

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

One hundred-twelfth Legislative Day Tuesday, May 1, 2001

Prayer By the chaplain, Reverend Arlyn Tolzmann, Holy Cross Lutheran Church, Wheat Ridge. 11

Call to Order By the President at 9:00 a.m. 13

Roll Call Present--Total, 32. 16
 Absent/Excused--Gordon, Linkhart, Windels--Total, 3. 17
 Present later--Gordon, Linkhart, Windels. 18

Quorum The President announced a quorum present. 20

Reading of Journal On motion of Senator Fitz-Gerald, reading of the Journal of Monday, April 30, 2001, was dispensed with and the Journal was approved as corrected by the Secretary. 22

SENATE SERVICES REPORT

Senate Services Correctly printed: SB01-238, 239, 240. 28

Correctly rerevised: HB01-1369, 1153, 1367, 1172, 1257. 30

Correctly revised: HB01-1070, 1081, 1100, 1193, 1125, 1223, 1313, 1102, 1282, 1271, 1227, 1106, 1345, 1017, 1334, 1204, 1337, 1264, 1326, HJR01-1043, HJR01-1044. 32

Correctly engrossed: SJR01-010. 35

Correctly enrolled: SB01-077. 37

INTRODUCTION OF BILLS--FIRST READING

The following bill was read by title and referred to the committee indicated: 42

SB01-241 by Senator Thiebaut; also Representative Grossman--Concerning the formulation of a statewide multi-modal transportation policy. 44
 Public Policy and Planning 46

MESSAGE FROM THE GOVERNOR

April 30, 2001 51

To the Honorable Senate 53
 Sixty-third General Assembly 54
 First Regular Session 55
 Denver, CO 80203 56

Ladies and Gentlemen: 59

I have the honor to inform you that I have approved and filed with the Secretary of State the following acts: 61

S.B. 01-116 – Concerning Regulation Of Veterinary Medicine, And, In Connections Therewith, Continuing The State Board Of Veterinary Medicine. 64

Approved April 30, 2001 at 10:10 a.m. 67

S.B. 01-158 – Concerning Spousal Maintenance. 69

Approved April 30, 2001 at 10:10 a.m. 71

Sincerely,

(signed)
Bill Owens
Governor

Rec'd:4/30/01
K. Goldman, Secretary

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 Memorial **SM01-001**.

Senate in Recess--Senate Reconvened.

CONSIDERATION OF MEMORIALS

SM01-001 by Senator Thiebaut--Memorializing former Senator John Beno

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

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

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

THIRD READING--FINAL PASSAGE OF BILLS

On Third Reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent.

HB01-1070 by Representative Hodge; also Senator Gordon--Concerning "Fair Campaign Practices Act" reports required to be filed with a county clerk and recorder, and, in connection therewith, requiring the secretary of state to post the reports on a web site and develop a system to allow electronic filing of the reports, requiring each county clerk and recorder with internet access to electronically transmit the reports to the secretary of state, and making an appropriation.

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

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

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

Co-sponsors added: Hernandez, Takis, Tate, Tupa.

HB01-1081 by Representatives King and Tapia; also Senators Reeves and Hagedorn--Concerning the state sales and use tax on tangible personal property used for research and development, and, in connection therewith, creating a refund of state sales and use tax paid in connection with the sale, purchase, storage, use, or consumption of tangible personal property used for research and development in years in which the state has excess revenues pursuant to section (20) (7) (a) of article X of the state constitution.

HB01-1081 The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	1	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	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	Y	Phillips	Y	Mr. President	Y
Epps	Y	Linkhart	Y	Reeves	Y		

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

Co-sponsors added: Fitz-Gerald, Matsunaka, Phillips, Taylor.

HB01-1100 by Representatives Swenson, Larson, Miller and Ragsdale; also Senators May, Dyer (Durango) and Fitz-Gerald --Concerning the administration of the distributive data processing system, and, in connection therewith, increasing fees, renaming the system, and making an appropriation.

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

Third Reading Amendment, by Senator Reeves.

Amend revised bill, page 4, line 10, strike "fund" and substitute "fund, WHICH SHALL BE KNOWN AS THE "COLORADO STATE TITLING AND REGISTRATION ACCOUNT",".

Page 7, line 19, strike "special purpose account" and substitute "Colorado state titling and registration account";

line 22, strike "twenty-four thousand one hundred" and substitute "sixty-two thousand eight hundred sixty-five";

line 23, strike "twenty-four dollars (\$4,424,124) and 4.9 FTE," and substitute "dollars (\$4,462,865) and 5.4 FTE,".

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

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

YES	34	NO	1	EXCUSED	0	ABSENT	0
Anderson	Y	Evans	Y	May	Y	Takis	Y
Andrews	Y	Fitz-Gerald	Y	McElhany	N	Tate	Y
Arnold	Y	Gordon	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hagedorn	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hanna	Y	Owen	Y	Thiebaut	Y
Dyer, E.	Y	Hernandez	Y	Pascoe	Y	Tupa	Y
Dyer, F.	Y	Hillman	Y	Perlmutter	Y	Windels	Y
Entz.	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Epps	Y	Linkhart	Y	Reeves	Y		

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

Co-sponsor added: Taylor.

