

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

Ninety-third Legislative Day

Thursday, April 12, 2001

Prayer	By the chaplain, Father Dennis Woerter, St. Dominic Catholic Parish.	1
Call to Order	By the President at 9:00 a.m.	2
Roll Call	Present--Total, 35.	3
Quorum	The President announced a quorum present.	4
Reading of Journal	On motion of Senator Windels, reading of the Journal of Wednesday, April 11, 2001, was dispensed with and the Journal was approved as corrected by the Secretary.	5

SENATE SERVICES REPORT

Senate Services	Correctly rerevised: HB01-1349.	6
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COMMITTEE OF REFERENCE REPORTS

The committees recommend the following:

Agriculture and Natural Resources	The committee has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed.	7
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**MEMBERS OF THE
STATE AGRICULTURAL COMMISSION**

for terms expiring March 1, 2005:

Max L. Harper of Yuma, Colorado, to serve as a Democrat from the Second Agricultural District, reappointed;

Kelly Ann Spitzer of Wiley, Colorado, to serve as a Republican from the Third Agricultural District, reappointed;

Glen P. Murray of Henderson, Colorado, to serve as a Democrat from the First Agricultural District, reappointed;

Bradley Allen Rock of Wray, Colorado, to serve as a Republican from the Second Agricultural District, reappointed.

Agriculture and Natural Resources	The committee has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed.	8
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**MEMBERS OF THE
COLORADO WATER CONSERVATION BOARD**

for terms expiring February 12, 2004:

David Hilary Smith of Meeker, Colorado, to serve as a member from the Yampa-White drainage basin and as a Republican, reappointed;

Gregory K. Hoskin of Grand Junction, Colorado, to serve as a member from the main Colorado drainage basin and as a Democrat, appointed;

Carolyn L. McIntosh of Denver, Colorado, to serve as a member from the City and County of Denver familiar with its water problems and as a Democrat, appointed.

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Judiciary After consideration on the merits, the committee recommends that **HB01-1070** be referred favorably to the Committee on Appropriations. 1
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Judiciary After consideration on the merits, the committee recommends that **HB01-1221** be referred favorably to the Committee on Appropriations. 5
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Education After consideration on the merits, the committee recommends that **HB01-1355** be postponed indefinitely. 10
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Education After consideration on the merits, the committee recommends that **HB01-1260** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation. 15
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Amend reengrossed bill, page 2, line 8, strike "if necessary to effectively serve" and substitute "if necessary to effectively serve";

line 9, strike "the child prior to ~~trial~~ ADJUDICATION," and substitute "the child prior to trial";

strike lines 25 through 27 and substitute the following:

SECTION 2. 19-1-104 (1) (k), Colorado Revised Statutes, is amended to read:

19-1-104. Jurisdiction. (1) Except as otherwise provided by law, the juvenile court shall have exclusive original jurisdiction in proceedings:

(k) To make a determination concerning a petition filed pursuant to the "School Attendance Law of 1963", article 33 of title 22, C.R.S., AND TO ENFORCE ANY LAWFUL ORDER OF COURT MADE THEREUNDER;".

Page 3, strike lines 1 through 6;

line 7, strike "(1) and (1.5)," and substitute "(1), (1.5), and (7),";

after line 26, insert the following:

"(7) If the child does not comply with the court order issued against the child or against both the parent and the child, the court may order that an investigation be conducted as provided in section 19-2-510 (2), C.R.S., and the court may order the child to show cause why he or she should not be held in contempt of court. The court may include as a sanction after a finding of contempt an appropriate treatment plan that may include, but not be limited to, community service to be performed by the child, supervised activities, and other activities having goals that shall ensure that the child has an opportunity to obtain a quality education. ~~The court may not impose any sanction of incarceration to a jail, lockup, other place used for the confinement of adult offenders, or any juvenile detention facility operated by or under contract with the department of human services.~~".

Government, Veterans and Military Relations, and Transportation After consideration on the merits, the committee recommends that **SJM01-001** be referred to the Senate for final action.

Amend printed memorial, page 2, line 7, strike "the communities" and substitute "Colorado communities; and";

strike line 8.

Business, Labor, and Finance After consideration on the merits, the committee recommends that **HB01-1212** be referred favorably to the Committee of the Whole and placed on the Consent Calendar.

Business, Labor, and Finance After consideration on the merits, the committee recommends that **HB01-1223** be referred favorably to the Committee of the Whole and placed on the Consent Calendar.

Judiciary After consideration on the merits, the committee recommends that **HB01-1370** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 2, line 9, after the period, add "PREFERENCE SHALL BE GIVEN TO POTENTIAL SITES WITHIN SENATE DISTRICT 23."

Page 3, line 26, strike "IV" and substitute "4";

strike line 27 and substitute the following:

"CLASS 5 FELONIES, OR CLASS 6 FELONIES, PURSUANT TO RULES ADOPTED".

Page 4, after line 3, insert the following:

SECTION 4. Part 2 of article 2 of title 17, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

17-2-217. Release hearing officers - pilot program - report -repeal. (1) THE DEPARTMENT AND THE BOARD ARE HEREBY AUTHORIZED TO CONDUCT A RELEASE HEARING OFFICERS PILOT PROGRAM THAT UTILIZES THE OFFICERS DESCRIBED IN SECTION 17-2-201 (3) (c.5).

(2) (a) ON OR BEFORE NOVEMBER 1, 2002, THE DEPARTMENT, IN CONSULTATION WITH THE BOARD, SHALL REPORT ON THE RESULTS OF THE RELEASE HEARING OFFICERS PILOT PROGRAM TO THE JOINT BUDGET COMMITTEE AND THE JUDICIARY COMMITTEE OF THE SENATE AND THE CRIMINAL JUSTICE COMMITTEE OF THE HOUSE OF REPRESENTATIVES. SAID COMMITTEES SHALL REVIEW THE REPORT IN ORDER TO CONSIDER WHETHER TO FULLY FUND THE PROGRAM.

(b) THE REPORT DESCRIBED IN PARAGRAPH (a) OF THIS SUBSECTION (2) SHALL INCLUDE, AT A MINIMUM:

(I) INFORMATION REGARDING THE NUMBER OF HEARINGS CONDUCTED PURSUANT TO SECTION 17-2-201 (3) (c.5);

(II) THE RELEASE DATES OF INMATES WHO HAVE BEEN GRANTED HEARINGS PURSUANT TO SECTION 17-2-201 (3) (c.5); AND

(III) ANY POTENTIAL GENERAL FUND SAVINGS FROM THE USE OF THE RELEASE HEARING OFFICERS DESCRIBED IN SECTION 17-2-201 (3) (c.5)."

Renumber succeeding section accordingly.

Judiciary After consideration on the merits, the committee recommends that **HB01-1268** be referred favorably to the Committee of the Whole.

MESSAGE FROM THE HOUSE

April 11, 2001

Mr. President:

The House has postponed indefinitely SB01-148. The bill is returned herewith.

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The House has adopted and transmits herewith HJR01-1021, as printed in House Journal, March 21, pages 905-906.

The House has adopted and returns herewith SJR01-013.

INTRODUCTION OF BILLS--FIRST READING

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

SB01-217 by Senator Thiebaut; also Representative Smith--Concerning a supplemental appropriation of capital construction funds to the department of transportation for the aviation account of the transportation infrastructure revolving fund.
Business, Labor, and Finance

SB01-218 by Senator Thiebaut; also Representative Johnson--Concerning the requirement of a pretermination meeting prior to the termination of certain local government employees.
Business, Labor, and Finance

SB01-219 by Senator Hernandez; also Representative White--Concerning restrictions on bail bonding agents.
Judiciary

SB01-220 by Senators Entz and Dyer (Durango); also Representatives Snook and Miller--Concerning special license plates for members of the United States Marine Corps.
Government, Veterans and Military Relations, and Transportation

INTRODUCTION OF RESOLUTIONS

The following resolutions were read by title:

SJR01-025 by Senator Phillips; also Representative Plant--Concerning Colorado High School Hockey Day.

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

HJR01-1021 by Representative Sinclair; also Senator Linkhart--Concerning the encouragement of the United States Postal Service to issue a stamp commemorating purple heart award recipients.

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

COMMITTEE OF REFERENCE REPORTS

The committee recommends the following:

Appropriations After consideration on the merits, the committee recommends that **SB01-056** be postponed indefinitely.

