

**SENATE JOURNAL**  
Sixty-third General Assembly  
**STATE OF COLORADO**  
First Regular Session

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First Legislative Day Wednesday, January 10, 2001

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Prayer By The Reverend Robert Dooling, Loveland.

Call to Order The hour of ten o'clock having arrived, the Senate of the 63rd General Assembly of the State of Colorado, pursuant to law, was called to order by Ray Powers, President of the 62nd General Assembly, State of Colorado.

Roll Call The roll call of the holdover Senators was called with the following result:  
Present: Anderson, Dennis, Dyer E. Jim, Epps, Evans,  
Hernandez, Hillman, Lamborn, Matsunaka, Musgrave, Nichol, Owen, Pascoe,  
Perlmutter, Teck, Thiebaut -Total, 16.

Credentials Committee On motion of Senator Thiebaut, and with unanimous consent of the Senate, a committee of three was appointed by the President as the Committee on Credentials. The President appointed Senators Perlmutter, Pascoe and Anderson as members of the committee.

The President announced that the Senate would be in recess so that the Committee on Credentials could meet and prepare its report.

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Senate in Recess. Senate Recovened.

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**COMMUNICATIONS FROM SECRETARY OF STATE**

State of Colorado  
Department of  
State

United States of America, ss. Certificate  
State of Colorado

I, Donetta Davidson, Secretary of State of the State of Colorado, do hereby certify that I have canvassed the "Abstract of Votes" submitted in the State of Colorado, and, to the best of my knowledge and belief, the attached list represents the total votes cast for the Colorado State Senate by the qualified electors of the State of Colorado in the November 7, 2000 General Election.

In Testimony Whereof I have hereunto set my hand and affixed the Great Seal of the State of Colorado, at the City of Denver this Fourth day of December A.D. 2000.

(Signed)  
Donetta Davidson  
Secretary of State

**November 7, 2000 General Election Final Results for the Colorado State Senate**

<i>Candidate</i>	<i>Party</i>	<i>District Totals</i>
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**STATE SENATE DISTRICT 4**

Counties: Chaffee, Delta, Fremont, Gunnison, Hinsdale, Lake, Park, Pitkin

John C. Ford	Democratic	19,029
<b>Ken Chlouber</b>	<b>Republican</b>	<b>31,932</b>
Amy M. Kacsh	Libertarian	2,954

**STATE SENATE DISTRICT 8**

Counties: Eagle, Garfield, Grand, Jackson, Moffat, Rio Blanco, Routt

Paul J. Ohri	Democratic	25,841	1
<b>Jack Taylor</b>	<b>Republican</b>	<b>27,002</b>	2
Michael Zuckerman	Libertarian	2,050	3
			4
<b>STATE SENATE DISTRICT 10</b>			5
Counties: El Paso			6
			7
<b>Ronny J. "Ron" May</b>	<b>Republican</b>	<b>28,942</b>	8
Dan Tafoya	Democratic	13,536	9
Patricia S. Glidewell	Libertarian	2,339	10
			11
<b>STATE SENATE DISTRICT 12</b>			12
Counties: El Paso, Teller			13
			14
<b>Andy McElhany</b>	<b>Republican</b>	<b>35,165</b>	15
Patrick L. Lilly	Libertarian	10,826	16
			17
<b>STATE SENATE DISTRICT 13 (VACANCY – 2-YEAR TERM)</b>			18
Counties: Boulder, Clear Creek, Gilpin, Jefferson, Summit			19
			20
<b>Joan Fitz-Gerald</b>	<b>Democratic</b>	<b>36,425</b>	21
Terri Rayburn	Republican	33,366	22
			23
<b>STATE SENATE DISTRICT 14</b>			24
Counties: Larimer			25
			26
Steve Tool	Republican	23,624	27
<b>Peggy Reeves</b>	<b>Democratic</b>	<b>27,476</b>	28
Wayne L. Bowlby	Libertarian	1,452	29
			30
<b>STATE SENATE DISTRICT 17</b>			31
Counties: Boulder			32
			33
Randal L. Custer	Republican	22,655	34
<b>Terry L. Phillips</b>	<b>Democratic</b>	<b>29,816</b>	35
Chuck Wright	Libertarian	1,941	36
Patrick West	Natural Law	1,076	37
			38
<b>STATE SENATE DISTRICT 18</b>			39
Counties: Boulder			40
			41
Steven M. Hatfield	Republican	10,703	42
<b>Ron Tupa</b>	<b>Democratic</b>	<b>35,241</b>	43
You	Natural Law	1,259	44
Mark H. Nikkel	Libertarian	1,615	45
			46
<b>STATE SENATE DISTRICT 19</b>			47
Counties: Jefferson			48
			49
<b>Sue Windels</b>	<b>Democratic</b>	<b>23,482</b>	50
Jim Congrove	Republican	22,585	51
Bud Martin	Libertarian	1,517	52
			53
<b>STATE SENATE DISTRICT 21</b>			54
Counties: Jefferson			55
			56
Penn R. Pfiffner	Republican	17,462	57
<b>Deanna Hanna</b>	<b>Democratic</b>	<b>20,709</b>	58
			59
<b>STATE SENATE DISTRICT 23</b>			60
Counties: Adams, Boulder			61
			62
Michael C. Massarotti	Democratic	21,718	63
<b>Ken Arnold</b>	<b>Republican</b>	<b>22,059</b>	64
Steven E. Lechner	Natural Law	1,443	65
			66
<b>STATE SENATE DISTRICT 25</b>			67
Counties: Adams			68
			69
Bruce Wilcox	Republican	11,566	70
<b>Stephanie Takis</b>	<b>Democratic</b>	<b>15,583</b>	71
Ronald G. Schweizer	Libertarian	1,050	72

**STATE SENATE DISTRICT 26**

Counties: Arapahoe, Jefferson

<b>Jim Dyer</b>	<b>Republican</b>	<b>29,417</b>
Steven M. Lee	Libertarian	9,637

**STATE SENATE DISTRICT 27**

Counties: Arapahoe

Scott S. Evans	Democratic	24,026
<b>John Andrews</b>	<b>Republican</b>	<b>27,527</b>
Harry Ozols	Libertarian	1,139

