

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

First Legislative Day

Wednesday, January 9, 2002

1 Prayer by Pastor Brad Strait, South Fellowship, Littleton.
2
3 The Speaker called the House to order at 10:00 a.m.
4
5 The Speaker appointed Judith Rodrigue Temporary Chief Clerk and
6 Michael Mawhinney Temporary Reading Clerk.
7

LETTER OF RESIGNATION

8
9
10
11 December 17, 2001
12
13 The Honorable Bill Owens, Governor, State of Colorado
14 The Honorable Donetta Davidson, Colorado Secretary of State
15 The Honorable Doug Dean, Speaker, Colorado House of Representatives
16
17 The purpose of this letter is to notify you of my intention to resign my
18 position as State Representative for House District 64 effective
19 December 19, 2001.
20
21 I have been offered, and have accepted, an appointment with the Bush-
22 Cheney Administration with the Denver regional office of the U. S.
23 Department of Health and Human Services.
24

25 It has been an honor working with, and for you, during my tenure in the
26 Colorado state legislature.
27

28 Sincerely,
29 (signed)
30 Joe Nuñez

STATE OF COLORADO
DEPARTMENT OF STATE
CERTIFICATE

31
32
33
34
35
36 I, Donetta Davidson, Secretary of State of the State of Colorado, do
37 hereby certify that the attached is a true and exact copy of the Certificate
38 of Appointment to Fill a Vacancy as filed in this office on the 31st day of
39 December, 2001, by the Republican 64th House Vacancy Committee,
40 naming Ted Harvey to fill the vacancy in the office of the Colorado
41 House of Representatives, District 64, for the Sixty-third General
42 Assembly of the State of Colorado, caused by the resignation of the
43 Honorable Joe Nuñez.

1 IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed
2 the Great Seal of the State of Colorado, at the City and County of Denver
3 this 2nd day of January, 2002.

4
5 (signed)
6 Donetta Davidson
7 Secretary of State

8
9
10 **STATE OF COLORADO**
11 **DEPARTMENT OF STATE**
12 **CERTIFICATE**
13

14 I, Donetta Davidson, Secretary of State of the State of Colorado, do
15 hereby certify that the attached is a true and exact copy of the Declaration
16 of Acceptance to fill a Vacancy In Office as filed in this office on the 31st
17 day of December, 2001, by Ted Harvey accepting the appointment of the
18 64th House Vacancy Committee, to fill the vacancy in the office of the
19 Colorado House of Representatives, District 64, for the Sixty-third
20 General Assembly of the State of Colorado, caused by the resignation of
21 the Honorable Joe Nuñez.

22
23 IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed
24 the Great Seal of the State of Colorado, at the City and County of Denver
25 this 2nd day of January, 2002.

26
27 (Signed)
28 Donetta Davidson
29 Secretary of State

30
31 (Note: On January 7, 2002, at 2:00 p.m., Ted Harvey, P.O. Box 260326,
32 Highlands Ranch 80130, was sworn in as Representative for District 64.
33 Justice Nathan B. Coats administered the oath of office in the Chamber
34 of the House of Representatives.)

35
36
37 The roll was called with the following result:

38
39 Present--65.

40
41 The Speaker declared a quorum present.

42
43
44
45 On motion of Representative Spradley, the Speaker appointed
46 Representatives Kester, Chairman, White, and Romanoff to notify the
47 Senate that the House was organized and ready for business.

48
49
50 **INTRODUCTION AND CONSIDERATION OF RESOLUTIONS**

51
52 The following resolutions were read at length and given immediate
53 consideration:

54
55 **HJR02-1001** by Representative(s) Spradley, Dean, Grossman; also
56 Senator(s) Thiebaut, Matsunaka, Andrews--Concerning a

1 Joint Session of the House of Representatives and the
 2 Senate for the purpose of hearing a message from His
 3 Excellency, Governor Bill Owens, and appointing a
 4 committee to escort the Governor.
 5

6 *Be It Resolved by the House of Representatives of the Sixty-third*
 7 *General Assembly of the State of Colorado, the Senate concurring*
 8 *herein:*
 9

10 That a Joint Session of the Senate and the House of
 11 Representatives of the Second Regular Session of the Sixty-third General
 12 Assembly be held in the House Chambers at 11:00 a.m., on Thursday,
 13 January 10, 2002, for the purpose of hearing a message from His
 14 Excellency, Governor Bill Owens, and that a committee of two members
 15 of the Senate and three members of the House of Representatives be
 16 appointed by the President of the Senate and the Speaker of the House of
 17 Representatives, respectively, to escort the Governor to the Joint Session.
 18

19 On motion of Representative Spradley, the rules were suspended and the
 20 resolution given immediate consideration and **adopted** by **viva voce** vote.
 21

22 The Speaker appointed Representatives Alexander, Berry, Groff pursuant
 23 to the resolution.
 24

25 Co-sponsors added: Representatives Cadman, Decker, Fritz, Kester,
 26 Mace, Swenson, Young.
 27

28
 29 **HR02-1001** by Representative(s) Alexander, Rhodes, Chavez, Mace--
 30 Concerning the appointment of officers and employees for
 31 the House of Representatives of the Sixty-third General
 32 Assembly.
 33

34 *Be It Resolved by the House of Representatives of the Sixty-third*
 35 *General Assembly of the State of Colorado:*
 36

37 That the following named persons be appointed as officers and
 38 employees of the House of Representatives of the Sixty-third General
 39 Assembly, convened in the Second Regular Session to the position set
 40 opposite their respective names:
 41

| | |
|-------------------------|---------------------------------|
| 42 Judith Rodrigue | Chief Clerk |
| 43 Marilyn Eddins | Asst. Chief Clerk/Journal Clerk |
| 44 Debra Woller | Finance Clerk |
| 45 Patricia Nicholaisen | Docket Clerk |
| 46 Pat Geddis | Front Desk Clerk |
| 47 Michael Mawhinney | Reading/Calendar Clerk |
| 48 Patricia Blakey | Historian |
| 49 Tom Suman | Chief Sergeant-at-Arms |
| 50 Richard Lebsock | Asst. Sergeant-at-Arms |
| 51 Bernard Nicholaisen | Asst. Sergeant-at-Arms |
| 52 Elden Thompson | Asst. Sergeant-at-Arms |
| 53 John Wallin | Asst. Sergeant-at-Arms |
| 54 Tom Will | Asst. Sergeant-at-Arms |
| 55 Deanna Johnson | Chief Enrolling Clerk |
| 56 Eileen Heltzel | Asst. Enrolling Clerk |

| | | |
|----|---------------------|--|
| 1 | Ann Lohmeyer | Asst. Enrolling Clerk |
| 2 | Dorothy Cardinale | Information Center Supervisor |
| 3 | Judy Ford | Information Clerk |
| 4 | Tom Gross | Bill Room Clerk |
| 5 | Donna Acierno | Secretary to the Speaker |
| 6 | Judie Koehler | Secretary to the Majority Leader |
| 7 | Anne Willhardt | Majority Caucus Secretary/Travel Coordinator |
| 8 | Victoria EsQuibel | Minority Caucus Secretary |
| 9 | Doyle Forrestal | Secretary to the Minority Leader |
| 10 | Betty Schmidt | Chief Legislative Secretary |
| 11 | Judy Smallen | Legislative Secretary |
| 12 | Sarah Huber | Legislative Secretary |
| 13 | Marion Mitchell | Legislative Secretary |
| 14 | Cheryl Palm | Telephone Receptionist |
| 15 | Monica Hadd | Telephone Receptionist |
| 16 | Patricia Worley | Chief Assignable Clerk |
| 17 | Mary Kittler | Assignable Clerk |
| 18 | Patricia Altstadt | Assignable Clerk |
| 19 | Marjorie Spillane | Assignable Clerk |
| 20 | Andrea Hough | Assignable Clerk |
| 21 | Colleen Lubischer | Assignable Clerk |
| 22 | Mary Adkins | Assignable Clerk |
| 23 | Elizabeth Krickbaum | Visitors' Aide |
| 24 | Vickie Agler | Majority Administrative Assistant |
| 25 | Scott Wasserman | Minority Administrative Assistant |
| 26 | Edwin Hanks | Majority Media Relations |
| 27 | Steve Vieregg | Majority Media Relations |
| 28 | Julie DeWoody | Minority Media Relations |
| 29 | Cody Wertz | Minority Media Relations |

30
31 On motion of Representative Alexander, the rules were suspended and
32 the resolution given immediate consideration and **adopted** by **viva voce**
33 vote.

