

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

Ninety-ninth Legislative Day

Wednesday, April 18, 2001

1 Prayer by Pastor Brad Strait, 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--64.

8

9 Excused--Representative Cloer--1.

10 The Speaker declared a quorum present.

11

12

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

16

17

18

19 **INTRODUCTION AND CONSIDERATION OF RESOLUTION**

20

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

23

24 **HJR01-1032** by Representative(s) Dean; also Senator(s) Matsunaka--  
25 Concerning Colorado's support for the move of the Boeing  
26 Company's world headquarters to Colorado.

27

28 WHEREAS, The Boeing Company has been a world leader in  
29 airline manufacturing and is ranked number one in the airline  
30 manufacturing industry; and

31

32 WHEREAS, The Boeing Company has maintained its world  
33 headquarters previously in Seattle, Washington, for 85 years; and

34

35 WHEREAS, The Boeing Company is aggressively restructuring  
36 its business model to maintain its competitive edge in the current  
37 worldwide airline manufacturing industry and enter new high-technology  
38 industries; and

39

40 WHEREAS, The Boeing Company is considering moving its  
41 worldwide headquarters to Colorado, bringing an estimated 500 corporate  
42 executive jobs and creating approximately 2,700 ancillary jobs; and

43

44 WHEREAS, Such a relocation by the Boeing Company would  
45 provide an additional \$50 million annual tax base for Colorado; and

1 WHEREAS, Colorado has been consistently ranked for the last 7  
2 years as the best state for business by the Corporation for Enterprise  
3 Development; and

4  
5 WHEREAS, Colorado boasts the most highly educated workforce  
6 in the nation with 34.6% of the state's residents holding college degrees;  
7 and

8  
9 WHEREAS, The Denver metropolitan area was recently named as  
10 the number one place to raise children according to Child magazine; and

11  
12 WHEREAS, Colorado has the best overall outdoor recreation  
13 activities that provide the greatest "life balance"; and

14  
15 WHEREAS, The state of Colorado is honored to be named one of  
16 three potential destinations for the relocation of the Boeing Company's  
17 world headquarters; now, therefore,

18  
19 *Be It Resolved by the House of Representatives of the Sixty-third*  
20 *General Assembly of the State of Colorado, the Senate concurring*  
21 *herein:*

22  
23 That the Colorado General Assembly hereby supports the move of  
24 the Boeing Company's world headquarters to the state of Colorado.

25  
26 *Be It Further Resolved*, That a copy of this Resolution be sent to  
27 the Boeing Company's chairman, Phil Condit.

28  
29 On motion of Representative Spradley, the rules were suspended and the  
30 resolution given immediate consideration.

31  
32 On motion of Representative Dean, the resolution was read at length and  
33 **adopted by viva voce** vote.

34  
35 Co-sponsors added: Roll call of the House.

36 \_\_\_\_\_  
37  
38  
39 **INTRODUCTION AND CONSIDERATION OF MEMORIAL**

40  
41 **HM01-1002** by Representative(s) Stengel, Clapp, Garcia, Spence,  
42 Stafford, Veiga, Weddig, Young; --Memorializing former  
43 Representative Betty Ann Dittmore.

44  
45 (Printed and placed in member's file, and printed in House Journal April  
46 10, page 1157-1159.)

47  
48 Representative Stengel requested the memorial be read at length, after  
49 which he introduced members of the family and friends that were present.

50  
51 \_\_\_\_\_  
52 Pursuant to House Rule 26(f) the House stood in recess to allow the  
53 following former members to speak on behalf of the honorable Betty Ann  
54 Dittmore: Bob Kirscht, Betty Neal.

1 House reconvened.

2  
3  
4 On motion of Representative Stengel, the memorial was **adopted** by the  
5 following roll call vote:

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

26  
27 Roll call of the House added as co-sponsors.

28  
29  
30  
31 **MESSAGE FROM THE SENATE**

32 Mr. Speaker:

33  
34 The Senate has adopted and transmits herewith: SJR01-027.

35  
36  
37  
38 **INTRODUCTION AND CONSIDERATION OF RESOLUTION**

39  
40 The following resolution was read at length and given immediate  
41 consideration:

42  
43 **SJR01-027** by Senator Thiebaut; also Representative Tapia--  
44 Concerning the class 4A boys state basketball champions  
45 and honoring their accomplishment.