**STATE SENATE DISTRICT 28**

Counties: Arapahoe

<b>Bruce E. Cairns</b>	<b>Republican</b>	<b>21,612</b>
Robert "Bob" Borquez	Democratic	18,040
Stephen J. Dreiling	Libertarian	1,397

**STATE SENATE DISTRICT 29**

Counties: Arapahoe

Debbie Allen	Republican	11,826
<b>Bob Hagedorn</b>	<b>Democratic</b>	<b>14,726</b>
Cyril B. Smaling	Libertarian	798

**STATE SENATE DISTRICT 31**

Counties: Denver

Al Mewborn	Republican	5,720
<b>Doug Linkhart</b>	<b>Democratic</b>	<b>17,340</b>
Patrick Adamson	Libertarian	1,383

**STATE SENATE DISTRICT 33**

Counties: Denver

<b>Penfield Tate</b>	<b>Democratic</b>	<b>29,811</b>
Jesse Wilkins	Libertarian	4,413
Paul A. Zarlengo	write-in	10

**STATE SENATE DISTRICT 35**

Counties: Arapahoe, Denver

<b>Ken Gordon</b>	<b>Democratic</b>	<b>26,077</b>
Dorothy Gotlieb	Republican	20,793
Jeff Taton	Libertarian	1,028

State of Colorado  
Department of  
State

United States of America, ss. Certificate  
State of Colorado

I, Donetta Davidson, Secretary of State of the State of Colorado, do hereby certify that I have canvassed the "Abstract of Votes" submitted in the State of Colorado, and, to the best of my knowledge and belief, the persons listed on the attached list were duly elected to the Colorado State Senate by the qualified electors of the State of Colorado in the November 7, 2000 General Election.

In Testimony Whereof I have hereunto set my hand and affixed the Great Seal of the State of Colorado, at the City of Denver this Fourth day of December A.D. 2000.

(Signed)  
Donetta Davidson  
Secretary of State

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Winners of the General Election Held on November 7, 2000 for the  
**Colorado State Senate**

<b>Winning Candidate</b>	<b>Party</b>	<b>District Totals</b>
<b>STATE SENATE-DISTRICT 4</b>		
Counties: Chaffee, Delta, Fremont, Gunnison, Hinsdale, Lake, Park, Pitkin		
Ken Chlouber 220 W 8th St. Leadville, CO 80461	Republican	31,932
<b>STATE SENATE-DISTRICT 8</b>		
Counties: Eagle, Garfield, Grand, Jackson, Moffat, Rio Blanco, Routt		
Jack Taylor 41525 Routt County Rd 36 Steamboat Springs, CO 80477	Republican	27,002
<b>STATE SENATE-DISTRICT 10</b>		
Counties: El Paso		
Ronny J. "Ron" May 6609 Showhorse Ct. Colorado Springs, CO 80922	Republican	28,942
<b>STATE SENATE-DISTRICT 12</b>		
Counties: El Paso, Teller		
Andy McElhany 95 W Boulder St. Colorado Springs, CO 80903-3371	Republican	35,165
<b>STATE SENATE-DISTRICT 13 (VACANCY - 2-YEAR TERM)</b>		
Counties: Boulder, Clear Creek, Gilpin, Jefferson, Summit		
Joan Fitz-Gerald 942 Sleepy Hollow Golden, CO 80401	Democratic	36,425
<b>STATE SENATE-DISTRICT 14</b>		
Counties: Larimer		
Peggy Reeves 1931 Sandalwood Ln. Ft. Collins, CO 80526	Democratic	27,476
<b>STATE SENATE-DISTRICT 17 to Succeed Terry Phillips</b>		
Counties: Boulder		
Terry L. Phillips 579 Manorwood Ln. Louisville, CO 80027	Democratic	29,816
<b>STATE SENATE-DISTRICT 18</b>		
Counties: Boulder		
Ron Tupa 565 Manhattan Dr. #202 Boulder, CO 80303	Democratic	35,241
<b>STATE SENATE-DISTRICT 19</b>		
Counties: Jefferson		
Sue Windels 13925 W 73rd Ave. Arvada, CO 80005	Democratic	23,482
<b>STATE SENATE-DISTRICT 21</b>		
Counties: Jefferson		

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Deanna Hanna	Democratic	20,709	1
9536 W Ohio Pl.			2
Lakewood, CO 80226			3
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<b>STATE SENATE-DISTRICT 23</b>			5
Counties: Adams, Boulder			6
			7
Ken Arnold	Republican	22,059	8
10187 Julian Way			9
Westminister, CO 80031			10
			11
<b>STATE SENATE-DISTRICT 25</b>			12
Counties: Adams			13
			14
Stephanie Takis	Democratic	15,583	15
1927 Ironton St			16
Aurora, CO 80010			17
			18
<b>STATE SENATE-DISTRICT 26</b>			19
Counties: Arapahoe, Jefferson			20
			21
Jim Dyer	Republican	29,417	22
6380 Southwood Dr.			23
Littleton, CO 80121			24
			25
<b>STATE SENATE-DISTRICT 27</b>			26
Counties: Arapahoe			27
			28
John Andrews	Republican	27,527	29
7156 S. Verbena Way			30
Englewood, CO 80112			31
			32
<b>STATE SENATE-DISTRICT 28</b>			33
Counties: Arapahoe			34
			35
Bruce E. Cairns	Republican	21,612	36
5515 S Sedalia St.			37
Aurora, CO 80015			38
			39
<b>STATE SENATE-DISTRICT 29</b>			40
Counties: Arapahoe			41
			42
Bob Hagedorn	Democratic	14,726	43
1278 Sable Blvd.			44
Aurora, CO 80011			45
			46
<b>STATE SENATE-DISTRICT 31</b>			47
Counties: Denver			48
			49
Doug Linkhart	Democratic	17,340	50
38 S Clarkson			51
Denver, CO 80209			52
			53
<b>STATE SENATE-DISTRICT 33</b>			54
Counties: Denver			55
			56
Penfield Tate	Democratic	29,811	57
2520 Ash St.			58
Denver, CO 80207			59
			60
<b>STATE SENATE-DISTRICT 35</b>			61
Counties: Arapahoe, Denver			62
			63
Ken Gordon	Democratic	26,077	64
3141 S. Jasmine Way			65
Denver, CO 80222			66
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**REPORT OF THE COMMITTEE ON CREDENTIALS**

January 10, 2001  
Mr. President:

Your Committee on Credentials, to which was referred the list of members of the Senate for the Sixty-third General Assembly of the State of Colorado, transmitted by the Secretary of State, begs leave to report that the persons named therein constitute a true and correct list of the members as shown by the election certificates and records in the office of the Secretary of State, and your committee recommends that the list so furnished and read be adopted as the temporary roll call of the Senate of the Sixty-third General Assembly of the State of Colorado.

