

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

One hundred-sixth Legislative Day Wednesday, April 25, 2001

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Prayer By the chaplain, Reverend Robert Dooling, Mountain View Presbyterian Church.

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

Roll Call Present--Total, 33.
Absent/Excused--Matsunaka, Tupa--Total, 2.
Present later--Matsunaka, Tupa.

Quorum The President Pro-tem announced a quorum present.

Reading of Journal On motion of Senator Dyer (Arapahoe), reading of the Journal of Tuesday, April 24, 2001, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

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Senate Services Correctly rerevised: HB01-1212, 1378, 1363, 1279, 1289, 1221, 1307, 1358.
Correctly reengrossed: SCR01-002, SB01-213, 217, 221.
Correctly revised: HB01-1312, 1156.
Correctly engrossed: SCR01-004, SB01-219.

COMMITTEE OF REFERENCE REPORTS

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The committee recommends the following:

Business, Labor, and Finance After consideration on the merits, the committee recommends that **HB01-1294** be referred favorably to the Committee on Appropriations.

MESSAGE FROM THE HOUSE

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April 24, 2001

Mr. President:

The House has postponed indefinitely SB01-096 ,163, & 061. The bills are returned herewith.

The House has voted to authorize the House conferees on the First Conference Committee on SB01-140 to consider matters not at issue between the two houses.

The House has adopted and transmits herewith HJR01-1030, as printed in House Journal, April 12, pages 1223-1224.

The House has adopted and transmits herewith HJR01-1031, as printed in House Journal, April 16, page 1235.

The House has adopted and returns herewith SJR01-028.

The House has adopted and transmits herewith HJR01-1040, as printed in House Journal, April 19, pages 1299-1300, and as amended as printed in House Journal, April 24.

The House has adopted and transmits herewith HJR01-1043, as printed in House Journal, April 19, page 1303.

The House has adopted and transmits herewith HJR01-1044, as printed in House Journal,

April 19, pages 1303-1304.

The House has passed on Third Reading and transmitted to the Revisor of Statutes SB01-006, amended as printed in House Journal, April 23, page 1341. SB01-084, amended as printed in House Journal, April 23, page 1341.

The House has passed on Third Reading and returns herewith SB01-005.

MESSAGE FROM THE REVISOR

We herewith transmit:

without comment, as amended, SB01-006 and 084.

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.

HB01-1331 by Representatives Saliman and Young; also Senators Owen, Reeves and Tate-- Concerning administration of the children's basic health care plan, and, in connection therewith, placing the rule-making authority with the medical services board and placing the administrative oversight with the department of health care policy and financing and authorizing and studying several administrative changes.

Laid over until Thursday, April 26, 2001, retaining its place on the calendar.

HB01-1161 by Representatives Mace, Coleman, Sanchez, Tochtrop and Williams S.; also Senator Hernandez--Concerning eligibility requirements for children's access to health care.

A majority of those elected to the Senate having voted in the affirmative, Senator Hernandez was given permission to offer a Third Reading Amendment.

Third Reading Amendment(L.014), by Senator Hernandez.

Amend revised bill, page 2, line 4, strike "**eligibility.**" and substitute "**eligibility - repeal.**";

line 5, after "(1)", insert "(a)";

line 6, strike "resides; EXCEPT THAT" and substitute "resides. Local social security";

strike lines 7 through 11;

after line 21, insert the following:

"(b) (I) NOTWITHSTANDING THE REQUIREMENT IN SUBSECTION (1) OF THIS SECTION THAT DETERMINATION OF ELIGIBILITY FOR MEDICAID BENEFITS SHALL BE MADE BY THE COUNTY DEPARTMENT, ELIGIBILITY FOR MEDICAL BENEFITS MAY BE MADE BY STATE DEPARTMENT ELIGIBILITY TECHNICIANS LOCATED AT THE PRIVATE SERVICE CONTRACTOR THAT ADMINISTERS THE CHILDREN'S BASIC HEALTH PLAN FOR THE SOLE PURPOSE OF DETERMINING THE MEDICAID ELIGIBILITY OF PERSONS APPLYING FOR THE CHILDREN'S BASIC HEALTH PLAN.

(II) THE STATE DEPARTMENT SHALL EVALUATE THE IMPACT ON THE CHILDREN'S BASIC HEALTH PLAN OF USING STATE DEPARTMENT ELIGIBILITY TECHNICIANS TO DETERMINE MEDICAID ELIGIBILITY OF PERSONS APPLYING FOR THE CHILDREN'S BASIC HEALTH PLAN AS ALLOWED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (b). THE STATE DEPARTMENT SHALL EVALUATE WHETHER THE USE OF SUCH STAFF SOLVED PROBLEMS WITH COORDINATION BETWEEN THE CHILDREN'S BASIC HEALTH PLAN AND THE MEDICAID PROGRAM AND WHETHER THERE IS A NEED TO CONTINUE FUNDING STAFF TO PERFORM THIS FUNCTION. THE STATE DEPARTMENT SHALL REPORT ITS FINDINGS AND RECOMMENDATIONS TO THE JOINT BUDGET COMMITTEE AND TO THE HEALTH, ENVIRONMENT, WELFARE AND INSTITUTIONS COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND THE HEALTH, ENVIRONMENT, CHILDREN AND FAMILIES COMMITTEE OF THE SENATE NO LATER THAN OCTOBER 1, 2003.