46  
47 On motion of Representative Spradley, the rules were suspended and the  
48 resolution given immediate consideration.

49  
50 On motion of Representative Tapia, the resolution was read at length and  
51 **adopted by viva voce** vote.

52  
53 Co-sponsors added: Roll call of the House.

54  
55  
56

1 On motion of Representative Spradley, **HB01-1272, 1324** were made  
2 Special Orders on Wednesday, April 18, 2001, at 9:52 a.m.  
3  
4  
5

6 The hour of 9:52 a.m., having arrived, on motion of Representative  
7 Sinclair, the House resolved itself into Committee of the Whole for  
8 consideration of Special Orders and he was called to the Chair to act as  
9 Chairman.  
10

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11  
12 **SPECIAL ORDERS--SECOND READING OF BILLS**  
13

14 The Committee of the Whole having risen, the Chairman reported the  
15 titles of the following bills had been read (reading at length had been  
16 dispensed with by unanimous consent), the bills considered and action  
17 taken thereon as follows:  
18

19 (Amendments to the committee amendment are to the printed committee  
20 report which was printed and placed in the members' bill file.)  
21

22 **HB01-1272** by Representative(s) Williams T.--Concerning school  
23 funding to purchase textbooks.  
24

25 Amendment No. 1, Education Report, dated February 12, 2001, and  
26 placed in member's bill file; Report also printed in House Journal,  
27 February 14, pages 389-390.  
28

29 Amendment No. 2, Appropriations Report, dated April 10, 2001, and  
30 placed in member's bill file; Report also printed in House Journal,  
31 April 11, page 1165.  
32

33 As amended, ordered engrossed and placed on the Calendar for Third  
34 Reading and Final Passage.  
35

36 **HB01-1324** by Representative(s) Hefley; also Senator(s) Andrews--  
37 Concerning an incentive program for teachers.  
38

39 Amendment No. 1, Education Report, dated February 14, 2001, and  
40 placed in member's bill file; Report also printed in House Journal,  
41 February 16, pages 432-434.  
42

43 Amendment No. 2, Appropriations Report, dated April 10, 2001, and  
44 placed in member's bill file; Report also printed in House Journal,  
45 April 11, page 1166.  
46

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

---

50  
51  
52 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**  
53

54 Passed Second Reading: **HB01-1272 amended, 1324 amended.**  
55

1 The Chairman moved the adoption of the Committee of the Whole  
 2 Report. As shown by the following roll call vote, a majority of those  
 3 elected to the House voted in the affirmative, and the Report was  
 4 **adopted.**

	YES 62	NO 0	EXCUSED 1	ABSENT 2			
8 Alexander	-	Groff	Y	Miller	Y	Spence	Y
9 Bacon	Y	Grossman	Y	Mitchell	Y	Spradley	Y
10 Berry	Y	Hefley	Y	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	-	Ragsdale	Y	Tapia	Y
14 Chavez	Y	Jameson	Y	Rhodes	Y	Tochtrop	Y
15 Clapp	Y	Johnson	Y	Rippy	Y	Veiga	Y
16 Cloer	E	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.	Y
22 Fritz	Y	Madden	Y	Smith	Y	Witwer	Y
23 Garcia	Y	Marshall	Y	Snook	Y	Young	Y
						Mr. Speaker	Y

### THIRD READING OF BILL--FINAL PASSAGE

31 The following bill was considered on Third Reading. The title was  
 32 publicly read. Reading of the bill at length was dispensed with by  
 33 unanimous consent.

35 **HB01-1219** by Representative(s) Swenson; also Senator(s) Teck--  
 36 Concerning a credit against state income tax for  
 37 contributions that are directed to organizations that  
 38 provide educational assistance.

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.**

	YES 39	NO 25	EXCUSED 1	ABSENT 0			
47 Alexander	Y	Groff	N	Miller	N	Spence	Y
48 Bacon	N	Grossman	N	Mitchell	Y	Spradley	Y
49 Berry	Y	Hefley	Y	Nuñez	Y	Stafford	Y
50 Borodkin	N	Hodge	N	Paschall	Y	Stengel	Y
51 Boyd	N	Hoppe	Y	Plant	N	Swenson	Y
52 Cadman	Y	Jahn	N	Ragsdale	N	Tapia	N
53 Chavez	N	Jameson	N	Rhodes	Y	Tochtrop	N
54 Clapp	Y	Johnson	Y	Rippy	Y	Veiga	N
55 Cloer	E	Kester	Y	Romanoff	N	Vigil	N
56 Coleman	N	King	Y	Saliman	N	Webster	Y

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

8  
9 Co-sponsors added: Representatives Cadman, Clapp, Crane, Fairbank, Hefley,  
10 Johnson, King, Lawrence, Lee, Nuñez, Paschall, Rhodes, Schultheis, Scott,  
11 Stafford, Webster, Williams T., Mr. Speaker.