(Signed)  
Senator Perlmutter, Chairman  
Senator Pascoe  
Senator Anderson

The Credentials report was read and on motion of Senator Thiebaut the report was adopted by unanimous consent of the Senate.

On motion of Senator Thiebaut, and with the unanimous consent of the Senate, the President appointed a committee composed of Senators Dyer E. Jim, Hernandez and Musgrave to wait upon Chief Justice Mullarky of the Supreme Court and request her to administer the oath of office to the Senators-elect.

The President announced that the Senate would be in recess until the return of the Committee with the Chief Justice Mullarky.

Senate in Recess

Chief Sergeant-at-arms Garland announced the arrival of Chief Justice Mullarky and she was escorted to the rostrum.

Senate Reconvened

Roll Call The roll call of the Senators-elect was called with the following result:  
Present: Andrews, Arnold, Cairns, Chlouber, Dyer F. Jim, Fitz-Gerald, Gordon, Hagedorn, Hanna, Linkhart, May, McElhany, Phillips, Reeves, Takis, Tate, Taylor, Tupa, Windels--Total, 19.

The Chief Justice administered the Oath of Office to the Senators-elect.

The roll call of the entire Senate was called with following result:  
Present--Total, 35.

Quorm The President announced a quorm present.

On motion of Senator Thiebaut, and with the unanimous consent of the Senate, the temporary roll call of the Senate was made the permanent roll call.

Election of President On motion of Senator Thiebaut, Senator Matsunaka was nominated as President of the Senate.

Senator Thiebaut moved that the nominations for President of the Senate be closed and that a unanimous vote be cast for Senator Matsunaka. The motion was adopted by a unanimous vote.

On motion of Senator Thiebaut, and with the unanimous consent of those elected to the Senate, the Senate stood in recess to hear the opening day remarks of Senate President Stan Matsunaka and Minority Leader John Andrews. The text of their remarks follows.

Senator Matsunaka's Remarks:

President Powers, Reverend Dooling, fellow colleagues, honored guests and friends. Today we open a new chapter in Colorado history as we commence this 63<sup>rd</sup> General Assembly. Sixty-two times before us, spanning 124 years, the General Assembly has convened for the purpose of doing the people's business. As members of this 63<sup>rd</sup> General Assembly, we should understand that our work here for next 120 days is the highest responsibility given to any citizen.

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As children, we have all heard our parents speak of the American dream and of the hard work and dedication necessary to achieve it. My family is a living embodiment of that dream. My grandfather came to Colorado for a better opportunity, and my father served with distinction in World War II with the 442<sup>nd</sup> regimental combat team. They proved that, with honor and perseverance, anyone can attain the American dream, no matter the obstacles.

But growing up here in this beautiful Centennial State, I came to believe in another dream, the Colorado dream. To me the Colorado dream means many things.

It means keeping our state the best in America to raise and educate a family. It means extending our economic prosperity to future generations. It means ensuring we have quality public schools where every child reaches his or her potential. And the Colorado dream means, perhaps most of all, preserving what the world knows as a place to enjoy the staggering natural beauty God has bestowed on us.

I believe that my colleagues in the Republican party, both House and Senate share my dream for Colorado. I know they also want the best for our state. We may differ in emphasis and philosophy but those differences are not as great as our similarities. I know that at times during this session we will disagree and it is part of human nature for conflict to escalate and do damage to common goals. I pledge as the leader of this body that when conflicts arise I will do my best to de-escalate those conflicts and keep our eye on the ball, which is the welfare of our people and state. I reach out the hand of friendship to the Governor and the Republican legislators. We know that you have your values just as we have ours. And we know that those values embody your view of the best Colorado. We will only achieve Colorado's best if we take ideas and inspiration from both sides of the aisle.

To me, the Colorado dream is simple, but at the same time so very fragile. And unless we meet the challenges that face us head on, we stand in danger of losing that dream.

So my pledge to you here today, as is the pledge of all my colleagues in the Majority Caucus, is to protect and preserve the Colorado dream.

We want the people to know that we have a vision and a commitment to ensure that the Colorado they love and cherish will be there for their children and grandchildren. But doing so means changing the way the Senate, and hopefully other parts of state government, do business.

Our entitlement to lead that change comes with being elected as the first Democratic majority in the last 40 years. As Democrats, we don't pretend to have all the answers. We do expect, and we will achieve, a new way of governing that centers on engaging in open and healthy dialogue with the people of this state.

Since last November, we've enacted a number of new initiatives that will lead to fulfilling this pledge.

In the past, our limited 120-day session has often made the task of conducting legislative business overwhelming. That is why, along with Senators Perlmutter and Thiebaut, we initiated a significant streamlining of Senate committees and practices. In doing so we will meet the objective of providing more time for interaction with our constituents, and more opportunity for consideration of bills.

Our commitment to more direct government also means providing the people more access to this legislature. Citizens from the Western Slope and other parts of the state often go to great lengths just to come to Denver and meet with us. That is not good enough. Instead of forcing the people to come to government, we want to bring government to the people.

Just yesterday, our Legislative Information Services group unveiled audio Internet access to every floor and committee action for both the House and Senate. This accelerated plan was done at my behest and through the hard work of our staff. The ability to provide this service marks a new era of access for the people of Colorado.

As important to greater access, is greater bi-partisanship. The late Congressman Sam Rayburn of Texas once said, "any jackass can kick down a barn, but it takes a carpenter to build one." The people of Colorado want carpenters, they want leaders who will work to build a better future. I ask you to join me in heeding each other's voices to create a great harmonious song, not a dissonance that adds to the cynicism and disaffection that many feel for the political process.

Third in our commitment to redefining government comes in sharpening our focus. Too often the legislature has strayed from the people's agenda and on to that of the special

interests. While we recognize that lobbyists are people too, our commitment is to stay attentive to the fundamental challenges that face Colorado, and especially those that pose danger to the Colorado dream.