HB01-1193 by Representatives Alexander and Coleman; also Senator Reeves--Concerning modifications to the "Colorado Children's Code" to be consistent with federal law, and making an appropriation in connection therewith.

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

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HB01-1193

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

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

HB01-1223

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

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

YES	33	NO	2	EXCUSED	0	ABSENT	0
Anderson	Y	Evans	Y	May	Y	Takis	Y
Andrews	Y	Fitz-Gerald	Y	McElhany	Y	Tate	N
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	N
Dyer, F.	Y	Hillman	Y	Perlmutter	Y	Windels	Y
Entz.	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Epps	Y	Linkhart	Y	Reeves	Y		

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

HB01-1313

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

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

YES	26	NO	9	EXCUSED	0	ABSENT	0
Anderson	Y	Evans	N	May	N	Takis	Y
Andrews	N	Fitz-Gerald	Y	McElhany	N	Tate	Y
Arnold	Y	Gordon	Y	Musgrave	N	Taylor	Y
Cairns	N	Hagedorn	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hanna	Y	Owen	Y	Thiebaut	Y
Dyer, E.	Y	Hernandez	Y	Pascoe	Y	Tupa	Y
Dyer, F.	Y	Hillman	N	Perlmutter	Y	Windels	Y
Entz.	Y	Lamborn	N	Phillips	Y	Mr. President	Y
Epps	N	Linkhart	Y	Reeves	Y		

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

Co-sponsors added: Pascoe, Windels.

HB01-1102

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

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

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

HB01-1102 A majority of members elected to the Senate having voted in the affirmative, the bill was declared **passed**.

Co-sponsor added: Hanna.

HB01-1282 by Representatives Tapia, Alexander, Chavez, Coleman, Grossman, Hefley, Jahn, Lawrence, Madden, Saliman, Sanchez, Sinclair, Veiga and Vigil; also Senator Owen-- Concerning the provision of dental hygiene services for children in the medicaid program, and making an appropriation in connection therewith.

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

YES	32	NO	3	EXCUSED	0	ABSENT	0
Anderson	Y	Evans	Y	May	N	Takis	Y
Andrews	Y	Fitz-Gerald	Y	McElhany	Y	Tate	Y
Arnold	Y	Gordon	Y	Musgrave	Y	Taylor	Y
Cairns	N	Hagedorn	Y	Nichol	Y	Teck	N
Chlouber	Y	Hanna	Y	Owen	Y	Thiebaut	Y
Dyer, E.	Y	Hernandez	Y	Pascoe	Y	Tupa	Y
Dyer, F.	Y	Hillman	Y	Perlmutter	Y	Windels	Y
Entz.	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Epps	Y	Linkhart	Y	Reeves	Y		

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

Co-sponsors added: Chlouber, Dyer (Durango), Evans, Fitz-Gerald, Gordon, Hagedorn, Hanna, Hernandez, Nichol, Phillips, Reeves, Tate, Taylor, Thiebaut, Tupa, Windels.

IMMEDIATE RECONSIDERATION OF HB01-1282

HB01-1282 by Representatives Tapia, Alexander, Chavez, Coleman, Grossman, Hefley, Jahn, Lawrence, Madden, Saliman, Sanchez, Sinclair, Veiga and Vigil; also Senator Owen-- Concerning the provision of dental hygiene services for children in the medicaid program, and making an appropriation in connection therewith.

Having voted on the prevailing side, Senator Thiebaut moved for immediate reconsideration of **HB01-1282**.

A majority of those elected to the Senate having voted in the affirmative, immediate reconsideration was granted.

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

YES	33	NO	2	EXCUSED	0	ABSENT	0
Anderson	Y	Evans	Y	May	N	Takis	Y
Andrews	Y	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	Y	Phillips	Y	Mr. President	Y
Epps	Y	Linkhart	Y	Reeves	Y		

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

Co-sponsors added: Tate, Teck.

THIRD READING--FINAL PASSAGE OF BILLS
(Continuation)

HB01-1125 by Representative Miller; also Senator Teck--Concerning measures that will prevent the misuse of certain forms of identification, and making an appropriation in connection therewith.

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

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

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

Co-sponsors added: Chlouber, Dyer (Arapahoe), Tupa.

HB01-1271

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

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

Third Reading Amendment, by Senator Tate.

Amend revised bill, page 6, line 6, after "OF", insert "THE FEDERAL MEDICAID INFRASTRUCTURE GRANT OR OTHER";

line 8, strike "DONATIONS" and substitute "DONATIONS, THE FEDERAL MEDICAID INFRASTRUCTURE GRANT, AND ANY PREMIUMS";

line 12, strike "THE PURPOSE OF CONDUCTING THE ACTUARIAL STUDY." and substitute "THE PURPOSE OF CONDUCTING IMPLEMENTATION ACTIVITIES AS DETERMINED BY THE STATE DEPARTMENT, INCLUDING CONDUCTING THE ACTUARIAL STUDY. PREMIUMS SHALL BE CREDITED TO THE FUND FOR THE PURPOSE OF OFFSETTING PROGRAM COSTS OR TO OTHERWISE ASSURE BUDGET NEUTRALITY.".

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

As amended, laid over until Wednesday, May 2, 2001, retaining its place on the calendar.

