

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

Ninety-third Legislative Day

Thursday, April 12, 2001

1 Prayer by Pastor Rick Long, Grace Church, Arvada.

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--62.  
8 Excused--Representatives Hefley, Jameson, Paschall--3.  
9 Present after roll call--Representative Paschall.

10  
11 The Speaker declared a quorum present.

12  
13  
14 On motion of Representative Madden, the reading of the journal of  
15 April 11, 2001, was declared dispensed with and approved as corrected  
16 by the Chief Clerk.

17  
18  
19 **APPOINTMENTS**

20  
21 In accordance with Article V, section 48 of the Colorado Constitution,  
22 the Speaker announced the appointment of Representative Paschall to  
23 serve in his stead on the 2001 Colorado Reapportionment Commission.

24  
25 In accordance with Article V, section 48 of the Colorado Constitution,  
26 Representative Grossman announced his intent to serve on the 2001  
27 Colorado Reapportionment Commission.

28  
29  
30

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

32  
33 The following bills were considered on Third Reading. The titles were  
34 publicly read. Reading of the bill at length was dispensed with by  
35 unanimous consent.

36  
37 **HB01-1100** by Representative(s) Swenson, Larson, Miller, Ragsdale;  
38 also Senator(s) May, Dyer (Durango), Fitz-Gerald--  
39 Concerning the administration of the distributive data  
40 processing system, and, in connection therewith,  
41 increasing fees, renaming the system, and making an  
42 appropriation.

43  
44 The question being "Shall the bill pass?".  
45 A roll call vote was taken. As shown by the following recorded vote, a

1 majority of those elected to the House voted in the affirmative and the bill  
2 was declared **passed**.

	YES 63	NO 0	EXCUSED 2	ABSENT 0		
6 Alexander	Y	Groff	Y	Miller	Y	Spence Y
7 Bacon	Y	Grossman	Y	Mitchell	Y	Spradley Y
8 Berry	Y	Hefley	E	Nuñez	Y	Stafford Y
9 Borodkin	Y	Hodge	Y	Paschall	Y	Stengel Y
10 Boyd	Y	Hoppe	Y	Plant	Y	Swenson Y
11 Cadman	Y	Jahn	Y	Ragsdale	Y	Tapia Y
12 Chavez	Y	Jameson	E	Rhodes	Y	Tochtrop Y
13 Clapp	Y	Johnson	Y	Rippy	Y	Veiga Y
14 Cloer	Y	Kester	Y	Romanoff	Y	Vigil Y
15 Coleman	Y	King	Y	Saliman	Y	Webster Y
16 Crane	Y	Larson	Y	Sanchez	Y	Weddig Y
17 Daniel	Y	Lawrence	Y	Schultheis	Y	White Y
18 Decker	Y	Lee	Y	Scott	Y	Williams S. Y
19 Fairbank	Y	Mace	Y	Sinclair	Y	Williams T. Y
20 Fritz	Y	Madden	Y	Smith	Y	Witwer Y
21 Garcia	Y	Marshall	Y	Snook	Y	Young Y
						Mr. Speaker Y

24 Co-sponsors added: Representatives Bacon, Stengel, Vigil, Young.

26 **HB01-1172** by Representative(s) White, Rippy, Snook, Stengel; also  
27 Senator(s) Fitz-Gerald--Concerning multijurisdictional  
28 housing authorities.

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

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

	YES 53	NO 10	EXCUSED 2	ABSENT 0		
37 Alexander	Y	Groff	Y	Miller	Y	Spence Y
38 Bacon	Y	Grossman	Y	Mitchell	N	Spradley Y
39 Berry	Y	Hefley	E	Nuñez	N	Stafford Y
40 Borodkin	Y	Hodge	Y	Paschall	N	Stengel Y
41 Boyd	Y	Hoppe	Y	Plant	Y	Swenson Y
42 Cadman	N	Jahn	Y	Ragsdale	Y	Tapia Y
43 Chavez	Y	Jameson	E	Rhodes	N	Tochtrop Y
44 Clapp	Y	Johnson	Y	Rippy	Y	Veiga Y
45 Cloer	Y	Kester	Y	Romanoff	Y	Vigil Y
46 Coleman	Y	King	Y	Saliman	Y	Webster Y
47 Crane	N	Larson	Y	Sanchez	Y	Weddig Y
48 Daniel	Y	Lawrence	Y	Schultheis	N	White Y
49 Decker	Y	Lee	N	Scott	Y	Williams S. Y
50 Fairbank	Y	Mace	Y	Sinclair	Y	Williams T. Y
51 Fritz	N	Madden	Y	Smith	Y	Witwer Y
52 Garcia	Y	Marshall	Y	Snook	Y	Young N
						Mr. Speaker Y

55 Co-sponsors added: Representatives Boyd, Daniel, Groff, Hodge, Jahn, Mace,  
56 Madden, Miller, Plant, Ragsdale, Romanoff, Saliman, Scott.

1 **HB01-1193** by Representative(s) Alexander, Coleman; also Senator(s)  
 2 Reeves--Concerning modifications to the "Colorado  
 3 children's code" to be consistent with federal law, and  
 4 making an appropriation in connection therewith.  
 5

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

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

10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30
	YES 63	NO 0	EXCUSED 2	ABSENT 0																
13	Alexander	Y	Groff	Y	Miller	Y	Spence	Y												
14	Bacon	Y	Grossman	Y	Mitchell	Y	Spradley	Y												
15	Berry	Y	Hefley	E	Nuñez	Y	Stafford	Y												
16	Borodkin	Y	Hodge	Y	Paschall	Y	Stengel	Y												
17	Boyd	Y	Hoppe	Y	Plant	Y	Swenson	Y												
18	Cadman	Y	Jahn	Y	Ragsdale	Y	Tapia	Y												
19	Chavez	Y	Jameson	E	Rhodes	Y	Tochtrop	Y												
20	Clapp	Y	Johnson	Y	Rippy	Y	Veiga	Y												
21	Cloer	Y	Kester	Y	Romanoff	Y	Vigil	Y												
22	Coleman	Y	King	Y	Saliman	Y	Webster	Y												
23	Crane	Y	Larson	Y	Sanchez	Y	Weddig	Y												
24	Daniel	Y	Lawrence	Y	Schultheis	Y	White	Y												
25	Decker	Y	Lee	Y	Scott	Y	Williams S.	Y												
26	Fairbank	Y	Mace	Y	Sinclair	Y	Williams T.	Y												
27	Fritz	Y	Madden	Y	Smith	Y	Witwer	Y												
28	Garcia	Y	Marshall	Y	Snook	Y	Young	Y												
29							Mr. Speaker	Y												

31 Co-sponsors added: Representatives Borodkin, Groff, Jahn, Mace, Miller,  
 32 Romanoff, Tochtrop, Williams S.  
 33

34 **SB01-203** by Senator(s) Phillips, Windels, McElhany; also  
 35 Representative(s) Larson, Lawrence, Miller--Concerning  
 36 deadlines for the submittal of budget information by  
 37 certain state agencies to the capital development  
 38 committee.  
 39

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

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

44	45	46	47	48	49	50	51	52	53	54	55	56
	YES 63	NO 0	EXCUSED 2	ABSENT 0								
47	Alexander	Y	Groff	Y	Miller	Y	Spence	Y				
48	Bacon	Y	Grossman	Y	Mitchell	Y	Spradley	Y				
49	Berry	Y	Hefley	E	Nuñez	Y	Stafford	Y				
50	Borodkin	Y	Hodge	Y	Paschall	Y	Stengel	Y				
51	Boyd	Y	Hoppe	Y	Plant	Y	Swenson	Y				
52	Cadman	Y	Jahn	Y	Ragsdale	Y	Tapia	Y				
53	Chavez	Y	Jameson	E	Rhodes	Y	Tochtrop	Y				
54	Clapp	Y	Johnson	Y	Rippy	Y	Veiga	Y				
55	Cloer	Y	Kester	Y	Romanoff	Y	Vigil	Y				
56	Coleman	Y	King	Y	Saliman	Y	Webster	Y				

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

8  
9 Co-sponsor added: Representative Williams S.

10

11

12 **SB01-202** by Senator(s) Thiebaut, Matsunaka, Andrews; also  
13 Representative(s) Spradley, Dean, Grossman--Concerning  
14 appropriations related to the legislative department, and  
15 making appropriations in connection therewith.

16

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

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

21

22	YES 63	NO 0	EXCUSED 2	ABSENT 0
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23

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

41

42 Co-sponsors added: Representatives Coleman, Crane, Young.

43

44

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

51

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

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

56

	YES 51	NO 12	EXCUSED 2	ABSENT 0
1				
2				
3	Alexander	Y Groff	Y Miller	Y Spence Y
4	Bacon	Y Grossman	Y Mitchell	N Spradley Y
5	Berry	Y Hefley	E Nuñez	N Stafford Y
6	Borodkin	Y Hodge	Y Paschall	N Stengel Y
7	Boyd	Y Hoppe	Y Plant	Y Swenson Y
8	Cadman	N Jahn	Y Ragsdale	Y Tapia Y
9	Chavez	Y Jameson	E Rhodes	N Tochtrop Y
10	Clapp	N Johnson	Y Rippy	Y Veiga Y
11	Cloer	N Kester	Y Romanoff	Y Vigil Y
12	Coleman	Y King	Y Saliman	Y Webster Y
13	Crane	N Larson	Y Sanchez	Y Weddig Y
14	Daniel	Y Lawrence	Y Schultheis	N White Y
15	Decker	Y Lee	N Scott	Y Williams S. Y
16	Fairbank	N Mace	Y Sinclair	Y Williams T. Y
17	Fritz	N Madden	Y Smith	Y Witwer Y
18	Garcia	Y Marshall	Y Snook	Y Young Y
19				Mr. Speaker Y

20  
21 Co-sponsors added: Representatives Chavez, Webster.