The most important of the Majority principles, is our commitment to responsible, reasonable and honest solutions. The political opinions and beliefs of Coloradoans are diverse. But I firmly believe we share the same basic aspirations for our state and our children. We pledge honesty in dealing with the people and our colleagues in state government, and we expect the same in return.

Let me turn to what my colleagues and I see as the most important issues facing our state. First, without question, is education. Yesterday our Senators announced the priorities and principles that will set the education agenda for the 2001 session. These include more accountability for all those involved in educating our children. Hand in hand with accountability comes flexibility. Our principles focus on giving local school districts the flexibility to achieve the education priorities set by our state government.

We welcome Governor Owens and anyone else to the Democrats longstanding agenda of more accountability, reduced class sizes and increased quality of instruction. For myself as the Education Committee Chair, and for all the members of our Caucus, the message is simple. We will leave no child behind. We will strive for Colorado's public education to be the best in the nation. And we will find the resources and the creativity needed to ensure that the mandate of Amendment 23 is fulfilled. It is against these principles that all education bills will be judged.

Growth is and has been a concern of the residents of Colorado for a long time. Senator Perlmutter asked me to read a Denver Post article in February 1974, Professor David Monarchi, a population expert at the University of Colorado accurately predicted that Colorado's population would be over 4 million people by the year 2000, and that this growth would place on us enormous challenges. All of these challenges are evident today. Professor Monarchi's conclusions were prophetic, as he said, "The lawmakers have been digging into the problem deeply, and they know it will not go away. Some of them know, at least, that the sooner they act, the better chance there will be to save Colorado from some of the damages of growth."

It's 26 years later, and we still must confront the consequences of growth. In December, we took the first step toward a solution by establishing a set of ten guiding Principles for developing growth legislation. We intend to use these principles, such as preserving our quality of life and creating a framework for more regional planning, as the cornerstones of our growth plan.

We cannot sustain our economic prosperity or our quality of life without investing in transportation to keep up with growth. We must plan for our future now and implement that plan now. We will scrutinize the Governor's 20 year plan in order to determine how best to pursue multi-modal solutions that we know nearly every part of the state needs. We must be honest with our citizens and communicate truthfully about the level of investments needed to avoid the economic and social cost of gridlock.

On the critical issues of confronting the challenges of Amendment 23 on transportation, you have my personal pledge; the Senate Majority will never play politics with our children's education, nor pit the critical needs of this state against each other. We can and will find a solution that allows us to fund schools and invest in transportation without threatening the state's fiscal integrity.

Without question, there are other issues, such as health care, water resources, and agriculture that mean so much to Colorado. But know that they mean equally as much to me. I wouldn't be standing here today without the support of my wife Kathy, and my children Melissa, Brian, and Kristi. It is to them, and all of our families, that we owe our best efforts and highest ideals toward solutions for Colorado.

The Colorado dream is alive and well, but it requires our constant nurturing and vigilance. We ask all Coloradoans to join us in keeping the dream a reality, and to preserve Colorado as a place alive with prosperity, blessed with an unparalleled quality of life, and governed by measured, moderate and responsible leadership.

Thank You.

Senator Andrew's remarks:

I am happy to join in congratulating the majority party and the new leadership.

Checking the journal for Opening Day last year, I was reminded that Minority Leader



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Mike Feeley told a story from 1959, when the Senate Majority Leader happened to be a Democrat. Senator Feeley noted that the mere mention of that idea made some of us Republicans wince. Then he added, "That's okay, you'll get used to it." Boy, will we ever!

I believe it's going to be a good year here in the Senate. I'm determined to make it so, and I speak for all 16 of my colleagues here on the night side of the aisle when I say that.

Since the election, Senate Republicans have been on a special diet to get ready for our new role. At Thanksgiving, when the rest of you were eating turkey, we ate crow. At Christmas, when the rest of you had mince pie, we had humble pie.

Senator Owen was over at JBC, getting used to leftovers. I was at the music studio, learning to play second fiddle.

No question, rotation in office is easier to theorize about than to experience. But my party respects the voice of the voters, and we honor the warning of Lord Acton about the dangers of power.

We are ready to work with our Democratic colleagues as a constructively contributing minority, a loyal opposition in the best tradition of representative government.

So Mr. President, serve up the menu. Mr. Majority Leader, rosin up the bow.

During the past several weeks, along with catching my breath after the campaign and shuffling offices here at the Capitol, I sponsored an essay contest for students in schools across Colorado. It provided an interesting window on the thinking of the next generation of citizens and leaders in this state that you and I have been sent here to help govern.

We had hundreds of entries from students as young as 3<sup>rd</sup> grade, as old as 11<sup>th</sup> grade. Their assignment was to write a page or two on the subject of "New Hope for American Civilization." The students tackled many of the same issues that we'll be debating in this legislative session -- from education and health care to transportation and the environment.

They expressed a wide spectrum of hopes and concerns about our political system itself -- heightened by the weeks of suspense over Florida's disputed vote count.

Greg Baldwin, a 5<sup>th</sup> grader in Jefferson County, wrote that the whole thing made him "kind of embarrassed to be in this country.

Politics is "not about moral values any more," said Greg. "It's all about power. It's called greed."

But Angelica Gentile of Lakewood High School took the opposite view. Her essay took the Florida controversy as a sign of hope, a chance for our country to "learn [some old] truths the hard way."

Angelica's essay concluded: "America is only as great as its citizens. If they all actively participate in its processes, it is bound to reflect the true diversity and richness of our people."

Mr. President, fellow Senators, let's never forget that Greg and Angelica and thousands of other young Coloradans are going to be watching us over the next 120 days. They will be sizing us up, measuring the reality of what we do here against the ideals they find in their civics books. What conclusions will they draw?

As these kids look down from the gallery or catch a glimpse of us on the evening news, will the actions of the 63<sup>rd</sup> Colorado General Assembly be to them a source of hope and pride, confidence and gratitude, a sense of opportunity and a call of duty?

Or will our work in this session just send them another message of power and greed, another reason to grow cynical and hard at an early age, another source of embarrassment?

Let's join hands and do them proud.

The division of government into three branches goes a long way back in history. The prophet Isaiah wrote 2500 years ago, "The Lord is our judge, our lawgiver, our king."

