

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

Seventy-ninth Legislative Day

Thursday, March 29, 2001

1 Prayer by Pastor Rick Long, Grace Church, Arvada.

2

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

4

5 The roll was called with the following result:

6

7 Present--63.

8

9 Excused--Representatives Paschall, Rippy--2.

9

10 Present after roll call--Representative Paschall.

11

12 The Speaker declared a quorum present.

13

14

15 On motion of Representative Jahn, the reading of the journal of
16 March 28, 2001, was declared dispensed with and approved as corrected
17 by the Chief Clerk.

18

19

20 **INTRODUCTION AND CONSIDERATION OF RESOLUTION**

21

22 The following resolution was read by title and given immediate
23 consideration:

24

25 **SJR01-020** by Senator(s) Dennis, Chlouber, Dyer (Durango); also
26 Representative(s) Saliman--Concerning Colorado
27 nonprofit day.

28

29 (Printed and placed in member's file.)

30

31 On motion of Representative Spradley, the rules were suspended and the
32 resolution given immediate consideration.

33

34 On motion of Representative Saliman, the resolution was **adopted** by
35 **viva voce** vote.

36

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

38

39

40

41 **CONSENT GRANTED TO CONFERENCE COMMITTEE**

42

43 Representative Dean moved that the First Conference Committee on
44 **SB01-129** be granted permission to go beyond the scope of the difference
45 between the House and the Senate. The motion was passed by the
following roll call vote:

	YES 64	NO 0	EXCUSED 1	ABSENT 0
1				
2				
3	Alexander	Y Groff	Y Miller	Y Spence Y
4	Bacon	Y Grossman	Y Mitchell	Y Spradley Y
5	Berry	Y Hefley	Y Nuñez	Y Stafford Y
6	Borodkin	Y Hodge	Y Paschall	Y Stengel Y
7	Boyd	Y Hoppe	Y Plant	Y Swenson Y
8	Cadman	Y Jahn	Y Ragsdale	Y Tapia Y
9	Chavez	Y Jameson	Y Rhodes	Y Tochtrop Y
10	Clapp	Y Johnson	Y Rippy	E Veiga Y
11	Cloer	Y Kester	Y Romanoff	Y Vigil Y
12	Coleman	Y King	Y Saliman	Y Webster Y
13	Crane	Y Larson	Y Sanchez	Y Weddig Y
14	Daniel	Y Lawrence	Y Schultheis	Y White Y
15	Decker	Y Lee	Y Scott	Y Williams S. Y
16	Fairbank	Y Mace	Y Sinclair	Y Williams T. Y
17	Fritz	Y Madden	Y Smith	Y Witwer Y
18	Garcia	Y Marshall	Y Snook	Y Young Y
19				Mr. Speaker Y

20

21

22

23

24 On motion of Representative Spradley, **SB01-027, 158, 040, 140, 150,**
 25 **131, 080, 118, 104, 178** were added to the Special Orders Calendar on
 26 Thursday, March 29, 2001.

27

28

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

32

33

34

SPECIAL ORDERS--SECOND READING OF BILLS

35

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

40

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

43

44 **HB01-1170** by Representative(s) Fritz, Cadman, Paschall; also
 45 Senator(s) May--Concerning the issuance of documents by
 46 the department of revenue.

47

48 Amendment No. 1, Information & Technology Report, dated February 7,
 49 2001, and placed in member's bill file; Report also printed in House
 50 Journal, February 8, page 342.

51

52 Amendment No. 2, Appropriations Report, dated March 20, 2001, and
 53 placed in member's bill file; Report also printed in House Journal,
 54 March 20, page 883.

55

1 Amendment No. 3, by Representative Fritz.

2

3 Amend printed bill, page 4, after line 6, insert the following:

4

5 "SECTION 4. 42-3-105 (1) (a), Colorado Revised Statutes, is
6 amended to read:

7

8 **42-3-105. Application for registration - tax - repeal.**

9 (1) (a) (I) Application for the registration of a vehicle required to be
10 registered under this article shall be made by the owner or the owner's
11 agent, and if applicable, simultaneously with the application for
12 certificate of title, as required by this section. The application for
13 registration ~~which~~ shall be in writing and signed by the owner of such
14 vehicle or the owner's duly authorized agent EXCEPT AS PROVIDED IN
15 SUBPARAGRAPH (II) OF THIS PARAGRAPH (a), AND shall include: The name
16 of the applicant; the name and correct address of the owner determined
17 pursuant to section 42-6-139, designating the county, school district, and
18 city or town within the limits of which the owner resides; a description
19 of the motor vehicle in such form as shall be required by the department;
20 the purpose for which the vehicle is used; the notice described in
21 subsection (2) of this section; whether the applicant requests that the
22 department should, if it approves the application, mail to the owner the
23 license plate required under this article; and such other pertinent
24 information as may be required by the department. In addition, on or
25 after July 1, 1999, any application for new registration of a vehicle shall
26 include the primary body color of the motor vehicle. On and after
27 September 1, 1999, any application submitted in person to a county clerk
28 and recorder, manager of revenue, or department office for registration
29 of a motor vehicle that has been previously registered shall include the
30 primary body color of the motor vehicle.

31

32 (II) THE DEPARTMENT MAY, IN ITS DISCRETION, ALLOW RENEWAL
33 OF A REGISTRATION ISSUED UNDER THIS ARTICLE BY ELECTRONIC MEANS
34 SUBJECT TO THE FOLLOWING REQUIREMENTS:

35

36 (A) THE DEPARTMENT SHALL MAINTAIN THE FULL AMOUNT OF
37 REVENUE OTHERWISE REQUIRED TO BE DISTRIBUTED TO THE HIGHWAY
38 USERS TAX FUND NOTWITHSTANDING ANY THIRD PARTY CHARGES THAT
39 MAY BE ASSESSED TO COMPLETE THE ELECTRONIC TRANSACTION;

40

41 (B) EVERY APPLICANT FOR RENEWAL OF A REGISTRATION BY
42 ELECTRONIC MEANS SHALL SUBMIT TO THE DEPARTMENT PAYMENT OF THE
43 REQUIRED REGISTRATION AND EMISSIONS INSPECTION FEES, ANY
44 APPLICABLE LICENSE PLATE FEES, AND SPECIFIC OWNERSHIP TAXES, AND
45 PAYMENT OF ANY PENALTY ASSESSMENT, FINE, COST, OR FORFEITURE AS
46 PRESCRIBED BY THIS ARTICLE;

47

48 (C) THE DEPARTMENT SHALL NOT ALLOW THE RENEWAL OF A
49 REGISTRATION BY ELECTRONIC MEANS UNTIL A STATEWIDE INTERNET
50 PORTAL OR OTHER ELECTRONIC SERVICE DELIVERY MECHANISM THROUGH
51 WHICH CITIZENS HAVE ELECTRONIC ACCESS TO STATE AGENCY
52 INFORMATION, PRODUCTS, AND SERVICES THROUGH THE WORLD-WIDE WEB
53 HAS BEEN CREATED PURSUANT TO SECTION 24-37.5-105 (3) (b), C.R.S.,
54 AND THE DEPARTMENT PROMULGATES RULES NECESSARY FOR THE
55 IMPLEMENTATION OF THIS SUBPARAGRAPH (II), INCLUDING RULES, IN
56 COMPLIANCE WITH STANDARDS ESTABLISHED PURSUANT TO ARTICLE 37.5

1 OF TITLE 24, C.R.S., TO MINIMIZE TO THE GREATEST EXTENT POSSIBLE
2 OPPORTUNITIES FOR IDENTITY THEFT AND THE RISKS OF A REGISTRATION
3 RENEWAL BEING OBTAINED FRAUDULENTLY OR ISSUED TO THE IMPROPER
4 PERSON OR MOTOR VEHICLE.".

5
6 Renumber succeeding section accordingly.

7
8 As amended, ordered engrossed and placed on the Calendar for Third
9 Reading and Final Passage.

10

11 **SB01-027** by Senator(s) Nichol; also Representative(s) Larson--
12 Concerning the requirement that an owner of a consumer
13 credit transaction secured by residential real property give
14 notice to each person liable on the loan that the owner
15 intends to foreclose on the deed of trust prior to the
16 commencement of foreclosure proceedings.

17

18 Amendment No. 1, by Representative Larson.

19

20 Amend reengrossed bill, strike everything below the enacting clause, and
21 substitute the following:

22

23 "SECTION 1. Part 1 of article 38 of title 38, Colorado Revised
24 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
25 read:

26

27 **38-38-102.5. Notice prior to residential foreclosure.** (1) FOR
28 THE PURPOSES OF THIS SECTION UNLESS THE CONTEXT OTHERWISE
29 REQUIRES:

30

31 (a) "CONSUMER LOAN" MEANS A CONSUMER LOAN AS DEFINED IN
32 SECTION 5-1-301 (15) (a) AND (15) (b), C.R.S., AND SHALL NOT EXCLUDE
33 A LOAN PRIMARILY SECURED BY AN INTEREST IN LAND AS DEFINED IN
34 SECTION 5-1-301 (26), C.R.S.;

35

36 (b) "DWELLING" SHALL HAVE THE SAME MEANING AS DEFINED IN
37 SECTION 5-1-301 (18), C.R.S.;

38

39 (c) "RESIDENCE" SHALL HAVE THE SAME MEANING AS DEFINED IN
40 SECTION 5-1-201 (6), C.R.S.

41

42 (2) WITH RESPECT TO ANY CONSUMER LOAN SECURED BY A DEED
43 OF TRUST OR MORTGAGE, RECORDED AFTER JANUARY 1, 2002, WHICH
44 ENCUMBERS A DWELLING, AFTER A DEFAULT CONSISTING SOLELY OF A
45 FAILURE TO MAKE ANY REQUIRED PAYMENT, THE OWNER OF THE EVIDENCE
46 OF INDEBTEDNESS SHALL, NOT MORE THAN FORTY-FIVE DAYS AFTER
47 INITIAL DEFAULT AND AT LEAST TWENTY DAYS PRIOR TO THE RECORDING
48 OF A NOTICE OF ELECTION AND DEMAND, OR THE INITIATION OF A SUIT FOR
49 FORECLOSURE, PROVIDE WRITTEN NOTICE OF SUCH DEFAULT AND THE
50 OPPORTUNITY TO CURE, TO ALL PERSONS LIABLE ON THE DEBT AT THE
51 ADDRESS OF THE RESIDENCE OF EACH SUCH PERSON. THE FAILURE TO
52 PROVIDE THE NOTICE AND OPPORTUNITY TO CURE SPECIFIED HEREIN SHALL
53 NOT AFFECT THE VALIDITY OF THE DEED OF TRUST OR MORTGAGE, THE
54 ABILITY OF THE OWNER OF THE INDEBTEDNESS TO FORECLOSE PURSUANT
55 TO THE DEED OF TRUST OR MORTGAGE, THE FORECLOSURE PROCEEDING OR
56 ANY PROCEEDING CONDUCTED IN CONNECTION THEREWITH.

1 (3) THE NOTICE TO BE GIVEN PURSUANT TO THIS SECTION SHALL
2 CONTAIN THE NAME, ADDRESS, AND TELEPHONE NUMBER OF THE OWNER
3 OF THE INDEBTEDNESS TO WHICH PAYMENT IS TO BE MADE, A BRIEF
4 IDENTIFICATION OF THE CREDIT TRANSACTION, THE RIGHT TO CURE THE
5 DEFAULT, AND THE AMOUNT OF PAYMENT AND DATE BY WHICH PAYMENT
6 MUST BE RECEIVED TO CURE THE DEFAULT.

7
8 **SECTION 2. Effective date.** This act shall take effect January
9 1, 2002 unless a referendum petition is filed during the ninety-day period
10 after final adjournment of the general assembly that is allowed for
11 submitting a referendum petition pursuant to article V, section 1 (3) of the
12 state constitution. If such a referendum petition is filed against this act
13 or an item, section, or part of this act within such period, then the act,
14 item, section, or part, if approved by the people, shall take effect on the
15 date of the official declaration of the vote thereon by proclamation of the
16 governor."

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

20
21
22 **SB01-158** by Senator(s) Pascoe, Gordon, Takis, Windels; also
23 Representative(s) Smith--Concerning spousal
24 maintenance.

25
26 Amendment No. 1, Civil Justice & Judiciary Report, dated March 13,
27 2001, and placed in member's bill file; Report also printed in House
28 Journal, March 14, page 776.

29
30 Amendment No. 2, by Representative Williams T.

31
32 Amend reengrossed bill, page 4, strike line 19 and substitute
33 "UNCONSCIONABLE."

34
35 Page 6, line 3, strike "AS A PRESUMPTION".

36
37 As amended, ordered revised and placed on the Calendar for Third
38 Reading and Final Passage.

39
40
41 **SB01-040** by Senator(s) Matsunaka; also Representative(s) Smith--
42 Concerning notice requirements for persons holding title
43 to property in a representative capacity.

44
45 Ordered revised and placed on the Calendar for Third Reading and Final
46 Passage. Passage.

47
48
49 **SB01-140** by Senator(s) Matsunaka; also Representative(s) Johnson--
50 Concerning small claims court.

51
52 Laid over until March 30, retaining place on Calendar.

53
54
55

1 **SB01-150** by Senator(s) Tate; also Representative(s) Mitchell--
 2 Concerning individual development accounts.
 3

4 Amendment No. 1, Information & Technology Report, dated March 14,
 5 2000, and placed in member's bill file; Report also printed in House
 6 Journal, March 16, page 822.
 7

8 As amended, ordered revised and placed on the Calendar for Third
 9 Reading and Final Passage.
 10

11 **SB01-131** by Senator(s) Hanna; also Representative(s) Mitchell--
 12 Concerning the regulation of pet animal facilities, and, in
 13 connection therewith, clarifying the definition of feline
 14 hobby breeder, reducing the time an animal may be held
 15 in an animal shelter, and allowing animal shelter
 16 supervisors to make determinations with respect to the
 17 immediate disposition of animals experiencing extreme
 18 pain or suffering.
 19

20 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
 21 March 15, 2001, and placed in member's bill file; Report also printed in
 22 House Journal, March 19, page 831.
 23

24 Amendment No. 2, by Representative Romanoff.
 25

26 Amend the State, Veterans, and Military Affairs Committee Report, dated
 27 March 15, 2001, page 1, strike lines 1 through 4 and substitute the
 28 following:
 29

30 "Amend reengrossed bill, page 2, line 9, strike "35-80-106.3," and
 31 substitute "35-80-106.3 (1),";
 32

33 line 15, strike "~~five~~ THREE" and substitute "five";
 34

35 line 17, strike "shelter." and substitute "shelter; EXCEPT A SHELTER
 36 SUPERVISOR MAY DETERMINE THAT A PET ANIMAL WITHOUT
 37 IDENTIFICATION, INCLUDING BUT NOT LIMITED TO A MICROCHIP OR
 38 COLLAR, MAY BE DISPOSED OF IN THREE DAYS IF SUCH SHELTER
 39 SUPERVISOR DETERMINES THE SHELTER HAS NO ADDITIONAL RESOURCES
 40 FOR SUCH PET ANIMAL OR DETERMINES THAT SUCH PET ANIMAL IS
 41 DANGEROUS."";
 42

43 after line 10 of the committee report, insert the following:
 44

45 "line 11, strike "THREE-DAY";
 46

47 line 19, strike "THREE-DAY"
 48

49 line 22, strike "THREE-DAY"";
 50

51 after line 11 of the committee report, insert the following:
 52

53 "strike line 9 and substitute "COMPLY WITH SECTION 35-80-106.3 (1);".".
 54

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

1 **SB01-080** by Senator(s) Tate; also Representative(s) Lee--
2 Concerning the prevention of bullying.

3
4 Amendment No. 1, Education Report, dated March 21, 2001, and placed
5 in member's bill file; Report also printed in House Journal, March 22,
6 page 908.

7
8 Amendment No. 2, by Representative King.

