

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

Eighty-sixth Legislative Day

Thursday, April 4, 2002

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

2

3 The Speaker called the House to order at 9:00 a.m.

4

5 The roll was called with the following result:

6

7 Present--62.

8

9 Excused--Representatives Cadman, Crane, Paschall--3.

9

10 Present after roll call--Representative Cadman.

11

12 The Speaker declared a quorum present.

13

14 On motion of Representative Jahn, the reading of the journal of April 3,
15 2002, was declared dispensed with and approved as corrected by the
16 Chief Clerk.

17

18

19

20

CONSIDERATION OF RESOLUTION

21

22 **HJR02-1036** by Representative(s) Decker, Williams S., Bacon,
23 Jameson, King, Ragsdale, Spence, Spradley; also
24 Senator(s) McElhany, Windels--Concerning honoring
25 teacher of the year Ben Wentworth, III.

26

27 (Printed and placed in member's file. Also printed in House Journal,
28 March 27, pages 1053-1055.)

29

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

32

33 Co-sponsors added: Roll call of the House.

34

35

36

37

House in recess. House reconvened.

38

39

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41

42

HOUSE RECEDES ON HB02-1250

HB02-1250 by Representative(s) Dean; also Senator(s) Tupa--
Concerning the continuation of the lottery division in the
department of revenue.

(Amended as printed in Senate Journal, March 22, page 555.)

Representative Dean moved that the House **recede** from its position on
HB02-1250 and that the Conference Committee be discharged. The
motion was declared **passed** by the following roll call vote:

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

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

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

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

	YES 61	NO 2	EXCUSED 2	ABSENT 0				
7	Alexander	Y	Groff	Y	Marshall	Y	Spence	Y
8	Bacon	Y	Grossman	Y	Miller	Y	Spradley	Y
9	Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y
10	Borodkin	Y	Hefley	Y	Paschall	E	Stengel	Y
11	Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
12	Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia	Y
13	Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	Y
14	Clapp	Y	Jameson	Y	Rippy	Y	Veiga	Y
15	Cloer	Y	Johnson	N	Romanoff	Y	Vigil	Y
16	Coleman	Y	Kester	Y	Saliman	Y	Webster	Y
17	Crane	E	King	Y	Sanchez	Y	Weddig	Y
18	Daniel	Y	Larson	Y	Schultheis	Y	White	Y
19	Decker	Y	Lawrence	Y	Scott	Y	Williams S.	Y
20	Fairbank	Y	Lee	N	Sinclair	Y	Williams T.	Y
21	Fritz	Y	Mace	Y	Smith	Y	Witwer	Y
22	Garcia	Y	Madden	Y	Snook	Y	Young	Y
23							Mr. Speaker	Y

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

31 32 33 **GENERAL ORDERS--SECOND READING OF BILLS**

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

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

42
 43 On motion of Representative Spradley, Consideration of **HB02-1015,**
 44 **SB02-064, 104, HB02-1309, 1147, 1226, SB02-161, HB02-1070, 1161,**
 45 **1242, 1259** was laid over until April 5, retaining place on Calendar.

46
 47 **HB02-1222** by Representative(s) Tochtrop; also Senator(s) Nichol--
 48 Concerning careless driving when the person's driving of
 49 a motor vehicle is the proximate cause of at least bodily
 50 injury to a person riding a motorcycle.

51
 52 (Previously amended as printed in House Journal, February 26,
 53 page 564.)

54
 55 As amended, ordered engrossed and placed on the Calendar for Third
 56 Reading and Final Passage.

- 1 **HB02-1344** by Representative(s) Scott; also Senator(s) Linkhart--
2 Concerning the water quality control discharge permit
3 program, and, in connection therewith, increasing permit
4 fees, requiring a study to determine whether such program
5 should be modified to reasonably accommodate the unique
6 attributes of Colorado's water bodies, and making an
7 appropriation.
8
- 9 Amendment No. 1, Appropriations Report, dated March 22, 2002, and
10 placed in member's bill file; Report also printed in House Journal,
11 March 27, pages 1044-1045.
12
- 13 As amended, ordered engrossed and placed on the Calendar for Third
14 Reading and Final Passage.
15
- 16 **HB02-1054** by Representative(s) Grossman; also Senator Gordon--
17 Concerning a prohibition against allowing a court to grant
18 a name change to any person convicted of a felony.
19
- 20 Amendment No. 1, Criminal Justice Report, dated January 22, 2002, and
21 placed in member's bill file; Report also printed in House Journal,
22 January 23, page 151.
23
- 24 Amendment No. 1, Appropriations Report, dated April 2, 2002, and
25 placed in member's bill file; Report also printed in House Journal,
26 April 2, pages 1098-1099.
27
- 28 As amended, ordered engrossed and placed on the Calendar for Third
29 Reading and Final Passage.
30
- 31 **HB02-1138** by Representative(s) Saliman; also Senator(s) Linkhart--
32 Concerning the provision of child welfare services, and
33 making an appropriation therefor.
34
- 35 Laid over until April 5, retaining place on Calendar.
36
- 37 **HB02-1229** by Representative(s) Veiga, Groff, Hefley, Lawrence,
38 Smith; also Senator(s) Tate--Concerning continuation of
39 the regulation of controlled substances, and, in connection
40 therewith, updating the statutes to reflect the regulatory
41 functions within the department of human services, and
42 making an appropriation therefor.
43
- 44 Amendment No. 1, Appropriations Report, dated April 2, 2002, and
45 placed in member's bill file; Report also printed in House Journal,
46 April 2, page 1102.
47
- 48 As amended, ordered engrossed and placed on the Calendar for Third
49 Reading and Final Passage.
50
- 51 **HB02-1262** by Representative(s) Mace; also Senator(s) Hernandez--
52 Concerning assistance for the benefit of grandchildren
53 who exit foster care into the legal care of a grandparent.
54
- 55 Ordered engrossed and placed on the Calendar for Third Reading and
56 Final Passage.

1 **HB02-1265** by Representative(s) White--Concerning clarification of
2 the property tax status of certain residential real property,
3 and, in connection therewith, specifying that a residential
4 unit that is rented or otherwise used at the election of the
5 separate owners thereof and that is not part of an affiliated
6 group of residential units or that is held as inventory by a
7 single owner primarily for sale to customers in the
8 ordinary course of the owner's trade or business, that is
9 actively marketed for sale by the owner, and that is not
10 subject to an allowance for depreciation under the federal
11 internal revenue code while owned by the owner, is not a
12 hotel or motel for purposes of property taxation.
13

14 Laid over until April 5, retaining place on Calendar.
15

16 **HB02-1304** by Representative(s) Williams S., Bacon, Groff,
17 Romanoff, Williams T.; also Senator(s) Anderson, Evans--
18 Concerning the provision of literacy services to students
19 preparing to enter the first grade.
20

21 Amendment No. 1, Education Report, dated February 20, 2002, and
22 placed in member's bill file; Report also printed in House Journal,
23 February 21, pages 478-479.
24

25 Amendment No. 2, Appropriations Report, dated April 2, 2002, and
26 placed in member's bill file; Report also printed in House Journal,
27 April 2, page 1103.
28

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

32 **HB02-1288** by Representative(s) Stengel; also Senator(s) Taylor--
33 Concerning the assessment of property for property tax
34 purposes.
35

36 Amendment No. 1, Finance Report, dated March 13, 2002, and placed in
37 member's bill file; Report also printed in House Journal, March 14,
38 page 852.
39

