

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

Forty-fifth Legislative Day

Friday, February 23, 2001

1 Prayer by Father Ed Judy, Samaritan House, Denver.  
 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 for Legislative Business--Representative Scott--1.

9 Excused--Representatives Chavez, Kester--2.  
 10

11

12

13 The Speaker declared a quorum present.  
 14

15

16

17 On motion of Representative Daniel, the reading of the journal of  
 18 February 22, 2001, was declared dispensed with and approved as  
 19 corrected by the Chief Clerk.  
 20

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24

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

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YES 62	NO 0	EXCUSED 3	ABSENT 0				
Alexander	Y	Groff	Y	Miller	Y	Spence	Y
Bacon	Y	Grossman	Y	Mitchell	Y	Spradley	Y
Berry	Y	Hefley	Y	Nuñez	Y	Stafford	Y
Borodkin	Y	Hodge	Y	Paschall	Y	Stengel	Y
Boyd	Y	Hoppe	Y	Plant	Y	Swenson	Y
Cadman	Y	Jahn	Y	Ragsdale	Y	Tapia	Y
Chavez	E	Jameson	Y	Rhodes	Y	Tochtrop	Y
Clapp	Y	Johnson	Y	Rippy	Y	Veiga	Y

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

10

11 Co-sponsors added: Representatives Cadman, Decker, Plant, Romanoff,  
12 Swenson.

13

14 **HB01-1161** by Representative(s) Mace, Coleman, Sanchez, Tochtrop,  
15 Williams S.; also Senator(s) Hernandez--Concerning  
16 eligibility requirements for children's access to health care.

17

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

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

22

23	<u>YES 62</u>	<u>NO 0</u>	<u>EXCUSED 3</u>	<u>ABSENT 0</u>
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24

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

42

43 Co-sponsors added: Representatives Bacon, Borodkin, Boyd, Daniel, Garcia,  
44 Groff, Hodge, Jahn, Miller, Plant, Ragsdale, Romanoff, Tapia, Veiga, Vigil,  
45 Weddig.

46

47 **HB01-1320** by Representative(s) Spradley; also Senator(s) Phillips,  
48 Takis--Concerning a consumer right to equitable access to  
49 prescription drugs.

50

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

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

55

	YES 35	NO 26	EXCUSED 4	ABSENT 0
1				
2				
3	Alexander	Y Groff	Y Miller	Y Spence N
4	Bacon	N Grossman	N Mitchell	N Spradley Y
5	Berry	N Hefley	Y Nuñez	N Stafford Y
6	Borodkin	Y Hodge	Y Paschall	N Stengel N
7	Boyd	Y Hoppe	Y Plant	Y Swenson Y
8	Cadman	N Jahn	Y Ragsdale	Y Tapia Y
9	Chavez	E Jameson	N Rhodes	N Tochtrop Y
10	Clapp	N Johnson	Y Rippy	Y Veiga Y
11	Cloer	Y Kester	E Romanoff	N Vigil Y
12	Coleman	Y King	N Saliman	Y Webster N
13	Crane	N Larson	N Sanchez	Y Weddig Y
14	Daniel	Y Lawrence	N Schultheis	N White Y
15	Decker	Y Lee	N Scott	E Williams S. Y
16	Fairbank	N Mace	N Sinclair	N Williams T. N
17	Fritz	Y Madden	Y Smith	Y Witwer Y
18	Garcia	Y Marshall	N Snook	N Young Y
19				Mr. Speaker E

20  
 21 Representative Dean excused from voting under House Rule 21(c).  
 22 Co-sponsors added: Representatives Hefley, Jahn, Miller, Rippy, Smith,  
 23 Weddig, White.

24  
 25 **HB01-1286** by Representative(s) Alexander; also Senator(s) Hagedorn-  
 26 -Concerning faith healing in the crime of child abuse.

27  
 28 As shown by the following roll call vote, less than a majority of those  
 29 elected to the House voted in the affirmative, and Representative Spence  
 30 was denied permission to offer a Third Reading amendment:

	YES 26	NO 36	EXCUSED 3	ABSENT 0
31				
32				
33				
34	Alexander	N Groff	N Miller	N Spence Y
35	Bacon	N Grossman	N Mitchell	Y Spradley Y
36	Berry	N Hefley	N Nuñez	Y Stafford Y
37	Borodkin	N Hodge	N Paschall	Y Stengel N
38	Boyd	N Hoppe	Y Plant	N Swenson Y
39	Cadman	Y Jahn	N Ragsdale	N Tapia N
40	Chavez	E Jameson	N Rhodes	Y Tochtrop N
41	Clapp	Y Johnson	N Rippy	N Veiga N
42	Cloer	Y Kester	E Romanoff	N Vigil N
43	Coleman	N King	Y Saliman	N Webster N
44	Crane	Y Larson	N Sanchez	N Weddig N
45	Daniel	N Lawrence	N Schultheis	Y White Y
46	Decker	Y Lee	Y Scott	E Williams S. N
47	Fairbank	Y Mace	N Sinclair	Y Williams T. Y
48	Fritz	Y Madden	N Smith	Y Witwer Y
49	Garcia	N Marshall	N Snook	Y Young N
50				Mr. Speaker Y

51  
 52  
 53 The question being "Shall the bill pass?".  
 54 A roll call vote was taken. As shown by the following recorded vote, a  
 55 majority of those elected to the House voted in the affirmative and the bill  
 56 was declared **passed**.

	YES 36	NO 26	EXCUSED 3	ABSENT 0
1				
2				
3	Alexander	Y Groff	Y Miller	Y Spence N
4	Bacon	Y Grossman	Y Mitchell	N Spradley Y
5	Berry	Y Hefley	Y Nuñez	N Stafford N
6	Borodkin	Y Hodge	Y Paschall	N Stengel Y
7	Boyd	Y Hoppe	N Plant	Y Swenson N
8	Cadman	N Jahn	Y Ragsdale	Y Tapia Y
9	Chavez	E Jameson	Y Rhodes	N Tochtrop Y
10	Clapp	N Johnson	Y Rippy	Y Veiga Y
11	Cloer	N Kester	E Romanoff	Y Vigil Y
12	Coleman	Y King	N Saliman	Y Webster Y
13	Crane	N Larson	Y Sanchez	Y Weddig Y
14	Daniel	Y Lawrence	Y Schultheis	N White N
15	Decker	N Lee	N Scott	E Williams S. Y
16	Fairbank	N Mace	Y Sinclair	N Williams T. N
17	Fritz	N Madden	Y Smith	N Witwer N
18	Garcia	Y Marshall	Y Snook	N Young N
19				Mr. Speaker N

20  
 21 Co-sponsors added: Representatives Borodkin, Boyd, Coleman, Garcia,  
 22 Grossman, Hefley, Lawrence, Mace, Romanoff, Saliman, Tochtrop, Veiga,  
 23 Williams S.

24  
 25  
 26  
 27 On motion of Representative Alexander, the House resolved itself into  
 28 Committee of the Whole for consideration of General Orders, and she  
 29 was called to the Chair to act as Chairman.

### 30 31 32 GENERAL ORDERS--SECOND READING OF BILLS

33  
 34 The Committee of the Whole having risen, the Chairman reported the  
 35 titles of the following bills had been read (reading at length had been  
 36 dispensed with by unanimous consent), the bills considered and action  
 37 taken thereon as follows:

38  
 39 (Amendments to the committee amendment are to the printed committee  
 40 report which was printed and placed in the members' bill file.)

41  
 42  
 43 On motion of Representative Spradley, consideration of **HB01-1189**,  
 44 **1113**, **SB01-047**, **HB01-1132**, **SB01-58**, **84**, **15**, **HB01-1174** was laid  
 45 over until February 26, 2001.

46  
 47  
 48 **HB01-1236** by Representative(s) Witwer; also Senator(s) Hanna--  
 49 Concerning a requirement for the use of the same  
 50 preauthorization mechanism in the determination to  
 51 provide coverage for the treatment of a biologically based  
 52 mental illness as is used in the determination to provide  
 53 coverage for any other physical illness.