HB01-1227

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

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

Third Reading Amendment, by Senator Tate.

Amend revised bill, page 7, line 16, strike "THAT".

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

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

YES	32	NO	3	EXCUSED	0	ABSENT	0
Anderson	Y	Evans	Y	May	Y	Takis	Y
Andrews	Y	Fitz-Gerald	Y	McElhany	Y	Tate	Y
Arnold	Y	Gordon	N	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	N	Linkhart	N	Reeves	Y		

HB01-1227 A majority of members elected to the Senate having voted in the affirmative, the bill was declared **passed**.

Co-sponsors added: Hernandez, Musgrave, Nichol.

HB01-1106 by Representative Madden; also Senator Windels--Concerning the recycling of cathode ray tube products, and, in connection therewith, creating a cathode ray tube recycling pilot program, and making an appropriation.

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

YES	28	NO	7	EXCUSED	0	ABSENT	0
Anderson	Y	Evans	N	May	N	Takis	Y
Andrews	Y	Fitz-Gerald	Y	McElhany	Y	Tate	Y
Arnold	Y	Gordon	Y	Musgrave	N	Taylor	Y
Cairns	N	Hagedorn	Y	Nichol	Y	Teck	Y
Chlouber	N	Hanna	Y	Owen	Y	Thiebaut	Y
Dyer, E.	Y	Hernandez	Y	Pascoe	Y	Tupa	Y
Dyer, F.	N	Hillman	N	Perlmutter	Y	Windels	Y
Entz.	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Epps	Y	Linkhart	Y	Reeves	Y		

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

Co-sponsors added: Fitz-Gerald, Hanna, Hernandez, Pascoe, Reeves, Tate, Tupa.

HB01-1345 by Representatives Hoppe, Miller, Snook, Rippy and Webster; also Senator Dyer (Durango)--Concerning the creation of the mineral and energy reclamation trust fund for the purpose of repairing damage to land following the extraction of certain elements.

Laid over until Wednesday, May 2, 2001, retaining its place on the calendar.

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

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

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

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

HB01-1334 by Representative Romanoff; also Senator Tate--Concerning the exemption of property used for low-income household residential facilities that are occupied by low-income households from property tax.

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

YES	31	NO	4	EXCUSED	0	ABSENT	0
Anderson	Y	Evans	Y	May	N	Takis	Y
Andrews	Y	Fitz-Gerald	Y	McElhany	Y	Tate	Y
Arnold	Y	Gordon	Y	Musgrave	N	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 members elected to the Senate having voted in the affirmative, the bill was declared **passed**.

HB01-1204

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

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

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

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

Co-sponsor added: Cairns.

HB01-1337

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

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

Third Reading Amendment, by Senator Hanna.

Amend revised bill, page 8, line 16, strike "welfare" and substitute "overpopulation".

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

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

YES	24	NO	11	EXCUSED	0	ABSENT	0
Anderson	N	Evans	N	May	N	Takis	Y
Andrews	N	Fitz-Gerald	Y	McElhany	N	Tate	Y
Arnold	Y	Gordon	Y	Musgrave	N	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.	N	Hillman	N	Perlmutter	Y	Windels	Y
Entz.	Y	Lamborn	N	Phillips	Y	Mr. President	Y
Epps	N	Linkhart	Y	Reeves	Y		

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

Co-sponsors added: Linkhart. Taylor.

HB01-1264

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

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

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

HB01-1264 A majority of members elected to the Senate having voted in the affirmative, the bill was declared **passed**.

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

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

YES	34	NO	1	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	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	Y	Phillips	Y	Mr. President	Y
Epps	Y	Linkhart	Y	Reeves	Y		

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

MESSAGE FROM THE HOUSE

May 1, 2001

Mr. President:

The House has adopted and transmits herewith HJR01-1036, as printed in House Journal, April 19, pages 1295-1296.

May 1, 2001

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB01-1388.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB01-1392, amended as printed in House Journal, April 30, pages 1462-1463. HB01-1389, amended as printed in House Journal, April 30, page 1463.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB01-078, amended as printed in House Journal, April 30, pages 1463-1464, and amended on Third Reading as printed in House Journal, May 1.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB01-113, amended as printed in House Journal, April 30, pages 1462-1463.

COMMITTEE OF REFERENCE REPORTS

The committee recommends the following:

Judiciary After consideration on the merits, the committee recommends that **SCR01-005** be referred favorably to the Committee of the Whole.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

HJR01-1036 by Representative Stafford; also Senator Hernandez--Concerning recognition of the month of May as Mental Health Month.

Senator Hernandez moved to suspend Senate Rule 30(e) for immediate consideration of **HJR01-1036**.

A majority of those elected to the Senate having voted in the affirmative, immediate consideration was granted.

HJR01-1036 On motion of Senator Hernandez, the resolution was read at length and **adopted** by the following roll call vote:

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

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

On motion of Senator Thiebaut, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, **HB01-1229, HB01-1090, HB01-1184, HB01-1205, HB01-1344, HB01-1294, HB01-1269, HB01-1155, HB01-1263, HB01-1272, HB01-1298, HB01-1086, HB01-1130, HB01-1191, SB01-214, HB01-1097, HB01-1225** were made Special Orders at 10:29 a.m.

