

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

Forty-second Legislative Day

Tuesday, February 20, 2001

1 Prayer by Pastor Steve Garcia, Celebration Community Church, Denver.

2

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

4

5 The roll was called with the following result:

6

7 Present--64.

8

9 Excused--Representative Chavez--1.

10

11 The Speaker declared a quorum present.

12

13

14 On motion of Representative Daniel, the reading of the journal of
 15 February 19, 2001, was declared dispensed with and approved as
 16 corrected by the Chief Clerk.

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20

THIRD READING OF BILLS--FINAL PASSAGE

21

22 The following bills were considered on Third Reading. The titles were
 23 publicly read. Reading of the bill at length was dispensed with by
 24 unanimous consent.

25

26 **HB01-1209** by Representative(s) Fairbank, Cadman, Hoppe, Kester,
 27 Lee, Paschall, Scott, Spence, Stengel; also Senator(s)
 28 Phillips--Concerning the authorization of alcohol tastings
 29 on licensed premises.

30

31 As shown by the following roll call vote, a majority of all members
 32 elected to the House voted in the affirmative, and Representative
 33 Fairbank was given permission to offer a Third Reading amendment:

34

35 YES 60 NO 4 EXCUSED 1 ABSENT 0

36

37 Alexander Y Groff Y Miller Y Spence Y

38 Bacon Y Grossman Y Mitchell Y Spradley Y

39 Berry Y Hefley Y Nuñez Y Stafford Y

40 Borodkin N Hodge Y Paschall Y Stengel Y

41 Boyd Y Hoppe Y Plant Y Swenson Y

42 Cadman Y Jahn N Ragsdale Y Tapia Y

43 Chavez E Jameson Y Rhodes Y Tochtrop Y

44 Clapp Y Johnson Y Rippy Y Veiga Y

45 Cloer Y Kester Y Romanoff Y Vigil Y

1	Coleman	Y	King	Y	Saliman	Y	Webster	Y
2	Crane	Y	Larson	Y	Sanchez	Y	Weddig	Y
3	Daniel	Y	Lawrence	Y	Schultheis	Y	White	Y
4	Decker	Y	Lee	Y	Scott	Y	Williams S.	N
5	Fairbank	Y	Mace	Y	Sinclair	N	Williams T.	Y
6	Fritz	Y	Madden	Y	Smith	Y	Witwer	Y
7	Garcia	Y	Marshall	Y	Snook	Y	Young	Y
8							Mr. Speaker	Y

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Third Reading amendment No. 1, by Representative Fairbank.

Amend engrossed bill, page 3, line 3, strike "LICENSEES, AND".

The amendment was declared **passed** by the following roll call vote:

YES	64	NO	0	EXCUSED	1	ABSENT	0
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19	Alexander	Y	Groff	Y	Miller	Y	Spence	Y
20	Bacon	Y	Grossman	Y	Mitchell	Y	Spradley	Y
21	Berry	Y	Hefley	Y	Nuñez	Y	Stafford	Y
22	Borodkin	Y	Hodge	Y	Paschall	Y	Stengel	Y
23	Boyd	Y	Hoppe	Y	Plant	Y	Swenson	Y
24	Cadman	Y	Jahn	Y	Ragsdale	Y	Tapia	Y
25	Chavez	E	Jameson	Y	Rhodes	Y	Tochtrop	Y
26	Clapp	Y	Johnson	Y	Rippy	Y	Veiga	Y
27	Cloer	Y	Kester	Y	Romanoff	Y	Vigil	Y
28	Coleman	Y	King	Y	Saliman	Y	Webster	Y
29	Crane	Y	Larson	Y	Sanchez	Y	Weddig	Y
30	Daniel	Y	Lawrence	Y	Schultheis	Y	White	Y
31	Decker	Y	Lee	Y	Scott	Y	Williams S.	Y
32	Fairbank	Y	Mace	Y	Sinclair	Y	Williams T.	Y
33	Fritz	Y	Madden	Y	Smith	Y	Witwer	Y
34	Garcia	Y	Marshall	Y	Snook	Y	Young	Y
							Mr. Speaker	Y

The question being, "Shall the bill, as amended, pass?".

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

YES	56	NO	8	EXCUSED	1	ABSENT	0
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45	Alexander	Y	Groff	N	Miller	Y	Spence	Y
46	Bacon	Y	Grossman	N	Mitchell	Y	Spradley	Y
47	Berry	Y	Hefley	Y	Nuñez	Y	Stafford	Y
48	Borodkin	N	Hodge	Y	Paschall	Y	Stengel	Y
49	Boyd	Y	Hoppe	Y	Plant	Y	Swenson	Y
50	Cadman	Y	Jahn	Y	Ragsdale	Y	Tapia	Y
51	Chavez	E	Jameson	Y	Rhodes	Y	Tochtrop	Y
52	Clapp	Y	Johnson	N	Rippy	Y	Veiga	Y
53	Cloer	Y	Kester	Y	Romanoff	N	Vigil	Y
54	Coleman	Y	King	N	Saliman	Y	Webster	Y
55	Crane	Y	Larson	Y	Sanchez	Y	Weddig	Y
56	Daniel	Y	Lawrence	Y	Schultheis	Y	White	Y

1	Decker	Y	Lee	Y	Scott	Y	Williams S.	Y
2	Fairbank	Y	Mace	N	Sinclair	Y	Williams T.	Y
3	Fritz	Y	Madden	Y	Smith	Y	Witwer	Y
4	Garcia	Y	Marshall	N	Snook	Y	Young	Y
5							Mr. Speaker	Y

6
7 Co-sponsors added: Representatives Alexander, Crane, Jameson.

8
9 **SB01-179** by Senator(s) Reeves, Tate, Owen; also Representative(s)
10 Young, Berry, Saliman--Concerning a supplemental
11 appropriation to the department of agriculture.

12
13 The question being "Shall the bill pass?".
14 A roll call vote was taken. As shown by the following recorded vote, a
15 majority of those elected to the House voted in the affirmative and the bill
16 was declared **passed**.

17	YES	64	NO	0	EXCUSED	1	ABSENT	0
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
37
38 Co-sponsors added: Representatives Alexander, Hoppe.

39
40 **SB01-180** by Senator(s) Reeves, Tate, Owen; also Representative(s)
41 Young, Berry, Saliman--Concerning a supplemental
42 appropriation to the department of corrections.

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

48	YES	64	NO	0	EXCUSED	1	ABSENT	0
49	Alexander	Y	Groff	Y	Miller	Y	Spence	Y
50	Bacon	Y	Grossman	Y	Mitchell	Y	Spradley	Y
51	Berry	Y	Hefley	Y	Nuñez	Y	Stafford	Y
52	Borodkin	Y	Hodge	Y	Paschall	Y	Stengel	Y
53	Boyd	Y	Hoppe	Y	Plant	Y	Swenson	Y
54	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	Y	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 Kester, Sinclair.

14

15 **SB01-182** by Senator(s) Reeves, Tate, Owen; also Representative(s)
 16 Young, Berry, Saliman--Concerning a supplemental
 17 appropriation to the offices of the governor, lieutenant
 18 governor, and state planning and budgeting.

19

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

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

24

25	<u>YES 64</u>	<u>NO 0</u>	<u>EXCUSED 1</u>	<u>ABSENT 0</u>
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26

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

44

45 Co-sponsor added: Representative Crane.

46

47 **SB01-183** by Senator(s) Reeves, Tate, Owen; also Representative(s)
 48 Young, Berry, Saliman--Concerning a supplemental
 49 appropriation to the department of health care policy and
 50 financing.

51

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

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

56

	YES 64	NO 0	EXCUSED 1	ABSENT 0
1				
2				
3	Alexander	Y Groff	Y Miller	Y Spence Y
4	Bacon	Y Grossman	Y Mitchell	Y Spradley Y
5	Berry	Y Hefley	Y Nuñez	Y Stafford Y
6	Borodkin	Y Hodge	Y Paschall	Y Stengel Y
7	Boyd	Y Hoppe	Y Plant	Y Swenson Y
8	Cadman	Y Jahn	Y Ragsdale	Y Tapia Y
9	Chavez	E Jameson	Y Rhodes	Y Tochtrop Y
10	Clapp	Y Johnson	Y Rippy	Y 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 Y
14	Daniel	Y Lawrence	Y Schultheis	Y White Y
15	Decker	Y Lee	Y Scott	Y 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 Y

20
21 Co-sponsors added: Representatives Cloer, Stafford.

22
23 **SB01-185** by Senator(s) Reeves, Tate, Owen; also Representative(s)
24 Young, Berry, Saliman--Concerning a supplemental
25 appropriation to the department of human services.

26
27 The question being "Shall the bill pass?".

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

	YES 64	NO 0	EXCUSED 1	ABSENT 0
31				
32				
33				
34	Alexander	Y Groff	Y Miller	Y Spence Y
35	Bacon	Y Grossman	Y Mitchell	Y Spradley Y
36	Berry	Y Hefley	Y Nuñez	Y Stafford Y
37	Borodkin	Y Hodge	Y Paschall	Y Stengel Y
38	Boyd	Y Hoppe	Y Plant	Y Swenson Y
39	Cadman	Y Jahn	Y Ragsdale	Y Tapia Y
40	Chavez	E Jameson	Y Rhodes	Y Tochtrop Y
41	Clapp	Y Johnson	Y Rippy	Y Veiga Y
42	Cloer	Y Kester	Y Romanoff	Y Vigil Y
43	Coleman	Y King	Y Saliman	Y Webster Y
44	Crane	Y Larson	Y Sanchez	Y Weddig Y
45	Daniel	Y Lawrence	Y Schultheis	Y White Y
46	Decker	Y Lee	Y Scott	Y Williams S. Y
47	Fairbank	Y Mace	Y Sinclair	Y Williams T. Y
48	Fritz	Y Madden	Y Smith	Y Witwer Y
49	Garcia	Y Marshall	Y Snook	Y Young Y
50				Mr. Speaker Y

51
52 Co-sponsor added: Representative Stafford.