40 Amendment No. 2, by Representative Witwer.
41

42 Amend the Finance Committee Report, dated March 13, 2002, page 1,
43 after line 1, insert the following:
44

45 "after line 5, insert the following:
46

47 **"SECTION 1.** 39-3-206 (2), Colorado Revised Statutes, is
48 amended to read:
49

50 **39-3-206. Notice to individuals returning incomplete or**
51 **nonqualifying exemption applications - denial of exemption -**
52 **administrative remedies.** (2) (a) An applicant whose exemption
53 application has been denied pursuant to paragraph (b) of subsection (1)
54 of this section may contest the denial by requesting a hearing before the
55 county commissioners sitting as the county board of equalization NO
56 LATER THAN SEPTEMBER 15 OF THE PROPERTY TAX YEAR FOR WHICH THE

1 EXEMPTION APPLICATION WAS FILED. The hearing shall be held on or after
 2 September 1 and no later than October 1 of the property tax year for
 3 which the exemption application was filed and the decision of the county
 4 board of equalization shall not be subject to further administrative appeal
 5 by either the applicant or the assessor.
 6

7 (b) THE COUNTY BOARD OF EQUALIZATION MAY APPOINT
 8 INDEPENDENT REFEREES TO CONDUCT HEARINGS REQUESTED PURSUANT TO
 9 PARAGRAPH (a) OF THIS SUBSECTION (2) ON BEHALF OF THE COUNTY
 10 BOARD AND TO MAKE FINDINGS AND SUBMIT RECOMMENDATIONS TO THE
 11 COUNTY BOARD FOR ITS FINAL ACTION.
 12

13 **SECTION 2.** The introductory portion to section 39-3-207 (1),
 14 Colorado Revised Statutes, is amended to read:
 15

16 **39-3-207. Reporting of exemptions - reimbursement to local**
 17 **governmental entities.** (1) No later than ~~October 5, 2002~~ OCTOBER 10,
 18 2002, and no later than each ~~October 5~~ OCTOBER 10 thereafter, each
 19 assessor shall forward to the administrator a report on the exemptions
 20 allowed in his or her county for the current property tax year. The report
 21 shall include:".
 22

23 Renumber succeeding sections accordingly."
 24

25 Page 1 of the committee report, strike line 4.
 26

27 Amendment No. 3, by Representative Stengel.
 28

29 Amend the Finance Committee Report, dated March 13, 2002, page 1,
 30 strike lines 2 and 3 and substitute the following:
 31

32 "strike line 12 and substitute the following:
 33

34 "CLASSIFICATION OF THE LAND. IF THE LAND UNDERLYING SUCH BUILDING
 35 WAS CLASSIFIED AS OTHER THAN RESIDENTIAL, THE CLASSIFICATION SHALL
 36 BE CHANGED TO RESIDENTIAL ON THE ABSTRACT OF ASSESSMENT FOR THE
 37 TAX YEAR IN WHICH THE ASSESSOR ADDED THE VALUATION OF THE NEWLY
 38 TAXABLE RESIDENTIAL BUILDING TO THE ABSTRACT FOR ASSESSMENT."."
 39

39 Strike line 5 of the committee report and substitute the following:
 40

41 "Page 3, strike lines 1 through 3."
 42

43 As amended, ordered engrossed and placed on the Calendar for Third
 44 Reading and Final Passage.
 45

46 **HB02-1322** by Representative(s) Spradley, Dean, Grossman; also
 47 Senator(s) Thiebaut, Andrews, Matsunaka--Concerning
 48 payment of expenses of the legislative department, and
 49 making an appropriation in connection therewith.
 50

51 Amendment No. 1, Appropriations Report, dated April 2, 2002, and
 52 placed in member's bill file; Report also printed in House Journal,
 53 April 2, page 1104.
 54

55 As amended, ordered engrossed and placed on the Calendar for Third
 56 Reading and Final Passage.

1 **SB02-182** by Senator(s) Thiebaut, Hillman; also Representative(s)
 2 Paschall, Grossman--Concerning changes to borders
 3 between legislative districts due to a division of a
 4 residential parcel, and making an appropriation in
 5 connection therewith.
 6

7 Laid over until April 5, retaining place on Calendar.
 8
 9

10 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

11
 12 Passed Second Reading: **HB02-1222 amended, 1344 amended,**
 13 **1054 amended, 1229 amended, 1262, 1304 amended, 1288 amended,**
 14 **1322 amended.**
 15

16 Laid over until date indicated retaining place on Calendar: **HB02-1015,**
 17 **SB02-064, 104, HB02-1309, 1147, 1226, SB02-161, HB02-1070, 1138,**
 18 **1161, 1242, 1259, 1265, SB02-182--April 5, 2002.**
 19

20 The Chairman moved the adoption of the Committee of the Whole
 21 Report. As shown by the following roll call vote, a majority of those
 22 elected to the House voted in the affirmative, and the Report was
 23 **adopted.**
 24

25	YES 62	NO 0	EXCUSED 2	ABSENT 1				
26								
27	Alexander	Y	Groff	Y	Marshall	Y	Spence	Y
28	Bacon	Y	Grossman	Y	Miller	Y	Spradley	Y
29	Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y
30	Borodkin	Y	Hefley	Y	Paschall	E	Stengel	Y
31	Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
32	Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia	Y
33	Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	Y
34	Clapp	Y	Jameson	Y	Rippy	Y	Veiga	Y
35	Cloer	-	Johnson	Y	Romanoff	Y	Vigil	Y
36	Coleman	Y	Kester	Y	Saliman	Y	Webster	Y
37	Crane	E	King	Y	Sanchez	Y	Weddig	Y
38	Daniel	Y	Larson	Y	Schultheis	Y	White	Y
39	Decker	Y	Lawrence	Y	Scott	Y	Williams S.	Y
40	Fairbank	Y	Lee	Y	Sinclair	Y	Williams T.	Y
41	Fritz	Y	Mace	Y	Smith	Y	Witwer	Y
42	Garcia	Y	Madden	Y	Snook	Y	Young	Y
43							Mr. Speaker	Y

44 **REPORTS OF COMMITTEES OF REFERENCE**

45 **AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

46
 47
 48 After consideration on the merits, the Committee recommends the
 49 following:
 50

51 **HB02-1414** be amended as follows, and as so amended, be referred to
 52 the Committee on Appropriations with favorable
 53 recommendation:
 54
 55
 56

1 Amend printed bill, page 3, strike line 20 and substitute the following:
2
3 "SECTIONS 37-80-120, 37-83-104, 37-80-106, AND OTHER STATUTES
4 AUTHORIZING EXCHANGES; AND WATER USES THAT".

5
6 Page 5, line 15, strike "RECEIPT" and substitute "MAILING";
7
8 line 27, strike "VESTED".

9
10 Page 6, strike line 1 and substitute the following:

11
12 "AND DECREED CONDITIONAL WATER RIGHTS, INCLUDING WATER QUALITY
13 AND CONTINUITY TO MEET THE REQUIREMENTS OF USE TO WHICH THE
14 SENIOR APPROPRIATION HAS NORMALLY BEEN PUT, PURSUANT TO SECTION
15 37-80-120 (3), AND WILL NOT IMPAIR".

16
17 Page 7, line 9, after "DIVISION", insert "WITHIN THIRTY DAYS".

18
19 Page 8, line 2, strike "RECEIPT" and substitute "MAILING";
20
21 line 13, strike "VESTED";

22
23 strike line 14 and substitute the following:

24
25 "CONDITIONAL WATER RIGHTS, INCLUDING WATER QUALITY AND
26 CONTINUITY TO MEET THE REQUIREMENTS OF USE TO WHICH THE SENIOR
27 APPROPRIATION HAS NORMALLY BEEN PUT, PURSUANT TO SECTION
28 37-80-120 (3) AND WILL NOT IMPAIR COMPLIANCE WITH".

