

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

Seventy-second Legislative Day

Thursday, March 20, 2003

1 Prayer by Representative Carroll.

2

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

4

5 Pledge of Allegiance led by Representative Fairbank.

6

7 The roll was called with the following result:

8

9 Present--49.

10 Excused for Legislative Business--Representative Johnson--1.

11 Excused--Representatives Butcher, Clapp, Coleman, Garcia, Hall,
12 Harvey, Johnson, Madden, Pommer, Ragsdale, Sinclair, Stafford,
13 Stengel, Weddig, Wiens, Williams S.--15.

14 Present after roll call--Representatives Butcher, Coleman, Madden,
15 Pommer, Sinclair.

16

17 The Speaker declared a quorum present.

18

19

20 On motion of Representative Carroll, the reading of the journals of
21 March 18, 2003, and March 19, 2003, was declared dispensed with and
22 approved as corrected by the Chief Clerk.

23

24

APPOINTMENTS

25

26
27 Representative Veiga announced the following temporary change in
28 committee assignments, for today only: Representative Judd to replace
29 Representative Weddig on the Committee on Business Affairs & Labor

30

31

House in recess. House reconvened.

32

33

34

REPORTS OF COMMITTEES OF REFERENCE

35

36

EDUCATION

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

40

41 **HB03-1327** be amended as follows, and as so amended, be referred to
42 the Committee of the Whole with favorable
43 recommendation:

1 Amend printed bill, page 2, line 14, after "local", insert "AND WIDELY
2 DISTRIBUTED";

3
4 line 16, after "positions.", insert "THE SCHOOL DISTRICT MAY NOT
5 DECLARE A CRITICAL SHORTAGE IF IT HAS OFFERED AN EXPERIENCE AND
6 LONGEVITY PLAN OR OTHER RETIREMENT INCENTIVE PLAN ENCOURAGING
7 RETIREMENT DURING THE CURRENT CALENDAR YEAR OR EITHER OF THE
8 TWO PREVIOUS CALENDAR YEARS.";

9
10 line 22, after the period, add "ANY SUCH NONLICENSED EMPLOYEE SHALL
11 BE ELIGIBLE TO PARTICIPATE IN THE SCHOOL DISTRICT'S HEALTH PLAN
12 WHILE EMPLOYED AS A NONLICENSED EMPLOYEE.";

13
14 line 24, strike "2008." and substitute "2005.".

15
16 Page 3, line 17, strike "2008." and substitute "2005.";

17
18 line 22, strike "2008." and substitute "2005.";

19
20 after line 22, insert the following:

21
22 "SECTION 3. 24-51-1103.5 (3), Colorado Revised Statutes, is
23 amended, and the said 24-51-1103.5 is further amended BY THE
24 ADDITION OF A NEW SUBSECTION, to read:

25
26 **24-51-1103.5. Contributions for a retiree employed by a school**
27 **district during critical shortage - no benefit calculation upon**
28 **subsequent termination - repeal. (2.5) ANY SERVICE RETIREE WHO IS**
29 **EMPLOYED PURSUANT TO THIS SECTION SHALL NOT RECEIVE A HEALTH**
30 **CARE PREMIUM SUBSIDY PURSUANT TO SECTION 24-51-1206 DURING SUCH**
31 **EMPLOYMENT.**

32
33 (3) This section is repealed, effective ~~July 1, 2003~~ JULY 1, 2005.".

34
35 Renumber succeeding section accordingly.

36
37
38
39
40 **HEALTH, ENVIRONMENT, WELFARE, & INSTITUTIONS**

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

43
44 **SB03-015** be referred to the Committee of the Whole with favorable
45 recommendation.

46
47 **SB03-119** be referred to the Committee of the Whole with favorable
48 recommendation.

49
50
51 **SB03-134** be amended as follows, and as so amended, be referred to
52 the Committee on Appropriations with favorable
53 recommendation:

54
55 Amend reengrossed bill, page 4, strike lines 19 through 25 and substitute
56 the following:

1 "IS A LICENSED PROFESSIONAL NURSE; one member shall represent
2 professional associations composed of home health agencies; ~~one member~~
3 ~~shall be from a group representing the concerns of senior citizens, and~~
4 one member shall represent professional associations composed of
5 nursing homes; ONE MEMBER".

