion of Representative Spradley, **HB01-1392, 1377, 1389,**
53 **SB01-078, HB01-1386, 1388, 1390, 1242, SB01-121, 035, 037, 073,**
54 **149, 157** were added to the Special Orders Calendar on Monday,
55 April 30, 2001.

56

1 On motion of Representative Crane, the House resolved itself into
2 Committee of the Whole for consideration of Special Orders and he was
3 called to the Chair to act as Chairman.

4

5

6 **SPECIAL ORDERS--SECOND READING OF BILLS**

7

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

12

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

15

16 **SB01-113** by Senator(s) Hernandez, Evans, Hagedorn, Hanna; also
17 Representative(s) Clapp--Concerning regulation of physical
18 therapists, and, in connection therewith, continuing the
19 regulation of physical therapists by the director of the
20 division of registrations in the department of regulatory
21 agencies.

22

23 Amendment No. 1, Health, Environment, Welfare, & Institutions Report,
24 dated April 18, 2001, and placed in member's bill file; Report also printed
25 in House Journal, April 18, pages 1273-1274.

26

27 Amendment No. 2, by Representatives Hefley, Lawrence, Sinclair,
28 Tochtrop.

29

30 Amend the Health, Environment, Welfare, and Institutions Committee
31 Report, dated April 18, 2001, page 1, strike lines 1 through 10 and
32 substitute the following:

33

34 "Amend reengrossed bill, page 6, line 12, after "ASSISTANTS", insert
35 "UNDER THE DIRECT".

36

37 As amended, ordered revised and placed on the Calendar for Third
38 Reading and Final Passage.

39

40 **HB01-1392** by Representative(s) Dean, Clapp, Decker; also Senator(s)
41 Taylor--Concerning pretrial release for defendants, and, in
42 connection therewith, prohibiting release under the pretrial
43 services program in certain circumstances, deleting
44 provisions that allow district attorneys to consent to the
45 release of defendants in certain circumstances, and adding
46 new criteria to be used by courts in fixing of bail and
47 conditions of bond.

48

49 Amendment No. 1, Criminal Justice Report, dated April 24, 2001, and
50 placed in member's bill file; Report also printed in House Journal,
51 April 25, page 1397.

52

53 Amendment No. 2, by Representative Dean.

54

55 Amend the Criminal Justice Committee Report, dated April 25, 2001,
56 page 1, line 9, strike "programs." and substitute "programs.";

1 after line 9, insert the following:

2 "strike lines 2 and 3 and substitute the following:

3

4 **"SECTION 2.** The introductory portion to 16-4-104 (1) (b),
5 Colorado Revised Statutes, is amended, and the".";

6

7 after line 10, insert the following:

8 "Page 3, strike lines 11 through 13;";

9

10 line 11, strike "Page 3,".

11

12 Page 2 of the committee report, line 4, strike "11." and substitute "11;";

13

14 after line 4, insert the following:

15 "line 12, strike "~~Unless the district attorney consents, No~~" and substitute
16 "Unless the district attorney consents, no".

17

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

20

21 **HB01-1377** by Representative(s) Williams T.--Concerning probate
22 matters.

23

24 Amendment No. 1, Civil Justice & Judiciary Report, dated April 26,
25 2001, and placed in member's bill file; Report also printed in House
26 Journal, April 26, pages 1431-1433.

27

28 As amended, ordered engrossed and placed on the Calendar for Third
29 Reading and Final Passage.

30

31 **HB01-1389** by Representative(s) Plant; also Senator Fitz-Gerald--
32 Concerning creation of an interest-free loan program for
33 charter schools to alleviate cash flow management
34 problems.

35

36 Amendment No. 1, Education Report, dated April 23, 2001, and placed
37 in member's bill file; Report also printed in House Journal, April 25,
38 page 1399.

