

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

One Hundred-seventh Legislative Day Thursday, April 26, 2001

1 Prayer by Pastor Rick Long, Grace Church, Arvada.
2
3 The Speaker called the House to order at 9:00 a.m.
4
5 The roll was called with the following result:
6
7 Present--59.
8 Excused--Representatives Paschall, Saliman--2.
9 Absent--Representatives Coleman, Johnson, King, Williams S.--4.
10 Present after roll call--Representatives Coleman, Johnson, King,
11 Paschall, Williams S.

12
13 The Speaker declared a quorum present.
14
15

16 On motion of Representative Rhodes, the reading of the journal of
17 April 25, 2001, was declared dispensed with and approved as corrected
18 by the Chief Clerk.
19
20

CONSIDERATION OF RESOLUTION

21
22
23
24 **HJR01-1022** by Representative(s) Hoppe, Cloer, Johnson, Kester, King,
25 Larson, Lawrence, Plant, Snook, Spence, Spradley, White,
26 Witwer, Young; also Senator(s) Dyer (Durango)--
27 Concerning the species conservation eligibility list.

28
29 (Printed and placed in member's file; also printed in House Journal,
30 March 26, 2001, pages 952-953.)
31

32 On motion of Representative Hoppe, the resolution was **adopted by viva**
33 **voce** vote.
34

35 Co-sponsors added: Representatives Alexander, Hefley, Lee, Miller, Mitchell,
36 Scott, Smith, Stafford, Stengel, Williams T.
37
38

CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS

39
40
41
42 **HB01-1210** by Representative(s) Sinclair; also Senator(s) Arnold--
43 Concerning the authorization of electronic hearings in
44 situations where citations for certain driving offenses may
45 cause individuals to lose their driver's licenses.

1 (Amended as printed in Senate Journal, March 23, pages 638-639.)
 2
 3 Representative Sinclair moved that the House **concur** in Senate amend-
 4 ments. The motion was declared **passed** by the following roll call vote:

6	YES 64	NO 0	EXCUSED 1	ABSENT 0
7				
8	Alexander	Y Groff	Y Miller	Y Spence
9	Bacon	Y Grossman	Y Mitchell	Y Spradley
10	Berry	Y Hefley	Y Nuñez	Y Stafford
11	Borodkin	Y Hodge	Y Paschall	Y Stengel
12	Boyd	Y Hoppe	Y Plant	Y Swenson
13	Cadman	Y Jahn	Y Ragsdale	Y Tapia
14	Chavez	Y Jameson	Y Rhodes	Y Tochtrop
15	Clapp	Y Johnson	Y Rippy	Y Veiga
16	Cloer	Y Kester	Y Romanoff	Y Vigil
17	Coleman	Y King	Y Saliman	E Webster
18	Crane	Y Larson	Y Sanchez	Y Weddig
19	Daniel	Y Lawrence	Y Schultheis	Y White
20	Decker	Y Lee	Y Scott	Y Williams S.
21	Fairbank	Y Mace	Y Sinclair	Y Williams T.
22	Fritz	Y Madden	Y Smith	Y Witwer
23	Garcia	Y Marshall	Y Snook	Y Young
24				Mr. Speaker
25				Y

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

32	YES 64	NO 0	EXCUSED 1	ABSENT 0
33				
34	Alexander	Y Groff	Y Miller	Y Spence
35	Bacon	Y Grossman	Y Mitchell	Y Spradley
36	Berry	Y Hefley	Y Nuñez	Y Stafford
37	Borodkin	Y Hodge	Y Paschall	Y Stengel
38	Boyd	Y Hoppe	Y Plant	Y Swenson
39	Cadman	Y Jahn	Y Ragsdale	Y Tapia
40	Chavez	Y Jameson	Y Rhodes	Y Tochtrop
41	Clapp	Y Johnson	Y Rippy	Y Veiga
42	Cloer	Y Kester	Y Romanoff	Y Vigil
43	Coleman	Y King	Y Saliman	E Webster
44	Crane	Y Larson	Y Sanchez	Y Weddig
45	Daniel	Y Lawrence	Y Schultheis	Y White
46	Decker	Y Lee	Y Scott	Y Williams S.
47	Fairbank	Y Mace	Y Sinclair	Y Williams T.
48	Fritz	Y Madden	Y Smith	Y Witwer
49	Garcia	Y Marshall	Y Snook	Y Young
50				Mr. Speaker
51				Y

52 Co-sponsors added: Representatives Hoppe, Stafford, Swenson, Weddig,
 53 Williams S., Young.

54
 55

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 (Amended as printed in Senate Journal, March 26, page 652.)
 6

7 Representative Stafford moved that the House **concur** in Senate amend-
 8 ments. The motion was declared **passed** by the following roll call vote:
 9

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

30
 31 The question being, "Shall the bill, as amended, pass?".
 32 A roll call vote was taken. As shown by the following recorded vote, a
 33 majority of those elected to the House voted in the affirmative, and the
 34 bill, as amended, was declared **repassed**.
 35

36	YES 63	NO 0	EXCUSED 2	ABSENT 0
37	Alexander	Y Groff	Y Miller	Y Spence
38	Bacon	Y Grossman	Y Mitchell	Y Spradley
39	Berry	Y Hefley	Y Nuñez	Y Stafford
40	Borodkin	Y Hodge	Y Paschall	E Stengel
41	Boyd	Y Hoppe	Y Plant	Y Swenson
42	Cadman	Y Jahn	Y Ragsdale	Y Tapia
43	Chavez	Y Jameson	Y Rhodes	Y Tochtrop
44	Clapp	Y Johnson	Y Rippy	Y Veiga
45	Cloer	Y Kester	Y Romanoff	Y Vigil
46	Coleman	Y King	Y Saliman	E Webster
47	Crane	Y Larson	Y Sanchez	Y Weddig
48	Daniel	Y Lawrence	Y Schultheis	Y White
49	Decker	Y Lee	Y Scott	Y Williams S.
50	Fairbank	Y Mace	Y Sinclair	Y Williams T.
51	Fritz	Y Madden	Y Smith	Y Witwer
52	Garcia	Y Marshall	Y Snook	Y Young
53				Mr. Speaker
54				Y

55 Representative Paschall excused for Legislative Business.

56 Co-sponsor added: Representative Swenson.

1 **HB01-1252** by Representative(s) White; also Senator(s) Taylor--
 2 Concerning demand drafts under the "Uniform
 3 Commercial Code".
 4

5 (Amended as printed in Senate Journal, April 5, page 761.)
 6

7 Representative White moved that the House **concur** in Senate amend-
 8 ments. The motion was declared **passed** by the following roll call vote:
 9

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

30
 31 The question being, "Shall the bill, as amended, pass?".
 32 A roll call vote was taken. As shown by the following recorded vote, a
 33 majority of those elected to the House voted in the affirmative, and the
 34 bill, as amended, was declared **repassed**.
 35

36	YES 63	NO 0	EXCUSED 2	ABSENT 0
37	Alexander	Y Groff	Y Miller	Y Spence Y
38	Bacon	Y Grossman	Y Mitchell	Y Spradley Y
39	Berry	Y Hefley	Y Nuñez	Y Stafford Y
40	Borodkin	Y Hodge	Y Paschall	E Stengel Y
41	Boyd	Y Hoppe	Y Plant	Y Swenson Y
42	Cadman	Y Jahn	Y Ragsdale	Y Tapia Y
43	Chavez	Y Jameson	Y Rhodes	Y Tochtrop Y
44	Clapp	Y Johnson	Y Rippy	Y Veiga Y
45	Cloer	Y Kester	Y Romanoff	Y Vigil Y
46	Coleman	Y King	Y Saliman	E Webster Y
47	Crane	Y Larson	Y Sanchez	Y Weddig Y
48	Daniel	Y Lawrence	Y Schultheis	Y White Y
49	Decker	Y Lee	Y Scott	Y Williams S. Y
50	Fairbank	Y Mace	Y Sinclair	Y Williams T. Y
51	Fritz	Y Madden	Y Smith	Y Witwer Y
52	Garcia	Y Marshall	Y Snook	Y Young Y
53				Mr. Speaker Y

54
 55 Representative Paschall excused for Legislative Business.
 56 Co-sponsor added: Representative Rippy.