But in our system, the legislative branch is the most directly and frequently accountable to all citizens. That gives us a special trust. Let's make sure that the legislative branch is an unwavering defender of the Constitution, a trustworthy servant of liberty under law.

Our competitive two-party system provides an important safeguard against human

fallibility getting out of hand. For that reason, I believe bipartisanship is no panacea.  
 Partisanship is a good thing, when it means the forceful advocacy of principles that caused our constituents to send us here.

To govern well is to strike the right balance between head and heart. Democrats lean one way, Republicans lean the other, and that's healthy. Let's give Colorado the full benefit of that creative tension as we go to work making policy in the months ahead.

For better schools, let's direct that new state money with a strategic approach that includes accountability - not a Santa Claus approach that just says spend more and hope for the best. For the kids' sake, let's send the dollars to the classroom rather than to the administrators. Parents and taxpayers expect that from us.

For better transportation, let's work with Gov. Owens to keep his action plan for roads and transit rolling ahead after 24 long years of inaction. The state needs prudent reserves, but we don't need idle money under the mattress at the cost of highway gridlock. Let's find a solution.

For smart growth, let's respect the self-determination of communities and the free choice of individuals. Let's respect market economics and property rights. This should be our master plan as we seek to handle the new land rush better than previous ones.

For safer neighborhoods, let's keep reducing crime by providing the prisons, the judges, and the police that Colorado needs to catch the bad guys and lock them up and keep them there.

For a rising standard of living, let's keep working on permanent tax cuts -- so money that doesn't constitutionally belong to us no longer has to make a detour through government before finally getting back to the families that earned it in the first place.

This year's lean budget numbers need not prevent us from cutting taxes with an effective date of July 2002, when the surplus will fatten again. Nor should the ongoing deliberations of the tax commission be an excuse to wait.

The economy is already slowing, the private sector is looking to tighten its belt, and for sustained prosperity the government should do the same.

For Colorado's representation in Congress over the coming decade, let's come together on a reapportionment plan that is honest and fair. Let's do it without vetoes and without judges. Let's not give young Greg Baldwin any reason to say, "There they go again, embarrassing us."

I leave you with a thought from one more of my student essay contestants. It was Piper Powelson, a middle schooler in Aurora, who noted in her essay that our national anthem ends with a question. Does the banner indeed still wave?

For Piper and so many others who look to us, let's answer with fidelity and honor, with character and courage and strength. With God's help I know we can.

Senate Reconvened.

On motion of Senator Thiebaut, and with the unanimous consent of those elected to the Senate, the remarks of President Matsunaka and Minority Leader Andrews were ordered spread upon the pages of the journal.

Election of President *Pro Tem*

On motion of Senator Thiebaut, Senator Perlmutter was nominated as President *pro tem* of the Senate.

Senator Thiebaut moved that the nominations for President *pro tem* of the Senate be closed and that a unanimous vote be cast of Senator Perlmutter. The motion was adopted by a unanimous vote.

Election of Secretary

On motion of Senator Thiebaut, Karen Goldman was elected to serve as Secretary of the Senate during the First Regular Session for the Sixty-third General Assembly. The motion was adopted by a unanimous vote.

The President administered the oath of office to Karen Goldman as Secretary of the Senate.

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**INTRODUCTION AND CONSIDERATION OF RESOLUTIONS**

- SJR01-001** by Senators Thiebaut, Matsunaka and Andrews; also Representatives Spradley, Dean, and Grossman --Concerning the adoption of the Joint Rules as the temporary Rules of the Sixty-third General Assembly. 1  
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- Be it Resolved, by the Senate of the Sixty-third General Assembly of the State of Colorado, the House of Representatives concurring herein:* 7  
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- That the Joint Rules of the Senate and House of Representatives of the Sixty-second General Assembly be made the temporary Joint Rules of the Senate and House of Representatives of the Sixty-third General Assembly. 10  
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- Senator Thiebaut moved to suspend Senate Rule 30(b) for immediate consideration of **SJR01-001**. 14  
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- A two-thirds majority of those elected to the Senate having voted in the affirmative, Senate Rule 30(b) was suspended and immediate consideration granted. 17  
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- On motion of Senator Thiebaut, the resolution was **adopted** by a viva voce vote. 20  
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- SR01-001** By Senators Thiebaut, Matsunaka and Andrews--Concerning the Temporary Rules of the Senate. 22  
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- Be it Resolved, by the Senate of the Sixty-third General Assembly of the State of Colorado, the Senate concurring herein:* 25  
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- That the Rules of the Senate of the Sixty-second General Assembly be made the temporary Rules of the Senate of the Sixty-third General Assembly. 28  
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- Be It Further Resolved, That, until such time as permanent Rules are adopted by the Senate, the temporary Rules of the Senate may be amended upon the affirmative vote of a majority of all members elected to the Senate. 31  
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- Senator Thiebaut moved to suspend Senate Rule 30(c) for immediate consideration of **SR01-001**. 35  
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- A two-thirds majority of those elected to the Senate having voted in the affirmative, Senate Rule 30(c) was suspended and immediate consideration granted. 38  
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- On motion of Senator Thiebaut, the resolution was **adopted** by a viva voce vote. 41  
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- On motion of Senator Thiebaut and with the unanimous consent of the Senate, the President appointed Senators Windels, Tupa, and Teck as members of a committee of three to notify the House that the Senate was organized and ready for business. 44  
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- SJR01-002** by Senators Thiebaut, Matsunaka and Andrews; also Representatives Spradley, Dean, and Grossman--Concerning the appointment of a joint committee to notify the Governor that the first regular session of the Sixty-third General Assembly is organized and ready to transact business. 49  
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- Be it Resolved, by the Senate of the Sixty-third General Assembly of the State of Colorado, the House of Representatives concurring herein:* 54  
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- That a joint committee, consisting of two members of the Senate and three members of the House of Representatives, be appointed by the President of the Senate and the Speaker of the House of Representatives, respectively, to notify His Excellency, Governor Bill Owens, that the First Regular Session of the Sixty-third General Assembly of the state of Colorado is organized and ready for the transaction of business. 57  
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- Senator Thiebaut moved to suspend Senate Rule 30(b) for immediate consideration of **SJR01-002**. 63  
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- A two-thirds majority of those elected to the Senate having voted in the affirmative, Senate Rule 30(b) was suspended and immediate consideration granted. 66  
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- On motion of Senator Thiebaut, the resolution was **adopted** by a viva voce vote. 69  
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- Co-sponsors added: Linkhart, Perlmutter, Tate. 71  
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The President appointed Senators Tate and Anderson to serve on the committee to notify the Governor.