34
35 Co-sponsor added: Representative Smith.

36
37
38 **HR02-1002** by Representative(s) Alexander, Rhodes, Chavez, Mace--
39 Concerning the chaplain position in the House of
40 Representatives.

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

44
45 That the House Services Committee is hereby authorized to
46 appoint persons to serve as the Chaplain for the House of Representatives
47 and to designate the number of days any one person may serve as
48 Chaplain. Compensation is to be paid as authorized in Senate Joint
49 Resolution 02-002.

50
51 On motion of Representative Alexander, the rules were suspended and
52 the resolution given immediate consideration and **adopted** by **viva voce**
53 vote.

54
55 Co-sponsors added: Representatives Groff, Lee, Ragsdale, Swenson.

56

1 **HR02-1003** by Representative(s) Alexander, Rhodes, Chavez, Mace--
 2 Concerning payment of employees for pre-session work
 3 for the House of Representatives convened in the Second
 4 Regular Session of the Sixty-third General Assembly.
 5

6 *Be It Resolved by the House of Representatives of the Sixty-third*
 7 *General Assembly of the State of Colorado:*
 8

9 That the following named individuals who received training or
 10 who performed pre-session work for the House of Representatives be
 11 compensated for such training and pre-session work:
 12

| | | |
|----|-------------------|--------|
| 13 | Andrea Hough | 2 Days |
| 14 | Colleen Lubischer | 2 Days |
| 15 | Monica Hadd | 2 Days |
| 16 | Sarah Huber | 2 Days |
| 17 | Mary Adkins | 2 Days |

18
 19 On motion of Representative Alexander, the rules were suspended and
 20 the resolution given immediate consideration and **adopted** by **viva voce**
 21 vote.
 22

23 Co-sponsor added: Representative Swenson.
 24
 25
 26

27 Speaker Dean and Representative Grossman addressed the membership.
 28
 29 Representative Spradley moved that the remarks of the Speaker and
 30 Representative Grossman be printed in the House Journal.
 31

32 **OPENING DAY REMARKS BY SPEAKER DEAN**

33
 34 Madam Majority Leader, Mr. Minority Leader, members, staff, family
 35 and honored guests: We gather here today to convene the second regular
 36 session of the Sixty-third General Assembly of the great state of
 37 Colorado. The world in which we now live is much different from the
 38 world when we convened 364 days ago. Terrorism at a level never before
 39 imagined struck this nation on September 11th, and we were forever
 40 changed.
 41

42 As we watched our countrymen perish before our very eyes, we knew our
 43 world would never be the same. We wept, we prayed, we gave, we
 44 comforted. We felt pride and sorrow in those heroic men and women
 45 who gave their lives attempting to rescue victims at the cost of their own
 46 lives. Lost on that terrible day were not numbers and statistics, but
 47 brothers and sisters, husbands and wives, sons and daughters, mothers
 48 and fathers.
 49

50 As you would expect, in the wake of the September 11th tragedies, blood
 51 became a particularly precious commodity. We can proudly say the
 52 Bonfils Blood Center here in Colorado was the first center in the nation
 53 to fly blood into New York. This was done with the assistance of Saint
 54 Anthony Hospital's Flight for Life, which provided their pilot and jet.
 55

56 With us today are two representatives of Bonfils - Dr. William Dickey,

1 president and CEO, and Tom Puckett, administrator and chief operating
2 officer. Please join me in thanking them for the contribution they have
3 made to our community, not only during this tragedy, but also on a daily
4 basis.

5
6 Many Colorado soldiers, sailors and airmen have been called to duty,
7 from both the reserve forces and the National Guard. There are 100
8 members of the Colorado Air National Guard, the 140th Wing based at
9 Buckley, who have been called from their civilian jobs to serve. Four of
10 their F-16 fighter aircraft are conducting random combat air patrols to
11 protect the skies over the Rocky Mountain region. Another 180 members
12 of the 57th Field Artillery Battery are performing airport security duty at
13 13 private Colorado airports.

14
15 About 100 soldiers of the 5th Battalion, 19th Special Forces, based at
16 Watkins Armory, have been called to federal duty in support of Operation
17 Enduring Freedom. They are currently undergoing special training, and
18 could be called at any time to action in Afghanistan or any number of
19 locations worldwide. I would like to take a moment to recognize and
20 thank Lieutenant Colonel Patrick Allen, their Battalion Commander, who
21 we are glad to have with us today.

22
23 Then there are those among us who have been affected on a much more
24 personal level than the rest of us. One of the most touching examples of
25 courage from that day involves the passengers and crew of United Flight
26 93, who were forewarned that they were in great peril. Rather than give
27 up, these brave souls were the first Americans to fight back against
28 terrorism. In doing so, they saved the lives of countless others at yet
29 another target site in our nation's capitol. The pilot of that flight, Captain
30 Jason Dahl, was one of Colorado's own. Jason lived with his wife and
31 two children in the Ken Caryl neighborhood of Littleton. Jason's wife,
32 Sandy, is committed to celebrating his life and spirit, and I am glad that
33 she is able to join us here today as we recall the heroism of Captain Dahl
34 and the others. Please join me in recognizing Sandy Dahl.

35
36 This great nation arose to face the tragedy in ways that told the world
37 terrorism would not be tolerated. Good and justice shall ultimately
38 prevail. I can't get the picture out of my mind of the firefighter going up
39 the stairs at the World Trade Center. Everyone else was going down the
40 stairs. That fireman had a job to do and an incredible sense of duty. Let
41 us draw inspiration from these heroes. May a sense of duty and honor
42 grace this chamber in the challenging days ahead.

43
44 Our world was changed in many ways after September 11th. People want
45 security, comfort, and peace of mind. They want to stay home more,
46 have more home cooked meals, and hug their children a little tighter.
47 Their priorities have changed. Changing times call for a change in the
48 way we conduct ourselves here, in this chamber. As we deliberate the
49 issues over the next one hundred twenty days, I ask you all to remember
50 the priorities of the people. We are elected to represent their will. They
51 expect us to conduct ourselves accordingly, and to not place partisan
52 politics above the important business we carry out for them. Their
53 interests must outweigh our own personal agendas.

54
55 This legislature faces some of its most significant challenges ever. We
56 are faced with a difficult economic situation, marked by reduced state

1 revenue, and compounded by constitutionally mandated spending. My
2 friends, these are tough times. The events of the day demand that you
3 check your partisan politics at the door of this chamber.
4

5 During the most recent special session, we reduced the current year's
6 budget by four hundred million dollars. Governor Bill Owens, by
7 executive order, took further action and directed agencies to reduce
8 spending by fifty-five million dollars. Now we find that we still must
9 reduce the budget by at least one hundred million dollars more.
10 Likewise, the budget we create for the next fiscal year will most likely
11 grow at a slower rate than previous years. This is a challenge for us all,
12 but I believe we are up to it.
13

14 Our duties will win us few friends this year. Various interest groups will
15 exert tremendous pressure to protect areas of the budget that have an
16 impact on them. But we must approach the budget in terms of the greater
17 good. We must ask, "What is best for the people of Colorado?" People
18 of honor do not cave in to the pressure of special interests.
19

20 The last ten years we have witnessed a gradual weakening of the
21 legislative branch of government. Term limits have weakened the
22 legislature. The TABOR amendment put serious limits on the power of
23 the legislature, and Amendment 23 damaged any budgetary flexibility we
24 possessed.
25

26 One of the few things specifically designated by our Colorado
27 Constitution as the duty of the legislature is congressional redistricting.
28 It is the responsibility of every member of the House and Senate to
29 protect the authority of the legislature and preserve the balance of power
30 between the three branches of government. This is our duty.
31

32 Today I call upon all of you to cherish your responsibilities as elected
33 representatives of the people. Place your solemn oath ahead of partisan
34 politics and come together in the spirit of compromise. Let us pass a
35 redistricting plan before the 25th of this month.
36

