

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

Sixty-sixth Legislative Day

Friday, March 15, 2002

1 Prayer by Father Michael Suchnicki, Samaritan House, Denver.

2

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

4

5 The roll was called with the following result:

6

7 Present--48.

8

9 Excused--Representatives Berry, Fritz, Grossman, Johnson,
10 Lawrence, Lee, Madden, Paschall, Rippy, Saliman, Scott,
11 Spence, Stafford, Stengel, Tapia, Vigil, Young--17.

11

12 Present after roll call--Representatives Berry, Fritz, Johnson,
13 Lawrence, Lee, Madden, Paschall, Rippy, Saliman, Scott,
14 Spence, Stafford, Stengel, Tapia, Vigil, Young.

14

15 The Speaker declared a quorum present.

16

17

18 On motion of Representative Marshall, the reading of the journal of
19 March 14, 2002, was declared dispensed with and approved as corrected
20 by the Chief Clerk.

21

22

23

24

CONSIDERATION OF RESOLUTION

25

26 **HJR02-1028** by Representative(s) Romanoff, Alexander, Coleman,
27 Lawrence, Mace, Sanchez, Stafford, Stengel, Veiga,
28 Williams S.; also Senator(s) Pascoe--Concerning
29 recognition of the seventieth anniversary of the University
30 of Denver Graduate School of Social Work.

31

32 (Printed and placed in member's file. Report also printed in House
33 Journal, March 12, pages 801-802.)

34

35 On motion of Representative Romanoff, the resolution was **adopted** by
36 **viva voce** vote.

37

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

39

40

41

42

43

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

2
3 The following bills were considered on Third Reading. The titles were
4 publicly read. Reading of the bill at length was dispensed with by
5 unanimous consent.

6
7 **HB02-1366** by Representative(s) Young, Berry, Saliman; also Sen-
8 ator(s) Reeves, Tate, Owen--Concerning a supplemental
9 appropriation to the department of agriculture.

10
11 The question being "Shall the bill pass?".

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

15
16 YES 59 NO 5 EXCUSED 1 ABSENT 0

17								
18	Alexander	Y	Groff	Y	Marshall	Y	Spence	Y
19	Bacon	Y	Grossman	E	Miller	Y	Spradley	Y
20	Berry	Y	Harvey	Y	Mitchell	N	Stafford	Y
21	Borodkin	Y	Hefley	Y	Paschall	N	Stengel	Y
22	Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
23	Cadman	Y	Hoppe	N	Ragsdale	Y	Tapia	Y
24	Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	Y
25	Clapp	Y	Jameson	Y	Rippy	Y	Veiga	Y
26	Cloer	Y	Johnson	Y	Romanoff	Y	Vigil	Y
27	Coleman	Y	Kester	Y	Saliman	Y	Webster	Y
28	Crane	N	King	Y	Sanchez	Y	Weddig	Y
29	Daniel	Y	Larson	Y	Schultheis	Y	White	Y
30	Decker	Y	Lawrence	Y	Scott	Y	Williams S.	Y
31	Fairbank	Y	Lee	N	Sinclair	Y	Williams T.	Y
32	Fritz	Y	Mace	Y	Smith	Y	Witwer	Y
33	Garcia	Y	Madden	Y	Snook	Y	Young	Y
34							Mr. Speaker	Y

35
36 Co-sponsors added: Representatives Alexander, Hoppe.

37
38 **HB02-1367** by Representative(s) Young, Berry, Saliman; also Sen-
39 ator(s) Reeves, Tate, Owen--Concerning a supplemental
40 to the department of corrections.

41
42 The question being "Shall the bill pass?".

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

46
47 YES 62 NO 2 EXCUSED 1 ABSENT 0

48								
49	Alexander	Y	Groff	N	Marshall	Y	Spence	Y
50	Bacon	Y	Grossman	E	Miller	Y	Spradley	Y
51	Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y
52	Borodkin	Y	Hefley	Y	Paschall	N	Stengel	Y
53	Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
54	Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia	Y
55	Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	Y
56	Clapp	Y	Jameson	Y	Rippy	Y	Veiga	Y

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

10

11

12 **HB02-1368** by Representative(s) Young, Berry, Saliman; also Sen-
 13 ator(s) Reeves, Tate, Owen--Concerning a supplemental
 14 appropriation to the department of education.

15

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

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

20

21	YES 64	NO 0	EXCUSED 1	ABSENT 0
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22

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

40

41 Co-sponsors added: Representatives Cloer, Groff, Harvey, Sanchez, Williams S.

42

43 **HB02-1369** by Representative(s) Young, Berry, Saliman; also Sen-
 44 ator(s) Reeves, Tate, Owen--Concerning a supplemental
 45 appropriation to the offices of the governor, lieutenant
 46 governor, and state planning and budgeting.

47

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

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

52

53	YES 64	NO 0	EXCUSED 1	ABSENT 0
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54	Alexander	Y	Groff	Y	Marshall	Y	Spence	Y
55	Bacon	Y	Grossman	E	Miller	Y	Spradley	Y
56	Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y

1	Borodkin	Y	Hefley	Y	Paschall	Y	Stengel	Y
2	Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
3	Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia	Y
4	Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	Y
5	Clapp	Y	Jameson	Y	Rippy	Y	Veiga	Y
6	Cloer	Y	Johnson	Y	Romanoff	Y	Vigil	Y
7	Coleman	Y	Kester	Y	Saliman	Y	Webster	Y
8	Crane	Y	King	Y	Sanchez	Y	Weddig	Y
9	Daniel	Y	Larson	Y	Schultheis	Y	White	Y
10	Decker	Y	Lawrence	Y	Scott	Y	Williams S.	Y
11	Fairbank	Y	Lee	Y	Sinclair	Y	Williams T.	Y
12	Fritz	Y	Mace	Y	Smith	Y	Witwer	Y
13	Garcia	Y	Madden	Y	Snook	Y	Young	Y
14							Mr. Speaker	Y

15
16
17 **HB02-1370** by Representative(s) Young, Berry, Saliman; also Sen-
18 ator(s) Reeves, Tate, Owen--Concerning a supplemental
19 appropriation to the department of health care policy and
20 financing.

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

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

25								
26								
27	<u>YES</u>	63	<u>NO</u>	1	<u>EXCUSED</u>	1	<u>ABSENT</u>	0
28								
29	Alexander	Y	Groff	Y	Marshall	Y	Spence	Y
30	Bacon	Y	Grossman	E	Miller	Y	Spradley	Y
31	Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y
32	Borodkin	Y	Hefley	Y	Paschall	N	Stengel	Y
33	Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
34	Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia	Y
35	Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	Y
36	Clapp	Y	Jameson	Y	Rippy	Y	Veiga	Y
37	Cloer	Y	Johnson	Y	Romanoff	Y	Vigil	Y
38	Coleman	Y	Kester	Y	Saliman	Y	Webster	Y
39	Crane	Y	King	Y	Sanchez	Y	Weddig	Y
40	Daniel	Y	Larson	Y	Schultheis	Y	White	Y
41	Decker	Y	Lawrence	Y	Scott	Y	Williams S.	Y
42	Fairbank	Y	Lee	Y	Sinclair	Y	Williams T.	Y
43	Fritz	Y	Mace	Y	Smith	Y	Witwer	Y
44	Garcia	Y	Madden	Y	Snook	Y	Young	Y
45							Mr. Speaker	Y

46
47
48 **HB02-1371** by Representative(s) Young, Berry, Saliman; also Sen-
49 ator(s) Reeves, Tate, Owen--Concerning a supplemental
50 appropriation to the department of higher education.

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

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

55
56

	YES 63	NO 1	EXCUSED 1	ABSENT 0				
1								
2								
3	Alexander	Y	Groff	Y	Marshall	Y	Spence	Y
4	Bacon	Y	Grossman	E	Miller	Y	Spradley	Y
5	Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y
6	Borodkin	Y	Hefley	Y	Paschall	N	Stengel	Y
7	Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
8	Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia	Y
9	Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	Y
10	Clapp	Y	Jameson	Y	Rippy	Y	Veiga	Y
11	Cloer	Y	Johnson	Y	Romanoff	Y	Vigil	Y
12	Coleman	Y	Kester	Y	Saliman	Y	Webster	Y
13	Crane	Y	King	Y	Sanchez	Y	Weddig	Y
14	Daniel	Y	Larson	Y	Schultheis	Y	White	Y
15	Decker	Y	Lawrence	Y	Scott	Y	Williams S.	Y
16	Fairbank	Y	Lee	Y	Sinclair	Y	Williams T.	Y
17	Fritz	Y	Mace	Y	Smith	Y	Witwer	Y
18	Garcia	Y	Madden	Y	Snook	Y	Young	Y
19							Mr. Speaker	Y

20
21 Co-sponsors added: Representatives Groff, Sanchez, Williams S.

22
23 **HB02-1372** by Representative(s) Young, Berry, Saliman; also Sen-
24 ator(s) Reeves, Tate, Owen--Concerning a supplemental
25 appropriation to the department of human services.

26
27 The question being "Shall the bill 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 bill
30 was declared **passed**.

	YES 58	NO 6	EXCUSED 1	ABSENT 0				
31								
32								
33								
34	Alexander	Y	Groff	Y	Marshall	Y	Spence	Y
35	Bacon	Y	Grossman	E	Miller	Y	Spradley	Y
36	Berry	Y	Harvey	Y	Mitchell	N	Stafford	Y
37	Borodkin	Y	Hefley	Y	Paschall	N	Stengel	Y
38	Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
39	Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia	Y
40	Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	Y
41	Clapp	Y	Jameson	Y	Rippy	Y	Veiga	Y
42	Cloer	N	Johnson	Y	Romanoff	Y	Vigil	Y
43	Coleman	Y	Kester	Y	Saliman	Y	Webster	Y
44	Crane	N	King	Y	Sanchez	Y	Weddig	Y
45	Daniel	Y	Larson	N	Schultheis	Y	White	Y
46	Decker	Y	Lawrence	Y	Scott	Y	Williams S.	Y
47	Fairbank	Y	Lee	N	Sinclair	Y	Williams T.	Y
48	Fritz	Y	Mace	Y	Smith	Y	Witwer	Y
49	Garcia	Y	Madden	Y	Snook	Y	Young	Y
50							Mr. Speaker	Y

51
52 Co-sponsor added: Representative Groff.

53
54 **HB02-1373** by Representative(s) Young, Berry, Saliman; also Sen-
55 ator(s) Reeves, Tate, Owen--Concerning a supplemental
56 appropriation to the judicial department.

1 **HB02-1375** by Representative(s) Young, Berry, Saliman; also Sen-
 2 ator(s) Reeves, Tate, Owen--Concerning a supplemental
 3 appropriation to the department of law.
 4

5 The question being "Shall the bill pass?".
 6 A roll call vote was taken. As shown by the following recorded vote, a
 7 majority of those elected to the House voted in the affirmative and the bill
 8 was declared **passed**.
 9

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

30
 31
 32 **HB02-1376** by Representative(s) Young, Berry, Saliman; also Sen-
 33 ator(s) Reeves, Tate, Owen--Concerning a supplemental
 34 appropriation to the legislative department.
 35

36 The question being "Shall the bill pass?".
 37 A roll call vote was taken. As shown by the following recorded vote, a
 38 majority of those elected to the House voted in the affirmative and the bill
 39 was declared **passed**.
 40

	YES 64	NO 0	EXCUSED 1	ABSENT 0			
43 Alexander	Y	Groff	Y	Marshall	Y	Spence	Y
44 Bacon	Y	Grossman	E	Miller	Y	Spradley	Y
45 Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y
46 Borodkin	Y	Hefley	Y	Paschall	Y	Stengel	Y
47 Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
48 Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia	Y
49 Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	Y
50 Clapp	Y	Jameson	Y	Rippy	Y	Veiga	Y
51 Cloer	Y	Johnson	Y	Romanoff	Y	Vigil	Y
52 Coleman	Y	Kester	Y	Saliman	Y	Webster	Y
53 Crane	Y	King	Y	Sanchez	Y	Weddig	Y
54 Daniel	Y	Larson	Y	Schultheis	Y	White	Y
55 Decker	Y	Lawrence	Y	Scott	Y	Williams S.	Y
56 Fairbank	Y	Lee	Y	Sinclair	Y	Williams T.	Y

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

4
5 Co-sponsor added: Representative Scott.