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HB01-1161

(III) THIS PARAGRAPH (b) IS REPEALED, EFFECTIVE JULY 1, 2004."

A majority of those elected to the Senate having voted in the affirmative, the amendment was declared **adopted**.

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

YES	34	NO	0	EXCUSED	1	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
Dyer, E.	Y	Hernandez	Y	Pascoe	Y	Tupa	Y
Dyer, F.	Y	Hillman	Y	Perlmutter	Y	Windels	Y
Entz.	Y	Lamborn	Y	Phillips	Y	Mr. President	E
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: Dyer (Arapahoe), Hanna, Linkhart, Nichol, Tate, Tupa.

SB01-219

by Senator Hernandez; also Representative White--Concerning restrictions on bail bonding agents.

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

YES	23	NO	11	EXCUSED	1	ABSENT	0
Anderson	Y	Evans	N	May	N	Takis	Y
Andrews	N	Fitz-Gerald	Y	McElhany	N	Tate	N
Arnold	Y	Gordon	Y	Musgrave	N	Taylor	Y
Cairns	N	Hagedorn	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hanna	Y	Owen	N	Thiebaut	Y
Dyer, E.	Y	Hernandez	Y	Pascoe	Y	Tupa	N
Dyer, F.	Y	Hillman	Y	Perlmutter	Y	Windels	Y
Entz.	Y	Lamborn	N	Phillips	Y	Mr. President	E
Epps	Y	Linkhart	N	Reeves	Y		

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

SCR01-004

by Senator Gordon; also Representative Romanoff--Concerning the submission to the registered electors of the state of Colorado of an amendment to section 4 of article V of the constitution of the state of Colorado, lowering the age at which a person is qualified to serve as a member of the house of representatives from twenty-five to twenty-one years.

Laid over until Thursday, April 26, 2001, retaining its place on the calendar.

HB01-1312

by Representatives Grossman and Scott; also Senator Andrews--Concerning the conformance of the state penalty for failure to pay estimated income taxes owed to the federal penalty for failure to pay such taxes.

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

YES	34	NO	0	EXCUSED	1	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
Dyer, E.	Y	Hernandez	Y	Pascoe	Y	Tupa	Y
Dyer, F.	Y	Hillman	Y	Perlmutter	Y	Windels	Y
Entz.	Y	Lamborn	Y	Phillips	Y	Mr. President	E
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: Cairns, Dyer (Arapahoe), Dyer (Durango), May, Musgrave, Owen.

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.

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

YES	26	NO	8	EXCUSED	1	ABSENT	0
Anderson	Y	Evans	Y	May	N	Takis	Y
Andrews	Y	Fitz-Gerald	Y	McElhany	N	Tate	Y
Arnold	N	Gordon	Y	Musgrave	N	Taylor	Y
Cairns	N	Hagedorn	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hanna	Y	Owen	N	Thiebaut	Y
Dyer, E.	Y	Hernandez	Y	Pascoe	Y	Tupa	Y
Dyer, F.	Y	Hillman	N	Perlmutter	Y	Windels	Y
Entz.	Y	Lamborn	N	Phillips	Y	Mr. President	E
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, Pascoe, Takis, Tate, Windels.

On motion of Senator Thiebaut, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of Resolution **HJR01-1042**.

CONSIDERATION OF RESOLUTIONS

HJR01-1042 by Representative Jahn; also Senator Linkhart--Concerning Colorado Crime Victims' Rights Week.

On motion of Senator Linkhart the resolution was adopted by the following roll call vote:

YES	34	NO	0	EXCUSED	1	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
Dyer, E.	Y	Hernandez	Y	Pascoe	Y	Tupa	Y
Dyer, F.	Y	Hillman	Y	Perlmutter	Y	Windels	Y
Entz.	Y	Lamborn	Y	Phillips	Y	Mr. President	E
Epps	Y	Linkhart	Y	Reeves	Y		

Co-sponsors added: The present roll call of the Senate.

On motion of Senator Thiebaut, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of House Amendments to Senate Bills.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB01-016 by Senator Reeves; also Representative Larson--Concerning certification by the Colorado peace officers standards and training board.