29
30 Page 9, line 12, strike "DIVISION," and substitute "DIVISION WITHIN
31 THIRTY DAYS,".

32
33
34
35 **SB02-068** be referred favorably to the Committee on Appropriations.

36
37
38
39
40 **APPROPRIATIONS**

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

43
44 **HB02-1029** be amended as follows, and as so amended, be referred to
45 the Committee of the Whole with favorable
46 recommendation:

47
48 Amend printed bill, page 8, line 16, strike "STUDY" and substitute
49 "STUDY, CONDITIONED ON THE RECEIPT OF SUFFICIENT GIFTS, GRANTS, AND
50 DONATIONS,".

51
52
53
54 **HB02-1039** be amended as follows, and as so amended, be referred to
55 the Committee of the Whole with favorable
56 recommendation:

1 Amend the Health, Environment, Welfare, and Institutions Committee
2 Report, dated February 6, 2002, page 3, after line 27, insert the following:
3

4 **"SECTION 2. Appropriation.** (1) In addition to any other
5 appropriation, there is hereby appropriated, to the department of health
6 care policy and financing, medical programs administration, for the fiscal
7 year beginning July 1, 2002, the sum of forty thousand five hundred fifty-
8 eight dollars (\$40,558) and 0.8 FTE, or so much thereof as may be
9 necessary, for the implementation of this act. Said sum from the general
10 fund shall be subject to the "(M)" notation as defined in the general
11 appropriation act. In addition to said appropriation, the general assembly
12 anticipates that, for the fiscal year beginning July 1, 2002, the department
13 of health care policy and financing, medical programs administration, will
14 receive the sum of seventy-seven thousand two hundred sixty-two dollars
15 (\$77,262) in federal funds for the implementation of this act. Although
16 the federal funds are not appropriated in this act, they are noted for the
17 purpose of indicating the assumptions used relative to these funds.
18

19 (2) It is the intent of the general assembly that the general fund
20 appropriation in subsection (1) of this section for the implementation of
21 this act shall be derived from savings generated from the implementation
22 of the provisions of House Bill 02-1292, as enacted during the Second
23 Regular Session of the Sixty-third General Assembly.
24

25 **SECTION 3. Effective date.** (1) This act shall take effect July
26 1, 2002, only if:
27

28 (a) The final fiscal estimate for House Bill 02-1292, as reflected
29 in the appropriations clause for said act, shows a net general fund savings
30 that is equal to or greater than the final general fund fiscal estimate for
31 this act, as reflected in section 2 of this act; and
32

33 (b) House Bill 02-1292 is enacted at the Second Regular Session
34 of the Sixty-third General Assembly and becomes law."
35

36 Renumber succeeding section accordingly.
37

38 Page 3, line 30 of the committee report, strike "safety." and substitute
39 "safety."";
40

41 after line 30 of the committee report, insert the following:
42

43 "Page 1, line 102, strike "ELDERLY." and substitute "ELDERLY, AND
44 MAKING AN APPROPRIATION IN CONNECTION THEREWITH."."
45

46
47
48 **HB02-1044** be amended as follows, and as so amended, be referred to
49 the Committee of the Whole with favorable
50 recommendation:
51

52 Amend printed bill, page 6, before line 19, insert the following:
53

54 **"SECTION 3.** Article 3 of title 42, Colorado Revised Statutes, is
55 amended BY THE ADDITION OF A NEW SECTION to read:
56

1 **42-3-122.5. Special plates - fees - special license plate account**
 2 **- creation.** (1) THE FEES COLLECTED PURSUANT TO SECTION 42-3-116.7
 3 SHALL BE TRANSMITTED TO THE STATE TREASURER, WHO SHALL CREDIT
 4 THE SAME TO THE SPECIAL LICENSE PLATE ACCOUNT IN THE HIGHWAY
 5 USERS TAX FUND, WHICH ACCOUNT IS HEREBY CREATED. THE MONEYS IN
 6 THE ACCOUNT SHALL BE APPROPRIATED BY THE GENERAL ASSEMBLY FOR
 7 THE DIRECT AND INDIRECT COSTS INCURRED BY THE DEPARTMENT OF
 8 REVENUE IN THE ADMINISTRATION OF SECTION 42-3-116.7. AT THE END OF
 9 EACH FISCAL YEAR, ANY UNEXPENDED AND UNENCUMBERED MONEYS
 10 REMAINING IN THE ACCOUNT SHALL REVERT BACK TO THE HIGHWAY USERS
 11 TAX FUND.

12
 13 (2) NOTWITHSTANDING SUBSECTION (1) OF THIS SECTION, THE
 14 EXECUTIVE DIRECTOR OF THE DEPARTMENT SHALL CHANGE OR REDUCE
 15 THE PERCENTAGE OF FEES CREDITED TO THE SPECIAL ACCOUNT CREATED
 16 IN SUBSECTION (1) OF THIS SECTION IN ORDER TO MINIMIZE THE AMOUNT
 17 OF MONEYS THAT REVERT TO THE HIGHWAY USERS TAX FUND PURSUANT
 18 TO SUBSECTION (1) OF THIS SECTION.

19
 20 (3) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT SHALL MAKE
 21 AN ANNUAL REPORT BY MARCH 1 OF EACH YEAR TO THE GENERAL
 22 ASSEMBLY THAT SHALL INCLUDE A SUMMARY OF THE DEPARTMENT'S
 23 ACTIVITIES FOR THE PREVIOUS YEAR, A STATEMENT OF PLATE REVENUES,
 24 INFORMATION REGARDING SPECIAL PLATE PURCHASES, EXPENSES OF THE
 25 DEPARTMENT, ALLOCATION OF REMAINING REVENUES, AND ANY
 26 RECOMMENDATIONS FOR CHANGES IN STATUTES THAT THE EXECUTIVE
 27 DIRECTOR DEEMS NECESSARY OR DESIRABLE. THE REPORT SHALL BE OPEN
 28 FOR PUBLIC INSPECTION.

29
 30 **SECTION 4. Appropriation.** In addition to any other
 31 appropriation, there is hereby appropriated, out of any moneys in the
 32 special license plate account created in section 42-3-122.5, Colorado
 33 revised statutes, not otherwise appropriated, to the department of revenue,
 34 for allocation to the motor vehicle division, for American Indian special
 35 license plates, for the fiscal year beginning July 1, 2002, the sum of
 36 thirteen thousand four hundred dollars (\$13,400), or so much thereof as
 37 may be necessary, for the implementation of this act."

38
 39 Renumber succeeding section accordingly.

40
 41 Page 1, line 101, strike "PLATES." and substitute "PLATES, AND MAKING
 42 AN APPROPRIATION IN CONNECTION THEREWITH."

43
 44
 45
 46 **HB02-1045** be postponed indefinitely.

47
 48
 49 **HB02-1075** be postponed indefinitely.

50
 51
 52 **HB02-1114** be amended as follows, and as so amended, be referred to
 53 the Committee of the Whole with favorable
 54 recommendation:
 55

1 Amend printed bill, page 5, after line 10, insert the following:

2

3 **"SECTION 3. Federal funds.** The general assembly anticipates
4 that, for the fiscal year beginning July 1, 2002, the department of public
5 safety will receive the sum of eleven thousand two-hundred eighty dollars
6 (\$11,280) in federal funds for the implementation of this act. Although
7 these funds are not appropriated in this act, they are noted for the purpose
8 of indicating the assumptions used relative to these funds."

