

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

Seventieth Legislative Day

Tuesday, March 20, 2001

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

2

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

4

5 The roll was called with the following result:

6

7 Present--48.

8 Excused for Legislative Business--Representatives Berry, Larson,
9 Lawrence, Lee, Madden, Nuñez, Paschall, Plant, Saliman, Scott,
10 Stengel, Vigil, Williams S., Young--14.

11 Excused--Representative Tapia--1.

12 Absent--Representatives Jameson, Mitchell--2.

13 Present after roll call--Representatives Berry, Jameson, Larson,
14 Lawrence, Lee, Madden, Mitchell, Nuñez, Paschall, Plant,
15 Saliman, Scott, Stengel, Vigil, Williams S., Young.

16

17 The Speaker declared a quorum present.

18

19

20 On motion of Representative Hodge, the reading of the journal of
21 March 19, 2001, was declared dispensed with and approved as corrected
22 by the Chief Clerk.

23

24

25

CONSIDERATION OF RESOLUTIONS

26

27
28 **HJR01-1020** by Representative(s) Hoppe, Alexander, Bacon, Berry,
29 Decker, Fritz, Hodge, Jameson, Johnson, Kester, Larson,
30 Miller, Mitchell, Plant, Rippey, Smith, Snook, Tapia,
31 Tochtrop, Webster, Williams T.; also Senator(s) Dyer
32 (Durango), Chlouber, Dennis, Hanna, Hillman, Musgrave,
33 Phillips, Takis, Taylor, Teck--Concerning the designation
34 of National Ag Day.

35

36 (Printed and placed in member's bill file; also printed in House Journal
37 March 19, pages 833-835.)

38

39 On motion of Representative Hoppe, the resolution was **adopted** by **viva**
40 **voce** vote.

41

42 Co-sponsors added: Roll call of the House.

43

44

1 **HJR01-1019** by Representative(s) Cloer; also Senator(s) Hillman--
2 Concerning "Parents' Day".
3

4 (Printed and placed in member's bill file; also printed in House Journal
5 March 19, page 833.)
6

7 On motion of Representative Cloer, the resolution was read at length and
8 **adopted** by **viva voce** vote.
9

10 Co-sponsors added: Roll call of the House.
11

12
13 **HJR01-1018** by Representative(s) Borodkin, Alexander, Berry, Boyd,
14 Coleman, Hefley, Hodge, Hoppe, Jahn, Lawrence, Mace,
15 Madden, Marshall, Ragsdale, Rhodes, Sanchez, Spence,
16 Spradley, Stafford, Tochtrop, Veiga, Williams S.,
17 Williams T.; also Senator(s) Dennis, Anderson, Epps,
18 Fitz-Gerald, Hanna, Musgrave, Nichol, Pascoe, Takis,
19 Windels--Concerning the designation of Women in
20 Politics month.
21

22 (Printed and placed in member's bill file; also printed in House Journal,
23 March 16, pages 823-824.)
24

25 On motion of Representative Borodkin, the resolution was **adopted** by
26 **viva voce** vote.
27

28 Co-sponsors added: Roll call of the House.
29

30 _____
31
32 House in recess. House reconvened.
33 _____
34
35

36 **REPORTS OF COMMITTEES OF REFERENCE**

37 **APPROPRIATIONS**

38 After consideration on the merits, the Committee recommends the
39 following:
40

41
42 **SB01-129** be amended as follows, and as so amended, be referred to
43 the Committee of the Whole with favorable
44 recommendation:
45

46 Amend the Education Committee Report, dated March 19, 2001, page 3,
47 strike line 13 and substitute the following:
48

49 "Page 22, strike lines 26 and 27.
50

51 Strike page 23.
52

53 Page 24, strike lines 1 through 8.
54

55 Renumber succeeding sections accordingly.
56

1 Page 24, before line 9, insert the following:".

2

3 Page 32 of the Education Committee Report, strike line 17 and substitute
4 the following:

5

6 "CONSTITUTION.

7

8 **SECTION 37.** 22-20-104.5 (4), Colorado Revised Statutes, is
9 amended to read:

10

11 **22-20-104.5. Plan for academic excellence - inclusion of gifted**
12 **children - cooperation.** (4) For the 1997-98 fiscal year and fiscal years
13 thereafter, appropriations made by the general assembly to fund programs
14 for gifted and talented children shall be designated by a separate line item
15 entitled, "~~Special Education - Gifted and Talented Children~~", in the
16 public school finance portion of the appropriations to the department of
17 education in the annual general appropriation act.

18

19 **SECTION 38.** 22-54-103 (10), Colorado Revised Statutes, is
20 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

21

22 **22-54-103. Definitions.** As used in this article, unless the context
23 otherwise requires:

24

25 (10) (a.5) (I) NOTWITHSTANDING ANY OTHER PROVISION OF THIS
26 SUBSECTION (10) TO THE CONTRARY, IF THE VOTERS OF A QUALIFIED
27 SCHOOL DISTRICT, AS DEFINED IN SECTION 22-54-104 (5) (b) (II) (B),
28 APPROVED AT THE 2000 GENERAL ELECTION A PLAN OF REORGANIZATION
29 THAT RESULTED IN A DECONSOLIDATION OF THE DISTRICT, AS DESCRIBED
30 IN SECTION 22-30-102 (2) (a):

31

32 (A) FOR ANY NEW DISTRICT THAT IS CREATED AS THE RESULT OF
33 SUCH DECONSOLIDATION, THE PUPIL ENROLLMENT OF THE NEW DISTRICT
34 FOR ANY BUDGET YEAR PRIOR TO SUCH DECONSOLIDATION SHALL BE THE
35 PUPIL ENROLLMENT OF THE SMALL ATTENDANCE CENTER OF THE ORIGINAL
36 DISTRICT FOR THAT BUDGET YEAR; AND

37

38 (B) FOR THE ORIGINAL DISTRICT THAT IS DECONSOLIDATED, THE
39 PUPIL ENROLLMENT FOR THE ORIGINAL DISTRICT FOR ANY BUDGET YEAR
40 PRIOR TO SUCH DECONSOLIDATION SHALL BE THE PUPIL ENROLLMENT OF
41 THE ORIGINAL DISTRICT FOR THAT BUDGET YEAR MINUS THE PUPIL
42 ENROLLMENT OF THE SMALL ATTENDANCE CENTER OF THE ORIGINAL
43 DISTRICT FOR THAT BUDGET YEAR.

44

45 (II) THIS PARAGRAPH (a.5) IS REPEALED, EFFECTIVE JULY 1, 2004.

46

47 **SECTION 39.** 22-54-114 (3), Colorado Revised Statutes, is
48 amended to read:

49

50 **22-54-114. State public school fund.** (3) (a) Fifty percent of any
51 unexpended balance of moneys appropriated by the general assembly in
52 the state public school fund at the end of each fiscal year shall be
53 transferred to the Colorado comprehensive health education fund created
54 in section 22-25-109. The remaining fifty percent and any balances
55 derived from other sources shall remain in said state public school fund
56 and become available for distribution during the following fiscal year.

1 (b) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (a) OF
2 THIS SUBSECTION (3), ANY UNEXPENDED BALANCE OF MONEYS IN THE
3 CONTINGENCY RESERVE CREATED PURSUANT TO SECTION 22-54-117 AT
4 THE END OF ANY FISCAL YEAR SHALL REMAIN IN THE CONTINGENCY
5 RESERVE AND SHALL NOT BE TRANSFERRED TO ANY OTHER FUND.

6
7 **SECTION 40.** 22-54-117 (5) and (6) (a), Colorado Revised
8 Statutes, are amended to read:

9
10 **22-54-117. Contingency reserve - capital construction**
11 **expenditures reserve.** (5) (a) If a payment for supplemental assistance
12 is made pursuant to paragraph (b) of subsection (1) of this section and the
13 disputed property is finally determined to have been properly included in
14 the abstract of assessment, the payment shall be reimbursed by the school
15 district after collection of the taxes to the contingency reserve fund in
16 full, plus interest at the same rate as provided by statute for penalty
17 interest on unpaid property taxes.

18
19 (b) NOTWITHSTANDING PARAGRAPH (a) OF THIS SUBSECTION (5),
20 ANY REIMBURSEMENT BY A SCHOOL DISTRICT OF A PAYMENT FOR
21 SUPPLEMENTAL ASSISTANCE MADE PURSUANT TO SUBSECTION (1) OF THIS
22 SECTION SHALL BE CREDITED TO THE CONTINGENCY RESERVE FUND.

23
24 (6) (a) Any unexpended balance in the contingency reserve at the
25 end of each fiscal year shall REMAIN IN THE CONTINGENCY RESERVE AND
26 SHALL NOT revert to the state general fund OR ANY OTHER FUND.

27
28 **SECTION 41.** 22-54-115 (1), (2), and (3), Colorado Revised
29 Statutes, are amended, and the said 22-54-115 is further amended BY
30 THE ADDITION OF A NEW SUBSECTION, to read:

31
32 **22-54-115. Distribution from state public school fund.** (1) No
33 later than June 30 of each year, the state board shall determine the
34 amount of the state's share of the district's total program for the budget
35 year beginning on July 1, and the total thereof for all districts, which
36 amount shall be payable in twelve approximately equal monthly
37 payments during such budget year; except that:

38
39 (a) Such payments shall be adjusted following the certification of
40 pupil enrollments, the certification of valuations for assessment to the
41 state board pursuant to section 22-54-112 (1) and (2), and the certification
42 of the amount of any impact assistance grants on behalf of school districts
43 pursuant to section 30-25-302, C.R.S.; AND

44
45 (b) SUCH PAYMENTS SHALL BE ADJUSTED IN ACCORDANCE WITH
46 ANY DISTRICT'S INSTRUCTIONS GIVEN PURSUANT TO SUBSECTION (1.5) OF
47 THIS SECTION.