9
10 Amend reengrossed bill, page 3, strike lines 12 through 15 and substitute
11 the following:

12
13 "EDUCATION.";

14
15 line 16, strike "DISTRICT'S POLICY."

16
17 Amendment No. 3, by Representative Spradley.

18
19 Amend reengrossed bill, page 2, line 17, after "students,", insert
20 "STUDENT COUNCILS WHERE AVAILABLE,".

21
22 As amended, declared **lost** on Second Reading.

23 (For change in action, see Amendments to Report, page 990.)

24
25 **SB01-118** by Senator(s) Hernandez, Epps, Hagedorn; also
26 Representative(s) Mace--Concerning the regulation of
27 direct-entry midwives, and, in connection therewith,
28 continuing the regulation of direct-entry midwives by the
29 division of registrations in the department of regulatory
30 agencies.

31
32 Amendment No. 1, Health, Environment, Welfare, & Institutions Report,
33 dated March 21, 2001, and placed in member's bill file; Report also
34 printed in House Journal, March 22, page 909.

35
36 Amendment No. 2, by Representative Witwer.

37
38 Amend the Health, Environment, Welfare, & Institutions Committee
39 Report, dated March 21, 2001, page 2, line 6, strike "2003." and
40 substitute "2008."

41
42 As amended, ordered revised and placed on the Calendar for Third
43 Reading and Final Passage.

44
45
46 A motion by Representative Spradley that the Committee rise, report
47 progress and beg leave to sit again at 11:10 a.m., was adopted by
48 unanimous consent.

49 _____
50
51 House reconvened.

52
53 The Committee of the Whole reported it had risen, reported progress and
54 would sit again at 11:10 a.m.

55 _____
56

1 On motion of Representative Spradley, **HB01-1370** was added to the
2 Special Orders Calendar Thursday, March 29, 2001.

3

4

5

6

House in recess. House reconvened.

7

8

9

10 On motion of Representative Snook, the House resolved itself into
11 Committee of the Whole for continuation of consideration of Special
12 Orders, and he returned to the Chair to act as Chairman.

13

14

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

16 (Continued from page 983)

17

18

19 **SB01-104** by Senator(s) Fitz-Gerald; also Representative(s) Mitchell
20 --Concerning the determination of whether a convicted
21 person is mentally incompetent to be executed.

22

23 Amendment No. 1, by Representative Romanoff.

24

25 Amend reengrossed bill, page 7, line 5, strike "THE COURT" and substitute
26 "IN MAKING SUCH APPOINTMENT, THE COURT";

27

28 line 9, strike "PHYSICIAN OR";

29

30 line 15, strike "PSYCHOLOGISTS." and substitute "PSYCHOLOGISTS,
31 LICENSED PHYSICIANS, OR PSYCHIATRISTS."

32

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

35

36

37 **SB01-178** by Senator(s) Nichol; also Representative(s) Sinclair--
38 Concerning preparation for elections, and, in connection
39 therewith, permitting partial cancellation of nonpartisan
40 elections and changing certain deadlines.

41

42 Amendment No. 1, by Representative Dean.

43

44 Amend reengrossed bill, strike everything below the enacting clause and
45 substitute the following:

46

47 "SECTION 1. 1-4-905, Colorado Revised Statutes, is amended
48 to read:

49

50 **1-4-905. Circulators.** (1) No ~~eligible elector~~ INDIVIDUAL shall
51 be eligible to circulate any petition unless the ~~elector is eligible to vote in~~
52 ~~the political subdivision in~~ INDIVIDUAL IS AT LEAST EIGHTEEN YEARS OF
53 AGE, IS A UNITED STATES CITIZEN, RESIDES IN THE VOTING DISTRICT FOR
54 THE OFFICE FOR which the petition is being circulated and, for partisan
55 candidates, is A REGISTERED ELECTOR WHO IS affiliated with the political
56 party mentioned in the petition at the time the petition is circulated, as

1 shown by the registration books of the county clerk and recorder. ANY
2 PERSON WHO EMPLOYS ANOTHER PERSON TO CIRCULATE A PETITION ON
3 EITHER A PAID OR VOLUNTARY BASIS SHALL REQUIRE THE CIRCULATOR TO
4 VERIFY THE CIRCULATOR'S AGE AND RESIDENCY WITHIN THE VOTING
5 DISTRICT FOR THE OFFICE FOR WHICH THE PETITION IS BEING CIRCULATED
6 BEFORE CIRCULATING THE PETITION BY PROVIDING A COLORADO DRIVERS'
7 LICENSE OR COLORADO STATE IDENTIFICATION CARD ISSUED PURSUANT TO
8 ARTICLE 2 OF TITLE 42, C.R.S., OR OTHER DOCUMENTATION THAT A
9 REASONABLE PERSON WOULD BELIEVE ESTABLISHES THE CIRCULATOR'S
10 AGE AND RESIDENCY. THE PERSON EMPLOYING THE CIRCULATOR SHALL
11 KEEP A PHOTOCOPY OR OTHER RECORD OF THE DOCUMENTATION OBTAINED
12 FOR AT LEAST THREE YEARS.

13
14 (2) To each petition section shall be attached a signed, notarized,
15 and dated affidavit executed by the ~~eligible~~ elector who circulated the
16 petition section, which shall include: The affiant's printed name, the
17 address at which the affiant resides, including the street name and number,
18 the city or town, the county, and the date of signature; a statement that the
19 affiant was, ~~an eligible elector~~ at the time the section of the petition was
20 circulated and signed by the listed electors, AT LEAST EIGHTEEN YEARS OF
21 AGE, A UNITED STATES CITIZEN, AND A RESIDENT OF THE VOTING DISTRICT
22 FOR THE OFFICE FOR WHICH THE SECTION WAS CIRCULATED; a statement that
23 the affiant circulated the section of the petition; a statement that each
24 signature on the petition section is the signature of the person whose name
25 it purports to be; a statement that to the best of the affiant's knowledge and
26 belief each of the persons signing the petition section was, at the time of
27 signing, an eligible elector; and a statement that the affiant has not paid or
28 will not in the future pay and that the affiant believes that no other person
29 has paid or will pay, directly or indirectly, any money or other thing of
30 value to any signer for the purpose of inducing or causing the signer to sign
31 the petition.

32
33 (3) The designated election official shall not accept for filing any
34 section of a petition ~~which~~ THAT does not have attached to it the notarized
35 affidavit required by this section. IF A NOTARIZED AFFIDAVIT IS
36 DETERMINED TO CONTAIN FALSE INFORMATION, INCLUDING BUT NOT
37 LIMITED TO ANY FALSE RESIDENTIAL ADDRESS SUPPLIED BY THE
38 CIRCULATOR WHO SIGNED THE AFFIDAVIT, ANY SIGNATURE ON THE
39 PETITION SECTION TO WHICH THE AFFIDAVIT IS ATTACHED SHALL BE
40 INVALID. Any signature added to a section of a petition after the affidavit
41 has been executed is invalid.

42
43 **SECTION 2.** The introductory portion to 1-4-1302 (3) and
44 1-4-1302 (3) (b), Colorado Revised Statutes, are amended, and the said
45 1-4-1302 is further amended BY THE ADDITION OF A NEW
46 SUBSECTION, to read:

47
48 **1-4-1302. Petition to allow minor political party to nominate**
49 **candidates.** (3) Each registered elector signing a petition pursuant to
50 this section shall print the elector's name and address, including the street
51 and number, if any. There shall be attached to each petition an affidavit
52 of ~~a registered~~ AN elector who circulated the petition stating:

53
54 (b) That the elector is ~~a registered elector~~ EIGHTEEN YEARS OF AGE
55 OR OLDER, A UNITED STATES CITIZEN, AND A RESIDENT OF COLORADO.

56

1 (3.5) (a) ANY PERSON WHO EMPLOYS ANOTHER PERSON TO
2 CIRCULATE A PETITION ON EITHER A PAID OR VOLUNTARY BASIS SHALL
3 REQUIRE THE CIRCULATOR TO VERIFY THE CIRCULATOR'S COLORADO
4 RESIDENCY BEFORE CIRCULATING THE PETITION BY PROVIDING A
5 COLORADO DRIVERS' LICENSE OR COLORADO STATE IDENTIFICATION CARD
6 ISSUED PURSUANT TO ARTICLE 2 OF TITLE 42, C.R.S., OR OTHER
7 DOCUMENTATION THAT A REASONABLE PERSON WOULD BELIEVE
8 ESTABLISHES THE CIRCULATOR'S COLORADO RESIDENCY. THE PERSON
9 EMPLOYING THE CIRCULATOR SHALL KEEP A PHOTOCOPY OR OTHER
10 RECORD OF THE DOCUMENTATION OBTAINED FOR AT LEAST THREE YEARS.

11
12 (b) IF AN AFFIDAVIT OF A CIRCULATOR THAT IS ATTACHED TO A
13 PETITION PURSUANT TO SUBSECTION (3) OF THIS SECTION IS DETERMINED
14 TO CONTAIN FALSE INFORMATION, INCLUDING BUT NOT LIMITED TO ANY
15 FALSE RESIDENTIAL ADDRESS SUPPLIED BY THE CIRCULATOR WHO SIGNED
16 THE AFFIDAVIT, ANY SIGNATURE ON THE PETITION TO WHICH THE
17 AFFIDAVIT IS ATTACHED SHALL BE INVALID.

18
19 **SECTION 3.** 1-12-108 (6), Colorado Revised Statutes, is
20 amended to read:

21
22 **1-12-108. Petition requirements.** (6) (a) Only an ~~eligible elector~~
23 INDIVIDUAL WHO IS AT LEAST EIGHTEEN YEARS OF AGE, A UNITED STATES
24 CITIZEN, AND A RESIDENT OF THE VOTING DISTRICT FOR THE OFFICE
25 OCCUPIED BY THE INDIVIDUAL WITH RESPECT TO WHOM A RECALL PETITION
26 IS BEING CIRCULATED may circulate a recall petition. ANY PERSON WHO
27 EMPLOYS ANOTHER PERSON TO CIRCULATE A RECALL PETITION ON EITHER
28 A PAID OR VOLUNTARY BASIS SHALL REQUIRE THE CIRCULATOR TO VERIFY
29 THE CIRCULATOR'S RESIDENCY IN THE VOTING DISTRICT FOR THE OFFICE
30 OCCUPIED BY THE INDIVIDUAL WITH RESPECT TO WHOM A RECALL PETITION
31 IS BEING CIRCULATED BEFORE CIRCULATING THE PETITION BY PROVIDING
32 A COLORADO DRIVERS' LICENSE OR COLORADO STATE IDENTIFICATION
33 CARD ISSUED PURSUANT TO ARTICLE 2 OF TITLE 42, C.R.S., OR OTHER
34 DOCUMENTATION THAT A REASONABLE PERSON WOULD BELIEVE
35 ESTABLISHES THE CIRCULATOR'S RESIDENCY. THE PERSON EMPLOYING THE
36 CIRCULATOR SHALL KEEP A PHOTOCOPY OR OTHER RECORD OF THE
37 DOCUMENTATION OBTAINED FOR AT LEAST THREE YEARS.

38
39 (b) To each petition section shall be attached a signed, notarized,
40 and dated affidavit executed by the ~~eligible~~ elector who circulated the
41 petition section, which shall include: The affiant's printed name, the
42 address at which the affiant resides, including the street name and
43 number, the city or town, the county, and the date of signature; a
44 statement that the affiant was, an ~~eligible elector~~ at the time the section
45 of the petition was circulated and signed by the listed electors, AT LEAST
46 EIGHTEEN YEARS OF AGE, A UNITED STATES CITIZEN, AND A RESIDENT OF
47 THE VOTING DISTRICT FOR THE OFFICE OCCUPIED BY THE INDIVIDUAL WITH
48 RESPECT TO WHOM THE SECTION WAS CIRCULATED; a statement that the
49 affiant circulated the section of the petition; a statement that each
50 signature on the petition section is the signature of the person whose
51 name it purports to be; a statement that to the best of the affiant's
52 knowledge and belief each of the persons signing the petition section was,
53 at the time of signing, an eligible elector; and a statement that the affiant
54 has not paid or will not in the future pay and that the affiant believes that
55 no other person has paid or will pay, directly or indirectly, any money or
56 other thing of value to any signer for the purpose of inducing or causing

1 the signer to sign the petition.

2
3 (c) The designated election official shall not accept for filing any
4 section of a petition that does not have attached to it the notarized
5 affidavit required by this section. IF A NOTARIZED AFFIDAVIT IS
6 DETERMINED TO CONTAIN FALSE INFORMATION, INCLUDING BUT NOT
7 LIMITED TO ANY FALSE RESIDENTIAL ADDRESS SUPPLIED BY THE
8 CIRCULATOR WHO SIGNED THE AFFIDAVIT, ANY SIGNATURE ON THE
9 PETITION SECTION TO WHICH THE AFFIDAVIT IS ATTACHED SHALL BE
10 INVALID. Any signature added to a section of a petition after the affidavit
11 has been executed is invalid.

12
13 **SECTION 4.** 1-40-111 (2), Colorado Revised Statutes, is
14 amended to read:

15
16 **1-40-111. Signatures - affidavits.** (2) To each petition section
17 shall be attached a signed, notarized, and dated affidavit executed by the
18 ~~registered~~ elector who circulated the petition section, which shall include
19 his or her printed name, the address at which he or she resides, including
20 the street name and number, the city or town, the county, and the date he
21 or she signed the affidavit; that he or she has read and understands the
22 laws governing the circulation of petitions; that he or she was, a
23 ~~registered~~ elector at the time the section of the petition was circulated and
24 signed by the listed electors, AT LEAST EIGHTEEN YEARS OF AGE, A UNITED
25 STATES CITIZEN, AND A RESIDENT OF THE STATE OF COLORADO; that he or
26 she circulated the section of the petition; that each signature thereon was
27 affixed in the circulator's presence; that each signature thereon is the
28 signature of the person whose name it purports to be; that to the best of
29 the circulator's knowledge and belief each of the persons signing the
30 petition section was, at the time of signing, a registered elector; and that
31 he or she has not paid or will not in the future pay and that he or she
32 believes that no other person has paid or will pay, directly or indirectly,
33 any money or other thing of value to any signer for the purpose of
34 inducing or causing such signer to affix his or her signature to the
35 petition. The secretary of state shall not accept for filing any section of
36 a petition that does not have attached thereto the notarized affidavit
37 required by this section. IF A NOTARIZED AFFIDAVIT IS DETERMINED TO
38 CONTAIN FALSE INFORMATION, INCLUDING BUT NOT LIMITED TO ANY FALSE
39 RESIDENTIAL ADDRESS SUPPLIED BY THE CIRCULATOR WHO SIGNED THE
40 AFFIDAVIT, ANY SIGNATURE ON THE PETITION SECTION TO WHICH THE
41 AFFIDAVIT IS ATTACHED SHALL BE INVALID. Any signature added to a
42 section of a petition after the affidavit has been executed shall be invalid.