6
7 **HB02-1377** by Representative(s) Young, Berry, Saliman; also Sen-
8 ator(s) Reeves, Tate, Owen--Concerning a supplemental
9 appropriation to the department of local affairs.

10
11 The question being "Shall the bill pass?".

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

15	YES	63	NO	1	EXCUSED	1	ABSENT	0
18	Alexander	Y	Groff	Y	Marshall	Y	Spence	Y
19	Bacon	Y	Grossman	E	Miller	Y	Spradley	Y
20	Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y
21	Borodkin	Y	Hefley	Y	Paschall	N	Stengel	Y
22	Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
23	Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia	Y
24	Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	Y
25	Clapp	Y	Jameson	Y	Rippy	Y	Veiga	Y
26	Cloer	Y	Johnson	Y	Romanoff	Y	Vigil	Y
27	Coleman	Y	Kester	Y	Saliman	Y	Webster	Y
28	Crane	Y	King	Y	Sanchez	Y	Weddig	Y
29	Daniel	Y	Larson	Y	Schultheis	Y	White	Y
30	Decker	Y	Lawrence	Y	Scott	Y	Williams S.	Y
31	Fairbank	Y	Lee	Y	Sinclair	Y	Williams T.	Y
32	Fritz	Y	Mace	Y	Smith	Y	Witwer	Y
33	Garcia	Y	Madden	Y	Snook	Y	Young	Y
34							Mr. Speaker	Y

35
36 Co-sponsors added: Representatives Kester, Scott.

37
38 **HB02-1378** by Representative(s) Young, Berry, Saliman; also Sen-
39 ator(s) Reeves, Tate, Owen--Concerning a supplemental
40 appropriation to the department of military affairs.

41
42 The question being "Shall the bill pass?".

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

46	YES	61	NO	3	EXCUSED	1	ABSENT	0
49	Alexander	Y	Groff	Y	Marshall	Y	Spence	Y
50	Bacon	Y	Grossman	E	Miller	Y	Spradley	Y
51	Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y
52	Borodkin	Y	Hefley	N	Paschall	Y	Stengel	Y
53	Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
54	Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia	Y
55	Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	Y
56	Clapp	Y	Jameson	Y	Rippy	Y	Veiga	Y

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

10

11 Co-sponsor added: Representative Scott.

12

13 **HB02-1379** by Representative(s) Young, Berry, Saliman; also Sen-
 14 ator(s) Reeves, Tate, Owen--Concerning a supplemental
 15 appropriation to the department of natural resources.

16

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

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

21

22 YES 62 NO 2 EXCUSED 1 ABSENT 0

23

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

41

42

43 **HB02-1380** by Representative(s) Young, Berry, Saliman; also Sen-
 44 ator(s) Reeves, Tate, Owen--Concerning a supplemental
 45 appropriation to the department of personnel.

46

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

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

51

52 YES 64 NO 0 EXCUSED 1 ABSENT 0

53

54	Alexander	Y	Groff	Y	Marshall	Y	Spence	Y
55	Bacon	Y	Grossman	E	Miller	Y	Spradley	Y
56	Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y

1	Borodkin	Y	Hefley	Y	Paschall	Y	Stengel	Y
2	Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
3	Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia	Y
4	Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	Y
5	Clapp	Y	Jameson	Y	Rippy	Y	Veiga	Y
6	Cloer	Y	Johnson	Y	Romanoff	Y	Vigil	Y
7	Coleman	Y	Kester	Y	Saliman	Y	Webster	Y
8	Crane	Y	King	Y	Sanchez	Y	Weddig	Y
9	Daniel	Y	Larson	Y	Schultheis	Y	White	Y
10	Decker	Y	Lawrence	Y	Scott	Y	Williams S.	Y
11	Fairbank	Y	Lee	Y	Sinclair	Y	Williams T.	Y
12	Fritz	Y	Mace	Y	Smith	Y	Witwer	Y
13	Garcia	Y	Madden	Y	Snook	Y	Young	Y
14							Mr. Speaker	Y

16
17 **HB02-1381** by Representative(s) Young, Berry, Saliman; also Sen-
18 ator(s) Reeves, Tate, Owen--Concerning a supplemental
19 appropriation to the department of public health and
20 environment.

21
22 The question being "Shall the bill pass?".

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

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

46
47 Co-sponsor added: Representative Groff.

48
49 **HB02-1382** by Representative(s) Young, Berry, Saliman; also Sen-
50 ator(s) Reeves, Tate, Owen--Concerning a supplemental
51 appropriation to the department of public safety.

52
53 The question being "Shall the bill pass?".

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

	YES 63	NO 1	EXCUSED 1	ABSENT 0				
1								
2								
3	Alexander	Y	Groff	Y	Marshall	Y	Spence	Y
4	Bacon	Y	Grossman	E	Miller	Y	Spradley	Y
5	Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y
6	Borodkin	Y	Hefley	Y	Paschall	N	Stengel	Y
7	Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
8	Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia	Y
9	Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	Y
10	Clapp	Y	Jameson	Y	Rippy	Y	Veiga	Y
11	Cloer	Y	Johnson	Y	Romanoff	Y	Vigil	Y
12	Coleman	Y	Kester	Y	Saliman	Y	Webster	Y
13	Crane	Y	King	Y	Sanchez	Y	Weddig	Y
14	Daniel	Y	Larson	Y	Schultheis	Y	White	Y
15	Decker	Y	Lawrence	Y	Scott	Y	Williams S.	Y
16	Fairbank	Y	Lee	Y	Sinclair	Y	Williams T.	Y
17	Fritz	Y	Mace	Y	Smith	Y	Witwer	Y
18	Garcia	Y	Madden	Y	Snook	Y	Young	Y
19							Mr. Speaker	Y

20
21 Co-sponsor added: Representative Decker.

22
23 **HB02-1383** by Representative(s) Young, Berry, Saliman; also Sen-
24 ator(s) Reeves, Tate, Owen--Concerning a supplemental
25 appropriation to the department of regulatory agencies.

26
27 The question being "Shall the bill 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 bill
30 was declared **passed**.

	YES 64	NO 0	EXCUSED 1	ABSENT 0				
31								
32								
33								
34	Alexander	Y	Groff	Y	Marshall	Y	Spence	Y
35	Bacon	Y	Grossman	E	Miller	Y	Spradley	Y
36	Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y
37	Borodkin	Y	Hefley	Y	Paschall	Y	Stengel	Y
38	Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
39	Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia	Y
40	Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	Y
41	Clapp	Y	Jameson	Y	Rippy	Y	Veiga	Y
42	Cloer	Y	Johnson	Y	Romanoff	Y	Vigil	Y
43	Coleman	Y	Kester	Y	Saliman	Y	Webster	Y
44	Crane	Y	King	Y	Sanchez	Y	Weddig	Y
45	Daniel	Y	Larson	Y	Schultheis	Y	White	Y
46	Decker	Y	Lawrence	Y	Scott	Y	Williams S.	Y
47	Fairbank	Y	Lee	Y	Sinclair	Y	Williams T.	Y
48	Fritz	Y	Mace	Y	Smith	Y	Witwer	Y
49	Garcia	Y	Madden	Y	Snook	Y	Young	Y
50							Mr. Speaker	Y

51
52 Co-sponsors added: Representatives Crane, Hefley, Lee, Scott.

53
54 **HB02-1384** by Representative(s) Young, Berry, Saliman; also Sen-
55 ator(s) Reeves, Tate, Owen--Concerning a supplemental
56 appropriation to the department of revenue.

1 The question being "Shall the bill 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 bill
 4 was declared **passed**.

	YES 61	NO 3	EXCUSED 1	ABSENT 0			
8 Alexander	Y	Groff	Y	Marshall	Y	Spence	Y
9 Bacon	Y	Grossman	E	Miller	Y	Spradley	Y
10 Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y
11 Borodkin	Y	Hefley	Y	Paschall	N	Stengel	Y
12 Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
13 Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia	Y
14 Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	Y
15 Clapp	Y	Jameson	Y	Rippy	Y	Veiga	Y
16 Cloer	Y	Johnson	Y	Romanoff	Y	Vigil	Y
17 Coleman	Y	Kester	N	Saliman	Y	Webster	Y
18 Crane	N	King	Y	Sanchez	Y	Weddig	Y
19 Daniel	Y	Larson	Y	Schultheis	Y	White	Y
20 Decker	Y	Lawrence	Y	Scott	Y	Williams S.	Y
21 Fairbank	Y	Lee	Y	Sinclair	Y	Williams T.	Y
22 Fritz	Y	Mace	Y	Smith	Y	Witwer	Y
23 Garcia	Y	Madden	Y	Snook	Y	Young	Y
						Mr. Speaker	Y

24
 25
 26 Co-sponsor added: Representative Cloer.

27
 28 **HB02-1385** by Representative(s) Young, Berry, Saliman; also Sen-
 29 ator(s) Reeves, Tate, Owen--Concerning a supplemental
 30 appropriation to the department of state.
 31

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

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

54
 55
 56 Co-sponsors added: Representatives Alexander, Fairbank, Kester.

1 **HB02-1386** by Representative(s) Young, Berry, Saliman; also Sen-
 2 ator(s) Reeves, Tate, Owen--Concerning a supplemental
 3 appropriation to the department of transportation.
 4

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

6 A roll call vote was taken. As shown by the following recorded vote, a
 7 majority of those elected to the House voted in the affirmative and the bill
 8 was declared **passed**.
 9

10	YES 59	NO 5	EXCUSED 1	ABSENT 0				
11								
12	Alexander	Y	Groff	N	Marshall	Y	Spence	Y
13	Bacon	Y	Grossman	E	Miller	Y	Spradley	Y
14	Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y
15	Borodkin	Y	Hefley	N	Paschall	Y	Stengel	Y
16	Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
17	Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia	Y
18	Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	Y
19	Clapp	Y	Jameson	N	Rippy	Y	Veiga	Y
20	Cloer	Y	Johnson	Y	Romanoff	Y	Vigil	Y
21	Coleman	Y	Kester	Y	Saliman	Y	Webster	Y
22	Crane	Y	King	Y	Sanchez	Y	Weddig	Y
23	Daniel	Y	Larson	N	Schultheis	Y	White	Y
24	Decker	Y	Lawrence	Y	Scott	N	Williams S.	Y
25	Fairbank	Y	Lee	Y	Sinclair	Y	Williams T.	Y
26	Fritz	Y	Mace	Y	Smith	Y	Witwer	Y
27	Garcia	Y	Madden	Y	Snook	Y	Young	Y
28							Mr. Speaker	Y
29								

30 Co-sponsors added: Representatives Mace, Williams S.

31
 32 **HB02-1387** by Representative(s) Young, Berry, Saliman; also Sen-
 33 ator(s) Reeves, Tate, Owen--Concerning a supplemental
 34 appropriation to the department of the treasury.
 35

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

37 A roll call vote was taken. As shown by the following recorded vote, a
 38 majority of those elected to the House voted in the affirmative and the bill
 39 was declared **passed**.
 40

41	YES 64	NO 0	EXCUSED 1	ABSENT 0				
42								
43	Alexander	Y	Groff	Y	Marshall	Y	Spence	Y
44	Bacon	Y	Grossman	E	Miller	Y	Spradley	Y
45	Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y
46	Borodkin	Y	Hefley	Y	Paschall	Y	Stengel	Y
47	Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
48	Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia	Y
49	Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	Y
50	Clapp	Y	Jameson	Y	Rippy	Y	Veiga	Y
51	Cloer	Y	Johnson	Y	Romanoff	Y	Vigil	Y
52	Coleman	Y	Kester	Y	Saliman	Y	Webster	Y
53	Crane	Y	King	Y	Sanchez	Y	Weddig	Y
54	Daniel	Y	Larson	Y	Schultheis	Y	White	Y
55	Decker	Y	Lawrence	Y	Scott	Y	Williams S.	Y
56	Fairbank	Y	Lee	Y	Sinclair	Y	Williams T.	Y

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

4
5 Co-sponsor added: Representative Scott.

