

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

Thirty-sixth Legislative Day

Wednesday, February 14, 2001

1 Prayer by Pastor Dan Elliott, South Fellowship, Littleton.
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--54.
8 Excused--Representatives Clapp, Coleman, Fritz, Grossman,
9 Johnson, Lee, Nuñez, Rhodes, Sinclair, Stafford, Swenson--11.
10 Present after roll call--Representatives Clapp, Nuñez, Rhodes,
11 Sinclair.

12
13 The Speaker declared a quorum present.

14
15
16 On motion of Representative Crane, the reading of the journal of
17 February 13, 2001, was declared dispensed with and approved as
18 corrected by the Chief Clerk.

REPORTS OF COMMITTEES OF REFERENCE

EDUCATION

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

27
28 **HB01-1272** be amended as follows, and as so amended, be referred to
29 the Committee on Appropriations with favorable
30 recommendation:

31
32 Amend printed bill, page 2, line 9, strike "FORTY-ONE" and substitute
33 "TWENTY";

34
35 line 10, strike "2001." and substitute "2001, AND THE AMOUNT BUDGETED
36 IN THE 2002-03 BUDGET YEAR SHALL BE INCREASED BY THE AMOUNT
37 DETERMINED BY MULTIPLYING TWENTY-ONE DOLLARS BY THE DISTRICT'S
38 FUNDED PUPIL COUNT AS OF OCTOBER 1, 2002.";

39
40 line 24, strike "OF FORTY-ONE DOLLARS" and substitute "BUDGETED
41 PURSUANT TO SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (III),";

42
43 after line 26, add the following:

44
45 "(C) FOR THE 2001-02 AND 2002-03 BUDGET YEARS, DISTRICTS

1 SHALL RECEIVE ADDITIONAL AMOUNTS OF MONEYS DETERMINED BY THE
2 FORMULA SPECIFIED IN SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH
3 (III). SUCH ADDITIONAL MONEYS SHALL ONLY BE USED PURSUANT TO THE
4 PROVISIONS OF THIS SUBPARAGRAPH (III).".

5
6 Reletter succeeding sub-subparagraph accordingly.

7
8 Page 3, after line 2, add the following:

9
10 **"SECTION 2. Appropriation.** In addition to any other
11 appropriation, there is hereby appropriated, out of any moneys in the state
12 education fund, created pursuant to section 17 of article IX of the state
13 constitution, not otherwise appropriated, to the department of education,
14 for the fiscal year beginning July 1, 2001, the sum of fourteen million
15 eight hundred sixty-six thousand nine hundred dollars (\$14,866,900), or
16 so much thereof as may be necessary, for the implementation of this act.".

17
18 Renumber succeeding section accordingly.

19
20 Page 1, line 101, strike "TEXTBOOKS." and substitute "TEXTBOOKS, AND
21 MAKING AN APPROPRIATION IN CONNECTION THEREWITH.".

22
23
24
25 **HB01-1292** be amended as follows, and as so amended, be referred to
26 the Committee of the Whole with favorable
27 recommendation:

28
29 Amend printed bill, page 2, line 7, strike "CHARACTER DEVELOPMENT
30 AND" and substitute "PARENTS ARE THE PRIMARY AND MOST IMPORTANT
31 MORAL EDUCATORS OF THEIR CHILDREN, SUCH EFFORTS SHOULD BE
32 REINFORCED IN THE SCHOOL AND COMMUNITY ENVIRONMENTS. THE";

33
34 strike lines 8 and 9;

35
36 line 11, strike "DEVELOPMENTAL TOOLS AND";

37
38 line 12, strike "TIES," and substitute "INVOLVEMENT," and strike
39 "CREATIVE".

40
41 Page 3, line 1, strike "ACTIVITIES,";

42
43 strike line 4 and substitute "PURPOSE, AND SELF-RESPECT HELP GIVE
44 YOUTH THE BASIC INTERPERSONAL";

45
46 line 6, strike "GROWTH AND DEVELOPMENT." and substitute
47 "RELATIONSHIPS.";

48
49 line 14, strike "DEVELOPMENTAL TOOLS AND CORE";

50
51 line 15, strike "TRANSCEND CULTURAL, RELIGIOUS, AND" and substitute
52 "REFLECT THE CORE VALUES OF THE PARENTS AND SCHOOL COMMUNITY AS
53 A WHOLE.";

54
55 line 16, strike "SOCIOECONOMIC DIFFERENCES.";

56

1 line 19, strike "YOUNG PEOPLE" and substitute "YOUTH";

2

3 line 20, strike "AND PRODUCTIVE INTERACTION".