37 As you know, this is the date set by Judge John Coughlin as the deadline
38 for the legislature to adopt a plan. He points out this deadline is
39 necessary to ensure a plan is in place so our county clerks have sufficient
40 time to prepare for the November elections. I agree that this is a
41 reasonable deadline.
42

43 In October, the Rocky Mountain News quoted Judge Coughlin as saying,
44 "I have absolutely no desire to take the place of the legislature." I salute
45 Judge Coughlin for taking that position. We too must recognize our duty
46 to preserve the balance of power between the three branches of
47 government and fulfill our Constitutional responsibility.
48

49 To be frank, I was quite frustrated and disappointed in this legislature's
50 inability to adopt a plan during the recent special session. However, we
51 have one last chance to create a map that accurately reflects the
52 communities and growth of our state. If we let the court perform the job
53 of the legislature, I believe we will come to rue the day we failed in our
54 constitutional duty. Let this not be the legislature that is so remembered.
55

56 The only time the courts decided this issue was the landmark Carstens v.

1 Lamm case in 1982. After studying that decision, I believe the most
2 significant outcome was the creation of a roadmap for future redistricting
3 plans. I would like to briefly outline for you those criteria.
4

5 This first of the criteria, set out by the United States Constitution, is, of
6 course, equality of population. The second of the criteria, also from the
7 U. S. Constitution, is that there be an absence of racial discrimination.
8

9 Additionally, there are three requirements under our Colorado
10 Constitution we must also follow. The first deals with compactness of
11 the district. The second is that we must preserve municipal and county
12 boundaries whenever possible, and the third is that we preserve
13 communities of interest. Based on those constitutional criteria, the
14 Carstens court expanded to include several basic principles.
15

16 First of all, the western slope should be preserved in one district. Second,
17 the eastern plains should be preserved in one district. Third, Denver city
18 and county must remain whole. Fourth, the San Luis Valley should be
19 connected to the western slope and has little in common with the eastern
20 plains. Fifth, at least a significant portion of Pueblo belongs with the San
21 Luis Valley. Sixth, El Paso County and Pueblo County should be kept
22 separate and are historically opposed to one another. Seventh, county
23 boundaries should be respected above urban boundaries in rural areas,
24 and municipal boundaries should be respected over county boundaries in
25 urban areas. The case specifically referred to Aurora and Lakewood in
26 calling for keeping some of the state's largest cities whole. Lastly, the
27 suburban areas surrounding Denver have different and conflicting needs
28 than Denver and should have separate representation.
29

30 These principles are as true today as they were in 1982. While the state
31 has indeed grown in population, our geography remains consistent, as do
32 our communities of interest. Once again, I call upon you and our
33 colleagues in the Senate: Drop partisan politics. Step forward and be
34 counted as one who fulfills your constitutional duty with honor. Let us
35 work together in the spirit of bipartisan cooperation and swiftly adopt a
36 new congressional redistricting plan.
37

38 Along with the growth in the state that necessitates a new congressional
39 district comes another challenge: the need to adequately fund our state's
40 transportation needs. The sluggish economy hits our transportation
41 dollars first, and we cannot sit idly by and do nothing about it. We must
42 work together and develop strategies and solutions to meet this
43 tremendous challenge, not just for this year, but also for future
44 generations. That is the will of the people.
45

46 During the last three years, the Owens Administration has advanced
47 major transportation projects statewide. You can see the impact in every
48 quadrant of the state:
49

- 50 • On the eastern plains, where a crumbling I-70 has been rebuilt and
51 a major trucking route, US 287, also known as the Ports to Plains
52 Highway, is being reconstructed.
- 53 • In southern Colorado, where I-25 through Colorado Springs is
54 undergoing major renovation.
- 55 • In northern Colorado, where US 287 is being widened from
56 Berthoud to Loveland.

- 1 • On the west slope, where State Highway 82, US 10 over Wolf
2 Creek Pass, US 550 south of Durango and US 50 are being made
3 wider and safer.
4

5 We are investing billions of dollars in transportation improvements all
6 throughout Colorado on highways that suffered neglect during the past
7 two decades. There is much more to be done, and Governor Owens'
8 transportation package will bring additional billions to benefit highway
9 projects in rural and urban areas alike. I ask you to support our
10 Governor's plan.
11

12 In closing, I would ask you all to make the most of your time here in the
13 Colorado General Assembly. No matter how long you stay here, the time
14 is fleeting. Take it from an old-timer. It seems like only yesterday I was
15 sitting downstairs in freshman orientation with Bill Swenson, Todd
16 Saliman, Mark Paschall, Joyce Lawrence and Nolbert Chavez. Frana
17 Mace joined our class a little later on. All of these ladies and gentlemen
18 have distinguished themselves as outstanding legislators and leaders of
19 our state. Everyone who serves in this capacity makes great sacrifices,
20 and the state owes each of you a debt of gratitude. It has been a high
21 honor to serve with you.
22

23 To those of you who will return in future years, I would offer a few
24 pieces of advice given to me when I first began my service in this body.
25 First of all, develop a field of expertise. Since no one will be here more
26 than eight years, it is impossible to become a master of every issue.
27 Learn as much as you can about each bill you vote on, but focus your
28 efforts in one or two fields. Seek the advise of colleagues who share your
29 basic philosophy and who specialize in a field where you lack experience.
30

31 Insist that the lobby gives you accurate information when presenting their
32 clients views to you. Never allow the lobby to intentionally give you
33 inaccurate or misleading information.
34

35 Keep your word to your colleagues and to the lobby. You are only as
36 good as your word.
37

38 Don't burn your bridges with your colleagues. Your chief adversary on
39 one issue may well be your closest ally on the next.
40

41 The next piece of advice came to me from the late Representative Bud
42 Moellenberg, whom I was fortunate enough to be seated next to in my
43 first term. In his wonderful, plain country way, he said, "I carry the bills,
44 I don't marry 'em."
45

46 Take your position seriously, but don't take yourself too seriously.
47

48 Finally, protect the power of the legislative branch of government. An
49 elected legislature is the citizens' direct connection to their government.
50 That is the foundation of our republic, and the basis of our freedom.
51 Ronald Reagan said, "Freedom is a fragile thing and is never more than
52 one generation away from extinction. It is not ours by inheritance; it
53 must be fought for and defended constantly by each generation, for it
54 comes only once to a people. Those who have known freedom, and then
55 lost it, have never known it again."
56

1 As I said before, this legislative session provides us with many
2 challenges. Rather than running from the fire, let us enter it with a sense
3 of duty and honor. Let us show the people of Colorado that this
4 legislature is one that represents their hopes and values. Let us put
5 special interests and partisanship aside and let us do the will of the
6 people. In our small way, let us show the world that the great American
7 experiment known as democracy is working, and that "government of the
8 people, by the people, for the people," is alive within the walls of this
9 chamber.

10

11

12

13

OPENING DAY REMARKS BY REPRESENTATIVE GROSSMAN

14

15 It is with a great love of Colorado and our nation, that I stand before you,
16 ushering in the 2nd Session of the 63rd General Assembly. In the wake of
17 September 11th, this ceremony is a brave symbol reflecting our country's
18 strength, diligence, and commitment to the unique democracy we've
19 fashioned over the last 200 years.

20

21 Of course, we must not forget that there's a war on, that men and women
22 have been committed to righting wrongs. Our hearts are with them.

23

24 The tragedies of that fateful day have affected the entire nation. Here in
25 Colorado, we find ourselves in a fiscal quagmire. State revenues are
26 falling precipitously. Funding for important programs is now hard to
27 find. Visions for the future are being put on hold.

28

29 As easy as it would be to blame our predicament on foreign terrorists, on
30 the chaos of an unpredictable new world, and on unforeseeable tragedy;
31 we simply cannot.

32

33 We must acknowledge that our ship of state was already beginning to list
34 well before September 11th. We must acknowledge that a substantial
35 portion of the blame for our current state of affairs is appropriately placed
36 on the granite steps of this grand building.

37

38 Many of you know the story of Joseph from the old testament. Joseph
39 was a prophet of sorts who earned the trust of Pharaoh in ancient Egypt
40 because of his ability to interpret dreams and predict the future. Pharaoh
41 had dreamed of seven fat cows and seven lean cows that came out of the
42 river Nile. He also dreamed of seven bad ears of corn and seven good
43 ears of corn. Joseph told Pharaoh that his dreams meant that Egypt
44 would enjoy seven years of prosperity and plenty followed by seven years
45 of austerity and famine. Joseph advised Pharaoh to save the harvests
46 from the prosperous years to be consumed during the years of famine.