6
7 **HB02-1388** by Representative(s) Young, Berry, Saliman; also Sen-
8 ator(s) Reeves, Tate, Owen--Concerning funding for
9 capital construction, and making supplemental
10 appropriations in connection therewith.

11
12 The question being "Shall the bill pass?".
13 A roll call vote was taken. As shown by the following recorded vote, a
14 majority of those elected to the House voted in the affirmative and the bill
15 was declared **passed**.

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

34
35
36
37 Co-sponsors added: Representatives Kester, Lawrence, Scott, Williams S.

38
39 **HB02-1389** by Representative(s) Young, Berry, Saliman; also Sen-
40 ator(s) Reeves, Tate, Owen--Concerning modifications to
41 the sources of funding of state capital construction projects
42 for the 2001-02 state fiscal year in order to increase the
43 amount of general fund appropriations made during said
44 fiscal year used to calculate the statutory limitation on
45 general fund appropriations for the 2002-03 state fiscal
46 year, and making appropriations in connection therewith.

47
48 The question being "Shall the bill pass?".
49 A roll call vote was taken. As shown by the following recorded vote, a
50 majority of those elected to the House voted in the affirmative and the bill
51 was declared **passed**.

52	YES	47	NO	17	EXCUSED	1	ABSENT	0
53	Alexander	Y	Groff	Y	Marshall	Y	Spence	Y
54	Bacon	Y	Grossman	E	Miller	Y	Spradley	N
55	Berry	Y	Harvey	N	Mitchell	N	Stafford	Y

1	Borodkin	Y	Hefley	Y	Paschall	N	Stengel	Y
2	Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
3	Cadman	N	Hoppe	Y	Ragsdale	Y	Tapia	Y
4	Chavez	Y	Jahn	Y	Rhodes	N	Tochtrop	Y
5	Clapp	N	Jameson	Y	Rippy	Y	Veiga	Y
6	Cloer	N	Johnson	N	Romanoff	Y	Vigil	Y
7	Coleman	Y	Kester	Y	Saliman	Y	Webster	Y
8	Crane	N	King	Y	Sanchez	Y	Weddig	Y
9	Daniel	Y	Larson	N	Schultheis	N	White	Y
10	Decker	Y	Lawrence	Y	Scott	Y	Williams S.	Y
11	Fairbank	N	Lee	N	Sinclair	N	Williams T.	Y
12	Fritz	Y	Mace	Y	Smith	N	Witwer	N
13	Garcia	Y	Madden	Y	Snook	Y	Young	Y
14							Mr. Speaker	Y

16
17 **HB02-1390** by Representative(s) Young, Berry, Saliman; also Sen-
18 ator(s) Reeves, Tate, Owen--Concerning modifications to
19 the source of funding for the older Coloradans program for
20 the 2001-02 state fiscal year in order to increase the
21 amount of general fund appropriations made during said
22 fiscal year used to calculate the statutory limitation on
23 general fund appropriations for the 2002-03 state fiscal
24 year, and making an appropriation in connection therewith.
25

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

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

30								
31	<u>YES</u>	<u>50</u>	<u>NO</u>	<u>14</u>	<u>EXCUSED</u>	<u>1</u>	<u>ABSENT</u>	<u>0</u>
32								
33	Alexander	Y	Groff	Y	Marshall	Y	Spence	Y
34	Bacon	Y	Grossman	E	Miller	N	Spradley	Y
35	Berry	Y	Harvey	N	Mitchell	N	Stafford	Y
36	Borodkin	Y	Hefley	N	Paschall	Y	Stengel	Y
37	Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
38	Cadman	N	Hoppe	Y	Ragsdale	Y	Tapia	Y
39	Chavez	Y	Jahn	Y	Rhodes	N	Tochtrop	Y
40	Clapp	N	Jameson	Y	Rippy	Y	Veiga	Y
41	Cloer	Y	Johnson	N	Romanoff	Y	Vigil	Y
42	Coleman	Y	Kester	Y	Saliman	Y	Webster	Y
43	Crane	N	King	Y	Sanchez	Y	Weddig	Y
44	Daniel	Y	Larson	Y	Schultheis	N	White	Y
45	Decker	Y	Lawrence	Y	Scott	Y	Williams S.	Y
46	Fairbank	N	Lee	N	Sinclair	Y	Williams T.	Y
47	Fritz	Y	Mace	Y	Smith	N	Witwer	N
48	Garcia	Y	Madden	Y	Snook	Y	Young	Y
49							Mr. Speaker	Y

50
51 Co-sponsors added: Representatives Jameson, Kester, Williams S.
52
53

54 **HB02-1391** by Representative(s) Young, Berry, Saliman; also Sen-
55 ator(s) Reeves, Tate, Owen--Concerning the augmentation
56 of the general fund through transfers of certain moneys in

1 the 2001-02 state fiscal year, and, in connection therewith,
 2 providing for the subsequent restoration of certain moneys
 3 transferred for such augmentation of the general fund.
 4

5 As shown by the following roll call vote, a majority of all members
 6 elected to the House voted in the affirmative, and Representative Hoppe
 7 was given permission to offer a Third Reading amendment:
 8

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

28
 29
 30 **Third Reading amendment No. 1**, by Representative Hoppe.

31
 32 Amend engrossed bill, page 16, line 20, strike "SUBSECTION (6.5)" and
 33 substitute "SECTION".
 34

35 The amendment was declared **passed** by the following roll call vote:
 36

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

1 **Third Reading amendment No. 1**, by Representative Mitchell.

2
3 Amend engrossed bill, page 3, after line 8, insert the following:

4
5 "(c) IN ORDER TO RESTORE THE AMOUNT TRANSFERRED FROM THE
6 UNCLAIMED PROPERTY TRUST FUND PURSUANT TO PARAGRAPH (a) OF THIS
7 SUBSECTION (2.5), MONEYS FROM THE GENERAL FUND SHALL BE
8 TRANSFERRED TO THE UNCLAIMED PROPERTY TRUST FUND IN ACCORDANCE
9 WITH SECTION 24-75-217, C.R.S., AS ENACTED DURING THE SECOND
10 REGULAR SESSION OF THE SIXTY-THIRD GENERAL ASSEMBLY IN HOUSE
11 BILL 02-1391. NOTWITHSTANDING THE PROVISIONS OF SECTION
12 24-75-217 (3), C.R.S., TO THE CONTRARY, MONEYS SHALL BE
13 TRANSFERRED TO THE UNCLAIMED PROPERTY TRUST FUND PRIOR TO ANY
14 TRANSFER OF MONEYS TO THE TOBACCO SETTLEMENT DEFENSE ACCOUNT
15 IN THE TOBACCO LITIGATION SETTLEMENT CASH FUND CREATED IN SECTION
16 24-22-115 (2) (a), C.R.S.."

17
18
19 Pursuant to House Rule 16, Representative Larson moved "Shall the main
20 question be now put?" The motion was declared **passed** by the following
21 roll call vote:

22

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

42
43
44
45 The amendment was declared **lost** by the following roll call vote:

46

47	YES 14	NO 50	EXCUSED 1	ABSENT 0				
48								
49	Alexander	N	Groff	N	Marshall	Y	Spence	N
50	Bacon	N	Grossman	E	Miller	Y	Spradley	N
51	Berry	N	Harvey	N	Mitchell	Y	Stafford	N
52	Borodkin	N	Hefley	Y	Paschall	N	Stengel	Y
53	Boyd	Y	Hodge	N	Plant	N	Swenson	N
54	Cadman	N	Hoppe	N	Ragsdale	N	Tapia	N
55	Chavez	N	Jahn	N	Rhodes	N	Tochtrop	N
56	Clapp	Y	Jameson	N	Rippy	N	Veiga	N

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

10

11

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

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

16

17 YES 42 NO 22 EXCUSED 1 ABSENT 0

18

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

36

37 Co-sponsors added: Representatives Mace, Williams S.

38

39 **HB02-1393** by Representative(s) Young, Berry, Saliman; also Sen-
40 ator(s) Reeves, Tate, Owen--Concerning a reduction in the
41 amount of the general fund appropriation for the 2001-02
42 state fiscal year required to be made to be in compliance
43 with the maintenance of effort requirement in section 17
44 of article IX of the Colorado constitution, and, in
45 connection therewith, specifying the amount of the general
46 fund appropriation for the 2002-03 state fiscal year
47 required to be made to be in compliance with the
48 maintenance of effort requirement in section 17 of article
49 IX of the Colorado constitution and to offset the impact of
50 said reduced general fund appropriation on the long-term
51 solvency of the state education fund.

52

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

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

	YES 61	NO 3	EXCUSED 1	ABSENT 0	
1					
2	Alexander	Y Groff	Y Marshall	Y Spence	Y
3	Bacon	Y Grossman	E Miller	Y Spradley	Y
4	Berry	Y Harvey	Y Mitchell	N Stafford	Y
5	Borodkin	Y Hefley	Y Paschall	Y Stengel	Y
6	Boyd	Y Hodge	Y Plant	Y Swenson	Y
7	Cadman	Y Hoppe	Y Ragsdale	Y Tapia	Y
8	Chavez	Y Jahn	Y Rhodes	Y Tochtrop	Y
9	Clapp	Y Jameson	Y Rippy	Y Veiga	Y
10	Cloer	Y Johnson	Y Romanoff	Y Vigil	Y
11	Coleman	Y Kester	Y Saliman	Y Webster	Y
12	Crane	Y King	Y Sanchez	Y Weddig	Y
13	Daniel	Y Larson	Y Schultheis	Y White	Y
14	Decker	Y Lawrence	Y Scott	N Williams S.	Y
15	Fairbank	Y Lee	Y Sinclair	Y Williams T.	Y
16	Fritz	Y Mace	Y Smith	Y Witwer	N
17	Garcia	Y Madden	Y Snook	Y Young	Y
18				Mr. Speaker	Y
19					

20 Co-sponsors added: Representatives Lee, Spence, Williams S.

21
 22 **HB02-1394** by Representative(s) Young, Berry, Saliman; also Sen-
 23 ator(s) Reeves, Tate, Owen--Concerning modifications to
 24 the designation of state moneys to constitute the state
 25 emergency reserve for the 2001-02 state fiscal year.

26
 27 The question being "Shall the bill 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 bill
 30 was declared **passed**.

	YES 60	NO 4	EXCUSED 1	ABSENT 0	
31					
32					
33	Alexander	Y Groff	Y Marshall	Y Spence	Y
34	Bacon	Y Grossman	E Miller	Y Spradley	Y
35	Berry	Y Harvey	Y Mitchell	N Stafford	Y
36	Borodkin	Y Hefley	Y Paschall	N Stengel	Y
37	Boyd	Y Hodge	Y Plant	Y Swenson	Y
38	Cadman	Y Hoppe	Y Ragsdale	Y Tapia	Y
39	Chavez	Y Jahn	Y Rhodes	Y Tochtrop	Y
40	Clapp	Y Jameson	Y Rippy	Y Veiga	Y
41	Cloer	Y Johnson	Y Romanoff	Y Vigil	Y
42	Coleman	Y Kester	Y Saliman	Y Webster	Y
43	Crane	Y King	Y Sanchez	Y Weddig	Y
44	Daniel	Y Larson	Y Schultheis	Y White	Y
45	Decker	Y Lawrence	Y Scott	N Williams S.	Y
46	Fairbank	Y Lee	Y Sinclair	Y Williams T.	Y
47	Fritz	Y Mace	Y Smith	Y Witwer	N
48	Garcia	Y Madden	Y Snook	Y Young	Y
49				Mr. Speaker	Y
50					
51					

52
 53 On motion of Representative Clapp, the House resolved itself into
 54 Committee of the Whole for consideration of General Orders, and she
 55 was called to the Chair to act as Chairman.