Committee of the Whole The hour of 10:29 a.m. having arrived, Senator Tate moved that the Senate resolve itself into Committee of the Whole for consideration of Special Orders--Second Reading of Bills. Senator Tate was called to the Chair to act as Chairman.

SPECIAL ORDERS--SECOND READING OF BILLS

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

HB01-1229 by Representative Veiga; also Senator Anderson--Concerning sex offender supervision.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, March 7, 2001, page 498.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 23, 2001, pages 933-934.)

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

Amend reengrossed bill, page 8, after line 17, insert the following:

"SECTION 8. 18-3-412.5, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

18-3-412.5. Sex offenders - duty to register - penalties.

(3.7) (a) EACH PERSON WHO IS REQUIRED TO REGISTER PURSUANT TO SUBPARAGRAPH (I.5) OF PARAGRAPH (a) OF SUBSECTION (3) OF THIS SECTION SHALL WITHIN FIVE BUSINESS DAYS AFTER BECOMING A TEMPORARY OR PERMANENT RESIDENT OF ANY CITY, TOWN, COUNTY, OR CITY AND COUNTY IN THE STATE OF COLORADO, AND QUARTERLY THEREAFTER SO LONG AS THE PERSON RESIDES IN THE CITY, TOWN, COUNTY, OR CITY AND COUNTY, REGISTER DURING BUSINESS HOURS WITH THE LOCAL LAW ENFORCEMENT AGENCY IN THE PLACE OF SUCH PERSON'S TEMPORARY OR PERMANENT RESIDENCE BY COMPLETING A REGISTRATION FORM PROVIDED TO SUCH PERSON BY THE LOCAL LAW ENFORCEMENT AGENCY. THE REGISTRATION FORM SHALL CONTAIN SUCH INFORMATION REGARDING THE PERSON AS SHALL BE REQUIRED BY THE LOCAL LAW ENFORCEMENT AGENCY PURSUANT TO SUBSECTION (5) OF THIS SECTION.

(b) (I) EACH PERSON WHO IS REQUIRED TO REGISTER PURSUANT TO SUBPARAGRAPH (I.5) OF PARAGRAPH (a) OF SUBSECTION (3) OF THIS SECTION WHO RESIDES WITHIN THE CORPORATE LIMITS OF ANY CITY, TOWN, OR CITY AND COUNTY SHALL REGISTER AT THE OFFICE OF THE CHIEF OF POLICE OF SUCH CITY, TOWN, OR CITY AND COUNTY.

(II) EACH PERSON WHO IS REQUIRED TO REGISTER PURSUANT TO SUBPARAGRAPH (I.5) OF PARAGRAPH (a) OF SUBSECTION (3) OF THIS

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HB01-1229

SECTION WHO RESIDES OUTSIDE OF THE CORPORATE LIMITS OF ANY CITY, TOWN, OR CITY AND COUNTY SHALL REGISTER AT THE OFFICE OF THE COUNTY SHERIFF OF THE COUNTY WHERE THE PERSON RESIDES.

(c) EACH PERSON WHO IS REQUIRED TO REGISTER PURSUANT TO SUBPARAGRAPH (I.5) OF PARAGRAPH (a) OF SUBSECTION (3) OF THIS SECTION SHALL BE REQUIRED TO REGISTER EACH TIME THE PERSON:

(I) CHANGES HIS OR HER TEMPORARY OR PERMANENT ADDRESS, REGARDLESS OF WHETHER THE PERSON HAS MOVED TO A NEW ADDRESS WITHIN THE JURISDICTION OF THE LAW ENFORCEMENT AGENCY WITH WHICH THE PERSON PREVIOUSLY REGISTERED;

(II) LEGALLY CHANGES HIS OR HER NAME."

Renumber succeeding sections accordingly.

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

HB01-1090

by Representative Spradley; also Senator Owen--Concerning an increase in the income tax credit for the donation of a perpetual conservation easement.

Amendment No. 1, Business, Labor and Finance Committee Amendment.
(Printed in Senate Journal, April 24, 2001, pages 972-973.)

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

HB01-1205

by Representatives Kester, Alexander, Fairbank, Hefley, Hoppe, Johnson, Lee, Rippy, Smith, Snook, Spence, Stengel, Webster, White and Young; also Senator Entz-- Concerning continuation of provisions requiring community corrections escapees to forfeit earned reductions in sentence time, and making an appropriation therefor.

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

HB01-1344

by Representative Rhodes; also Senator Arnold--Concerning the limitation for commencing criminal proceedings, and making an appropriation therefor.

Amendment No 1(L.001),by Senator Arnold.

Amend reengrossed bill, page 2, line 20, after "INFORMATION," insert "AND IN WHICH THE OFFENSE HAS BEEN REPORTED TO A LAW ENFORCEMENT AGENCY, AS DEFINED IN SECTION 26-1-114 (3) (a) (III) (B), C.R.S., WITHIN TEN YEARS AFTER THE COMMISSION OF THE OFFENSE,".

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

HB01-1294

by Representative King; also Senator May--Concerning the uninterrupted existence of statutes setting forth motor vehicle registration fees for application in years in which surplus state revenues under section 20 of article X of the state constitution are not sufficient to permit reduction of such fees as a refund mechanism, and making an appropriation in connection therewith.