1 **HB01-1371** by Representative(s) Cloer; also Senator(s) Anderson--
 2 Concerning the implementation of restrictions on the
 3 medical use of marijuana.
 4

5 (Amended as printed in Senate Journal, April 20, page 927.)
 6

7 Representative Cloer moved that the House **concur** in Senate amend-
 8 ments. The motion was declared **passed** by the following roll call vote:
 9

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

29
 30
 31 The question being, "Shall the bill, as amended, pass?".
 32 A roll call vote was taken. As shown by the following recorded vote, a
 33 majority of those elected to the House voted in the affirmative, and the
 34 bill, as amended, was declared **repassed**.
 35

36	YES 54	NO 9	EXCUSED 2	ABSENT 0				
37								
38	Alexander	Y	Groff	Y	Miller	Y	Spence	Y
39	Bacon	Y	Grossman	Y	Mitchell	N	Spradley	Y
40	Berry	Y	Hefley	Y	Nuñez	N	Stafford	Y
41	Borodkin	Y	Hodge	Y	Paschall	E	Stengel	N
42	Boyd	Y	Hoppe	Y	Plant	Y	Swenson	N
43	Cadman	N	Jahn	Y	Ragsdale	Y	Tapia	Y
44	Chavez	Y	Jameson	Y	Rhodes	Y	Tochtrop	Y
45	Clapp	Y	Johnson	Y	Rippy	Y	Veiga	Y
46	Cloer	Y	Kester	Y	Romanoff	Y	Vigil	Y
47	Coleman	Y	King	Y	Saliman	E	Webster	Y
48	Crane	Y	Larson	Y	Sanchez	Y	Weddig	Y
49	Daniel	Y	Lawrence	Y	Schultheis	Y	White	Y
50	Decker	N	Lee	N	Scott	Y	Williams S.	Y
51	Fairbank	N	Mace	Y	Sinclair	Y	Williams T.	Y
52	Fritz	Y	Madden	Y	Smith	Y	Witwer	N
53	Garcia	Y	Marshall	Y	Snook	Y	Young	Y
54							Mr. Speaker	Y

55
 56 Representative Paschall excused for Legislative Business.

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

4
5 Representative Paschall excused for Legislative Business.

6 Co-sponsors added: Representatives Cloer, Witwer.

7
8 **HB01-1289** by Representative(s) Crane, Fritz, Jahn, King, Lee,
9 Paschall, Rippy, Schultheis, Spence, Witwer; also
10 Senator(s) Hanna--Concerning child care services to which
11 the "Child Care Licensing Act" does not apply.

12
13 (Amended as printed in Senate Journal, April 23, page 945.)

14
15 Representative Crane moved that the House **not concur** in Senate
16 amendments and that a Conference Committee be appointed. The motion
17 was declared **passed** by the following roll call vote:

18	19	YES	56	NO	7	EXCUSED	2	ABSENT	0
21	Alexander	Y	Groff	Y	Miller	Y	Spence	Y	
22	Bacon	Y	Grossman	Y	Mitchell	Y	Spradley	Y	
23	Berry	Y	Hefley	Y	Nuñez	Y	Stafford	Y	
24	Borodkin	N	Hodge	Y	Paschall	E	Stengel	Y	
25	Boyd	N	Hoppe	Y	Plant	N	Swenson	Y	
26	Cadman	Y	Jahn	Y	Ragsdale	Y	Tapia	Y	
27	Chavez	Y	Jameson	Y	Rhodes	Y	Tochtrop	Y	
28	Clapp	Y	Johnson	Y	Rippy	Y	Veiga	N	
29	Cloer	Y	Kester	Y	Romanoff	Y	Vigil	N	
30	Coleman	Y	King	Y	Saliman	E	Webster	Y	
31	Crane	Y	Larson	Y	Sanchez	Y	Weddig	N	
32	Daniel	Y	Lawrence	Y	Schultheis	Y	White	Y	
33	Decker	Y	Lee	Y	Scott	Y	Williams S.	Y	
34	Fairbank	Y	Mace	Y	Sinclair	Y	Williams T.	Y	
35	Fritz	Y	Madden	Y	Smith	Y	Witwer	Y	
36	Garcia	Y	Marshall	N	Snook	Y	Young	Y	
37							Mr. Speaker	Y	

38
39 Representative Paschall excused for Legislative Business.

40 The Speaker appointed Representatives Crane, Chairman, Schultheis and
41 Jahn as House conferees to the bill.

42
43
44
45 On motion of Representative Spradley, **HB01-1376, 1375, SB01-142,**
46 **125** were made Special Orders on Thursday, April 26, 2001, at 9:42 a.m.

47
48
49
50 The hour of 9:42 a.m. having arrived, on motion of Representative
51 Cadman, the House resolved itself into Committee of the Whole for
52 consideration of Special Orders and he was called to the Chair to act as
53 Chairman.

54
55
56

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.)

HB01-1376 by Representative(s) Fritz, Lee, Cadman, Coleman, Fairbank, Hodge, Jahn, Johnson, King, Lawrence, Marshall, Mitchell, Nuñez, Paschall, Rhodes, Rippey, Snook, Spradley, Tapia, Vigil; also Senator(s) Dyer (Durango)--Concerning the protection of children in public facilities from access to harmful materials on the internet.

Declared **lost** on Second Reading.

(For change in action, see Amendments to Report, page 1420.)

HB01-1375 by Representative(s) Scott, Johnson, Madden, Mitchell, Plant, Witwer; also Senator(s) Teck--Concerning the issuance of bonds by the trust fund board of the great outdoors Colorado trust fund for the purpose of financing expenditures that may be made from the trust fund.

Amendment No. 1, Finance Report, dated April 18, 2001, and placed in member's bill file; Report also printed in House Journal, April 19, page 1289.

Amendment No. 2, by Representative Scott.

Amend printed bill, page 4, line 6, after "EXPENDITURE", insert "TO ADDRESS URGENT AND PERMANENT LAND ACQUISITION PRIORITIES, INCLUDING THE ACQUISITION OF PERPETUAL CONSERVATION EASEMENTS,";

line 23, after "EXPENDITURE", insert "TO ADDRESS URGENT AND PERMANENT LAND ACQUISITION PRIORITIES, INCLUDING THE ACQUISITION OF PERPETUAL CONSERVATION EASEMENTS,".

Page 10, line 26, after "URGENT", insert "AND PERMANENT";

line 27, strike "PRESERVATION PRIORITIES" and substitute "ACQUISITION PRIORITIES, INCLUDING THE ACQUISITION OF PERPETUAL CONSERVATION EASEMENTS,".

As amended, declared **lost** on Second Reading.

(For change in action, see Amendments to Report, page 1419.)

SB01-142 by Senator(s) McElhany; also Representative(s) Romanoff--Concerning the standard of evidence necessary for certain applicants to establish their social security numbers with the department of revenue.

Referred to the Committee on Appropriations.

1 **SB01-125** by Senator(s) Owen; also Representative(s) Berry--
 2 Concerning regulation of foreign capital depositories
 3 under the "Colorado Foreign Capital Depository Act".
 4

5 Ordered revised and placed on the Calendar for Third Reading and Final
 6 Passage.
 7

8
 9
 10 **AMENDMENTS TO THE COMMITTEE OF THE WHOLE REPORT**

11
 12 Representatives Fritz, Lee, and Mitchell moved to amend the Report of
 13 the Committee of the Whole to show that **HB01-1376** did pass.
 14

15 The amendment was declared **lost** by the following roll call vote:
 16

17	YES 32	NO 32	EXCUSED 1	ABSENT 0
18				
19	Alexander	N Groff	N Miller	Y Spence N
20	Bacon	N Grossman	N Mitchell	Y Spradley Y
21	Berry	N Hefley	Y Nuñez	Y Stafford Y
22	Borodkin	N Hodge	N Paschall	Y Stengel N
23	Boyd	N Hoppe	N Plant	N Swenson Y
24	Cadman	Y Jahn	Y Ragsdale	N Tapia N
25	Chavez	N Jameson	N Rhodes	Y Tochtrop N
26	Clapp	Y Johnson	Y Rippy	Y Veiga N
27	Cloer	Y Kester	N Romanoff	N Vigil N
28	Coleman	Y King	Y Saliman	E Webster Y
29	Crane	Y Larson	N Sanchez	N Weddig N
30	Daniel	N Lawrence	N Schultheis	Y White Y
31	Decker	Y Lee	Y Scott	Y Williams S. Y
32	Fairbank	Y Mace	N Sinclair	Y Williams T. N
33	Fritz	Y Madden	N Smith	Y Witwer Y
34	Garcia	N Marshall	N Snook	Y Young N
35				Mr. Speaker Y

36
 37
 38
 39 Representative Scott moved to amend the Report of the Committee of the
 40 Whole to show that **HB01-1375, as amended**, did pass.