4

5 Page 4, strike lines 11 through 14 and substitute the following:

6

7 "CULTIVATE HONESTY, TEMPERANCE, MORALITY, COURTESY, OBEDIENCE
8 TO THE LAW, RESPECT FOR AND AN UNDERSTANDING OF THE DECLARATION
9 OF INDEPENDENCE AND THE CONSTITUTIONS OF THE UNITED STATES AND
10 THE STATE OF COLORADO, THE ESSENTIALS AND BENEFITS OF THE FREE
11 ENTERPRISE SYSTEM, RESPECT FOR PARENTS AND HOME, AND THE DIGNITY
12 AND NECESSITY OF HONEST LABOR AND OTHER SKILLS, HABITS, AND
13 QUALITIES OF CHARACTER THAT WILL PROMOTE AN UPRIGHT AND
14 DESIRABLE CITIZENRY AND BETTER PREPARE STUDENTS FOR A RICHER,
15 HAPPIER LIFE. THE PROGRAM MAY INCLUDE INSTRUCTION CONCERNING
16 THE ROLE OF RELIGION IN HISTORY AND CONTEMPORARY SOCIETY, THAT
17 ALERTS STUDENTS TO THE FACT THAT MORAL CONVICTIONS ARE OFTEN
18 GROUNDED IN RELIGIOUS TRADITIONS. SUCH CHARACTER EDUCATION
19 PROGRAM SHOULD BE DESIGNED TO STRESS THE IMPORTANCE THAT EACH
20 TEACHER MODEL AND PROMOTE THE GUIDELINES OF BEHAVIOR
21 ESTABLISHED IN THE CHARACTER EDUCATION PROGRAM FOR CHILDREN TO
22 FOLLOW AT ALL TIMES, IN EVERY CLASS."

23

24 Page 5, line 22, strike "ARTICLE." and substitute "ARTICLE CONSISTENT
25 WITH THE STANDARDS ESTABLISHED IN SECTION 22-29-103 (1).".

26

27 Page 6, strike lines 2 through 22.

28

29 Renumber succeeding section accordingly.

30

31

32

33

34 **HEALTH, ENVIRONMENT, WELFARE, & INSTITUTIONS**

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

37

38 **HB01-1217** be amended as follows, and as so amended, be referred to
39 the Committee of the Whole with favorable
40 recommendation:

41

42 Amend printed bill, page 3, after line 6, insert the following:

43

44 "(III) FOR THE PURPOSES OF THIS PARAGRAPH (k), SEWAGE
45 TREATMENT WORKS SHALL NOT INCLUDE ANY SEWAGE TREATMENT
46 FACILITY WITH A DISCHARGE PERMIT ISSUED PURSUANT TO SECTION
47 25-8-501."

48

49

50

51 **HB01-1238** be amended as follows, and as so amended, be referred to
52 the Committee of the Whole with favorable
53 recommendation:

54

55 Amend printed bill, page 2, line 2, strike "The";

56

- 1 strike lines 3 through 5 and substitute "The use of any therapy to reenact
2 the birthing";
3
- 4 line 9, strike "psychodrama" and substitute "any therapy".
5
- 6 Page 3, line 1, after "REBIRTHING" insert "OR ANY TECHNIQUE THAT MAY
7 BE CONSIDERED SIMILAR TO REBIRTHING";
8
- 9 line 3, strike "PSYCHODRAMA" and substitute "ANY THERAPY";
10
- 11 strike lines 11 through 24 and substitute the following:
12
- 13 **"SECTION 4. Safety clause.** The general assembly hereby
14 finds, determines, and declares that this act is necessary for the immediate
15 preservation of the public peace, health, and safety."
16
- 17
- 18
- 19 **HB01-1265** be amended as follows, and as so amended, be referred to
20 the Committee of the Whole with favorable
21 recommendation:
22
- 23 Amend printed bill, page 5, line 23, strike "fund," and substitute "fund
24 OR";
25
- 26 line 25, strike "grant, or from the family issues cash fund created" and
27 substitute "grant. ~~or from the family issues cash fund created~~";
28
- 29 line 26, strike "in section 26-5.3-106." and substitute "~~in section~~
30 ~~26-5.3-106.~~".
31
- 32 Page 10, strike lines 24 through 27.
33
- 34 Page 11, strike lines 1 through 9.
35
- 36 Renumber succeeding sections accordingly.
37
38
39
- 40 **HB01-1331** be amended as follows, and as so amended, be referred to
41 the Committee on Appropriations with favorable
42 recommendation:
43
- 44 Amend printed bill, page 3, line 9, after "coverage" insert "AVAILABLE
45 AND";
46
- 47 strike line 11 and substitute the following:
48 "coverage AND TO SUPPORT INCREASED AVAILABILITY OF AFFORDABLE
49 HEALTH INSURANCE IN THE INDIVIDUAL MARKET."
50
- 51 Page 10, strike lines 5 through 13;
52
- 53 line 14, strike "(j)" and substitute "(i)";
54
- 55 line 18, strike "(k)" and substitute "(j)";
56