Appropriations After consideration on the merits, the committee recommends that **SB01-122** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill page, page 4, strike line 27.

Page 5, strike lines 1 through 6

Page 15, after line 1, insert the following:

"SECTION 8. Appropriation - adjustment in 2001 long bill.

(1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the governor-lieutenant governor-state planning and budgeting, for allocation to the office of state planning and budgeting, for the fiscal year beginning July 1, 2001, the sum of one hundred seven thousand six hundred seventy-five dollars (\$107,675) and 1.8 FTE, or so much thereof as may be necessary, for the implementation of this act.

SB01-122

(2) The general fund appropriation to the department of higher education, Colorado commission on higher education financial aid, need based grants, governor's opportunity scholarships, is reduced by one hundred seven thousand six hundred seventy-five dollars (\$107,675).".

Renumber succeeding section accordingly.

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

Appropriations

After consideration on the merits, the committee recommends that **SB01-068** be postponed indefinitely.

Appropriations

After consideration on the merits, the committee recommends that **SB01-045** be postponed indefinitely.

Appropriations

After consideration on the merits, the committee recommends that **SB01-143** be postponed indefinitely.

Appropriations

After consideration on the merits, the committee recommends that **SB01-063** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation.

Amend the Health, Environment, Children and Families amendment, as printed in Senate Journal, February 19, page 347, lines 34 through 72, and page 348, lines 1 through 16, and substitute the following:

"Amend printed bill, page 3, line 6, strike "**funds.**" and substitute "**funds - repeal.**";

line 19, after "SCREENED", insert "ON OR AFTER FEBRUARY 1, 2002,".

Page 5, strike lines 4 and 5 and substitute the following:

"PREVENTION AND TREATMENT ACT OF 2000" ENACTED OCTOBER 24, 2000, P.L. 106-354, AS AMENDED;"

strike lines 12 and 13 and substitute the following:

"FROM THE FEDERAL GOVERNMENT AND ANY MONEYS FROM NONPROFIT HEALTH FOUNDATIONS ESTABLISHED PURSUANT TO A CONVERSION FROM A NONPROFIT ENTITY TO A FOR-PROFIT ENTITY, AND ANY INTEREST AND INCOME EARNED ON SUCH MONEYS, FOR THE PURPOSES SET FORTH IN THIS";

strike lines 17 through 27 and substitute the following:

"(7) NO COSTS ASSOCIATED WITH THE BREAST AND CERVICAL CANCER PREVENTION AND TREATMENT PROGRAM SHALL BE PAID FROM THE GENERAL FUND. THE BREAST AND CERVICAL CANCER PREVENTION AND TREATMENT PROGRAM SHALL NOT BE IMPLEMENTED UNTIL THE DEPARTMENT CERTIFIES THAT SUFFICIENT FUNDS ARE AVAILABLE FROM NONPROFIT HEALTH FOUNDATIONS. IF THE DEPARTMENT CERTIFIES THAT SUFFICIENT FUNDS ARE AVAILABLE, THE DEPARTMENT MAY SEEK A SUPPLEMENTAL APPROPRIATION FROM THE GENERAL ASSEMBLY FOR FISCAL YEAR 2001-02 AND APPROPRIATIONS FOR FISCAL YEARS THEREAFTER."

Page 6, strike lines 1 through 18;

line 19, strike "(9)" and substitute "(8)";

line 21, strike "MONEYS APPROPRIATED THERETO BY THE";

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SB01-063

line 22, strike "GENERAL ASSEMBLY" and substitute "GRANT MONEYS RECEIVED FROM NONPROFIT HEALTH FOUNDATIONS ESTABLISHED PURSUANT TO A CONVERSION FROM A NONPROFIT ENTITY TO A FOR-PROFIT ENTITY,";

strike lines 25 through 27 and substitute the following:

"ENACTED OCTOBER 24, 2000, P.L. 106-354, AS AMENDED. ALL MONEYS CREDITED TO THE FUND AND ALL INTEREST AND INCOME EARNED ON THE MONEYS IN THE FUND SHALL REMAIN IN THE FUND FOR THE PURPOSES SET FORTH IN THIS SECTION. NO MONEYS CREDITED TO THE FUND SHALL BE TRANSFERRED TO OR REVERT TO THE GENERAL FUND OF THE STATE AT THE END OF ANY FISCAL YEAR."

Page 7, strike lines 1 through 19 and substitute the following:

"(9) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2006."

Renumber succeeding section accordingly.

Page 1, line 102, strike "PROGRAM, AND MAKING AN" and substitute "PROGRAM.";

strike line 103."

Appropriations

After consideration on the merits, the committee recommends that **SB01-032** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 3, line 1, strike "COURT" and substitute "COLORADO";

line 7, after "SYSTEM", insert "PROGRAM";

strike lines 8 through 18 and substitute the following:

"(2) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT, IN ORDER TO ASSURE THAT CRIMINAL BACKGROUND CHECKS FOR CHILD CARE WORKERS ARE ACCURATE AND COMPLETE, IT IS CRITICAL THAT THE CRIMINAL JUSTICE AGENCIES PARTICIPATING IN THE INTEGRATED CRIMINAL JUSTICE INFORMATION SYSTEM PROGRAM ESTABLISHED BY ARTICLE 20.5 OF THIS TITLE AND POLITICAL SUBDIVISIONS CONTINUE TO WORK WITH EACH OTHER TO COMPLETE AND IMPLEMENT SUCH PROGRAM IN A TIMELY MANNER AND CONSIDER THE INTEGRATION OF MUNICIPAL RECORDS, INCLUDING THE COUNTY COURT RECORDS OF THE CITY AND COUNTY OF DENVER, INTO SUCH PROGRAM."

Page 4, line 11, strike "COURT" and substitute "COLORADO";

strike lines 21 and 22 substitute the following:

"(I) THE CRIMINAL JUSTICE INFORMATION PROGRAM TASK FORCE CREATED IN SECTION 16-20.5-103, C.R.S., SHALL ESTABLISH AND REQUIRE THE USE OF UNIFORM IDENTIFIERS IN THE INFORMATION";

line 25, strike "DEPARTMENT; AND" and substitute "DEPARTMENT, AND SUCH IDENTIFIERS MAY BE ANY IDENTIFIERS EXISTING ON OR AFTER THE EFFECTIVE DATE OF THIS ACT; AND".

Page 5, strike lines 7 through 11 and substitute the following:

"(d) THE BUREAU SHALL ELECTRONICALLY FORWARD THE INFORMATION REQUIRED BY THIS SUBSECTION (3) TO THE JUDICIAL DEPARTMENT THROUGH THE INTEGRATED CRIMINAL JUSTICE INFORMATION SYSTEM PROGRAM ESTABLISHED BY ARTICLE 20.5 OF TITLE 16, C.R.S., WITHIN TWENTY-FOUR HOURS AFTER:

(I) THE SUSPECT'S ARREST AND FINGERPRINTING IF THE INFORMATION IS FROM A JURISDICTION THAT USES AN

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SB01-032

ELECTRONICALLY-BASED FINGERPRINT TRANSMISSION SYSTEM; OR

(II) THE RECEIPT OF A PAPER COPY OF THE SUSPECT'S FINGERPRINTS BY THE BUREAU IF THE INFORMATION IS FROM A JURISDICTION THAT DOES NOT USE AN ELECTRONICALLY-BASED FINGERPRINT TRANSMISSION SYSTEM.";

strike lines 12 through 20.

Renumber succeeding sections accordingly.

Page 5, line 26, strike "COURT" and substitute "COLORADO".

Page 6, strike lines 1 through 11.

Renumber succeeding sections accordingly.

Page 9, strike lines 1 through 4 and substitute the following:

"(I.5) RULES PROMULGATED BY THE STATE BOARD PURSUANT TO SUBPARAGRAPH (I) OF THIS PARAGRAPH (a) SHALL PROVIDE THAT THE COSTS FOR PERFORMING CRIMINAL BACKGROUND CHECKS CONDUCTED BY THE STATE DEPARTMENT FOR ANY FACILITY LICENSED PURSUANT TO THIS PART 1 THAT PROVIDES LESS THAN TWENTY-FOUR-HOUR CARE SHALL BE REIMBURSED FROM FEDERAL MONEYS IN THE CHILD CARE DEVELOPMENT FUND AND SHALL ALSO PROVIDE THAT SAID CRIMINAL BACKGROUND CHECKS SHALL INCLUDE:";

strike lines 26 and 27.