41
 42 The amendment was declared **passed** by the following roll call vote:
 43

44	YES 43	NO 21	EXCUSED 1	ABSENT 0
45				
46	Alexander	N Groff	Y Miller	Y Spence Y
47	Bacon	Y Grossman	Y Mitchell	Y Spradley N
48	Berry	Y Hefley	Y Nuñez	N Stafford Y
49	Borodkin	Y Hodge	Y Paschall	N Stengel Y
50	Boyd	Y Hoppe	N Plant	Y Swenson N
51	Cadman	N Jahn	Y Ragsdale	N Tapia Y
52	Chavez	Y Jameson	Y Rhodes	N Tochtrop Y
53	Clapp	Y Johnson	Y Rippy	N Veiga Y
54	Cloer	N Kester	N Romanoff	Y Vigil Y
55	Coleman	Y King	N Saliman	E Webster N
56	Crane	N Larson	Y Sanchez	Y Weddig Y

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

10 Representative Young moved to amend the Report of the Committee of
 11 the Whole to show that the following Larson and Young amendment, to
 12 HB01-1376, did pass, and that **HB01-1376, as amended**, did pass.

14 Amend printed bill, page 6, line 23, after "(2)", insert "(a)";
 15
 16 after line 26, insert the following:

18 "(b) NOTHING IN THIS PART 5 SHALL BE CONSTRUED TO REQUIRE
 19 ANY ADDITIONAL ACTION ON THE PART OF ANY LIBRARY IN
 20 CIRCUMSTANCES WHERE:

22 (I) NO MONEYS EXIST IN THE BUDGET FOR SUCH LIBRARY FOR THE
 23 PURCHASE OF A TECHNOLOGY PROTECTION MEASURE THAT SATISFIES THE
 24 REQUIREMENTS OF THIS PART 5; OR

26 (II) AFTER A GOOD FAITH EFFORT, THE LIBRARY IS UNABLE TO ACQUIRE
 27 A TECHNOLOGY PROTECTION MEASURE THAT SATISFIES THE REQUIREMENTS OF
 28 THIS PART 5 FREE OF CHARGE."

30 The amendment was declared **passed** by the following roll call vote:

32	<u>YES 38</u>	<u>NO 26</u>	<u>EXCUSED 1</u>	<u>ABSENT 0</u>				
34	Alexander	N	Groff	N	Miller	Y	Spence	N
35	Bacon	Y	Grossman	N	Mitchell	Y	Spradley	Y
36	Berry	N	Hefley	Y	Nuñez	Y	Stafford	Y
37	Borodkin	N	Hodge	N	Paschall	Y	Stengel	N
38	Boyd	N	Hoppe	N	Plant	N	Swenson	Y
39	Cadman	Y	Jahn	Y	Ragsdale	N	Tapia	N
40	Chavez	N	Jameson	Y	Rhodes	Y	Tochtrop	N
41	Clapp	Y	Johnson	Y	Rippy	Y	Veiga	N
42	Cloer	Y	Kester	Y	Romanoff	Y	Vigil	N
43	Coleman	Y	King	Y	Saliman	E	Webster	Y
44	Crane	Y	Larson	N	Sanchez	N	Weddig	N
45	Daniel	N	Lawrence	N	Schultheis	Y	White	Y
46	Decker	Y	Lee	Y	Scott	Y	Williams S.	Y
47	Fairbank	Y	Mace	N	Sinclair	Y	Williams T.	N
48	Fritz	Y	Madden	N	Smith	Y	Witwer	Y
49	Garcia	Y	Marshall	N	Snook	Y	Young	Y
50							Mr. Speaker	Y

51
 52
 53
 54
 55

- 1 Amend printed concurrent resolution, page 2, line 22, after
2 "AMENDMENTS", insert "THAT ADD OR MODIFY ANY SUBSTANTIVE
3 PROVISION TO THE CONSTITUTION".
4
- 5 Page 3, line 1, after "CANVASSED.", add "THE REQUIREMENTS OF THIS
6 SECTION SHALL NOT APPLY TO A PROPOSED CONSTITUTIONAL AMENDMENT
7 THE EFFECT OF WHICH IS LIMITED SOLELY TO REPEALING AN EXISTING
8 PROVISION OF THE CONSTITUTION."
9
- 10 line 18, after "AMENDMENTS", insert "THAT ADD OR MODIFY ANY
11 SUBSTANTIVE PROVISION TO THE CONSTITUTION";
12
- 13 line 19, after "THEREON.", add "THE REQUIREMENTS OF THIS SECTION
14 SHALL NOT APPLY TO A PROPOSED CONSTITUTIONAL AMENDMENT THE
15 EFFECT OF WHICH IS LIMITED SOLELY TO REPEALING AN EXISTING
16 PROVISION OF THE CONSTITUTION."
17
- 18 line 25, strike "CONSTITUTIONAL AMENDMENTS" and substitute
19 "AMENDMENTS TO ADD OR MODIFY A SUBSTANTIVE PROVISION OF THE
20 CONSTITUTION";
21
- 22 line 26, strike "THEREON."" and substitute "THEREON, AND REQUIRING
23 VOTER APPROVAL TO REPEAL AN EXISTING PROVISION OF THE
24 CONSTITUTION WITH A MAJORITY OF THE VOTES CAST THEREON.""
25
- 26 Page 1, line 105, strike "CONSTITUTIONAL";
27
- 28 strike line 106 and substitute "AMENDMENTS TO ADD OR MODIFY A
29 SUBSTANTIVE PROVISION OF THE CONSTITUTION BY SIXTY PERCENT OF
30 THE VOTES CAST THEREON, AND REQUIRING VOTER APPROVAL TO
31 REPEAL AN EXISTING PROVISION OF THE CONSTITUTION WITH A
32 MAJORITY OF THE VOTES CAST THEREON."
33
34
35
- 36 **HR01-1015** be referred out for final action.
37
38
- 39 **SB01-057** be amended as follows, and as so amended, be referred to
40 the Committee on Appropriations with favorable
41 recommendation:
42
- 43 Amend reengrossed bill, page 3, line 1, after "(I)", insert "THE GENERAL
44 ASSEMBLY HEREBY CREATES THE COLORADO OUTDOOR RECREATION
45 SEARCH AND RESCUE CARD PROGRAM."
46
- 47 line 14, strike "AND FIFTY CENTS";
48
- 49 line 18, strike "FIFTY CENTS" and substitute "ONE DOLLAR";
50
- 51 after line 25, insert the following:
52
- 53 "(IV) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT THE
54 COLORADO OUTDOOR RECREATION SEARCH AND RESCUE CARD PROGRAM
55 IS A NEW PROGRAM. THE DEPARTMENT OF LOCAL AFFAIRS IS THEREFORE
56 AUTHORIZED TO CONTRACT, PURSUANT TO SECTION 24-50-504 (2) (b),

1 C.R.S., WITH A PERSON, CORPORATION, OR ENTITY FOR ANY ELEMENTS OF
2 THE ADMINISTRATION OF THE PROGRAM CREATED BY THIS PARAGRAPH
3 (c).".
4
5
6
7

8 **EDUCATION**

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

11
12 **SB01-089** be amended as follows, and as so amended, be referred to
13 the Committee on Appropriations with favorable
14 recommendation:
15

16 Amend reengrossed bill, page 2, line 6, strike "(1) (a) THE GENERAL
17 ASSEMBLY HEREBY FINDS";

18
19 strike lines 7 through 17.
20

21 Strike page 3.
22

23 Page 4, strike lines 1 through 14.
24

25 Renumber succeeding subsections accordingly.
26

27 Page 4, strike lines 24 through 26 and substitute "EDUCATION, THE STATE
28 BOARD OF EDUCATION SHALL ANNUALLY COLLECT AND REPORT
29 AGGREGATE DATA FROM".
30

31 Page 5, strike lines 4 through 22.
32

33 Strike pages 6 and 7.
34

35 Page 8, strike lines 1 through 8.
36

37 Renumber succeeding sections accordingly.
38

39 Page 8, strike lines 17 through 23.
40

41 Renumber succeeding section accordingly.
42
43
44

45 **SB01-164** be amended as follows, and as so amended, be referred to
46 the Committee on Appropriations with favorable
47 recommendation:
48

49 Amend reengrossed bill, page 5, line 21, strike "CARE" and substitute
50 "SERVICE".
51

52 Page 7, line 20, strike "TEN" and substitute "SEVEN".
53

54 Page 8, line 17, after "CRITERIA", insert "IN SECTION 25-23-103 (2) FOR
55 LOAN REPAYMENT ASSISTANCE, AND THE CRITERIA".
56

1 **FINANCE**

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

4
5 **HB01-1386** be referred to the Committee of the Whole with favorable
6 recommendation.