22  
23  
24  
25  
26 **CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILL**

27  
28 **HB01-1238** by Representative(s) Stafford, Clapp, Cloer, Johnson, Lee;  
29 also Senator(s) Hillman--Concerning a prohibition on the  
30 therapeutic technique known as rebirthing, and, in  
31 connection therewith, creating an additional prohibited  
32 activity for mental health professionals who use the  
33 rebirthing technique.

34  
35 (Amended as printed in Senate Journal, March 23, page 637.)

36  
37 Representative Stafford moved that the House **concur** in Senate  
38 amendments. The motion was declared **passed** by the following roll call  
39 vote:

	YES 63	NO 0	EXCUSED 2	ABSENT 0
41				
42				
43	Alexander	Y Groff	Y Miller	Y Spence Y
44	Bacon	Y Grossman	Y Mitchell	Y Spradley Y
45	Berry	Y Hefley	E 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	E 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	Fritz	Y	Madden	Y	Smith	Y	Witwer	Y
2	Garcia	Y	Marshall	Y	Snook	Y	Young	Y
3							Mr. Speaker	Y

4  
5  
6 The question being, "Shall the bill, as amended, pass?".  
7 A roll call vote was taken. As shown by the following recorded vote, a  
8 majority of those elected to the House voted in the affirmative, and the  
9 bill, as amended, was declared **repassed**.

10								
11	<u>YES</u>	<u>63</u>	<u>NO</u>	<u>0</u>	<u>EXCUSED</u>	<u>2</u>	<u>ABSENT</u>	<u>0</u>
12								
13	Alexander	Y	Groff	Y	Miller	Y	Spence	Y
14	Bacon	Y	Grossman	Y	Mitchell	Y	Spradley	Y
15	Berry	Y	Hefley	E	Nuñez	Y	Stafford	Y
16	Borodkin	Y	Hodge	Y	Paschall	Y	Stengel	Y
17	Boyd	Y	Hoppe	Y	Plant	Y	Swenson	Y
18	Cadman	Y	Jahn	Y	Ragsdale	Y	Tapia	Y
19	Chavez	Y	Jameson	E	Rhodes	Y	Tochtrop	Y
20	Clapp	Y	Johnson	Y	Rippy	Y	Veiga	Y
21	Cloer	Y	Kester	Y	Romanoff	Y	Vigil	Y
22	Coleman	Y	King	Y	Saliman	Y	Webster	Y
23	Crane	Y	Larson	Y	Sanchez	Y	Weddig	Y
24	Daniel	Y	Lawrence	Y	Schultheis	Y	White	Y
25	Decker	Y	Lee	Y	Scott	Y	Williams S.	Y
26	Fairbank	Y	Mace	Y	Sinclair	Y	Williams T.	Y
27	Fritz	Y	Madden	Y	Smith	Y	Witwer	Y
28	Garcia	Y	Marshall	Y	Snook	Y	Young	Y
29							Mr. Speaker	Y
30								

31 Co-sponsors added: Representatives Borodkin, Boyd, Fairbank, Miller,  
32 Spradley.

33  
34  
35  
36 **APPOINTMENTS TO CONFERENCE COMMITTEE**

37  
38 Pursuant to a request from the Senate, the Speaker appointed  
39 Representatives Mitchell, Chairman, Crane and Romanoff as House  
40 conferees to the First Conference Committee on **SB01-131**.

41  
42  
43  
44  
45 On motion of Representative Spradley, **HB01-1374, 1282, 1106, 1155,**  
46 **1081, 1086, 1205** were added to the Special Orders calendar on  
47 Thursday, April 12, 2001.

48  
49  
50  
51 On motion of Representative White, the House resolved itself into  
52 Committee of the Whole for consideration of Special Orders and he was  
53 called to the Chair to act as Chairman.

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

1  
2  
3 The Committee of the Whole having risen, the Chairman reported the  
4 titles of the following bills had been read (reading at length had been  
5 dispensed with by unanimous consent), the bills considered and action  
6 taken thereon as follows:  
7  
8 (Amendments to the committee amendment are to the printed committee  
9 report which was printed and placed in the members' bill file.)  
10  
11 **HB01-1130** by Representative(s) Grossman; also Senator(s) Lamborn--  
12 Concerning DNA testing of felons sentenced to the  
13 department of corrections.  
14  
15 Amendment No. 1, Appropriations Report, dated April 6, 2001, and  
16 placed in member's bill file; Report also printed in House Journal,  
17 April 9, pages 1133-1134.  
18  
19 Amendment No. 2, by Representative Grossman.  
20  
21 Strike the Civil Justice & Judiciary Committee Report, dated February 6,  
22 2001, and substitute the following:  
23  
24 "Amend printed bill, page 2, line 11, strike "defined" and substitute  
25 "~~defined~~ LISTED".  
26  
27 Page 3, strike lines 1 and 2 and substitute the following:  
28  
29 "(1.5) SUBJECT TO AVAILABLE APPROPRIATIONS, BEGINNING  
30 MARCH 31, 2002, EVERY FELON WHO";  
31  
32 line 3, strike "SENTENCE FOR A FELONY AND";  
33  
34 strike lines 18 through 21 and substitute the following:  
35  
36 "~~(c) Every convicted offender who, as of July 1, 2000, is on~~  
37 ~~parole for an offense described in subsection (1) of this section shall~~  
38 ~~submit to and pay for a chemical testing of the offender's blood to~~  
39 ~~determine the genetic markers thereof.~~".  
40  
41 Page 4, line 3, strike "paragraphs (c) and (d)" and substitute "~~paragraphs~~  
42 ~~PARAGRAPH (c) and (d)~~";  
43  
44 line 8, strike "an offender's" and substitute "~~an offender's~~ A PERSON'S";  
45  
46 line 21, strike "TO, OR" and substitute "TO";  
47  
48 line 22, strike "RECEIVES A DEFERRED JUDGMENT AND SENTENCE TO".  
49  
50 Page 5, line 7, strike "TO, OR A DEFERRED JUDGMENT AND SENTENCE FOR"  
51 and substitute "TO";  
52  
53 line 9, strike "defined" and substitute "~~defined~~ LISTED";  
54  
55 strike lines 25 through 27.  
56

- 1 Strike page 6.  
2  
3 Page 7, strike lines 1 through 23.  
4  
5 Renumber succeeding sections accordingly.  
6  
7 Page 8, line 1, strike "TO, OR WHO RECEIVES A DEFERRED" and substitute  
8 "TO";  
9  
10 line 2, strike "JUDGMENT AND SENTENCE FOR";  
11  
12 line 18, strike "TO, OR WHO" and substitute "TO";  
13  
14 line 19, strike "RECEIVES A DEFERRED JUDGMENT AND SENTENCE FOR".  
15  
16 Page 10, line 8, strike "TO, OR WHO" and substitute "TO";  
17  
18 line 9, strike "RECEIVES A DEFERRED JUDGMENT AND SENTENCE FOR";  
19  
20 strike lines 18 through 27 and substitute the following:  
21  
22 **"SECTION 5.** 16-11-308 (4.5) (a) (I), Colorado Revised Statutes, is  
23 amended to read:  
24  
25 **16-11-308. Custody of department of corrections - procedure.**  
26 (4.5) (a) While confined in the diagnostic center, the following offenders  
27 shall submit to a chemical testing of the offender's blood to determine the  
28 genetic markers:  
29  
30 (I) Any offender sentenced on or after July 1, 2000, as a habitual  
31 offender pursuant to the provisions of section ~~16-11-101~~ 16-13-101; and  
32  
33 **SECTION 6.** Part 4 of article 22.5 of title 17, Colorado Revised  
34 Statutes, is amended BY THE ADDITION OF A NEW SECTION to  
35 read:  
36  
37 **17-22.5-407. Genetic testing as condition of parole.** ANY  
38 OFFENDER DISCHARGED FROM A CORRECTIONAL FACILITY ON OR AFTER  
39 JULY 1, 2000, SUBJECT TO PAROLE SHALL SUBMIT TO A CHEMICAL TESTING  
40 OF THE OFFENDER'S BLOOD TO DETERMINE THE GENETIC MARKERS  
41 THEREOF. SUCH TESTING SHALL OCCUR AT LEAST NINETY DAYS PRIOR TO  
42 THE OFFENDER'S RELEASE FROM INCARCERATION, AND THE RESULTS  
43 THEREOF SHALL BE FILED WITH AND MAINTAINED BY THE COLORADO  
44 BUREAU OF INVESTIGATION. THE RESULTS OF SUCH TESTS SHALL BE  
45 FURNISHED TO ANY LAW ENFORCEMENT AGENCY UPON REQUEST.  
46  
47 **SECTION 7. Effective date.** Section 1 of this act shall take  
48 effect March 31, 2002, and the remainder of this act shall take effect July  
49 1, 2001."  
50  
51 Renumber succeeding section accordingly."  
52  
53 As amended, ordered engrossed and placed on the Calendar for Third  
54 Reading and Final Passage.  
55