6

7 Page 5, strike line 4 and substitute the following:

8

9 **"SECTION 7.** The introductory portion to 12-38.1-111 (1) and
10 12-38.1-111 (1) (c), (1) (f), (1) (h), (1) (i), and (3),";

11

12 strike line 9 and substitute the following:

13 "~~suspend, revoke,~~ REVOKE or deny any certification to practice as a nurse
14 aide ~~or~~";

15

16 line 10, strike "issue a letter of admonition to a certified nurse aide" and
17 substitute "issue a letter of admonition to a certified nurse aide";

18

19 after line 11, insert the following:

20

21 ~~"(c) Has willfully or negligently acted in a manner inconsistent~~
22 ~~with the health or safety of a person under his care;~~

23

24 ~~(f) Has negligently or willfully practiced as a nurse aide in a~~
25 ~~manner which fails to meet generally accepted standards for such~~
26 ~~practice;";~~

27

28 strike lines 21 through 27.

29

30 Page 6, strike lines 1 through 7 and substitute the following:

31

32 ~~"(3) Whenever a complaint or investigation discloses an instance~~
33 ~~of misconduct which, in the opinion of the board does not warrant formal~~
34 ~~action by the board but which should not be dismissed as being without~~
35 ~~merit, a letter of admonition may be sent by certified mail to the nurse~~
36 ~~aide against whom a complaint was made and a copy thereof to the~~
37 ~~person making the complaint. When the letter of admonition is sent by~~
38 ~~certified mail by the board to a nurse aide complained against, such nurse~~
39 ~~aide shall be advised that such person has the right to request in writing~~
40 ~~within twenty days after proven receipt of the letter, that formal~~
41 ~~disciplinary proceedings be initiated to adjudicate the propriety of the~~
42 ~~complaint on which the letter of admonition is based. If such request is~~
43 ~~timely made, the letter of admonition shall be deemed vacated and the~~
44 ~~matter shall be heard as a formal disciplinary proceeding.~~

45

46 **SECTION 8.** 12-38.1-114 (3), Colorado Revised Statutes, is
47 amended to read:

48

49 **12-38.1-114. Disciplinary proceedings - hearing officers.**

50 (3) The license of a person certified by the board as a nurse aide may be
51 ~~revoked or suspended~~ or such person may otherwise be disciplined upon
52 written findings by the board that the licensee has committed acts ~~which~~
53 **THAT** violate the provisions of this article."

54

55 Renumber succeeding sections accordingly.

56

1 **JUDICIARY**

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

4
5 **HB03-1319** be amended as follows, and as so amended, be referred to
6 the Committee on Finance with favorable
7 recommendation:
8

9 Amend printed bill, page 9, after line 17, insert the following:

10
11 "SECTION 7. **Repeal.** 33-6-114.5 (7) (c), Colorado Revised
12 Statutes, is repealed as follows:
13

14 **33-6-114.5. Native and nonnative fish - possession,**
15 **transportation, importation, exportation, and release - penalties.**
16 (7) (c) ~~As an alternative punishment, any person who violates subsection~~
17 ~~(2), (3), (4), (5), or (6) of this section or any rule or regulation~~
18 ~~promulgated by the wildlife commission relating to fish health, the spread~~
19 ~~of aquatic diseases, or the importation into the state or the distribution~~
20 ~~and management of any exotic aquatic species may be punished upon a~~
21 ~~finding of such violation by the director as follows:~~
22

23 ~~(I) In any first administrative proceeding, by a fine of not less than~~
24 ~~one hundred dollars nor more than one thousand dollars. In addition, any~~
25 ~~person who violates subsection (5) or (6) of this section is liable for all~~
26 ~~damages and costs associated with such unlawful release, including but~~
27 ~~not limited to the costs of eradication or removal of any organisms,~~
28 ~~disease agents, or both which becomes necessary as a result of such~~
29 ~~violation; and~~
30

31 ~~(II) In any subsequent administrative proceeding against the same~~
32 ~~person for transactions occurring after a final agency action determining~~
33 ~~that any such violation has occurred, a fine of not less than five hundred~~
34 ~~dollars nor more than five thousand dollars."~~
35

36 Renumber succeeding sections accordingly.

37
38 Page 19, line 12, after "(1)", insert "(a)";

39
40 after line 19, insert the following:

41
42 "(b) FOR PURPOSES OF THIS SUBSECTION (1), "VESSELS" SHALL NOT
43 INCLUDE WHITE WATER CANOES AND KAYAKS EXCEPT IN THE CASE OF:
44