7
8
9 **HR01-1049** be postponed indefinitely.

10
11
12 **SB01-041** be postponed indefinitely.

13
14
15
16
17 **LOCAL GOVERNMENT**

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

20
21 **HB01-1305** be amended as follows, and as so amended, be referred to
22 the Committee of the Whole with favorable
23 recommendation:

24
25 Amend printed bill, page 4, line 22, strike " _____," and substitute "JULY
26 1, 2003,".

27
28 Page 8, strike lines 7 and 8 and substitute the following:

29
30 "THIS SECTION, "ESSENTIAL SERVICES" INCLUDES, AT A MINIMUM, CENTRAL
31 WATER AND SEWER SERVICES AND ROADS."

32
33 Page 9, after line 6, insert the following:

34
35 "(f) AN ENVIRONMENTAL QUALITY ELEMENT THAT ADDRESSES
36 COMPLIANCE WITH BOTH APPLICABLE FEDERAL AND STATE
37 ENVIRONMENTAL LAWS AND LOCALLY DETERMINED GOALS, OBJECTIVES,
38 PRINCIPLES, POLICIES, AND STANDARDS DESIGNED TO CONSIDER THE
39 ENVIRONMENTAL CONSEQUENCES OF THE ADVERSE EFFECTS OF
40 DEVELOPMENT. SUCH ELEMENT SHALL CONSIDER POTENTIAL IMPACTS ON
41 AIR AND WATER QUALITY, CRITICAL AND SENSITIVE AREAS, WILDLIFE
42 HABITATS, INCLUDING MIGRATION CORRIDORS, ENDANGERED,
43 THREATENED, AND STATE LISTED SPECIES OF SPECIAL CONCERN, AND
44 WETLANDS AND RIPARIAN AREAS.";

45
46 strike lines 26 through 27 and substitute the following:

47
48 "(4) NO MASTER PLAN OF A COUNTY SHALL BE AMENDED MORE
49 THAN ONCE EVERY TWO YEARS UNLESS THE BOARD OF COUNTY
50 COMMISSIONERS OF THE COUNTY HAS MADE SPECIFIC FINDINGS THAT THE
51 PROPOSED AMENDMENT WOULD BENEFIT THE HEALTH, SAFETY, AND
52 WELFARE OF THE RESIDENTS OF THE COUNTY AND WOULD FURTHER THE
53 GOALS OF THE MASTER PLAN OF THE COUNTY AS SPECIFIED IN THIS
54 SECTION."

55

1 Page 10, strike lines 1 through 3 and substitute the following:

2

3 "THE COUNTY SHALL REVIEW AND UPDATE ITS";

4

5 line 15, strike "BE CONSISTENT WITH AND DESIGNED TO".

6

7 Page 11, after line 11, insert the following:

8

9 "SECTION 5. 31-12-105 (1) (e), Colorado Revised Statutes, is
10 amended, and the said 31-12-105 (1) is further amended BY THE
11 ADDITION OF THE FOLLOWING NEW PARAGRAPHS, to read:

12

13 **31-12-105. Limitations.** (1) Notwithstanding any provisions of
14 this part 1 to the contrary, the following limitations shall apply to all
15 annexations:

16

17 (e) Except as otherwise provided in this paragraph (e), no
18 annexation may take place which would have the effect of extending a
19 municipal boundary more than three miles in any direction from any point
20 of such municipal boundary in any one year. Within said three-mile area,
21 the contiguity required by section 31-12-104 (1) (a) may be achieved by
22 annexing a platted street or alley, a public or private right-of-way, a
23 public or private transportation right-of-way or area, or a lake, reservoir,
24 stream, or other natural or artificial waterway. Prior to completion of any
25 annexation within the three-mile area, the municipality shall have in place
26 a plan for that area, which generally describes the proposed location,
27 character, and extent of streets, subways, bridges, waterways,
28 waterfronts, parkways, playgrounds, squares, parks, aviation fields, other
29 public ways, grounds, open spaces, public utilities, and terminals for
30 water, light, sanitation, transportation, and power to be provided by the
31 municipality and the proposed land uses for the area. Such plan shall be
32 updated at least once annually. Such three-mile limit may be exceeded
33 if such limit would have the effect of dividing a parcel of property held
34 in identical ownership if at least fifty percent of the property is within the
35 three-mile limit. In such event, the entire property held in identical
36 ownership may be annexed in any one year without regard to such
37 mileage limitation. Such three-mile limit may also be exceeded for the
38 annexation of an enterprise zone. PRIOR TO COMPLETION OF AN
39 ANNEXATION IN WHICH THE CONTIGUITY REQUIRED BY SECTION 31-12-104
40 (1) (a) IS ACHIEVED IN ACCORDANCE WITH THE REQUIREMENTS OF THIS
41 PARAGRAPH (e), THE MUNICIPALITY SHALL ANNEX ANY OF THE FOLLOWING
42 PARCELS THAT ABUT A PLATTED STREET OR ALLEY, A PUBLIC OR PRIVATE
43 RIGHT-OF-WAY, A PUBLIC OR PRIVATE TRANSPORTATION RIGHT-OF-WAY OR
44 AREA, OR A LAKE, RESERVOIR, STREAM, OR OTHER NATURAL OR ARTIFICIAL
45 WATERWAY, WHERE SUCH PARCEL IS INCLUDED WITHIN THE
46 MUNICIPALITY'S URBAN SERVICE AREA DESIGNATED PURSUANT TO SECTION
47 24-63-304, C.R.S., WHERE THE PARCEL SATISFIES ALL OF THE ELIGIBILITY
48 REQUIREMENTS PURSUANT TO SECTION 31-12-104, AND FOR WHICH AN
49 ANNEXATION PETITION HAS BEEN RECEIVED BY THE MUNICIPALITY NO
50 LATER THAN FORTY-FIVE DAYS PRIOR TO THE DATE OF THE HEARING SET
51 PURSUANT TO SECTION 31-12-108 (1):

52

53 (I) ANY PARCEL OF PROPERTY HAVING AN INDIVIDUAL SCHEDULE
54 NUMBER FOR COUNTY TAX FILING PURPOSES UPON THE PETITION OF THE
55 OWNER OF SUCH PARCEL;

56

1 (II) ANY SUBDIVISION THAT CONSISTS OF ONLY ONE FILING UPON
2 THE PETITION OF THE REQUISITE NUMBER OF OWNERS OF PROPERTY WITHIN
3 THE SUBDIVISION AS DETERMINED PURSUANT TO SECTION 31-12-107; OR
4

5 (III) ANY FILING WITHIN A SUBDIVISION THAT CONSISTS OF MORE
6 THAN ONE FILING UPON THE PETITION OF THE REQUISITE NUMBER OF
7 OWNERS OF PROPERTY WITHIN THE FILING AS DETERMINED PURSUANT TO
8 SECTION 31-12-107.
9