47

48 Pharaoh was a smart man. He heeded Joseph's prophecy and he ordered
49 that the harvest be saved. And Egypt survived the seven-year famine.

50

51 In 1998, in the midst of our nation's most impressive period of economic
52 growth, the state's revenues exceeded the spending limitations imposed
53 by tabor for the first time and the legislature began debating how to
54 refund the surplus.

55

1 We Democrats urged a cautious approach. Because of Tabor's
2 restrictions, permanent tax cuts would hinder the legislature's ability to
3 meet Colorado's most important needs if the economy were to soften.
4 And because we understood the cyclical nature of Colorado's economy,
5 we feared that a slow-down was inevitable.
6
7 Like Joseph to Pharaoh, we urged Governor Owens and our Republican
8 colleagues to manage the bounty and prepare for the drought. We
9 championed temporary tax cuts, we advocated keeping our options open.
10
11 But unlike in Genesis, the Pharaoh didn't listen.
12
13 In the year 2000, which saw over \$200 million in permanent tax cuts,
14 Governor Owens said, "With a budget surplus so large, there is plenty of
15 room to cut taxes and still ensure adequate state resources for a rainy
16 day."
17
18 Well, Governor, it has started to rain.
19
20 As we open this session, we are facing a \$32 billion transportation
21 shortfall. That means \$32 billion of transportation projects ordered and
22 approved by the Transportation Commission, with input from local
23 governments across the state, are in jeopardy.
24
25 And while House Democrats remain willing to discuss possible solutions
26 to this shortfall, we will not agree to an "asphalt-only" approach to
27 transportation. Colorado needs a transportation plan that emphasizes
28 moving people rather than just more lanes, for more cars, with more
29 congestion and more pollution.
30
31 Governor Owens has said in no uncertain terms that he believes that
32 transit is not a matter of state concern, that the local governments and
33 transit agencies are the exclusive purveyors of transit in the state. I
34 believe that policy to be shortsighted.
35
36 But even Governor Owens should agree that the state should at least
37 remove existing impediments to transit agencies funding such projects
38 themselves. So we look forward to the Governor's support of legislation
39 to remove the requirement that RTD obtain legislative approval before it
40 goes to the people to fund new projects.
41
42 As for growth, the two special sessions called by Governor Owens
43 resulted in some progress. But there is still work to do.
44
45 We need to make the local planning process more than an exercise in
46 futility. Let's make the process meaningful and the plans enforceable.
47 A right without a remedy is no right at all.
48
49 Empowering local governments to make growth pay its own way makes
50 good sense. Precluding struggling school districts from sharing in the
51 benefit of impact fees does not. We must remove the statutory provisions
52 that prohibit the use of impact fees to help with school construction.
53
54 In education, we Democrats are committed to preserving the financial
55 integrity of the education trust fund created by Amendment 23.
56 Thankfully, the voters have guaranteed that our public schools will be

1 adequately funded. Democrats will vigorously oppose any legislation
2 that undermines that guarantee.

3
4 Last year, I sponsored a bill to make the CSAP a longitudinal assessment
5 that tracks individual students' progress over time. This measure would
6 have provided a meaningful way to measure how schools are helping our
7 children improve rather than merely providing a snapshot and a judgment.
8 Representative King spearheaded the movement to kill that measure in
9 the education committee. I am pleased to see that a bipartisan effort to
10 realize longitudinal testing is being offered this year, with Representative
11 King as one of its chief proponents. I look forward to supporting this
12 legislation.

13
14 Representative Jameson will be carrying legislation to create the Teacher
15 Corps Colorado program that will utilize the existing opportunity
16 scholarship fund as an incentive for young people to choose teaching as
17 a profession.

18
19 In health care, we Democrats have proposals to mitigate the cost of
20 prescription drugs by leveraging our pool of medicaid recipients to
21 negotiate volume discounts the same way HMO's and insurance
22 companies do.

23
24 Skyrocketing health insurance premiums are a problem in Colorado and
25 across the country. 20, 30 even 50% increases were commonplace in
26 2001. Long-term solutions must be crafted with the participation of
27 industry and patient representatives. But we Democrats are unwilling to
28 shave one or two percentage points off of these increases at the expense
29 of those who are at risk of contracting breast or prostate cancer or who
30 suffer from mental illness. The cost is too high, the savings too small.

31
32 Finally, we Democrats spent the summer reacquainting ourselves with
33 rural Colorado. We met with farmers and ranchers in La Junta, Alamosa,
34 Delta, Longmont and Fort Morgan. From those meetings we compiled an
35 agenda to revitalize our rural communities including measures to create
36 new markets for Colorado producers and to inform consumers of the
37 origin, safety and quality of their food.

38
39 The path that we have chosen for our agenda is not the easy one. But
40 doing the right thing is rarely easy.

41
42 As President, Harry Truman kept a sparse and neat desk. He kept a
43 clock, a pen set and ink well, a photograph of his wife, Bess, and a
44 handwritten saying by fellow Missourian Mark Twain. It said, "Always
45 do right! This will gratify some and astonish the rest."

46
47 Simple Midwestern advice for complex international times. It
48 exemplifies the indomitable American spirit that has lifted our nation
49 from the ashes of the World Trade Center and that will once again carry
50 the world to a future of peace, justice and prosperity.

51
52 Let's heed Twain's advice this session. Let's strive always to do good.

53
54
55
56

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56

MESSAGES FROM THE SENATE

Mr. Speaker:

The Senate has adopted and transmits herewith: SJR02-001. Pursuant to the resolution, the President appointed Senators Hernandez and Epps.

The Senate has adopted and transmits herewith: SJR02-002.

INTRODUCTION AND CONSIDERATION OF RESOLUTION

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

SJR02-001 by Senator(s) Thiebaut, Matsunaka, Andrews; also Representative(s) Spradley, Dean, Grossman--Concerning the appointment of a joint committee to notify the Governor that the Second Regular Session of the Sixty-third General Assembly is organized and ready to transact business.

On motion of Representative Spradley, the rules were suspended and the resolution given immediate consideration and **adopted** by **viva voce** vote.

The Speaker appointed Representatives Spence, Chairman, Clapp, Tapia pursuant to the resolution.

Co-sponsors added: Representatives Scott, Spence, Swenson.

Representative Kester, Chairman of the Committee to Notify the Senate, reported that the Senate had been notified that the House was organized and ready for business.

House in recess.

The Speaker recognized a committee from the Senate. Senators Fitz-Gerald, Pascoe and Lamborn reported that the Senate was organized and ready for business.

House reconvened.

APPOINTMENTS

The Speaker announced the following changes in committee assignments:
Committee on Appropriations
Representative Rippy to replace Representative Nuñez

1 Committee on Business Affairs & Labor
 2 Representative Harvey to replace Representative Fairbank
 3 Committee on Education
 4 Representative Lawrence to replace Representative Nuñez
 5 Committee on Information & Technology
 6 Representative Harvey to replace Representative Lawrence
 7 Committee on State, Veterans, & Military Affairs
 8 Representative Schultheis, Vice-chair
 9 Representative Fairbank to replace Representative Nuñez
 10
 11 Representative Grossman announced the following changes in committee
 12 assignments:
 13 Committee on State, Veterans, & Military Affairs
 14 Representative Sanchez to replace Representative Grossman
 15 Committee on Finance
 16 Representative Vigil to replace Representative Sanchez

17
 18
 19
 20 Representative Spence, Chairman of the Committee to Notify the
 21 Governor, reported that the Governor had been notified that the House
 22 was organized and ready for business.

23
 24
 25
 26 **MESSAGE FROM THE SENATE**

27 Mr. Speaker:

28
 29 The Senate has adopted and returns herewith: HJR02-1001
 30 Pursuant to the resolution, the President appointed Senators Perlmutter
 31 and Anderson.