Senator Reeves moved that the Senate concur in House amendments to **SB01-016**, as printed in House Journal, April 19, 2001, page 1282-1283. The motion was **passed** by the following roll call vote:

SB01-016

YES	30	NO	4	EXCUSED	1	ABSENT	0
Anderson	Y	Evans	Y	May	Y	Takis	Y
Andrews	Y	Fitz-Gerald	N	McElhany	Y	Tate	Y
Arnold	Y	Gordon	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hagedorn	Y	Nichol	N	Teck	Y
Chlouber	Y	Hanna	Y	Owen	Y	Thiebaut	Y
Dyer, E.	Y	Hernandez	Y	Pascoe	N	Tupa	Y
Dyer, F.	Y	Hillman	Y	Perlmutter	Y	Windels	Y
Entz.	Y	Lamborn	Y	Phillips	Y	Mr. President	E
Epps	Y	Linkhart	N	Reeves	Y		

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

YES	34	NO	0	EXCUSED	1	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
Dyer, E.	Y	Hernandez	Y	Pascoe	Y	Tupa	Y
Dyer, F.	Y	Hillman	Y	Perlmutter	Y	Windels	Y
Entz.	Y	Lamborn	Y	Phillips	Y	Mr. President	E
Epps	Y	Linkhart	Y	Reeves	Y		

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

Co-sponsor added: Linkhart.

COMMITTEE OF REFERENCE REPORTS

The committee recommends the following:

Agriculture and Natural Resources

After consideration on the merits, the committee recommends that **HB01-1354** be amended as follows and, as so amended be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 6, strike lines 25 through 27 and substitute the following:

"(3) THE STATE ENGINEER SHALL SEEK A WAIVER OR CLARIFICATION OF ANY FEDERAL LAWS, RULES, OR REGULATIONS THAT MAY IMPEDE THE IMPLEMENTATION OF THE PILOT PROJECT IN THE ARKANSAS RIVER BASIN."

Page 7, strike lines 1 through 3.

Agriculture and Natural Resources

After consideration on the merits, the committee recommends that **HB01-1086** be amended as follows and, as so amended be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 11, line 17, strike "**credit - definition.**" and substitute "**credit.**";

line 21, strike "SUBSECTIONS (4) TO (13) OF".

Page 12, line 1, strike "BY AT LEAST FOUR MILLION";

line 2, strike "DOLLARS";

line 9, strike "ARTICLE," and substitute "ARTICLE";

line 14, strike the second "THE" and substitute "A";

line 18, strike the first "THE" and substitute "A";

line 20, strike "SUBSECTION (4) OF THIS";

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HB01-1086

strike line 21 and substitute the following:

"SECTION 35-75-204, C.R.S. IF THE MEMBER HAS SATISFIED SAID REQUIREMENTS AND THE BOARD HAS NOT ALREADY ISSUED TAX CREDIT CERTIFICATES IN THE MAXIMUM AMOUNT PERMITTED FOR THE FISCAL YEAR IN WHICH THE APPLICATION WAS FILED, THE BOARD SHALL ISSUE A TAX";

line 24, after "ISSUED.", add "THE MAXIMUM AGGREGATE VALUE OF TAX CREDIT CERTIFICATES THAT THE BOARD MAY ISSUE PURSUANT TO THIS SECTION IN ANY GIVEN FISCAL YEAR IS FOUR MILLION DOLLARS.";

strike lines 25 through 27.

Page 13, strike lines 1 and 2.

Renumber succeeding subsections accordingly.

Page 13, strike lines 13 through 15.

Renumber succeeding subsections accordingly.

Page 14, after line 14, insert the following:

"(9) (a) IF, BASED ON THE FINANCIAL REPORT PREPARED BY THE CONTROLLER IN ACCORDANCE WITH SECTION 24-77-106.5, C.R.S., THE CONTROLLER CERTIFIES THAT THE AMOUNT OF STATE REVENUES FOR THE STATE FISCAL YEAR COMMENCING ON JULY 1, 2001, EXCEEDS THE LIMITATION ON STATE FISCAL YEAR SPENDING IMPOSED BY SECTION 20 (7) (a) OF ARTICLE X OF THE STATE CONSTITUTION FOR THAT FISCAL YEAR BY LESS THAN FOUR MILLION DOLLARS, THEN THE CREDIT AUTHORIZED BY SUBSECTION (2) OF THIS SECTION SHALL NOT BE ALLOWED FOR THE INCOME TAX YEAR COMMENCING ON JANUARY 1, 2002.

(b) IF, BASED ON THE FINANCIAL REPORT PREPARED BY THE CONTROLLER IN ACCORDANCE WITH SECTION 24-77-106.5, C.R.S., THE CONTROLLER CERTIFIES THAT THE AMOUNT OF STATE REVENUES FOR ANY STATE FISCAL YEAR COMMENCING ON OR AFTER JULY 1, 2002, EXCEEDS THE LIMITATION ON STATE FISCAL YEAR SPENDING IMPOSED BY SECTION 20 (7) (a) OF ARTICLE X OF THE STATE CONSTITUTION FOR THAT FISCAL YEAR BY LESS THAN FOUR MILLION DOLLARS, AS ADJUSTED PURSUANT TO PARAGRAPH (c) OF THIS SUBSECTION (9), THEN THE CREDIT AUTHORIZED BY SUBSECTION (2) OF THIS SECTION SHALL NOT BE ALLOWED FOR THE INCOME TAX YEAR IN WHICH SAID STATE FISCAL YEAR ENDED.";

line 15, strike "(11) (a)" and substitute "(c)".