10 (e.1) THE MUNICIPALITY SHALL ANNEX THE PARCELS DESCRIBED
11 IN PARAGRAPH (e) OF THIS SUBSECTION (1) UNDER THE SAME OR
12 SUBSTANTIALLY SIMILAR TERMS AND CONDITIONS AS, AND CONSIDER THEM
13 AT THE SAME HEARING AND IN THE SAME IMPACT REPORT AS, THE INITIAL
14 ANNEXATION IN WHICH THE CONTIGUITY REQUIRED BY SECTION 31-12-104
15 (1) (a) IS ACHIEVED BY ANNEXING A PLATTED STREET OR ALLEY, A PUBLIC
16 OR PRIVATE RIGHT-OF-WAY, A PUBLIC OR PRIVATE TRANSPORTATION
17 RIGHT-OF-WAY OR AREA, OR A LAKE, RESERVOIR, STREAM, OR OTHER
18 NATURAL OR ARTIFICIAL WATERWAY. IMPACTS OF THE ANNEXATION UPON
19 THE PARCELS DESCRIBED IN PARAGRAPH (e) OF THIS SUBSECTION (1) THAT
20 ABUT SUCH STREET OR ALLEY, RIGHT-OF-WAY, AREA, OR WATERWAY
21 SHALL BE CONSIDERED IN THE IMPACT REPORT REQUIRED BY SECTION
22 31-12-108.5. AS PART OF THE SAME HEARING, THE MUNICIPALITY SHALL
23 CONSIDER AND DECIDE UPON ANY PETITION FOR ANNEXATION OF ANY
24 PARCEL OF PROPERTY HAVING AN INDIVIDUAL SCHEDULE NUMBER FOR
25 COUNTY TAX FILING PURPOSES, WHICH PETITION WAS RECEIVED NOT LATER
26 THAN FORTY-FIVE DAYS PRIOR TO THE HEARING DATE, WHERE THE PARCEL
27 ABUTS ANY PARCEL DESCRIBED IN PARAGRAPH (e) OF THIS SUBSECTION (1),
28 AND WHERE THE PARCEL OTHERWISE SATISFIES ALL OF THE ELIGIBILITY
29 REQUIREMENTS OF SECTION 31-12-104.
30

31 (e.3) IN CONNECTION WITH ANY ANNEXATION IN WHICH THE
32 CONTIGUITY REQUIRED BY SECTION 31-12-104 (1) (a) IS ACHIEVED BY
33 ANNEXING A PLATTED STREET OR ALLEY, A PUBLIC OR PRIVATE
34 RIGHT-OF-WAY, A PUBLIC OR PRIVATE TRANSPORTATION RIGHT-OF-WAY OR
35 AREA, OR A LAKE, RESERVOIR, STREAM, OR OTHER NATURAL OR ARTIFICIAL
36 WATERWAY, UPON THE LATER OF NINETY DAYS PRIOR TO THE DATE OF THE
37 HEARING SET PURSUANT TO SECTION 31-12-108 OR UPON THE FILING OF
38 THE ANNEXATION PETITION, THE MUNICIPALITY SHALL PROVIDE BY
39 REGULAR MAIL TO THE OWNER OF ANY ABUTTING PARCEL AS REFLECTED
40 IN THE RECORDS OF THE COUNTY ASSESSOR WRITTEN NOTICE OF THE
41 ANNEXATION AND OF THE LANDOWNER'S RIGHT TO PETITION FOR
42 ANNEXATION PURSUANT TO SECTION 31-12-107. INADVERTENT FAILURE
43 TO PROVIDE SUCH NOTICE SHALL NEITHER CREATE A CAUSE OF ACTION IN
44 FAVOR OF ANY LANDOWNER NOR INVALIDATE ANY ANNEXATION
45 PROCEEDING."
46

47 Renumber succeeding sections accordingly.
48

49 Page 11, line 16, strike " _____," and substitute "JULY 1, 2003,".
50

51 Page 14, strike lines 22 and 23 and substitute the following:
52

53 "THIS SECTION, "ESSENTIAL SERVICES" INCLUDES, AT A MINIMUM, CENTRAL
54 WATER AND SEWER SERVICES AND ROADS."
55

1 Page 15, after line 25, insert the following:

2
3 "(f) AN ENVIRONMENTAL QUALITY ELEMENT THAT ADDRESSES
4 COMPLIANCE WITH BOTH APPLICABLE FEDERAL AND STATE
5 ENVIRONMENTAL LAWS AND LOCALLY DETERMINED GOALS, OBJECTIVES,
6 PRINCIPLES, POLICIES, AND STANDARDS DESIGNED TO CONSIDER THE
7 ENVIRONMENTAL CONSEQUENCES OF THE ADVERSE EFFECTS OF
8 DEVELOPMENT. SUCH ELEMENT SHALL CONSIDER POTENTIAL IMPACTS ON
9 AIR AND WATER QUALITY, CRITICAL AND SENSITIVE AREAS, WILDLIFE
10 HABITATS, INCLUDING MIGRATION CORRIDORS, ENDANGERED,
11 THREATENED, AND STATE LISTED SPECIES OF SPECIAL CONCERN, AND
12 WETLANDS AND RIPARIAN AREAS.";

13
14 strike lines 26 and 27 and substitute the following:

15
16 "(4) NO MASTER PLAN OF A MUNICIPALITY SHALL BE AMENDED
17 MORE THAN ONCE EVERY TWO YEARS UNLESS THE GOVERNING BODY OF
18 THE MUNICIPALITY HAS MADE SPECIFIC FINDINGS THAT THE PROPOSED
19 AMENDMENT WOULD BENEFIT THE HEALTH, SAFETY, AND WELFARE OF THE
20 RESIDENTS OF THE MUNICIPALITY AND WOULD FURTHER THE GOALS OF THE
21 MASTER PLAN OF THE MUNICIPALITY AS SPECIFIED IN THIS SECTION."

22
23 Page 16, strike lines 1 through 3 and substitute the following:

24
25 "THE MUNICIPALITY";

26
27 line 16, strike "BE CONSISTENT WITH AND DESIGNED TO".

28

29

30

31

32 **STATE, VETERANS, & MILITARY AFFAIRS**

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

35

36 **HB01-1388** be referred to the Committee of the Whole with favorable
37 recommendation.

38

39

40 **HB01-1390** be amended as follows, and as so amended, be referred to
41 the Committee of the Whole with favorable
42 recommendation:

43

44 Amend printed bill, page 2, line 8, strike "due." and substitute "due, THE
45 TOTAL AMOUNT OF WHICH SHALL NOT EXCEED ONE THOUSAND DOLLARS
46 (\$1,000) PER REPORTING PERIOD."

47

48 Page 3, line 4, after the first "state", insert "OR REVENUES COLLECTED IN
49 THE FORM OF PAYMENT OF THE SECRETARY OF STATE'S ATTORNEY FEES
50 AND COSTS";

51

52 line 6, after "PERSON", insert "REQUIRED TO FILE A REPORT WITH THE
53 SECRETARY OF STATE AND";

54

55 line 9, strike the first "OF THE" and substitute "ON WHICH";

56

1 line 10, after "PENALTY", insert "WAS MAILED TO SUCH PERSON'S LAST
2 KNOWN ADDRESS".

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

5
6 "SHALL SET ASIDE OR REDUCE THE PENALTY UPON A SHOWING OF GOOD
7 CAUSE.";

8
9 strike lines 8 through 17 and substitute the following:

10
11 **"SECTION 2.** 1-45-108 (2.3), Colorado Revised Statutes, is
12 amended to read:

13
14 **1-45-108. Disclosure.** (2.3) (a) A candidate committee, political
15 committee, issue committee, or political party that utilizes the electronic
16 filing system described in section 1-45-109 (6) to file reports with the
17 secretary of state shall have two additional days after each due date
18 prescribed in paragraph (a) of subsection (2) of this section in which to
19 file such reports.

20
21 (b) PARAGRAPH (a) OF THIS SUBSECTION (2.3) IS REPEALED,
22 EFFECTIVE JANUARY 1, 2007."

23
24
25
26 **SB01-069** be postponed indefinitely.

27
28
29 **SB01-075** be postponed indefinitely.

30
31
32
33 **FIRST REPORT OF FIRST CONFERENCE COMMITTEE**
34 **on SB01-140**

35
36 This Report Amends the Reengrossed Bill.