- 1 **HB01-1282** by Representative(s) Tapia, Alexander, Chavez, Coleman,  
2 Grossman, Hefley, Jahn, Lawrence, Madden, Saliman,  
3 Sanchez, Sinclair, Veiga, Vigil; also Senator(s) Owen--  
4 Concerning the provision of dental hygiene services for  
5 children in the medicaid program.  
6
- 7 Amendment No. 1, Appropriations Report, dated April 6, 2001, and  
8 placed in member's bill file; Report also printed in House Journal,  
9 April 9, pages 1141-1142.  
10
- 11 As amended, ordered engrossed and placed on the Calendar for Third  
12 Reading and Final Passage.  
13
- 14 **HB01-1106** by Representative(s) Madden; also Senator(s) Windels--  
15 Concerning the recycling of cathode ray tube products,  
16 and, in connection therewith, creating a cathode ray tube  
17 recycling pilot program.  
18
- 19 Amendment No. 1, Health, Environment, Welfare, & Institutions Report,  
20 dated January 29, 2001, and placed in member's bill file; Report also  
21 printed in House Journal, January 30, pages 207.  
22
- 23 Amendment No. 2, Finance Report, dated February 6, 2001, and placed  
24 in member's bill file; Report also printed in House Journal, February 9,  
25 page 356.  
26
- 27 Amendment No. 3, Appropriations Report, dated April 4, 2001, and  
28 placed in member's bill file; Report also printed in House Journal,  
29 April 4, page 1099.  
30
- 31 As amended, ordered engrossed and placed on the Calendar for Third  
32 Reading and Final Passage.  
33
- 34 **HB01-1155** by Representative(s) Stengel, Fairbank, Lawrence, Lee,  
35 Mitchell, Stafford, White, Williams S., Young; also  
36 Senator(s) Hagedorn--Concerning the availability of  
37 information concerning sexual offenders.  
38
- 39 Amendment No. 1, Civil Justice & Judiciary Report, dated February 6,  
40 2001, and placed in member's bill file; Report also printed in House  
41 Journal, February 8, page 334.  
42
- 43 Amendment No. 2, Appropriations Report, dated April 6, 2001, and  
44 placed in member's bill file; Report also printed in House Journal,  
45 April 9, pages 1134-1135.  
46
- 47 As amended, ordered engrossed and placed on the Calendar for Third  
48 Reading and Final Passage.  
49
- 50 **HB01-1374** by Representative(s) Spradley; also Senator(s) Anderson--  
51 Concerning measures to increase the availability of health  
52 insurance, and, in connection therewith, allowing  
53 adjustments for premiums for business groups of one,  
54 changing network adequacy requirements, and relaxing  
55 restrictions on discontinuing particular insurance products  
56 to the small group health insurance market.

1 Amendment No. 1, Business Affairs & Labor Report, dated April 5,  
2 2001, and placed in member's bill file; Report also printed in House  
3 Journal, April 9, pages 1142-1146.

4

5 Amendment No. 2, by Representative Marshall.

6

7 Amend the Business Affairs and Labor Committee Report, dated April 5,  
8 2001, page 1, strike lines 1 through 18.

9

10 Page 2, strike lines 1 through 8 and substitute the following:

11 "Amend printed bill, page 3, strike lines 5 and 6 and substitute the  
12 following:".

13

14 Amendment No. 3, by Representative Spradley.

15

16 Amend the Business Affairs & Labor Committee Report, dated April 5,  
17 2001, page 2, strike line 9 and substitute the following:

18

19 "line 2, strike "THAT, IF IN";

20

21 strike lines 3 through 6 and substitute the following:".

22

23 Amendment No. 4, by Representative Spradley.

24

25 Amend the Business Affairs and Labor Committee Report, dated April 5,  
26 2001, page 4, line 11, strike "In" and substitute "EXCEPT AS PROVIDED IN  
27 PARAGRAPH (b) OF THIS SUBSECTION (2), in";

28

29 line 16, strike "providers; EXCEPT THAT:" and substitute "providers.";

30

31 strike lines 17 through 28 and substitute the following:

32

33 "(b) IN ANY CASE WHERE A CARRIER OFFERING A MANAGED CARE  
34 PLAN WITH AN OUT-OF-NETWORK BENEFIT OUTSIDE OF A METROPOLITAN  
35 STATISTICAL AREA OR PRIMARY METROPOLITAN STATISTICAL AREA HAS NO  
36 PARTICIPATING PROVIDERS TO PROVIDE A COVERED BENEFIT IN A LOCATION  
37 WHERE A MAJORITY OF PEOPLE IN THE CARRIER'S GEOGRAPHIC AREA  
38 ACCESS NONEMERGENCY SERVICES, THE CARRIER SHALL ARRANGE FOR  
39 PAYMENT FOR SERVICES TO A PROVIDER WITH THE NECESSARY EXPERTISE  
40 AND ENSURE THAT THE COVERED PERSON OBTAINS THE COVERED BENEFIT  
41 AS PROVIDED IN THIS PARAGRAPH (b). IN SUCH CASE THE COVERED  
42 PERSON SHALL HAVE ONE OF THE FOLLOWING OPTIONS:".

43

44 Page 5, strike lines 1 through 4;

45

46 line 5, strike "(a)" and substitute "(b)";

47

48 line 8, strike "SUBPARAGRAPH (I) OF";

49

50 line 9, strike "(a)" and substitute "(b)".

51

52 Amendment No. 5, by Representative Spradley.

53

54 Amend the Amendment No. 4, by Representative Spradley, as printed in  
55 House Journal page 1204, line 42, strike "OPTIONS:." and substitute the  
56 following:

1 "OPTIONS:  
2

3 (I) THE COVERED PERSON MAY CHOOSE TO RECEIVE COVERED  
4 BENEFITS FROM AN IN-NETWORK PROVIDER LOCATED OUTSIDE A LOCATION  
5 WHERE A MAJORITY OF PEOPLE IN THE CARRIER'S GEOGRAPHIC AREA  
6 ACCESS NONEMERGENCY CARE SERVICES, IN WHICH CASE THE COVERED  
7 PERSON SHALL ONLY BE SUBJECT TO THE CARRIER'S CONTRACTUAL  
8 PROVISIONS; OR  
9

10 (II) THE COVERED PERSON MAY CHOOSE TO RECEIVE COVERED  
11 BENEFITS FROM AN OUT-OF-NETWORK PROVIDER AND BE SUBJECT TO  
12 POSSIBLE BALANCE BILLING ON PROVIDER CHARGES. SUCH BALANCE  
13 BILLING, IF ANY, MAY BE THE DIFFERENCE BETWEEN THE PROVIDER'S  
14 CHARGES AND EITHER OF THE FOLLOWING:  
15

16 (A) A NEGOTIATED RATE AGREED UPON BETWEEN THE CARRIER  
17 AND THE PROVIDER IN A SPECIFIC INSTANCE; OR  
18

19 (B) THE GREATER OF THE CARRIER'S LOWEST IN-NETWORK RATE OR  
20 THE USUAL AND CUSTOMARY REIMBURSEMENT RATE FOR A GEOGRAPHIC  
21 AREA GROUPING AS DETERMINED BY THE COMMISSIONER BY RULE. FOR  
22 THE PURPOSES OF THIS SUB-SUBPARAGRAPH (B) ONLY, THE COMMISSIONER  
23 SHALL GROUP TOGETHER COUNTIES WITH SIMILAR DEMOGRAPHIC AND  
24 ECONOMIC CHARACTERISTICS. SUCH CHARACTERISTICS SHALL INCLUDE,  
25 BUT NOT BE LIMITED TO, AVERAGE PER CAPITA INCOME, THE COST OF  
26 HOUSING, GENERAL COSTS OF LIVING, POVERTY AND UNEMPLOYMENT  
27 LEVELS, OR THE PRIMARY ECONOMIC BASE OF THE COUNTY."  
28

29 Renumber succeeding subparagraphs accordingly."  
30

31 As amended, ordered engrossed and placed on the Calendar for Third  
32 Reading and Final Passage.  
33

34 **HB01-1081** by Representative(s) King, Tapia; also Senator(s) Reeves,  
35 Hagedorn--Concerning the state sales and use tax on  
36 tangible personal property used for research and  
37 development, and, in connection therewith, creating a  
38 refund of state sales and use tax paid in connection with  
39 the sale, purchase, storage, use, or consumption of tangible  
40 personal property used for research and development in  
41 years in which the state has excess revenues pursuant to  
42 section (20) (7) (a) of article X of the state constitution.  
43

44 Amendment No. 1, Finance Report, dated February 7, 2001, and placed  
45 in member's bill file; Report also printed in House Journal, February 9,  
46 page 363.  
47

48 As amended, ordered engrossed and placed on the Calendar for Third  
49 Reading and Final Passage.  
50

51 **HB01-1086** by Representative(s) Alexander, Coleman, Hodge,  
52 Johnson, Snook, Webster; also Senator(s) Dyer (Durango)-  
53 -Concerning the creation of the agriculture value-added  
54 development fund program.  
55

1 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,  
2 dated January 24, 2001, and placed in member's bill file; Report also  
3 printed in House Journal, January 25, page 159.

4  
5 Amendment No. 2, Appropriations Report, dated April 6, 2001, and  
6 placed in member's bill file; Report also printed in House Journal,  
7 April 9, page 1133.

8  
9 Amendment No. 3, by Representative Alexander.

10  
11 Amend the Agriculture, Livestock, and Natural Resources Committee  
12 Report, dated January 24, 2001, page 1, line 16, after "**part.**", insert "(1)".