48
49 (1.5) ANY SCHOOL DISTRICT MAY GIVE WRITTEN INSTRUCTIONS TO
50 THE STATE BOARD DIRECTING THAT A SPECIFIED PORTION OF A MONTHLY
51 PAYMENT OR MONTHLY PAYMENTS THAT THE DISTRICT IS OTHERWISE
52 ENTITLED TO RECEIVE PURSUANT TO THIS SECTION SHALL BE TRANSFERRED
53 TO THE DIVISION OF VOCATIONAL REHABILITATION IN THE DEPARTMENT OF
54 HUMAN SERVICES FOR THE DISTRICT'S COST OF PARTICIPATING IN SCHOOL
55 TO WORK ALLIANCE PROGRAMS. SUCH WRITTEN INSTRUCTIONS SHALL
56 SPECIFY THE AMOUNT TO BE TRANSFERRED TO THE DIVISION OF

1 VOCATIONAL REHABILITATION FROM THE DISTRICT'S PAYMENT FOR A
2 SPECIFIED MONTH OR MONTHS. SUCH WRITTEN INSTRUCTIONS SHALL BE
3 GIVEN TO THE STATE BOARD NO LATER THAN THE FIFTH DAY OF THE FIRST
4 MONTH IN WHICH SUCH AMOUNT IS TO BE TRANSFERRED TO THE DIVISION
5 OF VOCATIONAL REHABILITATION.

6
7 (2) No later than the fifteenth day of each month, the state board
8 shall certify to the state treasurer the amount payable to each district
9 during said month AND THE AMOUNT, IF ANY, TO BE TRANSFERRED TO THE
10 DIVISION OF VOCATIONAL REHABILITATION DURING SAID MONTH IN
11 ACCORDANCE WITH SUBSECTION (1.5) OF THIS SECTION.

12
13 (3) No later than the twenty-fifth day of each month, the state
14 treasurer shall:

15
16 (a) Pay the amount certified directly to the treasurer of each
17 district or, in accordance with written instructions from the district,
18 directly to an account designated by the district that allows the district to
19 retain title to the funds; AND

20
21 (b) TRANSFER THE AMOUNT CERTIFIED, IF ANY, TO THE DIVISION OF
22 VOCATIONAL REHABILITATION."."

23
24 Page 32 of the Education Committee Report, strike lines 19 through 32
25 and substitute the following:

26
27 "Page 24, strike lines 10 through 27, and substitute the following:

28 "**bill.** (1) (a) In addition to any other appropriation, there is hereby
29 appropriated, to the department of education, for the fiscal year beginning
30 July 1, 2001, the sum of two million five hundred thousand dollars
31 (\$2,500,000), or so much thereof as may be necessary, for the
32 implementation of section 22-1-122, Colorado Revised Statutes. Said
33 sum shall be from the state education fund created in section 17 (4) of
34 article IX of the state constitution.

35
36 (b) In addition to any other appropriation, there is hereby
37 appropriated, to the department of education, for the fiscal year beginning
38 July 1, 2001, the sum of twelve million six hundred thirty thousand
39 dollars (\$12,630,000), or so much thereof as may be necessary, for the
40 implementation of section 22-7-607.5, Colorado Revised Statutes. Said
41 sum shall be from the state education fund created in section 17 (4) of
42 article IX of the state constitution.

43
44 (c) In addition to any other appropriation, there is hereby
45 appropriated, to the department of education, for the fiscal year beginning
46 July 1, 2001, the sum of two million nine hundred thousand dollars
47 (\$2,900,000), or so much thereof as may be necessary, for the
48 implementation of section 22-7-609.5, Colorado Revised Statutes. Said
49 sum shall be from the state education fund created in section 17 (4) of
50 article IX of the state constitution.

51
52 (d) In addition to any other appropriation, there is hereby
53 appropriated, to the department of education, for the fiscal year beginning
54 July 1, 2001, the sum of two million eight hundred thirty-nine thousand
55 four hundred sixty-four dollars (\$2,839,464), or so much thereof as may
56 be necessary, for the implementation of any full-day kindergarten

1 educational programs authorized by the state board of education and
2 established pursuant to section 22-32-119 (2), Colorado Revised Statutes.
3 Said sum shall be from the state education fund created in section 17 (4)
4 of article IX of the state constitution.

5
6 (e) In addition to any other appropriation, there is hereby
7 appropriated, to the department of education, for the fiscal year beginning
8 July 1, 2001, the sum of fourteen million ninety-five thousand three
9 hundred forty dollars (\$14,095,340), or so much thereof as may be
10 necessary, for the implementation of section 22-54-105 (1) (b) (III),
11 Colorado Revised Statutes. Said sum shall be from the state education
12 fund created in section 17 (4) of article IX of the state constitution.

13
14 (f) In addition to any other appropriation, there is hereby
15 appropriated, to the department of education, for the fiscal year beginning
16 July 1, 2001, the sum of five million two hundred forty-seven thousand
17 six hundred seventy dollars (\$5,247,670), or so much thereof as may be
18 necessary, for the implementation of section 22-54-124, Colorado
19 Revised Statutes. Said sum shall be from the state education fund created
20 in section 17 (4) of article IX of the state constitution.

21
22 (2) For the implementation of this act, appropriations made in the
23 annual general appropriation act for the fiscal year beginning July 1,
24 2001, shall be adjusted as follows:

25
26 (a) The appropriation to the department of education for the state
27 share of districts' total program funding is increased by twenty-six million
28 one hundred fifty-one thousand eight hundred ninety-one dollars
29 (\$26,151,891). Said sum shall be from the general fund.

30
31 (b) The appropriation to the department of education for boards of
32 cooperative services is increased by fifty thousand dollars (\$50,000).
33 Said sum shall be from the general fund.

34
35 (c) The appropriation to the department of education for the
36 Colorado student assessment program is increased by seventeen thousand
37 one hundred dollars (\$17,100). Said sum shall be from the general
38 fund."

39
40 Page 25, strike line 1."

41
42 Page 33 of the Education Committee Report, strike lines 1 through 8.

43
44
45
46
47 **LOCAL GOVERNMENT**

48 After consideration on the merits, the Committee recommends the
49 following:

50
51 **HB01-1195** be amended as follows, and as so amended, be referred to
52 the Committee on Appropriations with favorable
53 recommendation:

54
55 Amend printed bill, strike everything below the enacting clause, and
56 substitute the following:

1 **"SECTION 1. Legislative declaration.** The general assembly
2 finds, determines, and declares that there is considerable ambiguity in
3 Colorado law as to the procedure for the resolution of conflicts between
4 determinations made by the Colorado public utilities commission with
5 respect to the need for reliable and economical major electrical and
6 natural gas facilities, which benefit citizens throughout the state, and
7 determinations made by local governments that are exercising reasonable
8 constitutional, police, and licensing powers with respect to local land use
9 concerns. The general assembly hereby finds, determines, and declares
10 that due to the statewide impact of energy problems, this is a matter of
11 statewide concern and that a procedure must be developed to resolve such
12 conflicts in a reasonable manner.

13
14 **SECTION 2.** 29-20-108 (1) (d) and (2), Colorado Revised
15 Statutes, are amended, and the said 29-20-108 is further amended BY
16 THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS, to
17 read:

18
19 **29-20-108. Local government regulation - location,**
20 **construction, or improvement of major electrical or natural gas**
21 **facilities - legislative declaration.** (1) The general assembly finds,
22 determines, and declares that the location, construction, and improvement
23 of major electrical and natural gas facilities are matters of statewide
24 concern. The general assembly further finds, determines, and declares
25 that:

26
27 (d) It is critical that public utilities AND POWER AUTHORITIES that
28 supply electric or natural gas service maintain the ability to meet the
29 demands for such service as growth continues to occur statewide.

30
31 (2) Local government land use regulations shall require final local
32 government action on any application of a public utility OR A POWER
33 AUTHORITY providing electric or natural gas service that relates to the
34 location, construction, or improvement of major electrical or natural gas
35 facilities within one hundred twenty days after such utility's OR
36 AUTHORITY'S submission of a preliminary application, if a preliminary
37 application is required by the local government's land use regulations, or
38 within ninety days after submission of a final application. If the local
39 government does not take final action within such time, the application
40 shall be deemed approved. Nothing in this subsection (2) shall be
41 construed to supersede any timeline set by agreement between a local
42 government and a public utility OR POWER AUTHORITY applying for local
43 government approval of location, construction, or improvement of major
44 facilities as defined in subsection (3) of this section.

45
46 (4)(a) A PUBLIC UTILITY OR POWER AUTHORITY SHALL NOTIFY THE
47 AFFECTED LOCAL GOVERNMENT OF ITS PLANS TO SITE A MAJOR ELECTRICAL
48 OR NATURAL GAS FACILITY WITHIN THE JURISDICTION OF THE LOCAL
49 GOVERNMENT PRIOR TO SUBMITTING THE PRELIMINARY OR FINAL PERMIT
50 APPLICATION, BUT IN NO EVENT LATER THAN FILING A REQUEST FOR A
51 CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY PURSUANT TO
52 ARTICLE 5 OF TITLE 40, C.R.S., OR THE FILING OF ANY ANNUAL FILING
53 WITH THE PUBLIC UTILITIES COMMISSION THAT PROPOSES OR RECOGNIZES
54 THE NEED FOR CONSTRUCTION OF A NEW FACILITY OR THE EXTENSION OF
55 AN EXISTING FACILITY. IF A PUBLIC UTILITY OR POWER AUTHORITY IS NOT
56 REQUIRED TO OBTAIN A CERTIFICATE OF PUBLIC CONVENIENCE AND

1 NECESSITY PURSUANT TO ARTICLE 5 OF TITLE 40, C.R.S., OR FILE
2 ANNUALLY WITH THE PUBLIC UTILITIES COMMISSION TO NOTIFY THE PUBLIC
3 UTILITIES COMMISSION OF PROPOSED CONSTRUCTION OF A NEW FACILITY
4 OR THE EXTENSION OF AN EXISTING FACILITY, THEN THE PUBLIC UTILITY OR
5 POWER AUTHORITY SHALL NOTIFY ANY AFFECTED LOCAL GOVERNMENTS
6 OF ITS INTENTION TO SITE A MAJOR ELECTRICAL OR NATURAL GAS FACILITY
7 WITHIN THE JURISDICTION OF THE LOCAL GOVERNMENT WHEN SUCH
8 UTILITY OR AUTHORITY DETERMINES THAT IT INTENDS TO PROCEED TO
9 PERMIT AND CONSTRUCT THE FACILITY. FOLLOWING SUCH NOTIFICATION,
10 THE PUBLIC UTILITY OR POWER AUTHORITY SHALL CONSULT WITH THE
11 AFFECTED LOCAL GOVERNMENTS IN ORDER TO IDENTIFY THE SPECIFIC
12 ROUTES OR GEOGRAPHIC LOCATIONS UNDER CONSIDERATION FOR THE SITE
13 OF THE MAJOR ELECTRICAL OR NATURAL GAS FACILITY AND ATTEMPT TO
14 RESOLVE LAND USE ISSUES THAT MAY ARISE FROM THE CONTEMPLATED
15 PERMIT APPLICATION.

