

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

Seventy-seventh Legislative Day

Tuesday, March 27, 2001

1 Prayer by the Reverend Regina Groff, Shorter Community African  
2 Methodist Episcopal Church, Denver.

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

5  
6 The roll was called with the following result:

7  
8 Present--63.  
9 Excused--Representatives --Chavez, Saliman.  
10 Present after roll call--Representatives Chavez, Saliman.

11  
12 The Speaker declared a quorum present.

13  
14  
15 On motion of Representative Jahn, the reading of the journal of  
16 March 26, 2001, was declared dispensed with and approved as corrected  
17 by the Chief Clerk.

18  
19  
20  
21 **APPOINTMENTS TO CONFERENCE COMMITTEE**

22  
23 Pursuant to a request from the Senate, the Speaker appointed  
24 Representatives Snook, Chairman, White and Miller as House conferees  
25 to the First Conference Committee on **SB01-156**.

26  
27  
28  
29 **THIRD READING OF BILLS--FINAL PASSAGE**

30  
31 The following bills were considered on Third Reading. The titles were  
32 publicly read. Reading of the bill at length was dispensed with by  
33 unanimous consent.

34  
35 **SB01-066** by Senator(s) Gordon; also Representative(s) Clapp--  
36 Concerning increased protections for water quality in  
37 Cherry Creek reservoir, and, in connection therewith,  
38 adjusting the Cherry Creek basin water quality authority's  
39 duties and membership.

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

45

	YES 52	NO 11	EXCUSED 1	ABSENT 1			
1							
2							
3	Alexander	Y Groff	Y Miller	N Spence	Y		
4	Bacon	Y Grossman	Y Mitchell	Y Spradley	N		
5	Berry	Y Hefley	Y Nuñez	N Stafford	Y		
6	Borodkin	Y Hodge	Y Paschall	Y Stengel	Y		
7	Boyd	Y Hoppe	N Plant	Y Swenson	Y		
8	Cadman	N Jahn	Y Ragsdale	N Tapia	Y		
9	Chavez	E Jameson	Y Rhodes	Y Tochtrop	Y		
10	Clapp	Y Johnson	N Rippy	N Veiga	Y		
11	Cloer	Y Kester	Y Romanoff	Y Vigil	Y		
12	Coleman	Y King	Y Saliman	Y Webster	Y		
13	Crane	Y Larson	Y Sanchez	Y Weddig	N		
14	Daniel	Y Lawrence	N Schultheis	Y White	Y		
15	Decker	Y Lee	Y Scott	- Williams S.	Y		
16	Fairbank	Y Mace	Y Sinclair	Y Williams T.	Y		
17	Fritz	Y Madden	Y Smith	Y Witwer	Y		
18	Garcia	Y Marshall	Y Snook	Y Young	Y		
19				Mr. Speaker	N		

20  
21 Co-sponsors added: Representatives Boyd, Coleman, Decker, Groff, Mace,  
22 Plant, Romanoff, Sanchez, Snook, Young.

23  
24 **HB01-1223** by Representative(s) Lee, Miller, Fritz, Johnson, Spence;  
25 also Senator(s) Hernandez, Phillips, Dyer (Durango),  
26 Epps, Hillman, Teck--Concerning the exemption of bingo  
27 equipment from sales and use taxes.

28  
29 The question being "Shall the bill pass?".