13  
14 Page 2, after line 5, insert the following:

15  
16       "(2) THE GENERAL ASSEMBLY FURTHER FINDS, DETERMINES, AND  
17 DECLARES THAT THE PUBLIC PURPOSE SERVED BY THE TAX CREDITS,  
18 GRANTS, LOANS AND LOAN GUARANTEES, AND EQUITY INVESTMENTS  
19 AUTHORIZED BY THIS PART 2 AND BY SECTIONS 39-22-527 AND 39-22-528,  
20 C.R.S., PREPONDERATES OVER ANY INDIVIDUAL INTERESTS INCIDENTALLY  
21 SERVED THEREBY."

22  
23 Page 3, strike line 32 and substitute the following:

24       "(2) THE BOARD SHALL EMPLOY";

25  
26 line 34, after "LOAN," insert "LOAN GUARANTEE,";

27  
28 line 36, strike "PROJECT;" and substitute "PROJECT FROM PRIVATE  
29 SOURCES SHALL BE AT LEAST FIVE THOUSAND DOLLARS AND, OF THE TOTAL  
30 AMOUNT OF SUCH CASH FUNDS, AT LEAST FIFTY PERCENT SHALL BE FROM  
31 PRIVATE INDIVIDUALS OR ENTITIES WHO RESIDE IN COLORADO MORE THAN  
32 HALF OF EACH YEAR OR ARE DOMICILED IN COLORADO;"

33  
34 Page 4, strike lines 1 through 12 and substitute the following:

35  
36       "(b) THE EXPERIENCE, PROFESSIONAL QUALIFICATIONS, AND  
37 BUSINESS BACKGROUND OF THE DIRECTORS AND CONSULTANTS CHOSEN TO  
38 LEAD THE AGRICULTURAL BUSINESS PROJECT SHALL BE SUCH AS TO GIVE  
39 THE PROJECT A REASONABLE CHANCE OF SUCCESS UNDER THEIR  
40 LEADERSHIP;

41  
42       (c) THE CONTEMPLATED SCHEDULE AND PHASING OF THE PROJECT,  
43 WHETHER ON AN ANNUAL OR MULTI-YEAR BASIS, SHALL BE SUCH AS TO  
44 GIVE THE PROJECT A REASONABLE CHANCE OF SUCCESS WITHIN THREE  
45 YEARS AT A CONSTANT OR DECLINING RATE OF SUPPORT FROM THE BOARD  
46 IN THE FORM OF GRANTS, LOANS, OR TAX CREDITS, OR A COMBINATION  
47 THEREOF; AND

48  
49       (d) THE ECONOMIC IMPACT ON OTHER LOCAL BUSINESSES.

50  
51       (2.5) IN ADDITION TO THE CRITERIA LISTED IN SUBSECTION (2) OF  
52 THIS SECTION, THE BOARD MAY ALSO CONSIDER:

53  
54       (a) THE AGRICULTURAL BUSINESS PROJECT'S PLANNING FOR  
55 LONG-TERM SUCCESS THROUGH FEASIBILITY STUDIES, MARKETING PLANS,  
56 AND BUSINESS PLANS;

1 (b) THE AGRICULTURAL BUSINESS PROJECT'S NET ECONOMIC  
2 BENEFIT TO THE STATE; AND

3  
4 (c) THE AGRICULTURAL BUSINESS PROJECT'S NET ECONOMIC  
5 IMPACT ON OTHER LOCAL BUSINESSES."

6  
7 Page 5, line 21, strike "**Grants,**" and substitute "**Tax credits, grants,**";  
8  
9 line 36, strike "GRANTS," , and substitute "TAX CREDITS, GRANTS,".

10  
11 Page 6, line 1, strike "GRANTS," , and substitute "TAX CREDITS, GRANTS,";  
12  
13 line 2, strike "GRANTS," and substitute "TAX CREDITS, GRANTS,".

14  
15 Page 8, line 3, strike "\_\_\_" and substitute "FOUR".

16  
17 Amendment No. 4, by Representative Alexander.

18  
19 Amend the Agriculture, Livestock, and Natural Resources Committee  
20 Report, dated January 24, 2001, page 16, line 14, strike "effect July 1,  
21 2001," and substitute "effect upon passage".

22  
23 As amended, ordered engrossed and placed on the Calendar for Third  
24 Reading and Final Passage.

25  
26 **HB01-1205** by Representative(s) Kester, Alexander, Fairbank, Hefley,  
27 Hoppe, Johnson, Lee, Rippy, Smith, Snook, Spence,  
28 Stengel, Webster, White, Young; also Senator(s) Dennis--  
29 Concerning continuation of provisions requiring  
30 community corrections escapees to forfeit earned  
31 reductions in sentence time.

32  
33 Amendment No. 1, Appropriations Report, dated April 6, 2001, and  
34 placed in member's bill file; Report also printed in House Journal,  
35 April 9, pages 1135-1136.

36  
37 As amended, ordered engrossed and placed on the Calendar for Third  
38 Reading and Final Passage.

39  
40  
41 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

42  
43 Passed Second Reading: **HB01-1130 amended, 1282 amended,**  
44 **1106 amended, 1155 amended, 1374 amended, 1081 amended,**  
45 **1086 amended, 1205 amended.**

46  
47 The Chairman moved the adoption of the Committee of the Whole  
48 Report. As shown by the following roll call vote, a majority of those  
49 elected to the House voted in the affirmative, and the Report was  
50 **adopted.**

51  
52 

YES 61	NO 0	EXCUSED 4	ABSENT 0	
Alexander	Y Groff	Y Miller	Y Spence	Y
Bacon	Y Grossman	Y Mitchell	Y Spradley	Y
Berry	Y Hefley	E Nuñez	Y Stafford	Y
Borodkin	Y Hodge	Y Paschall	Y Stengel	Y

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

---

## 18 INTRODUCTION AND CONSIDERATION OF RESOLUTION

20 The following resolution was read at length and given immediate  
21 consideration:

23 **HJR01-1028** by Representative(s) Clapp, Fritz, Alexander, Cadman,  
24 Crane, Dean, Decker, Fairbank, Hefley, Hoppe, Jahn,  
25 Kester, King, Mitchell, Nuñez, Rhodes, Rippy, Schultheis,  
26 Sinclair, Smith, Snook, Stafford, Swenson, Tochtrop,  
27 Webster, Witwer; also Senator(s) Owen, Andrews,  
28 Hillman--Concerning commendation of the recently  
29 released crew of the U.S. Navy EP-3E surveillance plane.

31 On motion of Representative Spradley, the rules were suspended and the  
32 resolution given immediate consideration.

34 The Speaker ordered the resolution read at length.

36 WHEREAS, On Sunday, April 1, 2001, a U.S. Navy EP-3E  
37 surveillance plane with a 21-man, 3-woman crew collided with a Chinese  
38 fighter jet sent to intercept it over the South China Sea, well outside  
39 China's 12-mile territorial sea and airspace and made an emergency  
40 landing at a military airfield on China's Hainan island; and

42 WHEREAS, The Chinese government detained the 24 crew  
43 members and limited diplomatic access to them for 11 days; and

45 WHEREAS, Through the diligent and diplomatic efforts of the  
46 President of the United States, George W. Bush, Secretary of State, Colin  
47 Powell, United States Ambassador to China, Joseph W. Prueher, and  
48 countless other officials, arrangements have been made for the release of  
49 the crew; and

51 WHEREAS, It has been reported that the entire crew remained in  
52 good health and high spirits through this extremely tense time; and

54 WHEREAS, It has been reported that the crew of the U.S. Navy  
55 EP-3E surveillance plane demonstrated exemplary service and conduct  
56 during their detainment; now, therefore,

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

4  
 5           That we, the members of the Sixty-third General Assembly,  
 6 commend the crew of the U.S. Navy EP-3E surveillance plane for their  
 7 courage, service, and conduct during their 11-day detainment in the  
 8 People's Republic of China.

9  
 10           *Be It Further Resolved*, that copies of this Joint Resolution be sent  
 11 to the President of the United States, George W. Bush, Secretary of State,  
 12 Colin Powell, United States Ambassador to China, Joseph W. Prueher,  
 13 the Acting Secretary of the Navy, the Honorable Robert B. Pirie, Jr., and  
 14 each member of Colorado's congressional delegation.

15  
 16  
 17 Amendment No. 1, moved by Representative Fritz.

18  
 19 Amend printed joint resolution, page 1, strike lines 1 through 5 and  
 20 substitute the following:

21  
 22           "WHEREAS, On Sunday, April 1, 2001, a Chinese fighter jet  
 23 collided with a U.S. Navy EP-3 surveillance plane that contained a  
 24 21-man, 3-woman crew, forcing the Navy plane to make an emergency  
 25 landing at a military airfield on China's Hainan island; and

26  
 27           WHEREAS, The collision occurred during the Chinese fighter jet's  
 28 mission to intercept the U.S. Navy plane and was well outside China's  
 29 12-mile territorial sea and airspace; and"

30  
 31 Page 2, line 2, strike "EP-3E" and substitute "EP-3";

32  
 33 line 8, strike "EP-3E" and substitute "EP-3";

34  
 35 line 14, before "and", insert "each crew member of the U.S. Navy EP-3  
 36 surveillance plane,".

37  
 38 Page 1, line 102, strike "**EP-3E**" and substitute "**EP-3**".

39  
 40 The amendment was declared **passed** by **viva voce** vote.