56

GENERAL ORDERS--SECOND READING OF BILLS1
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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.)

On motion of Representative Spradley, Consideration of **SB02-122, HB02-1015, 1343, 1347** was laid over until March 18, retaining place on Calendar.

SB02-114 by Senator(s) Hanna; also Representative(s) Crane-- Concerning the regulation of ski area guest child care facilities.

Amendment No. 1, by Representatives Williams S, Larson.

Amend reengrossed bill, page 3, line 17, after the period, add "EACH GUEST CHILD CARE FACILITY SHALL POST A NOTICE IN BOLD PRINT AND IN PLAIN VIEW ON THE PREMISES OF THE GUEST CHILD CARE FACILITY. THE NOTICE SHALL SPECIFY THE TELEPHONE NUMBER AND ADDRESS OF THE APPROPRIATE DIVISION WITHIN THE STATE DEPARTMENT FOR INVESTIGATING CHILD CARE FACILITY COMPLAINTS AND SHALL STATE THAT ANY COMPLAINT ABOUT THE GUEST CHILD CARE FACILITY'S COMPLIANCE WITH THESE REQUIREMENTS SHOULD BE DIRECTED TO SUCH DIVISION."

Page 11, after line 1, insert the following:

"(8) THE STATE DEPARTMENT SHALL HAVE THE AUTHORITY TO RECEIVE, RESPOND TO, AND INVESTIGATE ANY COMPLAINT CONCERNING COMPLIANCE WITH THE REQUIREMENTS SET FORTH IN THIS PART 1 FOR A GUEST CHILD CARE FACILITY."

Amendment No. 2, by Representatives Marshall, Crane.

Amend reengrossed bill, page 9, strike lines 19 through 27.

Renumber succeeding subsections accordingly.

Page 10, line 4, strike "(6)" and substitute "(5)".

Amendment No. 3, by Representative Crane.

Amend reengrossed bill, page 5, line 24, strike "EMPLOYEE UPON CONFIRMATION OF SUCH A" and substitute "EMPLOYEE.";

line 25, strike "CRIMINAL HISTORY."

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

1 **SB02-118** by Senator(s) Epps, Entz, Hagedorn, Hernandez, Reeves,
2 Takis; also Representative(s) Jameson--Concerning
3 landlord and tenant relations.
4

5 Amendment No. 1, Business Affairs & Labor Report, dated March 5,
6 2002, and placed in member's bill file; Report also printed in House
7 Journal, March 6, page 727.
8

9 Amendment No. 2, by Representative Decker.

10 Amend reengrossed bill, page 4, line 10, strike "FIFTEEN" and substitute
11 "THIRTY".
12

13 Page 5, line 13, strike "FIFTEEN" and substitute "THIRTY".
14

15 As amended, declared **lost** on Second Reading.
16
17

18
19 **HB02-1317** by Representative(s) Harvey, Mitchell, Cadman, Clapp,
20 Cloer, Crane, Dean, Fairbank, Johnson, King, Lee,
21 Paschall, Rhodes, Schultheis, Scott, Sinclair, Snook,
22 Stafford, Stengel, Witwer; also Senator(s) Lamborn,
23 Musgrave, Cairns, Dyer, Hillman--Concerning statutory
24 definitions related to human beings to include every infant
25 human being who is born alive at any stage of
26 development.
27

28 Amendment No. 1, Health, Environment, Welfare, & Institutions Report,
29 dated March 4, 2002, and placed in member's bill file; Report also printed
30 in House Journal, March 5, page 723.
31

32 As amended, referred to the Committee on Appropriations.
33
34

35 On motion of Representative Spradley, the remainder of the General
36 Orders Calendar (**HB02-1357, SB02-145, 007, 026, SCR02-001,**
37 **HB02-1010, 1180, 1254, 1321, 1330, SB02-032, 106, HB02-1332,**
38 **SB02-038, 139, 158, HB02-1119, 1296, SB02-124, 136, HB02-1359,**
39 **SB02-166, 020, 021, 036, 112**) was laid over until March 18, retaining
40 place on Calendar.
41

42
43
44 **AMENDMENTS TO THE COMMITTEE OF THE WHOLE REPORT**
45

46 Representative Jameson moved to amend the Report of the Committee of
47 the Whole to show that **SB02-118, as amended**, did pass.
48

49 The amendment was declared **lost** by the following roll call vote:
50

51	YES 28	NO 36	EXCUSED 1	ABSENT 0			
52	Alexander	N Groff	Y Marshall	Y Spence	N		
53	Bacon	Y Grossman	E Miller	Y Spradley	N		
54	Berry	N Harvey	N Mitchell	N Stafford	N		
55	Borodkin	Y Hefley	N Paschall	N Stengel	N		
56	Boyd	Y Hodge	Y Plant	Y Swenson	N		

1	Cadman	N	Hoppe	N	Ragsdale	Y	Tapia	Y
2	Chavez	N	Jahn	N	Rhodes	N	Tochtrop	Y
3	Clapp	N	Jameson	Y	Rippy	N	Veiga	Y
4	Cloer	Y	Johnson	N	Romanoff	Y	Vigil	Y
5	Coleman	Y	Kester	N	Saliman	Y	Webster	N
6	Crane	N	King	N	Sanchez	Y	Weddig	Y
7	Daniel	Y	Larson	Y	Schultheis	N	White	N
8	Decker	Y	Lawrence	N	Scott	N	Williams S.	Y
9	Fairbank	N	Lee	N	Sinclair	Y	Williams T.	N
10	Fritz	N	Mace	Y	Smith	N	Witwer	N
11	Garcia	Y	Madden	Y	Snook	N	Young	N
12							Mr. Speaker	N

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

18 Passed Second Reading: **SB02-114 amended.**

20 Lost on Second Reading: **SB02-118 amended.**

22 Laid over until date indicated retaining place on Calendar: **SB02-122,**
 23 **HB02-1015, 1343, 1357, SB02-145, HB02-1347, SB02-007, 026,**
 24 **SCR02-001, HB02-1010, 1180, 1254, 1321, 1330, SB02-032, 106,**
 25 **HB02-1332, SB02-038, 139, 158, HB02-1119, 1296, SB02-124, 136,**
 26 **HB02-1359, SB02-166, 020, 021, 036, 112.**

28 Referred to Committee indicated:
 29 **HB02-1317 amended**--Committee on Appropriations.

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

36 YES 63 NO 1 EXCUSED 1 ABSENT 0

38	Alexander	Y	Groff	Y	Marshall	Y	Spence	Y
39	Bacon	Y	Grossman	E	Miller	Y	Spradley	Y
40	Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y
41	Borodkin	Y	Hefley	Y	Paschall	Y	Stengel	Y
42	Boyd	Y	Hodge	Y	Plant	Y	Swenson	Y
43	Cadman	Y	Hoppe	Y	Ragsdale	Y	Tapia	Y
44	Chavez	Y	Jahn	Y	Rhodes	Y	Tochtrop	Y
45	Clapp	Y	Jameson	N	Rippy	Y	Veiga	Y
46	Cloer	Y	Johnson	Y	Romanoff	Y	Vigil	Y
47	Coleman	Y	Kester	Y	Saliman	Y	Webster	Y
48	Crane	Y	King	Y	Sanchez	Y	Weddig	Y
49	Daniel	Y	Larson	Y	Schultheis	Y	White	Y
50	Decker	Y	Lawrence	Y	Scott	Y	Williams S.	Y
51	Fairbank	Y	Lee	Y	Sinclair	Y	Williams T.	Y
52	Fritz	Y	Mace	Y	Smith	Y	Witwer	Y
53	Garcia	Y	Madden	Y	Snook	Y	Young	Y
54							Mr. Speaker	Y

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

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

SB02-069 be referred to the Committee of the Whole with favorable recommendation.

SB02-104 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend reengrossed bill, page 2, strike lines 13 through 15 and substitute the following:

"COMMISSIONERS;"

Page 3, strike lines 25 through 27.

Page 4, strike lines 1 through 5 and substitute the following:

"FINANCE SUCH ACQUISITIONS.";

line 12, strike "NO LATER THAN";

line 13, strike "DECEMBER 31, 2002." and substitute "BEFORE JULY 1, 2004.";

line 18, strike "JANUARY 1, 2003." and substitute "JULY 1, 2004.".

APPROPRIATIONS

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

HB02-1025 be referred to the Committee of the Whole with favorable recommendation.

HB02-1073 be postponed indefinitely.

HB02-1101 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 2, line 2, strike "Part 2 of article 20.5 of title 25," and substitute "Article 3 of title 13,".

Page 3, line 3, strike "**25-20.5-205.**" and substitute "**13-3-113.**"

Page 6, line 2, strike "BOARD" and substitute "STATE COURT ADMINISTRATOR";

- 1 line 3, strike "BOARD PURSUANT TO SECTION 25-20.5-202" and substitute
2 "STATE COURT ADMINISTRATOR, USING AN APPLICATION FORM PROVIDED
3 BY THE STATE COURT ADMINISTRATOR,";
4
5 line 6, strike "BOARD" and substitute "STATE COURT ADMINISTRATOR";
6
7 line 14, after "COMPLEX", insert "OR IN CLOSE PROXIMITY TO THE
8 COURTHOUSE,".
9
- 10 Page 8, line 15, strike "BOARD" and substitute "STATE COURT
11 ADMINISTRATOR";
12
13 line 21, strike "BOARD" and substitute "STATE COURT ADMINISTRATOR";
14
15 line 23, strike "BOARD" and substitute "STATE COURT ADMINISTRATOR".
16
- 17 Page 9, line 13, strike "EXECUTIVE DIRECTOR" and substitute "STATE
18 COURT ADMINISTRATOR";
19
- 20 line 20, after the period, insert "IN ADDITION, COMMENCING JULY 1, 2002,
21 ONE DOLLAR OF THE COUNTY COURT FILING FEE SET FORTH IN SECTION
22 13-32-101 (1) (c) (I), C.R.S., SHALL BE TRANSMITTED TO THE STATE
23 TREASURER WHO SHALL CREDIT THE SAME TO THE FAMILY-FRIENDLY
24 COURT PROGRAM CASH FUND CREATED IN THIS SUBSECTION (6).".
25
- 26 Page 10, line 1, strike "BOARD" and substitute "STATE COURT
27 ADMINISTRATOR";
28
29 strike lines 3 through 7.
30
- 31 Reletter succeeding paragraph accordingly.
32
- 33 Page 10, line 10, strike "BOARD" and substitute "STATE COURT
34 ADMINISTRATOR";
35
- 36 line 12, strike "PROGRAMS." and substitute "PROGRAMS AND
37 ADMINISTRATIVE COSTS ASSOCIATED WITH THE IMPLEMENTATION AND
38 ADMINISTRATION OF THIS SECTION. THE STATE COURT ADMINISTRATOR,
39 SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY, IS
40 HEREBY AUTHORIZED TO EXPEND MONEYS APPROPRIATED TO THE JUDICIAL
41 DEPARTMENT FROM THE FAMILY-FRIENDLY COURT PROGRAM CASH FUND
42 TO JUDICIAL DISTRICTS SEEKING TO ESTABLISH OR ENHANCE
43 FAMILY-FRIENDLY COURT PROGRAMS PURSUANT TO THIS SECTION.";
44
- 45 line 14, strike "THROUGH THE TONY" and substitute "PURSUANT TO THIS
46 SECTION";
47
- 48 line 15, strike "GRAMPSAS YOUTH SERVICES PROGRAM";
49
- 50 strike lines 19 through 27.
51
- 52 Strike pages 11 and 12.
53
- 54 Page 13, strike lines 1 through 25 and substitute the following:
55 **"SECTION 2.** 13-3-101, Colorado Revised Statutes, is amended
56 BY THE ADDITION OF A NEW SUBSECTION to read:

1 **13-3-101. State court administrator.** (7) THE STATE COURT
 2 ADMINISTRATOR SHALL MAKE GRANTS FROM THE FAMILY-FRIENDLY
 3 COURT PROGRAM CASH FUND PURSUANT TO THE PROVISIONS OF SECTION
 4 13-3-113.