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

	YES 57	NO 7	EXCUSED 1	ABSENT 0			
34							
35							
36	Alexander	Y Groff	Y Miller	Y Spence	Y		
37	Bacon	Y Grossman	N Mitchell	N Spradley	Y		
38	Berry	Y Hefley	Y Nuñez	Y Stafford	Y		
39	Borodkin	Y Hodge	Y Paschall	Y Stengel	Y		
40	Boyd	Y Hoppe	Y Plant	Y Swenson	Y		
41	Cadman	Y Jahn	Y Ragsdale	Y Tapia	Y		
42	Chavez	E Jameson	N Rhodes	Y Tochtrop	Y		
43	Clapp	Y Johnson	Y Rippy	Y Veiga	N		
44	Cloer	Y Kester	Y Romanoff	Y Vigil	Y		
45	Coleman	Y King	Y Saliman	Y Webster	Y		
46	Crane	Y Larson	Y Sanchez	Y Weddig	Y		
47	Daniel	Y Lawrence	N Schultheis	Y White	Y		
48	Decker	Y Lee	Y Scott	N Williams S.	N		
49	Fairbank	Y Mace	Y Sinclair	Y Williams T.	Y		
50	Fritz	Y Madden	Y Smith	Y Witwer	Y		
51	Garcia	Y Marshall	Y Snook	Y Young	Y		
52				Mr. Speaker	Y		

53  
54 Co-sponsors added: Representatives Fairbank, Mace, Stengel, Vigil, Webster.  
55

1 **SB01-135** by Senator(s) Teck; also Representative(s) Sinclair--  
 2 Concerning compensation of county officers.  
 3

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

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

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

28  
 29 Co-sponsors added: Representatives Cloer, Kester, Mace, Vigil.  
 30

31  
 32 **SB01-145** by Senator(s) Phillips; also Representative(s) Witwer--  
 33 Concerning the enforceability of environmental real  
 34 covenants.  
 35

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

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

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

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

4  
5 Co-sponsors added: Representatives Boyd, Mace, Plant, Romanoff, Sanchez,  
6 Stengel.

7  
8 **SB01-144** by Senator(s) Reeves; also Representative(s) Spradley--  
9 Concerning the promotion of energy efficiency.

10

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

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

15

16	<u>YES 64</u>	<u>NO 0</u>	<u>EXCUSED 1</u>	<u>ABSENT 0</u>
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17

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

35

36 Co-sponsors added: Representatives Boyd, Fairbank, Groff, Grossman,  
37 Lawrence, Mace, Madden, Plant, Romanoff, Webster, Williams S.

38

39 **SB01-116** by Senator(s) Hillman, Chlouber, Dyer (Durango),  
40 Hagedorn, Hanna, Musgrave, Phillips; also  
41 Representative(s) Johnson--Concerning regulation of  
42 veterinary medicine, and, in connection therewith,  
43 continuing the state board of veterinary medicine.

44

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

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

49

50	<u>YES 63</u>	<u>NO 1</u>	<u>EXCUSED 1</u>	<u>ABSENT 0</u>
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51	Alexander	Y	Groff	Y	Miller	Y	Spence	Y
52	Bacon	Y	Grossman	Y	Mitchell	Y	Spradley	Y
53	Berry	Y	Hefley	Y	Nuñez	Y	Stafford	Y
54	Borodkin	Y	Hodge	Y	Paschall	Y	Stengel	Y
55	Boyd	Y	Hoppe	Y	Plant	Y	Swenson	Y
56	Cadman	Y	Jahn	Y	Ragsdale	Y	Tapia	Y

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

12

13 Co-sponsors added: Representatives Bacon, Hoppe, Mace, Tochtrop.

14

15 **HB01-1360** by Representative(s) Lawrence, Larson, Miller; also  
16 Senator(s) Phillips--Concerning the master lease program.

17

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

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

22

23 YES 64                      NO 0                      EXCUSED 1                      ABSENT 0

24

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

42

43 Co-sponsors added: Representatives Decker, Hoppe, Scott, Spradley, Stengel,  
44 Mr. Speaker.

45

46

47

48 On motion of Representative Spradley, **HB01-1031, 1070, 1212, 1221,**  
49 **1257, 1309** were added to the Special Orders Calendar on Tuesday,  
50 March 27, 2001.

51

52

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

56

**SPECIAL ORDERS--SECOND READING OF BILLS**

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

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

**HB01-1170** by Representative(s) Fritz, Cadman, Paschall; also Senator(s) May--Concerning the issuance of documents by the department of revenue.

