SENATE JOURNAL
Sixty-third General Assembly
STATE OF COLORADO
First Pagelor Society

First Regular Session

One hundred-eleventh Legislative Day

Monday, April 30, 2001

Prayer By the chaplain, Reverend Arlyn Tolzmann, Holy Cross Lutheran Church, Wheat Ridge.

Call to Order

By the President at 10:00 a.m.

Roll Call Present--Total, 32.

Absent/Excused--Lamborn, Musgrave, Taylor--Total, 3.

Present later--Lamborn, Musgrave, Taylor.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Fitz-Gerald, reading of the Journal of Friday, April 27, 2001, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Senate Correctly rerevised: HB01-1366, 1133, 1284, 1031, 1060, 1079, 1293, 1341, 1343, 1220, 1018.

Correctly revised: HB01-1369, 1153, 1367, 1172, 1257.

Correctly reengrossed: SB01-222, 226, 228.

Correctly engrossed: SJR01-026.

COMMITTEE OF REFERENCE REPORTS

The committees recommend the following:

Appropriations After consideration on the merits, the committee recommends that **HB01-1372** be referred favorably to the Committee of the Whole and placed on the Consent Calendar.

Appropriations After consideration on the merits, the committee recommends that **HB01-1204** be referred favorably to the Committee of the Whole.

Appropriations After consideration on the merits, the committee recommends that **HB01-1191** be referred favorably to the Committee of the Whole.

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

Appropriations After consideration on the merits, the committee recommends that **SB01-232** be referred favorably to the Committee of the Whole and placed on the Consent Calendar.

Appropriations After consideration on the merits, the committee recommends that **HB01-1298** be referred favorably to the Committee of the Whole.

Appropriations After consideration on the merits, the committee recommends that **SB01-237** be referred favorably to the Committee of the Whole.

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Appropriations

After consideration on the merits, the committee recommends that **HB01-1272** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation.

Amend the Education Committee amendment, as printed in Senate Journal, April 25, page 991, strike lines 20 through 28 and substitute the following:

"Amend reengrossed bill, page 2, strike lines 10 through 12 and substitute "1, 2001.";

line 13, strike "OCTOBER 1, 2002.";

line 20, after "IN", insert "ANY OF THE FIRST PRIORITY STATE MODEL";";

line 29 of the committee amendment, strike "MATH," and substitute "MATHEMATICS,";

line 36, strike "AND ON OR BEFORE";

line 37, strike "JULY 15, 2002,";

strike lines 41 and 42 and substitute the following:

"line 6, strike "AND 2002-03 BUDGET YEARS," and substitute "BUDGET YEAR,";";

line 47, strike "2004," and substitute "2003,";

line 51, strike "Renumber" and substitute "Reletter";

strike lines 53 through 62.

Appropriations

After consideration on the merits, the committee recommends that **HB01-1225** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation.

Amend Senate Journal, dated April 26, 2001, page 1048, strike lines 27 through 48.

Appropriations

After consideration on the merits, the committee recommends that **HB01-1263** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation.

Amend the Senate Education Committee report amendment, as printed in Senate Journal April 26, page 1015, strike line 66 and substitute "sixty thousand dollars (\$60,000).";".

Appropriations

After consideration on the merits, the committee recommends that **HB01-1353** be postponed indefinitely.

Appropriations

After consideration on the merits, the committee recommends that **HB01-1130** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation.

Strike the Judiciary Committee amendment, as printed in Senate Journal, April 26, page 1004, lines 67 through 72, and page 1005, lines 1 and 2 and substitute the following:

"Amend reengrossed bill, page 3, line 4, strike "IN" and substitute "SENTENCED TO".

Page 10, line 8, strike "date." and substitute "date. (1)";

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HB01-1130

strike lines 10 through 14 and substitute the following:

"1, 2001.

- (2) Not withstanding the provisions of subsection (1) of this section, this act shall only take effect if:
- (a) The final fiscal estimate for S.B. 01-077, as reflected in the appropriation clause for said act, shows a net General Fund savings that is equal to or greater than the final General Fund fiscal estimate for this act, as reflected in section 7 of this act;
- (b) S.B. 01-077 is enacted at the first regular session of the sixty-third general assembly and becomes law; and
- (c) The Colorado bureau of investigation in the department of public safety receives federal funds in an amount sufficient to purchase the equipment necessary to implement this act."."

Appropriations

After consideration on the merits, the committee recommends that **HB01-1219** be postponed indefinitely.

Appropriations

After consideration on the merits, the committee recommends that **HB01-1155** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 10, after "**Appropriation.**", insert (1);

line 13, strike "one hundred eighty-seven thousand eight hundred" and substitute "forty-four thousand nine hundred";

line 14, strike "seventy-eight dollars (\$187,878) and 2.8 FTE," and substitute "seventy-three dollars (\$44,973) and 1.0 FTE,";

strike lines 16 through 19, and substitute the following:

"(2) It is the intent of the general assembly that the general fund appropriation in subsection (1) of this section for the implementation of this act shall be derived from savings generated from the implementation of the provisions of S.B. 01-77, as enacted during the first regular session of the sixty-third general assembly.