9

10 Renumber succeeding sections accordingly.

11

12

13

14 **HB02-1187** be postponed indefinitely.

15

16

17 **HB02-1198** be postponed indefinitely.

18

19

20 **HB02-1209** 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 4, line 26, after "fund" insert "created in section
25 26-11-205.5 (5), Colorado Revised Statutes,";

26

27 line 27, strike "aging and adult services," and substitute "office of adult
28 and veterans services, aging services programs,".

29

30 Page 5, line 1, strike "three million dollars (\$3,000,000)," and substitute
31 "two million dollars (\$2,000,000),".

32

33

34

35 **HB02-1241** be amended as follows, and as so amended, be referred to
36 the Committee of the Whole with favorable
37 recommendation:

38

39 Amend printed bill, page 2, line 21, strike "PRIOR TO JULY 1, 2002,".

40

41 Page 6, before line 8, insert the following:

42

43 **"SECTION 8. Appropriation - adjustment to 2001 long bill.**

44 In addition to any other appropriation, the appropriation to the department
45 of treasury, special purpose, county costs pursuant to section 39-3.5-
46 106(1), Colorado Revised Statutes, for the fiscal year beginning July 1,
47 2001, is hereby reduced by three hundred seventy-five thousand one
48 hundred eighty dollars (\$375,180), or so much thereof as may be
49 necessary, for the implementation of this act.

50

51 **SECTION 9. Appropriation - adjustment to 2002 long bill.** In

52 addition to any other appropriation, the appropriation to the department
53 of treasury, special purpose, county costs pursuant to section 39-3.5-
54 106(1), Colorado Revised Statutes, for the fiscal year beginning July 1,
55 2002, is hereby reduced by three hundred eighty-two thousand eight
56 hundred seventy-eight dollars (\$382,878), or so much thereof as may be

1 necessary, for the implementation of this act.";

2

3 strike lines 8 and 9.

4

5 Renumber succeeding section accordingly.

6

7 Page 1, line 103, strike "PROGRAM." and substitute "PROGRAM, AND

8 MAKING AN APPROPRIATION IN CONNECTION THEREWITH.".

9

10

11

12 **HB02-1247** be amended as follows, and as so amended, be referred to
13 the Committee of the Whole with favorable
14 recommendation:

15

16 Amend printed bill, page 3, after line 13, insert the following:

17

18 "SECTION 3. Part 2 of article 1 of title 42, Colorado Revised
19 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
20 read:

21

22 **42-1-221. Fuel piracy computer reprogramming cash fund -**
23 **repeal.** (1) THERE IS HEREBY CREATED THE FUEL PIRACY COMPUTER
24 REPROGRAMMING CASH FUND FOR THE PURPOSE OF IMPLEMENTING
25 SECTION 42-2-127 (15). MONEYS RECEIVED PURSUANT TO THIS SECTION
26 SHALL BE TRANSMITTED TO THE STATE TREASURER, WHO SHALL CREDIT
27 THE SAME TO SUCH CASH FUND. MONEYS IN THE FUEL PIRACY COMPUTER
28 REPROGRAMMING CASH FUND SHALL BE USED, SUBJECT TO APPROPRIATION
29 BY THE GENERAL ASSEMBLY, TO COVER THE COSTS OF IMPLEMENTING
30 SECTION 42-2-127 (15).

31

32 (2) THE DEPARTMENT IS AUTHORIZED TO ACCEPT AND EXPEND ON
33 BEHALF OF THE STATE ANY GIFTS, GRANTS, OR DONATIONS FROM ANY
34 PRIVATE OR PUBLIC SOURCE FOR THE PURPOSE OF IMPLEMENTING SECTION
35 42-2-127 (15); EXCEPT THAT NO GIFT, GRANT, OR DONATION SHALL BE
36 ACCEPTED IF THE CONDITIONS ATTACHED TO SUCH GIFT, GRANT, OR
37 DONATION REQUIRE THE EXPENDITURE OF SUCH MONEYS IN A MANNER
38 CONTRARY TO LAW. ALL MONEYS ACCEPTED BY THE DEPARTMENT FOR
39 THE PURPOSE OF IMPLEMENTING SECTION 42-2-127 (15) SHALL BE
40 TRANSMITTED TO THE STATE TREASURER FOR CREDIT TO THE FUEL PIRACY
41 COMPUTER REPROGRAMMING CASH FUND.

42

43 (3) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2003.

44

45 **SECTION 4. Appropriation.** In addition to any other
46 appropriation, there is hereby appropriated, out of any moneys in the fuel
47 piracy computer reprogramming cash fund created in section 42-1-221,
48 Colorado Revised Statutes, not otherwise appropriated, to the department
49 of revenue, for the fiscal year beginning July 1, 2002, the sum of sixteen
50 thousand eighty dollars (\$16,080), or so much thereof as may be
51 necessary, for the implementation of this act."

52

53 Renumber succeeding sections accordingly.

54

55 Page 1, line 101, strike "FUEL." and substitute "FUEL, AND MAKING AN
56 APPROPRIATION IN CONNECTION THEREWITH.".

1 **HB02-1249** be postponed indefinitely.

2

3

4 **HB02-1281** be amended as follows, and as so amended, be referred to
5 the Committee of the Whole with favorable
6 recommendation:

7

8 Amend printed bill, page 11, before line 13, insert the following:

9

10 **"SECTION 8. Appropriation.** (1) In addition to any other
11 appropriation, there is hereby appropriated, to the department of human
12 services, executive director's office, for the Colorado traumatic brain
13 injury board, for the fiscal year beginning July 1, 2002, the sum of
14 twenty-four thousand three hundred twenty-six dollars (\$24,326) cash
15 funds and 0.3 FTE from the Colorado traumatic brain injury trust fund
16 created pursuant to section 26-1-210, Colorado Revised Statutes. Of this
17 amount, the sum of three thousand three hundred sixty dollars (\$3,360),
18 or so much thereof as may be necessary, shall be used to purchase
19 computer programming services from the Department of Revenue."

20

21 Renumber succeeding section accordingly.

22

23 Page 1, line 104, strike "FUND." and substitute "FUND, AND MAKING AN
24 APPROPRIATION THEREFOR."

25

26

27

28 **HB02-1292** be amended as follows, and as so amended, be referred to
29 the Committee of the Whole with favorable
30 recommendation:

31

32 Amend printed bill, page 27, after line 3, insert the following:

33

34 **"SECTION 9. Appropriation - adjustments to the 2002 long**
35 **bill.** (1) For the implementation of this act, appropriations made in the
36 annual general appropriation act for the fiscal year beginning July 1,
37 2002, shall be adjusted as follows:

38

39 (a) The general fund appropriation to the department of health care
40 policy and financing, medical programs administration, is decreased by
41 thirty thousand eight hundred ninety-nine dollars (\$30,899). In addition,
42 the general assembly anticipates that, for the fiscal year beginning July
43 1, 2002, the department of health care policy and financing is not
44 anticipated to receive thirty thousand eight hundred ninety-eight dollars
45 (\$30,898) in federal funds for the implementation of this act. Although
46 the federal funds are not appropriated in this act, they are noted for the
47 purpose of indicating the assumptions used relative to these funds.

48

49 (b) The general fund appropriation to the department of health care
50 policy and financing, medical services premiums, is decreased by two
51 hundred twenty-seven thousand nine hundred seventy-nine dollars
52 (\$227,979). In addition, the general assembly anticipates that, for the
53 fiscal year beginning July 1, 2002, the department of health care policy
54 and financing is not anticipated to receive two hundred twenty-seven
55 thousand nine hundred seventy-nine dollars (\$227,979) in federal funds
56 for the implementation of this act. Although the federal funds are not

1 appropriated in this act, they are noted for the purpose of indicating the
2 assumptions used relative to these funds.