32
 33
 34
 35 **INTRODUCTION AND CONSIDERATION OF RESOLUTION**

36
 37 The following resolution was read at length and given immediate
 38 consideration:

39
 40 **SJR02-002** by Senator(s) Thiebaut, Matsunaka, Andrews; also
 41 Representative(s) Spradley, Dean, Grossman--Concerning
 42 employee salary ranges for the Second Regular Session of
 43 the Sixty-third General Assembly.

44
 45 On motion of Representative Spradley, the rules were suspended and the
 46 resolution given immediate consideration and **adopted** by **viva voce** vote.

47
 48 Co-sponsors added: Representatives Swenson, Vigil.

49
 50
 51
 52 House in recess. House reconvened.

53
 54
 55
 56

PRINTING REPORT

1
2
3 The Chief Clerk reports the following bills have been pre-printed and are
4 correctly printed: **HB02-1001, 1002, 1003, 1004, 1005, 1006, 1007,**
5 **1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018,**
6 **1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029,**
7 **1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040,**
8 **1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051,**
9 **1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062,**
10 **1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073,**
11 **1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084,**
12 **1085, 1086, 1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095,**
13 **1096, 1097, 1098, 1099, 1100, 1101, 1102.**
14
15

INTRODUCTION OF BILLS First Reading

16
17
18
19
20
21 The following bills were read by title and referred to the committees
22 indicated:
23

24 **HB02-1001** by Representative(s) Dean--Concerning the congressional
25 redistricting of Colorado.

26 Committee on State, Veterans, & Military Affairs
27

28 **HB02-1002** by Representative(s) Scott, Coleman, Vigil, Williams T.;
29 also Senator(s) Anderson, Takis, Taylor, Tupa--
30 Concerning an extension of the time during which
31 transactions involving public school fund investments are
32 assessed to determine whether losses can be offset by
33 corresponding gains.

34 Committee on Finance
35

36 **HB02-1003** by Representative(s) Spradley, Clapp, Tochtrop, Williams
37 T.; also Senator(s) Hagedorn, Owen--Concerning
38 expanded access to health insurance.

39 Committee on Health, Environment, Welfare, & Institutions
40

41 **HB02-1004** by Representative(s) Spradley, Clapp, Williams T.; also
42 Senator(s) McElhany, Owen--Concerning proportional
43 rating for health insurance premiums for business groups
44 of one.

45 Committee on Business Affairs & Labor
46

47 **HB02-1005** by Representative(s) Larson; also Senator(s) Isgar--
48 Concerning the prohibition against an insurer basing the
49 issuance of a motor vehicle insurance policy on the
50 suspension of a driver's license due to noncompliance with
51 a child support order.

52 Committee on Business Affairs & Labor
53

54 **HB02-1006** by Representative(s) Williams T., Clapp, Miller, Spradley,
55 Tochtrop; also Senator(s) Owen, Fitz-Gerald, Hagedorn,
56 Isgar, McElhany--Concerning the credit against the

- 1 Colorado income tax for health care professionals
2 practicing in rural healthcare professional shortage areas.
3 Committee on Finance
4 Committee on Appropriations
5
6 **HB02-1007** by Representative(s) Witwer--Concerning the repeal of the
7 authority of coroners to permit the removal of corneal
8 tissue from decedents.
9 Committee on Health, Environment, Welfare, & Institutions
10
11 **HB02-1008** by Representative(s) Smith--Concerning an extension of
12 the uranium mill tailings remedial action program.
13 Committee on Local Government
14
15 **HB02-1009** by Representative(s) Stafford--Concerning civil restraining
16 orders.
17 Committee on Civil Justice & Judiciary
18
19 **HB02-1010** by Representative(s) Stafford, Clapp, Mace; also
20 Senator(s) Hernandez, Hanna, Musgrave--Concerning the
21 efficient delivery of quality care to seniors.
22 Committee on Health, Environment, Welfare, & Institutions
23
24 **HB02-1011** by Representative(s) Sinclair; also Senator(s) Nichol--
25 Concerning the reduction of the number of available types
26 of special license plates.
27 Committee on Transportation & Energy
28
29 **HB02-1012** by Representative(s) Rippy, Hodge, Hoppe, Tapia, White;
30 also Senator(s) Taylor, Entz, Isgar--Concerning an
31 increase in the amount of moneys in the species
32 conservation trust fund, and making an appropriation in
33 connection therewith.
34 Committee on Agriculture, Livestock, & Natural Resources
35 Committee on Appropriations
36
37 **HB02-1013** by Representative(s) Spradley, Williams T.; also
38 Senator(s) McElhany, Owen--Concerning the guaranteed
39 issue of health insurance benefits for business groups of
40 one.
41 Committee on Business Affairs & Labor
42
43 **HB02-1014** by Representative(s) Smith--Concerning the removal by
44 the secretary of state of identification numbers from
45 financing statements filed before July 1, 2001, pursuant to
46 repealed provisions of article 9 of the "Uniform
47 Commercial Code", and making an appropriation therefor.
48 Committee on Business Affairs & Labor
49 Committee on Appropriations
50
51 **HB02-1015** by Representative(s) Scott--Concerning a requirement that
52 the general fund surplus be determined based upon the
53 accrual system of accounting, as enunciated by the
54 governmental accounting standards board.
55 Committee on Finance
56 Committee on Appropriations

- 1 **HB02-1016** by Representative(s) Lee--Concerning the congressional
2 redistricting of Colorado.
3 Committee on State, Veterans, & Military Affairs
4
- 5 **HB02-1017** by Representative(s) Fairbank--Concerning the
6 congressional redistricting of Colorado.
7 Committee on State, Veterans, & Military Affairs
8
- 9 **HB02-1018** by Representative(s) Ragsdale--Concerning the
10 establishment of an exception for twenty-four-hour child
11 care facilities to information-posting requirements.
12 Committee on Civil Justice & Judiciary
13
- 14 **HB02-1019** by Representative(s) Tapia--Concerning registration with
15 local law enforcement agencies as a condition of release
16 for certain persons found not guilty by reason of insanity.
17 Committee on Criminal Justice
18
- 19 **HB02-1020** by Representative(s) White; also Senator(s) Arnold--
20 Concerning the application of enhanced penalties for
21 violation of driving restrictions imposed by the state when
22 dangerous driving conditions exist.
23 Committee on Transportation & Energy
24
- 25 **HB02-1021** by Representative(s) Hefley, Rhodes; also Senator(s)
26 Hernandez--Concerning the waiver of parole consideration
27 by inmates.
28 Committee on Criminal Justice
29
- 30 **HB02-1022** by Representative(s) Johnson, Alexander; also Senator(s)
31 Linkhart--Concerning annual redeterminations of adoption
32 assistance for children with special needs.
33 Committee on Health, Environment, Welfare, & Institutions
34
- 35 **HB02-1023** by Representative(s) Fairbank--Concerning the
36 congressional redistricting of Colorado.
37 Committee on State, Veterans, & Military Affairs
38
- 39 **HB02-1024** by Representative(s) White, Hodge, Hoppe, Rippey, Tapia;
40 also Senator(s) Taylor, Entz, Isgar--Concerning the
41 creation of a permanent water resources review committee
42 of the Colorado general assembly.
43 Committee on Agriculture, Livestock, & Natural Resources
44
- 45 **HB02-1025** by Representative(s) Romanoff, Boyd, Stafford, Tochtrop;
46 also Senator(s) Hagedorn, Hanna, Hernandez, Linkhart--
47 Concerning methods to address barriers to self-sufficiency
48 in Colorado works participants, and making an
49 appropriation therefor.
50 Committee on Local Government
51 Committee on Appropriations
52
- 53 **HB02-1026** by Representative(s) Boyd, Tochtrop; also Senator(s)
54 Hernandez, Linkhart--Concerning segregated funding
55 under the Colorado works program.
56 Committee on Local Government