SECTION 5. Effective date. (1) This act shall take effect upon the passage.

(2) Notwithstanding the provisions of subsection (1) of this section, this act shall only take effect if:

(a) The final fiscal estimate for S.B. 01-77, as reflected in the appropriations clause for said act, shows a net general fund savings that is equal to or greater than the final general fund fiscal estimate for this act, as reflected in section 4 of this act; and

(b) S.B. 01-77 is enacted at the first regular session of the sixty-third general assembly and becomes law."."

Appropriations

After consideration on the merits, the committee recommends that **HB01-1017** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 4, after line 22, insert the following:

"SECTION 5. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the distributive data processing account not otherwise appropriated, to the department of revenue, for the fiscal year beginning July 1, 2001, the sum of one hundred two thousand five hundred twenty-seven dollars (\$102,527) and 1.3 FTE, or so much thereof as may be necessary, for the

HB01-1017

implementation of this act.

Renumber succeeding section accordingly.

Page 1, line 105, strike "INSPECTIONS." and substitute "INSPECTIONS, AND MAKING AN APPROPRIATION.".

Appropriations

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

Amend the Agriculture and Natural Resources Committee amendment, as printed in Senate Journal, April 25, page 987, line 62, after "FOUR" insert "HUNDRED".

Page 988, line 31, after "FOUR" insert "HUNDRED";

line 41, after "FOUR" insert "HUNDRED".

Page 989, line 12, after "FOUR" insert "HUNDRED";

line 52, after "FOUR" insert "HUNDRED";

line 62, after "FOUR" insert "HUNDRED".

Page 990, after line 22, insert the following:

"Page 23, line 9, strike "(\$74,837)," and substitute "(\$74,837) and 0.5 FTE,"."

INTRODUCTION OF BILLS--FIRST READING

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

SB01-238

by Senator Pascoe; also Representative Alexander--Concerning services for seriously emotionally disturbed school children.

Health, Environment, Children & Families

HB01-1375

by Representatives Scott, Johnson, Madden, Mitchell, Plant and Witwer; also Senator Teck--Concerning the issuance of bonds by the trust fund board of the great outdoors Colorado trust fund for the purpose of financing expenditures that may be made from the trust fund.

Business, Labor, and Finance

INTRODUCTION OF RESOLUTIONS

The following resolutions were read by title:

HJR01-1039 by Representative Romanoff; also Senator Pascoe--Concerning recognition of the 2001 University of Denver women's gymnastics team.

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

HJR01-1041 by Representative Stafford; also Senator Dyer (Durango)--Concerning firearms safety training.

Judiciary

SIGNING OF BILLS--RESOLUTIONS--MEMORIALS

The President has signed: HB01-1308.

The President has signed: **SB01-077.**

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.

HB01-1369

by Representatives Stafford, Cadman, Cloer, Coleman, Crane, Dean, Fairbank, Fritz, Hoppe, Johnson, Kester, King, Larson, Lee, Mace, Nunez, Rhodes, Rippy, Schultheis, Scott, Snook, Spence, Spradley, Swenson, Webster and Williams S.; also Senator Tupa-Concerning unsolicited proposals for public-private initiatives.

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	7	/ Evans	Y	May	Y	Takis	Y
Andrews	7	Fitz-Gerald	Y	McElhany	Y	Tate	Y
Arnold	7	Gordon (Y	Musgrave	Y	Taylor	Y
Cairns	7	Hagedorn	Y	Nichol	Y	Teck	Y
Chlouber	7	/ Hanna	Y	Owen	Y	Thiebaut	Y
Dyer, E.	7	Hernandez	Y	Pascoe	Y	Tupa	Y
Dyer, F.	7	Hillman	Y	Perlmutter	Y	Windels	Y
Entz.	7	Lamborn	Y	Phillips	Y	Mr. President	Y
Epps	7	Linkhart	Y	Reeves	Y		

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

Co-sponsors added: Fitz-Gerald, Hanna.

HB01-1153

by Representatives Williams T., Kester, Spradley, White, Clapp, Coleman, Fairbank, Fritz, Jahn, Lee, Miller, Paschall, Rhodes, Stengel, and Tochtrop; also Senators Phillips, Fitz-Gerald, Takis, McElhany and Taylor--Concerning the authority of interior designers that meet certain qualifications to prepare interior design documents for filing for purposes of obtaining building permits.

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

YES	20	NO	15	EXCUSED	0	ABSENT	0
Anderson	N	Evans	Y	May	N	Takis	Y
Andrews	Y	Fitz-Gerald	Y	McElhany	Y	Tate	Y
Arnold	N	Gordon	Y	Musgrave	Y	Taylor	N
Cairns	Y	Hagedorn	N	Nichol	Y	Teck	Y
Chlouber	N	Hanna	Y	Owen	N	Thiebaut	Y
Dyer, E.	N	Hernandez	N	Pascoe	N	Tupa	Y
Dyer, F.	N	Hillman		Perlmutter	N	Windels	N
Entz.	Y	Lamborn	N	Phillips	Y	Mr. President	Y
Epps	N	Linkhart	Y	Reeves	Y		

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

HB01-1367

by Representative Stengel; also Senator Reeves--Concerning the refunding of excess state revenues in addition to the amount of excess state revenues required to be refunded for any given fiscal year by section 20 of article X of the Colorado constitution.