53
54 **SB01-186** by Senator(s) Reeves, Tate, Owen; also Representative(s)
55 Young, Berry, Saliman--Concerning a supplemental
56 appropriation to the judicial department.

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

	YES 64	NO 0	EXCUSED 1	ABSENT 0
8 Alexander	Y	Groff	Y	Miller Spence Y
9 Bacon	Y	Grossman	Y	Mitchell Spradley Y
10 Berry	Y	Hefley	Y	Nuñez Stafford Y
11 Borodkin	Y	Hodge	Y	Paschall Stengel Y
12 Boyd	Y	Hoppe	Y	Plant Swenson Y
13 Cadman	Y	Jahn	Y	Ragsdale Tapia Y
14 Chavez	E	Jameson	Y	Rhodes Tochtrop Y
15 Clapp	Y	Johnson	Y	Rippy Veiga Y
16 Cloer	Y	Kester	Y	Romanoff Vigil Y
17 Coleman	Y	King	Y	Saliman Webster Y
18 Crane	Y	Larson	Y	Sanchez Weddig Y
19 Daniel	Y	Lawrence	Y	Schultheis White Y
20 Decker	Y	Lee	Y	Scott Williams S. Y
21 Fairbank	Y	Mace	Y	Sinclair Williams T. Y
22 Fritz	Y	Madden	Y	Smith Witwer Y
23 Garcia	Y	Marshall	Y	Snook Young Y
				Mr. Speaker Y

26 Co-sponsors added: Representatives Coleman, Plant, Schultheis, Williams S.

28 **SB01-188** by Senator(s) Reeves, Tate, Owen; also Representative(s)
 29 Young, Berry, Saliman--Concerning a supplemental
 30 appropriation to the department of law.

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

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

1 **SB01-189** by Senator(s) Reeves, Tate, Owen; also Representative(s)
 2 Young, Berry, Saliman--Concerning a supplemental
 3 appropriation to the department of local affairs.
 4

5 The question being "Shall the bill pass?".
 6 A roll call vote was taken. As shown by the following recorded vote, a
 7 majority of those elected to the House voted in the affirmative and the bill
 8 was declared **passed**.
 9

10	YES 64	NO 0	EXCUSED 1	ABSENT 0	
11					
12	Alexander	Y Groff	Y Miller	Y Spence	Y
13	Bacon	Y Grossman	Y Mitchell	Y Spradley	Y
14	Berry	Y Hefley	Y Nuñez	Y Stafford	Y
15	Borodkin	Y Hodge	Y Paschall	Y Stengel	Y
16	Boyd	Y Hoppe	Y Plant	Y Swenson	Y
17	Cadman	Y Jahn	Y Ragsdale	Y Tapia	Y
18	Chavez	E Jameson	Y Rhodes	Y Tochtrop	Y
19	Clapp	Y Johnson	Y Rippy	Y Veiga	Y
20	Cloer	Y Kester	Y Romanoff	Y Vigil	Y
21	Coleman	Y King	Y Saliman	Y Webster	Y
22	Crane	Y Larson	Y Sanchez	Y Weddig	Y
23	Daniel	Y Lawrence	Y Schultheis	Y White	Y
24	Decker	Y Lee	Y Scott	Y Williams S.	Y
25	Fairbank	Y Mace	Y Sinclair	Y Williams T.	Y
26	Fritz	Y Madden	Y Smith	Y Witwer	Y
27	Garcia	Y Marshall	Y Snook	Y Young	Y
28				Mr. Speaker	Y
29					

30 Co-sponsor added: Representative White.

31
 32 **SB01-190** by Senator(s) Reeves, Tate, Owen; also Representative(s)
 33 Young, Berry, Saliman--Concerning a supplemental
 34 appropriation to the department of military affairs.
 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**.
 40

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

6
7 **SB01-191** by Senator(s) Reeves, Tate, Owen; also Representative(s)
8 Young, Berry, Saliman--Concerning a supplemental
9 appropriation to the department of natural resources.

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 YES 64 NO 0 EXCUSED 1 ABSENT 0

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-sponsor added: Representative Hoppe.

37
38 **SB01-192** by Senator(s) Reeves, Tate, Owen; also Representative(s)
39 Young, Berry, Saliman--Concerning a supplemental
40 appropriation to the department of personnel.

41
42 The question being "Shall the bill pass?".

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

46
47 YES 64 NO 0 EXCUSED 1 ABSENT 0

48								
49	Alexander	Y	Groff	Y	Miller	Y	Spence	Y
50	Bacon	Y	Grossman	Y	Mitchell	Y	Spradley	Y
51	Berry	Y	Hefley	Y	Nuñez	Y	Stafford	Y
52	Borodkin	Y	Hodge	Y	Paschall	Y	Stengel	Y
53	Boyd	Y	Hoppe	Y	Plant	Y	Swenson	Y
54	Cadman	Y	Jahn	Y	Ragsdale	Y	Tapia	Y
55	Chavez	E	Jameson	Y	Rhodes	Y	Tochtrop	Y
56	Clapp	Y	Johnson	Y	Rippy	Y	Veiga	Y

1	Cloer	Y	Kester	Y	Romanoff	Y	Vigil	Y
2	Coleman	Y	King	Y	Saliman	Y	Webster	Y
3	Crane	Y	Larson	Y	Sanchez	Y	Weddig	Y
4	Daniel	Y	Lawrence	Y	Schultheis	Y	White	Y
5	Decker	Y	Lee	Y	Scott	Y	Williams S.	Y
6	Fairbank	Y	Mace	Y	Sinclair	Y	Williams T.	Y
7	Fritz	Y	Madden	Y	Smith	Y	Witwer	Y
8	Garcia	Y	Marshall	Y	Snook	Y	Young	Y
9							Mr. Speaker	Y

10

11

12 **SB01-193** by Senator(s) Reeves, Tate, Owen; also Representative(s)
 13 Young, Berry, Saliman--Concerning a supplemental
 14 appropriation to the department of public health and
 15 environment.

16

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

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

21

22	YES 64	NO 0	EXCUSED 1	ABSENT 0
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23

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

41

42

43 **SB01-194** by Senator(s) Reeves, Tate, Owen; also Representative(s)
 44 Young, Berry, Saliman--Concerning a supplemental
 45 appropriation to the department of public safety.

46

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

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

51

52	YES 60	NO 4	EXCUSED 1	ABSENT 0
----	--------	------	-----------	----------

53

54	Alexander	Y	Groff	Y	Miller	Y	Spence	Y
55	Bacon	Y	Grossman	Y	Mitchell	Y	Spradley	Y
56	Berry	Y	Hefley	N	Nuñez	Y	Stafford	Y

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

15
16 Co-sponsor added: Representative Vigil.

17
18 **SB01-195** by Senator(s) Reeves, Tate, Owen; also Representative(s)
19 Young, Berry, Saliman--Concerning a supplemental
20 appropriation to the department of regulatory agencies.

21
22 The question being "Shall the bill pass?".

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

26
27 YES 64 NO 0 EXCUSED 1 ABSENT 0

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

46
47
48 **SB01-196** by Senator(s) Reeves, Tate, Owen; also Representative(s)
49 Young, Berry, Saliman--Concerning a supplemental
50 appropriation to the department of revenue.

51
52 The question being "Shall the bill pass?".

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

56

	YES 61	NO 3	EXCUSED 1	ABSENT 0
1				
2				
3	Alexander	Y Groff	Y Miller	Y Spence Y
4	Bacon	Y Grossman	Y Mitchell	Y Spradley Y
5	Berry	Y Hefley	N Nuñez	Y Stafford Y
6	Borodkin	Y Hodge	Y Paschall	Y Stengel Y
7	Boyd	Y Hoppe	Y Plant	Y Swenson Y
8	Cadman	Y Jahn	Y Ragsdale	Y Tapia Y
9	Chavez	E Jameson	Y Rhodes	Y Tochtrop Y
10	Clapp	Y Johnson	Y Rippy	Y 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 Y
14	Daniel	Y Lawrence	Y Schultheis	Y White Y
15	Decker	Y Lee	N Scott	N 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 Y

20
21 Co-sponsor added: Representative Garcia.

22
23 **SB01-197** by Senator(s) Reeves, Tate, Owen; also Representative(s)
24 Young, Berry, Saliman--Concerning a supplemental
25 appropriation to the department of state.

26
27 The question being "Shall the bill pass?".

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

	YES 64	NO 0	EXCUSED 1	ABSENT 0
31				
32				
33				
34	Alexander	Y Groff	Y Miller	Y Spence Y
35	Bacon	Y Grossman	Y Mitchell	Y Spradley Y
36	Berry	Y Hefley	Y Nuñez	Y Stafford Y
37	Borodkin	Y Hodge	Y Paschall	Y Stengel Y
38	Boyd	Y Hoppe	Y Plant	Y Swenson Y
39	Cadman	Y Jahn	Y Ragsdale	Y Tapia Y
40	Chavez	E Jameson	Y Rhodes	Y Tochtrop Y
41	Clapp	Y Johnson	Y Rippy	Y Veiga Y
42	Cloer	Y Kester	Y Romanoff	Y Vigil Y
43	Coleman	Y King	Y Saliman	Y Webster Y
44	Crane	Y Larson	Y Sanchez	Y Weddig Y
45	Daniel	Y Lawrence	Y Schultheis	Y White Y
46	Decker	Y Lee	Y Scott	Y Williams S. Y
47	Fairbank	Y Mace	Y Sinclair	Y Williams T. Y
48	Fritz	Y Madden	Y Smith	Y Witwer Y
49	Garcia	Y Marshall	Y Snook	Y Young Y
50				Mr. Speaker Y

51
52 Co-sponsors added: Representatives Decker, Garcia, Miller, Sinclair.

53
54 **SB01-198** by Senator(s) Reeves, Tate, Owen; also Representative(s)
55 Young, Berry, Saliman--Concerning a supplemental
56 appropriation to the department of transportation.