12  
13  
14  
15 **CONSENT GRANTED TO CONFERENCE COMMITTEE**

16  
17 Representative Mitchell moved that the First Conference Committee on  
18 **SB01-131** be granted permission to go beyond the scope of the difference  
19 between the House and the Senate. The motion was passed by the  
20 following roll call vote:

21  
22 YES 60                      NO 4                      EXCUSED 1                      ABSENT 0

23								
24	Alexander	Y	Groff	Y	Miller	Y	Spence	Y
25	Bacon	Y	Grossman	Y	Mitchell	Y	Spradley	Y
26	Berry	Y	Hefley	Y	Nuñez	Y	Stafford	Y
27	Borodkin	Y	Hodge	Y	Paschall	N	Stengel	Y
28	Boyd	Y	Hoppe	Y	Plant	Y	Swenson	Y
29	Cadman	Y	Jahn	Y	Ragsdale	Y	Tapia	Y
30	Chavez	Y	Jameson	Y	Rhodes	Y	Tochtrop	Y
31	Clapp	Y	Johnson	Y	Rippy	N	Veiga	Y
32	Cloer	E	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	N	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	N

41  
42  
43  
44  
45 **REPORTS OF COMMITTEES OF REFERENCE**

46  
47 **CIVIL JUSTICE & JUDICIARY**

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

50  
51 **HB01-1296** be postponed indefinitely.

52  
53  
54 **SB01-100** be amended as follows, and as so amended, be referred to  
55 the Committee on Appropriations with favorable  
56 recommendation:

- 1 Amend reengrossed bill, page 6, line 14, strike "OR" and substitute "AND";  
2  
3 line 15, strike "GRANTS," and substitute "GRANTS FROM GOVERNMENTAL  
4 ENTITIES OR FROM ORGANIZATIONS EXEMPT FROM FEDERAL TAXATION  
5 UNDER SECTION 501(c) (3) OF THE FEDERAL "INTERNAL REVENUE CODE  
6 OF1986", AS AMENDED,".  
7  
8 Page 9, line 14, strike "CRIME" and substitute "FELONY".  
9  
10 Page 10, line 9, strike "(11)" and substitute "(12)";  
11  
12 line 11, strike "PARTNERSHIP OR CORPORATION" and substitute  
13 "PARTNERSHIP, CORPORATION, OR LIMITED LIABILITY COMPANY".  
14  
15 Page 12, line 10, strike "CRIME" and substitute "FELONY".  
16  
17 Page 15, line 13, strike "CRIME" and substitute "FELONY".  
18  
19 Page 16, line 7, strike "PARTNERSHIP OR";  
20  
21 line 8, strike "CORPORATION" and substitute "PARTNERSHIP,  
22 CORPORATION, OR LIMITED LIABILITY COMPANY".  
23  
24 Page 19, line 10, strike "CRIME" and substitute "FELONY".  
25  
26 Page 22, line 8, after "NUMBER", insert "AND WEB SITE ADDRESS".  
27  
28 Page 23, line 13, after "REPRESENTS", insert "OR CAUSES ANOTHER TO  
29 REPRESENT";  
30  
31 strike lines 15 through 17 and substitute the following:  
32  
33 "(i) REPRESENTS OR CAUSES ANOTHER TO REPRESENT THAT A  
34 CONTRIBUTION TO A CHARITABLE ORGANIZATION WILL BE USED FOR A  
35 PURPOSE OTHER THAN THE PURPOSE FOR WHICH THE CHARITABLE  
36 ORGANIZATION ACTUALLY INTENDS TO USE SUCH CONTRIBUTION;";  
37  
38 line 18, after "REPRESENTS", insert "OR CAUSES ANOTHER TO REPRESENT";  
39  
40 line 21, after "REPRESENTS", insert "OR CAUSES ANOTHER TO REPRESENT";  
41  
42 line 24, after "REPRESENTS", insert "OR CAUSES ANOTHER TO REPRESENT";  
43  
44 line 27, after "REPRESENTS", insert "OR CAUSES ANOTHER TO REPRESENT".  
45  
46 Page 24, line 2, after "REPRESENTS", insert "OR CAUSES ANOTHER TO  
47 REPRESENT";  
48  
49 line 4, after "REPRESENTS", insert "OR CAUSES ANOTHER TO REPRESENT";  
50  
51 line 7, after "REPRESENTS", insert "OR CAUSES ANOTHER TO REPRESENT".  
52  
53 Page 25, line 2, after "ENFORCEMENT",", insert ""SHERIFF", "PATROL",  
54 "PATROLMAN", "PATROL OFFICER",";  
55  
56 strike lines 21 through 27.