- 1 **HB02-1027** by Representative(s) Romanoff, Mace; also Senator(s)
2 Hernandez, Hanna--Concerning case-mix reimbursement
3 methodology for the reimbursement of services under the
4 "Colorado Medical Assistance Act".
5 Committee on Health, Environment, Welfare, & Institutions
6 Committee on Appropriations
7
8
- 9 **HB02-1028** by Representative(s) Weddig, Lee; also Senator(s)
10 Lamborn--Concerning the determination of a maximum
11 lawful speed on state highways.
12 Committee on Transportation & Energy
13
- 14 **HB02-1029** by Representative(s) Romanoff, Clapp, Mace, Stafford;
15 also Senator(s) Hanna, Hernandez--Concerning expansion
16 of the program of all-inclusive care for the elderly.
17 Committee on Health, Environment, Welfare, & Institutions
18
- 19 **HB02-1030** by Representative(s) Madden, Groff; also Senator(s)
20 Linkhart, Windels--Concerning local adult offender
21 services planning committees.
22 Committee on Criminal Justice
23
- 24 **HB02-1031** by Representative(s) Tochtrop; also Senator(s) Hanna--
25 Concerning the elimination of the requirement that a nurse
26 be retired within the past four years to receive a retired
27 volunteer nursing license.
28 Committee on Health, Environment, Welfare, & Institutions
29
30
- 31 **HB02-1032** by Representative(s) Miller, Mace, Webster; also
32 Senator(s) Hanna--Concerning the authorization for
33 members of the statewide defined benefit plan to acquire
34 service credit for prior employment not covered by the
35 plan.
36 Committee on Finance
37
- 38 **HB02-1033** by Representative(s) Webster; also Senator(s) Musgrave--
39 Concerning the reform of state statutes, and, in connection
40 therewith, deleting the fat content requirement for
41 whipped butter and eliminating the license application fee
42 for dealers in farm products who conduct transactions with
43 cash.
44 Committee on Agriculture, Livestock, & Natural Resources
45
- 46 **HB02-1034** by Representative(s) Veiga; also Senator(s) Anderson--
47 Concerning fees in connection with restraining orders.
48 Committee on Civil Justice & Judiciary
49
- 50 **HB02-1035** by Representative(s) Tochtrop, Williams T.; also
51 Senator(s) Hagedorn, Fitz-Gerald, Isgar--Concerning the
52 creation of a loan program for nurses.
53 Committee on Education
54 Committee on Finance
55

- 1 **HB02-1036** by Representative(s) Plant, Mace; also Senator(s) Phillips--
2 -Concerning state contributions to volunteer firefighter
3 pension plans.
4 Committee on Local Government
5 Committee on Finance
6
- 7 **HB02-1037** by Representative(s) Daniel; also Senator(s) Hanna--
8 Concerning the exemption of certain family child care
9 home licensees from juror service.
10 Committee on Civil Justice & Judiciary
11
- 12 **HB02-1038** by Representative(s) Tapia--Concerning the unlawful
13 possession of certain items with intent to manufacture a
14 controlled substance, and making an appropriation in
15 connection therewith.
16 Committee on Criminal Justice
17 Committee on Appropriations
18
- 19 **HB02-1039** by Representative(s) Clapp, Mace, Romanoff, Stafford;
20 also Senator(s) Chlouber, Hernandez, Musgrave--
21 Concerning the creation of a consumer-directed care pilot
22 program for the elderly.
23 Committee on Health, Environment, Welfare, & Institutions
24
- 25 **HB02-1040** by Representative(s) Sinclair; also Senator(s) Hagedorn--
26 Concerning background investigations for alcohol
27 beverage licenses.
28 Committee on Information & Technology
29
- 30 **HB02-1041** by Representative(s) Rippy--Concerning the maintenance
31 of a sufficient balance in the operational account of the
32 severance tax trust fund to fund the recommended
33 programs for two state fiscal years.
34 Committee on Agriculture, Livestock, & Natural Resources
35
- 36 **HB02-1042** by Representative(s) Stafford, Boyd, Clapp, Romanoff;
37 also Senator(s) Linkhart, Hernandez--Concerning
38 extensions under the Colorado works program for persons
39 who have reached the sixty-month lifetime limit for receipt
40 of TANF assistance.
41 Committee on Local Government
42
- 43 **HB02-1043** by Representative(s) Crane, Cloer, Stafford; also
44 Senator(s) Hagedorn--Concerning incentives to encourage
45 Colorado works participants to pursue a living wage.
46 Committee on Local Government
47
- 48 **HB02-1044** by Representative(s) Williams S., Stafford; also Senator(s)
49 Tupa, Entz, Isgar--Concerning the issuance of certain
50 special license plates.
51 Committee on Transportation & Energy
52
- 53 **HB02-1045** by Representative(s) Williams S., Sinclair, Swenson; also
54 Senator(s) May--Concerning the elimination of the
55 requirement that the amount of state sales and use tax
56 revenues to be transferred to the highway users tax fund be

- 1 reduced as necessary to fully fund general fund
2 expenditures up to the statutory general fund
3 appropriations limit whenever a specified quarterly general
4 fund revenues estimate indicates that there will not be
5 sufficient revenues to fund general fund expenditures up
6 to that limit absent such a reduction.
7 Committee on Transportation & Energy
8 Committee on Finance
9
10
11 **HB02-1046** by Representative(s) Lee, Decker, Groff, Hefley, Madden,
12 Mitchell; also Senator(s) Windels, Dyer, Arnold, Gordon,
13 Linkhart--Concerning the relocation of certain existing
14 criminal sentencing statutes to a new article in title 18,
15 Colorado Revised Statutes.
16 Committee on Criminal Justice
17
18 **HB02-1047** by Representative(s) King--Concerning compulsory
19 insurance coverage for motor vehicles.
20 Committee on Transportation & Energy
21
22
23 **HB02-1048** by Representative(s) Crane; also Senator(s) Epps--
24 Concerning occupational therapy deceptive trade practice
25 title protection.
26 Committee on Business Affairs & Labor
27
28 **HB02-1049** by Representative(s) Rhodes; also Senator(s) Dyer--
29 Concerning state income tax relief for individual taxpayers
30 who are victims of terrorist attacks.
31 Committee on Finance
32
33 **HB02-1050** by Representative(s) Coleman; also Senator(s) Hernandez--
34 Concerning disclosures specifically related to the cost
35 savings associated with managed care options in personal
36 injury protection under the no-fault motor vehicle
37 insurance law.
38 Committee on Business Affairs & Labor
39
40 **HB02-1051** by Representative(s) Romanoff, Veiga--Concerning
41 measures to protect victims.
42 Committee on Business Affairs & Labor
43 Committee on Civil Justice & Judiciary
44
45 **HB02-1052** by Representative(s) Borodkin; also Senator(s) Fitz-
46 Gerald, Hanna--Concerning the creation of the Colorado
47 animal cruelty offender treatment task force, and making
48 an appropriation in connection therewith.
49 Committee on State, Veterans, & Military Affairs
50 Committee on Appropriations
51
52 **HB02-1053** by Representative(s) Young; also Senator(s) Taylor--
53 Concerning school grants.
54 Committee on Education
55

- 1 **HB02-1054** by Representative(s) Grossman--Concerning a prohibition
2 against allowing a court to grant a name change to any
3 person convicted of a felony.
4 Committee on Criminal Justice
5
- 6 **HB02-1055** by Representative(s) Jahn; also Senator(s) Reeves--
7 Concerning support obligations.
8 Committee on Civil Justice & Judiciary
9
- 10 **HB02-1056** by Representative(s) Hoppe, Miller, Tochtrop, Alexander--
11 -Concerning an exemption from the real property
12 acquisition policies of the Colorado relocation assistance
13 and land acquisition policies act.
14 Committee on Agriculture, Livestock, & Natural Resources
15
- 16 **HB02-1057** by Representative(s) Swenson; also Senator(s) Musgrave--
17 Concerning the modification of the existing state excess
18 revenue refund mechanism that reduces the sales tax rate
19 on specified vehicles with a gross vehicle weight rating in
20 excess of twenty-six thousand pounds to allow the
21 determination of whether the mechanism will be utilized
22 in a given state fiscal year to be made prior to the end of
23 the preceding state fiscal year.
24 Committee on Finance
25
- 26 **HB02-1058** by Representative(s) Saliman, Paschall--Concerning the
27 use of tax increment financing by any urban renewal
28 authority, and, in connection therewith, requiring the
29 approval of a county, school district, or special district
30 before tax increment financing is applied to its property
31 taxes and allowing a county, school district, or special
32 district to require the base used for calculating a division
33 of its tax revenues for purposes of tax increment financing
34 to be adjusted every five years.
35 Committee on Finance
36
- 37 **HB02-1059** by Representative(s) Marshall; also Senator(s) Teck--
38 Concerning modifications to the state income tax credit
39 available to Colorado taxpayers who make monetary
40 contributions to a specified higher education institute, and,
41 in connection therewith, clarifying the amount of the
42 credit that may be claimed, requiring submission of certain
43 documentation when claiming the credit, delaying the
44 applicability of the credit for one year, and correcting the
45 name of the institute to which contributions are to be made
46 in order to qualify for the credit.
47 Committee on Finance
48 Committee on Appropriations
49
- 50 **HB02-1060** by Representative(s) Williams T., Miller, Spradley; also
51 Senator(s) Hillman--Concerning the limitation of
52 contingency fee agreements in medical malpractice
53 actions.
54 Committee on Business Affairs & Labor
55