1 **CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILL**

2
3 **HB01-1129** by Representative(s) King, Cadman, Cloer, Fritz, Larson,
4 Rhodes, Schultheis, Spence, Williams T.; also Senator(s)
5 Dyer (Durango)--Concerning conditions of participation
6 in extracurricular activities sponsored by school districts.
7

8 (Amended as printed in Senate Journal, February 16, page 338.)
9

10
11 Representative King moved that the House **concur** in Senate amend-
12 ments. The motion was declared **passed** by the following roll call vote:
13

14	YES 64	NO 0	EXCUSED 1	ABSENT 0
15				
16	Alexander	Y Groff	Y Miller	Y Spence
17	Bacon	Y Grossman	Y Mitchell	Y Spradley
18	Berry	Y Hefley	Y Nuñez	Y Stafford
19	Borodkin	Y Hodge	Y Paschall	Y Stengel
20	Boyd	Y Hoppe	Y Plant	Y Swenson
21	Cadman	Y Jahn	Y Ragsdale	Y Tapia
22	Chavez	E Jameson	Y Rhodes	Y Tochtrop
23	Clapp	Y Johnson	Y Rippy	Y Veiga
24	Cloer	Y Kester	Y Romanoff	Y Vigil
25	Coleman	Y King	Y Saliman	Y Webster
26	Crane	Y Larson	Y Sanchez	Y Weddig
27	Daniel	Y Lawrence	Y Schultheis	Y White
28	Decker	Y Lee	Y Scott	Y Williams S.
29	Fairbank	Y Mace	Y Sinclair	Y Williams T.
30	Fritz	Y Madden	Y Smith	Y Witwer
31	Garcia	Y Marshall	Y Snook	Y Young
32				Mr. Speaker
33				Y

34
35 The question being, "Shall the bill, as amended, pass?".

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

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

1 **HB01-1114** by Representative(s) Groff; also Senator(s) Tate--
 2 Concerning profiling in connection with law enforcement
 3 traffic stops.
 4

5 Laid over until February 21, retaining place on Calendar.
 6

7
 8 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**
 9

10 Passed Second Reading: **HB01-1150 amended.**
 11

12 Laid over until date indicated retaining place on Calendar: **HB01-1114--**
 13 February 21, 2001.
 14

15 The Chairman moved the adoption of the Committee of the Whole
 16 Report. As shown by the following roll call vote, a majority of those
 17 elected to the House voted in the affirmative, and the Report was
 18 **adopted.**
 19

20	YES 52	NO 12	EXCUSED 1	ABSENT 0
21				
22	Alexander	Y Groff	Y Miller	Y Spence
23	Bacon	Y Grossman	Y Mitchell	Y Spradley
24	Berry	Y Hefley	Y Nuñez	N Stafford
25	Borodkin	Y Hodge	Y Paschall	N Stengel
26	Boyd	Y Hoppe	Y Plant	Y Swenson
27	Cadman	N Jahn	Y Ragsdale	Y Tapia
28	Chavez	E Jameson	Y Rhodes	N Tochtrop
29	Clapp	N Johnson	Y Rippy	Y Veiga
30	Cloer	N Kester	Y Romanoff	Y Vigil
31	Coleman	Y King	N Saliman	Y Webster
32	Crane	N Larson	N Sanchez	Y Weddig
33	Daniel	Y Lawrence	Y Schultheis	Y White
34	Decker	Y Lee	Y Scott	Y Williams S.
35	Fairbank	N Mace	Y Sinclair	Y Williams T.
36	Fritz	Y Madden	Y Smith	N Witwer
37	Garcia	Y Marshall	Y Snook	Y Young
38				Mr. Speaker
39				Y

40
 41
 42 House in recess. House reconvened.
 43
 44

45
 46 **REPORTS OF COMMITTEES OF REFERENCE**
 47

48 **BUSINESS AFFAIRS & LABOR**

49 After consideration on the merits, the Committee recommends the
 50 following:
 51

52 **HB01-1291** be referred favorably to the Committee on Finance.
 53

54
 55 **HB01-1318** be referred favorably to the Committee on Finance.
 56

1 **CIVIL JUSTICE & JUDICIARY**

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

4
5 **HB01-1259** be postponed indefinitely.

6
7
8 **HB01-1264** be amended as follows, and as so amended, be referred to
9 the Committee on Finance with favorable
10 recommendation:

11
12 Amend printed bill, page 6, line 12, strike "THE JUDICIAL DEPARTMENT";

13
14 strike lines 13 and 14;

15
16 line 22, after "ESTABLISHMENT" insert "OR ENFORCEMENT".

17
18 Page 7, line 7, strike "26-2-703 (2.5)," and substitute "26-2-703,";

19
20 line 8, strike "amended, and the said 26-2-703 is further";

21
22 line 9, strike the comma after "SUBSECTION";

23
24 strike lines 12 through 16.

25
26 Page 8, line 11, after the period, add "SUCH SERVICES PROVIDED TO A
27 NONCUSTODIAL PARENT PURSUANT TO THIS PARAGRAPH (C) SHALL BE
28 INTENDED TO PROMOTE THE SUSTAINABLE EMPLOYMENT OF THE
29 NONCUSTODIAL PARENT AND ENABLE SUCH PARENT TO PAY CHILD
30 SUPPORT. PROVISION OF SUCH SERVICES SHALL NOT NEGATIVELY IMPACT
31 THE ELIGIBILITY OF THE CUSTODIAL PARENT.";

32
33 strike lines 12 through 22 and substitute the following:

34
35 **"SECTION 8.** 26-13-115.5, Colorado Revised Statutes, is
36 amended to read:

37
38 **26-13-115.5. Family support registry fund created.** There is
39 hereby created in the state treasury a fund to be known as the family
40 support registry fund, which shall consist of any moneys credited thereto
41 from the investment earnings on moneys deposited with the state
42 treasurer, accruing from collections for child support received by the
43 family support registry, ~~or accruing from miscellaneous sources such as~~
44 AND ANY undeliverable child support payments. Moneys in the family
45 support registry fund shall be used to reimburse the family support
46 registry for unfunded payments by noncustodial parents or other
47 incidental expenditures associated with the operation of the family
48 support registry. The moneys in the family support registry fund shall not
49 be credited or transferred to the general fund or any other fund of the
50 state; EXCEPT THAT ANY NON-IV-D CHILD SUPPORT PAYMENTS THAT ARE
51 UNDELIVERABLE AFTER TWO YEARS SHALL BE CONSIDERED UNCLAIMED
52 PROPERTY FOR PURPOSES OF THE "UNCLAIMED PROPERTY ACT" AND
53 SHALL BE REPORTED TO THE ADMINISTRATOR OF THE "UNCLAIMED
54 PROPERTY ACT" FOR PURPOSES OF LOCATING THE BENEFICIARY OF SUCH
55 CHILD SUPPORT PAYMENTS. CONSISTENT WITH THE REQUIREMENTS FOR
56 CONFIDENTIALITY OF INFORMATION REGARDING CHILD SUPPORT, THE

1 STATE DEPARTMENT SHALL SPECIFY THE AMOUNT OF MONEY THAT IS
2 UNCLAIMED AND PROVIDE SUFFICIENT IDENTIFYING INFORMATION TO
3 ALLOW THE ADMINISTRATOR TO PROPERLY IDENTIFY THE CHILD WHO IS
4 THE SUBJECT OF THE CHILD SUPPORT ORDER THAT HAS BEEN
5 UNDELIVERABLE OR THE CUSTODIAN OF SUCH CHILD."
6
7
8
9

10 **EDUCATION**

11 After consideration on the merits, the Committee recommends the
12 following:

13
14 **HB01-1232** be amended as follows, and as so amended, be referred to
15 the Committee of the Whole with favorable
16 recommendation:
17

18 Amend printed bill, page 2, strike everything below the enacting clause
19 and substitute the following:
20

21 "SECTION 1. Article 32 of title 22, Colorado Revised Statutes,
22 is amended BY THE ADDITION OF A NEW SECTION to read:
23

24 **22-32-109.4. Board of education - specific duties - class size**
25 **reduction plans - alternative student achievement plans.** (1) (a) THE
26 GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT:
27

28 (I) THE VOTERS APPROVED SECTION 17 OF ARTICLE IX OF THE
29 STATE CONSTITUTION WITH THE INTENT THAT THE INCREASED FUNDING OF
30 PUBLIC EDUCATION BE USED FOR SPECIFIC AND ACCOUNTABLE PURPOSES
31 TO IMPROVE THE STATE'S PUBLIC SCHOOLS;
32

33 (II) ELEMENTARY SCHOOL TEACHERS SUPPORT REDUCING CLASS
34 SIZE IN EARLY GRADES; AND
35

36 (III) PARENTS HAVE INDICATED THAT REDUCING CLASS SIZE,
37 ESPECIALLY IN EARLY GRADES, IS ONE OF THEIR TOP PRIORITIES FOR PUBLIC
38 SCHOOLS.
39

40 (b) IT IS THE GENERAL ASSEMBLY'S DUTY TO ENSURE THAT THE ONE
41 PERCENT INCREASE IN STATEWIDE BASE PER PUPIL FUNDING REQUIRED BY
42 SECTION 17 OF ARTICLE IX OF THE STATE CONSTITUTION BE USED IN A
43 MANNER INTENDED BY THE VOTERS.
44

45 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
46 REQUIRES:
47

48 (a) "CLASS" MEANS A NON-ELECTIVE CLASS IN KINDERGARTEN OR
49 THE FIRST, SECOND, OR THIRD GRADE OR ANY COMBINATION OF
50 KINDERGARTEN OR THE FIRST, SECOND, OR THIRD GRADES IN A PUBLIC
51 SCHOOL, WHICH CLASS PROVIDES INSTRUCTION IN ONE OR MORE OF THE
52 FIRST PRIORITY STATE MODEL CONTENT STANDARDS AREAS OF READING,
53 WRITING, MATHEMATICS, SCIENCE, HISTORY, OR GEOGRAPHY, AS
54 DESCRIBED IN SECTION 22-7-406 (1) (a).
55

56 (b) "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION

1 CREATED AND EXISTING PURSUANT TO SECTION 24-1-115, C.R.S.

2

3 (c) "LOCAL BOARD OF EDUCATION" MEANS THE BOARD OF
4 EDUCATION OF A SCHOOL DISTRICT EXISTING PURSUANT TO LAW.