1 Page 26, strike lines 1 through 6 and substitute the following:

2  
3           "(6) (a) IN ADDITION TO ANY OTHER APPLICABLE PENALTY, THE  
4 SECRETARY OF STATE MAY DENY, SUSPEND, OR REVOKE THE REGISTRATION  
5 OF ANY CHARITABLE ORGANIZATION, PROFESSIONAL FUND-RAISING  
6 CONSULTANT, OR PAID SOLICITOR THAT MAKES A FALSE STATEMENT OR  
7 OMITTS MATERIAL INFORMATION IN ANY REGISTRATION STATEMENT,  
8 ANNUAL REPORT, OR OTHER INFORMATION REQUIRED TO BE FILED BY THIS  
9 ARTICLE OR THAT ACTS OR FAILS TO ACT IN SUCH A MANNER AS OTHERWISE  
10 TO VIOLATE ANY PROVISION OF THIS ARTICLE. THE SECRETARY OF STATE  
11 MAY ALSO DENY, SUSPEND, OR REVOKE THE REGISTRATION OF ANY PERSON  
12 WHO DOES NOT MEET THE REQUIREMENTS FOR REGISTRATION SET FORTH  
13 IN THIS ARTICLE.  
14

15           (b) UPON NOTICE FROM THE SECRETARY OF STATE THAT A  
16 REGISTRATION HAS BEEN DENIED OR IS SUBJECT TO SUSPENSION OR  
17 REVOCATION, THE AGGRIEVED PARTY MAY REQUEST A HEARING. THE  
18 REQUEST FOR HEARING MUST BE MADE WITHIN FIVE CALENDAR DAYS  
19 AFTER RECEIPT OF NOTICE. PROCEEDINGS FOR ANY SUCH DENIAL,  
20 SUSPENSION, OR REVOCATION HEARING SHALL BE GOVERNED BY THE  
21 "STATE ADMINISTRATIVE PROCEDURE ACT", ARTICLE 4 OF TITLE 24,  
22 C.R.S.; EXCEPT THAT THE SECRETARY OF STATE SHALL PROMULGATE  
23 RULES TO PROVIDE FOR EXPEDITED DEADLINES TO GOVERN SUCH  
24 PROCEEDINGS AND SHALL BEAR THE BURDEN OF PROOF. THE STATUS QUO  
25 CONCERNING THE ABILITY OF THE AGGRIEVED PARTY TO SOLICIT FUNDS  
26 SHALL BE MAINTAINED DURING THE PENDENCY OF THE PROCEEDINGS.  
27 JUDICIAL REVIEW SHALL BE AVAILABLE PURSUANT TO SECTION 24-4-106,  
28 C.R.S.  
29

30           (c) IN ADDITION TO OTHER REMEDIES AUTHORIZED BY LAW, THE  
31 SECRETARY OF STATE MAY BRING A CIVIL ACTION IN THE DISTRICT COURT  
32 OF ANY JUDICIAL DISTRICT IN WHICH VENUE IS PROPER FOR THE PURPOSE  
33 OF OBTAINING INJUNCTIVE RELIEF AGAINST ANY PERSON WHO VIOLATES,  
34 OR THREATENS TO VIOLATE, THE PROVISIONS OF THIS ARTICLE.  
35

36           (d) THE RIGHTS AND REMEDIES AVAILABLE TO THE SECRETARY OF  
37 STATE PURSUANT TO THIS SUBSECTION (6) SHALL NOT AFFECT THE RIGHTS  
38 AND REMEDIES AVAILABLE TO ANY OTHER PERSON SEEKING RELIEF FOR  
39 VIOLATIONS OF THIS ARTICLE OR ANY OTHER APPLICABLE LAW."  
40  
41  
42