41  
 42  
 43 On motion of Representative Clapp, the resolution as amended was  
 44 **adopted** by the following roll call vote:

45  
 46 YES 58                      NO 2                      EXCUSED 5                      ABSENT 0

48 Alexander	Y	Groff	Y	Miller	Y	Spence	Y
49 Bacon	Y	Grossman	Y	Mitchell	Y	Spradley	Y
50 Berry	Y	Hefley	E	Nuñez	Y	Stafford	Y
51 Borodkin	N	Hodge	Y	Paschall	Y	Stengel	Y
52 Boyd	Y	Hoppe	Y	Plant	Y	Swenson	Y
53 Cadman	Y	Jahn	Y	Ragsdale	Y	Tapia	E
54 Chavez	Y	Jameson	E	Rhodes	Y	Tochtrop	Y
55 Clapp	Y	Johnson	Y	Rippy	Y	Veiga	Y
56 Cloer	Y	Kester	E	Romanoff	Y	Vigil	Y

1	Coleman	Y	King	Y	Saliman	Y	Webster	Y
2	Crane	Y	Larson	Y	Sanchez	Y	Weddig	N
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.	E
6	Fritz	Y	Madden	Y	Smith	Y	Witwer	Y
7	Garcia	Y	Marshall	Y	Snook	Y	Young	Y
8							Mr. Speaker	Y
9								

10 Co-sponsors added: Representatives Bacon, Berry, Boyd, Cloer, Daniel, Garcia,  
11 Groff, Grossman, Hodge, Johnson, Larson, Lawrence, Lee, Mace, Marshall,  
12 Miller, Paschall, Romanoff, Scott, Spence, Spradley, Stengel, Veiga, White,  
13 Williams S., Young.

### 17 CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS

19 **HB01-1274** by Representative(s) Fairbank; also Senator(s) Thiebaut--  
20 Concerning clarifications to the "Uniform Election Code  
21 of 1992".

23 (Amended as printed in Senate Journal, April 6, page 769, and amended  
24 as printed in Senate Journal, April 9, page 792.)

26 Representative Fairbank moved that the House **not concur** in Senate  
27 amendments and that a Conference Committee be appointed. The motion  
28 was declared **passed** by the following roll call vote:

30	YES 53	NO 9	EXCUSED 3	ABSENT 0				
31								
32	Alexander	Y	Groff	Y	Miller	Y	Spence	Y
33	Bacon	N	Grossman	N	Mitchell	Y	Spradley	Y
34	Berry	Y	Hefley	E	Nuñez	Y	Stafford	Y
35	Borodkin	Y	Hodge	N	Paschall	Y	Stengel	Y
36	Boyd	Y	Hoppe	Y	Plant	N	Swenson	Y
37	Cadman	Y	Jahn	Y	Ragsdale	Y	Tapia	N
38	Chavez	Y	Jameson	E	Rhodes	Y	Tochtrop	Y
39	Clapp	Y	Johnson	Y	Rippy	Y	Veiga	N
40	Cloer	Y	Kester	Y	Romanoff	Y	Vigil	N
41	Coleman	Y	King	Y	Saliman	N	Webster	Y
42	Crane	Y	Larson	Y	Sanchez	Y	Weddig	N
43	Daniel	Y	Lawrence	Y	Schultheis	Y	White	Y
44	Decker	Y	Lee	Y	Scott	Y	Williams S.	Y
45	Fairbank	Y	Mace	Y	Sinclair	Y	Williams T.	E
46	Fritz	Y	Madden	Y	Smith	Y	Witwer	Y
47	Garcia	Y	Marshall	Y	Snook	Y	Young	Y
48							Mr. Speaker	Y
49								

50 The Speaker appointed Representatives Fairbank, Chairman, Scott and  
51 Garcia as House conferees to the bill.

53 **HB01-1088** by Representative(s) Rippy; also Senator(s) Dyer  
54 (Durango)--Concerning notifications regarding severed  
55 mineral rights.

56

1 (Amended as printed in Senate Journal, April 6, pages 769-772.)  
 2  
 3 Representative Rippy moved that the House **concur** in Senate amend-  
 4 ments. The motion was declared **passed** by the following roll call vote:

	YES 62	NO 0	EXCUSED 3	ABSENT 0		
8 Alexander	Y	Groff	Y	Miller	Y	Spence Y
9 Bacon	Y	Grossman	Y	Mitchell	Y	Spradley Y
10 Berry	Y	Hefley	E	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	E	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. E
22 Fritz	Y	Madden	Y	Smith	Y	Witwer Y
23 Garcia	Y	Marshall	Y	Snook	Y	Young Y
						Mr. Speaker Y

26  
 27 The question being, "Shall the bill, as amended, pass?"  
 28 A roll call vote was taken. As shown by the following recorded vote, a  
 29 majority of those elected to the House voted in the affirmative, and the  
 30 bill, as amended, was declared **repassed**.

	YES 62	NO 0	EXCUSED 3	ABSENT 0		
34 Alexander	Y	Groff	Y	Miller	Y	Spence Y
35 Bacon	Y	Grossman	Y	Mitchell	Y	Spradley Y
36 Berry	Y	Hefley	E	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	E	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	Y	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. E
48 Fritz	Y	Madden	Y	Smith	Y	Witwer Y
49 Garcia	Y	Marshall	Y	Snook	Y	Young Y
						Mr. Speaker Y

52 Co-sponsors added: Representatives Smith, Weddig.  
 53  
 54  
 55

**REPORTS OF COMMITTEE OF REFERENCE****APPROPRIATIONS**

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

**HB01-1102** 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 14 through 22, and substitute the following:

**"SECTION 3. Appropriation.** In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of human services, juvenile parole board, for the fiscal year beginning July 1, 2001, the sum of seven thousand eight hundred seventy-nine dollars (\$7,879), or so much thereof as may be necessary, for the implementation of this act.

**SECTION 4. Effective date.** This act shall take effect July 1, 2001, but only if Senate Bill 01-77, enacted at the First Regular Session of the Sixty-third General Assembly, becomes law."

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

**HB01-1181** be postponed indefinitely.

**HB01-1184** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend the Criminal Justice Committee Report, dated February 6, 2001, page 1, strike lines 8 through 12 and substitute the following:

"to disclose to the court the existence of any".

Page 2 of the committee report, strike lines 7 through 14 and substitute the following:

"(3) THE PARTIES TO A DOMESTIC RELATIONS PETITION FILED PURSUANT TO THIS ARTICLE SHALL RECEIVE INFORMATION CONCERNING DOMESTIC VIOLENCE SERVICES AND POTENTIAL FINANCIAL RESOURCES THAT MAY BE AVAILABLE."";

after line 15 of the committee report, insert the following:

"Page 2, line 5, strike "**and notice of acts of domestic abuse or**";

line 6, strike "**domestic violence**".

1 Page 3, line 16, strike "TO PROVIDE THE PARENTS OR LEGAL GUARDIANS"  
2 and substitute "FOR SUCH PERSONS TO BE PROVIDED";

3  
4 line 17, strike "SUCH" and substitute "THE".

5  
6 Page 4, strike lines 1 through 5 and substitute the following:

7  
8 "shall have a duty to disclose to the court the";";

9  
10 line 16 of the committee report, strike "Page 4,";

11  
12 strike lines 23 through 30 of the committee report and substitute the  
13 following:

14  
15 ""(4) THE PARTIES TO A DOMESTIC RELATIONS PETITION FILED  
16 PURSUANT TO THIS ARTICLE SHALL RECEIVE INFORMATION CONCERNING  
17 DOMESTIC VIOLENCE SERVICES AND POTENTIAL FINANCIAL RESOURCES  
18 THAT MAY BE AVAILABLE."."

19  
20 Page 4 of the committee report, strike lines 26 through 31 and substitute  
21 the following:

22  
23 **"SECTION 7. Appropriation - adjustments to the 2001 long**  
24 **bill.** (1) For the implementation of this act, appropriations made in the  
25 annual general appropriation act for the fiscal year beginning July 1,  
26 2001, shall be adjusted as follows:

27  
28 (a) The appropriation to the department of human services, office  
29 of self sufficiency, Colorado works program, for county block grants, is  
30 decreased by sixty-one thousand one hundred nineteen dollars (\$61,119).  
31 Said sum shall be from federal temporary assistance for needy families  
32 block grant funds.

33  
34 (b) In addition to any other appropriation, there is hereby  
35 appropriated, to the department of human services, office of self  
36 sufficiency, Colorado works program, for the fiscal year beginning July  
37 1, 2001, the sum of sixty-one thousand one hundred nineteen dollars  
38 (\$61,119), or so much thereof as may be necessary, for the  
39 implementation of this act. Said sum shall be from federal temporary  
40 assistance for needy families block grant funds.".";

41  
42 after line 32, insert the following:

43  
44 "Page 1, line 101, strike "VIOLENCE." and substitute "VIOLENCE, AND  
45 MAKING AN APPROPRIATION THEREFOR."."