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

- 1 **HB01-1239** by Representative(s) Stafford, Johnson, Larson, White;  
2 also Senator(s) Taylor--Concerning the location in a  
3 county in which county officials may conduct business.  
4  
5 Ordered engrossed and placed on the Calendar for Third Reading and  
6 Final Passage.  
7  
8 **HB01-1321** by Representative(s) Decker, Cadman, Garcia, White--  
9 Concerning the effect of the execution of a tax deed on a  
10 preexisting equitable servitude that runs with land.  
11  
12 Ordered engrossed and placed on the Calendar for Third Reading and  
13 Final Passage.  
14  
15 **HB01-1252** by Representative(s) White; also Senator(s) Taylor--  
16 Concerning demand drafts under the "Uniform  
17 Commercial Code".  
18  
19 Ordered engrossed and placed on the Calendar for Third Reading and  
20 Final Passage.  
21  
22 **HB01-1279** by Representative(s) Vigil; also Senator(s) Anderson--  
23 Concerning boiler inspection fees.  
24  
25 Amendment No. 1, Business Affairs & Labor Report, dated February 13,  
26 2001, and placed in member's bill file; Report also printed in House  
27 Journal, February 15, page 405.  
28  
29 As amended, ordered engrossed and placed on the Calendar for Third  
30 Reading and Final Passage.  
31  
32 **HB01-1292** by Representative(s) Williams S., Bacon, Cloer, Tapia,  
33 Mace, Johnson, Groff, Grossman, Hefley, Weddig; also  
34 Senator(s) Matsunaka, Evans, Windels--Concerning  
35 character education programs in school districts.  
36  
37 Amendment No. 1, Education Report, dated February 12, 2001, and  
38 placed in member's bill file; Report also printed in House Journal,  
39 February 14, pages 390-391.  
40  
41 Amendment No. 2, by Representatives Lee, Williams S.  
42  
43 Amend the Education Committee Report, dated February 12, 2001, page  
44 2, strike lines 5 through 20 and substitute the following:  
45  
46 "CULTIVATE HONESTY, RESPECT, RESPONSIBILITY, COURTESY, OBEDIENCE  
47 TO THE LAW, INTEGRITY, RESPECT FOR PARENTS, HOME, AND COMMUNITY,  
48 AND THE DIGNITY AND NECESSITY OF HONEST LABOR, CONFLICT  
49 RESOLUTION, AND OTHER SKILLS, HABITS, AND QUALITIES OF CHARACTER  
50 THAT WILL PROMOTE AN UPRIGHT, MORAL, AND DESIRABLE CITIZENRY AND  
51 BETTER PREPARE STUDENTS TO BECOME POSITIVE CONTRIBUTORS TO  
52 SOCIETY. THE PROGRAM MAY INCLUDE INFORMATION CONCERNING THIS  
53 COUNTRY'S FOUNDING DOCUMENTS AND CONCERNING RELIGION IN  
54 AMERICAN HISTORY AND IN CONTEMPORARY SOCIETY. SUCH CHARACTER  
55 EDUCATION PROGRAM SHOULD BE DESIGNED TO STRESS THE IMPORTANCE  
56 THAT EACH TEACHER MODEL AND PROMOTE THE GUIDELINES OF BEHAVIOR

1 ESTABLISHED IN THE CHARACTER EDUCATION PROGRAM FOR YOUTH TO  
2 FOLLOW AT ALL TIMES, IN EVERY CLASS."

3  
4 Amendment No. 3, by Representative Williams S.

5  
6 Amend printed bill, page 5, line 20, after "BE", insert "CONTINUOUSLY"  
7 and strike "BY THE";

8  
9 line 21, strike "GENERAL ASSEMBLY".

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

13  
14 **HB01-1289** by Representative(s) Crane, Fritz, Jahn, King, Lee,  
15 Paschall, Rippy, Schultheis, Spence, Witwer; also  
16 Senator(s) Hanna--Concerning child care services to which  
17 the "Child Care Licensing Act" does not apply.

18  
19 Amendment No. 1, by Representative Crane.

20  
21 Amend printed bill, page 2, line 11, after "services", insert "AT SUCH  
22 LOCATION";

23  
24 line 12, strike "AT" and substitute "ON THE PREMISES OF".

25  
26 Amendment No. 2, by Representative Plant.

27  
28 Amend printed bill, page 2, line 4, strike "OF A NEW SUBSECTION,"  
29 and substitute "OF THE FOLLOWING NEW SUBSECTIONS,";

30  
31 after line 14, insert the following:

32  
33 "(3) A FACILITY THAT HAS RECEIVED A NEGATIVE LICENSING  
34 ACTION AS DEFINED IN SECTION 26-6-102 (5.7) IS PROHIBITED FROM  
35 OPERATING PURSUANT TO SUBSECTION (1) OF THIS SECTION."

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

39  
40 **HB01-1226** by Representative(s) Miller, Lee; also Senator(s) Teck--  
41 Concerning prisoner lawsuits.

42  
43 Ordered engrossed and placed on the Calendar for Third Reading and  
44 Final Passage.

45  
46 **HB01-1249** by Representative(s) Rippy, Dean, Larson, Stengel,  
47 Swenson, Fritz; also Senator(s) Phillips--Concerning the  
48 implementation of the division of wildlife's total licensing  
49 project.

50  
51 Ordered engrossed and placed on the Calendar for Third Reading and  
52 Final Passage.

53  
54 **HB01-1274** by Representative(s) Fairbank; also Senator(s) Thiebaut--  
55 Concerning clarifications to the "Uniform Election Code  
56 of 1992".

- 1 Amendment No. 1, State, Veterans, & Military Affairs Report, dated  
 2 February 13, 2001, and placed in member's bill file; Report also printed  
 3 in House Journal, February 15, page 409.  
 4  
 5 As amended, ordered engrossed and placed on the Calendar for Third  
 6 Reading and Final Passage.  
 7  
 8 **HB01-1237** by Representative(s) Witwer; also Senator(s) Arnold--  
 9 Concerning standards for operating an authorized  
 10 emergency vehicle when such operation may be contrary  
 11 to generally applicable vehicle laws.  
 12  
 13 Amendment No. 1, Transportation & Energy Report, dated February 14,  
 14 2001, and placed in member's bill file; Report also printed in House  
 15 Journal, February 15, pages 409-410.  
 16  
 17 As amended, ordered engrossed and placed on the Calendar for Third  
 18 Reading and Final Passage.  
 19  
 20 On motion of Representative Spradley, the remainder of the General  
 21 Orders Calendar (**HB01-1245, 1323, 1304, 1328, 1232, 1308**) was laid  
 22 over until February 26, retaining place on Calendar.  
 23

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#### ADOPTION OF COMMITTEE OF THE WHOLE REPORT

- 27  
 28 Passed Second Reading: **HB01-1236, 1239, 1321, 1252, 1279 amended,**  
 29 **1292 amended, 1289 amended, 1226, 1249, 1274 amended,**  
 30 **1237 amended.**  
 31  
 32 Laid over until date indicated retaining place on Calendar: **HB01-1189,**  
 33 **1113, SB01-47, HB01-1132, SB01-58, 84, 15, HB01-1174, 1245, 1323,**  
 34 **1304, 1328, 1232, 1308--February 26, 2001.**  
 35  
 36 The Chairman moved the adoption of the Committee of the Whole  
 37 Report. As shown by the following roll call vote, a majority of those  
 38 elected to the House voted in the affirmative, and the Report was  
 39 **adopted.**  
 40

YES	60	NO	0	EXCUSED	3	ABSENT	2	
43	Alexander	Y	Groff	Y	Miller	Y	Spence	Y
44	Bacon	Y	Grossman	Y	Mitchell	Y	Spradley	Y
45	Berry	Y	Hefley	Y	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	E	Jameson	Y	Rhodes	Y	Tochtrop	Y
50	Clapp	-	Johnson	Y	Rippy	Y	Veiga	Y
51	Cloer	Y	Kester	E	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	E	Williams S.	Y
56	Fairbank	Y	Mace	Y	Sinclair	Y	Williams T.	Y

1	Fritz	-	Madden	Y	Smith	Y	Witwer	Y
2	Garcia	Y	Marshall	Y	Snook	Y	Young	Y
3							Mr. Speaker	Y

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## REPORTS OF COMMITTEE OF REFERENCE

### APPROPRIATIONS

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

**SB01-181** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend reengrossed bill, page 6, line 11, in the ITEM & SUBTOTAL column, strike "2,800,000" and substitute "~~2,800,000~~" and, in the GENERAL FUND column, strike "2,800,000" and substitute "~~2,800,000~~";

after line 11, in the ITEM & SUBTOTAL column, insert "3,770,983" and, in the GENERAL FUND column, insert "3,770,983".

