

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

Fifty-first Legislative Day

Thursday, February 28, 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--64.

8

9 Excused--Representative Spence--1.

10

11 The Speaker declared a quorum present.

12

13 On motion of Representative Romanoff, the reading of the journal of
 14 February 27, 2002, was declared dispensed with and approved as
 15 corrected by the Chief Clerk.

16

17

18

19

THIRD READING OF BILL--FINAL PASSAGE

20

21 The following bill was considered on Third Reading. The title was
 22 publicly read. Reading of the bill at length was dispensed with by
 23 unanimous consent.

24

25 **HB02-1270** by Representative(s) Williams T., Spradley, White,
 26 Mitchell, Spence; also Senator Andrews--Concerning
 27 limitations on the double recovery of damages for
 28 noneconomic loss or injury in civil actions involving
 29 claims under both state and federal employment
 30 discrimination laws.

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**.

36

37 YES 41 NO 23 EXCUSED 1 ABSENT 0

38

39 Alexander	Y	Groff	N	Marshall	N	Spence	E
40 Bacon	N	Grossman	N	Miller	Y	Spradley	Y
41 Berry	Y	Harvey	Y	Mitchell	Y	Stafford	Y
42 Borodkin	N	Hefley	Y	Paschall	Y	Stengel	Y
43 Boyd	N	Hodge	N	Plant	N	Swenson	Y

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

13
14 Co-sponsors added: Representatives Hefley, Johnson.

15
16
17
18 **PRINTING REPORT**

19
20 The Chief Clerk reports the following bills have been correctly printed:
21 **HB02-1354, 1355.**

22
23
24 **MESSAGE FROM THE SENATE**

25 Mr. Speaker:

26
27 The Senate has passed on Third Reading and transmitted to the Revisor
28 of Statutes: SB02-112

29
30 SB02-150, amended as printed in Senate Journal, February 20,
31 page 297, and February 21, pages 313-314;
32 SB02-151, amended as printed in Senate Journal, February 22, page 332;
33 SB02-136, amended as printed in Senate Journal, February 26,
34 pages 349-350.

35
36
37 **MESSAGE FROM THE REVISOR**

38
39 We herewith transmit without comment, SB02-112; and
40 Without comment, as amended, SB02-150, 151, 136.

41
42
43
44 House in recess. House reconvened.

45
46
47
48 **INTRODUCTION OF BILL**
49 **First Reading**

50
51 The following bill was read by title and referred to the committee
52 indicated:

53
54 **HB02-1356** by Representative(s) Rhodes, Cadman, Clapp, Cloer,
55 Crane, Fairbank, Fritz, Harvey, Hefley, Kester, King, Lee,
56 Mitchell, Paschall, Schultheis, Sinclair, Spradley, Stafford;

1 also Senator(s) Musgrave--Concerning prohibitions on the
 2 establishment of parent-child relationships in which there
 3 are multiple parents of the same sex.
 4 Committee on State, Veterans, & Military Affairs

7
 8 **MESSAGE FROM THE SENATE**

9 Mr. Speaker:

10
 11 The Senate has adopted and transmits herewith: SJR02-010.

13
 14 **INTRODUCTION AND CONSIDERATION OF RESOLUTION**

15
 16 The following resolution was read at length and given immediate
 17 consideration:

18
 19 **SJR02-010** by Senator(s) Tupa; also Representative(s) Madden,
 20 Saliman--Concerning honoring Coach Gary Barnett and
 21 the University of Colorado Buffaloes football team for
 22 winning the Big 12 Conference Championship.

23
 24 (Printed and placed in member's file.)

25
 26 On motion of Representative Spradley, the rules were suspended and the
 27 resolution given immediate consideration.

28
 29 On motion of Representative Madden the resolution was read at length
 30 and **adopted** by the following roll call vote:

31
 32 YES 64 NO 0 EXCUSED 1 ABSENT 0

33							
34	Alexander	Y	Groff	Y	Marshall	Y	Spence E
35	Bacon	Y	Grossman	Y	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: Roll call of the House.

53
 54
 55
 56

1 **CONSIDERATION OF RESOLUTION**

2

3 **HR02-1007** by Representative(s) Clapp, Crane, Fairbank, Johnson,
4 Mace, Miller, Mitchell, Paschall, Rhodes, Snook,
5 Spradley, Stafford, Stengel, Williams S., Williams T.,
6 Witwer--Concerning the health care needs of the people of
7 Colorado.

8

9 (Printed and placed in member's file, also printed in House Journal,
10 February 22, pages 627-629.)

11

12 On motion of Representative Clapp, the resolution was read at length.

13

14 Amendment No. 1, moved by Representative Clapp.

15

16 Amend printed resolution, page 3, strike lines 10 through 13 and
17 substitute the following:

18

19 "and work to pass legislation related to extending health credits,
20 increasing the flexibility of MSAs and FSAs, and modernizing Medicare,
21 and also support and work to pass the "Immediate Helping Hand
22 Prescription Drug Assistance Act".

