

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

Eightieth Legislative Day

Friday, March 30, 2001

Prayer By the chaplain, Pastor Shirley Riggs, United Methodist Church.

Call to Order By the President at 9:00 a.m.

Roll Call Present--Total, 35.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Taylor, reading of the Journal of Thursday, March 29, 2001, was dispensed with and the Journal stands approved as corrected by the Secretary.

SENATE SERVICES REPORT

Senate Services Correctly printed: SJR01-022.

Correctly reengrossed: SB01-105, 157, 209, 168, 100, 016, 006, 052.

Correctly rerevised: HB01-1308, 1169.

Correctly engrossed: SR01-011, SB01-127, 109.

Correctly revised: HB01-1114, 1319, 1364.

COMMITTEE OF REFERENCE REPORTS

The committees recommend the following:

Business, Labor, and Finance After consideration on the merits, the committee recommends that **HB01-1252** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation and be placed on the Consent Calendar.

Amend reengrossed bill, page 6, line 17, after the period, insert "NOTHING IN THIS SECTION SHALL BE CONSTRUED TO IMPAIR THE RIGHTS OF THE DRAWER AGAINST THE DRAWEE."

Page 7, line 13, after the period, insert "NOTHING IN THIS SECTION SHALL BE CONSTRUED TO IMPAIR THE RIGHTS OF THE DRAWER AGAINST THE DRAWEE."

Page 8, line 10, after the period, insert "NOTHING IN THIS SECTION SHALL BE CONSTRUED TO IMPAIR THE RIGHTS OF THE DRAWER AGAINST THE DRAWEE."

Page 9, line 7, after the period, insert "NOTHING IN THIS SECTION SHALL BE CONSTRUED TO IMPAIR THE RIGHTS OF THE DRAWER AGAINST THE DRAWEE."

Public Policy and Planning After consideration on the merits, the committee recommends that **HB01-1345** be referred favorably to the Committee on Appropriations.

Agriculture and Natural Resources After consideration on the merits, the committee recommends that **HB01-1088** be referred favorably to the Committee of the Whole:

Agriculture and Natural Resources

After consideration on the merits, the committee recommends that **HB01-1062** be postponed indefinitely.

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Agriculture and Natural Resources

After consideration on the merits, the committee recommends that **HB01-1068** be postponed indefinitely.

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INTRODUCTION OF BILLS--FIRST READING

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

SB01-212

by Senators Reeves, Tate and Owen; also Representatives Young, Berry and Saliman--Concerning the provision for payment of the expenses of the executive, legislative, and judicial departments of the state of Colorado, and of its agencies and institutions, for and during the fiscal year beginning July 1, 2001, except as otherwise noted.
Appropriations

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HB01-1031

by Representatives Miller and Young; also Senators Lamborn, Anderson, Linkhart, Reeves, Taylor and Windels--Concerning a grant of cease-and-desist authority to the commissioner of securities, and making an appropriation therefor.
Business, Labor, and Finance

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HB01-1070

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

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HB01-1212

by Representatives Young, Miller and Coleman; also Senator Anderson, Linkhart, Reeves, Taylor and Windels--Concerning the collection of sales taxes, and, in connection therewith, requiring vendors that remit large amounts of sales taxes to the department of revenue to remit the sales taxes through electronic funds transfers.
Business, Labor, and Finance

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HB01-1221

by Representative White; also Senator Takis--Concerning theft detection devices.
Judiciary
Appropriations

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HB01-1257

by Representative Young; also Senator Hillman--Concerning modifications to the existing state income tax credit for health care professionals practicing in health care professional shortage areas.
Business, Labor, and Finance

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HB01-1309

by Representative Paschall; also Senator Hernandez--Concerning the election laws of the state with the exception of laws relating to campaign finance.
Government, Veterans and Military Relations, and Transportation

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THIRD READING--FINAL PASSAGE OF BILLS

On Third Reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

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SB01-093

by Senator Chlouber; also Representative Larson--Concerning the creation of the Colorado telemarketing no-call list for residential telephone subscribers who wish to avoid all unwanted commercial telephone solicitation.

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Laid over until Monday, April 2, 2001, retaining its place on the calendar.

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HB01-1114

by Representative Groff; also Senator Tate--Concerning profiling in connection with law enforcement traffic stops.