Adjust affected totals accordingly.

**SB01-184** be referred to the Committee of the Whole with favorable recommendation.

**SB01-187** be referred to the Committee of the Whole with favorable recommendation.

On motion of Representative Spradley, **SB01-181, 184, 187** shall be made Special Orders on Friday, February 23, 2001, at 11:17 a.m.

The hour of 11:17 a.m., having arrived, on motion of Representative Larson, the House resolved itself into Committee of the Whole for consideration of Special Orders and he was called to the Chair to act as Chairman.

## SPECIAL ORDERS--SECOND READING OF BILLS

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

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



1 **SB01-181** by Senator(s) Reeves, Tate, Owen; also Representative(s)  
 2 Young, Berry, Saliman--Concerning a supplemental  
 3 appropriation to the department of education.  
 4

5 Amendment No. 1, Appropriations Report, dated February 23, 2001, and  
 6 placed in member's bill file; Report also printed in House Journal,  
 7 February 23, page 556.  
 8

9 As amended, ordered revised and placed on the Calendar for Third  
 10 Reading and Final Passage.  
 11

12 **SB01-184** by Senator(s) Reeves, Tate, Owen; also Representative(s)  
 13 Young, Berry, Saliman--Concerning a supplemental  
 14 appropriation to the department of higher education.  
 15

16 Ordered revised and placed on the Calendar for Third Reading and Final  
 17 Passage.  
 18

19 **SB01-187** by Senator(s) Reeves, Tate, Owen; also Representative(s)  
 20 Young, Berry, Saliman--Concerning a supplemental  
 21 appropriation to the department of labor and employment.  
 22

23 Ordered revised and placed on the Calendar for Third Reading and Final  
 24 Passage.  
 25

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### 27 ADOPTION OF COMMITTEE OF THE WHOLE REPORT

29 Passed Second Reading: **SB01-181 amended, 184, 187.**

31 The Chairman moved the adoption of the Committee of the Whole  
 32 Report. As shown by the following roll call vote, a majority of those  
 33 elected to the House voted in the affirmative, and the Report was  
 34 **adopted.**  
 35

36	YES 62	NO 0	EXCUSED 3	ABSENT 0		
38	Alexander	Y	Groff	Y	Miller	Y Spence Y
39	Bacon	Y	Grossman	Y	Mitchell	Y Spradley Y
40	Berry	Y	Hefley	Y	Nuñez	Y Stafford Y
41	Borodkin	Y	Hodge	Y	Paschall	Y Stengel Y
42	Boyd	Y	Hoppe	Y	Plant	Y Swenson Y
43	Cadman	Y	Jahn	Y	Ragsdale	Y Tapia Y
44	Chavez	E	Jameson	Y	Rhodes	Y Tochtrop Y
45	Clapp	Y	Johnson	Y	Rippy	Y Veiga Y
46	Cloer	Y	Kester	E	Romanoff	Y Vigil Y
47	Coleman	Y	King	Y	Saliman	Y Webster Y
48	Crane	Y	Larson	Y	Sanchez	Y Weddig Y
49	Daniel	Y	Lawrence	Y	Schultheis	Y White Y
50	Decker	Y	Lee	Y	Scott	E Williams S. Y
51	Fairbank	Y	Mace	Y	Sinclair	Y Williams T. Y
52	Fritz	Y	Madden	Y	Smith	Y Witwer Y
53	Garcia	Y	Marshall	Y	Snook	Y Young Y
54						Mr. Speaker Y

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**REPORTS OF COMMITTEES OF REFERENCE****AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

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

**HB01-1240** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Amend printed bill, page 3, line 8, strike "MAY" and substitute "SHALL".

Page 4, strike lines 2 and 3 and substitute the following:

"HOUSE OF REPRESENTATIVES. FOUR MEMBERS SHALL BE APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, AND THREE MEMBERS SHALL BE APPOINTED BY THE MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES."

Page 5, after line 14, insert the following:

**"37-98-104. Repeal.** This article is repealed, effective July 1, 2011.";

line 18, strike "2001," and substitute "2003,";

line 22, strike "2001." and substitute "2003."

**HB01-1345** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Amend printed bill, page 3, strike line 3 and substitute the following:

"(b) THE SITE'S MINERAL EXTRACTION ACTIVITIES HAVE CEASED COMMERCIAL PRODUCTION OR A";

line 22, strike "DECEMBER 30" and substitute "MAY 1";

line 24, strike "COMMENT." and substitute "TO PROVIDE ADVICE TO THE DIVISION ON THE SITES THAT SHOULD BE INCLUDED IN THE MINERAL AND ENERGY TRUST FUND PROJECT SITE ELIGIBILITY LIST."

Page 4, after line 6, insert the following:

"(d) PRIOR TO RECOMMENDING A SITE TO THE GENERAL ASSEMBLY PURSUANT TO PARAGRAPH (b) OF THIS SUBSECTION (4), THE DIVISION SHALL NOTIFY THE COUNTY IN WHICH A SITE IS PROPOSED TO BE INCLUDED IN THE MINERAL AND ENERGY RECLAMATION TRUST FUND PROJECT SITE ELIGIBILITY LIST FOR REVIEW AND TO PROVIDE ADVICE TO THE DIVISION ON SUCH SITE.

(5) WHEN CONSIDERING THE SITES THAT ARE APPROPRIATE TO INCLUDE IN THE MINERAL AND ENERGY RECLAMATION TRUST FUND PROJECT SITE ELIGIBILITY LIST, THE DIVISION SHALL GIVE PRIORITY TO

1 SITES THAT ARE IN COUNTIES THAT HAVE HISTORICALLY PAID SEVERANCE  
2 TAX IMPOSED PURSUANT TO ARTICLE 29 OF TITLE 39, C.R.S., AS  
3 DOCUMENTED BY THE DEPARTMENT OF REVENUE."

4

5

6

7 **APPROPRIATIONS**

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

10

11 **HB01-1012** be referred to the Committee of the Whole with favorable  
12 recommendation.

13

14 **HB01-1026** be postponed indefinitely.

15

16

17 **HB01-1094** be postponed indefinitely.

18

19

20 **HB01-1151** be amended as follows, and as so amended, be referred to  
21 the Committee of the Whole with favorable  
22 recommendation:

23

24 Amend printed bill, page 2, line 8, strike "2002," and substitute "2003,";

25

26 after line 12, insert the following:

27

28 "SECTION 2. 39-22-2003 (3) (c), (3) (d), and (4) (a) (I),  
29 Colorado Revised Statutes, are amended, and the said 39-22-2003 is  
30 further amended BY THE ADDITION OF A NEW SUBSECTION, to  
31 read:

32

33 **39-22-2003. State sales tax refund - offset against state income**  
34 **tax - qualified individuals.** (1.5) FOR PURPOSES OF THIS SECTION,  
35 "ADJUSTED GROSS INCOME" MEANS:

36

37 (a) FOR THE TAXABLE YEAR COMMENCING ON JANUARY 1, 1999,  
38 AND ENDING DECEMBER 31, 1999, THE TAXABLE YEAR COMMENCING ON  
39 JANUARY 1, 2000, AND ENDING DECEMBER 31, 2000, THE TAXABLE YEAR  
40 COMMENCING ON JANUARY 1, 2001, AND ENDING DECEMBER 31, 2001,  
41 AND THE TAXABLE YEAR COMMENCING ON JANUARY 1, 2002, AND ENDING  
42 DECEMBER 31, 2002, THE COMBINED TOTAL OF:

43

44 (I) FEDERAL ADJUSTED GROSS INCOME; AND

45

46 (II) SOCIAL SECURITY BENEFITS EXCLUDED FROM FEDERAL  
47 ADJUSTED GROSS INCOME FOR THE TAX YEAR.

