

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

Eighty-fourth Legislative Day

Tuesday, April 3, 2001

Prayer By the chaplain, Reverend Gilbert Caldwell, Park Hill United Methodist Church.

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

Roll Call Present--Total, 34.
Vacant--Total, 1.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Tupa, reading of the Journal of Monday, April 2, 2001, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Senate Services Correctly printed: SB01-215.

Correctly revised: HJR01-1013.

COMMITTEE OF REFERENCE REPORTS

The committee recommends the following:

Appropriations After consideration on the merits, the committee recommends that **SB01-067** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation.

Amend the committee amendment, as printed in Senate Journal, January 29, page 114, line 19, strike "(a)";

strike lines 27 through 39.

Appropriations After consideration on the merits, the committee recommends that **SB01-041** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation.

Amend the Business, Labor, and Finance Committee amendment, as printed in Senate Journal, February 6, page 191, line 70, strike "COMMISSION" and substitute "COMMISSION,";

line 71, before "CONSISTING", insert "HEREAFTER REFERRED TO AS THE "COMMISSION",".

Page 192, line 10, strike "SHALL SERVE ON THE COMMISSION EX";

strike line 11 and substitute the following:

"MAY PARTICIPATE IN ACTIVITIES OF THE COMMISSION AND SHALL BE AVAILABLE TO ANSWER QUESTIONS OF THE COMMISSION.";

strike lines 33 and 34 and substitute the following:

"COMPENSATION.";

strike lines 43 through 51 and substitute the following:

"(2) THE COMMISSION SHALL CONDUCT A STUDY TO EVALUATE THE NATURE AND EXTENT OF WAGE DISCRIMINATION IN COLORADO. THE

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72

SB01-041

STUDY MAY INCLUDE THE CREATION OF A PILOT PROJECT. THE STUDY SHALL INCLUDE, BUT NOT BE LIMITED TO, THE FOLLOWING:

(a) IF THE STUDY INCLUDES A PILOT PROGRAM, THE COMMISSION SHALL DEVELOP CRITERIA FOR THE FOLLOWING:

(I) THE NUMBER OF EMPLOYERS TO PARTICIPATE IN ANY PILOT";

line 57, strike "(b)" and substitute "(II)";

line 61, strike "(c)" and substitute "(III)" and strike "THE PILOT" and substitute "ANY PILOT";

line 62, strike "THE" and substitute "ANY";

line 65, strike "(d)" and substitute "(b)".

Page 193, line 13, strike "(e)" and substitute "(c)";

strike lines 16 through 21 and substitute the following:

"(3) THE COMMISSION SHALL CREATE A REPORT ON ITS FINDINGS FROM THE STUDY CONDUCTED PURSUANT TO SUBSECTION (2) OF THIS SECTION. COPIES OF THE REPORT SHALL BE GIVEN TO THE CIVIL RIGHTS COMMISSIONER; THE CHAIR OF THE BUSINESS AFFAIRS AND LABOR COMMITTEE IN THE HOUSE OF REPRESENTATIVES; AND THE CHAIR OF THE BUSINESS, LABOR, AND FINANCE COMMITTEE IN THE SENATE. SUCH REPORT SHALL BE COMPLETED BY OCTOBER 1, 2004.".

Appropriations

After consideration on the merits, the committee recommends that **SB01-037** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, line 7, strike "ANY" and substitute "ON AND AFTER OCTOBER 1, 2002, ANY".

Page 3, line 3, strike "ANY" and substitute "ON AND AFTER OCTOBER 1, 2002, ANY";

line 13, strike "ANY" and substitute "ON AND AFTER OCTOBER 1, 2002, ANY";

line 18, strike "UPON" and substitute "ON AND AFTER OCTOBER 1, 2002, UPON".

Page 4, line 13, after "SECTION,", insert "ON AND AFTER OCTOBER 1, 2002,".

Page 5, line 16, strike "IF THE DEPARTMENT OR REVENUE" and substitute "ON AND AFTER OCTOBER 1, 2002, IF THE DEPARTMENT OF REVENUE".

Page 6, strike lines 1 through 9 and substitute the following:

"SECTION 7. Effective date - applicability. (1) This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution; except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.";

line 13, strike "the applicable effective date";

strike line 14 and substitute the following:

"October 1, 2002.".

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72

Appropriations After consideration on the merits, the committee recommends that **SB01-200** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation.

Amend the Government, Veterans and Military Relations, and Transportation Committee amendment, as printed in Senate Journal, February 19, page 352, strike lines 6 through 11 and substitute the following:

"Amend printed bill, page 5, after line 23, insert the following:";

line 13 of the committee amendment, strike "SHALL" and substitute "MAY";

line 16 of the committee amendment, strike "SECTION." and substitute "SECTION. THE BOARD MAY ALLOCATE FUNDS TO THE DIVISION FOR THE COSTS INCURRED ENTERING INTO SUCH CONTRACTS.".