16
17 (b) IN ADDITION TO ITS PREFERRED ALTERNATIVE WITHIN ITS
18 PERMIT APPLICATION, THE PUBLIC UTILITY OR POWER AUTHORITY SHALL
19 CONSIDER AND PRESENT REASONABLE SITING AND DESIGN ALTERNATIVES
20 TO THE LOCAL GOVERNMENT OR EXPLAIN WHY NO REASONABLE
21 ALTERNATIVES ARE AVAILABLE.

22
23 (5) (a) IF A LOCAL GOVERNMENT DENIES A PERMIT OR APPLICATION
24 OF A PUBLIC UTILITY OR POWER AUTHORITY THAT RELATES TO THE
25 LOCATION, CONSTRUCTION, OR IMPROVEMENT OF MAJOR ELECTRICAL OR
26 NATURAL GAS FACILITIES, OR IF THE LOCAL GOVERNMENT IMPOSES
27 REQUIREMENTS OR CONDITIONS UPON SUCH PERMIT OR APPLICATION THAT
28 WILL UNREASONABLY IMPAIR THE ABILITY OF THE PUBLIC UTILITY OR
29 POWER AUTHORITY TO PROVIDE SAFE, RELIABLE, AND ECONOMICAL
30 SERVICE TO THE PUBLIC, THE PUBLIC UTILITY OR POWER AUTHORITY MAY
31 APPEAL THE LOCAL GOVERNMENT ACTION TO THE PUBLIC UTILITIES
32 COMMISSION FOR A DETERMINATION UNDER SECTION 40-4-102, C.R.S., SO
33 LONG AS ONE OR MORE OF THE FOLLOWING CONDITIONS HAVE BEEN MET,
34 UNLESS SUCH UTILITY OR AUTHORITY IS OWNED AND OPERATED BY A
35 MUNICIPALITY OR IS A COOPERATIVE ELECTRIC ASSOCIATION EXEMPT FROM
36 REGULATION PURSUANT TO SECTION 40-9.5-103, C.R.S.:

37
38 (I) THE PUBLIC UTILITY OR POWER AUTHORITY HAS APPLIED FOR OR
39 HAS OBTAINED A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY
40 FROM THE PUBLIC UTILITIES COMMISSION PURSUANT TO SECTION 40-5-101,
41 C.R.S., TO CONSTRUCT THE MAJOR ELECTRICAL OR NATURAL GAS FACILITY
42 THAT IS THE SUBJECT OF THE LOCAL GOVERNMENT ACTION;

43
44 (II) A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY IS
45 NOT REQUIRED FOR THE PUBLIC UTILITY OR POWER AUTHORITY TO
46 CONSTRUCT THE MAJOR ELECTRICAL OR NATURAL GAS FACILITY THAT IS
47 THE SUBJECT OF THE LOCAL GOVERNMENT ACTION; OR

48
49 (III) THE PUBLIC UTILITIES COMMISSION HAS PREVIOUSLY ENTERED
50 AN ORDER PURSUANT TO SECTION 40-4-102, C.R.S., THAT CONFLICTS WITH
51 THE LOCAL GOVERNMENT ACTION.

52
53 (b) ANY APPEAL BROUGHT BY A PUBLIC UTILITY OR POWER
54 AUTHORITY TO THE PUBLIC UTILITIES COMMISSION UNDER THIS SECTION
55 SHALL BE CONDUCTED IN ACCORDANCE WITH THE PROCEDURAL
56 REQUIREMENTS OF SECTION 40-6-109.5, C.R.S. IN ADDITION TO THE

1 FORMAL EVIDENTIARY HEARING ON THE APPEAL, CONDUCTED IN
2 ACCORDANCE WITH THE PROCEDURAL REQUIREMENTS OF SECTION
3 40-6-109, C.R.S., THE PUBLIC UTILITIES COMMISSION SHALL TAKE
4 STATEMENTS FROM THE PUBLIC CONCERNING THE APPEALED LOCAL
5 GOVERNMENT ACTION AT AN OPEN HEARING HELD AT A LOCATION
6 SPECIFIED BY THE LOCAL GOVERNMENT.
7

8 (c) AN APPEAL BROUGHT PURSUANT TO THIS SUBSECTION (5) SHALL
9 INCLUDE A STATEMENT OF THE REASONS WHY THE LOCAL GOVERNMENT
10 ACTION WOULD UNREASONABLY IMPAIR THE ABILITY OF A PUBLIC UTILITY
11 OR POWER AUTHORITY TO PROVIDE SAFE, RELIABLE, AND ECONOMICAL
12 SERVICE TO THE PUBLIC.
13

14 (d) THE PUBLIC UTILITIES COMMISSION SHALL BALANCE THE LOCAL
15 GOVERNMENT INTEREST WITH THE STATEWIDE INTEREST IN THE LOCATION,
16 CONSTRUCTION, OR IMPROVEMENT OF MAJOR ELECTRICAL OR NATURAL
17 GAS FACILITIES. IN STRIKING SUCH BALANCE, THE PUBLIC UTILITIES
18 COMMISSION SHALL RENDER A DECISION THAT IS CONSISTENT WITH
19 ARTICLE 65.1 OF TITLE 24, C.R.S., INCLUDING SECTION 24-65.1-105,
20 C.R.S., AND THE COMMISSION SHALL CONSIDER THE FOLLOWING FACTORS:
21

22 (I) THE DEMONSTRATED NEED FOR THE MAJOR ELECTRICAL OR
23 NATURAL GAS FACILITY;
24

25 (II) THE EXTENT TO WHICH THE PROPOSED FACILITY IS
26 INCONSISTENT WITH EXISTING APPLICABLE LOCAL OR REGIONAL LAND USE
27 ORDINANCES, RESOLUTIONS, OR MASTER OR COMPREHENSIVE PLANS;
28

29 (III) WHETHER THE PROPOSED FACILITY WOULD EXACERBATE A
30 NATURAL HAZARD;
31

32 (IV) APPLICABLE UTILITY ENGINEERING STANDARDS, INCLUDING
33 SUPPLY ADEQUACY, SYSTEM RELIABILITY, AND PUBLIC SAFETY
34 STANDARDS;
35

36 (V) THE RELATIVE MERIT OF ANY REASONABLY AVAILABLE AND
37 ECONOMICALLY FEASIBLE ALTERNATIVES PROPOSED BY THE PUBLIC
38 UTILITY, THE POWER AUTHORITY, OR THE LOCAL GOVERNMENT;
39

40 (VI) THE IMPACT THAT THE LOCAL GOVERNMENT ACTION WOULD
41 HAVE ON THE CUSTOMERS OF THE PUBLIC UTILITY OR POWER AUTHORITY
42 WHO RESIDE WITHIN AND WITHOUT THE BOUNDARIES OF THE JURISDICTION
43 OF THE LOCAL GOVERNMENT;
44

45 (VII) THE BASIS FOR THE LOCAL GOVERNMENT'S DECISION TO DENY
46 THE APPLICATION OR IMPOSE ADDITIONAL CONDITIONS TO THE
47 APPLICATION; AND
48

49 (VIII) THE IMPACT THE PROPOSED FACILITY WOULD HAVE ON
50 RESIDENTS WITHIN THE LOCAL GOVERNMENT'S JURISDICTION.
51

52 (e) THE PUBLIC UTILITIES COMMISSION SHALL DENY ANY APPEAL
53 BROUGHT UNDER THIS SECTION UNLESS THE PUBLIC UTILITY OR POWER
54 AUTHORITY HAS COMPLIED WITH THE NOTIFICATION AND CONSULTATION
55 REQUIREMENTS OF SUBSECTION (4) OF THIS SECTION.
56

1 (f) THE PUBLIC UTILITIES COMMISSION MAY CONSULT WITH THE
 2 DEPARTMENT OF LOCAL AFFAIRS ON LAND USE ISSUES IN CONNECTION
 3 WITH ANY APPEAL. ALL INFORMATION PROVIDED BY THE DEPARTMENT OF
 4 LOCAL AFFAIRS TO THE PUBLIC UTILITIES COMMISSION SHALL BE PART OF
 5 THE OFFICIAL RECORD OF THE APPEAL AND SHALL BE SUBJECT TO
 6 CROSS-EXAMINATION OR COMMENTS BY THE PARTIES TO THE APPEAL.

7
 8 (g) UNLESS OTHERWISE SPECIFIED IN THIS SUBSECTION (5), THE
 9 APPEAL SHALL BE CONDUCTED IN ACCORDANCE WITH ARTICLE 6 OF TITLE
 10 40, C.R.S., INCLUDING THE PROVISIONS OF SECTION 40-6-116, C.R.S.,
 11 CONCERNING ANY STAY OR SUSPENSION OF THE FINAL DETERMINATION
 12 MADE BY THE PUBLIC UTILITIES COMMISSION.

13
 14 (h) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO LIMIT OR
 15 DIMINISH THE RIGHT OF A PUBLIC UTILITY, POWER AUTHORITY, OR LOCAL
 16 GOVERNMENT TO APPEAL A LOCAL GOVERNMENT, PUBLIC UTILITY, OR
 17 POWER AUTHORITY ACTION, DECISION, OR DETERMINATION TO A COURT OF
 18 LAW PURSUANT TO ANY OTHER PROVISION OF LAW.