48

49 (b) FOR THE TAXABLE YEAR COMMENCING ON JANUARY 1, 2003,  
50 AND ENDING DECEMBER 31, 2003, AND FOR EACH SUBSEQUENT TAXABLE  
51 YEAR THEREAFTER, THE COMBINED TOTAL OF:

52

53 (I) (A) FEDERAL ADJUSTED GROSS INCOME; AND

54

55 (B) SOCIAL SECURITY BENEFITS EXCLUDED FROM FEDERAL  
56 ADJUSTED GROSS INCOME FOR THE TAX YEAR;

1 (II) MINUS THE AMOUNT SUBTRACTED FROM FEDERAL TAXABLE  
2 INCOME PURSUANT TO SECTION 39-22-104 (4) (n).

3  
4 (3) The amount of the refund allowed under this section shall be  
5 as follows:

6  
7 (c) For a qualified individual filing a single return, if the amount  
8 of the identical individual sales tax refund calculated pursuant to section  
9 39-22-2002 (2) or (5) (a) exceeds fifteen dollars:

10  
11 (I) If the qualified individual's ~~combined total of federal adjusted~~  
12 ~~gross income and social security benefits excluded from federal adjusted~~  
13 gross income for the tax year is less than or equal to twenty-five thousand  
14 dollars, the refund shall be in an amount equal to the amount of excess  
15 state revenues required to be refunded pursuant to subsection (1) of this  
16 section, multiplied by twenty-five percent, divided by the estimated  
17 number of said qualified individuals expected to claim the credit for that  
18 taxable year;

19  
20 (II) If the qualified individual's ~~combined total of federal adjusted~~  
21 ~~gross income and social security benefits excluded from federal adjusted~~  
22 gross income for the tax year is greater than twenty-five thousand dollars  
23 but not more than fifty thousand dollars, the refund shall be in an amount  
24 equal to the amount of excess state revenues required to be refunded  
25 pursuant to subsection (1) of this section, multiplied by twenty-three  
26 percent, divided by the estimated number of said qualified individuals  
27 expected to claim the credit for that taxable year;

28  
29 (III) If the qualified individual's ~~combined total of federal adjusted~~  
30 ~~gross income and social security benefits excluded from federal adjusted~~  
31 gross income for the tax year is greater than fifty thousand dollars but not  
32 more than seventy-five thousand dollars, the refund shall be in an amount  
33 equal to the amount of excess state revenues required to be refunded  
34 pursuant to subsection (1) of this section, multiplied by nineteen percent,  
35 divided by the estimated number of said qualified individuals expected  
36 to claim the credit for that taxable year;

37  
38 (IV) If the qualified individual's ~~combined total of federal~~  
39 ~~adjusted gross income and social security benefits excluded from federal~~  
40 adjusted gross income for the tax year is greater than seventy-five  
41 thousand dollars but not more than one hundred thousand dollars, the  
42 refund shall be in an amount equal to the amount of excess state revenues  
43 required to be refunded pursuant to subsection (1) of this section,  
44 multiplied by twelve percent, divided by the estimated number of said  
45 qualified individuals expected to claim the credit for that taxable year;

46  
47 (V) If the qualified individual's ~~combined total of federal adjusted~~  
48 ~~gross income and social security benefits excluded from federal adjusted~~  
49 gross income for the tax year is greater than one hundred thousand dollars  
50 but not more than one hundred twenty-five thousand dollars, the refund  
51 shall be in an amount equal to the amount of excess state revenues  
52 required to be refunded pursuant to subsection (1) of this section,  
53 multiplied by six percent, divided by the estimated number of said  
54 qualified individuals expected to claim the credit for that taxable year;

55  
56 (VI) If the qualified individual's ~~combined total of federal~~

1 ~~adjusted gross income and social security benefits excluded from federal~~  
2 ~~adjusted gross income for the tax year is greater than one hundred~~  
3 ~~twenty-five thousand dollars, the refund shall be in an amount equal to~~  
4 ~~the amount of excess state revenues required to be refunded pursuant to~~  
5 ~~subsection (1) of this section, multiplied by fifteen percent, divided by the~~  
6 ~~estimated number of said qualified individuals expected to claim the~~  
7 ~~credit for that taxable year;~~  
8

9 (d) For two qualified individuals filing a joint return, if the  
10 amount of the identical individual sales tax refund calculated pursuant to  
11 section 39-22-2002 (2) or (5) (a) exceeds fifteen dollars, the amount of  
12 the refund shall be based upon the aggregate ~~federal~~ adjusted gross  
13 ~~income and social security benefits excluded from federal adjusted gross~~  
14 ~~income~~ of the qualified individuals and shall be an amount equal to  
15 double the amount of the refund allowed under paragraph (c) of this  
16 subsection (3) for such aggregate income amount.  
17

18 (4) (a) The amount of the refund allowed under subsection (2) of  
19 this section for the taxable year commencing January 1, 2000, and ending  
20 December 31, 2000, and for each subsequent taxable year, shall be the  
21 same as provided in subsection (3) of this section; except that, for each  
22 such taxable year, the executive director shall adjust:  
23

24 (I) ~~The total amount of adjusted gross income, and social security~~  
25 ~~benefits excluded from federal adjusted gross income, to the nearest~~  
26 ~~thousand dollars, for each income classification such that the percentage~~  
27 ~~of all qualified individuals who are expected to claim a refund under each~~  
28 ~~income classification for such taxable year remains the same as the~~  
29 ~~percentage of all qualified individuals who claimed a refund under such~~  
30 ~~income classification for the 1999 tax year; and".~~  
31

32 Renumber succeeding section accordingly.  
33  
34  
35

36 **HB01-1160** be amended as follows, and as so amended, be referred to  
37 the Committee of the Whole with favorable  
38 recommendation:  
39

40 Amend the Transportation & Energy Committee Report, dated January  
41 31, 2001, page 1, line 1, strike "after "INSTALLED", insert "BY OR ON";  
42

43 line 2, strike "BEHALF OF THE STATE" and".  
44  
45  
46

47 **HB01-1163** 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 10, strike lines 24 through 27.  
52

53 Page 11, strike lines 1 through 4.  
54

55 Renumber succeeding section.  
56

1 Page 1, line 102, strike "CURRICULUM, AND" and substitute  
2 "CURRICULUM.";

3  
4 strike line 103.

5  
6  
7  
8 **HB01-1173** be postponed indefinitely.

9  
10  
11 **HB01-1175** be amended as follows, and as so amended, be referred to  
12 the Committee of the Whole with favorable  
13 recommendation:

14  
15 Amend the Business Affairs and Labor Committee Report, dated  
16 February 1, 2001, page 1, line 5, strike "**cash fund.**." and substitute  
17 "**revolving fund.**";";

18  
19 after line 5, insert the following:

20  
21 "line 25, strike "SYSTEM," and substitute "SYSTEM AND";

22  
23 line 26, strike "PERSON, AND ANY ASSOCIATED APPROPRIATIONS" and  
24 substitute "PERSON";";

25  
26 strike lines 7 through 19, and substitute the following:

27  
28 "(5) THERE IS HEREBY CREATED IN THE STATE TREASURY THE  
29 ADMINISTRATIVE JUSTICE REVOLVING FUND, WHICH SHALL BE  
30 ADMINISTERED BY THE DEPARTMENT OF PERSONNEL. THE FUND SHALL  
31 CONSIST OF USER CHARGES PAID OUT OF ITEMS OF APPROPRIATION MADE  
32 SPECIFICALLY FOR THE PURCHASE OF ADMINISTRATIVE LAW JUDGE  
33 SERVICES FROM THE DIVISION. USER CHARGES SHALL BE PAID ONLY OUT  
34 OF ITEMS OF APPROPRIATION MADE SPECIFICALLY FOR THE PURCHASE OF  
35 SUCH SERVICES. MONEYS IN THE REVOLVING FUND SHALL BE SUBJECT TO  
36 APPROPRIATION BY THE GENERAL ASSEMBLY TO COVER THE DIRECT AND  
37 INDIRECT COSTS OF THE ACTIVITIES OF THE DIVISION INCLUDING, BUT NOT  
38 LIMITED TO, ACTIVITIES RELATING TO ADMINISTRATIVE HEARINGS  
39 CONDUCTED BY THE DIVISION. ALL INTEREST DERIVED FROM THE DEPOSIT  
40 AND INVESTMENT OF MONEYS IN THE FUND SHALL BE CREDITED TO THE  
41 REVOLVING FUND. ANY MONEYS NOT APPROPRIATED SHALL REMAIN IN  
42 THE REVOLVING FUND AND SHALL NOT BE TRANSFERRED TO OR REVERT TO  
43 THE GENERAL FUND OF THE STATE AT THE END OF ANY FISCAL YEAR."