Appropriations After consideration on the merits, the committee recommends that **SB01-046** be referred favorably to the Committee of the Whole

Appropriations After consideration on the merits, the committee recommends that **SB01-142** be referred favorably to the Committee of the Whole

MESSAGE FROM THE HOUSE

April 2, 2001

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB01-1366.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB01-1156, amended as printed in House Journal, March 30, page 1032. HB01-1017, amended as printed in House Journal, March 30, page 1033.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB01-140, amended as printed in House Journal, March 30, pages 1031-1032. SB01-054, amended as printed in House Journal, March 30, page 1032.

MESSAGE FROM THE REVISOR

We herewith transmit:

without comment, HB01-1366; and without comment, as amended, HB01-1156 and 1017 and SB01-140 and 054.

INTRODUCTION OF BILLS--FIRST READING

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

SB01-215 by Senator Dyer (Durango)--Concerning the authority of the commissioner of agriculture to allow claims of safety on certain pesticide products.
Agriculture and Natural Resources
Health, Environment, Children & Families

HB01-1017 by Representative Swenson; also Senator Nichol--Concerning registration requirements for motor vehicles, and, in connection therewith, authorizing two- and five-year registration periods and authorizing discretionary vehicle identification number inspections.
Government, Veterans and Military Relations, and Transportation

HB01-1156 by Representatives Lawrence, Snook, Weddig, Chavez, Hefley, Stengel, Tochtrop, White, and Witwer; also Senator Hernandez--Concerning mandatory insurance coverage for medical foods for persons with inherited metabolic disorders.
Health, Environment, Children & Families

HB01-1170 by Representatives Fritz, Cadman and Paschall; also Senator May--Concerning the issuance of documents by the department of revenue, and making an appropriation in connection therewith. 1
 Government, Veterans and Military Relations, and Transportation 2
 3
 4
 5

HB01-1366 by Representatives Fritz and Stengel; also Senator Phillips--Concerning the adjustment of the ratio of valuation for assessment for residential real property. 6
 Business, Labor, and Finance 7
 8
 9

HB01-1370 by Representatives Saliman, Berry, Hefley and Young; also Senators Tate and Reeves--Concerning parole of persons sentenced to the department of corrections. 10
 Judiciary 11
 12
 13

INTRODUCTION OF MEMORIALS

The following memorial was read by title and referred to the committee indicated: 14
 15
 16
 17

SJM01-001 by Senators Taylor, Chlouber, Dyer (Durango), Hillman, Matsunaka, Musgrave, Perlmutter, Teck and Thiebaut; also Representatives Rippey, White, Alexander, Berry, Dean, Kester, Larson, Miller, Smith, Snook and Young--Concerning funding to support air service throughout Colorado. 18
 19
 20
 21
 22
 Government, Veterans and Military Relations, and Transportation 23
 24
 25

THIRD READING--FINAL PASSAGE OF BILLS

On Third Reading, the title of the following bill was publicly read, the reading at length having been dispensed with by unanimous consent: 26
 27
 28
 29
 30

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. 31
 32
 33
 34

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result: 35
 36
 37

YES	30	NO	4	EXCUSED	0	ABSENT	1
Anderson	Y	Evans	Y	May	N	Takis	Y
Andrews	Y	Fitz-Gerald	Y	McElhany	N	Tate	Y
Arnold	Y	Gordon	Y	Musgrave	Y	Taylor	Y
Cairns	N	Hagedorn	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hanna	Y	Owen	Y	Thiebaut	Y
Vacant	A	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**. 48
 49
 50
 51

Co-sponsors added: Dyer (Durango), Epps, Evans, Fitz-Gerald, Gordon, Hagedorn, Hanna, Hernandez, Linkhart, Matsunaka, Pascoe, Phillips, Reeves, Tate, Taylor, Teck, Tupa, Windels. 52
 53
 54
 55

MESSAGE FROM THE GOVERNOR

March 30, 2001 56
 57
 58
 59

To the Honorable 60
 Senate 61
 Sixty-third General Assembly 62
 First Regular Session 63
 Denver, CO 80203 64
 65
 66

Ladies and Gentlemen: 67
 68

I have the honor to inform you that I have approved and filed with the Secretary of State the following acts: 69
 70
 71
 72

S.B. 01-003 – Concerning The Exemption Of School Buses From Constraints Generally Applicable To Commercial Vehicles.

Approved March 30, 2001 at 3:22 p.m.

S.B. 01-011 – Concerning Changes To The “Respiratory Therapy Practice Act,” And, In Connection Therewith, Adding Practices That Are Specifically Not Prohibited And Authorizing Injunctions Against Practices That Are Prohibited.

Approved March 30, 2001 at 3:15 p.m.

S.B.01-102 – Concerning The Modification Of Certain Statutory Provisions In Preparation For The Operation Of The City And County Of Broomfield.

Approved March 30, 2001 at 3:16 p.m.

S.B. 01-115 – Concerning The Release Of Information Identifying Individuals Who Defer The Payment Of Property Taxes Pursuant To The State Elderly Property Tax Deferral Program.

Approved March 30, 2001 at 3:40 p.m.

Sincerely,

(signed)
Bill Owens
Governor

Rec'd: 4/2/01
H. Horvath, Assist. to the Secretary

On motion of Senator Thiebaut, the Senate adjourned until 9:00 a.m., Wednesday, April 4, 2001

Approved:

Stan Matsunaka
President of the Senate

Attest:

Karen Goldman
Secretary of the Senate

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43