Senate in Recess--Senate Reconvened.

A Committee composed of Representatives Stengel, Mitchell and Weddig reported to the Senate that the House was organized and ready for business.

Senators Windels, Tupa and Teck announced that the House had been informed that the Senate was organized and ready for business.

**INTRODUCTION OF RESOLUTIONS**

**SR01-002** by Senators Thiebaut and Matsunaka--Concerning Committees of Reference in the Senate.

*Be it Resolved, by the Senate of the Sixty-third General Assembly of the State of Colorado, the Senate concurring herein:*

That Rule No. 21 (a) of the Rules of the Senate is amended, and the said Rule 21 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

**21. COMMITTEES**

(a)The following committees of reference of the Senate shall be appointed by resolution at the beginning of each regular session of the General Assembly convening after a general election, and shall remain constituted as such committees until the first regular session convening after the next ensuing general election:

- (1)Agriculture AND Natural Resources. ~~and Energy~~
- (2)Appropriations.
- (3)Business, ~~Affairs and~~ Labor AND FINANCE.
- (4)Education.
- (5)~~Finance~~ GOVERNMENT, VETERANS AND MILITARY RELATIONS, AND TRANSPORTATION.
- (6)Health, Environment, ~~Welfare~~ CHILDREN and ~~Institutions~~ FAMILIES.
- (7)Judiciary.
- (8)~~Local Government~~ PUBLIC POLICY AND PLANNING.
- (9)~~State, Veterans, and Military Affairs.~~
- (10)~~Transportation.~~

The party representation of such committees shall be in proportion, as nearly as practicable, as determined by the majority leader, to the relative number of members of the two major political parties in the Senate. The majority leader of the Senate shall determine the number of members, shall designate the number from each political party, and shall appoint the majority members to the committees of reference. The minority leader shall appoint the minority members to such committees.

(a.3)ANY REFERENCE IN THESE RULES, THE JOINT RULES OF THE SENATE AND HOUSE OF REPRESENTATIVES, OR IN THE COLORADO REVISED STATUTES, TO THE FOLLOWING COMMITTEES AS THEY EXISTED PRIOR TO JANUARY 1, 2001, SHALL BE DEEMED TO REFER TO THE FOLLOWING NEW COMMITTEES:

<b>OLD COMMITTEE</b>	<b>NEW COMMITTEE</b>
(1)AGRICULTURE, NATURAL RESOURCES, AND ENERGY.	AGRICULTURE AND NATURAL RESOURCES.
(2)BUSINESS AFFAIRS AND LABOR.	BUSINESS, LABOR AND FINANCE.

SR01-002

- (3)FINANCE. BUSINESS, LABOR AND FINANCE. 1  
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- (4)HEALTH, ENVIRONMENT, WELFARE, AND INSTITUTIONS. HEALTH, ENVIRONMENT, CHILDREN AND FAMILIES. 3  
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- (5)LOCAL GOVERNMENT. GOVERNMENT, VETERANS AND MILITARY RELATIONS, AND TRANSPORTATION. 8  
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- (6)STATE, VETERANS, AND MILITARY AFFAIRS. GOVERNMENT, VETERANS AND MILITARY RELATIONS, AND TRANSPORTATION. 10  
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- (7)TRANSPORTATION. GOVERNMENT, VETERANS AND MILITARY RELATIONS, AND TRANSPORTATION. 13  
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That Rule No. 22 (1) (1) of the Rules of the Senate is amended to read:

**22. COMMITTEE RULES**

- (1) 21
- (1) The committees of reference as listed in Rule 21 (a) shall be placed in the following categories: 22  
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**CategoryCommittee**

~~Business, Affairs and Labor~~ AND FINANCE. 24  
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Judiciary. 28  
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~~State, Veterans, and Military Affairs.~~ 32  
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~~Agriculture, Natural Resources, and Energy~~ GOVERNMENT, VETERANS AND MILITARY RELATIONS, AND TRANSPORTATION. 35  
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~~Education:~~ 39  
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~~Health, Environment, Welfare~~ CHILDREN and ~~Institutions~~ FAMILIES. 42  
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PUBLIC POLICY AND PLANNING. 45  
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~~Finance~~ AGRICULTURE AND NATURAL RESOURCES. 48  
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~~Local Government~~ EDUCATION. 52  
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~~Transportation:~~ 55  
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Appropriations. 4 58  
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That Rule No. 25 (2) of the Rules of the Senate is amended to read: 61

**25. BILLS**

- (2)Notwithstanding any other provisions of these rules, each bill which provides directly that any money or revenue under the control of the state shall be devoted to any purpose other than that to which it is devoted under existing law shall be referred to the ~~finance committee~~ BUSINESS, LABOR AND FINANCE COMMITTEE prior to its consideration either by the Senate or by the committee of the whole, and no such bill shall be considered by the committee of the whole or by the Senate until it has been so referred. 62  
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That Rule No. 33 (a) of the Rules of the Senate is amended to read: 71  
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**SR01-002**

**33. CONTESTED ELECTIONS**

(a)All contests of the election of a Senator, and all questions affecting or relating to the qualification or eligibility of a Senator, or the right of any Senator to a seat or membership in the Senate, shall be referred to the Committee on ~~State Affairs~~ GOVERNMENT, VETERANS AND MILITARY RELATIONS, AND TRANSPORTATION, which shall proceed to hear and determine said matters, and each of them, in such manner, at such times, in such places, and under such rules, as said committee may adopt, for the purpose of facilitating such hearing.

Laid over one day under Senate Rule 30(c).

**SR01-003**

by Senators Thiebaut and Matsunaka--Concerning the appointment of members of Senate committees of reference.

*Be it Resolved, by the Senate of the Sixty-third General Assembly of the State of Colorado, the Senate concurring herein:*

That the committees of the Senate and the number and membership of each thereof to serve during the Sixty-third General Assembly shall be as follows:

AGRICULTURE AND NATURAL RESOURCES - 9 members - Senators Jim E. Dyer, chair; Hanna, vice-chair; Chlouber, Dennis, Gordon, Hagedorn, Hillman, Musgrave, and Phillips.