3

4 (c) The general fund appropriation to the department of health care
5 policy and financing, other medical services, is decreased by one hundred
6 fourteen thousand fifty-one dollars (\$114,051)."

7

8 Renumber succeeding section accordingly.

9

10 Page 1, line 102, strike "ACT"." and substitute "ACT", AND MAKING AN
11 APPROPRIATION IN CONNECTION THEREWITH."

12

13

14

15 **HB02-1293** be amended as follows, and as so amended, be referred to
16 the Committee of the Whole with favorable
17 recommendation:

18

19 Amend printed bill, page 4, after line 23, insert the following:

20

21 **"SECTION 2. Appropriation.** In addition to any other
22 appropriation, there is hereby appropriated, to the department of health
23 care policy and financing, for the fiscal year beginning July 1, 2002, the
24 sum of eight thousand seven hundred fifty dollars (\$8,750), or so much
25 thereof as may be necessary, for the implementation of this act. Said sum
26 shall be cash funds exempt from grants or donations pursuant to section
27 25.5-1-110 (5), Colorado Revised Statutes. In addition to said
28 appropriation, the general assembly anticipates that, for the fiscal year
29 beginning July 1, 2002, the department of health care policy and
30 financing will receive the sum of eight thousand seven hundred fifty
31 dollars (\$8,750) in federal funds for the implementation of this act.
32 Although the federal funds are not appropriated in this act, they are noted
33 for the purpose of indicating the assumptions used relative to these
34 funds."

35

36 Renumber succeeding section accordingly.

37

38 Page 1, line 101, strike "CARE." and substitute "CARE, AND MAKING AN
39 APPROPRIATION IN CONNECTION THEREWITH."

40

41

42

43 **HB02-1307** be amended as follows, and as so amended, be referred to
44 the Committee of the Whole with favorable
45 recommendation:

46

47 Amend printed bill, page 26, after line 5, insert the following:

48

49 **"Section 29. Appropriation.** In addition to any other
50 appropriation, there is hereby appropriated, out of any moneys in the
51 department of state cash fund created in section 24-21-104, Colorado
52 Revised Statutes, not otherwise appropriated, to the department of state,
53 for the fiscal year beginning July 1, 2001, the sum of one hundred
54 seventy-four thousand one hundred twenty-three dollars (\$174,123) and
55 1.5 FTE, or so much thereof as may be necessary, for the implementation
56 of this act."

1 Renumber succeeding section accordingly.

2

3 Page 1, line 101, strike "ELECTIONS." and substitute "ELECTIONS, AND
4 MAKING AN APPROPRIATION IN CONNECTION THEREWITH."

5

6

7

8 **HB02-1323** be amended as follows, and as so amended, be referred to
9 the Committee of the Whole with favorable
10 recommendation:

11

12 Amend printed bill, page 7, line 16, strike "AND";

13

14 line 19, strike "INSPECTIONS." and substitute "INSPECTIONS; AND";

15

16 after line 19, insert the following:

17

18 "(j) THE DEFINITION FOR HIGH MEDICAID UTILIZATION FACILITY AS
19 A BASIS FOR SETTING BED FEES FOR SECURED ENVIRONMENTS."

20

21 Page 15, line 6, strike "OPERATIONS;" and substitute "OPERATIONS;
22 EXCEPT THAT THIS FEE SHALL NOT APPLY TO LIFE CARE FACILITIES IN
23 EXISTENCE PRIOR TO JULY 1, 2002;";

24

25 line 7, strike "FOUR THOUSAND THREE HUNDRED" and substitute "TWO
26 THOUSAND FIVE HUNDRED".

27

28 Page 28, after line 2, insert the following:

29

30 **"SECTION 17. Appropriation.** (1) In addition to any other
31 appropriation, there is hereby appropriated, out of any moneys in the
32 assisted living residence cash fund not otherwise appropriated, to the
33 department of public health and environment, for allocation to the health
34 facilities division, for the fiscal year beginning July 1, 2002, the sum of
35 two hundred five thousand one hundred ninety-nine dollars (\$205,199)
36 and 2.5 FTE, or so much thereof as may be necessary, for the
37 implementation of this act.

38

39 (2) In addition to any other appropriation, there is hereby
40 appropriated to the department of law, for the fiscal year beginning July
41 1, 2001, the sum of nine thousand three hundred forty-nine dollars
42 (\$9,349), or so much as may be necessary, for the provision of legal
43 services to the department of public health and environment for the
44 implementation of this act. Said sum shall be from cash funds exempt
45 received from the department of public health and environment out of the
46 appropriation made in subsection (1) of this section."

47

48 Renumber succeeding sections accordingly.

49

50 Page 1, line 101, strike "RESIDENCES." and substitute "RESIDENCES, AND
51 MAKING AN APPROPRIATION IN CONNECTION THEREWITH."

52

53

54

55

1 **FINANCE**

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

4
5 **HB02-1406** be postponed indefinitely.

6
7
8 **SB02-087** be referred favorably to the Committee on Appropriations.

9
10

11

12

13 **TRANSPORTATION & ENERGY**

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

16
17 **HB02-1400** be amended as follows, and as so amended, be referred to
18 the Committee of the Whole with favorable
19 recommendation:

20

21 Amend printed bill, page 2, strike line 2 and substitute the following:

22

23 **"SECTION 1. 42-4-110.5 (2) (a) and (2) (d) (I),";**

24

25 line 4, strike "A" and substitute "THE FOLLOWING" and strike
26 "PARAGRAPH," and substitute "PARAGRAPHS,".

27

28 Page 3, line 21, after the period, add "IF A PENALTY ASSESSMENT NOTICE
29 OR SUMMONS AND COMPLAINT FOR A VIOLATION DETECTED USING AN
30 AUTOMATED VEHICLE IDENTIFICATION SYSTEM IS PERSONALLY SERVED,
31 THE STATE, A COUNTY, A CITY AND COUNTY, OR A MUNICIPALITY MAY
32 ONLY CHARGE THE ACTUAL COSTS OF SERVICE OF PROCESS THAT SHALL BE
33 NO MORE THAN THE AMOUNT USUALLY CHARGED FOR CIVIL SERVICE OF
34 PROCESS.".

35

36 Page 4, line 5, strike "USED." and substitute "USED, BUT THIS
37 SUBPARAGRAPH (I) SHALL NOT BE DEEMED A PROHIBITION AGAINST THE
38 POSTING OF SUCH PERMANENTS SIGNS.";

39

40 strike line 13, and substitute the following:

41

42 "DEVICE; EXCEPT THAT THIS SUBPARAGRAPH (I) SHALL NOT APPLY TO AN
43 AUTOMATED VEHICLE IDENTIFICATION SYSTEM DESIGNED TO DETECT
44 VIOLATIONS FOR DISOBEDIENCE TO A TRAFFIC CONTROL DEVICE.";

45

46 strike lines 14 through 27 and substitute the following:

47

48 (g) (I) THE STATE, A COUNTY, A CITY AND COUNTY, OR A
49 MUNICIPALITY SHALL NOT ISSUE A PENALTY ASSESSMENT NOTICE OR
50 SUMMONS FOR A VIOLATION DETECTED USING AN AUTOMATED VEHICLE
51 IDENTIFICATION SYSTEM UNLESS THE VIOLATION OCCURRED WITHIN A
52 SCHOOL ZONE, AS DEFINED IN SECTION 42-4-615, OR WITHIN A
53 RESIDENTIAL NEIGHBORHOOD.