5

6 (d) "ONE PERCENT INCREASE" MEANS THE ONE PERCENT INCREASE
7 IN THE STATEWIDE BASE PER PUPIL FUNDING FOR STATE FISCAL YEARS
8 2001-02 THROUGH 2010-11 REQUIRED BY SECTION 17 OF ARTICLE IX OF
9 THE STATE CONSTITUTION.

10

11 (e) "STATE BOARD" MEANS THE STATE BOARD OF EDUCATION
12 CREATED AND EXISTING PURSUANT TO LAW.

13

14 (f) "TEACHER" MEANS A PERSON WHO IS LICENSED PURSUANT TO
15 ARTICLE 60.5 OF THIS TITLE, OR AUTHORIZED BY A LETTER OF
16 AUTHORIZATION ISSUED PURSUANT TO SECTION 22-60.5-111, TO TEACH
17 AND IS PRIMARILY ENGAGED IN TEACHING KINDERGARTEN OR THE FIRST,
18 SECOND, OR THIRD GRADE.

19

20 (3) (a) ON OR BEFORE SEPTEMBER 30, 2001, ON OR BEFORE JUNE
21 30, 2002, AND ON OR BEFORE EACH JUNE 30 THEREAFTER UNTIL AND
22 INCLUDING JUNE 30, 2010, ANY SCHOOL DISTRICT WITH A TOTAL
23 ENROLLMENT OF MORE THAN SIX THOUSAND PUPILS SHALL, AS PART OF ITS
24 BUDGET PROCESS, STATE HOW IT PLANS TO USE THE ONE PERCENT
25 INCREASE DURING THE NEXT BUDGET YEAR. SUCH STATEMENT SHALL
26 INCLUDE BUT NEED NOT BE LIMITED TO:

27

28 (I) ALL SPECIFIC USES OF THE ONE PERCENT INCREASE TO RAISE
29 STUDENT ACHIEVEMENT, REDUCE CLASS SIZE, OR OTHER PURPOSES;

30

31 (II) THE AVERAGE STUDENT-TO-TEACHER RATIO IN KINDERGARTEN
32 AND GRADES ONE THROUGH THREE IN THE SCHOOL DISTRICT, THE NUMBER
33 OF THESE CLASSES IN WHICH THE STUDENT-TO-TEACHER RATIO EXCEEDS
34 SEVENTEEN TO ONE, AND THE NUMBER OF CLASSES IN WHICH THE
35 STUDENT-TO-TEACHER RATIO EXCEEDS TWENTY-THREE TO ONE;

36

37 (III) WHETHER THE SCHOOL DISTRICT PLANS TO USE ANY PORTION
38 OF THE ONE PERCENT INCREASE TO REDUCE CLASS SIZE IN ANY
39 KINDERGARTEN OR IN ANY CLASS IN GRADES ONE THROUGH THREE, AND,
40 IF SO, THE STRATEGIES TO REDUCE CLASS SIZE.

41

42 (IV) IF THE SCHOOL DISTRICT HAS ANY KINDERGARTEN CLASS OR
43 ANY CLASSES GRADES ONE THROUGH THREE WITH A STUDENT-TO-TEACHER
44 RATIO EXCEEDING SEVENTEEN TO ONE AND CHOOSES NOT TO USE THE ONE
45 PERCENT INCREASE TO DECREASE CLASS SIZE, WHY THE SCHOOL DISTRICT
46 DOES NOT BELIEVE THAT CLASS SIZE REDUCTION IN EARLY GRADES SHOULD
47 NOT BE A PRIORITY FOR THE USE OF THE ONE PERCENT INCREASE;

48

49 (b) THE DISTRICT SCHOOL BOARD SHALL ADOPT THE STATEMENT
50 REQUIRED IN PARAGRAPH (a) OF THIS SUBSECTION (3) AS PART OF ITS
51 BUDGET AT A PUBLIC MEETING. COPIES OF THE PROPOSED STATEMENT
52 SHALL BE DISTRIBUTED AT LEAST THIRTY DAYS PRIOR TO THE PUBLIC
53 MEETING TO ALL MEMBERS OF THE SCHOOL ADVISORY COUNCIL
54 ESTABLISHED PURSUANT TO SECTION 22-7-106 AT ALL SCHOOLS IN THE
55 SCHOOL DISTRICT. ON OR BEFORE OCTOBER 15, 2001, ON OR BEFORE JULY
56 15, 2002, AND ON OR BEFORE EACH JULY 15 THEREAFTER TO AND

1 INCLUDING JULY 15, 2011, THE DISTRICT SCHOOL BOARD, AS PART OF ITS
2 REGULAR BUDGET REPORTING, SHALL FORWARD A COPY OF THE
3 STATEMENT TO THE DEPARTMENT.
4

5 (c) ON OR BEFORE NOVEMBER 30, 2001, ON OR BEFORE OCTOBER
6 1, 2002, AND ON OR BEFORE EACH OCTOBER 1 THEREAFTER UNTIL AND
7 INCLUDING OCTOBER 1, 2010, THE DEPARTMENT SHALL SUBMIT TO THE
8 GOVERNOR, THE STATE BOARD, AND THE EDUCATION COMMITTEES OF THE
9 SENATE AND THE HOUSE OF REPRESENTATIVES A SUMMARY AND
10 COMPILATION OF THE SCHOOL DISTRICT STATEMENTS ADOPTED PURSUANT
11 TO THIS SUBSECTION (3).
12

13 (4) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (3) OF
14 THIS SECTION, IN CALCULATING THE AMOUNT OF FUNDING TO BE PAID TO
15 A CHARTER SCHOOL BY THE AUTHORIZING SCHOOL DISTRICT PURSUANT TO
16 SECTION 22-30.5-112, THE AMOUNT OF THE ONE PERCENT INCREASE
17 ATTRIBUTABLE TO STUDENTS ENROLLED IN THE CHARTER SCHOOL SHALL
18 BE REFLECTED IN THE CALCULATION.
19

20 **SECTION 2.** 22-30.5-112 (2) (a) (III), Colorado Revised
21 Statutes, is amended to read:
22

23 **22-30.5-112. Charter schools - financing - guidelines.**
24 (2) (a) (III) (A) For budget year 2000-2001 and budget years thereafter,
25 except as otherwise provided in paragraph (a.3) of this subsection (2),
26 each charter school and the authorizing school district shall negotiate
27 funding under the contract at a minimum of ninety-five percent of the
28 district per pupil revenues for each pupil enrolled in the charter school.
29 The school district may choose to retain up to five percent of the district
30 per pupil revenues for each pupil enrolled in the charter school as
31 payment for the charter school's portion of central administrative
32 overhead costs incurred by the school district.
33

34 (B) FOR BUDGET YEARS 2001-02 THROUGH 2010-11, THE MINIMUM
35 AMOUNT OF FUNDING SPECIFIED IN SUB-SUBPARAGRAPH (A) OF THIS
36 SUBPARAGRAPH (III) SHALL REFLECT THE ONE PERCENT INCREASE IN THE
37 STATEWIDE BASE PER PUPIL FUNDING FOR STATE FISCAL YEARS 2001-02
38 THROUGH 2010-11 RECEIVED BY THE SCHOOL DISTRICT AS REQUIRED BY
39 SECTION 17 OF ARTICLE IX OF THE STATE CONSTITUTION.
40

41 **SECTION 3.** 22-30.5-105 (2), Colorado Revised Statutes, is
42 amended to read:
43

44 **22-30.5-105. Charter schools - contract contents - regulations**
45 **- repeal.** (2) (a) The contract between the charter school and the local
46 board of education shall reflect all agreements regarding the release of the
47 charter school from school district policies.
48

49 (b) (I) ANY CONTRACT BETWEEN THE CHARTER SCHOOL AND THE
50 LOCAL BOARD OF EDUCATION APPROVED ON OR AFTER JULY 1, 2001, BUT
51 PRIOR TO JULY 1, 2010, SHALL INCLUDE A STATEMENT SPECIFYING HOW
52 THE CHARTER SCHOOL INTENDS TO USE THE ONE PERCENT INCREASE IN THE
53 STATEWIDE BASE PER PUPIL FUNDING FOR STATE FISCAL YEARS 2001-02
54 THROUGH 2010-11 REQUIRED BY SECTION 17 OF ARTICLE IX OF THE STATE
55 CONSTITUTION TO RAISE STUDENT ACHIEVEMENT.
56

1 (II) THIS PARAGRAPH (b) IS REPEALED, EFFECTIVE JULY 1, 2011.

2

3 SECTION 4. 22-30.5-110 (2), Colorado Revised Statutes, is
4 amended to read:

5

6 22-30.5-110. Charter schools - term - renewal of charter -
7 grounds for nonrenewal or revocation - repeal. (2) A charter school
8 renewal application submitted to the local board of education shall
9 contain:

10

11 (a) A report on the progress of the charter school in achieving the
12 goals, objectives, pupil performance standards, content standards, and
13 other terms of the initial approved charter application; and

14

15 (b) A financial statement that discloses the costs of
16 administration, instruction, and other spending categories for the charter
17 school that is understandable to the general public and that will allow
18 comparison of such costs to other schools or other comparable
19 organizations, in a format required by the state board of education; AND

20

21 (c) (I) FOR RENEWAL APPLICATIONS SUBMITTED ON OR AFTER JULY
22 1, 2001, BUT PRIOR TO JULY 1, 2010, A STATEMENT SPECIFYING HOW THE
23 CHARTER SCHOOL INTENDS TO USE THE ONE-PERCENT INCREASE IN THE
24 STATEWIDE BASE PER PUPIL FUNDING FOR STATE FISCAL YEARS 2001-02
25 THROUGH 2010-11 REQUIRED BY SECTION 17 OF ARTICLE IX OF THE STATE
26 CONSTITUTION TO RAISE STUDENT ACHIEVEMENT.

27

28 (II) THIS PARAGRAPH (c) IS REPEALED, EFFECTIVE JULY 1, 2011.

29

30 SECTION 5. Safety clause. The general assembly hereby finds,
31 determines, and declares that this act is necessary for the immediate
32 preservation of the public peace, health, and safety."