Reletter succeeding paragraphs accordingly.

Page 14, line 18, strike "THIS SUBSECTION (11)" and substitute "PARAGRAPH (b) OF THIS SUBSECTION (9)";

line 21, strike "(a)," and substitute "(c),".

Page 15, line 7, strike "(a) OF THIS SUBSECTION (11)," and substitute "(c) OF THIS SUBSECTION (9),";

line 26, strike "(c)" and substitute "(e)".

Page 16, line 5, strike "(11)," and substitute "(9),";

line 8, strike "(d)" and substitute "(f)";

line 9, strike "(a) OF THIS SUBSECTION (11)." and substitute "(c) OF THIS SUBSECTION (9).";

line 14, strike "(c) OF THIS SUBSECTION (11)" and substitute "(e) OF THIS SUBSECTION (9)";

line 15, strike "(d) OF THIS SUBSECTION (11)." and substitute "(f) OF THIS SUBSECTION (9).";

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HB01-1086

line 23, strike "(3)" and substitute "(2)";

line 24, strike "CONTAINING" and substitute "CONCERNING THE ALLOWANCE OF".

Page 17, line 23, strike "**fund - definitions.**" and substitute "**fund.**".

Page 18, line 1, strike "SUBSECTION (3)" and substitute "SECTION 39-22-527 (6) AND THE PROVISIONS";

line 8, strike "BY AT LEAST FOUR MILLION";

line 9, strike "DOLLARS";

line 15, strike "ARTICLE 22 OF" and substitute "THIS ARTICLE";

line 16, strike "TITLE 39, C.R.S.";

line 24, strike the second "THE" and substitute "A".

Page 19, line 1, strike the first "THE" and substitute "A";

line 3, strike "SECTION" and substitute "SECTION, SECTION 35-75-204, C.R.S., AND SECTION 39-22-527 (6)";

strike line 4 and substitute the following:

"REQUIREMENTS OF THE BOARD. IF THE PARTICIPANT HAS SATISFIED SAID REQUIREMENTS AND THE BOARD HAS NOT ALREADY ISSUED TAX CREDIT CERTIFICATES IN THE MAXIMUM AMOUNT PERMITTED FOR THE FISCAL YEAR IN WHICH AN APPLICATION WAS FILED, THE BOARD SHALL ISSUE A TAX CREDIT";

line 7, after "PARTICIPANT.", add "THE MAXIMUM AGGREGATE VALUE OF TAX CREDIT CERTIFICATES THAT THE BOARD MAY ISSUE PURSUANT TO THIS SECTION AND SECTION 39-22-527 IN ANY GIVEN FISCAL YEAR IS FOUR MILLION DOLLARS.";

line 13, strike "INVESTMENT IN RURAL BUSINESS ENTERPRISES" and substitute "PARTICIPATION IN THE AGRICULTURE VALUE-ADDED CASH FUND";

after line 24, insert the following:

"(6) (a) IF, BASED ON THE FINANCIAL REPORT PREPARED BY THE CONTROLLER IN ACCORDANCE WITH SECTION 24-77-106.5, C.R.S., THE CONTROLLER CERTIFIES THAT THE AMOUNT OF STATE REVENUES FOR THE STATE FISCAL YEAR COMMENCING ON JULY 1, 2001, EXCEEDS THE LIMITATION ON STATE FISCAL YEAR SPENDING IMPOSED BY SECTION 20 (7) (a) OF ARTICLE X OF THE STATE CONSTITUTION FOR THAT FISCAL YEAR BY LESS THAN FOUR MILLION DOLLARS, THEN THE CREDIT AUTHORIZED BY SUBSECTION (2) OF THIS SECTION SHALL NOT BE ALLOWED FOR THE INCOME TAX YEAR COMMENCING ON JANUARY 1, 2002.

(b) IF, BASED ON THE FINANCIAL REPORT PREPARED BY THE CONTROLLER IN ACCORDANCE WITH SECTION 24-77-106.5, C.R.S., THE CONTROLLER CERTIFIES THAT THE AMOUNT OF STATE REVENUES FOR ANY STATE FISCAL YEAR COMMENCING ON OR AFTER JULY 1, 2002, EXCEEDS THE LIMITATION ON STATE FISCAL YEAR SPENDING IMPOSED BY SECTION 20 (7) (a) OF ARTICLE X OF THE STATE CONSTITUTION FOR THAT FISCAL YEAR BY LESS THAN FOUR MILLION DOLLARS, AS ADJUSTED PURSUANT TO PARAGRAPH (c) OF THIS SUBSECTION (6), THEN THE CREDIT AUTHORIZED BY SUBSECTION (2) OF THIS SECTION SHALL NOT BE ALLOWED FOR THE INCOME TAX YEAR IN WHICH SAID STATE FISCAL YEAR ENDED.";

line 25, strike "(6) (a)" and substitute "(c)".