43
44 **SECTION 5.** 1-40-112, Colorado Revised Statutes, is amended
45 to read:

46
47 **1-40-112. Circulators - requirements.** (1) No section of a
48 petition for any initiative or referendum measure shall be circulated by
49 any person who is not a ~~registered elector~~ and at least eighteen years of
50 age, A UNITED STATES CITIZEN, AND A RESIDENT OF THE STATE OF
51 COLORADO at the time the section is circulated. ANY PERSON WHO
52 EMPLOYS ANOTHER PERSON TO CIRCULATE A PETITION ON EITHER A PAID
53 OR VOLUNTARY BASIS SHALL REQUIRE THE CIRCULATOR TO VERIFY THE
54 CIRCULATOR'S AGE AND COLORADO RESIDENCY BEFORE CIRCULATING THE
55 PETITION BY PROVIDING A COLORADO DRIVERS' LICENSE OR COLORADO
56 STATE IDENTIFICATION CARD ISSUED PURSUANT TO ARTICLE 2 OF TITLE 42,

1 C.R.S., OR OTHER DOCUMENTATION THAT A REASONABLE PERSON WOULD
2 BELIEVE ESTABLISHES THE CIRCULATOR'S COLORADO RESIDENCY. THE
3 PERSON EMPLOYING THE CIRCULATOR OR THE DESIGNATED
4 REPRESENTATIVES NAMED PURSUANT TO SECTION 1-40-104 SHALL KEEP A
5 PHOTOCOPY OR OTHER RECORD OF THE DOCUMENTATION OBTAINED FOR
6 AT LEAST THREE YEARS.
7

8 (2) (a) All circulators who are not to be paid for circulating
9 petitions concerning ballot issues shall display an identification badge
10 that includes the words "VOLUNTEER CIRCULATOR" in bold-faced
11 type ~~which~~ THAT is clearly legible. ~~and the circulator's name.~~
12

13 (b) All circulators who are to be paid for circulating petitions
14 concerning ballot issues shall display an identification badge that includes
15 the words "PAID CIRCULATOR" in bold-faced type ~~which~~ THAT is
16 clearly legible ~~the circulator's name~~, and the name and telephone number
17 of the individual employing the circulator.
18

19 **SECTION 6.** 1-40-116 (1), Colorado Revised Statutes, is
20 amended to read:
21

22 **1-40-116. Verification - ballot issues - random sampling.**

23 (1) For ballot issues, each section of a petition to which there is attached
24 an affidavit of the ~~registered~~ elector who circulated the petition that each
25 signature thereon is the signature of the person whose name it purports to
26 be and that to the best of the knowledge and belief of the affiant each of
27 the persons signing the petition was at the time of signing a registered
28 elector shall be prima facie evidence that the signatures are genuine and
29 true, that the petitions were circulated in accordance with the provisions
30 of this article, and that the form of the petition is in accordance with this
31 article.
32

33 **SECTION 7.** 1-40-121, Colorado Revised Statutes, is amended
34 to read:
35

36 **1-40-121. Receiving money to circulate petitions - filing.**

37 (1) The proponents of the petition shall file with the official who
38 receives filings under the "Fair Campaign Practices Act", article 45 of this
39 title, for the election ~~the name, address, and county of voter registration~~
40 ~~of~~ A STATEMENT SETTING FORTH THE TOTAL AMOUNT PAID TO all
41 circulators who were paid to circulate any section of the petition AND the
42 amount paid per signature. ~~and the total amount paid to each circulator.~~
43 The filing shall be made at the same time the petition is filed with the
44 secretary of state. Any payment made to circulators is an expenditure
45 under article 45 of this title.
46

47 (2) The proponents of the petition shall sign and file monthly
48 reports with the secretary of state, due ten days after the last day of each
49 month in which petitions are circulated on behalf of the proponents by
50 paid circulators. Monthly reports shall set forth the following:
51

52 (a) The names of the proponents;
53

54 (b) ~~The name and the residential and business addresses of each~~
55 ~~of the paid circulators;~~
56

1 (c) The name of the proposed ballot measure for which petitions
2 are being circulated by paid circulators; and
3

4 (d) The TOTAL amount of money paid and owed to each paid
5 ~~circulator~~ CIRCULATORS for petition circulation during the month in
6 question.
7

8 **SECTION 8.** 1-40-130 (1), Colorado Revised Statutes, is
9 amended BY THE ADDITION OF A NEW PARAGRAPH to read:
10

11 **1-40-130. Unlawful acts - penalty.** (1) It is unlawful:
12

13 (i) FOR ANY PERSON TO EMPLOY ANOTHER PERSON TO CIRCULATE
14 A PETITION ON EITHER A PAID OR VOLUNTEER BASIS WITHOUT KNOWING OR
15 REASONABLY BELIEVING THAT THE CIRCULATOR MEETS THE
16 REQUIREMENTS OF SECTION 1-4-905 (1), 1-4-1302 (3), 1-12-108 (6)(a), OR
17 1-40-112 (1), WHICHEVER IS APPLICABLE. ABSENT EVIDENCE OF ACTUAL
18 KNOWLEDGE TO THE CONTRARY, IT SHALL BE PRESUMED THAT A PERSON
19 WHO OBTAINS DOCUMENTATION ESTABLISHING PROOF OF COLORADO
20 RESIDENCY FROM A CIRCULATOR AS REQUIRED BY SECTION 1-4-905 (1),
21 1-4-1302 (3.5) (a), 1-12-108 (6) (a), OR 1-40-112 (1), WHICHEVER IS
22 APPLICABLE, BEFORE EMPLOYING THE CIRCULATOR REASONABLY BELIEVES
23 THAT THE CIRCULATOR MEETS SAID REQUIREMENTS.
24

25 **SECTION 9. Effective date - applicability.** (1) This act shall
26 take effect November 15, 2001, unless a referendum petition is filed
27 during the ninety-day period after final adjournment of the general
28 assembly that is allowed for submitting a referendum petition pursuant to
29 article V, section 1 (3) of the state constitution. If such a referendum
30 petition is filed against this act or an item, section, or part of this act
31 within such period, then the act, item, section, or part, if approved by the
32 people, shall take effect on the date of the official declaration of the vote
33 thereon by proclamation of the governor.
34

35 (2) The provisions of this act shall apply to the circulation of
36 petitions on or after the applicable effective date of this act."
37

38 Page 1, line 101, strike "ELECTIONS, AND, IN CONNECTION";
39

40 strike lines 102 and 103 and substitute the following:
41

42 "ELECTIONS."
43

44 As amended, ordered revised and placed on the Calendar for Third
45 Reading and Final Passage.
46

47 **HB01-1370** by Representative(s) Saliman, Berry, Hefley, Young; also
48 Senator(s) Tate, Reeves--Concerning parole of persons
49 sentenced to the department of corrections.
50

51 Ordered engrossed and placed on the Calendar for Third Reading and
52 Final Passage.
53
54
55

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

2

3 Representative Lee moved to amend the Report of the Committee of the
4 Whole to show that **SB01-080, as amended**, did pass.

5

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

7

8 YES 38 NO 24 EXCUSED 3 ABSENT 0

9

10 Alexander	N	Groff	Y	Miller	Y	Spence	N
11 Bacon	Y	Grossman	Y	Mitchell	E	Spradley	Y
12 Berry	N	Hefley	N	Nuñez	E	Stafford	Y
13 Borodkin	Y	Hodge	Y	Paschall	N	Stengel	N
14 Boyd	Y	Hoppe	N	Plant	Y	Swenson	N
15 Cadman	N	Jahn	Y	Ragsdale	Y	Tapia	Y
16 Chavez	Y	Jameson	Y	Rhodes	N	Tochtrop	Y
17 Clapp	N	Johnson	Y	Rippy	E	Veiga	Y
18 Cloer	Y	Kester	N	Romanoff	Y	Vigil	Y
19 Coleman	Y	King	N	Saliman	Y	Webster	N
20 Crane	N	Larson	Y	Sanchez	Y	Weddig	Y
21 Daniel	Y	Lawrence	N	Schultheis	N	White	N
22 Decker	N	Lee	Y	Scott	N	Williams S.	Y
23 Fairbank	Y	Mace	Y	Sinclair	N	Williams T.	Y
24 Fritz	Y	Madden	Y	Smith	Y	Witwer	N
25 Garcia	Y	Marshall	Y	Snook	N	Young	N
26						Mr. Speaker	Y

26

27

28

29

30

31

31 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

32

33 Passed Second Reading: **HB01-1170 amended, SB01-027 amended,**
34 **158 amended, 040, 150 amended, 131 amended, 080 amended,**
35 **118 amended, 104 amended, 178 amended, HB01-1370.**

36

37 Laid over until date indicated retaining place on Calendar: **SB01-140--**
38 **March 30, 2001.**

39

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

44

45 YES 62 NO 0 EXCUSED 3 ABSENT 0

46

47 Alexander	Y	Groff	Y	Miller	Y	Spence	Y
48 Bacon	Y	Grossman	Y	Mitchell	E	Spradley	Y
49 Berry	Y	Hefley	Y	Nuñez	E	Stafford	Y
50 Borodkin	Y	Hodge	Y	Paschall	Y	Stengel	Y
51 Boyd	Y	Hoppe	Y	Plant	Y	Swenson	Y
52 Cadman	Y	Jahn	Y	Ragsdale	Y	Tapia	Y
53 Chavez	Y	Jameson	Y	Rhodes	Y	Tochtrop	Y
54 Clapp	Y	Johnson	Y	Rippy	E	Veiga	Y
55 Cloer	Y	Kester	Y	Romanoff	Y	Vigil	Y
56 Coleman	Y	King	Y	Saliman	Y	Webster	Y

1	Crane	Y	Larson	Y	Sanchez	Y	Weddig	Y
2	Daniel	Y	Lawrence	Y	Schultheis	Y	White	Y
3	Decker	Y	Lee	Y	Scott	Y	Williams S.	Y
4	Fairbank	Y	Mace	Y	Sinclair	Y	Williams T.	Y
5	Fritz	Y	Madden	Y	Smith	Y	Witwer	Y
6	Garcia	Y	Marshall	Y	Snook	Y	Young	Y
7							Mr. Speaker	Y

10
11
12 **FIRST REPORT OF FIRST CONFERENCE COMMITTEE**
13 **on SB01-129**

14
15 This Report Amends the Rerevised Bill.

16
17 To the President of the Senate and the
18 Speaker of the House of Representatives:

19
20 Your first conference committee appointed on SB01-129,
21 concerning the financing of public schools, and making an appropriation
22 in connection therewith, has met and reports that it has agreed upon the
23 following:

24
25
26 1. That the Senate accede to the House amendments made to the
27 bill, as the amendments appear in the rerevised bill, with the following
28 changes:

29
30 Amend rerevised bill, page 2, strike lines 22 through 25 and substitute the
31 following:

32
33 **"SECTION 3.** 22-28-104 (2) (d) (I), Colorado Revised Statutes,
34 is amended, and the said 22-28-104 (2) (d) is further amended BY THE
35 ADDITION OF THE FOLLOWING NEW SUBPARAGRAPHS, to read:

36
37 **22-28-104. Establishment of public preschool programs.** (2) In
38 recognition of the fact that there are thousands of children in Colorado
39 not presently being served who would benefit from the state preschool
40 program, the number of children that may participate in the state
41 preschool program shall be increased:

42
43 (d) (I) To not more than 8,850 in the 1998-99 budget year, ~~and~~ to
44 not more than 9,050 in the 1999-2000 AND 2000-2001 budget year
45 YEARS, AND TO NOT MORE THAN 10,050 IN THE 2001-02 BUDGET YEAR and
46 budget years thereafter.

47
48 (III) FOR THE 2001-02 BUDGET YEAR,";
49
50 line 26, strike "THEREAFTER,";
51
52 line 27, strike "FIVE" and substitute "ONE THOUSAND".

53
54 Page 3, line 1, strike "HUNDRED";

55
1 line 6, strike "FIVE HUNDRED" and substitute "ONE THOUSAND";

1 line 9, strike "FIVE HUNDRED" and substitute "ONE THOUSAND";

2

3 after line 10, insert the following:

4

5 "(IV) THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES
6 THAT, FOR PURPOSES OF SECTION 17 OF ARTICLE IX OF THE STATE
7 CONSTITUTION, INCREASING THE NUMBER OF CHILDREN THAT MAY
8 PARTICIPATE IN THE STATE PRESCHOOL PROGRAM IS AN IMPORTANT
9 ELEMENT OF EXPANDING THE AVAILABILITY OF PRESCHOOL AND
10 KINDERGARTEN PROGRAMS AND MAY THEREFORE RECEIVE FUNDING FROM
11 THE STATE EDUCATION FUND CREATED IN SECTION 17 (4) OF ARTICLE IX OF
12 THE STATE CONSTITUTION."

13

14 Page 5, strike lines 13 through 23 and substitute the following:

15

16 "(II) FOR THE 1995-96 BUDGET YEAR AND BUDGET YEARS
17 THEREAFTER THROUGH THE 2000-01 BUDGET YEAR, THE GREATER OF:

18

19 (A) THE NUMBER OF DISTRICT PUPILS ELIGIBLE FOR FREE LUNCH;
20 OR

21

22 (B) THE NUMBER OF PUPILS CALCULATED IN ACCORDANCE WITH
23 THE FOLLOWING FORMULA:

24

25 DISTRICT PERCENTAGE OF PUPILS ELIGIBLE FOR FREE LUNCH
26 X DISTRICT PUPIL ENROLLMENT

27

28 (III) FOR THE 2001-02 BUDGET YEAR AND BUDGET YEARS
29 THEREAFTER, THE GREATER OF:

30

31 (A) THE NUMBER OF DISTRICT PUPILS ELIGIBLE FOR FREE LUNCH
32 PLUS THE NUMBER OF DISTRICT PUPILS WHOSE DOMINANT LANGUAGE IS
33 NOT ENGLISH; OR

34

35 (B) THE NUMBER OF PUPILS CALCULATED IN ACCORDANCE WITH
36 THE FOLLOWING FORMULA:

37

38 (DISTRICT PERCENTAGE OF PUPILS ELIGIBLE FOR FREE
39 LUNCH X DISTRICT PUPIL ENROLLMENT) + THE NUMBER OF
40 DISTRICT PUPILS WHOSE DOMINANT LANGUAGE IS NOT
41 ENGLISH".

42

43 Page 6, strike lines 15 through 20 and substitute the following:

44

45 "ENROLLMENT FOR THE PRECEDING BUDGET YEAR WHO WERE NOT
46 ELIGIBLE FOR FREE LUNCH PURSUANT TO THE PROVISIONS OF THE FEDERAL
47 "NATIONAL SCHOOL LUNCH ACT", 42 U.S.C. SEC. 1751 ET SEQ., AND
48 WHOSE DOMINANT LANGUAGE IS NOT ENGLISH, AS DEFINED IN SECTION
49 22-24-103 (4), AND:

50

51 (A) WHOSE SCORES WERE NOT INCLUDED IN CALCULATING SCHOOL
52 ACADEMIC PERFORMANCE GRADES AS PROVIDED IN SECTION 22-7-409 (1.2)
53 (d) (I) (C); OR

54

55 (B) WHO TOOK AN ASSESSMENT ADMINISTERED PURSUANT TO
56 SECTION 22-7-409 IN A LANGUAGE OTHER THAN ENGLISH."

1 Page 7, strike lines 15 through 17 and substitute the following:

2

3 "SECTION 5. The introductory portion to 22-54-104 (2) (a)
4 (III.5) and 22-54-104 (2) (a) (III.6), (4), and (5) (f) (II), Colorado Revised
5 Statutes, are amended, and the said 22-54-104 (2) (a) is further amended
6 BY THE ADDITION OF THE FOLLOWING NEW
7 SUBPARAGRAPHS, to read:

8

9 **22-54-104. District total program - repeal.**
10 (2) (a) (III.5) Except as otherwise provided in this subsection (2),
11 subsection (6) of this section, or section 22-54-104.3, a district's total
12 program for the 1999-2000 budget year and AND 2000-01 budget years
13 thereafter shall be the greater of the following:

14

15 (III.6) For the 2000-01 budget year, and budget years thereafter,
16 the dollar amount set forth in sub-subparagraph (B) of subparagraph
17 (III.5) of this paragraph (a) shall be increased by the percentage by which
18 the statewide base per pupil funding for the budget year is increased over
19 the statewide base per pupil funding set forth for the 1999-2000 budget
20 year. Such amount shall be rounded to the nearest dollar.

21

22 (III.7) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION (2),
23 SUBSECTION (6) OF THIS SECTION, OR SECTION 22-54-104.3, A DISTRICT'S
24 TOTAL PROGRAM FOR THE 2001-02 BUDGET YEAR AND BUDGET YEARS
25 THEREAFTER SHALL BE THE GREATER OF THE FOLLOWING:

26

27 (A) (DISTRICT PER PUPIL FUNDING X DISTRICT FUNDED PUPIL
28 COUNT) + DISTRICT AT-RISK FUNDING; OR

29

30 (B) \$5,100 X DISTRICT FUNDED PUPIL COUNT.