Laid over until March 28, retaining place on Calendar.

**HB01-1031** by Representative(s) Miller, Young; also Senator(s) Lamborn, Anderson, Linkhart, Reeves, Taylor, Windels--Concerning a grant of cease-and-desist authority to the commissioner of securities.

Amendment No. 1, Business Affairs & Labor Report, dated January 18, 2001, and placed in member's bill file; Report also printed in House Journal, January 19, page 121.

Amendment No. 2, Appropriations Report, dated March 23, 2001, and placed in member's bill file; Report also printed in House Journal, March 23, pages 929.

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

**HB01-1070** by Representative(s) Hodge; also Senator(s) Gordon--Concerning "Fair Campaign Practices Act" reports required to be filed with a county clerk and recorder, and, in connection therewith, requiring the secretary of state to post the reports on a web site and develop a system to allow electronic filing of the reports, and requiring each county clerk and recorder with internet access to electronically transmit the reports to the secretary of state.

Amendment No. 1, Appropriations Report, dated March 23, 2001, and placed in member's bill file; Report also printed in House Journal, March 23, pages 929-930.

Amendment No. 2, by Representative Hodge.

Amend the Appropriations Committee Report, dated March 23, 2001, page 2, strike lines 22 and 23 and substitute the following:

"Page 1, line 1, line 105, strike "AND";

line 108, strike "STATE." and substitute "STATE, AND MAKING AN APPROPRIATION.".

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

- 1 **HB01-1212** by Representative(s) Young, Miller, Coleman; also  
2 Senator(s) Anderson, Linkhart, Reeves, Taylor, Windels--  
3 Concerning the collection of sales taxes, and, in  
4 connection therewith, requiring vendors that remit large  
5 amounts of sales taxes to the department of revenue to  
6 remit the sales taxes through electronic funds transfers.  
7
- 8 Amendment No. 1, Finance Report, dated February 21, 2001, and placed  
9 in member's bill file; Report also printed in House Journal, February 22,  
10 page 515.  
11
- 12 Amendment No. 2, Appropriations Report, dated March 23, 2001, and  
13 placed in member's bill file; Report also printed in House Journal,  
14 March 23, page 931.  
15
- 16 As amended, ordered engrossed and placed on the Calendar for Third  
17 Reading and Final Passage.  
18
- 19 **HB01-1221** by Representative(s) White; also Senator(s) Takis--  
20 Concerning theft detection devices.  
21
- 22 Amendment No. 1, Criminal Justice Report, dated February 6, 2001, and  
23 placed in member's bill file; Report also printed in House Journal,  
24 February 8, pages 339 .  
25
- 26 Amendment No. 2, Appropriations Report, dated March 23, 2001, and  
27 placed in member's bill file; Report also printed in House Journal,  
28 March 23, page 931.  
29
- 30 As amended, ordered engrossed and placed on the Calendar for Third  
31 Reading and Final Passage.  
32
- 33 **HB01-1257** by Representative(s) Young--Concerning modifications to  
34 the existing state income tax credit for health care  
35 professionals practicing in health care professional  
36 shortage areas.  
37
- 38 Amendment No. 1, Finance Report, dated February 21, 2001, and placed  
39 in member's bill file; Report also printed in House Journal, February 22,  
40 page 517.  
41
- 42 As amended, ordered engrossed and placed on the Calendar for Third  
43 Reading and Final Passage.  
44
- 45 **HB01-1309** by Representative(s) Paschall; also Senator(s) Hernandez--  
46 Concerning the election laws of the state with the  
47 exception of laws relating to campaign finance, and, in  
48 connection therewith, requiring that town and special  
49 district elections be held on the first Tuesday in November  
50 of the even-numbered year in which such elections  
51 regularly take place.  
52
- 53 Amendment No. 1, State, Veterans, & Military Affairs Report, dated  
54 February 27, 2001, and placed in member's bill file; Report also printed  
55 in House Journal, March 2, page 667.  
56

1 Amendment No. 2, Appropriations Report, dated March 23, 2001, and  
 2 placed in member's bill file; Report also printed in House Journal,  
 3 March 23, page 931.