45 (I) A STATE OF DISASTER EMERGENCY PURSUANT TO SECTION
46 24-32-2104 OR 24-32-2109, C.R.S.;

47
48 (II) DISASTER RELIEF EFFORTS THAT ARE UNDERWAY AND THAT
49 MAY INCLUDE DEBRIS REMOVAL;

50
51 (III) AN ACCIDENT OR OTHER EMERGENCY OCCURS IN OR
52 IMMEDIATELY ADJACENT TO THE WATER BODY;

53
54 (IV) RESCUE EFFORTS FOR VICTIMS ARE ACTIVELY UNDERWAY AND
55 SUCH EFFORTS WOULD BE HINDERED BY ADDITIONAL WATERWAY TRAFFIC;
56 OR

1 (V) ACTIVE CONSTRUCTION OR TRANSPORTATION PROJECTS
2 AUTHORIZED UNDER STATE OR FEDERAL LAW."

3
4 Page 27, after line 27, insert the following:

5
6 "SECTION 47. 33-1-110 (5), Colorado Revised Statutes, as
7 amended by House Bill 03-1266, enacted at the First Regular Session of
8 the Sixty-fourth General Assembly, is amended to read:

9
10 **33-1-110. Duties of the director of the division.** (5) The
11 director shall appoint Colorado wildlife officers and may appoint special
12 wildlife officers to serve without pay, who shall have the ~~same~~ powers as
13 ~~a Colorado wildlife officer~~ AND AUTHORITY DESIGNATED BY THE
14 DIRECTOR. A special wildlife officer commission shall not be issued until
15 the applicant has submitted to the division an application setting forth his
16 or her qualifications, THAT INCLUDE A MINIMUM OF FORTY HOURS OF
17 CONTINUING LAW ENFORCEMENT EDUCATION PER CALENDAR YEAR, to act
18 as such an officer. The director may revoke the special wildlife officer
19 commission of any such person at his or her pleasure.

20
21 **SECTION 48.** 33-1-113 (2), Colorado Revised Statutes, as
22 amended by House Bill 03-1266, enacted at the First Regular Session of
23 the Sixty-fourth General Assembly, is amended to read:

24
25 **33-1-113. Expenses of employees.** (2) In addition to the
26 compensation paid employees of the division and in addition to
27 reimbursement for expenses as provided in subsection (1) of this section,
28 each employee of the division who is vested with the rights and powers
29 of a Colorado wildlife officer, including and limited to area wildlife
30 managers and ~~Colorado wildlife officers~~ DISTRICT WILDLIFE MANAGERS,
31 shall, because of the number of hours and the extraordinary service
32 performed by such employees and the requirement of purchasing
33 necessary uniform items, be further reimbursed for maintenance and
34 ordinary expenses incurred in the performance of their duties in such
35 amount as shall be determined by the commission, but the amount
36 authorized under this subsection (2) for any such employee of the
37 division shall not exceed the sum of fifty dollars per month.

38
39 **SECTION 49.** 33-6-101 (4), Colorado Revised Statutes, as
40 amended by House Bill 03-1266, enacted at the First Regular Session of
41 the Sixty-fourth General Assembly, is repealed as follows:

42
43 **33-6-101. Powers and duties of officers.** (4) ~~Every Colorado~~
44 ~~wildlife officer must obtain basic certification from the peace officer~~
45 ~~standards and training board no later than July 1, 1998, pursuant to part~~
46 ~~3 of article 31 of title 24, C.R.S.~~

47
48 **SECTION 50.** 16-2.5-116 (2), Colorado Revised Statutes, as
49 enacted by House Bill 03-1266, enacted at the First Regular Session of
50 the Sixty-fourth General Assembly, is amended to read:

51
52 **16-2.5-116. Colorado wildlife officer - special wildlife officer.**
53 (2) A special wildlife officer is a peace officer whose authority is
54 limited as defined by the director of the division of wildlife pursuant to
55 section ~~33-1-102 (4.3)~~ 33-1-110 (5), C.R.S.