19
 20 **SECTION 3.** 29-20-103, Colorado Revised Statutes, is amended
 21 BY THE ADDITION OF A NEW SUBSECTION to read:

22
 23 **29-20-103. Definitions.** As used in this article, unless the context
 24 otherwise requires:

25
 26 (2) "POWER AUTHORITY" MEANS AN AUTHORITY CREATED
 27 PURSUANT TO SECTION 29-1-204.

28
 29 **SECTION 4.** 40-4-102 (1), Colorado Revised Statutes, is
 30 amended to read:

31
 32 **40-4-102. Extensions and improvements prescribed, when.**
 33 (1) Whenever the commission, after a hearing upon its own motion,
 34 UPON APPEAL BY A PUBLIC UTILITY OR POWER AUTHORITY FROM A LOCAL
 35 GOVERNMENT ACTION PURSUANT TO SECTION 29-20-108 (5), C.R.S., or
 36 upon complaint, finds THAT the additions, extensions, repairs, or
 37 improvements to or change in the existing plant, equipment, facilities, or
 38 other physical property of any public utility or of any two or more public
 39 utilities ought reasonably to be made, ~~or~~ that a new structure should be
 40 erected to promote the security or convenience of its employees or the
 41 public or in any other way to secure adequate service or facilities, OR
 42 THAT THE CONDITIONS IMPOSED BY A LOCAL GOVERNMENT ACTION
 43 UNREASONABLY IMPAIR THE ABILITY OF A PUBLIC UTILITY OR POWER
 44 AUTHORITY TO PROVIDE SAFE, RELIABLE, AND ECONOMICAL SERVICE, the
 45 commission shall make and serve an order directing that such additions,
 46 extensions, repairs, improvements, or changes be made or such structure
 47 be erected in the manner and within the time specified in such order. If
 48 the commission orders the erection of a new structure, the selection of the
 49 site for such structure shall be subject to the approval of the commission.
 50 IF A PUBLIC UTILITY OR POWER AUTHORITY APPEALS AN ORDER FROM A
 51 LOCAL GOVERNMENT ACTION UNDER SECTION 29-20-108, C.R.S., THE
 52 COMMISSION MAY REQUIRE THAT THE PUBLIC UTILITY OR POWER
 53 AUTHORITY REIMBURSE THE COMMISSION FOR THE REASONABLE EXPENSES,
 54 ATTORNEY FEES, AND EXPERT WITNESS FEES THE COMMISSION INCURS IN
 55 REVIEWING THE APPEAL. ANY FEE COLLECTED PURSUANT TO THIS SECTION
 56 SHALL BE REMITTED TO THE STATE TREASURER, WHO SHALL CREDIT SUCH

1 FEE TO THE PUBLIC UTILITIES FIXED UTILITY FUND CREATED PURSUANT TO
2 SECTION 40-2-114.

3

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

7

8 Page 1, line 103, strike "UTILITIES." and substitute "UTILITIES THAT
9 PROVIDE ENERGY FOR CONSUMPTION."

10

11

12 **SB01-130** be referred to the Committee of the Whole with favorable
13 recommendation.

14

15

16

17 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

18

19 The Speaker has signed: **HB01-1215, 1222, 1251, 1304, 1335;**
20 **SB01-020, 036, 044, 047, 049, 055, 058, 071, 076, 110, 111, 112, 117,**
21 **128, 141, 172, 201.**

22

23

24

25 On motion of Representative Spradley, **SB01-129** was added to the
26 Special Orders Calendar.

27

28

29 On motion of Representative Crane, the House resolved itself into
30 Committee of the Whole for consideration of Special Orders and he was
31 called to the Chair to act as Chairman.

32

33

34 **SPECIAL ORDERS--SECOND READING OF BILLS**

35

36 The Committee of the Whole having risen, the Chairman reported the
37 titles of the following bills had been read (reading at length had been
38 dispensed with by unanimous consent), the bills considered and action
39 taken thereon as follows:

40

41 (Amendments to the committee amendment are to the printed committee
42 report which was printed and placed in the members' bill file.)

43

44 **SB01-132** by Senator(s) Arnold, Andrews, Cairns, McElhany,
45 Teck; also Representative(s) Kester--Concerning
46 election ballots.

47

48 Laid over until March 21, retaining place on Calendar.

49

50 **SB01-129** by Senator(s) Thiebaut; also Representative(s) Dean--
51 Concerning the financing of public schools, and making an
52 appropriation in connection therewith.

53

54 Amendment No. 1, Education Report, dated March 19, 2001, and placed
55 in member's bill file; Report also printed in House Journal, March 19,
56 pages 836-857.

1 Amendment No. 2, Appropriations Report, dated March 20, 2001, and
 2 placed in member's bill file; Report also printed in House Journal,
 3 March 20, pages 862-866.

4
 5 Amendment No. 3, by Representative Dean.

6
 7 Amend the Appropriations Committee Report, dated March 20, 2001,
 8 page 1, strike lines 2 through 7 and substitute the following:

9
 10 "after line 12, insert the following:

11
 12 "Page 23, line 11, strike "EMPLOYEES." and substitute "EMPLOYEES;
 13 EXCEPT THAT A SCHOOL DISTRICT MAY CONTRACT FOR BONDED
 14 INDEBTEDNESS FOR THIS PURPOSE ONLY IF THE SCHOOL DISTRICT'S COST OF
 15 LIVING FACTOR, AS CERTIFIED PURSUANT TO SECTION 22-54-104 (5) (c)
 16 (III), AT THE TIME OF THE ELECTION FOR BONDED INDEBTEDNESS IS 1.30 OR
 17 GREATER."."

18
 19
 20 A motion by Representative Spradley that the Committee rise, report
 21 progress and beg leave to sit again at 1:30 p.m., was adopted by
 22 unanimous consent.

23 _____
 24
 25 House reconvened.

26
 27 The Committee of the Whole reported it had risen, reported progress and
 28 would sit again at 1:30 p.m.

29 _____
 30
 31 House in recess. House reconvened.

32 _____
 33
 34 On motion of Representative Crane, the House resolved itself into
 35 Committee of the Whole for continuation of consideration of Special
 36 Orders, and he returned to the Chair to act as Chairman.

37 _____
 38
 39 **SPECIAL ORDERS--SECOND READING OF BILLS**
 40 (Continued)

41 (SB01-129 continued)

42
 43 Amendment No. 4, by Representative Groff.

44
 45 Amend the Education Committee Report, dated March 19, 2001, page 17,
 46 line 28, strike "amended" and substitute "amended, and the said 22-7-409
 47 (1.2) (a) is further amended BY THE ADDITION OF A NEW
 48 SUBPARAGRAPH,".

49
 50 Page 18 of the committee report, after line 14, insert the following:

51
 52 "(III) AT ANY TIME THAT THE DEPARTMENT RELEASES ASSESSMENT
 53 RESULTS TO THE PUBLIC, IN ADDITION TO RELEASING THE RESULTS OF THE
 54 ENGLISH VERSIONS OF THE ASSESSMENTS, THE DEPARTMENT SHALL
 55 RELEASE THE RESULTS OF ANY ASSESSMENTS ADMINISTERED IN
 56 LANGUAGES OTHER THAN ENGLISH.".

1 Amendment No. 5, by Representatives Williams T., Young.

2

3 Amend reengrossed bill, page 24, after line 8, insert the following:

4

5 "SECTION 18. 22-54-105, Colorado Revised Statutes, is
6 amended BY THE ADDITION OF A NEW SUBSECTION to read:

7

8 **22-54-105. Instructional supplies and materials - capital
9 reserve and insurance reserve - at-risk funding - preschool funding.**

10 (4) FOR THE 2001-02 BUDGET YEAR AND ANY BUDGET YEAR THEREAFTER,
11 EVERY DISTRICT PARTICIPATING IN THE STATE PRESCHOOL PROGRAM
12 PURSUANT TO ARTICLE 28 OF THIS TITLE SHALL BUDGET AN AMOUNT EQUAL
13 TO THE DISTRICT'S PER PUPIL OPERATING REVENUES MULTIPLIED BY THE
14 DISTRICT'S PRESCHOOL ENROLLMENT AS DEFINED IN SECTION 22-54-103
15 (10) (c). SUCH BUDGETED AMOUNT SHALL BE ALLOCATED TO THE
16 PRESCHOOL PROGRAM FUND CREATED IN SECTION 22-45-103 (1) (g) AND
17 EXPENDED IN ACCORDANCE WITH SAID PARAGRAPH (g). ANY MONEYS IN
18 THE FUND THAT ARE NOT PROJECTED TO BE EXPENDED DURING A BUDGET
19 YEAR SHALL BE BUDGETED FOR THE DISTRICT'S PRESCHOOL PROGRAM IN
20 THE NEXT BUDGET YEAR.

21

22 SECTION 19. 22-45-103 (1), Colorado Revised Statutes, is
23 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

24

25 **22-45-103. Funds.** (1) The following funds are created for each
26 school district for purposes specified in this article:

27

28 (g) **Preschool program fund.** MONEYS ALLOCATED PURSUANT TO
29 SECTION 22-54-105 (4) SHALL BE DEPOSITED IN THE PRESCHOOL PROGRAM
30 FUND OF THE DISTRICT. EXPENDITURES FROM THE FUND SHALL ONLY BE
31 MADE TO PAY THE COSTS OF PROVIDING PRESCHOOL SERVICES DIRECTLY
32 TO CHILDREN ENROLLED IN THE DISTRICT'S PRESCHOOL PROGRAM
33 PURSUANT TO ARTICLE 28 OF THIS TITLE. SUCH COSTS SHALL INCLUDE
34 DISTRICT ADMINISTRATIVE OVERHEAD COSTS. DISTRICT ADMINISTRATIVE
35 OVERHEAD COSTS SHALL BE THE ACTUAL AMOUNT CHARGED TO THE
36 DISTRICT NOT TO EXCEED FIVE PERCENT OF THE BUDGETED AMOUNT
37 ALLOCATED TO THE FUND PURSUANT TO SECTION 22-54-105 (4), C.R.S.
38 ANY MONEYS REMAINING IN THE FUND AT THE END OF ANY FISCAL YEAR
39 SHALL REMAIN IN THE FUND."