Reletter succeeding paragraphs accordingly.

Page 19, line 27, after "IN", insert "PARAGRAPH (b) OF".

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Page 20, line 4, strike "(a)," and substitute "(c),";
 line 17, strike "(a)" and substitute "(c)".
 Page 21, line 9, strike "(c)" and substitute "(e);"
 line 18, strike "(d)" and substitute "(f);"
 line 19, strike "(a)" and substitute "(c);"
 line 24, strike "(c)" and substitute "(e);"
 line 25, strike "(d)" and substitute "(f)".
 Page 22, line 6, strike "(3)" and substitute "(2);"
 line 7, strike "CONTAINING" and substitute "CONCERNING THE ALLOWANCE OF";
 line 11, strike "SECTION" and substitute "SECTION, IN SECTION 39-22-527 (6),".

Agriculture and Natural Resources

After consideration on the merits, the committee recommends that **SB01-228** be referred favorably to the Committee of the Whole.

Senate in Recess--Senate Reconvened.

COMMITTEE OF REFERENCE REPORTS

The committees recommend the following:

Appropriations

After consideration on the merits, the committee recommends that **HB01-1284** be referred favorably to the Committee of the Whole.

Appropriations

After consideration on the merits, the committee recommends that **HB01-1031** be referred favorably to the Committee of the Whole.

Appropriations

After consideration on the merits, the committee recommends that **HB01-1060** be referred favorably to the Committee of the Whole.

Appropriations

After consideration on the merits, the committee recommends that **HB01-1079** be referred favorably to the Committee of the Whole.

Appropriations

After consideration on the merits, the committee recommends that **HB01-1172** be referred favorably to the Committee of the Whole.

Appropriations

After consideration on the merits, the committee recommends that **HB01-1257** be referred favorably to the Committee of the Whole.

Appropriations

After consideration on the merits, the committee recommends that **HB01-1293** be referred favorably to the Committee of the Whole.

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Appropriations	After consideration on the merits, the committee recommends that HB01-1341 be referred favorably to the Committee of the Whole.	1 2 3 4
Appropriations	After consideration on the merits, the committee recommends that HB01-1343 be referred favorably to the Committee of the Whole.	5 6 7 8 9
Appropriations	After consideration on the merits, the committee recommends that SB01-222 be referred favorably to the Committee of the Whole.	10 11 12 13 14
Education	After consideration on the merits, the committee recommends that HB01-1272 be amended as follows and, as so amended be referred to the Committee on Appropriations with favorable recommendation.	15 16 17 18 19
	Amend reengrossed bill, page 2, line 7, strike "2001-02" and substitute "2002-03";	20 21 22
	line 10, strike "2001," and substitute "2002,", and strike "2002-03" and substitute "2003-04";	23 24 25
	line 13, strike "2002." and substitute "2003.";	26 27
	line 20, after "IN", insert "ANY OF THE FIRST PRIORITY STATE MODEL CONTENT STANDARD SUBJECT AREAS OF READING, WRITING, MATH, SCIENCE, HISTORY, OR GEOGRAPHY, WITH A PRIORITY GIVEN TO".	28 29 30 31
	Page 3, line 5, after the period, add "COPIES OF THE PROPOSED PLAN SHALL BE DISTRIBUTED AT LEAST THIRTY DAYS PRIOR TO THE PUBLIC MEETING TO ALL MEMBERS OF THE SCHOOL ADVISORY COUNCIL ESTABLISHED PURSUANT TO SECTION 22-7-106 AT ALL SCHOOLS IN THE SCHOOL DISTRICT. ON OR BEFORE OCTOBER 15, 2001, AND ON OR BEFORE JULY 15, 2002, THE DISTRICT SCHOOL BOARD, AS PART OF ITS REGULAR BUDGET REPORTING, SHALL FORWARD A COPY OF THE PLAN TO THE DEPARTMENT.";	32 33 34 35 36 37 38 39 40
	line 6, strike "2001-02 AND 2002-03" and substitute "2002-03 AND 2003-04";	41 42
	after line 10, insert the following:	43 44
	"(D) ANY MONEYS RECEIVED BY A SCHOOL DISTRICT PURSUANT TO THIS SUBPARAGRAPH (III) NOT EXPENDED BY JULY 1, 2004, SHALL BE TRANSFERRED BACK TO THE STATE EDUCATION FUND CREATED PURSUANT TO SECTION 17 OF ARTICLE IX OF THE STATE CONSTITUTION.".	45 46 47 48 49 50
	Re-number succeeding sub-subparagraph accordingly.	51 52
	Page 3, strike lines 12 through 19 and substitute the following:	53 54
	"2004.".	55 56
	Re-number succeeding section accordingly.	57 58
	Page 1, line 101, strike "TEXTBOOK, AND" and substitute "TEXTBOOKS.";	59 60 61
	Strike line 102.	62 63 64
Education	After consideration on the merits, the committee recommends that HB01-1157 be postponed indefinitely.	65 66 67 68 69 70 71 72

Education After consideration on the merits, the committee recommends that **HB01-1365** be amended as follows and, as so amended be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 6, line 18, strike "OR A DESCRIPTION OF" and substitute "UNDER".