44  
45 Page 2, strike line 1, and substitute the following:

46  
47 "Page 7, strike line 10, and substitute the following:

48  
49 "(c) ACCEPT AND, SUBJECT TO ANNUAL APPROPRIATION BY THE  
50 GENERAL ASSEMBLY, EXPEND FUNDS, GRANTS, BEQUESTS, AND SERVICES";

51  
52 line 14, strike the period and substitute "; AND";";

53  
54 line 16, change the period to a semicolon;

55  
56 after line 16, insert the following:

1 "after line 22, insert the following:  
2

3

**"SECTION 53. Appropriation - adjustments in 2001 long bill.**

4

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(1) In addition to any other appropriation, there is hereby appropriated out of moneys in the general fund not otherwise appropriated, to the department of personnel, personnel board, for administrative law judge services, the sum of one hundred sixty-two thousand seven hundred seventy-five dollars (\$162,775), or so much thereof as may be necessary, for the implementation of this act.

(2) In addition to any other appropriation, there is hereby appropriated out of moneys in the workers compensation cash fund not otherwise appropriated, to the department of labor and employment, division of workers' compensation, for administrative law judge services, the sum of five hundred seventy-six thousand five hundred ninety-six dollars (\$576,596), or so much thereof as may be necessary, for the implementation of this act.

(3) In addition to any other appropriation, there is hereby appropriated, to the department of personnel, division of administrative justice, the sum of six hundred seventy-eight thousand seven hundred ninety-five dollars (\$678,795) and 9.0 FTE, or so much thereof as may be necessary, for the provision of administrative law judge services to the department of personnel, personnel board, and the department of labor and employment, division of workers' compensation. Said sum shall be from cash funds exempt received from the department of personnel out of the appropriation made in subsection (1) of this section and from the department of labor and employment out of the appropriation made in subsection (2) of this section. In addition, said sum shall be allocated to the division of administrative justice as follows: Five hundred ninety-three thousand six hundred seventy-four dollars (\$593,674) and 9.0 FTE shall be for personal services; nineteen thousand one hundred twenty-one dollars (\$19,121) shall be for operating expenses; fifty thousand dollars (\$50,000) shall be for relocation expenses; and sixteen thousand dollars (\$16,000) shall be for training.

(4) In addition to any other appropriation, there is hereby appropriated, to the department of personnel, executive director's office, for centrally appropriated line items for FTE added in subsection (3) of this section, the sum of sixty thousand five hundred seventy-six dollars (\$60,576), or so much thereof as may be necessary, for the implementation of this act. Said sum shall be from cash funds exempt received from the department of personnel out of the appropriation made in subsection (1) of this section and from the department of labor and employment out of the appropriation made in subsection (2) of this section.

(5) For the implementation of this act, appropriations made in the annual general appropriations act for the fiscal year beginning July 1, 2001, shall be adjusted as follows:

(a) The general fund appropriation to the department of personnel, personnel board, for personal services is decreased by one hundred fifty-eight thousand thirty-five dollars (\$158,035) and 2.0 FTE and the general fund appropriation for operating expenses is decreased by two thousand two hundred eight dollars (\$2,208).

1 (b) The general fund appropriation to the department of personnel,  
2 executive director's office, for centrally appropriated line items made on  
3 behalf of the personnel board FTE that are being decreased in paragraph  
4 (a) of this subsection (5) is decreased by two thousand five hundred  
5 thirty-two dollars (\$2,532).

6  
7 (c) The cash fund appropriation to the department of labor and  
8 employment, division of workers' compensation, for personal services, is  
9 decreased by five hundred one thousand six hundred thirty-nine dollars  
10 (\$501,639) and 8.0 FTE, and the cash fund appropriation for operating  
11 expenses is decreased by sixteen thousand nine hundred thirteen dollars  
12 (\$16,913).

13  
14 (d) The cash fund appropriation to the department of labor and  
15 employment for centrally appropriated line items made on behalf of the  
16 division of workers' compensation FTE that are being decreased in  
17 paragraph (c) of this subsection (5) is decreased by sixty-one thousand  
18 two hundred twenty-four dollars (\$61,224).

19  
20 (e) The cash fund exempt appropriation to the department of  
21 personnel, for centrally appropriated line items made on behalf of the  
22 division of administrative hearings are to be used on behalf of the  
23 division of administrative justice, created in section 24-30-1002,  
24 Colorado Revised Statutes.

25  
26 (f) The cash fund exempt appropriation to the department of  
27 personnel, division of administrative hearings is transferred to the  
28 department of personnel, division of administrative justice, created in  
29 section 24-30-1002, Colorado Revised Statutes.

30  
31 Renumber succeeding sections accordingly.".";

32  
33 strike line 19 and substitute the following:

34  
35 "line 107, strike "APPROPRIATION, AND";

36  
37 strike line 109 and substitute the following:

38 "APPEALS, AND MAKING AN APPROPRIATION IN CONNECTION  
39 THEREWITH.".".

40  
41  
42  
43  
44 **BUSINESS AFFAIRS & LABOR**

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

47  
48 **HB01-1300** be referred to the Committee of the Whole with favorable  
49 recommendation.

50  
51  
52 **HB01-1332** be postponed indefinitely.

53  
54  
55 **SB01-027** be referred to the Committee of the Whole with favorable  
56 recommendation.



1 **CIVIL JUSTICE & JUDICIARY**

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

4  
5 **HB01-1336** 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 1, strike line 2 and substitute the following:

10  
11 "SECTION 1. 42-4-1101 (7), Colorado Revised Statutes, is  
12 amended, and the said 42-4-1101 is further amended".

13  
14 Page 2, line 1, strike "SUBSECTION" and substitute "SUBSECTION,";  
15  
16 strike line 2 and substitute the following:

17  
18 "42-4-1101. **Speed limits.** (7) Notwithstanding paragraphs (a),  
19 (b), and (c) of subsection (2) of this section, any city or town may by  
20 ordinance adopt absolute speed limits OTHER THAN ON STATE HIGHWAYS  
21 as the maximum lawful speed limits in its jurisdiction, and such speed  
22 limits shall not be subject to the provisions of subsection (4) of this  
23 section.

24  
25 (13) THE GENERAL ASSEMBLY HEREBY".

26  
27 Page 1, line 101, strike "SPEED." and substitute "SPEED ON STATE  
28 HIGHWAYS.".