37
38 To the President of the Senate and the
39 Speaker of the House of Representatives:

40
41 Your first conference committee appointed on SB01-140,
42 concerning small claims court, has met and reports that it has agreed upon
43 the following:

44
45 1. That the House recede from its amendments made to the bill,
46 as said amendments appear in the rerevised bill, and that the following
47 amendments be substituted therefor:

48
49 Amend reengrossed bill, page 3, line 12, strike "five thousand" and
50 substitute "~~five thousand~~ SEVEN THOUSAND FIVE HUNDRED";

51
52 line 16, strike "five thousand" and substitute "~~five thousand~~ SEVEN
53 THOUSAND FIVE HUNDRED";

54
55 line 20, strike "five thousand" and substitute "~~five thousand~~ SEVEN
56 THOUSAND FIVE HUNDRED";

1 line 22, strike "FIVE THOUSAND" and substitute "SEVEN THOUSAND FIVE
2 HUNDRED";

3
4 line 25, strike "five thousand" and substitute "~~five thousand~~ SEVEN
5 THOUSAND FIVE HUNDRED".

6
7 Page 10, line 10, strike "FIVE thousand" and substitute "~~thousand~~ SEVEN
8 THOUSAND FIVE HUNDRED";

9
10 line 12, strike "TWENTY-NINE" and substitute "TWENTY-THREE";

11
12 line 13, strike "TWENTY-FIVE" and substitute "FIFTEEN".

13
14 Page 11, line 7, strike "FIVETHOUSAND" and substitute "SEVEN THOUSAND
15 FIVE HUNDRED";

16
17 line 9, strike "THIRTY" and substitute "TWENTY".

18
19 2. That, under the authority granted to the committee to consider
20 matters not at issue between the two houses, the following amendments
21 be recommended:

22
23 Amend reengrossed bill, page 11, after line 9, insert the following:

24
25 **"SECTION 11.** 13-6-104 (1) and (2), Colorado Revised Statutes,
26 are amended to read:

27
28 **13-6-104. Original civil jurisdiction.** (1) On and after January
29 1, 1991, the county court shall have concurrent original jurisdiction with
30 the district court in civil actions, suits, and proceedings in which the debt,
31 damage, or value of the personal property claimed does not exceed ~~ten~~
32 FIFTEEN thousand dollars, including by way of further example, and not
33 limitation, jurisdiction to hear and determine actions in tort and assess
34 damages therein not to exceed ~~ten~~ FIFTEEN thousand dollars. The county
35 court shall also have jurisdiction of counterclaims in all such actions
36 when the counterclaim does not exceed ~~ten~~ FIFTEEN thousand dollars.

37
38 (2) The county court shall have concurrent original jurisdiction
39 with the district court in actions to foreclose liens pursuant to article 20
40 of title 38, C.R.S., and in cases of forcible entry, forcible detainer, or
41 unlawful detainer, except when such cases involve the boundary or title
42 to real property and except as provided in section 13-40-109. Judgment
43 in the county court for rent, damages on account of unlawful detention,
44 damages for injury to property, and damages incurred under article 20 of
45 title 38, C.R.S., under this subsection (2) shall not exceed a total of ~~ten~~
46 FIFTEEN thousand dollars, exclusive of costs and attorney fees, nor shall
47 the county court on and after January 1, 1991, have jurisdiction if the
48 monthly rental value of the property exceeds ~~ten~~ FIFTEEN thousand
49 dollars.

50
51 **SECTION 12.** 13-32-101 (1) (c) (I), Colorado Revised Statutes,
52 is amended to read:

53
54 **13-32-101. Docket fees in civil actions - support registry fund**
55 **created - repeal.** (1) At the time of first appearance in all civil actions
56 and special proceedings in all courts of record, except in the supreme

1 court and the court of appeals, and except in the probate proceedings in
2 the district court or probate court of the city and county of Denver, and
3 except as provided in subsection (2) of this section and in sections
4 13-32-103 and 13-32-104, there shall be paid in advance the total docket
5 fees, as follows:

6
7 (c) (I) Except as provided in subparagraph (II) of this paragraph
8 (c), on and after July 1, 1992, by each plaintiff, petitioner, third-party
9 plaintiff, and party filing a cross claim or counterclaim, when a money
10 judgment sought is ~~ten~~ FIFTEEN thousand dollars or less and such action
11 is commenced in a court of record of appropriate limited jurisdiction, a
12 fee in the amount of thirty dollars and, by each defendant, respondent,
13 third-party defendant, or other party in such court not filing a cross claim
14 or counterclaim, a fee in the amount of twenty-six dollars.

15
16 **SECTION 13.** 13-40-109, Colorado Revised Statutes, is amended
17 to read:

18
19 **13-40-109. Jurisdiction of courts.** The district courts in their
20 respective districts and county courts in their respective counties have
21 jurisdiction of all cases of forcible entry, forcible detainer, or unlawful
22 detainer arising under this article, and the person entitled to the
23 possession of any premises may recover possession thereof by action
24 brought in any of said courts in the manner provided in this article. On
25 and after January 1, 1991, in all actions brought before county courts
26 under section 13-40-104 (1) (f) to (1) (i), where the allegations of the
27 complaint are put in issue by a verified answer and in actions in which
28 the verified answer alleges a monthly rental value of the property in
29 excess of ~~ten~~ FIFTEEN thousand dollars, the county court, upon the filing
30 of said answer, shall suspend all proceedings therein and certify said
31 cause and transmit the papers therein to the district court of the same
32 county. Causes so certified by the county court shall be proceeded within
33 the courts to which they have been so certified in all respects as if
34 originally begun in the court to which they have been certified. On and
35 after January 1, 1991, the jurisdiction of the county court to enter
36 judgment for rent, or damages, or both and to render judgment on a
37 counterclaim in forcible entry and detainer shall be limited to a total of
38 ~~ten~~ FIFTEEN thousand dollars in favor of either party, exclusive of costs
39 and attorney fees."

40
41 Renumber succeeding sections accordingly.

42
43 Respectfully submitted,
44 Senate Committee:
45 Stan Matsunaka
46 Ken Gordon
47 Jim Dyer

House Committee:
Steve Johnson
Matt Smith
Alice Madden

48
49
50
51 **PRINTING REPORT**

52
53 The Chief Clerk reports the following bills have been correctly printed:
54 **HB01-1398, 1399, 1400, 1401.**

MESSAGE FROM THE SENATE

1
2 Mr. Speaker:

3
4 The Senate has passed postponed indefinitely and returns herewith:
5 HB01-1157, 1360, 1361.

6
7
8
9 House in recess. House reconvened.

PRINTING REPORT

10
11
12
13
14
15 The Chief Clerk reports the following bill has been correctly printed:
16 **HB01-1402.**

REPORTS OF COMMITTEES OF REFERENCE**BUSINESS AFFAIRS & LABOR**

21
22
23 After consideration on the merits, the Committee recommends the
24 following:

25
26 **HB01-1394** be amended as follows, and as so amended, be referred to
27 the Committee on Appropriations with favorable
28 recommendation:

29
30 Amend printed bill, page 3, line 20, after "THOUSAND", insert "FIVE
31 HUNDRED".

32
33 Page 7, line 9, after "THAN", insert "OR EQUAL TO".
34
35
36
37

CIVIL JUSTICE & JUDICIARY

38
39 After consideration on the merits, the Committee recommends the
40 following:

41
42 **HB01-1377** be amended as follows, and as so amended, be referred to
43 the Committee of the Whole with favorable
44 recommendation:

45
46 Amend printed bill, page 7, line 3, strike "SHALL CONDUCT A FEE REVIEW"
47 and substitute "MAY REVIEW THE FEES";

48
49 strike lines 11 through 18.

50
51 Page 8, after line 14, insert the following:

52
53 "SECTION 9. 15-14-412.8 (2), Colorado Revised Statutes, is
54 amended to read:

55
56 **15-14-412.8. Disability trusts - limitations.** (2) A disability

1 trust is not valid for the purpose of establishing or maintaining a person's
2 resource eligibility for medical assistance unless the trust meets all of the
3 following criteria:

4
5 (a) The trust is funded by assets of an individual under age
6 sixty-five who is disabled as defined in 42 U.S.C. sec. 1382c (a) (3), as
7 amended, and which is established for the benefit of such individual by
8 the individual's parent, grandparent, guardian, or by the court. A
9 TRANSFER OF ASSETS OF AN INDIVIDUAL TO FUND THE TRUST SHALL BE
10 PRESUMED TO BE A TRANSFER FOR FAIR CONSIDERATION FOR PURPOSES OF
11 MEDICAL ASSISTANCE ELIGIBILITY.