31

32 (III.8) FOR THE 2002-03 BUDGET YEAR AND BUDGET YEARS
33 THEREAFTER, THE DOLLAR AMOUNT SET FORTH IN SUB-SUBPARAGRAPH (B)
34 OF SUBPARAGRAPH (III.7) OF THIS PARAGRAPH (a) SHALL BE INCREASED BY
35 THE PERCENTAGE BY WHICH THE STATEWIDE BASE PER PUPIL FUNDING FOR
36 THE BUDGET YEAR IS INCREASED OVER THE STATEWIDE BASE PER PUPIL
37 FUNDING SET FORTH FOR THE 2001-02 BUDGET YEAR. SUCH AMOUNT
38 SHALL BE ROUNDED TO THE NEAREST DOLLAR.

39

40 (4) A district's".

41

42 Page 8, line 18, after "**declaration.**", insert "(1)";

43

44 line 22, strike "(II), TO INCLUDE" and substitute "(III), TO INCLUDE
45 DISTRICT" and strike "ENGLISH" and substitute "ENGLISH, AS DEFINED IN
46 SECTION 22-54-103 (1.5) (b) (IV), THE INCREASE IN THE AT-RISK FACTOR
47 PURSUANT TO SECTION 22-54-104 (5) (f) (II) FOR DISTRICTS WHOSE
48 PERCENTAGE OF AT-RISK PUPILS IS GREATER THAN THE STATEWIDE
49 AVERAGE PERCENTAGE OF AT-RISK PUPILS AND WHOSE FUNDED PUPIL
50 COUNT IS GREATER THAN FIFTY THOUSAND,";

51

52 line 26, strike "(3) (c) (I) and (3) (d)" and substitute "(3) (b) (I) AND (3)
53 (c)";

54

55 line 27, strike "ACCOUNTABLE EDUCATION REFORM" and substitute
56 "ACCOUNTABLE PROGRAMS TO MEET STATE ACADEMIC STANDARDS".

1 Page 9, after line 2, insert the following:

2

3 "(2) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES
4 THAT, FOR PURPOSES OF SECTION 17 OF ARTICLE IX OF THE STATE
5 CONSTITUTION, THE ENACTMENT OF THE DEFINITION OF "AT-RISK FUNDED
6 PUPIL COUNT", AS DEFINED IN SECTION 22-54-103 (1), TO ALLOW UP TO
7 THREE-YEAR AVERAGING OF THE NUMBER OF AT-RISK PUPILS, IS AN
8 IMPORTANT ELEMENT OF ACCOUNTABLE EDUCATION REFORM AND MAY
9 THEREFORE RECEIVE FUNDING FROM THE STATE EDUCATION FUND
10 CREATED IN SECTION 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION."

11

12 Page 12, strike lines 26 and 27.

13

14 Page 13, strike lines 1 through 8;

15

16 line 9, strike "(c)" and substitute "(b)";

17

18 line 11, strike "(d)" and substitute "(c)";

19

20 line 17, strike "SUBPARAGRAPH (I) OF";

21

22 after line 19, insert the following:

23

24 "(d) "MINIMUM CAPITAL RESERVE AMOUNT PER PUPIL" MEANS THE
25 MINIMUM AMOUNT PER PUPIL REQUIRED TO BE BUDGETED BY EACH
26 DISTRICT TO THE CAPITAL RESERVE FUND CREATED BY SECTION 22-45-103
27 (1) (c), A RISK MANAGEMENT FUND OR ACCOUNT, OR BOTH, PURSUANT TO
28 SECTION 22-54-105 (2) (a) AND (2) (b), WITHOUT REGARD TO ANY
29 EXCEPTION TO SAID MINIMUM BUDGETING REQUIREMENT PERMITTED
30 PURSUANT TO SECTION 22-54-105 (2) (c)."

31

32 Page 15, line 3, strike "BUDGET YEARS" and substitute "EACH BUDGET
33 YEAR";

34

35 strike lines 5 through 14 and substitute the following:

36

37 "AMOUNT EQUAL TO ONE HUNDRED THIRTY PERCENT OF THE MINIMUM
38 CAPITAL RESERVE AMOUNT PER PUPIL.";

39

40 line 15, strike "ANY" and substitute "EACH";

41

42 strike lines 18 through 25 and substitute the following:

43

44 "THE JOINT BUDGET COMMITTEE OF THE GENERAL ASSEMBLY THE TOTAL
45 NUMBER OF PUPILS EXPECTED TO BE ENROLLED IN ALL QUALIFIED CHARTER
46 SCHOOLS IN THE STATE DURING THE NEXT BUDGET YEAR, AS DERIVED
47 FROM REPORTS PROVIDED TO THE DEPARTMENT BY DISTRICTS PURSUANT
48 TO SECTION 22-30.5-112 (1)."

49

50 Page 16, after line 27, insert the following:

51

52 "(7) THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT,
53 FOR PURPOSES OF SECTION 17 OF ARTICLE IX OF THE STATE CONSTITUTION,
54 PROVIDING FUNDING FOR CHARTER SCHOOL CAPITAL CONSTRUCTION FROM
55 MONEYS IN THE STATE EDUCATION FUND CREATED IN SECTION 17 (4) OF
56 ARTICLE IX OF THE STATE CONSTITUTION IS A PERMISSIBLE USE OF THE

1 MONEYS IN THE STATE EDUCATION FUND SINCE THE MONEYS ARE BEING
2 USED FOR PUBLIC SCHOOL BUILDING CAPITAL CONSTRUCTION AS
3 AUTHORIZED BY SECTION 17 (4) (b) OF ARTICLE IX OF THE STATE
4 CONSTITUTION."
5
6 Page 17, line 4, strike "BUDGET YEARS" and substitute "EACH BUDGET
7 YEAR";
8
9 line 5, strike "22-54-123 (1) (f)," and substitute "22-54-124 (1) (f),";
10
11 line 10, strike "AN AMOUNT EQUAL TO" and substitute "THE TOTAL
12 AMOUNT OF STATE EDUCATION FUND MONEYS DISTRIBUTED TO THE
13 DISTRICT FOR THE SAME BUDGET YEAR PURSUANT TO SECTION 22-54-124
14 (3).";
15
16 strike lines 11 through 21.
17
18 Page 18, strike lines 20 through 27.
19
20 Strike page 19.
21
22 Page 20, strike lines 1 through 23.
23
24 Renumber succeeding sections accordingly.
25
26 Page 20, line 27, strike "and" and substitute "and".
27
28 Page 21, strike line 1 and substitute the following:
29
30 "budget years thereafter,";
31
32 line 2, strike "YEAR,";
33
34 strike lines 7 through 12.
35
36 Reletter succeeding paragraphs accordingly.
37
38 Page 21, line 13, strike "PARAGRAPH (b)" and substitute "PARAGRAPH
39 (a)";
40
41 line 20, after "TITLE.", insert "IT IS THE INTENT OF THE GENERAL
42 ASSEMBLY THAT EACH SCHOOL DISTRICT EXPEND SAID AMOUNT ON
43 ENGLISH LANGUAGE PROFICIENCY PROGRAMS THAT ARE EITHER TAUGHT
44 IN ENGLISH OR THAT ARE DESIGNED TO MOVE STUDENTS AS QUICKLY AS
45 POSSIBLE INTO PROGRAMS TAUGHT IN ENGLISH.";
46
47 line 21, strike "NINETY" and substitute "SEVENTY-FIVE".
48
49 Page 22, line 5, strike "(b)" and substitute "(a)";
50
51 line 7, strike "(c)" and substitute "(b)";
52

1 line 13, after "TITLE.", insert "IT IS THE INTENT OF THE GENERAL
2 ASSEMBLY THAT EACH SCHOOL DISTRICT EXPEND SAID AT-RISK FUNDING
3 ON ENGLISH LANGUAGE PROFICIENCY PROGRAMS THAT ARE EITHER
4 TAUGHT IN ENGLISH OR THAT ARE DESIGNED TO MOVE STUDENTS AS
5 QUICKLY AS POSSIBLE INTO PROGRAMS TAUGHT IN ENGLISH.";

6
7 line 14, strike "NINETY" and substitute "SEVENTY-FIVE".

8
9 Page 23, line 1, strike "(e)" and substitute "(d)";

10
11 line 3, strike "(1)," and substitute "(1) (a),".

12
13 Page 26, after line 25, insert the following:

14
15 "(6) THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT,
16 FOR PURPOSES OF SECTION 17 OF ARTICLE IX OF THE STATE CONSTITUTION,
17 ESTABLISHING A SCHOOL IMPROVEMENT GRANT PROGRAM TO PROVIDE
18 FUNDING TO PUBLIC SCHOOLS THAT RECEIVED AN ACADEMIC
19 PERFORMANCE GRADE OF "F" ON THE SCHOOL REPORT CARD PREPARED
20 PURSUANT TO THIS PART 6 FOR THE SCHOOL YEAR 2000-01 IS AN
21 IMPORTANT ELEMENT OF ACCOUNTABLE EDUCATION REFORM AND
22 THEREFORE MAY RECEIVE FUNDING FROM THE STATE EDUCATION FUND
23 CREATED IN SECTION 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION.".

24
25 Renumber succeeding subsection accordingly.

26
27 Page 32, line 4, strike "and" and substitute "and,".

28
29 Page 35, line 15, strike "**22-7-603.5**" and substitute "**22-7-603.5**".

30
31 Page 36, after line 20, insert the following:

32
33 "(d) THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT,
34 FOR PURPOSES OF SECTION 17 OF ARTICLE IX OF THE STATE CONSTITUTION,
35 THE CREATION OF A PROGRAM TO CONDUCT LONGITUDINAL ANALYSES TO
36 MEASURE STUDENTS' ACADEMIC PROGRESS FROM ONE SCHOOL YEAR TO
37 THE NEXT CONSTITUTES AN ACCOUNTABLE PROGRAM TO MEET STATE
38 ACADEMIC STANDARDS AND MAY THEREFORE RECEIVE FUNDING FROM THE
39 STATE EDUCATION FUND CREATED IN SECTION 17 (4) OF ARTICLE IX OF THE
40 STATE CONSTITUTION.".

41
42 Page 37, after line 13, insert the following:

43
44 "(4) THE STATE BOARD MAY ADOPT RULES NECESSARY FOR
45 IMPLEMENTATION AND ADMINISTRATION OF THIS SECTION INCLUDING, BUT
46 NOT LIMITED TO, PROVISIONS TO UNIQUELY IDENTIFY INDIVIDUAL
47 STUDENTS.";

48
49 strike lines 14 through 27.

50
51 Strike pages 38 through 45.

52
53 Page 46, strike lines 1 through 21.

54
55 Renumber succeeding sections accordingly.

56

1 Page 50, strike lines 19 through 27.

2

3 Page 51, strike lines 1 through 21.

4

5 Renumber succeeding sections accordingly.

6

7 Page 52, line 9, strike "REASONABLE SUSPICION" and substitute
8 "PROBABLE CAUSE";

9

10 line 12, strike "ACT" and substitute "SECTION";

11

12 strike lines 21 through 27.

13

14 Strike pages 53 through 55.

15

16 Page 56, strike lines 1 through 25 and substitute the following:

17

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

20

21 **22-54-107.5. Authorization of additional local revenues for**
22 **supplemental cost of living adjustment.** (1) NOTWITHSTANDING ANY
23 LAW TO THE CONTRARY, EFFECTIVE JULY 1, 2001, ANY DISTRICT THAT
24 DESIRES TO RAISE AND EXPEND LOCAL PROPERTY TAX REVENUES IN EXCESS
25 OF THE DISTRICT'S TOTAL PROGRAM, AS DETERMINED IN ACCORDANCE
26 WITH SECTION 22-54-104, AND IN ADDITION TO ANY PROPERTY TAX
27 REVENUES LEVIED PURSUANT TO SECTIONS 22-54-107 AND 22-54-108,
28 MAY SUBMIT THE QUESTION OF WHETHER THE DISTRICT SHOULD BE
29 AUTHORIZED TO RAISE AND EXPEND ADDITIONAL LOCAL PROPERTY TAX
30 REVENUES, SUBJECT TO THE LIMITATIONS OF PARAGRAPH (a) OF
31 SUBSECTION (3) OF THIS SECTION, THEREBY AUTHORIZING AN ADDITIONAL
32 LEVY IN EXCESS OF THE LEVY AUTHORIZED UNDER SECTIONS 22-54-106,
33 22-54-107, AND 22-54-108, TO PROVIDE A SUPPLEMENTAL COST OF LIVING
34 ADJUSTMENT FOR THE DISTRICT FOR THE THEN CURRENT BUDGET YEAR
35 AND EACH BUDGET YEAR THEREAFTER. THE QUESTION AUTHORIZED BY
36 THIS SUBSECTION (1) SHALL BE SUBMITTED AT AN ELECTION HELD IN
37 ACCORDANCE WITH SECTION 20 OF ARTICLE X OF THE STATE
38 CONSTITUTION AND TITLE 1, C.R.S.

39

40 (2) NOTWITHSTANDING ANY LAW TO THE CONTRARY, EFFECTIVE
41 JULY 1, 2001, UPON PROPER SUBMITTAL TO A DISTRICT OF A VALID
42 INITIATIVE PETITION, THE DISTRICT SHALL SUBMIT TO THE ELIGIBLE
43 ELECTORS OF THE DISTRICT THE QUESTION OF WHETHER THE DISTRICT
44 SHOULD BE AUTHORIZED TO RAISE AND EXPEND ADDITIONAL LOCAL
45 PROPERTY TAX REVENUES IN EXCESS OF THE DISTRICT'S TOTAL PROGRAM,
46 AS DETERMINED IN ACCORDANCE WITH SECTION 22-54-104, AND IN
47 ADDITION TO ANY PROPERTY TAX REVENUES LEVIED PURSUANT TO
48 SECTIONS 22-54-107 AND 22-54-108, SUBJECT TO THE LIMITATIONS OF
49 PARAGRAPH (a) OF SUBSECTION (3) OF THIS SECTION, THEREBY
50 AUTHORIZING AN ADDITIONAL LEVY IN EXCESS OF THE LEVY AUTHORIZED
51 UNDER SECTIONS 22-54-106, 22-54-107, AND 22-54-108, TO PROVIDE A
52 SUPPLEMENTAL COST OF LIVING ADJUSTMENT FOR THE DISTRICT FOR THE
53 THEN CURRENT BUDGET YEAR AND EACH BUDGET YEAR THEREAFTER. THE
54 QUESTION AUTHORIZED BY THIS SUBSECTION (2) SHALL BE SUBMITTED AT
55 AN ELECTION HELD IN ACCORDANCE WITH SECTION 20 OF ARTICLE X OF
56 THE STATE CONSTITUTION AND TITLE 1, C.R.S. AN INITIATIVE PETITION

1 UNDER THIS SUBSECTION (2) SHALL BE SIGNED BY AT LEAST FIVE PERCENT
2 OF THE ELIGIBLE ELECTORS IN THE DISTRICT AT THE TIME THE PETITION IS
3 FILED.

4
5 (3) (a) THE MAXIMUM DOLLAR AMOUNT OF PROPERTY TAX
6 REVENUE THAT A DISTRICT CAN GENERATE PURSUANT TO THIS SECTION FOR
7 ANY GIVEN BUDGET YEAR SHALL NOT EXCEED THE DIFFERENCE BETWEEN
8 WHAT WOULD BE THE DISTRICT'S TOTAL PROGRAM FOR THAT BUDGET YEAR
9 IF CALCULATED USING THE DISTRICT'S ADJUSTED COST OF LIVING FACTOR
10 FOR THAT BUDGET YEAR AND THE DISTRICT'S TOTAL PROGRAM FOR THAT
11 BUDGET YEAR CALCULATED PURSUANT TO SECTION 22-54-104.