4  
 5 Amendment No. 3, by Representative Paschall.

6  
 7 Amend the State, Veterans, & Military Affairs Committee Report, dated  
 8 February 27, 2001, page 1, line 8, after "STUDY", insert "WITHOUT  
 9 LIMITATION".

10  
 11 As amended, ordered engrossed and placed on the Calendar for Third  
 12 Reading and Final Passage.

13  
 14  
 15  
 16 **AMENDMENTS TO THE COMMITTEE OF THE WHOLE REPORT**

17  
 18 Representative Garcia moved to amend the Report of the Committee of  
 19 the Whole to show that Amendment No. 3, by Representative Paschall  
 20 (as printed in House Journal page 962, lines 5-9) to HB01-1309, did not  
 21 pass, and that **HB01-1309, as amended**, did pass.

22  
 23 The amendment was declared **lost** by the following roll call vote:

24  
 25 YES 27                      NO 35                      EXCUSED 2                      ABSENT 1

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

44  
 45  
 46  
 47

48 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

49  
 50 Passed Second Reading: **HB01-1031 amended, 1070 amended,**  
 51 **1212 amended, 1221 amended, 1257 amended, 1309 amended.**

52  
 53 Laid over until date indicated retaining place on Calendar: **HB01-1170--**  
 54 **March 28, 2001.**

55



1 The Chairman moved the adoption of the Committee of the Whole  
 2 Report. As shown by the following roll call vote, a majority of those  
 3 elected to the House voted in the affirmative, and the Report was  
 4 **adopted.**

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

## REPORTS OF COMMITTEES OF REFERENCE

### EDUCATION

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

35 **HB01-1365** be amended as follows, and as so amended, be referred to  
 36 the Committee on Appropriations with favorable  
 37 recommendation:

39 Amend printed bill, page 11, line 7, strike "two million" and substitute  
 40 "one million, four hundred thousand";

42 line 8, strike "\$2,000,000)," and substitute "\$1,400,000),".

### HEALTH, ENVIRONMENT, WELFARE, & INSTITUTIONS

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

51 **HB01-1156** be amended as follows, and as so amended, be referred to  
 52 the Committee of the Whole with favorable  
 53 recommendation:

55 Amend printed bill, strike everything below the enacting clause, and  
 56 substitute the following:

1           **"SECTION 1.** 10-16-104 (1) (c) (I), Colorado Revised Statutes,  
2 is amended, and the said 10-16-104 (1) (c) is further amended BY THE  
3 ADDITION OF A NEW SUBPARAGRAPH, to read:

4  
5           **10-16-104. Mandatory coverage provisions. (1) Newborn**  
6 **children.** (c) (I) Except as provided for cleft lip and cleft palate  
7 coverage in sub-subparagraph (A) of subparagraph (II) of this paragraph  
8 (c) AND FOR INHERITED ENZYMATIC DISORDERS CAUSED BY SINGLE GENE  
9 DEFECTS INVOLVED IN THE METABOLISM OF AMINO, ORGANIC, AND FATTY  
10 ACIDS AND FOR WHICH MEDICALLY STANDARD METHODS OF DIAGNOSIS,  
11 TREATMENT, AND MONITORING EXIST PURSUANT TO SUB-SUBPARAGRAPH  
12 (A) OF SUBPARAGRAPH (III) OF THIS PARAGRAPH (c), the benefits available  
13 to newborn children shall consist of coverage of injury or sickness,  
14 including all medically necessary care and treatment of medically  
15 diagnosed congenital defects and birth abnormalities for the first  
16 thirty-one days of the newborn's life, notwithstanding policy limitations  
17 and exclusions applicable to other conditions or procedures covered by  
18 the policy. Except as provided in sub-subparagraph (C) of subparagraph  
19 (II) of this paragraph (c), such coverage shall be subject to copayment,  
20 deductible, and aggregate dollar policy maximums that are no higher than  
21 are generally applicable under the policy to all other sicknesses, diseases,  
22 and conditions otherwise covered under the policy.