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

HB01-1272

by Representative Williams T.; also Senator Takis--Concerning school funding to purchase textbooks, and making an appropriation in connection therewith.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, April 25, 2001, page 991.)

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

On motion of Senator Thiebaut, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the Special Orders calendar (**HB01-1184, HB01-1269, HB01-1155, HB01-1263, HB01-1272, HB01-1298, HB01-1086, HB01-1130, HB01-1191, SB01-214, HB01-1097, HB01-1225** of Tuesday, May 1, 2001, was laid over until the next Special Orders calendar.

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AMENDMENTS TO THE COMMITTEE OF THE WHOLE REPORT

HB01-1272

by Representative Williams T.; also Senator Takis--Concerning school funding to purchase textbooks, and making an appropriation in connection therewith.

Senator Tate moved to amend the Report of the Committee of the Whole to show that the Appropriation Committee amendment to **HB01-1272**, as amended, did pass.

Less than a majority of those elected to the Senate having voted in the affirmative, the amendment was declared **lost**.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

Passed on Second Reading: **HB01-1229** as amended, **HB01-1090** as amended, **HB01-1205**, **HB01-1344** as amended, **HB01-1294**, **HB01-1272** as amended.

INTRODUCTION OF BILLS--FIRST READING

SB01-242

by Senator Linkhart; also Representative Paschall--Concerning extension of the contract for enhanced emissions inspections for motor vehicles, and, in connection therewith, authorizing expansion of the clean screen program through a clean screen enterprise. Public Policy and Planning

Senate in Recess--Senate Reconvened.

SENATE SERVICES REPORT

Senate Services

To the Governor for signature on Tuesday, May 1, 2001, at 1:41 pm: SB 01-077.

MESSAGE FROM THE HOUSE

May 1, 2001

Mr. President:

The House has postponed indefinitely SB01-218. The bill is returned herewith.

The House has voted not to concur in the Senate amendments to HB01-1169 and requests that a conference committee be appointed. The Speaker has appointed Representatives Stafford, chairman, Clapp, and Mace as House conferees on the First Conference Committee on HB01-1169. The bill is transmitted herewith.

The House has voted not to concur in the Senate amendments to HB01-1260 and requests that a conference committee be appointed. The Speaker has appointed Representatives Spence, chairman, Hefley, and Bacon as House conferees on the First Conference Committee on HB01-1260. The bill is transmitted herewith.

The House has voted to concur in the Senate amendments to HB01-1153 and has repassed the bill as so amended.

MESSAGE FROM THE REVISOR

We herewith transmit:

without comment, HB01-1388; and without comment, as amended, HB01-1392 and 1389 and SB01-113 and 078.

COMMITTEE OF REFERENCE REPORTS

The committee recommends the following:

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Judiciary After consideration on the merits, the committee recommends that **SB01-236** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, strike lines 14 through 21.

Renumber succeeding section accordingly.

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

SPECIAL ORDERS--SECOND READING OF BILLS
(Continuation)

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

HB01-1086 by Representatives Alexander, Coleman, Hodge, Johnson, Snook and Webster; also Senator Dyer (Durango)--Concerning the creation of the agriculture value-added development fund program, and making an appropriation in connection therewith.

Amendment No. 1, Agriculture and Natural Resources Committee Amendment.
(Printed in Senate Journal, April 25, 2001, pages 987-990.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 30, 2001, page 1070.)

Amendment No. 3(L.010), by Senator Dyer.

Amend the Agriculture and Natural Resources Committee amendment, as printed in Senate Journal, April 25, page 988, line 28, strike "2001," and substitute "2000,";

line 33, strike "2002." and substitute "2001.";

line 38, strike "2002," and substitute "2001,".

Page 989, line 49, strike "2001," and substitute "2000,";

line 54, strike "2002." and substitute "2001.";

line 59, strike "2002," and substitute "2001,".

Amendment No 4(L.013), by Senator Hillman.

Amend reengrossed bill, page 14, line 13, strike "LIABILITY AND SHALL BE" and substitute "LIABILITY.";

strike line 14.

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

HB01-1298 by Representative Berry; also Senator Tate--Concerning creation of a statewide common course numbering system for the transfer of course credits among state-supported institutions of higher education.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, April 26, 2001, page 1016.)

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

Amend reengrossed bill, page 3, after line 15, insert the following:

"(c) "GENERAL EDUCATION COURSE" MEANS ANY COURSE THAT A STUDENT MUST SUCCESSFULLY COMPLETE AS A GRADUATION REQUIREMENT FOR THE STUDENT'S DEGREE, REGARDLESS OF THE STUDENT'S MAJOR COURSE OF STUDY."

HB01-1298

Reletter succeeding paragraph accordingly.

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

Amend reengrossed bill, page 4, line 5, after the period, insert "IN IDENTIFYING SAID GENERAL EDUCATION COURSES, THE COUNCIL SHALL REVIEW BOTH THE COURSE DESCRIPTIONS AND THE COURSE SYLLABI.";

line 14, after the period, add "THE COUNCIL'S ANNUAL REVIEW SHALL INCLUDE CONSIDERATION OF BOTH THE COURSE DESCRIPTIONS AND THE COURSE SYLLABI."