5
 6 **SECTION 3.** 13-32-101 (1) (c) (I), Colorado Revised Statutes,
 7 is amended to read:

8
 9 **13-32-101. Docket fees in civil actions - support registry fund**
 10 **created.** (1) At the time of first appearance in all civil actions and
 11 special proceedings in all courts of record, except in the supreme court
 12 and the court of appeals, and except in the probate proceedings in the
 13 district court or probate court of the city and county of Denver, and
 14 except as provided in subsection (2) of this section and in sections
 15 13-32-103 and 13-32-104, there shall be paid in advance the total docket
 16 fees, as follows:

17
 18 (c) (I) Except as provided in subparagraph (II) of this paragraph
 19 (c), on and after July 1, 1992, by each plaintiff, petitioner, third-party
 20 plaintiff, and party filing a cross claim or counterclaim, when a money
 21 judgment sought is fifteen thousand dollars or less and such action is
 22 commenced in a court of record of appropriate limited jurisdiction, a fee
 23 in the amount of ~~thirty~~ THIRTY-ONE dollars, ONE DOLLAR OF WHICH SHALL
 24 BE TRANSMITTED TO THE STATE TREASURER FOR DEPOSIT IN THE
 25 FAMILY-FRIENDLY COURT PROGRAM CASH FUND CREATED IN SECTION
 26 13-3-113 (6), and, by each defendant, respondent, third-party defendant,
 27 or other party in such court not filing a cross claim or counterclaim, a fee
 28 in the amount of twenty-six dollars.".

29
 30 Renumber succeeding sections accordingly.

31
 32 Page 14, line 1, strike "25-20.5-205" and substitute "13-3-113";

33
 34 line 3, strike "department of public health and environment," and
 35 substitute "judicial department,";

36
 37 line 4, strike "of _____ dollars (\$) and _____ FTE," and substitute "of
 38 twenty-five thousand dollars (\$25,000),";

39
 40 strike lines 7 through 18;

41
 42 line 19, strike "**date.**" and substitute "**date - applicability.**";

43
 44 line 20, strike "2002." and substitute "2002, and shall apply to cases filed
 45 in county court on or after said date.".

46
 47
 48
 49 **HB02-1159** be amended as follows, and as so amended, be referred to
 50 the Committee of the Whole with favorable
 51 recommendation:

52
 53 Amend printed bill, page 7, after line 17, insert the following:

54
 55 **"SECTION 3. Appropriation - adjustments to the 2002 long**
 56 **bill.** (1) For the implementation of this act, the number of FTE in the

1 department of public health and environment for the prevention and
2 intervention services for children and youth, Colorado children's trust
3 fund, is decreased by 1.0 FTE.
4

5 (2) The number of FTE in the department of public health and
6 environment for the prevention and intervention services for children and
7 youth, youth crime prevention and positive intervention program,
8 prevention services programs, is increased by 1.0 FTE."
9

10 Renumber succeeding section accordingly.
11

12 Page 1, line 102, strike "SERVICES." and substitute "SERVICES, AND
13 MAKING AN APPROPRIATION IN CONNECTION THEREWITH."
14
15
16

17 **HB02-1182** be postponed indefinitely.
18
19

20 **HB02-1184** be postponed indefinitely.
21
22

23 **HB02-1255** be postponed indefinitely.
24
25

26 **HB02-1300** be referred to the Committee of the Whole with favorable
27 recommendation.
28
29

30 **HB02-1309** be amended as follows, and as so amended, be referred to
31 the Committee of the Whole with favorable
32 recommendation:
33

34 Amend the Finance Committee Report, dated February 20, 2002, page 1,
35 after line 1, insert the following:
36

37 "Page 6, line 12, strike "THE LESSER OF";
38

39 line 14, strike "CLAIMED OR THE";
40

41 strike line 15;
42

43 line 16, strike "TAX YEAR." and substitute "CLAIMED.";"
44

45 line 2 of the committee report, strike "Page 6,";
46

47 after line 4, insert the following:
48

49 "Page 7, after line 6, insert the following:
50

51 "(III) IF THE AMOUNT OF THE CREDIT ALLOWED BY THIS
52 SUBSECTION (3) EXCEEDS THE AMOUNT OF INCOME TAXES DUE ON THE
53 TAXPAYER'S INCOME IN THE INCOME TAX YEAR FOR WHICH THE TAXPAYER
54 IS CLAIMING THE CREDIT, THE AMOUNT OF THE CREDIT NOT USED TO
55 OFFSET INCOME TAXES IN THE INCOME TAX YEAR SHALL NOT BE CARRIED
56 FORWARD AS TAX CREDITS AGAINST THE TAXPAYER'S SUBSEQUENT YEARS'

1 INCOME TAX LIABILITY AND SHALL BE REFUNDED TO THE TAXPAYER.".

2

3 Page 9, line 9, after "OF", insert "THE AGGREGATE AMOUNT OF";

4

5 line 12, strike "PRESCHOOLS," and substitute "PRESCHOOLS OR".

6

7 Page 11, strike lines 9 through 27 and substitute the following:

8

9 "(II) THE DESIGNATED NONPROFIT ORGANIZATION WILL BE UNABLE
10 TO APPROVE THE CREDIT APPLICATION BECAUSE THE CREDIT WILL NOT BE
11 ALLOWED FOR THE INCOME TAX YEAR IN WHICH THE CONTRIBUTION IS TO
12 BE MADE PURSUANT TO SUBSECTION (9) OF THIS SECTION; OR

13

14 (III) THE DESIGNATED NONPROFIT ORGANIZATION MAY BE UNABLE
15 TO APPROVE THE CREDIT APPLICATION BECAUSE IT IS NOT YET CLEAR
16 WHETHER OR NOT THE CREDIT WILL BE ALLOWED FOR THE INCOME TAX
17 YEAR IN WHICH THE CONTRIBUTION IS TO BE MADE PURSUANT TO
18 SUBSECTION (9) OF THIS SECTION. IN SUCH A SITUATION, THE DESIGNATED
19 NONPROFIT ORGANIZATION SHALL INFORM THE TAXPAYER THAT IT WILL
20 APPROVE THE CREDIT APPLICATION IF IT BECOMES CLEAR THAT THE CREDIT
21 WILL BE ALLOWED FOR THE INCOME TAX YEAR.".

22

23 Page 12, line 6, strike "REVENUE; EXCEPT";

24

25 strike lines 7 through 14;

26

27 line 15, strike "ALLOWED." and substitute "REVENUE.".";

28

29 after line 6 of the committee report, insert the following:

30

31 "Page 17, strike lines 3 through 27.

32

33 Page 18, strike line 1.

34

35 Reletter succeeding paragraph accordingly.".

36

37 Page 1 of the committee report, line 7, strike "Page 18,".

38

39

40

41 **HB02-1348** be referred to the Committee of the Whole with favorable
42 recommendation.

43

44

45

46

47 **BUSINESS AFFAIRS & LABOR**

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

50

51 **HB02-1339** be amended as follows, and as so amended, be referred to
52 the Committee of the Whole with favorable
53 recommendation:

54

55 Amend printed bill, page 2, strike lines 8 though 12 and substitute the
56 following:

1 "(d) WHEN APPLYING WITH THE LOCAL LICENSING AUTHORITY FOR
2 A TEMPORARY PERMIT, THE APPLICANT SHALL PROVIDE A COPY, BY
3 FACSIMILE OR OTHERWISE, OF THE STATEMENT MADE PURSUANT TO
4 SUBPARAGRAPH (V) OF PARAGRAPH (b) OF THIS SUBSECTION (3) TO THE
5 STATE LICENSING AUTHORITY. SUCH STATEMENT IS A PUBLIC RECORD AND
6 SHALL BE OPEN TO INSPECTION BY THE PUBLIC."

7
8
9
10 **HB02-1351** be amended as follows, and as so amended, be referred to
11 the Committee on Appropriations with favorable
12 recommendation:

13
14 Amend printed bill, page 10, strike lines 14 through 20.

15
16 Renumber succeeding subsections accordingly.

17
18 Page 17, strike lines 15 through 17 and substitute the following:

19
20 "RECOGNIZED THROUGHOUT THE MEDICAL AND CHIROPRACTIC
21 PROFESSIONS AS";

22
23 strike lines 25 and 26 and substitute the following:

24
25 "(B) THE CURRENT RELATIVE VALUE STUDY PUBLISHED PURSUANT
26 TO SUBSECTION (6) OF THIS SECTION."

27
28 Page 20, line 18, strike "SEVEN" and substitute "TEN".

29
30 Page 21, line 14, strike "REHABILITATION";

31
32 strike line 15.

33
34 Page 25, line 1, change the period to a comma and add "WITH THE
35 EXCEPTION THAT NO DEDUCTIBLE, OPT-OUT PENALTY, OR COINSURANCE
36 REQUIREMENT SHALL APPLY TO CARE, TREATMENT, SERVICES, PRODUCTS,
37 OR ACCOMMODATION PROVIDED OR EXPENSES INCURRED BY AN INSURED
38 DURING THE FIRST TWENTY-FOUR HOURS IN WHICH EMERGENCY
39 TREATMENT HAS BEEN PROVIDED OR UNTIL THE INSURED PATIENT'S
40 EMERGENCY MEDICAL CONDITION IS STABILIZED, WHICHEVER IS LONGER,
41 OR UNTIL THE INSURED PATIENT IS TRANSFERRED TO A MANAGED CARE
42 PROVIDER IN ACCORDANCE WITH APPLICABLE LAW.";

43
44 lines 12, strike "SUCH ITEMS AS HOT";

45
46 line 13, strike "TUBS, MATTRESSES, AND OTHER";

47
48 strike lines 15 through 18 and substitute the following:

49 "DEVICES OR EQUIPMENT.";

50
51 strike lines 19 through 27.

52
53 Page 26, strike lines 1 and 2 and substitute the following:

54
55 "(6) (a) **Determination of reasonable and necessary medical**
56 **expenses - relative value study.** REGARDING PIP BENEFITS AND MEDICAL

1 PAYMENTS COVERAGE BENEFITS FOR MEDICAL AND REHABILITATION
 2 TREATMENT, SERVICES, CARE, PROCEDURES, AND ACCOMMODATIONS ONLY
 3 LICENSED HEALTH CARE PROVIDERS SHALL PROVIDE SUCH TREATMENT,
 4 SERVICES, CARE, PROCEDURES, AND ACCOMMODATIONS. TO DETERMINE
 5 THE REASONABLE VALUE OF SUCH BENEFITS, THE COMMISSIONER SHALL
 6 CONDUCT A RELATIVE VALUE STUDY OF SERVICES AND ACCOMMODATIONS
 7 FOR THE DIAGNOSIS, CARE, RECOVERY, OR REHABILITATION OF AN INJURED
 8 PERSON IN THE MOST POPULOUS COUNTY IN THE STATE TO ASSIGN A UNIT
 9 VALUE AND DETERMINE THE SEVENTY-FIFTH PERCENTILE CHARGE FOR
 10 EACH TYPE OF SERVICE AND ACCOMMODATION. THE STUDY SHALL BE
 11 UPDATED EVERY OTHER YEAR. IN CONDUCTING THE STUDY, THE
 12 COMMISSIONER SHALL CONSULT OR CONTRACT WITH APPROPRIATE PUBLIC
 13 AND PRIVATE MEDICAL AND HEALTH AGENCIES OR OTHER TECHNICAL
 14 EXPERTS. UPON COMPLETION OF THE STUDY, THE COMMISSIONER SHALL
 15 PREPARE AND PUBLISH A RELATIVE VALUE STUDY THAT SETS FORTH THE
 16 UNIT VALUE AND THE SEVENTY-FIFTH PERCENTILE CHARGE ASSIGNED TO
 17 EACH TYPE OF SERVICE AND ACCOMMODATION.