Page 7, line 21, strike "YEAR AND" and substitute "YEAR."; strike line 22.

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Public Policy and Planning After consideration on the merits, the committee recommends that **SB01-226** be referred favorably to the Committee of the Whole.

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Public Policy and Planning After consideration on the merits, the committee recommends that **HB01-1361** be postponed indefinitely.

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Public Policy and Planning After consideration on the merits, the committee recommends that **HB01-1360** be postponed indefinitely.

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Education The committee has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed.

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MEMBERS OF THE
COLORADO COMMISSION ON
HIGHER EDUCATION

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for terms expiring July 1, 2004:

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James M. Stewart of Colorado Springs, Colorado, to serve as a representative of the Fifth Congressional District and as a Republican, appointed;

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William B. Vollbracht of Denver, Colorado, to serve as a representative of the First Congressional District and as a Republican, appointed.

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Education The committee has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed.

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MEMBERS OF THE
READ-TO-ACHIEVE BOARD

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for terms expiring July 1, 2002:

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Darlene H. Medina of Alamosa, Colorado, to serve as a third-grade teacher in a rural elementary school and as a Democrat, appointed;

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John R. Youngquist of Denver, Colorado, to serve as a principal of an elementary school and as a Democrat, appointed;

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Sheryl Lynn Weitzel of Greeley, Colorado, to fill the vacancy occasioned by the withdrawal of Shirley Ann Squier and to serve as a principal of a rural elementary school and as an Unaffiliated, appointed;

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for terms expiring July 1, 2003:

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Karen M. Brown of Pueblo West, Colorado, to serve as a member with knowledge of the best practices in reading and reading instruction and as an Unaffiliated, appointed;

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Karen J. Durica of Littleton, Colorado, to serve as a member with knowledge of and experience in public education in elementary grades and as a Republican, appointed;

Laura "Gail" Coleman of Lakewood, Colorado, to serve as a third-grade elementary school teacher and as a Republican, appointed.

Health,
Environment,
Children
and Families

After consideration on the merits, the committee recommends that **HB01-1271** be referred favorably to the Committee on Appropriations.

Health,
Environment,
Children
and Families

After consideration on the merits, the committee recommends that **HB01-1282** be referred favorably to the Committee on Appropriations.

Health,
Environment,
Children
and Families

After consideration on the merits, the committee recommends that **SB01-211** be amended as follows and, as so amended be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 2, line 21, after the period, add "THE SCOPE OF THE STATE DEPARTMENT'S EVALUATION AND RECOMMENDATIONS PURSUANT TO THIS SUBSECTION (7) SHALL INCLUDE, AT A MINIMUM, METHODS OF PREVENTING OUT-OF-HOME PLACEMENT, FAMILY PRESERVATION SERVICES, AND INNOVATIVE APPROACHES TO FOSTER CARE.".

Page 3, line 2, after the period, insert "THE STATE DEPARTMENT SHALL CONSULT WITH VARIOUS ORGANIZATIONS INVOLVED IN FOSTER CARE AND CHILDREN'S ISSUES REGARDING THE SCOPE AND DESIGN OF THE STUDY.";

line 12, after the period, insert "THE REPORT MAY INCLUDE ANY RECOMMENDATIONS REGARDING THE IMPLEMENTATION OF A PILOT PROGRAM, BUT THE STATE DEPARTMENT SHALL FIRST OBTAIN THE APPROVAL OF THE GENERAL ASSEMBLY BEFORE IMPLEMENTING SUCH PILOT PROGRAM.";

after line 14, insert the following:

"(d) THE EXECUTIVE DIRECTOR IS HEREBY AUTHORIZED TO ACCEPT ANY GRANTS OR DONATIONS FROM ANY PRIVATE OR PUBLIC SOURCE FOR THE PURPOSE OF IMPLEMENTING THIS SUBSECTION (7). ANY SUCH GRANTS OR DONATIONS SHALL BE TRANSMITTED TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME TO THE FOSTER CARE ALTERNATIVES STUDY CASH FUND, WHICH FUND IS HEREBY CREATED. THE MONEYS IN THE FUND SHALL BE SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY AND, IN ACCORDANCE WITH SECTION 24-36-114, C.R.S., ALL INTEREST DERIVED FROM THE DEPOSIT AND INVESTMENT OF THIS FUND SHALL BE CREDITED TO THE GENERAL FUND.";

line 15, strike "(d)" and substitute "(e)".

MESSAGE FROM THE HOUSE

April 25, 2001

Mr. President:

The House has adopted and transmits herewith HJR01-1012, as printed in House Journal, February 14, pages 395-396.

The House has adopted and transmits herewith HJR01-1045, as printed in House Journal, April 19, pages 1304-1305, and amended as printed in House Journal April 25.