40

41 Renumber succeeding sections accordingly.

42

43 Amendment No. 6, by Representative Spradley.

44

45 Amend reengrossed bill, page 24, after line 8, insert the following:

46

47 "SECTION 18. Part 1 of article 32 of title 22, Colorado Revised
48 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
49 read:

50

51 **22-32-110.7. Board of education - specific powers - drug
52 testing.** (1) THE GENERAL ASSEMBLY RECOGNIZES THAT THE SAFETY

53 ISSUES WHICH FACE SCHOOLS HAVE CHANGED IN THE RECENT PAST. THE
54 GENERAL ASSEMBLY FINDS THE SAFETY OF SCHOOL CHILDREN SHOULD BE
55 A PRIORITY OF THE STATE. THE GENERAL ASSEMBLY FURTHER FINDS THE
56 USE OF ILLEGAL DRUGS BY EMPLOYEES OF SCHOOL DISTRICTS WHO HOLD

1 SAFETY-SENSITIVE POSITIONS COULD ENDANGER THE LIVES AND SAFETY OF
2 SCHOOL CHILDREN. THE GENERAL ASSEMBLY THEREFORE AUTHORIZES
3 SCHOOL DISTRICTS TO CREATE SCHOOL SAFETY PROGRAMS WHICH MAY
4 INCLUDE DRUG TESTING OF ALL PERSONNEL WHO APPLY FOR, TRANSFER
5 TO, OR ARE PROMOTED TO SAFETY-SENSITIVE POSITIONS. THE PROGRAM
6 MAY ALSO INCLUDE DRUG TESTING OF PERSONNEL IN SAFETY-SENSITIVE
7 POSITIONS, IF THERE IS REASONABLE SUSPICION TO BELIEVE THE PERSON IS
8 USING ILLEGAL DRUGS.
9

10 (2) FOR EACH COLLECTIVE BARGAINING AGREEMENT ENTERED
11 INTO ON OR AFTER THE EFFECTIVE DATE OF THIS ACT WITH A UNION
12 REPRESENTING PERSONNEL IN SAFETY-SENSITIVE POSITIONS, THE
13 COLLECTIVE BARGAINING AGREEMENT SHALL INCLUDE DRUG TESTING
14 POLICIES FOR PERSONNEL WHO OCCUPY SAFETY-SENSITIVE POSITIONS.
15

16 (3) IMPLEMENTATION OF THIS SECTION SHALL BE WITHIN EXISTING
17 APPROPRIATIONS.
18

19 (4) FOR THE PURPOSES OF THIS SECTION, "SAFETY-SENSITIVE
20 POSITIONS" MEANS POSITIONS IN WHICH A SINGLE MISTAKE CAN CREATE
21 IMMINENT THREAT OF SERIOUS HARM TO STUDENTS OR TEACHERS."
22

23 Renumber succeeding sections accordingly.
24

25 Amendment No. 7, by Representative White.
26

27 Amend reengrossed bill, page 24, after line 8, insert the following:
28

29 "SECTION 18. Article 54 of title 22, Colorado Revised Statutes,
30 is amended BY THE ADDITION OF A NEW SECTION to read:
31

32 **22-54-107.5. Authorization of additional local revenues for**
33 **supplemental cost of living adjustment.** (1) EFFECTIVE JULY 1, 2001,
34 ANY DISTRICT THAT HAS RECEIVED VOTER APPROVAL TO RETAIN AND
35 EXPEND PROPERTY TAX REVENUES IN EXCESS OF THE DISTRICT'S PROPERTY
36 TAX REVENUE LIMITATION IMPOSED ON THE DISTRICT BY SECTION 20 OF
37 ARTICLE X OF THE STATE CONSTITUTION MAY MAKE AN ADDITIONAL LEVY
38 TO GENERATE PROPERTY TAX REVENUE TO PROVIDE A SUPPLEMENTAL COST
39 OF LIVING ADJUSTMENT FOR THE DISTRICT. THE AMOUNT OF PROPERTY
40 TAX REVENUE THAT A DISTRICT CAN GENERATE PURSUANT TO THIS
41 SUBSECTION (1) FOR ANY GIVEN BUDGET YEAR CANNOT EXCEED THE
42 AMOUNT SPECIFIED IN SUBSECTION (2) OF THIS SECTION; EXCEPT THAT, FOR
43 ANY GIVEN BUDGET YEAR, THE TOTAL NUMBER OF MILLS LEVIED BY THE
44 DISTRICT PURSUANT TO SECTIONS 22-54-106 (2) (a) AND 22-54-107 AND
45 THIS SUBSECTION (1) CANNOT EXCEED THE TOTAL NUMBER OF MILLS
46 LEVIED BY THE DISTRICT PURSUANT TO SECTIONS 22-54-106 (2) (a) AND
47 22-54-107 FOR THE BASE PROPERTY TAX YEAR.
48

49 (2) THE MAXIMUM AMOUNT OF PROPERTY TAX REVENUE THAT A
50 DISTRICT CAN GENERATE PURSUANT TO SUBSECTION (1) OF THIS SECTION
51 FOR ANY GIVEN BUDGET YEAR SHALL BE THE LESSER OF:
52

53 (a) THE DIFFERENCE BETWEEN THE AMOUNT OF PROPERTY TAX
54 REVENUE THAT WOULD BE GENERATED BY THE LEVY OF THE TOTAL
55 NUMBER OF MILLS LEVIED BY THE DISTRICT PURSUANT TO SECTIONS
56 22-54-106 (2) (a) AND 22-54-107 FOR THE BASE PROPERTY TAX YEAR AND

1 THE AMOUNT OF PROPERTY TAX REVENUE THAT WOULD BE GENERATED BY
2 THE LEVY OF THE TOTAL NUMBER OF MILLS AUTHORIZED TO BE LEVIED BY
3 THE DISTRICT PURSUANT TO SECTIONS 22-54-106 (2) (a) AND 22-54-107
4 FOR THE APPLICABLE BUDGET YEAR; OR
5

6 (b) THE AMOUNT OF PROPERTY TAX REVENUE THAT WOULD BE
7 GENERATED BY THE LEVY OF THE TOTAL NUMBER OF MILLS LEVIED BY THE
8 DISTRICT PURSUANT TO SECTIONS 22-54-106 (2) (a) AND 22-54-107 PLUS
9 AN AMOUNT OF PROPERTY TAX REVENUE EQUAL TO THE DIFFERENCE
10 BETWEEN WHAT WOULD BE THE DISTRICT'S TOTAL PROGRAM FOR THAT
11 BUDGET YEAR IF CALCULATED USING THE DISTRICT'S ADJUSTED COST OF
12 LIVING FACTOR FOR THAT BUDGET YEAR AND THE DISTRICT'S TOTAL
13 PROGRAM FOR THAT BUDGET YEAR CALCULATED PURSUANT TO SECTION
14 22-54-104; OR
15

16 (c) THE DIFFERENCE BETWEEN THE MAXIMUM AMOUNT OF
17 PROPERTY TAX REVENUE APPROVED BY THE VOTERS TO BE RETAINED AND
18 SPENT BY THE DISTRICT IN EXCESS OF THE DISTRICT'S PROPERTY TAX
19 REVENUE LIMITATION IMPOSED BY SECTION 20 OF ARTICLE X OF THE STATE
20 CONSTITUTION AND THE AMOUNT OF PROPERTY TAX REVENUE THAT
21 WOULD BE GENERATED BY THE LEVY OF THE TOTAL NUMBER OF MILLS
22 AUTHORIZED TO BE LEVIED BY THE DISTRICT PURSUANT TO SECTIONS
23 22-54-106 (2) (a) AND 22-54-107 FOR THE APPLICABLE BUDGET YEAR.
24

25 (3) FOR PURPOSES OF THIS SECTION, UNLESS THE CONTEXT
26 OTHERWISE REQUIRES:
27

28 (a) "ADJUSTED COST OF LIVING FACTOR" MEANS THE DISTRICT'S
29 COST OF LIVING FACTOR DETERMINED BY DIVIDING THE DISTRICT'S COST OF
30 LIVING AMOUNT BY THE LOWEST COST OF LIVING AMOUNT OF ALL
31 DISTRICTS IN THE STATE FROM THE CURRENT COST OF LIVING STUDY,
32 ROUNDED TO THE NEAREST ONE-THOUSANDTH OF ONE PERCENT.
33

34 (b) "BASE PROPERTY TAX YEAR" MEANS THE 2000-01 BUDGET
35 YEAR OR THE BUDGET YEAR IN WHICH THE DISTRICT RECEIVES VOTER
36 APPROVAL TO RETAIN AND EXPEND PROPERTY TAX REVENUES IN EXCESS OF
37 THE DISTRICT'S PROPERTY TAX REVENUE LIMITATIONS IMPOSED ON THE
38 DISTRICT BY SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION,
39 WHICHEVER IS LATER.
40

41 (4) FOR PURPOSES OF DETERMINING A DISTRICT'S TOTAL PROGRAM
42 FOR A GIVEN BUDGET YEAR IF CALCULATED USING THE DISTRICT'S
43 ADJUSTED COST OF LIVING FACTOR, "PER PUPIL FUNDING" UNDER SECTION
44 22-54-104 (2) (a) (IV) (D) SHALL BE CALCULATED USING THE SIZE FACTOR
45 USED IN THE CALCULATION FOR THE PRIOR BUDGET YEAR OR THE SIZE
46 FACTOR USED IN THE CALCULATION FOR THE APPLICABLE BUDGET YEAR,
47 WHICHEVER IS LESS, THE COST OF LIVING FACTOR FOR THE PRIOR BUDGET
48 YEAR, AND THE AT-RISK FACTOR CALCULATED FOR THE DISTRICT USING A
49 BASE AT-RISK FACTOR OF ELEVEN AND ONE-HALF PERCENT."
50

51 Renumber succeeding sections accordingly.
52

53 Amendment No. 8, by Representative King.
54

55 Amend the Amendment No. 7, by Representative White, printed in House
56 Journal page 874, line 33, strike "EFFECTIVE JULY 1, 2001," and substitute

1 "SUBJECT TO THE REQUIREMENTS OF SUBSECTION (5) OF THIS SECTION,".