Strike page 10.

Page 11, strike lines 1 and 2;

after line 2, insert the following:

"SECTION 10. Appropriation. In addition to any other appropriation, division of child care, child care assistance program, for the fiscal year beginning July 1, 2001, the sum of sixty-three thousand one hundred seventy-eight dollars (\$63,178) in federal funds and 1.7 FTE from child care development funds."

Renumber succeeding section accordingly.

Appropriations

After consideration on the merits, the committee recommends that **SB01-072** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation.

Amend the Public Policy and Planning Committee amendment, as printed in Senate Journal, February 9, page 249, line 33, strike "DEPUTIES." and substitute "DEPUTIES.";

strike lines 35 through 72 and substitute the following:

"strike lines 24 through 27 and substitute the following:

"24-50-803. Employee incentive program - report by state personnel director. NO LATER THAN JULY 1, 2002, THE STATE PERSONNEL DIRECTOR SHALL SUBMIT A REPORT TO THE JOINT BUDGET COMMITTEE WITH RECOMMENDATIONS FOR THE IMPLEMENTATION OF AN EMPLOYEE INCENTIVE PROGRAM IN ACCORDANCE WITH THE PROVISIONS OF THIS PART 8.

24-50-804. Task force - creation - recommendations. (1) NO LATER THAN AUGUST 15, 2001, THE STATE PERSONNEL DIRECTOR SHALL APPOINT A TASK FORCE TO DEVELOP RECOMMENDATIONS FOR AN EMPLOYEE INCENTIVE PROGRAM. THE TASK FORCE SHALL INCLUDE, BUT NEED NOT BE LIMITED TO, REPRESENTATIVES FROM THE STATE PERSONNEL BOARD, THE OFFICE OF STATE PLANNING AND BUDGETING, THE OFFICE OF

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SB01-072

THE STATE CONTROLLER, THE OFFICE OF THE STATE AUDITOR, AND THE FOUR LARGEST EMPLOYEE ORGANIZATIONS REPRESENTING EMPLOYEES IN THE STATE PERSONNEL SYSTEM.

(2) THE TASK FORCE SHOULD DEVELOP ITS RECOMMENDATIONS WITH INPUT FROM EMPLOYEES IN THE STATE PERSONNEL SYSTEM, MANAGERS, AND OTHER AFFECTED PARTIES AND SHOULD CONSIDER INCLUDING THE FOLLOWING ELEMENTS IN THE RECOMMENDATIONS FOR AN EMPLOYEE INCENTIVE PROGRAM:

(a) PROBLEM-SOLVING TEAMS;

(b) A METHOD FOR RECEIVING PROMPT AND EFFECTIVE FEEDBACK;

(c) CRITERIA FOR ELIGIBILITY FOR THE EMPLOYEE INCENTIVE PROGRAM;

(d) A FORMULA FOR CALCULATING AND DISTRIBUTING COST SAVINGS, WHICH INCLUDES:

(I) A METHOD FOR COST ACCOUNTING;

(II) DISTRIBUTION OF UP TO THREE-QUARTERS OF THE COST SAVINGS FOR THE FIRST FULL FISCAL YEAR IN WHICH SAID SAVINGS ARE REALIZED TO THE EMPLOYEES OF THE OFFICE OR DIVISION RESPONSIBLE FOR THE SAVINGS OR TO THE INDIVIDUAL EMPLOYEE RESPONSIBLE FOR THE SAVINGS;

(III) PROVISIONS FOR THE REMAINDER OF THE AMOUNT OF THE COST SAVINGS FOR THE FIRST FISCAL YEAR IN WHICH SAID SAVINGS ARE REALIZED TO BE RETAINED AND EXPENDED BY THE STATE AGENCY FOR IMPROVEMENTS IN THE WORKPLACE OF THE EMPLOYEES OF THE OFFICE OR DIVISION RESPONSIBLE FOR THE COST SAVINGS; AND

(IV) PROVISIONS CONCERNING THE USE OF LONG-TERM SAVINGS; AND

(e) EMPLOYEE PROTECTIONS, INCLUDING PROVISIONS SPECIFYING THAT:

(I) NO EMPLOYEE SHALL BE RETALIATED AGAINST OR DISCIPLINED FOR INITIATING OR PARTICIPATING IN AN EMPLOYEE INCENTIVE PROGRAM; AND

(II) ANY EMPLOYEE WHO PARTICIPATES IN AN EMPLOYEE INCENTIVE PROGRAM THAT RESULTS IN THE ABOLISHMENT OF THAT EMPLOYEE'S POSITION SHALL BE OFFERED A VACANT POSITION IN THE STATE PERSONNEL SYSTEM THAT IS AT THE SAME OR HIGHER GRADE AS THE JOB BEING ABOLISHED AND FOR WHICH THE EMPLOYEE MEETS THE EDUCATION AND EXPERIENCE REQUIREMENTS WHEN SUCH POSITION IS AVAILABLE.

(f) LIMITATIONS ON DISTRIBUTIONS OF COST SAVINGS MADE TO AN OFFICE, DIVISION, OR EMPLOYEE AS FOLLOWS:

(I) ANY BONUS PAYABLE TO AN EMPLOYEE PURSUANT TO THIS SECTION SHALL NOT BE SALARY, AS DEFINED IN SECTION 24-51-101 (42), TO THAT EMPLOYEE FOR PURPOSES OF CALCULATING ANY EMPLOYEE BENEFIT UNDER ARTICLE 51 OF THIS TITLE.

(II) ANY BONUS PAYABLE TO AN EMPLOYEE PURSUANT TO THIS PART 8 SHALL BE IN ADDITION TO AND SHALL NOT REDUCE:

(A) ANY INCREASE IN COMPENSATION TO WHICH THE EMPLOYEE IS ENTITLED PURSUANT TO SECTION 24-50-104 OR ANY OTHER PROVISION OF LAW; AND

(B) ANY INCENTIVE AWARD PAYABLE TO THE EMPLOYEE UNDER A PERFORMANCE PAY PLAN DEVELOPED BY THE STATE PERSONNEL DIRECTOR PURSUANT TO SECTION 24-50-104 (1) (c) (I).

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SB01-072

(III) THE TOTAL AMOUNT OF ANY BONUS AWARDED TO AN EMPLOYEE IN CONNECTION WITH A SUCCESSFUL EMPLOYEE INCENTIVE PROGRAM OR PROJECT SHALL NOT EXCEED AN AMOUNT EQUAL TO TWO TIMES THE AMOUNT OF THAT EMPLOYEE'S ANNUAL SALARY.

(3) THE TASK FORCE SHALL SUBMIT ITS RECOMMENDATIONS TO THE STATE PERSONNEL DIRECTOR NO LATER THAN MAY 1, 2002."

Strike pages 4 through 6.

Page 7, strike lines 1 through 18."

Page 250, strike lines 1 through 33.

Appropriations

After consideration on the merits, the committee recommends that **SB01-057** 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, February 7, page 201, line 67, after "DOLLARS" insert "AND FIFTY CENTS";

line 71, strike "DOLLAR" and substitute "FIFTY CENTS".

Page 203, after line 17, insert the following:

"SECTION 3. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the search and rescue fund created in section 33-1-112.5, Colorado Revised Statutes, not otherwise appropriated, to the department of local affairs, for the fiscal year beginning July 1, 2001, the sum of seventy-seven thousand six hundred forty-seven dollars (\$77,647) and 1.0 FTE, or so much thereof as may be necessary, for the implementation of this act."

Renumber succeeding sections accordingly.

Page 203, after line 24, insert the following:

"Page 1, line 102, strike "ACTIVITIES." and substitute "ACTIVITIES, AND MAKING AN APPROPRIATION THEREFOR."."

Appropriations

After consideration on the merits, the committee recommends that **SB01-050** be postponed indefinitely.

Appropriations

After consideration on the merits, the committee recommends that **SB01-096** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, line 5, strike "SUBJECT" and substitute "BEGINNING JULY 1, 2002, SUBJECT" and strike "APPROPRIATIONS," and substitute "MONEYS IN THE MENTAL HEALTH CARE PROGRAM FUND, CREATED IN SECTION 26-4-518 (3) (b),".