18
 19 (b) THE REASONABLE VALUE OF ANY SERVICE OR
 20 ACCOMMODATION IS DETERMINED BY APPLYING THE UNIT VALUE AND THE
 21 SEVENTY-FIFTH PERCENTILE CHARGE ASSIGNED TO THE SERVICE OR
 22 ACCOMMODATION UNDER THE RELATIVE VALUE STUDY. IF A SERVICE OR
 23 ACCOMMODATION IS NOT ASSIGNED A UNIT VALUE OR THE SEVENTY-FIFTH
 24 PERCENTILE CHARGE UNDER THE RELATIVE VALUE STUDY, THE VALUE OF
 25 THE SERVICE OR ACCOMMODATION SHALL EQUAL THE REASONABLE COST
 26 OF THE SAME OR SIMILAR SERVICE OR ACCOMMODATION IN THE MOST
 27 POPULOUS COUNTY IN THE STATE.

28
 29 (c) THIS SUBSECTION (6) SHALL NOT PRECLUDE THE COMMISSIONER
 30 FROM ADOPTING A SCHEDULE ALREADY ESTABLISHED OR A SCHEDULE
 31 PREPARED BY PERSONS OUTSIDE THE DIVISION OF INSURANCE, IF SUCH
 32 SCHEDULE MEETS THE REQUIREMENTS OF THIS SUBSECTION (6).

33
 34 (d) EVERY INSURER SHALL REPORT TO THE COMMISSIONER ANY
 35 PATTERNS OF OVERCHARGING, EXCESSIVE TREATMENT, OR OTHER
 36 IMPROPER ACTIONS BY A HEALTH CARE PROVIDER WITHIN THIRTY DAYS
 37 AFTER SUCH INSURER HAS KNOWLEDGE OF SUCH PATTERN."

38
 39 Page 40, strike lines 18 through 25, and substitute the following:

40
 41 **"(4) Subrogation or reimbursement rights of health insurers.**
 42 (a) WITH RESPECT TO A MOTOR VEHICLE ACCIDENT, AND SUBJECT TO
 43 SECTION 10-4-723, A HEALTH CARE INSURER IS ENTITLED TO
 44 REIMBURSEMENT OF ECONOMIC DAMAGES IT HAS PAID TO THE INJURED
 45 PERSON FROM THE AT-FAULT MOTORIST AS A SUBROGATION OR
 46 REIMBURSEMENT RIGHT, IF SUCH REIMBURSEMENT OR SUBROGATION RIGHT
 47 IS CONTAINED IN THE HEALTH INSURANCE CONTRACT.

48
 49 (b) IF THE AT-FAULT MOTORIST WAS INSURED WITH COMPULSORY
 50 LIABILITY INSURANCE COVERAGE UNDER SECTION 10-4-706 AT THE TIME
 51 OF THE ACCIDENT, SUCH SUBROGATION OR REIMBURSEMENT RIGHT SHALL
 52 BE PAID FROM ANY BODILY INJURY LIABILITY SETTLEMENT OR JUDGMENT,
 53 IF THE HEALTH INSURER CAN ESTABLISH THAT THE BODILY INJURY
 54 LIABILITY INSURER OF THE AT-FAULT PARTY RECEIVED WRITTEN NOTICE OF
 55 THE SUBROGATION OR REIMBURSEMENT CLAIM, AND THE AMOUNT
 56 THEREOF, BEFORE THE INJURED PARTY'S SETTLEMENT WITH OR JUDGMENT

1 AGAINST THE AT-FAULT PARTY AND IF THE INJURED PARTY WILL FIRST BE
2 FULLY COMPENSATED FOR ALL OF HIS OR HER INJURIES, DAMAGES, AND
3 LOSSES. WITHITS NOTICE OF CLAIM, THE HEALTHINSURER SHALL PROVIDE
4 COPIES OF ALL MEDICAL INVOICES IT HAS PAID AND PROOF OF PAYMENT
5 MADE FOR THE BENEFITS DUE UNDER THE HEALTH INSURANCE INVOLVING
6 ONLY THE INJURIES CAUSED BY THE SUBJECT AUTOMOBILE ACCIDENT.

7
8 (c) THE HOSPITAL LIEN DESCRIBED IN SECTION 38-27-101, C.R.S.,
9 SHALL REMAIN IN FULL FORCE AND EFFECT."

10

11

12

13 **HB02-1353** be amended as follows, and as so amended, be referred to
14 the Committee of the Whole with favorable
15 recommendation:

16

17 Amend printed bill, page 2, line 13, after "ELIGIBILITY", insert "WITHIN
18 TWO BUSINESS DAYS";

19

20 line 19, strike "BOTH", and strike "AND THE ENROLLEE";

21

22 line 21, after "PROCESS.", add "SUCH REQUEST SHALL BE MADE TO BOTH
23 THE PROVIDER AND THE ENROLLEE TO THE EXTENT THAT THE ADJUSTMENT
24 WILL RESULT IN ENROLLEE LIABILITY."

25

26 Page 3, line 3, strike "MORE THAN ONE" and substitute "ONE OR MORE
27 MECHANISMS";

28

29 line 4, strike "MECHANISM";

30

31 line 8, after "VERIFICATION.", add "IF A CARRIER MAINTAINS ONLY ONE
32 MECHANISM, SUCH MECHANISM SHALL NOT REQUIRE ELECTRONIC ACCESS.

33

34 **SECTION 3.** Part 7 of article 16 of title 10, Colorado Revised
35 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
36 read:

37

38 **10-16-705.5. Requirement for carriers and policyholders.**

39 EVERY CONTRACT BETWEEN A CARRIER AND A POLICYHOLDER SHALL
40 CONTAIN A PROVISION THAT REQUIRES A POLICYHOLDER TO PAY PREMIUMS
41 FOR EACH INDIVIDUAL COVERED UNDER THE POLICYHOLDER'S POLICY
42 THROUGH THE DATE THE POLICYHOLDER NOTIFIES THE CARRIER THAT THE
43 INDIVIDUAL COVERED UNDER THE POLICY IS NO LONGER ELIGIBLE OR
44 COVERED. PREMIUMS SHALL BE PAID ACCORDING TO THE PREMIUM
45 PAYMENT PROVISIONS OF THE CONTRACT."

46

47 Renumber succeeding sections accordingly.

48

49

50

51 **SB02-004** be amended as follows, and as so amended, be referred to
52 the Committee of the Whole with favorable
53 recommendation:

54

55 Amend reengrossed bill, page 2, strike lines 15 through 19 and substitute
56 the following:

1 "ARTICLE 46, 47, OR 48 OF THIS TITLE.";

2

3 line 22, strike "TO";

4

5 line 24, strike "TO".

6

7

8

9 **SB02-013** be amended as follows, and as so amended, be referred to
10 the Committee of the Whole with favorable
11 recommendation:

12

13 Amend reengrossed bill, page 2, strike lines 6 through 9 and substitute the
14 following:

15

16 **"forms.** (1) ON OR BEFORE JULY 1 2002, ALL CARRIERS SHALL ACCEPT
17 THE CLAIM FORM ADOPTED BY THE AMERICAN DENTAL ASSOCIATION IN
18 1999 FOR USE BY ALL DENTAL";

19

20 strike lines 11 and 12 and substitute the following:

21 "AND MEDICAID SERVICES' CLAIM FORMS CMS-1500 AND CMS1450,
22 OTHERWISE KNOWN AS FORM UB-92,";

23

24 line 14, strike "STATE;" and substitute "STATE. ALL CARRIERS SHALL
25 ACCEPT SUCH CLAIM FORMS FROM HEALTH CARE PROVIDERS IN
26 ELECTRONIC FORM. A CARRIER SHALL NOT PROHIBIT SUBMISSION OF
27 HEALTH CARE CLAIMS IN HARD COPY FORM, NOR SHALL A CARRIER BE
28 PROHIBITED FROM REQUIRING THAT A CLAIM BE SUBMITTED IN HARD COPY
29 FORM. A CARRIER SHALL NOT REQUIRE SUBMISSION OF A CLAIM ON A
30 FORM OTHER THAN THOSE SET FORTH IN THIS SECTION, EXCEPT AS
31 PROVIDED IN SUBSECTION (3) OF THIS SECTION.";

32

33 strike lines 15 through 18.

34

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

36

37 "(2) ON OR BEFORE JULY 1, 2002, THE COMMISSIONER SHALL
38 ADOPT A UNIFORM LIST OF REQUIRED ELEMENTS TO BE USED ON THE
39 UNIFORM CLAIM FORMS ACCEPTED BY CARRIERS PURSUANT TO THIS
40 SECTION. SUCH ELEMENTS SHALL BE USED BY HEALTH CARE PROVIDERS IN
41 ORDER FOR A CLAIM TO BE CONSIDERED A CLEAN CLAIM.

42

43 (3) CONCURRENT WITH THE EFFECTIVE DATE FOR IMPLEMENTATION
44 OF THE FEDERAL "HEALTH INSURANCE PORTABILITY AND
45 ACCOUNTABILITY ACT OF 1996", AS AMENDED, AND THE FEDERAL
46 REGULATIONS IMPLEMENTED PURSUANT TO SUCH ACT, AS AMENDED, FOR
47 CLAIMS FILED ELECTRONICALLY, CARRIERS SHALL REQUIRE THE
48 SUBMISSION OF ELECTRONIC CLAIMS WITH THE ELEMENTS IN THE FORMAT
49 REQUIRED BY SUCH ACT AND SUCH REGULATIONS AND SHALL NOT REQUIRE
50 THE SUBMISSION OF FORMS AND ELEMENTS PURSUANT TO SUBSECTIONS (1)
51 AND (2) OF THIS SECTION.";

52

53 line 13, strike "information." and substitute "~~information.~~";

54

55 line 14, after "~~requirements.~~" insert "INFORMATION, INCLUDING ALL
56 REQUIRED DOCUMENTS. A CLAIM REQUIRING ADDITIONAL INFORMATION

1 SHALL NOT BE CONSIDERED A CLEAN CLAIM AND SHALL BE PAID, DENIED,
2 OR SETTLED AS SET FORTH IN PARAGRAPH (b) OF SUBSECTION (4) OF THIS
3 SECTION.";

4
5 strike lines 24 through 27.

6
7 Page 4, strike line 1 and substitute the following:

8
9 "(b) (I) A CARRIER SHALL MAKE A MECHANISM AVAILABLE TO
10 PROVIDERS THAT SHALL ENABLE A PROVIDER TO CONFIRM THE RECEIPT OF
11 A CLAIM THAT IS FILED WITH THE CARRIER IN A MANNER OTHER THAN
12 ELECTRONICALLY. WITHIN TEN BUSINESS DAYS AFTER THE SUBMISSION OF
13 THE CLAIM AS DETERMINED BY THE PROVIDER, THE CARRIER SHALL LIST
14 SUCH CLAIM ON THE NOTIFICATION MECHANISM AS RECEIVED. THE CLAIM
15 SHALL BE DEEMED RECEIVED ON THE DATE IT IS LISTED ON THE
16 NOTIFICATION MECHANISM BY THE CARRIER. IF A CLAIM IS NOT LISTED ON
17 THE NOTIFICATION MECHANISM, THE PROVIDER MAY CONTACT THE
18 CARRIER FOR THE PURPOSES OF RESUBMISSION OF THE CLAIM. THE
19 CARRIER SHALL HAVE A SEPARATE FACSIMILE PROCESS TO RECEIVE THE
20 RESUBMISSION OF THE PAPER CLAIMS. THE RESUBMITTED CLAIM SHALL BE
21 DEEMED RECEIVED ON THE DATE OF THE FACSIMILE TRANSMISSION
22 ACKNOWLEDGMENT. IF SUCH MECHANISM IS ACCESSIBLE ONLY BY
23 ELECTRONIC MEANS, UPON REQUEST OF THE PROVIDER, THE INFORMATION
24 MUST BE MADE AVAILABLE IN HARD-COPY FORM WITHIN THREE BUSINESS
25 DAYS.";

26
27 line 5, after "THE", insert "CARRIER OR";

28
29 line 6, strike "TWENTY-FOUR HOURS OF" and substitute "ONE BUSINESS
30 DAY AFTER";

31
32 strike lines 8 through 11;

33
34 line 12, strike "OR COMPLETION OF THE";

35
36 line 13, strike "UNIFORM CLAIM FORM";

37
38 line 16, strike "COMPLETE THE";

39
40 strike line 17 and substitute the following:
41 "RESOLVE THE CLAIM, INCLUDING ANY ADDITIONAL MEDICAL OR OTHER";

42
43 strike lines 26 and 27.