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

YES	29		NO	6		EXCUSED	0		ABSENT	0
Anderson		Y	Evans		Y	May		N	Takis	Y
Andrews		N	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
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	Y
Epps		Y	Linkhart		Y	Reeves		Y		

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

HB01-1172

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by Representatives White, Rippy, Snook and Stengel; also Senator Fitz-Gerald--Concerning multijurisdictional housing authorities.

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

YES	22	NO	13	EXCUSED	0	ABSENT	0
Anderson	N	Evans	N	May	N	Takis	Y
Andrews	N	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.	N	Hillman	N	Perlmutter	Y	Windels	Y
Entz.	Y	Lamborn	N	Phillips	Y	Mr. President	Y
Epps	N	Linkhart	Y	Reeves	Y		

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

Co-sponsors added: Hanna, Hernandez, Pascoe, Tupa.

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.

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
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		

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

Co-sponsors added: Chlouber, Entz, Fitz-Gerald, Gordon, Hagedorn, Hanna, Hernandez, Matsunaka, Musgrave, Nichol, Taylor, Teck, Tupa.

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 Governor's Appointments Consent Calendar.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS--**CONSENT CALENDAR**

On motion of Senator Thiebaut, the following appointments were confirmed by a roll call vote:

PRIVATE OCCUPATIONAL SCHOOL BOARD

For terms expiring July 1, 2004:

Gayla Garrity Henry of Aurora, Colorado, to serve as owner or operator of a private occupational school that receives funding under Title IV and as a Republican, reappointed. 61

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		

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John Stuart Zakhem of Littleton, Colorado, to fill the vacancy occasioned by the resignation of Eliseo C. Duran, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Anderson	1	Y Evans	Y	May	Y	Takis	Y
Andrews	1	Y Fitz-Gerald	Y	McElhany	Y	Tate	Y
Arnold	1	Y Gordon	Y	Musgrave	Y	Taylor	Y
Cairns	7	Y Hagedorn	Y	Nichol	Y	Teck	Y
Chlouber	Ţ	Y Hanna	Y	Owen	Y	Thiebaut	Y
Dyer, E.	,	Y Hernandez	Y	Pascoe	Y	Tupa	Y
Dyer, F.	1	Y Hillman	Y	Perlmutter	Y	Windels	Y
Entz.	Y	Y Lamborn	Y	Phillips	Y	Mr. President	Y
Epps	7	Y Linkhart	Y	Reeves	Y		

COLORADO CHILDREN'S TRUST FUND BOARD

for terms expiring November 7, 2003:

Dr. Donald E. Cook of Greeley, Colorado, to serve as a representative of medicine, appointed;

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		

Committee of the Whole

On motion of Senator Windels, the Senate resolved itself into Committee of the Whole for continuation of Special Orders--Second Reading of Bills. Senator Windels was called to the Chair to act as Chairman.

SPECIAL ORDERS--SECOND READING OF BILLS

(Continuation)

The Committee of the Whole having risen, the Chairman reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB01-1337

by Representative Kester; also Senator Hanna--Concerning the welfare of pets, and, in connection therewith, creating a pet animal welfare authority funded in part by voluntary contributions through the income tax form.

Laid over to the bottom of the next Special Orders Calendar.

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.

Ordered revised and placed on the calendar for Third Reading and Final Passage.

HB01-1081

by Representatives King and Tapia; also Senators Reeves and Hagedorn--Concerning the state sales and use tax on tangible personal property used for research and development, and, in connection therewith, creating a refund of state sales and use tax paid in connection with the sale, purchase, storage, use, or consumption of tangible personal property used for research and development in years in which the state has excess revenues pursuant to section (20) (7) (a) of article X of the state constitution.

Ordered revised and placed on the calendar for Third Reading and Final Passage.

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HB01-1100

by Representatives Swenson, Larson, Miller and Ragsdale; also Senators May, Dyer (Durango) and Fitz-Gerald --Concerning the administration of the distributive data processing system, and, in connection therewith, increasing fees, renaming the system, and making an appropriation.

Ordered revised and placed on the calendar for Third Reading and Final Passage.

HB01-1193

by Representatives Alexander and Coleman; also Senator Reeves--Concerning modifications to the "Colorado Children's Code" to be consistent with federal law, and making an appropriation in connection therewith.

Amendment No. 1, Judiciary Committee Amendment. (Printed in Senate Journal, April 24, 2001, page 981.)

Amendment No. 2(L.015), by Senator Hillman.

Amend the Senate Judiciary amendment, as printed in Senate Journal, April 24, page 981, strike lines 16 through 22 and substitute the following:

"Amend reengrossed bill, page 12, strike lines 20 through 27.".