Page 3, after line 18, insert the following:

"SECTION 2. 26-4-518 (3) (b), Colorado Revised Statutes, as amended by House Bill 01-1171, enacted at the First Regular Session of the Sixty-third General Assembly, is amended to read:

26-4-518. Payments by third parties - copayments by recipients - review - appeal. (3) (b) The state department shall enter into one or more agreements with an independent contractor to pursue recoveries from third parties pursuant to paragraph (a) of this subsection (3). Any such agreement shall provide that the independent contractor's only compensation shall be a prudent and reasonable percentage of the amount

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SB01-096

recovered on behalf of the state department as determined by the state department. THE STATE'S SHARE OF MONEYS RECOVERED FROM THIRD PARTIES PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (3), MINUS THE STATE'S SHARE OF THE AMOUNT USED TO COMPENSATE THE INDEPENDENT CONTRACTOR UNDER THIS PARAGRAPH (b), SHALL BE DEPOSITED IN THE MENTAL HEALTH CARE PROGRAM FUND, WHICH FUND IS HEREBY CREATED. MONEYS CREDITED TO THE MENTAL HEALTH CARE PROGRAM FUND SHALL BE USED TO FUND THE MENTAL HEALTH CARE PROGRAM CREATED IN SECTION 26-2-119.5. ALL MONEYS APPROPRIATED OR CREDITED TO THE FUND AND ALL INCOME EARNED THEREON SHALL BE SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY. ANY MONEYS REMAINING IN THE FUND AT THE CLOSE OF ANY FISCAL YEAR SHALL REMAIN IN THE FUND AND SHALL NOT REVERT TO THE GENERAL FUND."

Renumber succeeding section accordingly.

Appropriations

After consideration on the merits, the committee recommends that **SB01-154** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 6, strike lines 6 through 8 and substitute the following:

"SECTION 3. Effective date - applicability. (1) This act shall take effect July 1, 2002, unless a referendum petition is filed during the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution. If such a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part shall take effect on the specified date only if approved by the people.

(2) The provisions of this act shall apply to employment practices engaged in on or after the applicable effective date of this act."

Appropriations

After consideration on the merits, the committee recommends that **SB01-029** be referred favorably to the Committee of the Whole.

Appropriations

After consideration on the merits, the committee recommends that **SB01-012** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation.

Amend the Health, Environment, Children and Families Committee amendment, as printed in Senate Journal, February 9, page 240, line 68, after "IDENTIFIED IN", insert "SECTION 26-1-111 (2) (d) (III), C.R.S., AND IN".

Page 241, line 57, strike "TWELVE" and substitute "TWENTY";

strike lines 64 through 66 and substitute the following:

"(II) THE TRAINING DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (q) MAY INCLUDE, BUT SHALL NOT BE LIMITED TO, IN-HOME TRAINING."

Page 242, line 41, strike "AND" and substitute "AND, ON AND AFTER JULY 1, 2002,";

after line 44, insert the following:

"SECTION 7. 26-1-111 (2) (d), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

26-1-111. Activities of the state department under the supervision of the executive director. (2) The state department, under

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SB01-012

the supervision of the executive director, shall:

(d) (III) (A) PERMIT ANY COUNTY, AT ITS OWN EXPENSE, TO REVIEW ITS CHILD WELFARE CASELOAD AND SEEK RETROACTIVE REIMBURSEMENT FOR CLAIMS PURSUANT TO FEDERAL LAW. ALL SUCH CLAIMS SHALL BE SUBMITTED TO THE STATE DEPARTMENT BY JUNE 30, 2002. SUCH CLAIMS SHALL BE LIMITED TO FOSTER CARE MAINTENANCE PAYMENTS, AS THAT TERM IS DEFINED IN 42 U.S.C. SEC. 675 (4), AS AMENDED. ANY SUCH CLAIMS MADE UNDER THIS SECTION SHALL BE SUBJECT TO THE RULES AUTHORIZED UNDER THIS PARAGRAPH (d).

(B) ANY FEDERAL MONEYS RECEIVED BY THE STATE AS A RESULT OF A CLAIM DESCRIBED IN SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (III) SHALL BE ALLOCATED TO THE COUNTY MAKING THE RETROACTIVE CLAIM AND TO THE STATE DEPARTMENT. THE AMOUNT ALLOCATED TO THE STATE DEPARTMENT SHALL BE DISTRIBUTED IN THE SAME MANNER AS THAT DESCRIBED IN SUB-SUBPARAGRAPH (C) OF SUBPARAGRAPH (II) OF THIS PARAGRAPH (d).

SECTION 8. No appropriation. The general assembly has determined that sections 3 and 4 this act can be implemented within existing appropriations, and therefore no separate appropriation of state moneys is necessary to carry out the purposes of this act."

Renumber succeeding section accordingly.

Appropriations

After consideration on the merits, the committee recommends that **SB01-164** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation.

Amend the printed bill, page 5, line 27, after the period, add "THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT SHALL ENTER INTO CONTRACTS WITH ELIGIBLE DENTAL PROFESSIONALS ON OR AFTER APRIL 1, 2002."

Page 10, line 1, after "**Appropriation.**", insert (1);

line 6, after "(200,000)", insert "and 0.4 FTE,";

line 7, after strike "sum," and substitute "sum and 0.4 FTE,";

after line 10, insert the following:

"(2) In addition to any other appropriation, there is hereby appropriated to the department of law, for the fiscal year beginning July 1, 2001, the sum of twelve thousand eight hundred thirty-six dollars (\$12,836) and 0.1 FTE, or so much as may be necessary, for the provision of legal services to the department of public health and environment for the implementation of this act. Said sum shall be from cash funds exempt received from the department of public health and environment out of the appropriation made in subsection (1) of this section.

"(3) In addition to any other appropriation, there is hereby appropriated, to the department of health care policy and financing, for the fiscal year beginning July 1, 2001, the sum of four hundred seventy thousand eight hundred eleven dollars (\$470,811), or so much thereof as may be necessary, for the implementation of this act. Of said sum, ninety-six thousand five hundred fifty-one dollars (\$96,551), or so much thereof as may be necessary, shall be from the general fund for the implementation of this act and said sum shall be subject to the "(M)" notation as defined in the general appropriation act, and ninety-six thousand eight hundred ninety-three dollars (\$96,893) shall be cash funds, out of the children's basic health plan trust. In addition to said sum, the general assembly anticipates that, for the fiscal year beginning July 1, 2001, the department of health care policy and financing will receive the sum of two hundred seventy-seven thousand three hundred sixty-six dollars (\$277,366) in federal funds for the implementation of this act. Although the federal funds are not appropriated in this act, they

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SB01-164

are noted for the purpose of indicating the assumptions used relative to these funds.

(4) It is the intent of the general assembly that the general fund appropriation in subsection (2) of this section for the implementation of this act shall be derived from savings generated from the implementation of the provisions of H.B. 01-1343, as enacted during the first regular session of the sixty-third general assembly.

SECTION 6. Effective date. (1) This act shall take effect upon passage.

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

(a) The final fiscal estimate for H.B. 01-1343, 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 5 of this act; and

(b) H.B. 01-1343 is enacted at the first regular session of the sixty-third general assembly and becomes law."

Renumber succeeding section accordingly.

Committee of the Whole

On motion of Senator Fitz-Gerald, the Senate resolved itself into Committee of the Whole for consideration of General Orders--Second Reading of Bills. Senator Fitz-Gerald was called to the Chair to act as Chairman.

GENERAL 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:

HB01-1131

by Representatives Spence, Alexander, Cadman, Clapp, Coleman, Dean, Decker, Fritz, Hefley, Johnson, Kester, King, Larson, Marshall, Mitchell, Nunez, Rippy, Tochtrop, Weddig, White, Williams S. and Williams T., Witwer; also Senator Anderson--Concerning changes to the terminology describing information on school performance, and, in connection therewith, changing the name of school report cards to school accountability reports, replacing letter grades with descriptive measurements, and applying the same descriptive measurements for school improvement to all schools.

Laid over until Friday, April 20, 2001, retaining its place on the calendar.

HB01-1189

by Representatives Daniel, Boyd, Crane, Hefley, Jahn, Veiga and Williams S.; also Senator Windels--Concerning forfeiture provisions in agreements affecting persons in facilities providing residential care.

Laid over until Friday, April 20, 2001, retaining its place on the calendar.

SB01-067

by Senator Dyer (Arapahoe), Dyer (Durango)--Concerning state-funded scholarships based upon merit for members of the Colorado national guard.

Laid over until Wednesday, April 18, 2001, retaining its place on the calendar.