12
13 (b) FOR PURPOSES OF DETERMINING A DISTRICT'S TOTAL PROGRAM
14 FOR A GIVEN BUDGET YEAR IF CALCULATED USING THE DISTRICT'S
15 ADJUSTED COST OF LIVING FACTOR, "PER PUPIL FUNDING" UNDER SECTION
16 22-54-104 (2) (a) (IV) (D) SHALL BE CALCULATED USING THE SIZE FACTOR
17 USED IN THE CALCULATION FOR THE PRIOR BUDGET YEAR OR THE SIZE
18 FACTOR USED IN THE CALCULATION FOR THE APPLICABLE BUDGET YEAR,
19 WHICHEVER IS LESS, THE COST OF LIVING FACTOR FOR THE PRIOR BUDGET
20 YEAR, AND THE AT-RISK FACTOR CALCULATED FOR THE DISTRICT USING A
21 BASE AT-RISK FACTOR OF ELEVEN AND ONE-HALF PERCENT.

22
23 (c) FOR PURPOSES OF THIS SUBSECTION (3), "ADJUSTED COST OF
24 LIVING FACTOR" MEANS THE DISTRICT'S COST OF LIVING FACTOR
25 DETERMINED BY DIVIDING THE DISTRICT'S COST OF LIVING AMOUNT BY THE
26 LOWEST COST OF LIVING AMOUNT OF ALL DISTRICTS IN THE STATE FROM
27 THE CURRENT COST OF LIVING STUDY, ROUNDED TO THE NEAREST
28 ONE-THOUSANDTH OF ONE PERCENT.

29
30 (4) IF THE MAXIMUM DOLLAR AMOUNT OF PROPERTY TAX REVENUE
31 ALLOWED FOR ANY GIVEN BUDGET YEAR PURSUANT TO PARAGRAPH (a) OF
32 SUBSECTION (3) OF THIS SECTION WILL NOT BE GENERATED BY THE LEVY
33 OF THE TOTAL NUMBER OF MILLS LEVIED BY THE DISTRICT PURSUANT TO
34 THIS SECTION FOR THE IMMEDIATELY PRECEDING BUDGET YEAR, THE
35 TOTAL NUMBER OF MILLS LEVIED BY THE DISTRICT PURSUANT TO THIS
36 SECTION SHALL NOT BE INCREASED UNLESS THE DISTRICT SUBMITS THE
37 QUESTION OF THE INCREASE TO THE ELIGIBLE ELECTORS IN THE MANNER
38 PROVIDED IN SUBSECTION (1) OF THIS SECTION OR UNLESS THE QUESTION
39 OF THE INCREASE IS SUBMITTED TO THE ELIGIBLE ELECTORS BY INITIATIVE
40 IN THE MANNER PROVIDED IN SUBSECTION (2) OF THIS SECTION.

41
42 (5) NOTWITHSTANDING THE PROVISIONS OF SECTION 20 OF ARTICLE
43 X OF THE STATE CONSTITUTION WHICH ALLOW DISTRICTS TO SEEK VOTER
44 APPROVAL FOR SPENDING AND REVENUE INCREASES, THE PROVISIONS OF
45 SUBSECTION (3) OF THIS SECTION SHALL LIMIT A DISTRICT'S AUTHORITY TO
46 RAISE AND EXPEND LOCAL PROPERTY TAX REVENUES IN EXCESS OF THE
47 DISTRICT'S TOTAL PROGRAM AS DETERMINED IN ACCORDANCE WITH
48 SECTION 22-54-104.

49
50 **SECTION 32.** Article 54 of title 22, Colorado Revised Statutes,
51 is amended BY THE ADDITION OF A NEW SECTION to read:

52
53 **22-54-123. National school lunch act - appropriation of state**
54 **matching funds.** FOR THE 2001-02 BUDGET YEAR AND BUDGET YEARS
55 THEREAFTER, THE GENERAL ASSEMBLY SHALL APPROPRIATE BY SEPARATE
56 LINE ITEM AN AMOUNT TO COMPLY WITH THE REQUIREMENTS FOR STATE

1 MATCHING FUNDS UNDER THE "NATIONAL SCHOOL LUNCH ACT", 42
2 U.S.C. SEC. 1751 ET SEQ. THE DEPARTMENT OF EDUCATION SHALL
3 DEVELOP PROCEDURES TO ALLOCATE AND DISBURSE THE FUNDS AMONG
4 PARTICIPATING SCHOOL DISTRICTS EACH YEAR IN AN EQUITABLE MANNER
5 AS TO COMPLY WITH THE REQUIREMENTS OF SAID ACT. IN ANY
6 PARTICIPATING SCHOOL DISTRICT THAT, PRIOR TO THE ENACTMENT OF THIS
7 SECTION, SUBSIDIZED SCHOOL LUNCH SERVICE WITH MONEYS FROM THE
8 SCHOOL DISTRICT'S GENERAL FUND, MONEYS RECEIVED BY SUCH SCHOOL
9 DISTRICT PURSUANT TO THIS SECTION SHALL BE APPLIED IN ADDITION TO,
10 AND NOT IN LIEU OF, THE AMOUNT OF THE SCHOOL DISTRICT'S SUBSIDY.
11 ANY MONEYS RECEIVED PURSUANT TO THIS SECTION SHALL BE USED ONLY
12 FOR THE PROVISION OF THE DISTRICT'S SCHOOL LUNCH PROGRAM.
13

14 **SECTION 33.** Article 7 of title 22, Colorado Revised Statutes,
15 is amended BY THE ADDITION OF A NEW PART to read:
16

17 **PART 8**
18 **SUMMER SCHOOL GRANT PROGRAM**
19

20 **22-7-801. Legislative declaration.** THE GENERAL ASSEMBLY
21 HEREBY FINDS AND DECLARES THAT, FOR PURPOSES OF SECTION 17 OF
22 ARTICLE IX OF THE STATE CONSTITUTION, ESTABLISHING A SUMMER
23 SCHOOL GRANT PROGRAM TO PROVIDE FUNDING TO SCHOOL DISTRICTS FOR
24 THE OPERATION OF INTENSIVE LITERACY AND READING COMPREHENSION
25 EDUCATION SERVICES TO FOURTH AND FIFTH GRADE STUDENTS WHO
26 SCORED AT THE UNSATISFACTORY PROFICIENCY LEVEL ON THE COLORADO
27 STATE ASSESSMENT PROGRAM READING ASSESSMENT ADMINISTERED
28 PURSUANT TO SECTION 22-7-409 FOR THE PREVIOUS GRADE IS AN
29 IMPORTANT ELEMENT OF ACCOUNTABLE EDUCATION REFORM AND
30 CONSTITUTES AN ACCOUNTABLE PROGRAM TO MEET STATE ACADEMIC
31 STANDARDS. THEREFORE, THE SUMMER SCHOOL GRANT PROGRAM
32 ESTABLISHED BY THIS PART 8 MAY RECEIVE FUNDING FROM THE STATE
33 EDUCATION FUND CREATED IN SECTION 17(4) OF ARTICLE IX OF THE STATE
34 CONSTITUTION.
35

36 **22-7-802. Definitions.** AS USED IN THIS PART 8, UNLESS THE
37 CONTEXT OTHERWISE REQUIRES:
38

39 (1) "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION
40 CREATED AND EXISTING PURSUANT TO SECTION 24-1-115, C.R.S.
41

42 (2) "ELIGIBLE STUDENT" MEANS A STUDENT WHO HAS:
43

44 (a) COMPLETED THE THIRD GRADE AND IS PREPARING TO ENTER
45 THE FOURTH GRADE AND HAS SCORED AT THE UNSATISFACTORY
46 PROFICIENCY LEVEL ON THE THIRD GRADE COLORADO STATE ASSESSMENT
47 PROGRAM READING ASSESSMENT ADMINISTERED PURSUANT TO SECTION
48 22-7-409; OR
49

50 (b) COMPLETED THE FOURTH GRADE AND IS PREPARING TO ENTER
51 THE FIFTH GRADE AND HAS SCORED AT THE UNSATISFACTORY PROFICIENCY
52 LEVEL ON THE FOURTH GRADE COLORADO STATE ASSESSMENT PROGRAM
53 READING ASSESSMENT ADMINISTERED PURSUANT TO SECTION 22-7-409.
54

55 (3) "GRANT PROGRAM" MEANS THE SUMMER SCHOOL GRANT
56 PROGRAM CREATED PURSUANT TO SECTION 22-7-803.

1 (4) "STATE BOARD" MEANS THE STATE BOARD OF EDUCATION
2 CREATED PURSUANT TO SECTION 1 OF ARTICLE IX OF THE STATE
3 CONSTITUTION.

4
5 **22-7-803. Summer school grant program - created -**
6 **application - rules.** (1) THERE IS HEREBY CREATED IN THE DEPARTMENT
7 THE SUMMER SCHOOL GRANT PROGRAM TO PROVIDE FUNDING TO SCHOOL
8 DISTRICTS FOR THE OPERATION OF SUMMER SCHOOL READING PROGRAMS.
9 THE SUMMER SCHOOL READING PROGRAMS SHALL BE DESIGNED TO
10 PROVIDE INTENSIVE LITERACY AND READING COMPREHENSION EDUCATION
11 SERVICES TO ELIGIBLE STUDENTS DURING THE SUMMER PRIOR TO
12 BEGINNING FOURTH GRADE AND DURING THE SUMMER PRIOR TO BEGINNING
13 FIFTH GRADE.

14
15 (2) TO PARTICIPATE IN THE PROGRAM, A SCHOOL DISTRICT SHALL
16 FILE WITH THE DEPARTMENT AN APPLICATION IN A FORM SPECIFIED BY
17 RULE OF THE STATE BOARD THAT DESCRIBES THE CURRICULUM THAT THE
18 SCHOOL DISTRICT EXPECTS TO USE IN THE SUMMER SCHOOL READING
19 PROGRAM AND THE NUMBER OF ELIGIBLE STUDENTS THAT THE SCHOOL
20 DISTRICT ANTICIPATES WILL PARTICIPATE IN THE SUMMER SCHOOL
21 READING PROGRAM.

22
23 (3) EACH SCHOOL DISTRICT THAT SUBMITS AN APPLICATION
24 PURSUANT TO THIS SECTION SHALL RECEIVE A GRANT IN THE AMOUNT OF
25 ONE HUNDRED DOLLARS FOR EACH ELIGIBLE STUDENT WHO IS ENROLLED
26 IN THE SUMMER SCHOOL READING PROGRAM FOR EACH ACADEMIC YEAR.
27 GRANTS SHALL BE PAID FROM THE SUMMER SCHOOL GRANT PROGRAM
28 FUND CREATED IN SECTION 22-7-804.

29
30 (4) ON OR BEFORE SEPTEMBER 1, 2001, THE STATE BOARD SHALL
31 PROMULGATE RULES IN ACCORDANCE WITH ARTICLE 4 OF TITLE 24, C.R.S.,
32 TO IMPLEMENT THE GRANT PROGRAM, INCLUDING BUT NOT LIMITED TO
33 RULES SPECIFYING THE TIME FRAMES FOR SUBMITTING GRANT PROGRAM
34 APPLICATIONS, THE FORM OF THE GRANT PROGRAM APPLICATION, AND THE
35 TIME FRAMES FOR DISTRIBUTION OF THE GRANT MONEYS.

36
37 **22-7-804. Summer school grant program fund - created.**
38 (1) THERE IS HEREBY CREATED IN THE STATE TREASURY THE SUMMER
39 SCHOOL GRANT PROGRAM FUND, WHICH FUND SHALL BE MADE UP OF
40 MONEYS APPROPRIATED THERETO FROM THE STATE GENERAL FUND OR
41 FROM THE STATE EDUCATION FUND CREATED IN SECTION 17 OF ARTICLE IX
42 OF THE STATE CONSTITUTION, AS WELL AS ANY MONEYS RECEIVED BY THE
43 DEPARTMENT PURSUANT TO SUBSECTION (2) OF THIS SECTION. THE
44 MONEYS IN SAID FUND ARE SUBJECT TO ANNUAL APPROPRIATION BY THE
45 GENERAL ASSEMBLY TO THE DEPARTMENT FOR THE DIRECT AND INDIRECT
46 COSTS OF IMPLEMENTING AND ADMINISTERING THE GRANT PROGRAM.

47
48 (2) ANY BEQUESTS, GIFTS, AND GRANTS RECEIVED BY THE
49 DEPARTMENT TO BE USED FOR THE GRANT PROGRAM SHALL BE CREDITED
50 TO THE SUMMER SCHOOL GRANT PROGRAM FUND.

51
52 **22-7-805. Reporting requirements.** (1) EACH SCHOOL DISTRICT
53 THAT PARTICIPATES IN THE GRANT PROGRAM SHALL SUBMIT AN ANNUAL
54 REPORT TO THE DEPARTMENT AFTER COMPLETION OF EACH ACADEMIC
55 YEAR IN WHICH THE SCHOOL DISTRICT PARTICIPATES IN THE GRANT
56 PROGRAM. EACH SCHOOL DISTRICT SHALL SUBMIT THE REPORT ON OR

1 BEFORE OCTOBER 1 FOLLOWING THE COMPLETION OF AN ACADEMIC YEAR
2 AND SHALL INCLUDE THE FOLLOWING INFORMATION:

3
4 (a) THE NUMBER OF ELIGIBLE STUDENTS ENROLLED IN THE SCHOOL
5 DISTRICT DURING THE MOST RECENTLY COMPLETED ACADEMIC YEAR AND
6 THE NUMBER OF ELIGIBLE STUDENTS WHO ENROLLED IN THE SUMMER
7 SCHOOL READING PROGRAM;

8
9 (b) THE SUBSEQUENT PERFORMANCE LEVELS FOR READING AND
10 WRITING, AS MEASURED BY ASSESSMENTS ADMINISTERED PURSUANT TO
11 THE COLORADO STUDENT ASSESSMENT PROGRAM ESTABLISHED PURSUANT
12 TO SECTION 22-7-409, OF ELIGIBLE STUDENTS WHO ENROLLED IN THE
13 SUMMER SCHOOL READING PROGRAM; AND

14
15 (c) SUCH OTHER INFORMATION AS THE STATE BOARD MAY BY RULE
16 REQUIRE TO ASSESS THE EFFECTIVENESS OF THE SUMMER SCHOOL READING
17 PROGRAMS IMPLEMENTED BY THE SCHOOL DISTRICT AND THE GRANT
18 PROGRAM."

19
20 Renumber succeeding sections accordingly.

21
22 Page 57, strike lines 1 through 14;

23
24 line 15, strike "appropriated,";

25
26 strike lines 21 through 27.

27
28 Page 58, strike lines 1 through 9.

29
30 Reletter succeeding paragraph accordingly.

31
32 Page 58, line 12, strike "five million two hundred forty-seven thousand
33 six" and substitute "five million three hundred eight thousand nine
34 hundred sixty-one dollars (\$5,308,961),";

35
36 line 13, strike "hundred seventy dollars (\$5,247,670),";

37
38 after line 16, insert the following:

39
40 "(c) In addition to any other appropriation, there is hereby
41 appropriated, to the department of education, for the fiscal year beginning
42 July 1, 2001, from the state education fund created in section 17 (4) of
43 article IX of the state constitution, to the state public school fund created
44 in section 22-54-114, Colorado Revised Statutes, for allocation to the
45 school capital construction expenditures reserve created in section
46 22-54-117, Colorado Revised Statutes, the sum of five million three
47 hundred eight thousand nine hundred sixty-one dollars (\$5,308,961), and
48 such sum, or so much thereof as may be necessary, is further appropriated
49 to the department of education for the implementation of section
50 22-54-117, Colorado Revised Statutes.

51
52 (d) In addition to any other appropriation, there is hereby
53 appropriated, to the department of education, for the fiscal year beginning
54 July 1, 2001, the sum of two million four hundred seventy-two thousand
55 six hundred forty-four dollars (\$2,472,644), or so much thereof as may
56 be necessary, for the implementation of section 22-54-123, Colorado

1 Revised Statutes. Said sum shall be from the state public school fund
2 created in section 22-54-114, Colorado Revised Statutes.