12
13 (b) The trust provides that, upon the death of the beneficiary or
14 termination of the trust during the beneficiary's lifetime, whichever
15 occurs sooner, the department of health care policy and financing
16 receives any amount remaining in the trust up to the total medical
17 assistance paid on behalf of the individual.

18
19 (c) The sole lifetime beneficiaries of the trust are the individual
20 for whom the trust is established and the state medical assistance
21 program. After the death of the person for whom the trust is created or
22 after the trust is terminated during the beneficiary's lifetime, whichever
23 occurs sooner, no person is entitled to payment from the remainder of the
24 trust until the state medical assistance agency has been fully reimbursed
25 for the assistance rendered to the person for whom the trust was created.

26
27 **SECTION 10.** 15-14-412.9 (2), Colorado Revised Statutes, is
28 amended to read:

29
30 **15-14-412.9. Pooled trusts - limitations.** (2) A pooled trust is
31 not valid for the purposes of establishing or maintaining eligibility for
32 medical assistance unless the trust meets the following criteria:

33
34 (a) The trust is established and managed by a nonprofit
35 association that is approved by the United States internal revenue service.

36
37 (b) A separate account is maintained for each beneficiary of the
38 trust; except that the accounts are pooled for purposes of investment and
39 management of funds.

40
41 (c) The sole lifetime beneficiaries of the trust are the individual
42 for whom the trust is established and the state medical assistance
43 program. After the death of the person for whom the trust is created or
44 after the trust is terminated during the beneficiary's lifetime, whichever
45 occurs sooner, no person is entitled to payment from the remainder of the
46 trust until the state medical assistance agency has been fully reimbursed
47 for the assistance rendered to the person for whom the trust was created.

48
49 (d) Accounts in the trust are established solely for the benefit of
50 individuals who are disabled as defined in 42 U.S.C. sec. 1382c (a) (3),
51 as amended, and are established by the parent, grandparent, or legal
52 guardian of such individual, by such individual, or by a court. A
53 TRANSFER OF ASSETS OF SUCH AN INDIVIDUAL TO FUND A POOLED TRUST
54 ACCOUNT ESTABLISHED FOR SUCH INDIVIDUAL'S BENEFIT SHALL BE
55 PRESUMED TO BE A TRANSFER FOR FAIR CONSIDERATION FOR PURPOSES OF
56 MEDICAL ASSISTANCE ELIGIBILITY.

1 (e) The trust provides that, upon the death of the beneficiary or
2 termination of the trust during the beneficiary's lifetime, whichever
3 occurs sooner, to the extent that amounts remaining in the beneficiary's
4 trust account are not retained by the trust, the state medical assistance
5 program receives any amount remaining in that individual's trust account
6 up to the total medical assistance paid on behalf of the individual."

7
8 Renumber succeeding sections accordingly.

9
10 Page 10, line 14, strike "HOWEVER, IN A PARTICULAR CASE, IF THE
11 COURT";

12
13 strike lines 15 through 18.

14
15
16
17 **SB01-029** be amended as follows, and as so amended, be referred to
18 the Committee on Appropriations with favorable
19 recommendation:

20
21 Amend reengrossed bill, page 5, line 5, strike "RELOCATION" and
22 substitute "CHANGE REQUESTED";

23
24 line 23, strike "relocation" and substitute "modification of parenting
25 time".

26
27
28
29
30 **CRIMINAL JUSTICE**

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

33
34 **SB01-032** be amended as follows, and as so amended, be referred to
35 the Committee on Appropriations with favorable
36 recommendation:

37
38 Amend reengrossed bill, page 5, strike lines 13 through 19 and substitute
39 the following:

40
41 "WITHIN TWENTY-FOUR HOURS AFTER THE RECEIPT OF:

42
43 (I) AN ELECTRONIC VERSION OF THE SUSPECT'S ARREST AND
44 FINGERPRINT INFORMATION BY THE BUREAU; OR

45
46 (II) A PAPER COPY OF THE SUSPECT'S ARREST AND FINGERPRINT
47 INFORMATION BY THE BUREAU IF THE INFORMATION IS FROM A
48 JURISDICTION THAT DOES NOT USE AN ELECTRONICALLY-BASED
49 FINGERPRINT TRANSMISSION SYSTEM."

50
51 Page 7, line 9, after "a", insert "FINGERPRINT-BASED";

52
53 line 10, after "record", insert "HISTORY";

54
55 line 14, after "criminal", insert "HISTORY".

56

1 Page 8, strike line 2 and substitute the following:

2
3 "THIS SUBPARAGRAPH (I) shall require the FINGERPRINT-BASED criminal
4 HISTORY background check in all";

5
6 strike line 5 and substitute the following:

7
8 "~~fingerprint~~ FINGERPRINT-BASED CRIMINAL HISTORY BACKGROUND check
9 through the Colorado bureau of investigation, EXCEPT FOR PERSONS
10 RESIDING IN THIS STATE LESS THAN TWO YEARS WHO SHALL BE REQUIRED
11 TO HAVE A FEDERAL BUREAU OF INVESTIGATION FINGERPRINT-BASED
12 CRIMINAL HISTORY BACKGROUND CHECK THROUGH THE COLORADO
13 BUREAU OF INVESTIGATION. As part";

14
15 strike lines 18 through 27 and substitute the following:

16
17 "(I.5) RULES PROMULGATED BY THE STATE BOARD PURSUANT TO
18 SUBPARAGRAPH (I) OF THIS PARAGRAPH (a) SHALL ALSO INCLUDE:".

19
20 Page 9, line 1, strike "(B)" and substitute "(A)";

21
22 line 9, strike "(C)" and substitute "(B)";

23
24 strike lines 23 through 27 and substitute the following:

25
26 "**SECTION 10. Appropriation.** In addition to any other
27 appropriation, there is hereby appropriated out of the general fund, to the
28 department of human services, division of child care, child care assistance
29 program, for the fiscal year beginning July 1, 2001, the sum of _____
30 dollars (\$ _____), or so much thereof as may be necessary, for the
31 implementation of this act. In addition to said appropriation, the general
32 assembly anticipates that, for the fiscal year beginning July 1, 2001, the
33 department of human services, division of child care, child care assistance
34 program, will receive the sum of sixty-three thousand one hundred
35 seventy-eight dollars (\$63,178) for the implementation of this act.
36 Although the federal funds are not appropriated in this act, they are noted
37 for the purpose of indicating the assumptions used relative to these funds
38 in developing the state appropriation amounts, or so much thereof as may
39 be necessary, for the implementation of this act.

40
41 "**SECTION 11. Effective date.** This act shall take effect July 1,
42 2001, but only if Senate Bill 01-077, enacted at the First Regular Session
43 of the Sixty-third General Assembly, becomes law.".

44
45 Renumber succeeding section accordingly.

46
47
48
49 **SB01-138** be amended as follows, and as so amended, be referred to
50 the Committee of the Whole with favorable
51 recommendation:

52
53 Amend reengrossed bill, page 35, line 18, strike "THE RELEVANT PORTION
54 OF WHICH IS CODIFIED";

55
56 line 19, strike "AT".