39

40 As amended, ordered engrossed and placed on the Calendar for Third
41 Reading and Final Passage.

42

43 **SB01-078** by Senator(s) Windels, Linkhart, Gordon; also
44 Representative(s) Jahn--Concerning improving quality of
45 care in nursing facilities, and, in connection therewith,
46 creating deadlines for responses to complaints, developing
47 a consumer satisfaction survey, creating a program to
48 recognize the highest-quality nursing facilities,
49 improving grants received by nursing facilities from the
50 department of health care policy and financing, and making
51 an appropriation therefor.

52

53 Amendment No. 1, Health, Environment, Welfare, & Institutions Report,
54 dated April 25, 2001, and placed in member's bill file; Report also printed
55 in House Journal, April 25, 2001, pages 1406-1407.

56

1 Amendment No. 2, Appropriations Report, dated April 27, 2001, and
2 placed in member's bill file; Report also printed in House Journal,
3 April 30, page 1457.

4
5 Amendment No. 3, by Representatives Spence, Jahn.

6
7 Amend the Appropriations Committee Report, dated April 27, 2001, page
8 1, strike lines 4 through 10 and substitute the following:

9
10 ""EXCEPT THAT THE DEPARTMENT MAY REQUIRE, OR A PARTICIPATING
11 LICENSED NURSING FACILITY MAY REQUEST, THAT A NEW CONSUMER
12 SATISFACTION SURVEY BE PERFORMED MORE OFTEN IF CONDITIONS
13 WARRANT. IF THE LICENSED NURSING FACILITY REQUESTS SUCH A SURVEY,
14 THE DEPARTMENT SHALL PERFORM THE SURVEY IF THE LICENSED NURSING
15 FACILITY PAYS THE DEPARTMENT FOR THE COSTS ASSOCIATED WITH
16 PERFORMING THE SURVEY. A LICENSED NURSING FACILITY MAY COMMENT
17 ON THE RESULTS OF A CONSUMER SATISFACTION SURVEY AND HAVE SUCH
18 COMMENTS INCLUDED IN ANY PUBLICATION OR DISTRIBUTION OF THE
19 RESULTS BY THE DEPARTMENT."."."

20
21 Amendment No. 4, by Representative Witwer.

22
23 Amend the Appropriations Committee Report, dated April 27, 2001, page
24 1, line 12, strike "NURSING FACILITY" and substitute "LONG-TERM CARE";

25
26 line 14, strike "1965"," and substitute "1965", ("OMBUDSMAN")";

27
28 line 16, strike "TO";

29
30 line 17, strike "NURSING FACILITIES THAT" and substitute "NURSING
31 HOMES THAT ARE EXCLUSIVELY PRIVATE PAY FACILITIES.";

32
33 strike line 18.

34
35 Page 2, strike line 1;

36
37 line 3, strike "OMBUDSMEN'S" and substitute "OMBUDSMAN'S";

38
39 line 4, strike "OMBUDSMEN," and substitute "OMBUDSMAN,";

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

42 "ADMISSION TO A FACILITY THAT IS NOT A PRIVATE PAY FACILITY."."."

43
44 Amendment No. 5, by Representatives Spence, Jahn.

45
46 Amend reengrossed bill, page 9, after line 14, insert the following:

47
48 "(II.5) AFTER DECEMBER 1, 2001, THE DEPARTMENT SHALL
49 CONSIDER THE DEFINITIONS OF THE FACTORS LISTED IN SUBPARAGRAPH (II)
50 OF PARAGRAPH (c.5) OF THIS SUBSECTION (2) DEVELOPED BY THE
51 WORKING GROUP, CREATED IN SECTION 26-4-420, WHEN DETERMINING
52 ELIGIBILITY TO RECEIVE INCENTIVE PAYMENTS."

53
54 As amended, ordered revised and placed on the Calendar for Third
55 Reading and Final Passage.