23

24 The amendment was declared **passed** by **viva voce** vote.

25

26 On motion of Representative Clapp, the resolution as amended was
27 **adopted** by the following roll call vote:

28

29 YES 61 NO 2 EXCUSED 2 ABSENT 0

30

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

48

49 Mr. Speaker excused from voting under House Rule 21(c).

50 Co-sponsors added: Representatives Alexander, Boyd, Daniel, Fritz, Hefley,
51 Hoppe, Kester, King, Larson, Lawrence, Sanchez, Scott, Swenson, Tochtrop,
52 Young.

53

54

55

1 On motion of Representative Lawrence, the House resolved itself into
2 Committee of the Whole for consideration of General Orders, and she
3 was called to the Chair to act as Chairman.

4

5

6

7

GENERAL ORDERS--SECOND READING OF BILLS

8

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

13

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

16

17 **HB02-1192** by Representative(s) Sinclair, Hefley, Dean, Decker, Lee,
18 Marshall, Plant; also Senator(s) Linkhart--Concerning the
19 enactment of the "Citizen Participation in Government Act
20 of 2002".

21

22 Laid over until March 1, retaining place on Calendar.

23

24

25 **HB02-1051** by Representative(s) Romanoff, Veiga, also Senator(s)
26 Entz--Concerning measures to protect victims.

27

28 (Amended previously, House Journal, February 27, pages 590-591.)

29

30 Amendment No. 4, Civil Justice & Judiciary February 5 Report, dated
31 February 6, 2002, and placed in member's bill file; Report also printed in
32 House Journal, February 6, page 315.

33

34 Amendment No. 5, by Representative Romanoff.

35

36 Amend the Civil Justice and Judiciary Report, dated February 5, 2002,
37 page 1, strike lines 1 and 2;

38

39 strike line 3 of the committee report and substitute the following:

40 "Amend printed bill, page 2, line 16, strike "OR PATRONS";

41

42 line 18, strike "EMPLOYEES AND PATRONS." and substitute "EMPLOYEES.
43 AN EMPLOYER".";

44

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

46 "Page 1, line 101, strike "TO PROTECT VICTIMS." and substitute

47 "PERTAINING TO EMPLOYERS FOR THE PROTECTION OF EMPLOYEES

48 WHO ARE VICTIMS.". "

49

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

52

53 On motion of Representative Spradley, the remainder of the General
54 Orders Calendar (**SB02-005, HB02-1333, 1336**) was laid over until
55 March 1, retaining place on Calendar.

56

MESSAGES FROM THE SENATE

1
2 Mr. Speaker:

3

4 Upon reconsideration, the Senate has voted not to adhere on SB02-064
5 and transmits the bill herewith.

6

7

8 The Senate has adopted and transmits herewith: SJR02-008.

9

10

11

**INTRODUCTION OF BILLS
First Reading**

12

13

14

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

17

18 **HB02-1357** by Representative(s) Rippy--Concerning modification of
19 the requirements relating to notification of surface
20 development to owners of severed mineral estates.

21 Committee on Agriculture, Livestock, & Natural Resources

22

23 **HB02-1358** by Representative(s) Alexander; also Senator(s)
24 Fitz-Gerald--Concerning the assessment of a bed and
25 breakfast for property tax purposes.

26 Committee on Finance

27

28 **SB02-112** by Senator(s) Teck; also Representative(s) Harvey--
29 Concerning the requirement that certain persons provide
30 proof of lawful presence in the United States in order to
31 obtain documents from the division of motor vehicles.

32 Committee on Information & Technology

33

34 **SB02-136** by Senator(s) Andrews; also Representative(s) Lee--
35 Concerning the teaching of a unit on patriotism in each
36 public school in the state.

37 Committee on Education

38

39 **SB02-141** by Senator(s) Perlmutter, Andrews, Dyer, Fitz-Gerald,
40 Lamborn, Matsunaka, May, Nichol, Takis, Teck; also
41 Representative(s) Williams T., Daniel, Dean, Hoppe, Jahn,
42 Kester, Rippy, Spence, Spradley, Veiga, Vigil, White--
43 Concerning the determination of royalty payments from oil
44 and gas leases.

45 Committee on Finance

46

47 **SB02-146** by Senator(s) Phillips, Hernandez; also Representative(s)
48 Spradley--Concerning refunding prepaid premiums for
49 medicare supplement insurance policies.

50 Committee on Health, Environment, Welfare, & Institutions

51

52 **SB02-150** by Senator(s) Pascoe; also Representative(s) Plant--
53 Concerning required collaboration on a regional basis among
54 public entities in connection with transportation planning.

55 Committee on Local Government

56 Committee on State, Veterans, & Military Affairs

1 **SB02-151** by Senator(s) Takis; also Representative(s) Romanoff--
2 Concerning affordable housing projects financed through the
3 division of housing.
4 Committee on State, Veterans, & Military Affairs

5
6
7
8 **LAY OVER OF CALENDAR ITEMS**
9

10 On motion of Representative Spradley, the following items on the
11 Calendar were laid over until March 1, retaining place on Calendar:

12
13 Consideration of Resolutions--**HJR02-1019, 1021, 1022.**
14 Consideration of Senate Amendments--**HB02-1008.**

15
16
17
18 On motion of Representative King, the House adjourned until 9:00 a.m.,
19 March 1, 2002.

20
21 Approved:

22
23
24
25 DOUG DEAN,
26 Speaker

27 Attest:

28
29 JUDITH RODRIGUE,
30 Chief Clerk