APPROPRIATIONS - 10 members - Senators Reeves, chair; Tate, vice-chair; Chlouber, Hernandez, Lamborn, Linkhart, Nichol, Owen, Phillips, and Teck.

BUSINESS, LABOR, AND FINANCE - 7 members - Senators Fitz-Gerald, chair; Takis, vice-chair; Lamborn, McElhany, Nichol, Phillips, and Taylor.

CAPITAL DEVELOPMENT - 3 members - Senators McElhany, Phillips, and Windels.

EDUCATION - 9 members - Senators Matsunaka, chair; Pascoe, vice-chair; Anderson, Arnold, Cairns, Evans, Fitz-Gerald, Tupa, and Windels.

GOVERNMENT, VETERANS, AND MILITARY RELATIONS, AND TRANSPORTATION - 7 members - Senators Nichol, chair; Tupa, vice-chair; Dennis, Jim E. Dyer, May, Takis, and Teck.

HEALTH, ENVIRONMENT, CHILDREN, AND FAMILIES - 7 members - Senators Hernandez, chair; Hagedorn, vice-chair; Jim F. Dyer, Epps, Evans, Hanna, and Linkhart.

JOINT BUDGET - 3 members - Senators Reeves, Chairman; Owen, and Tate.

JUDICIARY - 7 members - Senators Gordon, chair; Linkhart, vice-chair; Arnold, Jim. F. Dyer, Hernandez, Hillman, and Windels.

PUBLIC POLICY AND PLANNING - 7 members - Senators Pascoe, chair; Perlmutter, vice-chair; Andrews, Matsunaka, McElhany, Musgrave, and Thiebaut.

SENATE SERVICES - 3 members - Senators Matsunaka, chair; Thiebaut, vice-chair; and Andrews.

Laid over one day under Senate Rule 30(c).

**SJR01-003**

by Senator Thiebaut and Representatives Spradley and Dean--Concerning Oversight Responsibilities of Committees of Reference.

Laid over one day under Senate Rule 30(b).

**SR01-004**

by Senators Thiebaut, Matsunaka, and Andrews--Concerning the appointment of officers and employees for the Senate of the Sixty-third General Assembly.

*Be it Resolved, by the Senate of the Sixty-third General Assembly of the State of Colorado, the Senate concurring herein:*

That the following named persons be appointed as officers and employees of the Senate of the First Regular Session of the Sixty-third General Assembly, to the positions set opposite their respective names:

**SR01-004**

Secretary of the Senate: . . . . . Karen Goldman 1  
 Assist. Secretary/Journal Clerk: . . . . . Heidi Horvath 2  
 Calendar Clerk: . . . . . JoAnn Whitehead 3  
 Front Desk/Docket Clerk: . . . . . Susie Velasquez 4  
 Reading Clerk/Admin. Asst. to Sec of Senate: . . . . . Alfredo Kemm 5  
 Finance Clerk: . . . . . David J. Votava 6  
 Chief of Staff - Majority: . . . . . Danielle Radovich Piper 7  
 Chief of Staff - Minority . . . . . Clifford F. Dodge 8  
 Chief Sergeant-at-Arms: . . . . . Jerry Garland 9  
 Assist. Sergeant-at-Arms: . . . . . Harold Jackson 10  
 Assist. Sergeant-at-Arms: . . . . . Norman Settles 11  
 Assist. Sergeant-at-Arms: . . . . . Bruce Daly 12  
 Assist. Sergeant-at-Arms: . . . . . Elaine Calzolari 13  
 Enrolling Clerk: . . . . . Elizabeth Bliss 14  
 Assist. Enrolling Clerk: . . . . . Wanda Freeman 15  
 Assist. Enrolling Clerk: . . . . . Kevin Wilson 16  
 Bill Room Information Clerk: . . . . . Charlotte A. Jackson 17  
 Bill Room Clerk: . . . . . Valerie Vigil 18  
 Secretary to the President: . . . . . Mickey Pearce 19  
 Secretary to Maj. Leadership: . . . . . Lesley Fuller 20  
 Secretary to Minority Leadership: . . . . . Melissa Padilla 21  
 Administrative Assistant to Majority Leader: . . . . . Denis Berckefeldt 22  
 Administrative Assistant to President Pro Tem: . . . . . 23  
 Majority Media Relations Director: . . . . . Dani Newsum 24  
 Majority Media Relations Assistant: . . . . . Patrick Culbreth 25  
 Minority Media Relations: . . . . . Darin D. Goens 26  
 Chief Legislative Secretary, Majority: . . . . . Martina McCray 27  
 Chief Legislative Secretary, Minority: . . . . . Miriam Frey 28  
 Legislative Secretary, Majority: . . . . . Megan Van Ens 29  
 Legislative Secretary, Minority: . . . . . Kate Fowler 30  
 Legislative Secretary, Minority: . . . . . Sharon Dilley 31  
 Senate Services Secretary-Session Only: . . . . . Meghan Foulke 32  
 Telephone Receptionist, Minority: . . . . . Donna Cooley 33  
 Chief Assignable Clerk: . . . . . Royda Kimball 34  
 Assist. Assignable Clerk: . . . . . Michael Devers 35  
 Assist. Assignable Clerk: . . . . . Natalie Gallegos 36  
 Visitors' Aide: . . . . . Renee White 37  
 Visitors' Aide: . . . . . 38  
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Laid over one day under Senate Rule 30(c). 40

**SR01-005**

by Senators Thiebaut, Matsunaka, and Andrews--Concerning payment of employees for 43  
 pre-session work for the Senate convened in the first regular session of the Sixty-third 44  
 General Assembly. 45

*Be it Resolved, by the Senate of the Sixty-third General Assembly of the State of Colorado,* 47  
*the Senate concurring herein:* 48

That the following named individuals who received training or who performed pre-session 50  
 work for the Senate, be compensated for such pre-session work: 51