56

1 **SECTION 51.** 16-2.5-117 (2), Colorado Revised Statutes, as
 2 enacted by House Bill 03-1266, enacted at the First Regular Session of
 3 the Sixty-fourth General Assembly, is amended to read:

4
 5 **16-2.5-117. Colorado parks and recreation officer -**
 6 **special parks and recreation officer.** (2) A special parks and recreation
 7 officer is a peace officer whose authority is limited as defined by the
 8 director of the division of parks and outdoor recreation pursuant to
 9 section ~~33-10-102 (15)~~ 33-10-109 (1) (f), C.R.S.

10
 11 **SECTION 52.** 33-1-102 (4.3), Colorado Revised Statutes, as
 12 enacted by House Bill 03-1266, enacted at the First Regular Session of
 13 the Sixty-fourth General Assembly, is amended to read:

14
 15 **33-1-102. Definitions.** As used in this title, unless the context
 16 otherwise requires:

17
 18 (4.3) "Colorado wildlife officer" ~~or "special wildlife officer"~~
 19 means an employee of the division of wildlife, or any other person who
 20 is commissioned by the director of the division to enforce the wildlife
 21 statutes and rules and regulations of the commission and all laws of the
 22 state of Colorado, who is recognized as a peace officer in section
 23 16-2.5-116, C.R.S.

24
 25 **SECTION 53. Effective date.** Sections 47, 48, 49, 50, 51, and
 26 52 of this act shall take effect on August 6, 2003; except that, if a
 27 referendum petition is filed against House Bill 03-1266, enacted at the
 28 First Regular Session of the Sixty-fourth General Assembly, or an item,
 29 section, or part of House Bill 03-1266 within such period, then sections
 30 47, 48, 49, 50, 51, and 52 of this act, if House Bill 03-1266 is approved
 31 by the people, shall take effect on the date of the official declaration of
 32 the vote thereon by proclamation of the governor."

33
 34 Renumber succeeding sections accordingly.

35
 36
 37
 38
 39 **STATE, VETERANS, & MILITARY AFFAIRS**

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

42
 43 **HB03-1325** be amended as follows, and as so amended, be referred to
 44 the Committee of the Whole with favorable
 45 recommendation:

46
 47 Amend printed bill, page 2, strike lines 13 through 23 and substitute the
 48 following:

49
 50 "(14) "Professional" means a participant who ~~has received or~~
 51 ~~competed for a purse or any other thing of value for participating in a~~
 52 ~~match~~ IS PARTICIPATING IN A BOXING OR KICKBOXING MATCH NOT
 53 GOVERNED OR AUTHORIZED BY A NATIONALLY RECOGNIZED AMATEUR
 54 SANCTIONING ORGANIZATION AS DETERMINED BY THE COMMISSION."

55
 56 Pager 3, strike lines 1 through 8.

1 **SB03-034** be referred to the Committee of the Whole with favorable
2 recommendation.
3

4
5 **SB03-044** be amended as follows, and as so amended, be referred to
6 the Committee of the Whole with favorable
7 recommendation:
8

9 Amend reengrossed bill, page 2, line 6, strike "WHO IS IN THE FINAL YEAR
10 OF HIS OR";

11
12 strike line 7.

13
14 Page 3, strike line 1;

15
16 line 2 strike "OF ARTICLE V OF THE STATE CONSTITUTION";

17
18 line 4, after "PRACTICE", insert "RESPECTING ISSUES BEFORE THE GENERAL
19 ASSEMBLY.".
20

21
22
23 **SB03-056** be amended as follows, and as so amended, be referred to
24 the Committee of the Whole with favorable
25 recommendation:
26

27 Amend reengrossed bill, page 3, after line 8, insert the following:

28
29 "SECTION 2. 31-31-302 (7), Colorado Revised Statutes, is
30 amended to read:

31
32 **31-31-302. Fund - management - investment.** (7) The board
33 shall submit an annual audit of the fund to the general assembly and the
34 annual audit of the fund and annual actuarial study, with assumptions, to
35 each employer. Each employer shall make the audit and study available
36 for review by its members. NOTHING IN THIS SUBSECTION (7) SHALL BE
37 CONSTRUED AS DIMINISHING THE OBLIGATION OF THE BOARD TO PROVIDE
38 ANY DOCUMENTATION REQUIRED BY THE STATE AUDITOR TO CARRY OUT
39 HIS OR HER RESPONSIBILITIES PURSUANT TO SECTION 2-3-103 (1), C.R.S.,
40 REGARDING STATE MONEYS HELD BY THE FIRE AND POLICE PENSION
41 ASSOCIATION."
42

43 Renumber succeeding sections accordingly.
44
45

46
47 **SB03-102** be referred to the Committee of the Whole with favorable
48 recommendation.
49

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51
52
53 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**
54

55 The Speaker has signed: **SB03-029, 035.**
56

MESSAGES FROM THE SENATE

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Madam Speaker:

The Senate has postponed indefinitely HB03-1158. The bill is returned herewith.