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The House has adopted the First Report of the First Conference Committee on SB01-123, as printed in House Journal, April 9, page 1147, and has repassed the bill as so amended. The bill is returned herewith.

The House has adopted the First Report of the First Conference Committee on SB01-034, as printed in House Journal, April 19, pages 1313-1314, and has repassed the bill as so amended. The bill is returned herewith.

The House has adopted the First Report of the First Conference Committee on SB01-131, as printed in House Journal, April 23, pages 1347-1348, and has repassed the bill as so amended. The bill is returned herewith.

The House has voted to concur in the Senate amendments to HB01-1370, and has repassed the bill as so amended.

The House has voted not to concur in the Senate amendments to HB01-1096 and requests that a conference committee be appointed. The Speaker has appointed Representatives Clapp, chairman, Stafford, and Vigil as House conferees on the First Conference Committee on HB01-1096. The bill is transmitted herewith.

The House has voted not to concur in the Senate amendments to HB01-1349 and requests that a conference committee be appointed. The Speaker has appointed Representatives Johnson, chairman, Swenson, and S. Williams as House conferees on the First Conference Committee on HB01-1349. The House has granted authorization to go beyond the scope of the differences. The bill is transmitted herewith.

FIRST REPORT OF FIRST CONFERENCE COMMITTEE ON HB01-1030

THIS REPORT AMENDS THE
REREVISED BILL

To the President of the Senate and the Speaker of the House of Representatives:

Your first conference committee appointed on HB01-1030, concerning periodic adjustment of the annual salaries of the commissioners of the public utilities commission based on an objective standard, has met and reports that it has agreed upon the following:

That the House accede to the Senate amendments made to the bill, as said amendments appear in the rerevised bill, with the following changes:

Amend rerevised bill, page 3, line 8, strike "EXECUTIVE DIRECTOR OF THE";

strike lines 9 and 10 and substitute the following:

"STATE AUDITOR IN CONSULTATION WITH THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REGULATORY AGENCIES."

Respectfully submitted,

House Committee:	Senate Committee:
(signed) Representative Young, Chairman	(signed) Senator Reeves, Chairman
(signed) Representative Mitchell	(signed) Senator Tupa
(signed) Representative Miller	(signed) Senator Teck

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On motion of Senator Thiebaut, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of Resolutions.

CONSIDERATION OF RESOLUTIONS

SR01-018 by Senator Matsunaka--Concerning the recognition of Workers' Memorial Day.

On motion on Senator Matsunaka, the resolution was read at length and adopted by the following roll call vote.

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
Dyer, E.	Y	Hernandez	Y	Pascoe	Y	Tupa	Y
Dyer, F.	Y	Hillman	Y	Perlmutter	Y	Windels	Y
Entz.	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Epps	Y	Linkhart	Y	Reeves	Y		

Co-sponsors added: Chlouber, Dyer (Durango), Fitz-Gerald, Gordon, Hanna, Hernandez, Nichol, Pascoe, Perlmutter, Phillips, Reeves, Takis, Tate, Teck, Thiebaut, Tupa, Windels.

Senate in Recess--Senate Reconvened.

COMMITTEE OF REFERENCE REPORTS

The committees recommend the following:

Government, Veterans and Military Relations, and Transportation After consideration on the merits, the committee recommends that **HB01-1372** be referred favorably to the Committee on Appropriations.

Government, Veterans and Military Relations, and Transportation After consideration on the merits, the committee recommends that **HB01-1309** be postponed indefinitely.

Government, Veterans and Military Relations, and Transportation After consideration on the merits, the committee recommends that **HB01-1220** be referred favorably to the Committee of the Whole.

Government, Veterans and Military Relations, and Transportation After consideration on the merits, the committee recommends that **HB01-1017** be amended as follows and, as so amended be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 2, strike line 18.

Renumber succeeding subparagraphs accordingly.

Page 3, line 4, after "NEWER", insert "AND THAT IS NOT A MOTORCYCLE".

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Business,
Labor, and
Finance

After consideration on the merits, the committee recommends that **HB01-1334** be referred favorably to the Committee on Appropriations.

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Business,
Labor, and
Finance

After consideration on the merits, the committee recommends that **SB01-232** be amended as follows and, as so amended be referred to the Committee on Appropriations with favorable recommendation.

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Amend printed bill, page 3, line 11, strike "01-___," and substitute "01-232,";

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line 15, strike "01-___," and substitute "01-232,".

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Business,
Labor, and
Finance

After consideration on the merits, the committee recommends that **HB01-1106** be referred favorably to the Committee on Appropriations.

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Business,
Labor, and
Finance

After consideration on the merits, the committee recommends that **HB01-1195** be amended as follows and, as so amended be referred to the Committee on Appropriations with favorable recommendation.

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Amend reengrossed bill, page 5, line 23, strike "HAVE BEEN MET," and substitute "EXIST:";

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strike lines 24 through 26.