46  
47  
48  
49 **HB01-1195** be amended as follows, and as so amended, be referred to  
50 the Committee of the Whole with favorable  
51 recommendation:

52  
53 Amend the House Local Government Committee report, dated March 19,  
54 2001, page 7, after line 17, insert the following:

55  
56 **"SECTION 5. Appropriation.** (1) In addition to any other

1 appropriation, there is hereby appropriated, out of any moneys in the  
2 public utilities commission fixed utility fund created in section 40-2-114,  
3 Colorado Revised Statutes, not otherwise appropriated, to the department  
4 of regulatory agencies, for allocation to the executive director's office, for  
5 legal services, for the fiscal year beginning July 1, 2001, the sum of  
6 eighty-three thousand seven hundred fifteen dollars (\$83,715), or so  
7 much thereof as may be necessary, for the implementation of this act.  
8

9 (2) In addition to any other appropriation, there is hereby  
10 appropriated, out of any moneys in the public utilities commission fixed  
11 utility fund created in section 40-2-114, Colorado Revised Statutes, not  
12 otherwise appropriated, to the department of regulatory agencies, for  
13 allocation to the public utilities commission, for the fiscal year beginning  
14 July 1, 2001, the sum of eighty-seven thousand three hundred forty-seven  
15 dollars (\$87,347) and 1.0 FTE, or so much thereof as may be necessary,  
16 for the implementation of this act.  
17

18 (3) In addition to any other appropriation, there is hereby  
19 appropriated, to the department of law, for the fiscal year beginning July  
20 1, 2001, the sum of eighty-three thousand seven hundred fifteen dollars  
21 (\$83,715) and 0.8 FTE, or so much thereof as may be necessary, for the  
22 provision of legal services to the public utilities commission related to the  
23 implementation of this act. Such sum shall be from cash funds exempt  
24 received from the department of regulatory agencies out of the  
25 appropriation made in subsection (1) of this section."  
26

27 Renumber succeeding section accordingly.  
28

29 Page 7, line 22, strike "CONSUMPTION." and substitute "CONSUMPTION,  
30 AND MAKING AN APPROPRIATION THEREFOR."."  
31

32  
33  
34 **HB01-1204** be referred to the Committee of the Whole with favorable  
35 recommendation.  
36

37  
38 **HB01-1277** be postponed indefinitely.  
39

40  
41 **HB01-1318** be postponed indefinitely.  
42

43  
44 **HB01-1333** be postponed indefinitely.  
45

46  
47 **HB01-1344** be amended as follows, and as so amended, be referred to  
48 the Committee of the Whole with favorable  
49 recommendation:  
50

51 Amend printed bill, page 2, after line 27, insert the following:  
52

53 "SECTION 2. Part 1 of article 1 of title 17, Colorado Revised  
54 Statutes, is amended BY THE ADDITION OF A NEW SECTION to  
55 read:  
56

1           **17-1-133. Appropriation to comply with section 2-2-703 - HB**  
2 **01-1344.** (1) PURSUANT TO SECTION 2-2-703, C.R.S., THE FOLLOWING  
3 STATUTORY APPROPRIATIONS, OR SO MUCH THEREOF AS MAY BE  
4 NECESSARY, ARE MADE IN ORDER TO IMPLEMENT H.B. 01-1344, ENACTED  
5 AT THE FIRST REGULAR SESSION OF THE SIXTY-THIRD GENERAL ASSEMBLY:  
6

7           (a) FOR THE FISCAL YEAR BEGINNING JULY 1, 2001, IN ADDITION  
8 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED FROM  
9 THE CAPITAL CONSTRUCTION FUND CREATED IN SECTION 24-75-302,  
10 C.R.S., TO THE CORRECTIONS EXPANSION RESERVE FUND CREATED IN  
11 SECTION 17-1-116, THE SUM OF SIXTY-NINE THOUSAND FOUR HUNDRED  
12 SIXTY-SEVEN DOLLARS (\$69,467).  
13

14           (b) FOR THE FISCAL YEAR BEGINNING JULY 1, 2002, IN ADDITION  
15 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE  
16 DEPARTMENT OF CORRECTIONS, OUT OF ANY MONEYS IN THE GENERAL  
17 FUND NOT OTHERWISE APPROPRIATED, THE SUM OF TWENTY-SIX THOUSAND  
18 SIX HUNDRED EIGHTY-NINE DOLLARS (\$26,689).  
19

20           (c) FOR THE FISCAL YEAR BEGINNING JULY 1, 2003, IN ADDITION  
21 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE  
22 DEPARTMENT OF CORRECTIONS, OUT OF ANY MONEYS IN THE GENERAL  
23 FUND NOT OTHERWISE APPROPRIATED, THE SUM OF TWENTY-SIX THOUSAND  
24 SIX HUNDRED EIGHTY-NINE DOLLARS (\$26,689).  
25

26           (d) FOR THE FISCAL YEAR BEGINNING JULY 1, 2004, IN ADDITION TO  
27 ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE  
28 DEPARTMENT OF CORRECTIONS, OUT OF ANY MONEYS IN THE GENERAL  
29 FUND NOT OTHERWISE APPROPRIATED, THE SUM OF TWENTY-SIX  
30 THOUSAND SIX HUNDRED EIGHTY-NINE DOLLARS (\$26,689).  
31

32           (e) FOR THE FISCAL YEAR BEGINNING JULY 1, 2005, IN ADDITION TO  
33 ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE  
34 DEPARTMENT OF CORRECTIONS, OUT OF ANY MONEYS IN THE GENERAL  
35 FUND NOT OTHERWISE APPROPRIATED, THE SUM OF TWENTY-SIX THOUSAND  
36 SIX HUNDRED EIGHTY-NINE DOLLARS (\$26,689).  
37

38           **SECTION 3.** 24-75-302 (2) (n), Colorado Revised Statutes, is  
39 amended to read:  
40

41           **24-75-302. Capital construction fund - capital assessment fees**  
42 **- calculation.** (2) As of July 1, 1988, and July 1 of each year thereafter  
43 through July 1, 2005, a sum as specified in this subsection (2) shall  
44 accrue to the capital construction fund. The state treasurer and the  
45 controller shall transfer such sum out of the general fund and into the  
46 capital construction fund as moneys become available in the general fund  
47 during the fiscal year beginning on said July 1. Transfers between funds  
48 pursuant to this subsection (2) shall not be deemed to be appropriations  
49 subject to the limitations of section 24-75-201.1. The amount which shall  
50 accrue pursuant to this subsection (2) shall be as follows:  
51

52           (n) On July 1, 2001, one hundred million dollars, plus one  
53 hundred fifty-four thousand six hundred thirty-six dollars pursuant to  
54 H.B. 97-1186; plus nine hundred five thousand seven hundred  
55 twenty-three dollars pursuant to H.B. 97-1077, enacted at the first regular  
56 session of the sixty-first general assembly; plus nine thousand eight

1 hundred ninety dollars pursuant to S.B. 98-021, enacted at the second  
 2 regular session of the sixty-first general assembly; plus three hundred  
 3 forty-nine thousand fifty-five dollars pursuant to H.B. 98-1160, enacted  
 4 at the second regular session of the sixty-first general assembly; plus  
 5 three hundred twenty-six thousand thirty-two dollars pursuant to H.B.  
 6 00-1107, enacted at the second regular session of the sixty-second general  
 7 assembly; plus ninety-seven thousand two hundred fifty-four dollars  
 8 pursuant to H.B. 00-1111, enacted at the second regular session of the  
 9 sixty-second general assembly; plus two hundred ninety-one thousand  
 10 seven hundred sixty-one dollars pursuant to H.B. 00-1158, enacted at the  
 11 second regular session of the sixty-second general assembly; plus one  
 12 million one hundred sixteen thousand nine hundred seventy-one dollars  
 13 pursuant to H.B. 00-1201, enacted at the second regular session of the  
 14 sixty-second general assembly; plus four hundred sixteen thousand eight  
 15 hundred two dollars pursuant to H.B. 00-1214, enacted at the second  
 16 regular session of the sixty-second general assembly; plus sixty-nine  
 17 thousand four hundred sixty-seven dollars pursuant to H.B. 00-1247,  
 18 enacted at the second regular session of the sixty-second general  
 19 assembly; PLUS SIXTY-NINE THOUSAND FOUR HUNDRED SIXTY-SEVEN  
 20 DOLLARS PURSUANT TO H.B. 01-1344, ENACTED AT THE FIRST REGULAR  
 21 SESSION OF THE SIXTY-THIRD GENERAL ASSEMBLY;".

22

23 Renumber succeeding sections accordingly.

24

25 Page 1, line 102, strike "**PROCEEDINGS.**" and substitute "**PROCEEDINGS,**  
 26 **AND MAKING AN APPROPRIATION THEREFOR.**".

27

28

29

30 **HB01-1347** be amended as follows, and as so amended, be referred to  
 31 the Committee of the Whole with favorable  
 32 recommendation:

33

34 Amend the Civil Justice and Judiciary Committee Report, dated March  
 35 13, 2001, page 2, line 4, strike "UNTIL".

36

37 Page 3, strike line 18 and substitute the following:

38

39 "SIXTEEN YEARS."."

40

41 Page 4, after line 3, insert the following:

42

43 "Page 19, strike lines 21 through 24, and substitute the following:

44

45 "**SECTION 16.** 8-12-115 (3) and (7), Colorado Revised Statutes,  
 46 are amended to read:

47

48 **8-12-115. Director of the division of labor - powers and duties**  
 49 **- rules.** (3) The director shall receive and investigate complaints and  
 50 may from time to time visit employers at reasonable times and inspect  
 51 pertinent records to determine compliance with this article; EXCEPT THAT  
 52 THE DIRECTOR SHALL HAVE NO AUTHORITY TO CONDUCT RANDOM  
 53 INSPECTIONS.

54

55 (7) The director, in accordance with section 24-4-103, C.R.S.,".