Page 5, line 1, strike "DESCRIPTIONS," and substitute "DESCRIPTIONS AND COURSE SYLLABI,".

Amendment No 4(L.012), by Senator Tupa.

Amend reengrossed bill, page 3, line 22, strike everything after the semicolon;

strike line 23;

line 24, strike "HIGHER EDUCATION INSTITUTIONS;" and substitute "A REPRESENTATIVE OF STUDENTS ENROLLED IN STATE-SUPPORTED STATE COLLEGES, A REPRESENTATIVE OF STUDENTS ENROLLED IN STATE-SUPPORTED COMMUNITY COLLEGES, AND A REPRESENTATIVE OF STUDENTS ENROLLED IN STATE-SUPPORTED UNIVERSITIES;".

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

HB01-1130

by Representative Grossman; also Senator Lamborn--Concerning DNA testing of felons sentenced to the department of corrections, and making an appropriation therefor.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, April 26, 2001, pages 1004-1005.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 30, 2001, pages 1068-1069.)

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

HB01-1191

by Representatives Lee, Johnson and Williams T.; also Senator Linkhart--Concerning matching grants to community mediation programs, and, in connection therewith, authorizing an adjunct committee of the office of dispute resolution advisory committee to provide grants to community mediation programs.

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

SB01-214

by Senator Dyer (Durango); also Representative Hoppe--Concerning the application of state air quality standards to the use of prescribed fire for management activities within the state, and making an appropriation therefor.

Amendment No. 1, Agriculture and Natural Resources Committee Amendment.
(Printed in Senate Journal, April 18, 2001, page 892.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 26, 2001, page 1006.)

Amendment No. 3(L.003), by Senator Dyer (Durango).

Amend the Agriculture and Natural Resources committee amendment, as printed in Senate Journal, April 18, page 892, line 43, strike ""OPERATIONS, INCLUDING," and substitute ""OPERATIONS AND DOES NOT INCLUDE";

line 44, strike "BUT NOT LIMITED TO,".

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SB01-214Amendment No. 4(L.002), by Senator Phillips.

Amend the Agriculture and Natural Resources Committee amendment, as printed in Senate Journal, April 18, page 892, strike lines 53 through 57 and substitute the following:

"strike line 16 and substitute the following:

"hearing on those elements of the land management plan TO REVIEW EACH PLANNING";

line 17, strike "DOCUMENTS" and substitute "DOCUMENT SUBMITTED", and after "emissions", insert "AND IMPACTS";";

line 61, strike "DOCUMENT." and substitute "DOCUMENT. THE COMMISSION SHALL HOLD A HEARING AND COMPLETE ITS REVIEW OF THE PLANNING DOCUMENTS SUBMITTED BY ANY SIGNIFICANT USER OF PRESCRIBED FIRE WITHIN FORTY-FIVE DAYS OF THEIR RECEIPT BY THE COMMISSION, UNLESS OTHERWISE AGREED TO BY THE SIGNIFICANT USER OF PRESCRIBED FIRE." .".

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

HB01-1263

by Representatives King, Crane, Lee; also Senator Teck--Concerning state institutions of higher education degree requirements.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, April 26, 2001, page 1015.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 30, 2001, page 1078.)

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

Amend reengrossed bill, page 5, line 9, strike "COMMISSION." and substitute "COMMISSION AND SHALL IDENTIFY THE SPECIFIC COURSES THAT MEET THE GENERAL EDUCATION COURSE GUIDELINES. IF A STATEWIDE MATRIX OF CORE COURSES IS ADOPTED BY THE COMMISSION, THE COURSES IDENTIFIED BY THE INDIVIDUAL INSTITUTIONS AS MEETING THE GENERAL EDUCATION COURSE GUIDELINES SHALL BE INCLUDED IN THE MATRIX.";

strike lines 10 through 12;

line 13, strike "CREDITS." and after "SHALL", insert "ADOPT SUCH POLICIES TO".

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

HB01-1269

by Representative Chavez; also Senator Epps--Concerning punishment of criminal gang activities, and making an appropriation in connection therewith.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 27, 2001, pages 1062-1063.)

Amendment No. 2(L.006), by Senator Epps.

Amend reengrossed bill, page 3, line 16 strike "ANY OTHER PROVISIONS OF TITLE 18," and substitute "ARTICLE 17 OF TITLE 18,".

Amendment No. 3(L.008), by Senator Gordon.

Amend reengrossed bill, page 3, line 4, strike "GANG; OR" and substitute "GANG, WITH THE INTENT THAT SUCH PERSON PROMOTES, FURTHERS, OR ASSISTS THE CRIMINAL STREET GANG IN CRIMINAL ACTIVITY; OR".

Amendment No. 4(L.009), by Senator Linkhart.

Amend reengrossed bill, page 3, line 11, strike "CLASS 6 FELONY." and substitute "CLASS 1 MISDEMEANOR.";

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HB01-1269

line 14, strike "CLASS 5 FELONY" and substitute "CLASS 6 FELONY".

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

HB01-1097

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

Laid over until Wednesday, May 2, 2001, on the General Orders Calendar.