29  
30  
31  
32 **SB01-117** be amended as follows, and as so amended, be referred to  
33 the Committee of the Whole with favorable  
34 recommendation:

35  
36 Amend reengrossed bill, page 2, line 3, after "16-11.7-103", insert "(1)  
37 (f), (1.5) (a) (I),";

38  
39 after line 10, insert the following:

40  
41 "(f) Three members appointed JOINTLY by the executive director  
42 of the ~~department~~ DEPARTMENTS of public safety AND REGULATORY  
43 AGENCIES who are licensed mental health professionals with recognizable  
44 expertise in the treatment of sex offenders;

45  
46 (1.5) (a) Notwithstanding the provisions of subsection (1) of this  
47 section, effective July 1, 2000, the membership of the sex offender  
48 management board shall be increased to twenty-one members by the  
49 addition of the following members:

50  
51 (I) One member, in addition to those appointed pursuant to  
52 paragraph (f) of subsection (1) of this section, appointed JOINTLY by the  
53 executive director of the ~~department~~ DEPARTMENTS of public safety AND  
54 REGULATORY AGENCIES who is a licensed mental health professional with  
55 recognizable expertise in the treatment of juvenile sex offenders;"

56

1 **CRIMINAL JUSTICE**

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

4  
5 **HB01-1344** be referred favorably to the Committee on Appropriations.  
6  
7  
8  
9

10 **FINANCE**

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

13  
14 **HB01-1079** be referred favorably to the Committee on Appropriations.  
15  
16

17 **HB01-1219** be amended as follows, and as so amended, be referred to  
18 the Committee on Appropriations with favorable  
19 recommendation:  
20

21 Amend printed bill, page 6, line 10, strike "TEN" and substitute "FIVE";

22  
23 line 12, strike "TEN" and substitute "FIVE";

24  
25 line 14, strike "FIFTEEN" and substitute "TEN";

26  
27 line 16, strike "TWENTY" and substitute "TEN";

28  
29 line 17, strike "2004, AND EACH SUCCEEDING CALENDAR YEAR." and  
30 substitute "2004;";

31  
32 after line 17, insert the following:

33  
34 "(E) FIFTEEN MILLION DOLLARS FOR THE CALENDAR YEAR  
35 COMMENCING JANUARY 1, 2005."

36  
37 Page 7, line 9, strike "AND";

38  
39 line 16, strike "SECTION." and substitute "SECTION; AND";

40  
41 after line 16, insert the following:

42  
43 "(e) EXPEND NO MORE THAN FOUR PERCENT OF ITS GROSS ANNUAL  
44 REVENUES ON ADMINISTRATIVE EXPENSES."

45  
46 Page 8, line 11, strike "SUB-SUBPARAGRAPH (B) OF SUBPARAGRAPH (I)";

47  
48 strike line 12 and substitute the following:

49  
50 "SUBPARAGRAPH (VI) OF THIS PARAGRAPH (a);";

51  
52 after line 15, insert the following:

53  
54 "(VI) ALLOCATES AT LEAST TWENTY-FIVE PERCENT OF ALL  
55 QUALIFYING CONTRIBUTIONS IT RECEIVES TO DIRECTLY ASSIST  
56 INCOME-QUALIFIED STUDENTS WHO ATTEND PUBLIC OR PRIVATE

1 PRESCHOOLS, PUBLIC ELEMENTARY SCHOOLS, OR PUBLIC SECONDARY  
2 SCHOOLS IN COLORADO IN DEFRAYING EDUCATION-RELATED COSTS,  
3 INCLUDING, BUT NOT LIMITED TO, THE COSTS OF:  
4

5 (A) INDIVIDUAL OR GROUP TUTORING SERVICES PROVIDED APART  
6 FROM THE REGULAR INSTRUCTIONAL PROGRAM OF A PUBLIC OR PRIVATE  
7 PRESCHOOL, A PUBLIC ELEMENTARY SCHOOL, OR A PUBLIC SECONDARY  
8 SCHOOL BY ANY FOR PROFIT, NONPROFIT, OR PUBLIC SCHOOL BASED  
9 ENTITY;  
10

11 (B) EDUCATIONAL SUPPLIES AND MATERIALS USED IN CONNECTION  
12 WITH SUCH INDIVIDUAL OR GROUP TUTORING SERVICES;  
13

14 (C) INTER-SCHOOL DISTRICT TRANSPORTATION TO AND FROM ANY  
15 SCHOOL TO THE EXTENT THAT A SCHOOL DISTRICT OR THE STATE DOES NOT  
16 PAY FOR THE TRANSPORTATION;".  
17

18 Renumber succeeding subparagraphs accordingly.  
19

20 Page 9, line 9, strike "(VII)." and substitute "(VIII).";  
21

22 strike lines 18 and 19 and substitute the following:  
23

24 "CERTIFICATION, USE CONTRIBUTIONS TO PROVIDE SCHOLARSHIPS IN  
25 AMOUNTS GREATER THAN THE";  
26

27 line 20, strike "(VII)" and substitute "(VIII)";  
28

29 line 23, strike "AMOUNTS;" and substitute "AMOUNTS.";  
30

31 strike lines 24 through 27.  
32

33 Page 10, strike lines 1 through 4;  
34

35 line 5, strike "(a)" and substitute "(b)";  
36

37 line 7, strike "REQUIREMENT SPECIFIED IN SUBPARAGRAPH (V)" and  
38 substitute "REQUIREMENTS SPECIFIED IN SUBPARAGRAPHS (V) AND (VI)".  
39

40 Page 11, line 11, strike "BECAUSE:" and substitute "BECAUSE";  
41

42 line 12, strike "(A) THE" and substitute "THE";  
43

44 line 16, strike "(B) THE" and substitute "(II) REGARDLESS OF WHETHER  
45 A CREDIT APPLICATION IS APPROVED, THE";  
46

47 line 17, strike "MADE" and substitute "MADE, BUT MIGHT INSTEAD BE  
48 ALLOWED IN A SUBSEQUENT INCOME TAX YEAR";  
49

50 strike lines 19 through 23 and substitute the following:  
51

52 "(III) REGARDLESS OF WHETHER A CREDIT APPLICATION IS  
53 APPROVED, THE CREDIT MIGHT NOT BE ALLOWED FOR THE INCOME TAX  
54 YEAR IN WHICH THE CONTRIBUTION IS TO BE MADE, BUT MIGHT INSTEAD BE  
55 ALLOWED IN A SUBSEQUENT INCOME TAX YEAR PURSUANT TO SUBSECTION  
56 (9) OF THIS SECTION.".

- 1 Page 12, line 16, after "COLLECTED.", add "THE AMOUNT OF SAID FEE  
2 SHALL NOT EXCEED ONE PERCENT OF THE AMOUNT OF THE QUALIFYING  
3 CONTRIBUTION FROM WHICH IT IS DEDUCTED."  
4
- 5 Page 14, line 12, strike " \_\_\_\_\_ " and substitute "FIVE HUNDRED";  
6  
7 line 22, strike " \_\_\_\_\_ " and substitute "FIVE HUNDRED";  
8  
9 line 23, strike "(c)" and substitute "(d)";  
10  
11 after line 25, insert the following:  
12
- 13       "(c) (I) IF PARAGRAPHS (a) AND (b) OF THIS SUBSECTION (9)  
14 PRECLUDE A CREDIT FROM BEING ALLOWED FOR ANY INCOME TAX YEAR IN  
15 WHICH A TAXPAYER MADE A QUALIFYING CONTRIBUTION AND RECEIVED  
16 APPROVAL OF A CREDIT APPLICATION FROM THE DESIGNATED NONPROFIT  
17 ORGANIZATION PURSUANT TO SUBSECTION (6) OF THIS SECTION, THE  
18 TAXPAYER MAY CLAIM A CREDIT FOR THE CONTRIBUTION DURING THE  
19 FIRST SUBSEQUENT INCOME TAX YEAR FOR WHICH SAID PARAGRAPHS (a)  
20 AND (b) DO NOT PRECLUDE THE CREDIT FROM BEING ALLOWED.  
21
- 22       (II) A CREDIT ALLOWED PURSUANT TO SUBPARAGRAPH (I) OF THIS  
23 PARAGRAPH (c) SHALL BE IN AN AMOUNT EQUAL TO THE LESSER OF FIFTY  
24 PERCENT OF THE TOTAL AMOUNT OF ANY OF THE TAXPAYER'S QUALIFYING  
25 CONTRIBUTIONS FOR WHICH A CREDIT APPLICATION WAS APPROVED  
26 DURING ANY INCOME TAX YEAR FOR WHICH PARAGRAPHS (a) AND (b) OF  
27 THIS SUBSECTION (9) PRECLUDED A CREDIT FROM BEING ALLOWED OR THE  
28 AMOUNT OF THE TAXPAYER'S INCOME TAX LIABILITY FOR THE INCOME TAX  
29 YEAR FOR WHICH THE CREDIT IS ALLOWED. THE AMOUNT OF ANY CREDIT  
30 ALLOWED PURSUANT TO THIS PARAGRAPH (c) SHALL BE CONSIDERED A  
31 REFUND OF EXCESS STATE REVENUES FOR THE STATE FISCAL YEAR ENDING  
32 IN THE INCOME TAX YEAR FOR WHICH THE CREDIT IS ALLOWED AND SHALL  
33 NOT BE CONSIDERED A REFUND OF EXCESS STATE REVENUES FOR ANY  
34 PRIOR STATE FISCAL YEAR."  
35
- 36 Reletter succeeding paragraphs accordingly.  
37
- 38 Page 15, line 19, strike "(c)," and substitute "(d),".  
39
- 40 Page 16, line 17, strike "(c)," and substitute "(d),";  
41  
42 line 21, strike "(c)." and substitute "(d).";  
43  
44 line 26, strike "(c)" and substitute "(d)".  
45  
46  
47
- 48 **HB01-1264** be referred favorably to the Committee on Appropriations.  
49
- 50
- 51 **HB01-1271** be amended as follows, and as so amended, be referred to  
52 the Committee on Appropriations with favorable  
53 recommendation:  
54
- 55 Amend printed bill, page 2, line 12, strike "INTENT" and substitute  
56 "REQUIREMENT,";