56

1 **HB01-1353** be referred to the Committee of the Whole with favorable  
2 recommendation.  
3

4  
5 **HB01-1354** 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 8, line 21, strike "In" and substitute "(1) In";  
10  
11 strike lines 25 through 27 and substitute the following:  
12

13 "department of natural resources, executive director's office, for legal  
14 services, for the fiscal year beginning July 1, 2001, the sum of nineteen  
15 thousand five hundred thirty-four dollars (\$19,534), or so much thereof  
16 as may be necessary, for the implementation of this act.  
17

18 (2) In addition to any other appropriation, there is hereby  
19 appropriated, to the department of natural resources, water conservation  
20 board, for allocation to the state engineer, for the fiscal year beginning  
21 July 1, 2001, the sum of fifty-six thousand two hundred fifty-three dollars  
22 (\$56,253) and 0.1 FTE, or so much thereof as may be necessary, for the  
23 implementation of this act.  
24

25 (3) In addition to any other appropriation, there is hereby  
26 appropriated, to the department of law, the sum of nineteen thousand five  
27 hundred thirty-four dollars (\$19,534) and 0.2 FTE, or so much thereof as  
28 may be necessary, for the provision of legal services to the department of  
29 natural resources related to implementation of this act. Such sum shall  
30 be from cash funds exempt out of the appropriation made in subsection  
31 (1) of this section."  
32

33 Page 9, strike line 1.  
34  
35  
36

37 **HB01-1357** be amended as follows, and as so amended, be referred to  
38 the Committee of the Whole with favorable  
39 recommendation:  
40

41 Amend printed bill, page 7, after line 19, insert the following:  
42

43 **"SECTION 3. Appropriation - adjustments to the 2001 long**  
44 **bill.** (1) In addition to any other appropriation, there is hereby  
45 appropriated, out of any moneys in the general fund not otherwise  
46 appropriated, to the department of human services, division of youth  
47 corrections, for the community accountability program, for the fiscal year  
48 beginning July 1, 2001, the sum of two million one hundred twenty-nine  
49 thousand twenty dollars (\$2,129,020), or so much thereof as may be  
50 necessary, for the implementation of this act.  
51

52 (2) For the implementation of this act, appropriations made in the  
53 annual general appropriation act for the fiscal year beginning July 1,  
54 2001, shall be adjusted as follows:  
55

1 (a) The general fund appropriation to the department of human  
2 services, office of operations, is decreased by seven thousand five  
3 hundred forty dollars (\$7,540).

4  
5 (b) The appropriation to the department of human services,  
6 division of youth corrections, is decreased by two million two hundred  
7 forty-three thousand nine hundred seventy-eight dollars (\$2,243,978) and  
8 0.7 FTE. Of said sum, two million forty-eight thousand nine hundred  
9 eighty-two dollars (\$2,048,982) shall be from the general fund and one  
10 hundred ninety-four thousand nine hundred ninety-six dollars (\$194,996)  
11 shall be from medicaid cash funds transferred from the department of  
12 health care policy and financing.

13  
14 (c) The appropriation to the department of health care policy and  
15 financing, department of human services medicaid-funded programs,  
16 division of youth corrections - medicaid funding, is decreased by one  
17 hundred ninety-four thousand nine hundred ninety-six dollars (\$194,996).  
18 Of said sum, ninety-seven thousand four hundred ninety-eight dollars  
19 (\$97,498) shall be from the general fund and ninety-seven thousand four  
20 hundred ninety-eight dollars (\$97,498) shall be from federal funds."

21  
22 Renumber succeeding section accordingly.

23  
24 Page 1, line 102, strike "JUVENILES." and substitute "JUVENILES, AND  
25 MAKING AN APPROPRIATION IN CONNECTION THEREWITH."

26  
27  
28  
29 **HB01-1365** be referred to the Committee of the Whole with favorable  
30 recommendation.

31  
32  
33 **HB01-1372** 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, line 4, after "directed", insert "to terminate  
38 all lease and other agreements between the department of corrections and  
39 the department of military affairs with respect to,";

40  
41 line 7, strike "director" and substitute "director,";

42  
43 line 8, strike the first "of" and substitute "of,".

44  
45  
46  
47 **SB01-077** be amended as follows, and as so amended, be referred to  
48 the Committee of the Whole with favorable  
49 recommendation:

50  
51 Amend reengrossed bill, page 4, after line 19, insert the following:

52  
53 **"SECTION 4. Appropriation - adjustment to the 2001 long**  
54 **bill.** For the implementation of this act, the general fund appropriations  
55 made in the annual general appropriation act, for the fiscal year beginning  
56 July 1, 2001, to the department of human services, division of youth

1 corrections, are reduced by three hundred twenty-eight thousand six  
2 hundred ninety-three dollars (\$328,693) and 1.7 FTE.".

3  
4 Renumber succeeding sections accordingly.

5  
6 Page 1, line 101, strike "PAROLE." and substitute "PAROLE, AND MAKING  
7 AN APPROPRIATION IN CONNECTION THEREWITH.".

8  
9  
10  
11 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

12  
13 The Speaker has signed: **HB01-1224, 1275, 1287, 1288, 1308, 1325,**  
14 **1364; HJR01-1023, 1024; SB01-022, 027, 040, 054, 104, 107, 129,**  
15 **135, 145, 150, 169.**

16  
17  
18 **MESSAGE FROM THE SENATE**

19 Mr. Speaker:

20  
21 The Senate has passed on Third Reading and transmitted to the Revisor  
22 of Statutes:

23  
24 HB01-1349, amended as printed in Senate Journal, April 10, page 797.

25  
26  
27 **MESSAGE FROM THE REVISOR**

28  
29 We herewith transmit without comment, as amended, HB01-1349.

30  
31  
32  
33 **INTRODUCTION OF BILLS**  
34 **First Reading**

35  
36 The following bills were read by title and referred to the committees  
37 indicated:

38  
39 **HB01-1385** by Representative(s) Lawrence, Larson, Miller; also  
40 Senator(s) Phillips, Windels--Concerning the development  
41 of a master plan for state facilities located in the state  
42 capitol buildings group.

43 Committee on State, Veterans, & Military Affairs

44  
45 **HB01-1386** by Representative(s) Fritz; also Senator(s) Matsunaka--  
46 Concerning the exemption of voter-approved marketing  
47 and promotion taxes levied by a local marketing district  
48 from the statutory six and ninety one-hundredths percent  
49 sales or use tax limit.

50 Committee on Local Government

51  
52 **HB01-1387** by Representative(s) Snook; --Concerning measures  
53 designed to mitigate hazards originating from solid waste,  
54 and, in connection therewith, making an appropriation.

55 Committee on Local Government

56 Committee on Appropriations

- 1 **SB01-099** by Senator(s) Dyer (Arapahoe); also Representative(s)  
 2 Hefley--Concerning prohibitions on trademark  
 3 counterfeiting.  
 4 Committee on Civil Justice & Judiciary  
 5 Committee on Appropriations  
 6
- 7 **SB01-174** by Senator(s) Epps; also Representative(s) Hefley--  
 8 Concerning criminal background checks for emergency  
 9 medical technicians, and making an appropriation therefor.  
 10 Committee on Criminal Justice  
 11 Committee on Appropriations  
 12
- 13 **SB01-208** by Senator(s) Nichol; also Representative(s) Alexander--  
 14 Concerning recommendations of the senate committee on  
 15 government, veterans and military relations, and  
 16 transportation relating to requirements for certain reports  
 17 to the general assembly from executive agencies, and, in  
 18 connection therewith, repealing reporting requirements to  
 19 the general assembly that are obsolete.  
 20 Committee on State, Veterans, & Military Affairs  
 21
- 

## INTRODUCTION OF RESOLUTIONS

22  
 23  
 24  
 25  
 26 The following resolution was read by title and referred to the committee  
 27 indicated:

- 28  
 29 **HJR01-1029** by Representative(s) Witwer; also Senator(s) Evans--  
 30 Concerning an interim committee to evaluate certain  
 31 aspects of the "Colorado Auto Accident Reparations Act",  
 32 and, in connection therewith, evaluating the creation of a  
 33 tort option for auto insurance and a catastrophic fund for  
 34 persons who elect no-fault coverage and evaluating when  
 35 a person may sue for damages related to injuries sustained  
 36 in an auto accident.  
 37 Committee on Transportation & Energy  
 38

39 WHEREAS, Auto insurance premiums in Colorado are high, in  
 40 part because the current auto liability insurance system may encourage  
 41 unnecessarily litigious behavior by both claimants and defendants to  
 42 settle claims; and  
 43

44 WHEREAS, Auto insurance premiums are unaffordable for many  
 45 Colorado citizens; and  
 46

47 WHEREAS, Adopting a pure no-fault system should be  
 48 considered as a way to reduce the cost of insurance premiums, eliminate  
 49 litigation for noneconomic damages, and streamline the system for the  
 50 consumer; and  
 51

52 WHEREAS, A catastrophic injury fund may address problems  
 53 faced by persons who sustain catastrophic injuries as a result of an auto  
 54 accident and may ideally reduce the number of such persons who turn to  
 55 publicly funded health benefits such as medicaid; and  
 56

1 WHEREAS, Considering whether an option that allows Colorado  
2 drivers to purchase auto insurance that would allow the driver to pursue  
3 all tort remedies against another driver who causes an accident or an auto  
4 policy that would preclude tort recovery unless the person suffered  
5 serious bodily impairment may also help to reduce the cost of auto  
6 insurance premiums for Colorado drivers; now, therefore,  
7

8 *Be It Resolved by the House of Representatives of the Sixty-third*  
9 *General Assembly of the State of Colorado, the Senate concurring*  
10 *herein:*  
11