HB01-1225

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

Laid over until Wednesday, May 2, 2001, on the General Orders Calendar.

HB01-1155

by Representatives Stengel, Fairbank, Lawrence, Lee, Mitchell, Stafford, White, Williams S., and Young; also Senator Hagedorn--Concerning the availability of information concerning sexual offenders, and making an appropriation in connection therewith.

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

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 30, 2001, page 1069.)

Amendment No. 3(L.006), by Senator Hagedorn.

Amend Judiciary Committee amendment, as printed in Senate Journal, April 26, page 1005, strike lines 51 through 53 and substitute the following:

"Amend reengrossed bill, page 3, strike lines 14 and 15 and substitute the following:

"AS AN ADULT OF TWO OR";

line 19, after "C.R.S.;" , insert "OR";";

line 55 of the Committee Report, strike "12" and substitute "20";

line 57 of the Committee Report, strike "lines 1 through 18;" and substitute "lines 1 through 4 and substitute the following:

"(IV) (A) ANY OFFENDER CONVICTED AS AN ADULT WHO FAILS TO REGISTER AS".";

strike lines 59 through 65 of the Committee Report.

Amendment No. 4(L.009), by Senator Gordon.

Amend the Hagedorn floor amendment, Senate Journal, May 1, line 45, after "CONVICTED", insert "OF A FELONY".

Amendment No. 5(L.008), by Senator Gordon.

Amend reengrossed bill, page 3, line 17, strike "AN OFFENSE" and substitute "A FELONY OFFENSE".

Amendment No. 6(L.007), by Senator Hagedorn.

Amend reengrossed bill, page 2, line 7, strike "PLACE OF EMPLOYMENT,".

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

HB01-1184

by Representative Veiga; also Senator Perlmutter--Concerning domestic violence, and making an appropriation therefor.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, April 24, 2001, page 980.)

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HB01-1184 Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 26, 2001, page 1011.)

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

AMENDMENTS TO THE COMMITTEE OF THE WHOLE REPORT

HB01-1263 by Representatives King, Crane, Lee; also Senator Teck--Concerning state institutions of higher education degree requirements.

Senator Windels moved to amend the Report of the Committee of the Whole to show that the following Windels floor amendment, (L.010) to **HB01-1263**, did pass.

Amend reengrossed bill, page 4, strike lines 25 through 27.

Page 5, strike lines 1 through 15.

Renumber succeeding subsections accordingly.

Amend the Education committee amendment, as printed in Senate Journal, April 26, page 1015, strike line 53;

line 55, before "strike", insert "Page 5,".

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

YES	16	NO	19	EXCUSED	0	ABSENT	0
Anderson	N	Evans	N	May	N	Takis	Y
Andrews	N	Fitz-Gerald	Y	McElhany	N	Tate	Y
Arnold	N	Gordon	Y	Musgrave	N	Taylor	N
Cairns	N	Hagedorn	Y	Nichol	N	Teck	N
Chlouber	N	Hanna	Y	Owen	N	Thiebaut	Y
Dyer, E.	N	Hernandez	Y	Pascoe	Y	Tupa	Y
Dyer, F.	N	Hillman	N	Perlmutter	Y	Windels	Y
Entz.	N	Lamborn	N	Phillips	Y	Mr. President	Y
Epps	N	Linkhart	Y	Reeves	Y		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

Passed on Second Reading: **HB01-1086** as amended, **HB01-1298** as amended, **HB01-1130** as amended, **HB01-1191**, **SB01-214** as amended, **HB01-1263** as amended, **HB01-1269** as amended, **HB01-1155** as amended, **HB01-1184** as amended.

Laid over until Wednesday, May 2, 2001, on the General Orders Calendar: **HB01-1097**, **HB01-1225**.

COMMITTEE OF REFERENCE REPORTS

The committees recommend the following:

Agriculture and Natural Resources After consideration on the merits, the committee recommends that **SB01-235** be referred favorably to the Committee on Appropriations.

Agriculture and Natural Resources After consideration on the merits, the committee recommends that **HJR01-1022** be referred favorably to the Committee on Appropriations:

Agriculture and Natural Resources After consideration on the merits, the committee recommends that **HB01-1383** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation and placed on the Consent Calendar.

HB01-1383

Amend reengrossed bill, page 2, line 10, after "THOUSAND", insert "FIVE HUNDRED".

Education

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

MEMBER OF THE
COLORADO STUDENT OBLIGATION BOND
AUTHORITY BOARD OF DIRECTORS

for a term expiring July 31, 2002:

Willie E. Shepherd of Denver, Colorado, to serve as a Democrat, appointed.

Education

After consideration on the merits, the committee recommends that **HB01-1262** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 9, line 4, strike "STAFF OF THE LEGISLATIVE COUNCIL" and substitute "LEGISLATIVE COUNCIL, IN CONSULTATION WITH THE OFFICE OF STATE PLANNING AND BUDGETING,";

line 8, strike "STAFF OF THE";

line 9, after "COUNCIL", insert "AND THE OFFICE OF STATE PLANNING AND BUDGETING";

line 10, strike "STAFF" and substitute "LEGISLATIVE COUNCIL";

line 21, strike "STAFF OF THE LEGISLATIVE COUNCIL" and substitute "LEGISLATIVE COUNCIL, IN CONSULTATION WITH THE OFFICE OF STATE PLANNING AND BUDGETING,".