As amended, ordered revised and placed on the calendar for Third Reading and Final Passage.

HB01-1125

by Representative Miller; also Senator Teck--Concerning measures that will prevent the misuse of certain forms of identification, and making an appropriation in connection therewith.

Amendment No. 1, Government, Veterans and Military Relations, and Transportation Committee Amendment. (Printed in Senate Journal, April 23, 2001, page 935-936.)

Amendment No. 2, Appropriations Committee Amendment. (Printed in Senate Journal, April 26, 2001, page 1011.)

Amendment No. 3(L.021), by Senator Teck.

Amend reengrossed bill, page 7, line 16, strike "A MINOR";

line 17, strike "DRIVER'S OR DRIVER'S LICENSE" and substitute "AN IDENTIFICATION CARD".

As amended, ordered revised and placed on the calendar for Third Reading and Final Passage.

HB01-1097

by Representative Dean; also Senator Matsunaka--Concerning creation of the "Certified Capital Company Act", and, in connection therewith, making an appropriation.

Laid over to the bottom of the next Special Orders Calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Windels, the Report of the Committee of the Whole was adopted and, a majority of all members elected having voted in the affirmative, the following action was taken:

Passed on Second Reading: **HB01-1070**, **HB01-1081**, **HB01-1100**, **HB01-1193** as amended, **HB01-1125** as amended.

Laid over until the bottom of the next Special Orders Calendar: HB01-1337, HB01-1097.

APPOINTMENTS TO CONFERENCE COMMITTEE

The President appointed Senators Phillips, Chairman, Hagedorn and Chlouber as Senate Conferees on the First Conference Committee on **HB01-1349**.

CONFERENCE COMMITTEE GRANTED FURTHER POWERS

HB01-1349

by Representatives Johnson and Swenson; also Senator Phillips--Concerning clarification that the term "raffle" includes the game commonly referred to as a "duck race" for purposes of the "Bingo and Raffles law", and making an appropriation in connection therewith.

Senator Phillips moved that the Senate Conferees on the First Conference Committee on **HB01-1349** be given the powers to go beyond the scope of the difference between the two Houses

A majority of all members elected to the Senate having voted in the affirmative, the motion 12 was declared **adopted**.

On motion of Senator Thiebaut, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, **HB01-1223**, **HB01-1313**, **HB01-1264**, **HB01-1326**, **HB01-1102**, **HB01-1282**, **HB01-1271**, **HB01-1227**, **HB01-1106**, **HB01-1345**, **HB01-1017**, **HB01-1334**, **HB01-1204**, **HB01-1225**, **HB01-1337**, **HB01-1097** were made Special Orders at 10:55 a.m

Committee of the Whole

The hour of 10:55 a.m having arrived, Senator Windels moved that the Senate resolve itself into Committee of the Whole for consideration of Special Orders--Second Reading of Bills. Senator Windels was called to the Chair to act as Chairman.

SPECIAL ORDERS--SECOND READING OF BILLS

The Committee of the Whole having risen, the Chairman reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB01-1223

by Representatives Lee, Miller, Fritz, Johnson and Spence; also Senators Hernandez, Phillips, Dyer (Durango), Epps, Hillman and Teck--Concerning the exemption of bingo equipment from sales and use taxes.

Ordered revised and placed on the calendar for Third Reading and Final Passage.

HB01-1313

by Representative Jahn; also Senator Linkhart--Concerning the creation of a Colorado income tax credit for individual taxpayers who incur nonreimbursed expenses in connection with providing foster care for children who are under the age of eighteen years.

<u>Amendment No. 1, Business, Labor and Finance Committee Amendment</u>. (Printed in Senate Journal, March 23, 2001, pages 632-633.)

As amended, ordered revised and placed on the calendar for Third Reading and Final Passage.

HB01-1102

by Representative Veiga; also Senator Perlmutter--Concerning the juvenile parole board, and making an appropriation in connection therewith.

Amendment No. 1, Judiciary Committee Amendment. (Printed in Senate Journal, April 24, 2001, page 981.)

Amendment No. 2, Appropriations Committee Amendment. (Printed in Senate Journal, April 26, 2001, page 1008.)

As amended, ordered revised and placed on the calendar for Third Reading and Final Passage.

HB01-1282

by Representatives Tapia, Alexander, Chavez, Coleman, Grossman, Hefley, Jahn, Lawrence, Madden, Saliman, Sanchez, Sinclair, Veiga and Vigil; also Senator Owen-Concerning the provision of dental hygiene services for children in the medicaid program, and making an appropriation in connection therewith.

Ordered revised and placed on the calendar for Third Reading and Final Passage.

HB01-1271

by Representative Ragsdale; also Senator Owen--Concerning employment incentives for people with disabilities through a medicaid buy-in program.

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HB01-1271 <u>Amendment No. 1, Appropriations Committee Amendment.</u> (Printed in Senate Journal, April 26, 2001, page 1012.)