- 1 **HB02-1061** by Representative(s) Garcia--Concerning applications for
2 absentee ballots.
3 Committee on State, Veterans, & Military Affairs
4
- 5 **HB02-1062** by Representative(s) Spence, Kester, Weddig, White--
6 Concerning payments for construction contracts.
7 Committee on Business Affairs & Labor
8
- 9 **HB02-1063** by Representative(s) Berry; also Senator(s) Epps--
10 Concerning the "Colorado Children's Trust Fund Act".
11 Committee on Health, Environment, Welfare, & Institutions
12
- 13 **HB02-1064** by Representative(s) Williams S., Alexander, Cloer; also
14 Senator(s) Isgar, Entz--Concerning statutory changes to
15 enhance consistent compliance with the federal "Indian
16 Child Welfare Act" statewide.
17 Committee on Civil Justice & Judiciary
18
- 19 **HB02-1065** by Representative(s) Hodge--Concerning doubling the
20 penalty for moving traffic violations committed in a
21 wildlife crossing zone.
22 Committee on Transportation & Energy
23
- 24 **HB02-1066** by Representative(s) Swenson--Concerning measures that
25 will stabilize the cash flow associated with the issuance of
26 license plates.
27 Committee on Transportation & Energy
28
- 29 **HB02-1067** by Representative(s) Mace--Concerning implementation
30 of the family caregiver support program.
31 Committee on Health, Environment, Welfare, & Institutions
32
33
- 34 **HB02-1068** by Representative(s) Decker--Concerning the
35 congressional redistricting of Colorado.
36 Committee on State, Veterans, & Military Affairs
37
- 38 **HB02-1069** by Representative(s) Sanchez--Concerning the
39 establishment of the federal minimum wage as the state
40 minimum wage.
41 Committee on State, Veterans, & Military Affairs
42
- 43 **HB02-1070** by Representative(s) Groff, Marshall, Tapia--Concerning
44 the use of child passenger restraints in motor vehicles.
45 Committee on Transportation & Energy
46
- 47 **HB02-1071** by Representative(s) Miller; also Senator(s) Teck--
48 Concerning the standard a government agency must meet
49 in order to use driver's license image technology.
50 Committee on Information & Technology
51
- 52 **HB02-1072** by Representative(s) King--Concerning the congressional
53 redistricting of Colorado.
54 Committee on State, Veterans, & Military Affairs
55

- 1 **HB02-1073** by Representative(s) Mitchell--Concerning the prohibition
2 against human cloning, and making an appropriation
3 therefor.
4 Committee on Civil Justice & Judiciary
5 Committee on Appropriations
6
- 7 **HB02-1074** by Representative(s) Chavez--Concerning the prohibition
8 of open alcoholic containers in motor vehicles.
9 Committee on Transportation & Energy
10 Committee on Finance
11
- 12 **HB02-1075** by Representative(s) Schultheis; also Senator(s) Anderson--
13 -Concerning the procedure for conducting sunrise and
14 sunset reviews.
15 Committee on Information & Technology
16
- 17 **HB02-1076** by Representative(s) Madden--Concerning certain
18 prerequisites for a tax refund offset.
19 Committee on Finance
20
- 21 **HB02-1077** by Representative(s) Coleman, Scott, Vigil, Williams T.;
22 also Senator(s) Anderson, Taylor, Tupa--Concerning
23 audits performed by the division of criminal justice to
24 determine levels of compliance by community corrections
25 programs with established standards.
26 Committee on Criminal Justice
27
- 28 **HB02-1078** by Representative(s) Vigil; also Senator(s) Tupa--
29 Concerning the regulation of boxing in Colorado.
30 Committee on State, Veterans, & Military Affairs
31
- 32 **HB02-1079** by Representative(s) Bacon--Concerning imposition of
33 incarceration for violating a valid court order under the
34 "School Attendance Law of 1963".
35 Committee on Education
36 Committee on Criminal Justice
37 Committee on Appropriations
38
- 39 **HB02-1080** by Representative(s) Tochtrop, Boyd; also Senator(s)
40 Linkhart, Hanna, Hernandez--Concerning community
41 planning grants to support work force development
42 programs for low-income persons.
43 Committee on Local Government
44
- 45 **HB02-1081** by Representative(s) Boyd; also Senator(s) Fitz-Gerald--
46 Concerning mandatory reporting of abuse of at-risk adults.
47 Committee on Civil Justice & Judiciary
48
- 49 **HB02-1082** by Representative(s) Stafford--Concerning the Colorado
50 low-income housing tax credit.
51 Committee on Finance
52
- 53 **HB02-1083** by Representative(s) Lawrence--Concerning the creation
54 of the Amber alert program.
55 Committee on Criminal Justice
56

- 1 **HB02-1084** by Representative(s) Stengel--Concerning composition of
2 the wildlife commission membership.
3 Committee on Agriculture, Livestock, & Natural Resources
4
- 5 **HB02-1085** by Representative(s) Cloer--Concerning changes in the
6 deadlines for taxpayers to give notice of objection to
7 valuation of real property by assessors.
8 Committee on Finance
9
- 10 **HB02-1086** by Representative(s) Plant; also Senator(s) Fitz-Gerald--
11 Concerning emergency notification service.
12 Committee on Information & Technology
13
- 14 **HB02-1087** by Representative(s) Johnson--Concerning the provision
15 of temporary veterinary services at racing operations.
16 Committee on Agriculture, Livestock, & Natural Resources
17
- 18 **HB02-1088** by Representative(s) Mace--Concerning the limitations on
19 the duties of notaries public who are not licensed to
20 practice law.
21 Committee on Civil Justice & Judiciary
22
- 23 **HB02-1089** by Representative(s) Kester; also Senator(s) Entz--
24 Concerning the standards for approval of simulcast
25 facilities by the Colorado racing commission.
26 Committee on Information & Technology
27
- 28 **HB02-1090** by Representative(s) Tochtrop, Clapp, Miller, Spradley,
29 Williams T.; also Senator(s) Fitz-Gerald, Hagedorn, Isgar,
30 Owen--Concerning the creation of an advisory committee
31 to study the administration of medications by certified
32 nurse aides.
33 Committee on Health, Environment, Welfare, & Institutions
34
- 35 **HB02-1091** by Representative(s) Fritz--Concerning the augmentation
36 of law enforcement tools used to gain compliance with
37 laws regulating the recreational use of Colorado natural
38 resources.
39 Committee on Agriculture, Livestock, & Natural Resources
40
- 41 **HB02-1092** by Representative(s) Williams T.; also Senator(s) Tate--
42 Concerning activities of trust companies.
43 Committee on Business Affairs & Labor
44
- 45 **HB02-1093** by Representative(s) Alexander; also Senator(s)
46 Hernandez--Concerning the recovery of overpayments of
47 public assistance.
48 Committee on Health, Environment, Welfare, & Institutions
49
- 50 **HB02-1094** by Representative(s) Lee; also Senator(s) Evans--
51 Concerning judicial evaluation reports filed with the
52 district commissions on judicial performance, and, in
53 connection therewith, permitting a district commission to
54 obtain authority from the state commission on judicial
55 performance to require the filing of the reports.
56 Committee on Civil Justice & Judiciary