56

1 **HB01-1388** by Representative(s) Spradley; also Senator(s) Thiebaut--
 2 Concerning the reimbursement of individuals appointed to
 3 committees of reference for attendance at certain legislative
 4 meetings during periods when the general assembly does
 5 not meet for more than three days.
 6

7 Ordered engrossed and placed on the Calendar for Third Reading and
 8 Final Passage.
 9

10
 11 On motion of Representative Spradley, the remainder of the General
 12 Orders Calendar (**HB01-1386, 1390, 1242, SB01-121, 035, 037, 073,**
 13 **149, 157**) was laid over until May 1, retaining place on Calendar.
 14

15
 16
 17 **AMENDMENTS TO THE COMMITTEE OF THE WHOLE REPORT**
 18

19 Representatives Clapp, Cloer, Dean, and Mitchell moved to amend the
 20 Report of the Committee of the Whole to show that the following Hefley,
 21 Lawrence, Sinclair, and Tochtrop amendment, to SB01-113, did not pass,
 22 and that **SB01-113, as amended**, did pass.
 23

24 Amend the Health, Environment, Welfare, and Institutions Committee
 25 Report, dated April 18, 2001, page 1, strike lines 1 through 10 and
 26 substitute the following:
 27

28 "Amend reengrossed bill, page 6, line 12, after "ASSISTANTS", insert
 29 "UNDER THE DIRECT".
 30

31 The amendment was declared **lost** by the following roll call vote:
 32

33	YES 11	NO 52	EXCUSED 2	ABSENT 0			
34							
35	Alexander	N Groff	N Miller	N Spence	Y		
36	Bacon	N Grossman	N Mitchell	Y Spradley	N		
37	Berry	N Hefley	N Nuñez	Y Stafford	N		
38	Borodkin	N Hodge	N Paschall	N Stengel	N		
39	Boyd	N Hoppe	N Plant	N Swenson	N		
40	Cadman	N Jahn	N Ragsdale	N Tapia	N		
41	Chavez	N Jameson	N Rhodes	Y Tochtrop	N		
42	Clapp	Y Johnson	N Rippy	N Veiga	E		
43	Cloer	Y Kester	N Romanoff	N Vigil	N		
44	Coleman	N King	N Saliman	E Webster	N		
45	Crane	N Larson	N Sanchez	N Weddig	Y		
46	Daniel	Y Lawrence	N Schultheis	N White	N		
47	Decker	N Lee	N Scott	N Williams S.	N		
48	Fairbank	Y Mace	N Sinclair	N Williams T.	N		
49	Fritz	Y Madden	N Smith	N Witwer	N		
50	Garcia	N Marshall	N Snook	N Young	N		
51				Mr. Speaker	Y		
52							
53							
54							
55							
56							

1 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

2
3 Passed Second Reading: **SB01-113 amended, HB01-1392 amended,**
4 **1377 amended, 1389 amended, SB01-078 amended, HB01-1388.**

5
6 Laid over until date indicated retaining place on Calendar: **HB01-1386,**
7 **1390, 1242, SB01-121, 035, 037, 073, 149, 157--May 1, 2001.**

8
9 The Chairman moved the adoption of the Committee of the Whole
10 Report. As shown by the following roll call vote, a majority of those
11 elected to the House voted in the affirmative, and the Report was
12 **adopted.**

13
14 YES 63 NO 0 EXCUSED 2 ABSENT 0

15								
16	Alexander	Y	Groff	Y	Miller	Y	Spence	Y
17	Bacon	Y	Grossman	Y	Mitchell	Y	Spradley	Y
18	Berry	Y	Hefley	Y	Nuñez	Y	Stafford	Y
19	Borodkin	Y	Hodge	Y	Paschall	Y	Stengel	Y
20	Boyd	Y	Hoppe	Y	Plant	Y	Swenson	Y
21	Cadman	Y	Jahn	Y	Ragsdale	Y	Tapia	Y
22	Chavez	Y	Jameson	Y	Rhodes	Y	Tochtrop	Y
23	Clapp	Y	Johnson	Y	Rippy	Y	Veiga	E
24	Cloer	Y	Kester	Y	Romanoff	Y	Vigil	Y
25	Coleman	Y	King	Y	Saliman	E	Webster	Y
26	Crane	Y	Larson	Y	Sanchez	Y	Weddig	Y
27	Daniel	Y	Lawrence	Y	Schultheis	Y	White	Y
28	Decker	Y	Lee	Y	Scott	Y	Williams S.	Y
29	Fairbank	Y	Mace	Y	Sinclair	Y	Williams T.	Y
30	Fritz	Y	Madden	Y	Smith	Y	Witwer	Y
31	Garcia	Y	Marshall	Y	Snook	Y	Young	Y
32							Mr. Speaker	Y

33
34
35
36
37 House in recess. House reconvened.
38
39

40
41 **MESSAGE FROM THE SENATE**

42
43 Mr. Speaker:

44
45 The Senate has postponed indefinitely and returns herewith: HB01-1151.