2

3 House Journal, page 875, strike line 49 and substitute the following:

4

5 "BASE AT-RISK FACTOR OF ELEVEN AND ONE-HALF PERCENT.

6

7 (5) IN ADDITION TO ANY OTHER REQUIREMENTS SET FORTH IN
8 SUBSECTION (1) OF THIS SECTION, NO DISTRICT SHALL EXERCISE THE
9 AUTHORITY GRANTED IN SUBSECTION (1) OF THIS SECTION UNTIL THE
10 DISTRICT SUBMITS TO AN ELECTION HELD IN ACCORDANCE WITH TITLE 1,
11 C.R.S., THE QUESTION OF WHETHER THE DISTRICT SHALL BE AUTHORIZED
12 TO EXERCISE SUCH AUTHORITY. UPON VOTER APPROVAL OF SUCH
13 QUESTION, THE DISTRICT SHALL BE AUTHORIZED TO EXERCISE SUCH
14 AUTHORITY CONSISTENT WITH THE SECTION WITHOUT ANY FURTHER
15 ELECTION.".

16

17 As amended, ordered revised and placed on the Calendar for Third
18 Reading and Final Passage.

19 (For change in action, see Amendments to Report, page 881.)

20

21

22

23 **AMENDMENTS TO THE COMMITTEE OF THE WHOLE REPORT**

24

25 Representatives Groff and Williams S. moved to amend the Report of the
26 Committee of the Whole to show that the following Groff amendment to
27 SB01-129, did pass, and that **SB01-129, as amended**, did pass.

28

29 Amend the Appropriations Committee Report, dated March 20, 2001,
30 page 1, strike line 2 and substitute the following:

31

32 "strike lines 9 and 10 and substitute the following:

33 "Page 11 of the reengrossed bill, strike lines 2 through 20.

34

35 Renumber succeeding sections accordingly.

36

37 Page 12, line 4, after "THE", insert "PARTIALLY PROFICIENT OR";

38

39 line 9, after the second "THE", insert "PARTIALLY PROFICIENT OR".

40

41 Page 14, strike lines 24 through 27.

42

43 Strike pages 15 through 19.";

44

45 strike line 13 and substitute the following:".

46

47 Page 6 of the committee report, after line 23, insert the following:

48

49 "(g) In addition to any other appropriation, there is hereby
50 appropriated, to the department of education, for the fiscal year beginning
51 July 1, 2001, the sum of nine hundred forty-five thousand eight hundred
52 dollars (\$945,800), or so much thereof as may be necessary, for the
53 implementation of part 8 of article 7 of title 22, Colorado Revised
54 Statutes. Said sum shall be from the general fund."

55

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

	YES 23	NO 40	EXCUSED 2	ABSENT 0
1				
2				
3	Alexander	N Groff	Y Miller	N Spence N
4	Bacon	Y Grossman	Y Mitchell	N Spradley N
5	Berry	N Hefley	N Nuñez	N Stafford N
6	Borodkin	E Hodge	Y Paschall	N Stengel N
7	Boyd	Y Hoppe	N Plant	Y Swenson N
8	Cadman	N Jahn	Y Ragsdale	Y Tapia E
9	Chavez	Y Jameson	Y Rhodes	N Tochtrop Y
10	Clapp	N Johnson	N Rippy	N Veiga Y
11	Cloer	N Kester	N Romanoff	Y Vigil Y
12	Coleman	Y King	N Saliman	Y Webster N
13	Crane	N Larson	N Sanchez	Y Weddig Y
14	Daniel	N Lawrence	N Schultheis	N White N
15	Decker	N Lee	N Scott	N Williams S. Y
16	Fairbank	N Mace	Y Sinclair	N Williams T. N
17	Fritz	N Madden	Y Smith	N Witwer N
18	Garcia	Y Marshall	Y Snook	N Young N
19				Mr. Speaker N

20

21

22 Representative Vigil moved to amend the Report of the Committee of the
 23 Whole to show that the following Vigil amendment to SB01-129, did
 24 pass, and that **SB01-129, as amended**, did pass.

25

26 Amend the Education Committee Report, dated March 19, 2001, page 3,
 27 strike lines 10 and 11 and substitute the following:

28

29 "Strike pages 12 through 18.

30

31 Page 19, strike lines 1 through 9."

32

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

34

	YES 25	NO 37	EXCUSED 3	ABSENT 0
35				
36				
37	Alexander	N Groff	Y Miller	Y Spence N
38	Bacon	Y Grossman	Y Mitchell	E Spradley N
39	Berry	N Hefley	N Nuñez	N Stafford N
40	Borodkin	E Hodge	Y Paschall	N Stengel N
41	Boyd	Y Hoppe	N Plant	Y Swenson N
42	Cadman	N Jahn	Y Ragsdale	Y Tapia E
43	Chavez	Y Jameson	Y Rhodes	N Tochtrop Y
44	Clapp	N Johnson	N Rippy	N Veiga Y
45	Cloer	N Kester	N Romanoff	Y Vigil Y
46	Coleman	Y King	N Saliman	Y Webster N
47	Crane	N Larson	N Sanchez	Y Weddig Y
48	Daniel	Y Lawrence	N Schultheis	N White N
49	Decker	N Lee	N Scott	N Williams S. Y
50	Fairbank	N Mace	Y Sinclair	N Williams T. N
51	Fritz	N Madden	Y Smith	N Witwer N
52	Garcia	Y Marshall	Y Snook	N Young N
53				Mr. Speaker N

54

55

1 Representative Jameson moved to amend the Report of the Committee of
 2 the Whole to show that Amendment No. 3, by Representative Dean
 3 (printed in House Journal page 872, lines 5-17) to SB01-129, did not
 4 pass, that the following Sanchez amendment to SB 01-129, did pass, and
 5 that **SB01-129, as amended**, did pass.

6
 7 Amend the Appropriations Committee Report, dated March 20, 2001,
 8 page 1, strike lines 1 through 8 and substitute the following:

9
 10 "Amend the Education Committee Report, dated March 19, 2001, page
 11 32, strike line 17 and substitute".

12
 13 The amendment was declared **lost** by the following roll call vote:

15	YES 22	NO 39	EXCUSED 4	ABSENT 0			
16							
17	Alexander	N Groff	Y Miller	N Spence	N		
18	Bacon	Y Grossman	Y Mitchell	E Spradley	N		
19	Berry	N Hefley	N Nuñez	N Stafford	N		
20	Borodkin	E Hodge	Y Paschall	N Stengel	N		
21	Boyd	Y Hoppe	N Plant	Y Swenson	N		
22	Cadman	N Jahn	Y Ragsdale	Y Tapia	E		
23	Chavez	Y Jameson	Y Rhodes	N Tochtrop	N		
24	Clapp	N Johnson	N Rippy	N Veiga	Y		
25	Cloer	N Kester	N Romanoff	Y Vigil	Y		
26	Coleman	N King	N Saliman	Y Webster	N		
27	Crane	N Larson	N Sanchez	Y Weddig	Y		
28	Daniel	Y Lawrence	N Schultheis	N White	N		
29	Decker	N Lee	E Scott	N Williams S.	Y		
30	Fairbank	N Mace	Y Sinclair	N Williams T.	N		
31	Fritz	N Madden	Y Smith	N Witwer	N		
32	Garcia	Y Marshall	Y Snook	N Young	N		
33				Mr. Speaker	N		

34
 35
 36 Representatives Garcia, Coleman, Mace, Marshall, and Tochtrop moved
 37 to amend the Report of the Committee of the Whole to show that the
 38 following Coleman, Mace, Marshall, and Tochtrop amendment to
 39 SB01-129, did pass, and that **SB01-129, as amended**, did pass.

40
 41 Amend the Education Committee Report, dated March 19, 2001, page 2,
 42 strike lines 2 and 3.

43
 44 Page 33, strike line 8 and substitute the following:

45
 46 "Colorado Revised Statutes.

47
 48 (4) In addition to any other appropriation, there is hereby
 49 appropriated to the department of education, for the fiscal year beginning
 50 July 1, 2001, the sum of two million four hundred seventy-two thousand
 51 six hundred forty-four dollars (\$2,472,644), or so much thereof as may
 52 be necessary, for the implementation of section 22-54-123, Colorado
 53 Revised Statutes. Said sum shall be from the general fund.".

54
 55 The amendment was declared **lost** by the following roll call vote:

56

	YES 23	NO 37	EXCUSED 4	ABSENT 1
1				
2				
3	Alexander	N Groff	Y Miller	N Spence N
4	Bacon	Y Grossman	Y Mitchell	E Spradley N
5	Berry	N Hefley	N Nuñez	N Stafford N
6	Borodkin	E Hodge	Y Paschall	N Stengel N
7	Boyd	Y Hoppe	N Plant	Y Swenson N
8	Cadman	N Jahn	- Ragsdale	Y Tapia E
9	Chavez	Y Jameson	Y Rhodes	N Tochtrop Y
10	Clapp	N Johnson	N Rippy	N Veiga Y
11	Cloer	N Kester	N Romanoff	Y Vigil Y
12	Coleman	Y King	N Saliman	Y Webster N
13	Crane	N Larson	Y Sanchez	Y Weddig Y
14	Daniel	N Lawrence	N Schultheis	N White N
15	Decker	N Lee	E Scott	N Williams S. Y
16	Fairbank	N Mace	Y Sinclair	N Williams T. N
17	Fritz	N Madden	Y Smith	N Witwer N
18	Garcia	Y Marshall	Y Snook	N Young N
19				Mr. Speaker N

20

21

22 Representative Grossman moved to amend the Report of the Committee
 23 of the Whole to show that the following Grossman amendment to
 24 SB01-129, did pass, and that **SB01-129, as amended**, did pass.