12 (1) That there shall be a legislative committee formed to study and  
13 evaluate auto insurance issues affecting affordability of premiums, the  
14 adoption of a pure no-fault system, the possible creation of a catastrophic  
15 injury fund, and the cost effectiveness of allowing the consumer to  
16 choose to sue a tortfeasor for the recovery of damages sustained in an  
17 auto accident, hereinafter referred to as the "interim committee", which  
18 shall meet in the interim after the 2001 regular session of the Sixty-third  
19 General Assembly.  
20

21 (2) That the interim committee shall consist of eleven members  
22 as follows:  
23

24 (a) Five senators, three appointed by the President of the Senate,  
25 one of whom shall be the chair of the Senate Business, Labor, and  
26 Finance Committee and who shall serve as the chair of the interim  
27 committee, and two appointed by the minority leader of the Senate;  
28

29 (b) Six representatives appointed by the Speaker of the House of  
30 Representatives, one of whom shall be the chair of the House Business  
31 Affairs and Labor Committee and who shall serve as the vice-chair of the  
32 interim committee, no more than four of whom shall be from the same  
33 political party, and the Speaker of the House of Representatives shall  
34 consult with the minority leader of the House of Representatives in the  
35 appointment of at least two members to the interim committee.  
36

37 (3) That the interim committee shall review the following issues  
38 related to the cost of and access to auto insurance:  
39

40 (a) A catastrophic injury fund, including, but not limited to, the  
41 following:  
42

43 (I) What is catastrophic - is it defined by a dollar amount of  
44 medical bills or by particular diagnoses;  
45

46 (II) The feasibility of creating a catastrophic injury fund in  
47 Colorado for persons injured in an auto accident;  
48

49 (III) Should a catastrophic injury fund be limited to claims from  
50 auto accidents;  
51

52 (IV) What are the medicaid savings associated with a catastrophic  
53 injury fund and how would a catastrophic injury fund interact with  
54 medical assistance provided through medicaid, medicare, federal social  
55 security disability income, social security income, and workers'  
56 compensation benefits;

- 1 (V) Would a catastrophic injury fund be subject to the limitations  
2 of the taxpayer's bill of rights (TABOR), section 20 of article X of the  
3 state Constitution;  
4
- 5 (VI) Would there be different TABOR implications if the  
6 catastrophic fund is not limited to auto insurance claims;  
7
- 8 (VII) Michigan has created a catastrophic injury fund to address  
9 severe auto accident injuries; what are the lessons that Colorado may  
10 learn from Michigan's experience;  
11
- 12 (VIII) Are there significant sources of catastrophic injuries that  
13 are caused by conditions other than auto accidents;  
14
- 15 (IX) In the event a catastrophic injury fund is created, should  
16 there be a limit on the amount of damages that may be reimbursed from  
17 the catastrophic injury fund;  
18
- 19 (X) What are reasonable expenses that should be reimbursed by  
20 a catastrophic fund;  
21
- 22 (XI) Would a catastrophic injury fund need to utilize managed  
23 care components in order to assist with the effective use of moneys in the  
24 fund and if so, what managed care components should be used;  
25
- 26 (XII) How would money be obtained for a catastrophic fund and  
27 who or what entities would contribute to a catastrophic fund;  
28
- 29 (XIII) Would there be an effect on premiums by adopting a verbal  
30 threshold as part of a pure no-fault system, and if there is an effect, does  
31 it benefit the consumer;  
32
- 33 (XIV) What is the effect of adopting a mandatory peer review  
34 system for personal injury claims from an auto accident; and  
35
- 36 (XV) Should a fee schedule be adopted for health care services  
37 rendered as a result of an auto accident.  
38
- 39 (b) What are the impacts of implementing an option for  
40 consumers to choose between the ability to sue a tortfeasor for the  
41 recovery of damages and the ability to receive coverage for injuries  
42 sustained in an accident involving a motor vehicle through a pure no-fault  
43 plan with a catastrophic injury fund;  
44
- 45 (c) Will auto insurance premiums be reduced with the  
46 implementation of a catastrophic injury fund or by allowing consumers  
47 to choose auto insurance coverage pursuant to paragraph (b) of this  
48 subsection (3); and  
49
- 50 (d) Any other matters the committee deems relevant to answering  
51 the issues in paragraphs (a) to (c) of this subsection (3).  
52
- 53 (4) (a) That the interim committee shall hold meetings, take public  
54 testimony, and sponsor discussions with any interested party, including,  
55 but not limited to, consumers, providers of health care services,  
56 representatives from the division of insurance, and auto and health

1 insurance carriers.

2

3 (b) That the interim committee may conduct up to eight meetings.  
4 All interim committee hearings shall be concluded by October 1, 2001.

5

6 (5) That appointments to the interim committee shall be made by  
7 July 1, 2001. The first meeting of the interim committee shall occur  
8 during the week of July 15, 2001.

9

10 (6) That the staff of the Legislative Council and the Office of  
11 Legislative Legal Services shall be available to assist the interim  
12 committee in carrying out its duties.

13

14 (7) That the interim committee shall make recommendations  
15 regarding the issues reviewed and, if necessary, recommend legislation.  
16 Legislation recommended by the committee shall be treated as legislation  
17 recommended by any other legislative interim committee for purposes of  
18 any introduction deadlines or bill limitations imposed by the joint rules  
19 of the Senate and the House of Representatives.

20

21 (8) (a) That the legislative members of the interim committee shall  
22 be compensated as provided in section 2-2-307, Colorado Revised  
23 Statutes, for attendance at meetings of the interim committee.

24

25 (b) That the interim committee may accept and expend gifts,  
26 grants, donations, and federal funds for the purposes of this interim  
27 committee.

28

29 (9) That the actual and necessary expenses, including per diem,  
30 incurred in the conduct of the interim committee shall be approved by the  
31 chairperson of the Legislative Council and paid by vouchers and warrants  
32 drawn as provided by law from funds allocated to the Legislative Council  
33 from appropriations made by the General Assembly.

34

35

36

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

39

40 **HJR01-1030** by Representative(s) Clapp, Cadman, Fritz, King, Rhodes,  
41 Sinclair, Williams T.; also Senator(s) Andrews--  
42 Concerning "Hungarian Freedom Fighters Day".

43

44 WHEREAS, Following World War II, the Soviet Union occupied  
45 Hungary and forced an anti-democratic and brutal government upon the  
46 people of Hungary; and

47

48 WHEREAS, On October 23, 1956, freedom fighters took up arms  
49 in Hungary to establish a democratic government and free the people of  
50 Hungary from oppression by ending the political and economic  
51 domination by the Hungarian communist government and the Soviet  
52 Union; and

53

54 WHEREAS, The people of Hungary fought valiantly, but alone,  
55 and thousands gave their lives, thousands were imprisoned, and over one  
56 hundred fifty thousand escaped; and

1 WHEREAS, The brave Hungarians in 1956 were the first to rebel  
2 against the totalitarian and oppressive communist government and their  
3 sacrifices exposed the weaknesses of the communist system; and  
4

5 WHEREAS, The Hungarians in 1989 were again instrumental in  
6 the collapse of communism as they dismantled the Iron Curtain and  
7 allowed the East Germans to leave Eastern Europe through Hungary,  
8 actions which eventually led to the fall of the Berlin Wall; and  
9

10 WHEREAS, The sacrifices of the Hungarians in 1956 were not in  
11 vain, as they ultimately led to the collapse of most of the communist  
12 systems of the world and freedom for tens of millions of people; and  
13

14 WHEREAS, The Colorado General Assembly supports the efforts  
15 of people of all nations to assert the right of self-determination and other  
16 basic human rights for which the Hungarian people bravely fought in  
17 1956; and  
18

19 WHEREAS, October 23, 2001, is the 45<sup>th</sup> Anniversary of the  
20 ultimately successful uprising of the people of Hungary; now, therefore,  
21

22 *Be It Resolved by the House of Representatives of the Sixty-third*  
23 *General Assembly of the State of Colorado, the Senate concurring*  
24 *herein:*  
25

26 That October 23, 2001, be designated "Hungarian Freedom  
27 Fighters Day" in the State of Colorado.  
28

29 *Be It Further Resolved*, That the General Assembly encourages the  
30 Governor to issue a proclamation calling upon the people of the State of  
31 Colorado to observe "Hungarian Freedom Fighters Day" with appropriate  
32 ceremonies and activities.  
33

---

### 34 LAY OVER OF CALENDAR ITEMS

35  
36  
37 On motion of Representative Spradley, the following items on the  
38 Calendar were laid over until April 16, retaining place on Calendar:  
39

40 Consideration of General Orders--**HB01-1219, 1234, 1271, 1303, 1334,**  
41 **1191, 1242, 1269, 1373.**

42 Consideration of Conference Committee Report--**SB01-123.**

43 Consideration of Resolutions--**HJR01-1025, 1012.**

44 Consideration of Memorial--**HM01-1002.**

45 Consideration of Senate Amendments--**HB01-1113, 1163, 1236, 1210,**  
46 **1160, 1239, 1348, 1096, 1025, 1169, 1114, 1319, 1132, 1174, 1252.**

47 Consideration of Adherence--**SB01-178, 165.**  
48

---

49  
50 On motion of Representative Spradley, the House adjourned until  
51 10:00 a.m., April 16, 2001.  
52

Approved:

53  
54 Attest:  
55 JUDITH RODRIGUE,  
56 Chief Clerk

DOUG DEAN,  
Speaker