54

55 (II) FOR PURPOSES OF THIS PARAGRAPH (g), UNLESS THE CONTEXT
56 OTHERWISE REQUIRES, "RESIDENTIAL NEIGHBORHOOD" MEANS ANY BLOCK

1 ON WHICH THERE IS NO MORE THAN ONE LANE OF TRAFFIC MOVING IN THE
2 SAME DIRECTION, THE SPEED LIMIT IS THIRTY MILES PER HOUR OR LESS AND
3 A MAJORITY OF THE IMPROVEMENTS ALONG BOTH SIDE OF THE STREET
4 ARE RESIDENTIAL DWELLINGS.

5

6 (III) THIS PARAGRAPH (g) SHALL NOT APPLY TO AN AUTOMATED
7 VEHICLE IDENTIFICATION SYSTEM DESIGNED TO DETECT DISOBEDIENCE TO
8 A TRAFFIC CONTROL DEVICE."

9

10 Page 5, strike lines 1 through 24.

11

12

13

14 **HB02-1412** be referred to the Committee of the Whole with favorable
15 recommendation.

16

17

18 **HB02-1415** be amended as follows, and as so amended, be referred to
19 the Committee of the Whole with favorable
20 recommendation:

21

22 Amend printed bill, page 3, line 19, strike "IS NOT INTENDED" and
23 substitute "SHALL NOT BE USED".

24

25 Page 5, line 3, strike "BASED";

26

27 line 4, strike "UPON".

28

29

30

31

PRINTING REPORT

32

33 The Chief Clerk reports the following bill has been correctly printed:
34 **HB02-1418**.

35

36

37

38

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

39

40 The Speaker has signed: **HB02-1130, 1208, 1211, 1346**.

41

42

43

44

MESSAGE FROM THE SENATE

45 Mr. Speaker:

46

47 The Senate has passed on Third Reading and returns herewith
48 HB02-1260.

49

50 The Senate has adopted and returns herewith: HJR02-1033, 1034.

51

52 The Senate has passed on Third Reading and transmitted to the Revisor
53 of Statutes: SB02-098;

54

55 SB02-179, amended as printed in Senate Journal April 2, pages
56 619-625;

1 SB02-039, amended as printed in Senate Journal April 2, page 626;
2 SB02-043, amended as printed in Senate Journal April 2, page 626;
3 SB02-065, amended as printed in Senate Journal April 2, page 626.

4
5 The Senate has voted not to concur in House amendments to SB02-124
6 and requests that a Conference Committee be appointed. The President
7 appointed Senators Windels, Chm., Pascoe and Evans as members of the
8 First Conference Committee on the part of the Senate. The bill is
9 transmitted herewith.

10
11 The Senate voted to concur in House amendments and repassed the bills
12 as amended: SB02-038, 158, 036, 165, 166, 004, 013, 146, 006, 085.

13

14

15 MESSAGE FROM THE REVISOR

16

17 We herewith transmit without comment, SB02-098; and,
18 Without comment, as amended, SB02-039, 043, 065, and 179.

19

20

21 APPOINTMENTS TO CONFERENCE COMMITTEE

22

23 Pursuant to a request from the Senate, the Speaker appointed
24 Representatives Hefley, Chairman, T. Williams and Romanoff as House
25 conferees to the First Conference Committee on **SB02-124**.

26

27

28 MESSAGE FROM THE GOVERNOR

29

30 I certify I received the following on the 3rd day of April, 2002, at
31 3:55 p.m. The original is on file in the records of the House of
32 Representatives of the General Assembly.

33

34

Judith Rodrigue,
Chief Clerk of the House

35 April 3, 2002

36

37 To the Honorable
38 House of Representatives
39 Sixty-third General Assembly
40 Second Regular Session
41 Denver, CO 80203

42

43 Ladies and Gentlemen:

44

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

47

48 **HB02-1022** Concerning Annual Redeterminations Of Adoption
49 Assistance For Children With Special Needs.

50

51 Approved April 3, 2002 at 12:59 p.m.

52

53 **HB02-1087** Concerning The Provisions Of Temporary Veterinary
54 Services At Racing Operations.

55

56 Approved April 3, 2002 at 1:02 p.m.

- 1 **HB02-1127** Concerning The Cost Of Home- and Community Based
2 Services.
3
4 Approved April 3, 2002 at 1:05 p.m.
5
- 6 **HB02-1145** Concerning Prohibition Against Installing As A
7 Component Of An Air Bag System Any Objection That Is
8 Not Designed In Accordance With Federal Safety
9 Regulations For A Particular Vehicle.
10
11 Approved April 3, 2002 at 1:10 p.m.
12
13
- 14 **HB02-1156** Concerning Campaign Finance Disclosure Reporting
15 Requirements Relative To Recall Elections.
16
17 Approved April 3, 2002 at 1:11 p.m.
18
- 19 **HB02-1169** Concerning The Notice Given By An Intrastate
20 Telecommunications Provider Prior To Making Changes
21 Affecting Customer Costs.
22
23 Approved April 3, 2002 at 1:14 p.m.
24
25
- 26 **HB02-1181** Concerning Statutory Modifications Related To The
27 Education Of Homeless Children To Comply With Federal
28 Law.
29
30 Approved April 3, 2002 at 1:17 p.m.
31
- 32 **HB02-1235** Concerning Changes In The Repeal Dates For Funding
33 From The Employment Support Fund For Certain
34 Programs Administered By The Department Of Labor And
35 Employment.
36
37 Approved April 3, 2002 at 1:20 p.m.
38
- 39 **HB02-1279** Concerning The Designation Of Managed Service
40 Organizations For The Purchase Of Treatment Services
41 Related To Alcohol And Drug Abuse.
42
43 Approved April 3, 2002 at 1:20 p.m.
44
- 45 **HB02-1280** Concerning The Prohibition Of The Regulation Of
46 Banking By A Political Subdivision.
47
48 Approved April 3, 2002 at 1:21 p.m.
49
- 50 **HB02-1282** Concerning Modifications To The Home- And
51 Community-based Services Program For Persons With
52 Brain Injury.
53
54 Approved April 3, 2002 at 1:23 p.m.
55

- 1 **HB02-1286** Concerning Surplus State Property.
- 2
- 3 Approved April 3, 2002 at 1:27 p.m.
- 4
- 5 **HB02-1308** Concerning Administration Of The Provisions Of Youth
- 6 Services.
- 7
- 8 Approved April 3, 2002 at 1:32 p.m.
- 9
- 10 Sincerely,
- 11 (signed)
- 12 Bill Owens
- 13 Governor

INTRODUCTION OF BILLS
First Reading

- 19
- 20 The following bills were read by title and referred to the committees
- 21 indicated:
- 22
- 23 **SB02-039** by Senator(s) Gordon, Linkhart, Windels; also
- 24 Representative(s) Hefley, Groff, Madden--Concerning
- 25 penalties for persons convicted of criminal violations.
- 26 Committee on Criminal Justice
- 27
- 28 **SB02-043** by Senator(s) Takis; also Representative(s) Coleman,
- 29 Hodge--Concerning a requirement that temporary
- 30 construction workers receive trade-specific safety training
- 31 before entering a jobsite.
- 32 Committee on Business Affairs & Labor
- 33
- 34 **SB02-065** by Senator(s) Pascoe; also Representative(s) Spence--
- 35 Concerning the establishment of a program designed to
- 36 improve the academic achievement of disadvantaged
- 37 children, and making an appropriation therefor.
- 38 Committee on Education
- 39 Committee on Appropriations
- 40
- 41 **SB02-098** by Senator(s) Tate, Gordon, Windels; also
- 42 Representative(s) Marshall--Concerning a reduction in the
- 43 margin by which issues must pass in an all-union election
- 44 under the "Labor Peace Act".
- 45 Committee on Business Affairs & Labor
- 46
- 47 **SB02-179** by Senator(s) Matsunaka; also Representative(s) Veiga--
- 48 Concerning transportation funding, and making an
- 49 appropriation in connection therewith.
- 50 Committee on Transportation & Energy
- 51 Committee on Finance
- 52 Committee on Appropriations

53
54
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INTRODUCTION OF RESOLUTIONS1
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The following resolutions were read by title and laid over one day under the rules:

HJR02-1039 by Representative(s) Dean, Spradley; also Senator(s) Andrews--Concerning endorsement of the participation of Taiwan in the World Health Organization.