46
47 The President appointed Senators Phillips, Chm., Hagedorn and Chlouber
48 as members of the First Conference Committee on HB01-1349.

49 The Senate granted permission to members of the First Conference
50 Committee on HB01-1349 to consider matters not at issue between the
51 two houses.

52
53 The Senate has passed on Third Reading and returns herewith
54 HB01-1369.
55

1 The Senate has passed on Third Reading and transmitted to the Revisor
 2 of Statutes:
 3
 4 HB01-1153, amended as printed in Senate Journal, April 26, page 1014
 5 and April 27, page 1056;
 6 HB01-1367, amended as printed in Senate Journal, April 27,
 7 pages 1056-1057;
 8 HB01-1172, amended as printed in Senate Journal, April, 27,
 9 page 1057;
 10 HB01-1257, amended as printed in Senate Journal, April 26, page 1014
 11 and April 27, page 1058.

12
13
14
15 **MESSAGE FROM THE REVISOR**

16
17 We herewith transmit without comment, as amended, HB01-1153, 1367,
18 1172, 1257.

19
20
21
22 **MESSAGES FROM THE GOVERNOR**

23
24 I certify I received the following on the 30th day of April, 2001, at
25 3:45 p.m. The original is on file in the records of the House of
26 Representatives of the General Assembly.

27
28 Judith Rodrigue,
29 Chief Clerk of the House

30 April 27, 2001

31
32 To the Honorable
33 House of Representatives
34 Sixty-second General Assembly
35 First Regular Session
36 Denver, CO 80203

37
38 Ladies and Gentlemen:

39
40 I have the honor to inform you that I have approved and filed with
41 the Secretary of State the following act:

42
43 **HB01-1371** Concerning The Implementation Of Restrictions On The
44 Medical Use Of Marijuana.

45
46 Approved April 27, 2001 at 3:54 p.m.

47
48 Sincerely,
49 (signed)
50 Bill Owens
51 Governor

52
53
54
55

1 April 27, 2001

2

3 To the Honorable

4 House of Representatives

5 Sixty-second General Assembly

6 First Regular Session

7 Denver, CO 80203

8

9 Ladies and Gentlemen:

10

11 I have the honor to inform you that I have approved and
12 filed with the Secretary of State the following act:

13

14 **HB01-1088** Concerning Notifications Regarding Severed Mineral
15 Rights.

16

17 Approved April 30, 2001 at 10:12 a.m.

18

19 Sincerely,

20 (signed)

21 Bill Owens

22 Governor

23

24

25

26

INTRODUCTION OF BILLS

27

First Reading

28

29 The following bills were read by title and referred to the committees
30 indicated:

31

32 **HB01-1405** by Representative(s) White, Kester, Larson; also
33 Senator(s) Chlouber, Fitz-Gerald--Concerning the
34 creation of a telemarketing no-call list for telephone
35 subscribers.

36 Committee on Business Affairs & Labor

37

38 **HB01-1406** by Representative(s) Lawrence; also Senator(s) Thiebaut--
39 Concerning the university of southern Colorado goal
40 planning process.

41 Committee on Education

42

43

44

45

INTRODUCTION OF RESOLUTION

46

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

49

50 **HR01-1017** by Representative(s) Alexander, Rhodes, Chavez, Mace;
51 --Concerning an employee position for the House of
52 Representatives convened in the First Regular Session of
53 the Sixty-third General Assembly.

54

55 *Be It Resolved by the House of Representatives of the Sixty-third*
56 *General Assembly of the State of Colorado:*