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The question being "Shall the bill pass?", the roll call was taken with the following result:

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HB01-1114

YES	19	NO	16	EXCUSED	0	ABSENT	0
Anderson	N	Evans	N	May	N	Takis	Y
Andrews	N	Fitz-Gerald	Y	McElhany	Y	Tate	Y
Arnold	N	Gordon	Y	Musgrave	N	Taylor	N
Cairns	N	Hagedorn	Y	Nichol	Y	Teck	N
Chlouber	N	Hanna	Y	Owen	N	Thiebaut	Y
Dennis	N	Hernandez	Y	Pascoe	Y	Tupa	Y
Dyer, E.	Y	Hillman	N	Perlmutter	Y	Windels	Y
Dyer, F.	N	Lamborn	N	Phillips	Y	Mr. President	Y
Epps	N	Linkhart	Y	Reeves	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was declared **passed**.

Co-sponsors added: Fitz-Gerald, Gordon, Hagedorn, Hanna, Hernandez, Linkhart, Pascoe, Phillips, Thiebaut, Tupa.

SB01-127

by Senator Takis; also Representative Mitchell--Concerning the protection of local government public deposits in credit unions.

Laid over till the end of the Third Reading Calendar.

SB01-109

by Senators Hagedorn and Hernandez; also Representative Romanoff--Concerning motor vehicle insurance, and, in connection therewith, continuing the motorist insurance identification database program and the "Colorado Auto Accident Reparations Act".

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	31	NO	4	EXCUSED	0	ABSENT	0
Anderson	Y	Evans	Y	May	Y	Takis	Y
Andrews	Y	Fitz-Gerald	Y	McElhany	N	Tate	Y
Arnold	Y	Gordon	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hagedorn	Y	Nichol	N	Teck	Y
Chlouber	Y	Hanna	Y	Owen	N	Thiebaut	Y
Dennis	Y	Hernandez	Y	Pascoe	Y	Tupa	Y
Dyer, E.	Y	Hillman	Y	Perlmutter	Y	Windels	Y
Dyer, F.	Y	Lamborn	N	Phillips	Y	Mr. President	Y
Epps	Y	Linkhart	Y	Reeves	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was declared **passed**.

Co-sponsors added: Anderson, Chlouber.

HB01-1319

by Representatives Marshall and Saliman; also Senators Takis and Reeves--Concerning health insurance for persons identified as high risk, and, in connection therewith, codifying the name of the existing state program for providing coverage to such persons as "CoverColorado", clarifying eligibility for the program, allowing health care coverage of dependents in the program, and creating an assessment to be paid by health benefit plan carriers authorized to conduct business in Colorado.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Anderson	Y	Evans	Y	May	Y	Takis	Y
Andrews	Y	Fitz-Gerald	Y	McElhany	Y	Tate	Y
Arnold	N	Gordon	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hagedorn	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hanna	Y	Owen	Y	Thiebaut	Y
Dennis	Y	Hernandez	Y	Pascoe	Y	Tupa	Y
Dyer, E.	Y	Hillman	Y	Perlmutter	Y	Windels	Y
Dyer, F.	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Epps	Y	Linkhart	Y	Reeves	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was declared **passed**.

Co-sponsors added: Fitz-Gerald, Gordon, Hanna, Hernandez, Matsunaka, Pascoe, Tate, Thiebaut, Tupa, Windels.

HB01-1364

by Representative Fairbank; also Senator Takis--Concerning the modification of statutory provisions affecting the administration of state income tax returns.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Anderson	Y	Evans	Y	May	Y	Takis	Y
Andrews	Y	Fitz-Gerald	Y	McElhany	Y	Tate	Y
Arnold	Y	Gordon	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hagedorn	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hanna	Y	Owen	Y	Thiebaut	Y
Dennis	Y	Hernandez	Y	Pascoe	Y	Tupa	Y
Dyer, E.	Y	Hillman	Y	Perlmutter	Y	Windels	Y
Dyer, F.	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Epps	Y	Linkhart	Y	Reeves	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was declared **passed**.