33

34

35

36 HB01-1303 be amended as follows, and as so amended, be referred to
37 the Committee on Appropriations with favorable
38 recommendation:

39

40 Amend printed bill, strike everything below the enacting clause and
41 substitute the following:

42

43 "SECTION 1. Part 6 of article 7 of title 22, Colorado Revised
44 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
45 read:

46

47 22-7-609.5. School improvement grant program - repeal.

48 (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
49 REQUIRES:

50

51 (a) "ADEQUATE PROGRESS" MEANS IMPROVEMENT OF 0.5 OF A
52 POINT OR GREATER FROM THE STANDARD DEVIATION OVER THE
53 IMMEDIATELY PRECEDING YEAR'S OVERALL STANDARDIZED, WEIGHTED
54 TOTAL SCORE CALCULATED PURSUANT TO SECTION 22-7-604 (5).

55

56 (b) "ELIGIBLE SCHOOL" MEANS A PUBLIC SCHOOL THAT HAS

1 RECEIVED AN ACADEMIC PERFORMANCE GRADE OF "F" ON THE SCHOOL
2 REPORT CARD PREPARED PURSUANT TO THIS PART 6 FOR THE SCHOOL YEAR
3 2000-01.

4

5 (c) "GRANT PROGRAM" MEANS THE SCHOOL IMPROVEMENT GRANT
6 PROGRAM CREATED IN THIS SECTION.

7

8 (d) "LOCAL BOARD OF EDUCATION" SHALL HAVE THE SAME
9 MEANING AS SET FORTH IN SECTION 22-7-609 (1).

10

11 (2) THERE IS HEREBY CREATED IN THE DEPARTMENT OF EDUCATION
12 THE SCHOOL IMPROVEMENT GRANT PROGRAM TO PROVIDE MONEYS TO ANY
13 ELIGIBLE SCHOOL IN THE STATE TO IMPLEMENT A SCHOOL IMPROVEMENT
14 PLAN SUBMITTED PURSUANT TO SECTION 22-7-609 (3).

15

16 (3) (a) FOR THE 2001-02 AND 2002-03 SCHOOL YEARS, THE STATE
17 BOARD SHALL AWARD TWO-YEAR SCHOOL IMPROVEMENT GRANTS IN THE
18 AMOUNT OF AT LEAST ONE HUNDRED FIFTY THOUSAND DOLLARS BUT NOT
19 MORE THAN TWO HUNDRED SEVENTY-FIVE THOUSAND DOLLARS FOR EACH
20 ELIGIBLE SCHOOL IN THE STATE; EXCEPT THAT NO SCHOOL THAT RECEIVES
21 A SCHOOL IMPROVEMENT GRANT PURSUANT TO THIS SECTION SHALL BE
22 ELIGIBLE TO RECEIVE MONEYS FROM MORE THAN ONE SCHOOL
23 IMPROVEMENT GRANT AND IN NO EVENT SHALL ANY SCHOOL
24 IMPROVEMENT GRANT BE AWARDED FOR ANY SCHOOL YEAR COMMENCING
25 AFTER THE 2002-03 SCHOOL YEAR.

26

27 (b) UPON RECEIPT OF A SCHOOL IMPROVEMENT PLAN FOR AN
28 ELIGIBLE SCHOOL SUBMITTED PURSUANT TO SECTION 22-7-609 (3), THE
29 STATE BOARD SHALL AWARD THE ELIGIBLE SCHOOL A SCHOOL
30 IMPROVEMENT GRANT IN THE FOLLOWING AMOUNT:

31

32 (I) FOR AN ELIGIBLE ELEMENTARY SCHOOL, SEVENTY-FIVE
33 THOUSAND DOLLARS PER YEAR;

34

35 (II) FOR AN ELIGIBLE MIDDLE OR JUNIOR HIGH SCHOOL, ONE
36 HUNDRED THOUSAND DOLLARS PER YEAR; AND

37

38 (III) FOR AN ELIGIBLE HIGH SCHOOL, ONE HUNDRED TWENTY-FIVE
39 THOUSAND DOLLARS PER YEAR.

40

41 (c) (I) THE DEPARTMENT SHALL CREDIT TO THE SCHOOL DISTRICT
42 IN WHICH THE ELIGIBLE SCHOOL IS LOCATED THE MONEYS FOR THE FIRST
43 YEAR OF THE GRANT UPON RECEIPT OF THE SCHOOL IMPROVEMENT PLAN.
44 THE DEPARTMENT SHALL CREDIT TO SAID SCHOOL DISTRICT THE MONEYS
45 FOR THE SECOND YEAR OF THE GRANT NO LATER THAN JULY 1 FOLLOWING
46 COMPLETION OF THE FIRST YEAR OF OPERATION UNDER THE SCHOOL
47 IMPROVEMENT PLAN.

48

49 (II) IN ADDITION TO THE AMOUNTS SPECIFIED PURSUANT TO
50 PARAGRAPH (b) OF THIS SUBSECTION (3), THE DEPARTMENT SHALL CREDIT
51 AN ADDITIONAL TWENTY-FIVE THOUSAND DOLLARS TO THE SCHOOL
52 DISTRICT OF ANY ELIGIBLE SCHOOL THAT HAS MADE ADEQUATE PROGRESS.

53

54 (4) (a) MONEYS RECEIVED BY AN ELIGIBLE SCHOOL PURSUANT TO
55 THE GRANT PROGRAM SHALL BE IN ADDITION TO THE MONEYS BUDGETED
56 TO THE SCHOOL BY THE SCHOOL DISTRICT IN WHICH THE SCHOOL IS

1 LOCATED AND SHALL NOT REDUCE THE AMOUNT OF SAID BUDGETED
2 MONEYS THAT THE SCHOOL WOULD HAVE RECEIVED IF IT HAD NOT
3 RECEIVED A GRANT PURSUANT TO THIS SECTION.

4
5 (b) GRANTS AWARDED PURSUANT TO THIS SECTION SHALL BE FROM
6 MONEYS IN THE STATE EDUCATION FUND CREATED IN SECTION 17 (4) OF
7 ARTICLE IX OF THE STATE CONSTITUTION THAT ARE APPROPRIATED BY THE
8 GENERAL ASSEMBLY FOR THE PURPOSES OF THIS SECTION. IN ACCORDANCE
9 WITH SECTION 17 (3) OF ARTICLE IX OF THE STATE CONSTITUTION,
10 EXPENDITURES OF SUCH MONEYS BY A SCHOOL DISTRICT OR SCHOOL SHALL
11 BE EXEMPT FROM THE LIMITATION ON FISCAL YEAR SPENDING SET FORTH
12 IN SECTION 20 (7) (b) OF ARTICLE X OF THE STATE CONSTITUTION.

13
14 (5) ON OR BEFORE JANUARY 1, 2002, AND ON OR BEFORE JANUARY
15 1, 2003, THE DEPARTMENT SHALL SUBMIT A REPORT ON THE SCHOOL
16 IMPROVEMENT GRANT PROGRAM TO THE GOVERNOR, THE EDUCATION
17 COMMITTEES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES, AND
18 THE LOCAL BOARD OF EDUCATION FOR EACH SCHOOL DISTRICT THAT HAS
19 RECEIVED A SCHOOL IMPROVEMENT GRANT PURSUANT TO THIS SECTION.
20 THE REPORT SHALL INCLUDE, BUT NEED NOT BE LIMITED TO:

21
22 (a) A LIST OF THE SCHOOL DISTRICTS THAT HAVE RECEIVED
23 GRANTS PURSUANT TO THE GRANT PROGRAM AND THE ELIGIBLE SCHOOLS
24 IN EACH SCHOOL DISTRICT FOR WHICH THE GRANTS WERE RECEIVED;

25
26 (b) THE ACADEMIC PERFORMANCE GRADE RECEIVED FOR THE
27 IMMEDIATELY PRECEDING SCHOOL YEAR BY EACH ELIGIBLE SCHOOL FOR
28 WHICH GRANT MONEYS HAVE BEEN PROVIDED; AND

29
30 (c) SUCH ADDITIONAL INFORMATION CONCERNING THE
31 IMPLEMENTATION AND EFFECTIVENESS OF THE GRANT PROGRAM AS MAY
32 BE DEEMED BENEFICIAL BY THE STATE BOARD.

33
34 (6) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2003.

35
36 **SECTION 2.** 22-7-609 (2), (3) (a), (3) (b), and (5), Colorado
37 Revised Statutes, are amended to read:

38
39 **22-7-609. School improvement plans.** (2) On or before June 15,
40 2001, and on or before each June 15 thereafter, the state board shall
41 notify a local board of education what school, if any, in its district will
42 receive an academic performance grade of "F", pursuant to section
43 22-7-604 (5), on the school report card being prepared for that academic
44 year; EXCEPT THAT, BEGINNING IN 2002, FOR ANY SCHOOL THAT RECEIVED
45 AN ACADEMIC PERFORMANCE GRADE OF "F" ON THE SCHOOL REPORT CARD
46 PREPARED FOR THE IMMEDIATELY PRECEDING ACADEMIC YEAR, THE STATE
47 BOARD SHALL NOTIFY THE LOCAL BOARD OF EDUCATION FOR THAT SCHOOL
48 NO LATER THAN MAY 1, 2002, AND EACH MAY 1 THEREAFTER IF THAT
49 SCHOOL WILL RECEIVE AN ACADEMIC PERFORMANCE GRADE OF "F" ON THE
50 SCHOOL REPORT CARD PREPARED FOR THAT ACADEMIC YEAR. The state
51 board shall notify the local board of education that it must submit a
52 school improvement plan pursuant to this section. ~~or the state board shall~~
53 ~~recommend an independent charter school pursuant to part 3 of article~~
54 ~~30.5 of this title. The local board of education shall have the option of~~
55 ~~developing and implementing a school improvement plan pursuant to this~~
56 ~~section or having the state board recommend an independent charter~~

1 school.