Amendment No. 2(L.010), by Senator Owen.

Amend reengrossed bill, page 3, line 4, after the period, add "A PERSON WHO IS ELIGIBLE UNDER THE BASIC COVERAGE GROUP MAY ALSO BE A HOME AND COMMUNITY-BASED SERVICES WAIVER RECIPIENT.";

line 23, after the period, add "A PERSON WHO IS ELIGIBLE UNDER THE MEDICAL IMPROVEMENT GROUP MAY ALSO BE A HOME AND COMMUNITY-BASED SERVICES WAIVER RECIPIENT.".

Amendment No. 3(L.009), by Senator Owen.

Amend reengrossed bill, page 5, line 7, after "INCOME", insert "OR EARNED ASSET";

line 8, after "INCOME", insert "OR EARNED ASSET".

As amended, ordered revised and placed on the calendar for Third Reading and Final Passage.

HB01-1227

by Representative Williams T.; also Senators Tate and Hillman--Concerning procedures related to a report of child abuse or neglect, and, in connection therewith, clarifying practices of investigating a report of child abuse, clarifying the burden of proof that must be met to further report the subject of a report of child abuse to the central registry, and setting forth procedures related to expungement of a record of a report from the central registry.

Amendment No. 1, Judiciary Committee Amendment. (Printed in Senate Journal, March 7, 2001, page 497.)

Amendment No. 2, Appropriations Committee Amendment. (Printed in Senate Journal, April 26, 2001, page 1016-1017.)

As amended, ordered revised and placed on the calendar for Third Reading and Final Passage.

On motion of Senator Thiebaut, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the Special Orders calendar (HB01-1264, HB01-1326, HB01-1106, HB01-1345, HB01-1017, HB01-1334, HB01-1204, HB01-1225, HB01-1337, HB01-1097) of April 30, 2001, was laid over until the next Special Orders calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Windels, the Report of the Committee of the Whole was adopted and, a majority of all members elected having voted in the affirmative, the following action was taken:

Passed on Second Reading: **HB01-1223**, **HB01-1313** as amended, **HB01-1102** as amended, **HB01-1282**, **HB01-1271** as amended, **HB01-1227** as amended.

MESSAGE FROM THE HOUSE

April 30, 2001

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB01-1385, amended as printed in House Journal, April 27, page 1447. HB01-1400, amended as printed in House Journal, April 27, page 1447.

INTRODUCTION OF BILLS--FIRST READING

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

SB01-239	by Senators Phillips and Matsunaka; also Representative SpradleyConcerning the prohibition of unauthorized transfers of accounts of prescription drug customers. Business, Labor, and Finance
HB01-1376	by Representatives Fritz, Lee, Cadman, Coleman, Fairbank, Jahn, Johnson, King, Mitchell, Nunez, Paschall, Rhodes, Rippy, Snook and Spradley; also Senator Dyer (Durango)Concerning the protection of children in public facilities from access to harmful materials on the internet. Judiciary
HB01-1402	by Representative Paschall and Dean; also Senator Dyer (Arapahoe)Concerning extension of the contract for enhanced emissions inspections for motor vehicles. Health, Environment, Children & Families
	Senate in RecessSenate Reconvened.
Committee of the Whole	On motion of Senator Windels, the Senate resolved itself into Committee of the Whole for continuation of Special OrdersSecond Reading of Bills. Senator Windels returned to the Chair to act as Chairman.
	SPECIAL ORDERSSECOND READING OF BILLS (Continuation)
	The Committee of the Whole having risen, the Chairman reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:
HB01-1106	by Representative Madden; also Senator WindelsConcerning the recycling of cathode ray tube products, and, in connection therewith, creating a cathode ray tube recycling pilot program, and making an appropriation.
	Ordered revised and placed on the calendar for Third Reading and Final Passage.
HB01-1345	by Representatives Hoppe, Miller, Snook, Rippy and Webster; also Senator Dyer (Durango)Concerning the creation of the mineral and energy reclamation trust fund for the purpose of repairing damage to land following the extraction of certain elements.
	Amendment No. 1(L.004), by Senator Chlouber.
	Amend reengrossed bill, page 4, line 14, strike "REVIEW AND TO PROVIDE ADVICE TO" and substitute "REVIEW AND APPROVAL.";
	strike line 15.
	As amended, ordered revised and placed on the calendar for Third Reading and Final Passage.
HB01-1017	by Representative Swenson; also Senator NicholConcerning registration requirements for motor vehicles, and, in connection therewith, authorizing two- and five-year registration periods and authorizing discretionary vehicle identification number inspections.
	Amendment No. 1, Government, Veterans and Military Relations and Transportation Committee Amendment. (Printed in Senate Journal, April 25, 2001, page 995.)
	Amendment No. 2, Appropriations Committee Amendment. (Printed in Senate Journal, April 30, pages 1069-1070).
	As amended, ordered revised and placed on the calendar for Third Reading and Final Passage.
HB01-1334	by Representative Romanoff; also Senator TateConcerning the exemption of property used for low-income household residential facilities that are occupied by low-income households from property tax.
	Ordered revised and placed on the calendar for Third Reading and Final Passage.
HB01-1204	by Representatives Hefley, Cadman, Clapp, Crane, Fairbank, Johnson, King, Mitchell,

by Representatives Hefley, Cadman, Clapp, Crane, Fairbank, Johnson, King, Mitchell, Nunez, Scott and Williams T.; also Senator Hagedorn--Concerning enhanced penalties for offenses committed against pregnant women, and making an appropriation therefor.