Karen Goldman	Grade Director	Step V+	--- 10 Days	53
JoAnn Whitehead	Grade 82	Step 6A	--- 6 Days	54
Susie Velasquez	Grade 82	Step 5A	--- 5 Days	55
Alfredo Kemm	Grade 82	Step 5A	--- 4.5 Days	56
Danielle Radovich Piper	Grade 108	Step 3	--- 9 Days	57
Jerry Garland	Grade 82	Step 1	--- 10 Days	58
Bruce Daly	Grade 66	Step 3	--- 5 Days	59
Elaine Calzolari	Grade 66	Step 3	--- 5 Days	60
Norman Settles	Grade 66	Step 3	--- 2 Days	61
Wanda Freeman	Grade 71	Step 1	--- 6 Days	62
Kevin Wilson	Grade 71	Step 1	--- 4 Days	63
Valerie Vigil	Grade 66	Step 3	--- 3 Days	64
Dani Newsum	Grade 102	Step 4+	--- 9 Days	65
Patrick Culbreth	Grade 87	Step 2	--- 8 Days	66
Megan VanEns	Grade 71	Step 4A	--- 4 Days	67
Meghan Foulke	Grade 71	Step 1	--- 1.5 Days	68
Kate Fowler	Grade 71	Step 1	--- 2 Days	69
Sharon Dilley	Grade 71	Step 1	--- 2 Days	70
Michael Devers	Grade 66	Step 3	--- 2 Days	71
Natalie Gallegos	Grade 66	Step 3	--- 4 Days	72

**SR01-005**

Renee White                      Grade 66                      Step 3                      --- 3.5 Days

Laid over one day under Senate Rule 30(c).

Senators Tate and Anderson reported that the Governor had been notified that the General Assembly was organized and ready for business.

**MESSAGE FROM THE HOUSE**

January 10, 2001

Mr. President:

The House has adopted and transmits herewith HJR01-1001, as printed in House Journal, January 10.

Pursuant to the resolution, the Speaker has appointed Representatives Sinclair, chairman, Paschall, and Mace to escort the Chief Justice and Representatives Fairbank, chairman, Kester, and Tochtrop to escort the Secretary of State.

**INTRODUCTION AND CONSIDERATION OF RESOLUTIONS**

**HJR01-1001**

by Representatives Spradley, Dean, and Grossman; also Senators Thiebaut, Matsunaka and Andrews--Concerning a Joint Session of the House of Representatives and the Senate of the Sixty-third General Assembly for the purpose of canvassing the votes for the Secretary of State at the election held November 7, 2000, and appointing two committees to escort the Chief Justice and the Secretary of State.

Senator Thiebaut moved to suspend Senate Rule 30(e) for immediate consideration of **HJR 01-1001**.

A two-thirds majority of those elected to the Senate having voted in the affirmative, Senate Rule 30(e) was suspended and immediate consideration granted.

On motion of Senator Thiebaut, the resolution was **adopted** by a viva voce vote.

Pursuant to the Resolution, the President appointed Senators Nichol and Dennis to serve on the committee.

**MESSAGE FROM THE HOUSE**

January 10, 2001

Mr. President:

The House has adopted and transmits herewith HJR01-1002, as printed in House Journal, January 10.

Pursuant to the resolution, the Speaker has appointed Representatives Spradley, chairman, Fairbank, and Miller.

**INTRODUCTION AND CONSIDERATION OF RESOLUTIONS**

**HJR01-1002**

by Representatives Spradley, Dean, and Grossman; also Senators Thiebaut, Matsunaka and Andrews--Concerning a joint session of the House of Representatives and Senate for the purpose of hearing a message from his excellency, Governor Bill Owens, and appointing a committee to escort the Governor.

That a Joint Session of the Senate and the House of Representatives of the First Regular Session of the Sixty-third General Assembly be held in the House Chambers at 11:00 a.m., on Thursday January 11, 2001, for the purpose of hearing a message from His Excellency, Governor Bill Owens, and that a committee of two members for the Senate and three members of the House of Representatives be appointed by the President of the Senate and Speaker of the House, respectively, to escort the Governor to the Joint Session.

Senator Thiebaut moved to suspend Senate Rule 30(e) for immediate consideration of **HJR 01-1002**.

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**HJR01-1002** A two-thirds majority of those elected to the Senate having voted in the affirmative, Senate Rule 30(e) was suspended and immediate consideration granted. 1  
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On motion of Senator Thiebaut, the resolution was **adopted** by a viva voce vote. 4  
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The President appointed Senators Perlmutter and Hillman to serve on the committee to escort the Chief Justice to the Joint Session. 6  
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**MESSAGE FROM THE HOUSE**

January 10, 2001 10  
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Mr. President: 13  
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The House has adopted and transmits herewith HJR01-1003, as printed in House Journal, January 10. 15  
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Pursuant to the resolution, the Speaker has appointed Representatives T. Williams, Chairman, Swenson, and Tapia. 18  
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**INTRODUCTION AND CONSIDERATION OF RESOLUTIONS**

**HJR01-1003** by Representatives Spradley, Dean, and Grossman; also Senators Thiebaut, Matsunaka and Andrews--Concerning a joint session of the Senate and the House of Representatives for the purpose of hearing a message from the Chief Justice of the Supreme Court, and appointing a committee to escort the Chief Justice. 21  
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That a Joint Session of the Senate and House of Representatives of the First Regular Session of the Sixty-third General Assembly be held in the House Chambers at 11:00 a.m., on Friday January 12, 2001, for the purpose of hearing a message from the Chief Justice of the Supreme Court, the Honorable Mary J. Mullarkey, and that a committee of two members of the Senate and three members of the House of Representatives, be appointed by the president of the Senate and the Speaker of the House, respectively, to escort the Chief Justice to the Joint Session. 29  
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Laid over one day pursuant to Senate Rule 30(e). 37  
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**MESSAGE FROM THE HOUSE**

January 10, 2001 40  
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Mr. President: 43  
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The House has adopted and returns herewith SJR01-001. 46  
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January 10, 2001 49  
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Mr. President: 52  
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The House has adopted and returns herewith SJR01-002. 55  
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Pursuant to the resolution, the Speaker has appointed Representatives Young, chairman, King, and Coleman as a Committee to Notify the Governor. 57  
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On motion of Senator Thiebaut, the Senate adjourned until 9:00 a.m., January 11, 2001. 59  
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Approved: 62  
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Stan Matsunaka  
President of the Senate 64  
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Attest: 67  
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Karen Goldman  
Secretary of the Senate 70  
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