The Senate has passed on Third Reading and returns herewith HB03-1035,

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

HB03-1299, amended as printed in Senate Journal, March 17, 2003, page 674,

HB03-1127, amended as printed in Senate Journal, March 17, 2003, page 676,

HB03-1097, amended as printed in Senate Journal, March 17, 2003, page 676,

HB03-1111, amended as printed in Senate Journal, March 17, 2003, page 677,

HB03-1286, amended as printed in Senate Journal, March 17, 2003, page 677.

The Senate has passed on Third Reading and returns herewith HB03-1015.

The Senate has adopted and transmits herewith:

SJR03-029, amended as printed in Senate Journal, March 20.

MESSAGE FROM THE REVISOR

We herewith transmit:

Without comment, as amended, HB03-1299, 1127, 1097, 1111, and 1286.

**INTRODUCTION OF BILLS
First Reading**

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

HB03-1335 by Representative(s) Fritz--Concerning the clarification that certain records of the office of preparedness, security, and fire safety in the department of public safety, in connection with the performance of its duties, are not available for inspection by the public.

Committee on Information & Technology

1 **HB03-1336** by Representative(s) King, Borodkin, Boyd, Briggs,
 2 Brophy, Cadman, Carroll, Clapp, Coleman, Crane,
 3 Fairbank, Frangas, Fritz, Garcia, Harvey, Hefley, Hodge,
 4 Jahn, Johnson R., Lee, Lundberg, May M., Merrifield,
 5 Miller, Mitchell, Paccione, Pommer, Rhodes, Rippy, Rose,
 6 Schultheis, Sinclair, Spence, Stafford, Tochtrop, Weddig,
 7 White, Wiens, Williams S.; also Senator(s) Arnold,
 8 Andrews, Dyer, Jones--Concerning financing public
 9 institutions of higher education.

10 Committee on Education
 11 Committee on Finance
 12 Committee on Appropriations
 13

14 **HB03-1337** by Representative(s) Fairbank; also Senator(s) Chlouber--
 15 Concerning tavern licenses.

16 Committee on State, Veterans, & Military Affairs
 17

18 **SB03-243** by Senator(s) Anderson; also Representative(s) White--
 19 Concerning the statewide travel management program.

20 Committee on Finance
 21
 22
 23

INTRODUCTION OF RESOLUTIONS

24
 25
 26 The following resolutions were read by title and laid over one day under
 27 the rules:
 28

29 **HJR03-1032** by Representative(s) Crane, Schultheis, Borodkin, Boyd,
 30 Briggs, Brophy, Cadman, Carroll, Cloer, Coleman,
 31 Decker, Fairbank, Frangas, Fritz, Garcia, Harvey,
 32 Hefley, Hoppe, Jahn, Johnson R., Judd, King, Larson,
 33 Lee, Lundberg, May M., McCluskey, Merrifield, Miller,
 34 Mitchell, Rhodes, Rippy, Rose, Salazar, Sinclair, Smith,
 35 Spence, Spradley, Stafford, Stengel, Tochtrop, Vigil,
 36 White, Wiens, Williams S., Williams T., Witwer; also
 37 Senator(s) Lamborn, Phillips, Andrews, Arnold, Cairns,
 38 Chlouber, Entz, Evans, Hagedorn, Hillman, Johnson S.,
 39 Jones, Kester, Taylor--Concerning an expression by the
 40 Colorado general assembly of solidarity with the State of
 41 Israel in its fight against terrorism.
 42

43 WHEREAS, The ongoing threat of terrorism since September 11,
 44 2001, has hurt the economies of Colorado and the United States,
 45 damaging tourism and travel among the states and creating a negative
 46 economic atmosphere hurting business and producing job losses; and
 47

48 WHEREAS, The ongoing threat of worldwide terrorism at home
 49 and abroad has forced local, state, and federal resources in the United
 50 States to be diverted from other critical domestic programs for the
 51 purpose of enhancing the security of our citizens; and
 52