HB01-1204

HB01-1204 Amendment No. 1, Judiciary Committee Amendment. (Printed in Senate Journal, April 26, 2001, page 1005.)

As amended, ordered revised and placed on the calendar for Third Reading and Final Passage.

HB01-1225 by Representative Stengel; also Senator Perlmutter--Concerning growth management in Colorado, and making an appropriation therefor.

Laid over until Tuesday, May 1, 2001, on the General Orders Calendar.

HB01-1337 by Representative Kester; also Senator Hanna--Concerning the welfare of pets, and, in connection therewith, creating a pet animal welfare authority funded in part by voluntary contributions through the income tax form.

<u>Amendment No. 1, Appropriations Committee Amendment.</u> (Printed in Senate Journal, April 26, 2001, pages 1006-1007.)

Amendment No. 2(L.013), by Senator Hanna.

Amend the committee amendment, as printed in Senate Journal, April 26, page 1006, strike lines 69 through 72 and substitute the following:

"Amend reengrossed bill, page 3, line 4, strike "welfare" and substitute "overpopulation";

line 5, strike "welfare" and substitute "overpopulation";

line 6, strike "WELFARE" and substitute "OVERPOPULATION";

line 11, strike "WELFARE" and substitute "OVERPOPULATION".

Page 4, line 20, strike "PET WELFARE AND";

line 27, strike "WELFARE" and substitute "OVERPOPULATION".

Page 5, line 6, strike "WELFARE" and substitute "OVERPOPULATION";

line 12, strike "WELFARE" and substitute "OVERPOPULATION";

line 16, strike "WELFARE" and substitute "OVERPOPULATION";

line 20, strike "PET WELFARE, ANIMAL SHELTERING," and substitute "ANIMAL SHELTERING";

line 25, strike "WELFARE" and substitute "OVERPOPULATION".

Page 6, line 8, strike "WELFARE FUND" and substitute "OVERPOPULATION FUND", and strike "WELFARE AUTHORITY" and substitute "OVERPOPULATION AUTHORITY";

line 10, strike "WELFARE" and substitute "OVERPOPULATION";

after line 11, insert the following:

"(c) When expending funds to implement this section, the Colorado pet overpopulation authority shall give priority to the areas that have an insufficient number of pet animal veterinary resources to adequately meet local needs.";

line 12, strike "WELFARE" and substitute "OVERPOPULATION";

line 16, strike "WELFARE" and substitute "OVERPOPULATION";

line 21, strike "WELFARE" and substitute "OVERPOPULATION".

Page 7, line 1, strike "WELFARE" and substitute "OVERPOPULATION";

line 6, strike "WELFARE" and substitute "OVERPOPULATION";

line 8, strike "WELFARE" and substitute "OVERPOPULATION";

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HB01-1337

line 16, strike "WELFARE" and substitute "OVERPOPULATION";

line 20, strike "WELFARE" and substitute "OVERPOPULATION";

line 27 strike "WELFARE" and substitute "OVERPOPULATION".

Page 8, line 6, strike "WELFARE" and substitute "OVERPOPULATION";".

Page 1007, strike lines 2 through 5 and substitute the following:

"after line 6, insert the following:";

strike line 16 and substitute the following:

"Page 1, line 102, strike "WELFARE" and substitute "OVERPOPULATION";

line 104, strike "FORM." and substitute "FORM, AND MAKING AN".

As amended, ordered revised and placed on the calendar for Third Reading and Final Passage.

HB01-1097

by Representative Dean; also Senator Matsunaka--Concerning creation of the "Certified Capital Company Act", and, in connection therewith, making an appropriation.

Laid over until Tuesday, May 1, 2001 on the General Orders Calendar.

HB01-1264

by Representative Stafford; also Senator Hagedorn--Concerning child support obligations, and making an appropriation in connection therewith.

Amendment No. 1, Judiciary Committee Amendment. (Printed in Senate Journal, April 10, 2001, pages 799-800.)

Amendment No. 2(L.012), by Senator Hagedorn.

Amend reengrossed bill, page 5, line 22, after "REPRESENTATIVES.", insert "IN MAKING HIS OR HER APPOINTMENTS TO THE COMMISSION, THE GOVERNOR SHALL ATTEMPT TO APPOINT PERSONS AS PARENT REPRESENTATIVES OR AS OTHER REPRESENTATIVES ON THE COMMISSION WHO INCLUDE A MALE CUSTODIAL PARENT, A FEMALE CUSTODIAL PARENT, A JOINT CUSTODIAL PARENT, A PARENT IN AN INTACT FAMILY.".