2

3 ~~(3) (a) If the local board of education chooses to develop and~~
4 ~~implement a school improvement plan, Within ninety days after receiving~~
5 ~~the notification from the state board in subsection (2) of this section, the~~
6 ~~local board of education shall submit to the state board a school~~
7 ~~improvement plan. The plan must be adopted by the local board of~~
8 ~~education after a public hearing on the proposed plan.~~

9

10 (b) The state board shall adopt rules specifying the information
11 required to be contained in a school improvement plan. ~~Such information~~
12 ~~shall include but is not limited to:~~ WHERE TO THE EXTENT POSSIBLE, SAID
13 RULES SHALL COORDINATE THE INFORMATION REQUIRED TO BE CONTAINED
14 IN A SCHOOL IMPROVEMENT PLAN WITH THE REQUIREMENTS OF FEDERAL
15 PROGRAMS RELATED TO STUDENT ACHIEVEMENT.

16

17 ~~(I) A determination of the causes for the public school's low~~
18 ~~academic performance;~~

19

20 ~~(II) Curriculum, managerial, or other practices that hinder student~~
21 ~~achievement at the public school;~~

22

23 ~~(III) Proposed changes in staffing, curriculum, or district policies~~
24 ~~to improve student achievement at the public school; and~~

25

26 ~~(IV) Proposed changes in resource allocations, including grants~~
27 ~~and federal title I moneys to target resources on improving student~~
28 ~~achievement at the public school.~~

29

30 (5) (a) If, upon completion of the ~~first~~ SECOND school year of
31 operation under a school improvement plan pursuant to this section, a
32 public school receives an overall academic performance grade of "F"
33 pursuant to section 22-7-604 (5), the state board shall ~~proceed with the~~
34 ~~recommendation for the conversion~~ RECOMMEND THAT THE PUBLIC
35 SCHOOL BE CONVERTED to an independent charter school pursuant to part
36 3 of article 30.5 of this title; except that the state board shall not ~~proceed~~
37 ~~with the~~ MAKE SUCH recommendation if the public school had an
38 improvement of 0.5 of a point or greater from the standard deviation over
39 the immediately preceding year's overall standardized, weighted total
40 score pursuant to ~~22-7-604 (6)~~ SECTION 22-7-604 (5), and the school
41 district shall be allowed to continue to operate that school under the
42 school improvement plan for another year.

43

44 (b) If, upon completion of the ~~second~~ THIRD school year of
45 operation under a school improvement plan pursuant to this section, a
46 public school receives an overall academic performance grade of "F"
47 pursuant to section 22-7-604 (5), the state board shall ~~proceed with the~~
48 ~~recommendation for the conversion~~ RECOMMEND THAT THE PUBLIC
49 SCHOOL BE CONVERTED to an independent charter school pursuant to part
50 3 of article 30.5 of this title.

51

52 **SECTION 3.** 22-7-409 (1.2) (a) (I), Colorado Revised Statutes,
53 is amended to read:

54

55 **22-7-409. Assessments - repeal.** (1.2) (a) (I) The assessments
56 required by subsection (1) of this section shall be aligned with the model

1 content standards adopted by the state board pursuant to section
 2 22-7-406. The assessments shall be conducted during the period
 3 beginning the second Monday in March and ending on the third Monday
 4 in April of each year. No later than June 1 of each year, the department
 5 shall provide to each public school results of all assessments
 6 administered; EXCEPT THAT, BEGINNING IN 2002, FOR PURPOSES OF
 7 NOTIFYING LOCAL BOARDS OF EDUCATION PURSUANT TO SECTION 22-7-609
 8 (2), THE DEPARTMENT SHALL PROVIDE THE RESULTS OF THE ASSESSMENTS
 9 OF STUDENTS ENROLLED IN SCHOOLS THAT RECEIVED AN ACADEMIC
 10 PERFORMANCE GRADE OF "F" ON THE SCHOOL REPORT CARD PREPARED
 11 FOR THE IMMEDIATELY PRECEDING ACADEMIC YEAR NO LATER THAN MAY
 12 1, 2002, AND MAY 1 OF EACH YEAR THEREAFTER. For reporting purposes
 13 only, results shall include diagnostic reporting for each student's
 14 performance on each assessment, including but not limited to
 15 content-based sub-test scores for several components of each of the
 16 standards assessed pursuant to this section.

17
 18 **SECTION 4.** 22-30.5-303 (2) (a) and the introductory portion to
 19 22-30.5-303 (2) (b), Colorado Revised Statutes, are amended to read:
 20

21 **22-30.5-303. Independent charter schools - request for**
 22 **proposals - response contents.** (2) (a) If an independent charter school
 23 is to be organized, the state board, on or before ~~August 30~~ MAY 10 of the
 24 year ~~preceding the opening of such a~~ IN WHICH THE INDEPENDENT
 25 CHARTER school IS TO OPEN, shall cause to be issued a request for
 26 proposals. The request for proposals shall solicit proposals from
 27 interested parties, including but not limited to individuals, persons,
 28 nonprofit or for-profit companies, existing public schools or school
 29 districts, and institutions of higher education, for the operation of an
 30 independent charter school within a building that currently houses a
 31 public school of a school district. Responses to the request for proposals
 32 shall be due no later than ~~December 31 of the year preceding the opening~~
 33 ~~of such a school~~ THE DATE SPECIFIED BY THE STATE BOARD PURSUANT TO
 34 RULES ADOPTED BY THE STATE BOARD IN ACCORDANCE WITH PARAGRAPH
 35 (b) OF THIS SUBSECTION (2). The state board shall issue the request for
 36 proposals without regard to the provisions of the "Procurement Code",
 37 articles 101 to 112 of title 24, C.R.S.
 38

39 (b) The state board shall adopt rules specifying A SCHEDULE FOR
 40 RECEIPT OF THE RESPONSES TO THE REQUEST FOR PROPOSALS PURSUANT TO
 41 PARAGRAPH (a) OF THIS SUBSECTION (2), THE FORMATION OF A REVIEW
 42 COMMITTEE AND RECEIPT OF THE RECOMMENDATIONS OF SAID COMMITTEE
 43 PURSUANT TO SECTION 22-30.5-304, AND THE SELECTION OF AN APPLICANT
 44 AND NOTIFICATION TO THE LOCAL BOARD OF EDUCATION PURSUANT TO
 45 SECTION 22-30.5-305. SAID SCHEDULE SHALL ENSURE THE COMPLETION
 46 OF NEGOTIATIONS ON THE INDEPENDENT CHARTER NO LATER THAN
 47 AUGUST 15 OF THE YEAR IN WHICH THE INDEPENDENT CHARTER SCHOOL
 48 IS TO OPEN. THE RULES SHALL ALSO SPECIFY the information that an
 49 independent charter proposal shall include in order to be eligible for
 50 consideration. Such information shall include, but need not be limited to,
 51 the following:
 52

53 **SECTION 5.** The introductory portion to 22-30.5-304 (1) and
 54 22-30.5-304 (1) (c) (II), (1) (d) (II), and (2), Colorado Revised Statutes,
 55 are amended to read:
 56

1 **22-30.5-304. Review committee - membership -**
 2 **recommendations.** (1) Whenever an independent charter school is to be
 3 organized pursuant to this part 3, on or before ~~January 15 of the year in~~
 4 ~~which the independent charter school is to open~~ THE DATE SPECIFIED BY
 5 RULE ADOPTED BY THE STATE BOARD IN ACCORDANCE WITH SECTION
 6 22-30.5-303 (2) (b), the commissioner shall cause a review committee to
 7 be formed. The review committee shall consist of:
 8

9 (c) (II) The election required by this paragraph (c) shall be
 10 conducted during ~~October of the year prior to the opening of the~~
 11 ~~independent charter school~~ THE MONTH SPECIFIED BY RULE ADOPTED BY
 12 THE STATE BOARD IN ACCORDANCE WITH SECTION 22-30.5-303 (2) (b).
 13

14 (d) (II) The election required by this paragraph (d) shall be
 15 conducted during ~~October of the year prior to the opening of the~~
 16 ~~independent charter school~~ THE MONTH SPECIFIED BY RULE ADOPTED BY
 17 THE STATE BOARD IN ACCORDANCE WITH SECTION 22-30.5-303 (2) (b).
 18

19 (2) The committee shall meet by call of the chair of the review
 20 committee as needed to review the proposals received in response to the
 21 request for proposals issued pursuant to section 22-30.5-303. The
 22 committee shall evaluate the proposals and on or before ~~March 1 of the~~
 23 ~~year in which the independent charter school is to open~~ THE DATE
 24 SPECIFIED BY RULE ADOPTED BY THE STATE BOARD IN ACCORDANCE WITH
 25 SECTION 22-30.5-303 (2) (b), shall forward to the state board all proposals
 26 and its recommendations on each proposal. The committee may make
 27 recommendations on applicants without regard to the provisions of the
 28 "Procurement Code", articles 101 to 112 of title 24, C.R.S.
 29

30 **SECTION 6.** 22-30.5-305 (1) and (2), Colorado Revised Statutes,
 31 are amended to read:
 32

33 **22-30.5-305. Independent charter schools - selection.** (1) On
 34 or before ~~March 30 of the year in which the independent charter school~~
 35 ~~is to open~~ THE DATE SPECIFIED BY RULE ADOPTED BY THE STATE BOARD IN
 36 ACCORDANCE WITH SECTION 22-30.5-303 (2) (b), the state board shall
 37 select an applicant to recommend to the local board of education. The
 38 state board may select the applicant without regard to the provisions of
 39 the "Procurement Code", articles 101 to 112 of title 24, C.R.S.
 40

41 (2) On or before ~~April 15 of the year in which the independent~~
 42 ~~charter school is to open~~ THE DATE SPECIFIED BY RULE ADOPTED BY THE
 43 STATE BOARD IN ACCORDANCE WITH SECTION 22-30.5-303 (2) (b), the
 44 commissioner shall forward to the local board of education a copy of the
 45 selected applicant's response to the request for proposals.
 46

47 **SECTION 7.** 22-30.5-306 (3) (a), Colorado Revised Statutes, is
 48 amended to read:
 49

50 **22-30.5-306. Independent charter schools - charter - term.**
 51 (3) (a) On or before ~~May 30~~ AUGUST 15 of the year in which the
 52 independent charter school is to open, all negotiations between the
 53 selected applicant and the local board of education shall be concluded
 54 and the local board of education shall accept the application following a
 55 public hearing held upon public notice.
 56

1 **SECTION 8. Appropriation.** In addition to any other
 2 appropriation, there is hereby appropriated, out of any moneys in the state
 3 education fund created in section 17 of article IX of the state constitution
 4 not otherwise appropriated, to the department of education, for the fiscal
 5 year beginning July 1, 2001, the sum of _____ dollars (\$) and _____
 6 FTE, or so much thereof as may be necessary, for the implementation of
 7 this act.