25

26 Amend the Education Committee Report, dated March 19, 2001, page 24,
 27 after line 17, insert the following:

28

29 "(4) NO LATER THAN MARCH 1, 2003, THE DEPARTMENT SHALL
 30 DEVELOP AND THE STATE BOARD SHALL ADOPT BY RULE A METHODOLOGY
 31 WHEREBY THE SCHOOL ACADEMIC PERFORMANCE GRADE AND THE SCHOOL
 32 ACADEMIC PERFORMANCE IMPROVEMENT GRADE ARE ASSIGNED BASED
 33 UPON THE IMPROVED INDIVIDUAL PERFORMANCE OF THE SCHOOL'S
 34 STUDENTS ON ASSESSMENTS AS SHOWN BY LONGITUDINAL ANALYSES OF
 35 INDIVIDUAL STUDENT ASSESSMENT RESULTS. THE SCHOOL ACADEMIC
 36 PERFORMANCE GRADE AND THE SCHOOL ACADEMIC PERFORMANCE
 37 IMPROVEMENT GRADE FOR SCHOOL YEAR 2004-05 AND THEREAFTER SHALL
 38 BE BASED UPON THE METHODOLOGY DEVELOPED PURSUANT TO THIS
 39 SUBSECTION (4). "

40

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

42

	YES 25	NO 36	EXCUSED 4	ABSENT 0
43				
44				
45	Alexander	N Groff	Y Miller	Y Spence N
46	Bacon	Y Grossman	Y Mitchell	E Spradley N
47	Berry	N Hefley	N Nuñez	N Stafford N
48	Borodkin	E Hodge	Y Paschall	N Stengel N
49	Boyd	Y Hoppe	N Plant	Y Swenson N
50	Cadman	N Jahn	Y Ragsdale	Y Tapia E
51	Chavez	Y Jameson	Y Rhodes	N Tochtrop Y
52	Clapp	N Johnson	N Rippy	N Veiga Y
53	Cloer	N Kester	N Romanoff	Y Vigil Y
54	Coleman	Y King	N Saliman	Y Webster N
55	Crane	N Larson	N Sanchez	Y Weddig Y
56	Daniel	Y Lawrence	N Schultheis	N White N

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

6
7
8 Representative S. Williams moved to amend the Report of the Committee
9 of the Whole to show that the following S. Williams amendment to
10 SB01-129, did pass, and that **SB01-129, as amended**, did pass.

11
12 Amend reengrossed bill, page 24, after line 8, insert the following:

13
14 **"SECTION 18.** 22-28-104 (2) (d) (I) , Colorado Revised Statutes,
15 is amended, and the said 22-28-104 (2) is further amended BY THE
16 ADDITION OF A NEW PARAGRAPH, to read:

17
18 **22-28-104. Establishment of public preschool programs.** (2) In
19 recognition of the fact that there are thousands of children in Colorado
20 not presently being served who would benefit from the state preschool
21 program, the number of children that may participate in the state
22 preschool program shall be increased:

23
24 (d) (I) To not more than 8,850 in the 1998-99 budget year and to
25 not more than 9,050 in the 1999-2000 ~~budget year and budget years~~
26 ~~thereafter~~ AND 2000-01 BUDGET YEARS.

27
28 (e) TO NOT MORE THAN 10,050 IN THE 2001-02 BUDGET YEAR AND
29 BUDGET YEARS THEREAFTER.".

30
31 Renumber succeeding sections accordingly.

32
33 The amendment was declared **lost** by the following roll call vote:

34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53
YES	24	NO	38	EXCUSED	3	ABSENT	0												
37	Alexander	N	Groff	Y	Miller	Y	Spence	N											
38	Bacon	Y	Grossman	Y	Mitchell	E	Spradley	N											
39	Berry	N	Hefley	N	Nuñez	N	Stafford	N											
40	Borodkin	E	Hodge	Y	Paschall	N	Stengel	N											
41	Boyd	Y	Hoppe	N	Plant	Y	Swenson	N											
42	Cadman	N	Jahn	Y	Ragsdale	Y	Tapia	E											
43	Chavez	Y	Jameson	Y	Rhodes	N	Tochtrop	Y											
44	Clapp	N	Johnson	N	Rippy	N	Veiga	Y											
45	Cloer	N	Kester	N	Romanoff	Y	Vigil	Y											
46	Coleman	Y	King	N	Saliman	Y	Webster	N											
47	Crane	N	Larson	N	Sanchez	Y	Weddig	Y											
48	Daniel	Y	Lawrence	N	Schultheis	N	White	N											
49	Decker	N	Lee	N	Scott	N	Williams S.	Y											
50	Fairbank	N	Mace	N	Sinclair	N	Williams T.	N											
51	Fritz	N	Madden	Y	Smith	N	Witwer	N											
52	Garcia	Y	Marshall	Y	Snook	N	Young	N											
53							Mr. Speaker	N											

54
55

1 Representative Stengel moved to amend the Report of the Committee of
2 the Whole to show that the following Stengel amendment to SB01-129,
3 did pass, and that **SB01-129, as amended**, did pass.

4
5 Amend reengrossed bill, page 24, before line 9, insert the following:

6
7 **"SECTION 18.** 24-54-108 (3) (d) (II), (3) (d) (II.5), (3) (d) (III),
8 and (3) (g), Colorado Revised Statutes, are amended to read:

9
10 **22-54-108. Authorization of additional local revenues.** (3) (d)
11 ~~(H) In addition to the additional local property tax revenues that must be~~
12 ~~counted towards such limitation pursuant to subparagraph (I) of this~~
13 ~~paragraph (d), a portion of the specific ownership tax revenue paid to the~~
14 ~~district during the prior budget year may be required to be counted~~
15 ~~towards such limitation. The portion of the specific ownership tax paid~~
16 ~~to the district, if any, that must be counted toward such limitation shall~~
17 ~~be calculated as follows:~~

18
19 ~~(A) The amount of specific ownership tax revenue attributable to~~
20 ~~property tax levies made by the district which have been authorized at~~
21 ~~elections held under the provisions of former section 22-53-117 or this~~
22 ~~section, if any; and~~

23
24 ~~(B) The amount of specific ownership tax revenue attributable to~~
25 ~~property tax levies made by the district for the purpose of satisfying~~
26 ~~bonded indebtedness, both principal and interest, which is not being used~~
27 ~~by the district for the purpose of satisfying the bonded indebtedness, if~~
28 ~~any.~~

29
30 ~~(H.5) Any portion of the specific ownership tax paid to the district~~
31 ~~other than that specified in sub-subparagraphs (A) and (B) of~~
32 ~~subparagraph (H) of this paragraph (d) shall not apply to the limitation in~~
33 ~~this subsection (3) but shall apply to the district's share of its total~~
34 ~~program pursuant to section 22-54-106 (1) (a) (I).~~

35
36 ~~(III) If the additional local property tax revenues already~~
37 ~~authorized and the specific ownership tax revenue, if any, exceeds the~~
38 ~~limitation, the district shall not be authorized to hold an election pursuant~~
39 ~~to the provisions of this section until the limitation is greater than the~~
40 ~~additional local property tax revenues already authorized. and the specific~~
41 ~~ownership tax revenue, if any~~

42
43 ~~(g) If the additional local property tax revenues already~~
44 ~~authorized, the specific ownership tax revenue, if any, and the amounts~~
45 ~~set forth in subparagraph (II) of paragraph (e) or paragraph (f) of this~~
46 ~~subsection (3) exceed the limitation, the district shall not be authorized~~
47 ~~to hold an election pursuant to the provisions of this section until the~~
48 ~~limitation is greater than the additional local property tax revenues~~
49 ~~already authorized the specific ownership tax revenue, if any, and the~~
50 ~~amount set forth in subparagraph (II) of paragraph (e) or paragraph (f) of~~
51 ~~this subsection (3)."~~

52
53 Renumber succeeding sections accordingly.

54
55 The amendment was declared **passed** by the following roll call vote:

56

	YES 33	NO 29	EXCUSED 3	ABSENT 0
1				
2				
3	Alexander	N Groff	Y Miller	Y Spence N
4	Bacon	Y Grossman	Y Mitchell	E Spradley N
5	Berry	N Hefley	N Nuñez	N Stafford N
6	Borodkin	E Hodge	Y Paschall	N Stengel Y
7	Boyd	Y Hoppe	N Plant	Y Swenson Y
8	Cadman	N Jahn	Y Ragsdale	Y Tapia E
9	Chavez	Y Jameson	Y Rhodes	N Tochtrop Y
10	Clapp	N Johnson	N Rippy	Y Veiga Y
11	Cloer	Y Kester	N Romanoff	Y Vigil Y
12	Coleman	N King	Y Saliman	Y Webster Y
13	Crane	N Larson	Y Sanchez	Y Weddig Y
14	Daniel	Y Lawrence	Y Schultheis	N White Y
15	Decker	N Lee	N Scott	N Williams S. Y
16	Fairbank	N Mace	Y Sinclair	N Williams T. N
17	Fritz	N Madden	Y Smith	N Witwer N
18	Garcia	Y Marshall	Y Snook	N Young N
19				Mr. Speaker N

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Passed Second Reading: **SB01-129 amended.**

Laid over until date indicated retaining place on Calendar: **SB01-132--**
March 21, 2001.

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

	YES 61	NO 1	EXCUSED 3	ABSENT 0
35				
36				
37	Alexander	Y Groff	Y Miller	Y Spence Y
38	Bacon	Y Grossman	Y Mitchell	E Spradley Y
39	Berry	Y Hefley	Y Nuñez	Y Stafford Y
40	Borodkin	E Hodge	Y Paschall	N Stengel Y
41	Boyd	Y Hoppe	Y Plant	Y Swenson Y
42	Cadman	Y Jahn	Y Ragsdale	Y Tapia E
43	Chavez	Y Jameson	Y Rhodes	Y Tochtrop Y
44	Clapp	Y Johnson	Y Rippy	Y Veiga Y
45	Cloer	Y Kester	Y Romanoff	Y Vigil Y
46	Coleman	Y King	Y Saliman	Y Webster Y
47	Crane	Y Larson	Y Sanchez	Y Weddig Y
48	Daniel	Y Lawrence	Y Schultheis	Y White Y
49	Decker	Y Lee	Y Scott	Y Williams S. Y
50	Fairbank	Y Mace	Y Sinclair	Y Williams T. Y
51	Fritz	Y Madden	Y Smith	Y Witwer Y
52	Garcia	Y Marshall	Y Snook	Y Young Y
53				Mr. Speaker Y

REPORTS OF COMMITTEE OF REFERENCE**APPROPRIATIONS**

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

HB01-1170 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend the Information and Technology Committee Report, dated February 7, 2001, page 1, line 8, after "UNTIL", insert "A STATEWIDE INTERNET PORTAL OR OTHER ELECTRONIC SERVICE DELIVERY MECHANISM THROUGH WHICH CITIZENS HAVE ELECTRONIC ACCESS TO STATE AGENCY INFORMATION, PRODUCTS, AND SERVICES THROUGH THE WORLD-WIDE WEB HAS BEEN CREATED PURSUANT TO SECTION 24-37.5-105 (3) (b), C.R.S., AND";

after line 14, insert the following:

"Page 4, after line 6, insert the following:

"SECTION 4. Appropriation - adjustment to the 2001 long bill. For the implementation of this act, appropriations made in the annual general appropriations act for the fiscal year beginning July 1, 2001, shall be adjusted as follows:

(a) the general fund appropriation to the department of revenue is decreased by twenty-eight thousand fifty-two dollars (\$28,052);

(b) the number of FTE for the department of revenue is decreased by 0.4 FTE."