Amendment No. 3(L.011), by Senator Hagedorn.

Amend reengrossed bill, page 8, line 10, after "ELIGIBILITY", insert "FOR BENEFITS OR SERVICES".

Amendment No. 4(L.017), by Senator Owen.

Amend reengrossed bill, page 9, after line 6, insert the following:

"**SECTION 9.** 14-10-122, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

14-10-122. Modification and termination of provisions for maintenance, support, and property disposition - automatic lien - notification of out-of-home placement. (1.3) In Circumstances in which a child who is the beneficiary of a child support order is placed in out-of-home placement by a county department of social services, the county department shall give notice to the obligor that the child has been placed in out-of-home placement. The county department shall file a motion to intervene with the court that ordered the existing child support order and ask the court to determine whether the amount of child support owed by the obligor should be modified due to the change in physical custody of the child and to terminate the existing obligation of the obligor to pay support to the obligee and enter a new order for the provision of support for the child by the parents of such child."

Renumber succeeding sections accordingly.

HB01-1326 by Representative Mitchell; also Senator Hagedorn--Concerning regulation of air pollution emissions from stationary sources, and, in connection therewith, amending the fee structure for air pollutant emission notices, changing the applicable dates for cumulative economic analyses, and making an appropriation.

Ordered revised and placed on the calendar for Third Reading and Final Passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Windels, the Report of the Committee of the Whole was adopted and, a majority of all members elected having voted in the affirmative, the following action was taken:

Passed on Second Reading: **HB01-1106**, **HB01-1345** as amended, **HB01-1017** as amended, **HB01-1334**, **HB01-1204** as amended, **HB01-1336**.

Laid over until Tuesday, May 1, 2001, on the General Orders Calendar: **HB01-1225**, **HB01-1097**.

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

SJR01-010

by Senators Hagedorn, Andrews, Cairns, Gordon, Hernandez, Lamborn, May, Musgrave, Perlmutter and Takis; also Representatives Grossman, Borodkin, Cadman, Cloer, Coleman, Crane, King, Lee, Paschall, Romanoff, Saliman, Scott, Stengel, Tapia and Tochtrop--Concerning violence in the Middle East.

<u>Amendment No. 1, Government, Veterans and Military Relations and Transportation Committee Amendment.</u>

(Printed in Senate Journal, March 12, 2001, page 531.)

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

On motion of Senator Hagedorn, the resolution, as amended, was **adopted** by the following roll call vote:

YES	25	NO	10	EXCUSED	0	ABSENT	0
Anderson	Y	Evans	Y	May	Y	Takis	Y
Andrews	Y	Fitz-Gerald	N	McElhany	Y	Tate	N
Arnold	Y	Gordon	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hagedorn	Y	Nichol	N	Teck	Y
Chlouber	Y	Hanna	Y	Owen	Y	Thiebaut	N
Dyer, E.	N	Hernandez	Y	Pascoe	N	Tupa	N
Dyer, F.	Y	Hillman	Y	Perlmutter	Y	Windels	N
Entz.	Y	Lamborn	Y	Phillips	N	Mr. President	Y
Epps	Y	Linkhart	N	Reeves	Y		

Co-sponsor added: Teck.

SJR01-022

by Senator Chlouber; also Representative Snook--Concerning the reestablishment of economic parity.

On motion of Senator Chlouber and with a majority of those elected to the Senate having voted in the affirmative, **SJR01-022** was laid on the table.

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.

On motion of Senator Takis, the resolution was **adopted** by the following roll call vote:

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HJR01-1043

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	1	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: The present roll call of the Senate.

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.

On motion of Senator Perlmutter, the resolution was 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	Ţ	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.	Ţ	Y Hernandez	Y	Pascoe	Y	Tupa	Y
Dyer, F.	Ţ	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: The present roll call of the Senate.

COMMITTEE OF REFERENCE REPORTS

The committees recommend the following:

Business, Labor, and Finance

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

MEMBER OF THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

for a term expiring the Monday preceding the second Tuesday in January, 2005:

The Honorable Edward James Dyer of Durango, Colorado to serve as a Democrat, appointed.

Business, Labor, and Finance

After consideration on the merits, the committee recommends that **SB01-233** be referred favorably to the Committee on Appropriations.

Business, Labor, and Finance

After consideration on the merits, the committee recommends that **HB01-1373** be referred favorably to the Committee of the Whole.