1 strike lines 25 through 27.

2

3 Page 11, strike lines 1 through 7.

4

5 Page 12, line 14, after the period, add "THE DEPARTMENT SHALL
6 IMPLEMENT PERFORMANCE-BASED CONTRACTING BASED ON SUCH QUALITY
7 ASSURANCE MEASURES.";

8

9 strike lines 15 through 25.

10

11 Renumber succeeding sections accordingly.

12

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15

16 **STATE, VETERANS, & MILITARY AFFAIRS**

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

19

20 **HB01-1317** be referred favorably to the Committee on Finance.

21

22

23

24

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

25

26 The Speaker has signed: **HB01-1267**.

27

28

29

DELIVERY OF BILL TO GOVERNOR

30

31 The Chief Clerk of the House of Representatives reports the following
32 bill has been delivered to the Office of the Governor: **HB01-1267** at
33 1:53 p.m. on February 13, 2001.

34

35

36

37

MESSAGE FROM THE SENATE

38

39 Mr. Speaker:

40

41 The Senate has passed on Third Reading and returns herewith:
42 HB01-1082, HB01-1037.

43

44 The Senate has passed on Third Reading and transmitted to the Revisor
45 of Statutes: SB01-138, 150, 040.

46

47 The Senate has passed on Third Reading and transmitted to the Revisor
48 of Statutes:

49

50 SB01-107, amended as printed in Senate Journal, February 5, page 176;

51 SB01-131, amended as printed in Senate Journal, February 7, pages
52 200-201;

53 SB01-108, amended as printed in Senate Journal, February 8, pages
54 223-225;

55 SB01-171, amended as printed in Senate Journal, February 8, page 224.

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MESSAGE FROM THE REVISOR

We herewith transmit without comment, SB01-138, 150, and 040; and without comment, as amended, SB01-107, 131, 108, and 171.

MESSAGE FROM THE GOVERNOR

I certify I received the following on the 13th day of February, 2001, at 3:50 p.m. The original is on file in the records of the House of Representatives of the General Assembly.

Judith Rodrigue,
Chief Clerk of the House

February 13, 2001

To the Honorable
House of Representatives
Sixty-third General Assembly
First Regular Session
Denver, CO 80203

Ladies and Gentlemen:

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

HB01-1267 Concerning A One-time Transfer of Moneys From The Controlled Maintenance Trust Fund In The 2001-02 State Fiscal Year To Be Restored To Said Trust Fund In The Following State Fiscal Year.

Approved February 13, 2001 at 3:06 p.m.

Sincerely,
(signed)
Bill Owens
Governor

INTRODUCTION OF BILLS
First Reading

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

HB01-1338 by Representative(s) Cloer--Concerning the authority of counties to provide an incentive to participants who marry while participating in the Colorado works program.
Committee on Local Government