SB01-041

by Senators Windels, Linkhart and Hanna; also Representative Williams S.--Concerning a prohibition against wage discrimination among persons employed in equivalent employment.

Amendment No. 1, Business, Labor and Finance Committee Amendment.
(Printed in Senate Journal, February 6, 2001, pages 191-193.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 3, 2001, pages 739-740.)

Amendment No. 3(L.005), by Senator Windels.

Amend the Appropriations Committee amendment, as printed in Senate Journal, April 3, page 740, line 26, strike "COMMISSIONER;" and substitute

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SB01-041	"COMMISSION;".	1
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	As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage.	4
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SCR01-002	by Senator Gordon; also Representative Hefley--Concerning the submission to the registered electors of the state of Colorado of an amendment to the constitution of the state of Colorado, exempting district attorneys from constitutional term limits.	6
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	Laid over until Friday, April 20, 2001, retaining its place on the calendar.	10
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SB01-081	by Senator Phillips; also Representative Kester--Concerning local financing of school capital construction projects.	12
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	Laid over until Monday, April 16, 2001, retaining its place on the calendar.	16
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SB01-204	by Senators Reeves, Tate and Owen; also Representatives Young, Berry and Saliman--Concerning state policies relating to the implementation of section 17 of article IX of the state constitution.	18
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	Laid over until Monday, April 16, 2001, retaining its place on the calendar.	22
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SB01-014	by Senators Evans, Epps and Linkhart; also Representatives Alexander, Johnson and Tochtrop--Concerning regulatory oversight of foster care.	24
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	Laid over until Monday, April 16, 2001, retaining its place on the calendar.	27
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SB01-075	by Senator Tate; also Representatives Larson and Mace--Concerning expansion of the crime of ethnic intimidation, and, in connection therewith, changing the name of the crime to a hate crime and making an appropriation therefor.	29
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	<u>Amendment No. 1, Judiciary Committee Amendment.</u>	33
	(Printed in Senate Journal, January 31, 2001, pages 134-135.)	34
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	<u>Amendment No. 2, Appropriations Committee Amendment.</u>	36
	(Printed in Senate Journal, April 9, 2001, pages 783-784.)	37
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	As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage.	39
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	(For further action, see Amendments to the Committee of the Whole Report.)	42
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SB01-098	by Senators Pascoe, Thiebaut and Matsunaka; also Representative King--Concerning school improvement.	44
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	<u>Amendment No. 1, Education Committee Amendment.</u>	47
	(Printed in Senate Journal, February 8, 2001, pages 209-215.)	48
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	<u>Amendment No. 2, Appropriations Committee Amendment.</u>	50
	(Printed in Senate Journal, April 9, 2001, pages 784-786.)	51
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	<u>Amendment No. 3(L.021), by Senator Pascoe.</u>	53
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	Amend the Education Committee amendment, as printed in Senate Journal, February 8, page 210, strike line 55 and substitute the following:	55
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	"product";	57
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	line 17, after "In the", insert "YEAR FOLLOWING THE".";	59
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	line 57, strike ""SATISFACTORY"." and substitute ""SATISFACTORY"";";	61
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	after line 57, insert the following:	63
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	"line 20, after "in the", insert "YEAR FOLLOWING THE".	65
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	Page 7, line 1, strike "letter" and substitute " letter ";";	67
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	line 59, strike "Page 7,";	69
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	line 63, strike "academic"." and substitute "academic";";	71
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SB01-098

after line 63, insert the following:

"line 27, strike "2001-02" and substitute "~~2001-02~~ 2002-03".

Page 8, line 21, strike ""STABLE"" and substitute ""NO SIGNIFICANT CHANGE"".";

after line 66, insert the following:

"line 15, strike "**accountability report**" and substitute "**report cards**";

line 18, strike "and" and substitute "and, BEGINNING WITH THE 2002-03 SCHOOL YEAR,";

after line 72, insert the following:

"line 21, strike "Letter" and substitute "~~Letter~~";".

Page 211, line 21, after "counselors", insert "AND LIBRARIANS";

line 22, after "counselor(s)", insert "AND [NUMBER] LIBRARIAN(S)";

after line 41, insert the following:

"Page 15, strike line 8 and substitute the following:

"22-7-604 (5) in the current year, AND, BEGINNING WITH THE 2001-2002 SCHOOL YEAR, the immediately preceding year, and, BEGINNING WITH THE 2002-03 SCHOOL YEAR, the";

line 14, strike "IMMEDIATELY" and substitute "BEGINNING WITH THE 2001-02 SCHOOL YEAR, IMMEDIATELY";

line 18, after "year," insert "AND, BEGINNING WITH THE 2002-03 SCHOOL YEAR,";

line 19, strike "and" and substitute "and, BEGINNING WITH THE 2003-04 SCHOOL YEAR,".

line 44, strike "directly" and substitute "directly";

after line 44, insert the following:

"line 6, strike ""STABLE"," and substitute ""NO SIGNIFICANT CHANGE",".";

strike line 46 and substitute the following:

"Page 18, line 5, strike "2001," and substitute "~~2001~~ 2002,";

line 6, strike "will" and substitute "will EITHER HAVE STANDARDIZED, WEIGHTED TOTAL SCORES FOR THE PREVIOUS SCHOOL YEAR THAT ARE BELOW THE HIGHEST SEVENTY-THREE PERCENT OF SCORES RECEIVED BY PUBLIC SCHOOLS AT THE SAME SCHOOL LEVEL IN THE STATE OR".

Page 214, after line 25, insert the following:

"Page 28, line 18, strike ""EXCELLENT"," and substitute ""SIGNIFICANT IMPROVEMENT",".";

line 27, strike "Page 28,".

Amendment No. 4(L.023), by Senator Pascoe.

Amend the Education Committee amendment, as printed in Senate Journal, February 8, page 212, line 29, strike "SECTION 22-7-604 (5)." and substitute "SECTION 22-7-604 (5).";

after line 29, insert the following:

"strike lines 26 and 27.

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SB01-098

Page 22, strike lines 1 and 2."

Amendment No. 5(L.038), by Senator Pascoe.

Amend printed bill, page 25, line 9, strike "June 1" and substitute "~~June~~
+ AUGUST 1".

As amended, laid over until Monday, April 16, 2001, retaining its place on the calendar.

SB01-091

by Senator Hernandez; also Representative Spence--Concerning the authorization for school districts to offer full-day kindergarten educational programs.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, February 1, page 149.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 9, 2001, page 786.)

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

SB01-089

by Senators Tupa, Fitz-Gerald, Hernandez and Windels; also Representatives Williams S., and Bacon--Concerning class sizes in kindergarten through twelfth grade public schools.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, February 1, 2001, pages 149-152.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 9, 2001, pages 786-787.)

Amendment No. 3(L.005), by Senator Tupa.

Amend the Education Committee amendment, as printed in Senate Journal, February 1, page 151, line 11, after "(a)", insert "ANNUALLY";

line 38, strike "PARAGRAPH (a) OF".

Amendment No. 4(L.016), by Senators Tupa and Teck.

Amend the Education Committee amendment, as printed in Senate Journal, February 1, page 151, after line 25, insert the following:

"(d) DETERMINE THE OPTIMUM CLASS SIZES WHICH PRODUCE THE HIGHEST STUDENT ACADEMIC PERFORMANCE LEVELS IN ELEMENTARY, MIDDLE, JUNIOR HIGH, AND SENIOR HIGH SCHOOLS;";

line 27, strike "(d)" and substitute "(e)";

line 31, strike "(e)" and substitute "(f)".

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

(For further action, see Amendments to the Committee of the Whole Report.)

SB01-163

by Senators Tupa and Windels; also Representative Bacon--Concerning the student teacher assistance program.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, February 19, 2001, pages 362-364.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 9, 2001, page 787.)

Amendment No. 3(L.004), by Senator Tupa.

Amend Education Committee amendment, as printed in the Senate Journal, February 19, page 364, after line 4, insert the following:

"(6) A STUDENT SHALL IMMEDIATELY REPAY THE STIPEND RECEIVED PURSUANT TO SUBSECTION (4) OF THIS SECTION IF THE STUDENT

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SB01-163

ACCEPTS A TEACHING POSITION OUTSIDE THE STATE OF COLORADO WITHIN THREE YEARS AFTER THE DATE OF THE STUDENT'S GRADUATION FROM AN APPROVED TEACHER PREPARATION PROGRAM.