8
 9 **SECTION 9. Safety clause.** The general assembly hereby finds,
 10 determines, and declares that this act is necessary for the immediate
 11 preservation of the public peace, health, and safety."

12
 13 Page 1, line 105, strike "PLAN AND" and substitute "PLAN,";

14
 15 line 106, strike "PLAN" and substitute "PLAN, AND THE SPECIFIED TIME
 16 FOR CONVERSION TO AN INDEPENDENT CHARTER SCHOOL AFTER THE
 17 PUBLIC SCHOOL IS NO LONGER ABLE TO OPERATE UNDER A SCHOOL
 18 IMPROVEMENT PLAN IN ORDER".

19
 20
 21
 22 **HB01-1311** be postponed indefinitely.

23
 24
 25 **HB01-1314** be postponed indefinitely.

26
 27
 28
 29
 30 **HEALTH, ENVIRONMENT, WELFARE, & INSTITUTIONS**

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

33
 34 **HB01-1079** be amended as follows, and as so amended, be referred to
 35 the Committee on Finance with favorable
 36 recommendation:

37
 38 Amend printed bill, strike everything below the enacting clause, and
 39 substitute the following:

40
 41 **"SECTION 1.** 26-11-205.5 (1), (2), (3), and (4), Colorado
 42 Revised Statutes, are amended to read:

43
 44 **26-11-205.5. Older Coloradans program - distribution**
 45 **formula.** (1) There is hereby created in the state department the older
 46 Coloradans program, referred to in this section as the "program". The
 47 program shall provide moneys to area agencies on aging to provide grants
 48 to provide community-based services to persons sixty years of age or
 49 older to assist such persons to live in their own homes and communities
 50 for as long as possible. Such services shall include but are not limited to
 51 congregate nutrition, home-delivered meals, transportation services,
 52 in-home services, ombudsman services, legal services, elder abuse
 53 prevention, outreach, and information and referral services. ~~However, the~~
 54 ~~moneys transferred from sales and use taxes pursuant to the provisions of~~
 55 ~~section 39-26-123 (2) (a) (I) (A.6), C.R.S., shall only be used for~~
 56 ~~one-time purposes and shall not be used in a manner that would create a~~

1 ~~need for ongoing state funding in fiscal year 2001-02 and subsequent~~
2 ~~fiscal years.~~

3
4 (2) Moneys appropriated for the program shall be distributed to
5 area agencies on aging using the same formula that the state office uses
6 to distribute moneys available under Title III, parts (B), (C), (D), and (F)
7 of the federal "Older Americans Act of 1965", as amended, but such
8 moneys shall be allocated as a whole and not allocated to individual parts
9 of Title III. AN AREA AGENCY ON AGING SHALL USE NO MORE THAN TEN
10 PERCENT OF THE MONEYS RECEIVED FROM THE PROGRAM FOR
11 ADMINISTRATIVE EXPENSES.

12
13 (3) The proposed uses of moneys from the program shall be
14 included in each area agency on aging's area plan developed pursuant to
15 section 26-11-204 (1) (a). ~~Each area agency on aging's area plan shall~~
16 ~~specifically include an explanation regarding how the moneys transferred~~
17 ~~from sales and use taxes pursuant to the provisions of section 39-26-123~~
18 ~~(2) (a) (I) (A.6), C.R.S., will be used for one-time purposes and shall not~~
19 ~~be used in a manner that would create a need for ongoing state funding~~
20 ~~in fiscal year 2001-02 and subsequent fiscal years.~~

21
22 (4) (a) On or before January 1, 2001, AND ON OR BEFORE JANUARY
23 1, 2002, each area agency on aging shall submit a report to the state office
24 detailing the use of moneys from the program, including an itemization
25 of how many more persons received each service because of such
26 moneys.

27
28 (b) On or before February 1, 2001, AND ON OR BEFORE FEBRUARY
29 1, 2002, the state office shall compile the reports from the area agencies
30 on aging and submit a report to the joint budget committee of the general
31 assembly and the health, environment, ~~welfare, and institutions~~
32 ~~committees~~ CHILDREN AND FAMILIES COMMITTEE of the senate and the
33 HEALTH, ENVIRONMENT, WELFARE, AND INSTITUTIONS COMMITTEE OF THE
34 house of representatives detailing the use of moneys from the program.

35
36 **SECTION 2.** 39-26-123 (2) (a) (I) (A.6), Colorado Revised
37 Statutes, is amended to read:

38
39 **39-26-123. Receipts - disposition.** (2) (a) (I) (A.6) For the fiscal
40 ~~year~~ YEARS commencing July 1, 2000, AND JULY 1, 2001, eighty-five
41 percent of all receipts collected under the provisions of this article shall
42 be credited to the old age pension fund. The remaining fifteen percent
43 shall be allocated among and credited to the general fund, to the older
44 Coloradans fund established in section 26-11-205.5, as providing
45 additional services to Coloradans sixty years of age and older, and to the
46 highway users tax fund, as a portion of the sales and use taxes attributable
47 to sales or use of vehicles and related items, as follows: Ten percent of
48 the net revenue from sales and use tax to the highway users tax fund;
49 three million dollars to the older Coloradans fund; and five percent of the
50 net revenue from sales and use tax, less three million dollars, to the
51 general fund.

52
53 **SECTION 3. Safety clause.** The general assembly hereby finds,
54 determines, and declares that this act is necessary for the immediate
55 preservation of the public peace, health, and safety."
56

1 **HB01-1271** be amended as follows, and as so amended, be referred to
2 the Committee on Finance with favorable
3 recommendation:
4

5 Amend printed bill, page 5, line 8, after "SIZE," insert "AND ON ANY
6 IMPAIRMENT-RELATED WORK EXPENSES;"
7
8
9

10 **HB01-1302** be postponed indefinitely.
11
12

13 **HB01-1308** be amended as follows, and as so amended, be referred to
14 the Committee of the Whole with favorable
15 recommendation:
16

17 Amend printed bill, page 2, strike line 15 and substitute the following:
18

19 **"SECTION 2.** Article 2 of title 25, Colorado Revised Statutes, is
20 amended BY THE ADDITION OF A NEW SECTION to read:
21

22 **25-2-110.5. Fetal deaths - treatment of remains.** (1) IN EVERY
23 INSTANCE OF FETAL DEATH, THE HEALTH CARE PROVIDER TREATING A
24 PREGNANT WOMAN SHALL GIVE TO THE";
25

26 strike lines 18 through 27 and substitute the following:
27

28 "(2) IN EVERY INSTANCE OF FETAL DEATH, THE HEALTH CARE
29 PROVIDER, UPON REQUEST OF THE PREGNANT WOMAN, SHALL RELEASE TO
30 THE WOMAN OR THE WOMAN'S DESIGNEE THE REMAINS OF A FETAL DEATH
31 FOR FINAL DISPOSITION.
32

33 (3) (a) NOTHING IN THIS SECTION SHALL PROHIBIT A HEALTH CARE
34 PROVIDER FROM CONDUCTING OR ACQUIRING MEDICAL TESTS ON THE
35 REMAINS OF A FETAL DEATH PRIOR TO RELEASE.
36

37 (b) UPON A REQUEST PURSUANT TO SUBSECTION (2), WHENEVER A
38 MEDICAL TEST IS CONDUCTED PURSUANT TO PARAGRAPH (a) OF THIS
39 SUBSECTION (3), THE HEALTH CARE PROVIDER CONDUCTING THE TEST
40 SHALL, WHERE MEDICALLY PERMISSIBLE AND OTHERWISE PERMITTED BY
41 LAW, RELEASE TO THE PREGNANT WOMAN OR THE WOMAN'S DESIGNEE THE
42 REMAINS OF A FETAL DEATH FOR FINAL DISPOSITION.
43

44 (4) NOTHING IN THIS SECTION SHALL PROHIBIT THE HEALTH CARE
45 PROVIDER FROM REQUIRING A RELEASE OF LIABILITY FOR THE RELEASE OF
46 THE REMAINS OF A FETAL DEATH PRIOR TO SUCH RELEASE.
47

48 **SECTION 3.** 25-2-110 (3), Colorado Revised Statutes, is
49 amended to read:
50

51 **25-2-110. Certificates of death.** (3) The funeral director or
52 person acting as such who first assumes custody of a dead body ~~or dead~~
53 ~~fetus~~ shall be responsible for the filing of the death certificate required by
54 subsection (1) of this section. He shall obtain the personal data required
55 by the certificate from the next of kin or the best qualified person or
56 source available. He shall obtain the medical certification necessary to

1 complete the portion of the certificate pertaining to the cause of death
2 from the best qualified person or source available, pursuant to subsection
3 (4) of this section."

4
5 Page 3, strike lines 1 through 9.

6
7 Renumber succeeding section accordingly.

8
9
10
11 **HB01-1333** be amended as follows, and as so amended, be referred to
12 the Committee on Appropriations with favorable
13 recommendation:

14
15 Amend printed bill, strike everything below the enacting clause, and
16 substitute the following:

17
18 "SECTION 1. Article 4 of title 25, Colorado Revised Statutes, is
19 amended BY THE ADDITION OF A NEW PART to read:

20
21 PART 22

22
23 BLOODBORNE PATHOGENS

24
25 **25-4-2201. Short title.** THIS PART 22 SHALL BE KNOWN AND MAY
26 BE CITED AS THE "NEEDLE STICK PREVENTION ACT".