43 **SB01-149** be amended as follows, and as so amended, be referred to  
44 the Committee on Appropriations with favorable  
45 recommendation:  
46

47 Amend reengrossed bill, page 2, line 6, strike "~~Up to five~~";

48  
49 strike lines 7 through 9 and substitute the following:

50  
51 "Up to five years of service credit shall be granted for public service as  
52 a district attorney prior to January 11, 1977, if the district attorney did not  
53 elect exemption from membership upon first becoming eligible for  
54 membership."  
55

56 Page 3, strike lines 6 through 27.



1 Renumber succeeding sections accordingly.

2

3 Page 4, line 24, strike "**Actuarial study.**" and substitute "**Employee**  
4 **retirement benefit study.**".

5

6 Page 5, line 9, after "BOARD" insert "OR BY THE LEGISLATIVE AUDIT  
7 COMMITTEE".

8

9

10

11

12 **STATE, VETERANS, & MILITARY AFFAIRS**

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

15

16 **HB01-1385** be amended as follows, and as so amended, be referred to  
17 the Committee on Appropriations with favorable  
18 recommendation:

19

20 Amend printed bill, page 10, line 24, after "PRIVATE", insert "OR PUBLIC".

21

22

23

24

**SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

25

26 The Speaker has signed: **HJR01-1028; HM01-1002.**

27

28

29

30

**MESSAGE FROM THE SENATE**

31 Mr. Speaker:

32

33 The Senate has passed on Third Reading and returns herewith  
34 HB01-1074.

35

36 The Senate has passed on Third Reading and transmitted to the Revisor  
37 of Statutes:

38 SB01-041, amended as printed in Senate Journal, April 12, pages  
39 822-823;

40 SB01-075, amended as printed in Senate Journal, April 12, page 823;

41 SB01-163, amended as printed in Senate Journal, April 12, pages  
42 825-826;

43 SB01-032, amended as printed in Senate Journal, April 16, page 841;

44 SB01-069, amended as printed in Senate Journal, April 16, pages  
45 841-842;

46 SB01-072, amended as printed in Senate Journal, April 16, page 842;

47 SB01-057, amended as printed in Senate Journal, April 16, pages  
48 842-843;

49 SB01-096, amended as printed in Senate Journal, April 16, page 843;

50 SB01-014, amended as printed in Senate Journal, April 16, pages  
51 844-846;

52 HB01-1370, amended as printed in Senate Journal, April 16, page 843.

53

54 The Senate granted permission to members of the First Conference  
55 Committee on HB01-1292 to consider matters not at issue between the  
56 two houses.

**MESSAGE FROM THE REVISOR**

We herewith transmit without comment, as amended, SB01-041, 075, 163, 032, 069, 072, 057, 096, 014, and HB01-1370.

**MESSAGE FROM THE GOVERNOR**

I certify I received the following on the 17<sup>th</sup> day of April, 2001, at 4:20 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

April 17, 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:

**HB01-1238** Concerning A Prohibition On The Therapeutic Technique Known As Rebirthing, And, In Connection Therewith, Creating An Additional Prohibited Activity For Mental Health Professionals Who Use The Rebirthing Technique.

Approved April 17, 2001 at 1:15 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:

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

Committee on State, Veterans, & Military Affairs

- 1 **SB01-014** by Senator(s) Evans, Epps, Linkhart; also Representative(s)  
2 Alexander, Johnson, Tochtrop--Concerning regulatory  
3 oversight of foster care.  
4 Committee on Health, Environment, Welfare, & Institutions  
5 Committee on Appropriations  
6  
7
- 8 **SB01-032** by Senator(s) Linkhart; also Representative(s) Alexander--  
9 Concerning criminal background checks.  
10 Committee on Criminal Justice  
11 Committee on Appropriations  
12  
13
- 14 **SB01-057** by Senator(s) Entz; also Representative(s) Stengel--  
15 Concerning the imposition of surcharges on certain outdoor  
16 recreation activities in order to fund rescue activities, and  
17 making an appropriation therefor.  
18 Committee on Agriculture, Livestock, & Natural Resources  
19 Committee on Appropriations  
20  
21
- 22 **SB01-069** by Senator(s) Hanna; also Representative(s) White--  
23 Concerning tuition assistance for spouses of certain persons,  
24 and, in connection therewith, authorizing tuition assistance  
25 for the spouses of deceased or permanently disabled  
26 national guardsmen, law enforcement officers, and  
27 firefighters.  
28 Committee on State, Veterans, & Military Affairs  
29  
30
- 31 **SB01-072** by Senator(s) Owen; also Representative(s) Berry--  
32 Concerning the creation of employee incentive programs  
33 within state agencies to maximize state government  
34 efficiency.  
35 Committee on Information & Technology  
36 Committee on Appropriations  
37  
38
- 39 **SB01-075** by Senator(s) Tate; also Representative(s) Larson, Mace--  
40 Concerning expansion of the crime of ethnic intimidation,  
41 and, in connection therewith, changing the name of the  
42 crime to a hate crime.  
43 Committee on State, Veterans, & Military Affairs  
44  
45
- 46 **SB01-096** by Senator(s) Linkhart; also Representative(s) Boyd--  
47 Concerning the provision of health care to persons in the aid  
48 to the needy disabled program.  
49 Committee on Health, Environment, Welfare, & Institutions  
50 Committee on Appropriations  
51  
52
- 53 **SB01-163** by Senator(s) Tupa, Windels; also Representative(s) Bacon--  
54 Concerning the student teacher assistance program.  
55 Committee on Education  
56
-

**INTRODUCTION OF RESOLUTION**

1  
2  
3 The following resolution was read by title and laid over one day under the  
4 rules:

5  
6 **HR01-1014** by Representative(s) Spradley, Dean, Hefley, Young,  
7 Cadman, Crane, Fairbank, King, Lee, Paschall, Snook,  
8 Spence, Stafford, Stengel, Swenson, Webster, Williams T.,  
9 Witwer--Concerning the encouragement of the Colorado  
10 congressional delegation to support President George W.  
11 Bush's tax relief proposal.

12  
13 WHEREAS, Federal taxes are the highest they have ever been  
14 during peacetime; and

15  
16 WHEREAS, All taxpayers should be allowed to keep more of their  
17 own money; and

18  
19 WHEREAS, The best way to encourage economic growth is to cut  
20 marginal tax rates across all tax brackets; and

21  
22 WHEREAS, Under current tax law, low-income workers often pay  
23 the highest marginal rates; and

24  
25 WHEREAS, The American people have not received real tax relief  
26 in a generation; and

27  
28 WHEREAS, President George W. Bush's tax relief plan will  
29 contribute to raising the standard of living for all Americans; and

30  
31 WHEREAS, President Bush's tax relief plan will increase access  
32 to the middle class for hard working families, treat all middle class  
33 families more fairly, encourage entrepreneurship and growth, and  
34 promote charitable giving and education; and

35  
36 WHEREAS, Under President Bush's tax relief plan, the largest  
37 percentage reductions will go to the lowest income earners; now,  
38 therefore,

39  
40 *Be It Resolved by the House of Representatives of the Sixty-third*  
41 *General Assembly of the State of Colorado:*

42  
43 That we, the members of the House of Representatives of the  
44 Sixty-Third General Assembly, encourage the Colorado congressional  
45 delegation to support and work to pass the tax relief plan introduced by  
46 President Bush, which includes across-the-board reductions in marginal  
47 rates, eliminates the death tax, and reduces the marriage penalty.

48  
49 *Be It Further Resolved*, That copies of this Joint Resolution be  
50 sent to each member of the Colorado congressional delegation and to  
51 President Bush.

52  
53  
54  
55 House in recess. House reconvened.  
56

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

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

**SB01-006** be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

Amend reengrossed bill, page 3, line 11, strike "DAMAGE" and substitute "MANAGEMENT";

line 17, after "LAND" insert "OWNERS AND".

Page 4, line 18, strike "OTHER";

line 20, strike "ISSUES." and substitute "ISSUES AND OTHER MANAGEMENT OBJECTIVES.".

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

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

**SB01-113** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Amend reengrossed bill, page 2, before line 8, insert the following:

"**SECTION 2.** 12-41-105 (1) (a), Colorado Revised Statutes, is amended to read:

**12-41-105. Limitations on authority.** (1) Nothing in this article shall be construed as authorizing a physical therapist to perform any of the following acts:

(a) Practice of medicine, surgery, CHIROPRACTIC, or any other form of healing except as authorized by the provisions of this article; or".