3
4 (e) In addition to any other appropriation, there is hereby
5 appropriated, to the department of education, for the fiscal year beginning
6 July 1, 2001, the sum of nine hundred forty-five thousand eight hundred
7 dollars (\$945,800), or so much thereof as may be necessary, for the
8 implementation of part 8 of article 7 of title 22, Colorado Revised
9 Statutes. Said sum shall be from the state education fund created in
10 section 17 (4) of article IX of the state constitution.

11
12 (f) In addition to any other appropriation, there is hereby
13 appropriated, to the department of education, for the fiscal year beginning
14 July 1, 2001, the sum of fifty thousand dollars (\$50,000), or so much
15 thereof as may be necessary, for the implementation of section 22-5-114,
16 Colorado Revised Statutes. Said sum shall be from the state public
17 school fund created in section 22-54-114, Colorado Revised Statutes.

18
19 (g) In addition to any other appropriation, there is hereby
20 appropriated, to the department of education, for the fiscal year beginning
21 July 1, 2001, the sum of three hundred eighty-eight thousand dollars
22 (\$388,000), and 2.0 FTE, or so much thereof as may be necessary, for the
23 implementation of section 22-7-603.5, Colorado Revised Statutes. Said
24 sum shall be from the state education fund created in section 17 (4) of
25 article IX of the state constitution.";

26
27 line 21, strike "twenty-six million" and substitute "nine million seven
28 hundred fifteen thousand one hundred eighteen dollars (\$9,715,118). Of
29 this amount, eight million eight hundred sixty-eight thousand four
30 hundred eighty dollars (\$8,868,480) shall be from the state education
31 fund created in section 17 (4) of article IX of the state constitution and
32 eight hundred forty-six thousand six hundred thirty-eight dollars
33 (\$846,638) shall be from the state public school fund created in section
34 22-54-114, Colorado Revised Statutes.";

35
36 strike lines 22 through 27.

37
38 Page 59, strike lines 1 through 6.

39
40 2. That, under the authority granted to the committee to consider
41 matters not at issue between the two houses, the following amendments
42 are recommended:

43
44 Amend rerevised bill, page 9, line 21, strike "THAT".

45
46 Page 10, line 9, strike "54";

47
48 line 16, strike "54";

49
50 strike lines 25 through 27 and substitute the following:

51
52 "SHALL APPROPRIATE FROM THE GENERAL FUND FOR TOTAL PROGRAM
53 PURSUANT TO THE PROVISIONS OF THIS ARTICLE AN AMOUNT EQUAL TO THE
54 MAINTENANCE OF EFFORT BASE PLUS:

55

1 (a) AN AMOUNT EQUAL TO FIVE AND NINETY-TWO
2 ONE-HUNDREDTHS PERCENT OF THE MAINTENANCE OF EFFORT BASE IF
3 SENATE BILL 01-119 IS ENACTED AT THE FIRST REGULAR SESSION OF THE
4 SIXTY-THIRD GENERAL ASSEMBLY AND BECOMES LAW; OR
5

6 (b) AN AMOUNT EQUAL TO FIVE AND EIGHTY ONE-HUNDREDTHS
7 PERCENT OF THE MAINTENANCE OF EFFORT BASE IF SENATE BILL 01-119
8 IS NOT ENACTED AT THE FIRST REGULAR SESSION OF THE SIXTY-THIRD
9 GENERAL ASSEMBLY AND DOES NOT BECOME LAW."

10

11 Strike page 11.

12

13 Page 12, strike lines 1 through 17.

14

15 Renumber succeeding sections accordingly.

16

17 Page 18, after line 19, insert the following:

18

19 **"SECTION 12.** Part 1 of article 3 of title 2, Colorado Revised
20 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
21 read:

22

23 **2-3-114. Use of state education fund moneys for school capital**
24 **construction - audits - reports.** (1) FOR THE 2001-02 SCHOOL DISTRICT
25 BUDGET YEAR AND EACH SCHOOL DISTRICT BUDGET YEAR THEREAFTER,
26 FOR THE PURPOSE OF DETERMINING THE AMOUNT OF STATE EDUCATION
27 FUND MONEYS EXPENDED BY EACH SCHOOL DISTRICT IN THE STATE FOR
28 CAPITAL CONSTRUCTION AND IDENTIFYING THE SCHOOLS AND PROJECTS ON
29 WHICH SCHOOL DISTRICTS EXPENDED SUCH MONEYS, THE STATE AUDITOR
30 SHALL ANNUALLY EXAMINE THE RECORDS OF EACH SCHOOL DISTRICT IN
31 THE STATE THAT RECEIVED STATE EDUCATION FUND MONEYS FOR THE
32 BUDGET YEAR:

33

34 (a) DIRECTLY FROM THE DEPARTMENT OF EDUCATION FOR CAPITAL
35 CONSTRUCTION AID TO QUALIFIED CHARTER SCHOOLS, AS DEFINED IN
36 SECTION 22-54-124 (1) (f), C.R.S., IN ACCORDANCE WITH SECTION
37 22-54-124 (4), C.R.S.; OR

38

39 (b) INDIRECTLY FROM THE SCHOOL CAPITAL CONSTRUCTION
40 EXPENDITURES RESERVE CREATED IN SECTION 22-54-117 (1.5), C.R.S., IN
41 ACCORDANCE WITH SECTION 22-54-117 (1.5) AND (1.7), C.R.S.

42

43 (2) NO LATER THAN FEBRUARY 1 OF EACH SCHOOL DISTRICT
44 BUDGET YEAR COMMENCING ON OR AFTER JULY 1, 2002, THE STATE
45 AUDITOR SHALL REPORT TO THE EDUCATION COMMITTEES OF THE SENATE
46 AND THE HOUSE OF REPRESENTATIVES, THE LEGISLATIVE AUDIT
47 COMMITTEE, AND THE JOINT BUDGET COMMITTEE OF THE GENERAL
48 ASSEMBLY:

49

50 (a) THE TOTAL AMOUNT OF STATE EDUCATION FUND MONEYS THAT
51 DISTRICTS THROUGHOUT THE STATE EXPENDED FOR CAPITAL
52 CONSTRUCTION AND THE AMOUNT OF STATE EDUCATION FUND MONEYS
53 THAT EACH DISTRICT EXPENDED FOR CAPITAL CONSTRUCTION DURING THE
54 PRIOR BUDGET YEAR;

55

1 (b) THE TOTAL AMOUNT OF STATE EDUCATION FUND MONEYS THAT
 2 QUALIFIED CHARTER SCHOOLS THROUGHOUT THE STATE EXPENDED FOR
 3 CAPITAL CONSTRUCTION AND THE AMOUNT OF STATE EDUCATION FUND
 4 MONEYS THAT EACH QUALIFIED CHARTER SCHOOL THROUGHOUT THE
 5 STATE EXPENDED FOR CAPITAL CONSTRUCTION DURING THE PRIOR BUDGET
 6 YEAR;

7
 8 (c) THE TOTAL AMOUNT OF STATE EDUCATION FUND MONEYS
 9 RECEIVED INDIRECTLY FROM THE SCHOOL CAPITAL CONSTRUCTION
 10 EXPENDITURES RESERVE BY DISTRICTS THROUGHOUT THE STATE AND BY
 11 EACH DISTRICT THAT WERE EXPENDED FOR CAPITAL CONSTRUCTION
 12 DURING THE PRIOR BUDGET YEAR;

13
 14 (d) THE SCHOOLS AND PROJECTS ON WHICH STATE EDUCATION
 15 FUND MONEYS WERE EXPENDED;

16
 17 (e) THE BALANCES OF ALL MONEYS AND ALL STATE EDUCATION
 18 FUND MONEYS IN THE SCHOOL CAPITAL CONSTRUCTION EXPENDITURES
 19 RESERVE AS OF THE IMMEDIATELY PRECEDING JANUARY 1; AND

20
 21 (f) THE TOTAL PUPIL ENROLLMENT OF ALL SCHOOL DISTRICTS IN
 22 THE STATE IN WHICH STATE EDUCATION FUND MONEYS WERE EXPENDED
 23 FOR CAPITAL CONSTRUCTION DURING THE PRIOR BUDGET YEAR, THE PUPIL
 24 ENROLLMENT OF EACH SCHOOL DISTRICT IN WHICH STATE EDUCATION
 25 FUND MONEYS WERE EXPENDED FOR CAPITAL CONSTRUCTION DURING THE
 26 PRIOR BUDGET YEAR, AND THE PUPIL ENROLLMENT OF EACH SCHOOL IN THE
 27 STATE ON WHICH STATE EDUCATION FUND MONEYS WERE EXPENDED FOR
 28 CAPITAL CONSTRUCTION DURING THE PRIOR BUDGET YEAR.

29
 30 **SECTION 13.** Article 42 of title 22, Colorado Revised Statutes,
 31 is amended BY THE ADDITION OF A NEW SECTION to read:

32
 33 **22-42-104.5. Pro rata distribution of bond revenues to qualified**
 34 **charter schools.** (1) ANY QUALIFIED CHARTER SCHOOL, AS DEFINED IN
 35 SECTION 22-54-124 (1) (f), THAT IS SIMILARLY SITUATED TO A
 36 NONCHARTER PUBLIC SCHOOL THAT WILL BE CONSTRUCTED, REPAIRED, OR
 37 OTHERWISE MAINTAINED OR IMPROVED BY AN EXPENDITURE OF A
 38 DISTRICT'S PROCEEDS OF BONDS TO BE ISSUED UPON THE APPROVAL OF A
 39 QUESTION OF CONTRACTING BONDED INDEBTEDNESS SUBMITTED TO THE
 40 ELIGIBLE ELECTORS OF THE DISTRICT ON OR AFTER JULY 1, 2001, SHALL
 41 RECEIVE A PORTION OF THE PROCEEDS OF SAID BONDS IN PROPORTION TO
 42 THE RATIO OF THE QUALIFIED CHARTER SCHOOL'S PUPIL ENROLLMENT AT
 43 GRADE LEVELS THAT ARE ALSO SERVED BY ONE OR MORE SIMILARLY
 44 SITUATED NONCHARTER PUBLIC SCHOOLS THAT WILL BE CONSTRUCTED,
 45 REPAIRED, OR OTHERWISE MAINTAINED OR IMPROVED BY THE DISTRICT'S
 46 EXPENDITURE OF BOND PROCEEDS TO THE TOTAL PUPIL ENROLLMENT OF
 47 ALL SCHOOLS IN THE DISTRICT THAT WILL BE CONSTRUCTED, REPAIRED, OR
 48 OTHERWISE MAINTAINED OR IMPROVED BY THE DISTRICT'S EXPENDITURE
 49 OF BOND PROCEEDS. ANY QUESTION OF CONTRACTING BONDED
 50 INDEBTEDNESS SUBMITTED TO THE ELIGIBLE ELECTORS OF A DISTRICT ON
 51 OR AFTER JULY 1, 2001, SHALL IDENTIFY ANY QUALIFIED CHARTER SCHOOL
 52 THAT WILL RECEIVE BOND PROCEEDS.

53
 54 (2) FOR PURPOSES OF THIS SECTION, A QUALIFIED CHARTER SCHOOL
 55 IS SIMILARLY SITUATED TO A NONCHARTER PUBLIC SCHOOL IF:
 56

1 (a) THE NONCHARTER PUBLIC SCHOOL IS IN THE DISTRICT THAT
2 GRANTED THE QUALIFIED CHARTER SCHOOL'S CHARTER; AND
3

4 (b) THE QUALIFIED CHARTER SCHOOL AND THE NONCHARTER
5 PUBLIC SCHOOL BOTH SERVE STUDENTS AT ONE OR MORE OF THE SAME
6 GRADE LEVELS.
7

8 **SECTION 14.** 22-54-117, Colorado Revised Statutes, is amended
9 BY THE ADDITION OF A NEW SUBSECTION to read:
10

11 **22-54-117. Contingency reserve - capital construction**
12 **expenditures reserve.** (1.7) (a) IN ADDITION TO ANY AMOUNT ANNUALLY
13 APPROPRIATED BY THE GENERAL ASSEMBLY TO THE STATE PUBLIC SCHOOL
14 FUND AS A CONTINGENCY RESERVE AND ANY AMOUNT APPROPRIATED
15 FROM THE GENERAL FUND TO THE STATE PUBLIC SCHOOL FUND AS A
16 SCHOOL CAPITAL CONSTRUCTION EXPENDITURES RESERVE IN ACCORDANCE
17 WITH SECTION 24-75-201.1 (4) (b), C.R.S., AND SUBSECTION (1.5) OF THIS
18 SECTION, FOR THE 2001-02 BUDGET YEAR AND BUDGET YEARS
19 THEREAFTER, AN AMOUNT EQUAL TO THE AMOUNT APPROPRIATED FOR THE
20 BUDGET YEAR FROM THE STATE EDUCATION FUND TO THE DEPARTMENT OF
21 EDUCATION PURSUANT TO SECTION 22-54-124 (4) SHALL BE APPROPRIATED
22 FROM THE STATE EDUCATION FUND CREATED IN SECTION 17 (4) OF ARTICLE
23 IX OF THE STATE CONSTITUTION TO THE SCHOOL CAPITAL CONSTRUCTION
24 EXPENDITURES RESERVE CREATED IN SAID SUBSECTION (1.5) TO BE USED
25 ONLY AS PROVIDED IN SAID SUBSECTION (1.5).
26

27 (b) PURSUANT TO SECTION 17 (3) OF ARTICLE IX OF THE STATE
28 CONSTITUTION, ANY MONEYS APPROPRIATED BY THE GENERAL ASSEMBLY
29 FROM THE STATE EDUCATION FUND TO THE SCHOOL CAPITAL
30 CONSTRUCTION EXPENDITURES RESERVE PURSUANT TO PARAGRAPH (a) OF
31 THIS SUBSECTION (1.7) SHALL BE EXEMPT FROM:
32

33 (I) THE LIMITATION ON STATE FISCAL YEAR SPENDING SET FORTH
34 IN SECTION 20 (7) (a) OF ARTICLE X OF THE STATE CONSTITUTION AND
35 SECTION 24-77-103, C.R.S.; AND
36

37 (II) THE LIMITATION ON LOCAL GOVERNMENT FISCAL YEAR
38 SPENDING SET FORTH IN SECTION 20 (7) (b) OF ARTICLE X OF THE STATE
39 CONSTITUTION."
40

41 Renumber succeeding sections accordingly.
42

43 Page 56, after line 25, insert the following:
44

45 **"SECTION 37.** Part 1 of article 30.5 of title 22, Colorado
46 Revised Statutes, is amended BY THE ADDITION OF A NEW
47 SECTION to read:
48

49 **22-30.5-112.5. Charter schools - transportation plans.** IF A
50 CHARTER SCHOOL'S CHARTER OR CONTRACT INCLUDES PROVISION OF
51 TRANSPORTATION SERVICES BY THE SCHOOL DISTRICT, THE CHARTER
52 SCHOOL AND THE SCHOOL DISTRICT SHALL COLLABORATE IN DEVELOPING
53 A TRANSPORTATION PLAN TO USE SCHOOL DISTRICT EQUIPMENT TO
54 TRANSPORT STUDENTS ENROLLED IN THE CHARTER SCHOOL TO AND FROM
55 THE CHARTER SCHOOL AND THEIR HOMES AND TO AND FROM THE CHARTER
56 SCHOOL AND ANY EXTRACURRICULAR ACTIVITIES. THE TRANSPORTATION

1 PLAN MAY INCLUDE, BUT NEED NOT BE LIMITED TO, DEVELOPMENT OF BUS
2 ROUTES AND PLANS FOR SHARING THE USE OF SCHOOL DISTRICT
3 EQUIPMENT FOR THE BENEFIT OF STUDENTS ENROLLED IN CHARTER
4 SCHOOLS OF THE SCHOOL DISTRICT AND STUDENTS ENROLLED IN OTHER
5 SCHOOLS OF THE SCHOOL DISTRICT."