44
45 Page 5, strike lines 1 through 3 and substitute the following:

46
47 "HAS PROVIDED ALL SUCH ADDITIONAL INFORMATION NECESSARY TO
48 RESOLVE THE CLAIM, THE CLAIM SHALL BE PAID, DENIED, OR SETTLED BY
49 THE CARRIER WITHIN THE APPLICABLE TIME PERIOD SET FORTH IN
50 PARAGRAPH (c) OF THIS SUBSECTION (4).";

51
52 line 9, strike "due" and substitute "~~due~~ IMPOSED";

53
54 before line 10, insert the following:

55
56 (c) TO THE EXTENT THAT PENALTIES ARE NOT PAID CONCURRENTLY

1 WITH THE CLAIM, THE PENALTIES IN THIS SECTION MAY BE PAID ON A
 2 QUARTERLY BASIS OR WHEN THE AGGREGATE PENALTIES FOR A PROVIDER
 3 EXCEEDS TEN DOLLARS, WHICHEVER IS FIRST.";

4
 5 line 22, after "(d)", insert "(I)";

6
 7 line 23, after "TO", insert "PROSPECTIVELY";

8
 9 line 24, strike "SHALL" and substitute "SHALL, NOT LATER THAN THE
 10 FORTY-FIFTH DAY AFTER THE DATE THE CARRIER RECEIVES THE CLAIM,";

11
 12 line 25, before "INSTITUTIONAL", insert "PARTICIPATING";

13
 14 strike lines 26 and 27.

15
 16 Page 6, line 1, strike "CLAIM." and substitute "OF THE CONTRACTED RATE
 17 ON THE CLAIM, LESS DEDUCTIBLES, COINSURANCE, AND COPAYMENTS, AND
 18 SHALL PAY A NONPARTICIPATING INSTITUTIONAL PROVIDER AT LEAST
 19 SIXTY PERCENT OF THE AMOUNT DUE ON THE CLAIM, LESS DEDUCTIBLES,
 20 COINSURANCE, AND COPAYMENTS." and, before "AUDIT", insert "CHARGE";

21
 22 after line 3, insert the following:

23
 24 "(II) THE INSTITUTIONAL PROVIDER SHALL ALLOW REASONABLE
 25 ACCESS TO THE RECORDS NECESSARY TO CONDUCT THE AUDIT WITHIN THE
 26 TIME PERIOD REQUIRED BY THIS PARAGRAPH (d).
 27

28 (III) FOR THE PURPOSES OF THIS PARAGRAPH (d), "CHARGE AUDIT"
 29 MEANS AN AUDIT TO DETERMINE WHETHER DATA IN AN ENROLLEE'S
 30 MEDICAL RECORD DOCUMENTS THE HEALTH CARE SERVICES LISTED ON A
 31 CLAIM FOR PAYMENT SUBMITTED TO A CARRIER. "CHARGE AUDIT" DOES
 32 NOT MEAN A REVIEW OF THE MEDICAL NECESSITY OF THE SERVICES
 33 PROVIDED."
 34
 35
 36
 37

38 **HEALTH, ENVIRONMENT, WELFARE, & INSTITUTIONS**
 39 After consideration on the merits, the Committee recommends the
 40 following:
 41

42 **HB02-1292** be amended as follows, and as so amended, be referred to
 43 the Committee on Appropriations with favorable
 44 recommendation:
 45

46 Amend printed bill, page 5, line 24, after "article.", insert "THE
 47 STATEWIDE MANAGED CARE SYSTEM SHALL BE IMPLEMENTED TO THE
 48 EXTENT POSSIBLE."
 49

50 Page 9, line 19, strike "~~GAME~~." and substitute "GME.";

51
 52 line 21, strike ""GAME"," and substitute ""GME",";

53
 54 line 25, strike "~~GME GAME~~" and substitute "GME".

55
 56 Page 13, strike lines 8 through 17 and substitute the following:

1 "(3) **Essential community provider.** "Essential community
2 provider" or "ECP" means a health care provider that:

3
4 (a) Has historically served medically needy or medically indigent
5 patients and demonstrates a commitment to serve low-income and
6 medically indigent populations who make up a significant portion of its
7 patient population or, in the case of a sole community provider, serves the
8 medically indigent patients within its medical capability; and

9
10 (b) Waives charges or charges for services on a sliding scale
11 based on income and does not restrict access or services because of a
12 client's financial limitations."

13
14 Page 16, line 3, strike "(k) THE" and substitute "(k) EXCEPT AS
15 PROVIDED FOR IN PARAGRAPH (k.2) OF THIS SUBSECTION (2), FOR
16 CAPITATION PAYMENTS EFFECTIVE ON AND AFTER JULY 1, 2003, THE";

17
18 line 6, strike "RATES" and substitute "PAYMENTS";

19
20 line 11, strike "(k.1) THE" and substitute "(k.1) EXCEPT AS PROVIDED
21 FOR IN PARAGRAPH (k.2) OF THIS SUBSECTION (2), FOR CAPITATION
22 PAYMENTS EFFECTIVE ON AND AFTER JULY 1, 2003, THE";

23
24 line 12, strike "RATES" and substitute "PAYMENTS";

25
26 line 15, strike "RATES." and substitute "PAYMENTS.";

27
28 after line 17, insert the following:

29
30 "(k.2) AN MCO PROVIDING SERVICES UNDER THE PACE PROGRAM
31 AS DESCRIBED IN SECTION 26-4-124 SHALL CERTIFY THAT THE CAPITATION
32 PAYMENTS ARE IN COMPLIANCE WITH APPLICABLE FEDERAL AND STATE
33 REQUIREMENTS THAT GOVERN SAID CAPITATION PAYMENTS AND THAT THE
34 CAPITATION PAYMENTS ARE SUFFICIENT TO ASSURE THE FINANCIAL
35 VIABILITY OF THE MCO WITH RESPECT TO THE DELIVERY OF SERVICES TO
36 THE PACE PROGRAM PARTICIPANTS COVERED IN THE CONTRACT."

37
38 Page 19, strike lines 16 through 27 and substitute the following:

39
40 "(3) (a) The MCO shall seek proposals from each ECP in a county
41 in which the MCO is enrolling recipients for those services that the MCO
42 provides or intends to provide and that an ECP provides or is capable of
43 providing. To assist MCO's in seeking proposals, the state department
44 shall provide MCO's with a list of ECP's in each county. The MCO shall
45 consider such proposals in good faith and shall, when deemed reasonable
46 by the MCO based on the needs of its enrollees, contract with ECP's.
47 Each ECP shall be willing to negotiate on reasonably equitable terms
48 with each MCO. ECP's making proposals under this subsection (3) must
49 be able to meet the contractual requirements of the MCO. The
50 requirements of this subsection (3) shall not apply to an MCO in areas in
51 which the MCO operates entirely as a group model health maintenance
52 organization."

53
54 Page 20, strike line 1.

55
56 Page 25, strike line 2 and substitute "are amended, and the said 26-4-119

1 is further amended BY THE ADDITION OF THE FOLLOWING NEW
2 SUBSECTIONS, to read:";

3

4 line 3, strike "**rates - risk adjustments.**" and substitute "**payments -**
5 **availability of base data - adjustments - rate calculation - capitation**
6 **payment proposal - preference - assignment of medicaid recipients.**";

7

8 line 12, after "the", insert "DIRECT HEALTH CARE";

9

10 line 18, strike "THE CAPITATION PAYMENT IN";

11

12 strike lines 19 through 24 and substitute "THE DIRECT HEALTH CARE COST
13 OF PROVIDING THESE SAME SERVICES ON AN ACTUARIALLY EQUIVALENT
14 COLORADO MEDICAID POPULATION GROUP CONSISTING OF UNASSIGNED
15 RECIPIENTS AND RECIPIENTS IN THE PRIMARY CARE PHYSICIAN PROGRAM
16 PROVIDED IN SECTION 26-4-118.".

17

18 Page 26, line 12, strike "(c)" and substitute "(~~c~~) (d)";

19

20 after line 20, insert the following:

21

22 "(7) WITHIN THIRTY DAYS FROM THE BEGINNING OF EACH FISCAL
23 YEAR, THE STATE DEPARTMENT, IN COOPERATION WITH THE MCOS, SHALL
24 SET A TIMELINE FOR THE RATE-SETTING PROCESS FOR THE FOLLOWING
25 FISCAL YEAR'S RATES AND FOR THE PROVISION OF BASE DATA TO THE
26 MCOS THAT IS USED IN THE CALCULATION OF THE RATES, WHICH SHALL
27 INCLUDE BUT NOT BE LIMITED TO THE INFORMATION INCLUDED IN
28 SUBSECTION (8) OF THIS SECTION.

29

30 (8) THE STATE DEPARTMENT SHALL IDENTIFY AND MAKE
31 AVAILABLE TO THE MCOS THE BASE DATA USED IN THE CALCULATION OF
32 THE DIRECT HEALTH CARE COST OF PROVIDING THESE SAME SERVICES ON
33 AN ACTUARIALLY EQUIVALENT COLORADO MEDICAID POPULATION GROUP
34 CONSISTING OF UNASSIGNED RECIPIENTS AND RECIPIENTS IN THE PRIMARY
35 CARE PHYSICIAN PROGRAM PROVIDED IN SECTION 26-4-118. THE STATE
36 DEPARTMENT SHALL CONSULT WITH THE MCOS REGARDING ANY AND ALL
37 ADJUSTMENTS IN THE BASE DATA MADE TO ARRIVE AT THE CAPITATION
38 PAYMENTS.

39

40 (9) FOR CAPITATION PAYMENTS EFFECTIVE ON AND AFTER JULY 1,
41 2003, THE STATE DEPARTMENT SHALL RECALCULATE THE BASE
42 CALCULATION EVERY THREE YEARS. THE THREE YEAR CYCLE FOR THE
43 RECALCULATION OF THE BASE CALCULATION SHALL BEGIN WITH
44 CAPITATION PAYMENTS EFFECTIVE FOR FISCAL YEAR 2003-04. IN THE
45 YEARS IN WHICH THE BASE CALCULATION IS NOT RECALCULATED, THE
46 STATE DEPARTMENT SHALL ANNUALLY TREND THE BASE CALCULATION
47 AFTER CONSULTING WITH THE MCOS. THE STATE DEPARTMENT SHALL
48 TAKE INTO CONSIDERATION WHEN TRENDING THE BASE CALCULATION ANY
49 PUBLIC POLICY CHANGES THAT AFFECT REIMBURSEMENT UNDER THE
50 "COLORADO MEDICAL ASSISTANCE ACT".

51

52 (10) THE RATE-SETTING PROCESS REFERENCED IN SUBSECTION (7)
53 OF THIS SECTION SHALL INCLUDE A TIME PERIOD AFTER THE MCOS HAVE
54 RECEIVED THE DIRECT HEALTH CARE COST OF PROVIDING THESE SAME
55 SERVICES ON AN ACTUARIALLY EQUIVALENT COLORADO MEDICAID
56 POPULATION GROUP CONSISTING OF UNASSIGNED RECIPIENTS AND

1 RECIPIENTS IN THE PRIMARY CARE PHYSICIAN PROGRAM PROVIDED IN
2 SECTION 26-4-118, FOR EACH MCO TO SUBMIT TO THE STATE DEPARTMENT
3 THE MCO'S CAPITATION PAYMENT PROPOSAL, WHICH SHALL NOT EXCEED
4 NINETY-FIVE PERCENT OF THE DIRECT HEALTH CARE COST OF PROVIDING
5 THESE SAME SERVICES ON AN ACTUARIALLY EQUIVALENT COLORADO
6 MEDICAID POPULATION GROUP CONSISTING OF UNASSIGNED RECIPIENTS
7 AND RECIPIENTS IN THE PRIMARY CARE PHYSICIAN PROGRAM PROVIDED IN
8 SECTION 26-4-118. THE STATE DEPARTMENT SHALL PROVIDE TO THE
9 MCOS THE MCO'S SPECIFIC ADJUSTMENTS TO BE INCLUDED IN THE
10 CALCULATION OF THE MCO'S PROPOSAL. EACH MCO'S CAPITATION
11 PAYMENT PROPOSAL SHALL MEET THE REQUIREMENTS OF SECTION
12 26-4-115 (k) AND (k.1).