WHEREAS, Good health is important to every citizen of the world and access to the highest standards of health information and services is necessary to improve public health; and

WHEREAS, Direct and unobstructed participation in international health cooperation forums and programs is beneficial for all parts of the world, especially with today's greater potential for the cross-border spread of various infectious diseases such as the human immunodeficiency virus, tuberculosis, and malaria; and

WHEREAS, Taiwan's population of 23,500,000 people is larger than that of 3/4 of the member states already in the World Health Organization; and

WHEREAS, Taiwan's achievements in the field of health are substantial, including one of the highest life expectancy levels in Asia; maternal and infant mortality rates comparable to those of western countries; the eradication of such infectious diseases as cholera, smallpox, the plague, and polio; and providing hepatitis B vaccinations to children; and

WHEREAS, The United States Centers for Disease Control and Prevention and its Taiwan counterpart agencies have enjoyed close collaboration on a wide range of public health issues; and

WHEREAS, In recent years, Taiwan has expressed a willingness to assist financially and technically in international aid and health activities supported by the World Health Organization; and

WHEREAS, The World Health Organization has allowed observers to participate in the activities of the organization, including the Palestine Liberation Organization in 1974 and the Order of Malta and the Holy See in the early 1950s; and

WHEREAS, The United States, in the 1994 Taiwan Policy Review, declared its intention to support Taiwan's participation in appropriate international organizations; now, therefore,

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

That, in light of all the benefits that Taiwan's participation in the World Health Organization can bring to the state of health not only in Taiwan, but also regionally and globally, we, the members of the Sixty-third General Assembly of the State of Colorado, endorse observer status for Taiwan at the annual summit of the World Health Assembly in

1 May 2002, in Geneva, Switzerland.

2

3 *Be It Further Resolved*, That copies of this resolution be sent to
4 President George W. Bush, Secretary of State Colin Powell, Secretary of
5 Health and Human Services Tommy Thompson, and the Taipei Economic
6 and Cultural Office in Kansas City, Missouri.

7

8

9

10 **HJR02-1040** by Representative(s) Stafford, Fairbank, Dean, Alexander,
11 Bacon, Berry, Boyd, Cadman, Chavez, Clapp, Cloer,
12 Daniel, Decker, Fritz, Garcia, Groff, Grossman, Harvey,
13 Hefley, Hodge, Hoppe, Jahn, Jameson, Johnson, Kester,
14 King, Larson, Lawrence, Lee, Mace, Madden, Marshall,
15 Miller, Mitchell, Plant, Rhodes, Rippy, Romanoff,
16 Saliman, Sanchez, Schultheis, Scott, Sinclair, Smith,
17 Snook, Spence, Spradley, Stengel, Swenson, Tapia,
18 Tochtrop, Veiga, Vigil, Webster, Weddig, Williams T.,
19 Witwer, Young; also Senator(s) Entz--Concerning the
20 naming of the new flyover structure connecting northwest-
21 bound Parker Road to southbound Interstate 225 as the
22 "Gary McPherson Flyover".

23

24 WHEREAS, State Representative Gary McPherson was appointed
25 to fill a vacancy in House District 40 in 1994 and was elected as a
26 representative from District 40 in 1996 and 1998; and

27

28 WHEREAS, Representative McPherson began taking flying
29 lessons in high school, later obtained his private pilot's license, and had
30 a passion for flying his single-engine Piper; and

31

32 WHEREAS, Representative McPherson consistently searched for
33 ways to fly himself anywhere he had to go, and often took his friends to
34 fly over the state capitol building; and

35

36 WHEREAS, By the Will of Divine Providence, our former
37 member, the Honorable Gary McPherson, departed this life on October
38 12, 2000, at the age of 37; and

39

40 WHEREAS, Representative McPherson was a strong supporter of
41 transportation for the state of Colorado and actively participated in
42 securing adequate transportation funding; and

43

44 WHEREAS, Representative McPherson supported the passage of
45 Referendum A, allowing for the issuance of Transportation Revenue
46 Anticipation Notes (TRANS) to ease the overcrowding of highways in the
47 state; and

48

49 WHEREAS, Connecting Interstate 225 with southeast and
50 suburban areas, Parker Road is one of the major links in the southeast
51 Aurora and Arapahoe county transportation network and is also located
52 within House District 40 where Representative McPherson served; and

53

54 WHEREAS, Prior to the Parker Road and Interstate 225
55 interchange reconstruction project, motorists on Parker Road experienced

1 congestion and lengthy delays during morning and afternoon peak hours;
2 and
3

4 WHEREAS, The Parker Road and Interstate 225 interchange
5 reconstruction project is intended to relieve congestion in the project area,
6 which lies between Peoria Street and Hampden Avenue on either side of
7 Interstate 225; and
8

9 WHEREAS, The TRANS program provided funding for the Parker
10 Road and Interstate 225 interchange reconstruction program; and
11

12 WHEREAS, The TRANS program accelerated the completion of
13 the Parker Road and Interstate 225 interchange reconstruction program
14 from a completion date of 2010 to 2002; and
15

16 WHEREAS, Naming the flyover structure connecting
17 northwest-bound Parker Road to southbound Interstate 225 in memory of
18 Representative Gary McPherson serves to recognize and honor his
19 contributions to our state; and
20

21 WHEREAS, According to Policy 803.0 established by the
22 Transportation Commission of the state of Colorado and the Manual on
23 Uniform Traffic Control Devices, federal rule 2D-49, the General
24 Assembly of Colorado by resolution may designate a component of the
25 state highway system in honor of Representative Gary McPherson; now,
26 therefore,
27

28 *Be It Resolved by the House of Representatives of the Sixty-third*
29 *General Assembly of the State of Colorado, the Senate concurring*
30 *herein:*
31

32 (1) That the new flyover structure connecting northwest-bound
33 Parker Road to southbound Interstate 225 shall be named the "Gary
34 McPherson Flyover" in honor of former State Representative Gary
35 McPherson.
36

37 (2) That the Colorado Department of Transportation may accept
38 and expend gifts, grants, donations, and federal funds for the purposes of
39 the initial placement of signs to mark the designated sections of Parker
40 Road and Interstate 225 as the "Gary McPherson Flyover".
41

42 (3) That the Colorado Department of Transportation may explore
43 a cooperative agreement with the Commissioners of Arapahoe County
44 and the City of Aurora for the maintenance of the markings for the
45 highway.
46

47 *Be It Further Resolved*, That copies of this Joint Resolution be
48 sent to Representative McPherson's wife Shelley, his three daughters,
49 Christina, Elizabeth, and Ashley McPherson, his parents, Ivan and Vickie
50 McPherson, the Transportation Commission of Colorado, the Colorado
51 Department of Transportation, the Commissioners of Arapahoe County,
52 the City of Aurora, and the Governor of Colorado.
53
54
55