53 WHEREAS, The United States and the State of Israel are now
 54 engaged in a common struggle against terrorism and are on the frontlines
 55 of a conflict thrust upon them against their will; and
 56

1 WHEREAS, Hundreds of innocent Israelis and Palestinians have
2 died tragically in violence since September 2000; and

3
4 WHEREAS, Palestinian organizations are engaging in an
5 organized, systematic, and deliberate campaign of terror aimed at
6 inflicting as many casualties as possible on the Israeli population,
7 including the use of suicide terrorist attacks; and

8
9 WHEREAS, Since September 2000, Israel has lost nearly 700
10 innocent lives as a result of terrorist attacks, which as a percentage of its
11 population is commensurate with America losing over 30,000 lives in the
12 terrorist attacks on New York, Washington, D.C., and United Airlines
13 flight 93 on September 11, 2001; and

14
15 WHEREAS, Yasser Arafat and members of the Palestinian
16 leadership have failed to abide by their commitments to nonviolence
17 made in the Israel-PLO Declaration of Principles (the "Oslo accord") of
18 September 1993, including their pledges to adhere strictly to "a peaceful
19 resolution of the conflict", to resolve "all outstanding issues relating to
20 permanent status through negotiations", to renounce "the use of terrorism
21 and other acts of violence", and to "assume responsibility over all PLO
22 elements and personnel in order to assure their compliance [with the
23 commitment to nonviolence], prevent violence, and discipline violators";
24 and

25
26 WHEREAS, The continued terrorism and incitement committed,
27 supported, and coordinated by official arms of the Palestinian Authority
28 are a direct violation of these commitments; and

29
30 WHEREAS, Forces directly under Yasser Arafat's control,
31 particularly, the al-Aqsa Martyrs Brigades, which is part of Arafat's Fatah
32 organization and has been designated a "Foreign Terrorist Organization"
33 by the United States government, have murdered scores of innocent
34 Israelis; and

35
36 WHEREAS, Yasser Arafat was directly involved in the Palestinian
37 Authority's thwarted attempt to obtain 50 tons of offensive weapons
38 shipped from Iran in the ship Karine A, an effort that irrefutably proved
39 Arafat's embrace of the use and escalation of violence; and

40
41 WHEREAS, Documents from the offices of the Palestinian
42 Authority demonstrate the crucial financial support the Palestinian
43 Authority continues to provide for terrorist acts, including suicide
44 bombers; and

45
46 WHEREAS, The ongoing violence has hurt the economies of both
47 Israel and the Palestinian territories, damaging tourism in both regions,
48 thereby creating a negative economic atmosphere hurting business and
49 producing job losses; and

50
51 WHEREAS, President George W. Bush declared at a joint session
52 of Congress on September 20, 2001, that "[f]rom this day forward, any
53 nation that continues to harbor or support terrorism will be regarded by
54 the United States as a hostile regime"; and

55
56 WHEREAS, President Bush, in his speech on April 4, 2002, stated

1 that "the situation in which he [Arafat] finds himself today is largely of
2 his own making", that Arafat "missed his opportunities, and thereby
3 betrayed the hopes of the people he's supposed to lead", and that, "[g]iven
4 his [Arafat's] failure, the Israeli government feels it must strike at terrorist
5 networks that are killing its citizens"; and

6
7 WHEREAS, President Bush recently stated that he "fully
8 understands Israel's need to defend herself" and that he "respect(s)" the
9 fact that Israelis have "seen a wave of suicide bombers coming to the
10 heart of their cities and killing innocent people"; and

11
12 WHEREAS, Israel's military operations are an effort to defend
13 itself against the unspeakable horrors of ongoing terrorism and are aimed
14 only at dismantling the terrorist infrastructure in the Palestinian areas, an
15 obligation Arafat himself undertook but failed to carry out; and

16
17 WHEREAS, Israel has made clear its intention to withdraw from
18 Palestinian areas and has already begun to do so; now, therefore,

19
20 *Be It Resolved by the House of Representatives of the Sixty-fourth*
21 *General Assembly of the State of Colorado, the Senate concurring*
22 *herein:*

23
24 That the General Assembly of the State of Colorado:

25
26 (1) Stands in solidarity with the State of Israel as it takes
27 necessary steps to provide security to its people by dismantling the
28 terrorist infrastructure in the Palestinian areas;