1 Page 42, after line 23, insert the following:

2

3 **"SECTION 83. Repeal.** 24-1-120 (4) (c), Colorado Revised
4 Statutes, as amended by House Bill 01-1265, enacted at the First Regular
5 Session of the Sixty-third General Assembly, is repealed as follows:

6

7 **24-1-120. Department of human services - creation.** (4) Unless
8 otherwise transferred to the department of health care policy and
9 financing or the department of public health and environment, the
10 department of human services shall exercise the following powers and
11 perform the following duties:

12

13 (c) ~~Powers, duties, and functions relating to the family resource~~
14 ~~center program, created in article 18 of title 26, C.R.S., which are~~
15 ~~transferred by a type 2 transfer to the department of human services.~~

16

17 **SECTION 84.** 24-75-302.5 (3) (a), Colorado Revised Statutes,
18 as enacted by House Bill 01-1267, enacted at the First Regular Session
19 of the Sixty-third General Assembly, is amended to read:

20

21 **24-75-302.5. Controlled maintenance - trust fund.**
22 (3) Notwithstanding any other provision of this section to the contrary:

23

24 (a) On July 1, 2001, the state treasurer and the controller shall
25 transfer an amount equal to the principal balance of the trust fund as of
26 June 30, 2001, to the general fund to be ~~transferred as provided in section~~
27 ~~43-1-220, C.R.S., and to be otherwise~~ expended or transferred as
28 provided by law;

29

30 **SECTION 85.** 39-9-108, Colorado Revised Statutes, is amended
31 to read:

32

33 **39-9-108. Judicial review - interest during review.** Decisions
34 of the state board of equalization shall be subject to judicial review, as
35 provided in section 24-4-106, C.R.S. Such review shall include the issues
36 of compliance with applicable law and constitutional provisions
37 governing valuation for assessment for property tax purposes and the
38 validity of any valuation for assessment study conducted pursuant to the
39 provisions of section 39-1-104 (16). Parties adversely affected or
40 aggrieved shall include any taxpayer or assessor or the governing body
41 of any taxing jurisdiction. In any case in which excess state equalization
42 payments are made to school districts within the county during the time
43 such review is pending, interest shall be paid to the state on the amount
44 of such excess. Such interest shall be paid for the period of time from the
45 date of the decision of the state board of equalization to the date of the
46 final determination of all judicial review. Such interest shall be computed
47 at the rate determined by the state bank commissioner pursuant to section
48 ~~39-12-103 (3)~~ 39-21-110.5."

49

50 Renumber succeeding section accordingly.

51

52

53

54 **SB01-168** 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 4, line 7, strike "IF THE";

2

3 strike lines 8 and 9 and substitute the following:

4

5 "OR IF THE PERSON'S".

6

7 Page 6, line 4, strike "OR (2) (a) (II)".

8

9

10

11

12 **FINANCE**

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

15

16 **HB01-1400** be amended as follows, and as so amended, be referred to
17 the Committee of the Whole with favorable
18 recommendation:

19

20 Amend printed bill, page 3, line 7, strike "FIVE HUNDRED SIXTY-SIX
21 THOUSAND FIFTY-THREE" and substitute "SIXTY-SIX THOUSAND THREE
22 HUNDRED TWENTY";

23

24 strike line 11 and substitute the following:

25

26 "EIGHTY-ONE THOUSAND TWENTY-ONE";

27

28 line 15, strike "SIX";

29

30 line 16, strike "HUNDRED SEVEN THOUSAND TWO HUNDRED FIFTY-EIGHT"
31 and substitute "THREE HUNDRED TWENTY-EIGHT THOUSAND
32 TWENTY-FIVE";

33

34 line 23, strike "ONE HUNDRED FIVE";

35

36 line 24, strike "THOUSAND NINE-HUNDRED SIXTY-SIX" and substitute
37 "FIFTY-FIVE THOUSAND NINE HUNDRED SIXTY-SIX".

38

39

40

41

42 **TRANSPORTATION & ENERGY**

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

45

46 **HB01-1402** be referred to the Committee of the Whole with favorable
47 recommendation.

48

49

50

51 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

52

53 The Speaker has signed: **HB01-1268**.

54

55

56

1 **MESSAGE FROM THE SENATE**

2 Mr. Speaker:

3
4 The Senate has passed on Third Reading and transmitted to the Revisor
5 of Statutes:

6
7 HB01-1331, amended as printed in Senate Journal, April 23, page 945.

8
9 The Senate has postponed indefinitely and returns herewith:
10 HB01-1309, 1170, 1090.

11 _____

12

13

14 **MESSAGE FROM THE REVISOR**

15

16 We herewith transmit without comment, as amended, HB01-1331.

17 _____

18

19

20 **MESSAGE FROM THE GOVERNOR**

21

22 I certify I received the following on the 26th day of April, 2001, at
23 1:45 p.m. The original is on file in the records of the House of
24 Representatives of the General Assembly.

25

26

27

Judith Rodrigue,
Chief Clerk of the House

28 April 25, 2001

29

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

35

36 Ladies and Gentlemen:

37

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

40

41 **HB01-1224** Concerning The Administration Of The Property Tax
42 Exemption For Qualifying Seniors Created Under
43 Section 3.5 Of Article X Of The State Constitution By A
44 Vote Of The People At The 2000 General Election.

45

46 Approved April 25, 2001 at 4:50 p.m.

47

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

52

53 _____

54

55

INTRODUCTION OF BILLS**First Reading**

1
2
3
4 The following bills were read by title and referred to the committees
5 indicated:

6
7 **HB01-1403** by Representative Dean; also Senator Teck--Concerning
8 the continued payment of expenses related to the
9 disbursement of all forms of moneys received by the
10 treasury.

11 Committee on Finance

12
13 **SB01-219** by Senator(s) Hernandez; also Representative(s) White--
14 Concerning restrictions on bail bonding agents.

15 Committee on Business Affairs & Labor

16
17
18
19 On motion of Representative Spradley, **HB01-1402** was made Special
20 Orders on Thursday, April 26, 2001, at 4:43 p.m.

21
22
23
24 The hour of 4:43 p.m., having arrived, on motion of Representative
25 Cadman, the House resolved itself into Committee of the Whole for
26 consideration of Special Orders and he was called to the Chair to act as
27 Chairman.

SPECIAL ORDERS--SECOND READING OF BILL

28
29
30
31
32 The Committee of the Whole having risen, the Chairman reported the title
33 of the following bill had been read (reading at length had been dispensed
34 with by unanimous consent), the bill considered and action taken thereon
35 as follows:

36
37 (Amendments to the committee amendment are to the printed committee
38 report which was printed and placed in the members' bill file.)

39
40 **HB01-1402** by Representative(s) Paschall, Dean; also Senator(s) Dyer
41 (Arapahoe)--Concerning extension of the contract for
42 enhanced emissions inspections for motor vehicles.

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

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

46
47
48
49
50
51 Passed Second Reading: **HB01-1402**.

52
53 The Chairman moved the adoption of the Committee of the Whole
54 Report. As shown by the following roll call vote, a majority of those
55 elected to the House voted in the affirmative, and the Report was
56 **adopted**.

	YES 34	NO 24	EXCUSED 7	ABSENT 0
1				
2				
3	Alexander	Y Groff	N Miller	N Spence Y
4	Bacon	N Grossman	N Mitchell	Y Spradley Y
5	Berry	Y Hefley	Y Nuñez	Y Stafford Y
6	Borodkin	N Hodge	N Paschall	Y Stengel Y
7	Boyd	N Hoppe	Y Plant	N Swenson Y
8	Cadman	Y Jahn	N Ragsdale	N Tapia E
9	Chavez	N Jameson	E Rhodes	Y Tochtrop N
10	Clapp	E Johnson	Y Rippy	E Veiga N
11	Cloer	Y Kester	Y Romanoff	N Vigil N
12	Coleman	N King	Y Saliman	E Webster Y
13	Crane	Y Larson	Y Sanchez	N Weddig N
14	Daniel	N Lawrence	Y Schultheis	Y White E
15	Decker	Y Lee	E Scott	Y Williams S. N
16	Fairbank	Y Mace	N Sinclair	Y Williams T. Y
17	Fritz	Y Madden	N Smith	Y Witwer Y
18	Garcia	N Marshall	N Snook	Y Young Y
19				Mr. Speaker Y

INTRODUCTION OF BILL
First Reading

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

HB01-1404 by Representative(s) Alexander--Concerning amendments to Colorado law to conform to federal law regarding the treatment of Indian tribes for unemployment insurance purposes.

Committee on Business Affairs & Labor

LAY OVER OF CALENDAR ITEMS

On motion of Representative Spradley, the following items on the Calendar were laid over until April 27, retaining place on Calendar:

Consideration of General Orders--**SB01-082, 134, 209.**

Consideration of Resolutions--**HJR01-1033, 1034, 1035, 1036, 1037, 1039, 1041, 1052, 1027, SJR01-033.**

Consideration of Memorial--**SJM01-001.**

Consideration of Senate Amendments--**HB01-1113, 1163, 1236, 1160, 1348, 1025, 1169, 1114, 1319, 1132, 1174, 1260, 1358, 1161, 1312.**

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

On motion of Representative Spradley, the House adjourned until 9:00 a.m., April 27, 2001.

Approved:

Attest:
JUDITH RODRIGUE,
Chief Clerk

DOUG DEAN,
Speaker