- 1 **HB01-1339** by Representative(s) Cloer, Alexander, Johnson, Kester,
 2 Larson, Stafford, Witwer--Concerning the use of proceeds
 3 from unclaimed pari-mutuel tickets from greyhound racing
 4 to facilitate the adoption of unwanted greyhounds.
 5 Committee on Agriculture, Livestock, & Natural Resources
 6
- 7 **SB01-040** by Senator(s) Matsunaka; also Representative(s) Smith--
 8 Concerning notice requirements for persons holding title
 9 to property in a representative capacity.
 10 Committee on Business Affairs & Labor
 11
- 12 **SB01-107** by Senator(s) May; also Representative(s) Cadman--
 13 Concerning regulatory authority over certain roadside
 14 advertising, and, in connection therewith, clarifying the
 15 authority of local governments to control advertising
 16 devices on bus benches and bus shelters.
 17 Committee on Business Affairs & Labor
 18
- 19 **SB01-108** by Senator(s) Arnold, Matsunaka, Perlmutter; also
 20 Representative(s) Smith, Coleman, Grossman--Concerning
 21 implementation of recommendations of the committee on
 22 legal services in connection with legislative review of
 23 rules and regulations of state agencies.
 24 Committee on Legal Services
 25
- 26 **SB01-138** by Senator(s) Perlmutter, Arnold, Matsunaka; also
 27 Representative(s) Smith, Coleman, Grossman--Concerning
 28 the revision of statutes in the Colorado Revised Statutes,
 29 as amended, amending or repealing obsolete, inconsistent,
 30 and conflicting provisions of law and clarifying the
 31 language to reflect the legislative intent of the laws.
 32 Committee on Criminal Justice
 33
- 34 **SB01-150** by Senator(s) Tate; also Representative(s) Mitchell--
 35 Concerning individual development accounts.
 36 Committee on Information & Technology
 37
- 38 **SB01-171** by Senator(s) Taylor; also Representative(s) Miller--
 39 Concerning records required to be maintained by certain
 40 state agencies for construction projects under the
 41 supervision of those state agencies.
 42 Committee on Information & Technology
 43

INTRODUCTION OF RESOLUTION

46
 47
 48 The following resolution was read by title and referred to the committee
 49 indicated:

- 50
 51 **HJR01-1012** by Representative(s) Grossman; also Senator(s) Thiebaut--
 52 Concerning the encouragement of the United States
 53 Congress to support the Railroad Retirement and Survivors
 54 Improvement Act.
 55 Committee on Business Affairs & Labor
 56

1 WHEREAS, The Railroad Retirement and Survivors Improvement
2 Act of 2000 was approved in a bipartisan effort by 391 members of the
3 United States House of Representatives in the 106th Congress, including
4 Representatives Diana DeGette, Scott McInnis, Thomas Tancredo, and
5 Mark Udall; and

6
7 WHEREAS, More than 80 United States Senators, including
8 Senator Ben Nighthorse Campbell, signed letters of support for this
9 legislation; and

10
11 WHEREAS, The bill now before the 107th Congress modernizes
12 the railroad retirement system for its 748,000 beneficiaries nationwide,
13 including over 9,000 Colorado citizens; and

14
15 WHEREAS, Railroad management, labor, and retiree
16 organizations have agreed to support this legislation; and

17
18 WHEREAS, This legislation provides tax relief to freight
19 railroads, Amtrak, and commuter lines; and

20
21 WHEREAS, This legislation provides benefit improvements for
22 surviving spouses of rail workers who currently suffer deep cuts in
23 income when the rail worker retiree dies; and

24
25 WHEREAS, No outside contributions from taxpayers are needed
26 to implement the changes called for in this legislation; and

27
28 WHEREAS, All changes will be paid for from within the railroad
29 industry, including a full share to be paid by active employees; now,
30 therefore,

31
32 *Be It Resolved by the House of Representatives of the Sixty-third*
33 *General Assembly of the State of Colorado, the Senate concurring*
34 *herein:*

35
36 That the Colorado General Assembly urges the United States
37 Congress to enact the Railroad Retirement and Survivors Improvement
38 Act in the 107th Congress.

39
40 *Be It Further Resolved,* That copies of this Joint Resolution be
41 sent to the President of the United States, the President of the United
42 States Senate, the Speaker of the United States House of Representatives,
43 and each member of the Colorado Congressional delegation.

44
45
46
47 **LAY OVER OF CALENDAR ITEMS**

48
49 On motion of Representative Spradley, the following items on the
50 Calendar were laid over until February 15, retaining place on Calendar:

51
52 Consideration of General Orders--**HB01-1150, 1189, 1152, 1161, 1135,**
53 **1246, 1113, 1114, 1168, 1215, 1260, 1169, 1211, 1190, 1007, 1210,**
54 **1227, 1254, 1075, 1228, 1230, 1229, SB01-047, HB01-1201, 1275,**
55 **1132.**

1 On motion of Representative Spradley, the House adjourned until
2 9:00 a.m., February 15, 2001.

3

4

Approved:

5

6

7

8

DOUG DEAN,
Speaker

9

10 Attest:

11

12 JUDITH RODRIGUE,
13 Chief Clerk

14