(7) AS A CONDITION OF ACCEPTING THE STIPEND PURSUANT TO SUBSECTION (4) OF THIS SECTION, THE STUDENT SHALL PROVIDE, IN ACCORDANCE WITH DEPARTMENT GUIDELINES, EMPLOYMENT INFORMATION FOR THREE YEARS AFTER THE DATE OF THE STUDENT'S GRADUATION FROM AN APPROVED TEACHER PREPARATION PROGRAM."

Renumber succeeding subsections accordingly.

As amended, ordered engrossed 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 General Orders--Second Reading of Bills Calendar (**SB01-069, HB01-1371, HB01-1312, HB01-1153**) of Thursday, April 12, 2001, was laid over until Monday, April 16, 2001, retaining its place on the Calendar.

AMENDMENTS TO THE COMMITTEE OF THE WHOLE REPORT

SB01-089

by Senators Tupa, Fitz-Gerald, Hernandez and Windels; also Representatives Williams S., and Bacon--Concerning class sizes in kindergarten through twelfth grade public schools.

Senator Thiebaut moved to amend the Report of the Committee of the Whole to show that SB 01-089, as amended, was laid over to Monday, April 16, 2001.

More than a majority of those members elected to the Senate having voted in the affirmative, the amendment was declared **adopted**.

SB01-075

by Senator Tate; also Representatives Larson and Mace--Concerning expansion of the crime of ethnic intimidation, and, in connection therewith, changing the name of the crime to a hate crime and making an appropriation therefor.

Senator Hillman moved to amend the Report of the Committee of the Whole to show that the following Hillman floor amendment, to SB 01-075, did pass.

Amend printed bill, page 2, line 2, strike "18-9-121 (1), the" and substitute "The";

strike lines 4 and 5 and substitute the following:

"amended to read:";

strike lines 6 through 17;

line 18, before "(2)", insert the following:

"18-9-121. Hate crimes.";

line 19, after "of", insert "ANY ACTUAL OR PERCEIVED CHARACTERISTIC OF THAT PERSON INCLUDING, BUT NOT LIMITED TO,";

line 20, strike "or" and substitute "or";

strike line 21;

line 22, strike "IDENTITY,".

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

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SB01-075

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Fitz-Gerald, 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: **SB01-041** as amended, **SB01-075** as amended, **SB01-091** as amended, **SB01-163** as amended.
 Laid over until Monday, April 16, 2001: **SB01-081**, **SB01-204**, **SB01-014**, **SB01-098** as amended, **SB01-089** as amended, **SB01-069**, **HB01-1371**, **HB01-1312**, **HB01-1153**.
 Laid over until Wednesday, April 18, 2001: **SB01-067**.
 Laid over until Friday, April 20, 2001: **HB01-1131**, **HB01-1189**, **SCR01-002**.

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 Vetoes.

CONSIDERATION OF GOVERNOR'S VETOES

SB01-043

by Senators Dyer (Durango) and Fitz-Gerald; also Representatives Scott and Dean-- Concerning the continuation of the sunset date for the passenger tramway safety board in the division of registrations.

On motion of Senator Dyer (Durango) and with a majority of those elected to the Senate having voted in the affirmative, consideration of the Governor's veto on **SB01-043** was laid over until May 10, 2001.

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

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB01-066

by Senator Gordon; also Representative Clapp--Concerning increased protections for water quality in Cherry Creek reservoir, and, in connection therewith, adjusting the Cherry Creek basin water quality authority's duties and membership.

Senator Gordon moved that the Senate concur in House amendments to **SB01-066**, as printed in House Journal, March 23, 2001, page 919-920. The motion was **passed** by the following roll call vote:

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

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

SB01-066

YES	31	NO	4	EXCUSED	0	ABSENT	0
Anderson	Y	Evans	Y	May	N	Takis	Y
Andrews	N	Fitz-Gerald	Y	McElhany	Y	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	Y	Perlmutter	Y	Windels	Y
Entz.	Y	Lamborn	N	Phillips	Y	Mr. President	Y
Epps	Y	Linkhart	Y	Reeves	Y		

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

SB01-080

by Senator Tate; also Representative Lee--Concerning the prevention of bullying.

Senator Tate moved that the Senate concur in House amendments to **SB01-080**, as printed in House Journal, March 29, 2001, page 990. The motion was **passed** by the following roll call vote:

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

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

YES	23	NO	12	EXCUSED	0	ABSENT	0
Anderson	Y	Evans	Y	May	N	Takis	Y
Andrews	N	Fitz-Gerald	Y	McElhany	N	Tate	Y
Arnold	N	Gordon	Y	Musgrave	N	Taylor	N
Cairns	N	Hagedorn	Y	Nichol	Y	Teck	N
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	Y	Linkhart	Y	Reeves	Y		

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

COMMITTEE OF REFERENCE REPORTS

The committees recommend the following:

Health,
Environment,
Children
and Families

After consideration on the merits, the committee recommends that **SB01-206** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 4, strike lines 23 through 27.

Page 5, strike lines 1 through 12.

Renumber succeeding sections accordingly.

Page 7, strike lines 18 through 27.

Page 8, strike lines 1 through 25.

Renumber succeeding sections accordingly.

Page 12, strike lines 5 through 14 and substitute the following:

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SB01-206

"SECTION 11. 26-6-115 (3), Colorado Revised Statutes, is amended to read:

26-6-115. Criminal background checks - pilot program. (3) The department shall report its findings, conclusions, and recommendations concerning the most thorough, timely, and cost-efficient means of conducting criminal background checks to the members of the health, environment, welfare, and institutions committees of the senate and the house of representatives and to the members of the child care commission created pursuant to part 3 of this article no later than August 1, 2000 ON AUGUST 1 OF EACH YEAR UNTIL AUGUST 1, 2003.";

strike lines 22 through 27 and substitute the following:

"SECTION 13. 26-11-205.5 (4), Colorado Revised Statutes, is amended to read:

26-11-205.5. Older Coloradans program - distribution formula. (4) (a) On or before January 1 2001 OF EACH YEAR UNTIL JANUARY 1, 2003, each area agency on aging shall submit a report to the state office detailing the use of moneys from the program, including an itemization of how many more persons received each service because of such moneys.

(b) On or before February 1 2001 OF EACH YEAR UNTIL FEBRUARY 1, 2003, the state office shall compile the reports from the area agencies on aging and submit a report to the joint budget committee of the general assembly and the health, environment, welfare, and institutions committees of the senate and the house of representatives detailing the use of moneys from the program."

Page 13, strike lines 1 through 6.

Health, Environment, Children and Families The committee has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed.

MEMBERS OF THE AIR QUALITY CONTROL COMMISSION

for terms expiring January 31, 2004:

Robert Eugene Brady, Jr. of Lakewood, Colorado, to serve as a member with industrial experience and as a Republican, reappointed;

Stephanie A. Foote of Denver, Colorado, to serve a member with technical experience and as a Republican, reappointed;

Suzzane R. Griffin of Mead, Colorado, to serve as a member with private sector experience and as a Democrat, appointed.

Appropriations After consideration on the merits, the committee recommends that SB01-078 be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation.

Amend the committee amendment, as printed in Senate Journal, February 8, page 221, strike line 72 and substitute the following:

"SAMPLE OF PARTICIPANTS ARE CHOSEN AND SURVEYED IN A MANNER THAT WILL YIELD ACCURATE AND USEFUL RESULTS."

Page 222, strike line 1;

strike lines 19 through 23 and substitute the following:

""(c) THE DEPARTMENT SHALL REPORT THE RECOMMENDATIONS OF THE ADVISORY COMMITTEE TO THE GENERAL ASSEMBLY BY JANUARY 15,

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SB01-078

2002.

(d) THE DEPARTMENT SHALL ADMINISTER THE CUSTOMER SATISFACTION SURVEY BASED ON THE RECOMMENDATIONS OF THE ADVISORY COMMITTEE IN ALL LICENSED NURSING FACILITIES THAT ARE REQUIRED TO PARTICIPATE IN ACCORDANCE WITH PARAGRAPH (a) OF THIS SUBSECTION (1). THE DEPARTMENT SHALL COMMENCE IMPLEMENTATION OF THE SURVEY ON OR BEFORE JULY 1, 2002, ON A THREE YEAR CYCLE WITH ONE-THIRD OF THE PARTICIPATING LICENSED NURSING FACILITIES COMPLETING THE INITIAL SURVEY IN ONE OF THE THREE YEARS. EACH PARTICIPATING LICENSED NURSING FACILITY SHALL PERFORM A NEW CUSTOMER SATISFACTION SURVEY EVERY THREE YEARS THEREAFTER; EXCEPT THAT THE DEPARTMENT MAY REQUIRE A PARTICIPATING LICENSED NURSING FACILITY TO PERFORM A NEW CUSTOMER SATISFACTION SURVEY MORE OFTEN IF, IN THE OPINION OF THE DEPARTMENT, CONDITIONS WARRANT.