Renumber succeeding sections accordingly.

Page 6, line 12, after "ASSISTANTS", insert "UNDER THE DIRECT SUPERVISION OF A PHYSICAL THERAPIST".

Page 8, after line 8, insert the following:

"**SECTION 13.** 12-41-124 (1) (g) (III), Colorado Revised Statutes, is amended to read:

**12-41-124. Professional service corporations, limited liability companies, and registered limited liability partnerships for the practice of physical therapy - definitions.** (1) Persons licensed to practice physical therapy by the director may form professional service corporations for the practice of physical therapy under the "Colorado

1 Business Corporation Act", articles 101 to 117 of title 7, C.R.S., if such  
 2 corporations are organized and operated in accordance with the  
 3 provisions of this section. The articles of incorporation of such  
 4 corporations shall contain provisions complying with the following  
 5 requirements:

6  
 7 (g) The articles of incorporation shall provide, and all  
 8 shareholders of the corporation shall agree, that all shareholders of the  
 9 corporation shall be jointly and severally liable for all acts, errors, and  
 10 omissions of the employees of the corporation or that all shareholders of  
 11 the corporation shall be jointly and severally liable for all acts, errors, and  
 12 omissions of the employees of the corporation except during periods of  
 13 time when the corporation shall maintain in good standing professional  
 14 liability insurance which shall meet the following minimum standards:

15  
 16 (III) The insurance policy ~~may~~ SHALL provide for an aggregate top  
 17 ~~limit of liability per year for all claims of~~ AN AMOUNT NOT LESS THAN one  
 18 hundred ~~fifty~~ thousand dollars PER CLAIM with a top AN AGGREGATE limit  
 19 of liability for all claims during the year of three hundred thousand  
 20 dollars."

21  
 22 Renumber succeeding sections accordingly.

23  
 24 Page 10, after line 5, insert the following:

25  
 26 "SECTION 19. 12-36-106 (3) (r), Colorado Revised Statutes, is  
 27 amended to read:

28  
 29 **12-36-106. Practice of medicine defined - exemptions from**  
 30 **licensing requirements - repeal.** (3) Nothing in this section shall be  
 31 construed to prohibit, or to require a license under this article with respect  
 32 to, any of the following acts:

33  
 34 (r) (I) The administration of topical and aerosol medications  
 35 within the scope of physical therapy practice as provided in section  
 36 12-41-113 (2);

37  
 38 (II) THE PERFORMANCE OF WOUND DEBRIDEMENT UNDER A  
 39 PHYSICIAN'S ORDER WITHIN THE SCOPE OF PHYSICAL THERAPY PRACTICE  
 40 AS PROVIDED IN SECTION 12-41-113 (3);"

41  
 42 Renumber succeeding sections accordingly.

43  
 44  
 45  
 46  
 47 **TRANSPORTATION & ENERGY**

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

50  
 51 **HB01-1381** 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 6, line15, after "NATURAL GAS," insert "AND  
 56 OTHER FUEL SOURCES,".

1 Page 11, line 15, after "ELECTRICITY," insert "OR OTHER FUEL SOURCES,".

2

3 Page 12, line 21, after "NATURAL GAS," insert "AND OTHER FUEL  
4 SOURCES,".

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## SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

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10 The Speaker has signed: **SB01-116, 158.**

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## MESSAGE FROM THE SENATE

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## INTRODUCTION OF BILL

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### First Reading

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## LAY OVER OF CALENDAR ITEMS

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On motion of Representative Spradley, the following items on the Calendar were laid over until April 19, retaining place on Calendar:

Consideration of General Orders--**HB01-1191, 1242, 1262, 1204, 1347, 1354, 1357, 1368, SB01-205.**

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

Consideration of Resolutions--**HJR01-1012, 1030, 1031, SJR01-028.**

Consideration of Senate Amendments--**HB01-1113, 1163, 1236, 1210, 1160, 1239, 1348, 1096, 1025, 1169, 1114, 1319, 1132, 1174, 1252, 1349.**

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

1 On motion of Representative Spradley, the House adjourned until  
2 9:00 a.m., April 19, 2001.

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Approved:

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DOUG DEAN,  
Speaker

9

10 Attest:

11

12 JUDITH RODRIGUE,

13 Chief Clerk