SB01-127

by Senator Takis; also Representative Mitchell--Concerning the protection of local government public deposits in credit unions.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	18	NO	17	EXCUSED	0	ABSENT	0
Anderson	Y	Evans	Y	May	Y	Takis	Y
Andrews	N	Fitz-Gerald	Y	McElhany	N	Tate	Y
Arnold	N	Gordon	Y	Musgrave	N	Taylor	N
Cairns	N	Hagedorn	Y	Nichol	N	Teck	N
Chlouber	N	Hanna	Y	Owen	Y	Thiebaut	Y
Dennis	N	Hernandez	Y	Pascoe	N	Tupa	Y
Dyer, E.	N	Hillman	N	Perlmutter	Y	Windels	N
Dyer, F.	N	Lamborn	N	Phillips	Y	Mr. President	Y
Epps	N	Linkhart	Y	Reeves	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was declared **passed**.

Co-sponsors added: Hernandez, Perlmutter, Thiebaut.

MESSAGE FROM THE GOVERNOR

March 29, 2001

To the Honorable
Senate
Sixty-third General Assembly
First Regular Session
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following acts:

S.B. 01-015 Concerning Community Supervision Placement Review For Persons In Phase III Of The Youthful Offender System.

Approved March 28, 2001 at 11:21 p.m.

S.B. 01-025 – Concerning Fiscal Impact Statements Included In The Ballot Information Booklet For Initiated Or Referred Measures.

Approved March 28, 2001 at 11:14 p.m.

S.B.01-090 – Concerning State Highway Projects Funded From Moneys Allocated To The Capital Construction Fund.

Approved March 28, 2001 at 11:16 p.m.

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S.B. 01-117 – Concerning The Continuation Of The Sex Offender Management Board, And, In Connection Therewith, Clarifying How Appointments Are Made To The Board, Changing The Membership Of The Board, And Requiring The Board To Report To The General Assembly.

Approved March 28, 2001 at 11:27 p.m.

S.B. 01-171 - Concerning Records Required To Be Maintained By Certain State Agencies For Construction Projects Under The Supervision Of Those State Agencies.

Approved March 28, 2001 at 11:17 p.m.

Sincerely,

(signed)
Bill Owens
Governor

Rec'd: 3/29/01
K. Goldman, Secretary

SIGNING OF BILLS--RESOLUTIONS--MEMORIALS

The President has signed: **HJR01-1018**.

On motion of Senator Thiebaut, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Friday, March 30, 2001, was laid over until Tuesday, April 3, 2001, retaining its place on the calendar.

General Orders--Second Reading of Bills: **HB01-1132, HB01-1074, HB01-1174, HB01-1274, HB01-1131, HB01-1189, SB01-081, SB01-204, SCR01-002**.

Consideration of Resolutions: **SJR01-013, SJR01-010**.

Consideration of Memorial: **SM01-001**.

Consideration of House Amendments to Senate Bills: **SB01-022, SB01-169, SB01-165, SB01-107, SB01-034, SB01-066, SB01-135, SB01-145, SB01-144, SB01-116**.

Consideration of House Adherence: **HJR01-1010**.

TRIBUTES--A POINT OF INTEREST

Honoring City of Edgewater - 100 years - by Senator Hanna and Representative Jahn

Honoring Dottie Wham by Senator Linkhart and Representative Romanoff

Honoring Lainey Irwin by Senator Evans

Honoring Tracy Flecky by Senator Evans

Honoring Lacy Newman by Senator Evans

Honoring Susie Powers by Senator Evans

Honoring Kelly Boren by Senator Evans

Honoring Danielle Weinman by Senator Evans

Honoring Kim Perkins by Senator Evans

Honoring Ann Strother by Senator Evans

Honoring Andrea Swain by Senator Evans

Honoring Katie Studdard by Senator Evans

Honoring Katy Flecky by Senator Evans

Honoring Caryn J. Jarocki by Senator Evans

Honoring Kris Macauley by Senator Evans

Honoring Richard Harris by Senator Evans

Honoring Dan Weinman by Senator Evans

Honoring Meagan Danitz by Senator Evans

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Honoring Drew Lewellyn by Senator Evans

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Honoring Megan Roberts by Senator Evans

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Honoring Spencer Hunt by Senator Evans

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On motion of Senator Thiebaut, the Senate adjourned until 10:00 a.m., Monday, April 2, 2001.

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Approved:

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Stan Matsunaka

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President of the Senate

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Attest:

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Karen Goldman
Secretary of the Senate

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