23  
24           (III) (A) COVERAGE FOR INHERITED ENZYMATIC DISORDERS  
25 CAUSED BY SINGLE GENE DEFECTS INVOLVED IN THE METABOLISM OF  
26 AMINO, ORGANIC, AND FATTY ACIDS SHALL INCLUDE, BUT NOT BE LIMITED  
27 TO, THE FOLLOWING DIAGNOSED CONDITIONS: PHENYLKETONURIA;  
28 MATERNAL PHENYLKETONURIA; MAPLE SYRUP URINE DISEASE;  
29 TYROSINEMIA; HOMOCYSTINURIA; HISTIDINEMIA; UREA CYCLE DISORDERS;  
30 HYPERLYSINEMIA; GLUTARIC ACIDEMIAS; METHYLMALONIC ACIDEMIA;  
31 AND PROPIONIC ACIDEMIA. COVERED CARE AND TREATMENT OF SUCH  
32 CONDITIONS SHALL INCLUDE, TO THE EXTENT MEDICALLY NECESSARY,  
33 MEDICAL FOODS FOR HOME USE FOR WHICH A PHYSICIAN WHO IS A  
34 PARTICIPATING PROVIDER HAS ISSUED A WRITTEN, ORAL, OR ELECTRONIC  
35 PRESCRIPTION.

36  
37           (B) THERE IS NO AGE LIMIT ON BENEFITS FOR INHERITED  
38 ENZYMATIC DISORDERS SPECIFIED IN SUB-SUBPARAGRAPH (A) OF THIS  
39 PARAGRAPH (III) EXCEPT FOR PHENYLKETONURIA. THE MAXIMUM AGE TO  
40 RECEIVE BENEFITS FOR PHENYLKETONURIA IS TWENTY-ONE YEARS OF AGE;  
41 EXCEPT THAT THE MAXIMUM AGE TO RECEIVE BENEFITS FOR  
42 PHENYLKETONURIA FOR WOMEN WHO ARE OF CHILD-BEARING AGE IS  
43 THIRTY-FIVE YEARS OF AGE.

44  
45           (C) AS USED IN THIS SUBPARAGRAPH (III), "MEDICAL FOODS"  
46 MEANS PRESCRIPTION METABOLIC FORMULAS AND THEIR MODULAR  
47 COUNTERPARTS, OBTAINED THROUGH A PHARMACY, THAT ARE  
48 SPECIFICALLY DESIGNATED AND MANUFACTURED FOR THE TREATMENT OF  
49 INHERITED ENZYMATIC DISORDERS CAUSED BY SINGLE GENE DEFECTS  
50 INVOLVED IN THE METABOLISM OF AMINO, ORGANIC, AND FATTY ACIDS  
51 AND FOR WHICH MEDICALLY STANDARD METHODS OF DIAGNOSIS,  
52 TREATMENT, AND MONITORING EXIST. SUCH FORMULAS ARE SPECIFICALLY  
53 PROCESSED OR FORMULATED TO BE DEFICIENT IN ONE OR MORE NUTRIENTS  
54 AND ARE TO BE CONSUMED OR ADMINISTERED ENTERALLY EITHER VIA  
55 TUBE OR ORAL ROUTE UNDER THE DIRECTION OF A PHYSICIAN WHO IS A  
56 PARTICIPATING PROVIDER. THIS SUB-SUBPARAGRAPH (C) SHALL NOT BE