1 The following resolution was read by title and referred to the committee
2 indicated:

3
4 **HJR02-1041** by Representative(s) Williams S., Alexander, Berry,
5 Borodkin, Boyd, Clapp, Coleman, Hefley, Hodge, Hoppe,
6 Jahn, Lawrence, Mace, Madden, Marshall, Ragsdale,
7 Romanoff, Sanchez, Stafford, Tochtrop, Veiga, Williams
8 T., Witwer; also Senator(s) Hanna, Fitz-Gerald, Gordon,
9 Hagedorn, Isgar, Linkhart, Nichol, Pascoe, Perlmutter,
10 Phillips, Takis, Tate, Tupa, Windels--Concerning the
11 resolution of the General Assembly to support women's
12 health care issues, and, in connection therewith,
13 commending the Women in Government organization for
14 its work regarding quality health care for women.
15 Committee on Health, Environment, Welfare, & Institutions

16
17 WHEREAS, The General Assembly can increase its support for
18 women's health and can make a significant difference in improving the
19 status of women's health; and

20
21 WHEREAS, Women and men have different patterns of health and
22 disease as well as differences metabolically, hormonally, and
23 physiologically; and

24
25 WHEREAS, Some diseases are more common in women than in
26 men; and

27
28 WHEREAS, Women are more likely to suffer from some chronic
29 diseases; and

30
31 WHEREAS, More than one in five women have some form of
32 cardiovascular disease, and one in two women will have an
33 osteoporosis-related fracture in her lifetime; and

34
35 WHEREAS, Women are three times more likely to develop
36 rheumatoid arthritis and two to three times more likely to suffer from
37 depression than are men; and

38
39 WHEREAS, Women are less often referred for diagnostic tests
40 and less often treated for heart disease as compared to men; and

41
42 WHEREAS, Women who smoke are up to six times as likely to
43 suffer a heart attack as non-smoking women, and women smokers have
44 a higher relative risk of developing cardiovascular disease than do men;
45 and

46
47 WHEREAS, Women are ten times more likely than men to
48 contract HIV during unprotected sex; and

49
50 WHEREAS, Women outnumber men three to one in long-term
51 care facilities; and

52
53 WHEREAS, Women are much more likely to provide health care
54 to family members; and

55
56 WHEREAS, As the primary decision-makers for choices in family

1 health care, women account for the allocation of two of every three health
2 care dollars; and

3

4 WHEREAS, There is evidence that women are under-treated
5 compared to men; and

6

7 WHEREAS, There is abundant evidence that women are
8 under-represented in health studies; and

9

10 WHEREAS, Although there has been some national attention
11 directed to women's health care issues, and some legislative activity by
12 the Congress on access issues, yet there remains little change in vitally
13 important preventive care and treatment issues; and

14

15 WHEREAS, Women have the right to receive quality treatment
16 and access to the latest technologies and appropriate diagnostic tests; and

17

18 WHEREAS, The Colorado Department of Public Health and
19 Environment, with direction from the general assembly and opportunities
20 offered by the federal government, has already taken the following steps
21 to achieve improved and equal access for women to quality health care:

22

23 (a) Established a women's health section to address the emerging
24 needs of Colorado women; and

25

26 (b) Created an arthritis, cardiovascular disease, physical fitness,
27 wellness, and diabetes program with a focus on women; and

28

29 (c) Implemented a special women and smoking program in the
30 state tobacco program to promote nonsmoking among women; and

31

32 (d) Maintains the Colorado women's cancer control initiative
33 program, which includes the new efforts regarding detection and
34 treatment for breast and cervical cancer; and

35

36 (e) Is seeking a grant to address osteoporosis; and

37

38 (f) Has begun a community planning process to develop a
39 strategic plan on women's health; now, therefore,

40

41 *Be It Resolved by the House of Representatives of the Sixty-third*
42 *General Assembly of the State of Colorado, the Senate concurring*
43 *herein:*

44

45 That it is the sense of the General Assembly of the state of
46 Colorado that, to achieve improved and equal access for women to
47 quality health care, every state agency and state-chartered institution of
48 learning or recipient of state grants or funding is encouraged to take
49 appropriate action to:

50

51 (1) Provide women equal access to quality health care, including
52 state-of-the-art medical advances and technology;

53

54 (2) Increase the number of women covered by comprehensive
55 health care insurance, including primary and preventive health care for all
56 women;

- 1 (3) Prevent serious health problems with timely diagnosis and
2 treatment programs;
3
- 4 (4) Promote strategies to increase patient access to recommended
5 diagnostic and screening tests, preventive health regimens, and
6 recommended treatments;
7
- 8 (5) Encourage unimpeded access to women's specialty health
9 providers;
10
- 11 (6) Create and promote public and private partnerships to create
12 programs designed to improve the scope and quality of women's health
13 care;
14
- 15 (7) Improve communications between providers and patients;
16
- 17 (8) Continue to expand participation of women of color in clinical
18 trials;
19
- 20 (9) Increase government and private research on women's health
21 issues and the differences between men and women and how such
22 differences affect the quality of health care received by each;
23
- 24 (10) Conduct more health outcomes research to demonstrate the
25 value of women's health care interventions and preventive health
26 measures in both the short term and the long term;
27
- 28 (11) Expand medical and nursing school curricula in the area of
29 women's health and expand education about gender biology;
30
- 31 (12) Support public education campaigns that increase women's
32 awareness about their unique health risks and instruct women how to
33 negotiate the complexities of today's health care system to obtain the best
34 care available;
35
- 36 (13) Continue to conduct public health campaigns via state and
37 local departments of public health with private-sector partners to focus on
38 key women's preventive health issues;
39
- 40 (14) Foster development and dissemination of publicly available
41 information on the quality of health care and health outcomes that
42 improve women's ability to choose the best women's health care plan; and
43
- 44 (15) Expand state screening programs targeted at lower-income
45 women to include a full range of known risk factors.
46

47 *Be It Further Resolved*, That it is the sense of the General
48 Assembly to commend the organization Women in Government for its
49 leadership and enterprise in expressing to Colorado the appropriate
50 urgency of need and meaningful steps that can be taken to attain
51 improved and equal access for women to quality health care,
52 technologies, and treatments; education of researchers about gender
53 differences; and unimpeded access to women's health providers.
54
55
56

1 **APPOINTMENTS**

2
3 The Speaker announced the following temporary change in committee
4 assignment:

5
6 For April 5, 2002 - Representative Fritz to replace Representative
7 Paschall on the Business Affairs & Labor.

8
9
10
11 **Correction**

12
13 H.J. page 1113, line 28, after "King" insert "; also Senator Thiebaut".
14
15

16
17 **LAY OVER OF CALENDAR ITEMS**

18
19 On motion of Representative Spradley, the following items on the
20 Calendar were laid over until April 5, retaining place on Calendar:

21
22 Consideration of Resolutions--**SJR02-008, HJR02-1037.**
23 Consideration of Senate Amendments--**HB02-1144, 1258, 1078, 1179,**
24 **1042, 1162, 1064, 1089, 1141, 1333, 1245, 1191, 1225, 1146, 1013,**
25 **1287, 1218, 1269, 1221, 1135.**

26
27
28
29 On motion of Representative Spradley, the House adjourned until
30 9:00 a.m., April 5, 2002.

31
32 Approved:

33
34
35
36 DOUG DEAN,
37 Speaker

38 Attest:

39
40 JUDITH RODRIGUE,
41 Chief Clerk