6

7 Renumber succeeding sections accordingly.

8

9 Page 59, before line 8, insert the following:

10

11

	ITEM & SUBTOTAL \$	APPROPRIATION FROM					
		TOTAL \$	GENERAL FUND \$	GENERAL FUNDS \$ EXEMPT	CASH FUNDS \$	CASH FUNDS \$ EXEMPT	FEDERAL FUNDS \$
1 Special Education -							
2 Gifted and Talented Children ³⁰	<u>5,500,000</u>		5,500,000				
3							
4		2,232,690,235					
5							
6 ^a This amount shall be from rental income earned on state trust lands.							
7 ^b Of this amount, \$23,200,000 shall be from federal mineral leasing revenues deposited in the Public School Fund, \$19,000,000 shall be from interest earned on moneys							
8 in the Public School Fund, \$2,000,000 shall be from audit recoveries deposited in the Public School Fund, and \$2,428,007 \$10,236,831 shall be from Public School Fund							
9 reserves.							
10 ^c This amount represents an estimate of categorical program support funds to be replaced with local property tax revenue OF THIS AMOUNT, \$5,853,255 SHALL BE FROM							
11 THE STATE PUBLIC SCHOOL FUND CREATED IN SECTION 22-54-114, C.R.S., AND \$178,951(L) SHALL BE FROM LOCAL FUNDS pursuant to Section 22-54-107, C.R.S.							
12 ^d These amounts shall be from federal funds appropriated in the Department of Human Services.							
13							
14 TOTALS PART III							
15 (EDUCATION)^{5,6}		\$2,476,016,080	\$2,124,186,801		\$12,456,905	\$73,691,960^b	\$265,680,414
16			<u>\$2,118,333,546</u>			<u>\$79,545,215^a</u>	
17							
18 ^a Of this amount, \$14,507,662 contains a (T) notation, and \$178,951 contains an (L) notation.							
19							
20							
21							
22							
23							

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUNDS EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

1 **SECTION 40.** Part VII (7) (A) and the affected totals of Part VII of section 2 of chapter 413, Session Laws of Colorado 2000, as amended by section 1 of Senate Bill
2 01-185, enacted at the First Regular Session of the Sixty-third General Assembly, and as further amended by section 7 of Senate Bill 01-212, enacted at the First Regular
3 Session of the Sixty-third General Assembly, are amended to read:

4
5 Section 2. **Appropriation.**

6 **PART VII**
7 **DEPARTMENT OF HUMAN SERVICES**

8 **(7) CHILDREN, YOUTH AND FAMILIES**

9 **(A) Child Welfare^{85, 86}**

10						
11	Child Welfare Administration	1,871,678				
12		(28.0 FTE)			50,692(T) ^a	362,437 ^b
13						
14	Child Welfare Services ⁸⁷	263,056,077	102,859,298		105,085,042 ^c	55,111,737 ^d
15	Family and Children's Programs	42,564,610	26,664,653		11,858,280^e	4,041,677 ^f
16			32,517,908		6,005,025 ^e	
17		(3.0 FTE)				
18						
19	Independent Living Program	400,579				400,579 ^f
20	Family Preservation/Family					
21	Support Program	3,401,231			850,307 ^g	2,550,924 ^h
22		(2.0 FTE)				
23						
24	Expedited Permanency Planning Project	4,207,891			4,207,891 ⁱ	
25	Evaluation of Performance					
26	Agreement Pilot Projects	<u>400,000</u>			200,000 ⁱ	200,000 ^f
27		315,902,066				

ITEM & SUBTOTAL \$	APPROPRIATION FROM					
	TOTAL \$	GENERAL FUND \$	GENERAL FUNDS \$ EXEMPT	CASH FUNDS \$	CASH FUNDS \$ EXEMPT	FEDERAL FUNDS \$

- 1 ^a This amount shall be from Medicaid funds appropriated to the Department of Health Care Policy and Financing.
- 2 ^b This amount shall be from Title IV-E of the Social Security Act.
- 3 ^c Of this amount, \$64,097,537(T) shall be from Medicaid funds appropriated to the Department of Health Care Policy and Financing, and \$40,987,505(L) shall be from
4 local funds.
- 5 ^d Of this amount, \$28,550,223 shall be from Title IV-E of the Social Security Act, \$22,690,313 shall be from the Title XX Social Services Block Grant, and \$3,871,201
6 shall be from various sources of federal funds. Of the amount from the Title XX Social Services Block Grant, \$523,889 shall be from federal Temporary Assistance for
7 Needy Families Block Grant Funds that have been transferred to programs funded by Title XX of the federal Social Security Act, as authorized under federal law.
- 8 ^e Of this amount, ~~\$8,118,915~~ \$2,265,660 shall be from reserves in the Family Issues Cash Fund pursuant to Section 26-5.3-106 (1.5), C.R.S., and \$3,739,365(L) shall be
9 from local funds.
- 10 ^f These amounts shall be from Title IV-E of the Social Security Act.
- 11 ^g Of this amount, \$351,914 shall be from reserves in the Family Issues Cash Fund pursuant to Section 26-5.3-106 (1.5), C.R.S., and \$498,393(L) shall be from local funds.
- 12 ^h This amount shall be from Title IV-B of the Social Security Act.
- 13 ⁱ These amounts shall be from reserves in the Family Issues Cash Fund pursuant to Section 26-5.3-106 (1.5), C.R.S.
- 14
- 15 **TOTALS PART VII**
- 16 **(HUMAN SERVICES)**^{5, 6, 118, 119} \$1,755,475,688 ~~\$490,220,780^a~~ \$71,319,404 ~~\$670,534,752^b~~ \$523,400,752
- 17 _____ \$496,074,035^a _____ _____ \$664,681,497^b _____
- 18
- 19 ^a Of this amount, \$2,558,160 is appropriated pursuant to a final court order for Case #94-M-1417. This amount is exempt from the statutory limit on state General Fund
20 appropriations pursuant to Section 24-75-201.1 (1) (a) (III) (B), C.R.S.
- 21 ^b Of this amount, \$507,152,603 contains a (T) notation, and \$100,916,908 contains an (L) notation.

1 **SECTION 41. Appropriation - adjustments to the 2001 long**
2 **bill.** (1) For the implementation of this act, appropriations made in the
3 annual general appropriations act for the fiscal year beginning July 1,
4 2001, shall be adjusted as follows:

5
6 (a) The general fund appropriation to the department of human
7 services, division of child welfare, for family and children's programs, is
8 decreased by five million eight hundred fifty-three thousand two hundred
9 fifty-five dollars (\$5,853,255).

10
11 (b) The cash funds exempt appropriation to the department of
12 human services, division of child welfare, for family and children's
13 programs, is increased by five million eight hundred fifty-three thousand
14 two hundred fifty-five dollars (\$5,853,255). Said sum shall be from the
15 family issues cash fund created in section 26-5.3-106, Colorado Revised
16 Statutes.

17
18 **SECTION 42. Appropriation - adjustments to the 2001 long**
19 **bill.** (1) For the implementation of this act, appropriations made in the
20 annual general appropriations act for the fiscal year beginning July 1,
21 2001, shall be adjusted as follows:

22
23 (a) The general fund appropriation to the department of education
24 for the state share of districts' total program funding is increased by five
25 million eight hundred fifty-three thousand two hundred fifty-five dollars
26 (\$5,853,255).

27
28 (b) The cash funds exempt appropriation to the department of
29 education for the state share of districts' total program funding is
30 decreased by five million eight hundred fifty-three thousand two hundred
31 fifty-five dollars (\$5,853,255). Said sum shall be from the state education
32 fund created in section 17 (4) of article IX of the state constitution.

33
34 **SECTION 43. Appropriation - adjustments to the 2001 long**
35 **bill.** (1) For the implementation of this act, appropriations made in the
36 annual general appropriations act for the fiscal year beginning July 1,
37 2001, shall be adjusted as follows:

38
39 (a) The general fund appropriation to the department of education
40 for the state share of districts' total program funding is increased by eight
41 million three hundred fifty-three thousand two hundred fifty-five dollars
42 (\$8,353,255).

43
44 (b) The cash funds exempt appropriation to the department of
45 education for the state share of districts' total program funding is
46 decreased by eight million three hundred fifty-three thousand two
47 hundred fifty-five dollars (\$8,353,255). Said sum shall be from the state
48 education fund created in section 17 (4) of article IX of the state
49 constitution.

50
51 **SECTION 44. Effective date.** (1) Except for sections 39, 40,
52 41, 42, and 43 of this act which shall take effect July 1, 2001, this act
53 shall take effect upon passage; except that:

54
55 (a) Section 42 of this act shall take effect shall take effect only if
56 Senate Bill 01-119 is not enacted at the first regular session of the

1 sixty-third general assembly and does not become law; and
 2
 3 (b) Section 43 of this act shall take effect shall take effect only if
 4 Senate Bill 01-119 is enacted at the first regular session of the sixty-third
 5 general assembly and becomes law.".

6
 7 Renumber succeeding section accordingly.

8
 9 Respectfully submitted,
 10 Senate Committee: House Committee:
 11 Bill Thiebaut Doug Dean
 12 Stan Matsunaka Nancy Spence
 13 Ronald Teck Frana Araujo Mace

14
 15
 16
 17 **CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

18
 19 **SB01-129** by Senator(s) Thiebaut; also Representative(s) **Dean--**
 20 Concerning the financing of public schools.

21
 22 (Conference Committee Report printed in House Journal, March 29,
 23 pages 991-1012.)

24
 25 On motion of Representative Spradley, House Rule 36(d) was suspended
 26 for immediate consideration of the Conference Committee Report.

27
 28 On motion of Representative Dean, the Conference Committee Report
 29 was **adopted** by the following roll call vote:

30
 31 YES 62 NO 0 EXCUSED 3 ABSENT 0

32								
33	Alexander	Y	Groff	Y	Miller	Y	Spence	Y
34	Bacon	Y	Grossman	Y	Mitchell	E	Spradley	Y
35	Berry	Y	Hefley	Y	Nuñez	E	Stafford	Y
36	Borodkin	Y	Hodge	Y	Paschall	Y	Stengel	Y
37	Boyd	Y	Hoppe	Y	Plant	Y	Swenson	Y
38	Cadman	Y	Jahn	Y	Ragsdale	Y	Tapia	Y
39	Chavez	Y	Jameson	Y	Rhodes	Y	Tochtrop	Y
40	Clapp	Y	Johnson	Y	Rippy	E	Veiga	Y
41	Cloer	Y	Kester	Y	Romanoff	Y	Vigil	Y
42	Coleman	Y	King	Y	Saliman	Y	Webster	Y
43	Crane	Y	Larson	Y	Sanchez	Y	Weddig	Y
44	Daniel	Y	Lawrence	Y	Schultheis	Y	White	Y
45	Decker	Y	Lee	Y	Scott	Y	Williams S.	Y
46	Fairbank	Y	Mace	Y	Sinclair	Y	Williams T.	Y
47	Fritz	Y	Madden	Y	Smith	Y	Witwer	Y
48	Garcia	Y	Marshall	Y	Snook	Y	Young	Y
49							Mr. Speaker	Y

50
 51
 52 The question being "Shall the bill, as amended, pass?".
 53 A roll call vote was taken. As shown by the following recorded vote, a
 54 majority of those elected to the House voted in the affirmative and the
 55 bill, as amended, was declared **repassed**.

	YES 61	NO 1	EXCUSED 3	ABSENT 0
1				
2				
3	Alexander	Y Groff	Y Miller	Y Spence
4	Bacon	Y Grossman	Y Mitchell	E Spradley
5	Berry	Y Hefley	Y Nuñez	E Stafford
6	Borodkin	Y Hodge	Y Paschall	N Stengel
7	Boyd	Y Hoppe	Y Plant	Y Swenson
8	Cadman	Y Jahn	Y Ragsdale	Y Tapia
9	Chavez	Y Jameson	Y Rhodes	Y Tochtrop
10	Clapp	Y Johnson	Y Rippy	E Veiga
11	Cloer	Y Kester	Y Romanoff	Y Vigil
12	Coleman	Y King	Y Saliman	Y Webster
13	Crane	Y Larson	Y Sanchez	Y Weddig
14	Daniel	Y Lawrence	Y Schultheis	Y White
15	Decker	Y Lee	Y Scott	Y Williams S.
16	Fairbank	Y Mace	Y Sinclair	Y Williams T.
17	Fritz	Y Madden	Y Smith	Y Witwer
18	Garcia	Y Marshall	Y Snook	Y Young
19				Mr. Speaker
20				Y

21 Co-sponsors added: Representatives Boyd, Chavez, Crane, Daniel, Groff, Jahn,
 22 Larson, Lawrence, Mace, Marshall, Romanoff, Sanchez, Spence, Tapia, Vigil,
 23 Webster, White, Williams S.

24 _____
 25
 26 House in recess. House reconvened.
 27 _____

28 **REPORTS OF COMMITTEES OF REFERENCE**

29 **FINANCE**

30
 31 After consideration on the merits, the Committee recommends the
 32 following:
 33

34
 35 **HB01-1367** be amended as follows, and as so amended, be referred to
 36 the Committee of the Whole with favorable
 37 recommendation:
 38

39 Amend printed bill, page 3, line 8, strike "in" and substitute "in
 40 FOLLOWING SUCH STATE FISCAL YEAR FOR";

41
 42 strike lines 9 through 11 and substitute the following:
 43 "were refunded. SUCH AMOUNT REFUNDED SHALL";

44
 45 line 14, strike "COMMENCING AFTER" and substitute "REGARDLESS OF".
 46
 47
 48

49 **LOCAL GOVERNMENT**

50 After consideration on the merits, the Committee recommends the
 51 following:
 52

53 **HB01-1177** be postponed indefinitely.
 54

55
 56 **HB01-1372** be referred favorably to the Committee on Appropriations.

1 **STATE, VETERANS, & MILITARY AFFAIRS**

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

4
5 **HCR01-1002** be referred to the Committee of the Whole with favorable
6 recommendation.

7
8
9
10 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

11
12 The Speaker has signed: **HB01-1064, 1226, 1281; SB01-003, 011, 043,**
13 **102; HJR01-1018.**

14
15
16
17 **MESSAGES FROM THE SENATE**

18 Mr. Speaker:

19
20 The Senate has passed on Third Reading and returns herewith:
21 HB01-1167, 1286

22
23 The Senate has passed on Third Reading and transmitted to the Revisor
24 of Statutes: SB01-134

25
26 SB01-005, amended as printed in Senate Journal, March 27, page 672;
27 SB01-042, amended as printed in Senate Journal, March 27, page 672;
28 SB01-095, amended as printed in Senate Journal, March 27, page 673;
29 SB01-113, amended as printed in Senate Journal, March 27, page 673;
30 SB01-149, amended as printed in Senate Journal, March 27, page 673;
31 SB01-121, amended as printed in Senate Journal, March 27,
32 pages 673-674;

33 SB01-202, amended as printed in Senate Journal, March 27, page 674;
34 HB01-1166, amended as printed in Senate Journal, March 27, page 671;
35 HB01-1287, amended as printed in Senate Journal, March 27,
36 page 671-672;

37 HB01-1256, amended as printed in Senate Journal, March 27, page 672;
38 HB01-1238, amended as printed in Senate Journal, March 23, page 637;

39
40 The Senate has voted to recede from its position, dissolve the First
41 Conference Committee on SB01-156, and concur in House amendments,
42 and has re-passed the bill. The Senate requests the return of the bill.

43
44 The Senate has adopted and transmits herewith: SJR01-021

45
46
47 In response to the request from the House. HB01-1040 is returned
48 herewith.

49
50
51 The Senate granted permission to members of the First Conference
52 Committee on SB01-129 to consider matters not at issue between the
53 two houses.

54
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MESSAGE FROM THE REVISOR

We herewith transmit without comment, SB01-134 and 203; and without comment, as amended, SB01-005, 042, 095, 113, 149, 121, 202; and HB01-1166, 1287, 1256, and 1238.