29
30 (2) Remains committed to Israel's right to self-defense and
31 supports additional United States assistance to help Israel defend itself;

32
33 (3) Condemns Palestinian suicide bombings;

34
35 (4) Condemns the ongoing support and coordination of terror by
36 Yasser Arafat and other members of the Palestinian leadership;

37
38 (5) Demands that the Palestinian Authority at last fulfill its
39 commitment to dismantle the terrorist infrastructure in the Palestinian
40 areas, including any such infrastructure associated with PLO and
41 Palestinian Authority entities tied directly to Yasser Arafat;

42
43 (6) Is gravely concerned that Arafat's actions are not those of a
44 viable partner for peace;

45
46 (7) Urges all Arab states to declare their unqualified opposition
47 to all forms of terrorism, particularly suicide bombing;

48
49 (8) Commends the President for his leadership in addressing the
50 Israeli-Palestinian conflict, particularly the efforts of the Administration
51 to engage countries throughout the region to condemn and prevent
52 terrorism and to prevent a widening of the conflict;

53
54 (9) Urges all parties in the region to vigorously pursue efforts to
55 establish a just, lasting, and comprehensive peace in the Middle East; and

56

1 (10) Will work as an elected body to promote tourism, economic
2 trade, and cultural exchange with the State of Israel, keeping relations
3 healthy now and into the future for the benefit of Colorado and the State
4 of Israel.
5

6 *Be It Further Resolved*, That copies of this Joint Resolution be
7 sent to President George W. Bush, Secretary of State Colin L. Powell,
8 His Excellency Daniel Ayalon, Ambassador of the State of Israel to the
9 United States, and to the members of Colorado's Congressional
10 Delegation.
11

12
13
14 **HJR03-1033** by Representative(s) King, Spradley; also Senator(s)
15 Anderson, Andrews--Concerning the requirement that
16 the legislative council staff conduct a study of certain
17 constitutional and statutory provisions.
18

19 WHEREAS, The state of Colorado is experiencing an economic
20 downturn that has reduced state revenues and affected the ability of the
21 state to provide various programs and services to its citizens; and
22

23 WHEREAS, Several amendments to the state constitution,
24 including section 20 of article X (the TABOR amendment), section 17 of
25 article IX (Amendment 23), and section 3 (1) of article X (the Gallagher
26 amendment) of the state constitution, interact so as to limit the ability of
27 the state to address the economic downturn and maintain current service
28 levels for the citizens of the state; and
29

30 WHEREAS, Those constitutional amendments were approved by
31 the voters of the state at different times and without full knowledge of the
32 impact the amendments would have on each other and the state's
33 budgetary flexibility; and
34

35 WHEREAS, The General Assembly needs to obtain thorough
36 information on how these constitutional amendments interact with each
37 other and certain existing statutory provisions and how they affect the
38 state's budgetary flexibility in order to determine whether modifications
39 to the amendments should be proposed to the citizens of the state; and
40

41 WHEREAS, Pursuant to section 2-3-304, Colorado Revised
42 Statutes, the Legislative Council Staff is responsible for providing
43 research services to the General Assembly and, upon direction of the
44 General Assembly, is to conduct studies and provide information to the
45 General Assembly; now, therefore,
46

47 *Be It Resolved by the House of Representatives of the Sixty-fourth*
48 *General Assembly of the State of Colorado, the Senate concurring*
49 *herein:*
50

51 (1) That the Legislative Council Staff shall conduct a study of the
52 interaction of the TABOR amendment, Amendment 23, the Gallagher
53 amendment, and any other relevant constitutional and statutory provisions
54 and how the amendments impact the ability of the state to provide
55 funding for various programs and services to its citizens.
56

1 (2) That, in conducting the study, the Legislative Council Staff
2 may consult with and obtain input and information from appropriate
3 individuals and organizations.
4

5 (3) That, upon completion of the study, the Legislative Council
6 Staff shall report its findings to the Executive Committee of the
7 Legislative Council of the Sixty-fourth General Assembly or such interim
8 committee as it may designate by September 1, 2003. The report shall
9 include options available to the General Assembly regarding what, if any,
10 changes to constitutional or statutory provisions the General Assembly
11 could pursue to better enable the state to fund necessary programs and
12 services in times of economic weakness and reduced state revenues.
13