27
28 **25-4-2202. Standards for bloodborne pathogens - legislative
29 declaration.** (1) **Legislative declaration.** THE GENERAL ASSEMBLY
30 FINDS, DETERMINES, AND DECLARES THAT HEALTH CARE WORKERS ARE AT
31 RISK OF EXPOSURE TO BLOODBORNE PATHOGENS. FEDERAL HEALTH AND
32 SAFETY STANDARDS PROTECT PRIVATELY EMPLOYED HEALTH CARE
33 WORKERS FROM SUCH EXPOSURE. YET, UNDER EXISTING LAW, THOSE
34 STANDARDS DO NOT APPLY TO PUBLICLY EMPLOYED HEALTH CARE
35 WORKERS IN COLORADO. IT IS THE INTENT OF THE GENERAL ASSEMBLY TO
36 PROTECT PUBLICLY EMPLOYED HEALTH CARE WORKERS FROM EXPOSURE
37 TO BLOODBORNE PATHOGENS.

38
39 (2) **Standards for bloodborne pathogens.** EVERY PUBLIC
40 EMPLOYER WHO EMPLOYS A HEALTH CARE WORKER SHALL PROVIDE
41 ENGINEERED SHARPS INJURY PROTECTION, INCLUDING, BUT NOT LIMITED
42 TO, A NEEDLELESS SYSTEM IN ORDER TO PREVENT EXPOSURE TO
43 BLOODBORNE PATHOGENS.

44
45 (2) AN EMPLOYER WHO HAS A SYSTEM FOR THE PREVENTION OF
46 EXPOSURE TO BLOODBORNE PATHOGENS IN PLACE THAT IS AT LEAST AS
47 STRINGENT AS THE REQUIREMENTS OF THIS SECTION SHALL BE CONSIDERED
48 TO BE IN COMPLIANCE.

49
50 (3) ON AND BEFORE JULY 1, 2006, A PUBLIC EMPLOYER MAY
51 ALLOW A DRUG OR OTHER SUBSTANCE TO BE ADMINISTERED WITH A
52 PREFILLED SYRINGE OR ANY OTHER PREPACKAGED ADMINISTRATION
53 SYSTEM THAT HAS BEEN APPROVED FOR COMMERCIAL DISTRIBUTION BY
54 THE UNITED STATES FOOD AND DRUG ADMINISTRATION.

55
56 (4) AS USED IN THIS SECTION UNLESS THE CONTEXT OTHERWISE

1 REQUIRES:

2

3 (a) "ENGINEERED SHARPS INJURY PROTECTION" MEANS EITHER OF
4 THE FOLLOWING:

5

6 (I) A PHYSICAL ATTRIBUTE BUILT INTO A NEEDLE DEVICE USED FOR
7 WITHDRAWING BODY FLUIDS, ACCESSING A VEIN OR ARTERY, OR
8 ADMINISTERING MEDICATIONS OR OTHER FLUIDS THAT EFFECTIVELY
9 REDUCES THE RISK OF AN EXPOSURE INCIDENT BY A MECHANISM SUCH AS
10 A BARRIER CREATION, BLUNTING, ENCAPSULATION, OR ANY OTHER
11 EFFECTIVE MECHANISM; OR

12

13 (II) A PHYSICAL ATTRIBUTE BUILT INTO A TYPE OF NEEDLE DEVICE
14 NOT INCLUDED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (a), OR BUILT
15 INTO A NON-NEEDLE SHARP, THAT EFFECTIVELY REDUCES THE RISK OF AN
16 EXPOSURE INCIDENT.

17

18 (b) "HEALTH CARE WORKER" MEANS A PERSON WHO PROVIDES
19 HEALTH OR EMERGENCY SERVICES THAT CARRY THE POTENTIAL FOR
20 EXPOSURE TO BLOODBORNE PATHOGENS.

21

22 (c) "NEEDLELESS SYSTEM" MEANS A DEVICE THAT DOES NOT
23 UTILIZE NEEDLES FOR THE FOLLOWING:

24

25 (I) WITHDRAWING BODY FLUIDS AFTER INITIAL VENOUS OR
26 ARTERIAL ACCESS IS ESTABLISHED;

27

28 (II) ADMINISTERING MEDICATIONS OR FLUIDS; OR

29

30 (III) PERFORMING ANY OTHER PROCEDURE INVOLVING POTENTIAL
31 EXPOSURE INCIDENTS.

32

33 **25-4-2203. Enforcement - rules.** (1) THE DEPARTMENT SHALL
34 INVESTIGATE INCIDENTS OF EXPOSURE OF BLOODBORNE PATHOGENS
35 REPORTED TO THE DEPARTMENT BY A HEALTH CARE WORKER. THE
36 DEPARTMENT MAY, UPON A DETERMINATION THAT A PUBLIC EMPLOYER
37 HAS VIOLATED THIS SECTION, ASSESS A FINE AGAINST THE PUBLIC
38 EMPLOYER.

39

40 (2) THE BOARD OF HEALTH SHALL PROMULGATE RULES FOR THE
41 IMPLEMENTATION AND ENFORCEMENT OF THIS PART 22. SUCH RULES
42 SHALL BE PROMULGATED IN ACCORDANCE WITH ARTICLE 4 OF TITLE 24,
43 C.R.S. SUCH RULES SHALL INCLUDE CRITERIA FOR ASSESSING FINES
44 PURSUANT TO SUBSECTION (1) OF THIS SECTION. ANY FINES ASSESSED
45 AGAINST A PUBLIC EMPLOYER SHALL BE PROPORTIONAL TO THE SEVERITY
46 OF THE VIOLATION OF THIS PART 22.

47

48 **SECTION 2. Effective date.** This act shall take effect July 1,
49 2002.

50

51 **SECTION 3. Safety clause.** The general assembly hereby finds,
52 determines, and declares that this act is necessary for the immediate
53 preservation of the public peace, health, and safety."

54

55

56

- 1 **HB01-1350** by Representative(s) Webster--Concerning measures to
 2 protect the interests of landowners when destructive
 3 rodent pests are released into a county.
 4 Committee on Agriculture, Livestock, & Natural Resources
 5
- 6 **SB01-013** by Senator(s) Evans, Epps; also Representative(s)
 7 Johnson, Alexander, Tochtrop--Concerning procedures
 8 related to foster care.
 9 Committee on Health, Environment, Welfare, & Institutions
 10
- 11 **SB01-043** by Senator(s) Dyer (Durango), Fitz-Gerald; also
 12 Representative(s) Scott, Dean--Concerning the
 13 continuation of the sunset date for the passenger tramway
 14 safety board in the division of registrations.
 15 Committee on Transportation & Energy
 16
- 17 **SB01-114** by Senator(s) Hernandez, Hagedorn; also
 18 Representative(s) Berry--Concerning income eligibility
 19 requirements of the AIDS drug assistance program.
 20 Committee on Health, Environment, Welfare, & Institutions
 21
- 22 **SB01-132** by Senator(s) Arnold, Andrews, Cairns, McElhany, Teck;
 23 also Representative(s) Kester--Concerning election ballots.
 24 Committee on State, Veterans, & Military Affairs
 25

INTRODUCTION OF RESOLUTION

26
 27
 28
 29
 30 The following resolution was read by title and referred to the committee
 31 indicated:

- 32
 33 **HJR01-1013** by Representative(s) Rippy, Berry, Kester, Sinclair, Smith,
 34 White; also Senator(s) Taylor--Concerning the designation
 35 of the bridge on state highway 133 crossing the Roaring
 36 Fork River in Carbondale, Colorado, as the "Veterans'
 37 Memorial Bridge".
 38 Committee on Transportation & Energy
 39

40 WHEREAS, Many Colorado men and women are deserving of
 41 high respect and honor for their service in the military forces of our
 42 country, especially those who have sacrificed their lives or have suffered
 43 physical or emotional injuries; and
 44

45 WHEREAS, Interest has been growing in expressing the
 46 appreciation and esteem felt by the American people for its veterans of
 47 armed conflicts who have demonstrated throughout our country's history
 48 loyalty and dedication to their nation; and
 49

50 WHEREAS, The bridge on state highway 133 crossing the
 51 Roaring Fork River in Carbondale, Colorado, serves a prominent part in
 52 the annual Memorial Day observances in Carbondale; and
 53

54 WHEREAS, Designating the bridge as the "Veterans' Memorial
 55 Bridge" has the full support of Randy Vanderhurst, mayor of Carbondale;
 56 the Carbondale Board of Trustees; and the honorable Russell George,

1 director of the Colorado Division of Wildlife and former Speaker of the
2 Colorado House of Representatives; now, therefore,

3

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

7

8 That we, the members of the First Regular Session of the
9 Sixty-third General Assembly, on behalf of the citizens of this state,
10 hereby urge the state Transportation Commission to designate the bridge
11 on state highway 133 crossing the Roaring Fork River in Carbondale,
12 Colorado, as "Veterans' Memorial Bridge" to honor all veterans.

13

14 *Be It Further Resolved,* That copies of this Joint Resolution be
15 transmitted to the state Transportation Commission; Thomas E. Norton,
16 Executive Director of the Colorado Department of Transportation; and
17 Mr. Ronald W. Borski of Grand Junction, Colorado, veterans' advocate.

18

19

20

21

LAY OVER OF CALENDAR ITEMS

22

23 On motion of Representative Spradley, the following items on the
24 Calendar were laid over until February 21, retaining place on Calendar:

25

26 Consideration of General Orders--**HB01-1189, 1161, 1113, SB01-047,**
27 **HB01-1201, 1132, 1236, 1239, 1321, 1292, 1252, 1279, 1289, 1226,**
28 **SB01-058, 084, HB01-1286, SB01-015, HB01-1249, 1174, 1297, 1274,**
29 **1237, 1245, 1320, 1323, 1304, 1328.**

30 Consideration of Resolution--**HR01-1009.**

31

32

33 On motion of Representative Paschall, the House adjourned until
34 9:00 a.m., February 21, 2001.

35

36

Approved:

37

38

39

40

DOUG DEAN,
Speaker

41

42 Attest:

43

44 JUDITH RODRIGUE,
45 Chief Clerk

46