Judiciary

After consideration on the merits, the committee recommends that **HB01-1357** be amended as follows and, as so amended be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 5, line 19, after the period, add the following:

HB01-1357 "THE DEPARTMENTS AND ANY PRIVATE CONTRACTORS IN EACH REGION SHALL INVOLVE LOCAL GOVERNMENTS IN IDENTIFYING LOCATIONS FOR RESIDENTIAL FACILITIES.". MESSAGE FROM THE REVISOR We herewith transmit: without comment, as amended, HB01-1385 and 1400. INTRODUCTION OF BILLS--FIRST READING The following bills were read by title and referred to the committees indicated: **SB01-240** by Senator Thiebaut; also Representative Smith--Concerning article 9 of the uniform commercial code, and, in connection therewith, amending the duties of the secretary of state and the central information board. Public Policy and Planning **HB01-1385** by Representatives Lawrence, Larson and Miller; also Senators Phillips and Windels--Concerning the development of a master plan for state facilities located in the state capitol buildings group, and making an appropriation in connection therewith. Government, Veterans and Military Relations, and Transportation **Appropriations** by Representatives Berry, Young and Saliman; also Senators Owen, Reeves and Tate--Concerning a one year waiver of the target reserve requirement for five specific cash funds **HB01-1400** for the 2000-01 fiscal year only, and, in connection therewith, authorizing a one time waiver of the target reserve requirement for the educator licensure cash fund, the supplier database cash fund, the emergency services medical services account of the highway users tax fund, the wildlife cash fund, and the historical society enterprise services fund. Business, Labor, and Finance 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 Monday, April 30, 2001, was laid over until Tuesday, May 1, 2001, retaining its place on the calendar. General Orders--Second Reading of Bills: SB01-216, HB01-1131, SB01-081, SB01-067, HB01-1359, HB01-1229, HB01-1189, SB01-225, SB01-214, SB01-210, HB01-1090, HB01-1184, SB01-229, SB01-231. Consideration of Resolutions: SJR01-023, SJR01-024, SJR01-018, SJR01-029, SJR01-030, SR01-017, SJR01-031, SJR01-032, SR01-020, HJR01-1030, HJR01-1040, HJR01-1045. Consideration of Memorials: SM01-001, HJM01-1001, SJM01-002, SJM01-003. Consideration of House Amendments to Senate Bills: SB01-205, SB01-006, SB01-084. 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 Colorado Racing Commission Colorado Commission of Higher Education Read to Achieve Board Consideration of Conference Committee Reports: HB01-1250, HB01-1124, HB01-

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TRIBUTES--A POINT OF INTEREST

1187, HB01-1034, HB01-1292, HB01-1030, SB01-123, SB01-034, SB01-131.

Honoring Norma Whitney by Senators Anderson and Matsunaka

Honoring Sean Mattox by Senators Anderson and Matsunaka Honoring Erica Ferg by Senators Arnold and Matsunaka Honoring Dagna Starzynski by Senators Arnold and Matsunaka Honoring Joel Wagner by Senators Cairns and Matsunaka Honoring Cathleen Conway by Senators Chlouber and Matsunaka Honoring Monica Evans by Senators Dennis, Entz and Matsunaka Honoring Barbara Burget by Senators Dyer and Matsunaka Honoring Lynn Kanzky by Senators Epps and Matsunaka Honoring Donald Shaeffer by Senators Epps and Matsunaka Honoring Kim Wolz by Senators Evans and Matsunaka Honoring John Odom III by Senators Evans and Matsunaka Honoring Joe Bain by Senators Hillman and Matsunaka Honoring Brook Lamb by Senators Hillman and Matsunaka Honoring Robin McLean by Senators May and Matsunaka Honoring Stephen Bruce by Senators May and Matsunaka Honoring Michele Austin by Senators McElhany and Matsunaka Honoring Amy Musgrave-Michael by Senators Musgrave and Matsunaka Honoring Wesley Wacker by Senators Musgrave and Matsunaka Honoring Mary Dambman by Senators Owen, Taylor and Matsunaka Honoring Gay Hammer by Senators Teck and Matsunaka Honoring Michael Montgomery by Senators Teck and Matsunaka Honoring Matt Heitland by Senators Tupa and Matsunaka Honoring Susan Chidley by Senators Tupa and Matsunaka Honoring Keith Edwards by Senators Tupa and Matsunaka Honoring Stephanie DiCristoforo by Senators Tupa and Matsunaka Honoring Zach Brooks by Senators Tupa and Matsunaka Honoring Nicole Romero by Senators Tupa and Matsunaka Honoring Emily Davis by Senators Tupa and Matsunaka Honoring Deborah Morrow by Senators Dyer and Matsunaka Honoring Milly Jones by Senators Gordon and Matsunaka Honoring Judith Mattson by Senators Gordon and Matsunaka Honoring Terra Fulkerson by Senators Gordon and Matsunaka

Honoring Mickie Clayton by Senators Hernandez and Matsunaka

Honoring David Anderson by Senators Gordon and Matsunaka

Honoring Tim Saunders by Senators Gordon and Matsunaka

Honoring Anthea Carmen Pena by Senators Hernandez and Matsunaka

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Honoring Jordan Dille by Senator Evans		1
Honoring Phil Ross by Senator Evans		2 3
On motion of Senator Thiebaut, the Senate adjourned until 9:00 a 2001.	.m., Tuesday, May 1,	4 5 6 7
	Approved:	8 9 10
	Stan Matsunaka President of the Senate	11 12 13 14
Attest:		15 16
Karen Goldman Secretary of the Senate		17 18 19