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15
16 **HJR03-1034** by Representative(s) Madden, Spradley, Veiga, Williams
17 T., Tochtrop; also Senator(s) Anderson, Fitz-Gerald--
18 Concerning the General Assembly's support of the full
19 investigation of the alleged sexual assaults at the United
20 States Air Force Academy.
21

22 WHEREAS, At least 54 cases of possible sexual assault have been
23 reported at the Air Force Academy in the last 10 years; and
24

25 WHEREAS, Approximately 36 female cadets who claim they were
26 raped or sexually assaulted at the Air Force Academy in the past 2 years
27 have contacted Senator Wayne Allard's office; and
28

29 WHEREAS, Out of 98 calls to an Air Force Academy rape hotline
30 in the last 10 years, only 54 cases were identified for further investigation
31 and only 2 cases went to trial; and
32

33 WHEREAS, Air Force Secretary James Roche remarked that for
34 every 25 or 50 women who have reported sexual assaults at the Academy,
35 there may be 100 women who fail to report their attacks; and
36

37 WHEREAS, The Air Force Academy should create an atmosphere
38 that ensures the safety of all cadets; and
39

40 WHEREAS, The Air Force Academy should encourage cadets to
41 report any incidents of sexual assault without fear of retaliation; and
42

43 WHEREAS, Sexual assault is a devastating experience and victims
44 should be afforded the opportunity to seek the help they may need; and
45

46 WHEREAS, The Air Force Academy should take all necessary
47 steps to ensure that all perpetrators of sexual assaults are punished for
48 their crimes as the law allows; and
49

50 WHEREAS, The victims of the alleged sexual assaults at the Air
51 Force Academy deserve that prompt attention be paid and full
52 consideration be given to investigating the alleged assaults and the
53 environment at the Academy that may have caused so many victims to
54 suffer in silence; and
55

56 WHEREAS, Senator Wayne Allard should be commended for his

1 efforts to fully investigate the alleged sexual assaults at the Air Force
2 Academy; now, therefore,

3

4 *Be It Resolved by the House of Representatives of the Sixty-fourth*
5 *General Assembly of the State of Colorado, the Senate concurring*
6 *herein:*

7

8 That we, the members of the Sixty-fourth General Assembly,
9 hereby support the full investigation of the alleged sexual assaults at the
10 Air Force Academy and encourage any necessary reforms to ensure that
11 allegations of assaults at the Air Force Academy are investigated
12 thoroughly and fairly.

13

14 *Be It Further Resolved,* That a copy of this Joint Resolution be
15 sent to Air Force Secretary James Roche and to each member of
16 Colorado's Congressional delegation.

17

18

19

20 The following resolution was read by title and referred to the committee
21 indicated:

22

23 **SJR03-029** by Senator(s) Taylor, Cairns, Entz; also Representative(s)
24 Stafford--Concerning the Aurora Veterans' Memorial at
25 Fitzsimons - "National Debt".

26

Committee on State, Veterans, & Military Affairs

27

28

29

30

LAY OVER OF CALENDAR ITEMS

31

32 On motion of Representative King, the following items on the Calendar
33 were laid over until March 21, retaining place on Calendar:

34

35 Consideration of Third Reading--**SB03-224, 098, HB03-1056, 1137,**
36 **1147, 1238, 1249, SB03-133, 009, HB03-1314.**

37

38 Consideration of General Orders--**SB03-155, HB03-1311, 1086, 1252,**
39 **1016 amended, 1132, SB03-112, HB03-1326, SB03-067, 086, 115, 016,**
40 **032, 091, 234, 013, 023, HB03-1040, 1044, 1085, 1106, 1164, 1173,**
41 **1318, SB03-120, 038, 116, 226, HB03-1208, 1330, 1258, SB03-088.**

42

43 Consideration of Resolutions--**HJR03-1025, 1020, SJR03-022,**
44 **HJR03-1029, HR03-1012, HJR03-1022, 1031.**

45

46 Consideration of Senate Amendments--**HJR03-1011, HB03-1081, 1003,**
47 **1005, 1008, 1100, 1175, 1224, 1288, 1239, 1226.**

48

49

50 On motion of Representative King, the House adjourned until 9:00 a.m.,
51 March 21, 2003.

52

Approved:

53

54

55

LOLA SPRADLEY,
Speaker

56

Attest:

57

58

59

60

JUDITH RODRIGUE,
Chief Clerk