Renumber succeeding section accordingly.

Page 1, line 102, strike "REVENUE." and substitute "REVENUE, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH."."

HB01-1220 be referred to the Committee of the Whole with favorable recommendation.

HB01-1223 be referred to the Committee of the Whole with favorable recommendation.

HB01-1264 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend the Civil Justice & Judiciary Committee Report, dated February 20, 2001, page 2, line 17, strike "BENEFICIARY OF SUCH" and substitute "PAYEE.";

1 line 18, strike "CHILD SUPPORT PAYMENTS.";
2
3 line 21, strike "INFORMATION" and substitute "INFORMATION, IF
4 AVAILABLE,";
5
6 strike lines 22 through 24, and substitute the following:
7
8 "ALLOW THE ADMINISTRATOR TO LOCATE THE PAYEE.
9

10 **SECTION 9. Appropriation - adjustments to the 2001 long**
11 **bill.** For the implementation of this act, appropriations made in the
12 annual general appropriation act for the fiscal year beginning July 1,
13 2001, shall be adjusted as follows:
14

15 (1) The cash funds exempt appropriation to the department of
16 human services, for the county share of offsetting revenues, is increased
17 by twenty-six thousand seven hundred ninety-six dollars (\$26,796).
18

19 (2) The cash funds exempt appropriation to the department of
20 human services, for county incentive payments, is increased by twenty
21 thousand ninety-seven dollars (\$20,097).
22

23 (3) The cash funds exempt appropriation to the department of
24 human services, for Colorado works program county block grants is
25 adjusted as follows:
26

27 (a) The appropriation from the state's share of cash funds exempt
28 revenues is increased by twenty thousand ninety-seven dollars (\$20,097).
29

30 (b) The appropriation from local funds is decreased by twenty
31 thousand ninety-seven dollars (\$20,097).
32

33 (4) The letter notation associated with the cash funds exempt
34 appropriation to the department of human services, for Colorado works
35 program county block grants, is adjusted to reflect the fund source
36 changes made in subsection (3) of this section. In addition, the letter
37 notation is adjusted to increase the portion of local funds that is estimated
38 to be from the local share of cash funds exempt revenues by twenty-six
39 thousand seven hundred ninety-six dollars (\$26,796).".
40

41 Renumber succeeding section accordingly.
42

43 Page 1, line 101, strike "OBLIGATIONS." and substitute "OBLIGATIONS,
44 AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH."
45

46
47
48 **HB01-1293** be amended as follows, and as so amended, be referred to
49 the Committee of the Whole with favorable
50 recommendation:
51

52 Amend printed bill, page 4, strike lines 7 and 8, and insert the following:
53

54 **"23-3.3-803. Repeal.** (1) THIS PART 8 IS REPEALED, EFFECTIVE
55 THE EARLIER OF:
56

- 1 (a) JULY 1, 2007; OR
2
3 (b) JULY 1 IN THE YEAR FOLLOWING THE YEAR IN WHICH EITHER:
4
5 (I) THE STATE FAILS TO RECEIVE FEDERAL CHILD CARE
6 DEVELOPMENT FUND MONEYS; OR
7
8 (II) THE FEDERAL CHILD CARE DEVELOPMENT FUND MONEYS USED
9 TO FUND THE EARLY CHILDHOOD LOAN REPAYMENT PROGRAM BECOME
10 SUBJECT TO A STATE PARTICIPATION REQUIREMENT.
11
12 (2) THE DIRECTOR OF THE JOINT BUDGET COMMITTEE SHALL
13 NOTIFY THE REVISOR OF STATUTES WHEN THE FEDERAL FUNDS SPECIFIED
14 IN SUBSECTION (1) OF THIS SECTION ARE NO LONGER AVAILABLE OR
15 BECOME SUBJECT TO A STATE PARTICIPATION REQUIREMENT.";
16
17 line 11, strike "__ dollars" and substitute "one hundred thirty thousand
18 dollars";
19
20 line 12, strike "(\$__)," and substitute "(\$130,000),";
21
22 line 16, strike "__ dollars (\$__)," and substitute "one hundred thirty
23 thousand dollars (\$130,000),".
24
25
26

27 **HB01-1307** be amended as follows, and as so amended, be referred to
28 the Committee of the Whole with favorable
29 recommendation:
30

31 Amend printed bill, page 9, after line 16, insert the following:
32

33 **"SECTION 8. Appropriation.** In addition to any other
34 appropriation, there is hereby appropriated to the department of state, out
35 of cash fund reserves in the department of state cash fund not otherwise
36 appropriated, the sum of seven hundred eighty-six thousand nine hundred
37 fifteen dollars (\$786,915) cash funds exempt, or so much thereof as may
38 be necessary, for the implementation of this act. The moneys
39 appropriated by this section shall become available upon passage of this
40 act and shall remain available through June 30, 2002.
41

42 **SECTION 9. Appropriation - adjustment to 2001 long bill.** (1)
43 In addition to any other appropriation, there is hereby appropriated, for
44 the fiscal year beginning July 1, 2001, to the department of state, out of
45 any moneys in the department of state cash fund not otherwise
46 appropriated, the sum of five hundred eleven thousand three hundred
47 twenty dollars (\$511,320), or so much thereof as may be necessary, for
48 the implementation of this act.
49

50 (2) For the implementation of this act, appropriations made in the
51 annual general appropriation act for the fiscal year beginning July 1,
52 2001, shall be adjusted as follows:
53

54 (a) The appropriation to the department of revenue, special
55 purpose, data processing services, from cash funds exempt received from
56 the department of state, is decreased by one hundred thirty-five thousand

1 nine hundred ninety-seven dollars (\$135,997), and the amount of such
2 appropriation from the distributive data processing account is increased
3 by the same amount.

4
5 (b) The appropriation to the department of state, information
6 technology services, computer systems, Colorado voter registration
7 system, is decreased by one hundred thirty-five thousand nine hundred
8 ninety-seven dollars (\$135,997).";

9
10 renumber succeeding sections accordingly;

11
12 strike lines 17 through 27.

13
14 Page 10, strike lines 1 through 12.

15
16
17
18 **HB01-1312** be referred to the Committee of the Whole with favorable
19 recommendation.

20
21
22 **HB01-1329** be postponed indefinitely.

23
24
25 **HB01-1341** be referred to the Committee of the Whole with favorable
26 recommendation.

27
28
29
30 **MESSAGE FROM THE SENATE**

31
32 Mr. Speaker:

33
34 The Senate has passed on Third Reading and returns herewith
35 HB01-1007, 1078, 1249, 1012, 1232, 1346.

36
37 The Senate has passed on Third Reading and transmitted to the Revisor
38 of Statutes:

39
40 SB01-205, amended as printed in Senate Journal, March 19,
41 page 573;

42 HB01-1281, amended as printed in Senate Journal, March 19,
43 page 566;

44 HB01-1288, amended as printed in Senate Journal, March 19,
45 page 566;

46 HB01-1226, amended as printed in Senate Journal, March 19,
47 page 571;

48 HB01-1325, amended as printed in Senate Journal, March 19,
49 page 572;

50 HB01-1224, amended as printed in Senate Journal, March 19,
51 page 572.

52
53 The Senate voted to concur in House amendments to SB01-015, 090, 025,
54 043, 011, 038, 102, 003, 120 and repassed the bills as amended.

55
56

1 The Senate has voted not to concur in House Amendments to SB01-123
2 and requests that a Conference Committee be appointed. The President
3 appointed Senators Anderson, Chm., Tupa and Windels as members of
4 the First Conference Committee on the part of the Senate. The bill is
5 transmitted herewith.

6
7 The Senate has adopted and returns herewith: HJR01-1020.

8
9

10

11

MESSAGE FROM THE REVISOR

12

13 We herewith transmit without comment, as amended, SB01-205,
14 HB01-1281, 1288, 1226, 1325, and 1224.

15

16

17

18

APPOINTMENTS TO CONFERENCE COMMITTEE

19

20 Pursuant to a request from the Senate, the Speaker appointed
21 Representatives Young, Chairman, Williams T. and Miller as House
22 conferees to the First Conference Committee on **SB01-123**.

23

24

25

26

LAY OVER OF CALENDAR ITEMS

27

28 On motion of Representative Spradley, the following items on the
29 Calendar were laid over until March 21, retaining place on Calendar:

30

31 Consideration of Third Reading--**SB01-169, 165, 107, HB01-1364,**
32 **SB01-151, HCR01-1001.**

33 Consideration of General Orders--**SB01-027, 088, 178, 135, 066, 145,**
34 **158, 034, 040, 140, 114, 144, 116, 150, 108.**

35 Consideration of Resolutions--**HR01-1010, SJR01-012, HR01-1012.**

36 Consideration of Senate Amendments--**HB01-1011, 1030, 1124, 1064.**

37

38

39 On motion of Representative Spradley, the House adjourned until
40 9:00 a.m., March 21, 2001.

41

42

Approved:

43

44

45

46

DOUG DEAN,
Speaker

47

48 Attest:

49

50 JUDITH RODRIGUE,
51 Chief Clerk