(e) THE DEPARTMENT IS AUTHORIZED TO SEEK FROM THE APPROPRIATE FEDERAL AUTHORITIES OR AGENCIES ANY WAIVERS NECESSARY TO ALLOW THE IMPLEMENTATION OF A CONSUMER SATISFACTION SURVEY.";"

strike lines 25 through 27 and substitute the following:

"strike line 27 and substitute the following:

"COMPLAINT AND, FOR SIXTY DAYS AFTER THE DATE THE DEPARTMENT RECEIVED THE COMPLAINT, THE DEPARTMENT SHALL UPDATE THE COMPLAINANT ON THE STATUS OF THE COMPLAINT INVESTIGATION AT LEAST EVERY FOURTEEN DAYS UNTIL THE COMPLAINT IS RESOLVED AND AN INVESTIGATION IS FINALIZED. IF THE COMPLAINT IS NOT RESOLVED WITHIN SIXTY DAYS AFTER THE DATE THE DEPARTMENT RECEIVED THE COMPLAINT, THE DEPARTMENT SHALL CONTINUE TO UPDATE THE COMPLAINANT ON THE STATUS OF THE COMPLAINT EVERY THIRTY DAYS UNTIL THE COMPLAINT IS RESOLVED AND AN INVESTIGATION REPORT IS FINALIZED."

Page 4, strike lines 1 through 3;

line 4, strike "OMBUDSMAN" and substitute "OMBUDSMAN,";

strike line 38 and substitute the following:

"strike lines 13 through 19 and substitute the following:

"SECTION 2. 26-4-410 (2) (c.5) (I), Colorado Revised Statutes, is amended, and the said 26-4-410 (2) is further amended BY THE ADDITION OF THE FOLLOWING NEW PARAGRAPHS, to read:

26-4-410. Providers - nursing facility - nursing facility patient program improvement fund - reimbursement - maximum allowable - non-monetary incentive program - quality of care incentive payment program - legislative declaration - repeal. (2) (c.5) (I) There is hereby established a quality of care incentive payment program for the purpose of encouraging improvement in the quality of care provided by nursing facility providers INCLUDING, BUT NOT LIMITED TO, IMPLEMENTATION OF THE CONSUMER SATISFACTION SURVEY IN ACCORDANCE WITH SECTION 26-4-410.3. The sum of all incentive payments made under the program shall be equal to the aggregate sum of payments made to all nursing facility providers under sub-subparagraph (B) of subparagraph (II) of paragraph (c) of this subsection (2). THE FIRST PAYMENT ANNUALLY FROM THE SOURCE OF FUNDS FOR THE PROGRAM SHALL BE MADE FOR THE STATE ADMINISTRATIVE OVERSIGHT OF THE CONSUMER SATISFACTION SURVEY CREATED IN SECTION 25-3-102.5, C.R.S., AND THE RESIDENT-CENTERED QUALITY IMPROVEMENT PROGRAM CREATED IN PARAGRAPH (C.7) OF THIS SUBSECTION (2). THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING, AFTER CONSULTING WITH THE DEPARTMENT OF HUMAN SERVICES AND THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, SHALL REFLECT IN ITS ANNUAL BUDGET SUBMISSION THE OFFSET FOR ADMINISTRATIVE COSTS FOR THE QUALITY OF CARE INCENTIVE PROGRAM.

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(c.6) THE DEPARTMENT".";

strike lines 49 through 60 and substitute the following:

""(IV) RULES ISSUED BY THE DEPARTMENT REGARDING THE INCENTIVE PAYMENT PROGRAM SHALL INCLUDE REQUIREMENTS FOR PARTICIPATION BY RESIDENTS OR FAMILY MEMBERS IN APPLICATIONS BY PROVIDERS."."

Page 223, strike line 8 and substitute the following:

"NUMBER OF INCIDENCES.";

strike line 19.

Reletter succeeding sub-subparagraphs accordingly.

Strike line 24.

Reletter succeeding sub-subparagraphs accordingly.

Page 7, strike lines 2 through 10 and substitute the following:

"SECTION 4. Part 4 of article 4 of title 26, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

26-4-420. Nursing facilities - development of a survey and certification reform working group. (1) (a) A TEN-MEMBER WORKING GROUP SHALL BE ESTABLISHED IN THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING. THE GOAL OF THE WORKING GROUP SHALL BE TO ASSIST THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING WITH DEVELOPING A DETAILED PROPOSAL TO REFORM THE CURRENT SURVEY AND CERTIFICATION PROCESS FOR NURSING FACILITIES TO ONE THAT INCREASES THE FOCUS ON CONTINUOUS PERFORMANCE IMPROVEMENT. THE MEMBERSHIP OF THE WORKING GROUP SHALL INCLUDE:

(I) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;

(II) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;

(III) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HUMAN SERVICES, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;

(IV) THE COLORADO STATE LONG-TERM CARE OMBUDSMAN;

(V) ONE LICENSED PHYSICIAN AND ONE HEALTH CARE PROFESSIONAL, EACH OF WHOM ARE FAMILIAR WITH THE NEEDS OF PATIENTS IN LONG-TERM CARE FACILITIES, WHO SHALL BE SELECTED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT;

(VI) TWO REPRESENTATIVES OF PROVIDERS OF LONG-TERM CARE SERVICES, WHO SHALL BE SELECTED BY THE DIRECTOR OF THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING;

(VII) TWO REPRESENTATIVES OF ELDERLY AND DISABLED LONG-TERM CARE CONSUMERS FAMILIAR WITH THE NEEDS OF PATIENTS IN LONG-TERM CARE FACILITIES. THESE TWO REPRESENTATIVES SHALL BE SELECTED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HUMAN SERVICES.

(b) THE WORKING GROUP MEMBERS SHALL BE APPOINTED ON OR BEFORE JULY 1, 2001.

(c) THE DETAILED PERFORMANCE IMPROVEMENT MODEL DEVELOPED BY THE WORKING GROUP SHALL CONSIDER, BUT NOT BE LIMITED TO, ENHANCED PROBLEM RESOLUTION AND ENFORCEMENT IN POORLY PERFORMING FACILITIES; ONGOING COLLABORATIVE

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SB01-078

INVOLVEMENT WITH RESIDENTS, FAMILY MEMBERS, HEALTH SURVEYORS, OMBUDSMEN, AND OTHERS TO IDENTIFY AND MONITOR PERFORMANCE IMPROVEMENT GOALS; AND OFFERING INCENTIVES FOR PROVIDERS TO DELIVER AN ENHANCED QUALITY OF CARE AND QUALITY OF LIFE FOR RESIDENTS.

(d) THE WORKING GROUP SHALL EXAMINE OTHER STATES' AND COLORADO'S EXPERIENCES, AS WELL AS THE INPUT OF OTHER INDIVIDUALS AND ORGANIZATIONS WITHIN COLORADO WITH EXPERTISE IN THIS AREA, TO EVALUATE REWARDS AND ENFORCEMENT ACTIONS AND DETERMINE THEIR EFFECTIVENESS FOR IMPROVING AND PROMOTING THE QUALITY OF LIFE AND QUALITY OF CARE FOR RESIDENTS IN NURSING HOMES.

(e) THE WORKING GROUP SHALL COMMENCE WORK ON THE EFFECTIVE DATE OF THIS SECTION AND SHALL PRESENT THE COMPLETED DETAILED PROPOSAL, ALONG WITH PROPOSED LEGISLATION FOR THE SECOND REGULAR SESSION OF THE SIXTY-THIRD GENERAL ASSEMBLY, TO THE SENATE HEALTH, ENVIRONMENT, CHILDREN AND FAMILIES COMMITTEE; THE HOUSE HEALTH, ENVIRONMENT, WELFARE, AND INSTITUTIONS COMMITTEE; THE JOINT BUDGET COMMITTEE; AND THE LEGISLATIVE AUDIT COMMITTEE NO LATER THAN DECEMBER 1, 2001.