13
14 (11) FOR CAPITATION PAYMENTS EFFECTIVE ON AND AFTER JULY
15 1, 2003, UNLESS OTHERWISE REQUIRED BY FEDERAL LAW, THE STATE
16 DEPARTMENT SHALL CERTIFY, THROUGH A QUALIFIED ACTUARY RETAINED
17 BY THE STATE DEPARTMENT, THAT THE CAPITATION PAYMENTS SET FORTH
18 IN THE CONTRACT BETWEEN THE STATE DEPARTMENT AND THE MCOS
19 COMPLY WITH ALL APPLICABLE FEDERAL AND STATE REQUIREMENTS THAT
20 GOVERN SAID CAPITATION PAYMENTS.

21
22 (12) EFFECTIVE ON AND AFTER JULY 1, 2003, THE CAPITATION
23 PAYMENTS CERTIFIED BY THE QUALIFIED ACTUARY UNDER SUBSECTION
24 (11) OF THIS SECTION SHALL NOT BE SUBJECT TO ANY DISPUTE RESOLUTION
25 PROCESS, INCLUDING ANY SUCH PROCESS SET FORTH IN ANY SETTLEMENT
26 AGREEMENT ENTERED INTO PRIOR TO THE EFFECTIVE DATE OF THIS
27 SUBSECTION (12).

28
29 (13) THE STATE DEPARTMENT MAY GIVE PREFERENCE IN THE
30 ASSIGNMENT OF MEDICAL ASSISTANCE RECIPIENTS TO MCOS BASED ON
31 LOWER CAPITATION PAYMENTS FOR ACTUARIALLY EQUIVALENT
32 POPULATIONS."

33
34 Page 27, strike lines 4 through 6 and substitute the following:

35
36 "**SECTION 9. Effective date - applicability.** This act shall take
37 effect July 1, 2002, and shall apply to contracts issued, renewed, or
38 amended on or after said date."

39
40
41
42 **SB02-146** be amended as follows, and as so amended, be referred to
43 the Committee of the Whole with favorable
44 recommendation:

45
46 Amend reengrossed bill, page 2, strike 18 and substitute the following:

47
48 "CERTIFICATE BASED ON THE SUBSEQUENT FULL MONTHS OF COVERAGE
49 BEING CANCELLED."

50
51
52
53
54

1 **STATE, VETERANS, & MILITARY AFFAIRS**

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

4
5 **HB02-1266** be amended as follows, and as so amended, be referred to
6 the Committee on Appropriations with favorable
7 recommendation:

8
9 Amend printed bill, page 4, line 18, after "GENITALS;"; insert "AND";
10
11 line 22, strike "EIGHTEEN." and substitute "SEVENTEEN."

12
13 Page 6, strike lines 6 through 10.

14
15 Page 7, strike lines 3 through 13 and substitute the following:

16
17 **"22-86-108. State purchase of computer technology on behalf**
18 **of school districts.** TO THE EXTENT THAT IMPLEMENTATION OF THE
19 REQUIREMENTS OF THIS ARTICLE REQUIRES THE PURCHASE OF COMPUTER
20 HARDWARE OR SOFTWARE, INCLUDING, WITHOUT LIMITATION,
21 TECHNOLOGY PROTECTION MEASURES, THE STATE SHALL PURCHASE SUCH
22 HARDWARE OR SOFTWARE ON BEHALF OF THE SCHOOL DISTRICTS THAT
23 HAVE NOT YET OBTAINED SUCH TECHNOLOGY PROTECTION MEASURES.
24 ANY MONEYS APPROPRIATED FOR SUCH PURCHASES THAT ARE REMAINING
25 AT THE END OF ANY STATE FISCAL YEAR SHALL REVERT TO THE STATE
26 EDUCATION FUND CREATED IN SECTION 17 (4) OF ARTICLE IX OF THE STATE
27 CONSTITUTION."

28
29
30
31 **SB02-023** be referred to the Committee of the Whole with favorable
32 recommendation.

33
34
35 **SB02-091** be postponed indefinitely.

36
37
38 **SB02-095** be postponed indefinitely.

39
40
41 **SCR02-002** be referred to the Committee of the Whole with favorable
42 recommendation.

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

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

50
51 **HB02-1338** be amended as follows, and as so amended, be referred to
52 the Committee of the Whole with favorable
53 recommendation:

54
55 Amend printed bill, page 2, line 7, strike "(A)";

56

1 line 9, strike "TWENTY-TWO" and substitute "TWENTY-FIVE";
2
3 strike lines 16 through 26.
4
5 Page 3, strike lines 1 through 14.
6
7 Page 4, line 14, strike "MAY" and substitute "SHALL", and strike "IF" and
8 substitute "WHEN";
9
10 line 15, strike "ELECT TO WITHDRAW" and substitute "ARE WITHDRAWN";
11
12 line 26, strike "ELECT TO WITHDRAW" and substitute "ARE WITHDRAWN".
13

14
15
16 **PRINTING REPORT**
17

18 The Chief Clerk reports the following bills have been correctly printed:
19 **HB02-1397, 1398, 1399.**
20

21
22
23 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**
24

25 The Speaker has signed: **1032, 1056, 1118, 1171, 1230; SB02-005.**
26

27
28
29 **MESSAGE FROM THE SENATE**
30

31 Mr. Speaker:

32 The Senate has passed on Third Reading and transmitted to the Revisor
33 of Statutes: SB02-168;

34
35 SB02-011, amended as printed in Senate Journal, March 1, page 381
36 and March 14;

37 HB02-1168, amended as printed in Senate Journal, March 8, page 428;

38
39 The Senate has passed on Third Reading and returns herewith:
40 HB02-1132.
41

42 The Senate has adopted and transmits herewith: SJR02-012, 014
43

44 The Senate has postponed indefinitely and returns herewith:
45 HB02-1270, 1095.
46

47
48
49 **MESSAGE FROM THE REVISOR**
50

51 We herewith transmit without comment, SB02-168; and
52 Without comment, as amended, SB02-011 and HB02-1168.
53
54
55
56

INTRODUCTION OF BILLS
First Reading

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

HB02-1398 by Representative(s) Rippy, Cadman, Fritz, Schultheis, Snook, White, Williams T.--Concerning the limiting of damages in any civil action that arises out of the improvement of real property.
Committee on Business Affairs & Labor

HB02-1399 by Representative(s) Spradley, Dean, Boyd, Cadman, Cloer, Fritz, King, Schultheis, Sinclair, Smith, Vigil, Williams T.; also Senator(s) Matsunaka, Hernandez, Musgrave--Concerning the Economic Recovery Act, and, in connection therewith, increasing the maximum term for which a school district board of education, a county, or a municipality may negotiate a business incentive agreement, requiring a school district board of education to obtain the approval of the Colorado economic development commission before entering into any business incentive agreement, and repealing a statutory provision that requires the creation and review of a plan establishing criteria, procedures, and a schedule for the termination of enterprise zones or portions thereof that no longer meet specified criteria.
Committee on Finance

HB02-1400 by Representative(s) Dean, Scott, Cadman, Clapp, Cloer, Coleman, Crane, Daniel, Fairbank, Fritz, Groff, Harvey, Hefley, Hoppe, Jahn, Kester, King, Larson, Lee, Mace, Marshall, Miller, Mitchell, Paschall, Rhodes, Rippy, Schultheis, Sinclair, Smith, Spence, Spradley, Stafford, Stengel, Swenson, Tapia, Tochtrop, Webster, Weddig, White, Williams T., Young; also Senator(s) Perlmutter, Lamborn--Concerning violations detected using automated vehicle identification devices.
Committee on Transportation & Energy

SB02-011 by Senator(s) Teck; also Representative(s) Larson--Concerning the regulation of motor carrier safety.
Committee on Transportation & Energy

SB02-168 by Senator(s) Thiebaut; also Representative(s) Smith--Concerning the revision of antiquated statutes concerning the death of a human being.
Committee on Civil Justice & Judiciary



INTRODUCTION OF RESOLUTIONS

The following resolutions were read by title and laid over one day under the rules:

HJR02-1029 by Representative(s) Larson, Alexander, Bacon, Berry, Cloer, Daniel, Dean, Fritz, Garcia, Hefley, Hoppe, Johnson, Kester, King, Lawrence, Mace, Miller, Mitchell, Paschall, Rhodes, Rippy, Sanchez, Sinclair, Smith, Snook, Spence, Spradley, Stafford, Swenson, Vigil, Webster, Weddig, Williams S., Witwer; also Senator(s) Isgar, Entz-- Concerning the 25th anniversary of the Colorado Commission of Indian Affairs.

WHEREAS, The Colorado Commission of Indian Affairs was created in 1976 by the Colorado General Assembly to recognize the special governmental relationship and unique political status of the Southern Ute tribe and the Ute Mountain Ute tribe with respect to their relationship with the federal government; and

WHEREAS, The Colorado Commission of Indian Affairs serves as the official liaison between the two Ute tribes and the State of Colorado to coordinate intergovernmental dealings between tribal governments and this state; and

WHEREAS, The goal of the Colorado Commission of Indian Affairs is to strengthen the government-to-government relationship between the State of Colorado and the Southern Ute tribe and the Ute Mountain Ute tribe; and

WHEREAS, The Colorado Commission of Indian Affairs has been a positive and strong voice of concern for Indian cultural, educational, employment, housing, health, social services, and economic development needs; and

WHEREAS, It is the duty of the Colorado Commission of Indian Affairs to review all proposed or pending legislation and amendments to existing legislation affecting Indian people in this state and to make legislative recommendations; 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 we, the members of the Sixty-third General Assembly, honor and pay tribute to the accomplishments of the Colorado Commission of Indian Affairs.

Be It Further Resolved, That a copy of this joint resolution be sent to the Colorado Commission of Indian Affairs.

SJR02-012 by Senator(s) Thiebaut; also Representative(s) Spradley-- Concerning authorization for adjournment for more than three days during the 2002 regular session of the general assembly and setting the convening date for the 2003 regular session of the general assembly.

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

3
4 **SJR02-014** by Senator(s) Tupa, Gordon, Fitz-Gerald, Hanna, Pascoe,
5 Reeves, Tate, Windels; also Representative(s) Daniel--
6 Concerning the "Bipartisan Campaign Reform Act of
7 2002" that has been passed by the United States House of
8 Representatives and is currently under consideration in the
9 United States Senate.
10 Committee on State, Veterans, & Military Affairs

11
12
13
14 Correction

15
16 H.J. page 856, line 17, strike ", and are deemed lost:",
17 after line 19, insert "The vetoes are sustained."

18
19
20 **LAY OVER OF CALENDAR ITEMS**

21
22 On motion of Representative Spradley, the following items on the
23 Calendar were laid over until March 18, retaining place on Calendar:

24
25 Consideration of Resolution--**HJR02-1027**.
26 Consideration of Senate amendments--**HB02-1041, 1153, 1061, 1050**.

27
28
29 On motion of Representative Spradley, the House adjourned until
30 10:30 a.m., March 18, 2002.

31
32 Approved:

33
34
35
36 DOUG DEAN,
37 Speaker

38 Attest:

39
40 JUDITH RODRIGUE,
41 Chief Clerk