1 CONSTRUED TO APPLY TO CYSTIC FIBROSIS PATIENTS OR LACTOSE- OR  
2 SOY-INTOLERANT PATIENTS.

3  
4 (D) COVERAGE OF MEDICAL FOODS, AS PROVIDED UNDER THIS  
5 SUBPARAGRAPH (III), SHALL ONLY APPLY TO INSURANCE PLANS THAT  
6 INCLUDE AN APPROVED PHARMACY BENEFIT AND SHALL NOT APPLY TO  
7 ALTERNATIVE MEDICINES. SUCH COVERAGE SHALL ONLY BE AVAILABLE  
8 THROUGH PARTICIPATING PHARMACY PROVIDERS. NOTHING IN THIS  
9 SUBPARAGRAPH (III) SHALL BE CONSTRUED AS PREVENTING A CARRIER  
10 FROM IMPOSING DEDUCTIBLES, COINSURANCE, OR OTHER COST-SHARING  
11 METHODS.

12  
13 **SECTION 2. Effective date - applicability.** (1) This act shall  
14 take effect January 1, 2002, unless a referendum petition is filed during  
15 the ninety-day period after final adjournment of the general assembly that  
16 is allowed for submitting a referendum petition pursuant to article V,  
17 section 1 (3) of the state constitution. If such a referendum petition is  
18 filed against this act or an item, section, or part of this act within such  
19 period, then the act, item, section, or part, if approved by the people, shall  
20 take effect on the date of the official declaration of the vote thereon by  
21 proclamation of the governor.

22  
23 (2) The provisions of this act shall apply to health coverage plans  
24 issued or renewed on or after the applicable effective date of this act."

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27  
28 **HB01-1363** be amended as follows, and as so amended, be referred to  
29 the Committee of the Whole with favorable  
30 recommendation:

31  
32 Amend printed bill, page 2, line 15, strike "C.R.S.," and substitute  
33 "C.R.S., A PHYSICAL THERAPIST LICENSED UNDER THE PROVISIONS OF  
34 ARTICLE 41 OF TITLE 12, C.R.S.,";

35  
36 line 19, after "CHIROPRACTOR," insert "PHYSICAL THERAPIST,".

37  
38 Page 3, line 6, strike "C.R.S.," and substitute "C.R.S., A PHYSICAL  
39 THERAPIST LICENSED UNDER THE PROVISIONS OF ARTICLE 41 OF TITLE 12,  
40 C.R.S.,".

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44 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

45  
46 The Speaker has signed: **HJR01-1014.**

47  
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50 **MESSAGE FROM THE SENATE**

51 Mr. Speaker:

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53 The Senate voted to concur in House amendments to SB01-021 and  
54 repassed the bill as amended.

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**INTRODUCTION OF BILL**  
**First Reading**

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

**HB01-1373** by Representative(s) Larson, Paschall, Borodkin, Fairbank, Jameson, Kester, Marshall, Miller, Rhodes, Webster, White, Williams T.; also Senator(s) Taylor, Dyer (Durango)--Concerning the creation of the division of oil and public safety in the department of labor and employment, and, in connection therewith, eliminating the office of state inspector of oils.  
Committee on Business Affairs & Labor

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**LAY OVER OF CALENDAR ITEMS**

On motion of Representative Spradley, the following items on the Calendar were laid over until March 27, retaining place on Calendar:

- Consideration of General Orders--**SB01-027, 178, 158, 040, 140, 150, 131, 054, 080, HB01-1358, 1366, SB01-118, HB01-1017, 1079, 1268, SB01-104.**
- Consideration of Resolutions--**SJR01-012, HJR01-1021.**
- Consideration of Senate Amendments--**HB01-1011, 1288, 1325, 1224, 1187, 1113, 1163, 1236, 1210, 1160.**

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On motion of Representative Spradley, the House adjourned until 9:00 a.m., March 28, 2001.

Approved:

DOUG DEAN,  
Speaker

Attest:

JUDITH RODRIGUE,  
Chief Clerk