(f) THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING AND THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT ARE AUTHORIZED TO SEEK FROM THE APPROPRIATE FEDERAL AUTHORITIES OR AGENCIES ANY WAIVERS NECESSARY TO ALLOW THE IMPLEMENTATION OF A REFORMED SURVEY AND CERTIFICATION AND CONTINUOUS IMPROVEMENT PROCESS; EXCEPT THAT SUCH IMPLEMENTATION SHALL NOT OCCUR UNTIL APPROVED BY THE GENERAL ASSEMBLY BY BILL.

SECTION 5. 26-4-505 (3) (b) (I), Colorado Revised Statutes, is amended to read:

26-4-505. Collection of penalties assessed against nursing facilities - creation of cash fund. (3) (b) (I) The moneys in the fund are subject to annual appropriation by the general assembly to the department of health care policy and financing for the purposes set forth in ~~section~~ SECTIONS 25-1-107.5 AND 26-4-420, C.R.S.

SECTION 6. Appropriation - adjustments to the 2001 long bill. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the nursing home penalty cash fund created in section 26-4-505 (3) (a), Colorado Revised Statutes, not otherwise appropriated, to the department of health care policy and financing, for the fiscal year beginning July 1, 2001, the sum of twenty-five thousand dollars (\$25,000), or so much thereof as may be necessary, for the implementation of this act.

(2) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of health care policy and financing, medical programs administration, for the fiscal year beginning July 1, 2001, the sum of seventy-three thousand four dollars (\$73,004) and 1.0 FTE, or so much thereof as may be necessary, for the implementation of this act. Said sum shall be subject to the "(M)" notation as defined in the annual general appropriation act. In addition to said appropriation, the general assembly anticipates that, for the fiscal year beginning July 1, 2001, the department of health care policy and financing will receive the sum of seventy-three thousand four dollars (\$73,004) in federal funds for the implementation of this act. Although the federal funds are not appropriated in this act, they are noted for the purpose of indicating the assumptions used relative to these funds. Said sums shall be allocated as follows:

(a) Forty-seven thousand four hundred thirty-five dollars (\$47,435) shall be for personal services;

(b) Ninety-four thousand six hundred twenty-seven dollars (\$94,627) shall be for contract services; and

(c) Three thousand nine hundred forty-six dollars (\$3,946) shall

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SB01-078

be for operating expenses.

(3) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of public health and environment, for allocation to the health facilities division, for the fiscal year beginning July 1, 2001, the sum of thirty-six thousand forty-three dollars (\$36,043) and 0.7 FTE, or so much thereof as may be necessary, for the implementation of this act.

(4) For the implementation of this act, appropriations made in the annual general appropriation act for the fiscal year beginning July 1, 2001, shall be adjusted as follows: The appropriation to the department of health care policy and financing, medical services premiums, is decreased by two hundred twelve thousand ninety-four dollars (\$212,094). Of said sum, one hundred nine thousand forty-seven dollars (\$109,047) shall be from the general fund, and one hundred nine thousand forty-seven dollars (\$109,047) shall be from federal funds.

SECTION 7. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety."

Page 1, line 105, strike "AND";

line 107, change the period to a comma and add "AND MAKING AN APPROPRIATION THEREFOR."."

MESSAGE FROM THE HOUSE

April 12, 2001

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB01-1100, amended as printed in House Journal, April 11, page 1170.
HB01-1172, amended as printed in House Journal, April 11, pages 1170-1172.
HB01-1193, amended as printed in House Journal, April 11, pages 1172-1173.

The House has passed on Third Reading and returns herewith SB01-203,202.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB01-212, amended as printed in House Journal, April 11, pages 1176-1192

The House has voted to concur in the Senate amendments to HB01-1238 and has repassed the bill as so amended.

In response to the request of the Senate, the Speaker has appointed Representatives Mitchell, chairman, Crane, and Romanoff as House conferees on the First Conference Committee on SB01-131.

April 12, 2001

Mr. President:

The House has adopted and transmits herewith HJR01-1028, as printed in House Journal, April 12, and amended as printed in House Journal, April 12.

April 12, 2001

Mr. President:

The House has voted not to concur in Senate amendments to HB01-1274, and requests that a conference committee be appointed. The Speaker has appointed Representatives Fairbank, chairman, Scott and Garcia, as House conferees on the First Conference Committee on HB01-1274.

The House has voted to concur in the Senate amendments to HB01-1088 and has repassed the bill as so amended.

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MESSAGE FORM THE REVISOR

We herewith transmit:

without comment, as amended, HB01-1100, 1172, and 1193 and SB01-212.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

HJR01-1028 by Representatives Clapp, Fritz, Alexander, Cadman, Crane, Dean, Decker, Fairbank, Hefley, Hoppe, Jahn, Kester, King, Mitchell, Nunez, Rhodes, Rippy, Schultheis, Sinclair Smith, Snook, Stafford, Swenson, Tochtrop, Webster and Witwer; also Senators Owen, Andrews and Hillman--Concerning commendation of the recently released crew of the U.S. Navy EP-3 surveillance plane.

Senator Owen moved to suspend Senate Rule 30(e) for immediate consideration of HJR01-1028.

A two-thirds majority of those elected to the Senate having voted in the affirmative, Senate Rule 30(e) was suspended and immediate consideration granted.

On motion of Senator Owen, the resolution was read at length and adopted by the following roll call vote:

Table with 4 columns: YES (35), NO (0), EXCUSED (0), ABSENT (0). Rows list names and their corresponding votes (Y).

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

FIRST REPORT OF FIRST CONFERENCE COMMITTEE ON HB01-1187

***** THIS REPORT ADOPTS THE REREVISED BILL *****

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

Your first conference committee appointed on HB01-1187, concerning procedural changes for the strengthening of criminal laws, has met and reports that it has agreed upon the following:

That the House accede to the Senate amendments made to the bill and that the rerevised bill be adopted without change.

Respectfully submitted,

House Committee: Senate Committee:

(signed) Representative Hefley, Chairman (signed) Senator Linkhart, Chairman
(signed) Representative Snook (signed) Senator Gordon

HB01-1187

(signed)
Representative Miller

(signed)
Senator Dyer(Arapahoe)

COMMITTEE OF REFERENCE REPORTS

The committee recommends the following:

Appropriations

After consideration on the merits, the committee recommends that **SB01-065** be postponed indefinitely.

SIGNING OF BILLS--RESOLUTIONS--MEMORIALS

The President has signed: **SB01-022, 027, 054, 104, 107, 135, 145, 150, 169.**

The President has signed: **HB01-1275, 1287, 1288, 1325, 1364.**

CHANGE IN SPONSORSHIP

Due to the resignation of Senator Dennis, the President announced the following change in sponsorship.

HB01-1133 -- Senator Thiebaut.

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 Thursday, April 12, 2001, was laid over until Monday, April 16, 2001, retaining its place on the calendar.

Consideration of Resolutions: **SJR01-010, SJR01-023, SJR01-024.**

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

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

Consideration of Governor's Appointments:

Colorado Tourism Office

Colorado School of Mines, Board of Trustees

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

Consideration of Conference Committees Report: **HB01-1250, HB01-1124.**

SENATE APPOINTMENTS

April 10, 2001

The Honorable Donetta Davidson
Secretary of State
1560 Broadway, Suite 200
Denver, CO 80202

Dear Secretary Davidson:

Article V, section 48 of the Colorado Constitution provides for the appointment of the eleven members of the Colorado Reapportionment Commission. April 15, 2001 is the deadline for the four legislative members to either accept service or designate someone to serve in their stead. This letter serves as official notification of my intent to serve as a commissioner on the Colorado Reapportionment Commission.

Sincerely,

(signed)
Senator Bill Thiebaut
Senate Majority Leader

April 9, 2001

Mr. Charles Brown
Executive Director
Legislative Council
State Capitol Building
Denver, CO 80203

Dear Mr. Brown

According to the powers delegated to the Senate Minority Leader by the Constitution of the State of Colorado, Article V, Section 48b, I am pleased to appoint the following to the Colorado Reapportionment Commission:

Senator Mark Hillman

Sincerely,

(signed)
John Andrews
Senate Minority Leader

On motion of Senator Thiebaut, the Senate adjourned until 10:00 a.m., Monday, April 16, 2001.

Approved:

Stan Matsunaka
President of the Senate

Attest:

Karen Goldman
Secretary of the Senate

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