MESSAGES FROM THE GOVERNOR

I certify I received the following on the 28th day of March, 2001, at 4:35 p.m. The original is on file in the records of the House of Representatives of the General Assembly.

Judith Rodrigue,
Chief Clerk of the House

March 28, 2001

To the Honorable
House of Representatives
Sixty-third General Assembly
First Regular Session
Denver, CO 90203

Ladies and Gentlemen:

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

HB01-1012 Concerning Changes In The Fiscal Policies Of The Division Of Wildlife To Allow Operation As An Enterprise For Purposes For Section 20 Of Article X Of The State Constitution.

Approved March 28, 2001 at 11:35 a.m.

HB01-1023 Concerning The Establishment Of A Reduced-rate Nursing License For Retired Volunteer Nurses.

Approved March 28, 2001 at 11:33 a.m.

HB01-1211 Concerning The Modification Of Land Use Requirements For Cluster Developments.

Approved March 28, 2001 at 11:20 a.m.

HB01-1215 Concerning A Limitation On Information In School Reports Concerning The Percentage Of Teachers Teaching In A Subject In Which The Teacher Received A Degree.

Approved March 28, 2001 at 11:31 a.m.

HB01-1222 Concerning The Replacement Of Information On Student Drop Out Rates With Information On School Attendance Rates In Reports For Elementary Schools.

Approved March 28, 2001 at 11:32 a.m.

- 1 **HB01-1228** Concerning The Expulsion Of Credit Union Members For
2 Cause.
3
4 Approved March 28, 2001 at 11:34 a.m.
5
- 6 **HB01-1249** Concerning The Implementation Of The Division Of
7 Wildlife's Total Licensing Project.
8
9 Approved March 28, 2001 at 11:36 a.m.
10
- 11 **HB01-1346** Concerning An Exemption From The Requirement Of
12 Legislative Review For Specific Revisions To The State
13 Implementation Plan Relating To Air Quality.
14
15 Approved March 28, 2001 at 11:37 a.m.
16

17 Sincerely,
18 (signed)
19 Bill Owens
20 Governor

21 _____
22
23 I certify I received the following on the 29th day of March, 2001, at
24 2:15 p.m. The original is on file in the records of the House of
25 Representatives of the General Assembly.
26

Judith Rodrigue,
Chief Clerk of the House

27
28
29 March 29, 2001
30
31 To the Honorable
32 House of Representatives
33 Sixty-third General Assembly
34 First Regular Session
35 Denver, CO 90203
36

- 37 Ladies and Gentlemen:
38
39 I have the honor to inform you that I have approved and filed with
40 the Secretary of State the following acts:
41
- 42 **HB01-1004** Concerning Earned Income Disregards For The Colorado
43 Works Program.
44
45 Approved March 28, 2001 at 11:08 p.m.
46
 - 47 **HB01-1056** Concerning Construction Contracts For Public Projects.
48
49
50 Approved March 28, 2001 at 11:11 p.m.
51
 - 52 **HB01-1078** Concerning The Authorization Of The Executive Director
53 Of The Department Of Human Services To Sell Certain
54 Real Property Situated In Jefferson County.
55
56 Approved March 28, 2001 at 11:12 p.m.

- 1 **HB01-1251** Concerning Replacement Of The Standard Industrial
 2 Classification Coding System With The North American
 3 Industry Classification Coding System.
 4
 5 Approved March 28, 2001 at 11:13 p.m.
 6
 7 **HB01-1304** Concerning The Statute Of Limitations Relating To Claims
 8 F or Refund Or Credit Of Income Tax.
 9
 10 Approved March 28, 2001 at 11:23 p.m.
 11
 12 **HB01-1335** Concerning The Liabilities Of Insurers In The Context Of
 13 Insolvency Proceedings.
 14
 15 Approved March 28, 2001 at 11:20 p.m.
 16
 17 **HB01-1323** Concerning The Assessment Of Costs In Criminal Cases.
 18
 19 Approved March 28, 2001 at 11:24 p.m.
 20 Sincerely,
 21 (signed)
 22 Bill Owens
 23 Governor

24
 25
 26 **INTRODUCTION OF BILLS**
 27 **First Reading**
 28

- 29 The following bills were read by title and referred to the committees
 30 indicated:
 31
 32 **HB01-1374** by Representative(s) Spradley; also Senator(s) Anderson--
 33 Concerning measures to increase the availability of health
 34 insurance, and, in connection therewith, allowing
 35 adjustments for premiums for business groups of one,
 36 changing network adequacy requirements, and relaxing
 37 restrictions on discontinuing particular insurance products
 38 to the small group health insurance market.
 39 Committee on Business Affairs & Labor
 40
 41 **SB01-005** by Senator(s) Musgrave; also Representative(s) Sinclair--
 42 Concerning a requirement that an applicant for registration
 43 of a commercial vehicle declare the status of the
 44 commercial vehicle when a vehicle is registered, and, in
 45 connection therewith, creating a definition for commercial
 46 vehicle.
 47 Committee on Transportation & Energy
 48 Committee on Appropriations
 49
 50 **SB01-042** by Senator(s) Takis; also Representative(s) Coleman--
 51 Concerning the inclusion of construction worker safety
 52 training as a standard for approval of cost containment and
 53 risk management programs for the construction industry
 54 by the workers' compensation cost containment board.
 55 Committee on Business Affairs & Labor
 56 Committee on Appropriations

- 1 **SB01-061** by Senator(s) Hagedorn, Hernandez; also
2 Representative(s) Witwer--Concerning the confidentiality
3 of medical record information.
4 Committee on Information & Technology
5
- 6 **SB01-095** by Senator(s) Linkhart, Owen; also Representative(s) Lee--
7 -Concerning appropriations from the offender services
8 fund for adult and juvenile probation services, and making
9 an appropriation therefor.
10 Committee on Criminal Justice
11 Committee on Appropriations
12
- 13 **SB01-113** by Senator(s) Hernandez, Evans, Hagedorn, Hanna; also
14 Representative(s) Clapp--Concerning regulation of
15 physical therapists, and, in connection therewith,
16 continuing the regulation of physical therapists by the
17 director of the division of registrations in the department
18 of regulatory agencies.
19 Committee on Health, Environment, Welfare, & Institutions
20
- 21 **SB01-119** by Senator(s) Chlouber; also Representative(s) Young--
22 Concerning measures that will ensure that the department
23 of revenue has sufficient funds to continue issuing license
24 plates, and, in connection therewith, making an
25 appropriation.
26 Committee on Transportation & Energy
27 Committee on Appropriations
28
- 29 **SB01-121** by Senator(s) Taylor; also Representative(s) Hoppe--
30 Concerning continuation of the asbestos control program,
31 and making an appropriation in connection therewith.
32 Committee on Business Affairs & Labor
33 Committee on Appropriations
34
- 35 **SB01-134** by Senator(s) Fitz-Gerald; also Representative(s) Scott--
36 Concerning an increase in the sales and use tax that a
37 county may levy for the purpose of funding mass transit.
38 Committee on Finance
39 Committee on Appropriations
40
- 41 **SB01-148** by Senator(s) Perlmutter; also Representative(s) Stengel--
42 Concerning growth management in Colorado, and making
43 an appropriation therefor.
44 Committee on Local Government
45 Committee on Appropriations
46
- 47 **SB01-149** by Senator(s) Owen; also Representative(s) Scott--
48 Concerning the state defined contribution plan.
49 Committee on Civil Justice & Judiciary
50 Committee on Appropriations
51
- 52 **SB01-202** by Senator(s) Thiebaut, Matsunaka, Andrews; also
53 Representative(s) Spradley, Dean, Grossman--Concerning
54 appropriations related to the legislative department, and
55 making appropriations in connection therewith.
56 Committee on Appropriations

1 **SB01-203** by Senator(s) Phillips, Windels, McElhany; also Repre-
2 sentative(s) Larson, Lawrence, Miller--Concerning
3 deadlines for the submittal of budget information by cer-
4 tain state agencies to the capital development committee.
5 Committee on Finance

6
7
8
9 **INTRODUCTION OF RESOLUTIONS**

10
11 The following resolutions were read by title and laid over one day under
12 the rules:

13
14 **HR01-1013** by Representative(s) Sinclair-- Concerning the recognition
15 of Military Appreciation Day.

16
17 WHEREAS, On April 2, 2001, the federal Department of Military
18 Affairs and the United Veterans Committee will sponsor a veterans
19 commemorative event at the Colorado State Capitol; and

20
21 WHEREAS, On March 28, 1862, Colorado forces under Colonel
22 Slough defeated Confederate forces at the Battle of Glorieta Pass; and

23
24 WHEREAS, Colorado has a proud and distinguished history of
25 dedicated military service by men and women of this state whose
26 sacrifice, courage, and heroism preserve for past, present, and future
27 generations the liberties and democratic way of life set forth in our state
28 and national constitutions; and

29
30 WHEREAS, The State of Colorado significantly benefits from the
31 presence and military service of the more than 40,000 men and women
32 serving in the United States Army, Navy, Air Force, Marine Corps, Coast
33 Guard, their Reserves, the Colorado National Guard, and the Civil Air
34 Patrol at military installations, offices, and bases in Colorado; and

35
36 WHEREAS, It is appropriate to recognize the Coloradans in all
37 branches and components of the Armed Services who selflessly serve
38 around the world today to protect the security and peace of our nation and
39 other nations; and

40
41 WHEREAS, Colorado is the proud home to and the beneficiary of
42 more than 460,000 military veterans who have served their country long
43 and well and bring great honor and distinction to the state; now,
44 therefore,

45
46 *Be It Resolved by the House of Representatives of the Sixty-third*
47 *General Assembly of the State of Colorado:*

48
49 That we, the members of the House of Representatives of the
50 Colorado General Assembly, hereby extend our heartfelt gratitude to our
51 state's veterans, past and present, and to all military men and women
52 currently serving in the Armed Services and encourage the citizens of
53 Colorado to join in the celebration of Colorado Military Appreciation
54 Day on April 2, 2001, in recognition and honor of the thousands of fellow
55 citizens who have put on a military uniform in order to protect and serve
56 their community, state, and country.

1 *Be It Further Resolved*, That copies of this Resolution be made
2 available to each of the senior commanders of active duty units and
3 National Guard units located in the State of Colorado and to the members
4 of the congressional delegation representing the State of Colorado in the
5 United States Congress.

6
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8
9 **HJR01-1023** by Representative(s) Scott, Boyd, King, Lee, Madden,
10 Rhodes, Rippey, Sinclair; also Senator(s) Andrews--
11 Concerning Scottish Tartan Day.

12
13 WHEREAS, On April 6, 1320, Scotland's leading nobility and
14 clergy gathered at the Abbey of Arbroath to place their signatures on a
15 document drafted by Bernard de Linton, the Abbot of Arbroath; and

16
17 WHEREAS, This Latin language declaration was addressed to
18 Pope John XXII and called on the pontiff to officially recognize the
19 independent Kingdom of Scotland under King Robert Bruce; and

20
21 WHEREAS, This event occurred six years after the decisive
22 Scottish victory at the Battle of Bannockburn, that, at least temporarily,
23 concluded the war waged against Scotland by the English King Edward
24 I, known as "The Hammer of Scotland", and his son King Edward II; and

25
26 WHEREAS, The Declaration of Arbroath stands as an historical
27 landmark in the struggle for the liberty of mankind; and

28
29 WHEREAS, April 6 has a special significance for all Americans,
30 especially those of Scottish descent, because the Declaration of Arbroath,
31 the Scottish Declaration of Independence, was signed on April 6, 1320,
32 and the American Declaration of Independence was modeled on that
33 inspirational document; and

34
35 WHEREAS, On March 20, 1998, the United States Senate
36 unanimously designated April 6 of each year as "National Tartan Day";
37 and

38
39 WHEREAS, In 1999, the Colorado General Assembly designated
40 April 6 of each year as Scottish Tartan Day; now, therefore,

41
42 *Be It Resolved by the House of Representatives of the Sixty-third*
43 *General Assembly of the State of Colorado, the Senate concurring*
44 *herein:*

45
46 That the Colorado General Assembly encourages the citizens of
47 Colorado to join in the celebration of Scottish Tartan Day on April 6,
48 2001.

49
50
51 **SJR01-021** by Senator(s) Hanna, Dennis, Epps, Fitz-Gerald,
52 Hagedorn, McElhany, Pascoe, Taylor, Windels; also
53 Representative(s) Rhodes, Cloer, Coleman, Marshall,
54 Romanoff, Spence, Stafford--Concerning raising
55 awareness of the disease Scleroderma.

1 House in recess. House reconvened.
2
3

4
5 **REPORT OF COMMITTEE OF REFERENCE**
6

7 **TRANSPORTATION & ENERGY**

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

10
11 **HB01-1369** be referred to the Committee of the Whole with favorable
12 recommendation.
13

14
15
16 **DELIVERY OF BILLS TO GOVERNOR**
17

18 The Chief Clerk of the House of Representatives reports the following
19 bills have been delivered to the Office of the Governor: **HB01-1064,**
20 **1226, 1281** at 2:54 p.m. on March 29, 2001.
21

22
23
24 **MESSAGES FROM THE SENATE**

25 Mr. Speaker:

26
27 The Senate has passed on Third Reading and transmitted to the Revisor
28 of Statutes: SB01-157, 209;
29

30 SB01-105, amended as printed in Senate Journal, March 28,
31 pages 689-690;

32 SB01-168, amended as printed in Senate Journal, March 28, page 690;

33 SB01-100, amended as printed in Senate Journal, March 28, page 690;

34 SB01-016, amended as printed in Senate Journal, March 28,
35 page 690-691;

36 SB01-006, amended as printed in Senate Journal, March 28, page 691;

37 SB01-052, amended as printed in Senate Journal, March 28, page 691;

38 HB01-1308, amended as printed in Senate Journal, March 28, page 690;

39 HB01-1169, amended as printed in Senate Journal, March 28,
40 page 691-692.
41

42 In response to the request of the House for a Conference Committee on
43 HB01-1250, the President appointed Senators Hagedorn, Chm., Dyer (D)
44 and Hillman as members of the First Conference Committee on the part
45 of the Senate.
46

47 In response to the request of the House for a Conference Committee on
48 HB01-1034, the President appointed Senators Hagedorn, Chm.,
49 Hernandez and Anderson as members of the First Conference Committee
50 on the part of the Senate.
51

52 In response to the request of the House for a Conference Committee on
53 HB01-1030, the President appointed Senators Reeves, Chm., Tupa and
54 Teck as members of the First Conference Committee on the part of the
55 Senate.
56

1 In response to the request of the House for a Conference Committee on
2 HB01-1124, the President appointed Senators Nichol, Chm., Takis and
3 May as members of the First Conference Committee on the part of the
4 Senate.

5

6

7 The Senate has adopted the First Report of the First Conference
8 Committee on SB01-129, and has repassed the bill as so amended.

9

10

11

12

MESSAGE FROM THE REVISOR

13

14 We herewith transmit without comment, SB01-157 and 209; and
15 without comment, as amended, SB01-105, 168, 100, 016, 006, 052,
16 HB01-1308 and 1169.

17

18

19

20

LAY OVER OF CALENDAR ITEMS

21

22 On motion of Representative Spradley, the following items on the
23 Calendar were laid over until March 30, retaining place on Calendar:

24

25 Consideration of General Orders--**SB01-054, HB01-1358, 1366, 1017,**
26 **1079, 1268, 1156, 1363.**

27 Consideration of Resolutions--**SJR01-012, HJR01-1021.**

28 Consideration of Senate Amendments--**HB01-1011, 1288, 1325, 1224,**
29 **1187, 1113, 1163, 1236, 1210, 1160, 1239, 1275, 1348, 1096, 1025,**
30 **1292.**

31

32

33 On motion of Representative Spradley, the House adjourned until
34 9:00 a.m., March 30, 2001.

35

36

Approved:

37

38

39

40

DOUG DEAN,
Speaker

41

42 Attest:

43

44 JUDITH RODRIGUE,
45 Chief Clerk