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Page 7, strike line 27 and substitute the following:

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"RESIDENTS WITHIN THE LOCAL GOVERNMENT'S JURISDICTION INCLUDING, IN THE CASE OF A RIGHT OF WAY IN WHICH FACILITIES HAVE BEEN PLACED UNDERGROUND, WHETHER THOSE RESIDENTS HAVE ALREADY PAID TO PLACE SUCH FACILITIES UNDERGROUND, AND IF SO, SHALL GIVE STRONG CONSIDERATION TO THAT FACT.".

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INTRODUCTION OF BILLS--FIRST READING

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

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SB01-233

by Senator Hernandez; also Representative Dean--Concerning the use of moneys allocated from the employment support fund for existing programs in the department of labor and employment, and, in connection therewith, making an appropriation.
Business, Labor, and Finance

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SB01-234

by Senators Reeves, Tate and Owen; also Representatives Saliman, Young and Berry-- Concerning the date by which the state personnel director shall submit the annual total compensation survey to the governor and the joint budget committee.
Government, Veterans and Military Relations, and Transportation

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INTRODUCTION OF RESOLUTIONS

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The following resolutions were read by title:

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HJR01-1030

by Representatives Clapp, Cadman, Fritz, King, Rhodes, Sinclair and Williams T.; also Senator Andrews--Concerning "Hungarian Freedom Fighters Day".

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

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HJR01-1031

by Representatives King, Alexander, Bacon, Berry, Cadman, Clapp, Crane, Daniel, Dean, Fairbank, Fritz, Groff, Hefley, Hoppe, Jahn, Johnson, Kester, Larson, Lee, Mace, Miller, Mitchell, Nunez, Paschall, Rhodes, Rippey, Romanoff, Schultheis, Scott, Sinclair, Smith, Snook, Spence, Spradley, Stafford, Stengel, Swenson, Webster, Weddig, White, Williams S., Williams T. and Witwer; also Senators Pascoe, Andrews, Arnold, Cairns, Dyer (Arapahoe), Epps, Evans, Gordon, May and Teck--Concerning Colorado's support of George W. Bush's plan to create charter states to access federal funds.
Government, Veterans and Military Relations, and Transportation

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HJR01-1040 by Representatives Stafford, Borodkin, Clapp, Crane, Hodge, Mace and Veiga; also Senators Epps, Linkhart and Hernandez--Concerning the encouragement of employment training and job placement in nursing homes, assisted living centers, and home- and community-based services programs for Colorado Works Program participants.

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

HJR01-1043 by Representatives Romanoff, Cloer, Jahn, Spence, Spradley, Swenson, Tochtrop and Webster; also Senators Takis, Evans, Nichol and Teck--Concerning Colorado Pedestrian Month and Walk-to-School Day.

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

HJR01-1044 by Representatives Romanoff, Jahn, Swenson, Tochtrop and Webster; also Senators Perlmutter and Evans--Concerning the proclamation of Colorado Bike Month and Bike to Work Day.

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

SIGNING OF BILLS--RESOLUTIONS--MEMORIALS

The President has signed: **HJR01-1025**.

On motion of Senator Owen, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Wednesday, April 25, 2001, was laid over until Thursday, April 26, 2001, retaining its place on the calendar.

General Orders--Second Reading of Bills: **HB01-1131, HB01-1366, SB01-081, SB01-067, SB01-216, HB01-1223, HB01-1153, HB01-1359, HB01-1313, HB01-1229, HB01-1133, HB01-1369, HB01-1018**.

Consideration of Resolutions: **SJR01-010, SJR01-023, SJR01-024, SJR01-026, SJR01-018, SJR01-022, SJR01-029, SJR01-030, SR01-017, SJR01-031, SJR01-032, SR01-020**.

Consideration of Memorials: **SM01-001, HJM01-1001, SJM01-002, SJM01-003**.

Consideration of House Amendments to Senate Bills: **SB01-205**.

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

Consideration of Governors Appointments

Colorado Tourism Office

State Housing Board

Board of Directors of the Colorado Compensation Insurance Authority

Securities Board

Special Funds Board for Workers' Compensation Self Insurers

Wildlife Commission

Board of Assessment Appeals

State Agricultural Commission

Colorado Water Conservation Board

Air Quality Control Commission

Private Occupational School Board

State Personnel Board

Colorado Children's Trust Fund Board

Consideration of Conference Committee Reports: **HB01-1250, HB01-1124, HB01-1187, HB01-1034, HB01-1292**.

TRIBUTES--A POINT OF INTEREST

Honoring P. J. Taylor by Senators Fitz-Gerald and Matsunaka

Honoring Vanessa Maier by Senators Fitz-Gerald and Matsunaka

Honoring Emily Pierce by Senators Fitz-Gerald and Matsunaka

On motion of Senator Owen, the Senate adjourned until 9:00 a.m., Thursday, April 26, 2001.

Attest:

Approved:

Karen Goldman
Secretary of the Senate

Stan Matsunaka
President of the Senate