1 line 13, after "PROGRAM", insert "SHALL".

2

3 Page 6, line 21, strike "TO MAKE IT" and substitute "SO THAT IT SHALL BE".

4

5

6

7 **HB01-1280** be amended as follows, and as so amended, be referred to  
8 the Committee on Appropriations with favorable  
9 recommendation:

10

11 Amend printed bill, page 2, line 2, strike "(4) (c), and (4)" and substitute  
12 "and (4) (c),";

13

14 line 3, strike "(d),".

15

16 Page 3, strike lines 23 through 27.

17

18 Page 4, strike lines 1 through 12.

19

20

21

22 **HB01-1291** The Committee returns herewith HB01-1291 and reports  
23 that said bill has been considered on its merits and voted  
24 upon by the committee in accordance with House Rules,  
25 that the deadline applicable to committees under Joint  
26 Rule 23 (a)(1) has passed, that final action has not been  
27 taken by this Committee within said deadline, and that the  
28 Committee on Delayed Bills has not waived said deadline.  
29 Pursuant to Joint Rule 23 (a)(3)(A), said bill is deemed to  
30 be postponed indefinitely.

31

32

33 **HB01-1294** be amended as follows, and as so amended, be referred to  
34 the Committee on Appropriations with favorable  
35 recommendation:

36

37 Amend printed bill, page 2, strike line 6 and substitute the following:  
38 "shall take effect July 1, 2001, and shall apply in FISCAL YEAR 2001-02  
39 AND any SUBSEQUENT";

40

41 line 7, strike "state controller" and substitute "state controller  
42 LEGISLATIVE COUNCIL";

43

44 line 8, strike "pursuant to section 24-75-216, Colorado Revised" and  
45 substitute "~~pursuant to section 24-75-216, Colorado Revised~~";

46

47 strike line 9 and substitute the following:

48 "~~Statutes~~; that, BASED ON THE ANNUAL MARCH REVENUE FORECAST FROM  
49 THE LEGISLATIVE COUNCIL, there ~~is anticipated to~~ WILL be sufficient  
50 excess state revenue.

51

52 **SECTION 2.** 24-75-216 (1) (a), (2) (a), (2) (b) (IV) (B), and (2)  
53 (b) (V), Colorado Revised Statutes, are amended to read:

54

55 **24-75-216. Transfers to highway users tax fund.** (1) (a) This  
56 section shall apply to any state fiscal year for which the ~~state controller~~

1 LEGISLATIVE COUNCIL certifies to the executive director of the department  
2 of revenue pursuant to subsection (2) of this section that, BASED ON THE  
3 ANNUAL MARCH REVENUE FORECAST FROM THE LEGISLATIVE COUNCIL,  
4 there will be sufficient excess state ~~revenues~~ REVENUE.  
5

6 (2) (a) On or before ~~September~~ APRIL 1, 2001, and on or before  
7 each ~~September~~ APRIL 1 thereafter, the ~~state controller, after consultation~~  
8 ~~with the department of revenue~~, LEGISLATIVE COUNCIL shall certify to the  
9 executive director of the department of revenue ~~whether the controller~~  
10 ~~estimates~~ that, BASED ON THE ANNUAL MARCH REVENUE FORECAST FROM  
11 THE LEGISLATIVE COUNCIL, without a reduction in vehicle registration fees  
12 pursuant to House Bill 00-1227, enacted at the second regular session of  
13 the sixty-second general assembly, there will be an excess of state  
14 revenue in that state fiscal year that will be required to be refunded  
15 pursuant to section 20 of article X of the state constitution that is in an  
16 amount equal to or greater than three hundred thirty million dollars, as  
17 adjusted pursuant to paragraph (b) of this subsection (2).  
18

19 (b) (IV) (B) ~~For the purpose of determining whether the reduction~~  
20 ~~in vehicle registration fees pursuant to house bill 00-1227, enacted at the~~  
21 ~~second regular session of the sixty-second general assembly, is to be~~  
22 ~~implemented for any given fiscal year, the executive director shall not~~  
23 ~~utilize any adjusted dollar amount that has not been approved pursuant to~~  
24 ~~subparagraph (III) of this paragraph (b) or otherwise specified pursuant~~  
25 ~~to sub-subparagraph (A) of this subparagraph (IV).~~  
26

27 (V) ~~If one or more ballot questions are submitted to the voters at~~  
28 ~~a statewide election to be held in November of any calendar year~~  
29 ~~commencing on or after January 1, 2001, that seek authorization for the~~  
30 ~~state to retain and spend all or any portion of the amount of excess state~~  
31 ~~revenues for the state fiscal year ending during said calendar year, the~~  
32 ~~executive director shall not determine whether the reduction in vehicle~~  
33 ~~registration fees pursuant to house bill 00-1227, enacted at the second~~  
34 ~~regular session of the sixty-second general assembly, shall be~~  
35 ~~implemented and shall not promulgate rules containing said reductions~~  
36 ~~until the impact of the results of said election on the amount of the excess~~  
37 ~~state revenues to be refunded is ascertained."~~  
38

39 Renumber succeeding sections accordingly.

40 Page 2, line 16, strike "FOR THE";

41 line 17, strike "CALENDAR YEAR FOLLOWING THE END OF ANY" and  
42 substitute "IN FISCAL YEAR 2001-02 AND ANY SUBSEQUENT";

43 line 18, strike "STATE CONTROLLER" and substitute "LEGISLATIVE  
44 COUNCIL";

45 line 19, strike "PURSUANT TO SECTION 24-75-216, C.R.S., THAT THERE IS"  
46 and substitute "THAT, BASED ON THE ANNUAL MARCH REVENUE FORECAST  
47 FROM THE LEGISLATIVE COUNCIL, THERE WILL BE".  
48

49 Page 3, line 12, strike "STATE CONTROLLER" and substitute "LEGISLATIVE  
50 COUNCIL";

51 line 13, strike "PURSUANT TO SECTION";  
52  
53  
54  
55  
56

1 line 14, strike "24-75-216, C.R.S., THAT THERE IS" and substitute "THAT,  
2 BASED ON THE ANNUAL MARCH REVENUE FORECAST FROM THE  
3 LEGISLATIVE COUNCIL, THERE WILL BE".