Page 10, line 2, strike "STAFF OF THE";

line 3, strike "COUNCIL" and substitute "COUNCIL, IN CONSULTATION WITH THE OFFICE OF STATE PLANNING AND BUDGETING,";

line 7, strike "STAFF OF THE LEGISLATIVE COUNCIL" and substitute "LEGISLATIVE COUNCIL, IN CONSULTATION WITH THE OFFICE OF STATE PLANNING AND BUDGETING,";

line 15, strike "STAFF OF THE";

line 16, strike "COUNCIL" and substitute "COUNCIL, IN CONSULTATION WITH THE OFFICE OF STATE PLANNING AND BUDGETING,".

Page 11, strike lines 22 through 27.

Strike pages 12 through 15.

Page 16, strike lines 1 through 15.

INTRODUCTION OF BILLS--FIRST READING

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

HB01-1388

by Representative Spradley; also Senator Thiebaut--Concerning the reimbursement of individuals appointed to committees of reference for attendance at certain legislative meetings during periods when the general assembly does not meet for more than three days.

Government, Veterans and Military Relations, and Transportation

HB01-1389

by Representative Plant; also Senator Fitz-Gerald--Concerning creation of an interest-free loan program for charter schools to alleviate cash flow management problems.

Education

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HB01-1392 by Representatives Dean, Clapp and Decker; also Senator Taylor--Concerning pretrial release for defendants, and, in connection therewith, prohibiting release under the pretrial services program in certain circumstances, deleting provisions that allow district attorneys to consent to the release of defendants in certain circumstances, and adding new criteria to be used by courts in fixing of bail and conditions of bond.
Judiciary

APPOINTMENTS TO CONFERENCE COMMITTEE

The President appointed Senators Windels, Chairman, Gordon, and Dyer (Arapahoe) as Senate Conferees on the First Conference Committee on **HB01-1260**.

SIGNING OF BILLS--RESOLUTIONS--MEMORIALS

The President has signed: **SB01-005**.

On motion of Senator Thiebaut, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, **SB01-236** was made Special Orders at 5:40 p.m.

Committee of the Whole The hour of 5:40 p.m. having arrived, Senator Tate moved that the Senate resolve itself into Committee of the Whole for consideration of Special Orders--Second Reading of Bills. Senator Tate was called to the Chair to act as Chairman.

SPECIAL ORDERS--SECOND READING OF BILLS

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

SB01-236 by Senators Windels and Anderson; also Representative Hefley--Concerning the regulation of tobacco sales based on quantity.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, May 1, 2001, page 1097.)

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Tate, 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: **SB01-236** as amended.

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 Tuesday, May 1, 2001, was laid over until Wednesday, May 2, 2001, retaining its place on the calendar.

General Orders--Second Reading of Bills: **SB01-216, HB01-1131, SB01-081, SB01-067, HB01-1359, HB01-1189, SB01-225, SB01-210, SB01-229, SB01-231, HB01-1368, SB01-227, HB01-1354, HB01-1365, HB01-1195.**

Consideration of Resolutions: **SJR01-023, SJR01-024, SJR01-018, SJR01-029, SJR01-030, SR01-017, SJR01-031, SJR01-032, SR01-020, HJR01-1030, HJR01-1040, HJR01-1045, SR01-016, HJR01-1039.**

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

Consideration of House Amendments to Senate Bills: **SB01-205, SB01-006, SB01-084.**

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

Consideration of Governors Appointments

Colorado Tourism Office

State Housing Board

Board of Directors of the Colorado Compensation Insurance Authority

Securities Board

Special Funds Board for Workers' Compensation Self Insurers

Wildlife Commission

Board of Assessment Appeals

State Agricultural Commission 1
 Colorado Water Conservation Board 2
 Air Quality Control Commission 3
 Colorado Racing Commission 4
 Colorado Commission of Higher Education 5
 Read to Achieve Board 6
 Consideration of Conference Committee Reports: **HB01-1250, HB01-1124, HB01-1187, HB01-1034, HB01-1292, HB01-1030, SB01-123, SB01-034, SB01-131.** 7-8

TRIBUTES--A POINT OF INTEREST

- Honoring Shaun McDuffee by Senator Evans 13
- Honoring Trygve Jensen by Senator Dyer 15
- Honoring Gateway Credit Union by Senator Perlmutter 17
- Honoring Tony Moffeit by Senator Thiebaut 19
- Honoring George Dallam by Senator Thiebaut 21
- Honoring Mel Druelinger by Senator Thiebaut 23
- Honoring Pueblo Order of Eagles Aerie 145 by Senator Thiebaut 25
- Honoring McClelland School by Senator Thiebaut 27
- Honoring Pueblo School for the Arts & Sciences by Senator Thiebaut 29
- Honoring Sheriff Patrick J. Sullivan Jr. by Senator Dyer 31

On motion of Senator Thiebaut, the Senate adjourned until 9:00 a.m., Wednesday, May 2, 2001. 34-35

Approved: 37
 Stan Matsunaka 40
 President of the Senate 41

Attest: 42
 Karen Goldman 43
 Secretary of the Senate 44-47