- 1 **HB02-1095** by Representative(s) Clapp; also Senator(s) Andrews--
2 Concerning governor Ralph Carr day.
3 Committee on State, Veterans, & Military Affairs
4
- 5 **HB02-1096** by Representative(s) Jameson--Concerning local
6 government planning for public works.
7 Committee on Local Government
8 Committee on State, Veterans, & Military Affairs
9
- 10 **HB02-1097** by Representative(s) Snook--Concerning a preference for
11 the purchase of Colorado agricultural products by
12 government entities.
13 Committee on Agriculture, Livestock, & Natural Resources
14
- 15 **HB02-1098** by Representative(s) Spradley; also Senator(s) Owen--
16 Concerning a requirement that any donation of a perpetual
17 conservation easement for which a credit against state
18 income tax is claimed be eligible to qualify as a qualified
19 conservation contribution pursuant to requirements
20 specified in the federal internal revenue code.
21 Committee on Agriculture, Livestock, & Natural Resources
22
- 23 **HB02-1099** by Representative(s) Webster--Concerning the
24 nomenclature applicable to agencies within the department
25 of agriculture, and, in connection therewith, changing the
26 names of the soil conservation board and soil conservation
27 districts to the conservation board and conservation
28 districts, respectively.
29 Committee on Agriculture, Livestock, & Natural Resources
30
- 31 **HB02-1100** by Representative(s) Snook, Mitchell--Concerning
32 appellate review in class action lawsuits.
33 Committee on Civil Justice & Judiciary
34
- 35 **HB02-1101** by Representative(s) Williams T.; also Senator(s) Gordon--
36 Concerning family-friendly courts, and making an
37 appropriation therefor.
38 Committee on Civil Justice & Judiciary
39 Committee on Appropriations
40
- 41 **HB02-1102** by Representative(s) Rhodes--Concerning an increase in
42 the penalty for certain wiretapping offenses, and making
43 an appropriation therefor.
44 Committee on Criminal Justice
45 Committee on Appropriations
46

INTRODUCTION OF RESOLUTIONS

47
48
49
50
51 The following resolution was read by title and referred to the committee
52 indicated:

- 53
54 **HJR02-1002** by Representative(s) Larson--Concerning the creation of
55 an interim committee to study palliative care in Colorado.
56 Committee on State, Veterans, & Military Affairs

1 WHEREAS, Palliative care is a comprehensive and holistic
2 approach to health care for patients with chronic or life-threatening
3 illnesses that is delivered by a specialized, interdisciplinary team and
4 focuses on a patient's comfort and quality of life and his or her right to
5 determine the best course of care; and

6
7 WHEREAS, Palliative care is based on a personalized plan created
8 by the patient and his or her family and health care providers, which plan
9 addresses pain and symptom management, as well as responds to other
10 physical, psychological, social, and spiritual needs; and

11
12 WHEREAS, Palliative care is an economically sound approach to
13 health care that minimizes the cost of dying and long-term care by
14 redirecting patient care activities from curative efforts to comfort and
15 quality of life; and

16
17 WHEREAS, Palliative care seeks neither to hasten death nor
18 artificially prolong life; and

19
20 WHEREAS, Each year more than fourteen thousand Coloradans
21 die of terminal illnesses with little or no support for themselves or their
22 families in preparing for the death process; and

23
24 WHEREAS, Many more Coloradans suffer ongoing pain and other
25 symptoms associated with chronic illnesses that reduce their productivity
26 and their quality of life even though such symptoms are treatable with
27 medical, psychological, and social methods; and

28
29 WHEREAS, Although hospice care is a proven model of palliative
30 care for the terminally ill, only one-third of eligible Coloradans receive
31 hospice care. Furthermore, half of those who do receive hospice care
32 only benefit from nineteen or fewer days of this holistic care and
33 symptom management, which is generally an inadequate amount of care;
34 and

35
36 WHEREAS, Extensive palliative care methodology has been
37 developed that allows patients and their health care providers to design
38 programs that significantly affect their quality of life and productivity;
39 and

40
41 WHEREAS, It would be beneficial to this state and its citizens to
42 identify and address barriers and disincentives to palliative care in order
43 to provide comprehensive palliative care to patients with chronic or
44 life-threatening illnesses; now, therefore,

45
46 *Be It Resolved by the House of Representatives of the Sixty-third*
47 *General Assembly of the State of Colorado, the Senate concurring*
48 *herein:*

49
50 (1) That there shall be a committee to meet in the interim after the
51 conclusion of the 2002 Regular Session of the Sixty-third General
52 Assembly to study palliative care, including the barriers and disincentives
53 that prohibit or prevent patients from receiving palliative care throughout
54 chronic and life-threatening illnesses. Such interim committee shall
55 consist of six members of the General Assembly. Three members of the
56 committee shall be from the senate, two appointed by the president of the

- 1 senate and one appointed by the minority party leader of the senate and
2 no more than two of the three members shall be from the same political
3 party. Three members of the committee shall be from the house of
4 representatives, appointed by the speaker of the house of representatives
5 after consultation with the minority leader of the house of representatives,
6 and no more than two of the three members shall be from the same
7 political party.
8
- 9 (2) That the interim committee may study, but shall not be limited
10 to, the following:
11
- 12 (a) Public awareness of the availability of palliative care and the
13 options and consumer choices in palliative care;
14
- 15 (b) The economics and potential savings of palliative care;
16
- 17 (c) The differences in access to palliative care in urban and rural
18 areas in Colorado;
19
- 20 (d) Insurance and medicaid reimbursement for palliative care;
21
- 22 (e) A review of the implementation and results of the 1996 and
23 1997 legislation concerning intractable pain and its effect on palliative
24 care in this state;
25
- 26 (f) Palliative and end-of-life training for health care providers in
27 state-funded schools and palliative and end-of-life continuing education
28 for practicing health care providers;
29
- 30 (g) The six-month limitation on hospice care and how that affects
31 the receipt of palliative care;
32
- 33 (h) Models of palliative care delivery in all care settings,
34 including homes, in other states.
35
- 36 (3) That the interim committee shall meet six times during the
37 2002 interim, including at least three meetings that are held in rural areas
38 of the state.
39
- 40 (4) That the Legislative Council shall report its findings and
41 recommendations, including any recommended legislation, to the
42 members of the First Regular Session of the Sixty-fourth General
43 Assembly.
44
- 45 (5) That expenditures incurred in the conduct of the study
46 enumerated in this joint resolution shall be approved by the chairperson
47 of the Legislative Council and paid by vouchers and warrants drawn as
48 provided by law from funds allocated to the Legislative Council from
49 appropriations made by the General Assembly.
50
51
52
53
54
55
-

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

3

4 **HJR02-1003** by Representative(s) Borodkin, Stafford, Witwer, Clapp;
5 also Senator(s) Hernandez, Hanna--Concerning the
6 importance of long-term care insurance, and, in connection
7 therewith, encouraging citizens to purchase private long-
8 term care insurance policies.

9

10

11 WHEREAS, Long-term care provides services to people who may
12 have cognitive impairment or who are unable to perform certain tasks on
13 their own, such as bathing, dressing, or eating; and

14

15 WHEREAS, A leading study reveals that many older adults will
16 need long-term care services, showing that 22% of 65-year-old men and
17 41% of 65-year-old women can expect to have a nursing home stay
18 longer than 3 months at some point in their futures, and 14% of men and
19 31% of women of that same age can expect a stay of longer than one
20 year; and

21

22 WHEREAS, Older adults are most likely to begin using nursing
23 home care at ages 84 to 85; and

24

25 WHEREAS, Basic nursing home costs in Colorado typically range
26 from \$95 to \$144 per day and are expected to exceed \$240 per day in just
27 15 years, and at-home personal care services typically cost around \$15
28 per hour; and

29

30 WHEREAS, Nationally, one-third of long-term care costs are paid
31 out of pocket; and

32

33 WHEREAS, The government provides a safety net for the
34 impoverished, but it cannot afford to pay for long-term care for everyone
35 who will need it; and

36

37 WHEREAS, Failing to protect household assets by planning for
38 long-term care with private insurance can have dire consequences that
39 result in the loss of those assets; and

40

41 WHEREAS, It is imperative that people begin now to plan for
42 their long-term care needs; and

43

44 WHEREAS, Private long-term care insurance can help pay for
45 most of the cost of long-term care, as well as provide protection against
46 inflation; and

47

48 WHEREAS, Increasing the number of private options for
49 long-term care is not only important, but essential for the well-being of
50 Coloradans; now, therefore,

51

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

55