4

5

6

7 **HB01-1318** be amended as follows, and as so amended, be referred to  
8 the Committee on Appropriations with favorable  
9 recommendation:

10

11 Amend printed bill, page 7, line 7, after "(10)", insert "(a)";

12

13 line 16, strike "PROGRAM." and substitute "PROGRAM, AND SHALL  
14 TRANSMIT ANY SUCH MONEYS ACCEPTED TO THE COLORADO WORK FORCE  
15 EMPOWERMENT PROGRAM TRUST FUND, CREATED IN PARAGRAPH (b) OF  
16 THIS SUBSECTION (10)."

17

18 after line 18, insert the following:

19

20 "(b) ALL MONEYS DESCRIBED IN PARAGRAPH (a) OF THIS  
21 SUBSECTION (10) SHALL BE CREDITED TO THE COLORADO WORK FORCE  
22 EMPOWERMENT PROGRAM TRUST FUND, WHICH FUND IS HEREBY CREATED  
23 IN THE STATE TREASURY. THE MONEYS IN SAID FUND SHALL BE SUBJECT  
24 TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY FOR THE PURPOSE  
25 OF IMPLEMENTING THE PROVISIONS OF THIS SECTION. ALL INTEREST  
26 DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEYS IN THE FUND  
27 SHALL BE CREDITED TO THE FUND. AT THE END OF ANY FISCAL YEAR, ALL  
28 UNEXPENDED AND UNENCUMBERED MONEYS IN THE FUND SHALL REMAIN  
29 THEREIN AND SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL  
30 FUND."

31

32 Page 10, line 11, strike "2001, BUT PRIOR TO JANUARY 1, 2007," and  
33 substitute "2003, BUT PRIOR TO JANUARY 1, 2009,";

34

35 line 18, strike "ANY GIVEN" and substitute "SUCH";

36

37 line 20, strike "ONE HUNDRED" and substitute "FIFTY";

38

39 line 27, strike "FIVE YEARS" and substitute "THREE YEARS".

40

41

42

43

#### 44 **LOCAL GOVERNMENT**

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

47

48 **HB01-1207** The Committee returns herewith HB01-1207 and reports  
49 that said bill has been considered on its merits and voted  
50 upon by the committee in accordance with House Rules,  
51 that the deadline applicable to committees under Joint  
52 Rule 23 (a)(1) has passed, that final action has not been  
53 taken by this Committee within said deadline, and that the  
54 Committee on Delayed Bills has not waived said deadline.  
55 Pursuant to Joint Rule 23 (a)(3)(A), said bill is deemed to  
56 be postponed indefinitely.

1  
2 **HB01-1285** The Committee returns herewith HB01-1285 and reports  
3 that said bill has been considered on its merits and voted  
4 upon by the committee in accordance with House Rules,  
5 that the deadline applicable to committees under Joint  
6 Rule 23 (a)(1) has passed, that final action has not been  
7 taken by this Committee within said deadline, and that the  
8 Committee on Delayed Bills has not waived said deadline.  
9 Pursuant to Joint Rule 23 (a)(3)(A), said bill is deemed to  
10 be postponed indefinitely.

11  
12  
13  
14

15 **STATE, VETERANS, & MILITARY AFFAIRS**

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

18

19 **HB01-1284** be referred favorably to the Committee on Appropriations.

20

21

22 **HB01-1340** be referred to the Committee of the Whole with favorable  
23 recommendation.

24

25

26 **HB01-1349** be referred to the Committee of the Whole with favorable  
27 recommendation.

28

29

30

31 **MESSAGE FROM THE SENATE**

32

33 Mr. Speaker:

34

35 The Senate voted to concur in House amendments to SB01-183, 185 and  
36 194 and repassed the bills as amended.

37

38

39

40

41 **MESSAGE FROM THE GOVERNOR**

42

43 I certify I received the following on the 22<sup>nd</sup> day of February, 2001, at  
44 2:30 p.m. The original is on file in the records of the House of  
45 Representatives of the General Assembly.

46

47

48

Judith Rodrigue,  
Chief Clerk of the House

49

February 22, 2001

50

51

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

52  
53  
54  
55  
56



1 Ladies and Gentlemen:

2

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

5

6 **HB01-1082** Concerning A Clarification That The Easements That Are  
7 Not Affected By The Execution Of A Tax Deed To The  
8 Purchaser Of A Tax Lien Include Conservation  
9 Easements.

10

11 Approved February 22, 2001 at 10:30 a.m.

12

13 **HB01-1129** Concerning Conditions Of Participation In Extracurricular  
14 Activities Sponsored By School Districts.

15

16 Approved February 22, 2001 at 10:31 a.m.

17

18 Sincerely,  
19 (signed)  
20 Bill Owens  
21 Governor

22

23

24

25

---

**INTRODUCTION OF BILL**  
**First Reading**

26

27

28 The following bill was read by title and referred to the committee  
29 indicated:

30

31 **HB01-1351** by Representative(s) Larson; also Senator(s) Dyer  
32 (Durango)--Concerning the revocation of Colorado driving  
33 privileges after the revocation of tribal driving privileges  
34 under tribal law.

35 Committee on Transportation & Energy

36

37

38

39

---

**INTRODUCTION OF RESOLUTION**

40

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

43

44 **HJR01-1015** by Representative(s) Lawrence; also Senator(s) Windels--  
45 Concerning commending the Peace Corps on the occasion  
46 of its fortieth anniversary.

47

48 WHEREAS, On October 14, 1960, on the steps of the University  
49 of Michigan Union, presidential candidate John F. Kennedy addressed  
50 more than 10,000 students at the University; and

51

52 WHEREAS, John F. Kennedy, our future president, issued the  
53 following challenge: How many of them, he asked, would be willing to  
54 serve their country and the cause of peace by living and working the  
55 developing world?; and

56

1 WHEREAS, This concept of serving the cause of peace by  
2 working in the developing world that he spoke of to the students was the  
3 basis for creating the Peace Corps after he became President; and

4  
5 WHEREAS, On March 1, 1961, President John F. Kennedy signed  
6 the executive order establishing the Peace Corps; and

7  
8 WHEREAS, President Kennedy, through the executive order,  
9 envisioned that a pool of trained American men and women sent overseas  
10 would help foreign countries meet their urgent needs for skilled  
11 manpower; and

12  
13 WHEREAS, President Kennedy intended, by establishing the  
14 Peace Corps, that the resources and talents of private institutions and  
15 groups would be used, making it clear that the responsibility for peace is  
16 the responsibility of our entire society; and

17  
18 WHEREAS, The Peace Corps has become an enduring symbol of  
19 our nation's commitment to encourage progress, create opportunity, and  
20 expand development at the grass roots level in the developing world; and

21  
22 WHEREAS, More than 161,000 Americans have served as Peace  
23 Corps Volunteers in more than 134 countries since 1961; and

24  
25 WHEREAS, Over the last 40 years, 5,500 men and women from  
26 the state of Colorado have responded to our nation's call to serve by  
27 joining the Peace Corps; and

28  
29 WHEREAS, Peace Corps Volunteers have made significant and  
30 lasting contributions around the world in agriculture, business, education,  
31 the environment, health, and youth development and have improved the  
32 lives of individuals and communities around the world; and

33  
34 WHEREAS, Peace Corps Volunteers have strengthened the ties of  
35 friendship and understanding between the people of the United States and  
36 those of other countries; and

37  
38 WHEREAS, Peace Corps Volunteers, enriched by their  
39 experiences overseas, have brought their communities throughout the  
40 United States a deeper understanding of other cultures and traditions,  
41 thereby bringing a domestic dividend to our nation; and

42  
43 WHEREAS, Returned volunteers nationwide will celebrate a  
44 special Peace Corps Day honoring the agency's 40<sup>th</sup> anniversary on March  
45 1, 2001; and

46  
47 WHEREAS, It is indeed fitting to recognize the achievements of  
48 the Peace Corps and honor its volunteers, past and present, and reaffirm  
49 our nation's commitment to helping people help themselves throughout  
50 the world; now, therefore,

51  
52 *Be It Resolved by the House of Representatives of the Sixty-third*  
53 *General Assembly of the State of Colorado, the Senate concurring*  
54 *herein:*

55

